



Planning and Economic Development

Sara Roediger, AICP, Director

From: Kristen Kapelanski, AICP, Planning Manager
To: Members of the Planning Commission and City Council
Date: 12/14/2021
Re: Potential Zoning Ordinance Amendments

Planning staff has been working on potential amendments for the past several months, along with input from the City's planning consultant Giffels Webster, the Building Department and the City Attorney. Below please find a description of each proposed amendment. The actual text of the amendments has not been drafted at this time. Staff intends to proceed with the proposed amendments and is seeking input and/or any objections on the amendments from the Planning Commission and City Council.

Also included is a memo from Giffels Webster addressing potential changes to home occupations, uses in the REC and I districts, performance standards and lighting standards.

Residential Parking

Issue

Front yard parking in residential districts

Discussion

The Building Department has received a large number of complaints about licensed vehicles parked for a long period of time in lawn areas of a front yard in residential districts.

Potential Amendments

Amend Section 138-11.102 of the Ordinance to state that no parking is permitted in the front yard of a one and two family dwellings except in a driveway or garage. Allowable driveway surface materials would include asphalt, concrete, brick pavers, gravel, aggregate or similar materials.

Swimming Pool Fences

Issue

Swimming pool fences can be located in areas where standard residential fences are not currently permitted

Discussion

Swimming pool fences can currently extend into a side or front yard in instances of corner lots. Any other types of residential fences are not currently allowed in these areas.

Potential Amendment

Amend Section 138-10.107 to note that swimming pool fences must comply with the requirements of Sections 138-10.107.B.1 and 138-10.107.C.2 which require that fences comply with setback requirements

in the front yard and on corner lots. The fence ordinance currently excludes swimming pool fences from setback regulations.

Maximum Parapet Height

Issue

The Zoning Ordinance does not address maximum parapet height

Discussion

Parapets, as a means to enhance building design and screen rooftop mechanical equipment, are referenced several times throughout the Ordinance but standards for a maximum parapet height (which is not included in the measured building height) are not provided. Area ordinances take different approaches to this. Troy and Novi include parapet height in the building height. Shelby Township has a maximum parapet height of eighteen inches. Southfield allows a maximum parapet height of five feet. Given that parapets are typically used to screen rooftop equipment from rights-of-way and adjacent properties, a parapet height of eighteen inches (as permitted in Shelby Township) could create instances where it is difficult to provide adequate screening while five feet (as permitted in Southfield) seems somewhat excessive. Typically, staff sees parapets in the three to four feet range and would recommend a similar standard.

Potential Amendment

Add a new Section 138-10.312 to Chapter 3 General Provisions to establish a maximum parapet height.

Keeping of Poultry

Issue

Staff has received inquiries to allow the keeping of poultry on properties less than 1 acre

Discussion

Residents are currently allowed to keep up to twelve chickens on parcels 1 acre and larger. A few residents have reached out asking if this could be reduced to allow for poultry on 1/2 acre properties.

Potential Amendment

Amend Section 138-4.438 to allow either up to twelve chickens on properties less than one acre or perhaps a lesser number of chickens on properties less than one acre. If the Planning Commission is interested in pursuing this, staff can research surrounding communities' ordinances to determine a reasonable standard.

Additional City Code Amendments

The City Attorney's office is also working with the Building Department on the following updates to the City Code.

- **Blight** – Revise the City Code to clarify that unlicensed, inoperable and junk vehicles must be stored in an enclosed building and that landscape structures must be maintained to be structurally sound and in good repair.

- **Temporary Signs** – Add a section to the Sign Ordinance to address and regulate temporary flags, requiring them to be permitted and inspected.