



CITY COUNCIL REPORT

DATE: July 6, 2010

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
R. Brent Savidant, Acting Planning Director

SUBJECT: Project Update - Zoning Ordinance Comprehensive Rewrite (File Number: Z 234)

Background

The City of Troy Master Plan was adopted by the Planning Commission on October 14, 2008. It was the first comprehensive rewrite of the Master Plan since 1965. The most important tool used to implement the Master Plan is the Zoning Ordinance. The City of Troy Zoning Ordinance is approximately 40 years old and requires dramatic revisions in order to implement the Master Plan. The City is undertaking a collaborative professional effort between the Planning Department and Carlisle/Wortman Associates, Inc. (CWA) to completely rewrite the Zoning Ordinance.

Funding for the project came from the Planning Department's budget for consulting services. The project was spread out over three fiscal years, beginning in FY 2008-2009 and terminating in FY 2010-2011. Total project cost is \$100,000. The Kickoff Meeting with Planning Commission was on November 25, 2008.

Form-Based Codes

Form-based codes (FBC) are an alternative to conventional zoning. Unlike conventional zoning which focuses on separation of land uses, FBC focuses on building form. Specifically, FBC address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. FBC allow for a mixture of land uses based upon the context of building form, while conventional zoning codes discourage or prohibit a mixture of uses.

FBC provisions are being prepared for three key areas in the City: Big Beaver Road, Maple Road and the Neighborhood Nodes areas designated in the Master Plan. The FBC provisions are not "cookie cutter" or "one size fits all" regulations. The approach taken to develop each FBC will vary, based on the characteristics of these distinct areas. Extensive research has

gone into preparation of the FBC provisions, including consultation with national experts. It is anticipated that when completed, the FBC provisions will be one of the most extensive in Michigan.

The FBC provisions are not stand-alone provisions; they are an important component of the Zoning Ordinance and will be integrated with the balance of the document and adopted as part of the Zoning Ordinance. The Zoning Ordinance will be a hybrid of traditional zoning ordinance provisions and FBC provisions. Single family residential properties will be protected using traditional single family residential zoning ordinance provisions.

Project Schedule

The existing Zoning Ordinance is approximately 40 years old. In addition to preparing FBC provisions for three distinct areas, the remainder of the document must also be rewritten extensively. The Planning Commission has discussed this item at over twenty Planning Commission meetings to date.

CWA prepared a project schedule which shows the status of all articles. The estimated date of completing the draft of the final section is September, 2010.

Attachments:

1. Zoning Ordinance – Status, July 7, 2010.

Prepared by RBS/MFM

G:\ZOTAs\ZOTA 236 Zoning Ordinance Rewrite\CC Memo 07 12 10.docx

City of Troy
Zoning Ordinance – Status

Date: July 7, 2010

| Zoning Ordinance - Sections | Draft Complete | In Progress | Projected Meeting |
|--|----------------|-------------|--|
| <p>1.0 Title, Purpose and Authority All language that establishes the legal authority and conditions, both in general and as specifically tied to the enabling statutes, is placed in the opening article.</p> | √ | | Drafted |
| <p>2.0 Definitions All definitions will be included in this article. Any that remain in the body of the ordinance will be moved into this article.</p> | | √ | September 2010, last section |
| <p>3.0 Administration and Enforcement All functions and responsibilities relative to the administration and enforcement of this Ordinance belong in this article.</p> | √ | | Drafted |
| <p>4.0 District Regulations Regulations specific to each zoning district (i.e. intent, permitted, and special uses, etc.) are included in this article. The Schedule of Regulations, a tabular array of dimensional requirements, will be included at the end of this article.</p> | | √ | August/September – Based on Charrette work results |
| <p>5.0 General Provisions All regulations that have more general application throughout all districts are typically included here. For example, the section on accessory uses would be included here.</p> | √ | | Drafted |
| <p>6.0 Site Plan Review Procedures and standards for site plan would be included here.</p> | √ | | Drafted |
| <p>7.0 Special Land Use Review Procedures and standards for special land use would be included here.</p> | √ | | Drafted |
| <p>8.0 Specific Use Standards Some of the permitted uses and special land uses have specific standards. All of these would be lumped into one section. Further, any specific standards found in the body of a district would be placed in this article. This would be one technique to remove repetition and it will also assist in referencing.</p> | | √ | August/September |

| Zoning Ordinance - Sections (con't) | Draft Complete | In Progress | Projected Meeting |
|---|----------------|-------------|-------------------|
| 9.0 Planned Districts and Special Development Regulations I would suggest placing all of the alternative approaches such as the PUD and cluster development in one article. | | √ | September |
| 10.0 Site Design and Standards This would be a new article that would include standards that relate to site design, that are not otherwise in landscaping, lighting, and parking. | | √ | September |
| 11.0 Environmental Standards Any regulations relative to environmental and natural resource protection would be included here. For example, we want to consider new green building or low-impact development standards. | √ | | Drafted |
| 12.0 Signs All regulations relative to signs will be included in this article. | | √ | August 2010 |
| 13.0 Landscaping All regulations relative to landscaping will be included in this article. | | √ | August 2010 |
| 14.0 Parking All regulations relative to parking will be included in this article. | √ | | Drafted |
| 15.0 Non-Conforming Uses / Structures Regulations pertinent to non-conformities are included here. | √ | | Drafted |
| 16.0 Zoning Board of Appeals The roles and responsibilities of the ZBA along with procedures for appeals, variances, and interpretation are included here. | √ | | Drafted |
| 17.0 Amendments As with the current Ordinance, this section would contain procedures and standards for amendments. | √ | | Drafted |

G:\ZOTAs\ZOTA 236 Zoning Ordinance Rewrite\ZO Complete ~ In Progress Report 7-6-10.doc