

Leslie Lechner-Salemi
Chair

James Ensign
Vice-Chair

Commissioners

Eric Hufnagel, Mayor
Heather Hanover, City Commissioner
Alysha Chant, Bingham Township
Keith Peterson
Mark Holden
Melvin Renfrow
Wendy Ward

Dave J. Kudwa, P.E.
Community
Development Director



CITY OF ST. JOHNS PLANNING COMMISSION

MEETING AGENDA

MEETING DATE: OCTOBER 14TH, 2020

The St. Johns Planning Commission will hold a public hearing at 5:30 pm on October 14th, 2020. In order to maintain compliance with social distancing guidelines and in compliance with the Open Meetings Act and Executive Order 2020-15, the meeting will be held virtually using an online video call platform.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/572241661>

You can also dial in using your phone.

United States (Toll Free): 1 877 309 2073

- One-touch: <tel:+18773092073>..572241661#

Access Code: 572-241-661

AGENDA

1. Call to Order (**5:30 pm**)
2. Approval of Agenda (**5:30 pm – 5:32 pm**)
3. Public Comment for Non-Agenda Items (**5:32 pm – 5:33 pm**)
4. Old Business
 - A. September 9th, 2020 meeting minutes review
(**5:33 pm – 5:34 pm**) (**ACTION ITEM**)
 - B. UPDATE: Redevelopment Ready Community program
(Presenter: City Staff)
(**5:34 pm – 5:40 pm**) (**DISCUSSION ONLY**)
 - C. UPDATE: Site plan / Special land use final approval process
(Presenter: City Staff)
(**5:40 pm – 5:45 pm**) (**DISCUSSION ONLY**)
5. New Business

100 East State Street, P.O. Box 477, St. Johns, Michigan 48879-0477
(989) 224-8944 Fax (989) 224-2204
E-mail: dkudwa@ci.saint-johns.mi.us

- A. Update permitted land uses & special land uses for CBD
(Presenter: City Staff)
(5:45 pm – 6:10 pm) (ACTION ITEM)
 - B. Review lot size criteria to determine unit density in the R-2 (Medium Density Residential district
(Presenter: City Staff)
(6:10 pm – 6:30 pm) (ACTION ITEM)
6. Adjournment **(6:30 pm)**

Leslie Lechner-Salemi
Chair

James Ensign
Vice-Chair

Commissioners

Eric Hufnagel, Mayor
Heather Hanover, City Commission
Alysha Chant, Bingham Township
Keith Peterson
Mark Holden
Melvin Renfrow
Wendy Ward

Dave J. Kudwa, P.E.
Community
Development Director



**CITY OF ST. JOHNS
PLANNING COMMISSION**

**SEPTEMBER 9th, 2020
REGULAR MEETING MINUTES**

1. CALL TO ORDER

The meeting of the St. Johns Planning Commission was called to order by Mrs. Leslie Salemi at 5:33 p.m.

Members Present: Salemi, Hanover, Ward, Ensign, Holden, Hufnagel, Chant

Staff Present: Dave J. Kudwa

Others Present: Tyler Munger (Bee's Sports)

2. APPROVAL OF AGENDA

A. A motion was made by Mr. Holden and supported by Commissioner Hanover to approve the agenda as presented.

Yes: Salemi, Hanover, Ward, Ensign, Holden, Hufnagel, Chant
Nay: None

Motion carried

3. PUBLIC COMMENT ON AGENDA / NON-AGENDA ITEMS

None

4. NEW BUSINESS

A. Site plan review – RV Storage – 2138 S. US 127 BR (Bee's Sports)

The planning commission discussed the proposed RV storage site plan for Bee's Sports located at 2138 S. US 127 BR. The discussion included the following relevant topics: storm water management, maximum lot coverage, potential site lighting, building construction, and landscape buffering.

A motion was made by Mr. Holden and supported by Mayor Hufnagel to recommend that the city commission approve the site plan as presented.

Yes: Salemi, Ward, Ensign, Holden, Hufnagel, Hanover, Chant
Nay: None

Motion carried

B. Redevelopment Ready Community program – update

Mr. Jonathan Bowman, community development intern, gave an update on the Redevelopment Ready Community certification along with giving timelines to complete the final best practices.

C. Site plan approval process – planning commission vs. city commission

As a part of the Redevelopment Ready Community certification, the MEDC has highlighted the need for efficient planning processes. Mr. Jonathan Bowman presented that communities are moving away from having the planning commission review / city commission approval process. Instead, the approval authority (permitted-uses only) is being granted to the planning commission. This eliminates one potential meeting thereby creating a more efficient process. The planning commission discussed the issue and was in favor of the change.

The planning commission also discussed the approval process for special land uses. Currently, the planning commission gives final approval for special land use requests but thought it would be advantageous for the city commission to consider these applications.

The planning commission was in favor of this change and will be sending a request to the city commission.

D. Section 155.341 update – Off-street parking regulations within a residential district

City staff has presented an update to city code section 155.341 to limit the storage of commercial equipment on residential lots. The planning commission made the following motion:

A motion was made by Commissioner Hanover and supported by Mayor Hufnagel to approve the proposed language amendments.

Yes: Salemi, Ward, Ensign, Holden, Hufnagel, Hanover, Chant
Nay: None

Motion carried

E. Community/Downtown master plan update - timelines

City staff and McKenna Associates gave an update on the progress of the downtown and community master plans and presented both for final approval.

A motion was made by Commissioner Hanover and supported by Mr. Holden to approve the downtown master plan as presented.

Yes: Salemi, Ward, Ensign, Holden, Hufnagel, Hanover, Chant
Nay: None

Motion carried

A motion was made by Commissioner Hanover and supported by Mr. Holden to approve the community master plan as presented.

Yes: Salemi, Ward, Ensign, Holden, Hufnagel, Hanover, Chant
Nay: None

Motion carried

5. PLANNING COMMISSIONER COMMENTS

None

6. ADJOURNMENT

A motion was made by Commissioner Hanover and supported by Mr. Holden to adjourn the meeting at 6:50 pm.

Yes: Salemi, Ward, Ensign, Holden, Hufnagel, Hanover, Chant

Nay: None

Motion carried



MEMORANDUM CITY OF ST. JOHNS

To: Planning Commissioners
Dave J. Kudwa, Deputy City Manager

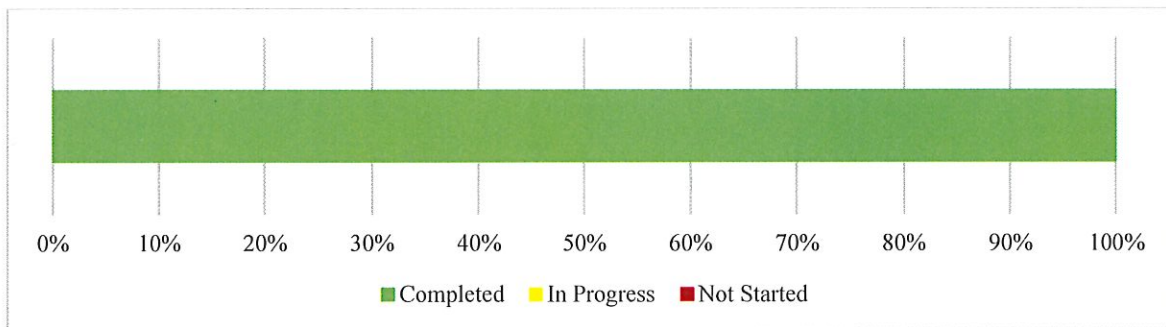
From: Jonathan Bowman, Community Development Fellow

Date: October 7, 2020

Subject: Redevelopment Ready Community (RRC) Program Update

This memo serves as a progress update to keep the commission informed on RRC efforts. RRC is comprised of six best practices: Community Plans and Public Outreach, Zoning Regulation, Development Review Process, Recruitment and Education, Community Prosperity, and Redevelopment Ready Sites. Each best practice has a varying number of required components to assist in achieving the overall goal. This memo will outline the progress on each best practice highlighting what has been accomplished in the last month. The City aims to have the RRC program complete by the end of 2020. It is important to note that some of these items require more time to complete than others as they may need proper approval or ordinance changes to be finished. Staff have worked diligently to move these RRC efforts through the proper channels and believe this document summarizes the progress which has been made.

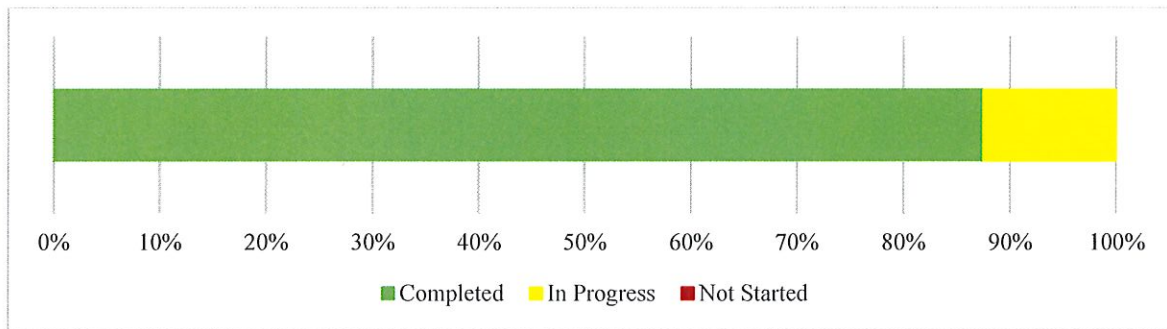
Best Practice 1: Community Plans and Public Outreach



Since the last RRC update the Downtown Plan has been approved and posted on the city website. This means that all seven components for best practice one are now complete.

There are seven components of the Community Plans and Outreach best practice which include many highly detailed and time-consuming documents. Important documents required in this section include the Master Plan, Capital Improvement Plan, Downtown Plan, and Public Participation Plan.

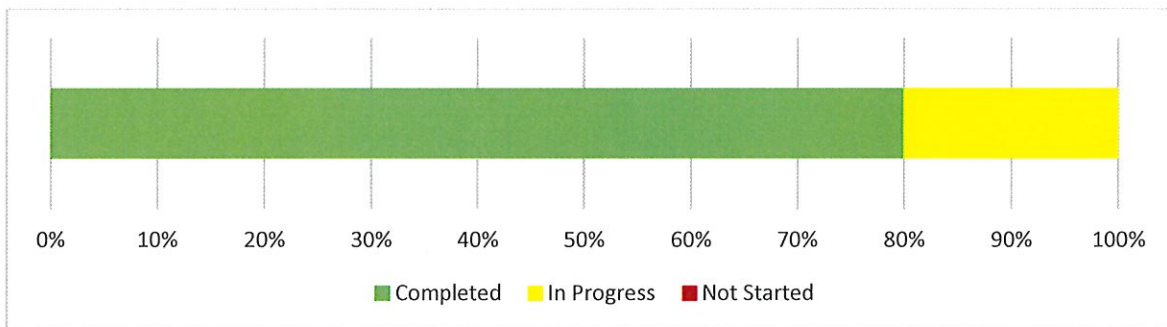
Best Practice 2: Zoning Regulation



One component has been complete since the last RRC update and the other component is being discussed at the Planning Commission. The final item is in relation to residential uses in the Central Business District (CBD).

This best practice goes into detail of the zoning code and alignment with the Master Plan. There are eight components in this best practice.

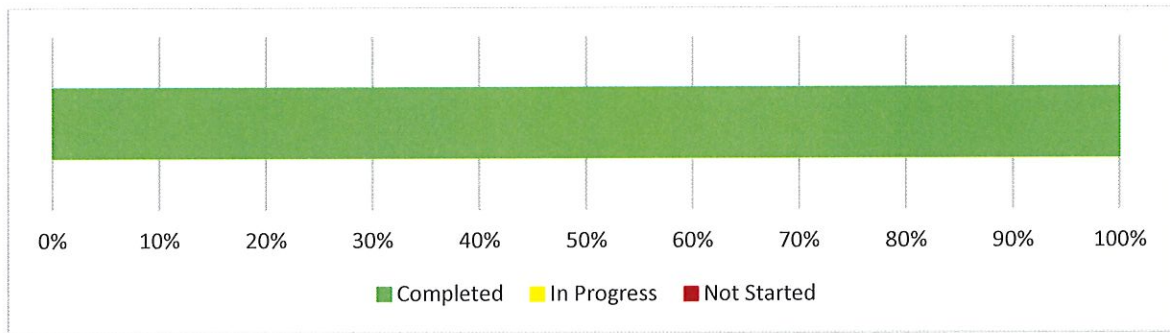
Best Practice 3: Development Review Process



There are two items still be worked on in this best practice and one that was completed last month. The first item in progress is for the zoning changes which have been approved by the Planning Commission and will be presented to the City Commission in October. The City Commission approved staff to draft language on this change at their last meeting. Secondly, we are working on creating a guide to development to fulfill the other requirement. Staff have discussion points for the Planning Commission regarding this item.

Best practice 3 is about creating an efficient and easily understandable process for development. This connects the zoning code to actual procedure. There are ten components total for this best practice.

Best Practice 4: Recruitment and Education

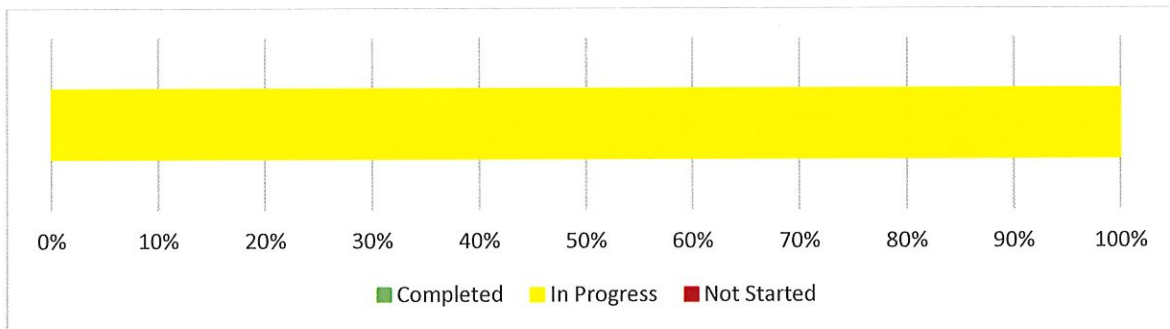


The last four components of this best practice have been completed since the last RRC update, officially finishing the best practice. The items completed include documents for training tracking and goals, training communication procedures, and the scheduling of a joint meeting. There is now a page on the city website specifically for boards and committees. This page compiles all board information in one easy to find location including board descriptions, the application, and a skillset guide to help people determine the area in which they are best suited to serve. These changes promote transparency and encourage citizens to get involved in the community. Please see this new page at the link below:

<https://cityofstjohnsmi.com/departments/index.php?structureid=40>

The best practice on recruitment and education aims to ensure all boards and commissions are set up for success. This includes proper recruitment of membership and consistent training opportunities to keep these individuals informed. There are eight components of this best practice.

Best Practice 5: Community Prosperity



Now that the other best practices are in their final stages focus on best practice five has begun and will continue into the next couple months.

The best practice on community prosperity only has four components centering around an economic development strategy, marketing strategy, and the city website. This best practice brings together many elements from the other areas which is why it is saved towards the end of the process to complete.

Best Practice 6: Redevelopment Ready Sites

Following up on the question posed from the Planning Commission on the timeline for best practice six it has been discovered that this truly varies on the community. Once St. Johns is certified there are resources at its disposal for marketing and preparing for site development. The MEDC Redevelopment Services Team will assist St. Johns in creating site packages for the identified priority sites and these can be as detailed as the city wants. Additionally, this team can possibly provide a site design/build package, assist in market studies, or other services which would help develop the identified sites. These services can range in time depending on what is applicable or requested from the city. It is important to note that St. Johns will have already received its certification before any of this work is done.

This best practice is unique in that it does not need to be completed prior to RRC certification. After the completion of the other five areas the Michigan Economic Development Corporation (MEDC) will assist the city in completing this best practice. The City of St. Johns will be identifying three to five priority redevelopment sites in which the MEDC will help create and market redevelopment site packages.

Site Plan Review

§ 155.270

Purpose

- (A) It is the purpose of this chapter to require site plan review approval for certain buildings, structures, and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels, and the character of future development.
- (B) The regulations contained in this chapter are intended to promote:
 - (1) Safe and convenient traffic movement, both within a site and in relation to access streets;
 - (2) Harmonious relationships of buildings, structures, and uses, both within a site and with adjacent sites;
 - (3) Conservation of natural amenities and resources; and
 - (4) The preservation of the integrity of the utility system of the city.

(Ord. 616, passed 9-23-2013)

§ 155.271

Uses Requiring Site Plan Review

Site plans are required to be submitted under any of the following circumstances:

- (A) **Sketch site plan review.**
 - (1) A sketch site plan review consists of a general description and drawing of the proposed development and includes the name and address of the applicant or contractor and the address of the property to be improved.
 - (2) A sketch site plan review is subject to staff review and approval of the Zoning Administrator and is applicable to the following circumstances:
 - a) The construction of, or additions to, single family and duplex residences.
 - b) The construction of an addition less than 1,000 square feet in size to any principal structure other than single family or duplex residence.
 - c) The construction of non-residential accessory structures less than 1,000 square feet in size.
 - d) Parking lots consisting of ten or fewer spaces or the addition of ten or fewer spaces to an existing lot.

- e) Residential accessory buildings and structures to include decks, gazebos, at-grade patios, handicap access ramps, driveways, off-street parking facilities, private sidewalks, and swimming pools.
- f) Fences.
- g) Signs.

(B) Committee site plan review.

- (1) A committee site plan review shall be submitted in accordance with the requirements of § 155.279. Six copies of the plan shall be submitted to the Zoning Administrator, who shall forward the plan to the Committee within seven days of application. Each application shall be accompanied by the payment of a fee based on the fee schedule adopted by the City Commission.
- (2) The Committee shall be composed of any three Planning Commission members, one of which will be a concurrent member of the City Commission.
- (3) A Committee Site Plan Review is applicable to the following circumstances:
 - a) The construction of an addition of 1,000 square feet or greater, but less than 5,000 square feet in size, to any principal structure other than single family or duplex residence, provided the proposed construction is not adjacent to a residentially zoned district.
 - b) The construction of a non-residential accessory structure greater than 1,000 square feet, but less than 5,000 square feet in size, provided the proposed construction is not adjacent to a residentially zoned district.
 - c) The addition of more than ten spaces to an existing parking lot, provided the lot is not adjacent to a residential zoned district.

(C) Planning Commission Site Plan Review.

- (1) A Planning Commission Site Plan Review shall be submitted in accordance with the procedures of § 155.278 and subject to the requirements of § 155.279.
- (2) Planning Commission Site Plan Review is applicable to the following circumstances:
 - a) As part of an application for a special use permit.
 - b) The construction of any new principal residence other than single family or duplex residence.
 - c) The construction of an addition 5,000 square feet or greater in size to any principal structure other than single family or duplex residence.
 - d) The construction of an addition 1,000 square feet or greater in size to any principal structure, other than single family or duplex residence, that is adjacent to a residentially zoned district.
 - e) The construction of a non-residential accessory structure 5,000 square feet or greater in size.
 - f) The construction of a non-residential accessory structure 1,000 square feet or greater in size that is adjacent to a residentially zoned district.
 - g) The construction of a new parking lot consisting of more than ten spaces.
 - h) The addition of more than ten spaces to an existing parking lot that is adjacent to a residentially zoned district.
 - i) As part of an application for a condominium development.

(Ord. 616, passed 9-23-2013; Am. Ord. 643, passed 4-23-2018)

§ 155.272

Preliminary Review

At least 45 days prior to the Planning Commission meeting at which a developer wishes a proposed plan to be considered by the Planning Commission, the developer shall submit a copy of the proposed plan and meet with planning staff to review the plan for form and content. Meeting with planning staff may be in person, by telephone or by any other method as staff and the developer may agree. The Planning Commission will not consider any plan unless the above pre-submission review has been conducted as set forth above. A preliminary site plan consists of a drawing at a scale of 1"=50' or less that shows:

- (A) Property dimensions.
- (B) Significant vegetation.
- (C) Water courses and water bodies.
- (D) Drainage patterns.
- (E) Existing right-of-ways and other public or private easements.
- (F) Existing buildings and structures on the lot and within 50 feet of the lot and their dimensions.
- (G) Proposed use of all buildings and land and existing use of adjacent parcels.
- (H) Existing and proposed parking.

(Ord. 616, passed 9-23-2013)

§ 155.273

Site Plan Review Procedures

Any application for site plan approval shall be submitted in accordance with the following procedures.

- (A) Any application shall be submitted to the Planning Commission through the Zoning Administrator. Each application shall be accompanied by the payment of a non-refundable fee based on the fee schedule adopted by the City Commission.
- (B) Every application shall be accompanied by the following information and data:
 - (1) ~~Twenty-one copies~~Copies of a site plan meeting the requirements outlined below, in a number to be determined by the Zoning Administrator.
 - (2) A completed application form.
 - (3) A statement with supporting evidence regarding the findings specified under § 155.272.
- (C) A completed application with all required attached information shall be submitted to the Zoning Administrator at least 30 days prior to the Planning Commission meeting at which it will be reviewed. An incomplete application will be returned to the applicant. If the application is then returned less than 30 days prior to the next Planning Commission meeting, the application will be ineligible for review at that meeting but will be held for review at the following meeting.
- (D) Following submission of a complete application with all required information, the Zoning Administrator shall schedule the application for a public hearing at the next regular Planning Commission meeting following the 30 day review and notice period. The applicant has the option of requesting a special Planning Commission meeting

after the 30 day period subject to the availability of Planning Commission members and payment of an additional fee as indicated on the fee schedule. The Zoning Administrator shall also send copies of the site plan application to the City Engineer, City Fire Chief and City Police Chief. They shall submit their written comments to the Zoning Administrator no less than seven days prior to the Planning Commission meeting at which the site plan is to be reviewed. The City Manager and County Historical Commission will also be sent a copy of the site plan for informational purposes, but are not required to submit written comments to the Planning Commission. The Zoning Administrator may also submit the site plan to other governmental bodies or agencies for input.

- (E) After scheduling the public hearing the Zoning Administrator shall have a notice of public hearing published in a paper of general circulation in the city not less than 15 days before the public hearing. The notice shall be mailed or delivered to the applicant and to all persons to whom real property is assessed within 300 feet of the property and to all occupants of all structures within 300 feet of the property, regardless of whether the property or occupant is located within the zoning jurisdiction. The notice shall do the following:

- (1) Describe the nature of the request.
- (2) Indicate the property that is the subject of the request.
- (3) State when and where the request will be considered.
- (4) Indicate when and where written comments will be received concerning the request.

- (F) At the public hearing, the Planning Commission shall review the application and information from the city staff and shall provide the applicant and the public an opportunity to comment on the application.

~~(G) The Planning Commission shall make a recommendation on the application within 45 days of the public hearing unless the applicant agrees to an extension. The recommendation shall identify how the site plan complies or fails to comply with the standards identified in § 155.281. The Planning Commission may:~~

- ~~(1) Recommend approval of the application as submitted.~~
- ~~(2) Recommend approval of the application with conditions as outlined in § 155.281 of this chapter and/or changes to the site plan.~~
- ~~(3) Recommend denial with an explanation of the recommendation.~~
- ~~(4) Following a decision by the Planning Commission a copy of the site plan and the Planning Commission's recommendation will be forwarded to the City Commission.~~

~~(H)~~(G) The City-Planning Commission shall make a decision within 45 days of receipt of a site plan application, unless the applicant agrees to an extension. The City-Planning Commission may:

- (1) Approve the site plan.
- (2) Approve the site plan with conditions as outlined in § 155.281 of this chapter.
- (3) Deny the site plan with an explanation of the denial.

~~(4) Refer back to the Planning Commission for consideration of any significant changes to the proposed site plan or conditions from the plan reviewed by the Planning Commission. The Planning Commission shall review the referred site plan at their next regularly scheduled meeting and report back to the City Commission.~~

~~(H)~~(H) The Zoning Administrator shall notify the applicant of the City-Planning Commission's decision by mail within 15 days of the date of the decision. The Zoning Administrator shall maintain a file of each application including a copy of the application, verification of notices, copies of all correspondence and copies of minutes of meetings related to the application.

~~(J)~~(I) The developer shall provide any bonds or financial guarantees required by the City-Planning Commission as outlined in § 155.282.

(Ord. 616, passed 9-23-2013)

§ 155.274

Site Plan Requirements

Any site plan submitted for review shall be at a scale of 1"=50', 1"=40', 1"=30', 1"=20', or 1"=10' on a sheet or sheets 24" x 36". The site plan shall contain the following information. The table below shows the required elements of a Site Plan, for Sketch Site Plans, Committee Site Plans, and Planning Commission Site Plans.

	<u>Sketch Site Plan Approval</u>	<u>Committee Site Plan Approval</u>	<u>Planning Commission Site Plan Approval</u>
<u>Applicant Name, Address, Phone Number, and Email</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Property Owner Name, Address, Phone Number, and Email</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Design Professional Name, Address, Phone Number, and Email</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Legal Representative Name, Address, Phone Number, and Email, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Signature and Seal of Licensed Design Professional</u>	<u>Not Required</u>	<u>Required</u>	<u>Required</u>
<u>Property Address and Parcel Number</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Legal Description of Property</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Scale</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>North Arrow</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Submission Date</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Name of Proposed Development, if applicable</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Summary of Proposed Improvements</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Proof of Property Ownership</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Comments and Approvals from County, State, and Federal agencies, as applicable</u>	<u>Required, as applicable</u>	<u>Required, as applicable</u>	<u>Required, as applicable</u>
<u>Required Fees</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Location Map, drawn to scale</u>	<u>Not Required</u>	<u>Required</u>	<u>Required</u>
<u>Dimensions of Property Lines</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Total Acreage of Property</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Site Topography, at 2 foot contours</u>	<u>Required if Requested by City</u>	<u>Required if Requested by City</u>	<u>Required if Requested by City</u>
<u>Location of Existing Bodies of Water</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Location of Existing Wetlands</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Existing Structures</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Proposed Structures, including Gross Floor Area</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Height of All Proposed Structures</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>

	<u>Sketch Site Plan Approval</u>	<u>Committee Site Plan Approval</u>	<u>Planning Commission Site Plan Approval</u>
<u>Setbacks for All Proposed Structures from All Property Lines</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Architectural Elevations of Principal Building, including Building Materials</u>	<u>Not Required</u>	<u>Required if Requested by City</u>	<u>Required if Requested by City</u>
<u>Finished Floor Elevation for All Structures</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Proposed Number of Parking Spaces</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Proposed Barrier-Free Parking Spaces</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Proposed New Streets</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Proposed Driveways</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Proposed Parking Areas, including layout of spaces and aisles</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Proposed Walkways, Sidewalks, and/or Trails</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Typical Cross Section of Pavement</u>	<u>Required if Requested by City</u>	<u>Required if Requested by City</u>	<u>May be Requested by CNS</u>
<u>Location of Exterior Light Fixtures</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Specifications for Proposed Light Fixtures</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Photometric Plan</u>	<u>Not Required</u>	<u>Required</u>	<u>Required</u>
<u>Trash Receptacle Location and Screening</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Landscape Plan</u>	<u>Required if Requested by City</u>	<u>Required</u>	<u>Required</u>
<u>Location and Height of Proposed Fences</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Proposed Site Grading and Drainage Pattern</u>	<u>Required if Requested by City</u>	<u>Required</u>	<u>Required</u>
<u>Location and Size of All Stormwater Drainage Infrastructure</u>	<u>Required if Requested by City</u>	<u>Required if Requested by City</u>	<u>Required</u>
<u>Proposed Signage</u>	<u>Optional (May be approved Separately)</u>	<u>Optional (May be approved Separately)</u>	<u>Optional (May be approved Separately)</u>
<u>Clear Corner Vision Areas</u>	<u>Required if Requested by City</u>	<u>Required</u>	<u>Required</u>
<u>Existing Zoning</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Existing Use</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Proposed Use</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Proposed Number of Dwelling Units</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Proposed Phases of Development</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Gross Square Footage of Dwelling Units</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>	<u>Required, if applicable</u>
<u>Traffic Study</u>	<u>Not Required</u>	<u>Not Required</u>	<u>Required if Requested by City</u>
<u>Location and Size of HVAC, Transformers, and any Other Equipment</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Location of Proposed Fire Hydrants</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Location of Underground and Overhead Utilities</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>

	<u>Sketch Site Plan Approval</u>	<u>Committee Site Plan Approval</u>	<u>Planning Commission Site Plan Approval</u>
<u>Existing and/or Anticipated Electric Service Location</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Existing and/or Anticipated Communications Service, including Conduit Size/Quantity, and Building Penetration Point</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Existing and Proposed Utility Easements</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Any Existing Utilities to be Relocated or Modified</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>

~~(A) Existing zoning of site and abutting properties.~~

~~(B) Vehicular traffic and pedestrian circulation features within and without the site including driveways or streets within 150 feet of the site, including proposed off-site improvements, and street extensions and curb cuts (to determine compliance with traffic access standards adequacy of access, conflicts between vehicles and pedestrians, turning movement conflicts between the site and other nearby driveways).~~

~~(C) The location and capacity of private or public utilities servicing the site such as water, sanitary services, solid waste disposal facilities and drainage systems including storm sewers, and storm water retention and detention facilities. Information on these facilities shall include the size of lines, and proposed connections or extensions, and the applicant's basis for determining service demands, fire hydrants and distance from nearest off-site hydrant (to ensure compliance with the standard requiring adequate water and sewer service).~~

~~(D) The location of existing and proposed principal and accessory buildings on the lot and the relationship of each structure to one another and to required setbacks (to determine compliance with setback requirements).~~

~~(E) The height and dimension of all structures (to determine compliance with maximum height and lot coverage requirements as well as minimum building size requirements where applicable).~~

~~(F) Existing and proposed grades at two-inch intervals (to determine any minimum or maximum grade requirements, clear vision requirements and height requirements).~~

~~(G) Location of any identified wetlands (to comply with standards relating to the protection of natural features and/or compliance with local, state and federal laws).~~

~~(H) On-site soil limitations for foundations.~~

~~(I) **Statistical data including.** Number of dwelling units, size of dwelling units (e.g., one-bedroom, two-bedrooms, three-bedrooms, if any), net development area, if applicable, total gross acreage, in the case of mobile home parks, the size and location of each mobile home site shall be shown. In the case of commercial and industrial development, the location, classification, horsepower, fuel, dimensions, and other data of all machinery to be used on the proposed site (to determine compliance with minimum lot size, maximum lot coverage and density requirements and parking requirements and compliance with noise standards).~~

~~(J) Lot dimensions (to determine compliance with minimum lot size requirements).~~

~~(K) The location and dimensions of all off-street parking areas including, parking spaces, barrier free spaces, maneuvering lanes, service lanes, off-street loading spaces, and other service areas within the development (to determine compliance with parking and screening requirements).~~

~~(L) Designation of fire lanes (to determine compliance with Fire Code requirements).~~

~~(M) The location of all proposed landscaping, fences or walls and existing trees over eight inches caliper with an indication if the tree is to be removed or preserved. (to determine compliance with screening and landscaping requirements).~~

~~(N) The location, dimensions, type and lighting of all signs (to ensure compliance with sign requirements).~~

- ~~(O) — Existing and proposed easements.~~
 - ~~(P) — Outdoor storage or activity areas (to determine compliance with standards relating to outdoor storage of material and outdoor activities).~~
 - ~~(Q) — Location of trash receptacles (to determine compliance with requirements regarding location and screening).~~
 - ~~(R) — Listing of type, quantity, storage location and secondary containment provisions for any hazardous material stored or used on the site as well as copies of any Tier I or Tier II documentation required under Title III of the Resource Conservation and Recovery Act (RCRA).~~
 - ~~(S) — The location, height, intensity and orientation of all outdoor lights including type of bulbs, wattage, foot candles and a fixture detail (to determine compliance with requirements regarding lighting being directed off adjacent premises).~~
 - ~~(T) — Front, rear, and side elevation of any typical structure proposed for development including information on siding material, roof material, doors, windows and roof mounted equipment.~~
 - ~~(U) — A location map at a larger scale, indicating the relationship of the site to the surrounding land use.~~
 - ~~(V) — Cross section showing construction of drives and parking area (to determine compliance with requirements regarding pavement surface and adequacy of base material).~~
 - ~~(W) — Floor plan showing existing and proposed uses (to verify gross vs. usable floor area and principal vs. accessory uses).~~
 - ~~(X) — The Planning Commission or City Commission may require additional information from the applicant such as environmental assessments, traffic studies, or engineering reviews when it determines such information is required to determine the site plan's compliance with ordinance requirements.~~
- ~~(Ord. 616, passed 9-23-2013)~~

§ 155.275

Modification of Approval of Site Plan

Once site plan approval has been granted by the City Commission, changes to the approved site plan shall require a re-submission, review and approval following the same procedures required above for the initial site plan.

(Ord. 616, passed 9-23-2013)

§ 155.276

Standards for Site Plan Approval

- (A) All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property and the type of plot, the character of adjoining property and the type and size of buildings. The site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.
- (B) The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.

- (C) The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and the privacy of its occupants.
- (D) All buildings, or groups of buildings, shall be so arranged as to permit emergency vehicle access by some practical means to all sides, if determined necessary by the Fire Chief.
- (E) Every structure or dwelling unit shall have access to a public street, walkway, or other area dedicated to common use.
- (F) There shall be provided a pedestrian circulation system which meets the intent of §§ 95.10 through 95.14 of this code. All constructed sidewalks must meet the requirements of the city's engineering and construction standards.
- (G) The access routes for vehicular circulation shall respect the pattern of existing pedestrian or bicycle pathways in the area. Shared parking and interior connecting drives shall be required wherever feasible.
- (H) All streets shall be developed in accordance with the city specifications unless otherwise approved by the City Commission.
- (I) Any development affecting existing city streets shall comply with city specifications as to curb, gutter, walkways, paving, catch basins and underground utility locations.
- (J) Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. The construction of storm sewer facilities including detention basins, catch basins, manholes, sewer piping, and infiltration systems shall follow the provisions of Chapter 55 of this code.
- (K) All appropriate measures shall be taken, by the developer, to complete a water loop system when deemed advisable by the City Engineer, Water Department and Fire Department.
- (L) Underground utilities may be required in all areas for distribution of utilities including water, sewer, electric, gas, telephone and cable TV when deemed advisable.
- (M) All loading and unloading areas and outside storage areas including areas for the storage of trash which face or are visible from residential districts or public thoroughfares shall be screened by an opaque wall not less than six feet in height.
- (N) Exterior lighting shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.
- (O) Each site plan shall conform to the applicable provisions of this chapter and the standards listed below:
 - (1) Site plans shall fully conform with the published surface water drainage standards of the County Drain Commission.
 - (2) Site plans shall fully conform with the driveway and traffic safety standards of the Michigan Department of Transportation and/or the city.
 - (3) Site plans shall fully conform with the applicable fire safety and emergency vehicle access requirements of the State Construction Code and/or the city.
 - (4) Site plans shall fully conform with the Clinton County Soil Erosion and Sedimentation Control Ordinance.
 - (5) Site plans shall fully conform with the requirements of the Michigan Department of Public Health and the District Health Department if these agencies have jurisdiction over a site plan project.
 - (6) Site plans shall fully conform with all applicable state and federal statutes.
- (P) Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.

- (Q) In approving the site plan, the Planning Commission may recommend to the City Commission that a bond or other financial guarantee acceptable to the City of ample sum be furnished by the developer to ensure compliance for such requirements as drives, walks, utilities, parking, landscaping and the like.

(Ord. 616, passed 9-23-2013; Am. Ord. 634, passed 2-12-2018)

§ 155.277

Performance Guarantees

In the interest of insuring compliance with the Zoning Ordinance provisions, protecting the natural resources and the health, safety and welfare of the residents of the city of St. Johns and future users or inhabitants of an area for which a site plan for a proposed use has been submitted, the City Commission may require the applicant to deposit a performance guarantee as set forth herein. Performance guarantees shall be required in instances where an occupancy permit is requested prior to completion of all improvements on an approved site plan. The purpose of the performance guarantee is to ensure completion of improvements connected with the proposed use as required by this chapter, including but not limited to roadways, lighting, utilities, sidewalks, drainage, fences, screens, walls, landscaping, and widening strips.

- (A) Performance guarantee as used herein shall mean a cash deposit, certified check or irrevocable bank letter of credit in the amount of the estimated cost of the improvements to be made as determined by the applicant and verified by the Zoning Administrator.
- (B) Where the city Commission requires a performance guarantee, said performance guarantee shall be deposited with the City Treasurer prior to the issuance of a building permit. The city shall deposit the performance guarantee, if in the form of a cash deposit or certified check, in an interest-bearing account.
- (C) An approved site plan shall also prescribe the period of time within which the improvements for which the performance guarantee has been required are to be completed. The period will begin from the date of the issuance of the building permit.
- (D) In the event the performance guarantee deposited is a cash deposit or certified check, the city shall rebate to the applicant 50% of the deposited funds when 60% of the required improvements are completed as confirmed by the Zoning Administrator, and the remaining 50% of the deposit funds when 100% of the required improvements are completed as confirmed by the Zoning Administrator. If a request is made by the applicant for a temporary certificate of occupancy without completion of required exterior improvements, the performance guarantee may be applied by the applicant to assure compliance with Zoning Ordinance standards and the specifications of the approved site plan.
- (E) Upon the satisfactory completion of the Improvements for which the performance guarantee was required, as determined by the Zoning Administrator, the Treasurer shall return to the applicant the performance guarantee deposited and any interest earned thereon.
- (F) In the event the applicant defaults in making the improvements for which the performance guarantee was required within the time period established by the city, the city shall have the right to use the performance guarantee deposited and any interest earned thereon to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. If the performance guarantee is not sufficient to allow the city to complete the improvements for which it was posted, the applicant shall be required to pay the city the amount by which the costs of completing the improvements exceeds the amount of the performance guarantee. Should the city use the performance guarantee or a portion thereof, to complete the required improvements, any amount remaining after said completion shall be applied first to the city's administrative costs in completing the improvement with any balance remaining being refunded to the applicant. If the applicant has been required to post a performance guarantee or bond with another governmental

agency other than the city to ensure completion of an improvement associated with the proposed project prior to the city's conditional approval, the applicant shall not be required to deposit with the city a performance guarantee for that specific improvement. At the time the performance guarantee is deposited with the city and prior to the issuance of a building permit, the applicant shall enter an agreement incorporating the provisions hereof with the city regarding the performance guarantee.

(Ord. 616, passed 9-23-2013)

Section 155.199

Minimum Dwelling Unit Size

The minimum gross floor area of any dwelling unit in the City shall be 500 square feet. The Planning Commission may allow the construction of units that are smaller than the minimum by Special Use Approval. In order for the Special Use to be approved, the criteria in Section 155.258 must be met, and the Planning Commission must determine that the dwelling unit, or units, in question will be safe, sanitary, housing promoting high quality of life for the residents.

CBD Central Business District

§ 155.100

Purpose

The CBD District is designed to provide for a variety of retail stores and related activities, and for office buildings and service establishments which occupy the prime retail frontage in the Central Business District, and which serve the comparison, convenience and service needs of a consumer population well beyond the corporate boundaries of the city. The district regulations are also designed to provide for a centrally located major shopping complex, serviced by conveniently located off-street parking facilities and allowing safe pedestrian movement; but to exclude non-retail uses which typically require large areas of land or generate truck traffic.

(Ord. 616, passed 9-23-2013)

§ 155.101

Uses Permitted by Right and Special Use

The following chart shows uses are permitted by right and by special use in the CBD District subject to all applicable regulations of this chapter, and only when all activities, including all storage, are conducted in permanent, fully enclosed buildings. In the chart, P= permitted by right, S = permitted by Special Use, and X= prohibited. The street names referenced refer to the front lot line of the lot in question. All uses not listed in the chart shall be considered prohibited in the CBD

	<u>Clinton Avenue</u>	<u>Spring Street</u>	<u>Brush Street</u>	<u>Higham Street</u>	<u>Walker Street</u>	<u>Railroad Street</u>	<u>State Street</u>	<u>All Other Streets</u>
<u>Single Residential Unit (no other uses)</u>	<u>X</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>P</u>
<u>2 or more residential units (no other uses)</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>
<u>Residential Uses in Mixed Use Buildings</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>

<u>(shall not be located on first floor)</u>								
<u>Live-Work Units</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Retail</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>
<u>Restaurant</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>
<u>Hotel</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Office</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>
<u>Financial Services/Bank</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>
<u>Personal Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>
<u>Appliance/Electronic Repair</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>
<u>Auto Repair</u>	<u>X</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>X</u>
<u>Manufacturing</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>	<u>X</u>
<u>Religious Institution</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Government Building</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Museum/Art Gallery</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>
<u>Indoor Recreation/Community Center</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Outdoor Recreation/Public Park/Community Garden</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>School</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Permanent Outdoor Market</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Outreach Mission</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>

÷

(A)—Generally recognized retail business or service establishments, such as the following:

- (1)—Food stores including supermarkets and all types of specialty food stores such as bakeries, candy stores, and similar uses.
- (2)—Drug stores, variety stores.
- (3)—Hardware and related stores, such as paint, wallpaper, and similar uses.

- ~~(4) — Department stores.~~
- ~~(5) — Apparel shops, including specialty shops of all sorts, shoe stores, and similar uses.~~
- ~~(6) — Furniture and appliances, including rugs, floor coverings, drapery, sewing machine shops, used furniture, office supplies, and similar uses.~~
- ~~(7) — Gift shops, camera shops, record shops, and similar uses.~~
- ~~(8) — Service shops such as barber, beauty, laundry, cleaner, copying, and similar uses.~~
- ~~(9) — Minor repair shops such as shoe and watch repair.~~
- ~~(10) — Banks, loan offices, stock exchange offices and other financial institutions.~~
- ~~(11) — Hotels and motels.~~
- ~~(12) — Travel agencies, automobile club, chamber of commerce.~~
- ~~(13) — Eating and drinking establishments without drive-in service.~~
- ~~(14) — Professional and other offices drawing a large number of clients and/or customers such as:
 - ~~a) — Doctors, dentists, lawyers, architects; offices and clinics;~~
 - ~~b) — Insurance, realty, union offices;~~
 - ~~c) — Post office, public utility office.~~~~
- ~~(15) — Newspaper offices and related printing facilities.~~
- ~~(16) — Miscellaneous business services such as consumer credit reporting agencies, mailing list and stenographic services business and management consulting services.~~
- ~~(B) — Accessory uses and buildings.~~
- ~~(C) — Adult business.~~
- ~~(D) — Child care facilities.~~
- ~~(E) — Christmas tree sales.~~
- ~~(F) — Essential services.~~
- ~~(G) — Fences.~~
- ~~(H) — Gas regulator stations, utility pumping stations, power substations and water towers not necessary for service to the adjacent residential area.~~
- ~~(I) — Keeping of household pets.~~
- ~~(J) — Off-street parking facilities.~~
- ~~(K) — Photographic studios.~~
- ~~(L) — Public and semi-public buildings.~~
- ~~(M) — Residence, single family, in connection with a business, but only on the second floor or above.~~
- ~~(N) — Signs.~~
- ~~(O) — Swimming pools.~~
- ~~(P) — Temporary buildings.~~
- ~~(Q) — Video gaming establishments.~~

~~(R) — Video sales and rental establishments.~~

~~(Ord. 616, passed 9-23-2013; Am. Ord. 633, passed 2-12-2018)~~

~~§ 155.102 —~~

~~Uses Permitted by Special Use Permit~~

~~The following uses are permitted in the CBD District upon the granting of a special use permit, pursuant to and upon satisfaction of the terms and provisions of §§ 155.255 through 155.261, "special uses" hereinafter set forth.~~

~~(A) — Auto service facility.~~

~~(B) — Communication antenna.~~

~~(C) — Gas regulator stations, utility pumping stations, power substations and water towers not necessary for service to the adjacent residential area.~~

~~(D) — Multiple-family residential uses, but only in conjunction with and as a mixed use with other uses permitted by right.~~

~~(E) — Sidewalk cafes.~~

~~(F) — Single-family residential uses, but only in conjunction with and as a mixed use with other uses permitted by right.~~

~~(Ord. 616, passed 9-23-2013)~~

~~§ 155.103~~ § 155.102

Required Conditions

Uses permitted in the CBD District shall be subject to the following conditions:

~~(A) — Except for news and other public information media, all goods produced in this district shall be sold at retail on the premises where produced.~~

~~(B)~~ (A) All business, servicing, or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings.

~~(C)~~ (B) Establishments of a "drive-in" or "drive-thru" type offering goods or services directly to customers waiting in parked motor vehicles are not permitted.

~~(D)~~ (C) The operation of any machinery, or the conduct of any process or activity, or the storage or display of goods, shall be such as not to be obnoxious or offensive by reason of the emission of odors, fumes, dust, smoke, noise, or vibration, or glare of lights; nor through any sort of physical obstruction of pedestrian or vehicular traffic; and provided that any use shall not cause a measurable noise emanating from the premises which is greater than that specified under § 155.124, as measured at the boundary property line.

(D) Residential uses (including hotel units) are not permitted on the first floor along ~~the prime retail frontage (as defined and described in § 155.004)~~, Clinton Avenue and are only permitted on the second floor and above, per applicable regulations.

(E) **Number of Studio and One Bedroom Units:** Studio units shall not account for more than 25% of the dwelling units on a given lot. Studio units and one bedroom units combined shall not account for more than 60% of the dwelling units on a given lot. Lots with fewer than 10 dwelling units shall be exempt from this standard.

(F) **Maximum Number of Housing Units:** There shall be no maximum number of housing units on a given lot, provided all Building Type requirements are met, all minimum unit size requirements are met, and all Building Height requirements are met.

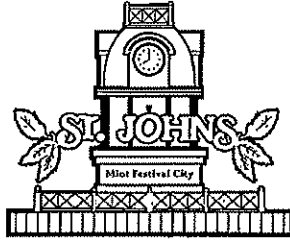
(Ord. 616, passed 9-23-2013; Am. Ord. 626, passed 8-22-2016)

~~§ 155.104~~ § 155.103

Bulk Regulation; Uses Permitted by Special Use Permit

- (A) There shall be no specific height limitation in the CBD District; provided, however, that no building permit shall be issued for any structure exceeding 35 feet in height except pursuant to a special use permit granted by the Planning Commission. Application for such special use permit shall be made in accordance with the provisions of § 155.257. Further, prior to the granting of the special use permit, the Planning Commission shall make a finding that any such excessive height will not be detrimental to the light, air, or privacy of any other structure or use currently existing or approved for construction. In approving a height in excess of 35 feet, the Planning Commission shall follow the standards set forth below in floor area ratio.
- (B) Floor area ratio:
- (1) The floor area shall be used in determining area of building, of lot coverage, and of yard requirements, subject to the following conditions:
 - a) Off-street loading and unloading shall be provided as required in § 155.344 and § 155.345.
 - b) Off-street parking shall be provided as required in sections § 155.342 to § 155.343. In such instances wherein off-street parking is provided through special assessment against CBD uses, the area prorated to the use may be used to reduce required off-street parking space on the lot in question, and said equivalent area may be used for building.
 - c) All enlargements or new construction shall be undertaken with respect to the established building line.
 - (2) In the CBD District, the maximum floor area ratio for a zoning lot shall not exceed 4.0.
 - (3) For each square foot of plaza provided on a zoning lot, the total floor area permitted by the floor area ratio, set forth above, may be increased by three square feet.

(Ord. 616, passed 9-23-2013)



MEMORANDUM CITY OF ST. JOHNS

To: Planning Commissioners
Dave J. Kudwa, Deputy City Manager

From: Jonathan Bowman, Community Development Fellow

Date: October 7, 2020

Subject: Lot Size Criteria for R-2 Unit Density

Objective: Establish unit density standards within the R-2 zoning district based on lot size criteria and create a minimum dwelling unit size throughout the city.

City staff have been examining current unit density within the City of St. Johns. Included in this memo is data which has been synthesized from city records. There are a total of 115 properties with multi-unit rentals across all zoning districts in St. Johns of which 83 are found in the R-2 district. Currently, the city only allows single family residential in the R-2 district meaning all these properties contradict zoning code. A policy outlining the acceptable number of residential dwelling units per property is needed in order to update the zoning code to reflect current practice and establish reasonable standards. The aim is to create a high level of compliance with the new unit density requirements which will allow the city to begin a rental inspection program. After looking at the data we believe this can be accomplished by permitting a specified number of units per property based on lot size. The recommended policy would be as follows:

- On lots of less than 0.1 acres in area: No more than 1 dwelling unit.
- On lots between 0.1 and 0.3 acres in area: Up to 2 dwelling units.
- On lots between 0.3 and 0.4 acres in area: Up to 3 dwelling units.
- On lots over 0.4 acres in area: Up to 4 dwelling units.

This change would bring 54 properties (65.1%) into compliance while still leaving 29 properties (34.9%) as non-conforming outliers.

In updating the unit density standards, we additionally want to establish a minimum dwelling unit size of 500 square feet city wide. A minimum of this nature sets a standard for the size of units the city deems acceptable. Attached is the drafted change by McKenna Associates seen as section 155.199. If desired, smaller units or higher density construction less than the minimum can be allowed following a higher level of scrutiny through the Special Use Approval process. The minimum encourages higher density development while promoting quality of life.

Staff Recommendation

It is the city staff's recommendation that section 155.040 of the zoning code be changed to establish density requirements within the R-2 district. This district is designated for medium density residential and we believe the attached changes prepared by McKenna Associates reflect this. The changes proposed were determined through the analysis of current dwelling unit numbers in the City of St. Johns. Secondly, staff recommend the creation of section 155.199 into the zoning code as drafted by McKenna to establish a minimum dwelling unit size of 500 square feet.

R-2 District Rental Property Data

In the City of St. Johns there are 115 properties with rental units across all zoning districts, 83 (72.2%) of these are found in the R-2 district.

Breakdown of R-2 Rental Units

- 83 Total Rental Properties
 - 66.3% have 2 units (55)
 - 26.5% have 3 units (22)
 - 7.2% have 4 units (6)

Compliance Numbers with Suggested Change

- On lots of less than 0.1 acres in area: No more than 1 dwelling unit.
- On lots between 0.1 and 0.3 acres in area: Up to 2 dwelling units.
- On lots between 0.3 and 0.4 acres in area: Up to 3 dwelling units.
- On lots over 0.4 acres in area: Up to 4 dwelling units.

Number of properties in compliance: 54 (65.1%)

Number of non-conformities: 29 (34.9%)

Current Number of Units Versus Lot Size in R-2

Red text signifies non-conformity with proposed changes

0 to 4,356 sq. ft (0.1 acres)	<u>83 Properties Total</u>
<ul style="list-style-type: none">• 5 properties• 60% have 2 units (3)• 40% have 3 units (2)	6.0% (\leq 4,356 sq. ft) [5 properties]
4,356 to 8,712 sq. ft (0.2 acres)	
<ul style="list-style-type: none">• 32 properties• 59.4% have 2 units (19)• 28.1% have 3 units (9)• 12.5% have 4 units (4)	44.6% (\leq 8,712 sq. ft) [37 properties]
8,713 to 13,068 sq. ft (0.3 acres)	
<ul style="list-style-type: none">• 29 properties• 65.5 % have 2 units (19)• 31.0% have 3 units (9)• 3.4% have 4 units (1)	79.5% (\leq 13,068 sq. ft) [66 properties]
13,069 to 17,424 sq. ft (0.4 acres)	
<ul style="list-style-type: none">• 9 properties• 77.8% have 2 units (7)• 11.1% have 3 units (1)• 11.1% have 4 units (1)	90.4% (\leq 17,424 sq. ft) [75 properties]
17,425 to 21,780 sq. ft (0.5 acres)	
<ul style="list-style-type: none">• 4 properties• 100% have 2 units (4)	95.2% (\leq 21,780 sq. ft) [79 properties]
21,781 to 43,560 sq. ft (1 acre)	
<ul style="list-style-type: none">• 4 properties• 75.0% have 2 units (3)• 25.0% have 3 units (1)	100% (\leq 43,560 sq. ft) [83 properties]
43,561 sq. ft (1 acre) and greater	
<ul style="list-style-type: none">• 0 properties	100%

R-2 Medium Density Residential

§ 155.040

Purpose

The R-2 District is applied to those areas within the city which are particularly suitable for a higher population density by virtue of location, present development, availability of public services, or traffic facilities. It is the purpose of the district to achieve the same character, stability, and soundness of residential environment as intended for achievement by the regulations in the low density residential district, but to allow higher density consistent with the historic development pattern of the neighborhoods.

(Ord. 616, passed 9-23-2013)

§ 155.041

Uses Permitted by Right

The following uses are permitted in the R-2 District subject to all specific regulations of this chapter.

(A) Residence, one-family. Residential dwelling units, as follows:

- (1) On lots of less than 0.1 acres in area: No more than 1 dwelling unit.
- (2) On lots between 0.1 and 0.3 acres in area: Up to 2 dwelling units.
- (3) On lots between 0.3 and 0.4 acres in area: Up to 3 dwelling units.
- (4) On lots over 0.4 acres in area: Up to 4 dwelling units.

~~(A)~~(B) Accessory uses and buildings.

~~(B)~~(C) Adult foster care family home or adult foster care small group home (one through six persons).

~~(C)~~(D) Essential services.

~~(D)~~(E) Family day care or group day care home.

~~(E)~~(F) Fences.

~~(F)~~(G) Gas regulator stations, utility dumping stations, power substations, and water towers; provided these uses are necessary for service to the adjacent residential area. If these uses are to service a larger area, a special use permit is required.

~~(G)~~(H) Golf course and country club.

~~(H)~~(I) Home occupations.

~~(I)~~(J) The keeping of household pets.

~~(J)~~(K) Off-street parking and loading.

~~(K)~~(L) Signs.

~~(L)~~(M) Swimming pools.

~~(M)~~(N) Temporary buildings, structures, or yards for construction materials or a temporary office for the sale or rental of real property. Such buildings shall be incidental to construction work.

~~(Ord. 616, passed 9-23-2013)~~

§ 155.042

Uses Permitted by Special Use Permit

The following uses of land and structures may be permitted in the R-2 District by application for and the issuance of a special use permit when specified procedures and requirements as outlined in §§ 155.255 through 155.261 are met:

(A) Communication antennas (not including towers).

(B) Bed and breakfast.

(C) Gas regulator stations, utility pumping stations, power substations and water towers not necessary for service to the adjacent residential area.

(D) Infill PUD.

~~(E) — Residences, two-family.~~

~~(F) — Rooming and boarding houses.~~

~~(G) — Two-family dwellings consequent to a conversion of a single-family dwelling existing on the effective date of this chapter, provided that:~~

~~(1) — The floor area not be increased thereby;~~

~~(2) — All applicable requirements for usable open space and off-street parking are complied with;~~

~~(3) — Two wholly separate dwelling units be created, with individual entrances into the building; and~~

~~(4) — That all applicable provisions of the Building Code be complied with.~~

~~(Ord. 616, passed 9-23-2013)~~

§ 155.043

Site Development Requirements

- (A) Usable open space. There shall be provided on each lot an area at least equal to the required rear yard of the lot area for usable open space which shall be completely open except for projections as permitted in § 155.214 and which shall be effectively separated from areas of automobile circulation. Such area may be located anywhere on the lot other than in the required front or side yards but shall have no dimension less than 20 feet.
- (B) Permitted encroachments into the rear yard. In addition to the projections permitted in § 155.214, the main residential building may project into the required rear yard up to, but not within, ten feet of the rear lot line. This projection shall observe the required side yard and shall be no wider than one-half of the average lot width at the projection.

(Ord. 616, passed 9-23-2013)



Memorandum

TO: Dave Kudwa, PE, Community Development Director

FROM: Christopher Khorey, AICP, West Michigan Manager

SUBJECT: Zoning Update Schedule and Amendment List

DATE: October 6, 2020

Following our discussion on October 2, we have created the following list of amendments, including their approximate schedule for drafting and adoption, for the update to the City's Zoning Ordinance.

Topic	Description	Time Frame
Residential Density	Draft and adopt amendments as discussed	October
Site Plan Process	Remove City Council approval requirement for Site Plans	October
Definitions/Uses	All Uses Listed in the Ordinance should be defined, so all proposed uses can be properly categorized	November - January
Definitions	Terms that are not used in the Ordinance should be removed from the definitions	First Draft Already Completed Review and Adoption December - January
Uses	Create a Chart of Permitted and Special Uses for All Districts, to replace current District sections, and to be reviewed for potential revisions. The following revisions are already proposed: Remove fences as a permitted use wherever they appear (this is not necessary to include) Remove references in the Use Standards sections to the districts where certain uses are permitted, in order to avoid creating conflicts in the future. Prohibit commercial-scale marijuana uses, and regulate marijuana caregivers as home occupations.	November - January



Zoning Map	<p>Ensure Zoning Map is up-to-date with current rezonings</p> <p>Designate parcels currently zoned R-3 as R-3L or R-3H.</p>	November - January
Swimming Pools	Add Swimming Pools Standards	November - January
ZEA/Process Review	Add a provision allowing for Conditional Rezoning, which is now permitted under the Michigan Zoning Enabling Act.	November - January
ZEA/Process Review	Relax restrictions on PUDs, in order to allow maximum flexibility in the future.	November - January
ZEA/Process Review	Ensure all State Laws referenced are up-to-date.	November - January
ZEA/Process Review	Review Chapter 152 for potential repeal or consolidation with Chapter 155	November - January
ZEA/Process Review	Review ordinance for general compliance with ZEA	November - January
Schedule of Dimensional Regulations	Create minimum lot areas and widths for districts that don't already have them. Revise the non-conformities section to state that all lots in those districts are buildable, regardless of area, but add minimum dimensions that would apply to new lot splits.	January - March
Schedule of Dimensional Regulations	<p>Create a chart of dimensional requirements by district</p> <p>Evaluate the setbacks and building heights based on the existing conditions on lots in each zoning district, and revise the standards to reduce the number of non-conformities.</p>	January - March
Parking	Ensure that all uses listed in the Ordinance are included in this chart, or are listed in this section as having no minimum parking requirement.	January - March



Parking	Determine downtown parking requirements	January - March
Uses	A new section should be created to regulate solar energy	April - June
Uses	A new section should be created to regulate wind energy	April - June
Uses	A new section should be created to regulated wireless telecommunications	April - June
Form Based Code	Create Form Based Code Overlay Draft Building Types Requirements Designate Specific Standards and Allowable Building Types per Zoning District	Initial Drafting of Building Types Complete Additional work on hold until April - June
Old Village Overlay	Create an Overlay District for the Old Village area designated by the Master Plan Add a restriction (not a prohibition, but a process and criteria for approval) to demolitions within the overlay district	April - June
Zoning Map	Add Form Based Code and Old Village Overlays to Zoning Map	April - June
Signage	Revise the sign ordinance to ensure "content neutrality" in compliance with the <i>Reid v. Gilbert</i> Supreme Court case. Consider adding the Sign Ordinance to the Zoning Ordinance. Add a "Sign Waiver" process, rather than requiring a variance from the ZBA in order to vary from the signage regulations.	2021-22 Fiscal Year (not part of current McKenna Authorization)