

Buchanan Form-Based UDC

Community Comment Matrix and Responses

Color Key

	Addressed through the UDC
	Follow up needed to determine response
	Not addressed through this process or general comment

Topic	Comment	Response	Code Section	Commenter	Date
Comments to Draft One accepted through December 31, 2022					
PUD	What is the primary difference in a PUD and a Neighborhood Plan? What is the impact of eliminating an existing PUD? Ex- Alan requested in an email we remove the Green's PUD. What are the risks/impact of a decision like that?	The NP is a pre-negotiated PUD. It establishes predictability in alignment with the Vision Plan without losing flexibility. It would be ideal to replace the PUD for simplification if landowners support the change. PUDs require a great deal of administrative management and are not ideal for the city nor the landowner. No edits at this time.	Sec. 71-16	Commissioner Swem	11/28/2022
Organization	Why are definitions not right up front?	This is a current best practice in zoning organization. The usable information should come first with supporting information like process and definitions last. Relocated to Article II.	Article V., now II	Commissioner Barker	11/28/2022
Use	How are we handling adult entertainment?	It is permitted by special use in the industrial zone only. It is required by the State of Michigan to permit it somewhere.	Table 71-J	Commissioner Vigansky	11/28/2022
Signs	Add graphics to illustrate signs.	Edited	Sec. 71-30	Mayor Denison	11/28/2022
Landscape	They overdid landscaping but were light on setback.	Setbacks were determined based on review of exiting parcels to avoid legal non-conforming status. Landscaping has been simplified.	Sec. 71-28	Commissioner Barker	11/28/2022
General Content	How will we handle fences and signs in zoning ordinance?	The document became a UDC. Renamed appropriately		Director Murphy	11/28/2022
Bulk standards	Can downtown setbacks be minimum and maximum zero?	Adjusted to 0' min., and 2' max. with Front St. exceptions	Table 71-F	Alan Robandt	11/28/2022
Use/PUD	Why are we eliminating PUD? How are we handling mixed use?	PUDs are unpredictable, negotiated individually, don't necessarily reflect the City's vision since an applicant can propose anything, Amendments are also a burden on the applicant and staff. The NP is a pre-negotiated PUD, allowing for the applicant to choose the appropriate intensities, but assuring the base standards support the Vision Plan. No edits at this time. Mixed use is permitted within buildings and lots according to Table 71-J. Any use permitted in the table for the zone is permitted for the application. However, a mixture of uses is not required since zoning can't predict the market demand.	Sec. 71-16	Commissioner Barker	11/28/2022
Streets	Why Table 71 A and where does it apply?	This is used in new development that requires new access. It will likely be used in the larger empty parcels to the NW of downtown.	Table 71-A	Commissioner Barker	11/28/2022
Subdivisions	What happened to subdivisions?	Subdivisions are now consolidated into Article III (Definitions have become Article II)	Article III	Commissioner Barker	11/28/2022

Zoning map	Zoning map should include parks and schools?	Parks and schools are permitted in the various zoning districts. They are rarely zoned as a specific use. The current map has a park hatch, but no schools. This can be added if desired. No edits until confirmation.	Fig. 71-A	Commissioner McDonald	11/28/2022
Use	Why can't we eliminate strip clubs or mobile homes?	Those uses are protected by state legislation. They must be permitted somewhere within the city. However, we have restricted mobile homes to mobile home parks and they have to be developed according to a NP. This is highly unlikely because of the shape of the structures.	Sec. 71-16 D, Table 71-J	Commissioner McDonald	11/28/2022
Bulk standards	Building height definition will not allow mezzanine. Is a split level house 2 or 3 stories.	Added B.1.d for clarity as well as mezzanine definition.	Sec. 71-17 B.	Commissioner Barker	11/28/2022
Bulk standards	Should downtown be exempt from corner requirements/clear site plans?	Controlled intersections were currently exempt, but added clarity for downtown.	Sec. 71-18 G.	Commissioner Barker	11/28/2022
Bulk standards	There were questions on residential setbacks and they are too close and if all meet state fire code.	Edited Table 71-C and 71-D side yard minimums	Table 71-C Table 71-D	Commissioner Barker	11/28/2022
Bulk standards	Why are there setbacks at all on Neighborhood center standards? 1-16 setbacks. Will that cause a jagged tooth effect?	Neighborhood Center is assigned to Red Bud Trail and many of the properties there are residential. This range permits them to continue to be used while minimizing the non-conforming status.	Table 71-E	Alan Robandt	11/28/2022
Parking location	Why is parking setback +20ft min?	This is a safety and pedestrian activity issue that reflects the historic parking locations of Buchanan. Parking that is located to close to the sidewalk frequently overhangs the sidewalk and blocks the pedestrian path of travel. It also reduces visibility for the pedestrian and introduces possible points of conflict with walkers and cyclists. 20' is the depth of a parked vehicle. Its most important in higher density areas so it isn't included in Table 71-C, 71-G, and 71-H.	Tables 71-D - F	Commissioner McDonald	11/28/2022
Zoning districts	What is objective of Neighborhood Center?	Table 71-E blends the various uses that are occurring along Red Bud Trail that are already compatible. Its a combination of neighborhood commercial and multifamily zones. These are appropriate along corridors, but function better economically as a combined mixed-use zone rather than separate districts.	Table 71-E, 71-J	Commissioner McDonald	11/28/2022
Zoning districts	Can we encourage residential mixed use in major corridors?	This is exactly the intent of NC. It equally permits commercial, residential, and residential mixed use without variance or change of zoning district. Two options exist for E Front Street if there is a desire to include residential there. 1. it's already permitted through the neighborhood plan if the parcel is at least 3 acres. 2. Residential could be permitted by special use or by right in Table 71-J if there is a desire to do that.		Commissioner McDonald	11/28/2022
Use	If you can't prohibit strip clubs then how can you prohibit mirrored windows?	Uses are more closely protected at the state and federal level, largely because of their lobbyists. Because downtown is a historic area, there is more availability to zone for building design that isn't compatible than there is in areas that are largely single family residential.		Mayor Denison	11/28/2022
Signs	We want to encourage blade signs.	Blade signs are permitted by projecting signs.		Director Murphy	11/28/2022

Awnings	Why are awnings minimum of 6 ft?	This is a best practice in downtown areas to reduce glare on the storefront windows. It assists in assuring pedestrians see the goods in the windows. It also has a functional purpose of providing shade and rain cover for pedestrians. Historically awnings served these functional purposes rather than just being decorative.	Sec. 71-30 F. 3.e.	Commissioner McDonald	11/28/2022
Use	Can we limit square footage of marihuana and marihuana related uses including marihuana accessories, headshops?	Definitely. Added Sec. 71-20 A.2. to reflect this.	Sec. 71-20 A. 2.	Commissioner McDonald	11/28/2022
Use	What enforcement capabilities if a home occupation gets too intense?	Edited Table 71-J to change home occupation to special use plus edited 71-25 to exclude work from home from permitting.	Table 71-J Sec. 71-25	Commissioner McDonald, Don Ryman, Northside neighbors	11/28/2022
Use	What enforcement capabilities if an accessory dwelling gets too intense? Or someone sells?	Edited Sec. 71-25 to be a special use permit rather than by right.	Sec. 71-25 A.	Commissioner McDonald, Northside neighbors	11/28/2022
Access	Regarding alley references in zoning code, overall there are very few alleys in Buchanan	For access management purposed, if they exist the should be used to remove conflict points from streets. Removed from Tables 71-C, G, and H since none exist there.	Table 71-C, G, H	Commissioner McDonald	11/28/2022
Purpose	Edit F. *to encourage desitination heritage tourism.	Edited	Sec. 71-3 F.	Alan Robandt	11/28/2022
Zoning districts	Edit F.3. and 5, to clarify	Discussed on 12/6 and determined edit unnecessary	Sec. 71-4 A.3.	Alan Robandt	12/6/2022
Zoning districts	Suggested edit of B. for grammar	Determined unnecessary	Sec. 71-4 B.	Dan	11/28/2022
Streets	Why is there a distinction between NP-M and NP-H in Table 71.A.	71-12(A) 6 Table 71-A The parking densities, ped/bike uses and traffic volumes increase between medium and high densities in Neighborhood Plans. Therefore, the geometrics change to address the difference. For example, traffic volumes are lower in medium density, and operating speeds are somewhat faster, so the narrower lanes help reduce those speeds. This only applies in larger developments that require new streets. It could also be used for streetscape improvements like the current Front St. project.	Table 71-A		11/28/2022
Subdivisions	Page 5. Why is subdivision required.	This only applies to large scale new development.	Sec. 71-12 C.		11/28/2022
Subdivisions	Page 5. Is C.1. a-h applicable to lots	Yes this is lot size standard for new subdivisions. It is also the lot area for each district that was historically found within the zoning district. Its was deleted from C. and moved to A. in each of the zoning tables. Lot size will now only apply to neighborhood plans.	Sec. 71-12 C.		11/28/2022
Parks	Why is 20% mature canopy required?	Discussed the park perimeter mature landscaping canopy option and determined it should be 30%. Edited.	Sec. 71-14 B. 5.	Alan Robandt	12/6/2022
Solar	Add solar standards to assure MEDC requirements for RRC.	Added definitions and type in the use table.	Art. II, Table 71-J	Commissioner Swem	12/6/2022
Density	Concerned about protecting the historic character of single family on W. Front Street.	Changed zoning map from GN to NE for the lots facing Front St. between Downtown and Terre Coupe St.	Fig. 71-A	Don Ryman	12/6/2022

Definitions	Clarify the difference between mobile home/manufactured housing and modular housing.	Added modular housing definition.	Article II	Commissioner McDonald, Commissioner Money	12/6/2022
Facades	West side of Red Bud Trail south of 3rd should require shopfronts	Edited	Sec. 71-18 B. 2.	Alan Robandt	12/6/2022
Facades	Add additional detail for shopfront	Edited	Table 71-I	Alan Robandt	12/6/2022
Facades	Add transoms to glass calculation	Edited	71-18 D.2.	Alan Robandt	12/6/2022
Facades	Why do common entries require evergreen foliage in planters?	For year round beauty	Table 71-I		11/28/2022
Use	Remove X's in Table 71-J. Prohibited should just be blank	Edited	Table 71-J	Commissioner Barker	12/6/2022
Use	Should we limit institutional uses?	Unclear which uses should be limited. No changes until clarification.	Table 71-J		11/28/2022
Use	Are we calling out parking on cannabis? Table 71-K	This table applies parking restrictions to institutional and commercial uses. Not cannabis.	Table 71-K		11/28/2022
Cannabis	Remove colocation of dispensary and grower center	TBD	Sec. 71-21 A. 2.	Alan Robandt	12/6/2022
Cannabis	If available, city water should be used.	Deleted subsection	Sec. 71-21 B. 4.		11/28/2022
Parking	Add dimensional requirements rather than just the AASHTO reference	Edited	Sec. 71-27 E. 1.	Commissioner Barker	12/6/2022
Parking	Remove non-residential quotas	Deleted all non-residential uses from Table 71-L.	Table 71-L	Downtown focus group	12/6/2022
Access	Require 24' driveway width for two-way access	If 10' is acceptable for a one way alley, why is 20' for 2 way unacceptable? 24' is more applicable for exclusive industrial use to provide maneuvering of semi trucks, 20' is ok for mixed use and residential. Note from Peter Swift, PE consulting on traffic engineering.	Sec. 71-27 E. 6.	Commissioner Barker	11/28/2022
Landscape	Why is this so specific? Suggest outsourcing to tree friend.	It can be deleted if you don't care to regulate it. Its mostly about planing in the correct places to protect structures, pedestrians, and cyclists.	Sec. 71-28	Commissioner Barker	11/28/2022
Landscape	Provide tree preservation.	This is done with D. by allowing existing trees to meet the requirements. If requirements are removed a section on preservation will need to be added.	Sec. 71-28 D.	Downtown focus group	12/6/2022
Fencing	Fencing in zoning code?	It can be deleted if preferred.	Sec. 71-29		11/28/2022
Signs	Signs in zoning code?	It can be deleted if preferred.	Sec. 71-30		11/28/2022
Signs	Can we prohibit reader boards? Electronic message centers.	Reader boards are limited to SC and I because they're commonly used there.	Table 71-M		11/28/2022
Signs	What does Sec. 71-30 F.5. mean?	Lights must be lit from exterior lamps, like the lights over the Bucktown Nutrition, Front, and Edward Jones wall signs.	Sec. 71-30 F. 5		11/28/2022
Process	Edits provided for Sec. 71-33 G. 6. c. and e.	Edited	Sec. 71-33 G. 6. c. and e.		11/28/2022
Definitions	Is attic a livable space	That is at the discretion of the building owner. It may be if desired	Definitions		11/28/2022
Definitions	Commercial definition: define by what you can't have.	Unclear on the goal here. That list could be huge.	Definitions		11/28/2022
Definitions	Religious assembly added to civic definition	Edited	Definitions		11/28/2022
Enforcement	Concerned about the lack in existing code enforcement and the ability to enforce this new code.	This is a very common concern across the country and is an administrative challenge.			12/6/2022
Height	Provide a definition for a half story	Added to the building height definition.	Definitions		12/6/2022

Signs	It is best for sign regulations to remain in the City Code rather than moved into the ZO. St. Joseph handles signs that in their code so Buchanan is not an outlier. I think it is much easy to handle enforcement through the city code enforcement process and getting a stand alone sign permit rather than using ZO processes.	Waiting for final comments from Director Murphy. This process would still rely on the sign permit as proposed.	Sec. 71-30	Commissioner Lietz	12/6/2022
PUD	It is very important for PUD to remain in the ZO. PUD streamlined development and development and allows for maximum design flexibility for lot sizes, uses, parking, setbacks, etc. while allowing for mixed uses when desired. The PUD process allows for significant collaboration with the developer and tailoring the design features for the site.	The Neighborhood Plan is a de facto PUD, but some standards are pre-negotiated to assure the result will fit within the City's vision. It still allows for a great deal of flexibility and creativity, mixed-use, and greated densities.	Sec. 71-16	Commissioner Lietz	12/6/2022
General Content	It doesn't seem like enough core principles of the existing ZO that have worked well have been carried forward into the new ZO draft. The majority of the city is a built environment with an ingrained character. The zoning requirements should respect that fact and be tailored to allow existing buildings, uses, accessory buildings, lot sizes, setbacks, etc to continue forward in time so that folks wanting to do additions, add garages, etc. that are in character with the surrounding properties to do so without needing variances, special uses and other zoning proceeses. We should be careful to not superimpose a vision for new zoning that, while appropriate to greenfield type growth, does not fit the established & historical pattern of the city. Let's keep what has worked in the old ZO, make the improvements we know of and harmonize in key elements from the master plan.	Diligence was taken to survey existing buildings, lots, and setbacks to craft the new setbacks to meet those standards. The current ordinance has a standard 25' front yard for most conditions except downtown. The creates many legal non-conforming lots in the historic parts of the city. The new lot sizes and setbacks were drafted to reflect the historic built environment of the city. Some additional flexibility has been added to reflect the critiques from the 12/6 joint commissions meeting.		Commissioner Lietz	12/6/2022
Code enforcement	Concerns over the lack of current code enforcement and the perception of a lack of uniform enforcement. If the current code isn't being enforced, what is the chance a new code will improve the situation?	Enforcement cannot be guaranteed by the ordinance, but is rather an administrative issue. The goal is to make sure the new code will relect what the residents want to be enforced.		Northside neighborhood group	12/6/2022