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PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
AGENDA

FOR THE REGULAR MEETING OF
MONDAY, SEPTEMBER 10, 2018 AT 7:00 P.M.

AT THE
LOWELL CITY HALL
CITY COUNCIL CHAMBERS
SECOND FLOOR
301 EAST MAIN STREET

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
 - a. August 13, 2018 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
 - a. Residential Zoning Districts Review - Updated
6. NEW BUSINESS

No new business
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, AUGUST 13, 2018 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 Commissioner Chair Bruce Barker.

Present: Commissioners David Cadwallader, Marty Chambers, Tony Ellis, Amanda Schrauben, Collin Plank and Chair Bruce Barker.

Absent: Commissioner Marty Chambers.

Also Present: City Clerk Susan Ullery and Andy Moore with William & Works.

2. APPROVAL OF ABSENCES.

IT WAS MOVED BY CADWALLADER and seconded by SCHRAUBEN to excuse the absence of Commissioner Chambers.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

3. APPROVAL OF AGENDA.

IT WAS MOVED BY CADWALLADER and seconded by ELLIS to approve the agenda as written.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

4. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING.

IT WAS MOVED BY CADWALLADER and seconded by ELLIS to approve the minutes of the July 9, 2018 regular meeting as written.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

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

There were none.

6. OLD BUSINESS.

There was none.

7. NEW BUSINESS.

a. Winick – Site Plan Review – Ada Lowell Self Storage LLC

Mike Winick who owns Ada Lowell Self Storage addressed the Commissioners and explained he would like to add building #4 of the 4th and final phase, but would like it to be 10' in width (but the same length as the other three buildings).

Andy Moore with William & Works explained this is a very simple review, not a full site plan as in the past. The applicant is requesting that an additional 10 feet be added to this fourth building and that the 10-foot-wide driveway be located 10 feet to the west of the current plan. The entire site (including the fourth building) was approved several years ago, but due to the proposed enlargement of this final building, review by Planning Commission is required per Section 18.09 of the Zoning Ordinance.

SITE PLAN REVIEW

1. Dimensional Requirements. The property meets the minimum lot area and width requirements for the L-1 District outlined in Sections 12A.04. It also meets the 20-foot minimum for a side abutting other Districts. With the 10-foot addition to the proposed fourth building, there are still 47 feet between the side yard edge and the proposed fourth building.
2. Building Height. The applicant has indicated that the building will be one (1) story. Because the maximum building height in the L-1 district is 40 feet according to Section 12A.04, this requirement will be met.
3. Lot Coverage. Section 12A.04 permits a maximum lot coverage of 60% in the L-1 District, Including building and parking areas. This requirement will still be met with the additional 10 feet added onto the proposed building.
4. Parking. Due to the type of use on this site, there are no proposed parking spaces.
5. Storm Drainage. A retention pond is located on the front of the site to provide storm water drainage.
6. Exterior Lighting. There is no proposed exterior lighting on the site.
7. Signage. There is no proposed exterior lighting on the site.

Section 18.06 of the Zoning Ordinance sets forth six standards that must be utilized by the Planning Commission when they review site plans. Those standards along with remarks are as follows:

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall be planned to take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

Remarks: All the Commission agreed these standards are met.

- B. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

Remarks: All the Commission agreed these standards are met.

- C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within the City of Lowell.

Remarks: All the Commission agreed these standards are met.

- D. Removal or alteration of significant natural features shall be restricted to those areas, which are reasonably necessary to develop the site in accordance with the requirements of this ordinance. The Planning Commission requires that approved landscaping, buffers, and/or greenbelts be continuously maintained to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

Remarks: All the Commission agreed these standards are met.

- E. Satisfactory assurance shall be provided that the requirements of all other applicable ordinances, codes, and requirements of the City of Lowell will be met.

Remarks: All the Commission agreed these standards are met.

- F. The general purposes and spirit of this ordinance and the Comprehensive Plan of the City of Lowell shall be maintained.

Remarks: All the Commission agreed these standards are met.

At the August 13 Planning Commission meeting, Andy Moore with Williams & Works recommends the approval of the Special Land Use request with five special conditions which are as follows:

1. No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
2. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow and other fees related to the request.
3. The applicant shall maintain all required state, federal, and local permits and approvals.
4. The applicant shall comply with the stipulations of the City Fire Department and any other applicable emergency personnel regarding emergency access to the new structure.
5. The applicant shall indicate the total area of each unit on the site plan. (1,100 sq. ft. for each unit).

By consensus, all the Commission agreed that all the requirements had been met.

IT WAS MOVED BY CADWALLADER and seconded by PLANK to approve the special land use at 215 W. Main as presented with the stated five special conditions.

ROLL CALL: COMMISSIONER BREIMAYER, COMMISSIONER CADWALLADER, COMMISSIONER ELLIS, COMMISSIONER PLANK, COMMISSIONER SCHRAUBEN, AND CHAIR BARKER.

YES: 6. NO: NONE. ABSENT: 1. MOTION CARRIED.

b. Residential Zoning Districts Review- Updated.

Andy Moore with William & Works reviewed and recommended changes to the residential zoning districts and associated land use definitions in the City of Lowell Zoning Ordinance. The language, organized by chapter, includes additions (highlighted) and deletions (~~striketthrough~~) to existing Zoning Ordinance text.

The Commissioners had discussion; Moore will clean up and make changes from today's meeting, he will add a diagram that simulates a plan view from above (showing the typical layout, the street, the sidewalk, the front yard, what the building envelope is) so people can visualize to help understand the ordinance better. The Planning Commissioners will then continue their review at the next meeting.

8. STAFF REPORT.

No Comments

9. COMMISSIONERS REMARKS.

There was none.

10. ADJOURNMENT.

IT WAS MOVED BY CADWALLADER to adjourn at 8:02 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan S. Ullery, City Clerk

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: September 10, 2018
From: Andy Moore, AICP
Nathan R. Mehmed, AICP
RE: Residential Zoning Districts Review – Proposed Amendments

The purpose of this memorandum is to provide an edited version of the residential zoning districts and associated land use definitions in the City of Lowell Zoning Ordinance based upon the changes discussed during the August Planning Commission meeting. The following language, organized by chapter, includes additions and edits (highlighted) to existing Zoning Ordinance text and removes language as prescribed in the previous memo.

CHAPTER 2. – DEFINITIONS

Cemetery. One (1) or a combination of more than one (1) of the following: a burial ground for earth interments, a mausoleum for crypt entombments, or a columbarium for the inurnment of cremated remains. For the purposes of this ordinance, a cemetery does not include a crematorium.

Convalescent or nursing home. A facility licensed as a “nursing home” by the State Department of Public Health under Article 17 of the Public Health Code, Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.2010 et seq., MSA 14.15 (20101) et seq.), as amended. A “nursing home” shall include an extended care facility, hospice, and convalescent home.

Child Care Home

1. Family Child Care Home (1-6 Children). A private home in which one (1), but fewer than seven (7) minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Family day care homes include a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year.
2. Group Child Care Home (7+ Children). A private home in which more than six (6), but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. A group day care home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year.

Farm. The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Farm Operation. The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, and includes, but is not limited to:

- A. Marketing produce at roadside stands or farm markets.
- B. The generation of noise, odors, dust, fumes, and other associated conditions.
- C. The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of vehicles, machinery, equipment, and farm products and associated inputs necessary for farm operations on the roadway as authorized by the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.
- D. Field preparation and ground and aerial seeding and spraying.
- E. The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides.
- F. Use of alternative pest management techniques.
- G. The fencing, feeding, watering, sheltering, transportation, treatment, use, handling and care of farm animals.
- H. The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.
- I. The conversion from a farm operation activity to other farm operation activities.
- J. The employment and use of labor.

Farm Product. Those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan Department of Agriculture and Rural Development.

Adult Foster Care Facility. a governmental or nongovernmental establishment that provides foster care to adults. Subject to section 26a(1), adult foster care facility includes facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing care. Adult foster care facility does not include any of the following:

- A. A nursing home licensed under article 17 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260.
- B. A home for the aged licensed under article 17 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260.
- C. A hospital licensed under article 17 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260.
- D. A hospital for the mentally ill or a facility for the developmentally disabled operated by the department of health and human services under the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106.
- E. A county infirmary operated by a county department of health and human services under section 55 of
- F. the social welfare act, 1939 PA 280, MCL 400.55.
- G. A child caring institution, children's camp, foster family home, or foster family group home licensed or approved under 1973 PA 116, MCL 722.111 to 722.128, if the number of residents who become 18 years of age while residing in the institution, camp, or home does not exceed the following:
 - 1. Two, if the total number of residents is 10 or fewer.
 - 2. Three, if the total number of residents is not less than 11 and not more than 14.
 - 3. Four, if the total number of residents is not less than 15 and not more than 20.
 - 4. Five, if the total number of residents is 21 or more.
- H. A foster family home licensed or approved under 1973 PA 116, MCL 722.111 to 722.128, that has a person who is 18 years of age or older placed in the foster family home under section 5(7) of 1973 PA 116, MCL 722.115.
- I. An establishment commonly described as an alcohol or a substance use disorder rehabilitation center, a residential facility for persons released from or assigned to adult correctional institutions, a maternity home, or a hotel or rooming house that does not provide or offer to provide foster care.
- J. A facility created by 1885 PA 152, MCL 36.1 to 36.12.
- K. An area excluded from the definition of adult foster care facility under section 17(3) of the continuing care community disclosure act, 2014 PA 448, MCL 554.917.

Foster care

- A. Adult Foster Care Family Home (1-6 Adults). A private residence with the approved capacity to receive 6 or fewer adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks. The adult foster care family home licensee shall be a member of the household, and an occupant of the residence.

B. Adult Foster Care Small Group Home (1-12 Adults). An adult foster care facility with the approved capacity to receive 12 or fewer adults to be provided with foster care.

C. Adult Foster Care Large Group Home (13-20 Adults). An adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults to be provided with foster care.

Greenhouse and Nursery. A retail or wholesale business whose principal activity is the display and sales of plants grown on the site within an enclosed building (greenhouse) or outdoors (nursery).

Golf course. A use consisting of regulation and par 3 golf courses having nine or more holes, and accessory facilities and uses, including driving ranges, clubhouses with bar and restaurant; locker and shower facilities; "pro shops" for on-site sales of golfing equipment and clothing; and golf cart storage facilities.

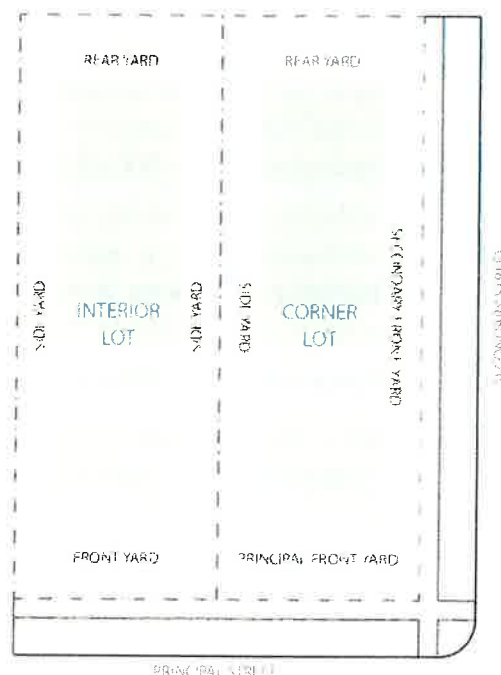
Lot lines. The lines bounding a lot as defined herein:

- A. Front lot lines. In the case of an interior lot, it is the line separating the lot from the street. In the case of a through lot, it is that line separating said lot from either street.

A corner lot shall have two (2) front lot lines: a principal front lot line and a secondary front lot line. The principal front lot line shall be the shorter of the two (2) lot lines. Where the lot lines are of equal length, and/or the principal front lot line is not evident, then the zoning administrator shall determine the principal front lot line.

General provisions.

1. The secondary front lot setback shall be one-half ($\frac{1}{2}$) of the principal front lot setback.
2. The required front setback shall be measured from both the principal and secondary front lot lines. For a corner lot with three (3) front setbacks, the remaining setback shall be a rear setback.
3. The remaining setbacks shall be a rear and a side setback. The rear setback shall be measured from the rear lot line, which in the case of a corner lot, shall be the lot line opposite the principal front lot line.
4. The width of a corner lot shall be determined by the entire length of that front lot line which is opposite the rear lot line.



Public recreation facility.

- A. Indoor. A facility providing a variety of indoor recreational opportunities including, but not limited to: gymnasium, swimming pool, tennis, racquetball and/or handball courts, batting cages, and other indoor sports activities. This use includes all not-for-profit organizations chartered to provide community-based recreation services.
- B. Outdoor. A facility providing a variety of outdoor recreational opportunities including, but not limited to: athletic fields, playground equipment, tennis and basketball courts, swimming pools, boat ramps and fishing piers, and areas for passive recreation such as hiking trails, picnic areas and bird blinds. This use includes all not-for-profit organizations chartered to provide community-based recreation services.

Riding stable. A structure or land use in or on which equines are kept for sale or hire to the public. Breeding, boarding, or training equines may also be conducted.

Roadside stand. An accessory structure for the seasonal retail sale of products grown on the site only, with no space for customers within the structure itself.

CHAPTER 5. – SR – SUBURBAN RESIDENTIAL DISTRICT

SECTION 5.01. - DESCRIPTION AND PURPOSE.

This district is intended for residential uses on lots that are generally larger than those found in more developed areas of the city. The purpose of this district is to foster an open space character of the lands within this district, minimizing public service costs, limiting urban influence, and preserving natural features. Certain compatible, nonresidential uses may also be permitted within the district.

SECTION 5.02. – USES PERMITTED BY RIGHT.

Land and/or buildings in the SR District may be used for the following purposes as uses permitted by right:

- A. Farms and farm operations, including roadside stands.
- B. Single-family dwellings.
- C. Adult foster care family homes and adult foster care small group homes.
- D. Family child care homes. (1-6 children).
- E. Home occupations in accordance with the requirements of section 4.11.
- F. Public outdoor recreation facilities.
- G. Cemeteries.
- H. Accessory buildings, structures and uses customarily incidental to any of the above uses permitted by right, or special land uses.

SECTION 5.03. – SPECIAL LAND USES.

Land and/or buildings in the SR District may be used for the following purposes following review by the planning commission as a special land use as regulated by Chapter 17:

- A. Country clubs, golf courses, riding stables, and private athletic grounds and parks, and other similar uses, including related uses, such as snack bars or small retail shops selling goods directly related to the primary use.
- B. Commercial greenhouses and nurseries, when operated primarily as wholesaling operations and limited retail sales.
- C. Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources.
- D. Kennels.
- E. Radio and television transmitting buildings and towers.
- F. Bed and breakfast establishments.

- G. Institutional uses including schools, churches, libraries, community center buildings, and other similar uses.
- H. Funeral homes and mortuary establishments.
- I. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- J. Group child care homes (7-12 children).
- K. Child care centers.

SECTION 5.04. - DISTRICT REGULATIONS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

Minimum front yard setback ¹	30 feet
Minimum side yard setback ²	20 feet total/8 feet minimum ³
Minimum rear yard setback ⁴	35 feet
Maximum building height ⁵	35 feet or 2½ stories, whichever is less
Maximum Lot coverage ⁶	35%
Minimum lot area ⁷	23,000 square feet
Minimum lot width ⁸	125 feet
Minimum dwelling unit floor area ⁹	1,500 square feet DFA

¹ See Section 2.23 for definition of "Front yard."

² See Section 2.23 for definition of "Side yard."

³ In the case of corner lots, the minimum setback of 8 feet for side yards shall apply.

⁴ See Section 2.23 for definition of "Rear yard."

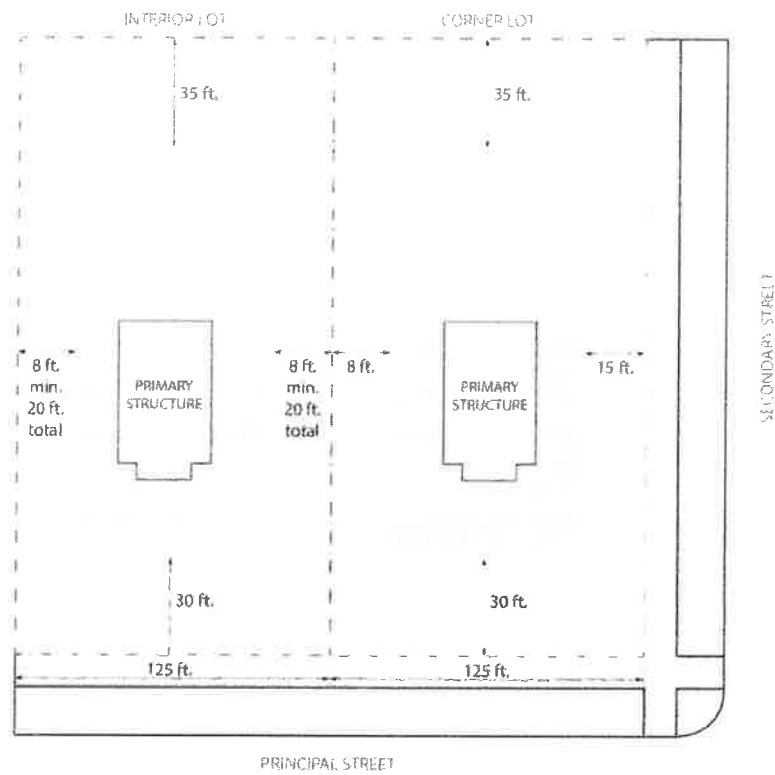
⁵ See Section 2.09 for definition of "Height."

⁶ See Section 2.13 for definition of "Lot coverage."

⁷ See Section 2.13 for definition of "Lot area."

⁸ See Section 2.13 for definition of "Lot width."

⁹ See Section 2.09 for definition of "Floor area, dwelling (DFA)."



CHAPTER 6. – R-1 RESIDENTIAL DISTRICT

SECTION 6.01. - DESCRIPTION AND PURPOSE.

This district is primarily intended for residential uses on moderate sized lots. Its purpose is to foster stable neighborhoods and to minimize the encroachment of incompatible uses. Certain related non-residential uses are also provided.

SECTION 6.02. – USES PERMITTED BY RIGHT.

Land and/or buildings in the R-1 District may be used for the following purposes as uses permitted by right:

- A. Single-family dwellings.
- B. Adult foster care family homes or small group homes
- C. Family child care homes. (1-6 children)
- D. Home occupations in accordance with the requirements of section 4.11.
- E. Public outdoor recreation facilities
- F. Cemeteries.
- G. Accessory buildings, structures and uses customarily incidental to any of the above uses permitted by right, or special land uses.

SECTION 6.03. – SPECIAL LAND USES.

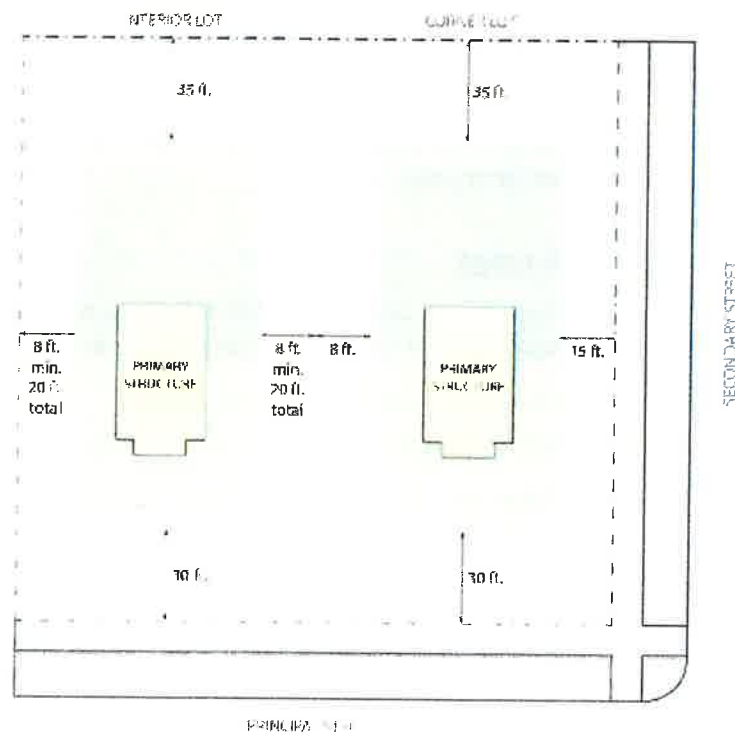
Land and/or buildings in the R-1 District may be used for the following purposes following review by the planning commission as a special land use as regulated by Chapter 17:

- A. Adult foster care small or medium group homes (7-12 adults).
- B. Group child care home (7-12 children).
- C. Bed and breakfast establishments.
- D. Institutional uses including schools, churches, libraries, community center buildings, and other similar uses.
- E. Public or private campgrounds.
- F. Funeral homes and mortuary establishments.
- G. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- H. Child care center.

SECTION 6.04. - DISTRICT REGULATIONS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

Minimum front yard setback ¹	30 feet
Minimum side yard setback ²	Single-family dwellings - 20 feet total/8 feet minimum ³ Non-residential buildings - 30 feet
Minimum rear yard setback ⁴	25 feet
Maximum building height ⁵	35 feet or 2½ stories
Maximum lot coverage ⁶	35%
Minimum lot area ⁷	9,750 square feet
Minimum lot width ⁸	75 feet
Minimum dwelling unit floor area ⁹	1,500 square feet DFA



- ¹ See Section 2.23 for definition of "Front yard."
- ² See Section 2.23 for definition of "Side yard."
- ³ In the case of corner lots, the minimum setback of 8 feet for side yards shall apply.
- ⁴ See Section 2.23 for definition of "Rear yard."
- ⁵ See Section 2.09 for definition of "Height."
- ⁶ See Section 2.13 for definition of "Lot coverage."
- ⁷ See Section 2.13 for definition of "Lot area."
- ⁸ See Section 2.13 for definition of "Lot width."
- ⁹ See Section 2.09 for definition of "Floor area, dwelling (DFA)."

CHAPTER 7. – R-2 RESIDENTIAL DISTRICT

SECTION 7.01. – DESCRIPTION AND PURPOSE.

This district is primarily intended for residential uses and related non-residential uses in traditional neighborhoods with smaller lots. The purpose of this district is to provide additional housing opportunities by providing a variety of housing options, including single- and two-family dwellings.

SECTION 7.02. – USES PERMITTED BY RIGHT.

Land and/or buildings in the R-2 District may be used for the following purposes as uses permitted by right:

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Adult foster care family homes and small group homes
- D. Family child care homes (1-6 children).
- E. Home occupations in accordance with the requirements of section 4.11.
- F. Public outdoor recreation facilities
- G. Cemeteries.
- H. Accessory buildings, structures and uses customarily incidental to any of the above uses permitted by right, or special land uses.

SECTION 7.03. – SPECIAL LAND USES.

Land and/or buildings in the R-2 District may be used for the following purposes following review by the planning commission as a special land use as regulated by Chapter 17:

- A. Multiple-family dwellings.
- B. Public or private campgrounds.
- C. Institutional uses including schools, churches, libraries, community center buildings, and other similar uses.
- D. Funeral homes and mortuary establishments.
- E. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- F. Bed and breakfast establishments.
- G. Group day care home (7-12 children).
- H. Child care center.

SECTION 7.04. – DISTRICT REGULATIONS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

Minimum front yard setback ¹	20 feet
Minimum side yard setback ²	Single- and two-family dwellings – 15 feet total/6 feet minimum ³ Non-residential buildings – 20 feet Multiple-family dwellings – 20 feet or equal to the height of the building, whichever is greater
Minimum rear yard setback ⁴	25 feet
Maximum building height ⁵	35 feet or 2½ stories
Maximum Lot coverage ⁶	35%
Minimum lot area ⁷	Single- and two-family dwellings – 8,200 square feet Multiple-family dwelling – 12,000 square feet for the first 4 units plus 2,500 square feet for each unit over 4. Overall net density shall not exceed six (6) units per acre
Minimum lot width ⁸	Single-family dwellings – 66 feet Two-family and multiple-family dwellings – 100 feet ^[DM1]
Minimum dwelling unit floor area ⁹	Single- and two-family dwellings – 1,000 square feet DFA per unit/700 square feet DFA per unit on the ground floor Multiple-family dwellings – 500 square feet + 150 square feet per bedroom DFA per unit

¹ See Section 2.23 for definition of "Front yard."

² See Section 2.23 for definition of "Side yard."

³ In the case of single- and two-family dwellings on corner lots, the minimum setback of 6 feet for side yards shall apply.

⁴ See Section 2.23 for definition of "Rear yard."

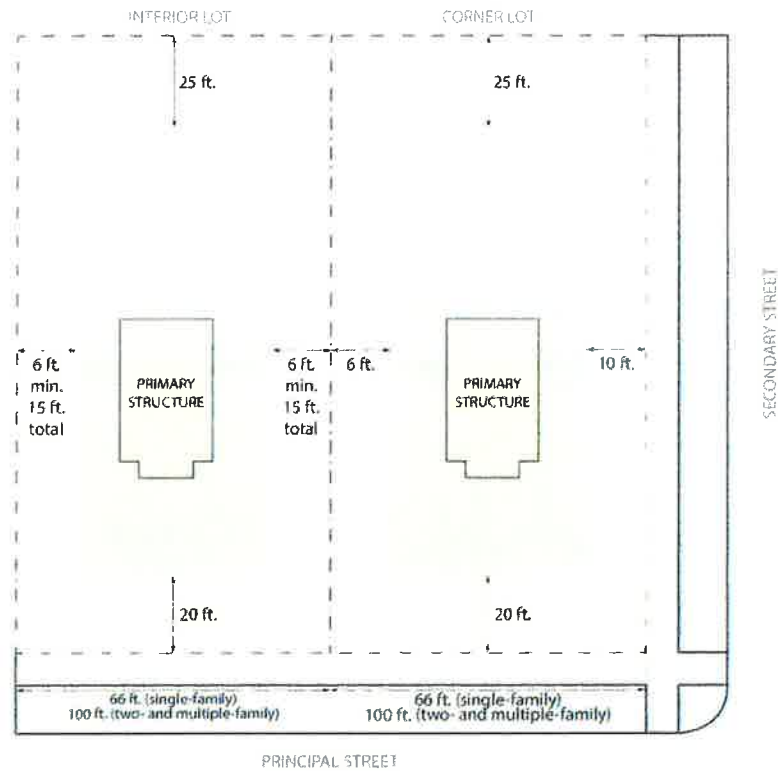
⁵ See Section 2.09 for definition of "Height."

⁶ See Section 2.13 for definition of "Lot coverage."

⁷ See Section 2.13 for definition of "Lot area."

⁸ See Section 2.13 for definition of "Lot width."

⁹ See Section 2.09 for definition of "Floor area, dwelling (DFA)."



CHAPTER 8. – R-3 RESIDENTIAL DISTRICT

SECTION 8.01. – DESCRIPTION AND PURPOSE.

This district is intended for medium to high density residential uses and related non-residential uses. The purpose of this district is to provide additional housing opportunities by providing a variety of housing options, including single-family, two-family, and multiple-family dwellings.

SECTION 8.02. – USES PERMITTED BY RIGHT.

Land and/or buildings in the R-3 District may be used for the following purposes as uses permitted by right:

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Multiple-family dwellings.
- D. Adult foster care family homes and small group homes.
- E. Family day care homes. (1-6 children).
- F. Home occupations in accordance with the requirements of section 4.11.
- G. Public outdoor recreation facilities
- H. Cemeteries.
- I. Convalescent or nursing homes.
- J. Accessory buildings, structures and uses customarily incidental to any of the above uses permitted by right, or special land uses.

SECTION 8.03. – SPECIAL LAND USES.

Land and/or buildings in the R-3 District may be used for the following purposes following review by the planning commission as a special land use as regulated by Chapter 17:

- A. Public or private campgrounds.
- B. Institutional uses including schools, churches, libraries, community center buildings, and other similar uses.
- C. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- D. Bed and breakfast establishments.
- E. Group child care homes (7-12 children).
- F. Adult foster care large group homes (13-20 adults).
- G. Child care center

SECTION 8.04. – DISTRICT REGULATIONS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

Minimum front yard setback ¹	20 feet
Minimum side yard setback ²	Single- and two-family dwellings – 13 feet total/5 feet minimum ³ Multiple-family dwellings – 20 feet or equal to the height of the building, whichever is greater Non-residential buildings – 20 feet
Minimum rear yard setback ⁴	25 feet
Maximum building height ⁵	35 feet or 2½ stories
Maximum Lot coverage ⁶	35%
Minimum lot area ⁷	Single- and two-family dwellings - 8,200 square feet Two-family dwelling - 9,000 square feet Multiple-family dwelling - 12,000 square feet for the first 4 units plus 2,500 square feet for each unit over 4. Overall net density shall not exceed ten units per acre
Minimum lot width ⁸	Single-family dwellings - 66 feet Two-family dwellings - 80 feet Multiple-family dwellings – 100 feet
Minimum dwelling unit floor area ⁹	Single- and two-family dwellings - 1,000 square feet DFA per unit/700 square feet DFA per unit on the ground floor Multiple-family dwellings - 500 square feet plus 150 square feet per bedroom DFA per unit

¹ See Section 2.23 for definition of "Front yard."

² See Section 2.23 for definition of "Side yard."

³ In the case of single- and two-family dwellings on corner lots, the minimum setback of 5 feet for side yards shall apply.

⁴ See Section 2.23 for definition of "Rear yard."

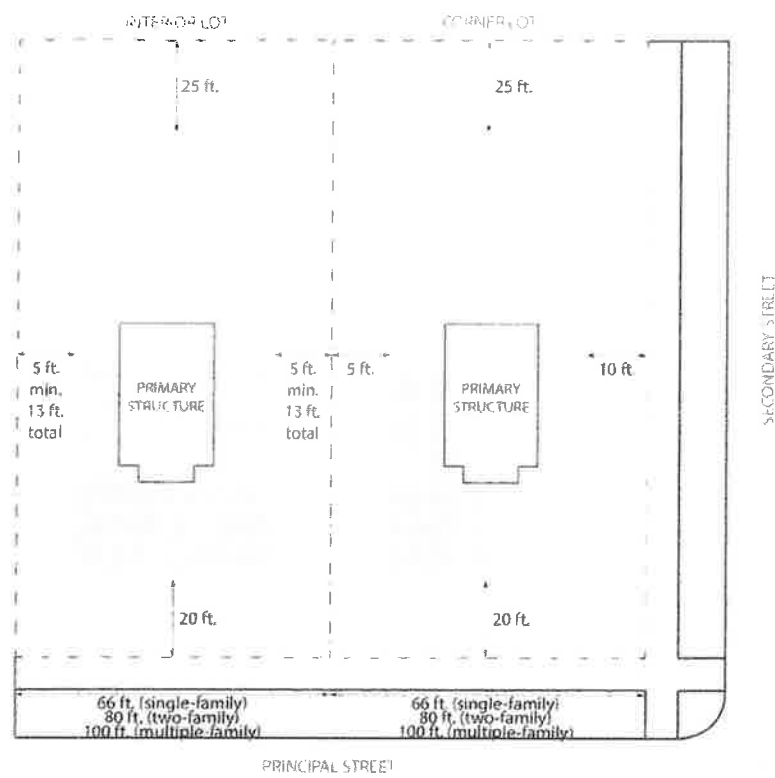
⁵ See Section 2.09 for definition of "Height."

⁶ See Section 2.13 for definition of "Lot coverage."

⁷ See Section 2.13 for definition of "Lot area."

⁸ See Section 2.13 for definition of "Lot width."

⁹ See Section 2.09 for definition of "Floor area, dwelling (DFA)."



CHAPTER 9. – MHP – MANUFACTURED HOME PARK DISTRICT

SECTION 9.01. - SCOPE.

- B. This district is intended for the preservation of the interests of various types of residential developments which should be permitted in every community and for the protection to the residents of any manufactured home park development, these regulations are considered to be minimum standards to be applied to all manufactured home park developments in the city.
- C. All manufactured home parks shall comply with the applicable requirements of Act 419 of the Public Acts of Michigan of 1976, as amended, provided further that said developments meet the standards, conditions and all other provisions herein.

CHAPTER 17. – SPECIAL LAND USES

SECTION 17.04. – DESIGN SITE STANDARDS

- I. Group foster care home (7-12 adults).
- J. Group child care home (7-12 children).
- EE. Child care center

- 1. A child care center shall be licensed by the Michigan Department of Licensing and Regulatory Affairs (LARA) as a child care center under the terms of the Child Care Organizations Act, Act 116 of the Public Acts of Michigan of 1973, as amended, or its successor statute. Copies of current licenses shall be submitted to the City promptly after a license has been issued or renewed.
- 2. Building and site development requirements.
 - a. The minimum lot size shall be 20,000 square feet and shall comply with minimum lot width requirements of the zoning district.
 - b. An outdoor play area shall be provided pursuant to the State of Michigan Department of Human Services' Licensing Rules for Child Care Centers.
 - c. All on-site outdoor play areas shall be fenced.
- 3. Circulation and parking.
 - a. Vehicle entrances and exits shall be designed, configured, and located so that safety for vehicle occupants and pedestrians is maximized. The Planning Commission may require terms and conditions regarding the design and placement of site entrances and exits, parking areas, drive aisles, sidewalks, and other pedestrian areas, including those where children may congregate while entering a building or waiting to be picked up.

- b. Child drop-off and pick-up parking spaces shall be provided along with a designated pedestrian route to the main building entrance. At least four such parking spaces shall be provided per 20 children based on licensed capacity. These spaces may be counted toward parking space requirements.

CHAPTER 15. - PUD - PLANNED UNIT DEVELOPMENT DISTRICT

SECTION 15.01. - DESCRIPTION AND PURPOSE.

- A. The use, area, height, bulk, and placement regulations of this ordinance are primarily applicable to the usual situation of one (1) principal building on a lot. In certain large developments, these requirements might result in situations less in the interest of public health, safety, and welfare than if a controlled degree of flexibility were allowed. The planned unit development (PUD) is intended to permit and control the development of planned areas for various compatible uses allowed by the zoning ordinance and for other exceptional uses not so provided.
- B. It is intended that uses in a PUD shall afford each type of land use reasonable protection from encroachment or interference by other incompatible land uses, and that reasonable protection be afforded to uses adjacent to a PUD.
- C. Under this chapter, all proceedings shall be conducted with due consideration for maintenance of reasonable conditions regarding emission and transmission of injurious or obnoxious noise, fire or explosion hazard, liquid or solid waste disposal, vibration, gas fumes, smoke, dust, dirt, litter, odor, light, glare, traffic congestion, ingress and egress, ease of police and fire protection, drainage, lateral land support, blighting influence, effect on property values, light and air, overcrowding of persons, sanitation, general appearance of the area, surface and ground water quality, and other similar considerations having an effect on public health, safety and general welfare of the people of the surrounding area.

(Ord. No. 95-06, § 1, 12-27-95)

SECTION 15.02. - OBJECTIVES AND QUALIFYING CONDITIONS.

- A. The following objectives shall be met by any application for any PUD in order to realize the inherent advantages of coordinated, flexible, comprehensive, long-range, planning and development of such planned development:
 - ~~1. To provide more desirable living, shopping and working environments by preserving as much of the natural character of the property as possible, including, but not limited to, open space, stands of trees, brooks, ponds, floodplains, hills and similar natural assets.~~
 - ~~2.1.~~ To encourage the provision of open space and the development of recreational and, where included in the plan, other support facilities in a generally central location within reasonable distance of all living units.
 - ~~3.2.~~ To encourage developers to use a more creative and imaginative approach in the development of areas ~~property~~.
 - ~~4.3.~~ To encourage underground utilities which can be more efficiently designed when master planning a larger area.
 - ~~5.4.~~ To allow phased construction with the knowledge that subsequent phases will be approved as originally planned and approved by the city.
 - ~~6.5.~~ To promote flexibility in design and permit planned diversification in the location of structures.

~~7.6.~~ To promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land use and utilities.

~~8.7.~~ To combine and coordinate architectural styles, building forms, and building relationships within the PUD.

~~9.8.~~ To ensure a quality of construction commensurate with other developments within the city.

B. Qualifying conditions.

1. The tract of land for which a PUD application is received must be either in one (1) ownership or the subject of an application filed jointly by the owners of all affected properties.

~~2. The property which is the subject of a PUD application must be a minimum of five (5) contiguous acres in total area.~~

~~3.2.~~ To be considered as a PUD the proposed development must fulfill at least one (1) of the following conditions:

a. The PUD contains two (2) or more separate and distinct uses, for example, single-family and multiple-family dwellings, mixed land uses, etc.;

b. The PUD site exhibits significant natural features encompassing at least twenty-five (25) percent of the land area of the PUD which will be preserved as a result of the PUD plan.

c. The PUD is designed to preserve in perpetuity at least sixty (60) percent of the total area of the site in open space.

d. The PUD constitutes a significant redevelopment of an underutilized or vacant property where conventional development may not be feasible.

~~6.C.~~

(Ord. No. 95-06, § 1, 12-27-95)

SECTION 15.03. - APPLICATION PROCEDURES.

A. An application for a planned unit development shall be submitted and acted upon as a rezoning in accordance with the requirements of this ordinance, and as noted in this chapter.

B. An application for planned unit development shall be accompanied by a statement with regard to compliance with the criteria required for approval in section 15.04, and other criteria imposed by this ordinance affecting the planned unit development under consideration.

C. Review and approval. The planning commission shall review the application for a planned unit development, comments received at the public hearing, the site plan, and other materials submitted in relation to the application, and recommend to the city council denial, approval, or approval with conditions, the planned unit development application in accordance with the purpose of this chapter and the criteria for approval stated in section 15.04, and such standards contained in this ordinance which relate to the planned unit development under consideration, including those for site plan review. The planning commission shall prepare a report stating its conclusions on the request for a planned unit

development, the basis for this recommendation, and any conditions relating to an affirmative recommendation.

- D. Upon the approval, or approval with conditions by the city council, the applicant may apply for preliminary plat approval, condominium approval, private road approval, if—as applicable.

D-E. Approval of PUD pursuant to this Chapter shall constitute an amendment to the City of Lowell Zoning Map

(Ord. No. 95-06, § 1, 12-27-95)

SECTION 15.04. - BASIS OF DETERMINATION.

Prior to approval of a planned unit development application, the planning commission and city council shall insure that the standards specified in this section, as well as applicable standards established elsewhere in this ordinance, shall be satisfied by the completion of the planned unit development under consideration.

- A. General standards. The planning commission and city council shall review the particular circumstances of the planned unit development application under consideration in terms of the following standards and shall approve a planned unit development only upon a finding of compliance with each of the following standards:

The general standards for special land use in section 17.03A;

1. The standards of review for site plan review in section 18.06.
2. The applicable standards of this chapter; and
3. The applicable standards as may be established elsewhere in this ordinance.

- B. Conditions. The city council may impose conditions with the approval of a planned unit development which are necessary to insure compliance with the standards for approval stated in this section and any other applicable standards contained in this ordinance. Such conditions shall be considered an integral part of the planned unit development approval and shall be enforced by the zoning enforcement officer.

(Ord. No. 95-06, § 1, 12-27-95; Ord. No. 03-2, § 2, 2-18-03)

SECTION 15.05. - USES PERMITTED BY RIGHT AND RESIDENTIAL DENSITY.

A. The following uses may be permitted in a PUD:

1. Uses permitted by right or special land use in the underlying zoning district,
2. Any use that is determined by the Planning Commission to be consistent with the City of Lowell Master Plan. ~~Following uses may be permitted, either singly or in combination, in accordance with the applicable PUD requirements.~~
3. Residential, commercial, and public uses which are determined to be compatible with existing and adjacent land uses may be combined within a PUD district.
4. Only those uses approved for the PUD district shall thereafter be permitted within the PUD.
 1. ~~Single family dwellings.~~
 2. ~~Two family dwellings, provided that such units make up no more than twenty (20) percent of the total number of residential dwelling units in the total PUD.~~

~~3. Multiple-family dwellings, provided that such units make up no more than thirty (30) percent of the total number of residential dwelling units in the total PUD.~~

~~4.A. Uses permitted by right in the C-1 Neighborhood Business District, subject to the standards noted for non-residential uses in the PUD and the requirements of the C-1 District.~~

B. Except as noted in section 15.07, the maximum number of dwelling units permitted shall not be greater than that permitted by the most restrictive underlying zone district in which the proposed uses are permitted. If the PUD lies in more than one (1) zone district the number of dwelling units shall be calculated on a proportionate basis.

C. The total amount of land to be used for the calculation of the permitted density in a PUD shall be determined by using the net developable area, which shall be determined by taking the total site area and subtracting lands used or dedicated for existing public easements and existing public or private street rights-of-way.

~~D. The minimum setbacks and yard requirements for any lot designated for residential use shall comply with the most restrictive zone district in which the proposed uses are permitted.~~

D. The City may allow for a PUD to modify applicable bulk, area, setback, density, and other dimensional requirements of the Zoning Ordinance.

E. Land not proposed for development, but used for the calculation of overall density shall be considered open space and subject to the requirements of section 15.06.

F. Non-residential uses.

~~1. All non-residential uses allowed in the PUD, shall occupy no more than ten (10) percent of the PUD project's developable area.~~

~~2.1. All such uses shall be integrated into the design of the project with similar architectural and site development elements, such as signs, landscaping, etc.~~

~~3.2. Such uses shall be permitted only if they will not materially alter the residential character of the neighborhood and/or the PUD.~~

~~4.3. All merchandise for display, sale, or lease shall be entirely within an enclosed building(s).~~

~~5.4. Buildings designed for non-residential uses shall be constructed according to the following requirements:~~

a. If the entire PUD contains fewer than twenty (20) dwelling units, seventy-five (75) percent of these units must be constructed prior to construction of any non-residential use.

b. If the PUD contains more than twenty (20) dwelling units, fifty (50) percent of these units shall be constructed prior to the construction of any non-residential use.

(Ord. No. 95-06, § 1, 12-27-95)

SECTION 15.06. - OPEN SPACE.

A. Any If open space is provided in the PUD, it shall meet the following considerations and requirements:

1. Open space may be established to separate use areas within the PUD.

2. Open space areas shall be large enough and of proper dimensions so as to constitute a useable area, with adequate access, through easements or other similar arrangements, such that all properties within the entire PUD may utilize the available open space.
3. Evidence shall be given that satisfactory arrangements will be made for the maintenance of such designated land to relieve the city of the future maintenance thereof.
4. Open space may be provided where significant natural features may be preserved and/or be used for passive or active recreation.
5. All land set aside as open space shall be deed restricted to ensure that the open space remains in a natural and undisturbed condition in perpetuity. Land set aside for agriculture may, at the discretion of the property owner(s) be converted to open space, but shall not be used as land for the construction of additional dwellings, nor used for any other development.
6. All open space shall be in the joint ownership of the property owners within the PUD. A property owner's association shall be formed which shall take responsibility for the maintenance of the open space.
7. The maintenance requirements of dedicated open space are not intended to include regular clearing and mowing or other active maintenance. For the purposes of this chapter, maintenance is intended to include such items as the removal of any accumulation of trash or waste material within the dedicated open space area, clean up of storm damage, or removal of diseased plant materials.
8. To the extent possible, dedicated open space areas shall be continuous and contiguous throughout the PUD. Open space areas shall be large enough and of proper dimensions so as to contribute significantly to the purpose and objectives of the PUD.

(Ord. No. 95-06, § 1, 12-27-95)

SECTION 15.07. - OTHER REQUIREMENTS.

- A. All electric, television cable, and telephone transmission wires within the PUD shall be placed underground.
- B. Signs are permitted in accordance with the most restrictive zone district in which the proposed uses are permitted.

(Ord. No. 95-06, § 1, 12-27-95)

2018

<u>Open Date</u>	<u>Close Date</u>	<u>Address</u>	<u>Name/Business</u>	<u>Subject</u>
01/09/2018	01/09/2018	2535 Gee Drive	Howard Barriger	Finish Basement
01/30/2018	02/12/2018	219 E. Main	National Park Service	Sign Permit
02/07/2018	02/13/2018	621 E. Main	Lowell Methodist Church	Playground Equip.
02/23/2018	02/23/2018	1001 Heffron	Joe Runstrom	Addition
03/15/2018	03/19/2018	2535 Gee Drive	Howard Barriger	Detached garage
3/28/2018		804 Riverside Dr	Gail VanStee	Fence
04/09/2018	08/13/2018	930 W. Main	Betten Baker/Pioneer	New Building
04/11/2018	04/11/2018	517 N. Hudson	Philip Hansen	Renovation
04/23/2018	04/23/2018	624 Lafayette	Anne Dimmick	Deck
04/27/2018	06/15/2018	610 E Main	Brianna & Jacob Furlong	Fence
05/03/2018		722 N Hudson St	Brent & Hannah Sutterfield	Privacy Fence
05/14/18		152 S. Pleasant	Jasmin Bajric (call him Yas)	New bathroom, windows and siding
05/14/18		724 Riverside Dr	John Hruska	Privacy Fence
06/01/18	06/01/2018	1359 Highland Hill	Chris Gonzalez	Deck
06/04/2018	06/05/2018	201 N. Washington	Lowell Church of the Nazarene	Front Steps
06/06/2018	06/07/2018	814 Grindle	Jason Winn	Above ground pool
06/04/2018	06/11/2018	721 E. Main	Roman Tapia	Deck
06/01/2018	06/11/2018	350 N. Center	Laurels of Kent	Awning
06/27/2018		609 Lafayette	Rachel Devries	Fence
06/28/2018	08/13/2018	104 W. Main	Holly Cooper	Sign
07/02/2018		1301 Sibley St	Luis Luna	Fence
07/09/2018	07/09/2018	511 Avery	Doris Bishop	Fence
07/03/2018	07/30/2018	512 E. Main	FROM	Demo

[illegible]