

**PLANNING COMMISSION  
MEETING AGENDA  
SPECIAL/STUDY MEETING**

500 W. Big Beaver  
Troy, MI 48084  
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**October 23, 2012**

**7:00 P.M.**

**Council Board Room**

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1. ROLL CALL
2. APPROVAL OF AGENDA
3. MINUTES – October 9, 2012 Regular Meeting
4. PUBLIC COMMENT – For Items Not on the Agenda
5. ZONING BOARD OF APPEALS (ZBA) REPORT
6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT
7. PLANNING AND ZONING REPORT

**ZONING ORDINANCE TEXT AMENDMENT**

8. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) – Miscellaneous Zoning Ordinance Revisions

**OTHER BUSINESS**

9. PUBLIC COMMENT – Items on Current Agenda
10. PLANNING COMMISSION COMMENT

ADJOURN

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on October 9, 2012 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

- Donald Edmunds
- Michael W. Hutson
- Edward Kempen
- Tom Krent
- Philip Sanzica
- Gordon Schepke
- Robert Schultz
- John J. Tagle

Absent:

- Thomas Strat

Also Present:

- R. Brent Savidant, Planning Director
- Susan Lancaster, Assistant City Attorney
- Ben Carlisle, Carlisle/Wortman Associates, Inc.

2. APPROVAL OF AGENDA

**Resolution # PC-2012-10-067**

- Moved by: Schultz
- Seconded by: Edmunds

**RESOLVED**, To approve the Agenda as printed.

- Yes: All present (8)
- Absent: Strat

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2012-10-068**

- Moved by: Edmunds
- Seconded by: Sanzica

**RESOLVED**, To approve the minutes of the September 25, 2012 Special/Study meeting as printed.

Yes: All present (8)  
Absent: Strat

**MOTION CARRIED**

- 4. PUBLIC COMMENTS – Items not on the Agenda

No one spoke.

**ZONING ORDINANCE TEXT AMENDMENT**

- 5. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) – Miscellaneous Zoning Ordinance Revisions

There was general discussion of proposed text amendment language.

**OTHER BUSINESS**

- 6. PUBLIC COMMENTS – Items on Current Agenda

No one spoke.

- 8. PLANNING COMMISSION COMMENTS

There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 8:10 p.m.

Respectfully submitted,

\_\_\_\_\_  
John J. Tagle, Chair

\_\_\_\_\_  
R. Brent Savidant, Planning Director

DATE: October 16, 2012

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) – Miscellaneous Zoning Ordinance Revisions

Proposed revisions were presented to the Planning Commission at the September 25, 2012 Special/Study meeting and the October 9, 2012 Regular meeting. Attached are two reports prepared by Carlisle/Wortman Associates, Inc. The first memorandum covers three proposed substantive amendments for additional Planning Commission discussion. The second memorandum provides draft ordinance language for the complete list of proposed substantive amendments.

Following our discussion, if Planning Commission is satisfied with the proposed revisions, we will schedule a Public Hearing for this item to solicit public input.

Attachments:

1. Reports prepared by CWA

G:\ZOTAs\ZOTA 244 Miscellaneous Zoning Ordinance Revisions\PC Memo 10 23 2012.doc



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## **MEMORANDUM**

**TO:** R. Brent Savidant, AICP, Planning Director

**FROM:** Ben Carlisle, AICP

**DATE:** October 17, 2012

**RE:** Zoning Ordinance Amendments

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At the September 25, 2012 meeting the Planning Commission considered twelve (12) substantive and fourteen (14) minor amendments changes to the April 2011 adopted Zoning Ordinance. At the October 9, 2012 the Planning Commission considered changes to amendment language for three (3) of the proposed substantive amendments: 1). Parking in front yard; 2). Automotive Uses; and 3). Classification of Extended Stay Facilities.

At October 9<sup>th</sup> meeting, the Planning Commission requested additional consideration of the following:

1. Parking in Front Yard.
2. Regulations of Extended Stay Facilities, including amending the list of uses in the Office and Research Center District to allow hotel, extended stay facilities, and a limited type of multifamily residential development.
3. Spacing provisions for used automobile dealerships.

Listed below is the discussion of those three items. In addition, as an attachment to this memo, we have provided a complete list of proposed amendments including proposed ordinance language.

### **October 9<sup>th</sup> Considerations:**

#### **1. Parking in Front Yard.**

At the October 9<sup>th</sup> Planning Commission meeting three options were presented in regards to regulating parking in the front yard. After a lengthy discussion, the Planning Commission felt that it was best to regulate the total number of spaces allowed in the front yard but allow flexibility in regards to location of these spaces. As such we recommend language that limits the total amount of parking in front of a building to a cap of 50% of the required site parking. We find that the 50% required parking provision ensures that the front of the site will not be dominated by parking but is sufficient to allow flexibility regarding parking placement. In addition, as recommended by the Planning Commission we have

added language that allows applicants exceed the 50% limitation through the Sustainable Design Option. This “stick and carrot” approach of capping the total amount parking at 50% but providing relief is a win-win for both parties. The City obtains greater sustainability measures, while applicants can provide more parking in front of their buildings.

Please remember that as set forth 13.02.D and 13.02.C.3.b sites are required to provide a 10-foot landscaped greenbelt, and install a berm or landscaping to screening parking lots adjacent to public right-of-ways. These provisions ensure that there will be some landscape and screening between the right-of-way and parking area. In addition, these sites still must meet the required 20% overall site landscaping.

**Example:**

A 5,000 sq/ft retail building would require 20 parking spaces. Only 10 of those spaces can be located in front of the building.

Please note that even if the applicant exceeds the 20 parking spaces and provides for example 25 spaces, only 10 of those 25 spaces can be in front of the building.

**Proposed Amendment Language:**

Section 4. Off-Street Parking Location.

- a. ~~Parking shall not be located in the front yard.~~
- a. No more than fifty (50) percent of a ~~total site’s linear feet along the front building line shall be occupied by parking lot.~~ a site’s required parking as set forth in Section 4.21 may be located in a front yard.
- b. Through the Sustainable Development Option as set forth in Section 12.01 of the Ordinance, relief may be granted to allow greater than fifty (50) percent of a site’s required parking to be located in a front yard.

**2. Regulations of Extended Stay Facilities, including amending the list of uses in the Office and Research Center District to allow lodging, extended stay facilities, and a limited type of multifamily residential development.**

As part of the discussion regarding the regulations of extended stay facilities, some members of the Planning Commission raised the issue of amending the list of uses in the Office and Research Center Districts to allow lodging, extended stay facilities, and a limited type of multifamily residential development.

The Office District is intended to provide areas for office uses and limited related retail and service uses which support an office environment. The Research Center District is intended to provide areas for industrial-research and office uses in planned developments. The district is to be located and developed so as to complement the significant light industrial character of the community, while at the same time providing for the necessary related non-manufacturing uses such as corporate office and research facilities. These districts have very specific and limited geographic areas and in order to protect office and research oriented uses, they were intended to provide limited and particular uses. On the other hand, the Office Mixed Use district was created to permit a more intense, mixed use development of which lodging, extended stay facilities, and limited multifamily residential developments are appropriate and permitted.

However, understanding the current economic environment, the need for flexibility to provide for adaptive reuse and reduce vacancy rates, as well as the City’s desire to provide a more mixed use environment, the Office and Research Center districts should be examined. Opening up the list of uses in the Office and Research Center districts is a comprehensive planning issue that should be considered as part of an inclusive study to consider the Office, Research Center, and Office Mixed Use districts in general. As part of the 5-year update to the Master Plan, we suggest that the Planning Commission study this issue in further detail.

In regards to other districts, we recognize that extended stay facilities have similarities and differences to both multifamily and lodging uses. As such, we have amended the table of uses accordingly in the Multifamily Residential and Urban Residential districts. We have added extended stay facilities as Special Uses to the Multifamily Residential and Urban Residential districts. Classifying them as Special Uses in these districts will allow the Planning Commission to review and place any additional necessary provisions to protect adjacent residential uses.

**Proposed Amendment Language:**

Section 4.21:

	R1-A through R1-E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Multiple Family Dwelling Unit (2-8 stories)	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Multiple Family Dwelling Unit (9 stories + )	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Lodging	NP	NP	NP	NP	NP	NP	NP	S	P	P	NP	S	NP	NP	NP
<u>Extended Stay Facility</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

Section 6.16. Lodging Facilities (Page 174):

**SECTION 6.16 LODGING FACILITIES / EXTENDED STAY FACILITIES**

Lodging/Extended Stay Facilities that includes a restaurant, bar/lounge, auditorium, exhibition, or public meeting space shall provide parking to accommodate all uses on the site, in accordance with the standards set forth in Section 13.06.

- 3. Include spacing provisions for used automobile dealerships.**

Prior to staff writing zoning ordinance language, we have asked the City Attorney's office to conduct some research into case law regarding spacing provisions for used automobile dealerships. Below is Assistant City Attorney Sue Lancaster's preliminary finding:

I have started researching case law concerning the use of spacing requirements for used car dealers within zoning districts. I was unable to find any zoning cases which looked at the issue of spacing for auto dealers, used or otherwise, within a zoning district. Almost all cases I found concerning zoning spacing requirements were cases with constitutional challenges to adult business uses where spacing was required within a particular zoning district. In those cases, it was the government's burden of proof to demonstrate that the spacing regulations were not suppression of free speech but were designed to further a substantial governmental interest such as crime control, protection of property values, and prevention of urban blight. To meet the burden of proof the government had to demonstrate through actual studies and police reports that the use had significant deleterious, secondary effects on the surrounding community which were directly connected to those businesses. Most of the cases I reviewed cite to the above test as set out in *United States v. O'Brien*, 391 U.S. 367 (1968).

The way cities have demonstrated a substantial governmental interest in controlling crime, urban blight and the protection of property values, is by way of intense "purpose" studies. Courts look at the extensive amount of "homework" performed by the legislative body and the type of evidence (land use studies, police reports, judicial opinions, etc.) that lead to conclusions relied upon by the legislature and the actual ordinance language setting out an "Intent" or "Purpose" provisions incorporating the studies looked at, including other city's studies and local studies which support the purpose of the spacing requirement or the ordinance treating one use different than another. I have begun to try and find studies on deleterious effects of used car dealers but have so far been unsuccessful.

Challenges to zoning ordinances can also allege that a city had deprived a property holder of their right to equal protection under the equal protection clauses of the United States and Michigan constitutions. The equal protection clause requires that all persons similarly situated be treated alike under the law. The general rule of law is that legislation that treats similarly situated groups disparately is presumed valid and will sustain a challenge if it passes the rationale basis standard of review, that is, the classification drawn by the legislation is rationally related to legitimate governmental interest. In a challenge to a zoning ordinance, Plaintiff would allege that application of the ordinance was disparate because it was treated differently from other individuals conducting business or commercial operations on other property. To treat them differently, the property owner must show that there is no rational basis for the difference in treatment. This gets back to doing an intensive study to support the public interest in spacing used car dealers. We would have to show that used car dealers are being treated differently for the some reason that their use has a deleterious effect on crime, urban blight and property values different from other similarly situated uses. *Oberly v. Township of Dundee*, 2012 WL 4210457 (Mich. App.).

This is my research to date.

I look forward to presenting this at the next Planning Commission meeting.

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**CARLISLE/WORTMAN ASSOC., INC.**  
**Benjamin R. Carlisle, LEED AP, AICP**

Attachment: Proposed Zoning Amendments



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**MEMORANDUM**

**TO:** R. Brent Savidant, AICP, Planning Director  
**FROM:** Ben Carlisle, AICP  
**DATE:** October 17, 2012  
**RE:** Zoning Ordinance Amendments

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**Complete list of Substantive Amendments (including October 9<sup>th</sup> Considerations):**

Listed below is the list of substantive amendments. We have only listed the proposed amendment language. For more details regarding justification, please refer to our September 19, 2012 memo.

- 1. Section 4.13.D.4.a (CB District Page 72) :** *Parking shall not be located in the front yard.*
- Section 4.14.D.4.a (GB District Page 76) :** *Parking shall not be located in the front yard.*
- Section 4.15.D.4.a (O District Page 84) :** *Parking shall not be located in the front yard.*
- Section 4.18.D.5.a (RC District Page 92) :** *Parking shall not be located in the front yard.*

**Proposed Amendment Language:**

Section 4. Off-Street Parking Location.

- a. ~~Parking shall not be located in the front yard.~~
  - a. No more than fifty (50) percent of ~~total site's linear feet along the front building line shall be occupied by parking lot.~~ a site's required parking as set forth in Section 4.21 may be located in a front yard.
  - b. Through the Sustainable Development Option as set forth in Section 12.01 of the Ordinance, relief may be granted to allow greater than fifty (50) percent of a site's required parking to be located in a front yard.
- 2. Section 4.21 Schedule of Use Regulations Table (Page 101):** Reclassify selective automotive limited automotive and transportation uses in the IB district from Special to Permitted. Require that automobile uses within 300-feet of residential zoned or used property shall be reviewed as a special use as set forth in Article 9.

**Proposed Amendment Language:**

Section 4.21 Schedule of Use Regulations Table (Page 101):

<b>Automobile Use</b>	<b>IB</b>
Vehicle, recreational vehicle sales	S
Vehicle repair stations	S, P
Vehicle fueling/multi-use stations	S
Vehicle washes	S
Vehicle auctions	S
Antique and classic vehicle sales	S, P
Ambulance facilities	S, P
Vehicle rental	S, P

Section 6.26.F. Vehicle Repair (Page 179):

- F. Any proposed vehicle repair use within three hundred (300) feet (measured from the nearest lot line to the nearest lot line on a straight-line basis) to any residential zoning district or any parcel used for residential purposes shall be reviewed as a special use as set forth in Article 9.

Section 6.31. Antique Vehicle Sale, Ambulance Facility, and Vehicle Rental:

- A. Any proposed antique vehicle sale, ambulance facility, and vehicle rental use within three hundred (300) feet (measured from the nearest lot line to the nearest lot line on a straight-line basis) to any residential zoning district or any parcel used for residential purposes shall be reviewed as a special use as set forth in Article 9.

- 3. Section 4.21 Schedule of Use Regulations (p.100) and Section 6.16 Lodging (Page 174):** Add Extended Stay Facilities as a use to the schedule of use regulations and add Extended Stay Facilities to the special use provisions of Lodging Facilities.

Section 4.21:

	R1-A through R1-E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Multiple Family Dwelling Unit (2-8 stories)	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Multiple Family Dwelling Unit (9 stories + )	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Lodging	NP	NP	NP	NP	NP	NP	NP	S	P	P	NP	S	NP	NP	NP

<u>Extended Stay Facility</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
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Section 6.16. Lodging Facilities (Page 174):

**SECTION 6.16 LODGING FACILITIES / EXTENDED STAY FACILITIES**

Lodging/Extended Stay Facilities that includes a restaurant, bar/lounge, auditorium, exhibition, or public meeting space shall provide parking to accommodate all uses on the site, in accordance with the standards set forth in Section 13.06.

- 4. Section 4.21 Schedule of Use Regulations Table (Page 101):** Add “Oil Change Facility” into Automotive/Transportation Use group. Classify use as Permitted or Special based on district.

**Proposed Amendment Language:**

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Vehicle Repair Facility	NP	NP	NP	NP	NP	NP	NP	NP	S	S	NP	NP	NP	S	NP
<u>Oil Change Facility</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>

- 5. Section 4.21 Schedule of Use Regulations Table (Page 101):** Add “Wireless Communication Facility (free standing tower)” into miscellaneous group. Classify use as Permitted or Special based on district. (Note: see section 6.30)

**Proposed Amendment Language:**

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
<u>Wireless Communication Facility (complies with section 6.30.B.1.)</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>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wireless Communication Facility (free</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>S</u>							

standing tower)																		
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**6. Section 5.03 Form Based Districts Use Group by Category (Page 108):** Add “Lodging” as use in Use Group 5

**Proposed Amendment Language:**

TABLE 5.03-A-1 USE GROUPS BY CATEGORY PRINCIPAL USE
Use Group 5
<u>Lodging</u>
Financial institutions
General retail
Retail, large-format
Shopping centers
Fitness, gymnastics, and exercise centers
Theatres and places of assembly
Indoor commercial recreation establishments
Restaurant
Personal services
Business services
Financial institutions
General retail

**7. Section 5.03 Form Based Standards Applicable to All Districts (Page 110):** Add “Section C” to add specific landscaping requirements in the Form Based Districts.

**Proposed Amendment Language:**

Section 5.03.C: Landscaping in Form-Based Districts

1. In addition to landscape requirements to Section 13.02, the following landscaping requirements shall apply:
  - a. Supplemental to Section 13.02.E.1.a, a minimum of fifteen percent (15%) of the site area shall be comprised of landscape material.
  - b. Landscaping can consist of approved trees, shrubs, ground cover, vines, grasses, or other approved plan material. Up to twenty-five (25%) of the required

landscape area may be brick, stone, or pavers or other public plaza elements, but shall not include any parking area or required sidewalks.

- c. Up to twenty-five (25%) of the required landscape area may be relieved through the Sustainable Design Option as outlined in Section 12.01.

- 8. Section 6.10.C.1 and C.2 (Page 170):** Amend Section 6.10.C.1 and C.2 to reduce the width of drive-through drive-aisles from 12 feet to 10 feet.

**Proposed Amendment Language:**

Section 6.10.C.1 and C.2:

Each drive-through facility shall provide stacking space meeting the following standards:

1. Each stacking lane shall be one-way, and each stacking lane space shall be a minimum of ~~twelve (12)~~ ten (10) feet in width and twenty (20) feet in length.

- 9. Add Section 6.31 (Page 170):** Add Section 6.31 to allow 1 story multi-family residential uses as permitted uses in the IB districts only for conversion of existing buildings.

**Proposed Amendment Language:**

Section 6.31: Multi-family dwelling units in the IB District.

- A. One-story multi-family dwelling building is a permitted use in the IB district only through the conversion of an existing building.

- 10. Section 7.13.I.4 (Page 199):** Amend the maximum duration for outdoor special events from four (4) to seven (7) days.

**Proposed Amendment Language:**

Section 7.13.I.4:

The maximum duration of use shall be ~~four (4)~~ seven (7) consecutive days for any one (1) event, including setup and takedown, not to exceed four (4) events within a period of twelve (12) calendar months.

- 11. Section 16.03 (page 313):** Add standards for rezoning

**Proposed Amendment Language:**

Section 16.03.C: Standards for Approval. A rezoning may only be approved upon a finding and determination that all of the following are satisfied:

- A. The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan, such conflict is due to one of the following:
  1. A change in City policy since the Master Plan was adopted
  2. A change in conditions since the Master Plan was adopted.

- 3. An error in the Master Plan.
- B. The proposed rezoning will not cause nor increase any non-conformity.
- C. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.
- D. The rezoning will not impact public health, safety, and welfare.
- E. The rezoning will insure compatibility with adjacent uses of land.

**12. Single-Family Districts: Amend Frontage requirements**

**Proposed Amendment Language:**

- Add Lot Frontage Definition to Article 2:

Lot Frontage: The frontage of any lot shall be the horizontal distance between the side lot lines measured between the points where said lot lines intersect the street right-of-way. Said frontage shall be continuous and unbroken and shall be measured along the constructed portion of the right-of-way only.

- Amend Table 4.06.C:

Minimum Lot Size Per Dwelling Unit				Maximum Height		Minimum Yard Setback (R) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Use District	Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft. (1)	In Stories (2)	In Feet (2)	Front	Sides		Rear		
						(3)	Least One (4)	Least Two (4)	(5)		
<b>R-1A</b>											
No Sewer	30,000	150	<u>150</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	21,780	120	<u>120</u>	2 ½		40	15	30	45	1,400	30%
<b>R-1B</b>											
No Sewer	21,780	110	<u>110</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	15,000	100	<u>100</u>	2 ½		40	10	25	45	1,400	30%
<b>R-1C</b>											
No Sewer	21,780	110	<u>110</u>	2 ½	30	30	15	30	40	1,200	30%
Sewer	10,500	85	<u>85</u>	2 ½		30	10	20	40	1,200	30%
<b>R-1D</b>											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	40	1,000	30%
Sewer	8,500	75	<u>75</u>	2 ½		25	8	20	40	1,000	30%
<b>R-1E</b>											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	35	1,000	30%
Sewer	7,500	60	<u>60</u>	2 ½		25	5	15	35	1,000	30%

- Amended Section 4.06.D Supplemental District Standards to add frontage language regarding corner lots and cul-de-sacs:

Section 4.06.D.6: Lot Frontage on Corner Lots, Curved Roads, and Cul-de-Sacs

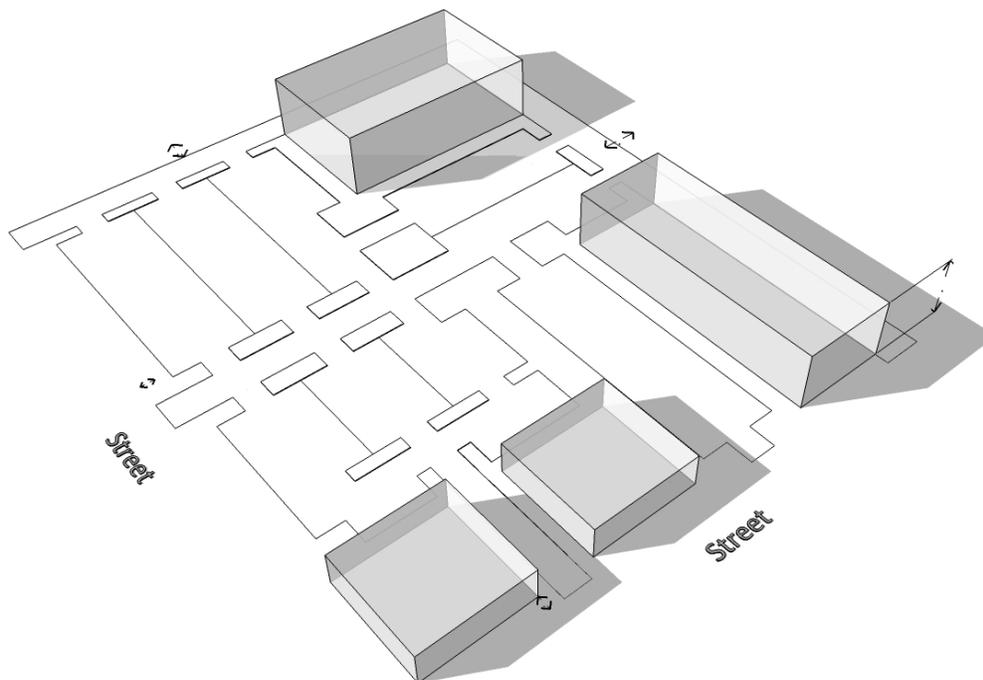
- a. On all corner lots, the frontage set forth shall be measured on one (1) street only.
- b. For lots on curved streets that have curvilinear frontages, frontage shall be determined by measuring the linear distance along the curve.
- c. In the event that the lot is situated on a cul-de-sac, the frontage, shall be measured along the minimum setback line for the zone in which said lot is located.

**Minor:**

- Section 3.10.C.1.c and d (page 41):** Remove mention that the Planning Commission is the recommending body for Site Condominiums as the Planning Commission is the approving body, as outlined in Section 3.10.C.2.
- Section 4.07 Table (page 51):** Amend “5,000 without sewers” to “5,000 with sewers” and reduce side yard to 5’ for least one and 15’ for least two. Reducing side yard setbacks is consistent with R-1E lot requirements.

Minimum Lot Size Per Dwelling Unit			Maximum Height		Minimum Yard Setback				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft.	In Stories (2)	In Feet (2)	Front	Sides		Rear		
					(3)	Least One (4)	Least Two (4)	(5)		
15,000 without sewers	75	N/A	2 ½	30	25	<del>10</del>	<del>20</del>	35	1,000	30%
5,000 with sewers	40	40				5	15			

- Section 4.14 Graphic (page 75):** Amend graphic to include an additional building mid-block (no substantive change to regulations). New Graphic:



4. **Section 4.06-4:18 (pgs. 47, 51, 55, 59,65, 71, 53, 75, 79, 83, 87, and 91):** Amend all district regulation tables so that legend icon is consistent in both graphic and tables. Example below:

Article 4  
District Regulations

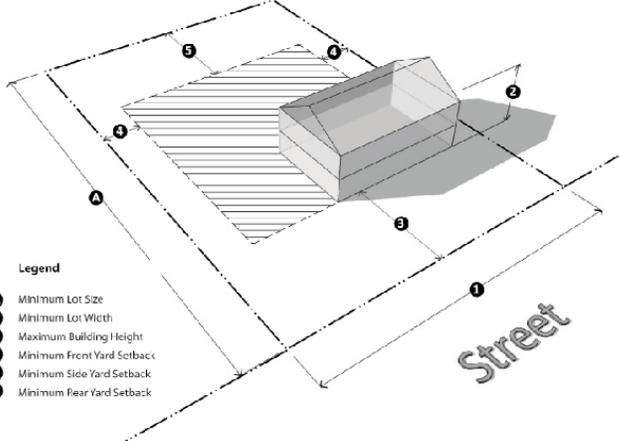
BACK FORWARD



57

**Legend**

- A** Minimum Lot Size
- 1** Minimum Lot Width
- 2** Maximum Building Height
- 3** Minimum Front Yard Setback
- 4** Minimum Side Yard Setback
- 5** Minimum Rear Yard Setback



Use District	Minimum Lot Size Per Dwelling Unit		Maximum Height		Minimum Yard Setback (ft) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
	Area in Sq. Ft.	Width in Ft.	In Stories	In Feet	Front	Sides		Rear		
	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>3</b>	Least One <b>4</b>	Least Two <b>4</b>	<b>6</b>		
R-1A										
No Sewer	30,000	150	2 1/2	30	40	15	30	45	1,400	30%
Sewer	21,780	120	2 1/2		40	15	30	45	1,400	30%
R-1B										
No Sewer	21,780	110	2 1/2	30	40	15	30	45	1,400	30%
Sewer	15,000	100	2 1/2		40	10	25	45	1,400	30%
R-1C										
No Sewer	21,780	110	2 1/2	30	30	15	30	40	1,200	30%
Sewer	10,500	85	2 1/2		30	10	20	40	1,200	30%
R-1D										
No Sewer	21,780	110	2 1/2	30	25	15	30	40	1,000	30%
Sewer	8,500	75	2 1/2		25	8	20	40	1,000	30%
R-1E										
No Sewer	21,780	110	2 1/2	30	25	15	30	35	1,000	30%

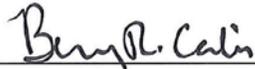
Authority and Administration  
 Development Regulations  
 Processes and Procedures  
 Supplemental Design Regulations  
 Non-Code Appeals

5. **Section 4.21 Schedule of Regulations Table (page 98):** Amend “R-T” to “RT”
6. **Section 4.21 Schedule of Regulations Table (Page 99):** Add “P” to Retail, large-format for CB district
7. **Section 5.03 Form Based Districts Use Groups by Category Table (Page 108):** Remove bold and underline from “Drive-through facilities”
8. **Section 5.04, Section 5.05, and Section 5.06 Form Based District Use Groups Permitted Table (Page 133, 143, and 158):** Amend “Table 5.03-1” to “Table 5.03-A-1”
9. **Section 6.26, Section 6.27, and Section 6.28 (Page 179):** Change text color to black for “Vehicle Repair”, “Vehicle Sales –New, Used, and Vintage”, and “Vehicle Fueling / Multi-Use Station”
10. **Section 6.30.B.2 (Page 182):** Amend “Section 6.29.B.1” to “6.30.B.1”

- 11. Section 10.04.E.2 (Page 225):** Amend “Section 10.04.E.2” to refer to “Section 10.04.D”
- 12. Section 12.04.F.1 and 2.a.i (Page 251):** Amend “R-1T” to “RT”
- 13. Section 13.02 (Page 276):** Add the following label to table: “Table 13.02-C: Minimum Size and Spacing Requirements for Landscaping Materials”
- 14. Section 13.05.C.3 (Page 282):** Amend Section 13.05.C.3: Amend “in an industrial district where” to say “in the IB or PV districts when”

Please contact me if you have any questions.

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