

CITY OF PLYMOUTH  
PLANNING COMMISSION – REGULAR MEETING  
WEDNESDAY, AUGUST 24, 2016  
7:00 P.M.  
**AGENDA**

Mission: The Planning Commission considers the development and current and future land use within the City of Plymouth so as to preserve the health, safety and welfare of our residents and business owners. We are an unpaid volunteer body of City residents appointed by the City Commission. We act as an advisory body considering land use, zoning and planned developments making recommendations for the City Commission to vote upon to become policy.

Meeting called to order at \_\_\_\_\_ P.M.

1. PLEDGE OF ALLEGIANCE

ROLL CALL

Jennifer Frey	Jim Frisbie	Jennifer Kehoe
Charles Myslinski	Joseph Philips	Conrad Schewe
Scott Silvers	Karen Sisolak	Jim Mulhern

2. CITIZEN COMMENTS

3. APPROVAL OF MINUTES

Regular Meeting – July 13, 2016

4. APPROVAL OF AGENDA

5. PUBLIC HEARINGS

**Opened Public Hearing at \_\_\_\_\_ pm**

PUBLIC HEARING FOR ZONING ORDINANCE AMENDMENTS OF:

1. 78-208, Residential Fences, 78-21, Definitions
2. 78-260, Accessory Buildings and Uses
3. 78-218 and 219, Grading/Drainage, 78-21, Definitions
4. 78-220-78-239, Signs

**Closed Public Hearing at \_\_\_\_\_ pm**

6. NEW BUSINESS:

SITE PLAN REVIEW FOR:

SP16-04      O'Reilly Auto Parts  
874 W. Ann Arbor Road  
Zoned: ARC- Ann Arbor Road Corridor  
Applicant: Remy Jonna

7. OLD BUSINESS:

1. Potential Residential Ordinance Amendment Discussion:
  1. Roof Pitch
  2. Percentage of Lot Coverage
  3. Home Height: Overall & Bonus Calculation
2. Trees Discussion:
  1. Street Canopy
  2. Takedown & Replacement within lot
3. Residential Design Guidelines Discussion
4. Location of Garages for Incentive Porches Discussion.

8. COMMISSIONER COMMENTS:

9. REPORTS AND CORRESPONDENCE:

Master Plan Review Update

10. MOTION TO ADJOURN

## **2016 Planning Commission Goals**

1. Deliver to the City Commission a revised & modernized Master Plan and collaborate with City Commission on the Capital Improvement plan process.
2. Recommend a sustainable reforestation plan.
3. Review Residential, Single Family Ordinances.
4. Review Lighting Ordinances for required updating.
5. Develop and participate in new and ongoing Planning Commissioner training.

## **City of Plymouth 2016 Goals**

The City Commission met on January 4<sup>th</sup> to conduct a formal goal setting session for 2016. These goals were formally adopted on January 18<sup>th</sup>. Below are the goals adopted by the City Commission for all City Boards, Commissions, and Administration members.

- \* Resolve last issues regarding dissolution of Plymouth Community Fire Department Agreement (primarily pension issues)
- \* 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.
- \* Develop a succession plan for the city's key employees, especially considering the long tenures of many of our senior staff.
- \* Develop funding plan for future capital improvements.
- \* Work collaboratively with the DDA, community leaders and other organizations to plan for Plymouth's 150<sup>th</sup> Birthday in 2017. This includes obtaining funding for new Kellogg Park Fountain and Kellogg Park upgrades.

**PLANNING COMMISSION NOTICE  
CITY OF PLYMOUTH, MICHIGAN  
CITY HALL, 201 S. MAIN  
WEDNESDAY, AUGUST 24, 2016  
7:00 PM  
(734) 453-1234**

PUBLIC HEARING FOR ZONING ORDINANCE AMENDMENTS OF:

1. Article XVII, 78-208, Residential Fences; Article II, 78-21, Definitions
2. Article XXI, 78-260, Accessory Buildings and Uses
3. Article XVIII, 78-218 and 219, Grading/Drainage; Article II, 78-21, Definitions
4. Article XIX, 78-220 – 78-239, Signs

All interested persons are invited to attend.

In accordance with the Americans with disabilities Act, the City of Plymouth will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting/hearing, to individuals with disabilities. Requests for auxiliary aids or services may be made by writing or calling the following:

Maureen Brodie, ADA Coordinator  
201 S. Main Street  
Plymouth, Michigan 48170  
(734)453-1234, Ext. 206



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

PLANNING COMMISSION - REGULAR MEETING MINUTES  
Wednesday, July 13, 2016

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The regular meeting was called to order at 7:05 P.M. by Chairperson Mulhern.

1. ROLL CALL

MEMBERS PRESENT: Jim Frisbie, Jennifer Kehoe, Charles Myslinski, Joseph Philips, Conrad Schewe, Karen Sisolak and Jim Mulhern

MEMBERS ABSENT: Jennifer Frey & Scott Silvers

OTHERS PRESENT: John Buzuvis, Community Development Director  
Sally Elmiger, City of Plymouth Planner

2. CITIZEN COMMENTS:

None.

3. APPROVAL OF MINUTES

A motion was made by Comm. Philips supported by Comm. Myslinski, to approve the meeting minutes from the June 8, 2016, as presented.

**MOTION CARRIED UNANIMOUSLY.**

4. APPROVAL OF AGENDA:

A motion was made by Comm. Schewe supported by Comm. Kehoe, to approve the agenda, as presented, but have a set ending time of 10:30pm.

**MOTION CARRIED UNANIMOUSLY.**

5. PUBLIC HEARINGS:

None.

6. NEW BUSINESS:

Fuyao Acknowledgment of Proposed Use Consistency

John Buzuvis, CDD, explained the acknowledgment of Fuyao Automotive North America (FANA), for a proposed Use consistency. Mr. Buzuvis explained the applicant is interested in the purchase of the 909 Sheldon property for an industrial use which is the current zoning of this property. An outline of their intended use was submitted, from the Company (Fuyao) that is consistent and an allowed use with the current I-1, Industrial zoning of this property. Mr. Buzuvis stated that the site plan, landscaping, surveying and other items needed for site plan approval will be received at a later date. This is an evaluation of the consistency of use and Mr. Buzuvis has provided the board with a sample resolution, acknowledging consistence of the proposed use with allowable uses in I-1, Industrial zoning and will then be forwarded to the City Commission for their approval, with a letter of support given to the applicant, as well.

Mr. Vince Procaccini, President of the operation with Fuyao North America made a presentation. Mr. Procaccini explained the rapid growth of the Company and the need for this facility for the projected growth expected in the next ten years. This facility will have some research and development along with the primary function of finish manufacturing. The product will typically be encapsulated window glass, with an injection molding process and machines that will prime and prep the glass for the molding operation, then into a hydraulic press that forms the molding around the glass. The shipments will be primarily by truck during the day and may have a few shipments in the early morning for the supplies needed for the day shift also.

The Planning Commissioners had discussion regarding the following subjects:

Comm. Myslinski asked about the manufacturing and assembling process and Mr. Procaccini explained the raw glass project operation that will run 24 hour shifts, without creating any emissions.

Sally Elmiger, Planner, explained when the site plan is considered by the Planning Commission , the first question asked is "Is this a permitted use", in this instance we are simply separating the site plan from the allowable use confirmation that typically takes place at the same time as site plan review.

There was discussion on the zoning and permitted use of this property.

The resolution was moved to approve by Comm. Frisbie and seconded by Comm. Phillips.

**MOTION CARRIED UNANIMOUSLY.**

## 7. OLD BUSINESS:

1. Fence Ordinance Amendment
2. Accessory Structure Amendment
3. Grading/Drainage Ordinance Amendment
4. Roof pitch review & Discussion
5. Residential Design Guidelines Discussion
6. Percentage of Lot Coverage Discussion
7. Street Trees Discussion
8. Overall Height Discussion

### 1. Fence Ordinance Amendment / Fencing Diagrams

Sally Elmiger, Planner, explained the changes made to the Fence Ordinance Language and graphics portion of the ordinance, per her Memo dated, June 17<sup>th</sup>

The revisions made were:

1. The definition was revised to add the definition of a solid fence.
2. Language added: "dividing new fences on property lines where an existing fence does not exist (or will be removed completely), and new fences on property lines where an existing fence exists".
3. Revising Figure two, showing a fence in a side yard of a corner lot to the property line.
4. Adding back in a prohibition against solid fences.

The Planning Commissioners had discussion regarding the following subjects:

Comm. Myslinski would like the definition of solid fence changed to: any fence which presents a solid surface which does not allow the flow of air and light. There was discussion on solid fences and Ms. Elmiger suggested adding the language: a solid fence that has less than 25% openings/gaps between the slats. Ms. Elmiger will look into the 25% to see if this percentage seems to be a reasonable opening percentage and make the changes as discussed.

### 2. Accessory Structure Amendment

Sally Elmiger, Planner, explained the new language made to the Accessory Structure portion of the Ordinance, adding the language: to minimize the length of an accessory building as a percent of the rear building line, but no more than 30 feet long if it abuts a side yard, applied only to corner lots, per her Memo dated, June 17<sup>th</sup>

The Planning Commissioners had discussion regarding the following subjects:

Comm. Schewe asked about Sec.78-260. (7), why was the word "setback" added and Ms. Elmiger answered the word "setback" was added for consistency throughout the Ordinance. There was discussion on the wording and Ms. Elmiger suggested adding the required area created by the required rear yard setback, to make it clearer. Mr. Buzuvis, CDD, explained that the City Attorney will also review the Ordinance changes for clarity.

Comm. Myslinski asked about Sec. 78-26. (10), why does this Ordinance only apply to corner lots and suggested adding the language: "total combined wall length", but applied to all lots, due to more than one accessory structure may possibly be built along the back property line and an accessory structure could be used instead of a typical fence but with a much higher block of view. There was discussion on the heights of accessory structures.

There was also discussion on wider lots and whether to allow the accessory buildings to be longer than thirty feet, for those larger lots within the City.

Ms. Elmiger suggested revising the wording to say: For accessory buildings or structures in the required rear yard the total combined length of all walls of such buildings or structures that parallel the rear lot line shall be no longer than fifty percent of the length of the rear lot line, if fifty percent results in a building that is less than thirty feet, this will be allowed up to thirty feet, if fifty percent results in a wall greater than thirty feet, than the walls shall be no longer than fifty feet.

#### Public Comments:

Chad Custer, 449 N. Evergreen, would like to keep what the communities existing intent is, (prior to the new structures), but also felt having an overall maximum seems reasonable to him.

Carmen Metzger, 990 Linden, referenced her letter presented to the Planning Commission tonight, dated 7/6/16, regarding the home currently being built adjacent to theirs. Ms. Metzger was concerned about the adjacent new home's height in relation to the surrounding existing homes and was also concerned about the home's new elevated ground level that may cause flooding onto their property.

Ed Krol, 1108 Beech, was in favor of the new revisions Ms. Elmiger, suggested and felt this will mitigate the builder abuse currently going on.

### 3. Grading/Drainage Ordinance Amendment

Sally Elmiger, Planner, explained the new language made adding the changes to address grading and drainage around new structures that also takes into consideration the surrounding existing structures. Ms. Elmiger spoke with the Building Inspector, Brent Strong, regarding this language, and as a result have also refined the language to clearly use "average grade plane" when assessing building grades, Mr. Strong currently evaluates building plans using this concept. This change then had a "ripple effect" on the definition of building height, which Ms. Elmiger also amended.

Ms. Elmiger also included language on foundation walls that used the average grade plane as well as the suggested using of the sidewalk to assess the portion of the foundation that is out of the ground. Ms. Elmiger explained to ensure that the elevation measurements were correct prior to construction, it was determined to add the following language under foundation walls: "The elevation measurements of the top of the basement footing shall be presented to the building official by a licensed engineer or surveyor before a backfill inspection can take place, to confirm that the actual elevations meet the submitted plans".

Ms. Elmiger stated, if the building footing elevations are not accurate when constructed, then the building official could have the builder fix the footing height to match the submitted plans, prior to construction of the home.

The Planning Commissioners had discussion regarding the following subjects:

Comm. Frisbie asked if they need the reference line to measure the height, when they do not have a final grade how do they obtain that measurement and Mr. Buzuvis, CDD, explained when the contractor submits his plans they submit an existing grade and a final grade along with elevations of the drawings. Comm. Frisbie felt that if the grade is at a lower level with the new construction, it would resolve the drainage and possible flooding issues. Comm. Frisbie asked about new homes built next to existing homes on slabs and Ms. Elmiger responded the exposed foundation wall between the average of finished grades at the center of all walls of the building and the highest portion of the first floor shall not exceed 36 inches from the average grade plane, and the conditions are rounded.

Comm. Schewe asked about the grades being approved by the Building Official and Ms. Elmiger answered Yes, on page 2, 78-219 (1), the new language states: "Grades around houses or structures shall meet existing grades in the shortest possible distance, as determined by the Building Official".

There was discussion on possible grade changes and slopes created by new homes.

Public Comments:

Ed Krol, 1108 Beech, spoke about a new home on Linden and the concern of water run-off flooding the neighboring properties and asked if the neighboring properties could have priority and Ms. Elmiger answered when someone drains their property, it cannot drain onto another person's property, it must be collected on their own property.

Chad Custer, 449 N. Evergreen, spoke about a newly built home that does drain away from the new home, and does have an impact on the adjoining properties. The garage was built higher to slope the driveway towards the street, which sends the rainwater towards the adjoining property flooding that property. Comm. Kehoe suggested a curb could be put in place along the driveway to direct the storm water down towards the street. Ms. Elmiger explained that the new Ordinance language 78-219 (1), states "the ground areas outside the walls of any building or structure hereafter erected, altered, or moved shall be so designated that surface water shall flow away from the building walls in such a direction and with such a method of collection that inconvenience or damage to adjacent properties will not result".

Ms. Elmiger explained this is a new Ordinance, however, the current Michigan Residential Building Code does not allow a property to drain onto another one's adjacent property. There was discussion on the grade changes occurring from new homes.

Mary Couillard, 417 N. Evergreen, also lives adjacent to the new home. Ms. Couillard stated she had to install a french drain, the new home's sump pump runs constantly and when it rains it pushes a lot of mud onto her driveway and then she must shovel it all off. Ms. Couillard had to have her basement waterproofed at \$5,000 and then also paint her basement walls with water proof paint, she had minimal leakage before, but now has a lot of leakage with standing water, and it has been quite expensive on her end to remedy the problem. Ms. Couillard stated without this being addressed beforehand, she would like some kind of assurance that this water issue will get remedied before the new owners close on the home tomorrow.

Michael Vaz, 1075 Roosevelt, spoke about various properties flooding: a basement flood on Sutherland, the owner felt it was due to the new home's change of grade and another at a recent ZBA meeting one of the points made by the public was water run-off and they also made reference to a house on McKinley that had recently flooded due to new construction and also a letter recently was sent to the board by a concerned resident regarding her home possibly flooding. Mr. Vaz felt this is a far more important issue with the recent amount of new homes and major additions occurring, and with the issue of water runoff, it will be an increasing concern and felt this is a high priority. Mr. Vaz defined "Sheet flow", which means a horizontal flow of water across the land due to grade change and felt this is the most important term. Mr. Vaz asked about a new home and when is fill imported? Ms. Elmiger responded that it would be done during the plan review stage and then again will be confirmed in the field. Mr. Buzuvis responded that the building inspector has been very successful in resolving most problems using his experienced judgment and if the resident is still not happy with the outcome, they can appeal by applying to the building board of appeals or by way of the legal system. Mr. Vaz would like a section put into the new language for dispute and resolution and suggested adding this. Ms. Elmiger stated that this language would be more of a City policy, than a zoning issue.

Al Metzger, 990 Linden, was concerned about the new elevation and drainage of the new home located next door to his at 671 S. Harvey. Mr. Metzger was also concerned with the heights of all the new homes going in within the City of Plymouth. There was discussion on lot coverage, the lot coverage of this property is 34.4%, with 35% lot coverage being the maximum. Mr. Metzger asked if there was a ratio with the height of the home to the lot's front yard setback and if not, he would like there to be one put into place. Mrs. Metzger also spoke about resolving the drainage and flooding issues before they happen and appreciates all the boards efforts resolving some of these. Mr. & Mrs. Metzger had also submitted a letter to the board with their concerns with new construction.

#### 4. Roof pitch review & Discussion

The Planning Commissioners had discussion regarding the following subjects:

Comm. Philips spoke about a typical new house built on a fifty foot wide lot would be allowed a 2,625 square foot 2- story home (equaling 5,250 sq. ft. with the 2<sup>nd</sup> story). If considered 30% lot coverage with 5% for decks etc. would take it down to 2,250 (equaling 4,500 sq. ft. with the 2<sup>nd</sup> story). Comm. Philips distributed an illustration of a typical street lined with home elevations and examples of typical wall sections from years past and up until present. These illustrations show the wall heights progressively going up, showing the pitch significantly going up as well. Comm. Philips suggested lowering the allowable height of the roof pitch and suggested starting at 23 feet, instead of using a sliding scale.

Ms. Elmiger suggested possibly using a sliding scale for the lot size, with research of other communities 30% is a lot or even 25% is not unheard of.

Comm. Myslinski suggested possibly using the language that the gable end facing the street cannot exceed 2/3 of the front façade, (to limit the amount of gable without changing the overall roof height), to be applied to 2-story construction. The current Ordinance does not allow a livable third story, and Comm. Myslinski suggested adding "no windows allowed" into the language for third floors as well.

There was discussion on various gables and roof heights.

Public Comments:

Ed Krol, 1108 Beech, was in support of limiting the amount of gable allowed.

**A motion was made by Comm. Frisbie, supported by Comm. Myslinski to schedule a Public Hearing at next month's meeting, for the Fence, Accessory Structures & Grading/Drainage Ordinance revisions.**

**YES FRISBIE, KEHOE, MYSLINSKI, PHILIPS, SCHEWE, SISOLAK AND MULHERN.**

**NO NONE.**

**MOTION CARRIED UNANIMOUSLY.**

8. Commissioner Comments:

Comm. Kehoe spoke about possible meetings twice a month.

Comm. Myslinski, asked about the final results of past Planning Commission applicants and Chair Mulhern explained the administrative approval process and Mr. Buzuvis explained what has happened with some of the past applicants.

Ms. Elmiger, asked about an existing garage that is partially in the rear third of the rear yard, using the incentive front porch. To be discussed at next month's meeting.

9. MOTION TO ADJOURN

**A motion was made by Comm. Frisbie and supported by Comm. Myslinski to adjourn.**

Meeting adjourned at 10:33 PM.

Respectfully Submitted,  
Marleta S. Barr,  
Community Development Department,  
Office Manager



CARLISLE

WORTMAN  
associates, inc.

605 S. Main Street, Ste. 1  
Ann Arbor, MI 48104

(734) 662-2200  
(734) 662-1935 Fax

**MEMORANDUM**

**TO:** City of Plymouth Planning Commission  
**FROM:** Sally M. Elmiger  
**DATE:** August 4, 2016  
**RE:** Fence Ordinance Language and Graphics

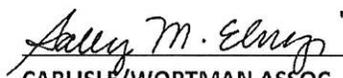
The Planning Commission has scheduled a public hearing for August 24, 2016 to consider the attached language.

We have revised the ordinance language describing residential fences per the Planning Commission's comments at the July, 2016 meeting. The definition of "Solid Fence" was amended to include a numerical standard by which to assess a fence style to determine if it is solid or not.

New language is shown in "orange" colored text.

We look forward to discussing this with you further.

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CARLISLE/WORTMAN ASSOC., INC.  
Sally M. Elmiger, AICP, LEED AP  
Principal

cc: John Buzuvis

**Sec. 78-21. - Definitions.**

Fence, decorative means a permanent barrier not used for enclosure. Any such fence shall be a part of the overall landscape plan and shall be composed of natural materials such as wood (i.e. split rail fence, picket, etc.) or a decorative metal construction (i.e. wrought iron, etc.).

Fence means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, constructed for the purpose of or to have the effect of enclosing the area it is constructed upon or as defined in the city Code preventing or controlling entrance or to confine within or to mark a boundary.

Fence, double, means multiple fences, as defined by this section, running parallel with each other along, or in the vicinity of, a common property line.

Fence, solid, means any fence which presents a solid surface where openings cover less than 25% of the fence panel surface. Shadow-box style fences are not considered "solid" fences.

**Sec. 78-208. - Residential fences.**

Fences or walls are permitted, subject to the paramount provisions of the City of Plymouth Fence Ordinance (Chapter 18, Building Regulations Article X, Fences 18-371—18-380) and subject to the further provisions of this section. If any of the provisions of this section should conflict with the City of Plymouth Fence Ordinance, ~~such these~~ provisions shall be controlling on the question of fences. It is the intent, however, that the following provisions be construed harmoniously with the fence ordinance where possible.

These regulations are intended to apply to fences used to enclose property, such as a rear or side yard. They are not intended to apply to fences used to enclose a small area, such as a dog run or small vegetable garden, for example.

- (1) The location of new fences, where no other fence is currently installed, or where all existing fencing is being removed, shall meet the following requirements:
  - a. The fence shall be located on a property line. New fencing shall be agreed to by all adjoining property owners; and
  - b. Only one fence may be constructed on any common or adjoining property line. A double fence shall be prohibited.
- (2) In the case where a fence already exists, and will not be removed, new fencing may not be installed in a configuration that creates a double fence.
- (3) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard setback:
  - a. shall not exceed six and one-half feet in height, measured from the surface of the ground, and
  - a.b. shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard setback, whichever is greater.
- (4) In the case of a rear yard abutting a side yard, the side yard abutting a street shall be continuation of the required front setback on the lot to the rear, and no fence shall project into this area. When side yards abut on frontages across a common street, the side yard abutting a street shall not be less than the required front yard setback of the district and no fence shall project into this area. (See Figures 1, 2, and 3)

Figure 1. Fence Location

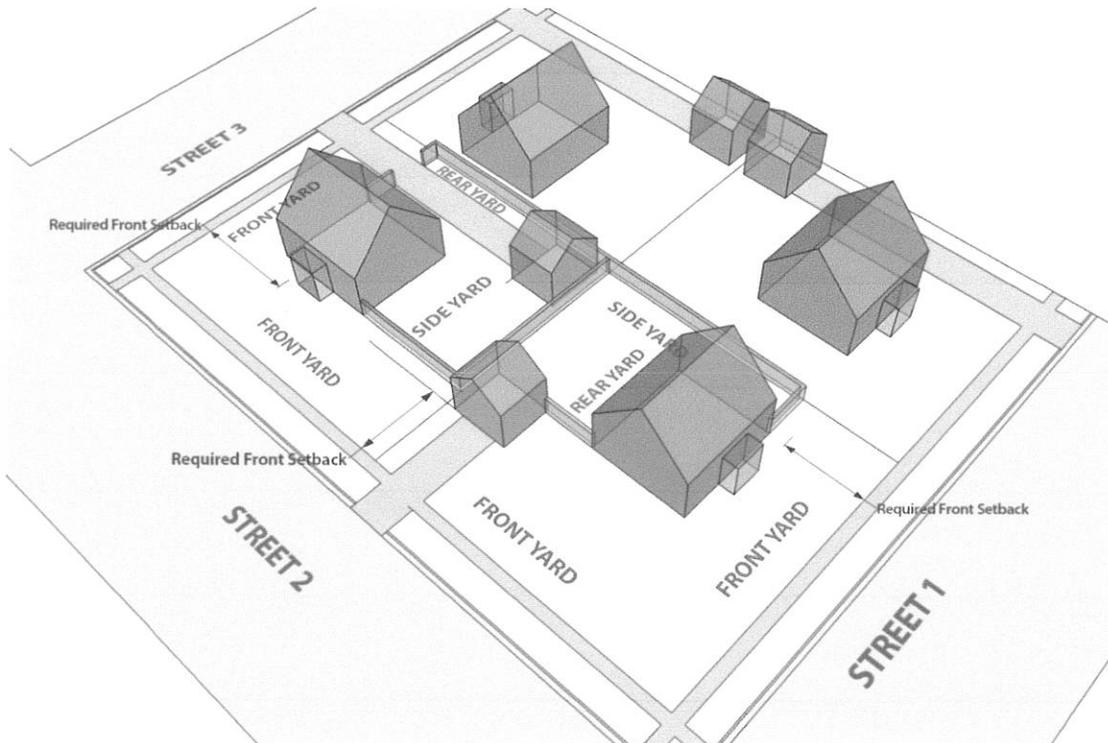


Figure 2. Fence Location

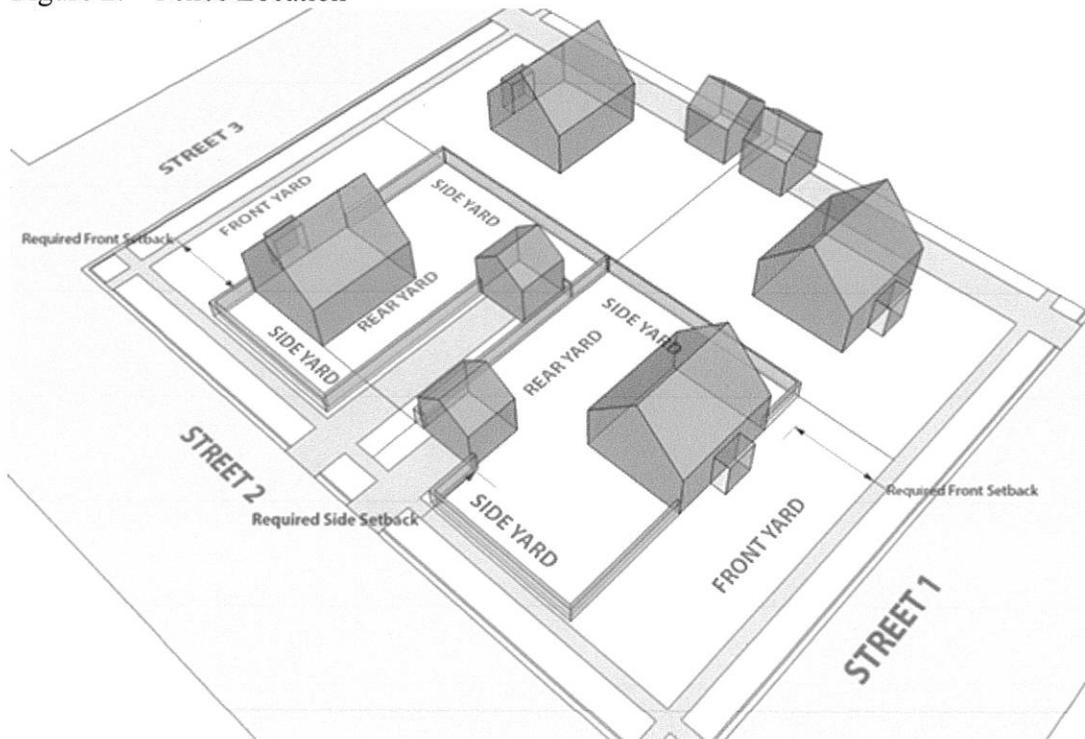
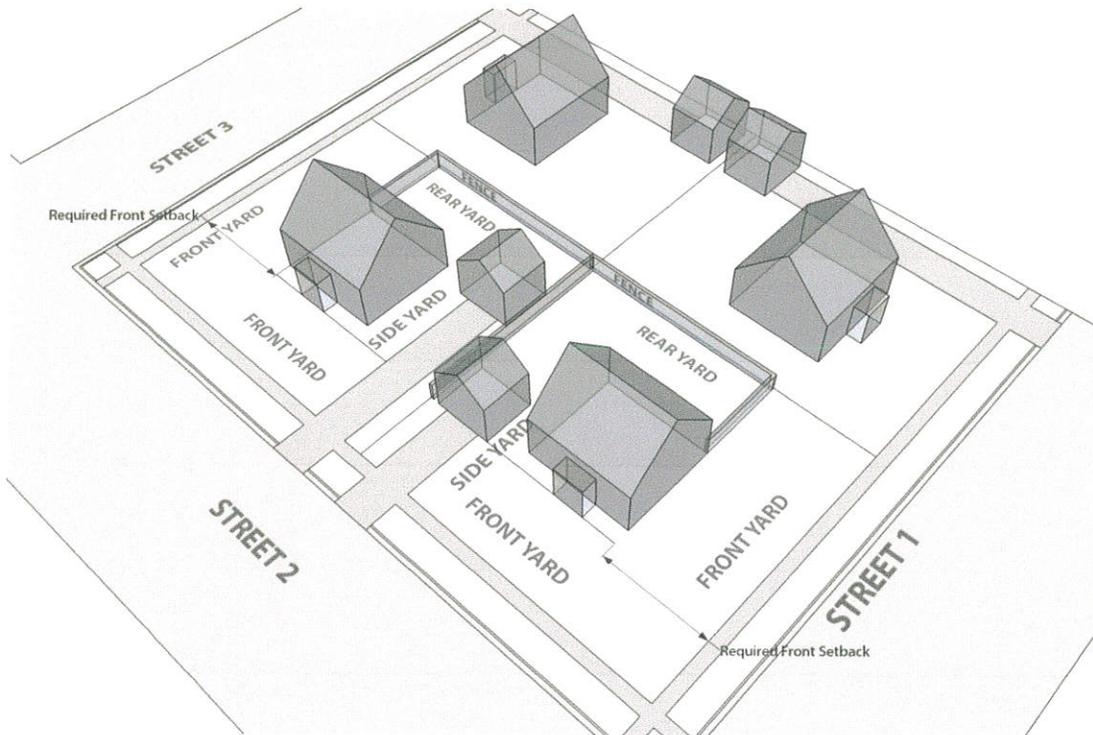


Figure 3. Fence Location



- (25) Recorded lots having a lot area in excess of two acres and a frontage of at least 200 feet, and acreage or parcels not included within the boundaries of a recorded plat, in all residential districts, are excluded from these regulations.
- (36) Fences on lots of record shall not contain barbed wire, electric current, or charge of electricity. This shall exclude underground electric fences used for pet containment.
- (7) Solid fences are not permitted.
- (48) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (59) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (610) Fences for swimming pools shall comply with the regulations of the state construction code.
- (711) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, or plantings shall comply with the corner clearance requirements of section 78-207.
- (812) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.
- (913) Fences or walls within a required front yard setback area shall be decorative style only consisting of wrought iron, metal, or picket fences and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard setback area.

| (~~1014~~) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches. This shall exclude screening walls constructed between conflicting land uses as specified in section 78-206.



CARLISLE

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associates, inc.

605 S. Main Street, Ste. 1  
Ann Arbor, MI 48104

(734) 662-2200  
(734) 662-1935 Fax

**MEMORANDUM**

**TO:** City of Plymouth Planning Commission

**FROM:** Sally M. Elmiger, AICP, LEED AP

**DATE:** August 4, 2016

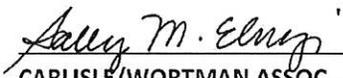
**RE:** Accessory Building Ordinance Language

The Planning Commission has scheduled a public hearing for August 24, 2016 to consider the attached language.

We have added language to calculate the maximum length of accessory buildings adjacent to a rear property line using a percentage of the width of the lot. The intent of the new language is to eliminate the possibility of using building(s) or structures(s) to act as a very tall "fence" along a rear property line. The new language is shown in "red" color text.

I look forward to discussing this with you at the next Planning Commission meeting.

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CARLISLE/WORTMAN ASSOC., INC.  
Sally M. Elmiger, AICP, LEED AP  
Principal

cc: John Buzuvis

CITY OF PLYMOUTH

ORDINANCE NO. 2016-\_\_\_\_\_

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 ACCESSORY BUILDINGS AND STRUCTURES.

Section 1 Modify Section 78-260

Sec. 78-260. - Regulations.

Accessory buildings, structures, and uses except as otherwise permitted in this chapter, shall be subject to the following regulations:

- (1) Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this chapter applicable to the main building.
- (2) An accessory building shall not be erected in any front or required yard setback except as allowed by this article.
- (3) No accessory building, structure or use may be placed on a lot without a principal building.
- (4) The height of the accessory structure having a dormer(s), which occupies ten percent or more of the total roof area, shall be determined by measuring the average height between the eaves and the ridge of the dormer(s).
- (5) No more than two detached accessory buildings in residential districts shall be permitted on any lot.
- (6) No detached accessory building in residential districts shall be located closer than three feet to any side or rear lot line. In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building shall be no closer than one foot to such rear lot line. In no instance shall an accessory structure be located within a dedicated easement right-of-way.
- (7) All accessory buildings, structures and uses combined shall cover no more than 35 percent of any-the area created by the required rear yard setback.
- (8) No detached accessory building in any residential district shall exceed 1½ stories or 15 feet in height. The minimum eave height for an accessory building shall not be less than seven feet from the average grade. Where an accessory structure is located on sloping terrain, the eave height shall be measured from the average ground level of the grade at building walls.
- (9) When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, such building shall not project beyond the front yard line required on the lot in rear of such corner lot. When an accessory building is located on a corner lot the side lot line of which is substantially a continuation of the side lot line of the lot to its rear, such building shall not project beyond the side yard line of the lot in the rear of such corner lot.
- (10) For accessory buildings or structures in the required rear yard of a corner residential lot where the rear yard abuts a side yard of an adjacent residential property, the total combined length of all walls of such building(s) or structure(s) that parallels the rear lot line shall be no longer than fifty percent (50%) of the length of the rear lot line, or no more than thirty feet in length, as follows:
  - (a) If the 50% calculation results in a combined length of thirty feet or less, then the combined length allowed may be up to a maximum of thirty feet.

(b) If the 50% calculation results in a combined length of more than thirty feet, then the combined length allowed is the result of the calculation, but in no instance may be more than fifty feet.

Figure 1. Accessory Building Location for Corner Lots with Front-Side Yard Situation

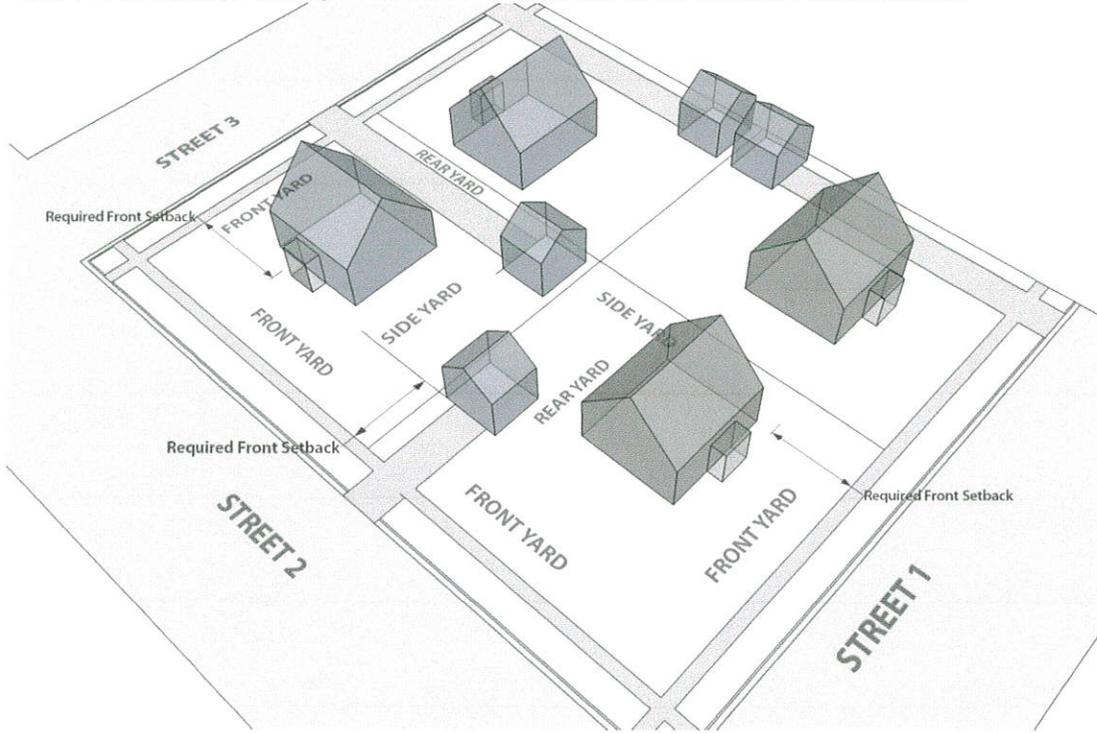


Figure 32. Accessory Building Location for Corner Lots with Side-Side Yard Situations

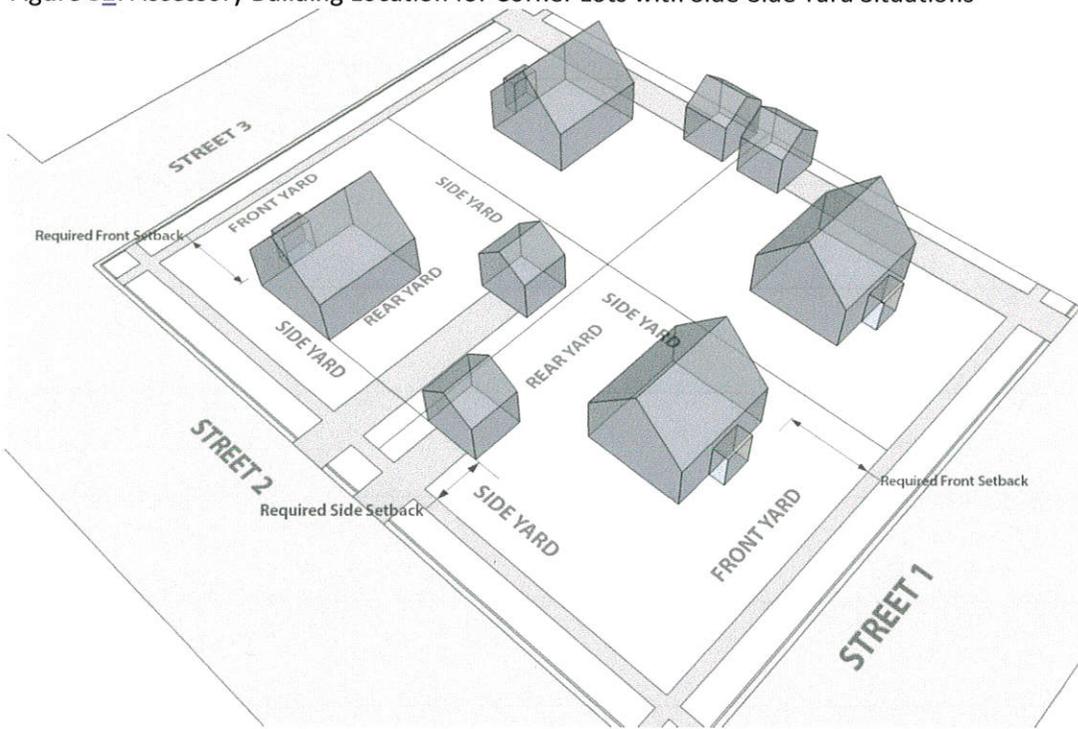
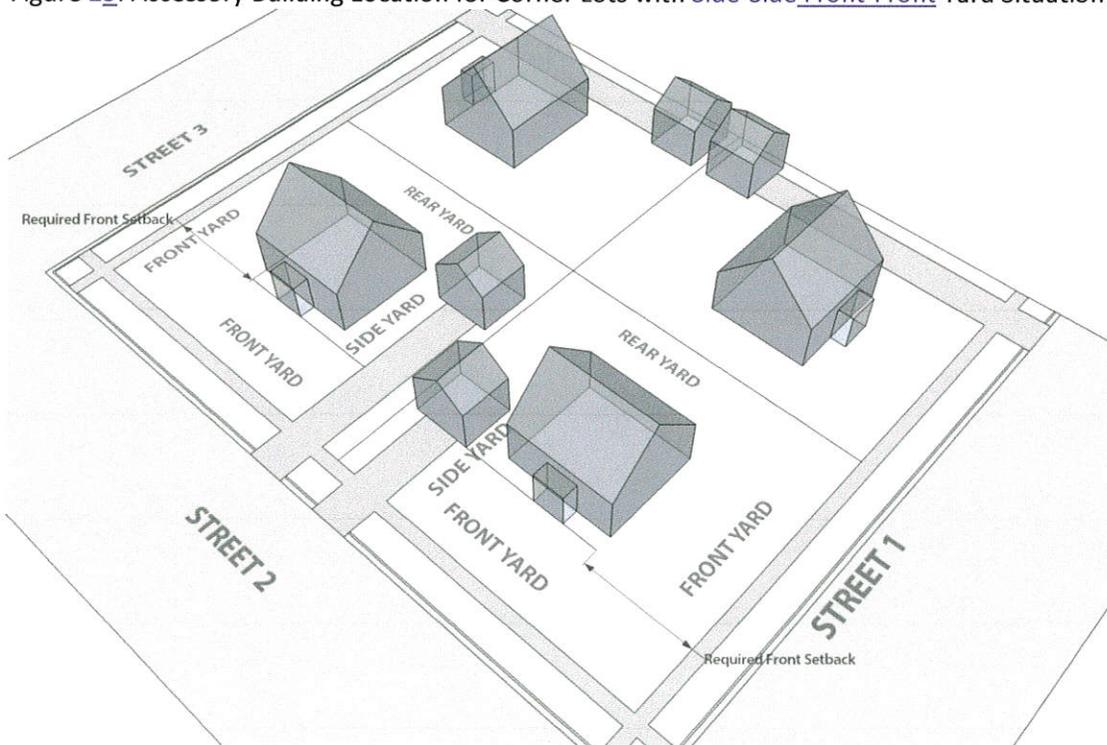


Figure 23. Accessory Building Location for Corner Lots with Side-Side Front-Front Yard Situation



- (10) Accessory buildings within all other nonresidential districts shall comply with applicable setback and height restrictions specified for the zoning district wherein the accessory use or structure is located.
- (11) Detached accessory buildings shall not be used as habitable space.
- (12) Detached accessory structures must be located a minimum of ten feet from the principle structure on site.
- (13) Private wind energy conversion systems shall be subject to regulations contained in section 78-261.
- (14) No detached accessory building in any residential district shall be constructed with an attached deck or balcony which exceeds thirty-two (32) square feet.

**Section 2 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 3 Ordinances Repealed**

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

**Section 4 Effective Date**

This ordinance shall become effective one day after publication.

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



CARLISLE

WORTMAN  
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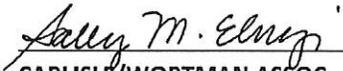
**MEMORANDUM**

**TO:** City of Plymouth Planning Commission  
**FROM:** Sally M. Elmiger, AICP, LEED AP  
**DATE:** August 4, 2016  
**RE:** Grading/Drainage Ordinance Language

The Planning Commission has scheduled a public hearing for August 24, 2016 to consider the attached language.

The proposed language addresses grading and drainage around new structures that takes into consideration existing structures. The changes also include the concept of "average grade plane," when assessing building grades, which the Building Inspector currently uses to evaluate building plans. Lastly, language limiting the height of foundation walls is also included. It coordinates with average grade plane as well as using the sidewalk to assess the portion of the foundation that is out of the ground.

---

  
CARLISLE/WORTMAN ASSOC., INC.  
Sally M. Elmiger, AICP, LEED AP  
Principal

cc: John Buzuvis

## CITY OF PLYMOUTH

## ORDINANCE NO. 2016-\_\_\_\_\_

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 FOUNDATION HEIGHTS, GRADING AND DRAINAGE.

## Section 1     Modify Section 78-21

## Section 78-21. - Definitions.

Building height means the vertical distance measured from the ~~established grade average grade plane (based on existing grades)~~ to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height shall be measured from the average ground level of the grade ~~plane. at the building walls.~~

~~Grade means a ground elevation established for the purpose of regulating the number of stories and the height of the building. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.~~

Grade means a reference plane representing the ground level adjoining a building or structure.

Grade, Existing means the elevation or surface of the ground or pavement as it exists prior to disturbance. This includes both the "natural" grade, where no man-made disturbances have impacted a building site, as well as the existing grade as established by existing buildings, structures and/or pavement.

Grade, Finished means the final elevation of the ground surface after development.

Grade Plane means a reference plane representing the average of the existing grades or ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building.

## Section 2     Add Sections 78-218 and 78-219

Section 78-218 - Foundation Walls

- (1) The exposed foundation wall between the average of finished grades at the center of all walls of the building and the highest portion of the first floor shall not exceed thirty-six (36) inches from the average grade plane. In case walls are parallel to and within five (5) feet of a

sidewalk, the above ground level (average grade plane) for that wall shall be measured at the sidewalk, unless otherwise defined herein. This height limit shall not include areas for walk out basements, window wells or other portions of exposed foundation wall which cannot be reasonably lowered or covered as determined by the Building Official.

- (2) Elevation measurements of the top of the basement footings shall be provided to the Building Official by a licensed engineer or surveyor before a backfill inspection can be conducted to confirm that the actual elevations meet the submitted plans.

### **Section 78-219 - Grading, Drainage and Building Grades**

- (1) The ground areas outside the walls of any building or structure hereafter erected, altered, or moved shall be so designated that surface water shall flow away from the building walls in such a direction and with such a method of collection that inconvenience or damage to adjacent properties will not result. Where property is developed adjacent to existing properties previously developed, existing grades of adjacent properties shall have priority. Grades around houses or structures shall meet existing grades in the shortest possible distance, as determined by the Building Official, but under no circumstances shall exceed 1:4 slopes or twenty-five percent (25%) grades.
- (2) To minimize impacts on contiguous, previously developed, single-family residential property and ensure compatibility for new projects in established residential neighborhoods, the first story elevation height of new structures shall be consistent with the first floor elevation height of contiguous residences, in conformance with other requirements of this ordinance. Any property owner/developer who intends to add fill above the height of the existing contiguous grades shall demonstrate to the Building Official's satisfaction, that additional fill is not detrimental to surrounding properties in terms of compatibility and drainage.
- (3) A certificate of occupancy will not be issued until final grades are approved by the City Building Official. A certificate of grading shall be completed by the applicant. The Building Official shall require a certified copy of the grading plan to be submitted by a registered civil engineer or land surveyor.

### **Section 3     Modify ARTICLE XXI Accessory Buildings and Uses, Section 78-260 Regulations**

Accessory buildings, structures, and uses except as otherwise permitted in this chapter, shall be subject to the following regulations:

- (8) No detached accessory building in any residential district shall exceed 1½ stories or 15 feet in height. The minimum eave height for an accessory building shall not be less than seven feet from the average grade plane. ~~Where an accessory structure is located on sloping terrain, the eave height shall be measured from the average ground level of the grade at building walls.~~

**Section 4 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 5 Ordinances Repealed**

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

**Section 6 Effective Date**

This ordinance shall become effective one day after publication.

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

# **ADMINISTRATIVE RECOMMENDATION**

**To:** Planning Commission  
**From:** John Buzuvis, Community Development Director   
**CC:** S:\DDA\Shared Files\John\Community Development\Ordinances  
**Date:** 8/18/2016  
**Re:** Sign Ordinance Revision Public Hearing

---

## **BACKGROUND:**

The City Commission has indicated that they wish to make revisions to the City's Sign Ordinance to insure that we are in compliance with the United States Supreme Court decision in the Reed vs. Gilbert (AZ) case. Generally speaking the Supreme Court ruled, via several opinions from various justices, that content based restrictions (political, kids sports teams, events etc.) on signage in local zoning ordinances is not allowed. Local communities are still able to regulate the type of sign (e.g.- LED display, changing text, neon etc.) the size, and to some extent where the signs are able to be placed.

The City's policy for the several years has not been to regulate signage based on content but rather size, type and location; however, the City Commission would like to bring the Sign Ordinance to match the policy as well as comply with the Supreme Court ruling.

The Sign Ordinance is part of the City's Zoning Ordinance and as such requires review by the Planning Commission. The Planning Commission should note that the Mayor and City Commission has requested that the Planning Commission review the enclosed, recommended, ordinance revisions to the existing Sign Ordinance. Additionally, the Planning Commission should be aware that the City Commission had scheduled a first reading of the revised ordinance language at the August 15<sup>th</sup> City Commission meeting; however, that agenda item was tabled until the Planning Commission completed their review and public hearing.

Commissioner Dan Dalton from the City Commission is expected to be in attendance at the Planning Commission meeting to answer any questions you may have.

## **RECOMMENDATION:**

The Administration recommends that the Planning Commission hold a Public Hearing, as scheduled and advertised, and review the enclosed suggested amendments to the City's Sign Ordinance. At the conclusion of the review and public hearing the Administration would recommend the Planning Commission comment on the proposed amendments and forward to the City Commission for adoption.

The proposed amended language is enclosed as well as a sample resolution for the Planning Commission to consider related to this matter.

Draft revision to Sign Ordinance: DPD 06 16 16

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ARTICLE XIX. - SIGNS

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Sec. 78-220. - Intent.

The intent of this article is to regulate the location, size, construction and manner of display of signs and outdoor advertising in order to minimize their harmful effects on the public health, safety and welfare and to balance the First Amendment concerns articulated by the United States Supreme Court in *Reed v. Gilbert* (2015). It is the intent of this Code to regulate many aspects of signs that have nothing to do with a sign's message, such as size, building materials, lighting, moving parts and portability. It is intended by this article to give recognition to the legitimate needs of business, industry and other activities, through appropriate guidelines, in attaining their identification and informational objectives. It is a basic tenet that failure to regulate them may lead to poor identification of neighboring businesses, deterioration and blight of the business and residential areas of the city, conflicts between different types of land use, and reduction in traffic safety to pedestrians and motorists.

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(Ord. of 10-6-03)

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Sec. 78-221. - Definitions.

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The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means a ~~sign which~~ sign, which, for 90 days, fails to direct a person to or advertises a bona fide business, tenant, owner, product or activity conducted, or product available on the premises where such sign is displayed.

Accessory sign means a ~~sign which~~ sign, which pertains to the principal use of the premises.

Advertising means the use of a sign to call the public's attention to goods or services for sale, or business' name and/or locations, so as to get them to buy or shop for those goods or services, at those businesses.

Area of sign means the total area included within the polygon caused by encompassing the outermost portions of the sign or around the outermost edges of a sign formed of letters or symbols only. An area so created shall include all solid surfaces as well as openings and shall include all sides serving as a sign surface. For canopy/awning signs only the logo and lettering area shall be used in calculating sign square footage.

Awning sign (see canopy sign) means a sign which is printed or otherwise affixed to an awning which may be rolled or folded up against the wall to which it is attached.

Banner: Any sign of lightweight fabric or similar material that is attached to a pole or a building at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Bench sign means an advertising sign placed upon a bench or other seating structure.

Building sign: Any sign attached to any part of a building, as contrasted to a ground sign or a hanging sign. Building signs shall include the following types of signs as defined in this section: banner, canopy, projecting and wall.

Canopy sign means a sign which is part of or located on a canopy or awning which is attached to the building or structure they are intended to serve. Canopy signs shall also include internally illuminated translucent fabric awnings or fabric canopies which advertise goods or services.

Change of copy refers to the change of names, logos, symbols, or other graphic items of information, as long as the structural characteristics including size, shape, or frame is not modified.

Changeable copy sign: means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the structural integrity of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this ordinance.

Construct or erect means to build, construct, attach, hang, suspend, or affix.

Construction and/or real estate development signs means signs pertaining to projects or real estate developments under construction.

Directional sign means a sign which indicates the route or location of facilities, services, or activities which are of public interest, and signs denoting the direction of vehicular traffic.

Festoon sign means banners, pennants, incandescent light bulbs, or other such temporary features which are hung or strung overhead and which are not an integral, physical part of the building or structure they are intended to serve.

Flag: means any fabric or banner containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Flashing, animated or moving sign means a sign that has intermittently reflecting lights, or signs which have movement of any illumination such as intermittent, flashing, scintillating, or varying intensity, or a sign that has any visible portions in motion, either constantly or at intervals, whether caused by artificial or natural sources.

Ground sign means a sign supported by one or more upright brace or braces of reasonable size necessary to support such sign, permanently mounted in or upon the ground and in no way attached to a building structure.

Hanging sign means a sign for pedestrian traffic that is not supported by any means from the ground or sidewalk and which is fastened to or suspended from a structure.

Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

- (1) Existing grade prior to construction; or
- (2) The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purposes of locating the sign.

In cases where the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoning lot, whichever is lower.

Identification nameplate sign means a sign stating the name and/or address of a person or firm.

Inflatable sign means a sign, figure or object that is either expanded to its full dimensions or supported by gases contained within the sign, figure or object, or part, at a pressure greater than atmospheric pressure.

Interior window sign means window copy painted or otherwise attached to the interior window surface, or any sign hung so that its primary purpose is to be observed from outside the building.

Lawn extension means that area between the sidewalk and the curb.

Marquee sign means a display sign attached to or hung from a roof like structure projecting over an entrance and from and supported by a building, but not including canopy or awning signs.

Non-accessory sign means a sign which pertains to other than the principal use of the premises.

Nonconforming sign means any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this ordinance and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this chapter.

Off-premises sign means a sign which contains a message unrelated to a business or profession conducted on the premises, or to a commodity, service or activity, not sold or offered upon the premises where such sign is located.

Political sign means a temporary sign, whose message relates to a candidate for political office, to a political party, to a political issue, or an ideological opinion.

Portable sign means a freestanding sign not permanently anchored or secured to either a building or the ground, such as, but not limited to trailers, "A" frame, "T" shaped sign, and wire frame structures.

Premises means any lot or parcel of land or building or site as otherwise used in this chapter.

Projecting wall sign means a sign panel and ~~frame which projects from the wall at an angle of 90 degrees, by no more than four feet from the building, or 1/3 of the sidewalk width, whichever~~ frame, which projects from the wall at an angle of 90 degrees, by no more than four feet from the building, or 1/3 of the sidewalk width, whichever, is less.

Public property means any land within the city that is not privately owned.

Public right-of-way means that area designated for public use by easement, dedication or otherwise, from one property line to another property line ~~a-~~As shown in the plat records of the city or recorded with the county register of deeds.

Real estate sign means a temporary sign placed upon a property advertising that the particular property it is placed upon is for sale, rent, or lease.

Roof sign means a ~~sign which~~ sign, which is erected, constructed, or maintained upon the roof or parapet of a building.

Sign means the use of a device to display any word, numeral, figure, device, letter, symbol, insignia, illustration, design, trademark, or combination of these by which information is made known to the general public and is visible from off the site or lot.

Sign setback means that where it is specified that a sign must be located a minimum or other certain distance from property lines or public rights-of-way, such distance will be measured from the portion of the sign structure nearest to the specified line. For purposes of these measurements, the property lines and public rights-of-way lines extend vertically and perpendicularly from the ground to infinity.

Temporary sign means any sign, regardless of size and materials that is not permanently fastened to any structure, including posts with permanent footings.

Vehicle business sign means a sign painted or attached to a vehicle which is parked or placed upon the owner's premises primarily for purposes of advertising the premises. Commercially licensed vehicles which are generally used daily off-site are not included in this definition.

Wall sign means a sign attached to, or placed flush against, the exterior wall or surface of any building, no portion of which projects more than 16 inches from the wall.

(Ord. of 10-6-03; Ord. No. 2005-08, § 2, 7-18-05; Ord. No. 2008-03, § 4, 8-4-08)

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Sec. 78-222. - Violations and penalties.

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It shall be unlawful for any person to erect, construct, maintain, enlarge, alter, move or convert any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this article. It shall be unlawful to erect, construct,

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enlarge, alter, move or convert any sign regulated by this article, except a sign which sign, which is permitted by the provisions of this article. Any person violating any of the provisions of this article shall be guilty of a civil infraction pursuant to section 78-382 of this chapter.

(Ord. of 10-6-03)

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Sec. 78-223. - Signs not permitted.

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All signs not expressly permitted in section 78-226 are prohibited. Examples of signs not permitted are:

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- (1) Abandoned sign;
- (2) Banner sign;
- (3) Bench sign;
- (4) Festoon sign;
- (5) Flashing, animated or moving sign;
- (6) Inflatable sign as defined;
- (7) Non-accessory sign;
- (8) Nonconforming sign;
- (9) Off-premises sign;
- (10) Portable sign;
- (11) Roof sign;
- (12) Vehicle sign; and
- (13) Any other type of sign not expressly permitted in section 78-226.

(Ord. of 10-6-03)

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Sec. 78-224. - Application of standards: exempt signs/temporary signs.

Comment [DD1]: This is all content based and needs to be removed.

The following signs are specifically exempt for the sign permit requirements but are subject to the following regulations and standards:

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- ~~(1) Business affiliation signs: Signs not exceeding a total of one square foot per business indicating acceptance of credit cards or describing business affiliations and are attached to a permitted sign, exterior wall, building entrance or window.~~
- ~~(2) Flags bearing the official design of a nation, state, municipality, educational institution, church or fraternal organization: Flags bearing only the official seal or emblem of a company or corporation are also exempted, provided they contain no other slogan, messages or graphics. A parcel or business site shall be limited to a maximum total of six of the above flags.~~

- ~~(3) Gas station pump island signs: Located on the structural supports identifying "self-serve" and "full-serve" operations, provided that there is no business identification or advertising copy on such signs, that there are no more than two such signs per pump island and that such signs do not exceed two square feet in area.~~
- ~~(4) Historical marker: Plaques or signs describing state or national designation as a historic site or structure and/or containing narrative, not exceeding 12 square feet in area.~~
- ~~(5) Integral signs: Names of buildings, dates of erection, monumental citations, commemorative tablets when carved into stone, concrete or similar material or made of bronze, aluminum or other non-combustible material and made an integral part of the structure and not exceeding 25 square feet in area.~~
- ~~(6) Menu board: Up to two signs each no greater than 20 square feet which display menu items and may contain a communication system for placing food orders or other items at an approved drive-thru facility, provided such sign(s) is not in the front yard.~~
- ~~(7) Model signs: Temporary signs directing the public to a model home or unit, which do not exceed four square feet in area.~~
- ~~(8) Non-commercial signs: Signs containing non-commercial messages, such as those designating the location of public telephones, restrooms, restrictions on smoking and restrictions on building entrances, provided that such signs do not exceed two square feet in area.~~
- ~~(9) Owner/tenant signs: Address or occupant name and other signs of up to two square feet in area mounted on the wall of a commercial building.~~
- ~~(10) Parking lot signs: Indicating restrictions on parking, when placed within a permitted parking lot, are a maximum of ten feet in height, and do not exceed six square feet in area.~~
- ~~(11) Public signs: Signs of a non-commercial nature and in the interest of, erected by, or on the order of, a public officer or building official in the performance of public duty, such as directional signs, regulatory signs, warning signs, and informational signs.~~
- ~~(12) Regulatory, directional and street signs: Erected by a public agency in compliance with Michigan Manual of Uniform Traffic Control Devices Manual.~~
- ~~(13) Warning signs: such as no trespassing, warning of electrical currents or animals, provided that such signs do not exceed two square feet.~~

~~(Ord. of 10-6-03)~~

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~~Sec. 78-225. - Required conditions in any use district.~~

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~~The following conditions shall apply to all signs erected or located in any use district:~~

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- (1) Signs shall pertain only to the sale, rental, or use of the premises on which located, or to the goods sold or activities conducted thereon.
- (2) No sign shall be erected until approved by the building official and a permit issued ~~except that political, real estate, garage sale, yard sale and directional signs and those signs exempt under section 78-224, complying with the ordinance, will not require approval or permits.~~
- (3) Only signs established by city, county, state or federal government may be located in or project into public right-of-way or public property or lawn extensions, unless specifically provided otherwise herein.
- (4) Wall signs shall be displayed flat against the wall of the building. No signs shall be painted directly on a roof or wall.
- (5) In business, office and industrial districts, canopy or awning signs shall be considered to be wall signs and subject to the size limitation and placement regulations of wall signs.
- (6) Ground signs, real estate signs, political signs, garage sale signs, and temporary signs may have a maximum of two sides, each with the allowable area, and they shall be placed so as not to obstruct the clear vision of pedestrians, cyclists or motorists.
- (7) Directional signs shall not exceed two square feet per side nor exceed two sides, shall contain no advertising, except the business name or logo, and may be illuminated. Directional ground signs shall not exceed a maximum of two sides, nor a height of six feet, and may be located one at each driveway entrance.
- (8) Interior window signs shall not exceed 25 percent of the glass surface of the window area in which the sign is located; shall not require a permit; shall be permitted in addition to any permitted wall or ground sign; and shall be located only on the first floor front facade of the building. Buildings on a corner lot shall be permitted window signs on each road frontage.
- (9) Temporary signs for special civic events may be permitted by the city manager. Such signs shall not exceed four square feet in area per side or four feet in height and shall not be illuminated. Permission cannot be granted for a temporary sign for a commercial, industrial or private use.
- (10) Garage sale and yard sale signs with a maximum area of four square feet per side, and a maximum height of four feet, are permitted when located on the property where the event will occur or on other private property with that property owner's consent. Such signs must be removed immediately following the event they describe and are not permitted in commercial, industrial or office areas, i.e., properties zoned B-1, B-2, B-3, B-3A, O-1, I-1, I-2, and ARC.
- (11) Illuminated signs shall not interfere with the vision of pedestrians, cyclists, motorists or adjacent property owners, and shall not be of the flashing, moving or intermittent type.

**Comment [DD2]:** This may be problematic as it allows the discretion of one person to allow for a sign. I would delete the phrase – may be permitted by the City Manager.

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**Comment [DD3]:** I think we covered this an limited the number of signs for garage sales in the garage sale ordinance.

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(12) ~~One~~ real estate sign per premises shall be permitted, provided it shall not exceed four square feet per side in area or four feet in height, and shall be removed within seven days of the rental, lease or acceptance of offer to purchase.

Comment [DD4]: Content based- real estate

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(13) ~~SPolitical signs~~ are permitted in any use district provided they do not exceed four square feet in area per side or four feet in height.

Comment [DD5]: Political signs – content based

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(14) Construction and/or real estate development signs are permitted only on the premises upon which the construction or development is taking place. The permitted sign may be erected only after a building permit for the project has been issued and shall be removed when 51 percent of the units or square footage of the project are occupied, whichever occurs first. The location, size, height, setbacks, type and number of signs shall be the same as required for business districts.

(15) For purposes of identification by emergency personnel (fire, police, EMS) all businesses, offices, industrial buildings, apartment complexes, or residences either multiple- or single-family, shall prominently display on the front side (facing the street) of their building or upon freestanding signs or entranceways to all buildings, their street address. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). If the residence or business cannot be seen from the street, an additional street address sign shall be displayed in an area where it can be seen from the street. In all residences with more than one unit, such as apartments, each individual unit shall be clearly marked.

(Ord. of 10-6-03; Ord. No. 2008-03, § 5, 8-4-08)

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Sec. 78-226. - Signs permitted.

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The following signs are permitted subject to compliance with the requirements in this article:

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- (1) Canopy/awning sign;
- (2) Directional sign;
- (3) Garage and yard sale sign;
- (4) Ground sign;
- (5) Interior window sign;
- (6) Political sign;
- (7) Real estate sign;
- (8) Temporary sign;
- (9) Wall sign;

(10) Construction and/or real estate development signs;  
and

(11) Projecting wall sign, and:

(12) Signs advertising religious services.

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(Ord. of 10-6-03)

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Sec. 78-227. - Measurement.

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(a) Sign area. Sign area shall be computed as follows:

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- (1) General requirements. Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign including any framing or borders.
- (2) Individual letters. Where a sign consists of individual letters and logo affixed directly to a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering and logo.
- (3) Freestanding sign. The area of a double-faced freestanding sign shall be computed using only one face of the sign provided that: 1) the outline and dimensions of both faces are identical, and 2) the faces are back-to-back so that only one face is visible from any given direction.
- (4) Ground sign. The area of a ground sign shall be computed by measuring the entire vertical surface of a face upon which the letters and logo are attached. In the case of a multi-faced ground sign, the area of the sign shall be computed using only one face of the sign.
- (5) Cylindrical sign. The area of a cylindrical ground sign shall be computed by multiplying the circumference of the cylinder by its height.
- (6) Temporary signs. All signs on property located in the zoning district advertising real estate sales, leasing, rent; political signs; signs advertising religious services or messages, shall be permitted, provided it shall not exceed four square feet per side in area or four feet in height, and shall be limited to days.

Comment [DD6]: The number of days for all signs needs to be content neutral. If you are allowing real estate signs for 30 days, all other signs need be 30 days as well.

(b) Setback and distance measurements. The following guidelines shall be used to determine compliance with setback and distance measurements:

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- (1) The distance between two signs shall be measured along a straight horizontal line that represents the shortest distance between the two signs.
- (2) The distance between a sign and a parking lot or building shall be measured along a straight horizontal line that represents the shortest distance between the outer edge of the parking lot or building.

- (3) The distance between a sign and a property line shall be measured along a straight horizontal line that represents the shortest distance between the sign and the property line.

(Ord. of 10-6-03)

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Sec. 78-228. - Ground signs.

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(a) General requirements. (The following regulations shall apply to all ground signs except for ground signs located in the ARC Zoning District which shall be governed by section 78-169.)

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- (1) Within all non-residential zoning districts including non-residential uses contained in the MU mixed use district, only one ground sign shall be permitted per zoning lot. If the frontage of a zoning lot exceeds 400 linear feet two such ground signs may be permitted. One additional ground sign may be permitted at a secondary entrance if it is not located on the same street as the primary entrance. Maximum sign area is provided in "Table A" found in the following pages.
- (2) Within all residential zoning districts including residential uses contained in the MU mixed use district, only one ground sign shall be permitted at the primary entrance for the purpose of identifying a subdivision, site condominium, multiple family development, or mobile home park.
- (3) Within all residential zoning districts, only one ground sign shall be permitted per zoning lot for the purpose of identifying a non-residential special land use. One additional ground sign may be permitted at a secondary entrance if it is not located on the same street as the primary entrance. Maximum area is provided in "Table A" below.
- (4) One freestanding identification sign stating the name of a business center and major tenants therein may be erected for a shopping center, office park, industrial park or other integrated group of stores, commercial buildings, office buildings or industrial buildings. The sign area shall not exceed 32 square feet in area. Such signs may be up to eight feet in height. If the lot fronts on two or more collector or arterial streets one such sign may be permitted for each frontage.
- (5) Within all PUD districts, the number and size and location of ground signs shall be determined by the intended use of the premises, subject to the review and approval of the city during PUD plan review.
- (6) All ground signs shall be set back a minimum of five feet from all road rights-of-way and shall be located no closer than five feet from the edge of the principal entrance driveway and all property lines.
- (7) The support structure for a ground sign shall not exceed 25 percent of the maximum permissible area of the sign measured by viewing the elevation of the sign perpendicular to the sign face, unless otherwise approved during the site plan review process.

(b) Maximum height and area requirements for ground signs shall be applied within each zoning district according to the following schedule. The maximum height and area for ground signs within business centers are pursuant to paragraph (a)(4) above:

Table A. Ground Signs/Allowable Height and Maximum Area

District	Max. Height (ft.)	Maximum Area (sq. ft.)	
		Per Side	Total
*R-1	4	18	36
*RT-1	4	18	36
*RM-1	6	25	50
*RM-2	6	25	50
O-1	8	25	50
O-2	8	25	50
B-1	8	25	50
B-2	15	25	50
B-3	15	25	50
I-1	6	25	50
I-2	6	25	50
MU	4	18	36
ARC	Subject to the standards of Section 78-169.		

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\*Ground signs permitted in these districts are for non-residential special uses permitted in the residential districts. Home occupation and bed and breakfast are not permitted ground signs.

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Comment [DD7]: Content based – home occupation and bed and breakfast

(Ord. of 10-6-03)

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Sec. 78-229. - Building signs/wall signs.

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(a) General requirements: (The following regulations shall apply to all building signs/wall signs except for such signs located in the ARC Zoning District which shall be governed by Section 78-169.)

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- (1) Within all non-residential zoning districts, a combination of building signs may be established not to exceed the maximum sign area per "Table B" for each zoning lot (for a single business). Signs for multiple tenant shopping centers shall not exceed 25 square feet.
- (2) For each single-family or two-family dwelling unit, with a separate means of ingress and egress, one wall sign not exceeding two square feet in area per unit, indicating the name and/or address of the occupant, home occupation or bed and breakfast operation is permitted. Home occupation and bed and breakfast operations shall not be permitted individual ground signs.
- (3) Within all PUD districts, the number and size of wall signs shall be determined by the intended use of the premises, subject to the review and approval of the city, during PUD plan review.
- (4) One projecting sign may be permitted for each first-floor business within the B-2 central business district. The projecting sign may be a maximum of eight sq. ft. in area (each side) and shall be included in the total amount of signs permitted for the subject building. Changeable copy shall not be permitted as a part of projecting signs. Projecting signs must provide a clear distance of eight feet from the sidewalk and ten feet from any driveway. The leading edge of a projecting sign shall not extend more than four feet from the face of the building that it is attached to. Wall signs or awning signs shall not be permitted in conjunction with a projecting sign. Projecting signs shall be spaced at least 25 feet apart and shall not be internally illuminated.
- (5) Channel letter signs are considered to be wall signs that are mounted so that the face of the letters are parallel to the building wall. Mounting regulations for channel letter signs, from wall to outermost face, are as follows:
  - a. Channel letters with transformers mounted inside the letters shall not extend more than 16 inches from the building wall.
  - b. Channel letters with remote transformers shall not extend more than 12 inches from the building wall.
  - c. Channel letters mounted on a raceway shall not extend more than 16 inches from the building wall.

- d. Channel letter signs must provide a clear distance of eight feet from the sidewalk to bottom edge of the sign, but shall not extend over public or private roadways, or parking lots.
- (b) A cabinet flat wall sign shall not exceed more than 12 inches from the building wall. Other wall signs shall not exceed more than eight inches from the wall.
- (c) Illuminated canopy and translucent fabric awning signs shall be considered a wall sign. The entire illuminated surface shall be considered a part of the sign for purposes of area calculation.
- (d) Maximum area requirements for building signs shall be applied within each zoning district according to the following schedule. One (1) wall sign or canopy sign shall be permitted on each facade, which has a separate public means of ingress and egress.

Table B. Building Signs/Wall Signs Maximum Area

District	Maximum Area in sq. ft.
O-1	25
O-2	25
B-1	25
B-2	25
B-3	25
I-1	25
I-2	25
MU	25
ARC	Subject to section 78-169

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(Ord. of 10-6-03)

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Sec. 78-230. - Nonconforming existing signs.

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Nonconforming signs are those signs that do not comply with the size, placement, construction or other standards or regulations of this chapter, but were lawfully established prior to its adoption. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming. It is the intent of this ordinance to encourage eventual elimination of nonconforming signs. This objective is considered as much a subject of public health, safety, and welfare as the prohibition of new signs in violation of this chapter. Therefore, the purpose of administering this chapter is to remove illegal non-conforming signs while avoiding any unreasonable invasion of established private property rights.

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A nonconforming sign may be continued and shall be maintained in good condition as described elsewhere in this section, however, the following alterations are regulated:

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- (1) A nonconforming sign shall not be structurally altered so as to change its shape, size, type or design unless such change shall make the sign conforming.
- (2) A nonconforming sign may undergo a "change of copy" or the replacement of names, logos, symbols, numbers or other graphic items of information as long as the structural characteristics, including size, shape or frame, are not modified.
- (3) A nonconforming sign shall not be replaced by another nonconforming sign.
- (4) A nonconforming sign shall not be re-established after the activity, business, or use to which it related has been discontinued for 90 days or longer.
- (5) A nonconforming sign may undergo normal maintenance and repair such as painting, replacement of lights, and replacement of letters. Normal maintenance shall not exceed 60 percent of the appraised market value.
- (6) A nonconforming sign shall not be re-established after damage or destruction if the estimated expense of reconstruction exceeds 60 percent of the appraised replacement cost as determined by the building official.

Comment [DD8]: Do you want to consider amortization of non-conforming signs? This is permissible under Michigan law. That way we eliminate non-conforming signs.

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(Ord. of 10-6-03)

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#### Sec. 78-231. - Hanging signs/pedestrian traffic signage.

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General requirements: Hanging signs shall be allowed within the B-1 B-2, and MU zoning districts and shall be governed by the following regulations:

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- (1) One hanging sign may be permitted for each first-floor business or tenant space with a separate means of ingress and egress within the B-1, B-2 and MU zoning districts.
- (2) The hanging sign may be in addition to a wall sign for each business site. However, hanging signs are not allowed at business sites which display a projecting sign or a ground sign. A hanging sign shall also not be allowed at business sites which display a nonconforming wall sign or signs which exceed the current allowed square footage for wall signs.
- (3) Hanging signs shall be measured in the following manner:

- a. The maximum area for a hanging sign shall be six square feet per side or maximum of 12 square feet of total surface area.
  - b. The maximum distance from the face of the building to the sign edge closest to the right-of-way, shall be 30 inches or the depth of the awning whichever is less.
  - c. The dimension of the hanging sign which is parallel to the face of the building shall not be more than the dimension which is perpendicular to the face of the building.
- (4) The hanging sign must be located in the center third of the storefront/business site or over an entrance door.
  - (5) The minimum height or clearance above a walking surface shall be seven feet.
  - (6) Hanging signs shall not be allowed above a street or alley where they could interfere with vehicular traffic.
  - (7) Signage lettering or numerals shall not exceed eight inches excluding letters or digits used as part of a logo.
  - (8) Hanging signs shall not be internally illuminated.
  - (9) Hanging signs within the city's historic district shall be subject to and approved by the Kellogg Park Historic District Commission.
  - (10) Hanging signs shall be subject to sign application procedures of section 78-225 and permitting requirements of the building department.
  - (11) All hanging signs shall be safely and securely attached by not less than two metal chains, metal brackets or wrought iron brackets firmly secured. No excess chain shall be allowed. In no case shall any hanging sign be attached with wire, string, rope, wood, or secured by nails.

(Ord. No. 2005-08, § 3, 7-18-05)

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Secs. 78-232—78-239. - Reserved.

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**RESOLUTION**

The following Resolution was offered by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

WHEREAS From time to time it is necessary to update City Ordinances to meet certain standards and/or come into compliance with state or federal law or rulings, and

WHEREAS The City Commission has asked the Planning Commission to hold a public hearing and review the proposed changes to the City's Sign Ordinance Article XIX-Signs Sections 78-220 through 78-231, and

WHEREAS The Planning Commission is required to review any amendments to the City's Zoning Ordinance prior to adoption by the City Commission,

NOW THEREFORE BE IT RESOLVED THAT the City of Plymouth Planning Commission has reviewed the proposed amendments to the City's Sign Ordinance, Article XIX- Signs Sec. 78-220-78-231, in the City's Zoning Ordinance and recommends the proposed amendments be reviewed and adopted and enacted by the City Commission after a first and second reading

A. THE FOLLOWING INFORMATION IS TO BE COMPLETED BY THE BUILDING AND DEVELOPMENT ENGINEERING DEPARTMENT AT THE TIME OF APPLICATION SUBMITTAL:

SITE PLAN NUMBER: \_\_\_\_\_

B. THE FOLLOWING IS TO BE COMPLETED BY APPLICANT PRIOR TO SUBMITTAL OF SITE PLAN (PLEASE PRINT OR TYPE).

ADDRESS OF PROPOSED DEVELOPMENT 874 Ann Arbor road

1.

Developers Name Remy Jonna

Address 2360 Orchard Lake road Sylvan Lake MI, 48320

Phone/Fax Number Phone (248) 683-7355 / Fax (248) 683-7366

Email Address Rjonna@jonnaproperties.com

(ALL CORRESPONDENCE FROM THE CITY WILL BE MAILED TO THIS ADDRESS)

2.

Legal Property Owner Laith Jonna

Address 2360 Orchard Lake road

Phone/Fax Number Phone (248) 683-7355 / Fax (248) 683-7366

Email Address Ljonna@jonnaproperties.com

3.

Site Plan Designers Name Paul Boomer

Firm Name Creative Land Design

Address 29800 Middlebet road suite 150 Farmington Hills, MI 48334

Phone/Fax Number (248) 425-5254

Registration No \_\_\_\_\_

Email Address Paul@creative.land/llc.com

Applicant MUST receive invoice from Comm. Dev. Dept. before payment

4. Description of Proposed Development.      New \_\_\_\_\_ Addition \_\_\_\_\_

Renovation of 874 Ann Arbor rd into  
O'reilly Auto Parts.

5. Address and General Location of Property.

874 Ann Arbor rd. NWQ Ann Arbor rd. & Main st.

6. Legal Description of Property.

7. Provide the following data:

a. For churches, temples, stadium and sports arenas or indoor or similar outdoor place of assembly.

Seating capacity or length of proposed pews or benches.

N/A Seats

N/A Feet

b. For hospitals, sanitariums, homes for the aged, convalescent homes.

Number of beds.

N/A Beds

c. For fraternities or sororities.

Number of permitted active members N/A

Members N/A

d. For private clubs, lodges, theaters, auditoriums, multi-purpose rooms, pool halls, establishments for sale and consumption on premises of beverages, food or refreshment, dance halls, and assembly halls without fixed seats.

Number of persons allowed within the maximum occupancy load as established by the fire marshal.

N/A People

e. For auto washes.

Number of employees and the number and length of wash lines.

N/A Employees

N/A Feet of lines

f. For beauty parlors, barbershops, bowling alleys, laundromats and coin operated dry cleaners, motels or hotels, motor vehicle sales and service establishments and banks.

N/A Number of chairs

N/A Number of lanes

N/A Number of washing (or dry-cleaning) and drying machines

N/A Number of auto service stalls in the service room

N/A Number of teller cages/windows

- g. For gasoline/service stations.

Number of lubrication stalls, racks or pits and number of gasoline pump stands.

N/A Lubrication stalls

N/A Pump stands

- h. For professional offices of doctors, dentists or similar professions.

Number of examining rooms, dental chairs or similar use areas.

N/A Chairs

- i. For industrial, furniture and appliance, household equipment, repair shops, showroom of a plumber, decorator, electrician or similar trade, shoe repair and other similar uses.

Maximum number of shift employees per shift.

N/A Employees

Prior to submittal of a site plan, the applicant shall review the following elements for inclusion, where applicable, on the proposed plan. All such required information shall be clearly noted on the site plan, and not on any attachment to the site plan, and shall be in sufficient detail to meet the intent and purpose of the review process.

The applicant shall make a check mark in the left hand column marked "Applicant" only and shall mark all applicable elements. If a particular item is not applicable to the site plan, the letters "n/a" should be written in the space. A check mark by the applicant for each of the applicable elements shall indicate that the applicant has checked that element against the site plan and that the information called for in that particular element is properly noted on the site plan.

If the applicant is satisfied that all such information required herein is properly noted on the site plan, the applicant shall sign and date the check list in the place provided and submit the signed application with the site plan to the Building and Engineering Department.

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

- |    |  |   |
|----|--|---|
| 1. | Name of _____<br>Development _____                         | ✓ |
| 2. | Name, address & phone number of:                           |   |
|    | a. Developer _____   | ✓ |
|    | b. Legal owner _____                                       | ✓ |
|    | c. Designer/firm _____                                     | ✓ |
|    | d. Designer's<br>registration number<br>and seal (*) _____ | ✓ |

(\*) If the designer is a registered professional, the site plan shall include the designer's seal. For projects of less than \$15,000 and single family residential buildings of less than 3,500 square feet, the designer need not be a registered professional, but should have sufficient experience and knowledge of site plan design to satisfactorily prepare a plan in accordance with the guidelines set forth herein. A seal of a registered professional is required on all Multiple Residential and all Non-Residential projects greater than \$15,000.

3. Scale of Drawing/Paper Size
- a. Scale - Engineers scale on plan view appropriate to size of site to adequately detail the layout but in no case less than 1"=100'. Building elevations (exterior wall facade) drawings and floor plans may use architects scale of 1/8"=1' or a suitable scale of similar size. ✓
  - b. Paper size – **not to exceed 24" x 36** ✓
4. Date ✓

**Element to be included on Site Plan**

**Checked by Applicant**

5. North Point \_\_\_\_\_ ✓

6. Complete legal description of the entire site (i.e. Metes and Bounds) description if acreage parcel, lot number(s), and subdivision name. All legal descriptions shall include: ✓

a. Gross number of acres \_\_\_\_\_ ✓

b. Net usable acres \_\_\_\_\_ ✓

c. Section Number \_\_\_\_\_ ✓

7. Vicinity sketch or site location map which does not have to be drawn to scale. ✓

8. The location of all existing and proposed in ground and above ground on site utility easements including their connection capability to off-site utility easements. The applicant shall provide a statement verifying that he has researched the availability of all public utilities involved in the site development and is satisfied that same is available and of adequate capacity to meet development needs (\*). ✓

(\*). The applicant may want to retain the services of a professional engineer to conduct a utility feasibility survey for the site. When such studies are made, a copy shall be submitted as a part of this check list. The site plan should also include a dimensional survey ✓

9. The provision of a water supply adequate to serve the development for both potable water and for fire emergency use shall be satisfactorily shown to exist or to be provided for. ✓

The location of all existing fire hydrants within 300 feet of the development shall be shown on the site plan. ✓

**Element to be included on Site Plan**

**Checked by Applicant**

<p>10. Grading plan and floor elevations. Drainage of the site shall be shown to adequately assure storm water run-off will not adversely effect off-site properties</p>	_____	_____ 
<p>11. Water retention or detention ponds are designed to provide a natural appearing pond with side slopes of no greater than 6 on 1 appropriately landscaped and without fencing</p>	_____	_____ 
<p>12. Location of woodlands, wetlands and waterways shall be shown on the site plan and on property immediately abutting the site under consideration at the adjacent property line</p>	_____	_____ 
<p>13. Existing zoning classification</p>	_____	_____ 
<p>14. Existing zoning classification of adjacent parcels</p>	_____	_____ 
<p>15. Existing land use on adjacent parcels</p>	_____	_____ 
<p>16. The location of all existing buildings and structures within 100' of the parcel</p>	_____	_____ 
<p>17. The location of all buildings and structures on site including photos of such structures if they are to remain (*).</p>	_____	_____ 

(\*). Photographs are optional - they will be useful in the review process if provided.

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

18. All building structure heights. (Existing & Proposed)		
19. Location of all off-street parking spaces, including required handicapped spaces, vehicle maneuvering lanes, and service drives.		
20. Location of all loading/unloading facilities.		
21. Location of all driveways, drives and turning lanes.		
22. Location of all drives, driveways and intersections across abutting streets from parcel.		
23. Names, locations, existing and projected right-of-way widths as shown on City, County thoroughfare ROW plans, centerline, and pavement widths of all bordering roads, streets, and easements.		 
24. Location of all sidewalks, footpaths and bikeways.		

**Element to be included on Site Plan**

**Checked by Applicant**

- |     |  |                |                                     |
|-----|--|----------------|-------------------------------------|
| 25. | Critical site dimensions:  | the site plan. |                                     |
|     | a. Along property lines.   |                | <input checked="" type="checkbox"/> |
|     | b. Between buildings.  |                | <input checked="" type="checkbox"/> |
|     | c. Between parking and buildings.  |                | <input checked="" type="checkbox"/> |
|     | d. Between parking and parcel lines.   |                | <input checked="" type="checkbox"/> |
|     | e. Between principal and accessory buildings.  |                | <input checked="" type="checkbox"/> |
|     | f. Parking space width and length (typical).   |                | <input checked="" type="checkbox"/> |
|     | g. Vehicle maneuvering lane/service drive widths.  |                | <input checked="" type="checkbox"/> |
|     | h. Curb radius (entrances).  |                | <input checked="" type="checkbox"/> |
|     | I. Between buildings and parcel lines.   |                | <input checked="" type="checkbox"/> |
|     | j. Between buildings and retention/detention ponds.  |                | <input checked="" type="checkbox"/> |
| 26. | Building layouts (typical floor plan) including:   |                |                                     |
|     | a. Principal entrances and service entrances.  |                | <input checked="" type="checkbox"/> |
|     | b. The relationship between units within a building.   |                | <input checked="" type="checkbox"/> |
|     | c. Exterior building wall facade drawings of all exposed walls.  |                | <input checked="" type="checkbox"/> |
| 27. | The type and color of exterior building wall facade materials to be used.  |                | <input checked="" type="checkbox"/> |
| 28. | The location and extent of any outdoor storage areas noted on site plan. If no outdoor storage is proposed it shall be so noted on |                | <input checked="" type="checkbox"/> |

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

29. The type, height and extent of screening for outdoor storage areas.	<hr/>	
30. The type and height of screening for trash receptacles including the types of materials to be used in the screen and the color of the material, and the location of the receptacle and screen on the site.	<hr/>	
31. The location, type and extent of any required screening devices. When architectural masonry walls are used a section drawing of the wall shall be provided detailing footings, the type of wall materials to be used, color and height. When landscaped earth berms are used, they shall be shown on the site plan.	<hr/>	
32. A complete landscape planting plan identifying all landscape plantings by location, type and height. Where earth berms are used, their height and width shall be noted and a cross section of the berm included. Plant material sizes shall be noted on the site plan.	<hr/>	
33. The location and type of all outdoor lighting by symbol denoting location or by a typical detail drawing of the lighting standard proposed, its lamination power, its height and color of standard, including a photometric layout of the site	<hr/>	

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

34. If a site is to be developed in phases each phase shall be clearly identified on the site plan.

\_\_\_\_\_

\_\_\_\_\_ ✓

N/A

35. This section is for Multiple Dwelling and Cluster Housing Developments.

a. The maximum lot coverage of all buildings shown

\_\_\_\_\_

\_\_\_\_\_

b. Formula for distances between buildings shown

\_\_\_\_\_

\_\_\_\_\_

c. Site density computations including total number of dwelling units and number of bedrooms per unit. When development is in phases, the requirements for b. and c. above shall be shown for each phase. Each phase shall meet density requirements or an appropriate guarantee acceptable to the City shall be provided assuring that suitable open space shall be reserved and improved to meet density requirements for the phase under development.

\_\_\_\_\_

\_\_\_\_\_

36. The size, and location of any and all signs to be used on the site are clearly noted on the site plan.

\_\_\_\_\_

\_\_\_\_\_ N/A

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

37. FOR NON-RESIDENTIAL USES

a.	Proposed use	_____	_____ ✓
b.	Gross and net usable square footage of floor area	_____	_____ ✓
c.	Seating capacity or maximum occupancy permitted	_____	_____ ✓
d.	Number of medical examining rooms, dental chairs, and square footage of waiting rooms or beds	_____	_____ N/A
e.	Number of employees in largest working shift	_____	_____ N/A

I certify hereon that I have read and understand the above check list items and that those items that apply are included on the site plan submitted.



\_\_\_\_\_  
Signature of Applicant

7/19/16

\_\_\_\_\_  
Date



CARLISLE

WORTMAN  
associates, inc.

605 S. Main Street, Ste. 1  
Ann Arbor, MI 48104

(734) 662-2200  
(734) 662-1935 Fax

Date: November 30, 2015

Rev.: August 16, 2016

**Site Plan Review  
For  
Plymouth, Michigan**

**Applicant:** Jonna Properties  
2360 Orchard Lake Road  
Suite 110  
Sylvan Lake, MI 48320

**Project Name:** O'Reilly Auto Parts

**Plan Date:** November 1, 2015

**Latest Revision:** No date provided

**Location:** 874 Ann Arbor Road

**Zoning:** ARC – Ann Arbor Road Corridor District

**Action Requested:** Site Plan Approval

**Required Information:** Any deficiencies are noted in the report.

**PROJECT AND SITE DESCRIPTION**

The applicant is proposing to remove approximately 6,900 square feet of the existing 13,900 square-foot building, and replace it with one commercial unit equaling 6,864 square feet. The property has two existing vehicular access points from Ann Arbor Road, which will be retained.

In addition, the Rite Aid Pharmacy to the east has an access easement on the subject site that accommodates the pharmacy's drive-through lane.

An aerial of the subject site is shown in **Figure 1** on the next page.

*Figure 1. Subject Site*



#### **ANN ARBOR ROAD CORRIDOR DISTRICT**

The Ann Arbor Road Corridor District allows retail uses as a permitted use. The specific use identified for this property is an O'Reilly Auto Parts store. This business provides auto parts on a retail basis. However, it also could provide other services, including:

- Fluid and battery recycling
- Battery testing
- Minor part installation
- Paint mixing

The applicant should describe the extent of these services, and whether this location will be providing them. Will the O'Reilly be serving wholesale customers as well? Note that the development requirements in the ARC District do not allow wholesale sales.

**Items to be Addressed:** 1. Describe proposed services offered by O'Reilly Auto Parts at this location. 2. Describe services provided to wholesale customers.

**AREA, WIDTH, HEIGHT, SETBACKS**

The site plan must meet the minimum standards for the ARC District, as stated in Section 78-162 and summarized in **Table 1** below:

**Table 1. ARC Schedule of Regulations Summary**

	Required	Provided
Lot Area	NA	1.19 ac. (51,836 s.f.)
Lot Width	NA	180 ft.
Lot Coverage	NA	13%
<b>Setbacks</b>		
Front	10 ft.*	80 ft.
Side		
Minimum	10 ft.	20 – 93 ft.
Total of Two	20 ft.	113 ft.
Rear	20 ft.	77 ft.
Building Height	30 ft. / 2 stories	20 ft./ 1 story

\* When parking is furnished between the building and the street, a front yard of not less than 75 feet shall be provided.

All standards outlined in the ARC district are met.

**Items to be Addressed:** None.

**PARKING, LOADING**

Section 78-163 lists parking requirements for the ARC District. In this district, retail uses require one (1) parking space for each two hundred (200) square feet of usable floor area. Useable floor area is defined as 80% of the gross floor area provided. Parking space requirements are summarized in **Table 2** on the next page.

**Table 2. ARC Parking Requirements**

B-2 District	REQUIRED	PROVIDED
Retail	1 space/ 200 sq. ft. Useable floor area 6,864 sq. ft. x 80% = 5,494 sq. ft.  5,494 sq. ft. / 200 = <b>27 spaces</b>	30 spaces
Barrier-Free	2 spaces	2 spaces (included in 30 spaces)

The proposed number of parking spaces exceeds that required by three (3) spaces. We would recommend that the number of spaces be reduced to that required, so that the amount of pavement can also be reduced. The size of the proposed spaces meet ordinance requirements, as do the maneuvering lanes.

One loading/unloading space, a minimum of 10 x 50 feet is required. One space is proposed, located directly behind the building.

The proposed parking lot design places a bio retention basin along the western property line of the subject site. It appears that stormwater will enter the basin via sheet flow across the parking lot. Therefore, curbs along the edges of the basin can't be used, as they will inhibit water entering the basin. However, some barrier needs to be provided (on both sides of the basin) to prevent cars from driving into the basin.

The site plan shows two barrier-free parking spaces. These spaces meet minimum size requirements.

**Items to be Addressed:** 1. Reduce number of parking spaces to that required. 2. Add barrier along both sides of bio retention basin to prevent cars from entering the basin.

## **SITE ACCESS AND CIRCULATION**

Section 78-164 outlines access management and driveway standards for the ARC District. The ordinance calls for one driveway to each separately-owned parcel. Where possible, this driveway shall be via a shared driveway. The previous development on this parcel has two existing driveways. One driveway is shared with the adjoining Rite Aid. We would suggest that the Planning Commission discuss the opportunity for removing the westerly driveway into this property to help minimize the number of curb cuts. There are three driveways within 200 feet of road frontage, and eliminating the center driveway will help minimize curb cuts and traffic congestion. Also, the existing shared driveway access is 32-feet wide, easily accommodating traffic from both businesses in our opinion.

Regarding circulation of delivery trucks, the applicant should provide information regarding the types of trucks that will be using the site.

Regarding pedestrian circulation, the site plan shows a concrete walk in front of the parcel (within the right-of-way) along Ann Arbor Road. It also shows sidewalks along the south (8-foot wide), and west (7-foot wide) facades of the building. These walks meet the minimums required by the ARC District. We would also recommend that a pedestrian walk connect the sidewalk along Ann Arbor Road and the front sidewalk of the building.

A ramp for the barrier-free parking spaces to the sidewalk in front of the building needs to be provided in the 8-foot wide aisle next to the barrier-free parking spaces. This way, a person in a wheelchair doesn't need to traverse the maneuvering lane to get onto the sidewalk.

**Items to be Addressed:** 1. Consider eliminating the westerly driveway to meet ARC access management standards. 2. Provide information regarding types of delivery trucks using the site. 3. Provide direct pedestrian access from the sidewalk along Ann Arbor Road to the building entrance. 4. Add location of barrier-free sidewalk ramp.

## LANDSCAPING AND SCREENING

The applicant has provided a landscape plan and landscaping details. Section 78-165, 78-166, and 78-167 provide standards for landscaping in the ARC District.

**Ann Arbor Road Screening:** The ordinance allows for several options to screen the parking lot from Ann Arbor Road. The plans show a 10-foot wide landscape strip planted with trees, shrubs and perennials, and includes the brick pier and fence detail used along the corridor.

One (1) deciduous shade tree for every 40-feet of street frontage, and ten (10) shrubs for every 30-feet of street frontage is required in this strip. The parcel is 180-feet wide, requiring 5 trees and 60 shrubs. Only one multi-stemmed deciduous shade tree is provided in the landscape strip in front of the parking lot on the subject site. However four other deciduous shade trees are proposed in the right-of-way. We would consider this approach to meet ordinance requirements; however, the applicant will need to obtain a permit from MDOT to install the trees in the right-of-way. The proposed number of shrubs meets this requirement.

**Interior Parking Lot Landscaping:** Section 78-168 states that off-street parking areas shall include one canopy/deciduous shade tree and 100 square feet of landscaping for every ten spaces (rounded upward). The lot proposes 30 spaces; therefore, three (3) shade trees and 300 square feet of landscaping is required.

Three (3) shade trees are proposed in landscaped islands in the front of the property. The intent of this requirement states that internal landscaping is required to define vehicular circulation, improve site aesthetics, and provide shade. We consider the proposed parking lot islands to meet this intent.

**Bio Retention Landscaping:** The plans show a large bio retention area on the west and north boundaries of the parking lot. The landscape plan calls for seeding this area with a wetland seed mix. We assume that this stormwater management approach is required by Wayne County.

The landscape plan also provides some guidance as to how to get the native seed mix established and maintained. It is our experience that these types of plantings, if not properly maintained, become infested with weeds and do not function as intended.

The seed mix is made up of deep-rooted native plants that assist in stormwater uptake. Weeds, on the other hand, are shallow rooted and do not uptake as much stormwater. The reason the basin works is because of the plants. Therefore, if this approach is pursued, we recommend that the basin planting be maintained by a professional with experience in preparing the soil, seeding, weeding and maintaining native plants in detention basins. Most landscape contractors do not have sufficient experience in this expertise. To get the planting established, weeds need to be controlled on a regular basis for the first three years.

The plans state that parking lot islands shall be irrigated. However, the ARC landscaping standards states that adequate water supply to all landscaped areas, including the right-of-way shall be provided. Information regarding the location of all irrigation needs to be shown on the plans.

**Items to be Addressed:** 1. Obtain MDOT permission to locate screening trees in the Ann Arbor Road right-of-way. 2. Experienced professional used to establish and maintain detention basin planting to ensure proper functioning. 3. Location of all irrigated planting areas shown on the plans.

## LIGHTING

The site plan set includes a sheet showing photometrics of proposed light fixtures in the parking lot and on the south, north, and east side of the building. Details of the proposed light fixtures are shown on the next page.

The mounting height of the fixtures is shown at 22 feet in the parking lot, and 10 feet along the building facade. The ordinance states that the maximum height of light fixtures is either 25 feet

or the height of the building. The proposed height of the building is 20 feet; therefore, the height of the fixtures needs to be lowered.

Illumination levels exceed the minimum 0.1 foot candles at the north property line adjacent to residential properties. However, the stream corridor along this boundary will most likely screen most light from this proposed use. In addition, the lighting levels along the east and west property lines exceed the one (1) foot candle adjacent to non-residential parcels.

Additional information regarding whether the proposed light fixtures can be shielded needs to be provided.

**Items to be Addressed:** 1. Lower mounting height of proposed parking lot fixtures. 2. Minimize light levels along property boundaries. 4. Additional information regarding ability to shield proposed light fixtures.

## DUMPSTER/REFUSE

A dumpster screen wall is shown on the Site/Redevelopment Plan sheet. It is proposed as a poured concrete wall with a brick embossed pattern. The gates are proposed to be made out of wolmanized wood. The dumpster screen materials should be consistent with the proposed building, and meet the standards of the Ann Arbor Road Corridor District, as described below under "Floor Plans and Elevations."

**Items to be Addressed:** Ensure consistency of dumpster screen materials with AARC standards.

## SIGNS

Information regarding signs has not been provided. Section 78-248 requires that information to confirm that sign requirements have been met needs to be provided during the site plan review process.

**Items to be Addressed:** Provide sign information.

## FLOOR PLAN AND ELEVATIONS

Floor plans and elevations have been provided. The façade of the proposed building will be constructed of split face concrete masonry blocks and red EFIS (synthetic plaster). This design does not meet the standards outlined in the ARC District, which calls for any façade facing Ann Arbor Road to be constructed of brick, stone, black wrought iron accents, peaked roof elements and architectural detail to enhance door and window openings. The proposed architectural

design needs to be modified so that it complements the Ann Arbor Road streetscape. We would consider the Rite Aid next door or DNCU across the street to be good illustrations of what is intended by the ordinance.

***Items to be Addressed:*** *Modify proposed building design and materials to meet the Ann Arbor Road District requirements.*

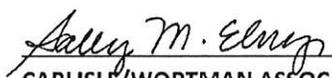
## RECOMMENDATIONS

With the information provided, the proposed retail use is a permitted use in the Ann Arbor Road Corridor (ARC) District. However, there are a number of outstanding items that need to be addressed before any decision is made regarding this project. These items include the following:

- A. Add latest revision dates to all plan sheets.
  - B. 1. Describe proposed services offered by O'Reilly Auto Parts at this location. 2. Describe services provided to wholesale customers.
  - C. 1. Reduce number of parking spaces to that required. 2. Add barrier along both sides of bio retention basin to prevent cars from entering the basin.
  - D. 1. Consider eliminating the westerly driveway to meet ARC access management standards. 2. Provide information regarding types of delivery trucks using the site. 3. Provide direct pedestrian access from the sidewalk along Ann Arbor Road to the building entrance. 4. Add location of barrier-free sidewalk ramp.
  - E. 1. Obtain MDOT permission to locate screening trees in the Ann Arbor Road right-of-way. 2. Experienced professional used to establish and maintain detention basin planting to ensure proper functioning. 3. Location of all irrigated planting areas shown on the plans.
  - F. 1. Lower mounting height of proposed parking lot fixtures. 2. Minimize light levels along property boundaries. 4. Additional information regarding ability to shield proposed light fixtures.
  - G. Ensure consistency of dumpster screen materials with AARC standards.
  - H. Provide sign information.
  - I. Modify proposed building design and materials to meet the Ann Arbor Road District requirements.
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O'Reilly Auto Parts  
August 16, 2016

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