PLYMOUTH CITY COMMISSION
REGULAR MEETING AGENDA

PLYMOUTH CITY HALL - COMMISSION CHAMBERS

Tuesday, January 3, 2017 - 7:00 p.m.

201 S. MAIN ST., PLYMOUTH, MI 48170 Ph (734) 453-1234 Fax (734) 455-1892 http://www.ci.plymouth.mi.us

1) **CALL TO ORDER**
   a) Pledge of Allegiance
   b) Roll Call

2) **CITIZENS COMMENTS**

3) **APPROVAL OF THE AGENDA**

4) **ENACTMENT OF THE CONSENT AGENDA**
   a) Approval of December 19, 2016 City Commission Regular Meeting Minutes

5) **COMMISSION COMMENTS**

6) **OLD BUSINESS**
   a) Zoning Ordinance Amendment- Floor Area Ratio - 2nd Reading

7) **NEW BUSINESS**

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 Mon-Fri from 8:00am -4:30pm, at least 24 hours prior to the meeting. An attempt will be made to make reasonable accommodations.

Consent Agenda- The items on the Consent Agenda will be approved by one motion as Agenda Item #4. There will be no separate discussion of these items unless a Commissioner or Citizen so requests, in which case that item will then be placed on the regular agenda.

City of Plymouth 2016 Goals

- Resolve Last Issues Regarding Dissolution of Plymouth Community Fire Department Agreement (Primarily Pension issues) ***Champions: Dalton, Dwyer, Pobur***

- Work Collaboratively with Plymouth Arts & Recreation Complex (PARC) organization, the Plymouth Canton School Board, and the greater Plymouth Community to continue the repurposing of Central Middle School into a high quality Arts & Recreation Complex. ***Champions: Dalton, Deal, Dwyer***

- Developing a succession plan for the city's key employees, especially considering the long tenures of many of our senior staff. ***Champions: Deal, Pobur, Valenti***

- Work collaboratively with the DDA, community leaders, and other organizations to plan for Plymouth's 150th Birthday in 2017. This includes obtaining funding for new Kellogg Park Fountain and Kellogg Park upgrades. ***Champions: Deal, Wolcott, Wright***

- To work collaboratively with the DDA and other Boards, as needed related to parking issues including; but not limited to the expansion of parking in the Downtown. ***Champions: Dwyer, Wolcott, Wright***

- Develop an Ordinance to help address and preserve the City's Tree Canopy. ***Champions: Dwyer, Dalton, Valenti***

1108 CITY OF PLYMOUTH
CITY COMMISSION MEETING MINUTES
201 S. MAIN STREET, PLYMOUTH, MI 48170
MONDAY, DECEMBER 19, 2016, 7:00 p.m.

CALL TO ORDER:

PRESENT:

Mayor Daniel Dwyer, Mayor Pro-tem Oliver Wolcott, Commissioners Colleen Pobur, Daniel Dalton, Suzie Deal, Mike Wright, Joe Valenti

ABSENT: None

Also present was City Manager Paul Sincock, City Attorney Robert Marzano and various City Department Heads.

CITIZEN COMMENTS:

Ellen Elliott, 404 Irvin, Plymouth, thanked the Recreation Department and all their team members at that facility. They represent the City tremendously and have done a fabulous job assisting with the figure skating program.

Ed Krol, 1108 Beech, Plymouth, stated he had an idea for the Gathering by the Penn Theater concerning signage. He felt it would be a good idea to place a sign for drivers coming out of the Gathering onto Penniman that they cannot turn right. He has seen people try to turn right and if there was a sign it would give them a heads up.

Florence Gumo, 520 Blunk, Plymouth, thanked the City for placing the nice Nativity Scene in the park. She spoke about the program she had spoken to the Commissioners previously regarding placing wreaths on all the veteran graves in Riverside Cemetery. She stated it did not happen this year with everything going on with the two busy elections and she is planning on putting together a fundraiser to be able to do this program in 2017 for the holiday season.

Jason Konopka, 325 Parkview, Plymouth, thanked Commissioner Pobur and the rest of the board for the progressive work being done at the Bathey property. He asked what the proper channels were for getting "no parking" signs placed in the are of Parkview and the parkway to Heins Park. He stated he is looking forward to dialogue on the tree moratorium and the home sizing ordinance.

APPROVAL OF THE AGENDA:

3. A motion was made by Commissioner Colleen Pobur and seconded by Commissioner Mike Wright for approval of the Agenda for Monday, December 19, 2016.

MOTION PASSED 7 – 0

ENACTMENT OF THE CONSENT AGENDA:

4a. Approval of December 5, 2016 City Commission Regular Meeting Minutes
4b. Approval of November 2016 Bills
4c. Special Event: Plymouth Community Band Concerts, Thurs. 6/1/17-7/17/17

A motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Colleen Pobur for approval of the Consent Agenda for Monday, December 19, 2016.

MOTION PASSED 7 – 0

COMMISSION COMMENTS:

Commissioner Colleen Pobur provided an update on the Bathey property. She stated that as of December 10th the City has issued 5 violations to the owner but he has been cooperative and continues to work on the issues. She spoke about what has been cleaned up to date but they are still open violations that need to be taken care of. She feels there has been a lot of progress and at least 75 -85% has been taken care of and she is very pleased. She will continue to monitor and keep contact with the property owner to get this property in compliance.

Commissioner Suzie Deal spoke about the "Coffee with Commissioners" at the Coffee Beanery on Penniman Ave. She stated it was herself, Mayor Pro-tem Wolcott and Commissioner Pobur that met with about a dozen residents. She indicated there were very good questions that came out of this discussions and she responded to a few of them.

Mayor Pro-tem Wolcott spoke about the meeting that took place concerning the proposed fountain. He feels that it was a good session and everyone moved together and he is very proud of the community. He thanked the DDA Board for all their hard work.

Mayor Dan Dwyer thanked the employees at Municipal Services Department for their hard work with the snow removal and water main breaks over the last week and the weekend.

OLD BUSINESS: None

NEW BUSINESS:

7a. Annual County Water/Sewer Operations Maintenance permit #A-16064 -

RES #2016-103

At a Regular Meeting of the Plymouth City Commission on Monday, December 19, 2016, the following resolution was offered:

WHEREAS, The City of Plymouth periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 et seq., the County permits and regulates such activities noted above and related temporary road closures;

NOW THEREFORE, BE IT RESOLVED, in consideration of the County granting such permit (hereinafter the "Permit"), the Community agrees and resolves that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution stipulates that the requesting Community shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time a permit is signed by the Community's authorized representative.

BE IT FURTHER RESOLVED, that the following individual(s) is/are authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne. Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way or local roads on behalf of the Community.

Name	
Chris Porman	Municipal Services Director
Steve Faiman	Municipal Services Asst. Director
Mike Brindley	Municipal Services Foreman
Al Cox	Director of Public Safety
Paul Sincock	City Manager

A motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Joe Valenti for approval of the resolution.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Plymouth City Commission, Plymouth, County of Wayne, Michigan on December 19, 2016.

Linda Langmesser, City Clerk

MOTION PASSED 7 - 0

7b. Annual County Roads Pavement Restoration Permit #A-16119-Sewer/Water Main :

RES. #2016-104

At a Regular Meeting of the Plymouth City Commission of the City of Plymouth on December 19, 2016, the following resolution was offered:

WHEREAS, the City of Plymouth periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 et seq., the County permits and regulates such activities noted above and related temporary road closures;

NOW THEREFORE, BE IT RESOLVED, inconsideration of the County granting such permit (hereinafter the "Permit"), the Community agrees and resolves that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary policy supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time a permit is signed by the Community's authorized representative.

BE IT FURTHER RESOLVED, that the following individual(s) is/are authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne, Department of public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way or local roads on behalf of the Community.

Name	
Chris Porman	Municipal Services Director
Steve Faiman	Municipal Services Asst. Director
Mike Brindley	Municipal Services Foreman
Al Cox	Director of Public Safety
Paul Sincock	City Manager

A motion was made by Mayor Pro-tem Oliver Wolcott and seconded by Commissioner Joe Valenti for approval of the resolution.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Plymouth City Commission of the City of Plymouth, County of Wayne, Michigan on December 19, 2016.

Linda Langmesser, City Clerk

MOTION PASSED 7 – 0

7c. Tree Moratorium –

City Manager Paul Sincock provided an overview and spoke about the City Planner providing the draft resolution and their involvement with this project, combined with the Planning Commission and the Community Development Department. He stated the City Administration cannot support the proposal of a moratorium for a number of reasons and would recommend that should the City Commission wish to proceed, that time and effort is spent on the development of a tree ordinance. That way the City can develop a legitimate government interest, as well as clear definitions and enforcement mechanisms. It is not a project that can be rushed through without proper review and thought processes. The City Administration does NOT recommend adopting a moratorium that is without an enforcement mechanism and has a number of challenges.

Ed Krol, 110 Beech St., Plymouth, questioned whether anyone has reviewed the ordinance from Northville or Rochester Hills, and are there any litigation against those municipalities? He feels there is a definite need for the canopy in the City and why have a sign that says "tree city" and he does realize that trees die and maybe having an arborist get involved will make the difference.

Lee Jasinski, 1380 Maple, Plymouth, stated the City Commission doesn't realize the value of the trees to the City and he is very disappointed. The trees are important part of the City and the developers are destroying the City and don't really care. A lot of people want to help with the saving of trees and the City has to allow talented and gifted people in this town get involved with this project. He doesn't feel the City Commission really wants this to happen.

Leon Hanson, 116 N. Holbrook, Plymouth, stated there is a way to count the tree and his son explained to him some aerial process that can be done.

Jason Konopka, 325 Parkview, Plymouth, expressed support for everyone that spoke and feels very strongly about the tree moratorium.

Sandy Hanson, 116 N. Holbrook, Plymouth, expressed concern with diseased trees and the loss of trees with contractors removing them as well. She cautioned the Commission to be very careful of the current tree population disappearing.

Mayor Dan Dwyer stated he very much appreciates everyones passion on the topic of trees and does value the trees in the City. He feels having a moratorium is a definite over use of power of government and is 100% in support of developing an ordinance as a proposed solution. It is not good government to approve a moratorium and property rights is a huge issue that could lead to legal problems for the City. He has had conversations with the Mayor from Northville as well as Jim Mulhern from the Planning Commission.

Commissioner Joe Valenti stated he came to the conclusion it is too risky to pursue a moratorium and things that there should be a developed ordinance in place, specifically geared towards new home construction.

Commissioner Colleen Pobur stated she feels it is very important to explain the City Commissioners role and it is because they chose to run for their jobs. They only receive $20 per meeting so they are not being greatly compensated for the number of hours they spend, but they do it because they love the community. Their main responsibility is to be fiscally responsible and times are very tough and the amount of employees have dwindled greatly. She feels the Commission has done a great job with doing more with less and it is a matter of balance and deciding what they want to do, what is legal and enforceable. A moratorium is illegal and they cannot do it and they do care about the tree canopy in the City of Plymouth. There are consequences and have to be very careful with the way an ordinance is written. The City Commission is working as hard as they can to be responsible and deal with issues as they come forth.

Mayor Pro-tem Oliver Wolcott stated he shares the sentiment of the Mayor and would be agreeable to development of an ordinance that can be enforced, but not a moratorium. It is a wrong approach as City Commissioners and as a City.

7d. Zoning Ordinance amendment –

City Manager Paul Sincock provided an overview of the proposed ordinance . He stated that the Planning Commission is recommending the Commissioners amend the Zoning Ordinances, Section 78 to accommodate the language related to Floor area Ratio and to introduce this concept into the Ordinances.

Jim Mulhern, Planning Commission Chairperson, provided general information and explained that this topic has been discussed for awhile. He thanked the City Manager and the Community Development director for their assistance. He stated that every ordinance that the Planning Commission develops provides clarity and reasonable standards. Home Massing discussion is in year two of discussions, review, evaluation and analysis and they came to a good consensus. He feels they plan on getting a reasonable tree ordinance in place that would help tremendously. He feels what is

being proposed is intended to regulate the bulk of the building in relaltionship to size of the lot.

John Buzuvis, Community Development Director, provided visuals and accepted questions.

Joe Elliott, 404 Irvin, Plymouth, thanked the Planning Commission for all their hard work and feels what is being proposed is a great start.

Ed Krol, 110 Beech, Plymouth, stated that in the past year he has sat in on Planning Commission meetings and they have had great dialogue and feels this ordinance will help with the tree issue and thank to the Planning Commission for their hard work.

Jason Konopka, 325 Parkview, Plymouth, had questions regarding a scenario if a building can be built on two parcel lot. He stated he loves what is being proposed and thanked the Planning Commission.

Chuck Myslinski, Planning Commissioner, stated this ordinance amendment was a lot of hard work and many hours. He stated the group came to this conclusion from multiple angles and were very pleased.

Ellen Elliott, 404 Irvin, Plymouth, stated she feels this ordinance would allow young families to be able to afford to move into Plymouth She thanked the Planning Commission for their hard work.

Mayor Pro-tem Oliver Wolcott stated he feels this amendment was done masterfully and will solve issues and thanks so much to the Planning Commissioners.

RES. #2016-105

WHEREAS, The City Commission of the City of Plymouth has had a First Reading of proposed amendments to the Definitions and Schedule of Regulations; and

WHEREAS, The City of Plymouth Planning Commission has drafted the proposed language and held a Public Hearing to take public comments on the amended language on November 9 and December 14, 2016; and

WHEREAS, The City of Plymouth Planning Commission voted to forward the proposed text amendments to the Definitions and Schedule of Regulations for review, approval and adoption.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Plymouth does hereby adopt the following text amendments to the Definitions and Schedule of Regulations and further authorizes the above noted text amendments be

scheduled for a second reading at the next regularly scheduled City Commission meeting.

A motion was made by Commissioner Daniel Dalton and seconded by Mayor Pro-tem Oliver Wolcott for approval of the resolution.

MOTION PASSED 7 – 0

REPORTS AND CORRESPONDENCE:

8a. Appointments – Mike Wright

Commissioner Mike Wright spoke about the recommended appointment for the following:

John Townsend, 1312 Penniman Avenue

Mr. Townsend is to be appointed to the Economic Development Corporation and the Brownfield Redevelopment – 9 members, 6 year terms (1 expiring term effective 12/31/2016).

Board of Review Term 1/1/2017 to 12/31/2017

EDC/BRA Term 1/1/2017 to 12/31/2022

A motion was made by Commissioner Mike Wright and seconded by Mayor Pro-tem Oliver Wolcott to accept the appointment as offered by the Appointment Committee.

MOTION PASSED 7 – 0

ADJOURNMENT:

9. Hearing no further business, a motion was made by Commissioner Colleen Pobur and seconded by Mayor Pro-tem for adjournment of the meeting at 9:07 p.m.

MOTION PASSED 7 – 0

DANIEL DWYER
MAYOR

LINDA LANGMESSER
CITY CLERK

CITY OF PLYMOUTH
201 S. MAIN
PLYMOUTH, MI 48170
www.ci.plymouth.mi.us

ADMINISTRATIVE RECOMMENDATION

To: Mayor & City Commission

From: Paul J. Sincock – City Manager

CC: *S:\MANAGER\Sincock Files\Memorandum - Zoning Ordinance Amendment - 2nd Reading Floor Area Ratio 01-03-17.doc*

Date: 12/28/2016

Re: Zoning Ordinance Amendment - Final Reading Floor Area Ratio

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BACKGROUND:

The issue of home sizing and massing has been a topic of much discussion over the past several years. The City Commission has made several changes in the Zoning Ordinances over the year in an effort to address the size and mass issues of some new construction. The results of those efforts can be seen when you look at new houses that have been built more recently compared to those that were built several years ago. The issues of total building height have been addressed as well as the foundation height. We also added incentives to encourage front porches and to place restrictions on front facing garages.

The City Planning Commission has continued to try and address the issue as property owners are always looking for ways to be able to comply with our Ordinances, yet at the same time build their dream home here in the City. The latest version to come from Planning is a concept called Floor Area Ratio or FAR. The Planning Commission has discussed this for an extended period and has held two public hearings on this matter as well.

This concept will significantly reduce the amount of square footage that will be allowed with a remodel/addition or new build. One of the concerns expressed by some members of the City Commission at the First Reading is that the new rules as proposed would have a much greater impact on homes on smaller more easily obtainable lots; say in the north west or south east sections of the City when compared to the larger lots of the Hough Park area.

As a result of the request by the City Commission we have done some additional work showing a variety of different Floor Area Ratios. This information should give the City Commission some perspective as to the impacts of a .4, a point .45, a .5 ratio, a .55 ratio and a .6 ratio. and how that would affect the ability of a property owner to remodel their home or build a new home on the site. The impact on smaller homes on smaller lots is significant. The impact on smaller homes would be to significantly limit the ability of current homeowners for example; to expand over a garage or porch area. While not expanding the footprint of their home, they may not be able to add a bedroom on the second floor.

There is a memorandum from our Community Development Director which further outlines this concept. In addition, John has provided some additional information related to this topic as well as some information on some of the "new builds" and the potential impact of the FAR on those properties.

This will be a 2nd and Final Reading of the Ordinance Amendments and if the City Commission decides to proceed with the adoption of the Ordinance they will need to select the ratio that they are interested in having as a part of the Ordinance. We caution the City Commission on choosing a very restrictive Floor Area Ratio that may create more of a "have and have nots" by adopting a Floor Area Ratio that has drastically more impact on both remodels and new builds on a majority properties in the City than it does on those who already have very large homes on larger lots. As a reminder; we have more recently adopted a changes related to height, front porches and detached garages and we really have not had a chance to see and study the impact of all of those recent changes.

RECOMMENDATION:

The City Planning Commission is recommending that the City Commission amend the Zoning Ordinances, Section 78 to accommodate the language related to Floor Area Ratio and to introduce this concept into the Ordinances.

The City Commission requested some additional information related to this subject matter, specifically related to some possible alternative ratios for the final Ordinance. The City Commission has the option of choosing the Floor Area Ration from anywhere between a .4 and a .6 should they decide to choose one of those options.

We have provided a proposed sample Resolution for the City Commission to consider regarding this matter. Should you have any questions in advance of the meeting please feel free to contact me.

CITY OF PLYMOUTH
201 S. MAIN
PLYMOUTH, MI 48170
www.ci.plymouth.mi.us

ADMINISTRATIVE RECOMMENDATION

To: Paul J. Sincock, City Manager

From: John Buzuvis, Community Development Director JRB

CC: S:\DDA\Shared Files\John\Community Development\Ordinances

Date: 12/28/2016

Re: Zoning Ordinance Text Amendment-Second Reading-Floor Area Ratio (FAR) for Single and Two Family Home Construction

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BACKGROUND:

As you are aware the City Commission completed a First Reading of proposed ordinance amendments that establish a Floor Area Ratio (FAR) factor of point four (.4) for single family and two family dwellings as recommended by the Planning Commission. The City Commission approved the proposed language after the first reading and scheduled a second reading of the proposed amendments for the first City Commission meeting in January 2017. The City Commission did ask several questions and requested that the administration provide additional examples and background materials illustrating the potential impact of the proposed FAR factor on houses built recently. Some members of the City Commission indicated that they were concerned with the significant reduction in size, and the potential impact on property owners/property values, of what could be built if the point four (.4) FAR factor is enacted as opposed to what can be built now using only lot coverage as a control measure.

The Planning Commission had significant discussion and received considerable citizen input during the drafting of the recommended amendments. The goal of the Planning Commission was to create clear and enforceable standards that reasonably account/control for the size/mass of new homes and additions to meet the needs of today's families; while, implementing standards that are respectful of existing neighborhood homes creating new builds/additions that integrate into the community more consistently. The Planning Commission, after considering FAR factors as high as point six (.6) and as low as point three (.3) is recommending an FAR factor of point four (.4) for single family construction in the R-1, district, as well as for single and two family home construction in the RM-1, RM-2 and RT-1 zoning districts. The Planning Commission has held two public hearings on this matter as well.

The concept of FAR is an accepted planning concept and has been used for years as a planning tool nationally and locally as well. Locally, FAR is used in Grosse Ile, Twp., Royal Oak, and Douglass, MI as well as others. Below is a table with various "average" lots in several general areas of the City showing what a resident can build now compared to what could be built using the FAR multiplier (.4) recommended by the Planning Commision as well as several other FAR factors for comparison.

Floor Area Ratio Examples (PC Recommends point four (.4))

City Area/Streets	Irvin, Harvey, Ann, Blunk, Adams	Carol, Ross, Hartsough, Beech	New England Village	Hough Park
Avg. Lot Dimension (s.f.)	50 x 120= 6,000	60 x 130= 7,800	65 x 150= 9,750	120x150=18,000
Lot Coverage (35%)	4,200 s.f. (2-story home with detached garage)	5, 460 s.f. (2 story home)	6,825 s.f. (2-story home)	12,600 s.f. (2 story home)
Floor Area Ratio (.4)	**2,400 s.f.**	**3,120 s.f.**	**3,900 s.f.**	**7,200 s.f.**
Floor Area Ratio (.45)	2,700 s.f.	3,510 s.f.	4,387.5 s.f.	8,100 s.f.
Floor Area Ratio (.5)	3,000 s.f.	3,900 s.f.	4,875 s.f.	9,000 s.f.
Floor Area Ratio (.55)	3,300 s.f.	4,290 s.f.	5,362.5 s.f.	9,900 s.f.
Floor Area Ratio (.6)	3,600 s.f.	4,680 s.f.	5,850 s.f.	10,800 s.f.

Enclosed is a chart (previously presented to the Planning Commission) representing several newer builds with lot coverage calculations as well as FAR calculations using the factors of .4, .5, and .6 respectively. Also enclosed are examples, with photos, of several of the newer builds with the respective calculations noted above. Enclosed please find the ordinance amendments as recommended by the Planning Commission, meeting minutes from the November 2016 Public Hearing held by the Planning Commission as well as the items noted above.

RECOMMENDATION:

The administration would recommend that the City Commission hold a second reading to review the proposed language as recommended by the Planning Commission.

Attached please find a copy of the draft language, several informational items and a draft resolution for the commission to consider. Should you have any questions in advance of the meeting please feel free to contact me.

950 Sutherland

49.7' x 108' = 5,368 square foot lot

Maximum lot coverage (35%) = 1,878 square feet (including garage)

Maximum square footage = 1,878 x 2 = 3,758 square feet

Floor Area Ratio (.4) = 2,147 square feet

Current lot coverage = 32.7%, 2,328 square feet (house only, 2 stories)

Buildable area exceeded for FAR .4 multiplier

358 Adams

50' x 132' = 6,660 square foot lot

Maximum lot coverage (35%) = 2,331 square feet (including garage)

Maximum square footage = 2,331 x 2 = 4,662 square feet

Floor Area Ratio (.4) = 2,640 square feet

Current lot coverage = 30.7%, 2,827 square feet (house only, 2 stories)

Buildable area exceeded for FAR .4 multiplier

302 Maple

50' x 118' = 5,978 square foot lot

Maximum lot coverage (35%) = 2,092 square feet (including garage)

Maximum square footage = 2,092 x 2 = 4,184 square feet

Floor Area Ratio (.4) = 2,391 square feet

Current lot coverage = 29.5%, 2,761 square feet (house only, 2 stories)

Buildable area exceeded for FAR .4 multiplier

580 Jener

45' x 124' = 5,580 square foot lot

Maximum lot coverage (35%) = 1,953 square feet (including garage)

Maximum square footage = 1,953 x 2 = 3,906 square feet

Floor Area Ratio (.4) = 2,232 square feet

Current lot coverage = 29.8%, 2,812 square feet (house only, 2 stories)

Buildable area exceeded for FAR .4 multiplier

1345 Park Place

150' x 169' = 25,350 square foot lot

Maximum lot coverage (35%) = 8,873 square feet (including garage)

Maximum square footage = 8,873 x 2 = 17,746 square feet

Floor Area Ratio (.4) = 10,140 square feet

Current lot coverage = 21.2%, 5,604 square feet (house only, 2 stories)

Could add on 4,536 additional square feet

Floor Area Ratio Calculations

Address	Lot Width (From Assessing)	Lot Depth (From Assessing)	Total Lot Area	All structures at 30" on first floor only*	Lot Coverage	(Footprint) First Floor House Only	Total House Only	Calculated FAR	Allowed FAR .4	Allowed FAR .45	Allowed FAR .5	Allowed FAR .55	Allowed FAR .6
628 Herald	60	124	7440	2158	29.0%	1276	2392	0.322	2976	3348	3720	4092	4464
764 N Holbrook	41.25	131.97	5444	1519	27.9%	1124	2156	0.396	2178	2450	2722	2994.0694	3266
950 Sutherland	49.7	108	5368	1754	32.7%	1133	2328	0.434	2147	2415	2684	2952.18	3221
1065 Linden	75	83	6225	1892	30.4%	1349	3077	0.494	2490	2801	3113	3423.75	3735
1105 Carol	62.5	108	6750	2130.5	31.6%	1484	3182	0.471	2700	3038	3375	3712.5	4050
358 Adams	50	132	6600	2026	30.7%	1450	2827	0.428	2640	2970	3300	3630	3960
671 S. Harvey	100	82.15	8215	2521	30.7%	2028	3902	0.475	3286	3697	4108	4518.25	4929
302 Maple	50**	118**	5978	1761.6	29.5%	1255	2761	0.462	2391	2690	2989	3287.9	3587
580 Jener	45	124	5580	1661.2	29.8%	1198	2812	0.504	2232	2511	2790	3069	3348
334 N. Evergreen	57.73**	132**	7858	2370	30.2%	1432	2845	0.362	3143	3536	3929	4321.9	4715
1345 Park Place	150	169	25350	5373	21.2%	4395	5604	0.221	10140	11408	12675	13942.5	15210
1317 Park Place	100	169	16900	5602	33.1%	3396	2333	0.138	6760	7605	8450	9295	10140

FAR = Floor Area Ratio

*Those that contribute towards lot coverage calculation

**Estimated, diagonal lot

PUBLIC HEARING MEETING MINUTES 11-9-16

5. PUBLIC HEARINGS:

1. Article II, Definitions,
   Sec. 78-21, Definitions,
2. Article XVII, Schedule of Regulations,
   Sec. 78-190, Limiting Height, Bulk, Density, and Area by Zoning District
   Sec. 78-191, Notes to Schedule

Sally Elmiger, Planner, explained the added floor area ratio (FAR) of .40 requirement for single-family residential dwellings in the R-1 Single-Family Residential District portion of the Ordinance. Ms. Elmiger explained the FAR is a specified percentage that is allowed for a building, this zoning technique is intended to regulate the bulk of a building in relationship to the size of the lot. The language also includes a proposal to reduce the height of a single family residential building from 25-feet to 23-feet. Ms. Elmiger also included a table listing what is included & excluded in FAR and an additional table with residential building heights of other, nearby communities for comparison.

Opened Public Hearing at 7:11 PM.
Public Comments:
Joe Elliott, 404 Irvin, spoke about plotting out various homes on his street and felt the .40 was a good measure and on the right track for a way to limit the massing of homes.
Marie Everitt, 1240 Fairground, was in favor of the FAR .4 calculation and made the suggestion to include the detached garages. Ms. Everitt used the examples given from last month's meeting and included the detached garages. Ms. Everitt felt that some of the garages that seemed quite large were still able to fit in and felt the 35% lot coverage does not control the size of garages. Ms. Everitt has done some calculations of the larger built existing homes and the calculation comes to just over the FAR of .40. Comm. Myslinski clarified his previous statement regarding the City of Douglas by stating that the lot sizes there were much larger and not comparable with Plymouth. Comm. Frisbie stated that the 35% controls the coverage on the lot and the FAR .40 is an added constraint, and by using Mr. Elliott's calculations this would cap 10 % of what we now have, with 32 of them not being even allowed to be built. Ms. Everitt felt the 35% for a detached garage would still allow the mass on the lot. There was discussion on the lot coverage using the FAR .40 and how it changes the total square footage of a proposed home, reducing the mass of the structure.

PUBLIC HEARING MEETING MINUTES 11-9-16

Elaine Attridge, 1192 W. Ann Arbor Trail, was upset about the demolition of the home across the street from her, located at 1107 W. Ann Arbor Trail, and the proposed new two homes that will be built up to the lot line. Ms Attridge asked how can this happen, don't we have Ordinances to stop this? Chair Mulhern responded and explained that the Ordinance that they are currently working on answers the question what is an acceptable, clear standard or how big should a home be on a given lot. Chair Mulhern explained the board has been working on this Ordinance for it to be clear and reasonable for neighbors and residents alike, to balance being able to build something that will give them the opportunity to build the home they want within reasonable standards. Chair Mulhern stated our job as Planning Commissioners is not to dictate whether it is beautiful, or a two-story or one-story, we do not legislate the design or how it looks, that is not our job, our job is planning, zoning and Ordinances, which is a difficult task. Comm. Kehoe further explained that when the original Ordinances were put in place people built smaller homes and that is not the case now, the boundaries of Ordinances were never pushed before, so therefore now they need to be revised to be clear in what is allowable, and also that the property is used appropriately without infringing on their neighbors. These Ordinances were revised carefully to ensure no loopholes while meeting most of everyone's needs, and from there the Ordinances are forwarded to the City Commission for their approvals. The new Ordinances should curtail the mass size by approximately 15 to 20%.
Denise Burroughs, 1048 Dewey, asked if detached garages were allowed to have livable space above and Ms. Elmiger explained that habitable space is not allowed in detached garages. Comm. Frisbie further explained the limitations include cooking or sleeping, but an office is allowed and would be allowed to have plumbing and heat.
Ellen Elliott, 404 Irvin, explained Ordinance revisions takes up a lot of time and includes a process to follow, there are public hearings, then it goes before the City Commission for the first and second readings and from there it goes into effect. There was discussion on the time frame and steps taken to enact new or revised Ordinances.
Closed Public Hearing at 7:36 PM.

The Planning Commissioners had discussion regarding the following subjects:
Comm. Philips asked Mr. Elliot's opinion on the .40 FAR calculation and Mr. Elliot responded that the .40 FAR was the right size. Comm. Philips wanted to thank Mr. Elliott for his research on the .40 FAR examples that he had used.
Comm. Myslinski was concerned about the new roof height of 23 feet and after finishing some calculations felt most home's roofs would exceed this by three feet and was not in support of this new change. Comm. Myslinski felt the only pitch allowed would be 6/12 and was not in favor of the height change because of this. Comm. Myslinski discussed the huge strides the Commissioners have made with ensuring property rights of fair and adequate square footage with being one step closer to the final Ordinance changes, but would like to see the math calculations to back up this new roof height change.
Ms. Elmiger reminded the board of the chart provided that shows various communities max height allowances, showing all of them being twenty-five feet or taller.
Mr. Buzuvis, CDD, stated due to the Pubic Hearing notice that the 23 feet was put in to allow discussion and not be too restrictive, since only a couple members of the board were in favor of it.
Comm. Sisolak discussed being originally in favor of the height change, but it does limit the overall roof pitch and therefore may encourage bad designs & roof pitches.

Comm. Philips discussed ways to bring down the overall height of a home and felt the height should come down to the 23 or 24.5 feet.
Comm. Kehoe asked about where the line of the roof would be and received two different answers. Comm. Myslinski responded by explaining that mathematically this does not add up and felt the builder will not be able to build this roof, using the current 25 foot height Ordinance.
Comm. Silvers discussed the roof height reduction combined along with the FAR calculation and felt there is enough flexibility to accommodate any kind of roof design. Comm. Silvers then provided a quick sketch of this to the board members. Comm. Silvers felt leaving the height as it is and using the new FAR calculation will reduce the massing
There was discussion on roof heights.
Comm. Frey was in favor of not changing the roof height and instead wait to see how it plays out, and felt if needed it can be changed down the road later.
Comm. Frisbie was in favor of not changing the roof height and instead would like to focus on the .40 FAR ratio.
Comm. Kehoe felt that by looking at some plans and homes it may help to visualize what the FAR ratios will be and felt she would like to make sure of the change before implementing it and would like to keep them separate (roof heights & .40 FAR). Comm. Kehoe also suggested changing the wording of breezeways, to "unenclosed" breezeways.

A Motion was made by Comm. Philips and supported by Comm. Frey to approve the changes made to Article II, Definitions, Sec. 78-21, Definitions, and Article XVII, Schedule of Regulations, Sec. 78-190, Limiting Height, Bulk, Density, and Area by Zoning District, Sec. 78-191, Notes to Schedule, and also include adding "unenclosed" to breezeways, and maintaining the current building height of 25 feet, recommending to the City Commission for adoption:
YES FREY, FRISBIE, KEHOE, MYSLINSKI, PHILIPS, SILVERS, SISOLAK AND MULHERN.
NO NONE.
MOTION CARRIED UNANIMOUSLY.

There was discussion on the procedure for measuring the average of twenty-five feet of the roof's height.

A Motion was made by Comm. Frisbie and supported by Comm. Myslinski to schedule a Public Hearing for RT-1, RM-1 & RM-2 applying the .40 FAR Ratio.
MOTION CARRIED UNANIMOUSLY

PROPSED AMENDED ORDINANCE LANGUAGE

CITY OF PLYMOUTH

ORDINANCE NO. 2015-02 _____

AN ORDINANCE TO AMEND CHAPTER 78, THE CITY OF PLYMOUTH ZONING ORDINANCE IN THE CODE OF ORDINANCES OF THE CITY OF PLYMOUTH FOR THE PURPOSE OF REGULATING RESIDENTIAL FLOOR AREA RATIO AND BUILDING HEIGHT.

Section 1 Modify Section 78-21

Section 78-21. - Definitions.

Floor area ratio (FAR) means the ratio of the floor area of a building to its lot area. For example: when a floor area ratio of 0.4 is specified, the floor area of the building constructed on a lot of 6,000 square feet in area is limited to a maximum of 2,400 square feet (or 6,000 x 0.4 or 2,400). The purpose of this ratio is to control the bulk of buildings based on the size of the lot. FAR for residential buildings is calculated using "residential floor area," as defined in this ordinance.

Floor area, residential, means the sum of the horizontal areas of each story of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two dwellings. The floor area measurement shall include any habitable space and attached garage. Examples of architectural features that are included or excluded in the FAR calculation are shown in the following table:

Examples of Architectural Elements Included/Excluded from FAR Calculation

	Architectural Feature	Conditions
	First Story	
Include in FAR:	Upper Story	• Connected by a fixed stairway to the first story, and 1. With headroom of five (5) feet or more (between top of floor and bottom of rafter), or 2. Which may be made usable for human habitation
	Attached Garages	
	Enclosed Porches	
	Accessory Structures (except Detached Garages)	
	Car Ports	
	Porte Cochere	
	Architectural Projections with Floor Area (See Sec. 78-217(2))	
Exclude from FAR:	Basements	
	Unfinished Attics	• With headroom of less than five (5) feet (between top of floor and bottom of rafter), and • Which may NOT be made usable for human habitation
	Unenclosed Breezeways	
	Unenclosed Porches	
	Detached Garages	

DRAFT ORDINANCE LANGUAGE

CITY OF PLYMOUTH

ORDINANCE NO. 2015-02 _____

AN ORDINANCE TO AMEND CHAPTER 78, THE CITY OF PLYMOUTH ZONING ORDINANCE IN THE CODE OF ORDINANCES OF THE CITY OF PLYMOUTH FOR THE PURPOSE OF REGULATING RESIDENTIAL FLOOR AREA IN RESIDENTIAL DISTRICTS.

Section 1 Modify Section 78-190

Section 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.

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					
	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 Road Corridor	-	-	2	30 (p)	10 (q)	10 (r, s, t)	20 (s)	20	—	—	—
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)	—	—	—

(w) Floor area ratio (FAR) shall be applied to single-family and two-family residential ~~units~~ buildings only. For two-family buildings, the total building floor area, as defined, shall be used to calculate the total FAR for the lot. ~~in a~~For Mixed Use projects, FAR shall apply to single-family and two-family residential buildings only.

Section 2 Rights and Duties

Rights and Duties which have matured, penalties which have incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Section 3 Validity

Should any section, clause or paragraph of this ordinance be declared by a Court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part therefore, other than the part declared invalid.

Section 4 Ordinances Repealed

All other ordinances inconsistent with the provisions of this ordinance are to the extent of such inconsistencies hereby repealed.

Section 5 Effective Date

This ordinance shall become effective one day after publication.

Introduced x-xx-2016
Enacted: (Date)
Published: (Date)
Effective: (Date)

RESOLUTION

The following Resolution was offered by Comm. _____ and seconded by Comm. _____.

WHEREAS The City of Plymouth has a variety of Ordinances related to Zoning to help insure the Public Health, Safety and Welfare in an effort to protect the standards of the community and to allow for the safe use of property in the City, and

WHEREAS The City of Plymouth Planning Commission has drafted proposed language and held a Public Hearing on November 9, 2016 and on December 14, 2016 related to an amendment to the City's Zoning Ordinances related to Floor Area Ratio (FAR), and

WHEREAS The City Commission held a First Reading of the proposed Zoning Ordinances Changes on December 19, 2016.

NOW THEREFORE BE IT RESOLVED THAT The City Commission of the City of Plymouth does hereby adopt An Ordinance to Amend Chapter 78, The City of Plymouth Zoning Ordinance in the Code of Ordinances of the City of Plymouth for the purpose of regulating residential Floor Area Ratio and Building Height. Including the following:

* Modify Section 78-21 - Definitions

* Modify Section 78-190 - Limiting Height, Bulk, Density and area by Zoning District

BE IT FURTHER RESOLVED THAT the City Clerk is hereby directed to include the complete Zoning Ordinance Amendments as a part of the Official Meeting Minutes of this City Commission meeting.