

CITY OF PLYMOUTH  
PLANNING COMMISSION – REGULAR MEETING  
WEDNESDAY, NOVEMBER 9, 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 | Scott Silvers  |
| Karen Sisolak     | Jim Mulhern    |                |

2. CITIZEN COMMENTS

3. APPROVAL OF MINUTES  
Regular Meeting – October 12, 2016

4. APPROVAL OF AGENDA

5. PUBLIC HEARINGS

**Opened Public Hearing at           pm**

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

**Closed Public Hearing at           pm**

6. OLD BUSINESS:

Tree Preservation/Reforestation Draft Ordinance Language Review

7. NEW BUSINESS:

Ordinance Amendments to Exterior Lighting Standards

8. COMMISSIONER COMMENTS:
  
9. REPORTS AND CORRESPONDENCE:  
Master Plan Review Update  
Set Date to Discuss Sign Ordinance
  
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.

\* Developing a succession plan for the city's key employees, especially considering the long tenures of many of our senior staff.

\* 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.

\* To work collaboratively with the DDA, and other Boards, as needed related to parking issues including; but not limited to the expansion of parking in the Downtown.

\* Develop an Ordinance to help address and preserve the City's Tree Canopy.

**PLANNING COMMISSION NOTICE  
CITY OF PLYMOUTH, MICHIGAN  
CITY HALL, 201 S. MAIN  
WEDNESDAY, NOVEMBER 9, 2016  
7:00 PM  
(734) 453-1234**

PUBLIC HEARING FOR ZONING ORDINANCE AMENDMENTS OF:

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

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, October 12, 2016

---

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

1. ROLL CALL

MEMBERS PRESENT: Jennifer Frey; arrived at 7:10 pm, Jim Frisbie, Jennifer Kehoe, Charles Myslinski, Joseph Philips, Scott Silvers, Karen Sisolak and Jim Mulhern

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

2. CITIZEN COMMENTS:

Adam Szymczak, 333 Sunset, wanted some clarification on the location of garage with the new Ordinance for incentive garages. Mr. Szymczak would like the Ordinance revised to interpret easily what portion of the rear yard the garage would be allowed in and not for administrative review that can possibly change over time. Comm. Philips responded that this Ordinance was for the existing garages only, not the newly built garages. Comm. Myslinski stated the reason the Ordinance was written vaguely was to prevent existing garages in the front yard, but discourage the garage being placed forward in the middle section of the property, and therefore not seen as part of a walking experience for walkability. There was some discussion and Chair Mulhern suggested tabling it for the time being.

Dave Rucinski, 1392 Maple, spoke about attending and asking questions at a meeting on October 10<sup>th</sup> regarding the Kellogg Park and the fountain changes and has not been contacted as promised after the meeting. Mr. Rucinski has spoken with the City Commission twice and once with the Historic Commission and he has also started a petition to stop the proposed work and listen to the citizens, stating any changes to the Park reflect the character & charm of what we have now, and also keeping the fountain in the same location. There also was a recent public meeting held on Monday with 170 people attended with 18 strongly opposing the design changes and 2 people who were in support of the changes. Mr. Rucinski has obtained 1,150 signatures on his petition from people opposed to the changes. Mr. Rucinski has had discussions with the City & DDA and was told they would discuss direction with him but Mr. Rucinski has had with no contact from them since, and he is concerned that this group is proceeding without the citizens input.

Chair Mulhern commented he was at the meeting and is a part of the group looking at the proposed designs. Comm. Sisolak felt Mr. Rucinski was taking the right steps in keeping the Community involved and felt his efforts will work out in the long run. Comm. Frisbie stated that he is on the DDA board and the design that was presented at Monday's meeting has not been approved by the DDA and will be a long involved process until one has been approved. Comm. Frisbie assured Mr. Rucinski that his input would surely be taken into consideration. Comm. Myslinski applauded Mr. Rucinski's efforts and (*speaking as a private citizen*) felt that

Kellogg Park is Plymouth Community's Park due to the soft green spaces used by children to tumble and dogs to play. Comm. Myslinski felt the removing of trees and increased hardscaping proposed may be used for the concerts, but is not a good use for the general public's interest. Comm. Frisbie stated that the DDA brought in an arborist that looked into the area of the proposed fountain and the arborist suggested that some of the matured and diseased trees should be removed and Mr. Rucinski responded that there are five good trees that he felt should remain.

Marie Everitt, 1240 Fairground, asked about last month's meeting minutes and felt maybe she wasn't clear, and what Ms. Everitt proposed was an incentive program to be created for street grates to be placed around the street trees, to prevent the sidewalks from lifting, and to be ordered through the City.

### 3. APPROVAL OF MINUTES

A motion was made by Comm. Philips supported by Comm. Frisbie, to approve the meeting minutes from the September 14, 2016, as amended, per Ms. Everitt's comments.

**MOTION CARRIED UNANIMOUSLY.**

### 4. APPROVAL OF AGENDA:

A motion was made by Comm. Frisbie supported by Comm. Kehoe, to approve the agenda, as presented.

**MOTION CARRIED UNANIMOUSLY.**

### 5. PUBLIC HEARINGS:

1. Article II, 78-21, Definitions,
2. Article V, 78-53, Single-Family Dwelling Unit Standards
3. Article IV, 78-43, Single-Family Dwelling Unit Standards
4. Article XVII, 78-191, Notes to Schedule

Sally Elmiger, Planner, explained some examples were provided of floor area ratio (FAR) along with lot coverage requirements for single-family residential dwellings in the R-1 Single-Family Residential District, from other Communities. This zoning technique is intended to regulate the bulk of a building in relationship to the size of the lot. These examples show how other communities apply FAR to residential dwellings along with their Ordinance language and are from the City of Douglas, Grosse Ile Township, and Royal Oak, Michigan; and Palo Alto, California. Each Community shows a slightly different way of addressing residential building mass.

Ms. Elmiger felt the City of Douglas is the most similar in lot sizes to the City of Plymouth and requires a .4 FAR for single-family residential buildings, including garages in the gross floor area. Ms. Elmiger read the chart examples from Grosse Ile Township, Royal Oak and City of Palo Alto.

John Buzuvis, CDD, provided photos along with explaining the examples provided of randomly picked newly constructed homes with examples of their calculated FAR along with an allowed FAR of .4 and .5 calculations.

Ms. Elmiger stated she had added up all the lot coverages and FARs (*excluding Park Place*) and the calculation came to an average FAR of .43 and an average lot coverage of 31.25%.

Comm. Philips provided an analysis chart with some examples on how square footage would be allowed in relation to different sized lots, excluding garages, with current Ordinance comparing FAR calculations ranging from .3 up to .6.

There was discussion on the different sized square footages shown on the chart.

The Planning Commissioners had discussion regarding the following subjects:

Comm. Philips would like the chosen FAR to require the second story to be a lesser footprint than the first story and the total height to be also reduced also.

Comm. Silvers suggested using two different FAR ratios.

Comm. Kehoe felt the board is going in the right direction.

Comm. Myslinski suggested not using the 25-foot maximum height (halfway up the roof) and use a maximum ridge height instead.

There was discussion on different height scenarios with various types of roofs.

Public Comments:

Marie Everitt, 1240 Fairground, was in favor of the FAR .4 calculation and made the suggestion to include the garage, if left out she thought, it may cause loop holes. Ms. Everitt used this calculation and applied it to a few lots and felt it will control the massing. Ms. Everitt liked using the standard for the second floor plate. Comm. Sisolak responded that he felt the FAR .4 was without a garage and with a standard garage it would be more like a FAR .8.

Adam Szymczak, 333 Sunset, liked the board's direction with the FAR .4 calculation, he also liked that other Communities are also using the FAR calculation and was interested to know how well this has worked in other Communities, and if there were any consequences. Mr. Szymczak spoke about the City of Palo Alto's additional areas included in their calculations and also how this Ordinance uses roof pitches to dictate home heights and suggested we also include these into our proposed Ordinance. Mr. Szymczak also spoke about various homes within the City that this Ordinance could benefit from.

Comm. Myslinski suggested visiting Douglas City, the downtown homes are extremely large and the FAR .4 calculation does not seem to be controlling the large sized homes.

Mr. Szymczak liked a portion of the Palo Alto's Ordinance where the City uses one factor for the first 5,000 sq ft lot size and anything above that the factor is reduced, resulting in less gross floor area for the second floor. Mr. Szymczak asked what prevents a 10,000 square foot house from being built within the City of Plymouth and Ms. Elmiger responded that the lot coverage stops it, only 35% is allowed to be covered by structures.

Ed Krol, 1108 Carol, was in favor of the FAR .4 calculation along with the fixed height of the second story and asked about the size allowed for the garage and Ms. Elmiger responded that the lot coverage would dictate the size of the garage. Mr. Krol would like the garages to be included in the FAR calculations.

Public Comments portion was Closed at 8:16 PM

The Planning Commissioners had discussion regarding including garages in the calculations:

Comm. Frisbie felt garages or any ancillary buildings should be included to help curb the massing, everything needs to be included that is built on the site.

Comm. Silvers spoke about having the garage included in the floor area ratio, and suggested the detached garage would not be included if it was put in the rear 1/3 of the rear yard as an FAR incentive.

There was discussion on garages attached and detached (with the current Ordinance), lot coverage would be counted with the FAR calculation, and detached garages do contribute to the massing on a lot.

Comm. Myslinski explained when building a detached garage, at the rear of the main structure yard, it will then become a buildable second floor livable area with the full height. Mr. Myslinski further discussed, if you build a detached garage, it's still in your 35% lot coverage, but not in the FAR calculation for the primary residence because it's not attached and it doesn't have the second floor construction living area. If the garage is clearly detached, Comm. Myslinski suggested not including it in the FAR calculations.

Comm. Philips discussed how most prefer more square footage added to the living area which leaves less for square footage for an accessory structure.

There was more discussion on lot coverage and the mid-point roof heights of garages.

Ms. Elmiger suggested the garages are included in lot coverage and should be included in the FAR calculations also.

Comm. Myslinski was in favor of creating an incentive for the detached garage creating the gap between the home & the garage, and to deter the rear attached garages that would have the 2- story -30 foot long side wall.

Ms. Elmiger suggested modifying the proposed Ordinance-

1. Detached Garage-Excluding: 528 square foot (footprint) for the detached garage in the FAR.
2. Detached Garage- (anything in excess of 528 square feet), on the second floor that is a certain height, (such as 7.6' of headroom), is included in the FAR.

It was decided to use the .4 FAR with 35% lot coverage to incentivize the detached garage.

The Planning Commissioners had discussion regarding the following subjects:

Comm. Kehoe discussed Section 78-21, Definitions, Floor area measurement. Comm. Kehoe would like to change the amount of headroom from seven feet six inches to five feet of headroom for any upper story.

Ms. Elmiger suggested adding "unenclosed" onto breezeway, located in the last sentence of Section 78-21, Definitions.

There was discussion on attic space, some board members wanted to exclude the unfinished attic space and some felt if you can build it, you should be able to use it.

Comm. Sisolak suggested lowering the height of the house, so that the attics will not have a tall ceiling and therefore will not appear like a third story home.

Ms. Elmiger suggested modifying the language to read, in which may not be made usable for human habitation, suggesting that it cannot be finished.

Comm. Frisbie asked Mr. Buzuvis about enforcement of these new Ordinances and Mr. Buzuvis responded that as long as the Building Official does not have to do extra math or extra steps to figure it out, and he feels this Ordinance appears fairly easy, especially because other Communities are already using this type of calculations, but Mr. Buzuvis would like to cross check with the building code to make sure that they will align.

Comm. Frey suggested a revision located under Page 1, Section 78-21, Definitions, Floor Area Ratio, that the example listed be changed from 0.5 to 0.4, to reflect the new calculation.

Comm. Frisbie stated from the chart of twelve listed addresses the 0.4 FAR would affect 58% of the homes, seven homes out of the twelve would be diminished in mass from what they are built today.

There was discussion on the chart calculation comparisons.

Comm. Philips suggested reducing the height of the house from 25 to 24 or 23 feet, resulting in the ridge coming down two to four feet.

Comm. Frisbie suggested setting the eve height (as was done with accessory structures) and then adjust the height of the ridge, as needed.

Comm. Silvers would prefer setting the top plate of the second floor.

Ms. Elmiger discussed having completed height studies for the City of Northville, and felt Plymouth has the lowest heights of all the surrounding Communities. Ms. Elmiger stated most Communities have a height maximum of 30 or 35 feet, measured the same way.

Mr. Buzuvis discussed a previous Ordinance amendment that removed the allowance of an increased home height if the setback was reduced and some of the existing homes have taken advantage of this incentive with homes up to 29 feet tall.

Comm. Frey was not comfortable with the restriction of limiting the home height and felt there does not seem to be a benefit to it.

Comm. Kehoe was concerned with the outcome and ultimately getting shallow roofs and this will not add to the look of the homes.

Comm. Myslinski discussed one of the chart examples where the 0.4 FAR calculation was applied and explained the outcome would be a 50% shallower depth, (width would then exceed the depth) and with this the architect and/or truss company will no longer be incentivized to turn the ridge line perpendicular to the sidewalk and this will also no longer have the full gable front, the ridge line would disappear along with the height and therefore suggested the board to move forward without any adjustment to height.

Comm. Frisbie was not in favor of changing the height and suggested moving forward with the 0.4 FAR changes as discussed.

Chair Mulhern would like the discussion of home heights to continue with next month's meeting.

**A Motion was made by Comm. Philips and supported by Comm. Kehoe to approve the following changes to Article II 78-21 Definitions, Article V 78-53 Single-Family Dwelling Unit Standards, Article IV 78-43 Single-Family Dwelling Unit Standards, Article XVII 78-191 Notes to Schedule:**

- 1. To change 10,000 with a maximum of "6,000",**
- 2. To change breezeways to "unenclosed" breezeways,**
- 3. Reducing the headroom reduced from 7' 6" to "5' "**
- 4. The unfinished attic- which may not be made usable for human habitation**
- 5. To use the FAR 0.4 calculation, including the garage if attached, but not included if detached.**

**to recommend to the City Commission for adoption:**

**YES FREY, FRISBIE, KEHOE, MYSLINSKI, PHILIPS, SILVERS, SISOLAK AND MULHERN.**

**NO NONE.**

**MOTION CARRIED UNANIMOUSLY.**

The Planning Commissioners had discussion regarding the following subjects:

Comm. Philips discussed a home where it appeared to be connected by placing a structure (with no walls) between the house and the garage, where there should be a ten-foot separation, only separated by inches and Ms Elmiger responded that it may be the Building Inspector's interpretation of the ten foot between the accessory structure and house, such as not including the deck.

Mr. Buzuvis will discuss this with the Building Inspector to determine if this is an issue that may need to be revised within the Ordinance.

Comm. Kehoe discussed accessory structures and how they are counted into the lot coverage.

Chair Mulhern stated the Ordinance allows two accessory structures, that are included in your lot coverage and are not habitable.

Comm. Frisbie stated the shed is included in the lot coverage, but is not habitable by definition, therefore it is not included in the FAR.

Ms. Elmiger stated that she would include the shed to the list of not included.

Comm. Frey asked that it be put onto the list as an accessory structure which would include the shed, gazebo, porte cochere, etc.

Mr. Buzuvis mentioned also using raised patios and swimming pools

Comm. Frisbie suggested simplifying the FAR by limiting it to habitable areas, by using habitable areas it rules out the possibilities of any new types of structures in the future.

Comm. Silvers would like to just leave it as it is, with no changes and stated the FAR is just a planning tool measured from the exterior.

6. NEW BUSINESS:

None.

## 7. OLD BUSINESS:

### 1. Street Trees/Tree Ordinance Discussion

Comm. Silvers discussed an idea to obtain more street trees. Comm. Silvers stated street trees create a sense of security within the neighborhood; streets that do not have trees give the street walkers a different sensation than a street with the tree canopy.

The trees would be placed between the street and sidewalks and also at median strips.

Comm. Silvers discussed the idea of when building a new home the applicant would be required as part of the permit process to donate a portion of money towards the street tree fund to be used by the City to repopulate street trees within the City. For existing homes being remodeled, there would also be some kind of requirement but, if someone wanted to opt out they could instead invest into the street tree fund which would also support the replacement of old or diseased trees reforesting Plymouth and benefitting everyone.

Chair Mulhern suggested publicizing each tree planting with a small sign that reads:

Our Great City of Plymouth planted this tree, through the street tree program, why not try one in your yard? Chair Mulhern asked about the tree program being located within the Master Plan and Ms. Elmiger responded that most Master plans will mention a tree program but not in any great detail.

Mr. Buzuvis stated the City DMS department currently plants trees for your yard, if you purchase one, they usually run approximately \$150 and \$20 for a tree watering bag.

The City Commission has made it one of their goals and the proposed reforestation Ordinance language on street trees is currently being drafted by City staff which should be ready for the November meeting.

Comm. Frisbie asked if the draft language will be geared towards funding or tied to building permits for remodeling, additions or new residential homes and Mr. Buzuvis responded that it will be aimed at both so that it has options for the residents. This will be an incentive based Ordinance for planting so many trees and if that's not possible then the other option would be to pay into the environmental reforestation fund, this Ordinance will also be tied into storm water management mitigating the runoff.

## 8. COMMISSIONER COMMENTS:

Comm. Kehoe discussed the upcoming mileage for Wayne County RESA (regional educational service agency) which gives an additional \$385 per student towards school funding. The home values are directly linked to the schools performance, and these home values will drop if they do not maintain the current level of education needed.

Chair Mulhern thanked Comm. Myslinski and Comm. Philips for all their hard work with the Ordinance changes that have been made.

9. REPORTS AND CORRESPONDENCE:

Master Plan Review Update:

Ms. Elmiger explained that they are about 30% complete, with no new changes made to the Master Plan and the next proposed meeting will be sometime in November.

10. MOTION TO ADJOURN

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

Meeting adjourned at 9:58 PM.

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

## **ADMINISTRATIVE INFORMATION**

**To:** City of Plymouth Planning Commission  
**From:** John Buzuvis, Community Development Director   
**CC:** S:\DDA\Shared Files\John\Community Development\Ordinances  
**Date:** 11/4/2016  
**Re:** Tree Ordinance Draft Ordinance Language

---

### **BACKGROUND:**

The Planning Commission adopted as one of their annual goals to recommend a sustainable reforestation plan for the City. In August of this year the City Commission added the goal of developing an Ordinance to help address and preserve the City's Tree Canopy.

Since that time the Community Development Department Staff have been researching what other local/similar communities are doing to address reforestation and tree preservation in their communities. Enclosed is a draft ordinance for the Planning Commission's review. Generally speaking the ordinance as proposed is applicable to trees proposed to be removed/relocated as part of projects that require a building permit. The ordinance as proposed allows for the relocation and/or replacement of trees proposed to be removed and/or the payment of fees (TBD) into an Environmental Trust Fund to be used for activities associated with improving/mitigating environmental impacts. The ordinance also requires the installation of one tree for every 1000 s.f. of construction to be planted in the front yard of new homes and/or additions.

The ordinance, once adopted, will be placed in the General City Ordinances meaning that it will not fall under the Planning Commission's purview and could be passed by the City Commission independently. I have discussed this with the City Planner and we believe that most, if not all, other communities place their tree ordinances in the general city ordinances and not in the zoning ordinance.

### **Recommendation:**

I recommend that the Planning Commission review the draft language and comment. As a general city ordinance the Planning Commission is not required to recommend the amendments to the City Commission before they consider or enact them. The planning commission could recommend changes of the proposed language to the City Commission or simply indicate that they are comfortable with the City Commission reviewing and enacting an ordinance without Planning Commission feedback.

### **Findings**

Sec. ###. - Findings.

The tree canopy contributes to the distinctive character of the city of Plymouth. Trees are important natural resources and assets of the city that residents and visitors admire and cherish. The city's trees provide a vital link to nature by softening the visual landscape; improving air quality; creating habitat for birds and wildlife; reducing floods and erosion; protecting against wind and heat; providing important physical, aesthetic, recreational, and economic benefits to city residents; and supporting property values. Through the years, the tree inventory in the city has been threatened, due to development, disease, or infestation. Therefore, in the interest of promoting the health, safety, and welfare of the citizens of the community, it is necessary to establish the regulations set forth herein to protect, preserve, and conserve mature trees, manage and provide oversight of the removal of trees, and provide for the replacement of trees removed in the city.

### **Purpose**

Sec. ###. - Purpose.

The purposes of this article are to:

1. Provide for the protection, preservation, proper maintenance and use of trees and woodlands located in the city in order to minimize disturbance to them and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat.
2. Protect the woodlands, including trees and other forms of vegetation, of this city for their economic support of local property values when allowed to remain uncleared and/or unharvested and for their natural beauty, wilderness character, and their geological, ecological, or historical significance.
3. Provide for the paramount public concern for these natural resources in the interest of health, safety and general welfare of the residents of this city.

### **Applicability**

Sec. ###. - Applicability of article.

This chapter shall apply to all lots and parcels of land in the city and shall be in addition to requirements imposed by any other city ordinances. The tree protection requirements in Section ### shall apply to all trees in the city that are defined as "protected trees" and are six inches in caliper or greater and not on the non-protected trees list. The provisions dealing with dead, diseased, infested, decayed, defective, or damaged trees shall apply to all trees in the city.

### **Definitions**

Section ###- Definitions.

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:

1. *Caliper* (cal.) shall mean the diameter in inches measured four and one-half feet above the ground (also known as diameter at breast height/DBH).
2. *Clear cutting* shall mean the complete clearing, cutting or removal of trees and vegetation.
3. *Developed property* shall mean any land which is either currently used for residential, commercial, industrial, or agricultural purposes or is under construction of a new building, reconstruction of an existing building or improvement of a structure on a parcel or lot, the relocation of an existing building to another lot, or the improvement of open land for a new use.
4. *Diameter breast height* (DBH) shall mean the diameter in inches of the tree measured at 4.5 feet above the existing grade.
5. *Drip line* shall mean an imaginary vertical line that extends downward from the outermost tips of the tree branches to the ground.
6. *Emergency situations* shall mean situations where there is an imminent threat to public safety, health or welfare due to storm, wind, snow, ice, other natural causes or accident.

## DRAFT ORDINANCE LANGUAGE NOVEMBER 9, 2016

7. *Environmental Impact Fund* shall mean a fund to be exclusively used for activities associated with the reforestation of publicly owned property, city right- of-ways and easements.
8. *Protected tree* means any tree measuring 6 inches DBH or greater
9. *Relocation* means the relocation of a tree from one place to another on the same property.
10. *Remove or removal* means the act of removing or destroying a tree by digging up or cutting down, or the effective removal or destruction through mutilation, damage, poison, girdling, topping, failure to protect within the drip line, or other actions that are likely to cause or hasten the death of a tree. *Tree* means any living, self-supporting, woody plant of a species which normally grows to an overall height of 15 feet or more.

### **Permits Required**

Sec. ###. - Permit requirements, procedures, and standards and exemptions thereto.

#### (a) *Permits required.*

Permits are required in all instances where a building permit is required except for activities that are exempt under section ### below. A tree plan must be submitted with every building permit application. A building permit must be approved/issued prior to the removal, relocation, or destruction of any protected tree in the city.

#### (b) *Permit exemptions.* The following are exempt from the provisions of this section:

1. Any tree less than six inches DBH.
2. Public utility or city Department of Municipal Services operations for tree removal during emergency situations or within 48 hours after emergency situations, when it is necessary to expedite the removal of damaged, destroyed or hazardous trees in the interest of public safety, health, and general welfare.
3. Dead or diseased trees as established in Article XIV Chapter 18-736. The Building Official, Code Enforcement Officer, or his designee shall have the authority to order the removal of dead or diseased trees which are considered to be hazardous or in danger of falling on persons or property and are deemed to be a public safety hazard.
4. Trees within the city right-of-way or within public utility easements. Public trees are regulated under Article XIV Division 2.

#### Tree Plan to be Submitted with Building Permit Application

1. The plan shall provide the legal description, boundaries, and dimensions of the lot or parcel, together with existing and proposed locations of all structures and improvements,
2. The location and dimensions of all required setbacks and existing and proposed easements shall be illustrated.
3. The plan shall show the location of all protected trees and all other protected trees that may be affected by proposed development activity. The plan shall contain a key identifying each tree by number, size, and common name, condition, and whether it is to be saved or removed.
4. If protected trees are to be relocated on site, then the plan shall indicate where the trees will eventually be located, where they will be stored and protected during construction, and how they will be maintained after construction.
5. The plan shall explain and depict how protected trees proposed to remain will be protected during land clearance, construction and development.
6. A cost estimate and plan shall be provided for tree replacement. The plan shall indicate number, size, and species of trees.

## DRAFT ORDINANCE LANGUAGE NOVEMBER 9, 2016

### *Review Criteria.*

When reviewing a tree plan as part of the building permit review, the Building Official or his agent shall consider the following:

1. Whether trees proposed for removal pose a safety hazard; cause unsafe vision clearance or threaten to injure or disrupt persons; threaten to damage property or utility service; prevent or obstruct access to a lot or parcel; or unreasonably prevent development, improvement or use of a lot or parcel.
2. Whether the proposed tree plan does not threaten the public health and safety or materially increase the risk of flooding or erosion on the subject or adjacent property, nor will it endanger a wetland or watercourse;
3. Whether the application complies with the tree replacement requirements of this chapter.

### *(f) Review and Decision*

1. If a tree removal plan is submitted in connection with a site plan, plat or site condominium, the Planning Commission shall first complete its review of, and take action on, the site plan, plat or site condominium and make a recommendation to the Building Official or his agent relative to the tree removal plan. If tree replacement is required, then the Building Official or his agent shall specify the time by which the replacement must be completed.
2. If a site plan, plat or site condominium is not required for the proposed activity associated with the tree removal, then the Building Official or his agent shall be responsible for reviewing the tree plan as part of the review and issuing of a building permit. If tree replacement/relocation is required, then the Building Official or his agent shall specify the time by which the replacement must be completed.
3. When a site plan, plat, site condominium, or building permit is submitted in connection with a tree removal/relocation plan the site plan, plat, site condominium, or building permit is denied, the building permit with contained tree plan shall also be denied. Alternatively, the site plan, plats, site condominium, may be tabled to allow the applicant to modify the plan to reduce or eliminate the negative impact on protected trees.

### *(g) Appeals*

- a. Any applicant who is aggrieved by the Building Official's decision concerning a tree plan the applicant may appeal to the City Commission by filing a written appeal with the City Clerk within thirty calendar days after the date of the decision. Upon receipt of a properly filed written appeal, the City Clerk shall schedule the appeal for the City Commission's next available regular meeting. The City Commission shall have the power to affirm, modify, or reverse the Building Official's decision.
- b. The city shall send notice of a request for an appeal from this article by regular mail to the owners, according to the city's tax roll, of all property immediately adjoining the property for which the variance is requested, including property directly across public rights-of-way and easements. The notice shall be sent at least seven days before the meeting at which the City Commission will consider the appeal request and shall include a statement that interested persons may examine the application for the appeal at the Community Development Department.
- c. No appeal from this article shall be granted unless the City Commission finds as follows:
  1. There are special circumstances or conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land.
  2. The granting of the appeal is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
  3. The granting of the appeal will further the objectives and policies of this article, this Code, the Zoning Ordinance, and the Master Land Use Plan.

**Enforcement and Inspection**

Sec. ###. – Enforcement

Compliance with this article shall be enforced by the Building Official and Code Enforcement Officer, and others as the Building Official may designate.

Sec. ###. - Inspection

Under this article, the permit applicant or permit holder shall allow city inspectors to enter and inspect the premises at any reasonable time during the application process and land clearing, construction, development, and tree removal activities to verify compliance with this article. Failure to allow inspection shall constitute a violation of this article.

**PROTECTIVE BARRIERS**

Sec. ###. - Protective barriers.

Protective barriers shall be installed to the standards of the American National Standards Institute (ANSI).

**RELOCATION/REPLACEMENT/TREES TO BE ADDED**

Sec. ###. - Relocation or replacement of trees and exemptions thereto.

(a) As a condition of approving a building permit containing a tree replacement/relocation/removal plan, the applicant will be required to replace trees being removed having six inches or more DBH.

1. Trees greater than 20” in diameter where permitted to be removed, shall be replaced with trees equaling a minimum of 50 percent of DBH of the tree to be removed. Replacement trees, measured in calipers, may be provided individually to meet the 50 percent DBH requirement.
2. For all other trees to be removed the permit grantee shall either relocate trees or replace trees subject to the following requirements:

| REPLACEMENT/MITIGATION REQUIREMENTS FOR TREES |   |
|---|---|
| Size of Removed Tree DBH (Each)               | Total Inches of Replacement for Each Tree Removed |
| 6"—11" DBH                                    | 2½" of caliper for replacement                    |
| 11.1"—20" DBH                                 | 5" of caliper for replacement                     |
| Greater than 20" DBH                          | Total of one-half the caliper of tree removed     |

3. All replacement trees shall be balled and burlap.
4. Where it is not feasible and/or desirable to replace or relocate trees on site, according to the above listed schedule, the Building Official may require greater size for replacement trees or require contributions to the city's Environmental Impact Fund. (4) Replacement trees should be of similar characteristics as the trees to be removed and be located on the same parcel of land on which the activity is to be conducted.
5. Tree replacement shall be exclusive of required greenbelts or other landscaping in accordance with the city's zoning ordinance regulations pertaining to landscape buffer regulations (section ###) and parking lot landscaping regulations (section ###).
6. All single family new construction and/or additions shall be required to place at least 1 tree (balled and burlapped) for every 1000 s.f of construction in their required front yard setback
7. Trees required to be planted in accordance with this section shall be in place and properly supported prior to the issuance of a final certificate of occupancy. The centers of said trees shall not be located closer than four feet to any property line or ten feet to any underground utility line or easement.
8. All trees relocated or planted as replacements shall exhibit a normal live growth cycle to comply with this article.

(b) Environmental Impact Fund.

Contribution to the city's environmental impact fund in lieu of or in addition to preservation may satisfy the requirements of this article. Payment to the fund per tree removed shall be in accordance with fee schedules as established by the City Commission.

**Violations and Civil Fines**

Sec. ###. - Enforcement.

- a. Each violation of this chapter or unauthorized removal of a protected tree shall be deemed a separate offense.
- b. The city shall require replacement of illegally removed trees on an inch-for-inch basis and/or payment into the Environmental Impact Fund.
- c. Any person who violates any section of this article shall be responsible for a municipal civil infraction, subject to a fine as provided in section ###, plus costs and other sanctions for each infraction.
- d. The city may also issue a stop work order or withhold issuance of a certificate of occupancy, permits or inspections until the sections of this article, including any conditions attached to a tree removal permit, have been fully met.

**Fees**

Sec. ###. - Fees.

Fees for inspection and the issuance of permits or certificates or copies thereof, required or issued under the provisions of this chapter, shall be collected by the city treasurer in advance of issuance. The amount of such fees shall be established by resolution of the city commission and shall cover the cost of inspection and the supervision resulting from enforcement of this chapter.

**Severability**

Sec. ### - Severability.

The various parts, sentences, paragraphs, sections, and clauses of this chapter are hereby declared to be severable. If any part, sentence, paragraph, section, or clause of this chapter is adjudged unconstitutional or invalid by any court or administrative agency of competent jurisdiction, the unconstitutionality or invalidity shall not affect the constitutionality or validity of any remaining provisions of this chapter.



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:** November 1, 2016  
**RE:** Residential Floor Area Ratio and Building Height

The Planning Commission has scheduled a public hearing for November 9, 2016 to consider adding a floor area ratio (FAR) requirement for single-family residential dwellings in the R-1 Single-Family Residential District. This zoning technique is intended to regulate the bulk of a building in relationship to the size of the lot.

We have revised the language considered at the previous Planning Commission meeting per the comments received.

The attached language also includes a proposal to reduce the height of a single family residential building from 25-feet to 23-feet. We have also included a table with residential building heights of other, nearby communities for comparison.

New language is shown in "red" colored text, and deleted language struck-through.

I look forward to discussing this with you further.

---

CARLISLE/WORTMAN ASSOC., INC.

Sally M. Elmiger, AICP, LEED AP

Principal

cc: John Buzuvis

CITY OF PLYMOUTH

ORDINANCE NO. 2015-02 \_\_\_\_\_

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

Section 1 Modify Section 78-21

Section 78-21. - Definitions.

Floor area ratio (FAR) means the ratio of the floor area of a building to its lot area. For example: when a floor area ratio of 0.5-0.4 is specified, the floor area of the building constructed on a lot of 10,000,000 square feet in area is limited to a maximum of 5,000,2,400 square feet (or 10,000,000 x 0.50.4 or 5,000,2,400). The purpose of this ratio is to control the bulk of buildings ~~and encourage the development of open space or plazas about structures in the intensely developed portions of the city based on the size of the lot.~~ FAR for residential buildings is calculated using "residential floor area," as defined in this ordinance.

Floor area, residential, means ~~for the purposes of computing the minimum allowable floor area in a residential dwelling unit,~~ the sum of the horizontal areas of each story of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two dwellings. The floor area measurement shall include any habitable space and attached garage. Examples of architectural features that are included or excluded in the FAR calculation are shown in the following table: the first story, and any area having more than of headroom of any upper story that is connected by a fixed stairway and which may be made usable for human habitation, but is exclusive of areas of basements, unfinished attics not used for human occupancy, attached garages, breezeways, and enclosed and unenclosed porches.

Examples of Architectural Elements Included/Excluded from FAR Calculation

|                        | Architectural Feature  | Conditions   |
|------------------------|--|--|
|                        | First Story  |  |
| <b>Include in FAR:</b> | Upper Story  | <ul style="list-style-type: none"> <li>Connected by a fixed stairway to the first story, and                             <ol style="list-style-type: none"> <li>With headroom of five (5) feet or more (between top of floor and bottom of rafter), or</li> <li>Which may be made usable for human habitation</li> </ol> </li> </ul> |
|                        | Attached Garages   |  |
|                        | Enclosed Porches   |  |
|                        | Accessory Structures (except Detached Garages)                 |  |
|                        | Car Ports  |  |
|                        | Porte Cochere  |  |
|                        | Architectural Projections with Floor Area (See Sec. 78-217(2)) |  |

|                              | Architectural Feature     | Conditions  |
|------------------------------|---------------------------|---|
| <b>Exclude<br/>from FAR:</b> | <u>Basements</u>          |   |
|                              | <u>Unfinished Attics</u>  | <ul style="list-style-type: none"><li>• <u>With headroom of less than five (5) feet (between top of floor and bottom of rafter), and</u></li><li>• <u>Which may NOT be made usable for human habitation</u></li></ul> |
|                              | <u>Breezeways</u>         |   |
|                              | <u>Unenclosed Porches</u> |   |
|                              | <u>Detached Garages</u>   |   |

**Section 2 Modify Section 78-190**

**Section 78-190. – Limiting height, bulk, density and area by zoning district.**

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

| Zoning District   | Minimum Size Lot Per Dwelling Unit |       | Maximum Height of Structures |                         | Minimum Yard Setback (Per Lot in Feet) |              |              |           | Minimum Floor Area Per Unit (sq. ft.) | Maximum % Lot Area Covered By All Buildings | <a href="#">Maximum Floor Area Ratio</a> |
|---|------------------------------------|-------|------------------------------|-------------------------|--|--------------|--------------|-----------|---------------------------------------|---|--|
|   | Area in sq. ft.                    | Width | In stories                   | In feet                 | Sides                                  |              |              |           |                                       |   |  |
|   |                                    |       |                              |                         | Front                                  | Least one    | Total of two | Rear      |                                       |   |  |
| R-1 One-Family Residential  | 7,200                              | 60    | 2                            | <del>25-23</del><br>(b) | 25 (m,o)                               | 6 (a)        | 12           | 35        | 950                                   | 35 (v)                                      | <a href="#">.40</a>                      |
| RT-1 Two-Family Residential   | 3,500                              | 30    | 2                            | 25 (b)                  | 25 (m,o)                               | 10 (a)       | 20           | 35        | 780                                   | 30 (v)                                      | —  |
| RM-1 Multi-Family Residential   | (c, l)                             | —     | 2                            | 25 (b)                  | 25 (d)                                 | 10 (d)       | 20 (d)       | 35 (d)    | —                                     | —   | —  |
| RM-2 Multi-Family Residential   | (c, l)                             | —     | 4                            | —                       | 25 (d)                                 | 10 (d, e)    | 20 (d, e)    | 35 (d)    | —                                     | —   | —  |
| O-1 Office  | —                                  | —     | 2                            | 30                      | 20 (o)                                 | (f)          | (f)          | 20 (g, j) | —                                     | —   | —  |
| O-2 Office  | 15,000                             | 75    | 3                            | 45                      | 50 (o)                                 | (f)          | (f)          | 20 (g, j) | —                                     | —   | —  |
| B-1 Local Business  | —                                  | —     | 2                            | 25                      | 10                                     | (f)          | (f)          | 35 (g, j) | —                                     | —   | —  |
| B-2 Central Business  | —                                  | —     | 3                            | 40 (n)                  | —                                      | (f)          | (j)          | (j)       | —                                     | —   | —  |
| B-3 General Business  | —                                  | —     | 2                            | 30                      | —                                      | (f)          | (f)          | 10 (g, j) | —                                     | —   | —  |
| ARC Ann Arbor Road Corridor   | -                                  | -     | 2                            | 30 (p)                  | 10 (q)                                 | 10 (r, s, t) | 20 (s)       | 20        | —                                     | —   | —  |
| ARC Ann Arbor Road Corridor [78-161(c)(24)] (applicable to Plymouth Township) | —                                  | —     | —                            | 35                      | 50                                     | 20 (y)       | 40           | 20        | —                                     | —   | —  |
| MU—Mixed Use  | 3,500 (c, l)                       | 30    | 2                            | 25 (b)                  | 15 (o)                                 | 10 (f)       | 20 (f)       | 35 (g, j) | —                                     | 35  | <a href="#">.40 (w)</a>                  |
| I-1 Light Industry  | —                                  | —     | —                            | 45                      | 25 (h)                                 | 10 (i, k)    | 20 (i, k)    | 10 (i, k) | —                                     | —   | —  |
| I-2 Heavy Industry  | —                                  | —     | —                            | 60                      | 50 (h)                                 | 20 (i, k)    | 40 (i, k)    | 20 (i, k) | —                                     | —   | —  |

[\(w\)](#) Floor area ratio (FAR) shall be applied to residential units only in a Mixed Use project.

**Section 3      Rights and Duties**

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

**Section 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)

Single-Family Building Height Standards –  
Examples

| Community (District)       | Max. Building Height  | Additional Standards  |
|----------------------------|-----------------------|---|
| Plymouth (R-1)             | 2 stories<br>25'      | Loft areas or finished attics in the R-1 district, which have a floor area of less than 1/3 of the floor area of the floor below, shall also be restricted to a total building height of 25 feet and shall be required to have a minimum side yard of 12 feet and a minimum lot width of 60 feet.   |
| Northville (R1-A and R1-B) | 2.5 stories<br>30'    |   |
| Ann Arbor (R1-A)           | 30'                   |   |
| Birmingham (R1)            | 30'<br>24' flat roofs | <b>Maximum Building Height:</b><br><ul style="list-style-type: none"> <li>• Lots &gt; 9,000 sq. ft. in Area:<br/>30 feet to midpoint for sloped roofs; 24 feet for flat roofs only; 2 stories; 24 feet for eaves.</li> <li>• Lots &lt; 9,000 sq. ft. in Area:<br/>28 feet to midpoint for sloped roofs; 24 feet for flat roofs only; 2 stories; 24 feet for eaves.</li> </ul> |
| Rochester (R1)             | 2.5 stories<br>25'    |   |
| Royal Oak                  | 30'                   |   |
| Brighton (R-1)             | 2.5 stories<br>35'    |   |
| Milan (R1-A)               | 2 stories<br>35'      |   |
| Holly (R1-A)               | 2.5 stories<br>30'    |   |



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:** November 1, 2016  
**RE:** Lighting Ordinance

As requested, we have modified the lighting ordinance provisions to clearly limit the visibility of a light source from a fixture. We have also suggested additional changes to clarify the other requirements of this section.

New language is shown in "red" colored text, and deleted language struck-through.

I look forward to discussing this with you further.

---

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 LIGHTING REQUIREMENTS.

**Section 1     Modify Sections 78-204****Section 78-204 – Exterior Lighting**

## (a) Residential lighting standards.

- (1) All outdoor lighting in residential use districts used to light the general area of a site shall be shielded or directed in a manner which reduces glare and shall be so arranged as to reflect objectionable lights away from all adjacent residential districts or adjacent residences.

## (b) Non-residential lighting standards.

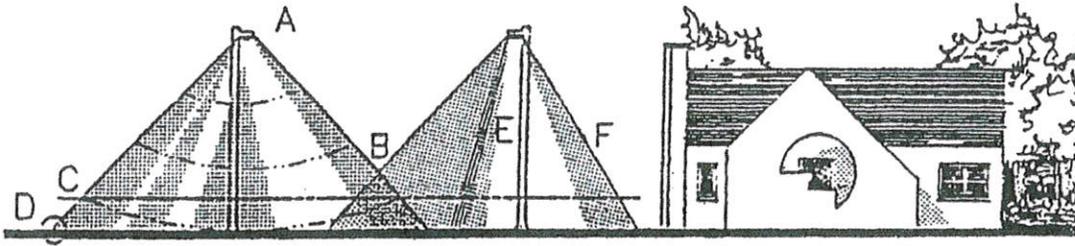
- (1) Time period. Required lighting shall be turned off daily from ½ hour before sunrise to ½ hour after sunset.
- (2) Permitted lighting. Only non-glare, color-corrected lighting shall be permitted. In commercial and industrial districts, full cutoff shades are required ~~for light sources higher than 15 feet so as~~ to direct the light onto the site and away from adjoining properties. The light source shall not be directly visible ~~from adjoining properties~~. Lighting shall be shielded so that it does not cause glare for motorists or adjacent properties.
- (3) Intensity.
  - a. Site lighting (Excluding parking lots). Lighting for uses adjacent to residential properties shall be designed and maintained such that illumination levels do not exceed 0.1 foot-candles along property lines. Lighting for uses adjacent to non-residential properties shall be designed and maintained such that illumination levels do not exceed 0.3 foot-candles along property lines. The light intensity provided at ground level shall be a minimum of 0.3 foot-candle anywhere in the area to be illuminated. Light intensity shall average a minimum of 0.5 foot-candle over the entire area, measured five feet above the surface, not to exceed a maximum of 20 foot-candles.

b. Parking lots. Parking lot illumination levels shall conform to the following standards:

1. For residential uses, churches, schools and child care facilities, all parking lots must be illuminated at levels of at least 0.4 but not exceed 0.6 foot-candles.
2. For non-residential uses, illumination levels shall be a function of the size of the parking lot:

| Size                    | Minimum Illumination |
|-------------------------|----------------------|
| Small (5 – 10 spaces)   | 0.4                  |
| Medium (11 – 99 spaces) | 0.6                  |
| Large (100+ spaces)     | 0.9                  |

- (4) Height. Except as noted below, lighting fixtures shall not exceed a height of 25 feet or the height of the building, whichever is less, measured from the ground level to the centerline of the light source. Fixtures should provide an overlapping pattern of light at a height of seven feet above ground level (See attached diagram). The planning commission may modify these height standards in the commercial and industrial districts, based on consideration of the following: the position and height of buildings, other structures, and trees on the site; the potential off-site impact of the lighting; the character of the proposed use; and, the character of the surrounding land use. In no case shall the ~~lighting height of~~ the light fixture exceed the maximum building height in the district in which it is located. More specifically, in industrial districts the height of lighting fixtures may be equal to the height of the principal building on the site on which the lighting is located, provided that such lighting does not exceed 30 feet and is located at least 200 feet from any residential district.
- (5) Sign lighting. Signs shall be illuminated in accordance with the regulations set forth in the adopted sign ordinance, article XIX.
- (6) Site plan requirements. All lighting, including ornamental lighting, shall be shown on site plans in sufficient detail with appropriate photometric studies to allow determination of the effects of such lighting upon adjacent properties, traffic safety, and overhead sky glow. The objective of these specifications is to minimize undesirable off-site effects. Building or roof mounted lighting intended to attract attention to the building and/or use and not strictly designed for security purposes shall not be permitted. Temporary holiday lighting and decorations are exempt from the aforementioned provisions.



#### Diagram notes

- A. Non-glare, color corrected lighting with full cutoff shades for commercial and industrial sites, on daily from a ½ hour after sunset to a ½ hour before sunrise.
- B. Overlapping light pattern at approximately seven feet.
- C. Average minimum light intensity: 0.5 foot candles, not to exceed a maximum of 20 foot-candles, measured five feet above the surface.
- D. Minimum light intensity at ground level, anywhere on site: 0.3 foot-candle.
- E. Maximum height: Twenty-five feet or height of building, whichever is less, unless modified by planning commission.
- F. Light directed away from adjoining properties. Uses adjacent to residential properties must maintain illumination levels not to exceed 0.1 foot-candles at the property line, and uses adjacent to non-residential properties must maintain levels not to exceed ~~one-foot-candle~~0.3 foot-candles along the property line.
- G. For residential uses, churches, schools and child care facilities, all parking lots must maintain illumination levels at least 0.4 but not exceed 0.6 foot-candles. For non-residential uses, illumination levels in parking lots shall be a function of the size of the parking lot (see section 78-204(b)(3)b.)

## 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)