



PLANNING COMMISSION

Thursday, February 16, 2017

1. Roll Call – 7:00 P.M. – City Hall Community Room
2. Approval of Minutes – January 19, 2017 Planning Commission Meeting
3. New Business
 - (a) Public Hearing on Amendments to Sections 201, 603, 702, 2901, 2902, 3001 and 3002 of the Petoskey Zoning Ordinance
 - (b) Discussion/ Action on Amendments to Sections 201, 603, 702, 2901, 2902, 3001 and 3002 of the Petoskey Zoning Ordinance
 - (c) Discussion/ Action on Updated Planning Commission Bylaws
 - (d) Discussion on Creation of a Hospital Campus Zoning District
4. Updates
5. Adjournment



PLANNING COMMISSION

January 19, 2017

A regular meeting of the City of Petoskey Planning Commission was held in the City Hall Community Room, Petoskey, Michigan, on Thursday, January 19, 2017. Roll was called at 7:00 P.M. and the following were:

Present: Gary Greenwell, Chairperson
Dana Andrews
Betony Braddock
Dean D. Burns
James Holmes
Emily Meyerson
Rick Neumann
Eric Yetter

Absent: Cynthia Linn Robson

Staff: Amy Tweeten, City Planner

Others Present: David Hartnett, 1515 Howard Street
Ernst Rusche, 918 East Lake Street
Ryan Bentley, Petoskey News Review

Upon motion and support, minutes of the December 15, 2016 meeting were approved with corrections.

Site Plan Amendment **1515 Howard Street**

Staff provided an overview of the changes to the plan from the last meeting, which included all light poles at 20 feet and an increase in parking lot islands that included curb cuts that the college worked with Tip of the Mitt Watershed Council (TOMWC) on to increase storm water infiltration. The college will also work with TOMWC on the landscape areas. Staff recommended approval of the plan with review of the storm water calculations and utility relocations as well as the addition of bike racks at building entrances.

Mr. Rusche noted that parking lot numbers had not decreased as much as what staff had noted, but were slightly lower with the changes. He noted the consultation with the TOMWC and that it was something they will continue to do with future phases of campus improvements. He will assess bike rack need by demand and use.

Commissioners noted the importance of the college to the community and thanked the college for addressing their concerns, incorporating recommendations, and reaching out to the TOMWC to show leadership in storm water management. In response to a question on cost, Mr. Rusche noted that the budget impact of the changes was \$66,000 on a \$3.5 million project.

A motion was then made by Commissioner Andrews, with support from Commissioner Meyerson, to approve the North Central Michigan College Site Plan Amendment dated January 8, 2017 with the following conditions:

1. Review and approval of any relocated utilities by the Department of Public Works;
2. Additional bike racks at building entrances; and
3. Review of storm water calculations of modified plan.

The motion carried 8-0.

Discussion/ Action on Zoning Ordinance Amendments: RM-1, RM-2, B-2A, B-2B

Staff reviewed the changes made to the Multiple Family Districts, with Commissioners questioning the term "General Hospital", including how campus would be defined. It was decided to remove the word "General" as this was not included in the ordinance definition. City staff has been in communication with hospital staff and consultants regarding expansion plans and is aware of the pending language change regarding building height. Staff also has discussed with hospital consultants the possibility of creating a hospital zoning district, similar to what exists in Traverse City, rather than operating in the multiple family district. The Commission is interested in pursuing this PUD-type of district that would require an overall master plan for hospital property. Staff will draft language for the next Commission meeting.

Commissioner Neumann asked to have language changed in section 3002 regarding screening for drive-through service windows (staff has since realized that the drive-through window special condition use in the B-2B District had been removed from the ordinance language by City Council).

Commissioner Neumann then made a motion, with support from Commissioner Holmes, to schedule a public hearing on the changes to the RM-1, RM-2, B-2A and B-2B districts; motion carried 8-0.

Discussion/Action on Zoning Ordinance Amendments: Front Yard Setback calculation

The Commission discussed how to clarify the language to fit the intent of having new construction or additions to existing structures fit the neighborhood. After much discussion, the language that Commissioners agreed met the intent was: "The minimum front-yard setback is the average of the front yard setbacks of adjacent houses on the same block face, or 25 feet, whichever is less." This language would allow a property to either average adjacent houses on each side, or houses in one direction. Staff was asked to have the Zoning Board of Appeals members review the language for clarity of intent.

Updates

Staff notified the Commission on the Downtown Strategic Plan update and that Commissioner Andrews had been asked to be on the process committee as well as Commissioner Neumann as chair of the Downtown Design Committee. The Commission was also reminded about the Site Plan Review Training that will be held on February 15.

The meeting then adjourned at 8:35 P.M.

Minutes reviewed and approved by Emily Meyerson, Commission Secretary



BOARD: Planning Commission

MEETING DATE: February 16, 2017

DATE PREPARED: January 31, 2017

AGENDA SUBJECT: Public Hearing and Action on Amendments to Sections 201, 602, 702, 2901, 2902, 3001 and 3002 of the Petoskey Zoning Ordinance

RECOMMENDATION: Hold Hearing/Take Action

At its January 19 meeting the Commission scheduled a hearing on proposed amendments to the Definitions, RM-1 and RM-2 Multiple Family Districts, and the B-2A Transitional Business District and B-2B Mixed Use Corridor District. A summary of the proposed changes and rationale is provided below.

The City Attorney reviewed the proposed changes and made suggested revisions, which are also highlighted in the text below.

1. Add “street” after principal or minor arterial in 603 (2)(b) for clarification.
2. Remove “rooming house” from boarding/rooming house as the ordinance definition is only for boarding houses.
3. Change the regulation for boarding houses to clarify it is 250 square feet of building area per bedroom, not per “roomer” as the term is not defined and the regulation would be more specific to the structure rather than the tenants. He noted that clarification is needed whether the intent of this dimensional requirement refers to individual bedrooms, or the building as a whole.

It was staff’s understanding that the minimum square footage requirement was for the entire building, including common areas. However, this translates to relatively small buildings that would be allowed to be boarding houses:

Boarding House Bedrooms	Building Area
5	1250
6	1500

Alternatively, if the 250 square feet was meant to be the minimum area of each bedroom, then that would have to be clarified as: “Boarding houses, when located on a parcel of land of not less than 5,000 square feet in area, with a minimum floor area of 250 square feet per bedroom.” Or this “per bedroom” number could be reduced.

Section 201 Definitions

The following definition will be added because the City has such a facility, yet it is not listed as a permitted or special condition use in any district.

Residential Care and Treatment Facility. A facility that provides services, programs and temporary shelter for residents who are undergoing alcohol or substance abuse rehabilitation.

Section 603 RM-1 Multiple Family District Changes

The changes are being proposed to address issues identified in the RM-1 District include setting a maximum height for hospitals, changing language from “housing for the elderly” to assisted living facilities and reducing restrictions on their development.

Section 603 (2) shall be amended to read:

Hospitals not to exceed the height of existing buildings on the hospital campus when the following conditions are met:

- a. All such hospitals shall be developed only on sites consisting of at least ten acres in area.
- b. The proposed site shall have at least one property line abutting a principal arterial. All access to the off-street parking area for guests, employees, staff, as well as any other users of the facilities, shall be directly from a principal or minor arterial **street**.
- c. The minimum distance of any main or accessory building from building lot lines or streets shall be at least 100 feet for front, rear and side yards for all two-story structures. For every story above two, the minimum yard distance shall be increased by at least two feet.

Section 603 (3) shall be amended to read:

Assisted Living Facility when the following conditions are met:

- a. All housing shall be provided as a planned development consisting of either a single multiple unit structure and/or cottage-type dwellings. The development may include common services containing, but not limited to: central dining rooms, recreational rooms, central lounge, and workshops.

Section 603(4) shall be eliminated.

Convalescent Homes and orphanages would then fall under either assisted living facility or sheltered housing definitions and regulations.

Section 702 RM-2 Multiple Family District changes

The changes are being proposed to increase the flexibility of creating a multiple story boarding house as a means of providing workforce housing, and adding sheltered housing and residential care and treatment facilities as special condition uses in the RM-2 District. Again, these facilities currently exist in the community but any future facilities or expansions would have to follow the special condition sue process.

Section 702 (2) shall be amended to read:

Boarding or rooming houses, when located on a parcel of land of not less than 5,000 square feet in area, with a minimum **building** floor area of 250 square feet per bedroom roomer.

Section 702 shall have the following special condition uses added:

- (4) Sheltered Housing
- (5) Residential Care and Treatment Facilities

B-2A Transitional Business District Changes

The changes are to add special condition uses to the use table for boarding/rooming houses, sheltered housing and residential care and treatment facilities.

Table 2901.1 shall be amended to add the following as special condition uses:

- Boarding/Rooming Houses
- Sheltered Housing
- Residential Care and Treatment Facilities

Section 2902 shall have the following special condition use standard added:

Boarding or rooming houses, when located on a parcel of land of not less than 5,000 square feet in area, with a minimum **building** floor area of 250 square feet per **bedroom** roomer.

B-2B Mixed Use Corridor District Changes

The changes are to add special condition uses to the use table for boarding/rooming houses, sheltered housing and residential care and treatment facilities.

Table 3001.1 shall be amended to add the following as special condition uses:

- Boarding/Rooming Houses
- Sheltered Housing
- Residential Care and Treatment Facilities

Section 3002 shall have the following special condition use standard added:

Boarding or rooming houses, when located on a parcel of land of not less than 5,000 square feet in area, with a minimum **building** floor area of 250 square feet per **bedroom** roomer.

Action

After holding a public hearing on the proposed ordinance amendments and receiving comment, the Commission may take action to recommend the amendments to City Council.

ARTICLE VI. - RM-1 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Sec. 600. - Intent.

The RM-1 Multiple-Family Residential District is designed to provide sites for low-density multiple-family dwelling structures which will generally serve as zones of transition between less intensive nonresidential districts and lower density single-family development. This district will also accommodate the large planned multiple-family residential development.

Sec. 601. - Principal uses permitted.

In an RM-1 Multiple-Family Residential District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this Ordinance:

1. All uses permitted and as regulated in the R-1 through R-3 Single-Family Residential Districts with the lot area and yards equal to at least the requirements of the immediately abutting Single-Family Residential District.
2. Multiple-family dwellings.
3. Accessory buildings and uses customarily incident to any of the above permitted uses.

Sec. 602. - Required conditions.

In the case of multiple dwelling developments, all site plans shall be submitted to the planning commission for its review and approval prior to issuance of a building permit.

Approval shall be contingent upon a finding that:

- (1) The site plan shows that a proper relationship exists between local streets and any proposed service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety, and
- (2) All the development features including the principal building or buildings and any accessory buildings, or uses, open spaces, and any service roads, driveways and parking areas are so located and related to minimize the possibility of any adverse effects upon adjacent property, such as, but not limited to: channeling excessive traffic onto local residential streets, lack of adequate screening or buffering of parking or service areas, or building groupings and circulation routes located as to interfere with police or fire equipment access.

Sec. 603. - Principal uses permitted subject to special conditions.

The following uses shall be permitted, subject to conditions hereinafter imposed for each use, and subject further to the review and approval of the planning commission:

1. Nursery schools, day nurseries, child-care centers (not including dormitories or family day-care homes), and group day-care homes (seven or more minor children), provided that for each child so cared for, there is provided and maintained a minimum of 150 square feet of outdoor play area. Such play space shall have a minimum area of at least 1,200 square feet, and shall be fenced or screened from any adjoining residential land with planting.
2. General Hospitals **not to exceed the height of existing buildings on the hospital campus** (~~except those for treatment of the criminally insane~~), ~~with no maximum height restrictions~~, when the following conditions are met:
 - a. All such hospitals shall be developed only on sites consisting of at least ten acres in area.
 - b. The proposed site shall have at least one property line abutting a **principal arterial street** ~~major thoroughfare as designated on the major thoroughfare plan~~. All access to the off-street

parking area for guests, employees, staff, as well as any other users of the facilities, shall be directly from a **principal or minor arterial street** ~~major thoroughfare~~.

- c. The minimum distance of any main or accessory building from building lot lines or streets shall be at least 100 feet for front, rear and side yards for all two-story structures. For every story above two, the minimum yard distance shall be increased by at least two feet.
3. Assisted Living Facility **Housing for the elderly** when the following conditions are met:
 - a. All housing ~~for the elderly~~ shall be provided as a planned development consisting of **at least two acres**. ~~The development may be either a single multiple unit structure and/or cottage-type dwellings. The development may include common services containing, but not limited to: central dining rooms, recreational rooms, central lounge, and workshops.~~
 4. ~~Convalescent homes, rest homes, and orphanages, when the following conditions are met:~~
 - ~~a. The site shall be so developed as to create a land-to-building ratio on the lot or parcel whereby for each one bed in the home, there shall be provided not less than 1,000 square feet of open space. The 1,000 square feet of land area per bed shall provide for landscape setting, off-street parking, service drives, loading space, yard requirements, and space required for accessory uses. The 1,000 square foot requirement is over and above the building coverage area.~~
 - ~~b. No building shall be closer than 40 feet from any property line.~~
 5. Accessory buildings and uses customarily incident to any of the above-permitted uses.

(Ord. No. 682, § 1, 5-6-2002)

Sec. 604. - Area and bulk requirements.

See article XVI Schedule of Regulations limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted and providing minimum yard setback requirements.

ARTICLE VII. - RM-2 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Sec. 700. - Intent.

The RM-2 Multiple-Family Residential District is designed to provide sites for intermediate density multiple-family dwelling structures primarily in close proximity to high traffic and pedestrian generators such as the downtown area. This zone is designed to provide a zone of transition between such generators and other residential zoning districts.

Sec. 701. - Principal uses permitted.

In an RM-2 Multiple-Family Residential District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this ordinance:

1. All uses permitted and as regulated in the RM-1 Multiple-Family Residential District.
2. Accessory buildings and uses customarily incident to any of the above permitted uses.

Sec. 702. - Principal uses permitted subject to special conditions.

The following uses shall be permitted, subject to the conditions hereinafter imposed for each use, and subject further to the review and approval of the planning commission pursuant to section 1717 of the zoning ordinance:

1. Medical offices or clinics (other than veterinarian) when the following conditions are met:
 - a. All such medical offices or clinics shall be developed only on sites which directly abut property on which ~~general~~ hospital facilities exist.
 - b. Yard requirements shall be as follows:
 - (1) There shall be a front yard of not less than 25 feet.
 - (2) There shall be a side yard on each side of not less than 20 feet.
 - (3) There shall be a rear yard of not less than 35 feet.
 - (4) No parking shall be permitted in a required front or side yard area.
2. Boarding or rooming houses, when located on a parcel of land of not less than 5,000 square feet in area, ~~plus an additional 600 square feet of land area for each roomer~~ **with a minimum building floor area of 250 square feet per roomer-bedroom.**
3. Offices for executive or administrative occupations including legal, accounting, insurance, finance or similar professions in existing residential structures with the following conditions:
 - a. The property is immediately adjacent to, or directly across the street from, a business-zoned parcel (B1, B2 or B3);
 - b. The property is within one block of the parking-exempt district as defined in section 1704(11) of the zoning ordinance;
 - c. No on-site parking shall be constructed in excess of that required for residential use;
 - d. Architecture of additions or alterations shall be consistent with residential character of the neighborhood;
 - e. No interior display shall be visible from the exterior of the building;
 - f. The outdoor storage of goods or material shall be prohibited;

- g. Exterior lighting shall be residential in character with fixtures restricted to no more than ten feet in height, 75 watts maximum with shielded or frosted fixtures and illumination levels limited to five footcandles or less;
 - h. Customer hours shall be limited to 8:00 a.m. in the morning to 6:00 p.m. in the evening;
 - i. Trash and waste disposal shall only be curbside residential without use of on-site dumpsters; and
 - j. All provisions of the sign ordinance are met.
- 4. **Sheltered Housing**
 - 5. **Residential Care and Treatment Facilities**
 - 6. Accessory buildings and uses customarily incident to any of the above permitted uses.

(Ord. No. 696, § 1, 4-17-2006)

Sec. 703. - Area and bulk requirements.

See article XVI Schedule of Regulations limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted and providing minimum yard setback requirements.

Sec. 2901 PRINCIPAL USES PERMITTED

In the B2-A Transitional Business District, no building or land shall be used except in compliance with the uses identified in **Table 2901.1**. Sexually-oriented businesses as defined in Section 2800 of the Zoning Ordinance are specifically prohibited in the Transitional Business District.

TABLE 2901.1 Transitional Business District Permitted and Special Condition Uses

COMMERCIAL	
BAKERY, CONFECTIONARY PRODUCTION	P
BANKS	P
BREWERY, MICROBREWERY, WINERY	P
DAYCARE CENTER	P
FOOD SERVICE WITH OR WITHOUT ALCOHOL SERVICE	P
GENERAL RETAIL	P
HEALTH/FITNESS FACILITY	P
OPEN-AIR BUSINESS	SCU
PERSONAL SERVICE	P
PROFESSIONAL OR MEDICAL OFFICE	P
PUBLIC ASSEMBLY	P
STUDIO- ART, DANCE, MUSIC, PHOTOGRAPHY, ETC.	P
CIVIC	
EDUCATION – PRIMARY, SECONDARY, COLLEGE	SCU
GOVERNMENT OFFICES	SCU
LIBRARY, PUBLIC PARK	P
MUSEUM	P
RESIDENTIAL	
SINGLE FAMILY RESIDENCE	P
TWO FAMILY RESIDENCE	P
MULTIFAMILY HOUSING	P
BOARDING/ ROOMING HOUSE	P- SCU
DORMITORY	P
NURSING HOMES, ASSISTED LIVING	P
SHELTERED HOUSING	SCU
RESIDENTIAL CARE AND TREATMENT FACILITIES	SCU
LODGING	
BED AND BREAKFAST	P
HOTEL	P

SECTION 2902 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

The uses noted as SCU in Table 2901.1 shall be permitted, subject to the conditions hereinafter imposed, for each use and subject further to the review and approval of the Planning Commission pursuant to Sections 1717 and 1718 of the Zoning Ordinance.

1. Open air business accessory to a permitted use. Open air operations shall be screened from adjacent residential uses and parkland as approved by the Commission.
2. Boarding or rooming houses, when located on a parcel of land of not less than 5,000

square feet in area, with a minimum **building** floor area of 250 square feet per ~~roomer~~ **bedroom**.

Sec. 3001 PRINCIPAL USES PERMITTED

In the B-2B Mixed Use Corridor District, no building or land shall be used except in compliance with the uses identified in **Table 3001.1**. Sexually-oriented businesses as defined in Section 2800 of the Zoning Ordinance are specifically prohibited in the Mixed Use Corridor District.

TABLE 3001.1 Mixed Use Corridor Permitted and Special Condition Uses

COMMERCIAL	
BAKERY, CONFECTIONARY PRODUCTION	P
BANKS	P
BREWERY, MICROBREWERY, WINERY	P
DAYCARE CENTER	P
DRIVE-THROUGH FACILITIES	SCU
FOOD SERVICE WITH OR WITHOUT ALCOHOL SERVICE	P
GENERAL RETAIL	P
HEALTH/FITNESS FACILITY	P
OPEN-AIR BUSINESS	P
PERSONAL SERVICE	P
PROFESSIONAL OR MEDICAL OFFICE	P
PUBLIC ASSEMBLY	P
STUDIO- ART, DANCE, MUSIC, PHOTOGRAPHY, ETC.	P
WAREHOUSE AND WHOLESALE ESTABLISHMENTS	SCU
CIVIC	
EDUCATION – PRIMARY, SECONDARY, COLLEGE	SCU
MUSEUM	P
LIBRARY, PUBLIC PARK	P
POST OFFICE OR OTHER GOVERNMENT OFFICES	P
RESIDENTIAL	
SINGLE FAMILY RESIDENCE	P
TWO FAMILY RESIDENCE	P
MULTIFAMILY HOUSING	P
BOARDING/ ROOMING HOUSE	SCU P
DORMITORY	P
NURSING HOMES, ASSISTED LIVING	P
SHELTERED HOUSING	SCU
RESIDENTIAL CARE AND TREATMENT FACILITIES	SCU
LODGING	
BED AND BREAKFAST	P
HOTEL	P

SECTION 3002 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

The uses noted as SCU in Table 3001.1 shall be permitted, subject to the conditions hereinafter imposed, for each use and subject further to the review and approval of the Planning Commission pursuant to Sections 1717 and 1718 of the Zoning Ordinance.

1. Open air business accessory to a permitted use. Open air operations shall be screened from adjacent residential uses and parkland as approved by the Commission.
2. Warehouse and wholesale establishments, subject to the following conditions:
 - a. Goods shall also be available for retail purchase on the premise and located along the street frontage;
 - b. The warehouse or wholesale establishment shall be located within three hundred (300) feet of a collector street (as designated in the Petoskey Master Plan) or railroad right-of-way.
 - c. A screening wall of a height, material and location to be determined by the Planning Commission may be required where the use abuts an existing residential use or parkland.
3. Boarding houses, when located on a parcel of land of not less than 5,000 square feet in area, with a minimum floor area of 250 square feet per with a minimum **building** floor area of 250 square feet per **bedroom.** ~~roomer.~~



BOARD: Planning Commission

MEETING DATE: February 16, 2017

DATE PREPARED: February 9, 2017

AGENDA SUBJECT: Discussion/ Action on Updated Planning Commission Bylaws

RECOMMENDATION: Approve Bylaws Update

The Planning Commission Bylaws currently have a 4-hour per year training requirement for Commissioners. In the MEDC evaluation of the City's attainment on the Redevelopment Ready Communities best practices, there is a recommendation that the City "Implement a consistent process for training participants to share information with those not in attendance".

Staff's recommendation for partial implementation of this recommendation is to add the following language to the Planning Commission Bylaws training requirement:

Any member who attends training not attended by all Commissioners will provide a summary of the training and how it relates to the functioning of the Commission, to issues being discussed by the Commission, or to issues that should be considered by the Commission. If permission is given, handouts from the training will be shared as well.

Bylaws with highlighted change are enclosed.



City of Petoskey

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BY-LAWS OF THE PETOSKEY PLANNING COMMISSION

- I. Regular Meeting Date and Place – The regular Commission meeting shall be the third Thursday of each month at 7:00 P.M. in City Hall.
- II. Election of Officers – The Chairperson, Vice-Chairperson/Secretary shall be elected in September of each year for a one-year term.
- III. Minutes of the Meeting – A written record of the Planning Commission regular and special meetings shall be retained and available for public review at the City Offices.
- IV. Quorum and Majority – A quorum of the Commission shall consist of at least five members. A majority of the quorum present shall be required to pass a particular motion. In the case of adoption of a municipal master plan, a minimum vote of approval of six members of the Commission shall be necessary to adopt the master plan.
- V. Attendance – Members who miss consecutive regular meetings shall provide adequate notice or reason for their absences to staff or the Chairperson. Consistent absence from meetings by a member may warrant the Chairperson to request review of the membership by the Mayor.
- VI. Conflict of Interest
 - A. Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 1. Deliberating on, voting on, or reviewing a case concerning him or her.
 2. Deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
 3. Deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
 4. Deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.
 5. Deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or members of his or her household.

6. Deliberating on, voting on, or reviewing a case where his or her employee or employer is:
 - (a) An applicant or agent for an applicant, or
 - (b) Has a direct interest in the outcome.
 - B. If there is a question whether a conflict of interest exists or not, the question shall be put before the Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Commission.
 - C. When a conflict of interest exists, the member of the Commission, or committee, shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:
 1. Declare a conflict exists at the next meeting of the Commission or committee;
 2. Cease to participate as a member of the Commission at the Commission or committee meetings, and
 3. During deliberation of the agenda item before the Commission or committee, leave the meeting or remove one's self from the front table where members of the Commission sit, until that agenda item is concluded.
- VII. Incompatibility of Office - If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office.
- VIII. Representation of the Commission – No Planning Commissioner shall claim to represent the Planning Commission to an individual or organization unless authorized at the direction of the Chairperson, or by Planning Commission resolution.
- IX. Motions.
 - A. Motions shall be restated by the Chair, or at his/her direction, before a vote is taken.
 - B. Findings of Fact. All actions taken in an administrative capacity (including but not limited to, special use permits, subdivisions, zoning, site plan review, planned unit developments, review and submission on another municipality's proposed plan, review and submission on a capital improvement, review of township zoning) shall include each of the following parts.
 - a. A finding of fact, listing what the Commission determines to be relevant facts in the case in order to eliminate

misleading statements, hearsay, irrelevant, and untrue statements.

- b. Conclusions to list reasons based on the facts for the Commission's action, often directly related, or not, to a finding of compliance, or noncompliance, to standards.
- c. The Commission's action; recommendation or position, approval, approval with conditions, or disapproval.

- X. Open Meetings and Freedom of Information Provisions – Deliberations and decisions of the Commission are governed by the Michigan Open Meetings Act being notices shall comply with Act 267 of the Michigan Public Acts of 1976, as amended, (being the Michigan Open Meetings Act M.C.L. 15.261 *et seq.*).

Persons shall be permitted to address the Commission by first receiving permission from the Chairperson or Acting Chairperson.

Records, files, correspondence, and other materials pertaining to Planning Commission agenda topics are available to the public for reading, copying, and other valid purposes as governed by Act 442 of the Michigan Public Acts of 1976, as amended.

- XI. Notification and Public Hearing Requirements – The City shall provide for due notification of public hearings, which shall be scheduled by motion of the Planning Commission, in local newspapers and by direct mailings as required for rezonings, special condition uses, or other such actions, in accordance with Act 110 of the Michigan Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*), hereinafter “the Zoning Act.”

A public hearing shall initially be held only at an evening meeting or weekend meeting. In the event of adjournment or tabling of a public hearing, public notice of the time and place of the public hearing shall be provided by posting written notice at the City offices. A rescheduled public hearing shall meet all requirements for notification and scheduling of an initial public hearing.

At a public hearing, the Chairperson may limit the time for each individual speaking in order to encourage participants to be succinct in their comments. An individual who is speaking on behalf of others in attendance at the meeting may be given additional time.

- XII. Conditions for Submitting Project Plans – All plans and materials for review at a regular meeting of the Planning Commission shall be submitted to the City staff no later than 5:00 P.M. of the Friday before the second Thursday of the same month as the meeting. Plans and materials for review at a special meeting shall be submitted no less than five (5) calendar days prior to the date of the special meeting. (120 hours, for example: a meeting at noon on a Monday, plans are due at noon of the prior Wednesday)

Any plan drawings and materials submitted shall include all information as required in the Petoskey Zoning Ordinance or the Sign Ordinance. Required fees and signed copies of required forms shall also be provided at this time.

A petitioner whose plan requires a variance in order to comply with ordinance requirements must obtain the variance prior to consideration by the Planning Commission.

XII. Site Plan Review – The Planning Commission shall not act upon a site plan at the meeting it is introduced and prior to a meeting that is at least fifteen (15) days after the initial consideration of the site plan. Where a petitioner meets all requirements for submission of a site plan but a quorum is unavailable at the meeting, the Planning Commission may act upon the plan at a meeting that is fifteen (15) days after this scheduled meeting that was not held.

XIII. Special Meetings – Special meetings may be scheduled by the Commission Chairperson or by any two Commission members in consultation with City staff.

At a special meeting, the Commission shall only consider those agenda items identified in the public notice. Written public notice of the time, place and purpose of any special meeting shall be posted at the City offices at least 48 hours prior to the meeting. If a public hearing is to be conducted at the special meeting, then the meeting shall be scheduled at a time and place to provide for an adequate and proper public notice as required in Article XI of these By-laws.

XIV. Committees – The Chairperson of the Planning Commission may establish committees from the Commission membership as needed to address matters before the Commission.

XV. Training – Appointed members of the Commission shall attend a minimum of four (4) hours per year of educational programs designed for training members of Michigan planning commissions, if the adopted City of Petoskey budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training. Nothing in this paragraph shall deem a member who has not had training from finishing his term of office unless the member resigns or is removed by action of the City Council. The member shall be ineligible for reappointment at the conclusion of the term of office if they did not attend training, which shall be provided by one or more of the following organizations: Michigan Association of Planning, Michigan State University Extension, Michigan Townships Association, Michigan Municipal League, continuing education programs of Michigan State University, University of Michigan, Northern Michigan University, Central Michigan University, or Wayne State University.

Any member who attends training not attended by all Commissioners will provide a summary of the training and how it relates to the functioning of the Commission, to issues being discussed by the Commission, or to issues that should be considered by the Commission. If permission is given, handouts from the training will be shared as well.

XVI. Amendment of Bylaws – The Commission may amend these bylaws as needed by a majority vote.

ADOPTED AND EFFECTIVE THIS _____ day of _____, 2017



BOARD: Planning Commission

MEETING DATE: February 16, 2017

DATE PREPARED: February 9, 2017

AGENDA SUBJECT: Discussion on Creation of Hospital Zoning District

RECOMMENDATION: Discussion

At its January meeting the Planning Commission again discussed the creation of a new zoning district specific to hospital campuses. Staff has reviewed several examples of hospital and institutional campus zoning districts and the Traverse City ordinance is one that would meet the need for an overall campus master plan, as well as allowing uses specific to such a campus.

Enclosed is the full language of the Traverse City H1 H2 District, as well as a modification that could apply to Petoskey, without setbacks, height limits, etc. details determined. The format has been modified to incorporate use tables versus lists for readability. The Traverse City ordinance requires a Master Site and Facilities Plan for this district and that language is also enclosed. This language is a mix of what we require for a Planned Unit Development (PUD) preliminary rezoning plan and a PUD final rezoning plan, so these sections could be referenced or added to the H1, H2 language.

ARTICLE _____H - Hospital Districts

Intent

The H-1 and H-2, Hospital Districts are for the purpose of accommodating medical centers, hospitals and all their normally related functions, if properly sited in relation to each other and pursuant to an approved plan for that district. The difference between the H-1 and H-2 districts are fewer uses but greater size allowed in the H-2 district. Developments in the H-2 district shall be functionally integrated with other buildings and parking areas and be in substantial conformity with the Hospital Master Site and Facilities Plan.

When applying for a land use permit for H-2 District properties, the applicant shall present a Master Site and Facilities Plan for the current uses on all contiguous property owned by applicant and all anticipated uses **within a minimum of the next 5 years.** This plan shall show adjacent properties sufficiently to identify surrounding uses and potential impacts on them by the applicant's plan and shall conform to the requirements of **Traverse City Code Section 1366.08.**

H-1 and H-2 Districts Permitted Uses

In the H-1 Hospital District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this ordinance:

Key	
P	Permitted Use
SCU	Special Condition Use (As regulated by Section 1717)

	H-1 District	H-2 District
Assisted Living Facilities	P	P
Boarding Houses	P	P
Dwellings, multiple family	P	P
Day Care Facilities	P	P
Clinics	SCU	P
Hospitality houses	P	P
Hospice houses	P	P
Hospitals		P
Landing areas		SCU
Parking structures, public or private		SCU
Residential care and treatment facilities	SCU	P
Wind Energy Building-Mount.		SCU

Principal Uses Permitted Subject to Special Conditions

The uses noted as SCU in Table _____ shall only be permitted subject to the conditions hereinafter imposed, for each use and subject further to the review and approval of the Planning Commission pursuant to Sections 1717 and 1718 of the Zoning Ordinance.

- 1. Parking structures, public or private, subject to the following standards:
 - a. Parking structures shall be designed to have horizontal versus stepped or sloping levels at areas of public view. All ramping shall be concealed from public view.
 - b. Openings shall not exceed 60 percent of the total wall surface. Openings shall be vertical or square.
 - c. Parapet treatment is required to terminate the deck and give proper architectural finish to the structure. Cornices, overhangs and other devices which are consistent with the design of historical buildings may be employed.
 - d. The design of parking decks shall be complementary to the design of historical buildings in the area.

Lot area and impervious surface provisions.

Lot area (min.)	Impervious surface
10 Acres	H-1: 70% maximum
	H-2: 60% maximum

Setbacks.

- (a) *Front setbacks:*
 - Buildings:*
 - Parking areas:*
- (b) *Side setbacks (minimum):*
 - Building:*
 - Parking areas:*
- (c) *Rear setbacks:*
 - Building:*
 - Parking areas:*
- (d) Corner lots and through lots having a frontage on 2 streets shall provide the required front setback on both streets.

- (e) An additional setback of 1 foot for each foot of building height above 45 feet is required for any portion of a building above 45 feet.

Building height.

- (a) *Building height:*

H-1: Maximum:

H-2: Maximum

More than ____ may be allowed through a PUD

Exceptions:

Parapet walls may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

Accessory buildings.

Accessory buildings shall:

- (1) Not be permitted in the front yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.
- (2) Not be closer than 5 feet to any side or rear property line.

Parking, loading and driveways.

- (a) Requirements for parking, loading and driveways are contained in Section 1704. When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed.
- (b) All parking areas within the same block shall be designed to allow interconnection to neighboring parking areas.

Special requirements.

The following requirements apply:

- (1) All roof-mounted equipment, including satellite dishes and other communication equipment, shall be screened from view by a parapet or similar architectural feature. The equipment shall not be visible from recreation trails or from public sidewalks adjacent to the site.
- (2) All equipment and activities shall be screened and placed so as to create no noise disturbance on any neighboring property.
- (3) No material, equipment, or goods of any kind shall be stored on the roof of any building or outside unless otherwise allowed by ordinance.

CHAPTER 1358

H - Hospital Districts

The H-1 and H-2, Hospital Districts are for the purpose of accommodating medical centers, hospitals and all their normally related functions, if properly sited in relation to each other and pursuant to an approved plan for that district. The difference between the H-1 and H-2 districts are fewer uses but greater size allowed in the H-2 district. Developments in the H-2 district shall be functionally integrated with other buildings and parking areas and be in substantial conformity with the Hospital Master Site and Facilities Plan.

CROSS REFERENCES

- Zoning and planning in home rules cities - MCLA 117.4i
- Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581
- Regulation of buildings; authority to zone - MCLA 125.582
- Regulation of congested areas - MCLA 125.583
- Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a
- Signs - B & H Chapter

<p>1358.01 Uses allowed.</p> <p>1358.02 Uses allowed by special land use permit.</p> <p>1358.03 Lot, density and impervious surface provisions.</p> <p>1358.04 Setbacks.</p> <p>1358.05 Encroachments into the setbacks.</p>	<p>1358.06 Building height.</p> <p>1358.07 Accessory buildings.</p> <p>1358.08 Parking, loading and driveways.</p> <p>1358.09 Special requirements.</p>
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1358.01 USES ALLOWED.

- (A) Master Site Facilities Plan. When applying for a land use permit for H-2 District properties, the applicant shall present a Master Site and Facilities Plan for the current uses on all contiguous property owned by applicant and all anticipated uses within a minimum of the next five years. This plan shall show adjacent properties sufficiently to identify surrounding uses and potential impacts on them by the applicant's plan and shall conform to the requirements of Traverse City Code Section 1366.08, *Master Site and Facilities Plans*.
- (B) H-1 District. The following uses of land and buildings, together with accessory uses, are allowed in the H-1 Hospital District:
 - Community Gardens;
 - Dormitories;
 - Dwellings, multiple family, up to 29 dwelling units per acre;
 - Group day care homes;
 - Florists;
 - Health services, including clinics of doctors and dentists;
 - Hospitality houses;

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- Medical Marihuana Collective meeting the following requirements:
 - (1) Use and transfer of Medical Marihuana shall comply at all times with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
 - (2) Transfer of Medical Marihuana shall be only allowed to a Qualifying Patient directly in person by his or her Registered Primary Caregiver or by another Qualifying Patient as allowed by the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
 - (3) The Collective shall not be in operation between the hours of 10:00 p.m. and 7:00 a.m.
 - (4) No Medical Marihuana Cultivation shall occur on the parcel.
 - (5) Except for parents or guardians of a Qualifying Patient and the Owner or staff of the facility, persons other than a Qualifying Patient or Primary Caregiver shall be not permitted within the Collective when Medical Marihuana is being transferred or used.
 - (6) A Qualifying Patient under the age of 18 shall be accompanied by a parent or guardian and notice of such shall be conspicuously posted.
 - (7) A Medical Marihuana Collective shall not be located within a 1,000 foot radius from any existing School.
 - (8) A Medical Marihuana Collective shall not be located within 1000 feet from another existing Collective.
 - (9) An Owner or Operator of a Medical Marihuana Collective shall not have been convicted of a felony involving controlled substances.
 - (10) The name and address of all persons with an ownership interest in the Medical Marihuana Collective and all Operators of the Medical Marihuana Collective shall be provided to the Zoning Administrator at least ten (10) business days prior to opening the Medical Marihuana Collective and least ten (10) business days prior to when a new person owns or operates the Medical Marihuana Collective.
- Residential care and treatment facilities.

The following uses, if they meet the requirements of an accessory use, except that they need not be in the same building or on the same lot:

- Duplicating, mailing, stenographic and office services no larger than 2,000 square feet gross floor area;
- Schools for the handicapped;
- Educational services to the public related to health care;
- Financial institutions with no drive-throughs;
- Gift shops no larger than 2,000 square feet gross floor area;
- Orthopedic stores;
- Pharmacies no larger than 2,000 square feet gross floor area;
- Places of worship;
- Recreational Facilities
- Restaurants, family, fine and fast, under 2,000 square feet in gross floor

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- area without drive-throughs or drive-ins;
 - Social services;
 - Veterinary Services, without outdoor runs
- (C) H-2 District. The following uses of land and buildings, together with accessory uses, are allowed in the H-2 District:
- H-1 District uses;
 - Health services;
 - Hospitality houses;
 - Hospitals and medical centers;
 - Medical care facilities;
 - Parking structures, public or private, subject to the following standards:
 - (1) Parking structures shall be designed to have horizontal versus stepped or sloping levels at areas of public view. All ramping shall be concealed from public view.
 - (2) Openings shall not exceed 60 percent of the total wall surface. Openings shall be vertical or square.
 - (3) Sloped roofs are not required for parking structures, however:
 - A. The upper and lowest level of parking shall incorporate sufficient screening to shield cars from public view.
 - B. Parapet treatment is required to terminate the deck and give proper architectural finish to the structure. Cornices, overhangs and other devices which are consistent with the design of historical buildings may be employed.
 - (4) The design of parking decks shall be complementary to the design of historical buildings in the area.
 - Residential care and treatment facilities.

(Ord. No. 476. Passed 7-6-99. Ord. No. 550. Passed 12-3-01. Ord. 591. Passed 1-06-03. Ord. 602. 6-2-03. Ord. 668. Passed 03-21-05. Ord. 842. Passed 8-3-09. Ord. 844 Passed 8-3-09. Ord. 880. Passed 8-16-10. Ord. 904. Passed 2-7-11.)

1358.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed if a special land use permit is issued according to the standards of this Zoning Code:

- Communication towers;
- Essential services buildings;
- Landing areas;
- Taller buildings for H-2 district uses;
- Transitional housing and Emergency shelters
- Wind Energy Pole/Tower-Mount
- Wind Energy Building-Mount

(Ord. No. 476. Passed 7-6-99. Ord. No. 550. Passed 12-3-01. Ord. 938. Passed 4-2-12. Ord. 1007. Passed 7-7-14. Ord. 1010. Passed 9-2-14)

1358.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

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<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
20 feet	No minimum.	29 dwelling units/acre	H-1: 70% maximum H-2: 60% maximum

(Ord. No. 476. Passed 7-6-99. Ord. No. 551. Passed 12-3-01. Ord. No. 568. Passed 7-1-02.)

1358.04 SETBACKS.

(A) **Front setbacks:**

Buildings: H-1: The lessor of 8 feet or the average setback of principal buildings on the same face block. H-2: 25 feet or as shown on the approved Master Site and Facilities Plan allowing a lesser setback.

Parking areas: H-1: Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but no closer than 25 feet from the front property line. H-2: Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater, or as shown on the approved Master Site and Facilities Plan allowing a lesser setback.

(B) **Side setbacks (minimum):**

Building: 5 feet, except a 10-foot side setback is required on the side abutting an R-District.

Parking areas: If contiguous to an R-district, a minimum of 10 feet. Otherwise, 5 feet. If shared parking is developed, these setbacks would affect only the perimeter of the combined parcels.

(C) **Rear setbacks:**

Building: 5 feet, except 20 feet if abutting or adjacent to an R-district.

Parking areas: 5 feet, except 20 feet if abutting, adjacent to or across an alley from an R-District.

(D) **Corner lots and through lots** having a frontage on two streets shall provide the required front setback on both streets.

(E) **An additional setback** of one foot for each foot of building height above 45 feet is required for any portion of a building above 45 feet.

(Ord. 476. Passed 7-6-99. Ord. 608. Passed 7-21-03.)

1358.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into the setbacks are allowed.

(Ord. 476. Passed 7-6-99.)

1358.06 BUILDING HEIGHT.

(A) **Building height:**

H-1: Maximum 45 feet.

H-2: West of Elmwood Avenue (within 100 feet of the right-of-way) 110 feet maximum

Remaining area: 90 feet maximum

More than 60 feet may be allowed by SLUP or PUD.

(B) **Exceptions:**

Steeple and clock towers may be erected to a height the lessor of twice the height of the attached building or 110 feet.

Parapet walls may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 476. Passed 7-6-99. Ord. 704. Passed 7-17-06. Ord. 739. Passed 3-19-07.)

1358.07 ACCESSORY BUILDINGS.

Accessory buildings shall:

(A) Not be permitted in the front yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.

(B) Not be closer than 5 feet to any side or rear property line.

(Ord 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

1358.08 PARKING, LOADING AND DRIVEWAYS.

(A) Requirements for parking, loading and driveways are contained in Chapter 1374. In addition, athletic fields may provide up to 50% of the required number of organized parking on an area developed in turf grasses. Grassed parking areas are considered as providing one parking space for every 350 square feet of continuous turf-covered area. All grassed parking areas shall be maintained in a healthy, vigorous growing condition and shall not be used more than 12 times per calendar year. When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed.

(B) Parking is not required for upper story dwellings above a first floor commercial or office use.

(C) All parking areas within the same block shall be designed to allow interconnection to neighboring parking areas.

(Ord. 476. Passed 7-6-99.)

1358.09 SPECIAL REQUIREMENTS.

The following requirements apply:

(A) All roof-mounted equipment, including satellite dishes and other communication equipment, shall be screened from view by a parapet or similar architectural feature. The equipment shall not be visible from recreation trails or from public sidewalks adjacent to the site.

(B) All equipment and activities shall be screened and placed so as to create no noise disturbance on any neighboring property.

(C) No material, equipment, or goods of any kind shall be stored on the roof of any building or outside unless otherwise allowed by ordinance.

(Ord 476. Passed 7-6-99.)

1366.08 - Master site and facilities plans.

(a) *Procedure for all master site and facilities plans.*

- (1) *Pre-application conference.* Before submitting a Master Site and Facilities Plan, an applicant may meet with the Planning Director to review the proposed plan, the Traverse City Code of Ordinances, and the City Plan.
- (2) *Application.* An applicant shall apply for master site and facilities plan consideration not less than 21 calendar days before the date on which such plan shall be reviewed by the Planning Commission. The plan shall be submitted to the Planning Director for review according to the standards and requirements of this Code and as follows:
- (3) *Official review.* The Planning Director shall circulate the Master Site and Facilities Plan to the relevant agencies or officials for comments as to the proposed development.
- (4) *Approval; referral.* Once the Planning Director deems the requirements for the Master Site and Facility Plan have been met, the plan shall be referred to the Planning Commission for review with a recommendation to approve, deny or modify the plan. If modifications are recommended, the applicant shall be notified in advance of the Planning Commission meeting so that adjustments can be made prior to such meeting. The Planning Commission shall review the Master Site and Facilities Plan according to the standards and requirements of this chapter. The Planning Commission shall approve or deny the plan (not the use) according to the standards and requirements of this Code.
- (5) *Compliance.* After approval of a Master Site and Facility Plan, the land to which it pertains shall be developed and used in its entirety only as authorized and described in this plan. Where there is insufficient information on the plan to determine building and parking locations and alike, the zoning code requirements for the district shall prevail.

(b) *Planning commission review and approval.* A Master Site and Facilities Plan shall be deemed approved only upon the signature of the Secretary for the Planning Commission on the plan. No land use permit or building permit shall be issued without an approved master site and facilities plan and approved site plan in accordance with the provisions of this chapter.

(c) *Master site and facilities plan requirements.*

- (1) *Requirements.* A Master Site and Facilities Plan shall be accompanied by a filing fee established by resolution of the City Commission. Plans shall be drawn to scale, rendered on a minimum sheet size of 11 inches by 17 inches and shall include the following:
 - a. A legal description and property lines;
 - b. The scale, north arrow, date and vicinity map;
 - c. The property owner's name and address;
 - d. The contact person's name and address;
 - e. Street names, existing street and alley widths, the location and width of utility easements within and on adjacent public rights of way.(use separate sheet for clarity);
 - f. The zoning classification of the surrounding properties;
 - g. The size and location of existing buildings and improvements adjacent to the subject parcel;
 - h. Natural features, such as unique topographic features, boundaries of regulated wetlands, 100-year flood plain elevations, creeks, springs and others.
 - i. The building code use groups of existing and proposed buildings;
 - j. Location of building envelopes and the maximum height of buildings allowed by the zoning district within these areas;

- k. The percentage of property allocated for buildings, parking areas and streets;
 - l. A general circulation plan for pedestrians and motorists and general location of parking areas.
 - m. A conceptual plan in a narrative or graphic plan that describes the central storm-water features, if any.
- (2) *Waiver.* Any of these requirements may be waived by the Planning Director where, in his or her judgment, such data will not bear on the decision of the Planning Commission.
- (3) *Appeals.* The property owner may appeal a decision of the Commission to the Board of Zoning Appeals.
- (d) *Standards for granting master site and facilities plan approval.* A master site and facilities plan shall conform to the following site development standards which shall be reflected on the plan:
- (1) Whenever practical, the primary structures shall be oriented so that their main entrance faces a street upon which the lot fronts. If the development is on a corner lot, the main entrance may be oriented to either street or to the corner.
 - (2) Every principal building or groups of buildings shall be so arranged as to permit emergency access.
 - (3) Every development shall have legal access to a public or private street.
 - (4) The plan, where possible, shall provide vehicular and pedestrian circulation systems which reflect and extend the pattern of streets, pedestrian and bicycle ways in the area.
 - (5) A pedestrian circulation system shall be provided which is physically separated and insulated as reasonably possible from the vehicular circulation system.
 - (6) All parking areas shall be located in a manner which will reduce the visual impact of such parking areas from adjacent public streets.
 - (7) Where the opportunity exists, developments shall use shared drives and interconnect with adjacent properties to reduce travel distance. Unnecessary curb cuts shall not be permitted.
- (e) *Master site and facility plan amendments.* No change shall be made to an approved site plan prior to or during construction except upon application to the Planning Director and according to the following procedures:
- (1) *Minor change.* A slight modification to a Master Site and Facilities Plan involving the siting of buildings, the adjustment or extension of utilities, walkways, traffic ways and parking areas and similar modifications may be approved by the Planning Director.
 - (2) *Major change.* A change or amendment to a Master Site and Facility Plan, involving a significant change in the number and location of accesses to public streets, alleys and parking areas, a major relocation or re-siting of buildings, a significant increase in the building footprint or height of a building, a significant reduction in open space and similar major changes shall require the approval of the Planning Commission.

(Ord 476. Passed 7-6-99. Ord 588. Passed 1-06-03. Ord. 741. Passed 3-19-07.)