



City of Plymouth Planning Commission

Zoning Audit Sub-Committee Meeting Agenda

Monday, August 17, 2026 – 6:00 p.m.
City Hall Conference Room

City of Plymouth
201 S. Main
Plymouth, Michigan 48170

www.plymouthmi.gov
Phone 734-453-1234

1. CALL TO ORDER
 - a. Roll Call
2. CITIZENS COMMENTS
3. APPROVAL OF THE MINUTES
 - a. Approval of the July 13, 2026 meeting minutes
4. ZONING AUDIT DISCUSSION
5. ADJOURNMENT

Citizen Comments - This section of the agenda allows up to 3 minutes to present information or raise issues regarding items not on the agenda. Upon arising to address the Commission, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item.

Meetings of the City of Plymouth are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, disability, or any other trait protected under applicable law. Any individual planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) should submit a request to the ADA Coordinator at 734-453-1234 ext. 234 at least two working days in advance of the meeting. The request may also be submitted via mail at 201 S. Main St. Plymouth, MI 48170, or email to clerk@plymouthmi.gov.

GOAL AREA ONE - SUSTAINABLE INFRASTRUCTURE**OBJECTIVES**

1. Identify and establish sustainable financial model(s) for major capital projects, Old Village business district, 35th District Court, recreation department, and public safety
2. Incorporate eco-friendly, sustainable practices into city assets, services, and policies; including more environmentally friendly surfaces, reduced impervious surfaces, expanded recycling and composting services, prioritizing native and pollinator-friendly plants, encouraging rain gardens, and growing a mature tree canopy
3. Partner with or become members of additional environmentally aware organizations
4. Increase technology infrastructure into city assets, services, and policies
5. Continue sustainable infrastructure improvement for utilities, facilities, and fleet
6. Address changing vehicular habits, including paid parking system /parking deck replacement plan, electric vehicle (EV) charging stations, and one-way street options

GOAL AREA TWO – STAFF DEVELOPMENT, TRAINING, AND SUCCESSION**OBJECTIVES**

1. Create a 5-year staffing projection
2. Review current recruitment strategies and identify additional resources
3. Identify/establish flex scheduling positions and procedures
4. Develop a plan for an internship program
5. Review potential department collaborations
6. Hire an additional recreation professional
7. Review current diversity, equity, and inclusion training opportunities
8. Seek out training opportunities for serving diverse communities

GOAL AREA THREE - COMMUNITY CONNECTIVITY**OBJECTIVES**

1. Engage in partnerships with public, private and non-profit entities
2. Increase residential/business education programs for active citizen engagement
3. Robust diversity, equity, and inclusion programs
4. Actively participate with multi-governmental lobbies (Michigan Municipal League, Conference of Western Wayne, etc.)

GOAL AREA FOUR - ATTRACTIVE, LIVABLE COMMUNITY**OBJECTIVES**

1. Create vibrant commercial districts by seeking appropriate mixed-use development, marketing transitional properties, and implementing Redevelopment Ready Communities (RRC) practices
2. Improve existing and pursue additional recreational and public green space opportunities and facilities for all ages
3. Develop multi-modal transportation plan which prioritizes pedestrian and biker safety
4. Improve link between Hines Park, Old Village, Downtown Plymouth, Plymouth Township, and other regional destinations
5. Maintain safe, well-lit neighborhoods with diverse housing stock that maximizes resident livability and satisfaction
6. Modernize and update zoning ordinance to reflect community vision
7. Implement Kellogg Park master plan



City of Plymouth Planning Commission Zoning Audit Sub-Committee Meeting Minutes Monday, July 13, 2026 – 6:00 p.m. Plymouth City Hall

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201 S. Main
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734-453-1234

1. CALL TO ORDER

Vice-Chair Medaugh called the meeting to order at 6:05 p.m.

Present: Vice-Chair Medaugh and Commissioners Katie Rossie, Don Webb

Also present: Planning and Community Development Director Greta Bolhuis

2. CITIZENS COMMENTS

None.

3. APPROVAL OF THE MINUTES

a. Medaugh made a motion, seconded by Rossie, to approve June 1, 2026 meeting minutes.

There was a voice vote

MOTION PASSED UNANIMOUSLY

4. ZONING AUDIT DISCUSSION

The sub-committee discussed their progress.

- Bringing back the City Commission feedback on the recreation special land uses for task #12.
- Keep the schedule of regulations as is, with corrections, rather than reference back to the B-2 section.
- Clean up the reference to the overlay map.
- Create a new subsection for the relevant B-2 loading requirements.
- Next section to tackle is "Streamline and clarify processes".

5. ADJOURNMENT

Webb offered a motion, seconded by Medaugh, to adjourn the meeting at 7:02 p.m.

There was a voice vote

MOTION PASSED UNANIMOUSLY

Sec. 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	Maximum Floor Area Ratio	Minimum Landscape Area % of Lot
	Area in sq. ft.	Width	In stories	In feet	Front	Sides		Rear				
						Least one	Total of two					
R-1 One-Family Residential	7,200	60	2	25 (b)	25 (m, o)	6 (a)	12	35	950	35 (v)	.40	35 (x)
RT-1 Two-Family Residential	3,500	30	2	25 (b)	25 (m, o)	10 (a)	20	35	780	30 (v)	.40 (w)	35 (x)
RM-1 Multi-Family Residential	(c, l)	—	2	25 (b)	25 (d)	10 (d)	20 (d)	35 (d)	—	—	.40 (w)	35 (x)
RM-2 Multi-Family Residential	(c, l)	—	4	—	25 (d)	10 (d, e)	20 (d, e)	35 (d)	—	—	.40 (w)	35 (x)
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)	—	—	—	35 (x)
B-2 Central Business	—	—	4 3 (n)	50 40 (n)	<u>Minimum: 0</u> <u>Maximum: 12—</u>	<u>Minimum: 0 or 10</u> (f)	<u>Minimum: 0 or 10 (f)</u> (f)	<u>Minimum: 0 (y)</u> (f)	—	—	—	—
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	.40 (w)	35 (x)
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)	—	—	—	—

(Ord. of 10-6-03; Ord. No. 2012-04, § 9, 11-5-12; Ord. No. 2015-04, § 4, 7-6-15; Ord. No. 2017-01, § 2, 1-3-17; Ord. No. 23-01, 1-17-23)

[...]

- (f) No side yards are required along the interior side lot lines, except as otherwise specified in the building code. On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than ten feet on the side or residential street. If walls of structures facing interior lot lines contain windows or other openings, side yards of not less than ten feet shall be provided. The setback shall be measured from the nearest side of the existing and/or proposed right-of-way lines, whichever is greater.

[...]

- (j) Off-street loading space shall be provided in the rear yard in the ratio of at least one space per each establishment and shall be provided in addition to any required off-street parking area. Off-street loading space shall further meet the requirements of section 78-273. ~~This provision shall not apply in the CBD district as defined and encompassed by Wing, Harvey, Church, Deer and Union Streets.~~ In those instances where properties abut an alley such alley may be substituted for off-street loading requirements in business districts. In office districts off-street loading may take place in undesignated places in parking lots provided such loading is of a short-term nature.

[...]

- (n) The Height Overlay Zones Downtown/CBD map shall limit building heights to 3 stories (40 feet) or 4 stories (50 feet). Per the overlay district map for the central business district, building heights are limited to 40 or 50 feet for specified areas of the downtown.

- (y) An off-street loading space is not required in the B-2, Central Business District.

ARTICLE XX. SITE PLAN REVIEW

Sec. 78-240. Purpose.

It is the intent of this article to require site plan review approval prior to issuance of a building permit for certain buildings, structures, and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels, and the character of future development, and for all special land uses, to ensure that all such buildings, structures, and uses are in conformity with the provisions of this chapter.

(Ord. of 10-6-03)

Sec. 78-241. General procedures.

Site plan review shall be conducted by the planning commission with the assistance of the building official and administrative, consulting and technical personnel as may be deemed necessary to properly evaluate a proposed plan. A site plan shall be submitted for review in accordance with the provisions of this chapter and such other rules and procedures established by the city.

(Ord. of 10-6-03)

Sec. 78-242. Submitted for approval.

A site plan shall be submitted to the city for approval of:

- (1) Any development, except single-family and two-family residential, for which off-street parking areas are provided as required in section 78-271. In those instances where a change in use is proposed that does not require an increase in parking demand, such use shall only require the review of the building official provided, however, the building official may request the review of the planning commission.
- (2) Any use in an RM, OS, B, I or P district lying contiguous to, or across a street from, a single-family residential district.
- (3) Any use or change of use, except single-family or two-family residential.
- (4) All residentially related uses permitted in a single-family district such as, but not limited to, churches, schools and public facilities.
- (5) Site plans for all subdivisions, site condominiums, cluster housing and multiple-family developments involving more than one building.
- (6) Special land uses in all zoning districts.
- (7) Wireless communication towers.
- (8) Any proposal to build, expand, or decrease an off-street parking lot.
- (9) Any request to add a use on an existing site, including expansion in area, volume or intensity of an existing use.
- (10) Any other change in use or development that could affect compliance with the standards set forth in this chapter.

(11) All uses not otherwise included within a specific use district.

The building official shall not issue a building permit for construction of, addition to, any one of the above listed buildings or structures until a final site plan therefore has been approved and is in effect. A use, not involving a building or structure, as above listed, shall not be commenced, or expanded nor shall the building official issue a certificate of occupancy for such use, until a final site plan has been approved and is in effect.

No grading, removal of trees or other vegetation, land filling, or construction of improvements shall be commence for any development for which site plan approval is required until a final site plan is approved and is in effect, except as otherwise provided in this article.

For changes of use and site alterations or building expansions, the Planning Commission shall determine the extent of improvement required in relation to the extent of change proposed. In particular the Planning Commission may require changes to improve public safety, closure or redesign of driveways, redesign or resurfacing of parking and loading areas, installation of curbing, replacement or additions to landscaping or screening, upgrades to lighting, relocation and enclosure of waste receptacles, and upgrades to the building exterior.

Site alterations shall rectify or eliminate existing nonconforming site features such as nonconforming landscaping, parking, lighting, drainage, etc. However, the elimination of nonconformities shall be restricted to those areas of the site proposed for alteration and not necessarily the entire site.

(Ord. of 10-6-03; Ord. No. 2012-02, § 3, 1-3-12; Ord. No. 2012-04, § 11, 11-5-12)

Sec. 78-243. Uses exempt from site plan review.

- (a) No permit shall be issued for any construction, reconstruction, erection, and/or expansion except in accordance with a site plan approved by the planning commission, except as hereafter provided. A site plan approved by the planning commission shall not be necessary for issuing permits in the following circumstances:
 - (1) Construction, reconstruction, erection and/or expansion of a single- or two- family dwelling on a parcel zoned solely for residential purposes.
 - (2) All developments regulated by the Subdivision Control Act of 1967, as amended (MCLA 560.101 et seq.) and the City of Plymouth Subdivision Control Ordinance.
 - (3) Construction solely on the building interior that does not increase usable floor area or increase on site parking requirements.
 - (4) Construction or erection of signs; retaining walls; fences; buffer walls; refuse storage stations; sidewalks; antennas; lights; poles; and cooling, heating, or other mechanical equipment when located on a building or occupying a ground area of less than 100 square feet.
- (b) Site plans not required to be reviewed by the planning commission shall be reviewed by the building official. The building official shall review such plans in accordance with the same procedures, requirements, and standards used by the planning commission.

(Ord. of 10-6-03)

Sec. 78-244. Planned unit developments, site condominiums and condominium subdivisions.

Site plans shall be required for planned unit developments, site condominiums and condominium subdivisions and shall be subject to the provisions of this article.

(Ord. of 10-6-03)

Sec. 78-245. Application and review procedures for site plan approval.

- (a) An application provided on a form provided by the city, along with the required fee and 14 copies of the site plan shall be submitted to the building official.
- (b) Planning commission review. The planning commission, city staff and consultants shall review the site plan and provide comments on its compliance with the site plan approval standards and other sections of this chapter.
- (c) Any applicants for site plan review may elect to submit a preliminary and final site plan concurrently in accordance with the requirements and procedures of this article.

(Ord. of 10-6-03)

Sec. 78-246. Compliance required.

Every site plan submitted to the city shall be in accordance with the requirements of this chapter and the city's rules and procedures for site plan submittal and review. No site plan shall be approved until same has been reviewed by the building official and administrative and technical personnel for compliance with the standards of this chapter and other requirements of the city.

(Ord. of 10-6-03)

Sec. 78-247. Information required.

The following information shall be included on the site plan in addition to those items specified in the application for site plan review:

- (1) A scale of not less than one inch equals 50 feet if the subject property is less than three acres, and one inch equals 100 feet if three acres or more.
- (2) Date, north point and scale.
- (3) The dimensions of all lot and property lines showing the relationship of the subject property to abutting properties.
- (4) The location of all existing and proposed structures on the subject property and all existing structures within 100 feet of the subject property.
- (5) The location of all existing and proposed drives and parking areas.
- (6) The location and right-of-way widths of all abutting streets and alleys.
- (7) The names and addresses of the architect, planner, designer, engineer or person responsible for the preparation of the site plan.
- (8) All requirements of the city's application for site plan review, dated August 1989 shall be complied with including the following site plan review checklist below.

(Ord. of 10-6-03)

Sec. 78-248. Site plan review checklist.

		YES	NO	N/A
1.	Correct scale	[]	[]	[]
2.	Name of person preparing plan*	[]	[]	[]
3.	Date, north point	[]	[]	[]
4.	Property line dimension	[]	[]	[]
5.	Street right-of-way widths	[]	[]	[]
6.	Existing utilities (sewer, water, gas, etc.)	[]	[]	[]
7.	Show adjacent property and buildings	[]	[]	[]
8.	Existing topography, trees and other features	[]	[]	[]
9.	Off-site ground, parking lot, roadway, driveway and/or structure elevations for minimum distance of 50 feet	[]	[]	[]
10.	On-site grid of maximum 100 feet intervals each way (closer where rolling terrain warrants) and minimum 2.0 feet contours	[]	[]	[]
11.	Location of new structures including side and front yard setbacks and building length and width (show a general floor plan)	[]	[]	[]
12.	Number of dwelling units per building	[]	[]	[]
13.	Height of structure	[]	[]	[]
14.	Percent one room apartments (efficiencies)	[]	[]	[]
15.	Total number of rooms if multiple-family	[]	[]	[]
16.	Parking requirements met	[]	[]	[]
17.	Number of units and bedrooms each building	[]	[]	[]
18.	Parking lot layout (showing paved area) including ingress and egress and service area	[]	[]	[]
19.	Parking lot space dimensions	[]	[]	[]
20.	Loading and unloading space	[]	[]	[]
21.	Site grading and drainage plan (on-site elevations for pavements, drives, parking lots, curbs, sidewalks and finish grade at bldg.)	[]	[]	[]
22.	Utility connections (sanitary sewer, water, storm sewers)	[]	[]	[]
23.	On-site storm water retention	[]	[]	[]
24.	Fire hydrants (on- and off-site)	[]	[]	[]
25.	Sidewalks and elevations	[]	[]	[]
26.	Sedimentation and erosion control plan	[]	[]	[]
27.	Landscape plan showing plant materials to be used	[]	[]	[]
28.	Sign requirements met	[]	[]	[]
29.	Require walls and fences or greenbelts	[]	[]	[]
30.	Corner clearance	[]	[]	[]
31.	Service drive needed	[]	[]	[]
32.	Acceleration lanes and traffic pattern	[]	[]	[]
33.	Trash receptacle locations	[]	[]	[]
34.	Mail box locations	[]	[]	[]
35.	Air conditioner unit locations	[]	[]	[]
36.	Special site features (play areas, pools, etc.)	[]	[]	[]
37.	Handicapped facilities	[]	[]	[]
38.	Building elevation drawings	[]	[]	[]

*Where property line surveys, topography, sewer, water or storm drains are shown, the name of the registered engineer or land surveyor preparing such elements of the plan shall be indicated on the plan.

(Ord. of 10-6-03)

Sec. 78-249. Factors considered.

In the process of reviewing the site plan, the following shall be considered:

- (1) The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic.
- (2) The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure:
 - a. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets.
 - b. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
- (3) The planning commission may further require landscaping, fences and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.
- (4) In those instances where an excessive number of ingress and/or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfare, the planning commission may require marginal access drives. For a narrow frontage, which will require a single outlet, the planning commission may require that money be placed in escrow with the city so as to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided, or monies have been deposited with the city treasurer.

(Ord. of 10-6-03)

Sec. 78-250. Duration of approval.

All site plan approvals granted by the planning commission, pursuant to the requirements of this section, shall be for a period of one year from the date of approval. The building official shall not issue a building permit for any type of construction on the basis of the approved site plan after such approval has expired.

(Ord. of 10-6-03)

Sec. 78-251. Approval of minor site development plans.

The city may approve minor site development plan applications when the change will have no effect on the movement of automobiles and persons to and from the property and will not require additional parking spaces, subject to concurrence of the city engineer, chairperson of the planning commission and the city planner. A minor site plan may be applied for any of the following site modifications:

- (1) The proposed addition constitutes less than 1,000 square feet or not more than 20 percent of the existing floor area.

- (2) The building modification or change of use does not require additional off-street parking.
- (3) The building or site modification does not encroach upon an existing parking lot or require the purchase of parking space credits.
- (4) The building or site modification is not adjacent to single-family (R-1) zoned properties.
- (5) A building or site modification will not have a significant impact upon adjoining land uses.

(Ord. of 10-6-03)

Sec. 78-252. Grading.

Upon request, the building official may permit, when justifiable conditions are found to exist, and after preliminary site plan approval has been given, the movement of soil, the layout of footings and the construction of foundation walls prior to site plan approval, provided:

- (1) A grading plan, drawn to local specifications and when necessary to county specifications, has been reviewed and approved.
- (2) A soil erosion permit, when required, has been secured.
- (3) Footing and foundation design plans have been approved by all applicable state, county, local departments and consultants.
- (4) A resolution absolving the city of any liability has been submitted by the applicant and approved by the city.

(Ord. of 10-6-03)

Sec. 78-253. Fees.

Fees for review of expired site plan will be waived in those instances where no substantial change in conditions of the site plan or abutting uses has taken place or a change in zoning standards has been adopted since approval of the site plan. In those instances where conditions have changed, the fee for review of expired site plans or new site plans shall be the same as for the initial submittal.

(Ord. of 10-6-03)

Secs. 78-254—78-259. Reserved.

ARTICLE XXVII. ADMINISTRATION AND ENFORCEMENT¹

Sec. 78-370. Building official to enforce zoning provisions.

The provisions of this chapter shall be administered and enforced by the building official or by such deputies of his department as the building official may delegate to enforce the provisions of this chapter.

¹Cross reference(s)—Administration, Ch. 2.

(Ord. of 10-6-03)

Sec. 78-371. Duties of building official.

- (a) The building official shall have the authority to grant zoning compliance and occupancy permits, to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this chapter. It shall be unlawful for the building official to approve any plans or issue any permits or certificates of occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform with this chapter.
- (b) The building official is under no circumstances permitted to make changes in this chapter nor to vary the terms of this chapter in carrying out his duties as building official.
- (c) The building official shall not refuse to issue a permit when conditions imposed by this chapter are complied with by the applicant despite violations of contracts, such covenants or private agreements which may occur upon the granting of such permit.

(Ord. of 10-6-03)

Sec. 78-372. Plot plan.

The building official shall require that all applications for building permits shall be accompanied by plans and specifications including a plot plan, in duplicate, drawn to scale, showing the following:

- (1) The actual shape, location, and dimensions of the lot.
- (2) The shape, size, and location of all buildings or other structures to be erected, altered or moved on the lot and of any building or other structures already on the lot.
- (3) The existing and intended use of the lot and of all such structures upon it including, in residential areas, the number of dwelling units the building is intended to accommodate.
- (4) Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this chapter are being observed. One copy of the plans shall be returned to the applicant by the building official, after he shall have marked such copy either as approved or disapproved. The second copy shall be retained in the office of the building official.
- (5) Any guarantee required under this chapter shall be deposited with the city treasurer prior to the issuance of permits, i.e., temporary occupancy requires a bond.

(Ord. of 10-6-03)

Sec. 78-373. Permits.

The following shall apply in the issuance of any permit:

- (1) *Not to be issued.* No building permit shall be issued for the erection, alteration, or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this chapter.
- (2) *New use of land.* No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.

- (3) *New use of building.* No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.
- (4) *Required.* No building or structure, or part thereof, shall be hereafter erected, altered, moved, or repaired unless a building permit shall have been first issued for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the city building code, state housing law, or this chapter, except for minor repairs or changes not involving any of such features.

(Ord. of 10-6-03)

Sec. 78-374. Certificate of occupancy.

- (a) No land, building, structure, or part thereof, shall be occupied by or for any use unless and until a certificate of occupancy shall have been issued for such new use. The following shall apply in the issuance of any certificate:
 - (1) *Not to be issued.* No certificates of occupancy pursuant to the building code of the city shall be issued for any building, structure or part thereof or for the use of any land, which is not in accordance with all the provisions of this chapter.
 - (2) *Required.* No building or structure, or part thereof, which is hereafter erected or altered, shall be occupied or used or the same caused to be done, unless and until a certificate of occupancy shall have been issued for such building or structure.
 - (3) *Existing buildings.* Certificates of occupancy shall be issued for existing buildings, structures, or parts thereof, or existing uses of land if, after inspection, it is found that such buildings, structures, or parts thereof, or such use of land, are in conformity with the provisions of this chapter.
 - (4) *Guarantees.* Guarantee in the form of a cash deposit, certified check, irrevocable bank letter of credit or surety bond shall be provided in a form acceptable to the city. The amount of such guarantee shall cover all improvements not normally covered in the building permit, e.g., berms, walls, landscaping, lighting, surfacing of drives, parking, service drives, acceleration/deceleration lanes, bypass lanes and other traffic control devices, etc. The guarantee shall include a schedule of costs assigned to the different improvements. Monies may be released to the applicant in proportion of work completed on the different elements after inspection of work and approval of the building official. Any partial release of funds shall be less than 90 percent, ten percent which shall be retained by the city until all work has been completed and subsequently inspected and approved by the building official.
 - a. If more than one bond or guarantee is involved in construction of the improvements required in this section, each such assurance shall be treated as a separate agreement and the ten percent holdback may be released upon satisfactory completion of such phase of construction and approval of the building official.
 - b. In instances where all improvements, as required in this section, are not completed, and a temporary certificate of occupancy is requested, the estimated cost of such improvement shall be verified by the building official, particularly with respect to any delay to another construction season. The building official, in evaluating the adequacy of the financial guarantees, may request any necessary input from the city engineer, planner, and landscape architect. If the estimated cost has changed, then a revised guarantee, acceptable to the city, shall be filed with the treasurer covering such improvements.

- (5) *Temporary certificates.* Nothing in this chapter shall prevent the issuance of a temporary certificate of occupancy for a portion of a building or structure in process of erection or alteration, and provided further that such portion of the building, structure, or premises is in conformity with the provisions of this chapter. A surety bond shall be obtained to bring all items in line with the site plan and building code.
 - (6) *Records of certificates.* A record of all certificates issued shall be kept on file in the office of the building official, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.
 - (7) *Certificates for dwelling accessory buildings.* Buildings accessory to dwellings shall not require separate certificates of occupancy but may be included in the certificate of occupancy for the dwelling when shown on the plot plan and when completed at the same time as such dwellings.
 - (8) *Applications for certificates.* Application for certificate of occupancy shall be made in writing to the building official on forms furnished by the department, and such certificate shall be issued within ten days after receipt of such application if it is found that the building or structure, or part thereof, or the use of land is in accordance with the provisions of this chapter.
- (b) If such certificate is refused for cause, the applicant therefore shall be notified in writing of such refusal and cause thereof, within the ten-day period.
- (Ord. of 10-6-03)

Sec. 78-375. Final inspection.

The holder of every building permit for the construction, erection, alteration, repair, or moving of any building, structure, or part thereof, shall notify the building official immediately upon the completion of the work authorized by such permit, for a final inspection.

(Ord. of 10-6-03)

Sec. 78-376. 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.

(Ord. of 10-6-03)

Sec. 78-377. Public hearings.

In instances where a public hearing is required under this chapter with the planning commission, the zoning board of appeals, or the city commission, written notice of the public hearing shall be in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006 as amended, MCL 125.3101 et seq., and the Open Meetings Act, MCL 15.261 et seq. Notice shall be as follows:

- (a) *Notice content.* The notice shall do all of the following:
 - (1) Describe the nature of the request;
 - (2) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and

listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used;

- (3) State when and where the request will be considered;
 - (4) Indicate when and where written comments will be received concerning the request.
- (b) *Notice publication and mailing.* Notice shall be published and mailed no less than fifteen days prior to the public hearing as follows:
- (1) Notice of the request shall be published in a newspaper of general circulation in the city.
 - (2) Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered.
 - (3) Notice shall also be sent to all persons to whom real property is assessed within three hundred feet of the subject property and to the occupants of all structures within three hundred feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction. Notification need not be given to more than one occupant of a structure, except that if a structure contains more than one dwelling unit or spatial area owned or leased by different persons, one occupant of each unit or spatial area shall be given notice. If a single structure contains more than four dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure, who shall be requested to post the notice at the primary entrance to the structure. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.
 - (4) The notice under subsection (b)(3) of this section is considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States Postal Service or other public or private delivery service.
- (c) *Ordinance amendments and rezoning of more than ten properties.* Public hearings for an amendment to this title, or the zoning map, that affects more than ten adjacent properties shall only require notice in a newspaper, which shall not be required to indicate the property subject to the request under subsection (a)(2) of this section, and notice shall not be required to be mailed to individual properties under subsections (b)(2) and (b)(3) of this section.
- (d) *Zoning board of appeals interpretations and appeals.* Public hearings for ordinance interpretations and appeals of administrative decisions by the zoning board of appeals shall only require notice in a newspaper, as required in subsection (a)(2) of this section and if the interpretation or appeal of an administrative decision involves a specific property, notice shall also be given to the person bringing the appeal, as required in subsection (b)(2) of this section. Variances shall require full notification under subsections (b)(1) through (b)(3) of this section.

(Ord. of 10-6-03; Ord. No. 2012-04, § 14, 11-5-12; Ord. No. 2026-01, 2-17-26)

Sec. 78-378. Interpretation, purpose and conflict.

In interpreting and applying the provisions of this chapter they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comforts, morals, prosperity and general welfare. It is not intended by this chapter to interfere with or abrogate or annul any ordinance, rules, regulations or permits previously adopted or issued, and not in conflict with any of the provisions of this chapter, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this chapter, nor is it intended by this chapter to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this chapter imposes a greater

restriction upon the use of buildings, or premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such ordinance or agreements, the provisions of this chapter shall control.

(Ord. of 10-6-03)

Sec. 78-379. Zoning commission.

The city planning commission is hereby designated as the commission specified in Section 4, of Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.581 et seq., MSA 5.2931 et seq.), as amended, to perform the duties of such commission as provided in the statute in connection with the amendment of this chapter.

(Ord. of 10-6-03)

Sec. 78-380. Changes and amendments.

All amendments to the zoning ordinance must be reviewed by the city planning commission. Amendments may be initiated by the city commission, planning commission, staff initiated recommendations, or individual petitions, for either zoning text or zoning district boundary changes. In any event, the planning commission shall hold a public hearing as required in Public Act 110 of 2006 as amended. After the public hearing has been closed, or at a subsequent meeting, the planning commission shall submit a recommendation to the city commission on the proposed change.

Notification for public hearings shall be in accordance with section 78-377.

Petitions for zoning ordinance amendments or conditional zoning amendments shall be submitted to the building department on standard forms provided by the third Tuesday of each month, before the next regularly scheduled planning commission meeting. If the planning commission or building department determines that the application is administratively complete, the planning commission shall set a date for a public hearing to receive public comment. The standard forms shall be completed in the manner prescribed and such documents, as required by the ordinance, shall be filed with the building department. A fee schedule, as provided by resolution of the city commission, shall be levied against each petition to cover the costs of administering the application, advertising public hearings, consultant review, and other incidental costs relative to said petition. The building department shall transmit the application to the planning commission.

In reviewing any petition for a zoning map amendment, the planning commission shall evaluate all factors relevant to the petition and shall make its recommendations for disposition of the petition to the city commission following a public hearing.

The factors to be considered by the planning commission may include, but shall not be limited to, the following:

- (a) Whether the rezoning is consistent with the policies and uses proposed for that area in the city's master land use plan. If conditions have changed since the master plan was adopted, the consistency with recent development trends in the area as well as other factors or conditions which may have changed.
- (b) Whether there are substantial reasons why the property cannot be reasonably used as currently zoned.
- (c) Whether adequate sites are available elsewhere that are already zoned to accommodate the proposed use.
- (d) Whether the rezoning would constitute a spot zone granting a special privilege to one landowner not available to others.

- (e) Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area.
- (f) Whether any public services, facilities, traffic flow, or natural features would be significant and adversely impacted by a development or use allowed under the requested rezoning.
- (g) Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.
- (h) Whether the condition and/or value of property in the city or in adjacent communities would be significantly and adversely impacted by a development or use allowed under the requested rezoning.
- (i) Whether or not the requested zoning change is justified by a change in conditions since the original ordinance was adopted or by an error in the original ordinance.
- (j) Whether precedents might result from approval or denial of the petition, and the possible effects of such precedents.

(Ord. of 10-6-03; Ord. No. 2012-04, § 15, 11-5-12)

Sec. 78-381. Fees, petition for amendment.

Consideration of an amendment to this chapter may be initiated upon presentation of a petition for amendment by the owner of real estate affected. Such petition shall be accompanied by a fee, the amount of which shall be set by resolution of the city commission and shall be used to defray the expense of publishing the required notices of public hearings, and the expenses of such public hearing. A period of not less than six months is required between presentation of petitions for a change or amendments applying to a specific piece of property, where such petition was denied in the first instance.

(Ord. of 10-6-03)

Sec. 78-382. Violations and penalties.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than \$500.00 and the cost of prosecution or, in default of the payment thereof, by imprisonment for a period not to exceed 90 days, or by both such fine and imprisonment at the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this chapter.

(Ord. of 10-6-03)

Sec. 78-383. Public nuisance per se.

Any building or structure which is erected, altered or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this chapter [February 11, 1992] and in violation of any of the provisions thereof is hereby declared to be a public nuisance per se.

(Ord. of 10-6-03)

Sec. 78-384. Rights and remedies are cumulative.

The rights and remedies provided in this chapter are cumulative and in addition to any other remedies provided by law.

(Ord. of 10-6-03)

Sec. 78-385. Planning commission approval.

- (a) In cases where the planning commission is empowered to approve certain use of premises under the provisions of this chapter, the applicant shall furnish such surveys, plans or other information as may be reasonably required by the planning commission for the proper consideration of the matter.
- (b) The planning commission shall investigate the circumstances of each such case and shall notify such parties who may, in its opinion, be affected thereby of the time and place of any hearing which may be held relative thereto as required under its rules of procedure.
- (c) The planning commission may impose such conditions or limitations in granting approval as may in its judgment be necessary to fulfill the spirit and purpose of this chapter.
- (d) Any approval given by the planning commission, under which premises are not used or a building permit issued within 12 months or when such use or work has been abandoned for a period of 12 months, shall lapse and cease to be in effect.
- (e) The planning commission shall not have the power to change the zoning classification of any property, nor to grant exceptions or variances from any terms or requirements of this chapter.

(Ord. of 10-6-03)

Sec. 78-386. Vested right.

Nothing in this chapter should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and, they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety and welfare.

(Ord. of 10-6-03)

Sec. 78-387. Conditional rezoning.

- (a) *Intent.* It is recognized that there are certain instances where it would be in the best interests of the city, as well as advantageous to property owners seeking a change in zoning classification, that certain conditions could be proposed by property owners as part of a request for rezoning. This is especially true since the city must consider all potential uses which may be made of property when considering a traditional rezoning request, some of which may be inappropriate for a particular piece of property considering items such as, but not limited to, the surrounding land uses, the city master plan, available infrastructure and utilities, and natural features. It is the intent of this section to provide a process consistent with the provisions of section 405 of the Michigan Zoning Enabling Act, Public Act No. 110 of 2006 as amended, MCL 125.3101 et seq., by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.
- (b) *Application and offer of conditions.* An owner of land may voluntarily offer in writing conditions relating to the use and/or development of land for which a conditional rezoning is requested. This offer may be made either at the time the application for conditional rezoning is filed, or additional conditions may be offered at a later time during the conditional rezoning process as set forth below.
 - (1) *General procedure.* A request for a conditional rezoning shall be commenced by filing an application with the building department, on the required forms, accompanied by the specified fees. The

application and process for considering a conditional rezoning request will be the same as that for considering a rezoning request without any conditions, except as modified by this section. The application shall explicitly describe the proposed conditional rezoning and shall be signed by the owner of the property. Applications for conditional rezoning of a specific site shall be accompanied by a plot plan or survey, as well as a conceptual plan showing the specific proposed use of the property. The conceptual plan shall contain the following details:

- a. A scaled map or drawing of the property.
 - b. Existing and proposed uses, buildings, and structures.
 - c. Proposed parking arrangements and on-site circulation.
 - d. Relationship of the site to adjoining parcels.
 - e. Proposed landscape screens, walls, or buffers.
 - f. Detailed information regarding topography, site engineering, building architecture, or other items not relevant to the zoning decision may be waived by the planning commission.
- (2) *Pre-application conference.* Prior to filing a formal request for a conditional rezoning, and prior to a public hearing, the applicant is encouraged to meet with the city building official, city planning consultant, and other representatives as deemed necessary by the city, to discuss the proposed development. The pre-application conference is intended to be informative and advisory in nature, and affords the applicant the opportunity to discuss the land use and planning policies of the City of Plymouth.

The applicant must present a conceptual plan for the contemplated conditional rezoning at or before the pre-application conference. Any and all statements made by the representatives of the city at the pre-application conference have no legal force and are not legal and binding promises, commitments, or contracts.

- (c) *Review procedures.* The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which the conditional rezoning is requested.

- (1) *Other required approvals by the City of Plymouth.*
- a. Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of this chapter may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this chapter.
 - b. Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this chapter may only be commenced if a variance for such use or development is ultimately granted by the zoning board of appeals in accordance with the provisions of this chapter.
 - c. Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this chapter may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the terms of this chapter.
- (2) *Amendment of conditions.* The offer of conditions may be amended during the process of conditional rezoning consideration, provided that any amended or additional conditions (other than minor or technical adjustments) are entered voluntarily by the owner, and confirmed in writing. An owner may withdraw in writing all or part of its offer of conditions any time prior to final rezoning action of the city commission provided that, if such withdrawal or change occurs subsequent to the planning commission's public hearing on the original rezoning request, then the rezoning application may be

referred back to the planning commission for a new public hearing with appropriate notice and a new recommendation, if such change is deemed to be significant.

- (d) *Planning commission review.* The planning commission, after public hearing and consideration of the factors for rezoning set forth in section 78-380, may recommend approval, approval with recommended changes, or denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the owner in writing.
- (e) *City commission review.* After receipt of the planning commission's recommendation, the city commission shall review the planning commission's recommendation and deliberate upon the requested conditional rezoning, and may approve or deny the conditional rezoning request. If the applicant initiates additional or different conditions not considered by the planning commission subsequent to the recommendation of the planning commission, then the city commission shall refer such proposed additional or different conditions to the planning commission for report thereon within a time specified by the city commission, and the city commission shall thereafter proceed to deny or approve the conditional rezoning.
- (f) *Approval.* If the city commission finds the conditional rezoning request and offer of conditions acceptable, the offer of conditions shall be incorporated into a formal written statement of conditions acceptable to the owner and conforming in form to the provisions of this section. The statement of conditions shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by the city commission to accomplish the requested conditional rezoning. The statement of conditions shall:
 - (1) Be prepared in a form recordable with the county register of deeds;
 - (2) Contain a legal description of the land to which it pertains;
 - (3) Contain a statement acknowledging that the statement of conditions runs with the land, and is binding upon successor owners of the land;
 - (4) Incorporate by attachment the conceptual plan which formed the basis of the conditional rezoning;
 - (5) Contain the notarized signatures of all the owners of the property proceeded by a statement attesting to the fact that they are the only parties having an interest in the property, and that they voluntarily offer and consent to the provisions contained within the statement of conditions;
 - (6) The statement of conditions may be reviewed and approved by the city attorney, with the applicant to pay all costs associated with such review and approval.

The approved statement of conditions shall be filed by the owner with the county register of deeds within 30 days after approval of the conditional rezoning. the owner shall provide the city with a recorded copy of the statement of conditions within 60 days of receipt. The city commission shall have the authority to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the recording of the statement of conditions would be of no material benefit to the city or to any subsequent owner of the land; and

Upon the conditional rezoning taking effect, the zoning map shall be amended to reflect the new zoning classification, together with a designation that the land was a conditional rezoning with a statement of conditions. Upon the conditional rezoning taking effect, and after the required recording of the statement of conditions, unless waived, use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the statement of conditions.

- (g) *Compliance with conditions.* Any person who establishes development or commences a use upon land that has been conditionally rezoned shall continuously operate and maintain the development or use in full compliance with all the conditions set forth in the statement of conditions. Any failure to comply fully with the conditions contained within the statement of conditions shall constitute a violation of this chapter and

be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.

- (h) *Time period for establishing development or use.* The approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within 18 months after the effective date by publication of the conditional rezoning action, and must thereafter proceed diligently to completion. This time limitation may, upon written request, be extended by the city commission if:
 - (1) It is demonstrated that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion; and
 - (2) The city commission finds that there has not been change in circumstances that would render the conditional rezoning with statement of conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.
- (i) *Reversion of zoning.* If the approved development and/or use of the rezoned land does not occur within the time frame specified under subsection (h) above, then the land shall revert to its former zoning classification as set forth in MCL 125.3405(2). The reversion process shall be initiated by the city commission, and proceed pursuant to section 78-380. Reversion to a different zoning classification may also be considered by the city.
- (j) *Subsequent rezoning of land.* When land that is conditionally rezoned with the statement of conditions is thereafter rezoned to a different zoning classification, or to the same zoning classification but with a different or no statement of conditions, whether as a result of a reversion of zoning pursuant to subsection (i) above, or upon application of the landowner, or otherwise, the Statement of Conditions imposed under the former zoning classification shall cease to be in effect. Upon the owner's written request, the city clerk shall record with the county register of deeds a notice that the statement of conditions is no longer in effect.
- (k) *Amendment of conditions.* During the time period for commencement of an approved development or use specified pursuant to subsection (h) above, or during any extension thereof granted by the city commission, the city shall not add to or alter the conditions in the statement of conditions. The statement of conditions may be amended thereafter in the same manner as was prescribed for the original conditional rezoning and statement of conditions.
- (l) *City right to rezone.* Nothing in the statement of conditions nor in the provisions of this section shall be deemed to prohibit the city from rezoning all or any portion of land that is subject to a statement of conditions to another zoning classification. Any rezoning shall be conducted in compliance with this chapter and the Michigan Zoning Enabling Act, Public Act No. 110 of 2006 as amended, MCL 125.3101 et seq.
- (m) *Failure to offer conditions.* The city shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect an owner's rights under this chapter.

(Ord. No. 2012-04, § 16, 11-5-12)

Sec. 78-388. Required signage.

- (a) *Required signage.* An applicant requesting a zoning map change, conditional rezoning or PUD shall construct and install a sign indicating the requested change of zoning. City-initiated rezonings involving eleven or more parcels shall be exempt from the signage requirements. The sign shall be installed no less than 15 days prior to the scheduled public hearing. The sign shall be installed on the parcel(s) requested for rezoning and shall be clearly visible from an adjoining roadway. The sign shall not be placed within a public right-of-way, nor shall the sign obstruct clear vision for motorists.

The sign shall comply with the following sign specifications:

- Black letters on white background.

- Size: minimum 4 feet (vertical) by 6 feet (horizontal).
- Signs face must be exterior plywood, aluminum, or similar material.
- Wording shall be as follows:

	This Property is Proposed for Zoning Change	(min. 8" high letters)
	Current Zoning	(min. 3" high letters)
	Proposed Zoning	(min. 3" high letters)
	For more information call:	(min. 3" high letters)
	City of Plymouth	(min. 3" high letters)
	Building Department	(min. 3" high letters)
	(734) 453-1234	(min. 3" high letters)

- Sign support system must be structurally sound and mounted with 4" x4"s or "u" channel steel posts. The posts shall be set in the ground at least 30 inches below the surface. The bottom of the sign shall be no less than three feet above the ground level.

Rezoning or PUD signs shall be removed within:

- Seven days of action by city commission.
- Seven days of withdrawing rezoning or PUD application.
- Failure to remove sign within this period may result in removal of the sign by the city, following notice and an opportunity to remove the sign, at the owner's expense.

(Ord. No. 2012-04, § 17, 11-5-12)

Sec. 78-389. Traffic impact study.

- (1) A traffic impact study shall be required for projects that would be expected to generate 100 directional vehicle trips (i.e. 100 inbound or 100 outbound trips) during the peak hour of the traffic generator or the peak hour on the adjacent streets. Forecasted trip generation shall be based upon equations/rates outlined in the most recent version of the Institute of Transportation Engineer's (ITE) Trip Generation Manual. The ITE data may be supplemented by actual trip generation data from similar establishments in Michigan. Any supplemental data must be reviewed and approved by the city prior to use in the study analyses.
- (2) The requirement for a traffic study may be appealed to the city zoning board of appeals. Such appeals shall be made in writing and shall be submitted at least ten days prior to a regular meeting of the zoning board of appeals. The appeal may be to waive the requirement or eliminate the need for some of the information required. To receive such a modification, the applicant shall demonstrate that the impacts will be relatively minor and/or the existing infrastructure has ample capacity available.
- (3) An applicant is required to comply with the following procedures and submit the following items of information for a traffic study:
 - (a) The applicant is required to contact the city building official and the traffic engineering consultant prior to preparation of a traffic impact study to discuss available data, extent of study area and inclusion of other projects or growth factors as part of the background conditions.

- (b) Existing conditions, including daily and peak-hour traffic volumes on adjacent street(s), intersections within the vicinity that are expected to be impacted and a description of any sight distance limitations along the site's frontage.
- (c) Existing traffic counts shall be taken on a Tuesday, Wednesday or Thursday of nonholiday weeks. Additional counts, i.e., on a Saturday for a proposed commercial development, may also be required. The following times/situations should also be avoided where possible so that the traffic count data would represent a typical day, construction detours in the area, summer days for a site near a school, etc. The firm performing the impact study must make every effort to complete traffic counts during average or higher-than-average volume conditions, i.e., regarding weather or seasonal variations for the area under study. Traffic data between one and two years old will not be accepted unless the applicant can document that volumes have not changed more than two percent. Traffic data older than two years old will not be accepted.
- (d) Forecasted trip generation of the proposed use shall be provided for the a.m./p.m. peak-hour and average daily traffic generated. The forecasts shall be based on the data and procedures outlined in the Institute for Traffic Engineers (ITE) Trip Generation Manual. The applicant may use other commonly accepted sources of data or supplement the standard data with data from similar projects in Michigan. For rezoning requests when such change represents a departure from the future land use map, the study should contrast the trip generation of typical uses permitted in the requested zoning district with uses permitted in the current zoning district. The determination of typical uses shall be made by the building official.
- (e) All traffic impact studies will include an analysis of background conditions for the year that the project is to be completed (or in phases if applicable). Background traffic includes historic annual percentage increases and/or acknowledges the traffic impacts of other uses approved or in the review process, but not yet constructed, which may affect traffic operations for roadways and intersections near the subject site, as determined by the city. This may include projects in adjacent communities.
- (f) The projected traffic generated shall be distributed onto the existing street network to identify expected turning movement volumes at site driveways and nearby intersections and illustrated in the report. A description of the application of standard engineering procedures for determining the distribution shall also be included. The expected trip distribution shall be approved by the building official prior to continuation of the analyses. The assignment of forecasted site traffic shall be clearly illustrated in graphic form in the study report.
- (g) Capacity analysis at the proposed access points using the procedures outlined in the most recent edition of the Highway Capacity Manual published by the Transportation Research Board shall be provided. "Before" and "after" capacity analyses shall also be performed at all street intersections where the expected project traffic will comprise at least five percent of the existing intersection capacity and/or for roadway sections and intersections experiencing congestion or a relatively high accident rate, as determined by the city, Michigan Department of Transportation, or Wayne County Department of Public Services staff. The "after" analysis shall include a scenario with no improvements and separate analysis for various mitigation options or packages of improvements. Any proposed change to signal timing should include documentation of acceptance by Wayne County staff.
- (h) Traffic crash data at analyzed intersections covering the past three years shall be summarized in collision diagrams if the segment of roadway adjacent to or near the subject site has experienced crash problems. In addition, data charts including times of day, days of week, crash types, months of year, alcohol or drug involvement, weather, pavement, and light conditions shall be submitted. Raw crash data shall be used for the analysis.
- (i) The location and design of proposed access for a driveway or new street intersection shall be provided with a map and narrative description. In addition, analysis shall include any sight distance limitations,

dimensions from adjacent driveways and intersections within 250 feet and other data to demonstrate that the design and number of proposed driveways are the fewest necessary. The driveway(s) shall provide safe and efficient traffic operation and be in accordance with the standards of this chapter. Proposed driveway design shall include location of signs, signals, and/or pavement markings.

- (j) The potential need for bypass lanes or deceleration tapers/lanes, including attachment of any correspondence by the Wayne County Department of Public Services.
- (k) The fire department shall approve the size and location of fire lanes and emergency vehicle access.
 - l. The city may require analysis using a corridor simulation software (i.e., SYNCHRO) rather than an isolated intersection capacity analysis. If such analyses are required, submittals shall include electronic copies of the simulation files.

(Ord. No. 2012-04, § 18, 11-5-12)

Secs. 78-390—78-399. Reserved.

PART II - CODE OF ORDINANCES
Chapter 78 - ZONING
ARTICLE XX. SITE PLAN REVIEW

ARTICLE XX. SITE PLAN REVIEW

Sec. 78-240. Purpose.

It is the intent of this article to require site plan review approval prior to issuance of a building permit for certain buildings, structures, and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels, and the character of future development, and for all special land uses, to ensure that all such buildings, structures, and uses are in conformity with the provisions of this chapter.

(Ord. of 10-6-03)

Sec. 78-241. General procedures.

Site plan review shall be conducted by the planning commission with the assistance of the community development director building official and administrative, consulting and technical personnel as may be deemed necessary to properly evaluate a proposed plan. A site plan or, where permitted by this article, a plot plan shall be submitted for review in accordance with the provisions of this chapter and such other rules and procedures established by the city.

(Ord. of 10-6-03)

Sec. 78-242. Submitted for approval.

A site plan shall be submitted to the city for approval of:

- (1) Any development, except single-family and two-family residential, for which off-street parking areas are provided as required in section 78-271. In those instances where a change in use is proposed that does not require an increase in parking demand, such use shall only require the review of the building official provided, however, the building official may request the review of the planning commission.
- (2) Any use in an RM, OS, B, I or P district lying contiguous to, or across a street from, a single-family residential district.
- (3) Any use or change of use, except single-family or two-family residential.
- (4) All residentially related uses permitted in a single-family district such as, but not limited to, churches, schools and public facilities.
- (5) Site plans for all subdivisions, site condominiums, cluster housing and multiple-family developments involving more than one building.

~~(6) Special land uses in all zoning districts.~~ (6) The following special land uses, when permitted as a special land use in the applicable zoning district, shall require site plan review: adult regulated uses; drive-in or drive-through restaurants; bed and breakfast establishments; automobile service stations and automobile convenience marts; garden centers, nurseries and commercial outdoor storage; outdoor sales; motels and hotels; commercial outdoor recreation space; funeral homes; automobile car washes; amusement parks and arcades; storage facilities for materials or equipment; child care facilities; adult foster care facilities; religious institutions; and rooftop seating at establishments serving alcohol.

Commented [GB1]: General note that a consistent use of letters or numbers for subsections needs to be established. Please also note that a few of our previously approved ordinance amendments have not yet been integrated into the online version of our code.

Commented [GB2]: This is the list of SLUs that have a dedicated section of conditions. May wish to keep current language.

- (7) Wireless communication towers.
- (8) Any proposal to build, expand, or decrease an off-street parking lot.
- (9) Any request to add a use on an existing site, including expansion in area, volume or intensity of an existing use.
- (10) Any other change in use or development that could affect compliance with the standards set forth in this chapter.
- (11) All uses not otherwise included within a specific use district.

For purposes of this section, a special land use listed above remains subject to the applicable special land use standards and approval procedures in Article XXIII. Nothing in this article changes the approval authority assigned to the planning commission or city commission elsewhere in this chapter.

The building official shall not issue a building permit for construction of, addition to, any one of the above listed buildings or structures until a final site plan therefore has been approved and is in effect. A use, not involving a building or structure, as above listed, shall not be commenced, or expanded nor shall the building official issue a certificate of occupancy for such use, until a final site plan has been approved and is in effect.

No grading, removal of trees or other vegetation, land filling, or construction of improvements shall be commence for any development for which site plan approval is required until a final site plan is approved and is in effect, except as otherwise provided in this article.

For changes of use and site alterations or building expansions, the Planning Commission shall determine the extent of improvement required in relation to the extent of change proposed. In particular the Planning Commission may require changes to improve public safety, closure or redesign of driveways, redesign or resurfacing of parking and loading areas, installation of curbing, replacement or additions to landscaping or screening, upgrades to lighting, relocation and enclosure of waste receptacles, and upgrades to the building exterior.

Site alterations shall rectify or eliminate existing nonconforming site features such as nonconforming landscaping, parking, lighting, drainage, etc. However, the elimination of nonconformities shall be restricted to those areas of the site proposed for alteration and not necessarily the entire site.

(Ord. of 10-6-03; Ord. No. 2012-02, § 3, 1-3-12; Ord. No. 2012-04, § 11, 11-5-12)

Sec. 78-243. Uses exempt from site plan review; plot plan in lieu of site plan.

- (a) No permit shall be issued for any construction, reconstruction, erection, and/or expansion except in accordance with a site plan approved by the planning commission, except as hereafter provided. A site plan approved by the planning commission shall not be necessary for issuing permits in the following circumstances:
 - (1) Construction, reconstruction, erection and/or expansion of a single- or two- family dwelling on a parcel zoned solely for residential purposes.
 - (2) All developments regulated by the Subdivision Control Act of 1967, as amended (MCLA 560.101 et seq.) and the City of Plymouth Subdivision Control Ordinance.
 - (3) Construction solely on the building interior that does not increase usable floor area or increase on site parking requirements.
 - (4) Construction or erection of signs; retaining walls; fences; buffer walls; refuse storage stations; sidewalks; antennas; lights; poles; and cooling, heating, or other mechanical equipment when located on a building or occupying a ground area of less than 100 square feet.

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(b) Site plans not required to be reviewed by the planning commission shall be reviewed by the community development director or their designee-building official. The community development director or their designee building official shall review such plans in accordance with the same procedures, requirements, and standards used by the planning commission.

(c) The planning commission may accept a plot plan in lieu of a full site plan for a development or change of use that otherwise requires site plan review when the proposal involves an existing building or site and the planning commission determines that the level of detail required for a full site plan is not necessary to evaluate compliance with this chapter. This provision may apply to the reuse of an existing building for a special land use when there is no proposed building addition or expansion, no substantial alteration of site access or circulation, no increase in required parking, and no substantial site alteration. The planning commission may require a full site plan at any time if additional information is necessary to evaluate the application. A plot plan submitted under this subsection shall contain sufficient information, including the information required by section 78-372 and any additional information requested by the planning commission, to demonstrate compliance with applicable zoning standards.

(Ord. of 10-6-03)

Sec. 78-244. Planned unit developments, site condominiums and condominium subdivisions.

Site plans shall be required for planned unit developments, site condominiums and condominium subdivisions and shall be subject to the provisions of this article.

(Ord. of 10-6-03)

Sec. 78-245. Application and review procedures for site plan approval.

~~(a) —An application provided on a form provided by the city, along with the required fee and 14 copies of the site plan shall be submitted to the building official. (a) —~~ An application shall be submitted to the city on a form provided by the city, accompanied by the required fee and the number of copies specified by the city. Where a plot plan is accepted in lieu of a full site plan pursuant to section 78-243(c), the applicant shall submit the plot plan and all other information required by the planning commission.

(b) ~~Planning commission review.~~ The planning commission, city staff and consultants shall review the site plan and provide comments on its compliance with the site plan approval standards and other sections of this chapter.

(c) Any applicants for site plan review may elect to submit a preliminary and final site plan concurrently in accordance with the requirements and procedures of this article.

(Ord. of 10-6-03)

Sec. 78-246. Compliance required.

Every site plan submitted to the city shall be in accordance with the requirements of this chapter and the city's rules and procedures for site plan submittal and review. No site plan shall be approved until same has been reviewed by the community development director building official and administrative and technical personnel for compliance with the standards of this chapter and other requirements of the city.

(Ord. of 10-6-03)

Sec. 78-247. Information required.

The following information shall be included on the site plan in addition to those items specified in the application for site plan review:

- (1) A scale of not less than one inch equals 50 feet if the subject property is less than three acres, and one inch equals 100 feet if three acres or more.
- (2) Date, north point and scale.
- (3) The dimensions of all lot and property lines showing the relationship of the subject property to abutting properties.
- (4) The location of all existing and proposed structures on the subject property and all existing structures within 100 feet of the subject property.
- (5) The location of all existing and proposed drives and parking areas.
- (6) The location and right-of-way widths of all abutting streets and alleys.
- (7) The names and addresses of the architect, planner, designer, engineer or person responsible for the preparation of the site plan.
- (8) All requirements of the city's application for site plan review, ~~dated August 1989~~ shall be complied with including the following site plan review checklist below.

(Ord. of 10-6-03)

Sec. 78-248. Site plan review checklist.

		YES	NO	N/A
1.	Correct scale	[]	[]	[]
2.	Name of person preparing plan*	[]	[]	[]
3.	Date, north point	[]	[]	[]
4.	Property line dimension	[]	[]	[]
5.	Street right-of-way widths	[]	[]	[]
6.	Existing utilities (sewer, water, gas, etc.)	[]	[]	[]
7.	Show adjacent property and buildings	[]	[]	[]
8.	Existing topography, trees and other features	[]	[]	[]
9.	Off-site ground, parking lot, roadway, driveway and/or structure elevations for minimum distance of 50 feet	[]	[]	[]
10.	On-site grid of maximum 100 feet intervals each way (closer where rolling terrain warrants) and minimum 2.0 feet contours	[]	[]	[]
11.	Location of new structures including side and front yard setbacks and building length and width (show a general floor plan)	[]	[]	[]
12.	Number of dwelling units per building	[]	[]	[]
13.	Height of structure	[]	[]	[]
14.	Percent one room apartments (efficiencies)	[]	[]	[]
15.	Total number of rooms if multiple-family	[]	[]	[]
16.	Parking requirements met	[]	[]	[]
17.	Number of units and bedrooms each building	[]	[]	[]

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18.	Parking lot layout (showing paved area) including ingress and egress and service area	[]	[]	[]
19.	Parking lot space dimensions	[]	[]	[]
20.	Loading and unloading space	[]	[]	[]
21.	Site grading and drainage plan (on-site elevations for pavements, drives, parking lots, curbs, sidewalks and finish grade at bldg.)	[]	[]	[]
22.	Utility connections (sanitary sewer, water, storm sewers)	[]	[]	[]
23.	On-site storm water retention	[]	[]	[]
24.	Fire hydrants (on- and off-site)	[]	[]	[]
25.	Sidewalks and elevations	[]	[]	[]
26.	Sedimentation and erosion control plan	[]	[]	[]
27.	Landscape plan showing plant materials to be used	[]	[]	[]
28.	Sign requirements met	[]	[]	[]
29.	Require walls and fences or greenbelts	[]	[]	[]
30.	Corner clearance	[]	[]	[]
31.	Service drive needed	[]	[]	[]
32.	Acceleration lanes and traffic pattern	[]	[]	[]
33.	Trash receptacle locations	[]	[]	[]
34.	Mail box locations	[]	[]	[]
35.	Air conditioner unit locations	[]	[]	[]
36.	Special site features (play areas, pools, etc.)	[]	[]	[]
37.	Handicapped facilities	[]	[]	[]
38.	Building elevation drawings	[]	[]	[]

*Where property line surveys, topography, sewer, water or storm drains are shown, the name of the registered engineer or land surveyor preparing such elements of the plan shall be indicated on the plan.

(Ord. of 10-6-03)

Sec. 78-249. Factors considered.

In the process of reviewing the site plan, the following shall be considered:

- (1) The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic.
- (2) The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure:
 - a. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets.
 - b. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
- (3) The planning commission may further require landscaping, fences and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.
- (4) In those instances where an excessive number of ingress and/or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfare,

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the planning commission may require marginal access drives. For a narrow frontage, which will require a single outlet, the planning commission may require that money be placed in escrow with the city so as to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided, or monies have been deposited with the city treasurer.

(Ord. of 10-6-03)

Sec. 78-250. Duration of site plan approval.

All site plan approvals granted by the planning commission, pursuant to the requirements of this section, shall be for a period of one year from the date of approval, unless a different period is expressly provided elsewhere in this chapter. The building official shall not issue a building permit for any type of construction on the basis of the approved site plan after such approval has expired. Nothing in this section limits the general expiration provisions applicable to site plan or special land use under section 78-241.

(Ord. of 10-6-03)

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Sec. 78-251. Approval of minor site development plans.

The city may approve minor site development plan applications when the change will have no effect on the movement of ~~vehicles automobiles~~ and persons to and from the property and will not require additional parking spaces, subject to concurrence of the ~~community development director, city engineer,~~ chairperson of the planning commission and ~~consulting and technical personnel the city planner~~. A minor site plan may be applied for any of the following site modifications:

- (1) The proposed addition constitutes less than 1,000 square feet or not more than 20 percent of the existing floor area.
- (2) The building modification or change of use does not require additional off-street parking.
- (3) The building or site modification does not encroach upon an existing parking lot or require the purchase of parking space credits.
- (4) The building or site modification is not adjacent to single-family (R-1) zoned properties.
- (5) A building or site modification will not have a significant impact upon adjoining land uses.

(Ord. of 10-6-03)

Sec. 78-252. Grading.

Upon request, the building official may permit, when justifiable conditions are found to exist, and after preliminary site plan approval has been given, the movement of soil, the layout of footings and the construction of foundation walls prior to site plan approval, provided:

- (1) A grading plan, drawn to local specifications and when necessary to county specifications, has been reviewed and approved.
- (2) A soil erosion permit, when required, has been secured.
- (3) Footing and foundation design plans have been approved by all applicable state, county, local departments and consultants.

- (4) A resolution absolving the city of any liability has been submitted by the applicant and approved by the city.

(Ord. of 10-6-03)

Sec. 78-253. Fees.

Fees for review of expired site plan will be waived in those instances where no substantial change in conditions of the site plan or abutting uses has taken place or a change in zoning standards has been adopted since approval of the site plan. In those instances where conditions have changed, the fee for review of expired site plans or new site plans shall be the same as for the initial submittal.

(Ord. of 10-6-03)

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Secs. 78-254—78-259. Reserved.

ARTICLE XXVII. ADMINISTRATION AND ENFORCEMENT¹

Sec. 78-370. ~~Community development director~~ Building official to enforce zoning provisions.

The provisions of this chapter shall be administered and enforced by the community development director ~~building official~~ or by such deputies of his or her department as the community development director ~~building official~~ may delegate to enforce the provisions of this chapter.

(Ord. of 10-6-03)

Sec. 78-371. Duties of building official.

- (a) The building official shall have the authority to grant zoning compliance and occupancy permits, to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this chapter. It shall be unlawful for the building official to approve any plans or issue any permits or certificates of occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform with this chapter.
- (b) The building official is under no circumstances permitted to make changes in this chapter nor to vary the terms of this chapter in carrying out his duties as building official.
- (c) The building official shall not refuse to issue a permit when conditions imposed by this chapter are complied with by the applicant despite violations of contracts, such covenants or private agreements which may occur upon the granting of such permit.

(Ord. of 10-6-03)

¹Cross reference(s)—Administration, Ch. 2.

Sec. 78-372. Plot plan.

The building official shall require that all applications for building permits shall be accompanied by plans and specifications including a plot plan, ~~in duplicate~~, drawn to scale, showing the following:

- (1) The actual shape, location, and dimensions of the lot.
- (2) The shape, size, and location of all buildings or other structures to be erected, altered or moved on the lot and of any building or other structures already on the lot.
- (3) The existing and intended use of the lot and of all such structures upon it including, in residential areas, the number of dwelling units the building is intended to accommodate.
- (4) Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this chapter are being observed. One copy of the plans shall be returned to the applicant by the building official, after he shall have marked such copy either as approved or disapproved. The second copy shall be retained in the office of the building official.
- (5) Any guarantee required under this chapter shall be deposited with the city treasurer prior to the issuance of permits, i.e., temporary occupancy requires a bond.

(Ord. of 10-6-03)

Sec. 78-373. Permits.

The following shall apply in the issuance of any permit:

- (1) *Not to be issued.* No building permit shall be issued for the erection, alteration, or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this chapter.
- (2) *New use of land.* No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.
- (3) *New use of building.* No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.
- (4) *Required.* No building or structure, or part thereof, shall be hereafter erected, altered, moved, or repaired unless a building permit shall have been first issued for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the city building code, state housing law, or this chapter, except for minor repairs or changes not involving any of such features.

(Ord. of 10-6-03)

Sec. 78-374. Certificate of occupancy.

- (a) No land, building, structure, or part thereof, shall be occupied by or for any use unless and until a certificate of occupancy shall have been issued for such new use. The following shall apply in the issuance of any certificate:

-
- (1) *Not to be issued.* No certificates of occupancy pursuant to the building code of the city shall be issued for any building, structure or part thereof or for the use of any land, which is not in accordance with all the provisions of this chapter.
- (2) *Required.* No building or structure, or part thereof, which is hereafter erected or altered, shall be occupied or used or the same caused to be done, unless and until a certificate of occupancy shall have been issued for such building or structure.
- (3) *Existing buildings.* Certificates of occupancy shall be issued for existing buildings, structures, or parts thereof, or existing uses of land if, after inspection, it is found that such buildings, structures, or parts thereof, or such use of land, are in conformity with the provisions of this chapter.
- (4) *Guarantees.* Guarantee in the form of a cash deposit, certified check, irrevocable bank letter of credit or surety bond shall be provided in a form acceptable to the city. The amount of such guarantee shall cover all improvements not normally covered in the building permit, e.g., berms, walls, landscaping, lighting, surfacing of drives, parking, service drives, acceleration/deceleration lanes, bypass lanes and other traffic control devices, etc. The guarantee shall include a schedule of costs assigned to the different improvements. Monies may be released to the applicant in proportion of work completed on the different elements after inspection of work and approval of the building official. Any partial release of funds shall be less than 90 percent, ten percent which shall be retained by the city until all work has been completed and subsequently inspected and approved by the building official.
- a. If more than one bond or guarantee is involved in construction of the improvements required in this section, each such assurance shall be treated as a separate agreement and the ten percent holdback may be released upon satisfactory completion of such phase of construction and approval of the building official.
 - b. In instances where all improvements, as required in this section, are not completed, and a temporary certificate of occupancy is requested, the estimated cost of such improvement shall be verified by the building official, particularly with respect to any delay to another construction season. The building official, in evaluating the adequacy of the financial guarantees, may request any necessary input from the city engineer, planner, and landscape architect. If the estimated cost has changed, then a revised guarantee, acceptable to the city, shall be filed with the treasurer covering such improvements.
- (5) *Temporary certificates.* Nothing in this chapter shall prevent the issuance of a temporary certificate of occupancy for a portion of a building or structure in process of erection or alteration, and provided further that such portion of the building, structure, or premises is in conformity with the provisions of this chapter. A surety bond shall be obtained to bring all items in line with the site plan and building code.
- (6) *Records of certificates.* A record of all certificates issued shall be kept on file in the office of the building official, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.
- (7) *Certificates for dwelling accessory buildings.* Buildings accessory to dwellings shall not require separate certificates of occupancy but may be included in the certificate of occupancy for the dwelling when shown on the plot plan and when completed at the same time as such dwellings.
- (8) *Applications for certificates.* Application for certificate of occupancy shall be made in writing to the building official on forms furnished by the department, and such certificate shall be issued within ten days after receipt of such application if it is found that the building or structure, or part thereof, or the use of land is in accordance with the provisions of this chapter.
- (b) If such certificate is refused for cause, the applicant therefore shall be notified in writing of such refusal and cause thereof, within the ten-day period.

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(Ord. of 10-6-03)

Sec. 78-375. Final inspection.

The holder of every building permit for the construction, erection, alteration, repair, or moving of any building, structure, or part thereof, shall notify the building official immediately upon the completion of the work authorized by such permit, for a final inspection.

(Ord. of 10-6-03)

Sec. 78-376. 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.

(Ord. of 10-6-03)

Sec. 78-377. Public hearings.

In instances where a public hearing is required under this chapter with the planning commission, the zoning board of appeals, or the city commission, written notice of the public hearing shall be in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006 as amended, MCL 125.3101 et seq., and the Open Meetings Act, MCL 15.261 et seq. Notice shall be as follows:

- (a) *Notice content.* The notice shall do all of the following:
 - (1) Describe the nature of the request;
 - (2) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used;
 - (3) State when and where the request will be considered;
 - (4) Indicate when and where written comments will be received concerning the request.
- (b) *Notice publication and mailing.* Notice shall be published and mailed no less than fifteen days prior to the public hearing as follows:
 - (1) Notice of the request shall be published in a newspaper of general circulation in the city.
 - (2) Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered.
 - (3) Notice shall also be sent to all persons to whom real property is assessed within three hundred feet of the subject property and to the occupants of all structures within three hundred feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction. Notification need not be given to more than one occupant of a structure, except that if a structure contains more than one dwelling unit or spatial area owned or leased by different persons, one occupant of each unit or spatial area shall be given notice. If a single structure contains more than four dwelling units or other distinct spatial areas owned or leased by

different persons, notice may be given to the manager or owner of the structure, who shall be requested to post the notice at the primary entrance to the structure. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.

- (4) The notice under subsection (b)(3) of this section is considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States Postal Service or other public or private delivery service.
- (c) *Ordinance amendments and rezoning of more than ten properties.* Public hearings for an amendment to this title, or the zoning map, that affects more than ten adjacent properties shall only require notice in a newspaper, which shall not be required to indicate the property subject to the request under subsection (a)(2) of this section, and notice shall not be required to be mailed to individual properties under subsections (b)(2) and (b)(3) of this section.
- (d) *Zoning board of appeals interpretations and appeals.* Public hearings for ordinance interpretations and appeals of administrative decisions by the zoning board of appeals shall only require notice in a newspaper, as required in subsection (a)(2) of this section and if the interpretation or appeal of an administrative decision involves a specific property, notice shall also be given to the person bringing the appeal, as required in subsection (b)(2) of this section. Variances shall require full notification under subsections (b)(1) through (b)(3) of this section.

(Ord. of 10-6-03; Ord. No. 2012-04, § 14, 11-5-12; Ord. No. 2026-01, 2-17-26)

Sec. 78-378. Interpretation, purpose and conflict.

In interpreting and applying the provisions of this chapter they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comforts, morals, prosperity and general welfare. It is not intended by this chapter to interfere with or abrogate or annul any ordinance, rules, regulations or permits previously adopted or issued, and not in conflict with any of the provisions of this chapter, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this chapter, nor is it intended by this chapter to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this chapter imposes a greater restriction upon the use of buildings, or premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such ordinance or agreements, the provisions of this chapter shall control.

(Ord. of 10-6-03)

Sec. 78-379. ~~Planning commission designated as zoning~~Zoning commission.

~~The city planning commission is hereby designated as the commission specified in Section 4, of Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.581 et seq., MSA 5.2931 et seq.), as amended, to perform the duties of such commission as provided in the statute in connection with the amendment of this chapter. The city planning commission is designated as the zoning commission for the City of Plymouth for purposes of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and shall exercise the powers and perform the duties assigned to a zoning commission or planning commission under that act, to the extent applicable to the City and not otherwise assigned by law or ordinance.~~

(Ord. of 10-6-03)

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Sec. 78-380. ~~Changes and amendments.~~Reserved.

All amendments to the zoning ordinance must be reviewed by the city planning commission. Amendments may be initiated by the city commission, planning commission, staff initiated recommendations, or individual petitions, for either zoning text or zoning district boundary changes. In any event, the planning commission shall hold a public hearing as required in Public Act 110 of 2006 as amended. After the public hearing has been closed, or at a subsequent meeting, the planning commission shall submit a recommendation to the city commission on the proposed change.

Notification for public hearings shall be in accordance with section 78-377.

Petitions for zoning ordinance amendments or conditional zoning amendments shall be submitted to the building department on standard forms provided by the third Tuesday of each month, before the next regularly scheduled planning commission meeting. If the planning commission or building department determines that the application is administratively complete, the planning commission shall set a date for a public hearing to receive public comment. The standard forms shall be completed in the manner prescribed and such documents, as required by the ordinance, shall be filed with the building department. A fee schedule, as provided by resolution of the city commission, shall be levied against each petition to cover the costs of administering the application, advertising public hearings, consultant review, and other incidental costs relative to said petition. The building department shall transmit the application to the planning commission.

In reviewing any petition for a zoning map amendment, the planning commission shall evaluate all factors relevant to the petition and shall make its recommendations for disposition of the petition to the city commission following a public hearing.

The factors to be considered by the planning commission may include, but shall not be limited to, the following:

- (a) ~~Whether the rezoning is consistent with the policies and uses proposed for that area in the city's master land use plan. If conditions have changed since the master plan was adopted, the consistency with recent development trends in the area as well as other factors or conditions which may have changed.~~
- (b) ~~Whether there are substantial reasons why the property cannot be reasonably used as currently zoned.~~
- (c) ~~Whether adequate sites are available elsewhere that are already zoned to accommodate the proposed use.~~
- (d) ~~Whether the rezoning would constitute a spot zone granting a special privilege to one landowner not available to others.~~
- (e) ~~Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area.~~
- (f) ~~Whether any public services, facilities, traffic flow, or natural features would be significant and adversely impacted by a development or use allowed under the requested rezoning.~~
- (g) ~~Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.~~
- (h) ~~Whether the condition and/or value of property in the city or in adjacent communities would be significantly and adversely impacted by a development or use allowed under the requested rezoning.~~
- (i) ~~Whether or not the requested zoning change is justified by a change in conditions since the original ordinance was adopted or by an error in the original ordinance.~~

~~(j) Whether precedents might result from approval or denial of the petition, and the possible effects of such precedents.~~

~~(Ord. of 10-6-03; Ord. No. 2012-04, § 15, 11-5-12)~~

Sec. 78-381. ~~Fees, petition for amendment.~~Reserved.

~~Consideration of an amendment to this chapter may be initiated upon presentation of a petition for amendment by the owner of real estate affected. Such petition shall be accompanied by a fee, the amount of which shall be set by resolution of the city commission and shall be used to defray the expense of publishing the required notices of public hearings, and the expenses of such public hearing. A period of not less than six months is required between presentation of petitions for a change or amendments applying to a specific piece of property, where such petition was denied in the first instance.~~

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

Sec. 78-382. Violations and penalties.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than \$500.00 and the cost of prosecution or, in default of the payment thereof, by imprisonment for a period not to exceed 90 days, or by both such fine and imprisonment at the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this chapter.

(Ord. of 10-6-03)

Sec. 78-383. Public nuisance per se.

Any building or structure which is erected, altered or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this chapter [February 11, 1992] and in violation of any of the provisions thereof is hereby declared to be a public nuisance per se.

(Ord. of 10-6-03)

Sec. 78-384. Rights and remedies are cumulative.

The rights and remedies provided in this chapter are cumulative and in addition to any other remedies provided by law.

(Ord. of 10-6-03)

Sec. 78-385. Planning commission ~~powers, duties, and responsibilities.~~approval.

(a) Membership and appointment. The planning commission shall consist of nine members. Members shall be appointed by the mayor, subject to approval by a majority vote of the members of the city commission. The term of each planning commission member shall be three years, and each member shall serve until his/her term expires. A vacancy shall be filled for the unexpired term in the same manner as the original appointment. One member of the planning commission shall be a member of the zoning board of appeals.

(b) Membership qualifications and representation. Members shall be qualified electors of the City of Plymouth and, to the extent practicable, the membership shall be representative of important segments of the

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community and the geography of the city. The membership shall otherwise comply with the qualifications, representation, ex officio membership, conflict of interest, removal, and other requirements of the Michigan Planning Enabling Act and Michigan Zoning Enabling Act, as amended.

- (c) Officers. The planning commission shall elect a chairperson and vice-chairperson from among its members and other offices as it considers advisable. The term of each officer shall be one year, with reelection as provided in the commission's bylaws.
- (d) Bylaws and records. The planning commission shall adopt bylaws for the transaction of its business and shall keep a public record of its resolutions, transactions, findings, and determinations.
- (e) Meetings. The planning commission shall hold not less than four regular meetings each year and shall establish by resolution the time and place of its regular meetings. Special meetings may be called in accordance with the commission's bylaws.
- (f) Open Meetings Act. The business of the planning commission shall be conducted at public meetings in compliance with the Open Meetings Act, Public Act 267 of 1976, as amended. Notice of regular and special meetings shall be provided as required by that act.
- (g) Annual report. The planning commission shall prepare and submit an annual written report to the city commission concerning its operations and the status of planning activities, including recommendations regarding actions by the city commission related to planning and development.
- (h) Master plan. The planning commission shall prepare a master plan as a guide for development in accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended. As allowed in the act, the city commission asserted the right to approve or reject the master plan as the final step of adoption by resolution on May 5, 2025.
- (i) General powers and duties. The planning commission shall exercise the lawful powers and perform the duties granted to it under the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, and this chapter, including review of site plans, special land uses, planned unit developments, and recommendations on zoning ordinance amendments and zoning map amendments, as applicable.
- (j) Investigations and information. In carrying out its duties, the planning commission may investigate matters within its jurisdiction and may require applicants to furnish such surveys, plans, studies, reports, or other information as may reasonably be necessary for the proper consideration of an application.
- (k) Conditions of approval. When authorized by this chapter and applicable law, the planning commission may impose reasonable conditions on approvals to ensure compliance with applicable standards and to protect the public health, safety, and general welfare. Conditions shall be reasonably related to the subject matter of the approval and to the impacts or standards being considered.
- (l) Limitations on authority. The planning commission shall not change the zoning classification of property except through the recommendation or other action authorized by this chapter and applicable law, and shall not grant variances or exceptions from the requirements of this chapter unless expressly authorized by law.
- ~~(a) In cases where the planning commission is empowered to approve certain use of premises under the provisions of this chapter, the applicant shall furnish such surveys, plans or other information as may be reasonably required by the planning commission for the proper consideration of the matter.~~
- ~~(b) The planning commission shall investigate the circumstances of each such case and shall notify such parties who may, in its opinion, be affected thereby of the time and place of any hearing which may be held relative thereto as required under its rules of procedure.~~
- ~~(c) The planning commission may impose such conditions or limitations in granting approval as may in its judgment be necessary to fulfill the spirit and purpose of this chapter.~~

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- (d) ~~Any approval given by the planning commission, under which premises are not used or a building permit issued within 12 months or when such use or work has been abandoned for a period of 12 months, shall lapse and cease to be in effect.~~
- (e) ~~The planning commission shall not have the power to change the zoning classification of any property, nor to grant exceptions or variances from any terms or requirements of this chapter.~~
- ~~(Ord. of 10-6-03)~~

Sec. 78-386. Reserved.

Sec. 78-387. Conditional rezoning. ~~Reserved.~~

- (a) ~~Intent. It is recognized that there are certain instances where it would be in the best interests of the city, as well as advantageous to property owners seeking a change in zoning classification, that certain conditions could be proposed by property owners as part of a request for rezoning. This is especially true since the city must consider all potential uses which may be made of property when considering a traditional rezoning request, some of which may be inappropriate for a particular piece of property considering items such as, but not limited to, the surrounding land uses, the city master plan, available infrastructure and utilities, and natural features. It is the intent of this section to provide a process consistent with the provisions of section 405 of the Michigan Zoning Enabling Act, Public Act No. 110 of 2006 as amended, MCL 125.3101 et seq., by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.~~
- (b) ~~Application and offer of conditions. An owner of land may voluntarily offer in writing conditions relating to the use and/or development of land for which a conditional rezoning is requested. This offer may be made either at the time the application for conditional rezoning is filed, or additional conditions may be offered at a later time during the conditional rezoning process as set forth below.~~
- (1) ~~General procedure. A request for a conditional rezoning shall be commenced by filing an application with the building department, on the required forms, accompanied by the specified fees. The application and process for considering a conditional rezoning request will be the same as that for considering a rezoning request without any conditions, except as modified by this section. The application shall explicitly describe the proposed conditional rezoning and shall be signed by the owner of the property. Applications for conditional rezoning of a specific site shall be accompanied by a plot plan or survey, as well as a conceptual plan showing the specific proposed use of the property. The conceptual plan shall contain the following details:~~
- ~~a. A scaled map or drawing of the property.~~
 - ~~b. Existing and proposed uses, buildings, and structures.~~
 - ~~c. Proposed parking arrangements and on-site circulation.~~
 - ~~d. Relationship of the site to adjoining parcels.~~
 - ~~e. Proposed landscape screens, walls, or buffers.~~
 - ~~f. Detailed information regarding topography, site engineering, building architecture, or other items not relevant to the zoning decision may be waived by the planning commission.~~
- (2) ~~Pre-application conference. Prior to filing a formal request for a conditional rezoning, and prior to a public hearing, the applicant is encouraged to meet with the city building official, city planning consultant, and other representatives as deemed necessary by the city, to discuss the proposed development. The pre-application conference is intended to be informative and advisory in nature, and~~

affords the applicant the opportunity to discuss the land use and planning policies of the City of Plymouth.

The applicant must present a conceptual plan for the contemplated conditional rezoning at or before the pre-application conference. Any and all statements made by the representatives of the city at the pre-application conference have no legal force and are not legal and binding promises, commitments, or contracts.

- (c) ~~Review procedures. The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which the conditional rezoning is requested.~~

~~(1) Other required approvals by the City of Plymouth.~~

- ~~a. Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of this chapter may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this chapter.~~
- ~~b. Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this chapter may only be commenced if a variance for such use or development is ultimately granted by the zoning board of appeals in accordance with the provisions of this chapter.~~
- ~~c. Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this chapter may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the terms of this chapter.~~

~~(2) Amendment of conditions. The offer of conditions may be amended during the process of conditional rezoning consideration, provided that any amended or additional conditions (other than minor or technical adjustments) are entered voluntarily by the owner, and confirmed in writing. An owner may withdraw in writing all or part of its offer of conditions any time prior to final rezoning action of the city commission provided that, if such withdrawal or change occurs subsequent to the planning commission's public hearing on the original rezoning request, then the rezoning application may be referred back to the planning commission for a new public hearing with appropriate notice and a new recommendation, if such change is deemed to be significant.~~

- ~~(d) Planning commission review. The planning commission, after public hearing and consideration of the factors for rezoning set forth in section 78-380, may recommend approval, approval with recommended changes, or denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the owner in writing.~~
- ~~(e) City commission review. After receipt of the planning commission's recommendation, the city commission shall review the planning commission's recommendation and deliberate upon the requested conditional rezoning, and may approve or deny the conditional rezoning request. If the applicant initiates additional or different conditions not considered by the planning commission subsequent to the recommendation of the planning commission, then the city commission shall refer such proposed additional or different conditions to the planning commission for report thereon within a time specified by the city commission, and the city commission shall thereafter proceed to deny or approve the conditional rezoning.~~
- ~~(f) Approval. If the city commission finds the conditional rezoning request and offer of conditions acceptable, the offer of conditions shall be incorporated into a formal written statement of conditions acceptable to the owner and conforming in form to the provisions of this section. The statement of conditions shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by the city commission to accomplish the requested conditional rezoning. The statement of conditions shall:~~

- (1) ~~Be prepared in a form recordable with the county register of deeds;~~
- (2) ~~Contain a legal description of the land to which it pertains;~~
- (3) ~~Contain a statement acknowledging that the statement of conditions runs with the land, and is binding upon successor owners of the land;~~
- (4) ~~Incorporate by attachment the conceptual plan which formed the basis of the conditional rezoning;~~
- (5) ~~Contain the notarized signatures of all the owners of the property proceeded by a statement attesting to the fact that they are the only parties having an interest in the property, and that they voluntarily offer and consent to the provisions contained within the statement of conditions;~~
- (6) ~~The statement of conditions may be reviewed and approved by the city attorney, with the applicant to pay all costs associated with such review and approval.~~

The approved statement of conditions shall be filed by the owner with the county register of deeds within 30 days after approval of the conditional rezoning. the owner shall provide the city with a recorded copy of the statement of conditions within 60 days of receipt. The city commission shall have the authority to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the recording of the statement of conditions would be of no material benefit to the city or to any subsequent owner of the land; and

Upon the conditional rezoning taking effect, the zoning map shall be amended to reflect the new zoning classification, together with a designation that the land was a conditional rezoning with a statement of conditions. Upon the conditional rezoning taking effect, and after the required recording of the statement of conditions, unless waived, use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the statement of conditions.

- (g) ~~Compliance with conditions. Any person who establishes development or commences a use upon land that has been conditionally rezoned shall continuously operate and maintain the development or use in full compliance with all the conditions set forth in the statement of conditions. Any failure to comply fully with the conditions contained within the statement of conditions shall constitute a violation of this chapter and be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.~~
- (h) ~~Time period for establishing development or use. The approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within 18 months after the effective date by publication of the conditional rezoning action, and must thereafter proceed diligently to completion. This time limitation may, upon written request, be extended by the city commission if:~~
 - (1) ~~It is demonstrated that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion; and~~
 - (2) ~~The city commission finds that there has not been change in circumstances that would render the conditional rezoning with statement of conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.~~
- (i) ~~Reversion of zoning. If the approved development and/or use of the rezoned land does not occur within the time frame specified under subsection (h) above, then the land shall revert to its former zoning classification as set forth in MCL 125.3405(2). The reversion process shall be initiated by the city commission, and proceed pursuant to section 78-380. Reversion to a different zoning classification may also be considered by the city.~~
- (j) ~~Subsequent rezoning of land. When land that is conditionally rezoned with the statement of conditions is thereafter rezoned to a different zoning classification, or to the same zoning classification but with a different or no statement of conditions, whether as a result of a reversion of zoning pursuant to subsection~~

~~(i) above, or upon application of the landowner, or otherwise, the Statement of Conditions imposed under the former zoning classification shall cease to be in effect. Upon the owner's written request, the city clerk shall record with the county register of deeds a notice that the statement of conditions is no longer in effect.~~

~~(k) Amendment of conditions. During the time period for commencement of an approved development or use specified pursuant to subsection (h) above, or during any extension thereof granted by the city commission, the city shall not add to or alter the conditions in the statement of conditions. The statement of conditions may be amended thereafter in the same manner as was prescribed for the original conditional rezoning and statement of conditions.~~

~~(l) City right to rezone. Nothing in the statement of conditions nor in the provisions of this section shall be deemed to prohibit the city from rezoning all or any portion of land that is subject to a statement of conditions to another zoning classification. Any rezoning shall be conducted in compliance with this chapter and the Michigan Zoning Enabling Act, Public Act No. 110 of 2006 as amended, MCL 125.3101 et seq.~~

~~(m) Failure to offer conditions. The city shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect an owner's rights under this chapter.~~

~~(Ord. No. 2012-04, § 16, 11-5-12)~~

Sec. 78-388. Required signage.

- (a) *Required signage.* An applicant requesting a zoning map change, conditional rezoning or PUD shall construct and install a sign indicating the requested change of zoning. City-initiated rezonings involving eleven or more parcels shall be exempt from the signage requirements. The sign shall be installed no less than 15 days prior to the scheduled public hearing. The sign shall be installed on the parcel(s) requested for rezoning and shall be clearly visible from an adjoining roadway. The sign shall not be placed within a public right-of-way, nor shall the sign obstruct clear vision for motorists.

The sign shall comply with the following sign specifications:

- Black letters on white background.
- Size: minimum 4 feet (vertical) by 6 feet (horizontal).
- Signs face must be exterior plywood, aluminum, or similar material.
- Wording shall be as follows:

	This Property is Proposed for Zoning Change	(min. 8" high letters)
	Current Zoning	(min. 3" high letters)
	Proposed Zoning	(min. 3" high letters)
	For more information call:	(min. 3" high letters)
	City of Plymouth	(min. 3" high letters)
	Building Department	(min. 3" high letters)
	(734) 453-1234	(min. 3" high letters)

- Sign support system must be structurally sound and mounted with 4" x4"s or "u" channel steel posts. The posts shall be set in the ground at least 30 inches below the surface. The bottom of the sign shall be no less than three feet above the ground level.

Rezoning or PUD signs shall be removed within:

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- Seven days of action by city commission.
- Seven days of withdrawing rezoning or PUD application.
- Failure to remove sign within this period may result in removal of the sign by the city, following notice and an opportunity to remove the sign, at the owner's expense.

(Ord. No. 2012-04, § 17, 11-5-12)

Sec. 78-389. Traffic impact study.

- (1) A traffic impact study shall be required for projects that would be expected to generate 100 directional vehicle trips (i.e. 100 inbound or 100 outbound trips) during the peak hour of the traffic generator or the peak hour on the adjacent streets. Forecasted trip generation shall be based upon equations/rates outlined in the most recent version of the Institute of Transportation Engineer's (ITE) Trip Generation Manual. The ITE data may be supplemented by actual trip generation data from similar establishments in Michigan. Any supplemental data must be reviewed and approved by the city prior to use in the study analyses.
- (2) The requirement for a traffic study may be appealed to the city zoning board of appeals. Such appeals shall be made in writing and shall be submitted at least ten days prior to a regular meeting of the zoning board of appeals. The appeal may be to waive the requirement or eliminate the need for some of the information required. To receive such a modification, the applicant shall demonstrate that the impacts will be relatively minor and/or the existing infrastructure has ample capacity available.
- (3) An applicant is required to comply with the following procedures and submit the following items of information for a traffic study:
 - (a) The applicant is required to contact the city building official and the traffic engineering consultant prior to preparation of a traffic impact study to discuss available data, extent of study area and inclusion of other projects or growth factors as part of the background conditions.
 - (b) Existing conditions, including daily and peak-hour traffic volumes on adjacent street(s), intersections within the vicinity that are expected to be impacted and a description of any sight distance limitations along the site's frontage.
 - (c) Existing traffic counts shall be taken on a Tuesday, Wednesday or Thursday of nonholiday weeks. Additional counts, i.e., on a Saturday for a proposed commercial development, may also be required. The following times/situations should also be avoided where possible so that the traffic count data would represent a typical day, construction detours in the area, summer days for a site near a school, etc. The firm performing the impact study must make every effort to complete traffic counts during average or higher-than-average volume conditions, i.e., regarding weather or seasonal variations for the area under study. Traffic data between one and two years old will not be accepted unless the applicant can document that volumes have not changed more than two percent. Traffic data older than two years old will not be accepted.
 - (d) Forecasted trip generation of the proposed use shall be provided for the a.m./p.m. peak-hour and average daily traffic generated. The forecasts shall be based on the data and procedures outlined in the Institute for Traffic Engineers (ITE) Trip Generation Manual. The applicant may use other commonly accepted sources of data or supplement the standard data with data from similar projects in Michigan. For rezoning requests when such change represents a departure from the future land use map, the study should contrast the trip generation of typical uses permitted in the requested zoning district with uses permitted in the current zoning district. The determination of typical uses shall be made by the building official.

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- (e) All traffic impact studies will include an analysis of background conditions for the year that the project is to be completed (or in phases if applicable). Background traffic includes historic annual percentage increases and/or acknowledges the traffic impacts of other uses approved or in the review process, but not yet constructed, which may affect traffic operations for roadways and intersections near the subject site, as determined by the city. This may include projects in adjacent communities.
 - (f) The projected traffic generated shall be distributed onto the existing street network to identify expected turning movement volumes at site driveways and nearby intersections and illustrated in the report. A description of the application of standard engineering procedures for determining the distribution shall also be included. The expected trip distribution shall be approved by the building official prior to continuation of the analyses. The assignment of forecasted site traffic shall be clearly illustrated in graphic form in the study report.
 - (g) Capacity analysis at the proposed access points using the procedures outlined in the most recent edition of the Highway Capacity Manual published by the Transportation Research Board shall be provided. "Before" and "after" capacity analyses shall also be performed at all street intersections where the expected project traffic will comprise at least five percent of the existing intersection capacity and/or for roadway sections and intersections experiencing congestion or a relatively high accident rate, as determined by the city, Michigan Department of Transportation, or Wayne County Department of Public Services staff. The "after" analysis shall include a scenario with no improvements and separate analysis for various mitigation options or packages of improvements. Any proposed change to signal timing should include documentation of acceptance by Wayne County staff.
 - (h) Traffic crash data at analyzed intersections covering the past three years shall be summarized in collision diagrams if the segment of roadway adjacent to or near the subject site has experienced crash problems. In addition, data charts including times of day, days of week, crash types, months of year, alcohol or drug involvement, weather, pavement, and light conditions shall be submitted. Raw crash data shall be used for the analysis.
 - (i) The location and design of proposed access for a driveway or new street intersection shall be provided with a map and narrative description. In addition, analysis shall include any sight distance limitations, dimensions from adjacent driveways and intersections within 250 feet and other data to demonstrate that the design and number of proposed driveways are the fewest necessary. The driveway(s) shall provide safe and efficient traffic operation and be in accordance with the standards of this chapter. Proposed driveway design shall include location of signs, signals, and/or pavement markings.
 - (j) The potential need for bypass lanes or deceleration tapers/lanes, including attachment of any correspondence by the Wayne County Department of Public Services.
 - (k) The fire department shall approve the size and location of fire lanes and emergency vehicle access.
 - I. The city may require analysis using a corridor simulation software (i.e., SYNCHRO) rather than an isolated intersection capacity analysis. If such analyses are required, submittals shall include electronic copies of the simulation files.

(Ord. No. 2012-04, § 18, 11-5-12)

~~Secs. 78-390—78-399. Reserved.~~

ARTICLE XXVII-A. ZONING ORDINANCE AMENDMENTS

Sec. 78-390. In general.

All amendments to this chapter or to the zoning map shall be processed in accordance with this article, the public hearing and notice requirements of section 78-377, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. Amendments may be initiated by the city commission, planning commission, city staff, or individual applicants. The planning commission shall review proposed amendments and shall conduct the required public hearing before making its recommendation to the city commission.

(a) An application shall be submitted to the city on forms provided by the same and shall include the information reasonably necessary to evaluate the proposed amendment. The city may require a pre-application conference when applicable and appropriate.

(1) Applicants are encouraged to meet with the community development director and other consultants or representatives as deemed necessary by the city to discuss the proposed development prior to filing a formal request and prior to a public hearing. The pre-application conference is intended to be informative and advisory in nature and affords the applicant the opportunity to discuss the land use and planning policies of the City of Plymouth. The applicant must present a conceptual plan for the contemplated amendment at or before the pre-application conference. Any and all statements made by the city or its representatives at the pre-application conference have no legal force and are not legal and binding promises, commitments, or contracts.

(b) The community development director shall determine whether an application is administratively complete and may request additional information reasonably necessary for review. An application shall not be scheduled for public hearing until the required information and fees have been submitted.

(c) A recommendation of the planning commission shall be transmitted to the city commission together with the findings and reasons supporting the recommendation. Final legislative action on a zoning ordinance amendment or zoning map amendment shall be taken by the city commission.

(d) A period of not less than six months is required between presentation of application for a change applying to a specific parcel, where such petition was denied in the first instance.

Sec. 78-391. Rezoning and map amendments.

(a) A request to change the zoning classification of a specific parcel or parcels shall be submitted as a zoning map amendment. The application shall identify the property, the current zoning classification, the requested zoning classification, the reason for the request, and such supporting information as may be reasonably required by the city.

(b) Following the required public hearing, the planning commission shall evaluate the request and make a recommendation to the city commission. The recommendation may be for approval or denial.

(c) In reviewing a zoning map amendment, the planning commission may consider, among other relevant factors:

(1) Whether the requested zoning is consistent with the City's master plan and future land use policies, including any changes in conditions or development trends since adoption of the plan.

- (2) Whether the property can reasonably be used under the existing zoning.
- (3) Whether adequate sites are available elsewhere that are already zoned to accommodate the proposed use.
- (4) Whether the request would constitute a spot zoning that grants a special privilege to one landowner not available to other similarly situated properties.
- (5) Whether uses permitted in the proposed zoning district would be compatible with surrounding zoning and land uses.
- (6) Whether public services, facilities, traffic flow, natural features, or other public infrastructure would be significantly and adversely impacted by development or uses allowed by the proposed zoning.
- (7) Whether uses allowed by the proposed zoning would be equally or better suited to the area than uses allowed by the current zoning.
- (8) Whether property conditions or values in the city or adjacent communities would be significantly and adversely impacted by development or uses allowed by the proposed zoning.
- (9) Whether the requested zoning change is justified by a change in conditions since the original ordinance was adopted or by an error in the original ordinance.
- (10) Whether approval or denial could establish an undesirable precedent and the possible effects of such precedent.
- (d) The city commission shall consider the planning commission's recommendation and may approve or deny the requested zoning map amendment.

Sec. 78-392. Text amendments.

- (a) A request to amend the text of this chapter shall be submitted as a text amendment. The application shall identify the specific sections proposed to be amended, the proposed text, a statement describing the purpose and rationale for the amendment, and such supporting information as may be reasonably required by the city.
- (b) Following the required public hearing, the planning commission shall evaluate the proposed text amendments and make a recommendation to the city commission. The recommendation may be for approval or denial.
- (c) In reviewing a proposed text amendment, the planning commission may consider consistency with the master plan, the purpose of the zoning ordinance, the relationship of the proposed amendment to other provisions of the ordinance, effects on surrounding properties and districts, and administrative feasibility.
- (d) The city commission shall consider the planning commission's recommendation and may approve or deny the requested text amendment.

Sec. 78-393. Conditional rezonings.

- (a) It is recognized that there are instances where it may be in the best interests of the city and advantageous to a property owner seeking a change in zoning classification for the owner to voluntarily offer conditions relating to the use or development of the property. The purpose of this section is to provide a process consistent with section 405 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, for consideration of a voluntary offer of conditions as part of a rezoning request.
- (b) A request to change the zoning classification of a specific parcel or parcels with conditions shall be submitted as a conditional rezoning. The application shall identify the property, the current zoning classification, the requested zoning classification, the reason for the request, such supporting information as may be

reasonably required by the city, and the voluntarily offered conditions. An owner of land may voluntarily offer conditions in writing relating to the use and/or development of land for which a conditional rezoning is requested. The offer may be made when the application is filed or at a later time during the conditional rezoning process.

- (1) The application and process shall be the same as for a rezoning and map amendment request without conditions except as modified by this section. The application shall explicitly describe the proposed conditional rezoning and shall be signed by the owner.
 - (2) An application for conditional rezoning shall be accompanied by a plot plan or survey and a conceptual plan showing the specific proposed use. The conceptual plan shall include a scaled map of the property; existing and proposed uses, buildings and structures; proposed parking and on-site circulation; the relationship of the site to adjoining parcels; and proposed landscape screens, walls, or buffers. Detailed information regarding topography, site engineering, building architecture, or other items not relevant to the zoning decision may be waived by the planning commission.
- (c) The owner's offer of conditions may not authorize uses or developments not permitted in the requested zoning district and shall bear a reasonable and rational relationship to the property for which the conditional rezoning is requested.
- (1) Any use or development proposed as part of an offer of conditions that requires a special land use permit may be commenced only if the required special land use approval is granted.
 - (2) Any use or development proposed as part of an offer of conditions that requires a variance may be commenced only if the variance is granted by the zoning board of appeals in accordance with this chapter.
 - (3) Any use or development proposed as part of an offer of conditions that requires site plan approval may be commenced only if site plan approval is granted in accordance with this chapter.
 - (4) The offer of conditions may be amended during the review process, provided amended or additional conditions, other than minor or technical adjustments, are voluntarily offered by the owner and confirmed in writing. The owner may withdraw all or part of the offer before final rezoning action by the city commission, subject to any required referral to the planning commission for additional public hearing and recommendation.
- (d) After the required public hearing and consideration of the applicable rezoning factors in section 78-391 (c), the planning commission may recommend approval, approval with recommended changes, or denial of the conditional rezoning. Any recommended changes to the offer of conditions must be acceptable to and offered by the owner in writing.
- (e) The city commission shall review the planning commission's recommendation and may approve or deny the conditional rezoning. If the applicant proposes additional or different conditions after the planning commission has made its recommendation, the city commission may refer the proposed conditions to the planning commission for further review and recommendation.
- (f) If the city commission approves the conditional rezoning, the offer of conditions shall be incorporated into a formal written statement of conditions acceptable to the owner. The statement of conditions shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by the city commission and shall:
- (1) Be prepared in a form recordable with the Wayne County Register of Deeds.
 - (2) Contain a legal description of the land to which it pertains.
 - (3) State that the statement of conditions runs with the land and is binding upon successor owners.
 - (4) Incorporate by attachment the conceptual plan that formed the basis of the conditional rezoning.

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- (5) Contain the notarized signatures of all owners of the property, together with a statement that they are the only parties having an interest in the property and that they voluntarily offer and consent to the conditions.
- (6) Be subject to review by the city attorney when requested by the city, with the applicant responsible for costs associated with such review.
- (g) The owner shall record the statement of conditions with the Wayne County Register of Deeds within 30 days after approval of the conditional rezoning and shall provide the city with a recorded copy within 60 days of receipt. The city commission shall have the authority to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the recording of the statement of conditions would be of no material benefit to the city or to any subsequent owner of the land. Upon the conditional rezoning taking effect, the zoning map shall be amended to reflect the new zoning classification and the conditional nature of the rezoning. The land shall thereafter conform to all requirements of the new zoning district as modified by the more restrictive provisions of the statement of conditions.
- (h) Any person who establishes development or commences a use on conditionally rezoned land shall continuously operate and maintain the development or use in full compliance with the statement of conditions. Failure to comply shall constitute a violation of this chapter. Any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
- (i) The approved development and/or land use shall be commenced within 18 months after the effective date of the conditional rezoning and shall thereafter proceed diligently to completion. The city commission may extend this period upon written request if it is demonstrated that there is a strong likelihood that the development and/or land use will commence within the period of extension and proceed diligently thereafter to completion and the city commission finds that there has not been change in circumstances that would render the conditional rezoning with statement of conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.
- (j) If the approved development and/or use does not occur within the applicable time period of subsection (i), the land shall revert to its former zoning classification as provided by MCL 125.3405. Reversion to a different zoning classification may also be considered by the commission. The reversion process shall be initiated by the city commission and processed in accordance with section 78-391.
- (k) If land that is conditionally rezoned is later rezoned to a different zoning classification, or to the same classification with a different or no statement of conditions, the former statement of conditions shall cease to be effective as provided by law.
- (l) During the time period for commencement of an approved development or use, or any extension thereof, the statement of conditions shall not be amended. Thereafter, the statement of conditions may be amended in the same manner as the original conditional rezoning.
- (m) Nothing in a statement of conditions nor in the provision of this section shall prohibit the city from rezoning land subject to a statement of conditions to another zoning classification. Any such rezoning shall comply with this chapter and the Michigan Zoning Enabling Act, Public Act No. 110 of 2006 as amended.
- (n) The city shall not require an owner to offer conditions as a prerequisite to consideration of a rezoning request. The absence of an offer of conditions shall not affect the owner's rights under this chapter.

78-394. to 399. Reserved.

Quick Zoning Ordinance Update – Last Updated August 13, 2026

Based on the Planning Commission workbooks and discussion, the items below from the Zoning Audit are included in a quick Zoning Ordinance update. The page numbers after each task refer to the page number of the [Zoning Audit Report and Implementation](#) which was last updated in February 2026.

Update the Schedule of Regulations to specifically define a zero foot minimum front yard setback and 12 foot maximum setback for the B-2 District. *Page 3.*

- [Sec. 78-190](#)
- Introduction to Sub-Committee 7/13/2026

Make the following changes to comply with state laws, federal laws, and case law:

1. Change the notice requirements for special land use to not less than 15 days before the date of the hearing. *Page 15.*

• SEC. 78-281 • Introduction to Sub-Committee 6/23/2025 • Discussed by Sub-Committee 9/22/2025 • Discussed by Sub-Committee 10/27/2025 • Introduced to Planning Commission 11/12/2025	• Public Hearing 12/10/2025 • First reading by City Commission 2/2/2026 • Second reading by City Commission 2/17/26 • Published 2/25/2026 • Effective 2/26/2026
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2. Update Section 78-377 by changing item (c) to state that “Public hearings for an amendment to this title, or the zoning map, that affects more than ten ***adjacent*** properties shall only require notice in a newspaper”, with the added text in bold, italicized font. *Page 15.*

• SEC. 78-377 • Introduction to Sub-Committee 6/23/2025 • Discussed by Sub-Committee 9/22/2025 • Discussed by Sub-Committee 10/27/2025 • Introduced to Planning Commission 11/12/2025	• Public Hearing 12/10/2025 • First reading by City Commission 2/2/2026 • Second reading by City Commission 2/17/26 • Published 2/25/2026 • Effective 2/26/2026
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3. Amend Section 78-406 for Notices for the Zoning Board of Appeals to reference the not less than 15-day window by mail and in the newspaper. *Page 15.*

• SEC. 78-406 • Introduction to Sub-Committee 6/23/2025 • Discussed by Sub-Committee 9/22/2025 • Discussed by Sub-Committee 10/27/2025 • Introduced to Planning Commission 11/12/2025	• Public Hearing 12/10/2025 • First reading by City Commission 2/2/2026 • Second reading by City Commission 2/17/26 • Published 2/25/2026 • Effective 2/26/2026
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4. Update regulations in Section 78-296 for religious institutions to comply with the Religious Land Use and Institutionalized Persons Act (RLUIPA), by eliminating specific landscaping requirements, confirming with the City Attorney that religious institutions cannot occupy a portion of a multi-tenant building, and examine allowance of meeting halls, private clubs and related services in the O-1 and B-3 zoning districts. *Page 24.*
 - Anticipate introduction to Sub-Committee in _____
5. Consult with the City Attorney as to whether the Child Care Center and Group Day Care homes with an annual compliance permit is allowed and whether the current regulations for these uses comply with state licensing requirements and the Americans with Disabilities Act. *Page 24.*
 - Anticipate introduction to Sub-Committee in _____

Change outdated references:

6. Change the reference when uses are required to “be located only on major or collector thoroughfares as designated in the city's master plan” to major arterials and major collectors on the National Functional Classification designation, maintained by the State of Michigan. *Page 15.*
 - **SEC. 78-42, 78-52, 78-181**
 - Introduction to Sub-Committee 6/23/2025
 - Discussed by Sub-Committee 9/22/2025
 - Discussed by Sub-Committee 10/27/2025
 - Introduced to Planning Commission 11/12/2025
 - Public Hearing 12/10/2025
 - First reading by City Commission 2/2/2026
 - Second reading by City Commission 2/17/26
 - Published 2/25/2026
 - Effective 2/26/2026
7. Convert Section 78-133 – Uses Prohibited into performance standards or a required sign off from the Fire Department. *Page 17.*
 - **SEC. 78-133**
 - Introduction to Sub-Committee 7/28/2025
 - Discussed by Sub-Committee 9/22/2025
 - Discussed by Sub-Committee 11/19/2025
 - Introduced to Planning Commission 12/10/2025
 - Public hearing 1/14/2026
 - First reading by City Commission 2/17/2026
 - Second reading by City Commission 3/2/2026
 - Published 3/12/2026
 - Effective 3/13/2026
8. Update inconsistent or improper terms including: “special land use” instead of “special use”; “Michigan Department of Environment, Great Lakes, and Energy” or “EGLE” instead of “Michigan Department of Environmental Quality” or “MDEQ”; “religious institution” instead of “church”; and “Community Development Director” instead of “Building Official”, in most instances. *Page 25.*
 - **Special land use: SEC. 78-92, 78-102, 78-112, 78-161, 78-181, 78-216, 78-261, 78-281, 78-282, 78-295, 78-333**
 - **EGLE: SEC. 78-202, 78-313, 78-314**
 - **Religious institution: SEC. 78-21, 78-42, 78-52, 78-62, 78-71, 78-161, 78-163, 78-181, 78-204, 78-242, 78-270, 78-271, 78-282, 78-296, 78-333**
 - Introduction to Sub-Committee 7/28/2025
 - Discussed by Sub-Committee 9/22/2025
 - Discussed by Sub-Committee 11/19/2025
 - Introduced to Planning Commission 12/10/2025
 - Public hearing 1/14/2026
 - First reading by City Commission 2/17/2026
 - Second reading by City Commission 3/2/26
 - Published 3/12/2026
 - Effective 3/13/2026
 - Please note that the change from “Building Official” to “Community Development Director” is anticipated to be introduced in _____.
9. Change “tavern” in Section 78-111 – Principal uses permitted in the B-3 Zoning District to “bar/lounge” since tavern is not used elsewhere. *Page 26.*
 - **SEC. 78-111**
 - Introduction to Sub-Committee 6/23/2025
 - Discussed by Sub-Committee 9/22/2025
 - Discussed by Sub-Committee 10/27/2025
 - Introduced to Planning Commission 11/12/2025
 - Public Hearing 12/10/2025
 - First reading by City Commission 2/2/2026
 - Second reading by City Commission 2/17/26
 - Published 2/25/2026
 - Effective 2/26/2026

Allow for modern uses:

10. Allow for e-commerce options in the B-1, B-2, ARC and MU Zoning Districts. In those zoning districts, the principal use allowing similar uses has a restriction that, "All businesses establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail from the premises where produced." The last sentence could be construed to not allow e-commerce to be part of the business. *Page 18.*
- **SEC. 78-91, 78-101, 78-182**
 - Introduction to Sub-Committee 6/23/2025
 - Discussed by Sub-Committee 9/22/2025
 - Discussed by Sub-Committee 10/27/2025
 - Introduced to Planning Commission 11/12/2025
 - Public Hearing 12/10/2025 – Postponed
 - Please note that updating language for e-commerce in the ARC District is currently in discussion with Plymouth Township and will continue into 2026.
 - Recommended to City Commission 1/14/2026
 - First reading by City Commission 3/2/2026
 - Second reading by City Commission 3/16/26
 - Published X/X/2026
 - Effective X/X/2026

Eliminate suburban standards:

11. Decrease large minimum lot sizes and setbacks for specific uses: private non-commercial recreational areas, institutional or community recreation centers or non-profit swimming pool clubs; universities; hospitals; convalescent or nursing homes; and religious institutions. *Page 19.*
- *Sec. 78-42, Sec. 78-52, Sec. 78-62, 78-296*
 - Introduction to Sub-Committee 8/18/2025
 - Discussed by Sub-Committee 9/22/2025
 - Discussed by Sub-Committee 12/17/2025
 - Introduced to Planning Commission 1/14/2026 – postponed 78-62
 - Public hearing for Sec. 78-42, 78-52, and 78-296 3/11/2026
 - First reading by City Commission 4/6/2026 – postponed

Streamline and clarify processes:

12. Consider allowing instances where a plot plan, instead of a full site plan application, could be submitted. For instance, the re-use of an existing building for special land use likely would not necessitate the level of detail required for a site plan application. *Page 24.*
- Sec. 78-247 through 78-248
 - Introduction to Sub-Committee 8/18/2025
 - Discussed by Sub-Committee 9/22/2025
 - Discussed by Sub-Committee 1/26/2026
 - Discussed by Sub-Committee 8/17/2026
13. List those special uses which require site plan review in Article XX.
- Discussed by Sub-Committee 8/17/2026
14. Place amendment regulations in its own article with specific standards and process descriptions. Specific sections would include in general, rezonings (map amendments), text amendments and conditional rezonings. *Page 25.*
- Sec. 78-424 through 78-427
 - Introduction to Sub-Committee 8/18/2025
 - Discussed by Sub-Committee 9/22/2025
 - Discussed by Sub-Committee 1/26/2026
 - Discussed by Sub-Committee 8/17/2026
15. Pivot section 78-385 to a description of planning commission powers, duties and responsibilities, as enabled by state law. This section should include: the number of and process for appointing Planning Commission members,

officers, bylaws, meetings, annual report, compliance with the Open Meetings Act, and preparation of a Master Plan. *Page 25.*

- Discussed by Sub-Committee 8/17/2026

16. Include the Planning Commission's ability to investigate, require information, place conditions and the time limitation of their approval into regulations for site plan, special land use and nonconformance approvals. *Page 25.*

- Discussed by Sub-Committee 8/17/2026

Update definitions:

17. Review all definitions for consistent usage, including "average grade" and "usable floor area." *Page 26.*

- Anticipate introduction to Sub-Committee in _____

18. Review definitions such as "nuisance" to match, where appropriate, those in other City ordinances, with the assistance of the City Attorney. *Page 26.*

- Anticipate introduction to Sub-Committee in _____

19. Update all definitions for modern understanding. For instance, "video rental establishments" could be consolidated into a service use or eliminated. *Page 26.*

- Anticipate introduction to Sub-Committee in _____

20. Remove regulatory language from definitions where possible, such as removing the reference to "one-story" in the convenience grocery store definition and "separated from each other by a "firewall" from the townhome/rowhouse definition. *Page 26.*

- Introduction to Sub-Committee 6/23/2025
- Discussed by Sub-Committee 9/22/2025
- Discussed by Sub-Committee 10/27/2025
- Introduced to Planning Commission 11/12/2025

- Public Hearing 12/10/2025
- First reading by City Commission 2/2/2026
- Second reading by City Commission 2/17/26
- Published 2/25/2026
- Effective 2/26/2026

21. Remove definitions not used outside of Article II: billboard, delicatessen, mechanical amusement device, rooming house, mobile home park/manufactured home community (due to exceptions per state law for this use, consultation with the City Attorney is recommended). *Page 26.*

- Introduction to Sub-Committee 6/23/2025
- Discussed by Sub-Committee 9/22/2025
- Discussed by Sub-Committee 10/27/2025
- Introduced to Planning Commission 11/12/2025

- Public Hearing 12/10/2025
- First reading by City Commission 2/2/2026
- Second reading by City Commission 2/17/26
- Published 2/25/2026
- Effective 2/26/2026

22. Use graphics to simplify definitions when possible. *Page 26.*

- Anticipate discussion by Sub-Committee in _____

Improve organization and navigability:

23. Consolidate all fence regulations into a single place, with the fence section of the Zoning Ordinance or the City's Fence Ordinance. *Page 26.*

- Introduction to Sub-Committee 7/28/2025
- Discussed by Sub-Committee 9/22/2025
- Discussed by Sub-Committee 11/19/2025
- Introduced to Planning Commission 12/10/2025
- Public hearing 1/14/2026
- Discussed by Sub-Committee 2/24/2026
- Discussed by Sub-Committee 3/23/2026
- Discussed by Sub-Committee 4/13/2026
- Discussed by Sub-Committee 6/1/2026
- Introduction to Planning Commission 6/10/2026
- Public hearing 7/15/2026

24. Consolidate the "Vested Right" sections in Article I and Article XXVII. *Page 26.*

- SEC. 78-6, 78-386
- Introduction to Sub-Committee 7/28/2025
- Discussed by Sub-Committee 9/22/2025
- Discussed by Sub-Committee 11/19/2025
- Introduced to Planning Commission 12/10/2025
- Public hearing 1/14/2026
- First reading by City Commission 2/17/2026
- Second reading by City Commission 3/2/2026
- Published 3/12/2026
- Effective 3/13/2026

~~25. Examine and update setbacks for generator location requirements in Section 78-217 — Projections into setbacks, based on recent variance requests.~~

26. Update the Intent of the B-2 Zoning District to reflect the description of the Central Business District Future Land Use Category in the Master Plan. *Page 16.*

- SEC. 78-100
- Introduced to Sub-Committee 1/28/2026
- Introduced to Planning Commission 2/11/2026
- Public hearing 3/11/2026
- First reading by City Commission 4/6/2026 – postponed
- First reading by City Commission 4/20/26
- Second reading by City Commission 5/4/26
- Published 5/13/2026
- Effective 5/14/2026