



PLANNING COMMISSION  
AGENDA

TUESDAY, FEB. 19, 2019 – 7:00 P.M.

**LOCATION: CITY HALL – LOWER LEVEL – ROOM A**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**
- 4. MINUTES OF PREVIOUS MEETING** Jan. 15, 2019
- 5. CITIZEN COMMENTS** (Limited to brief presentations on matters not on the agenda)
- 6. REPORTS & CORRESPONDENCE**
  - A. CITY ADMINISTRATION**
  - B. PLANNING COMMISSIONER**
  - C. OTHER COMMUNITY/GOVERNMENTAL LIAISONS**
  - D. CORRESPONDENCE**
- 7. PUBLIC HEARING**

**CADY STREET OVERLAY TEXT AMENDMENT**

- 8. DISCUSSION**

**RESIDENTIAL BUILDING STANDARDS/FRONT PORCH INCENTIVE**

- 9. ADJOURN**

CITY OF NORTHVILLE  
Planning Commission Meeting Minutes  
January 15, 2019  
Northville City Hall  
215 W Main Street, Northville MI 48167  
Council Chambers

**1. CALL TO ORDER:**

Chair Kirk called the meeting to order at 7:00 p.m.

**2. ROLL CALL:**

Present: Jeff Gaines  
Steve Kirk  
Carol Maise  
Mark Russell  
Ann Smith  
Jeff Snyder  
Donna Tinberg

Absent: Andrew Krenz (excused)  
One vacancy

Also present: Sally Elmiger, Planning Consultant  
Ken Roth, Mayor  
Brent Strong, Building Official  
Pat Sullivan, City Manager  
Lori Ward, Downtown Development Authority Director  
8 residents

**3. APPROVAL OF AGENDA:**

**MOTION by Russell, support by Tinberg, to approve the agenda as published.**

**Motion carried unanimously.**

**4. MINUTES OF PREVIOUS MEETING:** December 18, 2018

**MOTION by Tinberg, support by Russell, to approve the December 18, 2018 minutes as submitted.**

**Motion carried unanimously.**

**5. CITIZEN COMMENTS:** None.

**6. REPORTS & CORRESPONDENCE:**

**A. CITY ADMINISTRATION:** None.

**B. PLANNING COMMISSION:** None.

**C. OTHER COMMUNITY/GOVERNMENTAL LIAISONS:** None.

**D. CORRESPONDENCE:**

Letters were received regarding the proposed Northville Downs project as follows:

- Marianne Barry, 239 High Street, dated December 21, 2018, listing concerns regarding the project.
- Email from Phyllia Mitcham, dated December 27, 2018, opposing the project.

## **7. PUBLIC HEARING**

### **7 MILE/S. MAIN STREET OVERLAY DISTRICT**

Planning Consultant Elmiger gave the background for tonight's public hearing regarding the proposed draft ordinance language to create the Seven Mile – South Main Street Overlay (SM-O).

The purpose of this new overlay district was to incorporate specific requirements that would guide development in a manner that was consistent with the goals of the Master Plan for this area. The parcels to the south and west of the 7-Mile/South Main Street intersection comprised a sub-area designated in the City's Master Plan that called for a mix of uses and policies that would create a walkable, pedestrian-friendly environment with architecture that was compatible with existing developments.

The new overlay district brought the goals from the Master Plan into the Zoning Ordinance in a number of different ways:

1. By expanding permitted uses to include residential, but limiting outdoor storage and vehicular-related special land uses.
2. By creating unique building height and setback requirements for the area.
3. By encouraging shared driveway and parking areas, pedestrian and non-motorized enhancements, coordination with the amenities in the nearby Wayne County Park, streetscape enhancements, and other modern site development techniques.

Planning Consultant Elmiger concluded by noting that the Planning Commission had been working on this ordinance language since June 2017, and tonight it was being presented for public comment.

Chair Kirk opened the public hearing at 7:06 p.m. Seeing that no one came forward to speak, Chair Kirk closed the public hearing at 7:07 p.m. and brought the matter back to the Commission.

Commissioner Gaines asked why an overlay district was being used to accomplish the goals for this area, rather than just changing the zone. Most of the properties in the area were in the General Commercial District. Perhaps the characteristics that the City might like to see applied not only at the intersection of 7 Mile/South Main Street, but also extended up Northville Road to the Wagon Wheel, as there was another area zoned GCD there. Would it make sense to do a text amendment to the zoning ordinance rather than having an overlay for the one intersection?

Planning Consultant Elmiger explained that modifications had been made to the Master Plan, and the Commission wanted to make sure that those changes had been incorporated into the zoning

ordinance. The Master Plan specifically identified the 7 Mile/South Main Street Sub-area for special consideration, with specific goals, so the Commission had concentrated on that. However, the language could be expanded to also cover more of the parcels that were currently zoned GCD.

Commissioner Gaines said his motivation for raising the question was not to challenge the work that had been done so far, but to raise the idea of simplifying the zoning ordinance. Northville was a small community, yet the ordinance included many different zones, overlays, etc. It might be easier for future applicants if the ordinance was simplified so that the zoning district would define the regulations for the area.

Commissioner Maise commented that an overlay offered flexibility of design that was not possible under straight zoning or a text amendment.

Planning Consultant Elmiger said much of the proposed overlay language could be incorporated into straight zoning. However, the proposed language was allowing residential in General Commercial as part of a mixed-use project; that might not be appropriate in every GC District.

Planning Consultant Elmiger said that the Commission would need to analyze the different components of the ordinance to determine whether or not the entire GCD ordinance should be modified to emulate the overlay district language.

Chair Kirk said that one thing that came to his attention was the analysis of why Robertson Brothers Homes had dropped their proposal for the River Townhouse Development, originally proposed for this area. Planning Consultant Elmiger said that she thought the developers did not feel comfortable with developing commercial property, and they did not want to overcome the requirement that a PUD had to be under single ownership.

Chair Kirk noted that Robertson Brothers had provided two reports, one from Gibbs Planning Group and one from Land Use USA, both of which were clear that commercial would not work in this area.

Commissioner Maise noted that those reports talked about retail use only, not service and office uses. Restaurants, offices and other services were other aspects of commercial use.

Commissioner Russell said that he liked the overlay language, which could be expanded if necessary. The overlay allowed some flexibility of development, and addressed Inch Memorial and the muffler shop, building them into the new overlay district. The overlay district was an opportunity to explore different options for this unique corridor coming into the City, as opposed to other GC Districts. The overlay spoke to commercial on the first floor, with residential above. The existing development at the northwest corner of 7 Mile and Main was unique and could provide a catalyst for opportunities along that corridor, especially regarding the gateway opportunity that had been discussed at length.

Chair Kirk said there had been concern among some Commissioners that with commercial on the north side of 7 Mile, was commercial on the south side also desirable? While commercial along the south would match the north, where was the line drawn for that type of development? Should it go all the way to Hines, for instance, or was some of that area best served by residential development only? Currently the proposed language said any development had to be mixed use.

Commissioner Russell said that the recent conversation regarding an *ownership entity* afforded the opportunity for single ownership with multiple phases.

Planning Consultant Elmiger explained that someone who wanted to develop the old McDonald Ford site did not have to provide a mixed-use development; they could develop it as single-use commercial. However, if a residential development were proposed, some commercial would also have to be included.

Chair Kirk said that meant no one could develop an entirely residential project there.

Commissioner Russell pointed out that the Strategic Plan had concluded that Northville could accommodate 35,000-50,000 square feet of additional commercial space. Chair Kirk asked if this should be located at the south end, where new commercial/retail would pull away from the downtown area. Commissioner Russell thought wherever new retail/commercial was located, it would be complementary to the downtown area.

Commissioner Gaines said he supported the idea that the proposed overlay district would encourage the area to be a gateway to the City. Even though there were only two other areas that had GCD zoning, the rationale that an overlay would enhance gateway opportunities was a compelling one. The City didn't want to preclude any quality development. However, from a use standpoint, what made a gateway unique was that it offered more than just residential. The Commission had identified that the gateway should be mixed use, and he supported that argument.

Commissioner Gaines made the following observations regarding the draft language:

- Table 11-1, footnote A offered some leniency for developers who were able to offer parking under a structure. Did this language encourage raising a building on columns, making the 1<sup>st</sup> floor parking visible from the street?

Discussion followed. The language needed to be clarified so that any parking underneath a building must be hidden from view of the street. Active street-side ground-level uses were desirable; tuck-under parking might be permitted in the rear.

- Paragraph 11.05.n. which referred to LEED Design, could be expanded to include other similar rating systems, such as Energy Star, Green Globes, etc. This paragraph was an encouragement that lacked teeth. Perhaps a benefit could be offered for a developer who could prove they were doing something sustainable. The challenge with any type of certification was that it took months or years to be certified, and certification could happen long after the Commission's role was complete. Perhaps it would be possible to take elements or components within the rating systems, and offer a benefit if those elements were provided during site plan approval.

After discussion, the consensus of the Commission was to add other sustainable building/site design programs to the "LEED Design" standard, and perhaps language that said *similar to*, but to postpone discussion regarding offering a benefit to reward developers for including certain sustainable components in their design.

- Paragraph 11.05.o. gave the Planning Commission and others latitude to waive or modify design standards and landscape requirements, if items 1), 2), 3), or 4) were met. If those

items were met, requirements f. through l. could be dismissed. Was this language too lenient? Did it allow developers to avoid important requirements of the overlay district?

Planning Consultant Elmiger said this language was also included in the Cady Street Overlay. However, when she was applying the ordinance to a proposed development, she did not use this provision. She would only use it if there was a really good reason for a deviation, and only if that deviation met one of the criteria in 11.05.o would she even consider it being a possibility.

Commissioner Russell said that if there were constraints by site or surroundings, 11.05.o did give the opportunity to waive or modify certain requirements. The language was site-specific or architecturally-specific to issues that prevented a developer from doing something. It gave the Commission an opportunity to engage in conversation regarding issues that might come up.

Chair Kirk said that 11.05.o gave the Commission the flexibility to determine whether a particular architectural element would be allowed, i.e., a project where a 20-foot wall flowed without an indentation, but which also seemed to be architecturally coherent in the specific case. However, the language was also a loophole for someone who tried to push the limits.

Commissioner Russell said the burden was on the applicant to prove their case. Again, the language gave the Commission some opportunity for flexibility.

Commissioner Tinberg said that while the language provided flexibility, it was also completely permissive. It did not mandate that the Commission had to provide exceptions, even if criteria 1) through 4) were met.

Commissioner Gaines said that he appreciated Planning Consultant Elmiger's explanation. He agreed with providing the Planning Commission some flexibility for someone who was trying to be creative in design and development. However, he did not want the language to provide an easy out for someone who was looking for that.

Commissioner Maise said the BZA could offer relief from dimensional requirements; the Commission needed to make determinations regarding the things listed in this section. One thing that struck her was the access management issue. There could be site constraints in terms of existing driveways, etc., that needed flexibility from the Commission.

Chair Kirk asked if there was consensus among the Commission regarding requiring mixed use or all commercial in this area, especially in light of the reports prepared by Gibbs and Land Use USA.

Commissioner Gaines reiterated that he would hate to see a really good development turned away because they couldn't comply with the language in the overlay. However, if the City truly wanted a gateway area, having a single use – especially residential – would not provide that. He was in favor of mixed-use, specifically as identified in the proposed overlay language.

Commissioner Russell agreed that while the reports provided by Robertson Brothers were valuable, mixed-use could still be successful in this area.

Commissioner Tinberg said she had been concerned regarding the requirement for mixed-use, especially as the Commission continued to receive comments that there was no market for it. Was the Commission being overly ambitious to expect mixed-use development and not purely residential?

Chair Kirk asked Downtown Development Director Ward what her feelings were regarding mixed-use development in this area. Director Ward said that Land Use USA had actually been the DDA’s consultant during the Strategic Planning process, and at that time Land Use USA had said that Northville’s trade area could absorb another 75,000 square feet of commercial. Later on tonight’s agenda was a proposal for a commercial development on a site that previously had been proposed for single-use residential. She felt it was a matter of finding the right match. Most of the downtown storefronts were under 2,000 square feet; anything over that was difficult to find in the City, yet every week she had people asking for larger spaces.

Planning Consultant Elmiger summarized the recommended changes to the draft language for the 7 Mile/S. Main Street Overlay District as follows:

- Change footnote A to Table 11-1 to clarify that any parking underneath a building must be hidden from view of the street.
- Paragraph 11.05.n: Add other sustainable building/site design programs to the “LEED Design” standard.

**MOTION by Maise, support by Tinberg, that the Planning Commission recommend to City Council for approval *An Ordinance to Amend the Zoning Ordinance of the City of Northville to add the Seven Mile – South Main Street Overlay (SM-O) to the General Commercial District*, as presented this evening, and as amended so that (1) footnote A of Table 11-1 will clarify that any parking underneath a building must be hidden from view of the street, and (2) add other sustainable building/site design programs to the “LEED Design” standard.**

Chair Kirk called for a roll call vote.

<b>Gaines</b>	<b>yes</b>
<b>Kirk</b>	<b>yes</b>
<b>Maise</b>	<b>yes</b>
<b>Russell</b>	<b>yes</b>
<b>Smith</b>	<b>yes</b>
<b>Snyder</b>	<b>yes</b>
<b>Tinberg</b>	<b>yes</b>

**Motion carried unanimously.**

**OUTDOOR STORAGE TEXT AMENDMENTS**

Planning Consultant Elmiger gave the background for tonight’s public hearing regarding the proposed draft ordinance language to amend the zoning ordinance to add a prohibition of using “apparatus,” as defined in Section 18.12, to provide outdoor storage.

Planning Consultant Elmiger said that this ordinance change was drafted to clarify that “apparatus,” which are vehicles such as campers, travel trailers, boats, utility trailers, etc., cannot be used to store materials, equipment, or other items while parked or stored on a property.

A minimum side and rear yard setback of 7 feet was also added, to encourage parking those vehicles behind the principal building rather than in the side yard, where they would be more noticeable from the street or adjacent property.

Chair Kirk opened the public hearing at 7:48 p.m. Seeing that no one came forward to speak, Chair Kirk closed the public hearing at 7:49 p.m. and brought the matter back to the Commission.

Chair Kirk noted that this language was being added to the ordinance because of enforcement experience by the Building Official. Commissioner Tinberg commented that the language had received in-depth discussion at a previous meeting.

**MOTION by Tinberg, support by Russell, that the Planning Commission recommend to City Council for approval *An Ordinance to Amend the Zoning Ordinance of the City of Northville To Add a Prohibition of Using “Apparatus,” As Defined In Section 18.12, To Provide Outdoor Storage, as presented this evening.***

Chair Kirk called for a roll call vote.

<b>Gaines</b>	<b>yes</b>
<b>Kirk</b>	<b>yes</b>
<b>Maise</b>	<b>yes</b>
<b>Russell</b>	<b>yes</b>
<b>Smith</b>	<b>yes</b>
<b>Snyder</b>	<b>yes</b>
<b>Tinberg</b>	<b>yes</b>

**Motion carried unanimously.**

**8. FINAL SITE PLAN REVIEW: 335 E. CADY STREET**

Referencing her review letter dated November 26, 2018 and revised January 9, 2019, Planning Consultant Elmiger gave the review for this application to construct a new 3-story building (17,062 sf) on a vacant site on the north side of E. Cady Street. Tonight’s application included a revised Final Site Plan that included information as discussed at the December 4, 2018 Planning Commission meeting.

Planning Consultant Elmiger said that the most significant issue in the previous review was for the applicant to request purchase of parking credits for 8 spaces from City Council. The applicant had made this request at the December 17, 2018 Council meeting, and the request was granted.

The current revised site plans included 5 design elements that the Planning Commission had flexibility to approve, under the Cady Street Overlay:

1. The decorative clerestory window facing the front of the building.
2. The approach to mitigating removed trees: The applicant had responded to the review comments, saying that they would make a \$1,680 contribution to the City’s environmental fund to mitigate the removed trees.

3. Parking in the side yard.
4. Sidewalks flush with the curb rather than a 5-foot wide lawn panel between the sidewalk and the curb.
5. Location of the dumpster.

If the Commission approved the 5 design items, Planning Consultant Elmiger recommended final site plan approval, with conditions.

Planning Consultant Elmiger said that the building façade elevations were accurate as presented; this issue called out in her review letter was now resolved. The middle bay on the upper two levels on the front of the building would be bumped out. All of the retail glass units were flush.

The applicant would need to return to the HDC for approval of the new light fixtures; that could be done later in the process, but before installation.

Steven C. Flum, 3105 Holbrook Street, Hamtramck MI, and Dominic Maltese, 412 N. Main, Plymouth MI were present on behalf of this application.

Mr. Flum distributed a letter with attachments, dated January 15, 2019, to the Commission, which addressed:

- A. Existing Trees/Mitigation: 1) Trees north of the site to remain. 2) The applicant agreed to fulfill tree mitigation requirement with contribution of \$1,680.
- B. Site Plan/Landscape Plan Details, including: 1) Request not to install bumper blocks, as parking spaces were already 19 feet deep plus there was a 2'5" space from curb to masonry wall. 2) Ivory Silk Tree Lilac would be increased to 1.75 caliper inches. 3) "3-gallon" notation for Boxwood would be removed. 4) Add tree grate detail per note on landscape plan. 5) Add fencing specification per DDA Standards to plans.
- C. Lighting Plan: 1) Further information would be provided regarding shielding the parking lot lights to avoid driver/pedestrian impacts. 2) Lighting levels would be reduced at property lines. 3) Lighting levels under the rear canopy would be reduced, using more pedestrian-friendly parking lot fixtures. An updated photometric plan would be submitted. 4) Applicants would return to HDC for new exterior light fixture approval.
- D. Building Elevations: As noted, building elevations presented to the HDC were accurate. Glass fronts of retail units were on the same horizontal plane.

In response to a question from Commissioner Tinberg, Mr. Maltese said they would be returning to the HDC for approval for the plaza sculpture and the new exterior light fixtures after permits had been submitted, but before final Certificate of Occupancy had been obtained.

Regarding the bumper blocks, Commissioner Snyder said that if the applicants were comfortable with not having blocks for the reasons stated, he would support that, as any damage to the wall would be handled as a maintenance issue by the applicants.

Commissioner Russell said the photometric plan needed to be submitted before permits were pulled; the photometric plan could be approved administratively. Later, when the light fixtures were chosen, they would have to conform to the approved photometric plan.

Chair Kirk noted that the requirement for a photometric plan was in the ordinance. Why were plans submitted without this being included?

Mr. Maltese said they had found it difficult to get the photometric study done in time.

In response to comments from Commissioner Snyder, Mr. Maltese acknowledged that the street lighting should be part of the overall photometric plan, even though the street lighting was in the right-of-way.

Commissioner Gaines asked for more information regarding the proposed clerestory windows. Mr. Flum explained that those were real windows, providing light for the 3<sup>rd</sup> floor conference rooms, and gave further information regarding the conference room floor plans.

Commissioner Snyder asked about the retaining wall. Mr. Flum said a cross section of the retaining wall was shown with the landscape details. The Historic District Commission had approved the materials for that wall.

In response to a question from Commissioner Gaines, Mr. Flum said the vertical feature on the east side of the building was metal. Again, the HDC had approved the materials.

In response to comments from Commissioner Tinberg, Mr. Maltese said the center bay on the upper floors did protrude at the rear, and noted there was a covered walkway there. The protrusion could not happen at the sidewalk area because of parking requirements; a protrusion at street level would push the walkway out and reduce parking.

Commissioner Maise asked about the placement/moving of the fire hydrant, as called out on page 12 of Planning Consultant Elmiger's review letter: *At the previous Planning Commission meeting, it was suggested that the fire hydrant be relocated to move it out of the pedestrian travelway.* The DDA Director had also referenced this possibility in her review. Had the applicants spoken with the City Engineer about this possibility?

Downtown Development Authority Director Ward noted that her comments had been specific in terms of moving the fire hydrant to the east; this could provide 2-3 more parking spaces along Cady Street. Since this plan was 8 parking spaces short, providing the extra spaces along Cady Street would be especially helpful.

Mr. Maltese said they were paying for 8 spaces per their agreement with City Council. DDA Director Ward said the purchase agreement with City Council did not affect the DDA's comment that the fire hydrant should be moved.

Commissioner Maise wondered if moving the fire hydrant would affect the light pole located in that area.

Commissioner Snyder didn't think the applicants should be financially responsible for parking spaces in the street, especially because those spaces would not count toward the minimum requirement.

Commissioner Russell thought the Commission should defer the discussion regarding the fire hydrant to the DPW Director and the Fire Chief. The distances between hydrants along Cady Street were determined by those officials; if the fire hydrant were moved further east would that disrupt the required spacing of hydrant placement?

City Manager Sullivan said the relocation of the fire hydrant could be discussed internally. Was the Commission saying the applicant or the City should be responsible for the cost of relocation?

Chair Kirk said because the applicant was already paying for parking, his assumption was the hydrant relocation would be the responsibility of the City.

Commissioner Russell wondered whether creating parking spaces on the north side of Cady Street would also affect lighting requirements. If the fire hydrant were moved to create parking, the location of the light fixture to the immediate west would likely also be impacted.

Commissioner Maise asked if barrier-free parking should be located nearest the main entrance when the occupant(s) would have to cross the main aisle. Building Official Strong said that was the correct location.

Commissioner Russell said that he would like to see a curb on the exit island; a curb would direct people to the exit. Mr. Maltese said a curb in that area would probably be hit daily.

Commissioner Russell thought the directional signage could be smaller and less obtrusive, and perhaps align with the DDA's wayfinding signs. He remembered that past Planning Commission Chair Jay Wendt had been an advocate for minimal signage, where possible. After further discussion, Mr. Maltese said they would work with the City regarding the directional signage.

Commissioner Russell wondered if the electrical cabinet at the northeast corner would be allowed since it was adjacent to a parking space. There needed to be an 8-foot clearance in front of the transformer; there would be 8 feet of clearance as long as the adjacent parking spot was empty.

Commissioner Russell noted the location of the loading zone in the middle of the parking lot. Commissioner Gaines said if a large vehicle was on site for loading or unloading, one or two parking spaces would become inaccessible, and cars already parked in those spaces would be trapped. Mr. Maltese said that deliveries would only be for 3 small merchant spaces. Commissioner Russell suggested that perhaps delivery times could be regulated by the owner.

Commissioner Gaines commented that this development could bring value to the neighborhood; the City had been waiting for a long time for this parcel to be developed.

Commissioner Gaines made several comments regarding *resiliency* of development, in terms of the small footprint this development was permitted. Did the ordinance inhibit the type of development the City wanted? He felt parking requirements were killing opportunities for the development. It was important to connect the buildings all up and down Cady Street, but because of parking requirements, more than half of the site was being devoted to surface paving.

Commissioner Gaines appreciated the design and architectural features at the corner of Cady and Griswold, which would offer visual cues in terms of heading downtown. However, if the developers had been allowed more building area, they could have offered something more elaborate from an architectural and site standpoint.

Commissioner Gaines suggested that as the development was finalized, perhaps some details could be finessed in terms of roof overhangs, canopies, plaza details, etc., but his concern, again, was for resiliency of development. Should the building ever be sold, how marketable was the

small building footprint? A larger footprint might be more marketable, but that was denied in order to meet the terms of the parking ordinance.

Chair Kirk wondered why the lighting plans were submitted when they did not meet the ordinance.

In response to a question from Commissioner Maise regarding the issue of sidewalk placement, Planning Consultant Elmiger pointed out that along Griswold there was not enough space to put a landscape strip between the street and the sidewalk. The sidewalk along Cady Street had been widened to 9 feet, which was consistent with the sidewalk in front of the New Victorian building to the west.

In response to a question from Commissioner Gaines, Planning Consultant Elmiger said the applicants had addressed the requirement for larger plant material in their written response.

Regarding side yard parking, Chair Kirk pointed out Figure 11 on page 10-18 of the ordinance, which gave an example of side yard parking. Commissioner Tinberg noted the Commission had conversation regarding the side yard parking at an earlier meeting.

Planning Consultant Elmiger clarified that while the applicants would need to have HDC approval of revised light fixtures, they no longer needed further approval of the building façade, which as had been stated earlier was accurate.

It was the consensus of the Commission that bumper blocks did not have to be added in the parking lot.

Commissioner Russell said that existing trees along the north property line needed to continue to be evaluated, especially as construction moved forward. If the trees were damaged during construction, they would also need to be replaced or otherwise mitigated. An evaluation of those trees prior to construction was critical.

After further discussion of outstanding issues, Commissioner Russell made the following motion:

**MOTION by Russell, support by Maise, that based upon the information received from the applicant, and reflected in the minutes of this meeting, the Planning Commission finds that the Final Site Plan proposed as 335 E. Cady Street, located on the north side of East Cady Street, dated December 20, 2018 meets the required standards and findings for Final Site Plan Approval pursuant to Section 19.05 – Site Plan Standards of the Zoning Ordinance and approves with conditions the Final Site Plan. The Final Site Plan approval is granted with the following conditions:**

- 1. Applicant to submit revised site plans addressing items A – C in the Carlisle/Wortman review letter, dated January 9, 2019, for administrative review and approval by the City Planner before seeking any type of construction or building permits.**
- 2. Applicant agrees to (a) tree mitigation contribution, and (b) continue to evaluate existing trees during the construction process, and provide any further required mitigation as determined by the Building Official.**
- 3. Engineering, street lighting, and fire hydrant location or relocation be subject to approval by the DPW Director.**

- 4. **HDC approval of the revised light fixtures.**
- 5. **A new photometric plan be submitted for administrative review and approval prior to submitting a building permit application.**

Chair Kirk called for a roll call vote.

<b>Gaines</b>	<b>yes</b>
<b>Kirk</b>	<b>yes</b>
<b>Maise</b>	<b>yes</b>
<b>Russell</b>	<b>yes</b>
<b>Smith</b>	<b>yes</b>
<b>Snyder</b>	<b>yes</b>
<b>Tinberg</b>	<b>yes</b>

**Motion carried unanimously.**

**9. DISCUSSION**

ENFORCEMENT COMMENTS IN RESIDENTIAL INFILL STUDY

Building Official Strong said that he had read the comments submitted with the Residential Infill Study. While he couldn't speak to processes before he came to the City, he could assure the Commission that currently every project went through a comprehensive zoning review. A new requirement had been established for new construction that an as-built survey had to be submitted, so that the City could make sure a developer had built what they had committed to when plans were approved and permits were pulled.

Regarding comments that ordinances were not being enforced, Building Official Strong said sometimes new construction did appear large, but ultimately when the math was done the project met zoning requirements. When residents called questioning whether or not ordinances were being followed, Building Official Strong invited them to City Hall to sit down and review the plans with him. So far, no one had taken him up on that invitation.

Building Official Strong concluded by saying the ordinances were consistently enforced to the best of his ability.

Discussion followed:

- Sometimes new construction did seem visually overbuilt. On the other hand, perhaps new construction/additions were not overbuilding so much as putting a different structure in a context where it didn't exist before. Sometimes residents were not clear on what was included in lot coverage, or how height was measured.
- Were the larger new homes/additions something that needed to be addressed? There was considerable feeling in the community and among some Commissioners that the size of new homes/additions needed to be "reigned in."
- If a small house was replaced with a larger one, the new construction would appear large even if it met ordinance standards.
- The Commission had previously discussed the Plymouth ordinance regarding Floor Area Ratio. Plymouth had a flat 35% lot coverage requirement. Northville had a 30% lot coverage requirement, unless the lot was small. In the case of a smaller nonconforming lot, 35% lot coverage was allowed.

- Plymouth had instituted a Floor Area Ratio (FAR), which had limited what could be built in Plymouth: previously a 3200 square foot home could be built on a 50-foot-wide lot; now, with FAR, a 2400 square foot home was allowed. Plymouth's FAR also encouraged detached garages by including attached garages in the floor area.
- Was a Floor Area Ratio the best way to go, or would it be better to apply separate zoning districts or overlays to distinct neighborhoods, thereby addressing the character of individual neighborhoods, such as Cabbagetown, Beal Town, and the Historic District?
- Each generation of residents had a different set of aspirations, i.e., folks that had been in Northville for decades vs. younger people that might want to move in.
- A Floor Area Ratio applied to single-family districts did not affect density; it did affect the mass of new construction. Different builders handled mass differently; a FAR might be too restrictive.
- Perhaps the Downs area might be one area where a different density and product could be offered that appealed to the younger generation, while still protecting the Historic District.
- There seemed to be general consensus from information and opinion gathered from the community and from the Commission that sometimes the scale of new homes in existing neighborhoods was out of character with existing homes. What other tools were available to address this issue, if a Floor Area Ratio was not adopted, especially for infill projects?

Planning Consultant Elmiger said the next discussion topic would also address some of the issues just mentioned. She suggested having a further discussion regarding Floor Area Ratio, with examples of how FAR could be applied.

### RESIDENTIAL STANDARDS

Planning Consultant Elmiger explained that as discussed at the October 16, 2018 Planning Commission meeting, she had incorporated ordinance language that incentivized front porches for single family properties that choose to locate a garage in the rear of the property. The ordinance language addressed the following topics:

1. Incentivizing construction of garages at the rear of the property by allowing construction of an unenclosed front porch in the front setback. This could be a detached or attached garage.
2. Adding requirements for a porte-cochere, which was an enclosed, roofed structure that extended over a driveway providing shelter to those getting in and out of their vehicles.
3. Adding some single-family dwelling standards to help ensure compatibility in materials for the neighborhood; this was not intended to discourage architectural variation.
4. Adding minimum lot, front façade, and garage door width requirements for attached front-facing garages.

A definition needed to be included of the *rear building line*, which was the line parallel to the street that passed through the extreme rear of the principal building. A qualifying garage needed to be behind this line. A definition of corner lots would also be added.

Planning Consultant Elmiger said that as more of the front façade that was used for porches, people-space, etc., the friendlier the house became, with greater opportunities for interaction between neighbors, encouraging sociability and community development. This was important in a community like Northville, which was not a subdivision but rather a city with a traditional downtown.

Commissioner Tinberg asked the following questions, to be addressed at a future meeting:

- New single-family homes could intrude 4 feet into the setback, whereas an existing one-family home could intrude 6 feet into the setback. Could the rationale for this be explained?
- Front yard setback averaging was only used for existing dwellings, not in regard to new construction. Was this intentional?
- 18.11.8.2.c.3) used the term *width* when *depth* was used in other places. Was the terminology inconsistent?
- 18.11.8.2.f. noted that existing residential dwellings with existing attached garages that faced the street were not eligible for the front porch exception. Should it be noted that if the garage were removed and placed in the rear yard, existing homes could then be eligible for front yard averaging?

Chair Kirk asked why the minimum garage width was set at 22 feet. Planning Consultant Elmiger said that 22 feet was the minimum width for a comfortable 2-car garage. Anything narrower became a one-car garage with the rest of the space being used for storage, with the 2<sup>nd</sup> car parked in the driveway.

Chair Kirk noted that on his lot, only a single car garage fit, even in the rear yard.

Referring to Section 18.11.8.2.b.5), Commissioner Maise asked how plexiglass (instead of railings) on porches would be treated. Building Official Strong said that *enclosed* meant a structure with walls and windows. Plexiglass used for a half wall would not meet that definition.

In response to a question from Commissioner Maise, Building Official Strong explained how he applied the ordinance regarding *averaging*.

In response to a further question from Commissioner Maise, Planning Consultant Elmiger said lights could be installed under porte-cocheres; those would need to meet lighting standards.

The consensus of the Commission was to continue this discussion at a later meeting, along with continued discussion regarding implementing a Floor Area Ratio.

OTHER DISCUSSION

In response to a question from Chair Kirk, Mayor Roth explained that Northville had opted out of permitting recreational Marihuana retail sales for 18 months. After the November referendum, the State had 18 months to come up with licensing regulations and guidelines. Council wanted to wait until that happened before making a final decision whether to opt in or out of permitting retail sales.

**10. ELECTION OF OFFICERS**

**MOTION by Tinberg, support by Maise, to re-elect Steve Kirk as Chair.**

<b>Gaines</b>	<b>yes</b>
<b>Kirk</b>	<b>abstain</b>
<b>Maise</b>	<b>yes</b>
<b>Russell</b>	<b>yes</b>
<b>Smith</b>	<b>yes</b>
<b>Snyder</b>	<b>yes</b>





**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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**MEMORANDUM**

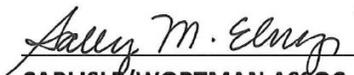
**TO:** City of Northville Planning Commission  
**FROM:** Sally M. Elmiger, AICP  
**DATE:** January 14, 2019  
**RE:** Cady Street Overlay (CSO)

In November, 2018, the Planning Commission scheduled a Public Hearing for the next available meeting to consider the draft ordinance language for the Cady Street Overlay (CSO) District. The Public Hearing has been scheduled for February 19, 2019.

The modifications to this ordinance accomplish two things:

1. There are many similarities between the Cady Street Overlay District and the new Seven Mile – South Main Street Overlay (SM-O) District. In the SM-O District, the Planning Commission opted to remove flexibility in application of the architectural design standards. Therefore, this same change was made to the CSO District in the attached draft.
2. Also, given the previous Master Plan changes to the Cady Street Sub-Area Plan, we have modified the description of “residential density” to remove the numerical limits stated in the ordinance.

We look forward to discussing this draft ordinance language at our upcoming meeting.



CARLISLE/WORTMAN ASSOC., INC.

Sally M. Elmiger, AICP, LEED AP

Principal

Cc: Pat Sullivan  
Dianne Massa  
Shari Allen  
Brent Strong

**CITY OF NORTHVILLE  
ZONING ORDINANCE  
ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NORTHVILLE TO MODIFY THE CADY STREET OVERLAY (CSO) TO BE CONSISTENT WITH THE SEVEN MILE-SOUTH MAIN STREET OVERLAY (SM-O) DISTRICT AND THE MASTER PLAN.

**Section 1.** The City of Northville Ordains

**Chapter 58-1 “Zoning” in the Code of Ordinances of the City of Northville is hereby amended by adding the following described text revisions.**

**Section 2.** Modify the following articles (**additions are underlined, deletions are ~~struck-thru~~**).

*[Modify Article 10 CENTRAL BUSINESS DISTRICT]*

**ARTICLE 10**

**CENTRAL BUSINESS DISTRICT (CBD)**

**SECTION 10.06 CADY STREET OVERLAY (CSO)**

*[No changes are proposed to subsections a through c.]*

- d. Residential Density:** Residential units shall be permitted within the Cady Street Overlay district at a density ~~of ten (10) — twenty five (25) dwelling units per net acre, and shall that~~ generally follows the residential density pattern designated within the City of Northville Master Plan. First floor residential uses are not allowed within the Cady St. Overlay 2 (CSO-2) district, ~~and on~~ On properties within the underlying PR-1 district, first floor and upper level residential uses are acceptable in this area as part of a mixed-use project; however, residential-only developments are not permitted. Single-use buildings that are part of a multi-building, mixed-use development are also permitted on parcels with underlying PR-1 zoning.

*[No changes are proposed to subsections e through o.]*

**p. Corner Building Standards:**

- 1) Corner buildings and structures shall incorporate distinctive features, materials, designs, height levels, and colors that accentuate their prominent location, but are simultaneously sensitive to the neighboring buildings. This can be accomplished through design features such as a building peak, tower, or similar accent with the highest point located at the intersecting corner.
- 2) Wider sidewalks and/or further setback from the corner's edge are encouraged to retain a line-of-sight through the corner. Additionally, use of ground level open-aired areas at the intersection of sidewalks is encouraged. The design of open-aired areas or pedestrian plazas adds aesthetic distinction to the façade and compliments the intended pedestrian atmosphere along Center Street and Cady Street. Integrating covered/uncovered seating and resting areas is highly encouraged.

**pg. Architecture:** It is the intent of the Cady Street Overlay district to provide high-quality building materials and complimentary building architecture. Architectural design shall include the following:

- First floor architecture shall be compatible with sidewalk areas and shall provide an attractive interface between buildings and pedestrians. This shall be accomplished with generous window areas, recesses, projections and architectural detail to provide transparency and variation. Blank walls longer than twenty (20) feet shall not face a public street.
- Building entrances shall have an orientation to the street and front sidewalk, with a functioning entrance which enhances the continuity of the pedestrian-oriented environment.
- Primary building entrances shall be clearly defined with sheltering elements such as an awning, arcade or portico.
- Where possible, there shall be a minimal grade differential between the elevation of the sidewalk and the first floor elevation of the adjoining building.
- Garage doors shall not be permitted on a front façade unless approved by Planning Commission, subject to attractive screening, landscaping and sight visibility.
- All rooftop mechanical equipment shall be screened from view in accordance with Section 18.11.11.
- Bonus stories shall be stepped back from the top story allowed by right in order to reduce the appearance of excessive height.
- The City may consider extending bonus floor height adjustments for other areas of the CSO district subject to the above criteria and Section 10.06.f.

~~**p. Corner Building Standards:**~~

- ~~1) Corner buildings and structures shall incorporate distinctive features, materials, designs, height levels, and colors that accentuate their prominent location, but are simultaneously sensitive to the neighboring buildings. This can be accomplished through design features such as a building peak, tower, or similar accent with the highest point located at the intersecting corner.~~
- ~~2) Wider sidewalks and/or further setback from the corner's edge are encouraged to retain a line of sight through the corner. Additionally, use of ground level open aired areas at the intersection of sidewalks is encouraged. The design of open aired areas or pedestrian plazas adds aesthetic distinction to the façade and compliments the intended pedestrian atmosphere along Center Street and Cady Street. Integrating covered/uncovered seating and resting areas is highly encouraged.~~

r. **LEED Design:** Leadership in Energy and Environmental Design (LEED) building design is encouraged for all developments within the CSO District.

s. The Planning Commission may waive or modify the design standards and landscape requirements set forth in Sections h through ~~q-p~~ where one (1) or more of the following factors are demonstrated:

- 1) Architectural constraints and unique building characteristics.
- 2) Compatibility with surrounding architecture and site design.
- 3) Site constraints regarding size of parcel, circulation, limited right-of-way, etc.
- 4) Other factors as identified by the Planning Commission

**Section 3. Rights and Duties**

Rights and duties which have matured, penalties which have incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

**Section 4. Validity**

Should any section, clause or paragraph of this ordinance be declared by a Court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part therefore, other than the part declared invalid.

**Section 5. Ordinances Repealed**

All other ordinances inconsistent with the provisions of this ordinance are to the extent of such inconsistencies hereby repealed

**Section 6. Effective Date**

This Ordinance shall become effective on the 8<sup>th</sup> day following publication.

The foregoing ordinance amendment was adopted at the regular meeting of the City Council of the City of Northville, Oakland and Wayne Counties, Michigan, held on \_\_\_\_\_ at 7:00 p.m. at the City of Northville Municipal Building, 215 W. Main Street, Northville, Michigan, 48167.

\_\_\_\_\_  
Ken Roth, Mayor  
City of Northville

\_\_\_\_\_  
Dianne Massa, City Clerk  
City of Northville

The undersigned certifies foregoing ordinance was:

Introduced: \_\_\_\_\_  
Enacted: \_\_\_\_\_  
Published: \_\_\_\_\_  
Effective: \_\_\_\_\_

By a vote of \_\_\_\_\_

\_\_\_\_\_  
Dianne Massa, City Clerk



**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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**MEMORANDUM**

**TO:** City of Northville Planning Commission  
**FROM:** Sally M. Elmiger, AICP  
**DATE:** February 11, 2019  
**RE:** Front Porch & Rear Garage Incentive, Residential Building Standards

The Planning Commission discussed new ordinance language that addresses the following topics at their January 15 meeting:

1. Residential building standards
2. Requirements for front-facing attached garages
3. Provisions for porte-cochere's on residential buildings
4. A front-porch incentive to locate garages in the rear of the lot.

Per the discussion in January, several questions were asked about the new language. We have listed these questions below and provided answers:

*Q1. New single-family homes can locate an "incentive" front porch 4-feet into the front yard setback, but existing single-family homes can locate an "incentive" front porch 6-feet into the setback. What is the rationale for this difference?*

**CWA Response.** The Plymouth Planning Commission thought that in many cases, existing homes are located either on the front setback line, or into the front yard setback. If an existing home is located in the front setback, then they couldn't have an "incentive" front porch at all, since the porch has to be at least six-feet in depth. By allowing an existing home to locate six-feet of the porch width in the front yard setback, the Planning Commission thought that this would benefit more existing homeowners who build or have a garage in the rear, and want a front porch that don't currently have one. In comparison, locating a new home on the lot has more flexibility; and the Planning Commission wanted the new homes to be set back a little further to preserve an open front yard.

*Q2. Front yard setback averaging was only used for existing dwellings, not in regard to new construction. Was this intentional?*

**CWA Response.** The ordinance language does not allow the use of front yard averaging when locating an "incentive" porch on either an existing house or new house. However, on a new house, front yard averaging can be used to locate the house on the lot, but the front edge of the porch must be located at the averaged line (vs. encroaching into the averaged setback). Front yard averaging moves the house closer to the sidewalk. If "incentive"

porches were allowed in an "averaged" front yard, they could be right up against the sidewalk.

Q3. 18.1.8.2.c.3) used the term "width" when "depth" was used in other places. Was this terminology inconsistent?

**CWA Response.** Yes, it was inconsistent. The term "width" was changed in this paragraph to "depth."

Q4. 18.11.8.2.f. noted that existing residential dwellings with existing attached garages that faced the street were not eligible for the front porch exception. Should it be noted that if the garage were removed and placed in the rear yard, existing homes could then be eligible for the [front porch exception]?

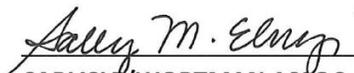
**CWA Response.** This is certainly something the Planning Commission could discuss, and add this provision if desired.

Additional changes that were made to this draft include the following:

1. The ordinance currently has a definition of "Corner Lot." We included it in this draft so that you could easily reference the current definition.
2. We added a definition of "Rear Building Line." As requested, this definition specifically speaks to a "corner" lot.

Lastly, we received a comment that the minimum depth of a "usable" front porch is eight-feet (vs. the six-feet in the ordinance language). The Planning Commission may want to discuss this.

We look forward to discussing this topic at our upcoming meeting.



CARLISLE/WORTMAN ASSOC., INC.

Sally M. Elmiger, AICP, LEED AP

Principal

Cc: Pat Sullivan  
Dianne Massa  
Brent Strong

## Front Porch & Rear Garage Incentive, Porte-Cochere, Residential Dwelling Standards

### ARTICLE 18 GENERAL PROVISIONS

#### **SECTION 18.11 GENERAL EXCEPTIONS**

##### Section 18.11.8 Porches

An open, unenclosed, and uncovered porch or paved terrace may project into a required front yard for a distance not exceeding ten (10) feet, but this shall not be interpreted to include or permit fixed canopies. However, sections 18.11.8.1 and 18.11.8.2 allow a porch with a fixed canopy to be located in the required front yard for a distance of up to four (4) feet if the standards in these sections are met.

##### Section 18.11.8.1 Front Porch Exception for New One Family Dwellings

New one family dwellings are encouraged to positively contribute toward neighborhood enhancement and the walkability of the city. Walkability is the extent to which walking is readily available as a safe, connected, accessible and pleasant mode of transport. One way to accomplish walkability is to locate garages at the rear of a lot. Garages at the rear of a lot (whether attached to the dwelling or as a free-standing detached garage) help to support walkability by:

- Minimizing the width of the driveway at the front of the dwelling, allowing more space in the front yard for trees and vegetation, and more space along the street for street trees;
- Minimizing the potential of parked cars left in front of the garage door to block the sidewalk;
- Allowing space on the dwelling's front façade for windows and other human-scaled architectural elements; and
- Allowing space on the dwelling's front façade for a porch, where residents can interact with neighbors on the sidewalk and observe activities on the street.

To encourage locating garages at the rear of a lot, new one family residential projects that locate the garage in the rear, or retain an existing garage at the rear, may also locate a covered front porch in the front yard setback by up to four (4) feet. In addition, the area that the covered front porch occupies in the front yard setback shall not be considered in calculating lot coverage. To be eligible for this exception, the proposed construction must meet all of the following standards:

- a. The project includes construction of a new one family dwelling on the lot.
- b. The project includes construction of a new garage which is located either in the rear of the new dwelling (attached) or behind the rear building line of the home (detached), or retains an existing detached garage for continued use as a garage which is behind the rear building line of the home.
- c. The front porch that is located in the front yard setback must:
  - 1) Be single-story in height, no higher than fifteen (15) feet, and as measured per the procedures described in section 26.02 of the zoning ordinance for building height; and

- 2) Contain a deck that is no more than eight and one-quarter inches from the elevation of the finished first floor (i.e., at-grade decks and patios are not eligible for the front yard porch exception); and
  - 3) Be a minimum of six feet in depth (distance between the front exterior wall of the residence and the edge of the porch deck); and
  - 4) Be covered with a roof; and
  - 5) Be unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future. This standard does not include open railings and balustrades.
- d. The front setback line used to determine where the front porch can be located on the lot shall equal the setback required by sections 15.01 and 15.02.
- e. On corner lots, porches may be constructed on either or both front facades, or built as one wraparound porch as long as the porch(s) meets the requirements in “a” through “d” above.
- f. The final Certificate of Occupancy for the residential dwelling shall not be issued until construction of the qualifying garage is complete.

18.11.8.2 Front Porch Exception for Existing One Family Dwellings

To support walkability throughout the city as described in 18.11.8.1 above, existing one family dwellings which construct a new garage in the rear, or have an existing garage in the rear, may also locate a covered front porch in the front yard setback by up to six feet. In addition, the area that the covered front porch occupies in the front yard setback shall not be considered in calculating lot coverage. To be eligible for this exception, the existing dwelling must be occupied as of (DATE). Also, the proposed construction must meet all of the following standards:

- a. The project includes construction of a new garage which is located either in the rear of the existing residential dwelling (attached) or behind the rear building line of the home (detached), or retains an existing detached garage for continued use as a garage which is behind the rear building line of the home.
- b. The front porch that is located in the front yard setback shall:
  - 1) Be single-story in height, no higher than fifteen (15) feet, and as measured per the procedures described in section 78-21 of the zoning ordinance for building height; and
  - 2) Contain a deck that is no more than eight and one-quarter inches from the elevation of the finished first floor (i.e. at-grade decks and patios are not eligible for the front yard porch exception); and
  - 3) Be a minimum of six feet in depth (distance between the front exterior wall of the residence and the edge of the porch deck); and
  - 4) Be covered with a roof; and
  - 5) Be unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future. This standard does not include open railings and balustrades.

- c. The front setback line used to determine where the front porch can be located on the lot shall be established using all of the following standards:
  - 1) The front setback line shall equal the setback required by sections 15.01 and 15.02; and
  - 2) If front yard setback averaging applies to the lot, the porch may be located within the average front yard setback, as described in section 15.02.16; and
  - 3) For existing dwellings whose front exterior wall closest to the street is greater than the minimum front yard setback required in Section 15.01, then the distance between the front setback line and the exterior wall shall be subtracted from the depth of porch allowed in the front setback. For example, if a residential dwelling is setback 27 feet (or two feet more than the 25-foot minimum front yard setback), then two feet shall be subtracted from the porch depth allowed within the front yard setback. This results in a maximum depth porch in the front yard setback of four feet.
- d. On corner lots, porches may be constructed on either or both front facades, or built as one wraparound porch as long as the porch(s) meets the requirements in "a" through "c" above.
- e. The qualifying existing garage or new garage must be constructed before constructing the front porch.
- f. Existing residential dwellings with an existing attached garage that faces the street are not eligible for this front porch exception.

## Section 18.11.9 Projections Into Yards

### Section 18.11.9.1 Architectural Features.

Architectural features, not including vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width for such side yard; and may extend or project into a required front yard or rear yard not more than three (3) feet.

**(NOTE TO COMMISSIONERS: "ARCHITECTURAL FEATURE" IS DEFINED AS FOLLOWS:**  
*"Architectural features of a building shall include cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments.")*

### Section 18.11.9.2 Porte-Cocheres on Single-Family Dwellings.

Porte-cocheres on single family dwellings. One porte-cochere, as defined by this chapter, may be attached to a single family dwelling over a driveway to provide shelter for passengers entering and existing vehicles parked in the driveway. A porte-cochere may only be attached to a residential dwelling if the residential dwelling is set back a minimum of 13 feet from the side property line. A porte-cochere shall be included in the lot coverage calculation and shall be constructed to meet all of the following standards:

- a. Only one porte-cochere is allowed per lot.
- b. The porte-cochere shall not be greater than 250 square feet in area.

- c. The porte-cochere shall meet the front yard setback requirement, and be located behind the front building line of the house.
- d. The porte-cochere may be located within a side yard setback if the following requirements are met:
  - i. The existing lot width is 60 feet wide or less;
  - ii. The porte-cochere is placed over a driveway that has a minimum width of nine (9) feet;
  - iii. The minimum distance between the dwelling wall and the opposite porte-cochere columns shall be 9.5 feet;
  - iv. No element of the porte-cochere is located closer than two feet from the side property line, including overhangs and similar elements, but excluding gutters; and
  - v. Columns located in the side yard setback shall not be greater than 18 inches square in size.
- e. The clearance between the ground and the ceiling of the porte-cochere shall be a minimum of eight feet.
- f. The maximum height to the top of the roof shall be no taller than the finished floor elevation of the second floor. The roof structure shall not exceed a 3/12 pitch.
- g. The porte-cochere shall be entirely open and shall be supported only by the residential dwelling on one side and modest columns on the other. It shall be unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future.
- h. The roof of the porte-cochere shall not be enclosed with railings, shall not be accessible from an opening in the residential dwelling, and shall not be used as a porch, balcony, or similar use.
- i. The porte-cochere shall be constructed of materials consistent with the main structure.

**SECTION 15.01 SCHEDULE OF REGULATIONS (Rev. 7/17)**

Symbol	Use District	Minimum Lot Size		Maximum Building Height		Minimum Yard Setback in Feet				Maximum Floor Area Ratio	Minimum Landscape Area Percent of Lot	Maximum Lot Area Coverage Percent of Lot	Minimum Floor Area
		Area	Width	Number of Stories	In Feet	Front	Side yards		Rear				
							Least Side	Total of Two					
R-1A	First Density	12,000 (1) (17)	100 (1)	2 ½ (20)	(20) (24)	30 (2) (3) (16)	8 (3) (20)	20 (3) (20)	35 (3)	N/A	35 (25)	30 (4)(26)	(15)
R-1B	Residential Districts	7,200 (1) (17)(19)	60 (1)	2 ½ (20)	(20) (24)	25 (2) (3) (16)	7 (3) (20)	15 (3) (20)	25 (3)	N/A	35 (25)	30 (4) (19)(26)	(15)
R-2	Second Density Residential District	7,200 (1)	60 (1)	2 1/2 (5)	30 (5)	25 (2) (3)	5 (3)	15 (3)	25 (3)	N/A	25 (25)	35 (4)(26)	(15)
R-3	Third Density Residential District	10,000 (1) (6)	75 (1) (6)	2 1/2 (5)	30 (5)	25 (2) (3) (7)	15 (3) (7)	30 (3) (7)	35 (3) (7)	0.50 (9)	40 (25)	35 (4)	(15)
R-4	Fourth Density Residential District	10,000 (1)	N/A	5 (5)	60 (8)	30 (2) (3) (7) (8)	15 (3) (7) (8)	30 (3) (7) (8)	30 (3) (7) (8)	0.50	35 (25)	50 (4)	(15)
PBO	Professional/Business/Office	N/A	N/A	3	30	20	10	20	25	0.50 (9)	10	50 (4)	N/A
OR	Office/Research District	N/A	75	2	30	20	10	20	25	0.50	10	N/A	N/A
LCD	Local Commercial District	N/A	N/A	N/A	30	25	(10) (11)	(10) (11)	20	N/A	10	N/A	N/A
CBD	Central Business District	N/A	N/A	3 (18)	42 (18)	N/A	(10)	(10)	20 (12)	3.0 (9)	N/A	N/A	N/A
CBD-O	Central Business District – Overlay	N/A	N/A	3	42	10	(10) (21)	(10)	(21)	3.0 (9)	10	N/A	N/A
CSO	Cady Street Overlay	N/A	N/A	(22)	(22)	(22)	(22)	(22)	(22)	(22)	(22)	(22)	(22)
GCD	General Commercial District	N/A	N/A	2	30	20	10	20	20	N/A	10	N/A	N/A
RTD	Racetrack District	N/A	N/A	N/A	(13)	(14)	(14)	N/A	N/A	N/A	N/A	N/A	N/A
PR-1	Performance Regulated Industrial.	N/A	N/A	3	30	20/50 (23)	10	20	25/50 (23)	0.50 (9)	10	50 (4)	N/A
PR-2	Performance Regulated Industrial.	N/A	N/A	3	30	20/50 (23)	10	20	25/50 (23)	0.50 (9)	10	50 (4)	N/A

Please refer to Section 15.02 for applicable footnotes.

## **SECTION 15.02 FOOTNOTES TO THE SCHEDULE OF REGULATIONS**

16. The established front setbacks for construction within established R-1A and R-1B neighborhood areas shall be at least one foot more than the average front yard setback of surrounding buildings. The average setback and front building line shall be determined by examining existing buildings located on the same side of the street and within two hundred (200) feet of the subject parcel in both directions. For a one family residential project that meets the "front porch exception" standards listed in 18.11.8.1 or 18.11.8.2, the average front setback shall be calculated using the front wall of the surrounding buildings rather than the edge of any existing porches. In any case, the minimum average front yard setback for an incentive porch shall not be less than fifteen (15) feet. The building official may exclude structures used in calculating average front setbacks when the structure deviates by more than twenty five (25) feet forward or back from the average setbacks of other structures found within two hundred (200) feet. The applicant shall submit calculations prepared by the applicant or property owner used to determine average front setbacks. (Rev. 9/15)

26. For projects that meet the standards listed in 18.11.8.1 or 18.11.8.2 and construct an eligible front porch, the area of the eligible front porch located in the front yard setback shall be excluded from the lot coverage calculation.

## **SECTION 26.01 CONSTRUCTION OF LANGUAGE**

32. Building Line, Rear: A line established, in general, parallel to the street that passes through the extreme rear of the principal building. If a principal building is located on a "corner" lot, the rear building line could be one or more sides of the building that are parallel to either street.

405.106. Lot, Corner: Is any lot having at least two (2) contiguous sides abutting upon one (1) or more streets, roads, or private roads provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five (135) degrees. A lot abutting a curved street(s) shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. (See diagram Pg. 26-~~46~~18).

409.110. Lot Coverage: The part or percent of the lot occupied by the buildings, accessory buildings and structures, and any other building components that have a roof or fixed canopy, such as a covered porch, breezeway, etc. However, per Sections 18.11.8.1. and 18.11.8.2, the area of an eligible front porch located in the front yard setback shall be excluded from the lot coverage calculation. The area of cantilevered projections of any floor, excluding roof overhangs, shall be included in the calculation of lot coverage. (Rev. 4/17)

144.145. Porte-cochere means an unenclosed, roofed structure located on the same lot, which extends from the principal dwelling over an adjacent driveway that is designed to let vehicles pass under and used for the shelter of those getting in and out of vehicles.

## **SECTION 18.26 SINGLE FAMILY DWELLING UNIT STANDARDS**

No residential structure, garage (attached or detached), mobile home, manufactured home, modular home or prefabricated home shall be built unless the dwelling unit has been reviewed by the building official subject to the following conditions:

(1) Dwelling units shall conform to all applicable city codes and ordinances and state and federal requirements with respect to the construction of the dwelling.

- (2) Dwelling unit shall be permanently attached to a perimeter foundation. In instances where the applicant elects to set the dwelling on piers or other acceptable foundations which are not at the perimeter of the dwelling, then a perimeter wall shall also be constructed. Any such perimeter wall shall be constructed of durable materials and shall also meet all local requirements with respect to materials, construction and necessary foundations below the frost line. Any such wall shall also provide an appearance which is compatible with the dwelling and other dwellings in the area.
- (3) Dwelling unit shall be provided with exterior finish materials similar to the dwelling unit on adjacent properties or in the surrounding residential neighborhood.
- (4) Dwelling unit shall be provided with roof designs and roofing materials similar to the dwelling unit on adjacent properties or in the surrounding residential neighborhood.
- (5) Dwelling unit shall be provided with an exterior building wall configuration which represents an average width to depth or depth to width ratio which does not exceed three to one, or is in reasonable conformity with the configuration of dwelling unit on adjacent properties or in the surrounding residential neighborhood.
- (6) The dwelling shall contain storage capability in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten percent of the square footage of the dwelling or 100 square feet, whichever is less.
- (7) The building official may request a review by the planning commission of any dwelling unit with respect to subsections (3), (4), and (5) of this section. The building official or planning commission shall not seek to discourage architectural variation, but shall seek to promote the reasonable compatibility of the character of dwelling unit, thereby protecting the economic welfare and property value of surrounding residential uses and the city at large. In reviewing any such proposed dwelling unit, the building official may require the applicant to furnish such plans, elevations and similar documentation as is deemed necessary to permit a complete review and evaluation of the proposal. When comparing the proposed dwelling unit to similar types of dwelling areas, consideration shall be given to comparable types of dwellings within 300 feet. If the area within 300 feet does not contain any such dwellings, then the nearest 25 similar type dwellings shall be considered.
- (8) Attached garages that face the street are allowed on lots that are 60 feet wide or greater.
- (9) The total width of a garage attached to a single family dwelling shall:

  - a. Not exceed 50 percent of the width of the entire front façade of the residential dwelling; and
  - b. Be a minimum of 22 feet wide, measured from the exterior of the garage walls.
- (10) Attached garages shall be located at least four feet behind the front façade of the front exterior wall of the residential dwelling, but in no case shall be closer than 30 feet from the front property line.