

# CITY OF PORTAGE PLANNING COMMISSION

## AGENDA

Thursday, April 17, 2025  
7:00 PM

Portage City Hall Council Chambers

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### APPROVAL OF MINUTES:

- \* 1. Meeting Minutes dated March 20, 2025

### PUBLIC HEARINGS

### SITE/FINAL PLANS:

### OLD BUSINESS:

### NEW BUSINESS:

- \* 1. Presentation by Kendig Keast Collaborative: Zoning and Development Regulations Critique  
– Portage Unified Development Ordinance

### STATEMENT OF CITIZENS:

### ADJOURNMENT:

Star (\*) indicates printed material within the agenda packet.

# CITY OF PORTAGE PLANNING COMMISSION

Thursday, March 20, 2025  
7:00 PM Portage  
Portage City Hall Council Chamber

The City of Portage Planning Commission meeting of March 20, 2025, was called to order by Chair Corradini at 7:00 p.m.

## IN ATTENDANCE

- Peter Dame, Chief Development Officer
- Eric Feldt, Senior City Planner
- Catherine Kaufman, City Attorney

## ROLL CALL

Staff called the roll: Chairman Corradini (yes); Vice Chair Baldwin (yes); Secretary Freiman (yes), Adams (yes); Copp (no); Joshi (yes); Fries (yes); Youngs (yes); and Crowell (yes). 8-Present; 1-Absent.

Motion by Vice Chair Baldwin, seconded by Commissioner Fries, to approve the excused commissioners. Motion carried 8-0.

## APPROVAL OF MINUTES

1. Meeting Minutes dated February 6, 2025

Motion by Commissioner Youngs, seconded by Commissioner Adams to approve February 6th, 2025, meeting minutes as submitted. Motion carried 8-0.

## PUBLIC HEARINGS

1. A Special Land Use Permit and Site Plan for establishing an indoor entertainment facility at 6780 S. Westnedge Avenue.

Mr. Feldt provided a presentation that outlined the Special Land Use Permit and Site Plan including project details, site area, drawings, background, maps, floor layouts, site pictures, the review standards, permitting process, and analysis. He also stated that the required public noticing and the applicant's neighborhood meeting had been completed. Mr. Feldt stated that staff has not received any comments about this project. He concluded the presentation with the recommended action of approving the Special Land Use Permit and Site Plan for establishing an indoor entertainment facility (Zap Zone) at 6780 S. Westnedge Avenue with a condition that the applicant shall submit to the City for review and approval an engineering consultant's report of all deteriorating conditions of the parking lot and walkways, and include methods of correction consistent with City Code Sec. 42-521, 2021 IPMC Sec. 302, 3., and 2015 IFC 503.2.3. The report shall be submitted to the City for review and the final scope of work on the parking lots must be approved by the City. All work on the parking lots and walkways must be done, inspected, and accepted by the end of 2025.

Mike Hafez, representing the applicant, and four other members of his team, explained the history of Zap Zone, the concept, and facility amenities. He also addressed staff's condition and the maintenance of the parking lot.

Chair Corradini asked the applicant about satisfying the condition's timeline.

Mr. Hafez stated that it would be met and likely completed prior to opening, with an opening time in early Fall of 2025.

Commissioner Fries asked about the other drives serving the Crossroads Mall. Mr. Hafez stated that the drives are managed by the owner of Crossroads Mall. And, there are discussions with the City of Portage on this matter.

Chair Corradini opened the public hearing.

No public comments were received.

Commissioner Joshi, seconded by Vice Chair Baldwin, motioned to close the public hearing.

Motion by Chair Corradini, supported by Commissioner Adams, to approve the Special Land Use Permit and Site Plan for establishing an indoor entertainment facility (Zap Zone) at 6780 S. Westnedge Avenue with a condition that the applicant shall submit to the City for review and approval an engineering consultant's report of all deteriorating conditions of the parking lot and walkways, and include methods of correction consistent with City Code Sec. 42-521, 2021 IPMC Sec. 302, 3., and 2015 IFC 503.2.3. The report shall be submitted to the City for review and the final scope of work on the parking lots must be approved by the City. All work on the parking lots and walkways must be done, inspected, and accepted by the end of 2025.

Upon voice vote, motion carried 8-0.

#### **SITE/FINAL PLANS**

None.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

None.

#### **STATEMENT OF CITIZENS**

None.

#### **STATEMENT OF COMMISSIONERS/ STAFF**

Chair Corradini welcomed the new Commissioner Crowell.

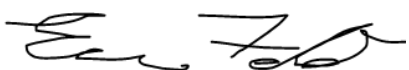
Various Commissioners discussed the new City of Portage Boards/Committee attendance policy. Chair Corradini summarized the policy. Mr. Dame provided clarifying comments about the policy.

Commissioner Joshi encouraged the public to submit applications to be on the Planning Commission for upcoming Council meetings.

#### **ADJOURNMENT**

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 7:52p.m.

Respectfully submitted,



Eric Feldt  
Senior City Planner

**TO:** Planning Commission

**DATE:** April 17, 2025

**FROM:** Peter Dame, Chief Development Officer

**SUBJECT:** Zoning and Development Regulations Critique – Portage Unified Development Ordinance

## **I. INTRODUCTION:**

The City of Portage is undertaking a comprehensive update to consolidate and streamline zoning, subdivision, and land use regulations in a Unified Development Ordinance (UDO). This effort marks the first known comprehensive overhaul of Portage's zoning code since the city's incorporation in 1963. A major goal of the project is to ensure alignment of the City's zoning code with the recently adopted Forward Together 2045 Master Plan. Additionally, this effort will address housing shortages in the City of Portage and promote housing development in the city as called for in the Master Plan. This includes providing methods to allow mixed-use development projects that include housing in designated commercial areas such as the City Centre and Crossroads Mall Area redevelopment areas. Leading this project is Kendig Keast Collaborative (KKC), a nationally-recognized zoning and planning firm. A local Technical Committee made up of local stakeholders has been formed to further assist in the details of the project throughout the process.

## **II. BACKGROUND INFORMATION:**

This project got underway in January with three days of stakeholder and resident focus groups, one-on-one interviews, and public meetings including presentations by KKC to the City Council and Planning Commission. KKC will be back in Portage on April 16 and 17, 2025 to present its critique of the existing ordinances to the project's Technical Committee. They will also present their findings at the April 17 Planning Commission meeting to the Planning Commission and public.

After the April visit and receipt of input and comments, KKC will begin writing new and revising the zoning code standards and regulations that govern development in Portage. The first phase will focus on implementing the goals of the Master Plan adopted in August of 2024 particularly related to housing. Those modifications will be presented to the Planning Commission and City Council for recommendation and consideration for adoption later this year. Other sections of the existing ordinances will be rewritten or revised, focused more on procedural matters, after the first phase and targeted for adoption in May 2026. There will be milestone public presentations and opportunities for input prior to consideration for adoption.

## **III. ANALYSIS:**

## **IV. RECOMMENDATION:**

**Attachments:**

1. Zoning and Development Ordinance Critique\_PC\_Presentation\_04.17.25



# PORTAGE, MICHIGAN

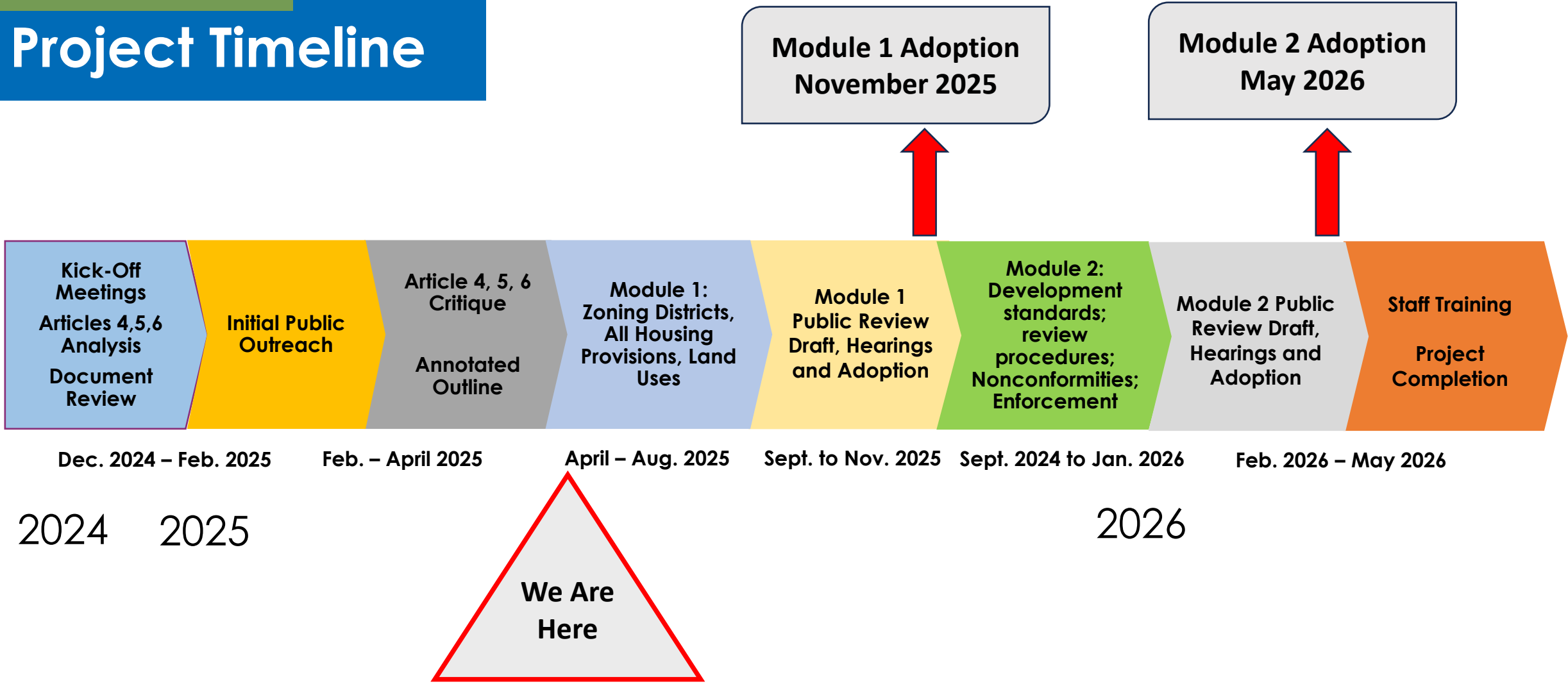
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## **Critique of Existing Ordinances** Unified Development Ordinance Update

Bret Keast, AICP, CEO/Owner  
Marya Morris, FAICP, Project Manager  
Steve Sizemore, AICP, Deputy Project Manager

April 17, 2025

# Project Timeline



# How We Conducted this Critique

## Code Analysis

Deep analysis of the existing standards and regulations.

## City Council & Planning Commission Input

Substantive input and priority setting

## Focus groups, one-on-one meetings

Detailed insights and input on what's working and what isn't with existing zoning regulations and procedures

## Our Expertise

Current practice in comparable cities;  
Available approaches

## Document Review

Staff's spreadsheet of needed revisions;  
State best practices

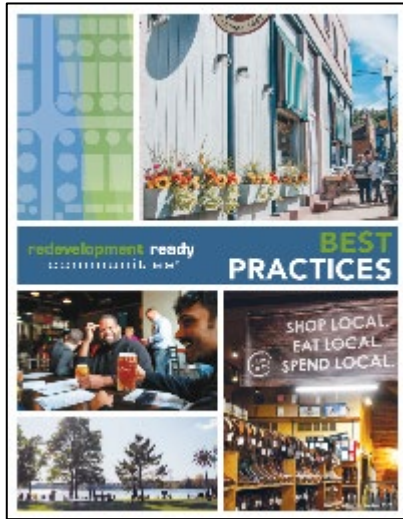
**FINDINGS**

## Plan / Policy Matrix

Matched all goals in Master Plan 2045, other plans with necessary zoning changes.

# How We Conducted this Critique

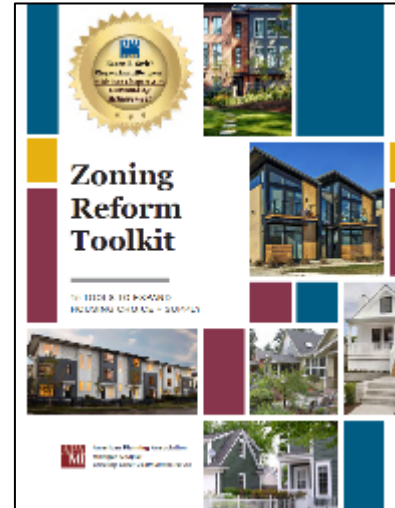
This critique includes KKC's review and consideration from a variety of inputs, including the following:



## ***MEDC Redevelopment Ready Communities Best Practices***

Provides guidance on:

- Plans and Engagement
- Updating Zoning Districts
- Development review
- Boards and commissions
- Economic development/marketing



## ***Michigan APA Zoning Reform Toolkit***

Provides guidance on:

- Updating Zoning Districts
- Building and site design
- Efficient Procedures



Provides recommendations on:

- Updating Zoning Districts
- Planned Developments
- Land uses
- Procedures
- Parking/Site Development
- Development plans and procedures

# Project Priorities

## Priority 1: Align new Unified Development Ordinance with 2045 Master Plan.

**Goal 1A.** Revise zoning districts to align with Future Land Use Plan.

**Goal 1B.** Expand the list of permitted housing types in new and some existing zoning districts.

**Goal 1C.** Clarify Land Uses and Update Use Regulations .

**Goal 1D.** Direct higher density, mixed use development to Crossroads area, City Centre, and key nodes.

**Goal 1E.** Update development standards to improve design and functionality.

**Goal 1F.** Adopt sustainable and conservation development practices.

**Goal 1G.** Streamline development review procedures.

## Priority 2: Create a well-organized, user-friendly and legally compliant ordinance.

# Priority 1:

## Align the new UDO with 2045 Master Plan Goals

Goal Area	Unified Development Ordinance Approach
<b>Housing and Neighborhoods</b>	Expand permitted housing types; Amend zoning districts and lot standards to enable smaller lots and units; use regulations to minimize incompatibility between single-family neighborhoods and new development; reduce reliance on PDs by improving base zoning standards, enable appropriate infill and low-density multifamily.
<b>Economic Development</b>	Revise zoning districts in commercial corridors to create mixed use nodes; Target the Crossroads and City Centre districts for increased residential density; Use Lake Center Mixed Use District as a framework for new mixed use zones.
<b>Livability and Sustainability</b>	Establish new Conservation Neighborhood option that permits density increases in exchange for open space or amenities; Create Sustainability Index with a menu of beneficial actions and elements, e.g., native landscaping; tree canopy standards; renewable energy fixtures, e.g., solar panels, EV chargers.
<b>Open Space and Environment</b>	Add minimum parkland and open space requirements; Update natural resource protection standards
<b>Transportation and Mobility</b>	Update access management standards; Require new development to connect to existing streets, sidewalks, and trails; Require sidewalks in new residential development; Accommodate alternative modes in street design standards.



# Goal 1A:

## Revise Zoning Districts to Align with Future Land Use Map

Future Land Use	Existing Districts	Proposed Districts	Lot Area	Existing Density	Open Space	Proposed Density	Comment
<b>RESIDENTIAL DISTRICTS</b>							
Single Family Residential	N/A	R-E, Residential Estate	40,000 sf	1.00	0%	1.00	➤ The Estate district may be added if there is a potential demand or if the remaining developable area is without water/sewer
	R-1D		28,000 sf	1.40	15%	1.20	
	R-1A-C		15,000 sf	2.50	40%	1.45	
	R-1C	R-1, Residential Single Family	12,000 sf	3.15	10%	2.80	<ul style="list-style-type: none"> <li>Retired Districts – no future rezoning</li> <li>Apply Neighborhood Conservation Standards to facilitate reinvestment</li> <li>Consolidate R-1A, R-1B and R-1C</li> <li>One family attached and two-family dwellings</li> </ul>
	R-1B		9,600 sf	3.15	20%	3.00	
	R-1A		7,800 sf	4.70	30%	3.10	
	R-1T		6,000 sf.	6.55	40%	3.65	

Without Sewer & Water

With Sewer & Water

### Key Plan Policies:

- **8.1 Incorporate open space** for new residential development to increase access to parks/recreation within neighborhoods, especially in the areas north of the Moors Golf Club and south of West Lake.
- **11.3** Improve stormwater management and water quality through **sustainable development practices** and the inclusion of green infrastructure low impact design in areas to reduce environmental impacts of development.
- **12.1** Consider adopting **conservation design policies** for new development to preserve the natural features of a site and promote density neutral design.

# Goal 1A:

## Revise Zoning Districts to Align with Future Land Use Map

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<b>RESIDENTIAL DISTRICTS</b>							
Single Family Residential	N/A	R-E, Residential Estate	40,000 sf	1.00	0%	1.00	• Large lot option
	R-1D		28,000 sf	1.40	15%	1.20	• Cluster option (20% bonus density)
	R-1A-C		15,000 sf	2.50	40%	1.45	• Conservation option (45% bonus density)
	R-1A	R-1, Residential Single Family	15,000 sf	2.50	0%	2.50	• Consolidate R-1A, R-1B and R-1C
	R-1B		12,000 sf	3.15	10%	2.80	• Retired Districts – no future rezoning
	R-1C		7,800 sf	4.70	30%	3.10	• <b>Apply Neighborhood Conservation Standards to facilitate reinvestment</b>
	R-1T		6,000 sf.	6.55	40%	3.65	• One family attached and two-family dwellings

### Neighborhood Conservation Standards (applicable to established neighborhoods):

- Purpose is to allow home improvements by-right to encourage reinvestment without variances
- Objective standards and allowable improvements are described and may be approved administratively
- Examples:
  - Reduced rear yard setback from 40' to 25' for 50% of rear building elevation
  - Front yard encroachment for a porch or patio
  - One-time increase in maximum lot coverage



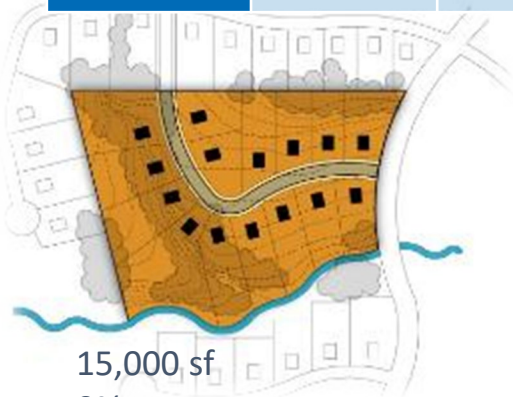
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## Revise Zoning Districts to Align with Future Land Use Map

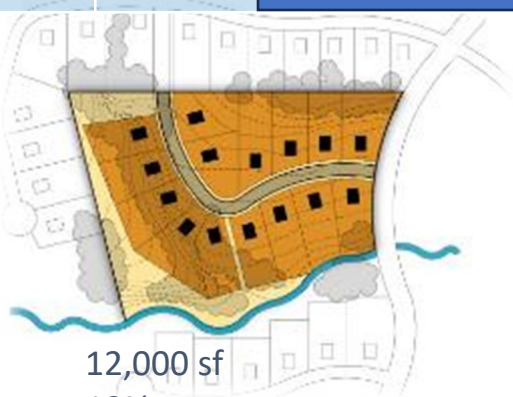
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	R-1A-C		15,000 sf	2.50	40%	1.45	• Conservation option (45% bonus density)
	R-1A	<b>R-1, Residential Single Family</b>	15,000 sf	<ul style="list-style-type: none"> <li>➤ 20% lot area reductions with sewer and water per "Subdivision and Open Space Plans" (Sec. 42-350)</li> <li>➤ Lot areas consistent with R-1A, R-1B, R-1C, R-1D and R-1T with and without water and/or sewer</li> </ul>			
	R-1B		12,000 sf				
	R-1B		9,600 sf				
	R-1C		7,800 sf				
	R-1T		6,000 sf.				

Without Sewer & Water

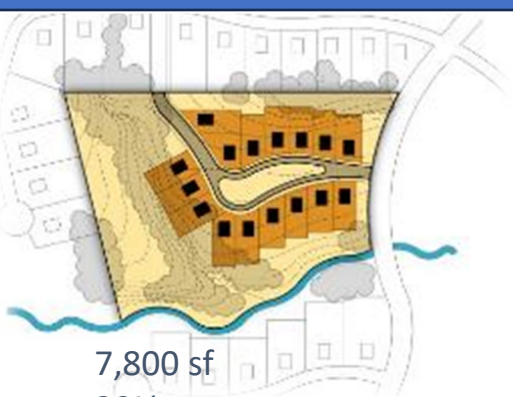
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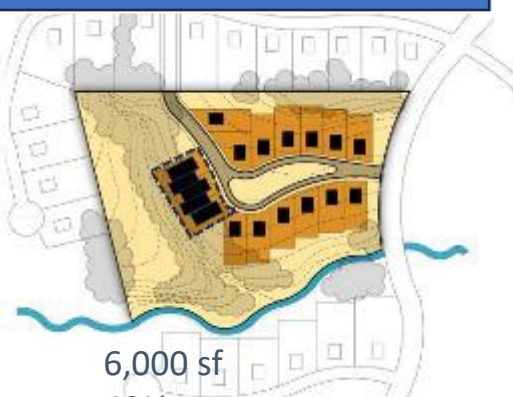
15,000 sf  
0% open space  
15 dwelling units



12,000 sf  
10% open space  
16 dwelling units (10% bonus)



7,800 sf  
30% open space  
19 dwelling units (20% bonus)



6,000 sf  
40% open space  
21 dwelling units (20% bonus)

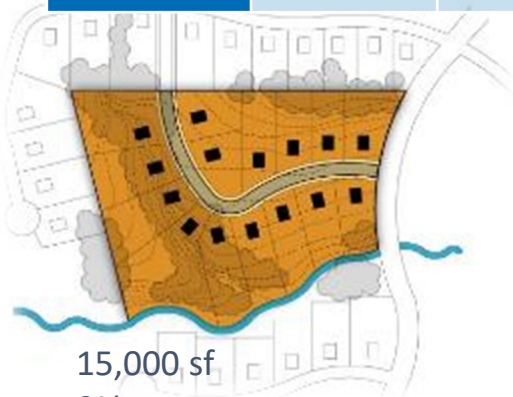
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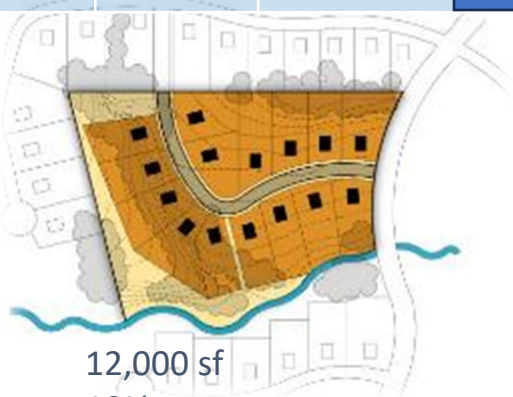
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	R-1A	<b>R-1, Residential Single Family</b>	15,000 sf	2.50	➤ Densities without compensating open space		
	R-1B		12,000 sf	3.15			
	R-1B		9,600 sf	3.80			
	R-1C		7,800 sf	4.70			
	R-1T		6,000 sf.	6.55			

Without Sewer & Water

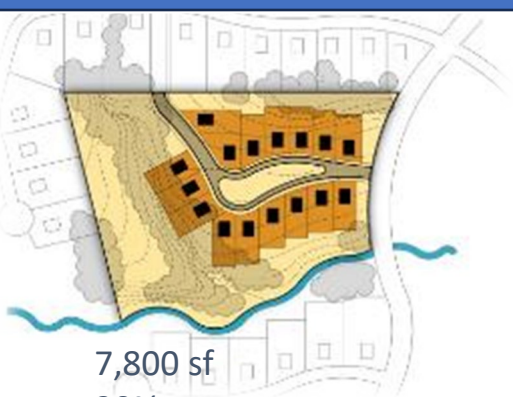
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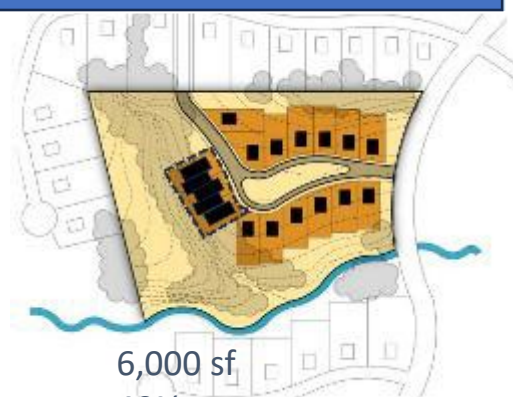
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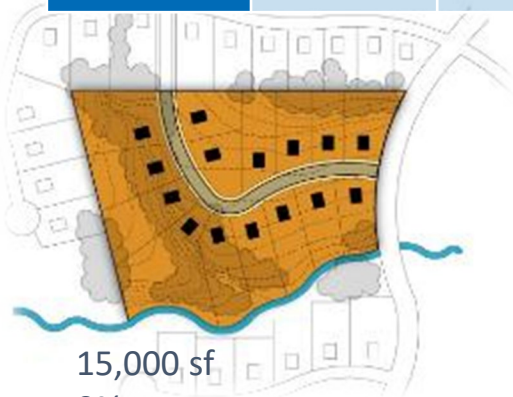
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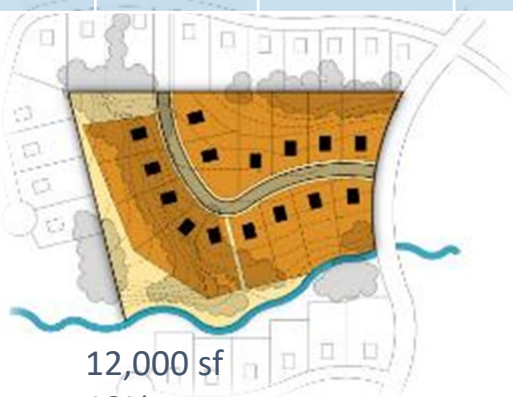
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	R-1A	<b>R-1, Residential Single Family</b>	15,000 sf	2.50	0%	2.50	<ul style="list-style-type: none"> <li>➤ Density neutral open space percentages</li> <li>➤ Required by "Subdivision and Open Space Plans" (Sec. 42-350)</li> </ul>
	R-1B		12,000 sf	3.15	19%	2.50	
	R-1B		9,600 sf	3.80	31%	2.50	
	R-1C		7,800 sf	4.70	42%	2.50	
	R-1T		6,000 sf.	6.55	57%	2.50	

Without Sewer & Water

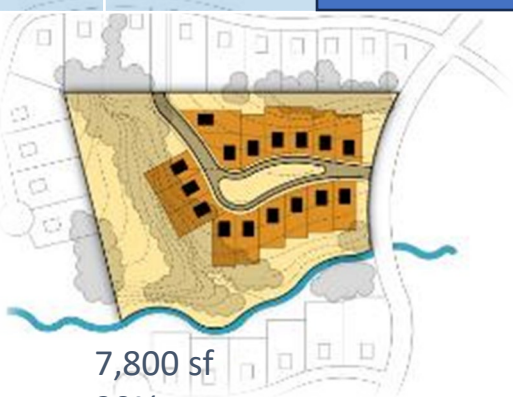
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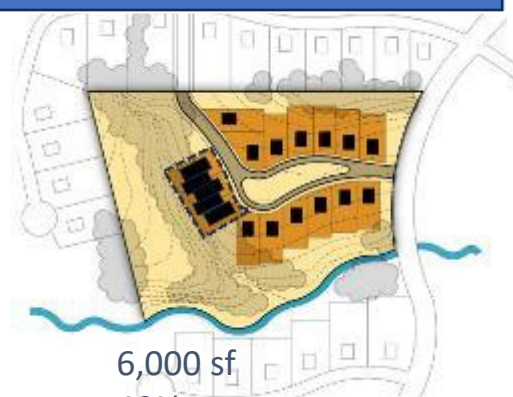
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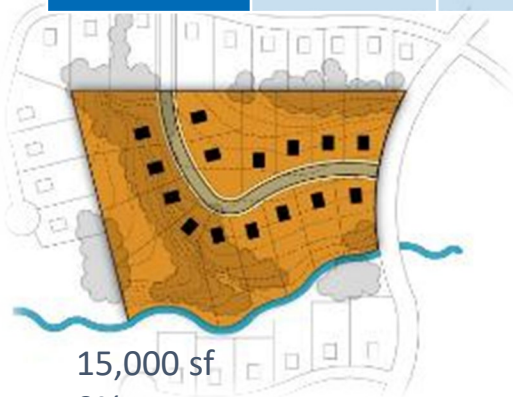
# Goal 1A:

## Revise Zoning Districts to Align with Future Land Use Map

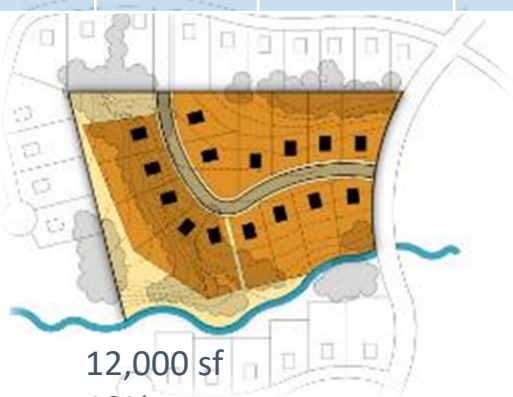
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	R-1A-C		15,000 sf	2.50	40%	1.45	• Conservation option (45% bonus density)
	R-1A	R-1, Residential Single Family	15,000 sf	2.50	0%	2.50	<ul style="list-style-type: none"> <li>➤ Open space percentages providing bonus densities (Sec. 42-350)</li> <li>➤ Recommended approach</li> </ul>
	R-1B		12,000 sf	3.15	10%	2.80	
	R-1B		9,600 sf	3.80	20%	3.00	
	R-1C		7,800 sf	4.70	30%	3.10	
	R-1T		6,000 sf.	6.55	40%	3.65	

Without Sewer & Water

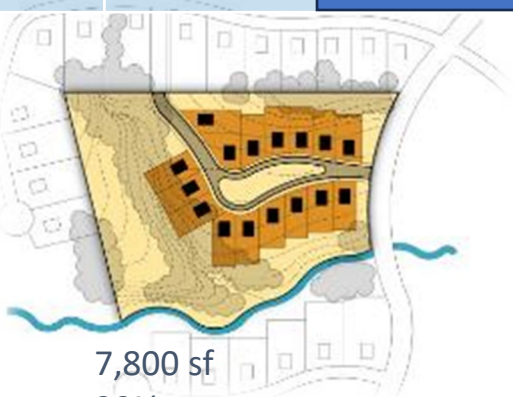
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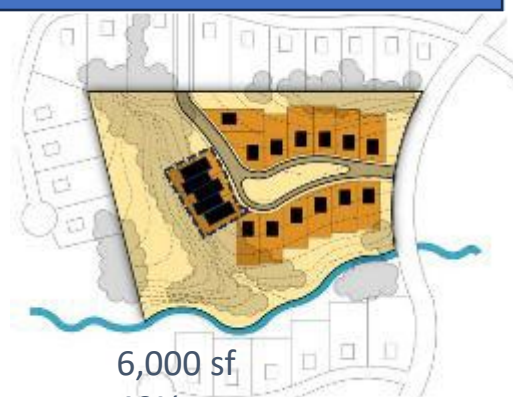
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6,000 sf  
40% open space  
21 dwelling units (20% bonus)

# Illustrative Example Single-Family Detached Cluster



**Development Summary**

Traditional SFD Area

	50' to 60' x 110' - 103 d.u.
	60' to 70' x 110' - 303 d.u.
	70' to 80' x 110' - 85 d.u.

# Goal 1A:

## Revise Zoning Districts to Align with Future Land Use Map

Future Land Use	Existing Districts	Proposed Districts	Lot Area	Existing Density	Open Space	Proposed Density	Comment
<b>RESIDENTIAL DISTRICTS</b>							
Mixed Residential	R-1T	RM, Residential Mixed	6,000 sf	6.55	10%	6.00	➤ Single-family detached unit
			6,000 sf	18.25	20%	13.30	➤ Four single-family attached units (townhomes)
	1,100 sf		30.30	25%	➤ Increased open space provides for: <ul style="list-style-type: none"> <li>• Separation between single-family detached/attached units</li> <li>• Buffering from adjacent districts and uses</li> <li>• Amenity and recreation space for tenants</li> </ul>		
	900 sf		35.25	25%			
	700 sf		42.15	25%			
	500 sf		52.40	25%			

Requires Water & Sewer

Keep same nomenclature

Assumes 0% Open Space

Minimum Required Common Open Space

- Perimeter buffer
- Streetscape
- Landscaping
- Recreation amenities

# Goal 1A:

## Revise Zoning Districts to Align with Future Land Use Map

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<b>RESIDENTIAL DISTRICTS</b>							
Mixed Residential	R-1T	RM, Residential Mixed	6,000 sf	6.55	10%	6.00	➤ Permit single-family detached?
			6,000 sf	18.25	20%	13.30	➤ Four single-family attached units (townhomes)
	1,100 sf		30.30	25%	17.80	➤ Densities may be increased by: <ul style="list-style-type: none"> <li>• Decreasing required open space</li> <li>• Reducing lot area per unit</li> <li>• Increasing building heights</li> <li>• Reducing parking ratio</li> </ul>	
	900 sf		35.25	25%	20.00		
	700 sf		42.15	25%	22.85		
	500 sf		52.40	25%	26.60		
		Per Bedroom					

Requires Water & Sewer

### Mixed Residential Neighborhood

- Does not require a Planned Development District
- May be permitted by-right with approval of a master development plan
- Establish dimensional standards by housing type



# Illustrative Example Residential Mixes Cluster



# Goal 1B:

## Revise Zoning Districts to Align with Future Land Use Map

Future Land Use	Existing Districts	Proposed Districts	Development Type	Description
<b>MIXED-USE AND NONRESIDENTIAL DISTRICTS</b>				
Mixed-Use	LC	<b>LC, Lake Center Corridor (carry-over)</b>	<b>Mixed-Use</b>	<ul style="list-style-type: none"> <li>Carry over district and uses.</li> <li>Integrate current standards into site development standards</li> <li>District standards provide framework for other mixed-use districts</li> </ul>
	--	<b>MU, Mixed-Use (NEW)</b>	<b>Mixed-Use</b>	<ul style="list-style-type: none"> <li>New standards to induce infill and redevelopment with a mix of residential and commercial uses integrated amongst existing building and parking lots</li> <li>Scale and design shaped to produce more intensity near major roads, residential and lower intensity in transition to adjacent neighborhoods</li> </ul>
	--	<b>CMU, Corridor Mixed Use (NEW)</b>	<b>Mixed-Use</b>	<ul style="list-style-type: none"> <li>New zoning category promotes infill and redevelopment of large parking lots</li> <li>Ensure walkability through building scale, connections, setbacks, parking design.</li> </ul>
	--	<b>CCMU, City Center Mixed Use (NEW)</b>	<b>Mixed-Use</b>	<ul style="list-style-type: none"> <li>Tailor uses, use standards, and site development standards to align with Master Plan recommendations</li> </ul>
	--	<b>CRMU, Crossroads Mixed Use (NEW)</b>	<b>Mixed-Use</b>	<ul style="list-style-type: none"> <li>Tailor uses, use standards, and site development standards to align with Master Plan recommendations</li> </ul>

### Key Plan Policies:

- **1.1 Prioritize** redevelopment of established places, such as the Crossroads Subarea, Lake Center Subarea, and City Centre Subarea, with a mix of commercial and residential uses in strategic, mixed-use nodes.

# Goal 1B:

## Revise Zoning Districts to Align with Future Land Use Map

Future Land Use	Existing Districts	Proposed Districts	Development Type	Description
<b>MIXED-USE AND NONRESIDENTIAL DISTRICTS (CONT.)</b>				
<b>Local Commercial</b>	OS-1 B-1	<b>NC, Neighborhood Commercial (NEW)</b>	<b>Commercial</b>	<ul style="list-style-type: none"> <li>One- and two-story buildings occupied by neighborhood-serving commercial uses and office space.</li> <li>Located on arterial streets and at key nodes or intersections and should be accessible by car, walking, biking, and transit.</li> <li>Existing development and use standard of OS-1 and B-1 districts to be recalibrated to meet new goals for this new district.</li> </ul>
<b>Community Commercial</b>	B-2, B-3 (where applicable)	<b>GC, General Commercial (NEW)</b>	<b>Commercial</b>	<ul style="list-style-type: none"> <li>One- and two-story buildings occupied by neighborhood-serving commercial uses and office space.</li> <li>Located on arterial streets and at key nodes or intersections and should be accessible by car, walking, biking, and transit.</li> </ul>
<b>Various</b>	PD, CPD	<b>PD, Planned Development</b>	<b>Planned</b>	<ul style="list-style-type: none"> <li>Merge PD and CPD options to promote more flexibility but facilitate unique options for mixed use or mixed housing type.</li> <li>Ensure district not abused or used to circumvent other zoning districts</li> </ul>
<b>Industrial</b>	OTR	<b>OTR, Office, Technology, and Research</b>	<b>Industrial</b>	<ul style="list-style-type: none"> <li>Carry over district, update use and district standards to fit character.</li> </ul>
	I-1	<b>LI, Light Industrial</b>	<b>Industrial</b>	<ul style="list-style-type: none"> <li>Carry over district, update use and district standards to fit character.</li> </ul>
	I-2	<b>HI, Heavy Industrial</b>	<b>Industrial</b>	<ul style="list-style-type: none"> <li>Carry over district, update use and district standards to fit character.</li> </ul>
--	P-1, OS-1	<b>REMOVE</b>	--	<ul style="list-style-type: none"> <li>Districts no longer serves purpose. Remove from UDO</li> </ul>

# Goal 1B.

## Expand List of Permitted Housing Types

Amend the zoning code to allow a wider variety of housing as-of-right to minimize the reliance on Planned Developments.- *Master Plan 2045*

### Current:

- Majority of residential zones allow only single-family detached homes.
- Workforce housing and aging-in-place goals will not be achieved with existing housing stock.
- Enable context-sensitive residential infill development.
- Accessory dwelling unit regulations may need tweaking to make it easier for homeowners to add units.



# Goal 1B.

## Expand List of Permitted Housing Types

Amend the zoning code to allow a wider variety of housing as-of-right to minimize the reliance on Planned Developments.- *Master Plan 2045*

### Proposed:

- More housing types should be permitted by-right in new developments.
- Duplexes should be allowed in existing single-family districts in limited situations (conservation, street corners, limited mid-block)
- Building and site design standards can be applied to new residential projects to reduce impacts on established neighborhoods and promote community acceptance.
- Expand multi-family housing types in Mixed Residential and Mixed-Use districts to include such types as multiplexes, townhouses, apartments, cottage courts.



*Illustrative of mixed residential block*

# Goal 1B: Expand List of Permitted Housing Types



Townhouse



Attached SF House or Duplex



Apartment (>6 units)



Multiplex (3-6 units)



Live/Work Unit



Cottage Court

# Goal 1B: Expand List of Permitted Housing Types

## Expand Use of Accessory Dwelling Units

### Current:

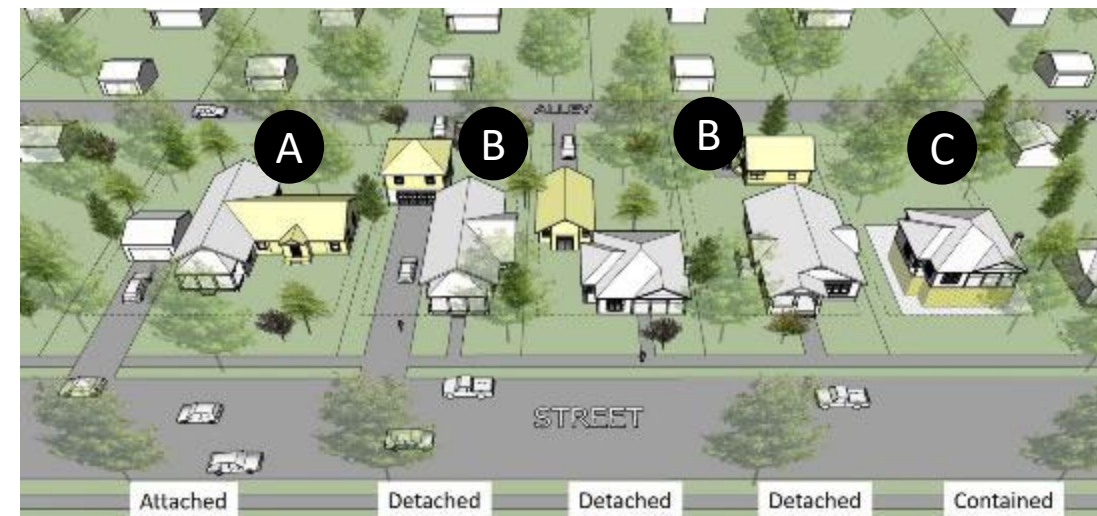
- Standards located in Sec. 42-184 (Zoning Districts)
- Permitted by-right only in “one-family residential zoning districts” with a single-family dwelling unit on site.
- Identified as a “Principal Permitted Use” in Sec. 42-181.
- Requires property owner to live on site.
- Attached/internal ADUs are permitted but standards unclear.
- No option for contained (internal) ADU type



*Attached ADU*



*Detached ADU*



**C** = Contained

# Goal 1B: Expand List of Permitted Housing Types

## Expand Use of Accessory Dwelling Units

### Proposed:

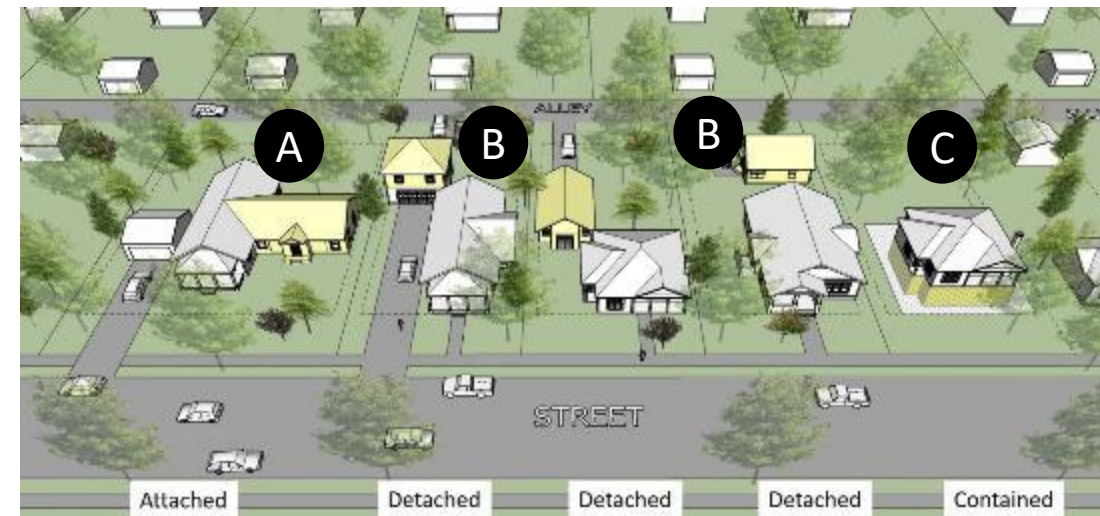
- Reduce reliance on text and provide tables and graphics.
- Modernize standards to reflect best practices:
  - *By-Right* – Allow more by-right in specific districts if certain standards met.
  - *Minimum Size* – Consider removing minimum size.
  - *Minimum Bedroom Size* – Consider removing minimum bedroom size.
  - *Types* – In addition to current attached and detached types, include standards for **contained ADU** (basement, attic)



Attached ADU



Detached ADU



**C** = Contained

# Goal 1C: Clarify Land Uses and Update Use Regulations

**Note:** We classify land uses in two ways:

By how they're regulated: Permitted, special, limited, prohibited

By their function: Residential, Commercial, Industrial, Civic, Accessory, Temporary

## Current:

- There is no Use Matrix/Table that displays all land uses and all zoning districts on a single page.
- Permitted uses are embedded in text of each zoning district and difficult to find.
- Ordinance does not group land uses into Use Categories, a standard practice that improves Master Plan alignment and usability.
- Use regulations (i.e., additional requirements) are embedded and repeated in each zoning district.
- Accessory and Temporary Uses are in several sections. Some temporary uses, such as temp. retail sales, have different approvals than other uses (Sec. 42-458(B), Administrative; others to ZBA)
- Uses such as short-term rentals not fully addressed (only in Sec. 42-184, Accessory dwelling units).



Residential

Commercial



Industrial

Civic



# Goal 1C: Clarify Land Uses and Update Use Regulations

## Proposed:

- Create a consolidated **Use Table**.
- Apply a Use Categories framework throughout UDO.
- Table notes each use as permitted (P), special (S), limited (L), or prohibited (--) in each district.
- Include new uses approved in Portage that aren't listed, including recommendations from staff such as:
  - Short-term rentals (owner and non-owner types; prohibit in residential areas, special or limited in others)
  - Artisanal manufacturing (in mixed-use and commercial areas)
  - Self-storage (limited use standards)
  - New housing types (e.g. multiplex, cottage court, etc.)
- Insert cross references to applicable use standards

**Table 10-1-1.3.1  
Land Use Matrix**

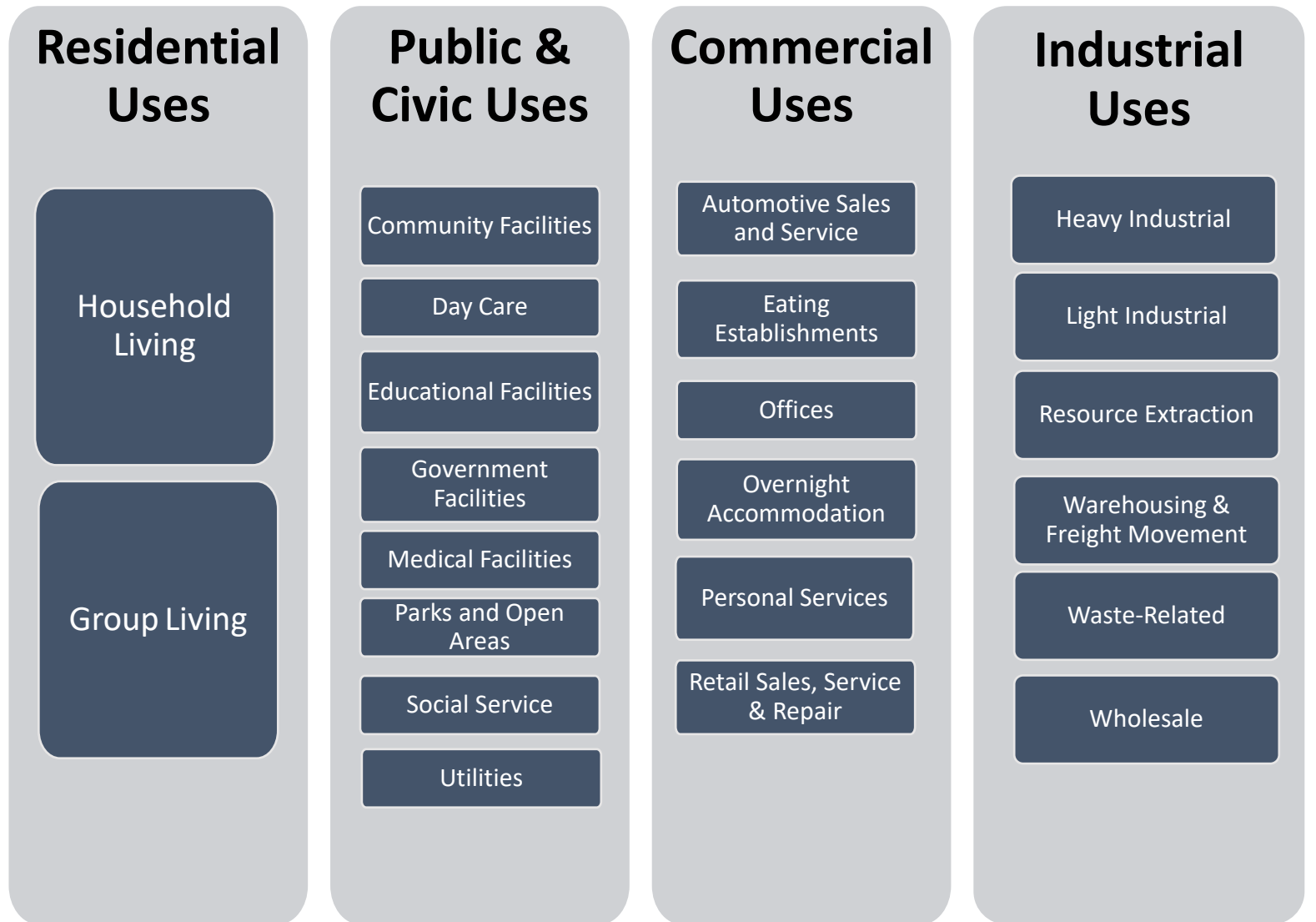
Category	Specific Use	Downtown (DT)				Corridor Mixed-Use (CM)		Neighborhood (NB)					Business and Industry (BI)		Open Space (OS)	Standards
		DNR	DTA	DMS	DMU	NC	CM	ACR	MLR	MLR	SLR	MFR	BC	IP	OS	
Overnight Accommodations	Hotel or Motel	--	P	P	P	C	P	--	--	--	--	C	P	P	--	--
	Overnight Accommodations (Other than listed)	--	P	P	P	C	P	--	--	--	--	C	P	P	--	--
Retail Repair, Sales, and Personal Services	Drug Store (without drive-through)	--	P	P	P	P	P	--	--	--	--	--	P	P	--	--
	Drug Store or Other Use (with drive-through)	--	--	--	--	PS	PS	--	--	--	--	--	P	P	--	10-3-3.2.B
	Dry Cleaning Store or Laundromat	--	P	P	P	P	P	--	--	--	--	--	--	--	--	--
	Food Market	--	P	P	P	P	P	--	--	--	--	--	--	--	P	--
	Grocery Store	--	P	P	P	P	P	--	--	--	--	--	P	--	--	10-1-3.2.B-3
	Home Furnishing Store (Appliances and Electronics)	--	P	P	P	P	P	--	--	--	--	--	P	--	--	10-1-3.2.B-3
	Home Improvement Center (with garden center)	--	--	--	--	--	P	--	--	--	--	--	--	P	--	--
	Lumber Yard	--	--	--	--	--	CS	--	--	--	--	--	--	PS	--	10-1-1.4.D

Sample

# Goal 1C: Clarify Land Uses and Update Use Regulations

## Proposed:

- Establish **Use Categories** as an organizing framework
- Enable uniform regulation of uses with similar impacts
- Provide consistency throughout ordinance
- Allow for more succinct Use Table and Parking Table



# Goal 1C: Clarify Land Uses and Update Use Regulations

**Proposed for the UDO:** Clarify use permissions and specific use standards.

## Current:

### By Right

- Uses are permitted without additional review
- Some do have additional specific standards that are described in each zoning district where the use is listed as “Permitted”

### Special Land Use

- Special land uses also have their own specific standards.
- Currently explained in each zoning district, a few random locations
- Requires Planning Commission action



## Proposed:

Create a new Use Table with each use labeled (in each district) as follows:

### By Right (P)

- No standards except those that apply to all uses

### Special Use (S)

- Standards provided for all of this type of use (?)

### Limited Uses (L)

- Standards provided for all of this type of use
- Requires administrative approval

# Goal 1C: Clarify Land Uses and Update Use Regulations

## Update Accessory Use and Structure Standards

### Current:

- Most Accessory Use regulations are located in Article 4, Division 3, General Provisions. Several are dispersed in other sections.
- Calculations for determining total allowable floor area limit is confusing.
- Standards are different for lakefront lots and non-lakefront lots. Example: Only one accessory structure allowed in rear yard on lakefront lots (legally nonconforming if built prior to 1987).

### Proposed:

- Pull all accessory uses and standards into one section under Use Standards.
- Use of tables and graphics to explain standards.
- Consider any necessary changes or clarify for accessory structures on lakefront lots (other dimensional standards issues).



# Goal 1C: Clarify Land Uses and Update Use Regulations

## Update Temporary Uses and Standards

Table 2.16-1, Temporary Uses and Structures

Land Use	Duration	Zoning Districts								
		ER, SR, MR	UR	AR	MUN	DTA, SJ	NC, GC	FC	LI, HI	OR
NT= No Temporary Use Permit Required; TUP= Temporary Use Permit Required; -- = Prohibited Use										
Duration = Maximum Events per Year/Days per Event on the same site (Duration Control)										
<b>Public and Commercial Events</b>										
Commercial Outdoor Sales Event	6/4	--	--	--	TUP	TUP	TUP	--	--	--
Farmer's Market or Open Air Market	52/2	--	--	--	NT	NT	NT	NT	NT	NT
Mobile Food Vendor	365/1	--	--	--	NT	NT	NT	NT	NT	NT
Public Exhibit or Transient Events/Shows	1/14	--	--	--	TUP	TUP	TUP	TUP	TUP	--

### Proposed:

- 1 Organize by Temporary Use or Structure
- 2 Show maximum duration
- 3 Show where permitted by zoning district\*

**\*Note\*:** By identifying where certain temporary uses are permitted by zoning district, this can help clarify where certain uses require ZBA or only administrative approval as current ordinance provides (such as temporary retail sales)

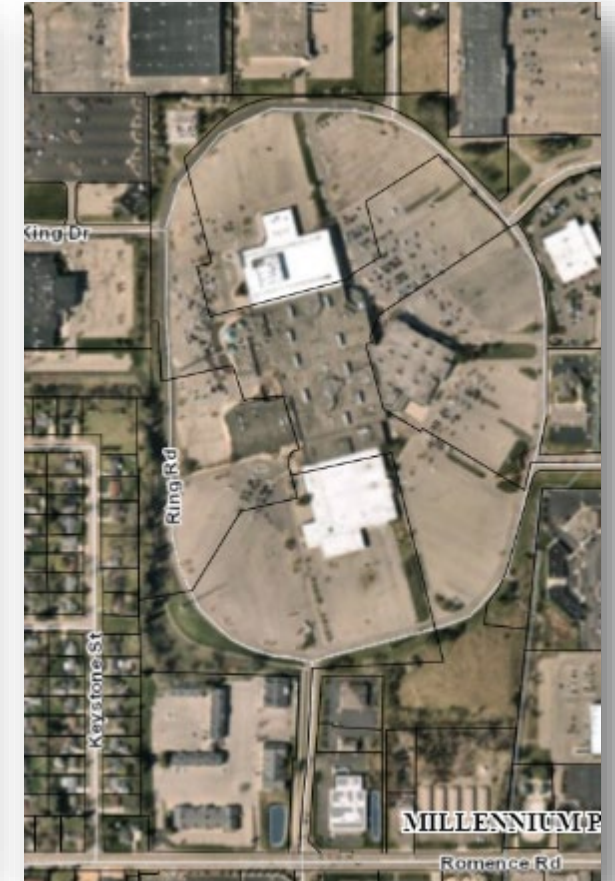
# Goal 1D: Direct Higher Density Mixed-Use to Crossroads Area & City Centre

## Current:

- These areas are zoned for moderate (B-2) and intensive retail, commercial, office uses (B-3).
- No opportunity for residential and nonresidential mix on the same site
- Site design and development standards all geared toward accommodating cars (excess parking, tall signs, parking in front)
- Large OS-1 Office Service District in City Centre not aligned with future land use map
- Newly adopted Lake Center District offers an excellent framework for future mixed-use districts



City Centre Subarea



Crossroads Subarea

# Goal 1D: Direct Higher Density Mixed-Use to Crossroads Area & City Centre

“Consider creating Mixed-Use districts to include the new boundaries of the Crossroads, City Centre, and Lake Center Subareas.”

Master Plan 2045, Prioritizing Mixed-Use Development

## Proposed:

- Strategically rezone areas to proposed MU, CMU, CC (City Center), and CR (Crossroads) districts to facilitate infill and redevelopment of these areas
- Foster pedestrian-scale design through emphasis on building form and architectural articulation (horizontal and vertical)
- Reflect an urban or semi-urban character through multi-story buildings, varied building materials
- Set max. setback and building frontage % in district standards
- Provide multiple options for public interface through frontage types (porch, storefront, etc.)
- Define standards and integration of civic and central open space
- De-emphasis dominance of parking through on-street, structured, or rear parking



# Goal 1D: Direct Higher Density Mixed-Use to Crossroads Area & City Centre

“Given the uncertain future of mall-based retail within the U.S., alternative futures should be weighed for the Crossroads Subarea including evaluating the mall as a mixed-use development opportunity and ... a pedestrian-friendly district with a complementary mix of housing, retail, parks, and open space.” Master Plan 2045, Prioritizing Mixed-Use Development



## Proposed:

- New mixed-use zoning district will enable mixed nonresidential/residential, intensive commercial, entertainment uses, and other nonresidential uses
- Permitted housing types will include multifamily, live-work, condominiums, upper-story residential in mixed use buildings.
- New development standards will include build-to lines, public open space, outdoor seating, on-street and rear parking, pedestrian and bicycle safety and access; ADA accessibility; connections to trail system; inter-parcel vehicle connectivity.
- Excess surface parking will be absorbed in redevelopment.

# Goal 1D:

## Direct Higher Density Mixed-Use to Crossroads Area & City Centre

City Centre Subarea was identified as a desired location for a neighborhood-serving district where civic uses are complemented by improved commercial development and new mixed-use development and multifamily housing. Master Plan 2045, Prioritizing Mixed-Use Development



### Proposed for City Centre:

- New mixed use zoning district will enable mixed residential and mixed nonresidential / residential
- Permitted housing types will include multifamily, multiplexes, townhouses, upper-story residential in mixed use buildings
- New development standards will include reduced front setbacks, parking reduction, pedestrian and bicycle safety and access; ADA accessibility; connections to trail system; inter-parcel vehicle connectivity

# Goal 1E:

## Update Development Standards to Improve Functionality

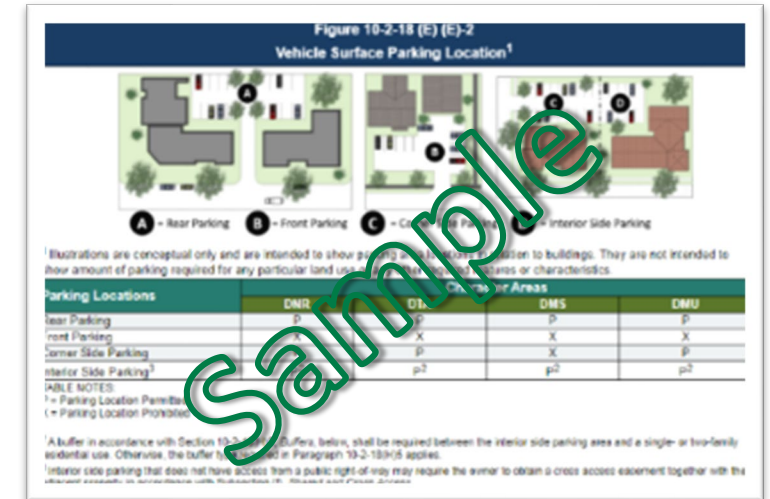
### Parking

#### Current:

- Minimum parking requirements in Sec. 42-523 are higher than what's typical in comparable communities.
- Process to allow reduction by 25% is onerous.
- No reference to required parking for disabled persons
- Access management and onsite circulation provisions do not address key features

#### Proposed:

- Adjust min. requirements on selected parking-intensive uses; impose parking maximums for other uses.
- Tailor min. requirements for new housing types and mixed-use (fewer spaces, lower or no minimum).
- Tailor parking requirements to development **contexts** in different locations (include standards to reflect new districts, gateway treatment, placement of parking)
- Update incentives for parking alternatives (e.g. provide credit for on-street parking where feasible)
- Create all new, illustrated access management & onsite circulation standards that include cross-parcel access, easements, vehicle stacking, pedestrian access, ADA standards.



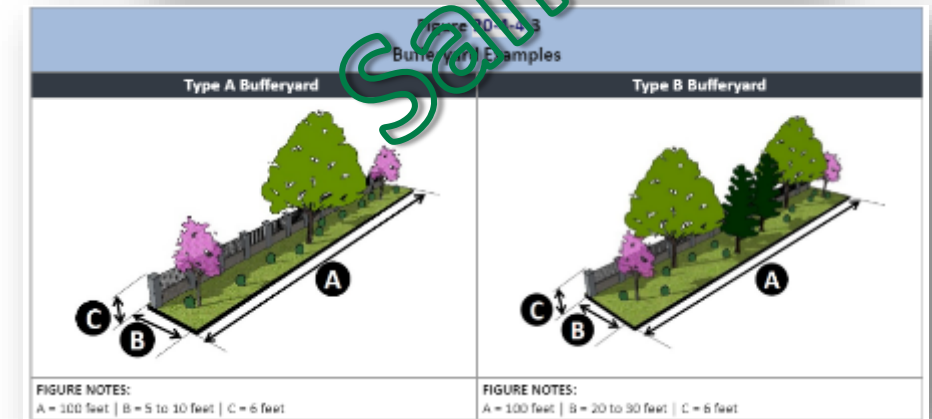
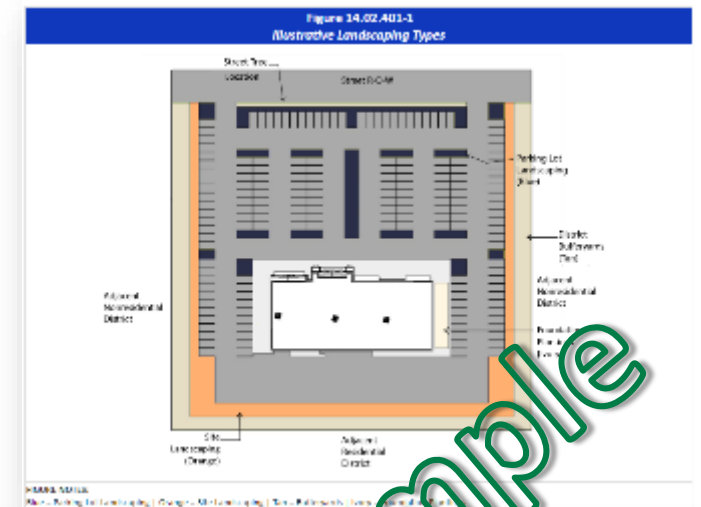
Illustrative standards for parking location options

# Goal 1E: Update Development Standards to Improve Functionality

## Landscaping & Buffering

### Proposed:

- Include illustrations of planting locations and illustrative buffer.
- Expand buffer types with specific and standardized minimum widths and planting requirements and fence and berm options **transitions between industrial and residential districts**
- Establish a **landscaping credit** so preservation of existing landscaping and trees is incentivized and the requirement for new landscaping is reduced (See Littleton, CO ULUC for example)
- Establish option for **alternative compliance landscaping** plans to allow for constraints such as natural features, space limitations, and lot size or shape.



Illustrative graphics for landscaping and buffering standards

# Goal 1E:

## Update Development Standards to Improve Functionality

### Signage

#### Current:

- Current regulations are generally fully “Time, place and manner” compliant (e.g., sign size, number, materials, lighting, moving parts, portability).
- Definitions are embedded in Sec. 42, Subdivision 2.
- Nonresidential signs limited to “freestanding sign” types and lack of specific standards for variety of sign types (e.g., monument, pole, pylon, entry signs, etc.)
- Confusing and redundant standards for Electronic Message Boards or digital signage.
- References to sign permit, but no specific procedures identified for permit type.
- Lack of illustrations or graphics for sign types and measurements.
- Some definitions in Article 11, Signs, may need to be reconciled with update (e.g., temporary signs, wall signs)

“Reevaluate the sign ordinance to create uniform regulations around sign materials, sizes, locations, and design elements.”

- Master Plan 2045, Commercial and Industrial Character



*Monument Sign Type*



*Projecting Sign Type*



*Attached Canopy Sign Type*

# Goal 1E: Update Development Standards to Improve Functionality

## Signage

### Proposed:

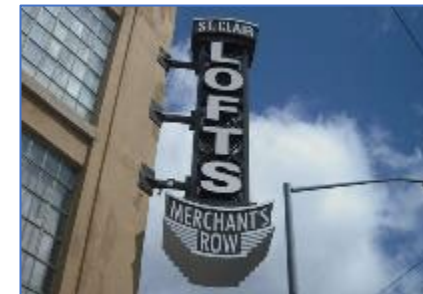
- Minor updates to specific standards to ensure compliance with content- neutrality principles based on *Reed v. Gilbert*:
  - Avoid classifications based on speaker and content.
  - Increase variety of sign types that enhance community character
  - Focus regulations types by: Freestanding, Attached, Incidental, Features, Size, Location
  - Place standards for Permanent (attached and detached types) and Temporary signs into tables.
- Define sign type standards and scale to be compatible with specific context (zoning districts) (including best practices for digital signs)
- Update sign standards to include a Master Sign Program provisions

*“Reevaluate the sign ordinance to create uniform regulations around sign materials, sizes, locations, and design elements.”*

*- Master Plan 2045, Commercial and Industrial Character*



*Monument Sign Type*



*Projecting Sign Type*



*Attached Canopy Sign Type*

# Goal 1E:

## Update Development Standards to Improve Functionality

### Signage (Cont.)


#### Proposed:

To create a more user-friendly code, place standards for Permanent (attached and freestanding types) and Temporary signs into tables with graphics.

Table consolidates information about –

- where signs are permitted
- Whether permits are required
- Size and location
- Whether and how signs may be illuminated, where changeable copy is allowed, etc.

Table 4.8.3-3, Freestanding Sign Standards

Sign Type and Standard	Zoning ER and SR	Districts				Illustration
		MN	MC	NC	LI	
Number Allowed (max.)	--	<ul style="list-style-type: none"> <li>With frontage on State Highway 288: 1 per 250 ft. of street frontage or 2 per tract, whichever is less; or</li> <li>With frontage on State Highway 288: 1 for first 250 ft. of street frontage and for each additional 500 ft.</li> </ul>				
Sign Size (max.)	--	<ul style="list-style-type: none"> <li>With frontage on State Highway 288: 60 ft.; or</li> <li>With frontage on State Highway 288: 90 ft.</li> </ul>				
Sign Height (max.)	--	<ul style="list-style-type: none"> <li>With frontage on State Highway 288: 6 ft.; or</li> <li>With frontage on State Highway 288: 8 ft.</li> </ul>				
Setback (min.)	--	--				
Illumination	--	External or Internal				
Changeable Copy	--	Permitted				
Sign Permit Required	--	Yes				

Graphic illustrates sign type

# Goal 1E: Update Development Standards to Improve Functionality

## Building Design

### Current:

- Base Zoning Districts (Residential and Nonresidential) in Article 4, Division 4 have few if any building design standards.
- Recently adopted Lake Center District Ordinance includes building design standards worth replicating into other proposed mixed-use areas.
- Floating Zoning Districts have a limited set of building design standards addressing mass, scale, and building materials, but limited in specific standards.

**“Require high-quality architecture on all sides of the building – known as “360-degree architecture,” and include well-designed or screened service areas.”**

- Master Plan 2045, Commercial and Industrial Character Action Item



*High-quality 360-degree architecture with mixed materials*

# Goal 1E: Update Development Standards to Improve Functionality

## Building Design

### Proposed:

- Adapt building design standards from Lake Center District of Subdivision 17 to broader commercial and mixed-use standards focusing on:
  - Standards by various thresholds for **building form**
  - Incentives/Options for primary and secondary **building materials**
  - Architectural articulation, entrance, and roofing standards adjusted to building types, districts, use
  - Building materials based on primary and secondary materials. Limit combinations and include examples.
- Add standards for **massing** techniques, such as:
  - vertical variation, increased setbacks, upper-level front stepback, upper-level side stepback, building corner or focal points, and roof variations.

**“Require high-quality architecture on all sides of the building – known as “360-degree architecture,” and include well-designed or screened service areas.”**

- Master Plan 2045, Commercial and Industrial Character Action Item



*Example of upper-level front stepback*

# Goal 1E:

## Update Development Standards to Improve Functionality

### Building Design

#### Proposed (Cont.):

- Add standards for **articulation** techniques, such as:
  - Wall plane offsets, accent lines, material and color variations, canopies and awnings.
- Enhanced fenestration standards to ensures pedestrian friendly and engaging facades.
- **Add Infill and Redevelopment Standards for all districts:**
  - Code **infill and redevelopment standards** for districts outside of Lake Center District district. Seek opportunities for **streamlining and incentivizing** infill and redevelopment for mixed-use and nonresidential properties.



*Vertical & Horizontal Variation*



*Building Corner or Focal Point*



*Material and Roof Variation*



*Canopies and Awnings*

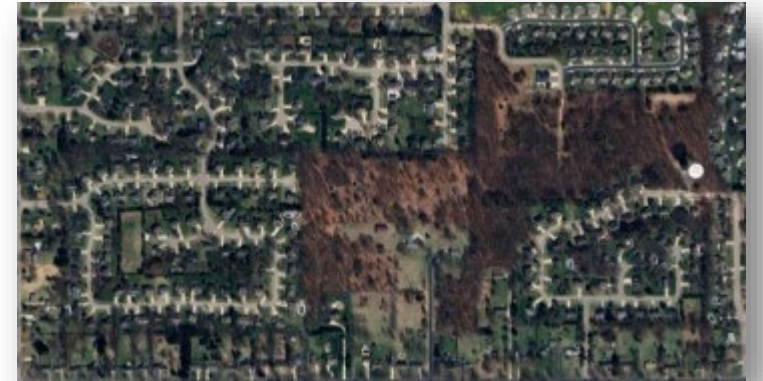
# Goal 1E:

## Update Development Standards to Improve Functionality

### Subdivision Design

#### Current:

- All standards and procedures for subdivision design within Article 5, Land Division and Subdivision Regulations.
- Heavy reliance on text for procedures and standards.
- Some standards aren't conducive to pedestrian-friendly or mixed-use neighborhoods, for example block length is currently 1,400 feet
- Sidewalk required on both sides of street, 4' width on local streets and access streets
- Standard to "maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac" may be in conflict with proposal for diverse housing types and lots
- No clear prohibitions or language limiting flag lots, double-frontage lot, or triple frontage lots
- Definitions and procedures included in Article 5.



*Existing cul-de-sacs, Portage*



*Typical local street*

# Goal 1E: Update Development Standards to Improve Functionality

## Subdivision Design

### Proposed:

#### • General Recommendations:

- Move any **procedural steps** or requirements to procedures section
- Add and update existing **illustrations** where appropriate
- Clarify when and what **improvements** and other requirements (e.g. fire hydrants) need to be provided in relation to timing of other development activities or obtaining permits (e.g. building permits or certificate of occupancy)

- **Street and block standards.** Update to reflect Master Plan goals of connectivity, pedestrian-friendly, and complete street goals for public and private streets

#### • Widths of streets

- Neighborhood streets should have standards for width, intersection, and corner radii
- Block permitter standards
- Block face length by zone
- Curb cut frequency

Table 142.02.04-2, Cross Sectional Design Standards for Streets

Street Classification	Right-of-Way Width (A)	Number of Lanes / Travel Width (B)	Minimum or Maximum Lane Width / Shoulder / Width (C)	Parking Strip (Number / Width) (D)	Curb and Gutter (Number / Width) (E)
Major Thoroughfare	(Refer to Appendix D, Recommended Typical Sections, of the Community Development Plan Technical Appendix)				
Minor Thoroughfare	100 feet	4 / 00 feet <sup>1</sup>	11 / 12 feet / 11.5 feet	2 / 10 feet	2 / 2 feet
Localizer	60 feet	3 / 44 feet <sup>1</sup>	2 / 8 feet	2 / 10 feet	2 / 2 feet
Neighborhood Center Street	60 feet	2 / 30 feet <sup>2</sup>	2 / 8 feet	2 / 8 feet	2 / 1 feet
Neighborhood Street	60 feet	2 / 25 feet	2 / 8 feet	2 / 8 feet	2 / 1 feet
Residential Street	60 feet	2 / 24 feet	2 / 5 feet	2 / 10 feet	2 / 2 feet
Residential Lane	60 feet	2 / 25 feet	2 / 5 feet	2 / 0 feet	2 / 2 feet
Alley	20 feet	2 / 18 feet	N/A	N/A	N/A

Figure 142.02.04-1, Cross Sectional Design Standards for Streets



Illustrative cross-section and standards

# Goal 1E:

## Update Development Standards to Improve Functionality

### Subdivision Design

#### Proposed:

- **Sidewalks.**
  - Need to include **sidewalk standards** based on context (e.g., minimum width is 4' currently, but should be wider in mixed-use and commercial districts where more pedestrian use would occur).
  - New residential subdivision, require sidewalk of at least 5 ft. on both sides of street with min. 5 ft lawn strip for street trees
  - **Wider sidewalks** in mixed-use districts (8-10 ft.) to allow for pedestrian amenity zones for things like placemaking décor, benches, outdoor dining area, bicycle racks, etc.
- **Lots and Blocks**
  - More clearly **prohibit or limit flag lots, double-frontage lot, or triple frontage lots**; If unique features of a lot necessitate one of these (e.g. wetlands), an applicant could apply for a waiver from Planning Commission.
  - Reduce maximum block length from **current 1,400 feet**; provide standards for shorter blocks and connectivity, including shorter cul-de-sac blocks.

# Goal 1E: Update Development Standards to Improve Functionality

## Subdivision Design

### Proposed:

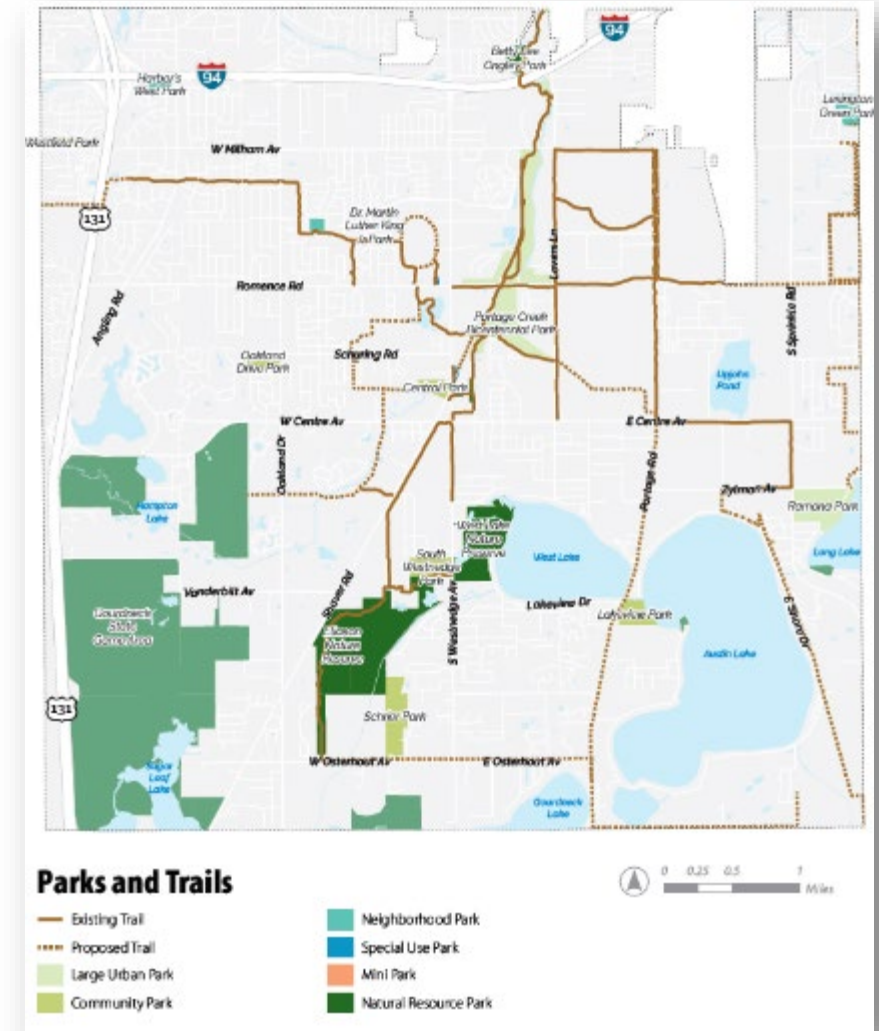
- **Multi-Use Trails**
  - Permit a multi-use trail (10' min.) on at least one side of the street when land abutting arterials and collectors is developed
  - For residential subdivisions if abutting property with a multi-use trail, require **connecting to existing trail** and continue trail for the length of the property (*or easements to connect*)
  - Add standards for nonresidential subdivisions to include opportunities for **trail-oriented frontage** where existing or proposed trail interfaces with development site



Shared-use path on arterial



Loveland Bike Trail (OH)



# Goal 1F: Adopt Sustainable & Conservation Development Practices

## Current:

- Current code void of few specific standards, except suggested practices in Sec. 42-521 for low impact parking design alternatives such as “rain gardens, bio-swales, pervious parking, EV charging stations and other green/sustainable techniques.” (No changes recommended)
- Small on-site **wind energy system** standards outlined in Sec. 42-136.

**Table 21-4450-2, Nonresidential Sustainability Points System**

Sustainability Practice	Points Earned
<b>Component 1: Location of Development</b>	
Development in the MU-1 District	.75
Development within 1,430 feet of a transit stop	.75
<b>Component 2: Stormwater Management</b>	
Construct building to meet 110-mile wind load design requirements of the Building Code	2.00
Equip the project with at least one alternative, independent source of electricity supply so that the project is fully capable of operating if a primary source of power experiences an interruption	1.50
If the project involves a critical facility that is intended to remain operational in the event of a flood, or whose function is critical for post-flood recovery, design the facility to be protected and operable at the water levels represented by a 0.2% annual chance (500-year) flood	1.00
Elevate the ground story finished floor and all significant electrical and mechanical equipment no less than 3 feet above highest adjacent grade or to an elevation of 11 (NAVD '88)	1.00, plus 0.50 per ft. above 3 ft.
Install a generator for power generation in the event of power failure sufficient to keep critical operations functional	0.50
Establish operating procedures for how the project will handle the loss of off-site or grid power, transition to a backup source of power, and transition back to normal operation	0.50
<b>Component 3: Water and Energy Efficiency</b>	
Generate no less than 75% of the electricity expected to be used by the development from solar and/or wind energy sources	3.00
Generate no less than 50% of the electricity expected to be used by the development from solar and/or wind energy sources	2.00
Install a cool roof on at least 50 percent of the total roof area of the development	1.50
Generate no less than 25% of the electricity expected to be used by the development from solar and/or wind energy sources	1.00
Install a geothermal heating and cooling system serving all parts of the project	1.00
Install a conditioned crawlspace under each primary structure	1.00
Install green walls on a minimum of 50 percent of the primary building's walls	1.00
Install 20+ SEER HVAC systems throughout the project	1.00
Re-use or repurpose an historic building that is listed on a national, state, or local register, or at least 75% (based on surface area) of existing historic structures	1.00

Sample Sustainability Index Table with practices

# Goal 1F:

# Adopt Sustainable & Conservation Development Practices

## Proposed:

- Add use standards and provisions for **emerging technologies** such as solar panels and EV Charging.
- Consider adding **Sustainability Index** to incentivize development that incorporates sustainability measures – options range from swales to solar panels to cisterns and more.
- “Points” gained from this system can be “cashed in” for **benefits**, which could include additional height or a larger building envelope.
- Potential **incentives** include residential density bonuses; increased allowable building heights; expanded lot coverage; reduced parking requirements; larger maximum sign areas; and the potential for reduced common open or common amenity space requirements. (See *Littleton, CO ULUC* or *Norfolk, VA Zoning Ordinance* for examples)

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Sample Sustainability Index Table with practices

# Goal 1G: Streamline Development Review Procedures

## Proposed:

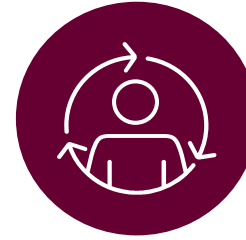
- Standardize and streamline development review procedures and reward applicants who satisfy requirements with a timeline and predictable procedural outcome.
- Shift decision-making for some procedures to administrative to eliminate time delays (e.g., site plans, expired PDs, etc.)



# Goal 1G: Streamline Development Review Procedures

## Proposed:

- **Organize Permits and Procedures by type of application**
  - For example, variances, subdivision design waivers, and appeals would be under “Relief and Appeal Decisions” and things like site plan reviews, special land use permits would be under “Site Development and Use Decisions.”



**Improvement Plan  
and Permit Decisions**



**Site Development and  
Use Decisions**



**Text and Zoning Map  
Amendments**



**Relief and Appeal  
Decisions**



**Platting Decisions**

# Goal 1G: Streamline Development Review Procedures

## Clarify Review Procedures

### Proposed:

- **Combine** review procedures into a single table
- Group by **application type**
- Removes **potential conflicts** and clarify:
  - Timing of application submittal
  - Expiration
  - Who reviews and takes action
  - Public hearing Public notice requirements
  - Associated standards

Table III-2. Development Review Table

Application Types	Required Reviews					Reference	Lapse Period
	Staff	DRT	PC	CC	BOA		
<b>Administrative Applications</b>							
Building and Sign Permits	R	R1			H3	§ 21-3210	6 months
Concept Plans	R	R				§ 21-3211	n/a
Development Plans	R	R	H1	H1		§ 21-3212	2 years
Floodplain Development Permits	R	R2			H1	§ 21-3213	2 years
Grading Permits	R				H1	§ 21-3214	30 days
Minor Modifications	R	R1			H1	§ 21-3215	1 year
Temporary Use Permits	R	R1			H1	§ 21-3217	§ 21-3217
<b>Applications Requiring BOA Approval</b>							
Height Exceptions	R				H	§ 21-3220	3 years
Uses-by-Permit	R	R			H	§ 21-3221	2 years
Variances	R	R			H	§ 21-3222	1 year
<b>Applications Requiring Approval by City Council</b>							
Annexations	R	R	H1	H		Division III-	n/a
Comprehensive Plan Amendments Minor	R	R	H1	H		§ 21-2110	n/a
Comprehensive Plan Amendments <u>Non Minor</u>	R	R	H	H		§ 21-2110	n/a

Sample

# Priority 2: Create a More User-Friendly Code

## Use enCode Plus to host the Unified Development Ordinance

- Drafts/individual sections can be published
- Can publish online and in an interactive format
- Printable and downloadable
- Hyperlinked cross-references, definitions and external links
- Increased use of graphics and tables
- Customized development calculators and content management tools

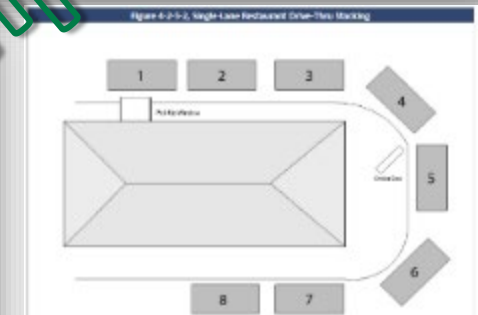
**Table 2-2-2-1, Allowed Uses**

P = Permitted Use; L = Limited Use; C = Conditional Use; Blank = Not Permitted

Use Category	Use Type	Residential Zone Districts					DROD Areas							Mixed-Use Zone Districts				Office and Commercial Zone Districts				Industrial Districts		Use-Specific Standards
		AG	RS <sup>1</sup>	RMD	RMF	RMH	1	2	3	4	5	6	7	CM	DM	DF	ON	CN	CG	CH	IL	IH		
<b>Commercial Uses</b>																								
		AG	RS <sup>1</sup>	RMD	RMF	RMH	1	2	3	4	5	6	7	CM	DM	DF	ON	CN	CG	CH	IL	IH		
Agriculture	Agriculture	P																						
	Marijuana Commercial Growing/Cultivation																					P	P	
	Animal Pet Shop, Retail												P								P	P		
	Animal training school	C																			C	P		
	Kenel	C																				C	P	
Animal Sales and Services	Veterinary clinic/animal hospital	C																				C	P	Sec. 2-3-4.A
	Veterinary clinic, large animal	C																						

**Table 9-1-1-1 RS Dimensional Standards**

Standard	Minimum
<b>Setback</b>	
A. Area	5,500
B. Frontage	100
<b>Minimum Building Setback</b>	
C. Street	15 ft
D. Rear	20 ft
E. Side (one, total)	5 ft, 10 ft
F. Side (between lot lines)	10 ft
G. Yards) on corner or adjacent to public alleyway	25 ft
<b>Maximum</b>	
H. Building height	18 ft
I. Lot Coverage	60%

Sample

# Priority 2: Create a More User-Friendly Code

**A**

https://online.encodeplus.com/regs/littleton-co-cc/doc-viewer.aspx#secid-3032

HOME VIEW THE CODE CODE CHANGES VIEW MAPS QUICK TABLES HOW DO IT?

**CITY CODE AND CHARTER**

Littleton, CO City Code and Charter > Littleton, CO - City Code > Title 10 Unified Land Use Code (ULUC) > CHAPTER 2 DOWNTOWN (DT)

**B**

Table of Contents

- Littleton, CO City Code and Charter
- Littleton, CO - Charter
- Littleton, CO - City Code
- Title 1 ADMINISTRATIVE
- Title 2 BOARDS AND COMMISSION
- Title 3 BUSINESS REGULATIONS
- Title 4 BUILDING REGULATIONS
- Title 5 FIRE REGULATIONS
- Title 6 POLICE REGULATIONS
- Title 7 HEALTH AND SANITATION
- Title 8 PUBLIC WAYS AND PROPER
- Title 9 TRAFFIC REGULATIONS
- Title 10 Unified Land Use Code (U
- CHAPTER 1 STANDARDS FOR ALL
- CHAPTER 2 DOWNTOWN (DT)**
- ARTICLE 10-2-1 DT PURPOSE AN
- ARTICLE 10-2-2 DT DOWNTOWI
- ARTICLE 10-2-3 DT DESIGN
- ARTICLE 10-2-4 DT GREENSCAP
- ARTICLE 10-2-5 DT SIGNS
- CHAPTER 3 CORRIDORS AND MID
- CHAPTER 4 NEIGHBORHOOD (NF

**C**

**Table 10-2-3.2  
Single-Family Detached Building Type Standards**

Symbol	Standard	Street	Secondary means	thoroughfare	DMU
A	Build-to Zone (BTZ) (ft.)				0' / 10'
B	Primary / Secondary Street Frontage (min. % of façade in BTZ)	85% / 60%	N/A	85% / 60%	
C	Corner Lot Side Setback (min. ft.)	10'	10'	N/A	10'
D	Interior Side Setback (min. ft.)	5'	5'	N/A	5'
E	Rear Setback (min. ft. / min. ft. with alley)	20' / 20'	20' / 20'	N/A	10' / 20'
F	Building Coverage (max. %)	65%	65%	N/A	70%
G	Public or Private Open Space and Tree Canopy Coverage (min. %)	35%	35%	N/A	30%
<b>Building Height and Upper Story Stepbacks</b>					
A	Maximum number of stories within BTZ	1	N/A	N/A	N/A
B	Maximum Height (number of stories/feet)	2.5 / 30'	2.5 / 30'	N/A	2.5 / 30'
C	Maximum 4th-floor plate area (percentage of 3rd-floor area)	N/A	N/A	N/A	N/A
D	Maximum number of stories within 10 ft. of a sensitive edge	N/A	N/A	N/A	N/A

**D**

**E**

Street, Secondary means thoroughfare, does not meet the definition of an alley, and is clearly associated with the corner side façades of buildings.

- A. "Native" to the internet
- B. Table of Contents always visible
- C. Tables consolidate information
- D. Graphics clarify meaning and intent
- E. Pop-up definitions

# Priority 2: Create a Legally Compliant Code

## Religious Land Use and Institutionalized Persons Act (RLUIPA)

### Law Requirements:

- Treat churches or other religious assemblies or institutions differently than nonreligious assemblies or institutions; Discriminate against any assemblies or institutions on the basis of religion or religious denomination; Totally exclude religious assemblies from a jurisdiction; or Unreasonably limit religious assemblies, institutions, or structures within a jurisdiction.

### Current:

- The Portage code (Division 4, Zoning Districts) utilizes a single use category of “Religious Institutions”; consider renaming to “Places of Public Assembly” to avoid conflicts with RLUIPA

### Proposed:

- Create a new land use: “place of public assembly” to reflect all types of public facilities including religious institutions, but not limited to only those controlled and maintained as religious institutions.
- Standardize the requirement for a **Special Land Use (SLU) Permit** for all places of public assembly to ensure religious institutions are not treated differently.
- Clarify **parking requirements** for all places of public assembly, and align with existing assembly uses.

# Priority 2: Create a Legally Compliant Code

## Michigan Laws:

- Review *Restrictions on Zoning Authority* (published by Michigan State University Extension Land Use) for list and summary of state preemption and federal limitations on zoning in Michigan jurisdictions.
- **Public Act 206 of 2022:** Uses not subject to a special use or conditional use permit:
  - State licensed residential facility
  - Adult foster care facility
  - Residential treatment program
  - Family child care home
  - *Group child care home shall be issued special use permit, with specific standards*
- **Public Act 233 of 2023 and Public Act 234 of 2023:**
  - Establishes process for state commission to certify renewable energy facilities (larger – 50 megawatts or greater for solar and 100 megawatts wind) and to preempt local zoning regulations.
  - Local municipalities in Michigan may adopt “compatible renewable energy ordinance” (CREO) that adapts statewide standards and includes requirements such as setbacks, noise levels, and other zoning-related standards.
  - Public Act 234 amends the Michigan Zoning Enabling Act to align zoning ordinances with the regulations set forth in PA 233. Also protects energy projects prior to 2021 approved as special land uses as legally nonconforming.