

## Agenda

### Parchment Planning Commission (Virtual)

March 24, 2021 – 6:00 pm

Kent DeBoer, Chairperson  
Sandy Bliesener

Cheryl Lyon-Jenness  
Sara Dean

John Tecca

Nancy Stoddard, City Manager

Rebecca Harvey, Zoning Administrator

1. **Call to Order**
2. **Roll Call** (State location of Commissioner during meeting)
3. **Approval of Minutes**
  - a. Minutes from February 24, 2021
4. **Citizen Comments** – When called upon by the Chairperson, state your name, address, and you will be allowed up to 3 minutes for your comments. Reminder: You will be making a statement, without discussion from the Planning Commission.
5. **Old Business**
  - A. Final Draft #4 Review of the Planned Unit Development (PUD)
  - B. Variance Request from Timothy Barker for 116 S Riverview Drive
  - C. Resolution to adopt the 2021 Master Plan – approval
6. **Public Hearing**
  - A. Proposed Amendment of Article 20 to add Conditional Rezoning
7. **New Business**
  - A. Amending the Ordinance to allow for Conditional Rezoning
8. **Commissioner Comments**
9. **Next Meeting – April 28, 2021 at 6pm**
10. **Adjournment**

Planning Commission Meeting Minutes  
February 24, 2021 – Virtual Meeting

1. **Call to Order at 6pm**
2. **Roll Call** – All present – DeBoer, Bliesener, Lyon-Jenness, Dean, Tecca
3. **Approval of Minutes** –
  - Correction: under Dimensional Standards for Residential Buildings, bullet point 10 – replace “the mill property” with Kalamazoo.
  - Motion made by Bliesener to approve the minutes of January 27, 2021 with the correction, support by Lyon-Jenness. Roll call vote with each Commissioner stating aye.
4. **Citizen Comments** –No other comments from the public.

**Commissioner Comments**

- Lyon-Jenness asked for clarification of the amount of acreage that would be included in the Planned Unit Development (PUD). She asked to receive a good acreage recalculation.
- Bliesener stated that it was decided that all city owned property on the mill site would be included in the PUD.
- DeBoer agreed with Bliesener. He asked if a general reference could be used.
- Zoning Administrator (ZA) Harvey said that it is referenced in the zoning map but it should have a number that is accurate.
- The City Manager will provide the acreage amount to the Planning Commission members.

**5. Public Hearing**

- Chairperson DeBoer opened the Public Hearing. He asked if there were any comments by the public. A message of support for the proposed Biggby Café by Bob Cox was received into the records.  
The Commission will be looking at an application for 116 S Riverview Drive. The Planning Commission has looked at two options 1) Rezoning to C-2 or 2) Amend C-1 to allow for drive through use. He asked ZA Harvey if this was putting in the mechanism for the applicant to apply for the Conditional Rezoning.
- ZA Harvey stated that the discussion for the Conditional Rezoning mechanism is not part of the Public Hearing as it had to be prepared by the attorney and was not included in the Public Hearing notice. The Public Hearing is about the 1) Rezoning to C-2 or 2) Amending C-1 to allow for drive through use. The Conditional Rezoning is not part of this Public Hearing even though the PC preferred it and talked about it at a previous meeting. The language had to be

prepared, but the decision would have to be postponed until another Public Hearing could be held.

- DeBoer stated that the Conditional Rezoning was listed under New Business on the agenda.
- ZA Harvey stated that the draft language from the attorney has been given to the PC members. A Public Hearing could be scheduled in March for the Conditional Rezoning. Conditional Rezoning may be what ends up being preferred by the PC as they discuss the first two options for the applicant. Conditional Rezoning must be put into an ordinance. Comments may be received regarding it, but no action may be taken until it is part of the ordinances.
- DeBoer asked the applicant if he had a statement.
- Timothy Barker stated that he appreciated the PC and their work.
- DeBoer asked if there was any opposition to the application by the public – no comments opposing were given.
- ZA Harvey stated that the use would not be consistent with the Master Plan that defined the commercial district in the downtown district. The general reaction is to facilitate growth but the zoning must be consistent with the Master Plan. C-1 zoning does not allow for drive through service. The PC may want to target areas to allow for certain uses. The PC has gone through the merits of both and they may want to see how Conditional Rezoning plays out.
- DeBoer asked the PC members if they wanted to pursue Conditional Rezoning.
- Bliesener stated yes, and that they should move ahead and not act on the choices before them in tonight's Public Hearing.
- Dean spoke about the email from the Rossio family stating that it contained good questions, some of which have been answered.
- Bliesener recalled the sweeping of headlights on Rossio's house from the drive through. We have the ability through Conditional Rezoning to approve screening to prevent the headlight sweeping.
- ZA Harvey said that standard zoning would not allow for the rezoning; would want the Conditionally Rezone so that the PC could react directly to the applicant's proposal.
- DeBoer asked if someone would like to make a motion.
- Bliesener motioned to table the Public Hearing action to the March meeting. Support by Lyon-Jenness. Roll call vote with all members voting yes.

## **6. Old Business**

### **A. Third Draft of the Planned Unit Development**

- DeBoer – Page 6, Maximum front yard setback should be at 10 feet.  
Page 10, d. Building Materials – Add: Exterior insulation and finish system (EIFS) allowed above the first floor. Fired, clay brick should be listed in parentheses instead of brick.

Page 11, d. Garages – Does it need to say four walls and a roof? ZA Harvey will check on the description of garage. Also the same type of construction materials for residential buildings should be used for a garage.

- ZA Harvey stated that page 18, Amend Section 12.2 – Building regulations, to add: This was something for the PC to consider as an amendment to PUD Draft #2. The way that communities manage building types is through the dwelling descriptions. The current ordinance is silent. It defines the three types of dwelling units but does not provide metrics to say there are minimal standards. The PC should put in standards. The dwelling definition applies within the PUD, too.
- DeBoer asked how the amendment could assure that no mobile home park will be part of the development.
- ZA Harvey stated that mobile home parks are currently allowed in dwelling definition (very regulated). To prevent, the PC would not place a mobile home park in the zoned area. Because mobile home parks are state regulated, they may only go into certain areas. If the PC does not want a mobile home in a housing area, outside of a park, then they should set minimum standards. This will be applied to all dwellings and will help to keep them out. A minimum square footage should be set. A minimum standard will not allow for mobile homes.
- DeBoer – We need to establish a minimum criteria so that a single wide mobile home will not be allowed.
- ZA Harvey stated that modular homes that are as wide as a stick built home would be allowed.
- DeBoer stated that communities full of double wide mobile homes look like a mobile home park.
- Lyon=Jenness noted that dimensions used in the Master Plan were discussed during the conversation regarding tiny homes. There was a discussion as to whether those would be in the flood plain because they could be moved. She asked if the dimensions preclude tiny home development.
- ZA Harvey said that the ordinance refers to them as cottage development. That provision would not be subject to this standard.
- Lyon-Jenness stated that this could be used for residential development.
- ZA Harvey stated that this is a structure of the zoning ordinances. We are going to define dwelling a certain way. Wherever we allow housing we will define it in this way, with square footage. It will apply to all districts. Tiny homes develop with these standards and do it like a kind of development, just like no mobile homes outside of a mobile home park. The rest of residential has a common standard for what is allowed. The PC may want additional detail such as: permanent foundation, flesh out what they would require.
- DeBoer asked if the PC wanted to task ZA Harvey with fleshing out the residential development portion with more detail such as: no concrete slabs.

- Bliesener said that the PC should move forward to approve the PUD update including corrections and to add 12.2 Building Regulations to the PUD with revisions.
- ZA Harvey said that the PC may schedule a Public Hearing for March and the rezoning at that same time. The Mill PUD and the amendment to the zoning ordinance will create a new district development under the idea that this district will apply to the mill property that will be zoned to a PUD.  
If the PC just wants a Public Hearing to adopt the PUD, it will not change the current zoning.
- DeBoer stated that the mill property will be rezoned with the PUD at the Public Hearing.
- Bliesener said that the PUD and the amendment were in the city's best interest and should be kept moving forward. She would like them both scheduled for a Public Hearing in March.
- ZA Harvey stated that the text amendment and the PUD could both be at the same Public Hearing in March.
- DeBoer suggested that they adopt the PUD in April and take care of the amendment in March at a Public Hearing.
- Dean agreed
- Lyon-Jenness agreed
- ZA Harvey will make the changes to the PUD District and will identify the properties within the PUD with the City Manager. She will get everything in order for the April Public Hearing. Sec 12.2, (page 18, part of zoning ordinance) separate from the PUD, will be revised with the suggestions by the PC and will be reviewed in March.

## **7. New Business**

### **A. Amending the Ordinance to allow for Conditional Rezoning**

- ZA Harvey said that she put together two drafts and gave them to the City's attorney. After their phone call and the review by the attorney, it was put into ordinance form.
- DeBoer asked about the location of Article 20
- ZA Harvey stated that it was in the zoning ordinance – The zoning ordinance always refers to other areas of ordinances, so it is not necessary to state it in the amendment. If the PC is comfortable, it can be at the Public Hearing in March.
- DeBoer recommended it for public approval at the next meeting.

### **Master Plan Discussion**

- Lyon-Jenness asked if the PC could talk about the Master Plan's Vision and Mission Statements and cover picture. She liked the original picture that was on the cover.
- DeBoer liked the original picture that was on the cover of the Master Plan.
- Dean liked the original picture, also.
- City Manager will tell Lee to put the original picture back on the cover.

- Lyon-Jenness stated that her research shows that the Mission Statement is concise and the Vision Statement fleshes things out. Are these statements for the City of Parchment or the Master Plan?
- DeBoer stated that they are for the Master Plan.
- Lyon-Jenness gave examples. She thanked Bliesener and Dean for the examples that they provided. She asked if they needed both statements; was it useful? A compressed Vision Statement needs to say enough.
- Dean said if we add a Mission Statement, we do not need to edit the Vision Statement. Condense and/or use one. She is comfortable with using both. Past and future statements from Lyon-jenness are both good.
- Lyon-Jenness noted the Mayor's concern with Jake Kindleberger's name in it. Quote could be removed.
- DeBoer stated that the PC should put in what they want; a lot of time was spent on the Master Plan.
- Bliesener agreed with Dean, no re-wording of the Vision Statement.
- DeBoer stated that the PC has a Vision and Mission Statement. He agrees and is totally ok with it. No reason to get rid of the whole thing.
- Lyon-Jenness stated that the PC will keep it more succinct.
- Tecca said that moving along is a really good thing.
- Lyon-Jenness said that it would be ready for final approval at the March meeting.

#### **8. Commissioner Comments**

- DeBoer thanked ZA Harvey for facilitating all the materials needed, for moving the PC forward and for sticking with the PC through all of these meetings. He thanked the City Manager for the detailed notetaking. He expressed his thanks to his friends and colleagues on the Planning Commission for all of their hard work.

**9. Next Meeting** - Wednesday, March 24, 2021 at 6pm.

**10. Adjournment** – Motion by Lyon-Jenness and supported by Dean. Meeting adjourned at 7:24pm.

# City of Parchment Planning Commission

## Article 11A. – Mill Planned Unit Development (PUD) District

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### Section 11A.1 Intent

The Mill Planned Unit Development District is designed to:

1. Permit greater flexibility in the regulation of land and encourage creative and imaginative design in development through the use of planned unit development legislation, as authorized by the Michigan Zoning Act (Public Act 110 of 2006, as amended).
2. Allow for a phased and targeted approach that will catalyze redevelopment of the Mill property.
3. Provide for a transformation of the Mill property into a hub of economic and social activities in the City of Parchment by integrating a harmonious mixture of varied housing choices with recreational, commercial and low-impact industrial uses at the site.
4. Provide for commercial and non-commercial recreational opportunities that are responsive to the area's recreational amenities and natural assets.
5. Exercise targeted preservation and stabilization of existing buildings on the Mill property.
6. Provide for building form standards; common parking arrangements; active streetscapes; and, functional connectivity to the surrounding area through pedestrian routes and recreational assets.
7. Further the vision and redevelopment strategies outlined in the Economic Redevelopment Plan set forth in the City of Parchment Master Plan.

### Section 11A.2 Applicability/Scope

The Mill Planned Unit Development District is intended to apply to the approximately 30-acres of former KVP/Crown Vantage Paper Mill property **owned by the City of Parchment and** referenced in the Economic Redevelopment Plan set forth in the City of Parchment Master Plan.

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The Mill Planned Unit Development District is designed to accomplish the overall land use pattern, building form, street system, and arrangement of green space networks envisioned by the Plan.

### Section 11A.3 Planned Unit Development Use Provisions

1. Principal uses permitted.
  - a. One-family detached, two-family, and multiple-family dwellings, including one-family attached dwellings.
  - b. Housing for the elderly in accordance with section 7.3.
  - c. Retail and business or personal service establishments.
  - d. Office-type business related to executive, administrative, or professional occupations including, but not limited to, offices of a lawyer, accountant, insurance/real estate agent, architect, engineer, and similar occupation.
  - e. Standard or carry-out restaurants.
  - f. Bars or taverns.
  - g. Indoor and outdoor commercial recreational facilities.
  - h. Nonresidential uses of an educational or cultural character.
  - i. Publicly owned and operated parks, parkways, and recreation facilities.
  - j. Indoor and urban farming.
  - k. Home occupations in accordance with section 12.15.
  - l. Accessory buildings and uses customarily incident to the principal use.
2. Principal uses permitted subject to special conditions.
  - a. Outdoor sales or outdoor activity accessory to a principal use. Outdoor storage shall be prohibited.
  - b. Breweries, wineries, and distilleries.



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- c. Artisan, specialty, or craft manufacturing.
- d. Assembly of finished or semi-finished products; packaging of previously prepared material; and, processing or compounding of commodities such as drugs, cosmetics, and food products.
- e. Any use charged with the principal function of basic research, design and pilot or experimental product development.
- f. Wholesaling, storage and/or warehousing of commodities

### Section 11A.4 Designated Green Space Standards

Within the Mill Planned Unit Development District, there shall be designated an amount of green space not less than 15% of the total planned unit development district area, subject to the following standards:

1. *Designated* green space shall be of functional value as it relates to opportunities for natural feature preservation, recreation, visual impact, and accessibility.
2. *Designated* green space shall be located along the interior street system of the planned unit development, where possible, so as to be visible and accessible to the public. *Designated* green space shall be designed to effectively connect open spaces throughout the planned unit development.
3. Any significant and/or sensitive environmental resources shall be included within the *designated* green space.
4. The following land areas shall not be included as *designated* green space for purposes of meeting minimum green space requirements:
  - a. the area of any road right-of-way or private road easement;
  - b. parking and loading areas;
  - c. storm water detention/retention basins, unless designed as a natural wetland.
5. Structures or buildings which are accessory to the *designated* green space may be allowed and shall be erected only in accordance with the approved site plan.

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6. *Designated* green space shall be set aside through an irrevocable conveyance approved by the Planning Commission, such as recorded deed restrictions; covenants that run perpetually with the land; a conservation easement; or land trust.

Such conveyance shall assure that the green space is protected from development, except as approved by the Planning Commission. Such conveyance shall also:

- a. indicate the proposed allowable uses(s) of the *designated* green space;
- b. require that the *designated* green space be maintained by parties who have an ownership interest in the open space;
- c. provide standards for scheduled maintenance of the green space;
- d. provide for maintenance to be undertaken by the City in the event that the designated green space is inadequately maintained, or is determined by the City to be a nuisance, with the assessment of the costs for maintenance upon the green space ownership.

### Section 11A.5 Planned Unit Development Design Standards

#### 1. Site Design Requirements:

##### a. Access:

- 1) The planned unit development shall have direct access onto a public road designed in compliance with the City of Parchment access standards.
- 2) Shared access between properties within the planned unit development through service drives, shared drives, or driveway placement shall be encouraged where feasible and appropriate.

##### b. Interior Street System: The planned unit development shall be served by an interior street system designed to facilitate the general development objectives for the Mill property set forth in the City of Parchment Master Plan.

- 1) Interior streets may be public and/or private subject to Planning Commission approval. All private interior streets within the planned unit development shall be subject to the City of Parchment public street standards.
- 2) Interior streets shall be provided bike lanes or shared-use lanes (sharrows) to facilitate the development of an interconnected non-motorized transportation network within the planned unit development and adjacent areas. The design and construction of these non-motorized accommodations

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shall be based on standards established by the American Association of State Highway and Transportation Officials (AASHTO).

- c. **Dimensional Standards:** The following tables set forth the dimensional standards applicable within the Mill Planned Unit Development District.

## Nonresidential Buildings:

Lot Size	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Lot Width	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Maximum Front Yard Setback	<ul style="list-style-type: none"> <li>10 feet</li> </ul>
Minimum Side Yard Setback	<ul style="list-style-type: none"> <li>0 feet for walls without windows</li> <li>10 feet for walls that contain windows</li> </ul>
Minimum Rear Yard Setback	<ul style="list-style-type: none"> <li>30 feet</li> </ul>
Maximum Building Height	<ul style="list-style-type: none"> <li>40 feet / 3 stories</li> </ul>

*Exceptions.* The Planning Commission may grant exceptions to the dimensional standards where the deviation meets the purpose of the planned unit development set forth in Section 11A.1.

*Existing Buildings.* Buildings existing within the planned unit development prior to *(date of adoption of pud district)* shall not be subject to the dimensional standards set forth above. Any expansion or modification of an existing building shall be subject to established dimensional standards, unless specifically waived by the Planning Commission through a finding that the deviation meets the purpose of the planned unit development set forth in Section 11A.1.

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## Residential Buildings:

Minimum Lot Size	<ul style="list-style-type: none"> <li>Overall density of 10 units per acre</li> </ul>
Lot Width	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Maximum Front Yard Setback	<ul style="list-style-type: none"> <li><b>10 feet</b></li> </ul>
Minimum Side Yard Setback	<ul style="list-style-type: none"> <li>0 feet for walls without windows</li> <li>10 feet for walls that contain windows</li> </ul>
Minimum Rear Yard Setback	<ul style="list-style-type: none"> <li>30 feet</li> </ul>
Maximum Building Height	<ul style="list-style-type: none"> <li>40 feet / 3 stories</li> </ul>
Minimum Building Size	<ul style="list-style-type: none"> <li>One family – 800 square feet (one story) /600 square feet ground floor (two story)</li> <li>Two Family – 720 square feet/unit</li> <li>Multiple Family – 600 square feet/unit</li> </ul>
Maximum Lot Coverage	<ul style="list-style-type: none"> <li>35%</li> </ul>

*Exceptions.* The Planning Commission may grant exceptions to the dimensional standards where the deviation meets the purpose of the planned unit development set forth in Section 11A.1.

- d. **Parking/Loading:** Parking and off-street loading within the Mill Planned Unit Development District shall be provided as follows:
- 1) Except as specified herein, parking shall be provided as set forth in Section 12.7 – 12.10 and may be established through on-site parking, common parking facilities, and/or on-street parking.
  - 2) The Planning Commission may approve reduced on-site parking, or the paving of only a portion of the parking area, leaving a portion as grass for overflow parking, if it is demonstrated that adequate parking otherwise exists in a

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shared and/or adjacent parking facility during the principal operating hours of uses to share said parking and access is shared.

- 3) On-street parking shall be allowed on all interior streets within the planned unit development.
- 4) Off-street loading shall be subject to Section 12.12.
- 5) Parking and loading areas shall be visually buffered from the abutting street and adjacent lots with landscape areas of a mixture of trees and shrubs, primarily of native species.

e. **On-Site Sidewalks.**

- 1) Where they do not exist, sidewalks shall be provided along the abutting road and may be within the public right-of-way.
- 2) Sidewalks and/or pedestrian linkages shall be provided between parking areas and buildings on the same lot and between shared parking areas that are not otherwise physically connected to each other or the building served.
- 3) Sidewalks and/or pedestrian linkages shall be routed through landscape areas.
- 4) Pedestrian linkages with off-site public pathways will be encouraged.

f. **Dumpsters.** Dumpster facilities are permitted only in rear yards and shall be subject to Section 12.24.

g. **Exterior Lighting.** On-site exterior lighting shall be subject to Section 12.25.

h. **Landscaping.**

- 1) Landscaping shall be provided in all internal areas of parking lots to provide shade and visual relief, and shall be established in consideration of the following:

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- planting islands shall be a minimum of two (2) parking stalls wide;
  - consolidate blocks of open space for landscape areas;
  - use vegetation to separate pedestrians from cars;
  - use a mixture of trees and shrubs, primarily of native species where most visible;
  - provide adequate spacing to allow for growth of vegetation
- 2) Portions of property not devoted to floor area, parking, or vehicular/pedestrian ways shall be landscaped with live plant material and landscape elements.
- i. **Utilities.** Public water and sanitary sewer facilities are required as part of the planned unit development. All utilities, including telephone, electric, and cable television, shall be placed underground.
- j. **Storm Water Management.** Storm water management systems should be designed to:
- 1) Incorporate and/or use natural drainage systems existing on the site or in the planning unit development.
  - 2) Protect the surrounding natural environment.
  - 3) Retain the natural retention and storage capacity of any wetland or waterway.
  - 4) Not increase flooding or the possibility of polluting surface water or groundwater.
  - 5) Coordinate with the groundwater protection strategies of the City.

### Section 11A.6 Building Form Standards

1. **Nonresidential Buildings.** New principal buildings and façade renovations of existing principal buildings shall meet the following form standards:
  - a. **Building Orientation.** Buildings shall be oriented to face the front property line.
  - b. **Front Façade.** Walls that face a street, green space, park or off-street parking area shall include windows and architectural features customarily found on the front of a building, such as awnings, cornice work, edge detailing or decorative finish materials.

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- 1) Blank walls longer than 20 feet shall not face a street.
- 2) All buildings shall have a main entrance located on the front façade. Main entrances shall have design details that enhance the appearance and prominence of the entrance so that it is recognizable from the street and parking areas.
- 3) For buildings with a front façade of more than 100 feet in length, there shall be a minimum of one (1) usable entrance every full 50 feet of frontage along the front public sidewalk and shall provide architectural variation to visually break up the building.

### c. **Windows and Doors.**

- 1) **Ground Floor.** Ground floors shall be designed with storefronts that have windows, doorways and signage, which are integrally designed and painted. No less than 70% of the storefront/ground floor façade shall be clear glass panels and doorway. Glass areas on storefronts shall be clear, or lightly tinted. Mirrored glass is prohibited. Required window areas shall be either windows that allow views into retail space, working areas or lobbies, pedestrian entrances, or display windows set into the wall. Windows shall not be blocked with opaque materials or the back of shelving units or signs. The bottom of the window must be no more than 3 feet above the adjacent exterior grade.
- 2) **Upper Stories.** Openings above the first story shall be a maximum of 50% of the total façade area. Windows shall be vertical in proportion and shall be compatible with the rhythm and proportion of windows on other buildings in the planned unit development.
- 3) Vehicular access doors are prohibited on a front façade.

### d. **Building Materials.**

- 1) New construction shall have concrete footings and foundation walls of concrete, concrete block, or a combination of concrete and concrete block, with conventional 2x wood frame or structural steel construction.

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- 2) The exterior finish of buildings shall be masonry (**fired-clay** brick, building stone, cast stone, decorative concrete block, glass, or adobe), masonry veneer, structural steel, **exterior insulation finish system (EFIS)**, or a combination thereof.
- e. **Awnings.** An awning acts as a transition between the storefront and the upper story and can also be used as a location for building signage. Storefronts may be supplemented by awnings provided that the following conditions are met:
- 1) Fabric awnings are encouraged. The traditional commercial awning material is canvas and its profile is the watershed design.
  - 2) Awnings shall fit storefront openings or individual window openings.
  - 3) The awning shall be positioned immediately above the first-floor window area of the façade, attached below the storefront cornice or sign panel, and should not cover the piers on either side of the storefront.
  - 4) The awning should be mounted such that its valance is provided a minimum of eight (8) foot clearance from a sidewalk.
  - 5) Awning color should be selected to insure compatibility with the building and with the color of adjacent buildings.
  - 6) Imitation mansard roofs made of metal, rough-sawn wood, plastic, shakes, or asphalt roofing are prohibited.
  - 7) Internally-illuminated or plastic awnings are prohibited, with or without signage.
2. **Residential Buildings.** Attached and detached residential dwellings shall meet the following form standards:
- a. **Building Orientation.** Buildings shall be oriented to face the front property line.
  - b. **Front Façade.**
    - 1) All residential dwellings shall provide a pedestrian door facing the front property line.



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- 2) All residential dwellings shall include a front porch or landing with steps, with a sidewalk extending from the steps to the street sidewalk.
  - 3) The front façade of a residential dwelling shall be 25% windows and doors.
  - 4) The form standards set forth in subsections 2) and 3) shall not apply to mixed use buildings where the façade is designed to meet the requirements of subsection 1. of this section.
- c. **Building Materials.** All buildings shall use materials that are in keeping with architectural styles traditional to the area. Allowed exterior finish materials include masonry, wood, and siding.
- d. **Garages.**
- 1) Garages shall be required for one-family attached and detached dwellings.
  - 2) **A garage is defined as a walled, roofed structure for storing a vehicle(s). Permanent and/or temporary carports are prohibited.**
  - 3) One-family attached dwellings. Garages shall be located in the rear yard and accessed by an alley or side street.
  - 4) One-family detached dwellings. Garages shall be located in the rear yard and accessed from the frontage street by a single driveway.
  - 5) **A garage shall be similar and/or compatible in design and construction material as the dwelling it serves.**
3. **Modifications to Architectural Requirements.** The Planning Commission may approve modifications to the building form standards in order to allow for creativity and flexibility in design. A front elevation drawing of the proposed building shall be provided superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other buildings along the block, which shall be utilized to evaluate the proposed building design based upon all of the following criteria:

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- a. Demonstrates innovation in architectural design, provided the building design shall be in keeping with the desired character of the area, as articulated in the City of Parchment Master Plan, and similar to the architectural style of historical buildings in the area.
- b. The building is oriented towards the front of the site with a functioning entrance and enhances the continuity of the pedestrian-oriented environment. A modification shall not result in an increased dominance of vehicular parking or garage doors along the front of the building.
- c. The roof design will not be out of character with other buildings in the planned unit development.
- d. The exterior finish materials shall be of equal or better quality and durability as those permitted herein, with the intent to allow for new technologies in building material while maintaining the desired character of the area.

### Section 11A.7 Streetscape Design Standards

1. **Sidewalks.** Sidewalks within the planned unit development shall be provided as set forth in the City of Parchment ***Streets, Sidewalks, and Other Public Places Ordinance***.
2. **Street Trees.** In order to provide a visually interesting streetscape within the planned unit development, street frontage shall be landscaped with trees of varying species type and spacing. Although typical spacing is between 20 – 30 feet depending on the species, visual continuity and the best plant species and spacing for a specific site will be considered.
3. **Street Lights.** Pedestrian level street lighting of a decorative nature shall be installed along all street sidewalks and shall be designed to promote the character of the area. Light fixtures shall meet the specifications of the City of Parchment.
4. **Alleys.** Alleys shall be allowed in the planned unit development and shall be required where necessary to provide access to parking lots, loading areas and garages.

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5. **Street Furniture.** Benches and trash receptacles shall be provided in park and plaza areas and along adjoining sidewalks where the Planning Commission determines that pedestrian activity will benefit from these facilities.
6. **Bicycle Facilities.** The planned unit development shall be designed to accommodate bicycle travel, including the provision of bike racks. All parking areas for nonresidential uses shall include sufficient bike racks to allow the parking of a minimum of one bike for every 10 automobiles or one bike for every 3,000 square feet of building floor area, whichever is greater.

### Section 11A.8 Application/Approval Process

1. **Application Requirements.** The application for development approval within the Mill Planned Unit Development District shall be made according to the site plan application/approval process set forth in this Section.
2. **Pre-Application Meeting.** An applicant desiring to submit an application for site plan review within the Mill Planned Unit Development District is encouraged to attend a pre-application meeting with the Planning Commission. The purpose of the pre-application meeting is to determine general compliance with the planned unit development eligibility and design requirements, and to identify issues of significance regarding the proposed application.

The applicant shall present the following information for a pre-application meeting:

- a. Sketch plan of the proposed development site layout;
  - b. Accurate legal description of the development site;
  - c. Names and addresses of all current owners of the development site;
  - d. Total site acreage;
  - e. Number of acres to be developed by use;
  - f. Number of acres of undeveloped land;
  - g. Number of acres of *designated* green space;
  - j. Details of vehicular and pedestrian circulation system;
  - k. Location and details of known natural features.
  - l. Relationship of the development site design to the existing/planned layout of the planned unit development.
3. **Preliminary Plan Review.** An application for development approval within the Mill Planned Unit Development District shall be subject to mandatory preliminary plan

# City of Parchment

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review by the Planning Commission. The review is intended to provide an indication of the issues and concerns that must be resolved prior to site plan review.

Preliminary plan approval shall not constitute an approval of a detailed site plan but shall be deemed an expression of approval of the layout as a guide to the preparation of the site plan. A request for a modification to the approved preliminary plan shall be submitted for review in the same manner as the original preliminary plan was submitted and reviewed.

4. **Preliminary Plan Requirements.** Engineering details of a preliminary plan are not required to be developed beyond a level of detail required to determine the feasibility of the proposed layout. The preliminary plan, drawn to a reasonable scale, shall provide the following information:
  - a. Boundaries of the planned unit development and the development site;
  - b. General location map showing existing land use and ownership within the planned unit development and of adjacent land;
  - c. Topography of the development site and its relationship to adjoining land;
  - d. Location of existing/proposed streets adjacent to and within the planned unit development; proposed connection to and/or extension of existing streets within the planned unit development;
  - e. Pedestrian and vehicular circulation systems and related parking facilities on the development site and their relationship to existing/planned systems within the planned unit development;
  - f. Delineation of the proposed development area(s), indicating for each area its size, number and composition of buildings, building envelopes, height and orientation of buildings;
  - g. *Designated* green space system and recreation areas;
  - h. Proposed landscaping, including greenbelts, berms, and/or screening;
  - i. Storm water drainage system;
  - j. Public facilities.

The following documentation shall accompany the preliminary plan:

- a. name, address and telephone number of:
  - all persons with an ownership interest in the land within the Planned Unit Development District, together with a description of the nature of each entity's interest;
  - all engineers, attorneys, architects or registered land surveyors associated with the development site;
  - the developer or proprietor of the development site;
  - any person authorized to represent the owner in the review process.

# City of Parchment

## Planning Commission

- b. accurate legal description of the planned unit development and development site;
  - c. total acreage of the planned unit development and development site;
  - d. general statement as to how green space and recreation areas are to be owned and maintained;
  - e. general indication of the proposed sequence and approximate time frames of development phases;
  - f. a narrative describing how the development site design is consistent with the purposes of the Mill Planned Unit Development District, the capacity and availability of necessary public facilities to the development; and, the impact the development will have on adjoining properties.
5. **Additional Information.** During the preliminary plan review process, the Planning Commission may require additional information they determine is reasonably necessary to demonstrate compliance with the planned unit development standards. Such information may include, but not be limited to, hydrological tests, traffic studies, or wetland determinations.
6. **Site Plan Review.** An application for development approval within the Mill Planned Unit Development District shall be subject to site plan review by the Planning Commission. The detailed site plan shall conform to the approved preliminary plan and incorporate any revisions or recommendations made by the Planning Commission at the preliminary plan review.

If a detailed site plan is not submitted for review within six (6) months of preliminary plan approval, the Planning Commission may require resubmission of the preliminary plan for further review and possible revision.

7. **Site Plan Requirements:** The following information shall be included on, or attached to, all site plans:
- a. An update of the approved preliminary plan pursuant to the site plan informational requirements set forth in Section 13.1.
  - b. Engineering plans presented in sufficient detail to indicate compliance with City standards.
  - c. Easements, deed restrictions, and other documents pertaining to pedestrian and vehicular systems; the *designated* green space system; and recreation areas;
  - d. If condominium ownership is proposed, all documentation required by the condominium regulations of the City.
8. **Review Criteria.** Approval of a site plan within the Mill Planned Unit Development District shall be determined on the basis of the Site Plan Review criteria set forth in Section 13.1, as well as the following criteria:

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- a. The overall design and land uses proposed in connection with the planned unit development shall be consistent with the purpose of the planned unit development concept and the specific design standards set forth herein.
- b. The proposed development site shall be serviced by the necessary public facilities to ensure the public health, safety, and welfare of the residents and users of the development.
- c. The proposed development site shall be designed to minimize the impact of traffic generated by the development on the surrounding land uses and road network.
- d. The proposed development site shall be designed so as to be in character with surrounding conditions as they relate to bulk and location of structures, pedestrian and vehicular circulation, landscaping, and amenities.
- e. The proposed development site shall be designed and constructed so as to preserve the integrity of the existing on- and off-site sensitive and natural environments, including wetlands, woodlands, hillsides, water bodies, and groundwater resources.
- f. The *designated* green space shall be of functional value as it relates to opportunities for recreation, visual impact, and/or access.

### Section 11A.9 Site Plan Approval

1. **Effect of Approval.** After a site plan has been approved and construction of any part thereof commenced, no other type of development will be allowed on the site without further approval by the Planning Commission and after proceedings conducted as in the original application.
2. **Conformity to Approved Plan.** Property within the Mill Planned Unit Development District which is the subject of site plan approval must be developed in strict compliance with the approved site plan. If construction and development do not conform to same, the approval thereof shall be forthwith revoked by the City. Upon revocation of such approval, all further construction activities shall cease upon the site other than for the purpose of correcting the violation.
3. **Amendment to Approved Plan.** A proposed amendment or modification to a previously approved site plan within the Mill Planned Unit Development District shall be submitted for review in the same manner as the original application.

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4. **Project Phasing:** When proposed construction is to be phased, the project shall be designed in a manner that allows each phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the occupants and residents of the planned unit development and surrounding area.

Each phase of the development shall be commenced within one (1) year of the schedule set forth on the approved site plan. If construction of any phase is not commenced within the approved time period, approval of the site plan shall become null and void.

5. **Performance Bond.** The Planning Commission may require that a performance bond, bank letter of credit, or cash bond in such amounts as may be determined be deposited with the City to ensure completion of the site in accordance with the approved plans. The bond shall be for the purpose of securing the health, safety, and welfare of Village residents and adjacent property owners.

Such bond or bank letter of credit, if required, shall be set at a minimum of 100% of the cost of the unfinished work for which the bond was required. The City shall provide for the rebate of any cash bond filed in reasonable proportion to the ratio of the work completed, provided the amount remaining on deposit still provides reasonable security for the completion of the unfinished improvements related to the deposit.

6. **Development Agreement.** No building permit shall be issued for development and no construction activity commenced within the planned unit development until an affidavit containing the legal description of the planned unit development and the subject development site within the planned unit development; the date and terms of the site plan approval; and a declaration that all improvements will be carried out in accordance with the approved site plan is recorded with the Register of Deeds for Kalamazoo County.

All required public dedications for streets, utility easements or other public facilities, and deed restrictions shall be filed with the City and recorded at the Register of Deeds.

7. **Revocation.** In any case where construction of the approved site plan has not commenced within one (1) year of the date of the final approval, all approvals shall be null and void.

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## Planning Commission

### Amend Section 12.2 – Building regulations. to add:

7. A dwelling shall comply with the minimum square footage requirements of this Ordinance for the district in which it is located and shall:
  - a. Have a minimum floor to ceiling height of 7.5 feet.
  - b. Have a core living area with a minimum dimension of 20 feet by 20 feet within the principal portion of the building having exterior wall construction, excluding porches, breezeways, garages, etc. which are accessory to the principal structure;
  - c. Have a minimum width across the front, side and rear elevations of at least 24 continuous feet of exterior wall;
  - d. Be permanently attached to a solid foundation or in the case of mobile homes, connected to piers, constructed on the site in accordance with the Michigan Building Code and any manufacture's specifications. The dwelling shall be fully enclosed with a permanent wall around its perimeter extending from the footing or slab to the ground floor. The perimeter wall shall be constructed of concrete, concrete block, wood, or other material, comparable to those used to construct the foundation of site-built homes; in no case shall metal, plastic or vinyl skirting be utilized.
  - e. No exposed wheels, towing mechanisms, undercarriage, or chassis will be permitted. Any space that may exist between the foundation and the ground floor of the dwelling will be fully enclosed by an extension of the foundation wall along the perimeter of the dwelling.
  - f. Be connected to a public sewer and water supply or to such private facilities approved by the local health department.
  - g. Contain permanently attached steps connected to exterior door areas or to porches connected to said door areas where a difference in elevation requires the same.
  - h. Contain no additions of rooms or other areas which are not constructed with an appropriate foundation and permanent attachment to the principal structure.
  - i. Comply with all pertinent building and fire codes including, in the case of mobile homes, the standards for mobile home construction as contained in the United States Department of Housing and Urban Development (HUD) regulations entitled "Mobile Home Construction and Safety Standards," effective June 15, 1976, as amended. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations allow standards of construction which are less stringent than those imposed by the Michigan Building Code, then and in that event, the less stringent federal or state standards or regulation will apply.
  - j. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park.



# City of Parchment Planning Commission

## **Amend Section 2.2 – Definitions to add:**

*Indoor farming* – farms where plants are grown entirely indoors and can include greenhouses (or rooftop greenhouses) and horizontal/vertical farms.

*Urban farming* – small outdoor farms or gardens that are located in urban areas and typically include urban parks, rooftop gardens and community farms.

**CITY OF PARCHMENT MASTER PLAN**

**RESOLUTION FOR FINAL APPROVAL  
PARCHMENT PLANNING COMMISSION**

**WHEREAS,** The Parchment Planning Commission has undertaken updating of the 2021 Master Plan to guide development; promote the public health, safety, and welfare of the City; to encourage the proper use of resources; to facilitate recreation and other public improvements; and to consider the character of the City of Parchment and suitability of land uses, and

**WHEREAS,** Section 43(3) of Public Act 33 of 2008, commonly known as the Michigan Planning Enabling Act, gives the Parchment Planning Commission the authority to assert the right to make final approval or rejection of said Master Plan, and

**WHEREAS,** The Parchment Planning Commission has a responsibility to the citizens of Parchment to provide for and promote the public health, safety and general welfare of the City, and

**NOW THEREFORE BE IT RESOLVED,** that the Parchment Planning Commission hereby asserts the authority to give their final approval or rejection of the update to the Parchment City Commission for the City of Parchment Master Plan as a guideline for improving the overall quality of life for the residents of Parchment.

Yeas: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

**I HEREBY CERTIFY,** that the forgoing Resolution was adopted at a regular meeting of the Parchment City Commission, held on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parchment City Clerk

**CITY OF PARCHMENT**  
**KALAMAZOO COUNTY, MICHIGAN**

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE PARCHMENT CITY CODE OF ORDINANCES TO AMEND ARTICLE 20 OF THE PARCHMENT CITY ZONING ORDINANCE (APPENDIX A), TO ADD CONDITIONAL REZONING; TO SET FORTH CRITERIA AND REGULATIONS THEREFOR; TO REPEAL ALL OTHER ORDINANCES OR PARTS THEREIN INCONSISTENT OR CONTRARY TO THIS ORDINANCE; AND TO ESTABLISH AN EFFECTIVE DATE FOR THIS ORDINANCE.**

**THE CITY OF PARCHMENT ORDAINS:**

**ARTICLE I**

Article 20, Amending the Ordinance, is hereby amended to add Conditional Rezoning, which addition shall now read:

**CONDITIONAL REZONING**

**Section 20.1 – Intent**

The Planning Commission and City Commission recognize that, in certain instances, it would be an advantage to the City and to property owners seeking rezoning if the application for rezoning was accompanied by a site plan and was subject to certain conditions. Accordingly, it is the intent of this Section of the Zoning Ordinance to provide a conditional rezoning option to property owners in connection with the submission of an application for rezoning.

**Section 20.2 – Definitions**

The following definitions shall apply in the interpretation of this Section:

1. Applicant

The property owner, or a person acting with the written and signed authorization of the property owner to make application under this Section.

2. Conditional Rezoning Agreement (CR Agreement)

A written agreement approved and executed by the City and property owner, incorporating a CR Plan, and setting forth Rezoning Conditions and any other terms mutually agreed upon by the parties relative to land for which the City has approved a conditional rezoning.

3. Conditional Rezoning Plan (CR Plan)

A plan of the property which is the subject of a conditional rezoning, prepared by a licensed engineer or architect, that shows the location, size, height, design, and other measures or features of buildings, structures and improvements on and adjacent to the property. The details to be offered for inclusion on a CR Plan shall be determined by the applicant, subject to approval of the City Commission after recommendation by the Planning Commission.

4. Rezoning Conditions

Conditions proposed by the applicant and approved by the City as part of an approval under this Section, which shall constitute regulations in connection with the development and use of property for which conditional approval has been granted. Such Rezoning Conditions shall not:

- a. Authorize uses or developments of greater intensity or density than are permitted in the district proposed by the rezoning.
- b. Authorize uses that are not permitted in the district proposed by the rezoning.
- c. Permit uses or development expressly or implicitly prohibited in the CR Agreement.

5. Rezoning

The amendment of this Ordinance to change the Zoning Map classification on property from its existing district to a new district classification.

## Section 20.3 – Authorization and Eligibility

### 1. Application for Optional Conditional Rezoning

A property owner shall have the option of seeking conditional rezoning in connection with submission of an application seeking rezoning. The conditional rezoning option shall be selected by filing an Application for Conditional Rezoning Review. Conditional rezoning represents a legislative amendment to the Zoning Ordinance, pursuant to Section 405 of Michigan Public Act 110 of 2006, as amended.

### 2. Site-Specific Regulations

In order to be eligible for review of an application for conditional rezoning, a property owner must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, voluntarily offer certain site-specific regulations (to be set forth on a CR Plan and in a CR Agreement) which are equally or more strict or limiting than the regulations that would apply to the land under the proposed zoning district.

## Section 20.4 – Review and Approval Procedures

### 1. Pre-Application Meeting

Prior to submitting an Application for Conditional Rezoning, the applicant may schedule a pre-application meeting with the City Planner to review the conditional rezoning guidelines and expectations. The applicant shall pay the expenses incurred by the City for this meeting.

### 2. Application

A property owner or his/her designated agent may submit an Application for Conditional Rezoning at the time the application for rezoning is filed or at a subsequent point in the process of review of the proposed rezoning. The application, which may be amended during the review process, shall include a CR Plan proposed by the applicant and a list of Rezoning Conditions proposed by the applicant, recognizing that the Rezoning Conditions shall not authorize uses or development not permitted in the proposed zoning district.

### 3. Planning Commission Review

After the completed application and all required supporting materials have been received and fees paid, the petition shall be reviewed by the Planning Commission in accordance with the procedures outlined in Article 20.

4. City Commission Consideration

Upon receipt of the recommendation of the Planning Commission, the City Commission shall deliberate on the proposed conditional rezoning. If the City Commission determines that it may approve the conditional rezoning, then the City Commission shall work with the landowner to clarify tentative conditions so that the applicant (or designee) can develop a draft CR Agreement.

5. City Commission Action

Upon completion of the CR Agreement, the City Commission, by majority vote of its membership, shall make a final determination to approve or deny the conditional rezoning.

6. Zoning District Designation

If approved, the zoning classification of the rezoned property shall be the district to which the property has been rezoned, accompanied by a reference to "CR, Conditional Rezoning." The use of property so designated shall be restricted to the uses specified in the CR Agreement, and no other development or use shall be permitted except uses provided for in the original Zoning District.

7. Effects of Approval

The use of property in question shall conform with all regulations governing development and use in the zoning district to which the property has been rezoned, subject to the following:

- a. Development Subject to Conditional Rezoning Requirements. Development and use of the property shall be subject to the more restrictive requirements specified on the CR Plan, in the Rezoning Conditions and in the CR Agreement, required as part of the Conditional Rezoning approval. Such requirements shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.
- b. Site Plan Review and Other Approvals Required. Approval of the CR Plan and Agreement confirms only the rezoning of the property, subject to any conditions imposed as reflected in the CR Plan. Site plan, special land use, plat, and

condominium approval, as appropriate, shall be required, pursuant to procedures in Article 13, prior to any improvements to the property. Any use or development proposed as part of any offer of conditions that would require a variance under the terms of this Ordinance 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 Ordinance.

- c. Recordation and Publication of CR Agreement. A conditional rezoning shall become effective on the effective date of the Ordinance amending the Zoning Map and recordation of the CR Agreement.

#### 8. Amendment of CR Agreement

Amendment of a CR Agreement shall be proposed, reviewed, and approved in the same manner as a new conditional rezoning application.

#### 9. Expiration of CR Agreement

The conditional rezoning approval shall expire following a period of two (2) years from the effective date of the rezoning unless: 1) approved development of the property commences within such two (2) year period and proceeds without delay and in good faith as required by ordinance toward substantial completion, or 2) the rezoning is extended for good cause by the City Commission as provided herein.

- a. Extension of Approval. In the event that a development has not commenced within two (2) years from the effective date of the rezoning, the City Commission shall initiate reversion of the zoning to its former classification. However, the land owner may apply to the City Commission for a one (1) year extension one (1) time. The request for extension must be submitted to the City Clerk before the two (2) year time limit expires. The land owner must show good cause why the extension should be granted.
- b. Reversion of Zoning. If approved development and/or use of the rezoned land does not occur within the time frame specified above, then the land shall revert to its former zoning classification as set forth in MCL 125.286i. The reversion process shall be initiated by the City Commission requesting that the Planning Commission proceed with consideration of rezoning of the land to its former zoning classification. The procedure for considering and making this reversionary rezoning shall thereafter be the same as applies to all other rezoning requests.

#### 10. Violations of the CR Agreement

If development or actions are undertaken on or with respect to the property in violation of the CR Agreement, such development or actions shall constitute a nuisance per se. In such case, the City may issue a stop work order relative to the property and seek any other lawful remedies. Until curative action is taken to bring the property into compliance with the CR Agreement, the City may withhold, or, following notice and an opportunity to be heard, revoke permits and certificates, in addition to or in lieu of such other lawful action to achieve compliance.

## Section 20.5 – Elements of a Conditional Rezoning Application

As an integral part of the conditional rezoning, the following elements shall be provided by the applicant for review by the City.

### 1. CR Plan

A CR Plan, with such detail as proposed by the applicant and approved by the City Commission in accordance with this Section. The CR Plan shall not replace the requirements for site plan, subdivision or condominium approval, as the case may be.

### 2. Rezoning Conditions

Rezoning conditions, which shall not authorize uses or development not permitted in the proposed zoning district and which shall not permit uses or development expressly or implicitly prohibited in the CR Agreement.

### 3. CR Agreement

A CR Agreement, which is voluntarily offered by the applicant (or designee), shall incorporate the CR Plan and set forth the Rezoning Conditions, together with any other term mutually agreed upon by the parties, including the following terms:

- a. Agreement and acknowledgement that the conditional rezoning was proposed by the applicant to induce the City to grant the rezoning, and that the City relied upon such proposal and would not have granted the rezoning but for the terms in the CR Agreement.
- b. Agreement and acknowledgement that the conditions and CR Agreement are authorized by all applicable state and federal laws and constitution, and that the CR Agreement is valid and was entered into on a voluntary basis, representing a permissible exercise of authority by the City.



- c. Agreement and understanding that the property in question shall not be developed or used in a manner that is inconsistent with the CR Plan and CR Agreement.
- d. Agreement and understanding that the approval and CR Agreement shall be binding upon and inure to the benefit of the property owner and the City, and their respective heirs, successors, assigns, and transferees.
- e. Agreement and understanding that, if a conditional zoning expires in the manner provided in this Article, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.
- f. Agreement and understanding that each of the requirements and conditions in the CR Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved conditional rezoning, taking into consideration the changed zoning district classification and the specific use authorization granted.
- g. Any other agreement voluntarily proposed by the applicant (or designee) that is consistent with all applicable state and federal laws and is agreed to by the City.

## Section 20.6 – Approval Criteria

The applicant shall have the burden of demonstrating that the following requirements and standards are met by the CR Plan, Rezoning Conditions, and CR Agreement:

### 1. Enhancement of the Project Area

The City Commission, upon recommendation from the Planning Commission, shall determine that approval of the conditional rezoning shall accomplish the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of conditional rezoning.

### 2. In the Public Interest

The City Commission, upon recommendation from the Planning Commission, shall determine that, in considering the site-specific land use proposed by the applicant,

sufficient conditions have been included in the CR Plan and CR Agreement so that it would be in the public interest to grant the conditional rezoning. In determining whether approval of a proposal would be in the public interest, the benefits that would be reasonably expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles.

3. Consistency with the Master Plan

The proposed rezoning shall be consistent with the Master Plan and Future Land Use Map for the City.

**ARTICLE II**

All Ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

**ARTICLE III**

Any and all sections, terms, provisions and/or clauses herein shall be deemed independent and severable. Should any Court of competent jurisdiction hold any section, term, provision or clause void and/or invalid, all remaining sections, terms, provisions and/or clauses not held void and/or invalid shall continue in force and effect.

**ARTICLE IV**

This Ordinance shall take force and effect on \_\_\_\_\_, 2021.

**CERTIFICATE**

I, Shannon Stutz, City Clerk for the City of Parchment, do hereby certify that the foregoing Parchment Ordinance No. \_\_\_\_\_ was adopted by the City Commission at a regular meeting held on \_\_\_\_\_, 2021, and that the following is a record of the vote of the members of said City Commission on said Ordinance.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Shannon Stutz  
City Clerk