



301 East Main Street  
Lowell, Michigan 49331  
Phone (616) 897-8457  
Fax (616) 897-4085

PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE  
CITY OF LOWELL, MICHIGAN  
AGENDA  
FOR THE REGULAR MEETING OF  
MONDAY, DECEMBER 12, 2022 AT 7:00 P.M.

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
  - a. November 14, 2022 Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
  - a. Master Plan Review
6. NEW BUSINESS
  - a. Approval of the 2023 Meeting Dates
  - b. Amendment to City's Zoning Ordinance – Chapters 14, F-1 Floodplain Overlay District and 14A, River's Edge District.
7. STAFF REPORT
8. COMMISSIONERS REMARKS
9. ADJOURNMENT

**OFFICIAL PROCEEDINGS  
OF THE  
PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE  
CITY OF LOWELL, MICHIGAN  
FOR THE REGULAR MEETING OF  
MONDAY, NOVEMBER 14, 2022 AT 7:00 P.M.**

**1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.**

The Meeting was called to order at 7:00 p.m. by Chair Bruce Barker.

**Present for Planning Commission:** Commissioners Schrauben, Cadwallader, Chambers, and Chair Barker.

Absent: Commissioners Plank, Ellis and Gadula

Also Present: Andy Moore with William & Works, Lowell City Clerk Sue Ullery, City Manager Michael Burns.

**Present for City Council:** Councilmembers Groves, Chambers, Salzwedel, Yankovich

**2. EXCUSE OF ABSENCE.**

IT WAS MOVED BY BARKER and seconded by CADWALLADER to excuse the absence of Commissioners Plank, Gadula and Ellis.

YES: Commissioner Chambers, Commissioner Cadwallader, Commissioner Schrauben, and Chair Barker.

NO: None. ABSENT: Commissioners Plank, Ellis and Gadula. MOTION CARRIED.

**3. APPROVAL OF AGENDA.**

IT WAS MOVED BY CHAMBERS and seconded by SCHRAUBEN to approve the agenda as written.

YES: Commissioner Schrauben, Commissioner Chambers, Commissioner Cadwallader, and Chair Barker.

NO: None. ABSENT: Commissioners Plank, Gadula and Ellis. MOTION CARRIED.

**4. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETINGS.**

IT WAS MOVED BY CHAMBERS and seconded by SCHRAUBEN to approve minutes of the October 10, 2022 regular meeting as written.

YES: Commissioner Chambers, Commissioner Schrauben, Commissioner Cadwallader and Chair Barker.

NO: None. ABSENT: Commissioners Plank, Ellis and Gadula. MOTION CARRIED.

**5. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA.**

There were no comments.

**6. OLD BUSINESS.**

a. Master Plan Review with City Council.

Chair Barker stated is has been fifteen years since Master Plan has been updated. What is important in this review is

the Rivers, Parks, Trail System, energy, wind & solar. We can do it in a one year process, it can be presented in parts.

Councilmember Yankovich asked what the cost of this is.

Andy Moore with William & Works stated around \$40,000 depending on how involved you want the public. Moore then explained the meaning of a Master Plan. That it includes the existing state of the City (soils, wetlands, etc.; all the way to public utilities and services). Then there is the public engagement, goals, objectives, policies and development. Then the last part includes implementation tasks that could include housing, policy, re-writing the ordinance. It is a broad kind of policy document.

City Manager Michael Burns stated that this would be a general fund expenditure for next year.

Moore suggests a push to address affordable housing; also get an idea of how much land is available for development. Get the word out to the public for their input and utilize the public events that already take place for this. First priority is to pick a date, decide what events to use for public input. Moore will get a letter of the scope of work to be done with a timeline from Williams & Works for the first Council meeting in December.

7. **NEW BUSINESS**

- a.) Revisions to Chapter 14 and 14A (Floodplain and Rivers Edge).

Andy Moore with Williams & Works stated the Federal Government (FEMA) has been redrawing and refining Floodmaps. Our City participates in the National Flood Insurance Program so there is a specific ordinance that we need to adapt which allows us to continue to participate in the program. If you live within 100 foot of floodplain you are required to have flood insurance. Our Chapters 14 and 14 A requires some changes.

Moore suggested changes and stated the deadline for the changes is February 23, 2023. So we need to schedule a Public Hearing for December for Planning Commission. Moore will put it in Ordinance format and then it will go to Council in January.

8. **STAFF REPORT.**

There was no report.

9. **COMMISSIONERS REMARKS.**

Commissioner Chamber stated this weekend will be Christmas through Lowell, he hopes everyone attends and everyone has patience getting up and down main street.

Chair Barker thanked the City Council for attending the Planning Commission meeting today.

10. **ADJOURNMENT.**

IT WAS MOVED BY CADWALLADER and seconded by BARKER to adjourn at 8:00 p.m.

DATE:

APPROVED:

---

Bruce Barker, Chair

---

Susan Ullery, Lowell City Clerk



301 East Main Street  
Lowell, Michigan 49331  
Phone (616) 897-8457  
Fax (616) 897-4085

**2023 PLANNING-CITIZEN ADVISORY COMMISSION MEETING DATES**  
**7:00 P.M.**  
**CITY COUNCIL CHAMBERS – SECOND FLOOR**

January	9	July	10
February	13	August	14
March	13	September	11
April	10	October	9
May	8	November	13
June	12	December	11



301 East Main Street  
Lowell, Michigan 49331  
Phone (616) 897-8457  
Fax (616) 897-4085

CITY OF LOWELL  
PUBLIC NOTICE

The City of Lowell Planning Commission will conduct a public hearing at Lowell City Hall, located at 301 East Main Street, Lowell, MI 49331 on Monday, December 12, 2022, at 7:00 PM concerning a proposed amendment to the City's Zoning Ordinance within Chapters 14, F-1 Floodplain Overlay District and 14A, River's Edge District. The following provides a summary of the proposed amendment and its regulatory effect:

1. Section 14.02 – Delineation of the Flood Hazard Overlay Zone:
  - a. Updated the effective date of the Flood Insurance Study for Kent County to February 23, 2023 and added reference numbers for the City's Flood Insurance Rate Map index panels.
2. Section 14.04 – Additional Standards for Development:
  - a. Add the terms "filling, grading, mining, dredging, paving or storage of equipment or materials" to be included as types of development.
  - b. Replace "Department of Natural Resources" with "Department of Environment Great Lakes and Energy".
  - c. Removal of language pertaining to nonresidential structures.
  - d. Replace "Federal Insurance and Mitigation Administration (FIMA)" with "Federal Emergency Management Agency (FEMA)".
3. Update elevation regulations throughout to reflect the minimum construction elevation at 1 foot above the 100-year floodplain.
4. Section 14A.05 – Additional Standards for Development:
  - a. Replace "Department of Natural Resources" with "Department of Environment Great Lakes and Energy"

At the above time and place, all interested parties will be given an opportunity to be heard. Written comments concerning the proposed amendment may be mailed or delivered to the Lowell City Clerk, 301 East Main Street, Lowell, MI 49331 up to the date of the public hearing. Copies of the proposed ordinance amendments may be viewed at City Hall at the address noted above during normal business hours.

The City will provide necessary reasonable auxiliary aids and services to those with disabilities planning to attend upon three (3) days' notice to the City Clerk. Individuals who require such services should contact the City at the address listed above or by telephone at 616-897-8457.

Susan Ullery  
City Clerk

**CITY OF LOWELL  
KENT COUNTY, MICHIGAN**

**ORDINANCE NO. 22-\_\_**

**AN ORDINANCE TO AMEND CHAPTER 14 "F-1 FLOODPLAIN DISTRICT"  
AND TO AMEND CHAPTER 14A "RIVER'S EDGE DISTRICT" OF APPENDIX  
A, "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL.**

Councilmember \_\_\_\_\_, supported by Councilmember \_\_\_\_\_, moved the adoption of the following ordinance:

**THE CITY OF LOWELL ORDAINS:**

**Section 1. Amendment of Chapter 14.** Chapter 14 "Floodplain Overlay District" of Appendix A, "Zoning," of the Code of Ordinance of the City of Lowell is amended to read in its entirety as follows:

**CHAPTER 14. - F-1 FLOODPLAIN OVERLAY DISTRICT**

Formatted: Font: (Default) Times New Roman, Bold

**Section 14.01. - Purpose.**

Formatted: Space Before: 12 pt, After: 6 pt

This district is intended primarily to protect those undeveloped areas of the city which are subject to predictable flooding in the floodplain area ~~of the Grand River~~ so that the reservoir capacity will not be reduced or to impede, retard, accelerate or change the direction of flow or carrying capacity of the river valley or to otherwise increase the possibility of flood. Said regulations, while permitting reasonable use of such properties, will help to protect human life, prevent or minimize material and economic losses and reduce the cost to the public in time of emergency through public aid or relief efforts occasioned by the unwise occupancy of such flood areas.

**Section 14.02. - Delineation of the flood hazard overlay zone.**

Formatted: Space Before: 12 pt, After: 6 pt

- A. The flood hazard area zone shall overlay existing zoning districts delineated on the official City of Lowell Zoning Map. The boundaries of the flood hazard area zone shall coincide with the boundaries of the areas indicated as within the limits of the 100-year flood in the report entitled "The Flood Insurance Study, ~~City of Lowell,~~" ~~dated May 16, 1983 with accompanying flood insurance rate maps and flood boundary and floodway maps for Kent County, All Jurisdictions~~" and dated February 23, 2023 and the Flood Insurance Rate Map (FIRM) panel numbers shown on the index panels: ~~26081CIND1A and 26081CIND2A,~~ effective February 23, 2023. Within the flood hazard area zone a regulatory floodway shall be designated. The boundaries of the regulatory floodway shall coincide with the floodway boundaries indicated ~~on the flood boundary and floodway map on~~ the FIRM. The study and accompanying maps are adopted by reference, appended, and declared to be part of this ordinance. The term flood hazard area as used in this ordinance shall mean the flood hazard area zone and the term floodway shall mean the designated regulatory floodway.
- B. Where there are disputes as to the location of a flood hazard area zone boundary, the zoning board of appeals shall resolve the dispute.

- C. In addition to other requirements of this ordinance applicable to development in the underlying zoning district, compliance with the requirements of this chapter shall be necessary for all development occurring within the flood hazard area zone.

**Section 14.03 - Uses permitted.**

Formatted: Space Before: 12 pt, After: 6 pt

- A. Any use permitted in the underlying zoning district, whether by right or by special land use, shall be permitted within the Floodplain Overlay district in accordance with the standards and regulations of the underlying zoning district.
- B. The standards and regulations of this chapter shall also apply to any use proposed in the Floodplain Overlay district. Where there is a conflict between the provisions of this chapter and another applicable section of this ordinance, the more restrictive provisions shall control.

**Section 14.04 - Additional standards for development.**

Formatted: Space Before: 12 pt, After: 6 pt

- A. Development, including the erection of structures, ~~and~~ placement of manufactured homes, filling, grading, mining, dredging, paving, or storage of equipment or materials within the floodplain overlay district shall not occur except in accordance with the requirements of this ordinance and the following standards:

1. The requirements of this chapter shall be met.
2. The requirements of the underlying zoning district and applicable general provisions of this ordinance shall be met;
3. All necessary permits shall have been issued by the appropriate local, state, and federal authorities, including a floodplain permit, or letter of no authority from the Michigan Department of Natural Resources Environment Great Lakes and Energy, under authority of Act 451, of the Public Acts of 1994, as amended. ~~Where a permit cannot be issued prior to the issuance of zoning compliance permit, a letter from the issuing agency indicating intent to issue contingent only upon proof of zoning compliance shall be acceptable.~~
4. The proposed use and/or structure(s) shall be so designed as not to reduce the water impoundment capacity of the floodplain or significantly change the volume or speed of the flow of water.
5. Utilities, streets, off-street parking, railroads, structures, and buildings for public or recreational uses shall be designed so as not to increase the possibility of flood or be otherwise detrimental to the public health, safety, and welfare.

- B. Specific base flood elevation standards:

1. On the basis of the ~~most recent available base flood elevation data~~ Flood Insurance Rate Maps (FIRMs), all new construction and substantial improvements shall have the lowest floor, including basements, elevated at least one (1) foot above the flood level; ~~or for nonresidential structures, be constructed such that at or below base flood level, together with attendant utility and sanitary facilities, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that these standards are met and that the floodproofing methods employed are adequate to withstand the flood~~

Formatted: Indent: Left: 0.25", Hanging: 0.25", Line spacing: Multiple 1.15 li

~~depths, pressures, velocities, impact, and uplift forces and other factors associated with the base flood in the location of the structure. Such certification shall be submitted as provided in this ordinance and shall indicate the elevation to which the structure is floodproofed.~~

2. The most recent flood elevation data received from the Federal ~~Insurance and Mitigation Administration (FIMA)~~Emergency Management Agency (FEMA) shall take precedence over data from other sources.

**Section 14.05. - Data submission.**

Prior to the issuance of building permit for structures on or adjacent floodplain areas, the city manager shall require the applicant for such permit to submit an approved permit by the Michigan Department of Environment Great Lakes and Energy~~Natural Resources~~, topographic data, engineering studies, proposed site plan and/or other similar data needed to determine the possible effects of flooding on a proposed structure and/or the effect of the structure on the flow of water. All such required data shall be prepared by a registered professional civil engineer.

Formatted: Space Before: 12 pt, After: 6 pt

Formatted: Justified, Indent: First line: 0", Line spacing: Multiple 1.15 li

**Section 14.06. - City liability.**

The City of Lowell shall incur no liability whatsoever by permitting any use of building within the floodplain within the city.

Formatted: Space Before: 12 pt, After: 6 pt

**Section 14.07. - General standards for flood hazard reduction.**

- A. All new construction and substantial improvements within a flood hazard area, including the placement of prefabricated buildings and manufactured homes, shall:
  1. Have the lowest floor, including basement elevated one foot above the base flood elevation.
  2. Be designed and anchored to prevent flotation, collapse, or lateral movement of the structure;
  3. Be constructed with materials and utility equipment resistance to flood damage; and
  4. Be constructed by methods and practices that minimize flood damage.
- B. All new and replacement water supply systems shall minimize or eliminate infiltration of flood waters into the systems.
- C. All new and replacement sanitary sewage systems shall minimize or eliminate infiltration of flood waters into the systems and discharges from systems into flood waters. On-site waste disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.
- D. All public utilities and facilities shall be designed, constructed and located to minimize or eliminate flood damage.
- E. Adequate drainage shall be provided to reduce exposure to flood hazards.
- F. The zoning enforcement officer or his representative shall review development proposals to determine compliance with the standards of this section.
- G. Land shall not be divided in a manner creating parcels or lots which cannot be used in conformance with the requirements of this chapter.

Formatted: Space Before: 12 pt, After: 6 pt



- H The flood carrying capacity of any altered or relocated watercourses not subject to state or federal regulations designed to ensure flood carrying capacity shall be maintained.
- I. Available flood hazard data from federal, state, or other sources shall be reasonably utilized in meeting the standards of this chapter. Data furnished by the Federal Insurance Administration shall take precedence over data from other sources.
- J. In the event that the standards of this Chapter conflict with Appendix G of the Michigan Building Code, as amended, Appendix G shall control.

**Section 14.08. - Manufactured home standards.**

Formatted: Space Before: 12 pt, After: 6 pt

- A. All manufactured homes shall be elevated a minimum of 1 foot above the base flood elevation, anchored to resist floatation, collapse, or lateral movement by meeting the following specifications:
  - 1. Over the top ties shall be provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations, except that on manufactured homes less than fifty (50) feet in length one (1) tie per side shall be required.
  - 2. Frame ties shall be provided at each corner of the home with five (5) additional ties per side at intermediate points, except that on manufactured homes less than fifty (50) feet in length four (4) ties per side shall be required.
  - 3. All components of the anchoring systems shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.
  - 4. All additions to a manufactured home shall be similarly elevated and anchored.
- B. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the City of Lowell for manufactured home parks and subdivisions.
- C. Manufactured homes within zones A1—30the 100-year floodplain on the flood insurance rate map shall be located in accordance with the following standards:
  - 1. All manufactured homes shall be placed on stands or lots which are elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be one (1) foot above the base flood level.
  - 2. Adequate surface drainage away from all structures and access for a manufactured home hauler shall be provided.
  - 3. In the instance of elevation on pilings, lots shall be large enough to permit steps, piling foundations shall be placed in stable soil no more than ten (10) feet apart; and reinforcement shall be provided for piers more than six feet above ground level.
  - 4. In manufactured home parks and subdivisions which exist at the time of the adoption of this chapter is adopted, where repair, reconstruction or improvement of streets, utilities and pads equals or exceeds fifty (50) percent of the value of the streets, utilities, and pads before the repair, the standards of this chapter shall be met.
  - 5. In the event that the standards of this Chapter conflict with Appendix G of the Michigan Building Code, as amended, Appendix G shall control.

**Section 2. Amendment of Chapter 14A.** Chapter 14A “Rivers Edge District” of of Appendix A, “Zoning,” of the Code of Ordinance of the City of Lowell is amended to read as follows:

**CHAPTER 14A. - RIVER'S EDGE DISTRICT**

**Section 14A.01. - Purpose.**

This district is intended primarily to protect those undeveloped areas in the city that are subject to predictable and regular flooding, and therefore are generally unsuitable for permanent development. These areas are within the 100-year floodplain and are generally adjacent to the Grand River. It is the intent of this district to allow for limited activities and development that does not require the placement of buildings intended for human habitation. It is further the intent of this chapter to discourage development that would reduce reservoir capacity or would otherwise impede, retard, accelerate or change the direction of the flow of water.

**Section 14A.02. - Uses permitted.**

Land in the River's Edge district may be used for the following purposes as uses permitted by right:

- A. Open space uses such as farms, nurseries, parks, playgrounds, golf courses, nature preserves, horse trails, natural trails, and recreational uses, provided no alteration is made to the existing level of the floodplain or the erection of a structure which may interfere with the flow of the river or floodplain capacity.
- B. Accessory buildings and uses, provided that the standards of section 4.08 are met.

**Section 14A.03 - Special land uses.**

- A. Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources.
- B. Adult use marihuana establishments.

**Section 14A.04 - District regulations.**

Front yard	30 feet
Side yard	20 feet
Rear yard	35 feet
Building height	35 feet or 2½ stories
Minimum lot area	20,000 square feet
Minimum lot width	125 feet

**Section 14A.05 - Additional standards for development.**

**Formatted:** Font: (Default) Times New Roman, Bold

**Formatted:** Font: (Default) Times New Roman, 11 pt, Bold

**Formatted:** Justified, Indent: First line: 0", Line spacing: Multiple 1.15 li

A. Development permitted by sections 14B.02 and 14B.03 above shall only be permitted in accordance with the requirements of this chapter, including all applicable overlay districts, and the following standards:

1. All necessary development permits shall have been issued by appropriate local, state, and federal authorities, including a floodplain permit, approval, or letter of no authority from the Michigan Department of ~~Environment, Great Lakes, and Energy Natural Resources~~ under authority of Act 451, of the Public Acts of 1994, as amended. Where a development permit cannot be issued prior to the issuance of zoning compliance permit, a letter from the issuing agency indicating intent to issue contingent only upon proof of zoning compliance may be acceptable.
2. Utilities, streets, off-street parking, structures, and buildings for public or recreational uses and any other proposed uses and/or structure(s) shall be designed as not to reduce the water impoundment capacity of the floodplain, significantly change the volume or speed of the flow of water or be otherwise detrimental to the public health, safety and welfare.

**Section 3. Publication.** After its adoption, the Deputy City Clerk shall publish this ordinance or a summary thereof, as permitted by law, along with its date of adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

**Section 4. Effective Date.** This ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published in the *Lowell Ledger*, a newspaper of general circulation in the City.

YEAS: Councilmembers \_\_\_\_\_  
\_\_\_\_\_

NAYS: Councilmembers \_\_\_\_\_

ABSTAIN: Councilmembers \_\_\_\_\_

ABSENT: Councilmembers \_\_\_\_\_

**ORDINANCE DECLARED ADOPTED.**

Dated: \_\_\_\_\_

Susan Ullery  
City Clerk

**CERTIFICATION**

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City"), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on \_\_\_\_\_, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents and its effective date, was published in the *Lowell Ledger*, on \_\_\_\_\_, 2022. I further certify that the above ordinance was entered into the Ordinance Book of the City on \_\_\_\_\_, 2022, and was effective \_\_\_\_\_, 2022, ten (10) days after publication.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
Susan Ullery  
City Clerk

<b>2022</b>				
<b>Open Date</b>	<b>Close Date</b>	<b>Address</b>	<b>Name/Business</b>	<b>Subject</b>
01/19/2022	01/19/2022	204 W. Main	Richard Craig	Remodel
04/06/2022	04/06/2022	825 Hunt Street	Angela Ingram	Re-roof
04/14/2022	04/19/2022	510 Kent Street	Ridgeline Construction	Deck
04/20/2022	04/21/2022	671 Birchwood Ct	Max Hilton Builders	Deck
04/21/2022	05/02/2022	755 Alden Nash	Dan Godinez	Shed
04/26/2022	05/10/2022	151 S. Center	Paul Dykema	New Home
05/10/2022	05/11/2022	506 Avery	Paul Schramm	Deck
05/17/2022	05/18/2022	1150 Sibley	Todd West	Basement Finish
06/08/2022	06/08/2022	2523 Gee Drive	Glen Groeneweg	Pool
06/13/2022	06/13/2022	249 Elizabeth Dean	Stacy VandenAkker	Roof
06/27/2022	06/27/2022	2111 W. Main	Tractor Supply	Inside Remodel
07/08/2022	07/08/2022	1300 Jane Ellen	Isaac Towner	Deck
07/19/2022	07/19/2022	2420 Gee Drive	John and Lori Gerard	Re-roof
08/03/2022	08/03/2022	1625 Sibley	Shane Chidester	Reside and Re-roof
08/10/2022	08/15/2022	147 N. Center	Straight Line Fence	Fence
08/19/2022	08/23/2022	429 N. Jefferson	Heidi Lynne	Renovation
08/17/2022	08/24/2022	421 N. Jefferson	Margaret Hoats	Pool demolition
09/08/2022	09/08/2022	901 W. Main	DCK Leasing	Parking lot replacement
10/08/2022	10/18/2022	770 Hunt	Thomas McBride	Accessory Building
10/25/2022	10/26/2022	632 Birchwood Ct.	Thomas McClurg	Remodel Inside
10/26/2022	10/26/2022	1150 Bowes	City of Lowell – Dog Park	Shelter – Small Dog