

Zoning Text Amendments

Committee of the Whole – 03/11/25

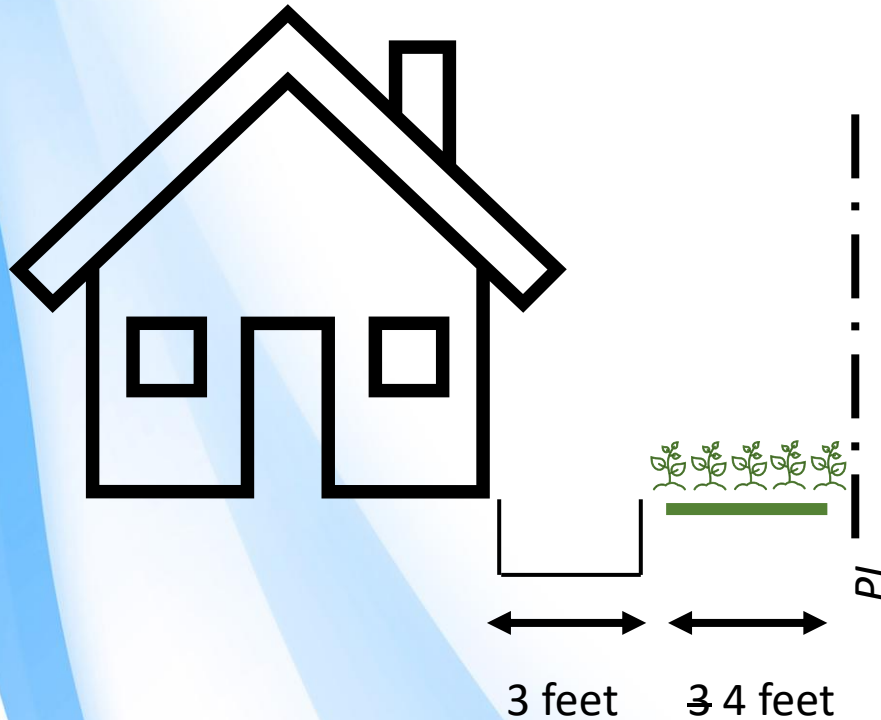


ZONING TEXT AMENDMENT OVERVIEW

The Planning Department is requesting consideration of several Zoning Ordinance text amendments to address current challenges and concerns experienced by the Planning Department over the last several years, and to reinstate language inadvertently removed under a previous amendment.

- Allow greater setback flexibility for **basement egress window wells**
- Allow existing **front yard parking areas** to be reconstructed without a variance
- Reinstall **Building Element requirements** for Grand River Overlay
- Allow **solar panels** on all sides of building roofs without additional review

BASEMENT EGRESS WINDOW WELLS



Sec. 5.2.05. Lot and Yard Requirements.

F. Permitted Encroachments into Setbacks and Yards.

5. *Basement Egress Window Wells.* Basement egress window wells are permitted in all yards, provided the following conditions are met:
 - a. *Setback.* A window well shall be set back at least three (3) feet from the side or rear lot line, and at least ten (10) feet from the front lot line.
 - b. *Front Yard Screening.* When in a front yard, a three (3) foot high landscape or building material screen shall be provided in front of the window well. If screened with a building material, the material shall be compatible with the materials and colors used for the main building.
 - c. *Building Code.* The requirements of Chapter 131 of the City Code shall be met.
 - d. *Administrative Departure.* An Administrative Departure may be approved to reduce the minimum setback of a window well from a side or rear lot line where the following conditions are met:
 - i. It is demonstrated that no other feasible location is practical.
 - ii. The window well is set back a minimum of one (1) foot from any side or rear lot line.
 - iii. A clear path to the public way is provided.
 - iv. Adequate fall protection to adjacent walking surfaces is provided.
 - v. Adjacent properties will be protected during excavation.

FRONT YARD PARKING

Sec. 5.3.06. - Nonconforming Site Elements.

Part D. Administrative Departures.

2. The replacement of a nonconforming off-street parking lot in a front yard may be permitted where the following conditions exist:
 - a. The existing parking lot is nonconforming due to its location in the front yard.
 - b. A primary structure is located on the lot and is not proposed for demolition or replacement.
 - c. There is no other practicable alternative for the location of the required parking spaces.
 - d. The parking lot is not expanded and does not result in an increase of any nonconformities.
 - e. Landscaping is brought closer to conformance with the requirements of Article 11.
 - f. The number of spaces provided does not exceed twenty (20) spaces or the required number of parking spaces by more than twenty (20) percent, whichever is greater, unless demonstrated by a Parking Demand Study consistent with the requirements of Section 5.10.04.A.



GRAND RIVER OVERLAY

**BRIDGE TO
OUR FUTURE**



The proposed amendment reinstates building elements, parking, and landscaping requirements (Sections 5.8.03.E.2 – 5.8.03.E.9) that were inadvertently eliminated in a 2023 amendment that allowed additional building height in the TN-TCC (Traditional Neighborhood-Transitional City Center) and TN-CC (Traditional Neighborhood-City Center) Zone Districts, eliminated the height bonus structure in the Downtown Height Overlay District, and simplified the height bonus structure within the Grand River Overlay.
















The amendment also modifies the permitted uses in the OD-GR District from the TN-TCC to the use regulations of the base Zone District of the property.


SOLAR ENERGY SYSTEMS

Alternative Energy- Solar Energy Systems


In an effort to support green initiatives and alternative energy systems, the proposed amendment **eliminates language prohibiting rooftop solar panels on street-facing sides of the structure**, currently only permitted with an Administrative Departure.

With this amendment, rooftop solar panels may be placed in a location best suited for energy collection, without additional financial cost to the property owner or staff review time of an Administrative Departure application.


1.C INTEGRATE SUSTAINABLE PRACTICES INTO DEVELOPMENT PROJECTS.						
1.C.1	Encourage modifications for new or substantially remodeled housing units that improve access for people with limited mobility.	  	R	S	Community Development, Planning Department	Disability Advocates of Kent County
1.C.2	Continue to enhance community assets through additional investments.	  	C		Parks Department, Planning Department	
1.C.3	Ensure an equitable distribution of public parks and recreational facilities.	  	C		Parks Department	
1.C.4	Support implementation of the Climate Action and Adaptation Plan (CAAP).	  	R, P, O		Office of Sustainability, Planning Department, Environmental Services	

**VALUE THREADS**


Equity: Where all residents have access to resources that allow for opportunity, influence, and positive life outcomes no matter their starting point.




Safety: Where all people are secure and protected in all communities no matter where they live, come from, or look like.



Vibrancy: A variety of amenities including arts, culture, and recreation opportunities that activate and contribute to the energy of the City year-round.



Culture: Traditions and experiences that originate from one’s background and lived experiences and can be shared and celebrated with others.



Sustainability: Balancing growth, environmental stewardship, and well-being in a way that fulfills current and ongoing needs while not compromising the needs of future generations.