

## **AGENDA**

### **EAST GRAND RAPIDS PLANNING COMMISSION February 8, 2022 - 5:30 PM Community Center – Commission Chambers**

1. Call to Order
2. Approval of the Agenda
3. Approval of Minutes: January 11, 2022 Meeting
4. Public Comment on Non-Agenda Items
5. 2021 Planning Commission Annual Report (No Action Required)
6. Introduction of Amendment to Chapter 50, Sections 5.26B, 5.27, 5.28A, 5.30, 5.37, 5.59, and 5.77A of Zoning Ordinance – MFR Residential District and Related Provisions
7. Report of the City Commission
8. Next Regular PC Meeting: March 8, 2022
9. Adjournment

PROCEEDINGS OF THE PLANNING COMMISSION  
CITY OF EAST GRAND RAPIDS

January 11, 2022  
East Grand Rapids Community Center – Commission Chambers

Present: Chairman Tom Getz, Commissioners Steve Achram, Matt Feyen, Karey Hamrick, Mary Mapes, Greg Metz, Peter Michell, Brian Miller and Whitney Renner.

Also Present: City Manager Shea Charles, Deputy City Manager Doug LaFave, Zoning Administrator Jay Gianotti, City Attorney John Huff, City Planner Paul LeBlanc of PLB Planning, City Clerk Karen Brower and Recording Secretary Lynda Taylor

1. CALL TO ORDER

Chairman Getz called the meeting to order at 5:32 PM.

2. APPROVAL OF AGENDA

Chairman Getz announced that there would be an addition to the meeting's agenda – the swearing in of all Planning Commissioners.

A motion was made by Commissioner Mapes and supported by Commissioner Miller to approve the agenda as amended.

Yeas: Commissioners Achram, Feyen, Getz, Hamrick, Mapes, Metz, Michell, Miller and Renner – 9  
Nays: -0-

3. SWEARING IN OF THE PLANNING COMMISSIONERS

City Clerk Karen Brower administered the oath of office and all Commissioners signed their oath in the City's oath of office ledger.

4. APPROVAL OF MINUTES – November 9, 2021

A motion was made by Commissioner Miller and supported by Commissioners Metz to approve the minutes as written.

Yeas: Commissioners Achram, Feyen, Getz, Hamrick, Mapes, Metz, Michell, Miller and Renner – 9  
Nays: -0-

5. PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Getz opened public comment. No public comment was given. Chairman Getz closed public comment.

6. WELCOME NEW MEMBER

Chairman Getz reported that Commissioner John Arendshorst would no longer be the liaison City Commission's liaison to the Planning Commission. He thanked Commissioner Arendshorst for his seven years of service on Planning Commissioner. He was a Planning Commission member as well as the appointed liaison of the City Commission.

Chairman Getz announced Mayor Favale's appointment of City Commissioner Karey Hamrick to the Planning Commission as the City Commission's liaison and welcomed her to the position. Ms. Hamrick gave a brief history of her experience living in and serving the City of East Grand Rapids.

7. PUBLIC HEARING – AMENDMENT TO CHAPTER 50, SETION 5.103A, 5.103B, AND 5.104 OF ZONING ORDINANCE – ZONING BOARD OF APPEALS

City Attorney Huff reviewed the various amendments to the sections of the zoning ordinance

Chairman Getz opened the public hearing. No public comment was received. Chairman Getz closed the public hearing.

A motion was made by Commissioner Metz and supported by Commissioner Renner to approve the amendments as written.

Yeas: Commissioners Achram, Feyen, Getz, Hamrick, Mapes, Metz, Michell, Miller and Renner – 9  
Nays: -0-

8. STUDY SESSION – AMENDMENT TO CHAPTER 50, ARTICLE 4 OF ZONING ORDINANCE – POTENTIAL REVISIONS TO THE MFR ZONING DISTRICT

Zoning Administrator Jay Gianotti led the study session with the assistance of City Planner Paul LeBlanc.

A summary of the study session and discussions prepared by Mr. Gianotti is attached.

9. REPORT OF THE CITY COMMISSION

Commissioner Hamrick reported the following:

- At the last meeting there was a resolution honoring Dawn Lewis who retired from Kent District Library.
- There was a lengthy discussion on how to proceed with the parks millage implementation.
  - Much of the conversation focused on public input.
  - Staff is working evaluating engaging outside consultants to assist playground design process.
  - It was agreed to apply for DNR funding for Manhattan Park.
  - The Commission directed staff to focus on the existing trail system vs. creating a new system.
- Three new City Commissioners were elected in November: Chris Wessely – Ward 2, Marc Schulz – Ward 1, and Laura Schwartz – Ward 3

10. NEXT REGULAR PLANNING COMMISSION MEETING – FEBRUARY 8, 2022

11. ADJOURNMENT

A motion was made by Commissioner Achram and supported by Commissioner Miller to adjourn the meeting at 7:11 PM.

Yeas: Commissioners Achram, Feyen, Getz, Hamrick, Mapes, Metz, Michell, Miller and Renner – 9  
Nays: -0-

Respectfully submitted,

Lynda Taylor  
Recording Secretary

Attachment

## NOTES from MFR District Study Session – January 11, 2022

- Min. Unit Sizes, Lot Area per Unit, and Additions to Existing Floor Area
  - Different standards are proposed for single-family conversions to new development. In general, conversions have “easier” development & size standards compared to new construction. This is to help incentivize the preservation of existing housing stock where possible.
  - Multiple people commented that new market-rate apartments in GR are being built at smaller sizes than the current proposed minimums. Consider reducing the minimum unit sizes here to accommodate such development.
  - Make sure that minimum unit sizes do not become a “barrier” to new multi-family development.
  - Commissioners generally understood the idea of having different standards between single-family conversions and new construction. At the same time, several Commissioners suggest finding a way to narrow the different standards while still creating an incentive to prioritize conversions over new development.
  - After adjusting the minimums for unit sizes, the standards for density & lot sizes should also be revisited to ensure that new conflicts aren’t created.
- Architectural/Design Guidelines (General)
  - Several Commissioners were not in favor of having building additions match the existing architectural style. It was suggested that the language be revised to state “complementary” styles, though that could raise the issue of how to define and enforce that.
  - It was noted that the notion to require conversions to match/retain existing styles was based on the feedback from the Visual Preference Survey. While the Commissioners acknowledged that, they also noted they were thinking more about new construction. For existing conversions, any regulations should err on the side of flexibility.
  - The consensus was to retain the requirement to retain existing front porches for home conversions, but to eliminate the design matching requirements for expansions.
- Miscellaneous Design Standards (Table 1)
  - Driveway standards for conversions will be removed as they are proposed to be capped at a maximum four dwelling units.
  - For roof-top terrace lighting, the City’s Light Ordinance could also be referenced regarding light spill.
  - A potential addition to the Sign Ordinance (allowing a 4 s.f. wall mounted sign for conversions) was received favorably by the Planning Commission. Because the sign regulations fall under the Building Regulations, that provision would be solely for the City Commission to review and approve.
- Suggested Design Elements/Amenities for New Construction (Table 2)

- City Staff presented a table of suggested elements to be used in all new construction. These were developed based on the results of the Visual Preference Survey and to help retain the existing character of the MFR Districts. At the same time, to allow for flexibility and creativity in design, only a certain number of elements (chosen by the Architect) would be required to be included.
- Several Commissioners questioned the need for these standards.
  - Some architectural styles, such as mid-century modern, might find it difficult to find three of the proposed elements to use.
  - Existing residential character includes clusters of several different styles; this type of development variety should be encouraged.
  - There may be other options to help preserve residential character without a “check list”.
- Commissioners were asked to consider these standards in the context of larger multi-family development, and if they would be comfortable allowing architects to design whatever type of building and features they wanted.
  - Remember: if it’s not in the zoning ordinance, it can’t be required by the City. (PUDs are an exception to this rule.)
  - Also note that, per the current zoning ordinance, any residential development greater than two dwelling units is required to undergo site plan review with the Planning Commission.
  - In addition, many of these concerns were raised during the 2018 Master Plan process, where residents had concerns about multi-family development and the form it would take. This ultimately led to a scaling back of the proposed MFR Districts.
- City Staff further noted that the standards and approach taken here are far less stringent than seen in many other communities.
- After consideration, Commissioners became more comfortable with the notion of requiring some elements to be used in new construction. In addition, the following elements were proposed to be added to the list of options.
  - Window Glazing – Add a minimum required threshold for all development, with a higher standard that could be claimed as part of the Table 2 requirements.
  - Allow “articulated” windows along with bay or bow windows.
  - Add Horizontal Siding, but not to include vinyl siding.
- Other Notes
  - An actual definition for “house conversion” may be required to help distinguish when an existing building would qualify as such or not.
  - There was a question on the suitability of exterior staircases to access upper-floor units from the outside and how they could be regulated. More research will be done to determine what requirements may be needed.



# CITY OF EAST GRAND RAPIDS

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JAY GIANOTTI, AICP  
ZONING ADMINISTRATOR

## MEMORANDUM

TO: Chairman Getz and Planning Commissioners  
FROM: Jay Gianotti, Zoning Administrator  
DATE: February 1, 2022

RE: **2021 Planning Commission Annual Report**

### Action Requested:

N/A

### Background:

The Michigan Planning and Enabling Act of 2008 (MPEA), as amended, states that a Planning Commission must prepare an annual written report to the legislative body concerning its operations and the status of planning activities, along with recommendations regarding actions by the legislative body related to planning and development.

### Membership

Planning Commission Member	Date Appointed	Term Expiration
<b>Tom Getz (Chairman) - Current</b>	1/18/2010	6/30/2022
<b>Brian Miller (Vice-Chairman) - Current</b>	12/10/2019	6/30/2024
<b>Matt Feyen (Secretary) – Current</b>	7/1/2020	6/30/2023
<b>John Arendshorst (City Commission Liaison) – Previous</b>	2/2/2015	12/31/2021
<b>Karey Hamrick (City Commission Liaison) - New</b>	1/1/2022	12/31/2023
<b>Michael Naltner</b>	7/2/2018	6/30/2021
<b>Mary Mapes - Current</b>	7/6/2010	6/30/2022
<b>Whitney Renner - Current</b>	7/1/2019	6/30/2022
<b>Steve Achram – Current</b>	7/1/2020	6/30/2023
<b>Greg Metz - Current</b>	7/1/2020	6/30/2023
<b>Peter Michell - Current</b>	7/1/2021	6/30/2024

### Meetings

The Planning Commission met six times in 2021. The regularly scheduled meeting time of the Planning Commission is the second Tuesday of every month at 5:30 PM. This meets the requirements of the MPEA (minimum of four meetings a year). More detailed meeting minutes for each meeting can be found on the city's website. A brief outline of the meetings is as follows:

- April 13<sup>th</sup>
  - At this meeting, Michael Naltner was elected as Secretary. The Planning Commission also heard introductions from two applicants.

- The first applicant was Greg Gilmore of Rose’s Restaurant, requesting to amend Rose’s PUD amendment in order to allow them to rent boats from their marina, operate a tour boat of Reeds Lake from their marina, sell alcohol to go from the restaurant, and construct a fueling station for boats near their marina. This was a modification to their first PUD amendment request in March 2020. After receiving feedback from the Commission, the applicant was instructed to take that initial feedback and come back to the Planning Commission with revised plans. To date, the applicant has not returned to the Planning Commission.
    - The second applicant was Jeff Olsen, representing the East Grand Rapids Crew Team, requesting a site plan review regarding the boathouse at John Collins Park. The applicant was requesting to add a second story to the existing boathouse, along with a new pedestrian connection to Lakeside Drive. After hearing the request, the Planning Commission voted to recommend approval of the proposed site plan, provided that a sightline drawing of the proposed building be provided with the site plan, and that bicycle racks be installed in conjunction with this plan. It was also noted that two variances for yard encroachments would need to be granted to allow the site plan to be approved, though that would be handled by the City Commission.
- May 11<sup>th</sup>
  - At this meeting, the Planning Commission held a study session regarding potential zoning ordinance amendments that could be considered. The following topics were discussed.
    - Accessory Uses/Structures in the Front and Side Yards
    - Treehouse Regulation
    - Lot Size and Area Requirements in the C-1 Business District
    - Residential District Revisions to Promote Infill Development
    - Front Yard Setbacks in R-3 and MFR Districts
    - Accessory Dwelling Units
- July 13<sup>th</sup>
  - At this meeting, the Planning Commission elected Tom Getz as Chairman, Brian Miller as Vice-Chairman, and Matt Feyen as the new Secretary. The Commission also welcomed Peter Michell to the Planning Commission. The meeting began with introductions for amendments to Sections 5.100, 5.101A, & 5.103 of the zoning ordinance (Establishment of a Zoning Board of Appeals), as well as Section 5.37 of the zoning ordinance (Area, Height, and Placement Requirements in the C-1 Commercial District.) Both amendments were recommended to proceed to a public hearing in August. A summary of the amendment ordinance discussion from the May 11 meeting was also discussed. After the Planning Commission identified that revisions to the setbacks in the R-3 and MFR Districts were worth further investigation, City Staff recommended that the entire MFR District Regulations be reviewed to ensure they would allow the types of residential development that the Planning Commission felt were desirable in those areas. This began with a visual preference survey to begin identifying these development types and styles.
- August 10<sup>th</sup>
  - At this meeting, the Planning Commission held public hearings for amendments to Sections 5.100, 5.101A, & 5.103 of the zoning ordinance (Establishment of a Zoning Board of Appeals), as well as Section 5.37 of the zoning ordinance (Area, Height, and Placement Requirements in the C-1 Commercial District.) Both amendments were recommended for approval by the City Commission. Discussion on potential amendments to the MFR Residential District Regulations continued. Topics covered in

this study session included: development density, parking, design standards/characteristics, new development vs. reuse/conversion, and unintended consequences of any new regulations.

- October 12<sup>th</sup>
  - At this meeting, the Planning Commission continued their discussion about potential amendments to the MFR Residential District. A first draft of proposed revisions was presented for feedback.
- November 9<sup>th</sup>
  - At this meeting, the Planning Commission continued their discussion about potential amendments to the MFR Residential District. Based on the feedback from the October meeting, additional information was provided on several topics to help clarify the desires of the Planning Commission. These topics included: density, accessory building sizes, parking, stormwater management, porches & encroachments, window well & encroachments, and potential standards for building design & conversions.

### Master Plan Review

The Planning Commission and City Commission adopted a new Master Plan in June of 2018. The Michigan Planning and Enabling Act of 2008 states that a community's planning commission must review the Master Plan every five years and determine whether to amend the plan or create a new plan. Below is a list of master plan implementation items that were addressed in the 2021 calendar year. The full list of Master Plan Goals can be found on page 41 and 42 of the Master Plan:

- Mobility/Bicycle Action Plan
  - The final action plan by Progressive AE was adopted on June 7, 2021. Two projects in relation to this plan have been completed. The first was the addition of bike lanes and sharrows to Hall Street in conjunction with the Hall Street pavement project in 2021. The second was the lane reduction on Lakeside Drive between Reeds Lake Blvd. and Greenwood Ave. The City is currently working to prioritize corridors for adding new pavements markings and lanes.
- Redevelopment Ready Community Certification
  - The City is continuing its work to achieve Redevelopment Ready Community (RRC) certification. These efforts were delayed in 2021 for two main reasons. First, zoning administrator Jay Gianotti joined the City in January 2021 and required training and orientation into the program. Secondly, MEDC revised the RRC program and requirements in early 2021, meaning that there was a temporary pause to review and become familiar with these new requirements. One known item that the City Commission will need to address for RRC certification is site plan approval. RRC certification requires that, at minimum, all site plans allowable by right are to be approved either administratively or by the Planning Commission. Currently, the City Commission is the body that actually approves most site plans: the Planning Commission's role in site plan approval is advisory only, and administrative site plan approval is very limited in scope. Changing this process would require an amendment to the zoning ordinance, but may bring additional benefits to the City, such as a more efficient review and approval process.
- Multi-Family Housing/Zoning
  - The Planning Commission began discussing the potential of rezoning areas around Gaslight Village to MFR based on the Master Plan in Summer 2021. After City staff determined that the current MFR Regulations were not well tailored to promote the type of development that was recommended in the Master Plan, the City and the Planning Commission began the process of updating the zoning ordinance to match this intent. These proposed amendments are planned to be brought to the City

Commission in Spring 2022 for formal adoption. Once completed, it is anticipated that the Planning Commission will resume looking at potential rezoning efforts.

Future goals for the Planning Commission to consider:

- Continue to review the recommended changes to the Zoning Ordinance and Zoning Map and determine which changes the city should initiate, rather than wait for requests by property owners. In particular, the proposed land use map approved in the 2018 Master Plan shows a desired rezoning of all of the single family residential on Lovett Avenue to Multiple Family Residential. The map also shows the single-family zoned properties on the north side of Lake Drive in-between Lovett Avenue and Bagley Avenue to be rezoned to Multiple Family Residential as well. This future land use map can be found on page 24 of the Master Plan.
- Consider other avenues to increase the variety and attainability of housing options in the City. One increasingly popular trend in other communities has been the development of Accessory Dwelling Units (ADUs). ADUs would allow a residential lot to add a second, accessory residential use on their property. Examples of ADUs include guest houses, units built above garages, and the conversion of an existing accessory building into a livable dwelling unit. In some cases, ADU's may also be attached to the principal residential building. While currently not allowed in East Grand Rapids, there may be an opportunity to provide for such uses in appropriate areas.

#### Zoning Ordinance Amendments

The following zoning ordinance amendments were approved in 2021.

- Section 5.37 – Lot Area & Width Modification in the C-1 Business District
  - This amendment reduced the minimum required lot width and area for all lots in the C-1 Business District to 0 ft. and 0 s.f. respectively. (Approved 9/20/2021)
- Sections 5.100, 5.101A, and 5.103 – Establishment of a Separate Zoning Board of Appeals
  - This amendment established the creation of a new, separate Zoning Board of Appeals (ZBA) to hear variances and zoning appeals. Previously, the City Commission served this role. (Approved 9/20/2021)

#### Development Reviews

The following is a list of land divisions, special land use, and site plan review requests in 2020:

- Land Divisions/Combinations/Property line adjustments
  - 2819 Cotswold Ln. & 197/203 Lakewood Dr. – Lot Split & Land Division – Approved, 2/1/2021
  - 518/524 Lakeside Dr. – Property Line Adjustment – Approved, 3/1/2021
- Special Land Use Requests – None
- Site Plan Review
  - 650 Lakeside – John Collins Park Boathouse Site Plan Revision, Approved 5/17/2021
  - AT&T Equipment Upgrades (Water Tower) – Administratively Approved, 8/16/2021
  - 1840 Wealthy Street – Blodgett Hospital
    - Site Plan Revision (ER Canopy & Screening Wall on Plymouth) – Administratively Approved on 9/14/2021
    - Sign Plan Revision – Administratively Approved 11/9/2021
  - SBA Communications Tower Upgrades (EGR High School) – Administratively Approved, 10/29/2021

#### Rezoning Requests

There were no changes to the zoning map in 2021, nor were there any requests for rezoning.

## Zoning Variances

Zoning variances are not heard by the Planning Commission, but a list is being provided so that both the Planning Commission and the City Commission have a general idea of what kind of zoning variances were heard in 2021.

Location	Zoning District	Description	Status	Date of Action
<b>741 San Jose</b>	R-2	Side Yard Setback Variance	Approved	2/1/2021
<b>1616 Robinson</b>	R-3	Rear Yard Setback Variance	Approved	3/1/2021
<b>2130 Wealthy (Rite-Aid)</b>	C-1	Wall Sign Variance	Denied	4/19/2021
<b>815 Plymouth</b>	R-1	Street Side Yard Variance on a Corner Lot	Approved	4/19/2021
<b>1750 Robinson</b>	R-1	Lot Coverage Variance	Tabled	5/3/2021
			Tabled	9/7/2021
<b>650 Lakeside</b>	R-2	Yard Encroachment Variances: Roof eaves & exterior staircase	Approved	5/17/2021
<b>910 Rosewood</b>	R-2	Accessory Building Size Variance	Approved	6/21/2021
<b>2204 Argentina</b>	R-2	Street Side Yard Encroachment Variance (chimney)	Approved	11/15/2021

## Actions by Legislative Body

Below is a list of legislation passed by the City Commission that may impact Residential and Commercial Development:

- March 15, 2021 – The City Commission approved amendments to the Fence Regulations (Chapter 83) to better define certain terms, measurements, and maintenance provisions for fences. New graphics illustrating the fence requirements were also incorporated into the ordinance.
- July 19, 2021 – The City Commission approved an amendment to Section 7.124 of the City Code (Chapter 79B), giving City staff additional discretion to require communication equipment to be located below the surface in areas where the right-of-way was already crowded with equipment.
- September 20, 2021 – In conjunction with the amendments to create a separate ZBA, the City Commission also approved amendments to the sign and fence regulations (Chapters 81 & 83 respectively) to allow the new ZBA to hear appeals and variance requests for these uses.

## Trainings

Below are training sessions that were offered during the 2021 calendar year:

- MSU Extension Citizen Planner – This training is offered throughout the year online, and was also offered in-class and video conference on multiple dates throughout the year. More information on the MSU-Extension Citizen Planner program can be found here: [https://www.canr.msu.edu/michigan\\_citizen\\_planner/](https://www.canr.msu.edu/michigan_citizen_planner/)
- APA Michigan – The Michigan chapter of the American Planning Association offered a variety of training workshops for different areas of planning and zoning. These sessions were held throughout the year, many with in-person and virtual options. More information can be found here: <https://miapa.memberclicks.net/workshops>
- Michigan Townships Association (MTA) – MTA offered a variety of on-demand planning and zoning courses. More information can be found here: <https://learn.michigantownships.org/planningandzoning>



# CITY OF EAST GRAND RAPIDS

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JAY GIANOTTI, AICP  
ZONING ADMINISTRATOR

Hearing Required?	No
Notices Mailed	N/A
Notice Published	N/A

## **MEMORANDUM**

TO: East Grand Rapids Planning Commission  
FROM: Jay Gianotti, Zoning Administrator  
DATE: February 2, 2022

RE: **Introduction for Potential Zoning Ordinance Amendment  
Sections 5.26B, 5.27, 5.28A, 5.30, 5.37, 5.59, and 5.77A of Zoning Ordinance –  
MFR Residential District and Related Provisions**

### **Action Requested:**

That the Planning Commission review and provide feedback on amendments to Sections 5.26B, 5.27, 5.28A, 5.30, 5.37, 5.59, and 5.77A of the Zoning Ordinance to amend standards for development in the MFR Residential District.

### **Background:**

In May 2021, the City and the Planning Commission began discussing potential actions to implement various recommendations of the 2018 East Grand Rapids Master Plan and update various parts of the zoning ordinance. As part of this discussion, the Planning Commission showed interest in investigating the rezoning areas around Gaslight Village to MFR and reducing required setbacks for R-3 and MFR Residential Districts, based on the recommendations in the Master Plan<sup>1</sup>. After further review, however, City staff determined that the current MFR Regulations did not appear to be well tailored to promote the type of development that was recommended in the Master Plan. Accommodating new multi-family housing that the Master Plan contemplated would require more work than simply adjusting setbacks or lot sizes. To address this before undertaking any new rezoning efforts, the City and the Planning Commission began the process of updating the zoning ordinance to match this intent.

The proposed amendments under review are the result of several months of study sessions and discussions between the Planning Commission and City staff & consultants. The following is a summary of the work performed in developing these proposed amendments.

- July 2021 – Visual Preference Survey to help determine the types of development that would be most appropriate in the MFR District.
- August 2021 – Additional discussion and visual surveys regarding development density, parking, design standards/characteristics, new development vs. reuse/conversion, and unintended consequences of any new regulations.
- October 2021 – Review of first draft of ordinance amendments. In addition to this general feedback, the Planning Commission requested additional information regarding density, accessory building sizes, parking, stormwater management, porches & encroachments, window well & encroachments, and potential standards for building design & conversions.

<sup>1</sup> See [EGR Master Plan](#), p.28

- November 2021 – Deeper dive into the topics identified at the October 2021 meeting. The Planning Commission also provided guidance on design standards to incorporate for two-family and multiple family uses.
- January 2022 – Review of design standards for two-family and multiple family uses. In addition, the notion of incentivizing the conversion of existing single-family homes to multi-family use was discussed, including standards that would make it easier for such uses to develop.

The final draft ordinance revisions presented here represent the culmination of this work. Throughout all of these efforts, several themes emerged that drove the development for these updated requirements and standards. These themes are listed in the chart to the right. The overarching goal in these revisions is to support the Master Plan’s recommendations for adding housing diversity to the City and increasing vitality and activity in Gaslight Village, while maintaining the existing character of the MFR districts to the greatest extent possible.

THEMES FOR MFR DISTRICT REVISIONS
New development in the MFR District should be denser in character with higher design standards relative to the single-family districts.
Designs and development that can work on smaller, more compact sites would be appreciated.
Single-family homes and multi-family dwelling units can both co-exist in an MFR District.
Remember that there are different characters among the City’s MFR Districts, including the area around Gaslight Village. Also, not all MFR Districts are located around Gaslight Village.
Keep intended and unintended consequences of revising these standards in mind, relative to the desired character sought for these districts.

The specific amendment text is attached to these materials. Red-line versions of these ordinance sections are also provided to better highlight the specific provisions that have been changed, deleted, or added. In summary, the amendments under review incorporate the following changes and additions.

- Refine the intent of the MFR District to better align with the goals and recommendations of the City Master Plan.
- Revised development standards for all uses in these districts to minimize nonconformities and allow more flexibility in design.
- Adjust permitted and special uses to better match the character of the MFR Districts.
- Introduces new standards to protect existing development and neighborhood character through the following measures:
  - Adding “Single Family Conversions” as a new permitted use, allowing an existing single-family home to be converted to a two-family or multiple family use.
  - Changes new multiple family construction to a special use to allow a higher level of review and approval standards.
  - Incorporates new design standards to ensure a basic level of development quality and integration in the existing MFR districts.

Although the majority of the revisions are contained in Article 4 of the zoning ordinance, other provisions in the zoning ordinance and City Code are also proposed for amendment to complement these new regulations. The following is a brief summary of these other proposed amendments<sup>2</sup>.

- Section 5.27 (C-1 Commercial District) – Revise maximum building height to 40’ and 3 stories to put these standards in line with the revised height standards in the MFR Residential District.

<sup>2</sup> Additional amendments are proposed for the City’s Sign Ordinance. (Section 8.17B) Because those regulations are part of the Building Requirements, not the Zoning Ordinance, the Planning Commission is not able to formally review or provide a recommendation on those amendments. They are being provided with these materials for reference only.

- Section 5.59 (General Provisions, Height Exceptions) – Adding a provision to allow enclosed stairways used to access a rooftop patio or terrace in the MFR Residential District to exceed the maximum allowable height by nine feet, subject to other provisions.
- Section 5.77A (Minimum Parking requirements, Residential Institutional Uses) – Reduction in the amount of required parking for two-family and multiple family uses.

This agenda item would constitute the formal introduction to these proposed amendments. The Planning Commission is free to make recommendations and suggests for revisions to the final amendment text if it so desires. If the Planning Commission is agreeable to these amendments, it would be scheduled for a public hearing and formal recommendation vote at the March 2022 Planning Commission meeting. If a vote to recommend approval is made after the public hearing, it would go to the City Commission for final approval.

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Shea Charles, City Manager

## Article 4 RESIDENTIAL DISTRICTS

### Section 5.26 Intent

- A. **Single Family Districts.** The single family dwelling districts are established to encourage a suitable environment for the development of single family neighborhoods and compatible and supportive recreational, institutional and educational uses. These districts are intended to protect single family neighborhoods from encroachment by uses that are incompatible with the density and character of established single family neighborhoods. The following single family residential districts are established:
1. R-1 Single Family Residential District.
  2. R-2 Single Family Residential District
  3. R-3 Single Family Residential District
- B. **Multiple Family Districts: MFR Multiple Family Residential District.** The MFR District is established to accommodate a mix of complementary housing options within specific locations where varied unit types and higher densities create a suitable transition from adjacent land uses, accommodate varied lifestyle choices, provide affordable options, and support the recommendations of the City Master Plan designed primarily for medium density garden type apartments, row housing, and group housing, regulated so as to cover a minimum of ground area and to provide a maximum of open space. This zone also serves a useful function as a buffer along some major streets and neighborhood shopping areas.

### Section 5.27 Schedule of Uses

Uses permitted in the districts are listed in **Table 5.27**. Additional requirements related to a specific use, if any, are referenced in the “Specific Requirements” column. Any use not specifically listed shall be prohibited, unless the use is determined to be a similar use according to *Section 5.75(A)*. The requirements in footnotes are an integral part of this chapter and shall apply in all instances. (Amended 11/18/16)

**Table 5.27 Schedule of Uses: Residential Districts**

P = Permitted use by right S = Special Land Use (See Article 11 for procedures and requirements)	R-1	R-2	R-3	MFR	Additional Requirements
<b>Accessory</b>					
Accessory buildings, structures and uses	P	P	P	P	<i>Section 5.70(A)</i>
Home occupation	P	P	P	P	<i>Section 5.70(B)</i>
Home occupation, with no more than one employee who is not a member of the family	S	S	S	S	<i>Section 5.70(B)</i>
Adult foster care family home	P	P	P		
Adult foster care group home		S	S		
Day care home, family	P	P	P		
Day care home, group		S	S		
Foster family home	P	P	P	P	

**Table 5.27 Schedule of Uses: Residential Districts**

P = Permitted use by right S = Special Land Use (See Article 11 for procedures and requirements)	R-1	R-2	R-3	MFR	Additional Requirements
Foster family group home		S	S		
<b>Residential</b>					
Multiple family dwellings, <del>three to four six units</del>				P	<i>Section 5.28(A)</i>
Multiple family dwellings, <u>new construction, five to 24 units</u>				S	<i>Sections 5.28(A), 5.30 &amp; 5.77(A)</i>
<u>Single-family conversions to multi-family dwellings, up to four units</u>				P	<i>Sections 5.28(A), 5.30, &amp; 5.77(A)</i>
Single family dwellings	P	P	P	P	<i>Section 5.28(A)</i>
Two-family dwellings				P	<i>Sections 5.28(A), 5.30 &amp; 5.77(A)</i>
Independent and assisted living				S	<i>Section 5.74(A)</i>
<b>Recreation/Cultural</b>					
Public facilities (government buildings, public museums, public galleries, public libraries, etc.)	S	S	S	S	
Parks and recreational facilities, publicly owned	P	P	P	P	
<b>Public and Institutional</b>					
Convalescent and nursing homes				S	<i>Section 5.73(B)</i>
Hospital	S	S	<del>S</del>	<del>S</del>	<i>Section 5.77(A)</i>
Private or parochial school	S	S	S	S	<i>Section 5.73(C)</i>
School Residential Campus	S	S	S	S	<i>Section 5.73 (C)</i>
Churches and places of worship	S	S	S	S	<i>Section 5.73(A)</i>
<b>Services</b>					
Child care center				S	
<b>Other Uses</b>					
Essential services	P	P	P	P	<i>Section 5.66</i>
Similar uses	P/S	P/S	P/S	P/S	<i>Section 5.75(A)</i>
Wind energy conversion systems	S	S			<i>Section 5.75(C)</i>
Wireless telecommunications facilities	S	S	S	S	<i>Section 5.75(D)</i>

**Section 5.28 Area, Height and Placement Requirements**

**A. Dimensional Requirements.** Building height, setbacks, lot coverage, and minimum lot area for development in the residential districts shall conform to the requirements of **Tables 5.28-1** and **5.28-1a** for the R-1, R-2 and R-3 districts, and **Table 5.28-2** for the MFR District. The requirements in footnotes are an integral part of this chapter and shall apply in all instances. (Amended 10/2/15)

**Table 5.28-1 Dimensional Requirements: Single Family Residential Districts**

Requirement/District		R-1	R-2	R-3
Minimum area (sq. ft.)		12,000	7,200	5,000
Distance from street line in which minimum area must be met (ft.) <sup>1</sup>		120	100	100
Minimum lot width (ft.)		100	72	50
Minimum yard setback (ft.) <sup>2</sup>	Front	30	25	25
	Side <sup>3</sup>	Total	24	18
		Least side	10	7

	<b>Adjoining a street</b>	24	20	12
	<b>Rear<sup>4</sup></b>	25	25	25
<b>Maximum building height<sup>2</sup></b>	<b>Feet</b>	35	35	35
	<b>Stories</b>	2½	2½	2½

<sup>1</sup> The minimum lot area shall be determined by measuring from the front street line the specified distance along the side lot lines from the intersection of each side lot line with the front street line, and connecting the points thus determined with a single straight line. The minimum lot area shall be met within the polygon thus created.

<sup>2</sup> See additional requirements or exceptions in *Sections 5.28(B), (C), (E), and 5.114(A)*.

<sup>3</sup> The stated side yard setbacks shall apply only to the principal dwelling on single family lots. For all other permitted principal buildings, the side yard shall not be less than the stated requirement or 20 feet, whichever is greater.

<sup>4</sup> A corner lot that adjoins in the rear a lot in a residential district may have no rear yard; see *Sections 5.28(C) and 5.62*.

**Table 5.28-1a Maximum Lot Coverage**

Lot Size (square feet)	Maximum Building Coverage <sup>1</sup>	Maximum Impervious Surface	Maximum Not-to-Exceed Impervious Surface (square feet)
< 5,000 SF	35 %	50 %	2,500 SF
5,000 - 7,199 SF	35 %	50 %	3,240 SF
7,200 - 11,999 SF	35 %	45 %	4,800 SF
≥ 12,000 SF	35 %	40 %	

<sup>1</sup> Includes principal and accessory buildings and structures, including covered walkways; but does not include unroofed structures such as porches, patios, or decks.

**Table 5.28-2 Dimensional Requirements: MFR Multiple Family Residential District**

Requirement		Single family	Two family	Multiple family	
Minimum area per unit (sq. ft.)		<del>54,000</del>	<u>For Single-family Conversions: 2,000;</u> <u>For New Construction: 2,500<del>3,000</del></u>	<sup>1</sup>	
Minimum lot width (ft.)		<del>50</del> <u>40</u>	<u>For Single-family Conversions: 40;</u> <u>For New Construction: 50<del>80</del></u>	n/a	
Minimum yard setback (ft.)	Front	<del>25</del> <u>10</u>	<del>25</del> <u>10</u>	<del>30</del> <u>10</u>	
		Total	<del>14</del> <u>10</u>	<del>20</del> <u>10</u>	<del>40</del> <u>20</u>
	Side	Least side	<del>7</del> <u>5</u>	<del>8</del> <u>5</u>	<del>20</del> <u>10</u>
		Adjoining a street	12	12	<del>30</del> <u>12</u>
		Rear	25	25	25
<u>Maximum yard setback (ft.)</u>	<u>Front</u>	<u>25</u>	<u>25</u>	<u>25</u>	

**Table 5.28-2 Dimensional Requirements: MFR Multiple Family Residential District**

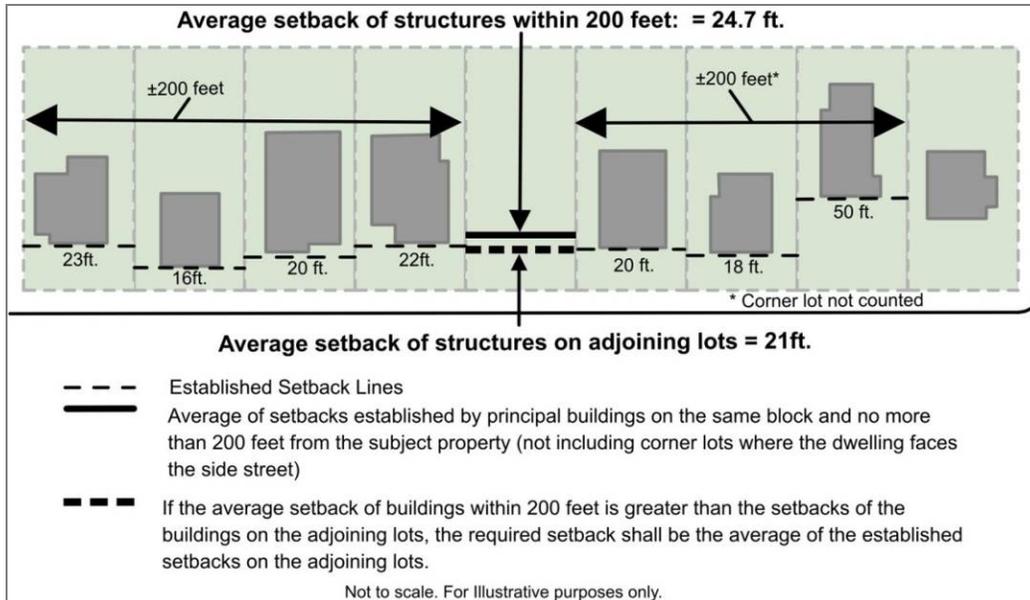
Requirement		Single family	Two family	Multiple family
Maximum building height	Feet	35	35	<u>For properties fronting on Croswell Ave. or Bagley Ave., 40; for all other areas, 35</u>
	Stories	2½	2½	<u>For properties fronting on Croswell Ave. or Bagley Ave., 3; for all other areas, 2½</u>
Maximum lot coverage (percent)	Buildings	2	<del>45</del> <u>50</u>	<del>50</del> <u>60</u>
	Pavement and buildings	2	<del>60</del> <u>65</u>	<del>75</del> <u>80</u>

<sup>1</sup> ~~Density for multiple family units shall not exceed 18 units per gross acre. See Section 5.30.~~

<sup>2</sup> Lot coverage requirements for single family dwellings shall be as specified in Table 5.28-1a.

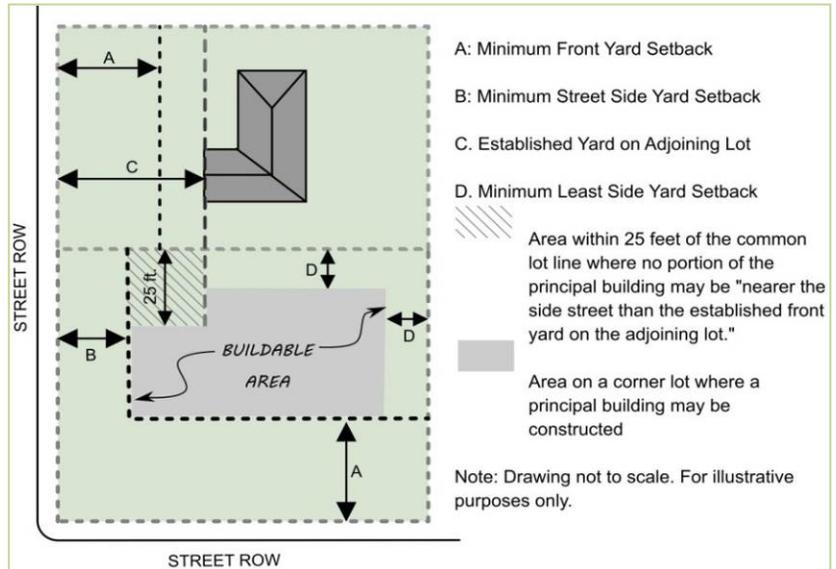
**B. Established Front Yard Setback (See Figure 1).** In the R-1, R-2 and R-3 districts, if 25 percent or more of all of the parcels on one side of a street between two intersecting streets contain a principal structure, the minimum front yard setback shall be the average of the front yards established by the principal structures located on lots on the same side of the street within the same block that are within 200 feet in each direction from the subject property (not including comer lots where the front setback is on the intersecting street), provided:

*Figure 1: Established Front Setback, Single Family Districts*



1. If this average results in a setback that is greater than the established front yard setbacks of the principal structures on both of the lots adjacent to the property in question, the required setback shall be the average of the established setback of the adjacent lots.
2. For a double frontage (through) lot, the requirements of this subsection shall apply only to the established setbacks from the street upon which the lot is addressed. In the case of a row of three or more contiguous double frontage lots, these requirements shall apply only to the established setbacks from the street upon which the majority of the lots are addressed.
3. If less than 25 percent of the parcels on one side of a street between two intersecting streets contain a principal structure, the required front setback shall be as required for the zoning district." (Amended 2/27/15)

**C. Corner Lots.** Where the rear yard of a corner lot in the R-1, R-2 or R-3 district adjoins any residential district, no part of the principal building within 25 feet of the common lot line shall be nearer the side street than the established front yard on the adjoining lot; however, any portion of the principal structure on the corner lot that lies beyond the established front yard on the adjoining lot may be erected to the minimum least side yard requirement of that zone district (See Figure 2).



**Figure 2 Corner Lot Setbacks**

**D. Through Lots.**

1. Primary Front Yard. The Director of Public Works shall designate the primary front street upon which the principal structure shall face and be addressed. The primary front yard shall abut the primary front street and the opposite street shall be the secondary front street. The primary front yard setback shall be determined through Section 5.28 B, Established Front Yard Setback. The designation of primary front street will consider the following:
  - a. Location and orientation of existing or proposed buildings on the through lot in relation to existing buildings on properties in the same general neighborhood, historic development patterns, and existing developed through lots.
  - b. Location and impact of existing vegetation, water, or other natural features affecting the location of buildings or structures on the lot in question.
2. Secondary Front Yard. The secondary front yard setback shall be a line parallel to the secondary street and shall be established by a line that is the continuation of a required rear setback line of an adjacent interior lot addressed on the primary street. In the case of two differing rear setback lines on adjacent lots, the more restrictive shall apply.
3. Established Through Lot Development. In the case of three or more contiguous through lots recorded prior to the date of adoption of this ordinance, the secondary front setback shall be established by the minimum front setback requirements of the zoning district in which the lots are located. (Amended 2-27-15)

## **Section 5.29      Standards Applicable to Single Family Dwellings**

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All dwelling units located outside of manufactured housing communities shall comply with the following requirements:

- A. All dwelling units shall provide a minimum height between the interior floor and ceiling of seven and one-half feet or if a manufactured home, it shall meet the requirements of the United States Department of Housing and Urban Development Regulations, entitled Mobile Home Construction and Safety Standards, effective June 15, 1976, as amended.
- B. The minimum width of any single-family dwelling unit shall be 24 feet for at least 67 percent of its length, measured between the exterior part of the walls having the greatest length.
- C. All dwellings without basements shall provide a crawl space below the entire floor of the dwelling four feet in depth, with a vapor barrier consisting of two inches of concrete on the floor of the crawl space. The crawl space shall also be provided with adequate drains to drain any accumulation of water in the crawl space. The Building Official may allow an alternative building plan to be utilized if consistent with the approved construction code of the City.
- D. All dwellings shall be firmly attached to the foundation so as to be watertight as required by the construction code adopted by the City or, if a manufactured home, shall be anchored to the foundation by an anchor system designed and constructed in compliance with the United States Department of Housing and Urban Development Regulations entitled “Mobile Home Construction & Safety Standards.”
- E. The wheels, pulling mechanism, and tongue of any manufactured home shall be removed prior to placement on a foundation.
- F. All dwellings shall be connected to a public sanitary sewer and water supply system.
- G. All dwellings shall provide steps or porch areas, permanently attached to the foundation where there exists an elevation differential of more than one foot between any door and the surrounding grade. All dwellings shall provide a minimum of two points of ingress and egress.
- H. All additions to dwellings shall meet all the requirements of this Ordinance.
- I. Prior to issuance of a building permit for any dwelling unit, construction plans, including a plot plan adequate to illustrate compliance with the requirements of this Ordinance, shall be submitted to the Building Official. If the dwelling unit is a manufactured home, there shall also be submitted adequate evidence to assure that the dwelling complies with the standards applicable to manufactured homes set forth in this section.
- J. All manufactured homes shall meet the standards for manufactured home construction contained in the United States Department of Housing and Urban Development Regulations entitled “Mobile Home Construction & Safety Standards” effective June 15,

1976, as amended. All other dwellings shall meet the requirements of the construction code adopted by the City.

- K. A minimum of 150 square feet of enclosed storage space, excluding closets, shall be provided for each dwelling. The required enclosed storage space may consist of a basement, garage, shed or other structure approved by the Director of Public Works.

**Section 5.30 Standards Applicable to Two-Family and Multiple Family Dwellings**

Two-family and multiple family dwellings in the MFR Residential District shall comply with the following standards:

A. General Standards

- 1. Single-family conversions to multi-family development shall be encouraged to promote the intent of the MFR Residential District while preserving the existing character and housing stock to the greatest extent possible. For the purposes of this article, **Single-Family Conversions** are defined as the repurposing of a single-family home to accommodate more than one dwelling unit. All other development shall be considered **New Construction**.
- 2. All developments in the MFR District shall conform to the standards in Table 5.30.

<u>Table 5.30 Development Standards in MFR Residential District</u>		
<u>Lot Size (square feet)</u>	<u>Single-Family Conversion</u>	<u>New Construction</u>
<u>Minimum Unit size (square feet)</u>	Studio: 300 1 bdrm: 450 2 bdrm: 650 3 bdrm: 850	Studio: 350 1 bdrm: 550 2 bdrm: 800 3 bdrm: 1,000
<u>Minimum Lot Area Per Unit (s.f./unit)</u>	Duplex: 2,000 3-4 units: 1,660	Duplex: 2,500 3+ units: 2,100

- 3. Wherever two or more different building materials are used on a building façade, the heavier material in weight or appearance shall be placed below the lighter material.
- 4. In the case of multiple family buildings where the dwelling units are accessed from a common hallway or gathering area, the main entrance to the building shall face a public street and be directly accessible from the sidewalk adjoining the front yard.
- 5. Rooftop terraces or patios atop a flat roof structure shall subject to the following.
  - a. No part of the rooftop terrace or patio, including the floor or base level, shall exceed the maximum allowable building height except as provided in Section 5.59 of the zoning ordinance.

- b. Rooftop terraces shall maintain the following setbacks:
    - i. Minimum 20 feet from the front lot line;
    - ii. Minimum 25 feet from the rear lot line; and
    - iii. Minimum 10 feet from each side lot line, but in no case less than five feet from the side exterior building walls.
  - c. Lighting for a rooftop terrace or patio shall not exceed three foot height from the terrace surface and shall comply with Section 5.69 of the zoning ordinance.
6. A minimum of 40 square feet of enclosed storage space, excluding closets, shall be provided for each dwelling unit. The required enclosed storage space may consist of a basement, garage, or other structure approved by the Director of Public Works.

B. Standards for Single-Family Conversions

- 1. No more than four dwelling units shall be developed in a single-family conversion.
- 2. Single-family conversions may increase their existing livable floor area, provided that such expansion does not exceed 25 percent of the existing livable floor area of the home, and that no more than a combined 25 percent of the existing exterior wall and roof area of the home is removed or demolished.
- 3. Existing porches in the front of the building shall be retained or replaced with porches of comparable or greater size and character.
- 4. Surface parking for single-family conversions shall be located in the rear or side yard only. However, in no case shall any portion of a parking structure, parking lot, or attached garage be located closer to the front lot line than the main entry of the building.

C. Standards for New Construction

- 1. For new two family and multiple family structures, windows shall be incorporated into all façades, covering at least 25 percent of the front wall and 10 percent of all other walls. Walls less than five feet in length shall be exempt from this requirement.
- 2. To promote compatibility with the existing character of the MFR Residential Districts, all new two family and multiple family structures shall incorporate a minimum of three of the following architectural or design elements.
  - a. Porches, patios, or balconies for each dwelling unit. Porches shall be a minimum six feet deep and 10 feet wide.

- b. Gable, hip, or gambrel roof.
  - c. Brick, stone, or similar masonry materials, covering at least 50 percent of the exterior façades.
  - d. Horizontal siding, excluding vinyl siding.
  - e. Decorative columns and dormers.
  - f. Window shutters, mullions, grills, and transoms.
  - g. Windows covering at least 25 percent of each exterior wall, not including walls less than five feet in width.
  - h. Bay, bow, or similarly articulated windows.
  - i. Decorative pediments over front and side entries.
  - j. Foundation plantings along the front façade, minimum four foot depth.
3. Surface parking or detached parking structures for new construction shall not be located in the front or side yards. In addition, such parking areas or structures shall be screened from public view from adjoining street rights-of-way to the extent practical. Where attached parking garages are provided, garage doors and entries shall be located behind the frontmost façade of the principal building and shall be oriented toward the side or rear of the lot only.
4. For multiple family developments with five or more dwelling units, access to parking areas shall be provided by a driveway with a minimum 24 foot width. Such driveway shall have a minimum five foot setback from side lot lines.

~~Section 5.30~~Section 5.31 Reserved

~~Section 5.31~~Section 5.32 Reserved

~~Section 5.32~~Section 5.33 Reserved

~~Section 5.33~~Section 5.34 Reserved

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## CHAPTER 50 – ZONING

### Article 5 C-1, COMMERCIAL DISTRICT

#### Section 5.37 Area, Height and Placement Requirements

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All lots in the nonresidential districts shall conform to the requirements of **Table 5.37**. The requirements in footnotes are an integral part of this article and shall apply in all instances.

Table 5.37 Dimensional Requirements: C-1 Commercial District			
		Requirement	C-1
		Minimum area per unit (sq. ft.)	0
		Minimum lot width (ft.)	0
Minimum yard setback (ft.)	Front		0 <sup>1</sup>
	Side	Adjoining C-1 or MFR	0
		Adjoining R-1, R-2, or R-3	7
	Rear <sup>2</sup>	Adjoining a street	0
		Adjoining C-1	0
	Adjoining Residential	24	
Maximum building height	Feet		<del>35</del> 40
	Stories		<del>2 1/2</del> 3
		Maximum lot coverage	N/A

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<sup>1</sup> Buildings shall be located at the right-of-way line; provided, the planning commission (and if applicable, the city commission) may approve a site plan for a commercial building in the C-1 District that is set back no more than 15 feet from the right-of-way line, if one or more of the following conditions is present:

- A. The proposed building or addition is in line with a setback established by existing buildings located on either side of the subject property;
- B. The setback is necessary to provide for clear vision around corners or at driveway entrances;
- C. The proposed use is a restaurant that will provide outdoor seating in the front yard.

<sup>2</sup> Where an alley separates the C-1 District from property in a residential district, the full alley width may be counted as part of the required rear yard.

## Article 7 GENERAL PROVISIONS

### ~~Section 5.38~~ Section 5.59 Height Exceptions

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- A. The following structures may exceed the height requirements of the district by not more than 15 feet:
1. Belfries;
  2. Chimneys;
  3. Church spires;
  4. Cooling towers;
  5. Cupolas;
  6. Elevator bulkheads;
  7. Public monuments;
  8. Radio and television antennas and towers;
  9. Roof structures housing necessary mechanical appurtenances;
- B. Parapet walls may exceed the height requirements of the district by not more than four feet. In any case, a parapet wall shall not exceed four feet in height, measured from the adjoining roof.
- B-C. An enclosed stairway used to access a rooftop terrace or patio in the MFR Residential District may exceed the height requirements of the district by not more than nine feet, provided that the area of the enclosed stairway above the allowable building height does not exceed 160 square feet. Only one such enclosed stairway exceeding the height requirement shall be permitted per building.

## Article 9 OFF-STREET PARKING REQUIREMENTS

### Section 5.77 Minimum Parking Requirements (Subsection A only)

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- A. **Residential and Institutional Uses.** The minimum number of off-street parking spaces by type of use shall be determined in accordance with the “Residential and Institutional Parking Space Requirements” table.

<b>Residential and Institutional Parking Space Requirements</b>	
<b>Use</b>	<b>Minimum Number of Parking Spaces Per Unit of Measurement</b>
<b>Residential Uses</b>	
Single family <del>and two</del> family residential uses	Two (2) spaces per dwelling unit
Two family and Multiple family residential uses	- <u>Efficiency, studio, and one-bedroom units: 1.1 parking spaces per dwelling unit</u> - <u>Two-bedroom units: 1.4 parking spaces per dwelling unit</u> - <u>Units with more than two bedrooms: 1.8 parking spaces per dwelling unit</u> <del>Two (2) spaces per dwelling unit</del>
<b>Institutional Uses</b>	
Churches and similar places of worship	One (1) space for each three (3) seats or six (6) feet of pews in the main unit of worship
Hospitals	Two (2) for each one (1) inpatient bed, plus four (4) spaces per each 1,000 square feet of usable floor area dedicated to administrative offices, pharmacies, medical clinics and similar uses.
Private and parochial elementary and junior high schools	One (1) space for each teacher, employee, or administrator
Private and parochial senior high schools	One (1) space for each teacher, employee, or administrator, and one (1) space for each ten (10) students

## **CHAPTER 81 – SIGNS**

### **(for information only; not reviewable by Planning Commission)**

#### **Section 8.17 Signs in Residential Districts (Subsection B only)**

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**B. Residential uses.**

1. Temporary wire frame signs shall not exceed six square feet in area and three feet in height. Temporary rigid frame signs shall not exceed 16 square feet in area and six feet in height.
2. No more than three temporary signs are permitted per lot at any time; provided, there shall be no limit on the number of temporary wire frame signs displayed between August 15 and November 15.
3. Temporary signs shall be removed from the premises within 30 days from the date of their obsolescence.
4. Temporary signs on a lot occupied by any dwelling shall not be illuminated at any time.

5. Multiple-family development identification ground signs for five dwelling units or more: one sign shall be permitted per frontage at the entrance to the development, not to exceed 36 square feet in area and six feet in height. A multiple-family development identification sign may be illuminated in accordance with the requirements of § 8.15(G).
  
6. Multiple-family development identification wall signs, up to four dwelling units: one sign shall be permitted on the front of the building, not to exceed four square feet in area. At least one edge of the sign shall be located within one ft. of the building entrance. Internal illumination and external raceways for such signs are prohibited.

AN ORDINANCE TO AMEND SECTIONS  
5.26, 5.27, 5.28, 5.37, 5.59 AND 5.77 AND TO ADD  
SECTION 5.30 OF CHAPTER 50 OF TITLE V OF THE CODE OF  
THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Subsection B of Section 5.26 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

- B. Multiple Family Districts. MFR Multiple Family Residential District.** The MFR District is established to accommodate a mix of complementary housing options within specific locations where varied unit types and higher densities create a suitable transition from adjacent land uses, accommodate varied lifestyle choices, provide affordable options, and support the recommendations of the City Master Plan.

Section 2. Section 5.27 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

**Section 5.27 Schedule of Uses**

Uses permitted in the districts are listed in **Table 5.27**. Additional requirements related to a specific use, if any, are referenced in the “Specific Requirements” column. Any use not specifically listed shall be prohibited, unless the use is determined to be a similar use according to *Section 5.75(A)*. The requirements in footnotes are an integral part of this chapter and shall apply in all instances.

**Table 5.27 Schedule of Uses: Residential Districts**

P = Permitted use by right S = Special Land Use (See Article 11 for procedures and requirements)	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>MFR</b>	<b>Additional Requirements</b>
<b>Accessory</b>					
Accessory buildings, structures and uses	P	P	P	P	<i>Section 5.70(A)</i>
Home occupation	P	P	P	P	<i>Section 5.70(B)</i>
Home occupation, with no more than one employee who is not a member of the family	S	S	S	S	<i>Section 5.70(B)</i>
Adult foster care family home	P	P	P		
Adult foster care group home		S	S		
Day care home, family	P	P	P		
Day care home, group		S	S		
Foster family home	P	P	P	P	
Foster family group home		S	S		
<b>Residential</b>					
Multiple family dwellings, new construction				S	<i>Sections 5.28(A), 5.30 &amp; 5.77(A)</i>
Single-family conversions to multi-family dwellings, up to four units				P	<i>Sections 5.28(A), 5.30, &amp; 5.77(A)</i>
Single family dwellings	P	P	P	P	<i>Section 5.28(A)</i>

**Table 5.27 Schedule of Uses: Residential Districts**

P = Permitted use by right S = Special Land Use (See Article 11 for procedures and requirements)	R-1	R-2	R-3	MFR	Additional Requirements
Two-family dwellings				P	Sections 5.28(A), 5.30 & 5.77(A)
Independent and assisted living				S	Section 5.74(A)
<b>Recreation/Cultural</b>					
Public facilities (government buildings, public museums, public galleries, public libraries, etc.)	S	S	S	S	
Parks and recreational facilities, publicly owned	P	P	P	P	
<b>Public and Institutional</b>					
Convalescent and nursing homes				S	Section 5.73(B)
Hospital	S	S			Section 5.77(A)
Private or parochial school	S	S	S	S	Section 5.73(C)
School Residential Campus	S	S	S	S	Section 5.73 (C)
Churches and places of worship	S	S	S	S	Section 5.73(A)
<b>Services</b>					
Child care center				S	
<b>Other Uses</b>					
Essential services	P	P	P	P	Section 5.66
Similar uses	P/S	P/S	P/S	P/S	Section 5.75(A)
Wind energy conversion systems	S	S			Section 5.75(C)
Wireless telecommunications facilities	S	S	S	S	Section 5.75(D)

**Section 3.** Table 5.28-2 of Subsection A of Section 5.28 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

<b>Table 5.28-2 Dimensional Requirements: MFR Multiple Family Residential District</b>				
Requirement		Single family	Two family	Multiple family
Minimum area per unit (sq. ft.)		4,000	For Single-family Conversions: 2,000; For New Construction: 2,500	1
Minimum lot width (ft.)		40	For Single-family Conversions: 40; For New Construction: 50	n/a
Minimum yard setback (ft.)	Front	Total	10	10
		Least side	10	10
	Side	Least side	5	5
		Adjoining a street	12	12
	Rear	25	25	
Maximum yard setback (ft.)	Front	25	25	25

**Table 5.28-2 Dimensional Requirements: MFR Multiple Family Residential District**

Requirement		Single family	Two family	Multiple family
Maximum building height	Feet	35	35	For properties fronting on Croswell Ave. or Bagley Ave., 40; for all other areas, 35
	Stories	2½	2½	For properties fronting on Croswell Ave. or Bagley Ave., 3; for all other areas, 2½
Maximum lot coverage (percent)	Buildings	<sup>2</sup>	50	60
	Pavement and buildings	<sup>2</sup>	65	80

<sup>1</sup> See Section 5.30.

<sup>2</sup> Lot coverage requirements for single family dwellings shall be as specified in Table 5.28-1a.

Section 4. Section 5.37 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

**Section 5.37 Area, Height and Placement Requirements**

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All lots in the nonresidential districts shall conform to the requirements of **Table 5.37**. The requirements in footnotes are an integral part of this article and shall apply in all instances.

<b>Table 5.37 Dimensional Requirements: C-1 Commercial District</b>			
Requirement		C-1	
Minimum area per unit (sq. ft.)		0	
Minimum lot width (ft.)		0	
Minimum yard setback (ft.)	Front	0 <sup>1</sup>	
	Side	Adjoining C-1 or MFR	0
		Adjoining R-1, R-2, or R-3	7
		Adjoining a street	0
	Rear <sup>2</sup>	Adjoining C-1	0
		Adjoining Residential	24
Maximum building height	Feet	40	
	Stories	3	
Maximum lot coverage		N/A	

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1 Buildings shall be located at the right-of-way line; provided, the planning commission (and if applicable, the city commission) may approve a site plan for a commercial building in the C-1 District that is set back no more than 15 feet from the right-of-way line, if one or more of the following conditions is present:

- A. The proposed building or addition is in line with a setback established by existing buildings located on either side of the subject property;
- B. The setback is necessary to provide for clear vision around corners or at driveway entrances;
- C. The proposed use is a restaurant that will provide outdoor seating in the front yard.

2 Where an alley separates the C-1 District from property in a residential district, the full alley width may be counted as part of the required rear yard.

Section 5. Subsection C is added to Section 5.59 of Chapter 50 of Title V of the Code of the City of East Grand Rapids to read as follows:

C. An enclosed stairway used to access a rooftop terrace or patio in the MFR Residential District may exceed the height requirements of the district by not more than nine feet, provided that the area of the enclosed stairway above the allowable building height does not exceed 160 square feet. Only one such enclosed stairway exceeding the height requirement shall be permitted per building.

Section 6. Subsection A is added to Section 5.77 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

**Section 5.77 Minimum Parking Requirements (Subsection A only)**

A. **Residential and Institutional Uses.** The minimum number of off-street parking spaces by type of use shall be determined in accordance with the “Residential and Institutional Parking Space Requirements” table.

<b>Residential and Institutional Parking Space Requirements</b>	
<b>Use</b>	<b>Minimum Number of Parking Spaces Per Unit of Measurement</b>
<b>Residential Uses</b>	
Single family residential uses	Two (2) spaces per dwelling unit
Two family and Multiple family residential uses	- Efficiency, studio, and one-bedroom units: 1.1 parking spaces per dwelling unit - Two-bedroom units: 1.4 parking spaces per dwelling unit - Units with more than two bedrooms: 1.8 parking spaces per dwelling unit
<b>Institutional Uses</b>	
Churches and similar places of worship	One (1) space for each three (3) seats or six (6) feet of pews in the main unit of worship
Hospitals	Two (2) for each one (1) inpatient bed, plus four (4) spaces per each 1,000 square feet of usable floor area dedicated to administrative offices, pharmacies, medical clinics and similar uses.
Private and parochial elementary and junior high schools	One (1) space for each teacher, employee, or administrator
Private and parochial senior high schools	One (1) space for each teacher, employee, or administrator, and one (1) space for each ten (10) students

Section 7. A new Section 5.30 is added to Chapter 50 of Title V of the Code of the City of East Grand Rapids to read as follows:

**Section 5.30 Standards Applicable to Two-Family and Multiple Family Dwellings**

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Two-family and multiple family dwellings in the MFR Residential District shall comply with the following standards:

**A. General Standards**

1. Single-family conversions to multi-family development shall be encouraged to promote the intent of the MFR Residential District while preserving the existing character and housing stock to the greatest extent possible. For the purposes of this article, **Single-Family Conversions** are defined as the repurposing of a single-family home to accommodate more than one dwelling unit. All other development shall be considered **New Construction**.
2. All developments in the MFR District shall conform to the standards in Table 5.30.

<b>Table 5.30 Development Standards in MFR Residential District</b>		
<b>Lot Size (square feet)</b>	<b>Single-Family Conversion</b>	<b>New Construction</b>
<b>Minimum Unit size (square feet)</b>	Studio: 300 1 bdrm: 450 2 bdrm: 650 3 bdrm: 850	Studio: 350 1 bdrm: 550 2 bdrm: 800 3 bdrm: 1,000
<b>Minimum Lot Area Per Unit (s.f./unit)</b>	Duplex: 2,000 3-4 units: 1,660	Duplex: 2,500 3+ units: 2,100

3. Wherever two or more different building materials are used on a building façade, the heavier material in weight or appearance shall be placed below the lighter material.
4. In the case of multiple family buildings where the dwelling units are accessed from a common hallway or gathering area, the main entrance to the building shall face a public street and be directly accessible from the sidewalk adjoining the front yard.
5. Rooftop terraces or patios atop a flat roof structure shall subject to the following.
  - (a) No part of the rooftop terrace or patio, including the floor or base level, shall exceed the maximum allowable building height except as provided in Section 5.59 of the zoning ordinance.
  - (b) Rooftop terraces shall maintain the following setbacks:
    - i. Minimum 20 feet from the front lot line;
    - ii. Minimum 25 feet from the rear lot line; and



- (f) Window shutters, mullions, grills, and transoms.
  - (g) Windows covering at least 25 percent of each exterior wall, not including walls less than five feet in width.
  - (h) Bay, bow, or similarly articulated windows.
  - (i) Decorative pediments over front and side entries.
  - (j) Foundation plantings along the front façade, minimum four foot depth.
3. Surface parking or detached parking structures for new construction shall not be located in the front or side yards. In addition, such parking areas or structures shall be screened from public view from adjoining street rights-of-way to the extent practical. Where attached parking garages are provided, garage doors and entries shall be located behind the frontmost façade of the principal building and shall be oriented toward the side or rear of the lot only.
4. For multiple family developments with five or more dwelling units, access to parking areas shall be provided by a driveway with a minimum 24 foot width. Such driveway shall have a minimum five foot setback from side lot lines.

Section 8. This Ordinance shall be effective on March \_\_\_\_, 2022.

Section 9. Notice of adoption of this Ordinance shall be published within ten (10) days after its enactment by publication of a digest, summary, or statement of purpose of the Ordinance as provided by Chapter VII, Section 7.5, of the Charter of the City of East Grand Rapids:

**NOTICE OF ADOPTION OF ORDINANCE BY THE CITY OF EAST GRAND RAPIDS:**

Notice is hereby given that on March \_\_\_\_, 2022, the East Grand Rapids City Commission adopted an Ordinance amending Sections 5.26, 5.27, 5.28, 5.37, 5.59, and Section 5.77 of Chapter 50 of the City Code as well as adding a new Section 5.30 to said Chapter. The purpose of these amendments was to modify dimensional and lot coverage requirements for the MFR district. The full text of the amended sections is available for inspection by and distribution to the public at the Office of the City Clerk or at eastgr.org. No further or additional publication of this Ordinance is required or contemplated.

CITY OF EAST GRAND RAPIDS

By: \_\_\_\_\_  
Karen K. Brower, City Clerk