



# CITY OF MADISON HEIGHTS

## PLANNING COMMISSION AGENDA

March 15<sup>th</sup>, 2022

**Council Chambers – City Hall  
300 W. 13 Mile Road, Madison Heights, MI 48071**

Notice is hereby given that the Planning Commission for the City of Madison Heights will hold their regular meeting on Tuesday, March 15<sup>th</sup>, 2022 at 5:30 p.m. in the City Council Chambers of the Municipal Building at 300 W. 13 Mile Road, Madison Heights, Michigan 48071. Please refer to <https://www.madison-heights.org/AgendaCenter> for any meeting updates. Send your public comments through email at: [MaryDaley@madison-heights.org](mailto:MaryDaley@madison-heights.org) and your comment will be read at the meeting.

### **AGENDA**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA:** Additions or Removals
- 4. APPROVAL OF MINUTES:** January 18<sup>th</sup>, 2022 Planning Commission Meeting      [LINK](#)
- 5. PUBLIC HEARING**
- 6. MATTERS FOR CONSIDERATION**
  - a.** Zoning Text Amendment – Mobile Food Vendors – Discussion      [LINK](#)
  - b.** Zoning Ordinance Rewrite – Professional Services Agreement and Project Steering Committee      [LINK](#)
- 7. PUBLIC COMMENT:** For items not listed on the agenda
- 8. MEMBER UPDATES**
- 9. PLANNER UPDATES**
- 10. ADJOURNMENT**



# CITY OF MADISON HEIGHTS

## PLANNING COMMISSION MEETING MINUTES

January 18, 2022  
Council Chambers – City Hall  
300 W. 13 Mile, Madison Heights, MI 48071

### 1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:32 p.m.

### 2. ROLL CALL

Present: Chair Josh Champagne  
Member Bruce Conn  
Member Eric Graettinger  
Mayor Roslyn Grafstein  
City Manager Melissa Marsh  
Member James Smith  
Member Grant Sylvester (arrived late at 5:41 pm)

Absent: Member Cliff Oglesby, Member Bliss

Also Present: City Planner Matt Llonerstater  
Assistant City Attorney Tim Burns  
Business Services Coordinator Mary Daley

Motion by Commissioner Grafstein, supported by Commissioner Graettinger to excuse Members Bliss, Oglesby, and Sylvester (arrived at 5:41 pm).

Motion carried unanimously.

### 3. APPROVAL OF AGENDA

Motion by Commissioner Marsh, Supported by Commissioner Conn, to approve the agenda for tonight's meeting.

Motion carried unanimously.

### 4. APPROVAL OF MINUTES

Motion by Commissioner Conn, supported by Commissioner Smith, to approve the minutes of the regular Planning Commission meeting of December 21, 2021.

Motion carries unanimously.

## 5. PUBLIC HEARING:

### a. Zoning Text Amendment ZTA 21-11: Temporary Certificates of Occupancy

Planner Lonnerstater introduced the Zoning Text Amendment ZTA 21-11 to propose an extension on the length in which temporary certificates of occupancy can remain effective. The current Section 10.703 of the Zoning Ordinance limits a temporary certificate of occupancy to six (6) months. As proposed, the text amendment will allow the City to grant a temporary certificate of occupancy for up to one (1) year.

Due to current market and labor conditions, Staff has found that many property owners and tenants are unable to complete all required building and site work within the six month TCO allowance; this, in turn, has resulted in prematurely-issued permanent COs and several incomplete projects.

To remedy this situation, Staff recommends increasing the maximum length of a temporary certificate of occupancy from six (6) months to one (1) year. Staff believes that this amendment will give property owners and tenants adequate time to properly meet all building and zoning code requirements and site plan conditions without risking TCO expiration.

Chair Champagne opened the public hearing at 5:37 p.m. to hear comments on ZTA 21-11. Seeing there were no comments, public comment portion was closed at 5:38 p.m.

**Motion by Marsh, supported by Conn to recommend approval of text amendment ZTA 21-11 to City Council.**

**Motion Carried.**

## 6. MATTERS FOR CONSIDERATION

### a. Request for Proposals (RFP) for Zoning Ordinance Rewrite

City staff has issued a Request for Proposals (RFP) to hire a qualified planning consulting firm to assist with a comprehensive rewrite of the Madison Heights Zoning Ordinance. Staff is seeking to develop a new, user-friendly Zoning Ordinance that is consistent with the Madison Heights 2021 Master Plan. The new Zoning Ordinance will also help Madison Heights obtain certification through the Michigan Economic Development Corporation's (MEDC) 'Redevelopment Ready Communities' (RRC) program.

Staff believes that a zoning ordinance overhaul is warranted in order to accomplish the following objectives:

- Implement the goals and objectives of the 2021 Master Plan.
- Incorporate user-friendly formatting techniques such as hyperlinking, text, tables and illustrations.
- Include new zoning districts/overlay districts with form-based elements, where necessary, to align with the 2021 Master Plan's 'City Center' and 'Mixed-Use Innovation' designations.
- Promote 'people-oriented' site and building design.
- Identify opportunities for process simplification and flexibility.
- Incorporate modern standards for adaptive reuse and infill development.

As part of the zoning ordinance rewriting process, the work program will include an assessment of the current zoning ordinance, public outreach, consistent updates at Planning Commission and City Council, and the submittal of final documents including a new Zoning Ordinance and, potentially, a new Zoning Map.

Chair Champagne inquired if this will be a complete rewrite of the Zoning ordinance. Planner Lonnerstater explains that rather than piecemeal it, it will be a complete rewrite because often amending one part of the ordinance affects other parts of the ordinance. So it makes sense to amend it in its entirety so that all components make sense.

The RFP submittal deadline is January 28th, 2022. Per Planner Lonnerstater, volunteers are being sought to serve on a selection committee to help guide this project and one of the volunteers should be from the Planning Commission. The selection committee will be chosen and at their first meeting, they will select their top choice firms to interview. At their second meeting, they will conduct the interviews with those firms selected.

**Motion by Grafstein, seconded by Sylvester, to appoint Eric Graettinger to be a representative on the selection committee and Josh Champagne as the alternate.**

**Motion carries unanimously.**

## **7. PUBLIC COMMENT - For items not listed on the agenda**

No public comment.

## **8. ANNUAL REPORT TO CITY COUNCIL**

The Planning Commission is required to send to Council an annual report each year. Planner Lonnerstater reviews the 2021 annual report with the Commission and highlights the 2021 Master Plan, all of the Zoning Text amendments that came before the Commission and were recommended for approval to City Council, all approved rezonings, and a site plan that was approved.

**Motion by Sylvester, seconded by Graettinger to send the 2021 Planning Commission Annual Report to City Council as written.**

**Motion carries unanimously.**

## **9. ELECTION OF PLANNING COMMISSION OFFICERS**

**a. Chair**

**Motion by Grafstein, supported by Graettinger to appoint Josh Champagne as Chairperson.**  
**Motion carries unanimously.**

**b. Vice Chair**

**Motion by Grafstein, supported by Marsh to appoint Bruce Conn as Vice Chair.**  
**Motion carries unanimously.**

**c. Secretary**

**Motion by Marsh, supported by Grafstein to appoint Grant Sylvester as Secretary.**  
**Motion carries unanimously.**

**10. MEMBER UPDATES**

No member updates.

**11. PLANNER UPDATES**

Planner Lonnerstater congratulated the new Planning Commission officers on their appointments and shared his excitement for the upcoming year.

**12. ADJOURNMENT OF MEETING**

Meeting adjourned by the Chair at 5:56 p.m.



# MEMORANDUM

Date: March 11<sup>th</sup>, 2022  
To: City of Madison Heights Planning Commission  
From: Matt Lonnerstater, AICP – City Planner  
Subject: Initial Discussion – Zoning Text Amendment - Mobile Food Vendors

## Introduction

City staff proposes the attached text amendment to create standards for the operation of mobile food vehicles (a.k.a. food trucks) on private property within the City. The proposed amendment aims to promote small business growth within the City and simultaneously mitigate the negative impacts that mobile food vehicles may have on adjacent properties and businesses.

## Background

Recent economic and cultural trends show an increase in the popularity of food trucks and mobile vendors. Many cities promote mobile food vending as a means to increase activity in business districts, support start-up businesses, and increase food choices in a community. Unfortunately, Madison Heights' Code of Ordinances does not contain clear standards directly relating to the operation of mobile food vendors within the City. This, in turn, has resulted in confusion on the city administration side about how to permit food truck operation in the city, if at all. The lack of guidance has also resulted in frustration for food vendors looking to operate within Madison Heights.

City staff understands that a successful food truck community in Madison Heights can provide many of the aforementioned benefits. There is also an understanding that food trucks can present unique regulation challenges due to the need to protect nearby residences and brick and mortar businesses. As such, staff proposes the attached "mobile food vending" ordinance as a tool to provide a clear process for food truck operation within the city and regulate against some of the associated negative external impacts.

## Mobile Food Vending Ordinance – In a Nutshell

The proposed ordinance applies to food vending on private property within the city (excluding food vending that operates under a special event permit) and creates two distinct approval processes: **Mobile Food Site Approval**, which applies to the property owner, and **Mobile Food Vendor Certificate of Occupancy Approval**, which applies to the mobile food vendor. These processes are explained, below:

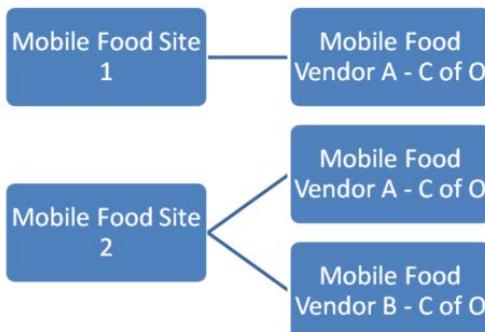
- 1) **Mobile Food Site Approval:** In order to accommodate/host a food truck or mobile food vendor on their property, a private property owner must first apply to designate their site as a "mobile food site." Mobile food site approval essentially constitutes zoning verification that a property satisfies the minimum locational, buffering, and setback standards contained within the ordinance. The property owner must submit a site plan that confirms compliance with the following standards:

- **Zoning:** Property must be zoned O-1, B-1, B-2, B-3, M-1 or M-2.
- **Principal Use:** The property must contain an existing principal use/structure.
- **Brick and Mortar Separation:** The area designated for the mobile food vehicle must be set back a minimum of 150 feet from an existing brick and mortar restaurant (may obtain an exception if the brick and mortar owner approves).
- **Residential Setback:** The area designated for the mobile food vehicle must be set back a minimum of 100 feet from a residentially-zoned property (may apply as a special use within 100 feet of a residential property).
- **Maximum Vehicles On-Site:** Only one (1) mobile food vehicle may operate at a mobile food site at a time.
- Additional site plan standards relating to paving, pedestrian and vehicular circulation, setbacks from permanent buildings, etc.

2) **Mobile Food Vendor Certificate of Occupancy:** Once a site has been approved as a mobile food site, a mobile food vendor can apply to operate from that site by submitting a mobile food vendor certificate of occupancy (C of O) application. Mobile food vendors may only operate from properties that have been approved as “mobile food sites” as described above. The mobile food vendor needs a certificate of occupancy for each mobile food site in which they intend to operate. A certificate of occupancy application must contain supplemental information that confirms compliance with the following operational standards, as contained within the Ordinance:

- Approval of a valid business license from the City Clerk.
- Approval of a valid health license from Oakland County.
- Approval of a mobile food site plan for the property and confirmation that the mobile food vehicle will comply with the approved site plan.
- Written approval from the private property owner.
- **Hours of Operation:** Limited to between 7 a.m. and 10 p.m.
- **Signage:** Permitted one A-frame sign and signage directly attached to the vehicle.
- **Trash bins:** Must be provided and emptied daily.
- Additional standards pertaining to tables, food preparation, electrical and water connection, etc.

The graphic below depicts the process for hypothetical Mobile Food Vendors A and B. Mobile Food Vendor A wishes to operate from Mobile Food Site 1 and Mobile Food Site 2, while Mobile Food Vendor B only wishes to operate from Mobile Food Site 2.



Based on their intended operations, Mobile Food Vendor A would need to apply for two (2) certificates of occupancy (one for each approved mobile food site), while Mobile Food Vendor B would only need to apply for one (1). Note that only one food vendor would be permitted to operate from Mobile Food Site 2 at a time.

#### **NEXT STEP**

This draft is presented to the Planning Commission for discussion purposes only. If the Planning Commission is comfortable with the general processes outlined within the draft, staff recommends setting a public hearing date for the next available Planning Commission meeting. Staff will present an updated draft at the time of the public hearing based on Planning Commission discussion and comments.

If the draft ordinance heads to City Council for approval, staff will create application forms and fee schedules to accommodate the newly-created mobile food vending processes.

## **Section 10.2200 – Mobile Food Vending – Draft 3-11-22**

### Section 10.2201 – Purpose, Intent and Applicability.

This section is intended to: (1) Expand convenient and varied eating options in the City of Madison Heights; (2) Support culinary entrepreneurship and small business development by allowing mobile food vendors to operate safely within designated areas of the city; and (3) Protect brick and mortar businesses that have invested in the city and that pay property taxes while allowing for new businesses to enter the market.

These provisions shall apply to businesses engaged in the cooking, preparation, and distribution of food or beverage on properties outside of the public right-of-way. These provisions do not apply to mobile food vehicles operating under a special event permit.

### Section 10.2202 – Definitions.

- (A) *Brick and Mortar Restaurant:* A restaurant with a functional regulated kitchen located within a physical building on a permanent foundation.
- (B) *Mobile Food Vehicle:* A licensed trailer, motorized vehicle, or any other similar mobile conveyance from which food and/or drink (prepared on-site or pre-packaged) is sold or served to the general public from a stationary location. This definition excludes the following: (1) structures which are installed with a permanent foundation; and (2) vehicles which distribute food and drink as they are driving throughout the community (i.e. mobile ice cream trucks).
- (C) *Mobile Food Vendor:* An operator of a mobile food vehicle who has obtained, or intends to obtain, a license or permit from the City to operate a mobile food vehicle.
- (D) *Mobile Food Site:* A private property which has been approved for the operation of a mobile food vehicle under the provisions of this Ordinance.

### Section 10.2203 – Approvals Required

- (A) A private property owner intending to designate their property as a mobile food site shall obtain:
  1. *Mobile Food Site Approval:* The property owner shall apply for mobile food site approval in accordance with Section **10.2204**, below. Mobile food site approval constitutes general zoning approval for the operation of a mobile food vehicle on site. Each mobile food vendor shall be required to comply with the approved mobile food site plan for each property in which they operate.
- (B) A mobile food vendor shall obtain the following prior to operating a mobile food vehicle within the City of Madison Heights:

1. Mobile Food Vendor Certificate of Occupancy: Mobile food vendors shall obtain a certificate of occupancy for each mobile food site in which they operate in accordance with Section **10.2205**.
2. Business License. Mobile food vendors shall obtain a business license from the City Clerk in accordance with **Chapter 7** of the Code of Ordinances of the City of Madison Heights.

Section 10.2204 – Mobile Food Site Approval

Any person intending to create and designate a mobile food site on their property shall first obtain mobile food site approval in accordance with the following provisions.

(A) *Locational Requirements.* Mobile food sites shall satisfy the following locational requirements:

1. The property shall be zoned O-1, B-1, B-2, B-3, M-1 or M-2.
2. The property shall contain a principal building or use. A mobile food vehicle shall not be deemed a principal use of a property.
3. The area dedicated for the operation of a mobile food vehicle shall be located a minimum of 150 feet from an existing brick and mortar restaurant during the hours when such restaurant is open to the public for business, measured from the front door or outdoor dining area of such restaurant to the mobile food vehicle service window, with the following exceptions:
  - i. This standard may be waived if the affected brick and mortar restaurant submits a letter to the Community and Economic Development Department indicating that they choose to waive the 150 foot requirement.
  - ii. A brick and mortar restaurant owner may operate a food truck at the site of their own brick and mortar restaurant upon satisfying the remaining locational and general requirements of this Ordinance.
4. The area dedicated for the operation of a mobile food vehicle shall be located a minimum of 100 feet from a property zoned R-1, R-2, R-3 or R-M, measured from the mobile food vehicle service window to the nearest portion of the residential property line. A mobile food site may be established within 100 feet of a property zoned R-1, R-2, R-3 or R-M as a special use, in compliance with the process outlined in Section 10.201.

(B) *General Requirements.* A mobile food site shall satisfy the following general requirements:

1. No more than one (1) mobile food vehicle may operate or be placed on a mobile food site at one time.
2. The area dedicated for the operation of a mobile food vehicle shall be located a minimum of 15 feet from any fire hydrant and 5 feet from any property line, driveway, sidewalk, utility box or vault, handicapped ramp, building entrance or exit, or emergency call box.

3. The area dedicated for the operation of a mobile food vehicle shall be on a paved surface.
4. The placement of the mobile food vehicle shall not reduce the availability of the minimum number of parking spaces required for the principal use on site nor impede vehicular or pedestrian circulation on site.
5. No portion of the mobile food vehicle shall hang over a public right-of-way or interfere with clear vision triangles.
6. An outdoor seating area may be designated consisting of portable tables and a seating capacity of eight. Outdoor seating areas shall not be placed within the right-of-way and shall not impede vehicular or pedestrian circulation in site.

(C) *Submittal Requirements.* A private property owner intending to designate their property as a mobile food site shall submit the following:

1. Mobile Food Site Application.
2. Site Plan. Dimensioned site plans shall be 11" x 17" in size and shall denote, at minimum, the following:
  - a. Street, curbs, sidewalks and property lines.
  - b. The zoning classification of the subject site and adjacent sites.
  - c. Existing building footprints with tenant spaces labeled.
  - d. Existing accessory structures and refuse container footprints.
  - e. Parking spaces and drive aisles.
  - f. The general layout and dimensions of the mobile food vehicle area.
  - g. The location and surface material of all paved areas.
  - h. The location of fire hydrants.
  - i. The location of on-site water, generator and/or electric utilities that will serve the mobile food vehicle.
  - j. The location of any designated outdoor seating areas.
  - k. Sufficient details to demonstrate that the locational and general requirements of Section 10.2203(A) and (B) can be satisfied.
3. Restaurant Map. A map identifying existing brick and mortar restaurants within a 200-foot radius of the subject property.

(D) Site Plan Review Committee (SPRC) Approval: All applications and associated site plans for proposed mobile food sites shall be forwarded to the Site Plan Review Committee for review and approval.

Section 10.2205 – Mobile Food Vendor Certificate of Occupancy

A mobile food vendor must obtain a certificate of occupancy for each mobile food site in which they intend to operate in accordance with the following provisions.

*(A) Operational Requirements.* Mobile food vendors shall comply with the following operational requirements:

1. Mobile food vendors shall only be permitted to operate from an mobile food site approved in accordance with Section 10.2204.
2. Mobile food vendors shall not operate at a mobile food site without first obtaining written approval from the private property owner.
3. Mobile food vehicle placement and operation shall comply with the approved site plan for each mobile food site.
4. Mobile food vendors shall only operate between the hours of 7 a.m. and 10 p.m.
5. Mobile food vendors shall maintain a valid business license issued by the City Clerk, and shall display such license on the mobile food vehicle.
6. Mobile food vendors shall maintain a food service license from the Oakland County Environmental Health Division, and shall display such approval on the mobile food vehicle.
7. The mobile food vehicle and associated equipment (i.e. tables and signs) shall be removed from the mobile food site during non-operational hours, and shall not be permitted to be stored on the mobile food site property during non-operational hours.
8. Food preparation shall not occur outside of the mobile food vehicle, except for the use of a grill or smoker directly attached to the mobile food vehicle. Condiments may be placed on a shelf attached to the vehicle.
9. A minimum of one (1) trash receptacle shall be provided and emptied daily. The mobile food vendor shall be responsible for daily disposal of all trash, refuse, and litter. The property and all adjacent streets and sidewalks shall be kept free and clear of refuse generated by the operation of the mobile food vehicle.
10. Sales of alcoholic beverages are prohibited.
11. Mobile food vehicles may be painted with signage or have permanent signage directly affixed to the vehicle. One (1) sandwich board “A-frame” sign shall be permitted within four (4) feet of the mobile food vehicle. Signage shall not project from the vehicle or be illuminated. Permanent freestanding signage is prohibited.
12. Flashing, blinking or strobe lights are prohibited.
13. Amplified sound devices are prohibited.

14. A mobile food vehicle may utilize an electrical connection to the principal use/building on site, but only with a valid electrical permit. Utilities shall not be drawn from a public right-of-way.

15. Permanent connections to water and sanitary sewer lines and mains are prohibited.

(B) *Submittal Requirements.* A mobile food vendor intending to obtain a certificate of occupancy shall submit the following:

1. Mobile Food Vendor Certificate of Occupancy application.
2. Written approval from the property owner of the mobile food site to operate on said property.
3. A copy of the approved food license from the Oakland County Environmental Health Division.
4. A copy of the approved Madison Heights business license.
5. A written description of the nature of the proposed use, including the business name, methods of food preparation and cooking, electrical hookup, frequency, duration, and hours of operation.
6. Details of the mobile food vehicle, including the type, dimensions, elevation drawings or photos, and details of any furniture or other physical features associated with the proposed use.
7. A copy of the approved mobile food site plan, marked up to denote the location of trash receptacles, signs, tables, generators, outdoor cooking appliances, and any other associated activity.

(C) *Revocation of Certificate of Occupancy.* An approved mobile food vendor certificate of occupancy may be revoked by the Community and Economic Development Director upon a proper showing that the operation of the mobile food vending unit is not in compliance with the approved mobile food site plan or upon a proper showing that the operation of such use has become detrimental to the health, safety and general welfare of the city, residents or surrounding business or property owners.



# MEMORANDUM

Date: March 11<sup>th</sup>, 2022  
To: City of Madison Heights Planning Commission  
From: Matt Lonnerstater, AICP – City Planner  
Subject: Comprehensive Zoning Ordinance Rewrite – Professional Services Agreement with McKenna and Project Steering Committee.

The City of Madison Heights has entered into a professional services agreement with McKenna Associates to perform a comprehensive rewrite of the city's Zoning Ordinance. The approved McKenna work plan is attached to this memo. The zoning ordinance rewrite project will result in a user-friendly Zoning Ordinance that is consistent with the Madison Heights 2021 Master Plan and the Redevelopment Ready Communities (RRC) certification program.

City staff will be holding a kick-off meeting with the McKenna team in the next few weeks. The work plan involves setting up a Project Steering Committee that will be responsible for periodically meeting with city staff and the consultants to guide the project to the finish line. The Project Steering Committee will have a vital role in drafting and reviewing the new zoning ordinance. Staff is looking for several members of the Planning Commission to volunteer on the Project Steering Committee.

If you are interested in serving on the Zoning Ordinance Rewrite Project Steering Committee, or if you have any questions, please reach out to me at: [MattLonnerstater@madison-heights.org](mailto:MattLonnerstater@madison-heights.org) or (248) 837-2649.

# Work Plan



## A. PROJECT INITIATION

We will prepare for and facilitate an internal project Kick-Off Meeting with the City Community and Economic Development Director and other key staff people. A second Kick-Off Meeting will be held with the Project Steering Committee, which could include members of the Planning Commission, the City Council, the Zoning Board of Appeals, Neighborhood Planning Councils, the Building Official, the Attorney, and planning staff.

The Kick-Off Meeting's function will be to discuss overall project expectations and issues, and to agree upon the schedule and dates, ensuring that involved parties share the same expectations.

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**Meeting:**

- One (1) Kick-Off Meeting with the City Community and Economic Development Director, and
- One (1) kick-off meeting with the Project Steering Committee

**Results:**

- Project meeting schedule
- Agreement on review process

## B. DIAGNOSTIC REVIEW

McKenna will review the 2021 Master Plan and consult with City Planning and Zoning staff as a prelude to preparing a Diagnostic Review of the current City Zoning Ordinance and other land development ordinances (e.g., Subdivision, Stormwater, Streets/Sidewalks, etc.). The purpose of the Diagnostic Review is to determine the strengths and weaknesses of the current regulations and arrive at a plan of action for rewriting the ordinance. It is important to take a fresh approach so that all issues are explored.

During this task, McKenna will examine the existing ordinances in light of current state-of-the-art regulatory methods, current legislation and court decisions, and in consideration of goals and objectives expressed in the 2021 Master Plan. In the process of completing the diagnostic review, McKenna will review **Zoning Board of Appeals** decisions for the past few years to identify recurring problems. We will consult with the **City Attorney** about any relevant zoning litigation. The diagnostic review will determine whether the current City Zoning Ordinance and other land development ordinances are consistent with current law, administrative rules, procedures, and regulations, and federal and state pre-emptions (such as laws regarding child and adult care, telecommunications towers, etc.). In a written report, McKenna will advise the City on the impact of laws and court decisions on the current City Zoning Ordinance.

McKenna will complete an evaluation of existing zoning districts in relation to existing and planned future land use. The purpose of this survey will be to collect necessary data to ensure that existing and proposed zoning districts remain in alignment with the Zoning Plan in the 2021 Master Plan as the ordinance rewriting process unfolds.

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### Meeting:

- One (1) meeting with the Planning Commission to discuss results of the Diagnostic Review

### Results:

- Written report of Diagnostic Review of Zoning Ordinance and Other Land Development Ordinances

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## C. PUBLIC PROCESS

### Community Outreach Efforts

We believe that hosting two (2) Community Workshops is the best approach for public engagement and consensus-building. Workshops allow the public to identify key issues, form Visions for various districts, and begin to design the standards of the new City Zoning Ordinance in collaboration with the McKenna team and City staff members. In addition, our team will develop a communications strategy and materials to advertise the project publicly, and to plan and facilitate public outreach.

### Public Engagement Communications Strategy

We will advertise the project and provide updates on the City's website. If desired, the City's official social media will be used to raise awareness of the project. Our team will provide the content for all print and digital media advertisements.

### Community Workshops

As the draft ordinance is prepared, McKenna will work with the City to plan two (2) Community Workshops. We realize that we are living in an increasingly virtual world, and we are ready to be flexible in format (in-person – indoors or outdoors, virtual, or hybrid) as necessitated by current events; we routinely host events in all formats. Regardless of format, the Workshops will include the following:

1. **Visioning Exercises.** Visioning exercises will allow participants to gain a sense of community vision, values, hopes, problems, needs and issues. A common language is built, and priorities are set. We will have various boards and activities designed to solicit these ideas from participants.

2. **"Kitchen Table Map".** A large-scale aerial photomap of the Madison Heights will be placed on a table around which participants gather. Participants are asked to place notes on the map of where areas of concern are within the City as it relates to zoning regulations. A strong sense of "Aha!!!" takes place when residents and interested persons can gather around a common table – akin to a family gathering around the kitchen table - to share their thoughts and ideas with the planning staff. This exercise can also be effectively held virtually if circumstances require.
3. **Real-Time Design.** Our team's architect and urban designer will be present (in-person or virtual), sketching concepts in real time. This allows the concepts being discussed at the Workshop to "come to life" through sketches and images.
4. **Report Back.** The results of the visioning activities that took place at the first Workshop will be presented and refined at the second Workshop – creating a "feedback loop" where participants will see their ideas and input take shape in the draft Zoning Map and/or Regulating Plan, and draft ordinance elements such as permitted uses by district, building type standards, and architectural standards. Participants can verify that the process is indeed working toward implementation of the community's Vision.

### The Outcome

Based on the results of the Workshops, the project team will create a preliminary Zoning Map and/or Regulating Plan, as well as draft elements of the ordinance pertaining to permitted uses by district, building types and architectural standards.

#### Meeting:

- Two (2) community workshops

#### Results:

- Public Input Summary
- Empowerment of the Public to Influence the Vision
- Preliminary Zoning Map and/or Regulating Plan
- Preliminary Ordinance Elements



## D. ANNOTATED OUTLINE AND FORMAT FOR ZONING ORDINANCE

McKenna will next prepare a detailed outline of the new ordinance, with cross-references to comparable sections of the existing ordinances. We will also prepare a format for typical pages, including headers and footers, font type and size related to the hierarchy of content, margins, graphics, and indexing.

McKenna will present the results of the outline and format to the Project Steering Committee for comment and to obtain general agreement about the scope and nature of the proposed changes.

### Meeting:

- One (1) meeting with the Project Steering Committee

### Results:

- Detailed outline of the ordinance
- Formatted pages for review and approval

2.8 CHAPTER 2: ZONING DISTRICTS  
ZONING ORDINANCE 2020



### Section 2.09 TABLE OF PERMITTED USES.

(A) Provisions for the R-4 Manufactured Housing Park Residential District can be found in [Section 2.13](#).  
(B) Throughout this table, P means "Permitted by Right" and S means "Permitted by Special Land Use Permit".

Community Uses	AG	RP	RR	R-1	R-2	R-3	C-1	C-2	I-1	Standards
Accessory Structures (Side or Rear Yards)	P	P	P	P	P	P	P	P	P	
Accessory Structures (Front Yards)	S	S	S	S	S	S	S	S	S	
Airports	S						S			
Bus Terminal							S			
Cemeteries			P				S			
Government Buildings	S	S	S	S	S	S	S	S	S	
Hospitals							S	S	S	
Institutions of Higher Education	S						S	S	S	
K-12 Schools				S	S	S	S	S	S	
Malls				S	S	S	S	S	S	
Temporary Outdoor Events	S			S	S	S	S	S	S	
Parking Garage				S	S	S	S	S	S	
Public Parks	P	P	P	P	P	P	P	P	P	
Recreation - Indoor				S	S	S	S	S	S	
Recreation - Outdoor				S	S	S	S	S	S	
Religious Institutions				S	S	S	P	P	P	
Conservation Area	S	S	S							
Wireless Telecommunications										

See Section 2.13

2.9 CHAPTER 2: ZONING DISTRICTS  
ZONING ORDINANCE 2020



Agricultural Uses	AG	RP	RR	R-1	R-2	R-3	C-1	C-2	I-1	Standards
Agriculture	P	S	S							12.01
Agr-Tourism	S	S	S				S	S	S	12.09
Greenhouse/Nursery	P	S	S				S	S	S	12.04
Housing for Farm Labor	P	S	S							
Keeping of Animals (Non-Intensive Livestock Operations)										
Intensive Livestock Operations	S									12.04
Kennels	P	S	S				S	S	S	12.06
Mineral Mining	S	S								12.01
Roadside Farm Stands	P	S	S	S	S	S	S	S	S	12.01
Wineries	S	S	S				S	S	S	12.01

Residential Uses	AG	RP	RR	R-1	R-2	R-3	C-1	C-2	I-1	Standards
Family Daycare Homes	P	P	P	P	P	P	P	P	P	12.01
Group Daycare Homes	S	S	S	S	S	S	S	S	S	12.01
Home Composting	P	P	P	P	P	P	P	P	P	12.01
Minor Home-Based Businesses	P	P	P	P	P	P	P	P	P	12.15
Major Home-Based Businesses	S	S	S	S	S	S	S	S	S	12.01
Manufactured Housing Parks										
Multiple Family Dwellings							P			12.04
State Licensed Residential Facilities (Non-Child Daycare)	S	S	S	S	S	S	S	S	S	12.01
Nursing or Conveniences Homes						S	P	S	S	12.01
Residential Units on Upper Floors of Mixed Use Buildings							S	S	S	12.04
Single Family Dwellings	P	P	P	P	P	P	P	P	P	12.04
Two Family Dwellings	P	P	P	P	P	P	S	P	P	12.04

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EFFECTIVE MARCH 22, 2020

## E. ZONING ORDINANCE FIRST DRAFT

We propose to complete the First Draft of the new City Zoning Ordinance in four (4) parts as follows. Concurrently, we will update and revise definitions so that the definitions article is always up-to-date. We will also "track changes" in Microsoft Word so that you can see all the changes that have been made.

1. **Zoning Districts, Use- and Form-Based Elements.** The first step in drafting the ordinance will be to establish the zoning districts, with both use- and form-based standards as appropriate.
2. **General Regulations.** This portion of the ordinance will address supplemental regulations that support and enhance the use and design standards.
3. **Administration and Processes.** The administration section of the ordinance will include all of the procedural and administrative requirements, in compliance with the Michigan Zoning Enabling Act. Tables and graphics will be used to define more clearly the "what" and "how" of zoning code administration.
4. **Zoning Map/Regulating Plan.** Revisions to the Zoning Map will be required to incorporate any changes deemed necessary to reflect new or consolidated zoning districts, or to more properly zone properties according to the recommendations of the 2021 Master Plan. Amendments to the Zoning Map for form-based zoning districts will be illustrated in a Regulating Plan for those districts. McKenna will note changes to the Zoning Map that will be required by the new City Zoning Ordinance. The new Zoning Map will then be adopted simultaneously with the new City Zoning Ordinance.

### Meeting:

- See Task F, below, for review meetings.

### Results:

- First Draft of new City Zoning Ordinance (Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel and .pdf electronic file). Alternatively, Adobe InDesign may be used with permission of the City.
- First draft revised Zoning Map (ArcView electronic file + .pdf electronic file or other format at the desire of the City).



## F. FIRST DRAFT REVIEW AND PREPARATION OF SECOND DRAFT

All drafts will be 8½" x 11" format for text and 11" x 17" format for the Zoning Map and/or Regulating Plan.

1. **Zoning Ordinance Draft Review by City Staff.** Prior to sending draft to the Planning Commission, we will send the First Draft to the City Community and Economic Development Director and the Project Steering Committee for review and comment. We will revise and update this First Draft Zoning Ordinance based on the staff's input.
2. **Working Meetings.** We will meet with the Project Steering Committee, Planning Commission, and/or City staff up to five (5) times to review the First Draft Zoning Ordinance. The meetings are intended to take place following completion of Task E. Depending on the body responsible for reviewing and revising the First Draft Zoning Ordinance, these meetings can be working meetings of the Planning Commission or regular meetings of the Project Steering Committee.
3. **Prepare Second Draft.** We will prepare the Second Draft of the City Zoning Ordinance based on the input received during Tasks F.1 and F.2. This Second Draft will identify any changes from the First Draft.

### Meeting:

- Up to five (5) review meetings with the Project Steering Committee, Planning Commission, City staff, and/or other key officials or stakeholders.

### Results:

- First Draft Zoning Ordinance [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]. Alternatively, Adobe InDesign may be used with permission of the City.
- Second Draft Zoning Ordinance [Microsoft Word (.doc or .docx) electronic file with tabular data in Microsoft Excel + .pdf electronic file]. Alternatively, Adobe InDesign may be used with permission of the City.
- Summary of Changes [Microsoft Word (.doc or .docx) + .pdf electronic file].
- Second Draft Zoning Map/Regulating Plan (ArcView electronic file + .pdf electronic file or other format at the desire of the City].

## G. PUBLIC HEARINGS AND ADOPTION

1. **Public Hearing Presentations.** McKenna will prepare for and present the Second Draft of the new City Zoning Ordinance at two (2) public hearings, one before the Planning Commission (per State law), and one before the City Council for adoption. McKenna will be prepared to answer questions and explain the reasoning behind the regulations. If no further revisions are requested, the Second Draft will then be considered the Adoption Copy of the new City Zoning Ordinance.
2. **Revised Second Draft (if necessary).** Following the Planning Commission public hearing, if necessary, McKenna will revise the Second Draft of the new City Zoning Ordinance as directed by the Planning Commission. We will maintain a list of changes throughout the public hearing process to track the revisions and provide a record for decision makers as they consider approval. The Revised Second Draft will then be considered the Adoption Copy of the new City Zoning Ordinance.
3. **Adoption Copy of the New City Zoning Ordinance and Map and Revision Manual.** Following adoption, McKenna will provide six (6) final copies of the adopted City Zoning Ordinance in hard copy and digital format, and a final copy of the Zoning Map/Regulating Plan in hard copy and digital format. We will also provide a manual describing how to revise the Word document in a manner that preserves the document's built-in formatting features (hyperlinks, automatic numbering, automatic table of contents, indexes, etc.) and in a format that can be regularly maintained by City staff without new software.

### Meeting:

- Two (2) public hearing presentations attended by McKenna

### Results:

- Adoption of new City Zoning Ordinance