

## **City of Dexter**

### **Joint Meeting of City Council, Planning Commission & Zoning Board of Appeals Zoom meeting**

*GOAL: Review Potential Changes in Ordinances and inquire about Expectations for Update of Zoning Ordinance and Subdivision Ordinance.*

#### **AGENDA**

- 5:30 Welcome – Mayor Keough
- 5:35 Presentation on process and potential changes – Megan Masson-Minock, Carlisle Wortman Associates
- 5:45 Question and answer – Michelle Aniol, City of Dexter & Megan Masson-Minock
- 5:55 Small group exercise introduction – Megan Masson-Minock
- 6:00 Small group exercise on expectations and education needed for the public
- 6:30 Report back from small groups
- 6:45 Large group discussion of big take-aways
- 6:55 Next steps – Michelle Aniol and Mayor Keough



**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

---

**TO:** City of Dexter City Council, Planning Commission, Zoning Board of Appeals  
Michelle Aniol, Community Development Manager

**FROM:** Megan A. Masson-Minock, AICP

**DATE:** December 16, 2020

**RE:** Preparation for Joint Meeting on December 21, 2020

We are excited to meet with you next Monday to begin the process of updating the City's Zoning Ordinance and Subdivision Control Ordinance. The purpose of the meeting is to review potential changes in these ordinances and inquire about your expectations for their update.

To prepare for the meeting, please review the attached a diagnostic analysis of the existing City of Dexter Zoning Ordinance and Subdivision Control Ordinance by CWA, prepared this past summer. All sections of these ordinances have been reviewed to identify where updates, changes and improvements are needed. We will give a brief overview of the process and this document at the start of the meeting, with an opportunity for questions.

We would like to spend the bulk of the meeting discussing with you, in small groups and as a whole, the following questions:

- What are your expectations are for the process?
- What do you expect to be in the updated Zoning Ordinance? The Subdivision Control Ordinance?
- What education does the public need as part of the process?

We look forward to meeting with you next week!



**CARLISLE/WORTMAN ASSOC., INC.**  
Megan Masson-Minock, AICP  
Planner

## Overall Summary

### Diagnostic Review of Zoning and Subdivision Ordinances

| Ordinance        | Section   | Analysis   |  |
|------------------|---|--|--|
| Zoning Ordinance | Article 2 - Definitions                                   | A draft update was done in 2016 but not adopted. That update will need to be revised in terms of sign definitions, to comply with the U.S. Supreme Court case Reed vs. Sullivan, and the definition of a family. Graphics need to be included and updated. Form-based definitions will be added.   |  |
|                  | <b>Article 3 – General Provisions</b>                     |  |  |
|                  | Section 3.02:<br>Accessory Structures                     | Include specific regulations for accessory buildings in non-residential districts and/or non-residential uses in residential zones. Update to address accessory structures in commercial or industrial districts, such as clothing bins or solar arrays. Consider adding accessory dwelling unit regulations.  |  |
|                  | Section 3.04:<br>Single Family Dwelling Design Standards  | Consider adding requirement for front door to face the street and for a porch or stoop in areas planned for Village Residential.   |  |
|                  | Section 3.06:<br>Temporary Structures and Uses            | Consider removing provision for mobile home on site as a dwelling unit during home construction.<br><br>Needs standards regarding electrical hook ups and connection to sanitary sewer and/or water; including for construction trailers.<br><br>Update procedures for temporary use of land and structures for special events to give more guidance and be consistent with the provisions/standards in Chapter 34, Article II, Division 2, Peddlers, solicitors, and transient merchants, in the City’s General Code or update both. With update to the temporary use definition, clearly define what temporary uses can be approved by staff.<br><br>Incorporate any lessons learned from temporary event permits in summer of 2020. |  |
|                  | Section 3.08:<br>Yard and Bulk Regulations                | Move sub-section 3, Clear Vision Areas, to Section 5.09, Access Management and add graphic.  |  |
|                  | Section 3.09:<br>Streets, Roads and Other Means of Access | Move sub-section 3, Clear Vision Areas, to Section 5.09, Access Management and add graphic.  |  |
|                  | Section 3.12:<br>Sidewalks                                | Add standards or cross-reference design standards: sidewalk width, material, and ADA compliance. Update updated graphics, including showing difference between sidewalk and safety path. Cross-reference Engineering Standards.  |  |
|                  | Section 3.15:<br>Reception Antennae                       | Update to comply with State and Federal laws and regulations.  |  |

| Ordinance                                       | Section   | Analysis  |  |
|---|---|---|--|
| <b>Article 3 – General Provisions continued</b> |   |   |  |
| <b>Zoning Ordinance</b>                         | Section 3.16:<br>Dumpster and Waste Receptacles           | Move regulations in Section 6.10, Waste Receptacle and Mechanical Equipment Screening, to this section.   |  |
|   | Section 3.17: Fences                                      | Rewrite corner lot fence regulations to be clearer, update graphic and explore primary and secondary front yards. Consider whether different fence regulations are needed for commercial or mixed use districts.  |  |
|   | Section 3.18:<br>Recreational Vehicle Parking and Storage | Clarify length of allowed parking or storage of recreational vehicles and location on lot.  |  |
|   | Section 3.19:<br>Exterior Lighting                        | Update based on best practices and changes in technology, such as LED lighting. Change cross-reference for residential developments to Engineering Standards. Remove exemption for airport lighting. Allow for decorative, unshielded lighting in appropriate circumstances.  |  |
|   | Section 3.24:<br>Wireless Communications Facilities       | Update to comply with Federal and State laws and regulations.   |  |
|   | Section 3.25:<br>Live/Work Units                          | Consider moving parking requirements to Article 5.  |  |
|   | New section   | Consider regulations to allow alternative energy systems.   |  |
|   | <b>Article 5 - Parking and Unloading</b>                  |   |  |
|   | Section 5.01<br>Off-Street Parking Requirements           | Create sub-sections including location, flexibility, shared parking, replacement and reduction of existing parking, residential parking areas. Eliminate redundancy in sub-section J.   |  |
|   | Section 5.03:<br>Parking Space Numerical Requirements     | <p>Confirm that spaces required for each use reflects current situations. Consider that maximums be 1.25 times the minimum. Double check that all uses listed are allowed in the zoning districts and use names match.</p> <p>Consider making a separate section for Bicycle Parking for clarity's sake.</p> <p>Sub-section B: Off-Street Parking VC District: Consider making its own section so more easily seen.</p> |  |

Zoning Ordinance

| Ordinance  | Section   | Analysis  |
|--|---|---|
| <b>Article 5 - Parking and Unloading continued</b> |   |   |
|  | Section 5.03:<br>Parking Space Numerical Requirements, continued                          | <p>Sub-section B: Consider expanding provision for payment in lieu of parking for VC to certain locations within the VR Village Residential Zoning District, specifically for properties along Broad, Central and Grand Streets, i.e. streets for which streetscape improvements, including on-street parking are planned or have already been constructed or are planned for streetscape improvements.</p> <p>Consider allowing on-street parking to partially count toward required minimums in Village areas.</p> <p>Move restriction on mid-block curb cuts to access management (Section 5.09). Inquire whether a map for VC and Downtown areas, designating streets where driveways are allowed is a better option than not allowing mid-block curb cuts wholesale.</p> |
|  | New section   | Include standards for ride sharing service and/or autonomous vehicle pick up areas as well as electric vehicle charging stations.   |
|  | Section 5.05:<br>Barrier Free Parking Requirements  | Update in accordance with ADA Design Guidelines to include van accessibility standards, and graphic of barrier free car and van parking requirements.   |
|  | Section 5.06:<br>Off-Street Parking Space Layout, Standards, Construction and Maintenance | <p>Update graphics.</p> <p>Sub-section B: Create table.</p> <p>Sub-section H: Update to correctly cite Section 3.19 Exterior Lighting and move regulations on type of light and recessed lighting to that section.</p>  |
|  | Section 5.08:<br>Restrictions on the Use of Parking Lots                                  | Sub-section A: Update to correctly cite Section 3.18 Recreational Vehicle Parking and Storage.  |
|  | Section 5.09:<br>Access Management  | Update and add graphics. Consider consolidation of regulations or map showing locations of different regulations.   |
| <b>Article 6 - Landscaping Standards</b>           |   |   |
|  | Overall   | Re-order sections to work from general to specific. Update and include figures to illustrate regulations.   |
|  | Section 6.02:<br>Minimum Plant Material Standards   | <p>Sub-section A: Create table</p> <p>Sub-section B: Format so regulations are easily read at a glance.</p>   |

| Ordinance  | Section   | Analysis   |
|--|---|--|
| <b>Article 6 - Landscaping Standards continued</b> |   |  |
|  | Section 6.03:<br>Special Provisions for<br>Existing Sites | Change to that all sites will be brought into full compliance with landscape standards unless the building or parking is increased by less than 10%, consider increasing the percentage to 25% or 30%.   |
|  | Section 6.04:<br>Required Parking Lot<br>Screening        | <p>Sub-section A: Reconcile regulations between Sections 6.02, 6.09 and 6.11.</p> <p>Sub-section B: Specify the applicant can choose one of three standards for parking lots which abut a public street in the ARC and BRC Districts.</p> <p>Consider moving Section 6.04 prior to or directly after or consolidating with Section 6.08: Parking Lot Landscaping.</p> <p>Consider allowing shrub screen and/or decorative fence as allowed, with a wall or berm allowed only with a waiver from the Planning Commission.</p> |
|  | Section 6.05: Buffer                                      | Combine with Section 6.06: Landscape Screening Between Uses  |
|  | Section 6.06:<br>Landscape Screening<br>Between Uses      | Consider waiver or less intense landscape screening between industrial/RD uses based on recently requested waivers. Consider whether required buffer from residential is sufficient.   |
|  | Section 6.07:<br>On-site Landscaping                      | Eliminate reference to “Two Family Residential Districts”.   |
|  | Section 6.08:<br>Parking Lot Landscaping                  | Update figures to represent options and requirements and reference figures in text of this section.  |
|  | Section 6.11:<br>Recommended Plant<br>Material            | Consider whether a landscape architect consulting to the City could approve deviations from this list, especially for administratively reviewed projects/applications. Consider whether a general list would be more manageable but yield the same results.  |
|  | Section 6.12:<br>General Layout and<br>Design Standards   | <p>Consider moving to the front of the article, in combination with Section 6.02.</p> <p>Sub-section B: Remove redundancy with Section 6.02.B for requirements for percentage of genus and species.</p> <p>Sub-section J: Cross-reference where berms sections where berms are an option (Section 6.06).</p>   |

Zoning Ordinance

Zoning Ordinance

| Ordinance  | Section  | Analysis  |
|--|--|---|
| <b>Article 6 - Landscaping Standards continued</b> |  |   |
|  | Section 6.13: Waiver or modification for Special Standards | Consider making credits for tree preservation its own section. Add provision that if a preserved tree dies within two years of completion of construction, the tree must be replaced.   |
|  | Section 6.14: Replacement Standards.                       | Update intent to clearly state the purpose is to prevent the unnecessary removal of trees on public or private property.<br><br>Include list or reference to lower quality and non-native species that do not require replacement. Allow the waiver of replacement by rule instead of the Planning Commission.  |
| <b>Article 7 - Sign Regulations</b>                |  |   |
|  | Overall  | Update and include figures to illustrate regulations.   |
|  | Section 7.01: Intent                                       | Include language to meet stipulations of U.S. Supreme Court decision Reed vs. Town of Gilbert.  |
|  | Section 7.02: General Conditions                           | Eliminate references to sign types that are defined by their content, such as real estate signs and political signs, to comply with Reed vs. Town of Gilbert.   |
|  | Section 7.03: Ground Signs                                 | Eliminate any ambiguity between regulations for grounds signs for individual business on separate parcels and those in a business center.<br><br>Review whether ground signs should be allowed in the CBD.<br><br>Review whether ground signs should be regulated by zoning district or by the width and speed of the street.<br><br>Evaluate whether setbacks from the right-of-way are appropriate, considering the width of the street rights-of-way in the Village areas. |
|  | Section 7.04: Building Signs                               | Review whether building signs should be regulated by zoning district, by the width, speed or distance from the street or a combination thereof.<br><br>Review if size of projecting signs in the CBD is sufficient. Consider changing regulations in the CBD to allow for or encourage more creativity.   |
|  | Section 7.07: Temporary Signs                              | Update regulations to comply with Reed vs. Town of Gilbert by regulating by type, size, and location, not content. Different regulations for temporary commercial signs than temporary civic/public signs are not allowed under that U.S. Supreme Court decision. Examples from other communities will be provided.   |

| <b>Ordinance</b>  | <b>Section</b>  | <b>Analysis</b>   |
|---|---|---|
| <b>Article 7 - Sign Regulations continued</b>                     |   |   |
|   | Section 7.08:<br>Signs in the Public Right-of-Way       | Provide regulations that may allow signage in the ROW in certain situations.  |
|   | Section 7.14:<br>Appeals                                | Move these regulations to Article 24: Board of Zoning Appeals   |
| <b>Article 8 – Special Land Use</b>                               |   |   |
|   | Overall   | Update to match special land uses listed in Use District Articles.  |
|   | Section 8.11:<br>Special Land Use Specific Requirements | Consider moving these regulations to a separate article, “Specific Land Use Requirements”, in order to not require specific requirements for all special land uses.   |
| <b>Article 9 – Establishment of Zoning Districts and Map</b>      |   |   |
|   | Section 9.01:<br>Establishment of Districts             | Consider how to update districts to implement future land use categories in the 2019 Master Plan.   |
|   | Section 9.03:<br>Zoning of annexed areas                | Update to require that zoning of annexed areas matches the master plan amendment done in conjunction with the annexed area, per the process outlined in the 2019 Master Plan, instead the zoning district to which the property most closely matches. |
|   | Table of Uses   | Consider including a Table of Uses, in lieu of listing uses in the articles on the zoning districts.  |
| <b>All Use Districts</b>  |   |   |
|   | Overall   | Use consistent terms for uses across districts. Update districts to allow the density, uses and building types in the corresponding Master Plan Future Land Use areas.  |
|   | Residential uses  | Update per any recommendations of the Housing Task Force.   |
|   | Special Uses  | Evaluate special uses in each district and if specific provisions, requirements, or development standards are needed to guide decisions. Update Article 8, if need be.  |
|   | Day care and group homes                                | Update per state law and regulations. Consider standardizing requirements across residential districts.   |
| <b>Article 10 – R-1A and R-1B One Family Residential District</b> |   |   |
|   | Overall   | Update to a Suburban One Family Residential District with density of up to 6 dwelling units per acre.   |
|   | Section 10.03:<br>Special Uses                          | Remove farms as a special use since no operating farms are in the City limit and case law from the Right to Farm Act prevents lot size limitations for farm operations.   |

Zoning Ordinance



| <b>Ordinance</b>  | <b>Section</b> | <b>Analysis</b>   |
|---|----------------|---|
| <b>Article 11 – VR Village Residential</b>                            |                |   |
|   | Overall        | Update to match Village Residential -1 Future Land Use in the Master Plan, allowing one and two family dwellings and adaptive re-use of civic and institutional buildings. Consider whether any form-based elements are appropriate.                  |
|   | Section 11.03  | Consider whether “Temporary Employment Housing” should remain, in light of Encore Theatre move.   |
| <b>New Article</b>  |                |   |
|   | Overall        | Create new district to match the Village Residential-2 in the Master Plan, allowing one and two family dwellings. Consider whether any form-based elements are appropriate.   |
| <b>Article 14 – General Business District</b>                         |                |   |
|   | Overall        | Eliminate Zoning District and include all C-1 properties into mixed-use, form-based districts. City well property on Central conditionally rezoned to C-1 would become a pre-existing non-conformity or could be rezoned.                             |
| <b>Article 14 A – Professional Business District</b>                  |                |   |
|   | Overall        | Eliminate Zoning District and include all PB properties into mixed-use, form-based district for the Dexter-Ann Arbor Corridor.  |
| <b>Article 15 – Village Commercial District</b>                       |                |   |
|   | Overall        | Update intent to match language for Village Commercial from the Master Plan. Re-evaluate uses based on proposed locations for Village Commercial on Mast Road and Huron in the Master Plan. Consider whether any form-based elements are appropriate. |
| <b>Article 15 A - CBD Central Business District</b>                   |                |   |
|   | Overall        | Update as a form-based district. Consider whether to expand zoning to all areas shown as Downtown in the Master Plan.   |
| <b>Article 15 B – Dexter-Ann Arbor Road Corridor Overlay District</b> |                |   |
|   | Overall        | Update as a form-based district, without overlay. Expand zoning to all areas shown as Dexter Ann Arbor Corridor in the Master Plan. Update uses to include all uses in the corridor and planned for in the Master Plan.                               |
| <b>Article 15 C – Heritage Overlay District</b>                       |                |   |
|   | Overall        | Eliminate Zoning District and include the design regulations in the CBD zoning for smaller lots.  |

Zoning Ordinance

| Ordinance  | Section                               | Analysis  |
|--|---------------------------------------|---|
| <b>Article 15 D – Baker Road Corridor Overlay District</b> |                                       |   |
|  | Overall                               | Update as a form-based district, without overlay. Expand zoning to all areas shown as Baker Road Corridor in the Master Plan. Update uses to include all uses in the corridor and planned for in the Master Plan.   |
| <b>Article 16 – I-1 Limited Industrial District</b>        |                                       |   |
|  | Overall                               | Consider what uses should be allowed in the I-1 and/or RD districts, their relationship to each other and the proximity to residential.   |
| <b>Article 17 – RD Research &amp; Development District</b> |                                       |   |
|  | Overall                               | Consider what uses should be allowed in the I-1 and/or RD districts, their relationship to each other and the proximity to residential.   |
|  | Section 17.04:<br>Required Conditions | Evaluate need for and applicability of uses forbidden in the RD district, listed in sub-section , and clarify whether these restrictions apply to only stand-alone operations or accessory or incidental uses as well.  |
| <b>Article 18 – Public Park District</b>                   |                                       |   |
|  | Overall                               | Consider whether the Intent section as written promotes the urban design described in the Master Plan.<br><br>Consider whether provisions for special events or other temporary uses in public places is needed, and if so, coordinate with provisions/standards in Chapter 34, Peddlers, solicitors, and transient merchants in the City’s General Code. |
|  | Section 18.04:<br>Location Standards  | Consider whether concessions should be allowed in this district as a permitted principal use.<br>Update sub-section A to change areas designated Open Space or Public by the Master Plan.   |
| <b>Article 20 – Schedule of Regulations</b>                |                                       |   |
|  | Overall                               | Update schedule of regulations as needed to match buildings and density limits in the Master Plan. Consider setbacks from wetlands, floodplains, etc. Include illustrations, where applicable.  |
| <b>Article 20 – Schedule of Regulations</b>                |                                       |   |
|  | Table 21.08 A-1                       | Update to include information on new regulations, such as lighting or alternative energy.   |
| <b>New Article – Site Condominiums</b>                     |                                       |   |
|  | Overall                               | Include article on site condominiums drafted in 2017. Define when Subdivisions Ordinance is applicable, particularly infill and greenfield development.   |

Zoning Ordinance

| Ordinance   | Section                           | Analysis  |
|---|-----------------------------------|---|
| <b>Division 1 - Generally</b>                                 |                                   |   |
|   | Sec. 20-22:<br>Purposes           | Update to reflect intent expressed in the Master Plan – to preserve community character and walkable design, rather than current language that focuses on “avoidance of population congestion”.   |
|   | Sec. 20-25                        | Clarify when regulations apply to condominiums, particularly infill and greenfield development.   |
| <b>Division 2 - Definitions</b>                               |                                   |   |
|   | Sec. 20-26:<br>Definitions        | Double check agreement between definitions in the Zoning Ordinance and Subdivision Control Ordinance.<br><br>Update “County Drain Commissioner” to “County Water Resources Commissioner”.<br><br>Consider adding City Planning Consultants to definitions.  |
| <b>Division 3 – Subdivision Procedure</b>                     |                                   |   |
|   | Sec. 20-27:<br>Initial procedures | Consider adding City Planning Consultants as an entity which should be consulted during initial procedures.<br>Consider cross referencing Zoning Ordinance Section 21.04: Pre-application meeting (optional).   |
| <b>Division 4 – Design Standards for Subdivision Planning</b> |                                   |   |
|   | Overall                           | Consider whether or not, or to what degree, new subdivisions should integrate into the existing street grid and design of the City.   |
|   | Sec. 20-32:<br>Streets and alleys | Update to intent to incorporate principles of complete streets and maximize walkable and bikeable streets within the City of Dexter.<br><br>Include complete street standards such as signage, and bicycle trails, pathways, and lanes standards.<br><br>Consider on what type of street on-street parking should be allowed. Currently not allowed on arterial and collector streets and not required on local streets.<br><br>Consider amending sub-section 11 to allow alleys in residential areas.<br><br>Update all standards to match City Engineering Standards and consider recommendations from City Engineer. |
|   | Sec. 20-33:<br>Pedestrian ways    | Require complete street pedestrian components such as accommodations for accessibility, sidewalks, trails, pathways, curb ramps and curb cuts.  |

Subdivisions Ordinance

| Ordinance  | Section                             | Analysis   |
|--|-------------------------------------|--|
| <b>Division 4 – Design Standards for Subdivision Planning, continued</b> |                                     |  |
| <b>Subdivisions Ordinance</b>  | Sec. 20-35:<br>Lots.                | <p>Consider whether to decrease minimum residential lot width (60') and lot depth (120'). The original village plat has smaller lot widths and depths in some instances but the addition to the Village plat was 66' wide by 198' deep lots.</p> <p>Consider whether commercial minimum lot width and size should be changed from suburban model to more urban regulations (smaller lot size and width).</p>   |
|  | Sec. 20-36:<br>Blocks               | <p>Consider minimum and maximum residential block lengths, currently 500 feet and 1,300 feet, respectively, with normal length as 800 feet to 1,000 feet. The original village plat has 500 foot long blocks and the addition has lengths ranging from 1,000 feet to over 1,600 feet. Consider including intersection density minimum to create walkability.</p> <p>Consider providing non-residential block regulations to promote walkability.</p>                   |
|  | Sec. 20-37:<br>Use                  | <p>Consider setback from floodplain in addition to restriction that no building may be built in the floodplain.</p>  |
|  | Sec. 20-38:<br>Open spaces          | <p>Consider whether standard for 90,000 square feet of open space for 20 residential lots or more and additional open space creates the walkable neighborhoods envisioned by the Master Plan or a different standard, such as open space or a park within a five minute walk of every dwelling unit, is more appropriate. Consider whether location and dimensional standards are needed.</p> <p>Require designation of what entity is responsible for open space.</p> |
|  | Sec. 20-40:<br>Cluster developments | <p>Change "governing body" to "Council".</p> <p>Consider whether a public agency or a homeowner's association (currently listed as preferred) is the preferred agency to maintain open space in perpetuity. Double-check consistency with sub-section 8.11.B.29 – Residential Cluster Development in the Zoning Ordinance.</p>   |

| Ordinance   | Section   | Analysis   |
|---|---|--|
| <b>Division 4 – Design Standards for Subdivision Planning continued</b> |   |  |
| <b>Subdivisions Ordinance</b>   | Sec. 20-41:<br>Commercial developments  | Add language so pedestrian, bicycle and vehicle circulation are equally valued in the design. Update requirements for parking and buffer strips to match landscaping regulations in the Zoning Ordinance. Consider cross-references to those sections of the Zoning Ordinance.   |
|   | Sec. 20-42:<br>Industrial parks   | Update requirements for buffer strips to match landscaping regulations in the Zoning Ordinance. Consider cross-reference to that section of the Zoning Ordinance.  |
|   | Sec. 20-44:<br>Subdivision improvements   | Update to match Zoning Ordinance provisions.   |
|   | Sec. 20-45:<br>Utilities and improvements   | Ask for City Engineer review and update per recommendations and consistency with Zoning Ordinance. Consider whether mid-block crossings, trails, pathway or bicycle paths or lanes should be included in this section. Update sub-section (9) Trees (currently 2 trees per single-family lot with maximum distance of 60 feet) to be consistent with Section 6.09 Street Tree/Required Greenbelt Planting (1 street canopy tree per every 30-40 feet). |
|   | Sec. 20-46:<br>Protection of natural features   | Update requirements for tree protection to match those in the Zoning Ordinance.  |
|   | <b>Division 5 – Variances</b>   |  |
| Sec. 20-49:<br>General  | Consider whether Board of Zoning Appeals should be the entity to consider and grant variances, rather than City Council upon recommendation of the Planning Commission per current regulations. |  |