

PLANNING COMMISSION AGENDA
Tuesday, September 2, 2014 at 7:30 pm
7720 Ann Arbor Street
Dexter Senior Center

- I. **Roll Call:** Matt Kowalski, Chair Thomas Phillips James Smith
 Marni Schmid Scott Stewart Joe Semifero-Ex Officio
 Tom Stoner

II. **Action on minutes from** – August 4, 2014 - Regular Meeting minutes

III. **Approval of agenda**

IV. **Public Hearing(s)**

Rules of Procedure for Public Hearings and Business Items:

1. Chair introduces case.
2. Staff report and comments.
3. Applicant presentation. Maximum 20 minutes allowed. All visual material presented must be projected to allow simultaneous viewing by Commission and audience.
4. Chair opens public hearing and invites public to provide comments. All public commentators must state their name and address for the record. Public comments may be allowed for non-public hearing items at the discretion of the chair.
5. Applicant response opportunity. Maximum of 5 minutes allowed.
6. Planning Commission discussion and action.

A. None

V. **Pre-Arranged Citizen Participation** – None

Limit to those who pre-arrange participation before 5:00 pm Monday the week preceding the meeting (10-minute limit).

VI. **Reports of Officers**

- A. Chairman Report – M. Kowalski
- B. Planning Commissioners and Council Ex officio Reports
- C. Community Development Office Reports – M. Aniol

VII. **Citizens Wishing to Address the Commission**

This area is intended for those in the audience not listed on the agenda that wish to speak. (5-minute time limit for individuals and 10-minutes for groups)

VIII. **Old Business**

- A. Planning Commission representative to the ZBA

IX. **New Business**

- A. Redevelopment Ready Communities Best Practices for Zoning – Discussion regarding RRC best practices for zoning.
- B. Sign Regulations – Discussion regarding Ordinance Committee recommendations for goals and objectives for reviewing sign regulations, and discussion regarding temporary sign regulations
- C. Group Day Care Home – Review and discussion of regulations to allow a group day care home in the Village Residential District.
- D. Election of Vice Chair

- X. Proposed business for next agenda**
- XI. Citizens wishing to address the Commission**
- XII. Adjournment**
- XIII. Communications – None**

Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the Village Office at (734) 426-8303, at least forty-eight hours prior to the meeting. Village staff will be please to make the necessary arrangements.

**DEXTER PLANNING COMMISSION
REGULAR MEETING
MONDAY, AUGUST 4, 2014**

I. CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 7:33 PM by Planning Commissioner Phillips at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan with roll call.

Matt Kowalski-ab
James Smith
Scott Stewart

Thomas Phillips
Marni Schmid-ab
Joe Semifero

Molly Robinson - ab
Mary Kimmel - ab
Tom Stoner

Also present: Michelle Aniol, Community Development Manager; Carol Jones, Village Clerk; Becky Murillo; Laurie Higgins; Bob Wanty; and residents.

II. APPROVAL OF THE MINUTES

1. Regular Meeting – July 7, 2014

Motion Smith; support Stoner to approve the minutes of the Regular Meeting of July 7, 2014 with one correction on the fourth page of the minutes under New Business item C, Election of Officers the *and* between Kowalski and Chairperson should be *as*.

Unanimous voice vote approval with Kowalski, Schmid, Robinson and Kimmel absent.

III. APPROVAL OF THE AGENDA

Motion Smith; support Semifero to approve the agenda as presented.

Unanimous voice vote approval with Kowalski, Schmid, Robinson and Kimmel absent.

IV. PUBLIC HEARINGS

A. SLU 2014-01 Becky Murillo:

Consideration of: Property located at 3411 Hudson Street. Public hearing to consider a special land use to allow a Group Day Care Home at 3411 Hudson Street.

Community Development Manager, Michelle Aniol, presented special use considerations for the property in question. Questions were raised in regards to the fencing materials to be used and signage for the parking area. Applicant Becky Murillo thanked the Planning Commission for their help in the process of getting her business approved as a group day care facility.

Acting Chairperson Phillips opened the Public Hearing at 7:52 PM. There were no comments or persons to address the Planning Commission and the hearing was closed at 7:52 PM.

Motion Smith; support Semifero based upon the information received from the applicant, reflected in minutes of this meeting and in conformance with Section 8.02 of the Village of Dexter Zoning Ordinance, the Planning Commission finds the proposed group day care home at 3411 Hudson meets the requirements to recommend special use approval.

In making this determination, the following additional conditions shall apply:

1. Applicant shall provide design and materials for fencing, and
2. Council considering signage alerting drivers on Hudson Street approaching from the northeast of cars pulling in or out of the parking area.

Ayes: Smith, Stewart, Phillips, Semifero and Stoner

Nays: None

Absent: Kowalski, Schmid, Robinson and Kimmel

Motion carries 5-0

V. PRE-ARRANGED PARTICIPATION

None

VI. REPORTS

A. Chairman Report – Matt Kowalski

None

B. Planning Commissioners and Council Ex Officio Reports

Mr. Semifero provided the following updates:

- The Ann Arbor Street project is delayed. An old cast iron water line was found at Terry B's and will cost \$50,000 to replace. The plan is to have the leveling coat down before Dexter Daze and finish up afterwards. Central Street will start after Ann Arbor Street is done.
- Commissioner Stewart inquired about the relocation of the DTE sub-station and Ms. Aniol responded that this is still an ongoing discussion and looking favorable at sometime.
- The Village received the crack seal bid last week. Under the Road Plan, Village streets will crack sealed this year and micro surfaced next year and continue in this pattern over following years.

- Mrs. Dettling has left as Village Manager and Village Council has appointed Courtney Nicholls the Interim Village Manager. Council will be working on the process of appointing a permanent Village Manager

C. Community Development Office Reports – Michelle Aniol

Ms. Aniol provided the following updates:

- There are a couple of conferences coming up in the fall and there is some money available if anyone would like to attend.
- Village Trustee, Jim Carson and I attended the ISCS Conference in Novi and were able to set up a “Deal Maker” table to network at the conference. At the conference heard about the proposed sushi restaurant in the old Stucchi’s site from Jonna Development. We now have an eye catching poster about Dexter and plan to use it in the kiosks.
- The temporary parking plan has been seen by the Village Council. There need to be some cleanup done but will be ready for Dexter Daze.

VII. CITIZENS WISHING TO ADDRESS THE COMMISSION

None

VIII. OLD BUSINESS

A. None

IX. NEW BUSINESS

A. SPR-Morning Star Day Care – Discussion and possible action to consider

Ms. Aniol presented the request from Morning Star. Bob Wanty of Washtenaw Engineering gave a presentation of the design plan. Discussion followed.

Motion Smith; support Stewart based upon the information received from the applicant, reflected in minutes of this meeting and in conformance with Section 21.04(E)3 of the Village of Dexter Zoning Ordinance, the Planning Commission finds the Combined Site Plan for the Morning Star Day Care Building Addition, dated 7/10/2014 meets the requirements to recommend the combined site plan.

In making this determination, the following additional conditions shall apply:

1. Applicable concerns noted in the planning consultant, engineering consultant and DAFD reviews included in the August 4, 2014 Planning Commission packet, and subject to the Planning Commissions’ decision to waive or modify landscape standards for special situations, as cited in the Community Development Manager’s memo dated August 1, 2014, and
2. Staff review of color rendering of elevations.

Ayes: Smith, Stewart, Phillips, Semifero and Stoner
Nays: None
Absent: Kowalski, Schmid, Robinson and Kimmel
Motion carries 5 - 0

B. Planning Commission representative to the ZBA

Motion to postpone the vote until the September meeting.

Unanimous voice vote approval with Kowalski, Schmid, Robinson and Kimmel absent.

X. PROPOSED BUSINESS FOR NEXT AGENDA

September 2, 2014 – Appointment to ZBA
Outdoor space for Group Day Care Homes.

XI. CITIZENS WISHING TO ADDRESS THE COMMISSION

None

XII. ADJOURNMENT

Motion Smith; support Phillips to adjourn at 8:54 PM.

Unanimous voice vote approval with Kowalski, Schmid, Robinson and Kimmel absent

XIII. COMMUNICATIONS

None

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: _____



OFFICE OF COMMUNITY DEVELOPMENT

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Planning Commission
Courtney Nicholls, Acting Village Manager
From: Michelle Aniol, Community Development Manager
Re: Report for September 2, 2014 Planning Commission Meeting
Date: August 28, 2014

Business Development News

- A.R. Brouwer submitted an Application for Combined Site Plan Review for exterior elevation and general site improvements to MC3's new building at 2555 Bishop Circle West. The Site Plan Review Committee conducted an architectural review of the proposed elevation plan on Wednesday, August 6th. See attached notes from that meeting.
- Village and Ann Arbor Spark met with Comcast officials and discuss ways to help businesses in the Research Park get access to high speed internet service. A presentation by Comcast to businesses in Dexter Research Park is planned for mid-September.

Miscellaneous Updates

- Road work on Ann Arbor Street is winding down. Water main repairs and crosswalk improvements are anticipated to be completed by end of August. Pre-work and staging for Central Street road improvements has begun, but any road closures will wait until Ann Arbor Street is permanently open.
- The cities of Chelsea, Ypsilanti and Saline have agreed to participate in the Residential Target Market Analysis, and Dexter will take the lead on the grant. Washtenaw County supports this effort and is providing administrative assistance as we go forward.
- Professor Allen and his students will make a preliminary presentation of their findings and recommendations regarding the redevelopment of 3045 Broad Street on Thursday, August 28th at 1:00 pm at the Dexter District Library. Following the presentation, Professor Allen and his students will be asking attendees for their input. Light refreshments will be served.
- Staff spoke with Ted Chittenden from MC3. MC3 doesn't own the property at 2555 Bishop Circle W, a holding company (Excalibur Holdings, Inc) owns it and MC3 leases the building from the holding company. According to Mr. Chittenden, the purchase agreement between the holding company and the Newman's stipulated that the Newman's would retain ownership of the barn, but sell the land the barn sits on to Excalibur. However, when the deed was recorded, there was no restriction(s) regarding ownership of the barn.

Mr. Chittenden was able to confirm that the Excalibur Holdings owns the barn. According to Mr. Chittenden, Excalibur's long-term plan is to rehab the barn for some type of event space. He is aware that there are a couple of "sheds" that are attached to the side of the barn and they are in a very bad state of disrepair. Staff is working with Mr. Chittenden/Excalibur Holdings to get the shed removed and the barn "mothballed" to prevent intruders (human and animal) from getting inside and doing damage.

- Staff has reached out to DTE regarding the potential vacation of the First Street ROW.

Best Practice Two: Zoning Regulations

2.1—Zoning Regulations

This best practice evaluates a community’s zoning ordinance and how well the ordinance regulates for the goals of the master plan.

Zoning is a key tool to implement plans in a community. Inflexible or obsolete zoning regulations can discourage redevelopment and investment. Outdated regulations

force developers to pursue rezoning or variance requests, disturbing project timelines, increasing costs and creating uncertainty. Communities should look to streamline ordinances and regulate for the kind of development that is truly desired. In addition, zoning is an essential tool for shaping inviting, walkable communities.

Evaluation criteria	Expectations
<p>The governing body has adopted a zoning ordinance that aligns with the goals of the current master plan.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The community has reviewed the master plan’s zoning plan to determine if changes to the zoning map or ordinance text are necessary to implement master plan vision. <input type="checkbox"/> The community has reviewed zoning district intent statements to reflect master plan land use recommendations.
<p>The zoning ordinance is user-friendly and accessible online.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The zoning ordinance portrays clear definitions and requirements. <input type="checkbox"/> The zoning ordinance is available in an electronic format at no cost. Hard copies are available for review at convenient locations.
<p>The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development desired.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The community allows mixed use in areas of concentrated development by right. <input type="checkbox"/> The community understands form-based zoning and has reviewed their zoning ordinance to consider how form-based zoning might help them achieve community goals. <input type="checkbox"/> Zoning for areas of concentrated development include the following placemaking elements, where appropriate: <ul style="list-style-type: none"> » Build-to lines » Open store fronts » Outdoor dining » Ground floor signage standards » Public realm standards » Other pedestrian-friendly elements

Best Practice Two: Zoning Regulations

2.1—Zoning Regulations *continued*

Evaluation criteria	Expectations
<p>The zoning ordinance includes flexible zoning tools to encourage development and redevelopment.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The ordinance provides standards for flexible development and preserves sensitive historic and environmental features. <input type="checkbox"/> Conditional or special land use and conditional zoning approval procedures and requirements are clearly defined. <input type="checkbox"/> Industrial districts permit related non-industrial uses that serve new economy-type businesses.
<p>The zoning ordinance allows for a variety of housing options.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The zoning ordinance allows for one or more of the following non-traditional housing types: <ul style="list-style-type: none"> » Accessory dwelling units » Attached single-family units » Stacked flats » Co-housing » Live/work » Residential units above non-residential uses » Mixed-income housing » Corporate temporary housing » Housing for those with special needs
<p>The zoning ordinance includes standards to improve non-motorized transportation.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The community understands the benefits of walkable and transit oriented development and has included related zoning standards where appropriate. <input type="checkbox"/> The community understands the benefits of connectivity and has ordinance requirements that accommodate pedestrian activity within and around development. <input type="checkbox"/> The community encourages the provision of bicycle parking through ordinance or guidelines. <input type="checkbox"/> The ordinance provides for pedestrian lighting, traffic calming and streetscape elements.

Best Practice Two: Zoning Regulations

2.1—Zoning Regulations *continued*

Evaluation criteria	Expectations
<p>The zoning ordinance includes flexible parking standards.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The ordinance considers: <ul style="list-style-type: none"> » Availability of on-street and public parking » Interconnected vehicle passage between lots » Shared parking agreements » Parking maximums or waivers » Electric vehicle charging stations » Bicycle parking
<p>The zoning ordinance includes standards for green infrastructure.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The ordinance considers: <ul style="list-style-type: none"> » Rain gardens, bioswales and other treatment techniques » Green roofs » Rain barrels » Landscape regulations that encourage or require use of native, non-invasive species » Pervious pavement <input type="checkbox"/> The community recognizes the benefits of street trees and parking lot landscaping to mitigate the impacts of heat island effects.

Lathrup Village Zoning Ordinance

Effective December 1, 2010

Amended through October 15, 2012



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Table of Contents

Table of Contents with Sections _____	ii
How to Use this Ordinance _____	vi
Article 1.0 Purpose and Introduction _____	1-1
Article 2.0 Definitions _____	2-1
Article 3.0 Zoning Districts _____	3-1
Article 4.0 Use Standards _____	4-1
Article 5.0 Site Standards _____	5-1
Article 6.0 Development Procedures _____	6-1
Article 7.0 Administration, Appeals and Enforcement _____	7-1



Table of Contents with Sections

How to Use this Ordinance _____	v
1. Content Organization and Page Layout _____	v
2. Symbols and User Notes _____	vi
3. Reading the Ordinance _____	vii
4. Use Matrix _____	viii
5. District Summary Table _____	x
6. Zoning Map _____	xi
Article 1.0 Purpose and Introduction _____	1-1
Sec. 1.1 Purpose _____	1-3
Sec. 1.2 Legislative Findings _____	1-3
Sec. 1.3 Sources of Authority _____	1-3
Sec. 1.4 Spirit and Intent _____	1-3
Sec. 1.5 Conflicting Regulations _____	1-3
Sec. 1.6 Essential Services _____	1-3
Article 2.0 Definitions _____	2-1
Sec. 2.1 Construction of Language _____	2-3
Sec. 2.2 Definitions _____	2-3
Article 3.0 Zoning Districts _____	3-1
Sec. 3.1 Districts Established _____	3-3
Sec. 3.2 Lots: Use for Yards; Etc. _____	3-30
Sec. 3.3 Special Cluster Housing Provisions _____	3-30
Sec. 3.4 Dwelling Units in the Residential Districts _____	3-30
Sec. 3.5 R-2 District Provisions _____	3-31
Sec. 3.6 Dwelling Units in the R-3 District _____	3-32
Sec. 3.7 Residential Buildings in Residential Districts _____	3-33
Sec. 3.8 CV District _____	3-34
Sec. 3.9 Zoning Map _____	3-34
Sec. 3.10 Districting of Vacated Streets _____	3-34
Sec. 3.11 General Exceptions _____	3-34
Article 4.0 Use Standards _____	4-1
Sec. 4.1 Outside Storage and Parking Regulations, Vehicles, Etc. _____	4-3
Sec. 4.2 Garage Sale Regulations _____	4-4
Sec. 4.3 Basketball Backboards in the R-1 And R-2 Districts _____	4-4
Sec. 4.4 Financial Institutions in the Office District _____	4-4



Table of Contents with Sections

Sec. 4.5	Schools _____	4-4
Sec. 4.6	Wireless Telecommunications Towers and Antenna _____	4-5
Sec. 4.7	Hours of Operation for All Places of Business, Trade of Commerce _____	4-13
Sec. 4.8	Outdoor Dining _____	4-13
Sec. 4.9	Utility Substations, Transformer Stations of Gas Regulator Stations (Without Storage Yards) _____	4-14
Sec. 4.10	Adult Business Uses _____	4-14
Sec 4.11	Home Based Business _____	4-17
Sec 4.12	Permanent Power Generators _____	4-18
Sec 4.13	Mixed Use Building _____	4-18
Sec 4.14	Outdoor Sales and Display _____	4-18
Article 5.0	Site Standards _____	5-1
Sec. 5.1	Vision Clearance and Fences _____	5-3
Sec. 5.2	Removal of Soil _____	5-3
Sec. 5.3	Waste and Rubbish _____	5-3
Sec. 5.4	Building Materials _____	5-3
Sec. 5.5	Protective or Barrier Walls Required _____	5-4
Sec. 5.6	Inoperable and Abandoned Motor Vehicles _____	5-4
Sec. 5.7	Blight: Property Maintenance and Repair _____	5-4
Sec. 5.8	Outside Illumination _____	5-4
Sec. 5.9	Grades and Drainage _____	5-5
Sec. 5.10	Used Building Materials _____	5-5
Sec. 5.11	Temporary Dwellings _____	5-5
Sec. 5.12	Sidewalks _____	5-5
Sec. 5.13	Off-street Parking _____	5-5
Sec. 5.14	Nuisances Prohibited _____	5-11
Sec. 5.15	Landscaping Regulations _____	5-11
Article 6.0	Development Procedures _____	6-1
Sec. 6.1	Site Plan Review _____	6-3
Sec. 6.2	Special Use Procedures and Standards _____	6-15
Article 7.0	Administration, Appeals and Enforcement _____	7-1
Sec. 7.1	Introduction _____	7-3
Sec. 7.2	General Provisions _____	7-3
Sec. 7.3	Duties of Building Official and Inspector _____	7-4
Sec. 7.4	Permits _____	7-5
Sec. 7.5	Inspections _____	7-5



Table of Contents with Sections

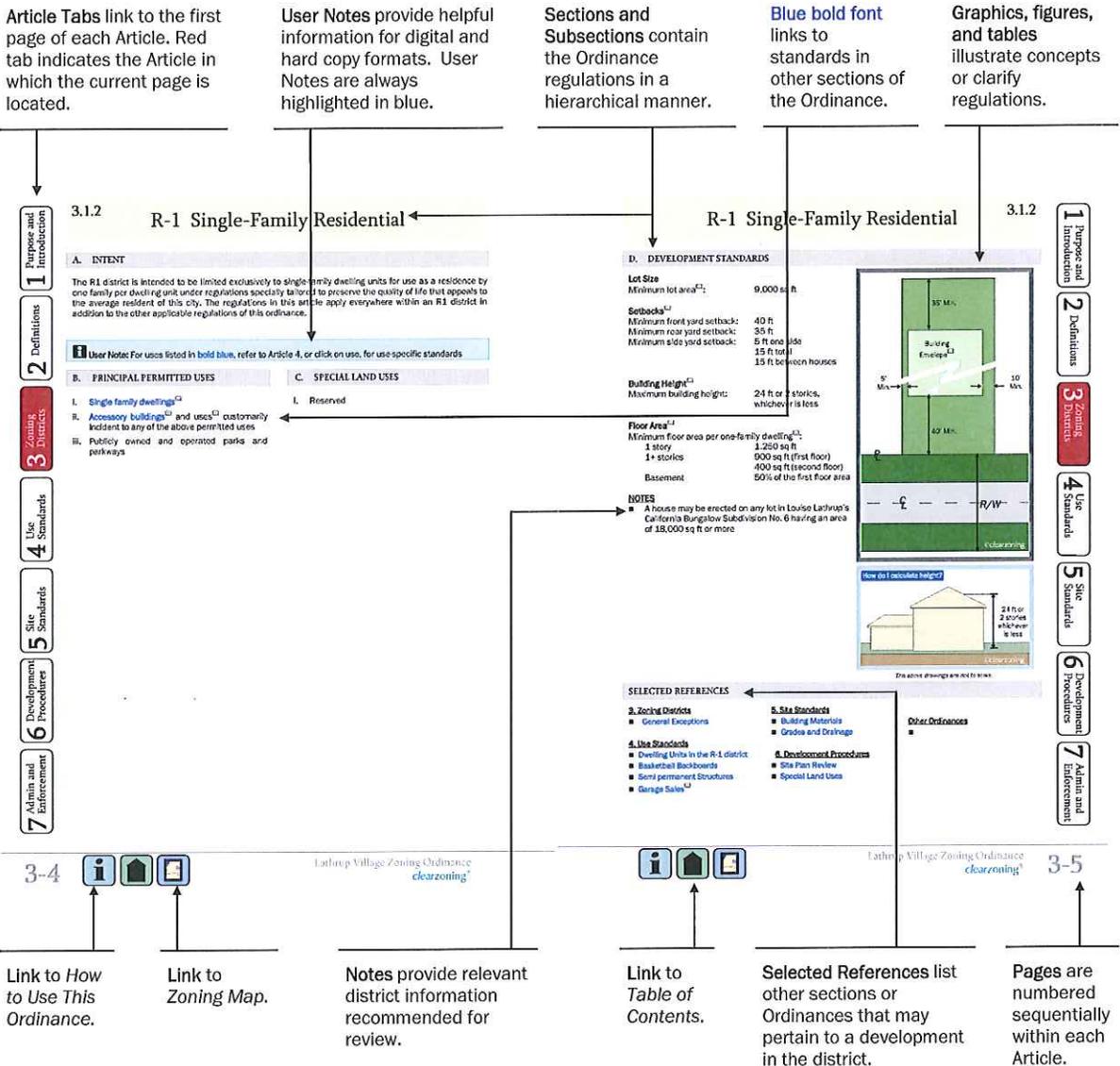
Sec. 7.6	Public Hearings _____	7-5
Sec. 7.7	Zoning Board of Appeals _____	7-6
Sec. 7.8	Nonconforming Uses _____	7-8
Sec. 7.9	Zoning Amendments and Map _____	7-10
Sec. 7.10	Fees and Deposits _____	7-12
Sec. 7.11	Compliance, Penalty and Other Remedies _____	7-12
Sec. 7.12	Severability, No Repeal, and Saving Clause _____	7-13
Sec. 7.13	Conformity to Enabling Act _____	7-13
Sec. 7.14	Certificate of Occupancy _____	7-13



How to Use This Ordinance

1. CONTENT ORGANIZATION AND PAGE LAYOUT

The Zoning Ordinance is organized into seven Articles, which are further divided using standard outline hierarchy. The content and page layout are designed to promote a clear understanding of requirements, as well as quick retrieval of relevant standards, procedures and other information. The following key assists with navigating through this document.



How to Use This Ordinance

2. SYMBOLS AND USER NOTES

The following symbols are used throughout the Zoning Ordinance:

-  indicates the term is defined in Article 2, Definitions. (Note: Not every defined term is designated with a  symbol. Consult Article 2, Definitions, for a list of all defined terms.)
-  indicates there is a graphic that illustrates the standard or requirement.
-  identifies a property line.
-  identifies the right-of-way centerline.
- R/W* identifies the right-of-way.
-  identifies a User Note that provides helpful information for all users.
-  identifies a Digital User Note that provides helpful information for users with a digital version of the Zoning Ordinance.



How to Use This Ordinance

3. READING THE ORDINANCE

Rules have been established to assist with interpreting the ordinance. Below are some rules to keep in mind when reading this document:

- ☑ Sometimes there may be general and specific regulations that pertain to one particular aspect of site design. In such instances, the specific regulations must be followed.
- ☑ Discrepancies between text and an illustration (including its caption) may occur. In the case of such discrepancies, the text is considered the accurate source of information.
- ☑ The use of the word shall carries significant meaning. Shall regulations must be followed. Requirements that use the word may are discretionary, meaning that the requirement is at the discretion of the Planning Commission or Zoning Board of Appeals.
- ☑ Article 2, Definitions, contains over 80 terms. If a term is not listed in this section, it will carry the meaning customarily assigned to it.
- ☑ Conjunctions are often used and must be read accurately:
 - AND indicates that all connected items, conditions, provisions or events shall apply.
 - OR indicates that the connected items, conditions, provisions or events may apply singly or in any combination. (OR may also be read “and/or”)
 - EITHER ... OR indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination.
- ☑ The following abbreviations are used: Section is §; article is art.; Louise Lathrup's California Bungalow Subdivision is LLCBS (followed by the subdivision number); parcel descriptions and identifications may be by the Sidwell parcel identification numbers used on the city property tax roll.

For more rules, see [Section 2.1 Construction of Language](#).

Digital User Note:

What is a link?

A link allows for quick reference to a relevant section. By ‘clicking’ a link, the user is taken directly to a page in the Ordinance or another reference document. The user may return to the original page by clicking the ‘previous view’ button in Adobe Acrobat Reader.

 If you do not see the ‘previous view’ button on your Adobe Acrobat Reader screen, you can add it by turning on your ‘page navigation toolbar’. For assistance, refer to the ‘Help’ menu in your version of Acrobat Reader.

What information is linked?

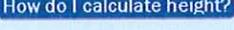
All **blue text** is linked to either another page within the Zoning Ordinance, a separate City ordinance or document, or an external website.

In addition, several other features of the document are linked to allow users to navigate through the ordinance. Click on any of the following features to quickly locate another section:

 Article tabs located on the side of each page are linked to the Contents page of each Article.

 Icons located at the bottom of each page are linked to the ‘How to Use This Ordinance’ section, the main Table of Contents, and the Zoning Map

 Use Matrix district headings are linked to the corresponding district regulations page in Article 3.

 ‘How do I calculate height?’ button located on each district regulations page is linked to the definition of building height in Article 2.

 Zoning Map Legend headings are linked to the corresponding district regulations page in Article 3.



How to Use This Ordinance

4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	R-1	R-2	R-3	PS	O	CV	VC	MX	GO
Adult business uses [Ⓜ]						P			
Animal kennels						S			
Assembly and meeting halls					S	P	S	S	
Automobile washracks						S			
Banks and other financial institutions					P	P	P	P	P
Bar, tavern, live entertainment						P	P		
Bed & breakfast							P		
Business service uses [Ⓜ]					P	P	P	P	P
Child care centers				S	P	P	P	S	P
Civic uses, no outside storage					P	P	P		P
Drive in or Drive through services				S	S	P		S	P
Duplex dwelling units		P						P	
Establishments involving the manufacture or sale of any alcoholic beverages regulated by the Michigan Liquor Control Act, MCL 436.1101 et seq.						S	S	S	
Gasoline stations						S			
Health & fitness facilities						P	P	P	
Home & Building Services						P			
Home based business [Ⓜ]	P	P	P						
Home occupation/Live-Work							P	P	
Hotel							P		
Instruction centers for academic and fine arts purposes				S	P	P	P	S	P
Light industrial uses						S			
Mortuaries and funeral homes					P	P			P
Multiple family dwellings		P					P	P	
Nursing homes & convalescent centers						P			
Outdoor cafes						P	P	P	P
Pawn shops						S			
Personal service uses [Ⓜ]					P	P	P	P	P

Continued on next page



How to Use This Ordinance

4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	R-1	R-2	R-3	PS	O	CV	VC	MX	GO
Places of worship					S	P	S	S	
Pool halls and arcades						S			
Professional/Administrative Offices [Ⓔ]				S	P	P	P	P	P
Public schools				P					
Public utility substations					S			S	
Publicly owned parks and parkways	P	P	P	P	P	P	P	P	P
Restaurants						P	P	P	
Retail commercial uses [Ⓔ]				S		P	P	P	
Sales & service of boats and vehicles						P			
Single family dwellings	P	P	P				P	P	
Temporary outdoor display and sales							A		A
Theater							S		
Veterinary clinics					P	P			P
Wireless telecommunication towers and antennas [Ⓔ] on public property				P					



How to Use This Ordinance

5. DISTRICT SUMMARY TABLE

Below is a quick reference table that summarizes district regulations. Consult [Article 3 Zoning Districts](#) for additional requirements and exceptions to the information below.

District Summary Table					
District	Minimum Lot Size	Minimum Lot Width (feet)	Setbacks		
			Front Yard (feet)	Side Yards (feet)	Rear Yard (feet)
R-1 One-Family Residential	9,000 sq ft	—	40	15	35
R-2 Multiple-Family Residential	21,780 sq ft	—	15	15	15
R-3 Single-Family Cluster Housing	9,000 sq ft/dwelling unit	—	40	15	35
PS Public Service	33,000 sq ft	—	40	40	40
O Office	5,000 sq ft	—	10	15	20
CV Commercial Vehicular	5,000 sq ft	—	3	15	20
VC Village Center	5,000 sq ft	—	3	5	20
MX Mixed Use	5,000 sq ft	—	0	0	25
GO Gateway Overlay	4.5 acres	50	50	50	50



DRAFT (9/2/2014)

GOALS AND OBJECTIVES FOR REVIEW OF SIGN REGULATIONS

- Type of signs - character of community not articulated well in ordinance. Need to provide more graphics and/or photos of preferred signage, and identify preferred materials/character.
- Conduct review of signage during the Site Plan Review process. This will reduce the need for variance requests due to developers making signage an afterthought.
- Ground Signs -Size allowances and height per district. Building sizes or number of buildings a sign is intended to serve. The number of ZBA requests and decision indicate that 42 square feet is not sufficient to serve the needs of businesses, which in turn don't serve the needs of the Village.
- Building Signs -Size allowances and height per district. Building sizes or multi-tenant buildings, who and where signage is permitted (consider sign band). The number of ZBA requests and decision indicate that 42 square feet is not sufficient to serve the needs of businesses, which in turn don't serve the needs of the Village. Proportions are not suitable for a multi-tenant or larger building. Need to consider sign band/maximum height (less needed downtown, more needed on higher speed and vehicle centered roads).
- Combining the Sign Regulations in the ARC District, Article 15(8) and Article 7. Having 2 sets of standards for sign regulations does not promote consistency. If the regulations in Article 15(B) are preferred they should be migrated into Article 7 for one consistent sign ordinance.
- Clarifying Temporary Signage, including, but not limited to: window signs, banners, garage sales, sandwich board signs, street banners, and institutional signage.

Staff note: Regulations regarding permits for temporary signs, such as real estate signs should be added to the list above.

Michelle Aniol

From: Joe Semifero <jrsemifero@yahoo.com>
Sent: Wednesday, August 27, 2014 1:35 PM
To: Michelle Aniol
Cc: cnicholls@dextertermi.gov
Subject: Re: Brouwer sign inquiry

I definitely think it was never the intention for RE signs to have to have a permit. Probably all items that should be cleaned up, regardless of what happens with the rest of the sign ordinance. Having multiple road frontage on the Ind Park site is a unique situation. I am not sure I still agree the construction sign in front of shopping center at Lexington and Dan Hoey (different site than previously mentioned) is appropriate since it is the type of sign we would expect for an entire site, not for a single unit. Imagine if every single suite in the shopping center had some construction occurring and all the builders put out 32 sq ft signs! Obviously not the intent.

On the RE sign on the Baker Rd property, "While the Swisher sign on Baker Road (in front of the Wellness Center) is also a real estate sign, I viewed it as the sign for the Pharmacy building." I am not sure I agree on this approach. I understand you said in the second email that it was a different RE company (Collier's), but the fact is that Brouwer has made a point of stating those properties (pharmacy, wellness center, and current out lot) are separate properties, especially when we were talking about brownfield, tax IDs, etc. It seems disingenuous for Brouwer to claim these signs are for another property on the same "site" because it suits them at this time, as opposed to only having construction signs on that site when construction is actually happening. I would be willing to say the sign has been there longer than construction has happened in the pharmacy building (just a guess - I could be wrong) and will likely remain there afterwards. I believe the sign has been there at least as long as there has been an approved site plan, and I think that was a year ago. Again, even if allowed to place a construction sign on an adjacent / off site lot, I am not sure a 32 sq ft sign is appropriate for construction on the scale that is occurring in the pharmacy building. It should be on the same site where construction is occurring. For the size of the sign, again I think the intent is not to provide a billboard for every remodel that occurs. The sign should be commensurate with the build out being completed.

My two cents - if you would highlight these areas as part of the discussion regarding the signs at PC I would appreciate it. Thanks for the feedback and dialogue.

Joe

From: Michelle Aniol <maniol@dextertermi.gov>
To: Joe Semifero <jsemifero@dextertermi.gov>
Cc: cnicholls@dextertermi.gov
Sent: Wednesday, August 27, 2014 12:41 PM
Subject: RE: Brouwer sign inquiry

Joe,
One quick correction regarding the signage on the outlot in front of the Wellness Center, it's not a Swisher sign, it's a Collier's sign. The Swisher sign is located on the Pharmacy lot. Thus, I will have to inform Collier's that the sign must be removed, based on the standards in Section 7.07, sub-section (4), which limit one Real Estate/Construction sign per road frontage. In addition, we still need to determine what the rule is/will be regarding the permitting of real estate signs. I find it hard to imagine the Village wants to require every real estate sign to get a permit. The additional paperwork and enforcement boggles my mind. What do you think?

Michelle Aniol

Community Development Manager
Village of Dexter
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From: Michelle Aniol [mailto:maniol@dextermi.gov]
Sent: Tuesday, August 26, 2014 5:14 PM
To: Joe Semifero (jsemifero@dextermi.gov)
Cc: Courtney Nicholls (cnicholls@dextermi.gov) (cnicholls@dextermi.gov)
Subject: Brouwer sign inquiry

Joe,
I appreciate the finesse at which you passed me the note, and I'm thankful for the consideration you showed me. ☺

According to your note, you wanted to know if the ordinance allows two signs and the examples you cited were:

- 1) The Brouwer project in Ind. Park
- 2) The site in front of Wellness Center

The answer to your question is not black and white, but here are my thoughts:

Section 2.02 of the Zoning Ordinance contains the following definitions:

- Temporary sign- a temporary sign as one that is intended to be displayed for a limited period of time.
- Real Estate sign - a real estate sign as one that advertises the property said sign is located upon is for sale, lease or rent.
- Construction sign – there is no definition in Section 2.02 for a construction sign.

When we get to Article 7 of the Ordinance, the regulations are a bit contradictory regarding temporary signs, such as the ones you cited in your note. Standards for regulating temporary signs can be found in Section 7.07. Sub-section (1) states that unless specified elsewhere (in the ordinance) a permit is required to display any temporary sign, but Section 7.02, sub-section (4) states that *real estate signs* are exempt from permits subject to the provisions of the ordinance. How can a real estate sign be both exempt and be subject to a permit? If the idea was to require it to have a permit, then why is it listed as an exempt sign? And vice versa.

The Brouwer signs in the industrial park at 2555 Bishop Cr West are regulated under section 7.07, sub-section (2) Construction Signs. One (1) construction sign is permitted per thoroughfare frontage. Thus, the two Brouwer signs are allowed, and a third one could be permitted since the property in question has 3 road frontages. These signs may be displayed until construction is complete, and then they must be removed.

The Brouwer sign located on the out lot on Baker Road, in front of the Dexter Wellness Center is regulated under Section 7.07, sub-section (4) Real Estate/Construction Signs. One (1) non-residential real estate signs is permitted, per parcel, per street frontage for the purpose of advertising the sale, rent and/or lease of non-residential real estate. A real estate sign may be displayed until the property is sold, lease or rented, and then it must be removed within 10 days of the sale, lease or rental of the property.

I spoke with Allison about temporary sign regulations for real estate and construction and she truly believed that permits were not required. When we reviewed the regulations together she was surprised by what we found and she submitted applications for the Brouwer signs.

Neither the Swisher Commercial Real Estate sign nor any of the residential or non-residential real estate signs currently displayed throughout the village have permits. While the Swisher sign on Baker Road (in front of the Wellness Center) is also a real estate sign, I viewed it as the sign for the Pharmacy building.

I hope this helps.

Michelle Aniol

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Memorandum

To: Planning Commission
Courtney Nicholls, Acting Village Manager

From: Michelle Aniol, Community Development Manager

Re: Zoning Ordinance Amendments/Revisions

Date: September 2, 2014

At the Planning Commission meeting in August, it was suggested that staff research the standards for group day care homes in the Village Residential District and bring forth a recommendation for possible/potential amendments/revisions to the Ordinance.

Based on a review of Article XI, VR Village Residential and Article VIII, Special Land Uses, the following comments are provided for your consideration:

1. Child care facilities are not listed as a principal permitted use in the Village Residential District (Section 11.02).
2. *Public and private day care center for children* is listed as a special use in the Village Residential District (Section 11.03).
3. There are no special use standards in Article 8, for *public and private day care center for children*.

Therefore, the following remedies are provided for your consideration:

- a) Add *family day care homes and family foster care homes subject to the following provisions*, to Section 11.02 Principal Uses in the VR Village Residential District:
 - i. *Such uses shall be duly licensed by the State Department of Social Services.*
 - ii. *Buildings and lots so used shall conform to all state and local code requirements.*
 - iii. *A minimum of thirty-five (35) square feet on indoor play area shall be provided for each child. Indoor play area shall be computed exclusive of hallways, bathrooms, reception and office areas, kitchens, storage areas and closets, basements, except those which are finished and have dual means of egress, and areas used exclusively for rest or sleep.*
 - iv. *A minimum outdoor play area of 1,000 square feet shall be provided. The outdoor play area shall be fenced and screened with landscaping on the exterior side of the fence. The outdoor play area shall not be located within a required front yard.*
- b) Delete *public and private day care center* from Section 11.03 and add *group day care homes*, as a special use in the Village Residential District.
- c) Amend Section 8.11, sub-sections B19a, c and e, as follows:
 - i. Require the minimum lot area for a group day care home to be based on the zoning district in which the lot is located.
 - ii. Delete sub-section c regarding the minimum fenced open space area.
 - iii. Reduce the minimum outdoor play area from 5,000 square feet to 2,000 square feet, add a requirement for fencing and landscaping of the outdoor play area, and prohibit outdoor area within a primary required front yard.

Article XI

VR VILLAGE RESIDENTIAL DISTRICT

Section 11.01 INTENT

The VR Village Residential District is intended to:

- A. Encourage innovative, traditional residential mixed and multiple-use developments so that the growing demand for housing may be met by greater variety in type, design and layout of dwellings.
- B. Promote land development practices which will protect the public health, safety and welfare.
- C. Traditional neighborhoods are the desired alternative to conventional modern, use-segregated developments such as large lot suburban subdivisions and strip commercial developments.
- D. Encourage residential/mixed-use development in a manner consistent with the preservation and enhancement of property values within existing residential areas.
- E. Promote the creation of places which are oriented to the pedestrian, promote citizen security and social interaction.
- F. Promote development of mixed-use structures or mixed-use development with offices, multiple family and retail uses located with related community facilities.
- G. Discourage commercial or industrial uses that create objectionable noise, glare and odors.

Section 11.02 PERMITTED PRINCIPAL USES

- A. Single family detached dwellings.
- B. Two family dwellings.
- C. Multiple family dwellings including: townhouses, row houses, apartments.
- D. Family day care homes and family foster care homes subject to the following provisions:
 - 1. Such uses shall be duly licensed by the State Department of Social Services.
 - 2. Buildings and lots so used shall conform to all state and local code requirements.

Village Residential District

- 3. A minimum of thirty-five (35) square feet on indoor play area shall be provided for each child. Indoor play area shall be computed exclusive of hallways, bathrooms, reception and office areas, kitchens, storage areas and closets, basements, except those which are finished and have dual means of egress, and areas used exclusively for rest or sleep.
- 4. A minimum outdoor play area of 1,000 square feet shall be provided. The outdoor play area shall be fenced and screened with landscaping on the exterior side of the fence. The outdoor play area shall not be located in a primary required front yard.

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- DE. On-site signs in accordance with regulations specified in Article VII.
- EF. Home occupations in accordance with regulations specified in Article III, Section 3.05.
- FG. Uses or structures accessory to principal permitted uses.

Section 11.03 SPECIAL USES

The following uses may be permitted, upon review and approval by the Village Council, in accordance with the general standards for all special land uses listed in Section 8.03 and the standards for the specific use listed in Section 8.11.

- A. Housing for the elderly, retirement villages, etc.
- B. Activity center buildings specifically for the elderly when on a minimum size of two (2) acres.
- C. Public swimming pools, parks, playgrounds, and playfields.
- D. Churches and other buildings for religious worship.
- E. Government or community-owned buildings.
- ~~F. Public and private day care center for children.~~
- F. Group day care homes.
- G. Bed and Breakfast Inns.
- H. Essential public service buildings and uses without storage yards when operating requirements necessitate their location within the district to serve the immediate vicinity.
- I. Banks and other financial institutions, except drive-through facilities.
- J. Professional and Business Offices.
- K. Retail sales of goods and services.

Village Residential District

- L. Restaurants except drive-through facilities.
- M. Cemeteries.
- N. Funeral Homes.

Article VIII

SPECIAL LAND USES (draft amendment for discussion)

19. Group Day Care Homes

- a. Group day care homes shall have a minimum lot area ~~of one half-acre (21,780 square feet)~~ based on the zoning district in which the lot is located.
- b. An on-site drive shall be provided for drop off/loading. This drive shall be arranged to allow maneuvers without affecting traffic flow on the public street.
- ~~e. There shall be a fenced, contiguous open space with a minimum area of 5,000 square feet provided on the same premises as the group day care home. The required open space shall not be located within a required front yard.~~
- dc. A minimum of thirty-five (35) square feet of indoor play area shall be provided for each child. Indoor play area shall be computed exclusive of hallways, bathrooms, reception and office areas, kitchens, storage areas and closets, basements, except those which are finished and have dual means of egress, and areas used exclusively for rest or sleep.
- ed. A minimum ~~of one hundred and fifty (150) square feet of outdoor play area for each child. The total~~ outdoor play area of 2,000 square feet shall have a total minimum area of not less than five thousand (5000) square feet ~~be~~ provided. The outdoor play area shall and be fenced and screened with landscaping on the exterior side of the fence. The outdoor play area shall not be within a primary required front yard.