



# City of Plymouth Planning Commission

## Regular Meeting Agenda

Wednesday, August 11, 2021 – 7:00 p.m.  
ONLINE Zoom Webinar

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170

[www.plymouthmi.gov](http://www.plymouthmi.gov)  
Phone 734-453-1234  
Fax 734-455-1892

Webinar Link: <https://us02web.zoom.us/j/82803249198>

Webinar ID: 828 0324 9198 Passcode: 329476

Statement of explanation of the reason why the public body is meeting electronically: On March 10, 2020, the Governor of the State of Michigan declared a State of Emergency across the State of Michigan under section 1 of Article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 – 421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 – 33. These sections provide the governor with broad powers and duties to cope with dangers to this state or to the people of the state.

As a part of the response to the emergency, the Governor has deemed it reasonable and necessary to temporarily suspend rules and procedures relating to physical presence at meetings and hearings of public bodies and other governmental entities in Michigan. These public bodies and entities must continue to conduct public business during this emergency. Due to the emergency situation and the request of the Governor to not gather in groups of 10 or more it is necessary for some public boards to meet electronically.

1. **CALL TO ORDER**
  - a) Roll Call
2. **CITIZENS COMMENTS**
3. **APPROVAL OF THE MINUTES**
  - a) Approval of the July 14, 2021, regular meeting minutes
4. **APPROVAL OF THE AGENDA**
5. **COMMISSION COMMENTS**
6. **OLD BUSINESS**
  - a) Options for October and November training sessions
7. **NEW BUSINESS**
  - a) Planning Commission Bylaws
  - b) Text amendment to RM-1 and RM-2
8. **REPORTS AND CORRESPONDENCE**
9. **ADJOURNMENT**

*Citizen Comments - This section of the agenda allows up to 3 minutes to present information or raise issues regarding items not on the agenda. Upon arising to address the Commission, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item.*

*Persons with disabilities needing assistance with this should contact the City Clerk's office at 734-453-1234 x 234 Monday through Friday from 8:00 a.m. - 4:30 p.m., at least 24 hours prior to the meeting. An attempt will be made to make reasonable accommodations.*

**GOAL I - QUALITY OF LIFE****OBJECTIVES**

Support the neighborhoods with high-quality customer service  
 Engage in collaboration with private entities and surrounding municipalities to implement the [Joint Recreation Master Plan](#)  
 Improve communication with the public across multiple platforms  
 Maintain a high level of cleanliness throughout the City  
 Support and host a diverse variety of events that foster community and placemaking

**ONE-YEAR TASKS 2021**

Restore sports and recreational programs that were halted by COVID-19 as soon as possible  
 Review and evaluate the special event policy with safety considerations  
 Address challenges with the Kellogg Park improvements with safety considerations  
 Move Kellogg Park Fountain project forward  
 Continue to re-engage service clubs to help enhance parks and public properties  
 Increase followers by 2,000 on all our communications platforms  
 Develop an internal and external communications plan  
 Upgrade City Hall facilities to accommodate remote meetings and remote participation  
 Continue investigating multi-modal transportation opportunities  
 Revisit noise ordinance

**GOAL II - FINANCIAL STABILITY****OBJECTIVES**

Approve balanced budgets that maintain fiscal responsibility  
 Advocate for increased revenue sharing with the State of Michigan  
 Encourage and engage in partnerships, both public and private, to share costs of services and equipment  
 Address the issue of legacy costs  
 Seek out and implement efficient and effective inter-departmental collaboration  
 Market our successes to attract new economic and investment opportunities

**ONE-YEAR TASKS 2021**

Identify mechanisms for funding sources for capital improvement projects  
 Increase funding to the Public Improvement Fund  
 Create a potential package for financing emergency structural repairs  
 Develop a comprehensive asset management plan that includes a review of the equipment fleet  
 Search out other possible revenue streams through continued association with the CWW and the MML  
 Develop a financial plan for public safety  
 Continue to make extra payments towards legacy costs  
 Monitor outside influences on our revenue sources, including unfunded mandates, the 35<sup>th</sup> District Court and the PCCS  
 Negotiate three labor contracts

**GOAL III - ECONOMIC VITALITY****OBJECTIVES**

Continue to support and improve active, vibrant downtown branding  
 Support community and economic development projects and initiatives  
 Support a mix of industrial, commercial and residential development  
 Reference the [Master Plan](#) in economic decision-making

**ONE-YEAR TASKS 2021**

Complete Saxton's development  
 Develop municipal parking lot at Saxton's site  
 Support development of 23 parcels adjacent to the Starkweather School property  
 Continue to administer the grant and the brownfield plan to support the Pulte project's completion  
 Finish Redevelopment Ready Community (RRC) certification by the end of 2021  
 Develop an annual training calendar for the Planning Commission, the Historic District Commission, the Zoning Board of Appeals and the DDA, and identify a funding source  
 Implement temporary plans to assist businesses in recovery efforts

**GOAL IV - SERVICE AND INFRASTRUCTURE****OBJECTIVES**

Support administration and staff by providing professional development opportunities, supplying resources, and maintaining a commitment to recruitment, retention, succession planning  
 Support and deliver safe and responsive emergency services  
 Maintain a sophisticated and responsive technology to communicate and manage data  
 Continually record, maintain, update, and improve City infrastructure

**ONE-YEAR TASKS 2021**

Explore enhanced pedestrian safety opportunities into targeted intersections  
 Research funding opportunities for ADA compliance at the PCC  
 Implement 2021 infrastructure program  
 Continue training for future career development and succession planning  
 Conduct a traffic study to determine whether to make additional streets one way  
 Update mapping resources including parcel data, completing 50% by the end of the year  
 Update/replace current technology to ensure compliance with new regulations, rules, and operating systems  
 Revisit paid parking

1. Focus on education by scheduling four educational, working sessions on the following dates: February 24, March 24, October 27, and November 17.
2. Draft a Form Based Code test case.
3. Approve a mixed use, high density zoning ordinance.
4. Review existing ordinances for amendments related to residential building heights and habitable space within accessory buildings.



# Plymouth Planning Commission

## Regular Meeting Minutes

### Wednesday, July 14, 2021 - 7:00 p.m.

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170

[www.plymouthmi.gov](http://www.plymouthmi.gov)  
Phone 734-453-1234  
Fax 734-455-1892

#### Online Zoom Webinar

#### 1. CALL TO ORDER

Chair Karen Sisolak called the meeting to order at 7:09 p.m.

Present: Chair Sisolak, Vice Chair Jennifer Kehoe, Commissioners, Hollie Saraswat, Scott Silvers, Joe Hawthorne, Tim Joy (arrived at 7:14)

Excused: Commissioner Shannon Adams, Adam Offerman

Also present: Assistant Community Development Director Greta Bolhuis and Planning Consultant Sally Elmiger.

#### 2. CITIZENS COMMENTS

There were no citizen comments.

#### 3. APPROVAL OF THE MINUTES

Silvers offered a motion, seconded by Kehoe, to amend the June 9, 2021 regular meeting minutes to include the finding of fact for the fence screening and to add that the city would handle any noise ordinance violations.

There was a roll call vote.

Yes: Hawthorne, Joy, Kehoe, Saraswat, Silvers, Sisolak

MOTION PASSED 6-0

#### 4. APPROVAL OF THE AGENDA

Silvers offered a motion, seconded by Kehoe, to approve the agenda.

There was a roll call vote.

Yes: Hawthorne, Joy, Kehoe, Saraswat, Silvers, Sisolak

MOTION PASSED 6-0

#### 5. COMMISSION COMMENTS

Joy suggested revisiting PUDs that came before the Commission to gather opportunities for improvement and lessons learned.

Silvers suggested reviewing completed PUDs and cross-referencing completed PUDs to the Master Plan.

Joy suggested developing clearer guidelines for potential PUD developers.

Elmiger explained that each developer goes through a pre-application meeting and is vetted for compliance with the ordinances and necessary deviations are noted. She reminded the Board that each PUD is a negotiation and consideration of the deviations and for the proposed public benefits.

Sisolak suggested revisiting the list of transitional properties and reassess the Master Plan.

Kehoe suggested that form-based codes would assist with producing desired development.

Silvers explained he emailed Comm. O'Donnell to inform her that many no parking signs were nailed to street trees, and he suggested a better way to post necessary signage.

## **6. OLD BUSINESS**

### **a. Mixed-Use High Density Ordinance Discussion/Comments**

Sisolak explained she met with Comm. O'Donnell and Mayor Pro-Tem Moroz to discuss funding availability and next steps related to rezoning, this proposed ordinance, and form-based codes. She explained that through the Redevelopment Ready Communities program there is an opportunity to utilize technical assistance funding and that Bolhuis was meeting with the RRC Planner in early August to discuss available funding further.

## **7. NEW BUSINESS**

### **a. Michigan Association of Planning Training Video Discussion: Roles and Responsibilities & Making Motions**

Saraswat believed there was a lot of valuable information that was glossed over. She found the conflict-of-interest topic and boundaries when conversing with applicants to be informative.

Silvers found the information on sub-committee purview and discussion helpful.

Kehoe agreed that she liked the clarification on sub-committee work. She liked that it was recommended to have a joint meeting with the City Commission to discuss goals. She liked that it clarified that appointed and elected commissioners should not communicate directly with the applicant when that commission will be voting on the applicant's project.

Saraswat appreciated the discussion on how to craft a good motion. She wished there was more information on the socio-economic history of zoning.

Sisolak liked the suggestion of reviewing the Annual Report in a joint session with the City Commission.

Silvers wanted the motion making guide to be included in each packet.

### **b. Michigan Association of Planning Training Video Discussion: Planned Unit Development**

Silvers reiterated that the PUD process was a negotiation and that the agreement had to be an improvement of what the existing zoning allows.

Saraswat agreed but was concerned that the Board doesn't know what a proposed PUD development should be compared to.

Sisolak wanted the Planning Commission to consider performance guarantees in future PUDs.

Elmiger explained that a performance guarantee is typically a letter of credit or deposit so that if the developer does not implement the site plan as proposed the city would have the resources to build the proposed project. She explained that they are typically written in the zoning ordinance.

Sisolak suggested revisiting the PUD ordinance to close some loopholes and make the process easier for the applicant.

Comm. Hawthorne left at 8:09 p.m.

Silvers suggested investigating where the ordinance is failing which is prompting a PUD. He suggested checking if the ordinance failures were a repeating.

Kehoe reiterated that a PUD ideally would be used to combine properties with multiple zoning designations.

## **8. REPORTS AND CORRESPONDENCE**

Kehoe explained she attended the City Commission meeting where the Starkweather School PUD was considered. She explained the City Commission upheld the Planning Commission's original approval and conditions.

Bolhuis stated the meetings would be on Zoom through the end of the year.

## **9. ADJOURNMENT**

Joy offered a motion, seconded by Kehoe, to adjourn the meeting at 8:23 p.m.

There was a roll call vote.

Yes: Joy, Kehoe, Saraswat, Silvers, Sisolak

MOTION PASSED 5-0



# City of Plymouth

## Planning Commission

### Administrative Recommendation

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City of Plymouth  
201 S. Main  
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[www.plymouthmi.gov](http://www.plymouthmi.gov)  
Phone 734-453-1234  
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To: Planning Commissioners  
From: Greta Bolhuis, AICP, Assistant Community Development Director  
Date: August 6, 2021  
Re: Redevelopment Ready Communities Next Steps

#### **BACKGROUND:**

As you are aware, the City of Plymouth has been actively working toward achieving Redevelopment Ready Communities Essentials status. As part of Best Practice Two: Zoning a variety of housing options are required to be included in the zoning ordinance. Community Development Department staff is recommending the addition of townhomes/rowhouses, triplexes, quadplexes, sixplexes, and stacked flats to the RM-1 and RM-2 zoning district. These housing types are currently permitted within this zoning district, however, they are not specifically recommended or called out. Adding these options into the permitted use section of the RM-1 and RM-2 districts not only meets the criteria of the RRC Best Practice, but also encourages the type of multi-family development that is outlined in the Master Plan. The proposed changes to the RM-1 and RM-2 zoning district is attached.

As part of Best Practice Four: Boards and Commission the Planning Commission must have adopted bylaws. The Planning Commission bylaws have been re-written, and the draft document is attached for your review. The proposed bylaws have been reviewed by the City Attorney.

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission approve the text amendment to the RM-1 and RM-2 districts. At a subsequent meeting, a public hearing will need to be held. At the conclusion of the public hearing the amendment will be forwarded to the City Commission for their review and approval.

Staff further recommends that the Planning Commission adopt the attached bylaws. Once the bylaws are adopted, they will be updated with the appropriate dates and a copy will be provided to every commissioner. Additionally, the bylaws will be published on the City's website.

**CITY OF PLYMOUTH**  
**PLANNING COMMISSION BYLAWS**  
**Adopted XXX**

**1. Name and Purpose**

- A. The name of this Commission shall be the City of Plymouth Planning Commission.
- B. These Bylaws are adopted by the Commission to facilitate the performance of its duties as outlined in Public Act 33 of 2008, as amended, known as the Michigan Planning Enabling Act.
- C. These Bylaws are also adopted to facilitate the duties of the Commission for administration of the zoning ordinance as outlined in Public Act 110 of 2006, as amended, known as the Michigan Zoning Enabling Act.

**2. Membership**

- A. Members. Members of the Commission are appointed by the City Commission pursuant to the City of Plymouth's Planning Commission Ordinance, Chapter 18 Article II of 1982, as amended.
  - 1. Each member shall represent and advocate for what is best for the City of Plymouth as a whole, putting aside personal or special interests.
  - 2. Membership shall be representative of important segments and geography of the City of Plymouth to the extent practicable.
    - i. The Commission shall consist of nine (9) members.
    - ii. Members shall be city residents.
    - iii. One member shall be a member of the Zoning Board of Appeals.
    - iv. Members should be qualified by experience and/or training in matters related to land use planning and zoning. Important segments to consider include environmental interests, educational interests, forestry interests, governmental and municipal interests, recreation and tourism interests, industrial and economic interests, transportation and communication interests, sanitation interests, environmental health interests, housing interests, and human services interests.
    - v. Liaisons. The purpose of liaisons is to provide City of Plymouth officials and administration the ability to participate in discussions with the Commission, in addition to speaking in public comment, and nothing else. Liaisons cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum, or be expected to comply with attendance requirements. Liaisons are:
      - 1. Community Development Department staff and their agents and consultants.
      - 2. City of Plymouth Attorney.
      - 3. City of Plymouth Department of Municipal Services.
      - 4. City of Plymouth City Manager.
      - 5. Mayor of the City Commission, or other appointed Commissioner.
      - 6. The county Soil Erosion and Sedimentation Control Officer.
      - 7. The County Register of Deeds.
      - 8. Regional planning staff.
- B. Attendance. A member absent from three (3) consecutive regularly scheduled meetings shall be reported to the City Commission for delinquency. Delinquency shall be grounds for the City Commission to remove member for nonfeasance or misconduct, after holding a public hearing on the matter. The ex-officio Secretary shall keep attendance records and report delinquent members to the City Commission for further consideration.

- C. Training. Each member shall have attended at least four hours per year of training in planning and zoning during the member's current term of office. Training shall be provided by one or more of the following organizations: Michigan Association of Planning, American Planning Association, Michigan State Extension, Michigan Municipal League, or continuing education programs at a recognized Michigan university.
- D. Conflict of Interest. A member is disqualified from participating in a matter when a conflict of interest as defined in the Planning Commission Ordinance Section 18-26 (d) and in the Ethics Ordinance Section 2-3 is present.

### 3. Duties of all Members

- A. Code of Conduct. Each member upon appointment, shall sign a code of conduct.

### 4. Officers

- A. Selection. At the first regular meeting of each year, the Commission shall select a Chairperson and Vice-Chairperson from its membership. All officers are eligible for re-election. Nominations shall be made from the floor as open nominations. A voice vote election shall take place to elect officers. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. The Community Development Director or his or her designee shall be the ex-officio Secretary.
- B. Tenure. The Chair and Vice-Chair shall take office immediately following their election and shall hold office for a term of one year or until their successors are selected and assume office.
- C. Chair's Duties. The Chair retains his or her ability to discuss and vote on issues before the Commission. The Chair shall:
  - 1. Preside at all meetings.
  - 2. Rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanities; or other remarks which are not about the topic before the Commission.
  - 3. Restate all motions as pursuant to Section 5.E of these Bylaws.
  - 4. Appoint sub-committees.
  - 5. May call special meetings pursuant to Section 5.B of these Bylaws.
  - 6. Act as an ex-officio member of all sub-committees of the Commission.
  - 7. Review items on the agenda with staff prior to a Commission meeting if he or she so chooses.
  - 8. Periodically meet with the Community Development Director and/or planning staff to review department operation, procedures, and to monitor progress on various projects.
  - 9. Represent the Commission, along with the City Commission Liaison, in front of the City Commission.
  - 10. Perform such other duties as may be ordered by the Commission.
- D. Vice-Chair's Duties. The Vice-Chair shall:
  - 1. Act in the capacity of the Chair in the Chair's absence.
  - 2. Perform such other duties as may be ordered by the Commission.
- E. Secretary's Duties. The Secretary shall:
  - 1. At each meeting of the Commission take notes for minutes.
  - 2. Execute documents in the name of the Commission.
  - 3. Be responsible for the minutes of each meeting.
  - 4. Review the draft of the minutes and submit them for approval to the Commission. Copies of minutes shall be distributed to each member of the Commission prior to the next meeting of the Commission.
  - 5. Receive all communication, petitions, and reports to be addressed by the Commission.



6. Keep attendance records pursuant to Section 2.C of these Bylaws.
7. Provide notice to the public and members of the Commission for all regular and special meetings, pursuant to the Open Meetings Act, Public Act 267 of 1976, as amended.
8. Prepare an agenda for Commission meetings pursuant to Section 5.K of these Bylaws.
9. Perform such other duties as may be ordered by the Commission.

## 5. Meetings

- A. Regular Meetings. Meetings of the Commission will be held the second Wednesday of every month at 7:00 PM at City Hall located at 201 S. Main Plymouth, MI 48170. When the regular meeting date falls on a legal holiday, the Commission shall select a suitable alternate day in the same month. An annual notice of regularly scheduled meetings shall comply with Public Act 267 of 1967, as amended.
- B. Special Meetings. Special meetings shall be called in the following manner:
  1. By the Chair.
  2. By any two members of the Commission.
  3. By the Chair at the request of a non-member of the Commission, upon payment of the special meeting fee.
  4. Notices shall be given to each Commissioner at least forty-eight (48) hours prior to such meeting and shall state the purpose, time, day, month, date, year, and location of the meeting. Notices shall comply with the Open Meetings Act.
- C. Recess. The Chair, or the Commission after the meeting has been in session for three hours shall suspend the Commission's business and evaluate the remaining items on its agenda. The Commission shall then decide to finish that meeting's agenda, may act to continue the meeting on another day, or complete some agenda items and postpone certain agenda items to the next regular meeting.
- D. Quorum. More than half the total number of seats for members of the Commission, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.
- E. Motions.
  1. Motions shall be restated by the Chair before a vote is taken.
  2. Findings of Fact. All actions taken shall include each of the following parts:
    - i. A finding of fact, listing what the Commission determines to be relevant facts in the case to eliminate misleading statements, hearsay, irrelevant, and untrue statements.
    - ii. Conclusions to list reasons based on the facts for the Commission's action, often directly related, or not, to a finding of compliance, or noncompliance, to standards.
    - iii. The Commission's action: recommendation, approval, approval with conditions, or denial.
- F. Voting. Voting shall be by voice and shall be recorded as passing or failing. Roll call votes will be recorded only upon request by a member of the Commission and shall be "yes" or "no". Members must be present to cast a vote. Voting by proxy shall not occur. The affirmative vote of a majority of those present or the majority of a quorum, whichever is greater, shall be necessary for the adoption of motions. The affirmative vote of two-thirds the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.
- G. Commission Action. Action by the Commission on any matter which requires a public hearing shall not be taken until the hearing has been concluded.
- H. Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be informal. However, if required to keep order, Commission meetings shall then be governed by Robert's Rules of Order Newly Revised (12<sup>th</sup> Edition) for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different from Robert's Rules, then these Bylaws prevail.

- I. Public Participation. All regular and special meetings, hearing, records, and accounts shall be open to the public.
  1. All public comment that is pertinent to the Commission, but unrelated to a specific item on the agenda may be presented during "Citizen Comments".
  2. The public will be given the opportunity to speak on each case after the applicant, owner, or agent has presented his or her case to the Commission. If an agenda item or case does not have an applicant presentation, then public comment will occur after introduction by the Chair or presentation by staff or consultant.
  3. The Chair may limit the amount of allowed for each person wishing to make public comment at a Commission meeting. The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comments at the Commission meeting with an extended time limit.
- J. Order of Business. The Secretary shall prepare an agenda for each meeting and the order of business shall be as follows:
  1. Call to Order, roll call, and Pledge of Allegiance
  2. Citizen Comments (public hearings)
  3. Approval of the Minutes
  4. Approval of the Agenda
  5. Commissioner Comments
  6. Old Business (unfinished business)
  7. New Business
  8. Reports and Correspondence
  9. Adjournment
- K. Delivery of Agenda. The agenda and accompanying materials shall be hand delivered to Commission members so that members shall receive the packet of information on Friday of the weekend prior to the regular meeting date.
- L. Placement of Items on the Agenda.
  1. The Community Development Department shall be the office of record for the Commission.
  2. The Community Development Department may receive items on behalf of the Commission between the time of adjournment of the previous Commission meeting and eight business days prior to the next regularly scheduled Commission meeting.
  3. Items received by the Community Development Department between seven business days prior to the next regularly scheduled Commission meeting and the regularly scheduled Commission meeting shall be placed on the following month's agenda.
  4. The deadline to add items to the Commission's meeting agenda shall be seven business days prior to the next regularly scheduled Commission meeting.

## 6. Record

- A. Minutes and Record. The Secretary shall keep a record of Commission meetings, which shall at a minimum include the following:
  1. Copy of the meeting posting pursuant to Public Act 267 of 1976
  2. Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence of occurrence:
    - i. Time and place the meeting was called to order
    - ii. Attendance
    - iii. Indication of others present

- iv. Summary or text of points of all reports given at the meeting, and who gave the report and in what capacity. Alternatively, a copy of the report may be attached, if offered in writing.
  - v. Summary of all points made in public participation or at a public hearing by the applicant, officials, and guests and an indication of who made the comments. Alternatively, a copy of the report may be attached, if offered in writing.
  - vi. Full text of all motions introduced, whether seconded or not, who made the motion and who seconded the motion. For each motion, the following should be included:
    - 1. A statement of what is being approved (i.e. special use permit, site plan, etc.)
    - 2. The location of the property involved (parcel number is best)
    - 3. What exhibits were submitted (list each one, describe each, number or letter each and refer to the letter or number in the minutes)
    - 4. What evidence was considered (summary of discussion by members at the meeting)
    - 5. The finding of fact
    - 6. Reasons for the decision made (If the decision is to deny, then each reason should refer to a section of an ordinance which would be violated, or with which not complied)
    - 7. The decision
    - 8. A list of all required improvement if any
    - 9. List of all changes to the map/drawing/site plan that was submitted
  - vii. The type of vote and its outcome. If a roll call vote, indicate who voted yes, no, abstained, or a statement the vote was unanimous. If not a roll call vote, then simply a statement: "Motion passed/failed number of votes in majority to number of votes in minority".
  - viii. When a voting member enters or leaves a meeting.
  - ix. When a voting member or staff member has a conflict of interest and when the voting member ceases and resumes participation in discussion, voting, and deliberations at a meeting.
  - x. The attendance and ruling if a quorum exist or not.
  - xi. The start and end of each recess.
  - xii. Summary of announcements.
  - xiii. Summary of informal actions or agreement on consensus.
  - xiv. Time of adjournment.
3. Records of any action, support documents, maps, site plans, photographs, correspondence received, attached as an appendix to the minutes.
- B. Retention. Commission records shall be preserved and kept on file according to the following schedule, as adopted by the State of Michigan:
- 1. Minutes, oaths of officials, zoning ordinances, master plans, other records of decisions, Commission or department publications, correspondence: Permanent.
  - 2. Bills and/or invoices, receipts, purchase orders: 7 years.

## 7. Sub-Committees

- A. Ad Hoc Sub-Committees. The Commission or Chair may establish and appoint ad hoc sub-committees for special purposes or issues, as deemed necessary. Less than a quorum may serve on an ad hoc sub-committee at any time.

- B. Citizen Sub-Committees. The Commission, the Chair, or the Community Development Director or his/her designee may establish and appoint citizen committees with the consent of the Commission. Membership may be any number as long as less than a quorum of the Commission serves on a citizen sub-committee at any time. The purpose of a citizen sub-committee is to have more citizen and administrative involvement, to better represent various interest groups in the city of Plymouth, and to be able to utilize individuals who are knowledgeable in the particular issue before the Commission.
- C. Rules of Procedure. Sub-Committees shall follow the meeting rules and recordkeeping procedures outlined in Sections 5 and 6, when applicable.

## 8. Zoning Responsibilities

- A. All powers of the zoning commission have been transferred to this Commission, pursuant to MCL 125.3301 of the Zoning Act.
- B. Zoning Adoption or Amendment. The commission shall review and act on all proposed zoning ordinances or zoning amendments pursuant to the Zoning Act. At least one public hearing shall be held on each proposed zoning ordinance or amendment, with notices given as specified in the zoning ordinance and Zoning Act. After the hearing, action shall be in the form of a recommendation to the legislative body. At a minimum, the recommendation shall include:
  - 1. Zoning plan for the areas subject to zoning or zoning amendment;
  - 2. The establishment of or modification of zoning districts, including the boundaries of those districts;
  - 3. The text of a zoning ordinance or amendment with the necessary maps and zoning regulations to be adopted for a zoning district or the zoning jurisdiction as a whole; and
  - 4. The manner of administering and enforcing the zoning ordinance.
- C. Special Land Use. The commission shall review and act on all special uses pursuant to the Zoning Act and zoning ordinance. At least one public hearing shall be held on each proposed special use application, with notices given as specified in the zoning ordinance and Zoning Act. After the hearing, action shall be in the form of a motion with finding of fact (per section 5.E.2 of these bylaws), conclusions as a list of reasons for the action, and the Commission's action.
- D. Site Plan Review. The Commission shall review and act upon all site plans which the zoning ordinance requires Commission action. Action shall be in the form of a motion with finding of fact (per section 5.E.2 of these bylaws), conclusions as a list of reasons for the action, and the Commission's action.
- E. Appeals. The Commission shall not act, or otherwise hear issues on zoning ordinance interpretation, zoning map interpretation, non-use (dimensional) variances, or use variances. Such matters shall be exclusively the jurisdiction of the Zoning Board of Appeals.

## 9. Plan Reviews

- A. The Commission shall review all adjacent, or contiguous, local government plans and adjacent county plans.
- B. Action shall be in the form of a motion with finding of fact (per section 5.E.2 of these bylaws), conclusions as a list of reasons for the action, and the Commission's action.
- C. The review should focus on:
  - 1. Increasing coordination of planning between governments.
  - 2. Consistency or inconsistency with the city's plan(s) for matters such as:
    - i. Border issues
    - ii. Issues of greater than local concern
    - iii. Comparison with local plan contents
    - iv. Comparison with county/regional plan contents

- v. Comparison to other relevant adopted plans such as recreation master plan, historic preservation plan, downtown plan, TIF or brownfield redevelopment plan, etc.
  - vi. Comparison to various implementation strategies.
- D. The review shall be in the form of a letter and shall consider:
  - 1. The review stages are near the end of the plan adoption process. Do not extend the adoption more than necessary.
  - 2. Focus only on significant issues. Suggest solutions rather than only pointing out what is wrong.
  - 3. Be clear and document statements to improve the quality of planning for the entire area. This process is to improve coordinating planning, not to undermine relationships or exacerbate tensions between governments.
  - 4. Mutual respect so that the comments are factual, objective, and based on sound planning principles.

## **10. Capital Improvements Review and Capital Improvements Program**

- A. Per Section 18-26 (f) of the Code of Ordinances, the Planning Commission shall be exempted from the requirements of the Planning Act which requires the preparation of a capital improvements program to be submitted to the City Commission.

## **11. Other Matters to be Considered by the Commission**

- A. Commission Action. The following matters shall be presented for consideration at a meeting of the Commission:
  - 1. At least annually, adopt the priorities for the Commission's plan of work.
  - 2. Annually, prepare an annual report of the Commission.

## **12. Commission Staff**

- A. Authorization. The Commission staff may consist of a Community Development Director and such other personnel as may be authorized after the budget for the same is approved by the City Commission.
- B. General responsibility. The Commission staff is charged with the duty of preparation and administration of such plans as are authorized by the Commission, appropriate for the city of Plymouth and its environs and are within the scope of the Planning Act and the Zoning Act.
- C. Advocacy. The Commission staff shall not attempt to represent the views of comments of a member of the public at a public hearing or Commission meeting. Staff shall indicate a member of the public wishing to make their views known and they should do so directly to the Commission in person, through an agent, or by providing written comment.

## **13. Adoption, Repeal, and Amendments**

- A. Upon adoption of these Bylaws of XX XX, 2021, they shall become effective, and all previous Bylaws shall be repealed.
- B. The Commission may suspend any one of these Bylaws, for a duration of not more than one agenda item or meeting.
- C. These Bylaws may be amended at any regular or special meeting by a two-thirds vote of the members present.

## ***ARTICLE VI. RM-1, RM-2 MULTIPLE-FAMILY RESIDENTIAL DISTRICTS***

### **Sec. 78-60. Intent.**

The RM-1 and RM-2 multiple-family residential districts are designed to provide sites for multiple-family dwelling structures, and related uses, which will generally serve as zones of transition between the nonresidential districts and the lower density single-family residential districts. The multiple-family districts are further provided to serve the limited needs for the apartment type of unit in an otherwise low density, single-family community.

(Ord. of 10-6-03)

### **Sec. 78-61. Principal uses permitted.**

In a multiple-family district no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specified purposes and shall be permitted subject to the review and approval of the site plan by the planning commission. Such review of the site plan is required to find proper relationships between development features as they relate to traffic safety and appropriate design of service roads, driveways, parking areas; accessory buildings, and open space.

- (1) Multiple-family dwellings and attached condominium units.
- (2) Two-family dwellings and two-family attached condominium units.
- (3) Single-family detached dwellings.
- (4) Publicly owned and operated libraries, parks, parkways and recreational facilities.
- (5) Planned unit development pursuant to article 24.
- (6) Cemeteries.
- (7) Family day care homes.
- (8) Group day care home subject to section 78-297.
- (9) Adult foster care family homes.
- (10) Adult foster care small group home subject to section 78-298.
- (11) Accessory uses, subject to provisions of article 21.
- (12) Home occupations subject to provisions of section 78-212.
- (13) Essential public services.
- (14) Townhomes/Rowhouses and attached single-family units.
- (15) Triplexes.
- (16) Quadplexes.
- (17) Sixplexes.
- (18) Stacked flats.

(Ord. of 10-6-03)

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## Sec. 78-62. Special land uses permitted after review and approval.

The following uses may be permitted by the planning commission subject to article 23, the review and approval of the site plan by the planning commission, and the imposition of special conditions which, in the opinion of the commission, are necessary to ensure that the land use or activity authorized is compatible with adjacent uses of land, the natural environment and the capacities of public services and facilities affected by the land use, and subject further to a public hearing held in accord with section 78-281:

- (1) General hospitals, except those for criminals and those solely for the treatment of persons who are mentally ill or have contagious disease, not to exceed four stories when the following conditions are met:
  - a. All such hospitals shall be developed only on sites consisting of at least five acres in area, and shall not be permitted on a lot or lots of record.
  - b. The proposed site shall have at least one property line abutting a major thoroughfare.
  - c. The minimum distance of any main or accessory building from bounding lot lines or streets shall be at least 100 feet for front, rear and side yards for all two-story structures. For every story above two, the minimum yard distance shall be increased by at least 20 feet.
  - d. Ambulance ~~.....~~ and delivery areas shall be provided with an obscuring screen in accordance with the provisions of section 78-206. Ingress and egress to the site shall be directly from a major thoroughfare.
  - e. All ingress and egress to the off-street parking area, for guests, employees, staff, as well as any other uses of the facilities, shall be directly from a major thoroughfare.
- (2) Convalescent or nursing homes, not to exceed a height of two-stories, when the following conditions are met:
  - a. The site shall be so developed as to create a land to building ratio on the lot or parcel whereby for each one bed in the convalescent home there shall be provided not less than 800 square feet of open space. The 800 square feet of land area per bed shall provide for landscape setting, off-street parking, service drives, loading space, yard requirements, employee facilities, and any space required for accessory uses. The 800 square-foot requirement is over and above the building coverage area.
  - b. No building shall be closer than 40 feet from any property line.
- (3) Adult dependent housing or assisted living facilities when the following conditions are met:
  - a. Adult dependent housing provided for in a multiple-family housing form with central dining facilities provided as a basic service to each unit. A community center for the overall development shall be provided to support recreational and social activities.
  - b. The following minimum requirements shall be provided for the elderly unit types permitted in subsection (3)a of this section:

1.	Density	Same as RM-1
2.	Minimum usable floor area, one- and two-bedroom	200 sq. ft. per person occupying each unit
3.	Building and height setbacks and percent coverage of site	Same as RM-1
4.	Off-street parking:	
	Residents	0.5 space/unit

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	Guests	0.25 space/unit
5.	Maximum coverage:	
	Building	35%
	Parking	15%
	Open space (min.)	15%

6. Proposed housing developments will also be evaluated in terms of their convenience and/or accessibility by residents to various commercial, office and service facilities. Consideration shall be given to the type of facilities proposed, resident needs, effective proximity to service facilities and transportation services to these facilities.

7. All spacing shall meet the requirements of section 78-191, footnote (d).

- (4) Churches and other facilities subject to section 78-300.
- (5) Parochial and private elementary, intermediate, or secondary schools offering courses in general education, not operated for profit.
- (6) Uses and buildings of the city or government.
- (7) Bed and breakfast operations subject to section 78-287.
- (8) Adult foster care large group home.
- (9) Adult foster care congregate facility.

(Ord. of 10-6-03; Ord. No. 2012-04, § 6, 11-5-12)

### **Sec. 78-63. Required conditions.**

- (a) In the case of multiple dwelling developments, all site plans shall be submitted to the planning commission for its review and approval prior to issuance of a building permit. Approval shall be contingent upon a finding that:
  - (1) The site plan shows that a proper relationship exists between local streets and any proposed service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety; and
  - (2) All the development features including the principal building or buildings and any accessory buildings, or uses, open spaces, and any service roads, driveways and parking areas are so located and related to minimize the possibility of any adverse effects upon adjacent property, such as but not limited to, channeling excessive traffic onto local residential streets, lack of adequate screening or buffering of parking or service areas, or building groupings and circulation routes located as to interfere with police or fire equipment access.
- (b) All dwelling units shall be reviewed by the building official and shall be subject to the following conditions:
  - (1) Dwelling units shall conform to all applicable city codes and ordinances and state or federal requirements with respect to the construction of the dwelling.
  - (2) Dwelling units shall be permanently attached to a perimeter foundation. In instances where the applicant elects to set the dwelling on piers or other acceptable foundations which are not at the perimeter of the dwelling, then a perimeter wall shall also be constructed. Any such perimeter wall shall be constructed of durable materials and shall also meet all local requirements with respect to materials, construction and necessary foundations below the frost line. Any such wall shall also provide an appearance which is compatible with the dwelling and other homes in the area.



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- (3) Dwelling units shall be provided with exterior finish materials similar to the dwelling units on adjacent properties or in the surrounding residential neighborhood.
  - (4) Dwelling units shall be provided with roof designs and roofing materials similar to the dwelling units on adjacent properties or in the surrounding residential neighborhood.
  - (5) Dwelling units shall be provided with an exterior building wall configuration which represents an average width to depth or depth to width ratio which does not exceed three to one, or is in reasonable conformity with the configuration of dwelling units on adjacent properties or in the surrounding residential neighborhood.
  - (6) The dwelling shall contain storage capability in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten percent of the square footage of the dwelling or 100 square feet, whichever shall be less.
  - (7) Any such dwelling unit shall be anchored by an anchoring system approved by the city.
  - (8) The building official may request a review by the planning commission of any dwelling unit with respect to subsections (1), (2), and (3) of this subsection. The building official or planning commission shall not seek to discourage architectural variation, but shall seek to promote the reasonable compatibility of the character of dwelling units, thereby protecting the economic welfare and property value of surrounding residential uses and the city at large. In reviewing any such proposed dwelling unit, the building official may require the applicant to furnish such plans, elevations and similar documentation as is deemed necessary to permit a complete review and evaluation of the proposal. When comparing the proposed dwelling unit to similar types of dwelling areas, consideration shall be given to comparable types of homes within 300 feet. If the area within 300 feet does not contain any such homes, then the nearest 25 similar type dwellings shall be considered.

#### **Sec. 78-64. Area and bulk requirements.**

See article XVII of this chapter for the schedule of regulations limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and the maximum density permitted.

(Ord. of 10-6-03)

#### **Secs. 78-65—78-69. Reserved.**

PART II - CODE OF ORDINANCES  
Chapter 78 - ZONING  
ARTICLE XVII. SCHEDULE OF REGULATIONS

## ARTICLE XVII. SCHEDULE OF REGULATIONS

### Sec. 78-190. Limiting height, bulk, density and area by zoning district.

The following table indicates the height, bulk, density and area limitations by zoning district:

	Minimum Size Lot Per Dwelling Unit		Maximum Height of Structures		Minimum Yard Setback (Per Lot in Feet)			Minimum Floor Area Per Unit (sq. ft.)	Maximum % Lot Area Covered By All Buildings	Maximum Floor Area Ratio	
						Sides					
Zoning District	Area in sq. ft.	Width	In stories	In feet	Front	Least one	Total of two	Rear			
R-1 One-Family Residential	7,200	60	2	25 (b)	25 (m, o)	6 (a)	12	35	950	35 (v)	.40
RT-1 Two-Family Residential	3,500	30	2	25 (b)	25 (m, o)	10 (a)	20	35	780	30 (v)	.40 (w)
RM-1 Multi-Family Residential	(c, l)	—	2	25 (b)	25 (d)	10 (d)	20 (d)	35 (d)	—	—	.40 (w)
RM-2 Multi-Family Residential	(c, l)	—	4	—	25 (d)	10 (d, e)	20 (d, e)	35 (d)	—	—	.40 (w)
O-1 Office	—	—	2	30	20 (o)	(f)	(f)	20 (g, j)	—	—	—
O-2 Office	15,000	75	3	45	50 (o)	(f)	(f)	20 (g, j)	—	—	—
B-1 Local Business	—	—	2	25	10	(f)	(f)	35 (g, j)	—	—	—
B-2 Central Business	—	—	3	40 (n)	—	(f)	(j)	(j)	—	—	—
B-3 General Business	—	—	2	30	—	(f)	(f)	10 (g, j)	—	—	—
ARC Ann Arbor	-	-	2	30 (p)	10 (q)	10 (r, s, t)	20 (s)	20	—	—	—

Road Corridor											
ARC Ann Arbor Road Corridor [78-161(c)(24)] (applicable to Plymouth Township)	—	—	—	35	50	20 (y)	40	20	—	—	—
MU— Mixed Use	3,500 (c, l)	30	2	25 (b)	15 (o)	10 (f)	20 (f)	35 (g, j)	—	35	.40 (w)
I-1 Light Industry	—	—	—	45	25 (h)	10 (i, k)	20 (i, k)	10 (i, k)	—	—	—
I-2 Heavy Industry	—	—	—	60	50 (h)	20 (i, k)	40 (i, k)	20 (i, k)	—	—	—

(Ord. of 10-6-03; Ord. No. 2012-04, § 9, 11-5-12; Ord. No. 2015-04, § 4, 7-6-15; Ord. No. 2017-01, § 2, 1-3-17 )

#### Sec. 78-191. Notes to schedule.

- (a) The side yard abutting upon a street shall not be less than eight feet for R-1 districts or 12 feet for RT-1 districts when there is a common rear yard. In case of a rear yard abutting a side yard of an adjacent lot, the side abutting a street shall not be less than the required front yard of that district.
- (b) The height of any main building may exceed the maximum permitted height by one foot for each additional one foot by which the width of each yard exceeds the minimum yard requirement with a maximum height not to exceed five feet above the maximum height permitted.

The building height of a single-family home in the R-1 zoning district shall be limited to 25 feet or as otherwise permitted in this section. Loft areas or finished attics in the R-1 district, which have a floor area of less than ⅓ of the floor area of the floor below, shall also be restricted to a total building height of 25 feet and shall be required to have a minimum side yard of 12 feet and a minimum lot width of 60 feet.

- (c) The total number of rooms in a multiple dwelling structure of two stories or less shall not be more than the area of the parcel, in square feet, divided by 1,300. The total number of rooms in a multiple dwelling of over two stories but not exceeding four stories shall not be more than the area of the parcel, in square feet, divided by 900. Not more than ten percent of the units on any given parcel may be of an efficiency apartment type. For the purpose of computing rooms, the following shall control:

Efficiency apartment unit	=	1 room
One-bedroom unit	=	2 rooms
Two-bedroom unit	=	3 rooms
Three-bedroom unit	=	4 rooms
Four-bedroom unit	=	5 rooms

Plans presented showing one-, two-, or three-bedroom units and including a den, library, or other extra room shall count such extra rooms as a bedroom for the purpose of computing density.

The area used for computing density shall be the total site area exclusive of any dedicated public right-of-way of either interior or bordering streets.

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- (d) In RM districts the minimum front and rear yards shall be equal to the height of the building, except that where a front lot line abuts a street,  $\frac{1}{2}$  the width of the right-of-way of such street may be considered as front yard setback, but in no instance shall any front or rear yard setback be less than 25 feet.
- (1) In all RM-1 and RM-2, Multiple-Family Residence Districts, the minimum amount of usable open space or recreation area per dwelling unit (exclusive of a required front yard, parking areas or driveways) shall be equal to 150 square feet of lot area per bedroom.
- (2) If more than one building shall be constructed on the same site the following requirements shall also apply. Minimum distance between buildings shall be:
- a. Seventy feet when front to rear.
  - b. Seventy feet when front to front.
  - c. Seventy feet when rear to rear.
  - d. Twenty-five feet end to end.
  - e. Fifty feet end to front.
  - f. Fifty feet end to rear.
- (e) For each story in excess of two stories, a side yard of 2½ feet for each additional story shall be provided, in addition to the minimum ten foot requirement. The distance between buildings on the same lot shall be regulated by the building distance formula specified in subsection (d) of this section.
- (f) No side yards are required along the interior side lot lines, except as otherwise specified in the building code. On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than ten feet on the side or residential street. If walls of structures facing interior lot lines contain windows or other openings, side yards of not less than ten feet shall be provided. The setback shall be measured from the nearest side of the existing and/or proposed right-of-way lines, whichever is greater.
- (g) One-half the width of alleys at the rear of the lot may be considered in computing rear yard setbacks.
- (h) Parking shall be permitted in a required front yard.
- (i) An obscuring screen shall be provided in accordance with the provisions of section 78-206. The greenbelt planting plan shall be reviewed and approved in conformity with section 78-203.
- (j) Off-street loading space shall be provided in the rear yard in the ratio of at least one space per each establishment and shall be provided in addition to any required off-street parking area. Off-street loading space shall further meet the requirements of section 78-273. This provision shall not apply in the CBD district as defined and encompassed by Wing, Harvey, Church, Deer and Union Streets. In those instances where properties abut an alley such alley may be substituted for off-street loading requirements in business districts. In office districts off-street loading may take place in undesignated places in parking lots provided such loading is of a short-term nature.
- (k) For side or rear yards which border on a residential district, there shall be provided a setback of not less than 20 feet in the I-1, light industrial district and 40 feet in the I-2, heavy industrial district. The side yard requirement on an interior side yard abutting an industrial district may be waived by the planning commission providing that the combined total side yard requirement of 20 feet in the I-1 district and 40 feet in the I-2 district is located on the other side and provided further that the planning commission finds that such a building location on the lot line shall not adversely affect existing and/or potential development patterns in the area and that the building location and construction are acceptable to the city building and fire departments.
- (l) A minimum lot size of not less than 10,000 square feet shall be provided for any multiple dwelling sites.

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- (m) Parking shall not be allowed in a front yard setback area other than in the driveway.
  - (n) Per the overlay district map for the central business district, building heights are limited to 40 or 50 feet for specified areas of the downtown.
  - (o) The established front setbacks for structures within established R-1, RT-1, MU, O-1 and O-2 zoning districts shall be at least 90 percent of the average front yard setback of surrounding buildings. The average setback and front building line shall be determined by examining existing buildings located on the same side of the street and within 200 feet of the subject parcel. If the resulting setback is less than 15 feet, then the allowed setback shall be no less than the allowed setback average. For a single family residential project that meets the "front porch exception" standards listed in 78-43(11) or (12), or 78-53(11) or (12), the average front setback shall be calculated using the front wall of the surrounding dwellings rather than the edge of any existing porches. In any case, the minimum average front yard setback for an incentive porch shall not be less than fifteen (15) feet. The building official may exclude structures used in calculating average front setbacks when the structure deviates by more than 25 feet forward or back from the average setbacks of other structures found within 200 feet.
  - (p) The planning commission shall have the authority to approve an increase in building height up to a maximum of 38 feet, provided that the building does not exceed two stories and conforms with one of the following criteria:
    - (1) The additional height is necessary to achieve two stories due to the particular nature and functions of the approved use.
    - (2) The additional height is necessary to accommodate architectural features that enhance the character of the building and the district.
  - (q) When parking is furnished between the building and the street, a front yard of not less than 75 feet shall be provided.
  - (r) When a side yard is adjacent to a residential use, a side yard of not less than 20 feet shall be provided.
  - (s) Side yards are not required along an interior side parcel line, where all walls of building s abutting such interior side parcel line are wholly without or other openings and are of fireproof construction, but if the side wall is not of fireproof construction, a side yard of not less than ten feet shall be provided. When an interior business parcel abuts a residential parcel, a side yard of not less than 20 feet shall be required in addition to the required screening and land use buffer.
  - (t) When parking is furnished in the side yard on the street side of a corner parcel, a side yard of not less than seven feet shall be provided.
  - (u) When such a use is adjacent to a residential district and not separated there from by a street, a side yard and/or a rear yard of not less that 75 feet shall be provided.
  - (v) For projects that meet the standards listed in section 78-43(11) or (12), or section 78-53(11) or (12) and construct an eligible front porch, the area of the eligible front porch located in the front yard setback shall be excluded from the lot coverage calculation.
  - (w) Floor area ratio (FAR) shall be applied to single-family and two-family residential buildings only. For two-family buildings, the total building floor area, as defined, shall be used to calculate the total FAR for the lot. For mixed use projects, FAR shall apply to single-family and two-family residential buildings only.

(Ord. of 10-6-03; Ord. No. 2014-05, § 3, 6-2-14; Ord. No. 2015-04, § 5, 7-6-15; Ord. No. 16-02, § 2, 7-18-16 ; Ord. No. 2017-01, § 2, 1-3-17 )

## **Secs. 78-192—78-199. Reserved**

## **SAMPLE MOTION LANGUAGE – SITE PLANS**

For each motion, the following should be included:

- A. A statement of what is being approved (i.e. special use permit, site plan, etc.)
- B. The location of the property involved (parcel number is best)
- C. What exhibits were submitted and revision date, if applicable (list each one, describe each, number or letter each and refer to the letter or number in the minutes)
- D. What evidence was considered (summary of discussion by members at the meeting)
- E. The finding of fact (identify the applicable ordinances, identify facts of the application, articulate a decision that links the applicable ordinance with the supporting facts or absence of facts)
- F. Reasons for the decision made (If the decision is to deny, then each reason should refer to a section of an ordinance which would be violated, or with which not complied)
- G. The decision
- H. A list of all required improvement if any
- I. List of all changes to the map/drawing/site plan that was submitted

### **1. Motion to Approve Application without Changes**

I move that the Commission approve application number \_\_\_ located at \_\_\_ for site plan approval. \_\_\_ number of pages were submitted for review. The Findings of Fact are as follows: (list facts of finding).

Vote “Yes” to approve application. Vote “No” to deny application.

### **2. Motion to Approve Application with Changes and/or Conditions**

I move that the Commission approve application number \_\_\_ located at \_\_\_ for site plan approval. \_\_\_ number of pages were submitted for review. The approval is provided that the following conditions are met: (list conditions). The approval is provided that the map/drawing/site plan is changed to show: (list changes). The Findings of Fact are as follows: (list facts of finding).

Vote “Yes” to approve application with conditions. Vote “No” to deny application with conditions.

### **3. Motion to Postpone Application**

I move that the Commission Postpone Review of application number \_\_\_ until the next regular meeting scheduled for \_\_\_\_\_. \_\_\_ number of pages were submitted for review. The Findings of Fact are as follows: (list facts of finding requiring postponement). The following information shall be provided: (list missing/deficient information).

Vote “Yes” to approve postponing the review. Vote “No” to deny postponing the review.

### **4. Motion to Deny Application**

I move that the Commission approve application number \_\_\_ located at \_\_\_ for site plan approval. \_\_\_ number of pages were submitted for review. The Findings of Fact are as follows: (list facts of finding that do not support approval).

*Note:* Voting “No” to positively framed motion is the easiest way to deny an application’s request for site plan approval. FYI: Making a motion for approval and then voting “No” to deny is the same as making a motion to deny an application and then voting “Yes”.

Vote “No” to deny the application. Vote “Yes” to approve the application.

## **EXAMPLE**

201 S. Main Street is proposing a second story addition for an existing office building. The submitted drawings show a survey of the property including all existing setbacks, a site plan including existing parking lot layout and landscape areas, a rendering of existing elevations, a scaled rendering of the proposed elevations, and the proposed floor plan of the addition.

### **Example Motion (Approval):**

I move that the Commission approve application number SP21-01 located at 201 S. Main (parcel number 006 01 0262 301) for site plan approval. Five pages were submitted for review labeled A-1 through A-5. The Findings of Fact are as follows: the project as proposed meets the ordinance requirements outlined in the schedule of regulations section 78-190 and 191, landscaping section 78-203, and parking section 78-271.

### **Example Motion (Approval with Changes and Conditions):**

I move that the Commission approve application number SP21-01 located at 201 S. Main (parcel number 006 01 0262 301) for site plan approval. Five pages were submitted for review labeled A-1 through A-5. The approval is conditioned that parking lot lighting information be provided and shall be reviewed administratively for compliance with the ordinance. The approval is provided that the site plan is changed to show the location and enclosure of the dumpster and the loading zone. The Findings of Fact are as follows: the project as proposed meets the ordinance requirements outlined in the schedule of regulations section 78-190 and 191, landscaping section 78-203, and parking section 78-271.

### **Example Motion (Postponement):**

I move that the Commission postpone application number SP21-01 located at 201 S. Main (parcel number 006 01 0262 301) until the next regular meeting scheduled for August 2021. Five pages were submitted for review labeled A-1 through A-5. The Findings of Fact are as follows: the site plan documents as presented did not include sufficient information showing that the ordinance requirements outlined in the schedule of regulations section 78-190 and 191, landscaping section 78-203, and parking section 78-271 are met. The following information shall be provided: parking lot lighting, loading zone, and dumpster enclosure and location.

### **Example Motion (Denial):**

I move that the Commission approve application number SP21-01 located at 201 S. Main (parcel number 006 01 0262 301) for site plan approval. Five pages were submitted for review labeled A-1 through A-5. The Findings of Fact are as follows: the project as proposed does not meet the ordinance requirements outlined in the schedule of regulations section 78-190 and 191, landscaping section 78-203, and parking section 78-271.

## **SAMPLE MOTION LANGUAGE – SPECIAL LAND USE + SITE PLAN APPROVAL**

### **1. Motion to Approve Application without Changes**

I move that the Commission approve application number \_\_\_ located at \_\_\_ for special land use and site plan approval. \_\_\_ number of pages were submitted for review. The Findings of Fact are as follows: (list facts of finding).

Vote “Yes” to approve application. Vote “No” to deny application.

### **2. Motion to Approve Application with Changes and/or Conditions**

I move that the Commission approve application number \_\_\_ located at \_\_\_ for special land use and site plan approval. \_\_\_ number of pages were submitted for review. The approval is provided that the following conditions are met: (list conditions). The approval is provided that the map/drawing/site plan is changed to show: (list changes). The Findings of Fact are as follows: (list facts of finding).

Vote “Yes” to approve application with conditions. Vote “No” to deny application with conditions.

### **3. Motion to Postpone Application**

I move that the Commission postpone review of application number \_\_\_ until the next regular meeting scheduled for \_\_\_\_\_. \_\_\_ number of pages were submitted for review. The Findings of Fact are as follows: (list facts of finding requiring postponement). The following information shall be provided: (list missing/deficient information).

Vote “Yes” to approve postponing the review. Vote “No” to deny postponing the review.

### **4. Motion to Deny Application**

I move that the Commission approve application number \_\_\_ located at \_\_\_ for special land use and site plan approval. \_\_\_ number of pages were submitted for review. The Findings of Fact are as follows: (list facts of finding that do not support approval).

*Note:* Voting “No” to positively framed motion is the easiest way to deny an application’s request for special land use approval. FYI: Making a motion for approval and then voting “No” to deny is the same as making a motion to deny an application and then voting “Yes”.

Vote “No” to deny the application. Vote “Yes” to approve the application.



## **EXAMPLE**

550 Forest is proposing serving alcohol at the existing restaurant. The submitted drawings show a survey of the property including all existing setbacks, a site plan including existing parking lot layout and landscape areas, a rendering of existing elevations, the proposed floor plan of the building, and a narrative outlining the proposed business operations.

### **Example Motion (Approval):**

I move that the Commission approve application number SP21-01 located at 550 Forest (parcel number 009 06 0296 003) for special land use and site plan approval. Five pages were submitted for review labeled A-1 through A-4 and one page titled Business Operations. The Findings of Fact are as follows: the proposed special land use meets section 78-281 (c) numbers 1 through 7 and meets the special land use conditions in section 78-102 (2).

### **Example Motion (Approval with Changes and Conditions):**

I move that the Commission approve application number SP21-01 located at 550 Forest (parcel number 009 06 0296 003) for special land use and site plan approval. Five pages were submitted for review labeled A-1 through A-4 and one page titled Business Operations. The approval is conditioned to an alcohol serving establishment that is 2,000 square feet, as show on page A-2 on the site plan. The approval is provided that the site plan is changed to show the location of the loading zone and the air conditioning unit. The Findings of Fact are as follows: the proposed special land use meets section 78-281 (c) numbers 1 through 7, the project as proposed meets the ordinance requirements outlined in the schedule of regulations section 78-190 and 191, landscaping section 78-203, and parking section 78-271, and meets the special land use conditions in section 78-102 (2).

### **Example Motion (Postponement):**

I move that the Commission postpone application number SP21-01 located at 550 Forest (parcel number 009 06 0296 003) until the next regular meeting scheduled for August 2021. Five pages were submitted for review labeled A-1 through A-4 and one page titled Business Operations. The Findings of Fact are as follows: the site plan documents as presented did not include sufficient information showing that the ordinance requirements outlined in the schedule of regulations section 78-190 and 191, landscaping section 78-203, and parking section 78-271 are met. The following information shall be provided: loading zone details and air conditioning unit location.

### **Example Motion (Denial):**

I move that the Commission approve application number SP21-01 located at 550 Forest (parcel number 009 06 0296 003) for special land use and site plan approval. Five pages were submitted for review labeled A-1 through A-4 and one page titled Business Operations. The Findings of Fact are as follows: the proposed special land use does not meet section 78-281 (c) numbers 1 through 7, the project as proposed does not meet the ordinance requirements outlined in the schedule of regulations section 78-190 and 191, landscaping section 78-203, and parking section 78-271 and does not meets the special land use conditions in section 78-102 (2).