

Zoning Ordinance Assessment

VILLAGE OF BLISSFIELD, MI



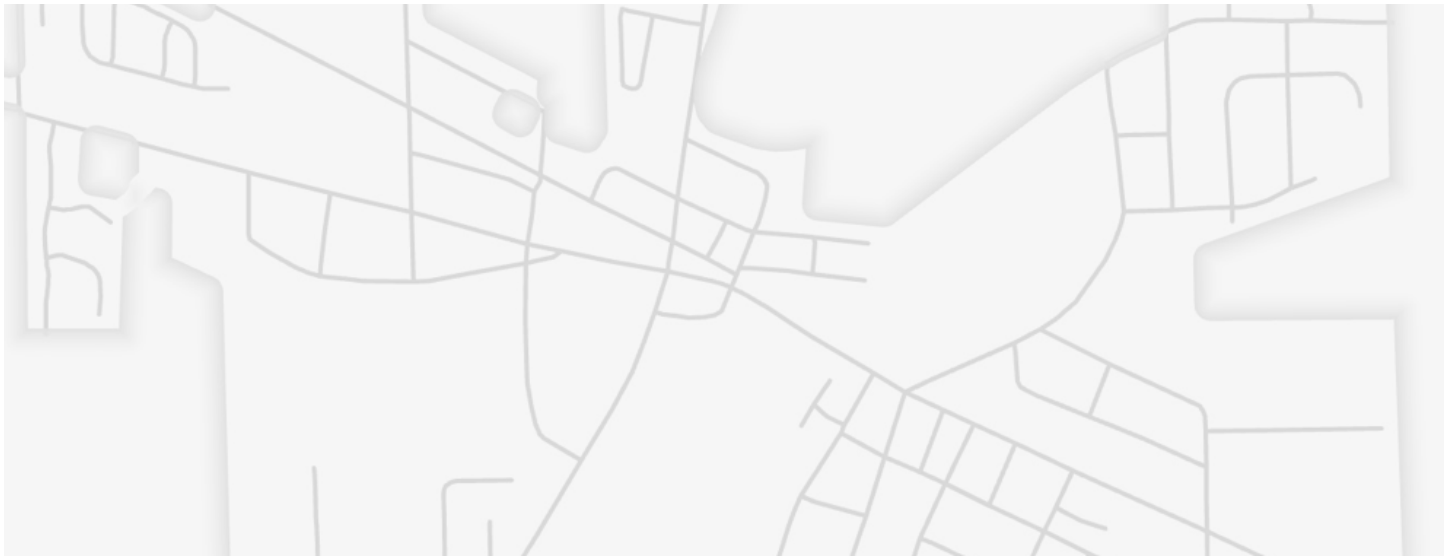
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Guidelines

A Zoning Ordinance Assessment is a review of the Zoning Ordinance that evaluates and identifies outdated language, conflicting provisions, confusing text, and opportunities for improvement. Areas that may conflict with state/federal law and case law are also identified. The assessment is based on two sets of guidelines as noted below:

CLEARZONING GUIDELINES FOR A HEALTHY ORDINANCE

The Zoning Ordinance directs growth and development as envisioned in the community's Master Plan.

1. The Zoning Ordinance is a well-structured and intuitively organized regulatory tool.
2. The Zoning Ordinance language is clear, concise, and easy to understand.
3. The Zoning Ordinance contains clear illustrations that help to explain text-based ordinance requirements.
4. The Zoning Ordinance includes the Zoning Map for easy reference.
5. The Zoning Ordinance is consistent with state and federal law as well as related case law.
6. Outcomes are consistent and predictable.

MEDC RRC BEST PRACTICES

Redevelopment Ready Communities® (RRC) certification is a voluntary initiative offered through the Michigan Economic Development Corporation (MEDC) for communities who commit to improving development readiness and working locally to integrate the best practices. The six RRC Best Practices include:

1. Plans and public engagement
2. **ZONING**
3. **DEVELOPMENT REVIEW**
4. Boards and commissions
5. Economic development strategy
6. Redevelopment Ready

As a Certified Community, compliance with the RRC Best Practices will be foundational to this update. Best practices 2 and 3 guide a community's zoning ordinance and are evaluated throughout this Audit.



Redevelopment Ready Certification

BP 2 evaluates a community's zoning ordinance and how it meets community goals, enables the form and type of development the community is seeking and includes modern approaches to zoning.

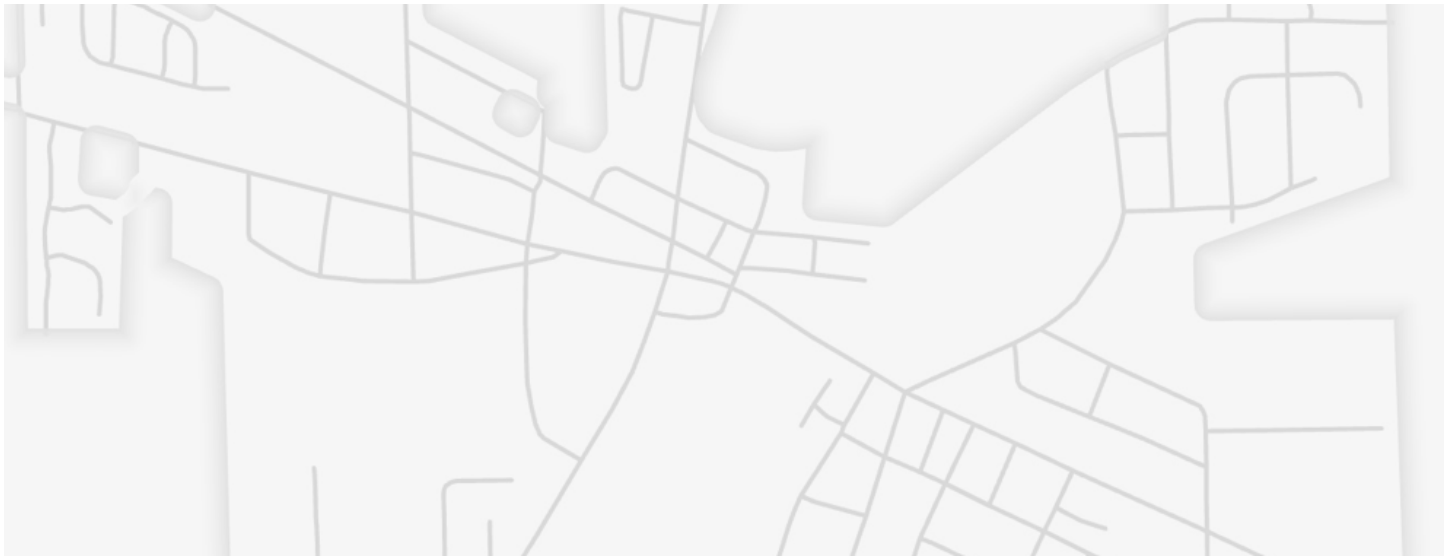
Zoning is a key tool for plan implementation. Obsolete zoning regulations can discourage development and investment. Outdated regulations can force applicants to pursue rezoning or variance requests thus extending project timelines, increasing costs, and creating uncertainty. Communities should look to streamline requirements and regulate for the kind of development that is truly desired. Zoning should be used to shape inviting, walkable, vibrant communities, rather than inhibit them.

BP 3 Development Review evaluates the community's development review policies and procedures to ensure they integrate predictability throughout. Unnecessary steps or unclear instructions increase time and expenses associated with development. Community leaders should look to simplify and clarify policies and increase efficiency to create an inviting development climate that is vital to attracting investment. To do this, sound internal procedures need to be in place and followed. Making information on the development review process and resources readily available assists applicants of all experience levels in understanding what they will need to know as they invest in the community.



Blissfield was recognized by the Michigan Economic Development Corporation as a Certified Redevelopment Ready Community in June 2024, becoming the 72nd community in Michigan to earn this achievement. This is the highest-level recognition in the RRC program and is awarded to communities that integrate all of the RRC best practices into their local processes. All updates to the Zoning Ordinance will remain aligned with the RRC Best Practices and will reinforce the Village's position as "redevelopment ready" community.

In addition to the Redevelopment Ready Communities Certification, this zoning ordinance update strives to meet the State of Michigan's goals of advancing housing opportunity through affordability, variety, and supply. Blissfield was recently awarded the "Housing Readiness Grant" by the Michigan State Housing Development Authority (MSHDA) to support this zoning ordinance effort and ensure that the update helps to reduce barriers to housing development.



Assessment

Each category is evaluated based on the review criteria described below. It should be noted that not all categories are rated against every criteria.

This assessment is categorized into six primary groups based on type of regulations:

1. Definitions
2. Districts and Uses
3. Use Standards
4. Site Standards
5. Development Procedures
6. Administration and Enforcement

REVIEW CRITERIA

ORGANIZATION AND STRUCTURE

Ensuring that the ordinance is easy to navigate and properly structured. “Unbury” hidden provisions.

LANGUAGE & CLARITY

Reviewing the language used in the ordinance to ensure it is clear, concise, and free of jargon or technical terminology that may be difficult for the average person to understand.

VISUAL AIDS

Evaluating the use of visual aids, such as maps, diagrams, and illustrations, to help clarify complex concepts or spatial relationships described in the ordinance.

LEGAL ALIGNMENT

Ensuring that the zoning regulations comply with applicable state and federal laws, as well as constitutional principles such as due process and equal protection.

MEDC BEST PRACTICES

This assessment focuses on two Best Practices as they apply to a community’s zoning ordinance: BP 2. Zoning & BP 3. Development review.

MASTER PLAN ALIGNMENT

Evaluating whether the zoning regulations are consistent with the goals and objectives established in the Master Plan.



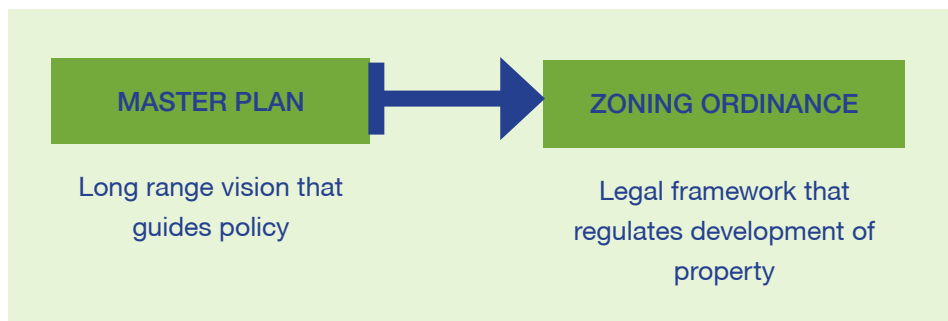
Assessment Summary

Overall: Major revisions to consider

REVISION CHART							
<u>Major revisions to consider</u> <u>Moderate revisions to consider</u> <u>Minor revisions to consider</u>	ORGANIZATION AND STRUCTURE	LANGUAGE AND CLARITY	VISUAL AIDS	LEGAL ALIGNMENT	RRC BEST PRACTICES	MASTER PLAN ALIGNMENT	OVERALL
DEFINITIONS					-	-	
USES AND DISTRICTS							
USE STANDARDS							
SITE STANDARDS							
DEVELOPMENT PROCEDURES			-			-	
ADMINISTRATION AND ENFORCEMENT	-		-			-	
OVERALL							

Master Plan Alignment

RELATIONSHIP BETWEEN THE MASTER PLAN AND THE ZONING ORDINANCE. Community Master Plans illustrate the vision for the future and contain guiding principles that help a community create land development policies and make land use decisions. In Michigan, the value of the Master Plan as an important community document is recognized, which is why the state of Michigan requires the Master Plan be reviewed every five years. This review allows communities to check in on their progress and ensure the vision and guiding principles are still relevant.



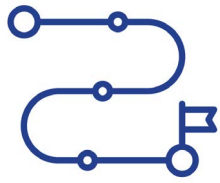
HOW DOES A ZONING ORDINANCE IMPLEMENT A MASTER PLAN?

A zoning ordinance regulates the use of land. Adopting regulations that support the goals of the Master Plan helps ensure that future development will be in line with the community's goals and vision. It is also helpful to develop an itemized implementation guide for a Master Plan.

The Zoning Ordinance is one of the primary tools for implementing a Master Plan; there should be a clear connection between Master Plan goals and the Zoning Ordinance. Many of the land use recommendations, goals and objectives found in the Master Plan can be aided by Flexible Developments amendments to the Township's Zoning Ordinance. Amendments can range from minor changes to text all the way to the addition of new uses and creation of new districts.

RRC Best Practice 2.1 Alignment with Master Plan

Under Michigan law, zoning ordinances must be based on an adopted master plan. Ensuring such coordination reduces uncertainty and risk for development



Master Plan Alignment

THE 2040 COMPREHENSIVE PLAN. The 2040 Comprehensive Plan was adopted in 2023, setting the stage for future development in the Village. The following six goals were identified in the plan and are the foundation for the zoning and policy recommendations therein:

1. Celebrate Blissfield's character and identity.
2. Provide safe and reliable multi-modal transportation for all ages and abilities.
3. Provide inclusive, accessible, and attainable housing for all.
4. Enhance the environment quality of the community and ensure Blissfield remains sustainable.
5. Drive sustainable and diverse economic growth.
6. Provide for quality infrastructure and transparent governance.

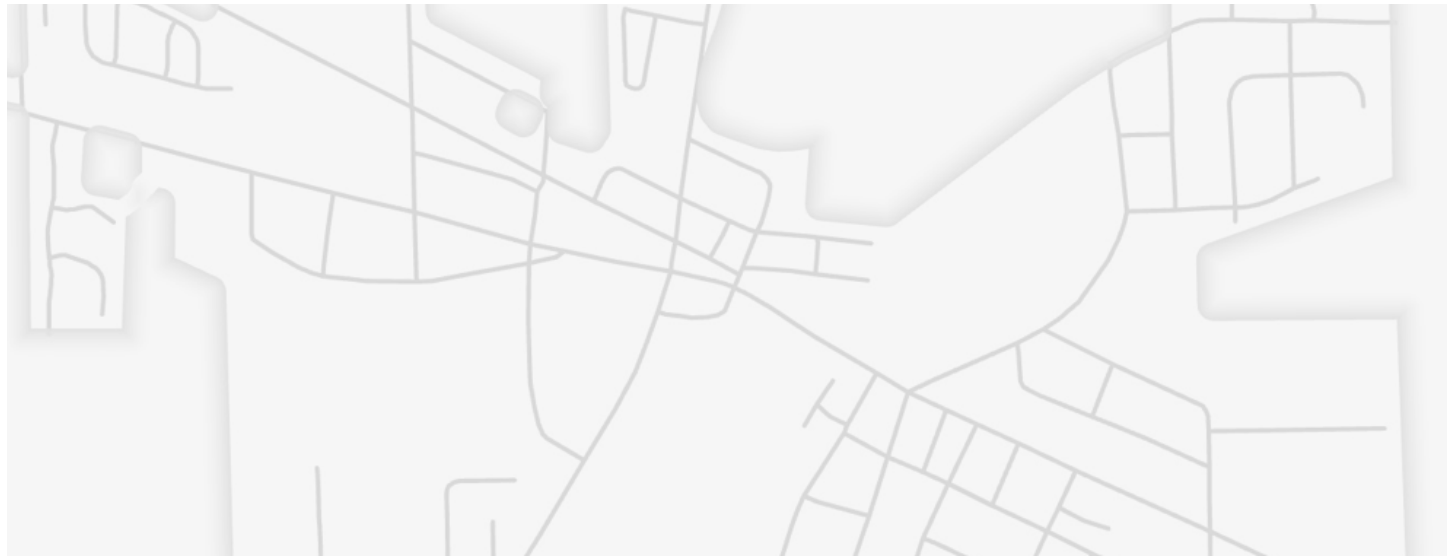
Building off these goals, the plan includes specific zoning recommendations to explore as a part of the Zoning Ordinance update.

FUTURE LAND USE PLAN. The Future Land Use Plan is the Village's guide to future zoning changes, development decisions, and long-term growth. It serves as a framework for maintaining compatibility between adjacent land uses, while ensuring new developments align the Village's long-term vision and goals. To guide implementation, the Master Plan includes a zoning plan that compares Future Land Use classifications with current zoning designations. The recommendations include the following changes to the map and districts:

1. Create a new low-density residential district that is a combination of R-1 and R-2.
2. Create a new medium-density residential district (RM-1).
3. Combine C-1- Local Commercial, O/R,I- Office, Research & Industrial, and some MU-1- Mixed Use into a single new mixed-use district.
4. Create a new CBD District (C-2 Central Business).
5. Combine some MU-1 Mixed Use and C-3 General Commercial into a new General Commercial District.
6. Review uses and standards applicable to both Industrial Districts.

MASTER PLAN PRIORITY RECOMMENDATIONS. In addition to the Future Land Use recommendations, the Master Plan identified several priorities to consider as a part of the Zoning Ordinance rewrite:

1. Improve the PUD Process and development requirements.
2. Modify residential districts to allow duplexes by-right in the low-density residential district, allow for missing middle in the medium-density residential district, allow for manufactured home communities in the Medium-Density residential district, and updated the dimensional standards to better facilitate Missing Middle typologies.
3. Update off-street parking to modernize the parking schedule, consider parking maximums, and develop access management standards.
4. Incorporate provisions for Solar Energy Systems and EV Charging.
5. Create a new Mixed-Use district with a focus on pedestrian-oriented uses.
6. Simplify and modernize the landscaping requirements for each district. Include more specific guidelines for planting.
7. Undertake a sign code update to create design standards and ensure all sign requirements are content neutral.
8. Create architectural and design standards for the CBD, with graphics to illustrate preferred design treatments.



Organization & Structure

When accessing a zoning ordinance, users are typically looking for the answer to one of two questions: ‘Where can I locate my house/business/organization?’ Or ‘how can I develop my property?’ Finding these answers should be straightforward, but too often, zoning ordinances are complex and difficult to navigate. The following organizational strategies will help to simplify the zoning ordinance, ensuring consistent interpretation and application.

HOSTING LOCATION. The Zoning Ordinance is currently housed on Municode, a digital code service that hosts municipal codes and ordinances. While this format integrates the zoning ordinance with the General Code, a standalone PDF format will offer several advantages. Unlike online-code platforms, which prioritize text-based ordinances and limit the display of maps, illustrations, and formatting, a PDF allows for full customization and visual creativity. Zoning regulations often rely on diagrams and images to illustrate intent and ensure consistent interpretation, which can be difficult to achieve on these third-party platforms. Additionally, while online code services provide linking capabilities, navigation can be cumbersome and confusing. On the other hand, the Clearzoning format enables users to easily move between the table of contents, ordinance subsections, cross-references, and the Zoning Map, making the document intuitive and user-friendly. Another key advantage of a PDF is its accessibility, even without an internet connection. Online-code platforms require internet access, and when files are downloaded, they often lose their structural organization, making it difficult to follow. In contrast, a well-designed Clearzoning PDF retains its format, making it easy for everyone in the community to use, even those without computer literacy or access.

SUPPORTING IMAGES. Although the ordinance includes some graphics to illustrate definitions and other provisions, additional illustrations should be added when visuals help.



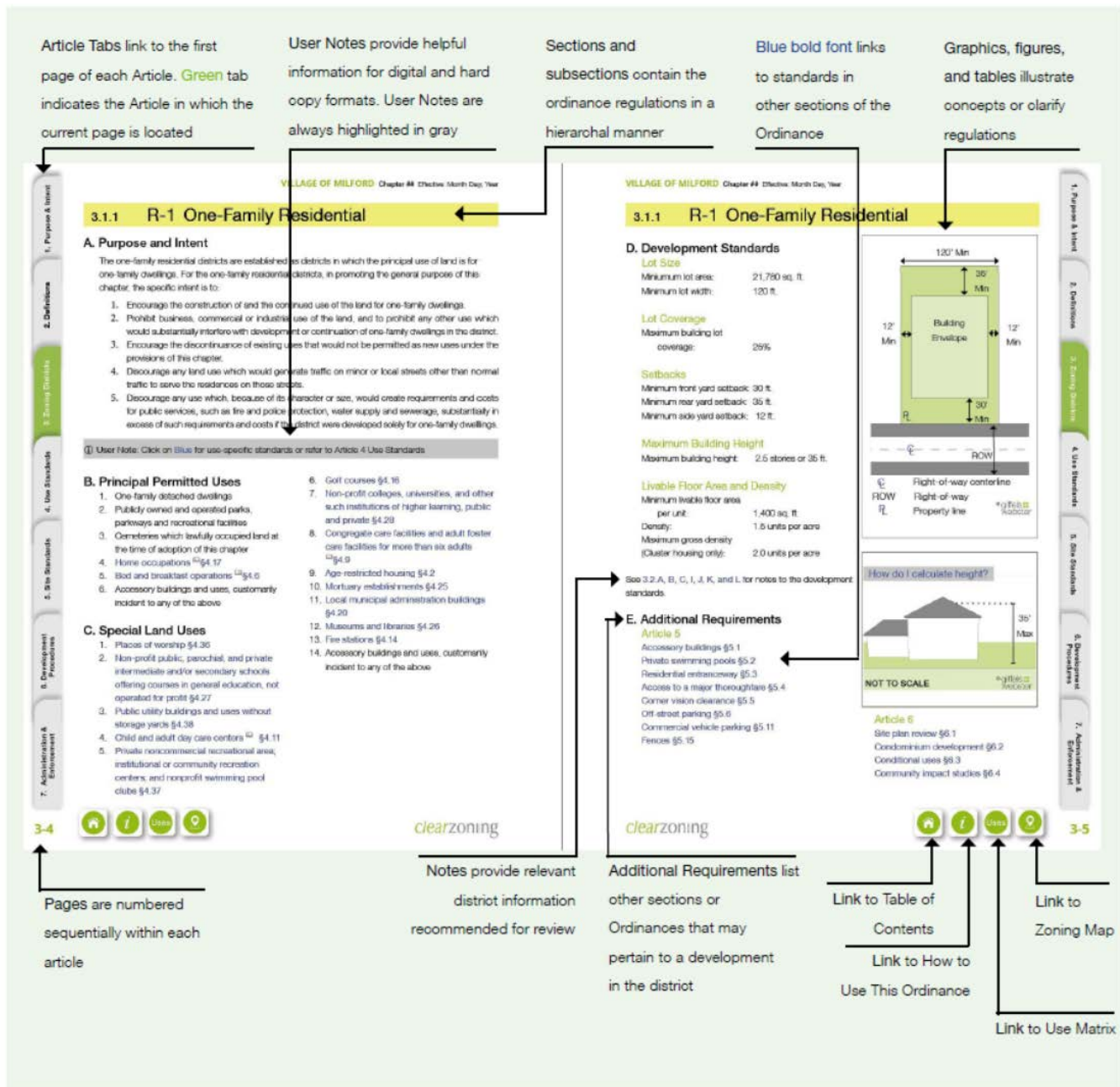
Organization & Structure

GROUPING OF STANDARDS. When relevant standards are scattered throughout different sections of the zoning ordinance, rather than being intuitively grouped together by topic or type of land use, it can be challenging for developers, property owners, and public bodies to understand and comply with the regulations. In Blissfield, the Zoning Ordinance has some subsections that are logical and intuitive to navigate, especially those specific to zoning districts. However, the ordinance includes a “general provisions” section that combines standards for uses, site development, and administration, creating opportunities for important standards to be overlooked. In addition, with 20 subsections, it may be difficult for users to quickly and easily find sections of the Zoning Ordinance that they need to access.

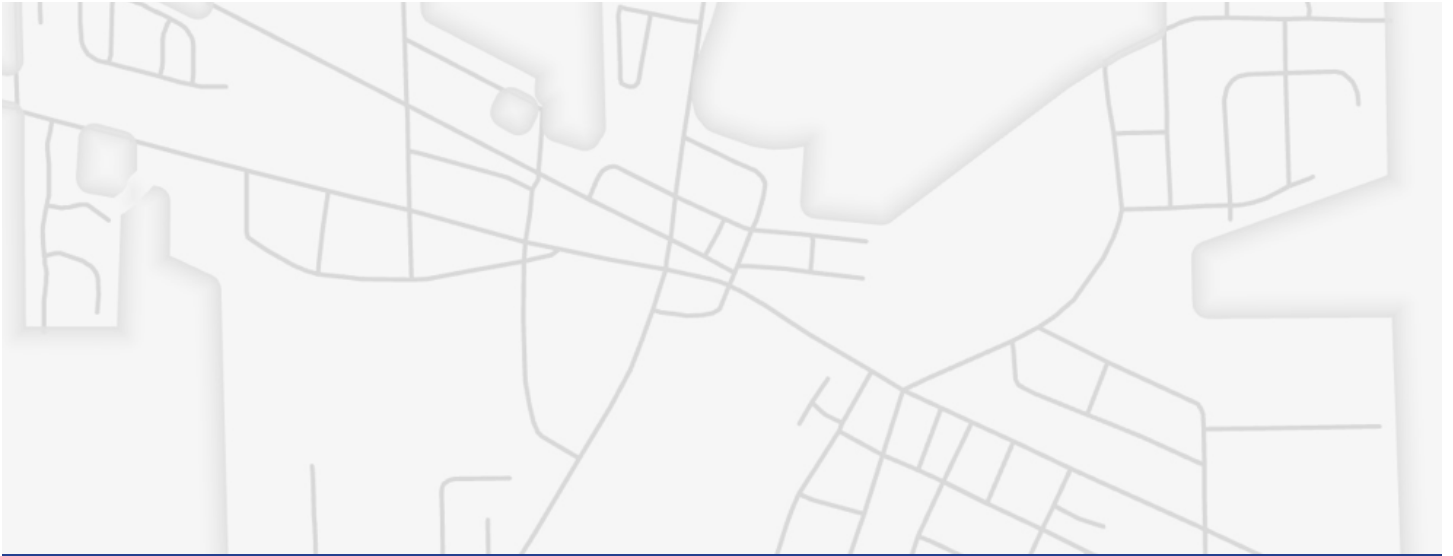


Organization & Structure

CLEARZONING CONVERSION. In addition to the recommendations in this audit, the Zoning Ordinance update will culminate in the conversion of the ordinance into the Clearzoning format, making it easier to use and interpret. Benefits of this transformation will include a clear organizational structure that makes sense, informative graphics, and linking between cross referenced sections. The content and page layout are designed to promote a clear understanding of the requirements, as well as quick retrieval of relevant standards, procedures, and other information.



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Definitions

Every zoning ordinance must include specific and comprehensive definitions to provide legal clarity and reduce ambiguities. This ensures that all stakeholders, from local government officials to property owners and developers, have a shared understanding of the rules and regulations established in the ordinance. This clarity not only enhances compliance, but also reduces the likelihood of costly disputes and legal challenges. In addition, clear definitions help to preserve the integrity of the ordinance by making it easier to manage consistent application of the rules. The recommended updates to definitions outlined below will provide greater clarity throughout the development process.



Definitions

DEFINE TERMS IN SINGLE SECTION OF THE ORDINANCE. The Clearzoning conversion will remove definitions that are embedded in regulations or other sections of the ordinance and relocate them into the definitions section with other important terminology. For example, in the sign regulations, the ordinance includes a separate subsection of definitions. As a part of the updated ordinance, all important terms will be easily located in the definitions section.

IDENTIFY AND REMOVE DUPLICATE DEFINITIONS. When two words are synonyms, they should be defined using a single term that cross-references like-terms. Alternatively, when it is confusing to use two terms, only one should be defined and used throughout the ordinance. For example, the Ordinance includes an embedded list of child care organizations, which includes Group Child Care Homes. These definitions match the statutory definitions for child care organizations. Separately, the ordinance includes a standalone definition for Group Day Care Home. This term is defined similarly to the state definition, but does not match the same exact language and nomenclature and may result in some confusion.

CLEAR AND EASY-TO-UNDERSTAND DEFINITIONS. Clear definitions are fundamental to consistent interpretation and application of the ordinance. Confusing terms that require complex logical exercises in order to resolve an interpretation should be redefined in the simplest manner possible.

Definitions should use terms that are commonly understood or otherwise defined in the ordinance. For example, many definitions use the term adjacent to describe two things that are next to each other. However, this term itself is undefined in the ordinance, and it may be unclear to determine whether “adjacent” lots or districts may be separated by water bodies, rail lines, or rights of way, or if this term only applies to lots or districts with shared boundaries/property lines.

DISTINGUISH BETWEEN SIMILAR TERMS. Like-terms may require separate and distinct definitions.

For example, the ordinance includes a definition for “accessory buildings,” but not the similar term, “accessory uses.” Although accessory uses are commonly located inside of accessory buildings, it is important they have a separate definition to clearly define what makes a use principal or accessory, whether the use is located within an accessory building or not.

Organization & Structure

Moderate Revisions to Consider

Language & Clarity

Major Revisions to Consider



Definitions

USES SHOULD BE DEFINED. When a term is mentioned in the ordinance, it should not be open to interpretation or difficult to understand. Land uses require distinctive definitions to ensure they are not confused with similar uses. New uses added to the ordinance should be addressed by a definition that highlights any distinguishing characteristics. In particular, new missing middle housing types added to the ordinance should include corresponding definitions. Land use definitions can also help to establish umbrella terms in order to consolidate and simplify lists of permitted uses.

In Blissfield, many of the distinctive characteristics of uses are described in the district regulations where the use is listed in the ordinance, rather than in the definitions. By providing one clearly defined term for each land use, users will be less likely to encounter discrepancies as they flip between the various district requirements.

SIMPLE, CLEAR GRAPHICS HELP ILLUSTRATE THE TEXT. Standards guiding lot design, such as setbacks, yards, frontage, width, and area, may vary between communities and clear illustrations help to guide interpretation. Architects and engineers may sometimes overlook these definitions and apply popular rules of measurement. Additionally, the public may be better able to understand regulations through images that reflect text.

Although the current ordinance includes some graphics in the definitions section, improving their organization and clarity would help improve the understanding of key terminology. For example, the “lot terms” graphic is placed under the definition of “setback,” but it also references other lot-related terms elsewhere in the section that may be overlooked. Additionally, while this graphic illustrates how to measure lot width and depth, it only provides an example using a rectangular lot. Adding illustrations for irregularly shaped lots would clarify how these measurements are determined in situations that may be more difficult to interpret.

Language & Clarity

Major Revisions to Consider

Visual Aids

Major Revisions to Consider



Definitions

All graphics will be updated as a part of the update to the Clearzoning format.

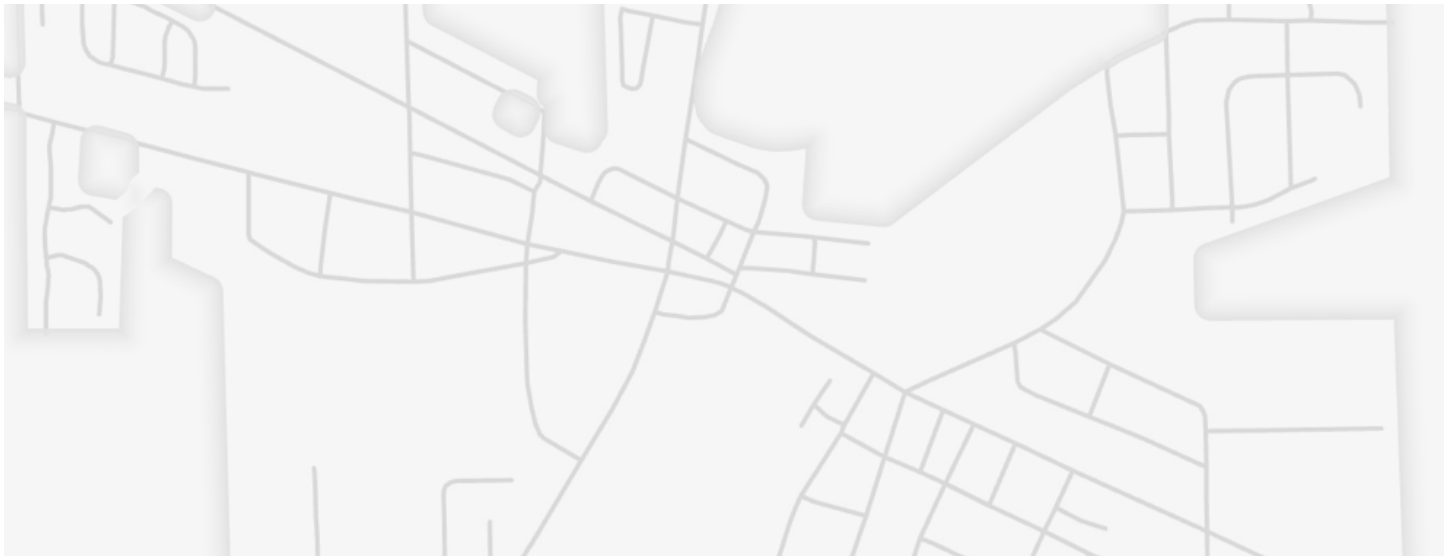
DEFINITIONS SHOULD BE UPDATED TO INCLUDE CURRENT TERMINOLOGY AND BE CONSISTENT WITH STATE AND FEDERAL LAWS AS WELL AS CASE LAW.

Terms defined by the State of Michigan should have a matching definition in local ordinances.

In addition, all state agency references should be reviewed to ensure that they are consistent with current state agency names. For example, the “Health Department of the State of Michigan” is called the Michigan Department of Health and Human Services.

Legal Alignment

Moderate Revisions to
Consider



Districts & Uses

Existing zoning districts and their permissible uses should be updated to align with the vision established in the Future Land Use map. This section reviews the degree to which current zoning and future land uses are aligned, while highlighting some important considerations for uses, intent, and dimensional requirements.

The Village of Blissfield includes the following Districts:

R-1 and R-2: One Family Residential Districts

RM: Multiple Family Residential District (Listed on the Zoning Map as “RM-1”)

C-1: Local Commercial District

C-2: Central Business District

C-3: General Commercial District

I-1: Industrial District

I-2: Heavy Industrial District

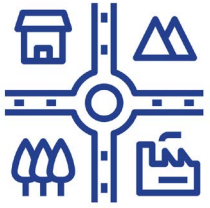
ORI: Office, Research, Industrial District

MU-1: Mixed Use District

PL: Public Land District

PUD: Planned Unit Developments

Although the Zoning Map does not include any Planned Unit Development Districts, the Ordinance recognizes Planned Unit Developments as a change to the Official Zoning Map. The Village should verify that there are not any PUD's that were approved but are not reflected on the Zoning Map.



Districts & Uses

INTENT, TYPES OF USES, AND DIMENSIONAL STANDARDS SHOULD BE LOCATED IN A SINGLE SECTION OF THE ORDINANCE.

In the Blissfield Ordinance, each district subsection is accompanied with a description of the district intent and the permitted and special uses that are allowed. In a separate section, a schedule of regulations outlines all of the dimensional standards for each Zoning District. As a part of the Clearzoning Conversion, dimensional standards for each Zoning District will be included in the same section as the district intent and uses. This will make it easier for users to find everything they need without flipping between pages of the Ordinance.

STANDARDS FOR SPECIFIC USES BELONG IN A SEPARATE SECTION. In addition to regulating where a use is allowed, most zoning ordinances include use standards, or provisions that regulate how specific uses should be designed or operated based on their unique characteristics. These use standards should be placed in their own section of the ordinance, rather than embedded within the district regulations. That way, if a standard needs to be amended, it likely only requires review of a single section, reducing the potential for errors or omissions. In addition, this will help reduce the chances of use standards being overlooked during typical application and enforcement.

In the Blissfield Ordinance, many use standards are embedded in District regulations, and repeated between sections. Often, this repetition results in minor differences from one section to the next. This will be updated as a part of the Clearzoning process.

INTENT. District intent statements serve as a useful reference for zoning administrators, planning commissions, and elected officials when reviewing rezoning requests, text amendments, special land uses, or variances, by offering a framework for evaluating whether a proposed use or development aligns with the district's intended purpose. These statements also help users understand the underlying goals of the regulations.

In Blissfield, the district intent statements for each District should be reviewed as a part of the Ordinance update to ensure that they remain aligned with the Master Plan and key community goals.

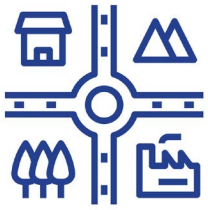
Each district should have a clear intent to justify the need for the district requirements. Right now, the R-1 and R-2 Districts have a shared intent statement making it difficult to parse the reason for different districts or

Organization & Structure

Major Revisions to Consider

Language & Clarity

Major Revisions to Consider



Districts & Uses

standards. In the update, these districts will likely be consolidated into a single district, as recommended on the Future Land Use map.

TYPES OF USES. The Ordinance includes some categories of uses that are highly specific, while other similar uses appear to be missing from the list. The consolidation of uses into broader categories can be done with corresponding definitions that clearly describe all uses within a larger use-category. This will make it easier for users to read through a shorter list of uses and simpler to understand what is or is not permitted. For example, the ordinance lists “computer sales and service,” as its own use, but could easily be categorized that into a broader category of “business services,” and include things like copy/print shops, shipping centers, and coworking spaces.

On the other hand, uses with distinctive characteristics and standards should not be bundled into a single use-category. While the ordinance includes separate definitions for “major” and “minor” automobile service and repair, these uses are listed as “automotive service centers” when listed under zoning districts. The Planning Commission may consider whether major auto repair and service should be separated and restricted in certain commercial districts where it may not be compatible with adjacent uses.

ZONING MAP. The Zoning Map includes some parcels that are split-zoned. As a part of the Ordinance update, the Planning Commission may review and consider whether there are opportunities to assign all split-zoned lots under a single zoning district. This will make it easier for property owners and developers to understand how their property is zoned and regulated.

RELIGIOUS LAND USES AND INSTITUTIONALIZED PERSONS ACT

(RLUIPA). This is a federal law that protects religious institutions and individuals from discriminatory zoning practices by local governments. In Blissfield, churches are listed as a Special Land Use in the R-1, R-2, RM, and MU-1 districts, with some flexibility from the required building height. They are also listed as permitted uses in C-1 and C-2. We propose the following recommendations:

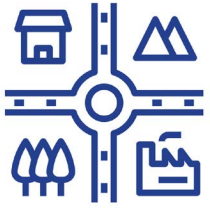
- In the MU-1 District, private service clubs, fraternal organizations and lodge halls are considered principal permitted uses, but churches are listed as Special Land Uses. Since both uses are considered to be assembly uses, the more restrictive use classification for churches may be considered discriminatory and should be reviewed for legal alignment.
- Only “churches” are listed as a use, we recommend this classification is expanded to recognize all places of worship.

Language & Clarity

Major Revisions to Consider

Legal Alignment

Moderate Revisions to Consider



Districts & Uses

- Although some districts allow churches to exceed the maximum building height when additional setback is provided, the ordinance should also clearly accommodate minarets, steeples, and other religious structures without requiring additional setback.

These recommendations aim to refine regulations concerning places of worship to ensure that the ordinance is consistent with the intent and requirements of RLUIPA, while promoting fairness and consistency.

RIGHT TO FARM. As noted in the Blissfield Master Plan, agricultural or undeveloped lands comprise about 35% of total land cover in the Village. The zoning ordinance does not appear to acknowledge or provide clear guidance to regulating farming related activities within the Village. We recommend acknowledging structures or uses that are under jurisdiction of the Michigan Right to Farm Act, noting in the accessory building regulations that except for setbacks, the standards do not apply to buildings used for entirely agricultural purposes. In addition, farm-related uses that are not regulated by right-to-farm should be acknowledged in the residential district, along with appropriate standards.

FAIR HOUSING ACT. Fair housing is the right to choose housing free from unlawful discrimination. The Federal Fair Housing Act (FFHA) and Michigan laws protect people from discrimination in housing based on the following protected classes: race, color, religion, sex (including sexual orientation and gender identity), national origin, familial status, disability, marital status, and age. The FFHA prohibits municipalities and other local government entities from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against individuals protected by fair housing law, whether intentionally or by discriminatory effect. Our review of the zoning ordinance did not recognize any of the district or use standards as potentially discriminatory under the FFHA.

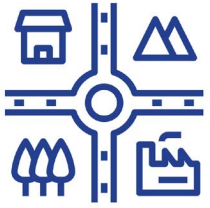
VISUALIZING DIMENSIONAL STANDARDS. Using illustrations or visual aids to display dimensional standards by district will help enhance comprehension of the Ordinance. Dimensional standards, such as setbacks, lot coverage, building height, and minimum lot size, can be difficult to envision when presented solely in text or tables. These types of graphic representations simplify this information by providing a clear, at-a-glance illustration of how regulations apply to typical lot configurations, reducing the likelihood of misinterpretation. As a part of the Clearzoning Conversion, new graphics will be added to the ordinance to demonstrate how the dimensional standards apply to each district.

Legal Alignment

Moderate Revisions to Consider

Visual Aids

Major Revisions to Consider



Districts & Uses

MASTER PLAN ALIGNMENT (BEST PRACTICE 2.1)

Certified Expectations

- The community has evaluated the master plan's recommendations to determine if changes to the zoning map or ordinance are needed.
- The community has made updates to the zoning ordinance to align with the goals and zoning recommendations from the master plan.

The Master Plan recommendations outlined in the Future Land Use map and Zoning Plan for districts and uses have yet to be realized, but this update to the ordinance will be a catalyst towards implementation. The RRC Certified Expectations for Master Plan Alignment (Best Practice 2.1) recognizes the need for Certified communities to evaluate Master Plan recommendations to determine if zoning changes are needed and make corresponding updates to the Zoning Ordinance. This effort to rewrite the Blissfield Zoning Ordinance will bring the Village into alignment with this Best Practice, additional analysis of Master Plan alignment is discussed within each subsection of this report.

HOUSING DIVERSITY (BEST PRACTICE 2.4).

Certified Expectations

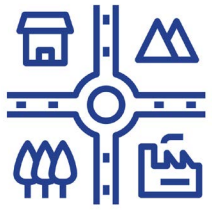
The ordinance allows for THREE or more of the following housing types by-right:

- Accessory Dwelling Units (ADU)
- Townhouses/ row houses
- Triplexes
- Quadplexes
- 6-plexes
- Stacked flats
- First-floor residential with commercial
- Residential above commercial
- Microunits
- Cottage housing/ bungalow courts
- Tiny houses

The Village's zoning ordinance allows for a variety of housing options, satisfying both essential and certified expectations of RRC for housing diversity, with multiple-family dwellings and townhouses listed as permitted uses in the RM district, residential above commercial in the commercial districts, and mixed use and multiple-family dwellings in the MU-1 District.

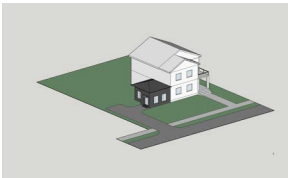
MEDC Best Practices

Moderate Revisions to Consider

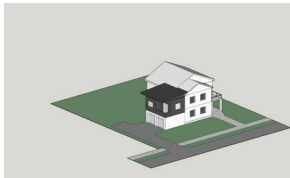


Districts & Uses

With that, some of the Missing Middle uses recommended for consideration by RRC are not presently recognized in the ordinance. Accessory Dwelling Units (ADUs) are one strategy to incorporate additional infill and housing options, without a substantial impact on the surrounding look and feel of the neighborhood. ADU's are secondary units located on the same lot as a principal residence and can take various forms, such as a converted garage, a basement apartment, or a detached structure. While the Master Plan seeks to allow duplexes in low-density residential neighborhoods, ADU's would offer this same level of limited density and may also be considered as a part of this rewrite.



Attached ADU



Above-Garage ADU



Detached ADU

FUTURE LAND USE MAP CHANGES. The Zoning Plan includes the following recommended changes which will be reviewed and discussed over the course of this project.

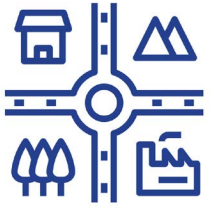
1. Create a new low-density residential district that is a combination of R-1 and R-2. Allow two-family residential dwellings by-right.
2. Create a new medium-density residential district (RM-1)- Allow triplexes, fourplexes, and other missing middle housing in RM-1. Allow Manufactured Home Communities.
3. Combine C-1- Local Commercial, O/R,I- Office, Research & Industrial, and some MU-1- Mixed Use into a single new mixed-use district.
4. Create a new CBD District (C-2 Central Business)
5. Combine some MU-1 Mixed Use and C-3 General Commercial into a new General Commercial District
6. Review uses and standards applicable to both Industrial Districts

MEDC Best Practices

Moderate Revisions to Consider

Master Plan Alignment

Major Revisions to Consider



Districts & Uses

OTHER ZONING CHANGES EFFECTING DISTRICTS AND USES. In addition to the Future Land Use Plan, the Master Plan recognizes several priority changes relevant to districts and uses which should be explored as a part of this update. This includes:

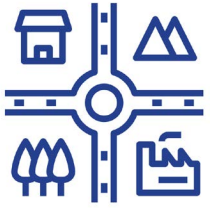
1. **Improve the Planned Unit Development and (PUD) process and development requirements.** Planned Unit Developments are an important tool in the ordinance to provide some regulatory flexibility for unique and innovative projects that provide a community benefit. To ensure that the tool is not used frivolously, communities with PUD regulations should provide a clear intent statement addressing the circumstances whereby use of this tool may be acceptable. In addition, qualification criteria for Planned Unit Developments should be aligned with the desired community benefits. Blissfield's ordinance recognizes some qualification criteria, requiring significant natural or historical features to be preserved as a part of the development. The Village may also wish to allow PUD's for projects that help achieve the goals of the Master Plan, whether or not there are significant natural or historic features on the site.

Planned Unit Development ordinances should be written to offer broad flexibility with clear direction for Planning Commission to provide evidence of findings related to each deviation. In Blissfield, the PUD ordinance offers a lot of flexibility, but some stringent regulations may be reconsidered as a part of the update. For example, parking reductions may only be provided when an equal amount of land is put into landscape or open space areas on the site. This does not offer flexibility for developments that may not have sufficient land. Eliminating these firm regulations will help provide flexibility, with review standards to serve as "guardrails" from development that is undesirable.

2. **Update the Table of Dimensional Requirements to better facilitate missing middle housing typologies.** Dimensional standards determine the permissible building envelope and density of floor area on a site. When allowing for new missing middle typologies, it is important to consider whether or not the existing dimensional standards will present barriers to development. For example, in the RM district, a maximum building height of 30' may not be practical for the construction of new multi-family dwellings.

Master Plan Alignment

Major Revisions to Consider

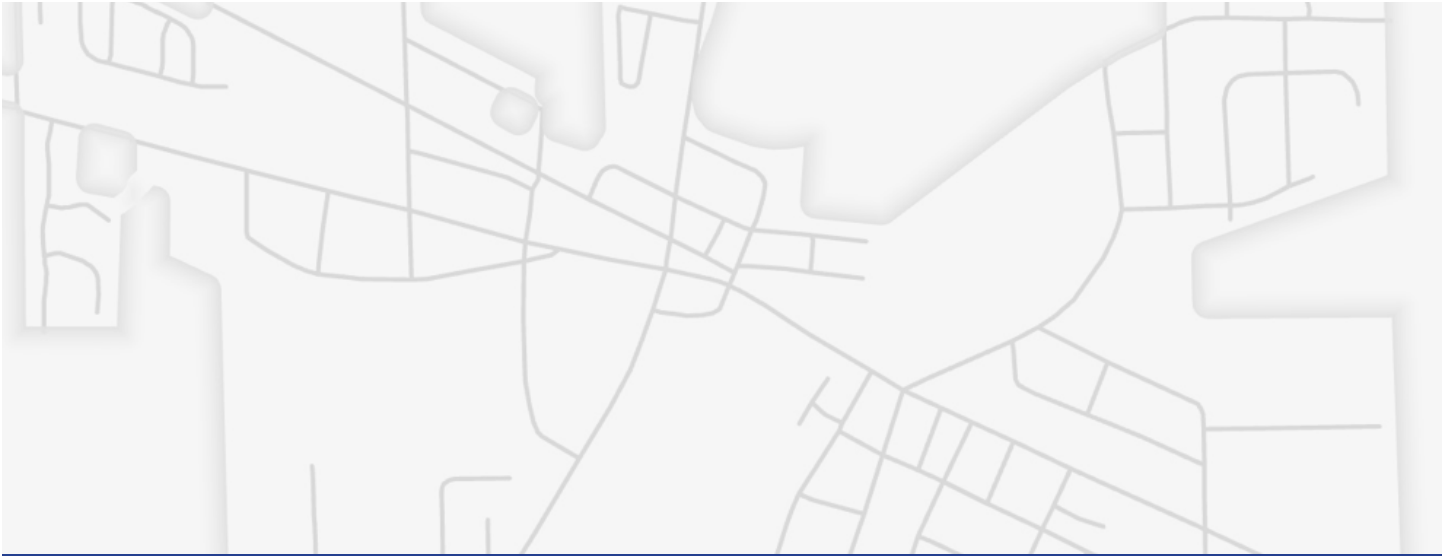


Districts & Uses

3. **Create a new Mixed-Use District, with a focus on pedestrian oriented uses (including breweries, artisan spaces, etc.).** Auto-oriented uses (such as gas stations or drive-throughs) should not be permitted. Designating pedestrian-oriented uses in walkable districts and auto-oriented uses in high-traffic areas will help to support the character and purpose of each district. In the mixed-use district, pedestrian-friendly uses, such as cafés, small retail shops, and community space, help generate foot traffic and encourage social interaction. By contrast, auto-oriented uses, such as gas stations, drive-through restaurants, and big-box retailers, are better suited to districts with higher traffic volumes and lower density. These uses require larger parcels and more direct vehicle access. Separating these types of development ensures that pedestrian-focused areas remain safe and inviting for walkers.

Master Plan Alignment

Major Revisions to
Consider



Use Standards

Providing specific use standards for by-right and special land uses is helpful for property and business owners, reviewing bodies, and the general public. When impacts are anticipated, standards can be used to mitigate them and provide for enforcement. The new Clearzoning ordinance will consolidate all use-related standards into a single section; this structure should be kept in mind for future ordinance amendments.

USE STANDARDS SHOULD BE CONSOLIDATED INTO A SINGLE SECTION OF THE ORDINANCE. Oftentimes, zoning ordinances have regulations specific to uses buried in different sections of the ordinance. For ease of navigation, all use standards for specific uses should be included in a single “use standards” section. We also recommend using cross-references linking the use standards to the list of permitted and special land uses in each Zoning District.

In Blissfield, use standards are listed under the “general provisions” section and commonly buried within the zoning district regulations. Although different districts have different use-specific standards, these distinctions should be clearly stated in the use standards section. This allows applicants to review and compare how uses are regulated differently between different districts without flipping between pages.

For example, the specific provisions for home occupations are listed under “home occupations” in the list of permitted uses in the R-1 and R-2 Districts (216.401). This information disrupts the list of uses and makes the ordinance more difficult to navigate. In addition, when there are amendments to the ordinance, the current format has a greater likelihood of resulting in accidental discrepancies and

Organization & Structure

[Major Revisions to Consider](#)



Use Standards

oversight when use standards are repeated across different districts.

USE STANDARDS CAN LIMIT FUTURE REDEVELOPMENT. Some use-specific standards may make it difficult to accommodate redevelopment. For example, use-specific setbacks and lot sizes may create obstacles when transitioning a property from one permitted use to another within the same zoning district. If a district allows a specific list of uses, but applies different dimensional requirements to each, an existing structure that conforms to one use may face challenges when looking to be re-purposed as another.

In Blissfield, professional offices may be permitted in the R-1 and R-2 Districts as a special land use, but only when certain setback and lot size requirements are met. To better facilitate redevelopment, the Planning Commission may wish to review these and other use-specific setbacks to consider whether or not additional flexibility is desired. When listed as Special Land Uses, the Planning Commission may consider discretionary conditions on a site specific basis to ensure that any adverse impacts are mitigated.

CONSIDER ADMINISTRATIVE APPROVAL OF TEMPORARY USES. In Blissfield, there is conflicting language regarding the authority for temporary uses; Section 216.1322 requires approval by the Village Council for temporary buildings/structures, while Section 216.1603 requires approval by the Zoning Board of Appeals for temporary uses, including buildings/structures. We recommend both of these sections are reviewed to consider approval of temporary uses by the Zoning Administrator only. The process of meeting with a public body may be overly burdensome for uses that require urgent implementation on short-notice. Additional flexibility may make possible temporary uses that enhance foot traffic and overall vibrancy, or construction trailers that are important to facilitating new development.

Especially for circumstances where no capital improvements are made, we recommend an administrative review process by the Zoning Administrator with standards to limit subjective decision making and ensure temporary uses are compatible with surrounding development.

AUTO-ORIENTED USES. Consider standards that will require auto-oriented uses be designed with efficient circulation in a manner that is minimally obtrusive to pedestrians and surrounding uses. For example, some use standards for auto washes could include a required bypass lane, vacuum stations in a side or rear yard only, and/or additional setbacks from residential.

Language & Clarity

Major Revisions to Consider



Use Standards

LIMITED VISUAL AIDS. Typically, use standards should not require visual aids. When appropriate, the Clearzoning update will incorporate graphics to offer additional clarity as needed.

CONSISTENCY WITH STATUTORY REQUIREMENTS. Use standards should generally be consistent with statutory requirements. When statute allows municipalities to provide requirements that are more restrictive, excessive regulations can create unnecessary barriers to important land uses and development opportunities beyond what is needed for health and safety.

For example, in Blissfield, the size of the outdoor play area for childcare centers is determined by the number of pupils, but this may result in a larger outdoor play area than the state mandates. Stricter requirements may limit the number of feasible locations for these facilities, increasing costs and reducing access for families in need. In addition, inconsistencies across jurisdictions make compliance more difficult. Aligning local standards with state requirements, or simply referring to statute, ensures clarity, fairness, and a balance between public health and safety needs and regulatory efficiency.

SOLAR ENERGY SYSTEMS. The State of Michigan recently passed a clean energy bill that permits projects to be approved locally if ordinances are in place, or by a state commission, at the discretion of the applicant. Although Blissfield's ordinance currently recognize "solar panels" as a permitted use in many districts, additional consideration of large and small-scale Solar Energy Systems as a principal use may be considered.

CONSIDER ALIGNMENT WITH BUILDING CODE. The Zoning Ordinance may exceed what is required by the Building Code. However, in certain circumstances, similar flexibility may be desired. For example, the Michigan State Building Code waives the requirement for fences when an automatic pool cover is proposed. The current zoning ordinance requires a fence. The Planning Commission may consider whether the enclosure requirements should be updated to align with building code.

Visual Aids

[Minor Revisions to Consider](#)

Legal Alignment

[Minor Revisions to Consider](#)



Use Standards

2.3 CONCENTRATED DEVELOPMENT.

Certified Expectations

- The ordinance allows mixed-use buildings by-right in designated areas of concentrated development.

The ordinance requires TWO or more of the following elements in areas of concentrated development:

- Build-to-lines
- Open store fronts
- Outdoor dining
- Minimum ground floor transparency
- Front-facing doorways
- Parking located in the rear of the building
- Walk-up windows
- Public art program
- Temporary or permanent parklets

Best practice 2.3 recognizes the benefit of provisions that encourage interactive, walkable uses, particularly near urban centers. This best practice includes a variety of recommendations for site design, often specific to restaurants and retail.

In Blissfield, mixed-use development is permitted by-right in the mixed-use district. Additional considerations for incorporating additional mixed-use will be discussed as a part of the rewrite, as recognized in the Master Plan.

While the use-standards for restaurants discuss permitting for outdoor seating, additional direction for these and similar outdoor accessory uses will help encourage their presence, offering additional opportunities for social connection. Open store fronts are regulated similarly to drive-in businesses, but we recommend different treatments for these uses. While drive-in businesses are auto-oriented, open storefronts are more accommodating to pedestrians.

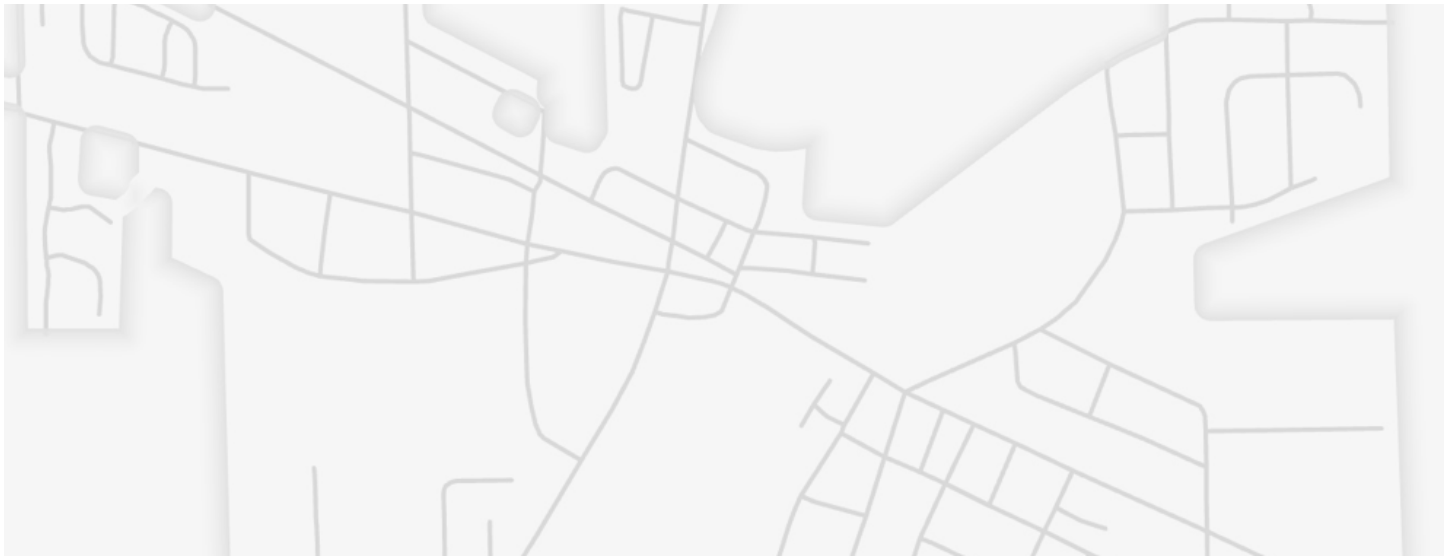
SOLAR ENERGY SYSTEMS AND EV CHARGING STATIONS. The Master Plan recommends reviewing and updating standards relevant to Solar Energy Systems and EV Charging Stations. We recommend regulating principal-use and accessory Solar Energy Systems with different standards, recognizing the substantial difference in the impact and intensity of these uses. In addition, we recommend adding requirements for the design and placement of EV Charging Stations. If desired, requirements for a portion of parking spaces to include EV Charging Stations may also be considered, especially for multifamily uses.

MEDC Best Practices

Minor Revisions to Consider

Master Plan Alignment

Minor Revisions to Consider



Site Standards

Site standards are regulations in the Zoning Ordinance that address site improvements and elements required in the development of a parcel of land. Once the ordinance is converted into the Clearzoning format, all site standards, such as landscaping and parking requirements, are consolidated into one section which helps with ordinance navigation and ensures consistency in the application of standards.

CLEAR AND EASY NAVIGATION WILL ENSURE SITE STANDARDS ARE NOT OVERLOOKED. Many sections, subsections, and provisions relevant to specific site standards are hidden under the heading, “General Provisions,” these will be pulled out and sequenced in a more navigable manner as a part of the Clearzoning conversion. For example, visibility at intersections, off-street parking, fences, swimming pools, and conflicting land use buffers are lodged here.

SUBSECTIONS SHOULD BE NAMED INTUITIVELY AND EASY TO QUICKLY REVIEW. Site standards should be easy to read and easy to apply to a checklist or spreadsheet so that a City Planner, Planning Commission, or design professional associated with a project, can conduct an efficient analysis of the ordinance. Many important provisions are listed in paragraph form, lodged between sentences and easy to miss when quickly reading. Lists should be classified in an intuitive way to improve navigability.

All subsections should be named in a manner that reflects the content so that it is easy to find. While the Blissfield Ordinance includes landscaping standards, the street tree requirements are in a section called “Development Requirements.” Since the name of this section does not have to do with street trees, it is possible

Organization & Structure

[Major Revisions to Consider](#)



Site Standards

that this may be overlooked. In addition, parking lot landscaping requirements are in the off-street parking section. Consolidating street tree, parking lot landscaping, and buffer requirements into a single “landscaping” section will help improve navigation.

REVIEW APPLICABILITY. Often, ordinances do not provide clear direction on when site improvements, such as landscaping, are required to be brought into compliance. When there are land use changes without construction, minor construction, or parking lot improvements, it may be desirable to grant relief from planting all of the required street trees. If design or lighting standards are added to the Ordinance, the Planning Commission may wish to consider and discuss the applicability of these standards for redevelopments.

REVIEW WAIVERS AND DISCRETIONARY DETERMINATIONS. Site standards may result in the need for relief from strict application when they are impractical for the development or the applicant proposes alternatives to comply. When the ordinance empowers a public body to grant this kind of relief, they should cite appropriate findings to justify the exception and ensure it remains consistent with the intent of the ordinance.

In Blissfield, Planning Commission is empowered to grant waivers for many of the site requirements, but additional flexibility may be desired and should be reviewed as a part of the update. For example, off-street loading may not be needed for all uses, but the Ordinance only allows relief from the off-street loading requirements to be provided by the Zoning Board of Appeals.

REQUIREMENTS FOR SITE DEVELOPMENT OFTEN REQUIRE VISUAL AIDS. Site standards play a major role in site design and layout, making visual aids and illustrations important to support the associated standards. Currently, the ordinance does not use visual aids for site-related standards. For example, images to support green belt buffer requirements, illustrate sign types, and explain parking space dimensions will be incorporated into the Clearzoning update.

Organization & Structure

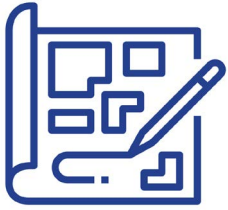
Major Revisions to Consider

Language & Clarity

Major Revisions to Consider

Visual Aids

Major Revisions to Consider



Site Standards

CONTENT NEUTRALITY. The 2015 US Supreme Court decision in the case of *Reed v Town of Gilbert* has resulted in many communities recognizing the need to update their ordinances with respect to temporary signs and content neutrality. The sign standards for the Village would also benefit from an update, particularly as many regulations address content. Some of the key issues to address in an update include the following:

- Content-based regulations in a sign code are likely to face the strict scrutiny test from the courts, which is extremely challenging to overcome. It is best to remove sign types such as “political signs,” and “sale, lease, or rent signs,” as well as eliminate references to signage details such as “product advertisements or endorsements.”
- Time, place, and manner regulations are generally still acceptable provided they are reasonable.

The permitted signage types, regulations, and definitions should also be reviewed as a part of this update.

WIRELESS COMMUNICATIONS. Wireless communication facilities are regulated under the Michigan Zoning Enabling Act and the Michigan Telecommunications Act. Regulations for wireless communications facilities should be added to the ordinance to ensure compliance with statutory requirements. These standards should regulate wireless communication facilities in a manner that minimizes negative impacts while promoting equitable access to telecommunications.

Legal Alignment

Moderate Revisions to Consider



Site Standards

2.3 CONCENTRATED DEVELOPMENT.

Certified Expectations

- The ordinance allows mixed-use buildings by-right in designated areas of concentrated development.

The ordinance requires TWO or more of the following elements in areas of concentrated development:

- Build-to-lines
- Open store fronts
- Outdoor dining
- Minimum ground floor transparency
- Front-facing doorways
- Parking located in the rear of the building
- Walk-up windows
- Public art program
- Temporary or permanent parklets

As recommended in the Master Plan, additional design standards in the Ordinance will help to enhance walkability and encourage compatibility between buildings. In particular, front facing doorways and ground floor transparency requirements help to encourage interaction between the public and private realm. In addition, build-to requirements, or maximum setback requirements, in the Central Business District may help to ensure a consistent streetscape.

Design standards should be written to allow for flexibility, creativity, and innovation, while requiring a minimum set of standards for quality, durability, and impact on the public realm.

2.5 PARKING FLEXIBILITY.

Certified Expectations

The ordinance includes regulations for THREE or more of the following tools approved either administratively or by the planning commission:

- Reduction or elimination of required parking when on-street or public parking is available
- Connections between parking lots
- Shared parking agreements

RRC Best Practices

Moderate Revisions to Consider



Site Standards

- Parking maximums
- Elimination of parking minimums
- Parking waivers
- Electric vehicle charging stations
- Bicycle parking
- Payment in lieu of parking
- Reduction of required parking for complementary mixed uses
- Banked/deferred parking

Additional review of the off-street parking section of the ordinance may result in strategies to provide flexibility and discourage unnecessary pavement.

- Parking reductions. Although the ordinance includes relief for shared parking between uses, additional parking reductions may be explored as a part of the update. For example, parking reductions may be desired when developments propose parking mitigation strategies, such as bicycle facilities. In addition, parking may be reduced when the applicant can provide a parking study demonstrating sufficient provisions or when the site is located in certain walkable districts (although parking requirements are currently exempt in the C-2 District).
- Parking schedule. Review and update the parking schedule to eliminate unnecessary and excessive requirements aligned with today's needs.
- Parking maximums. In addition to parking minimums, consider adding maximum parking requirements. This was a recommendation in the Master Plan.

RRC Best Practices

Moderate Revisions to Consider



Site Standards

2.6 GREEN INFRASTRUCTURE.

Certified Expectations

The ordinance includes regulations for THREE or more of the following:

- Low impact development techniques (such as rain gardens and bioswales)
- Rainwater collection (blue roofs, cisterns, water harvesting, stormwater vaults, etc.)
- Green roofs
- Permeable pavement
- Steep-slope protections
- Street-tree planting standards
- Tree preservation or replacement standards
- Parking lot internal landscaping standards
- Open space preservation developments (like cluster housing)
- Required native or low-maintenance plantings
- Renewable energy
- Buffering standards around water bodies or other natural resources
- Off-site stormwater regulations that allow developers to participate in district-scale stormwater management plans

Blissfield's ordinance includes several different sections of landscaping requirements which should be consolidated into a single section of the Ordinance. In addition to landscaping for buffering, parking lots, and street trees, the Planning Commission may wish to require a minimum percentage of the overall site be covered in landscaping or groundcover. In addition, recommendations for desired tree species, species diversity, prohibited species, and the size and spacing of plantings will help to maintain a healthy and diverse canopy.

In addition to the landscaping standards, review of stormwater and renewable energy standards may be discussed with the planning commission during the rewrite.

RRC Best Practices

Moderate Revisions to
Consider



Site Standards

UPDATE OFF-STREET PARKING TO MODERNIZE THE PARKING SCHEDULE, CONSIDER PARKING MAXIMUMS, AND DEVELOP ACCESS MANAGEMENT STANDARDS. As with RRC Best practice 2.5 Parking Flexibility, the Master Plan recommends review of the off-street parking requirements to provide additional flexibility. In addition to consideration of parking maximums and review of the parking schedule, the Master Plan recommends adding access management standards.

Access management standards are zoning regulations that control how vehicles enter and exit properties to improve safety, traffic flow, and walkability. These standards manage intersections by limiting the number and spacing of driveways to reduce congestion and conflicts. In addition, standards encouraging cross-access between adjacent properties will allow vehicles to move between sites without using main roads, cutting down on turning movements that slow traffic. By reducing conflict points, access management enhances safety and makes the road network more accessible for all users.

SIMPLIFY AND MODERNIZE THE LANDSCAPING REQUIREMENTS FOR EACH DISTRICT. INCLUDE MORE SPECIFIC GUIDELINES FOR PLANTING.

As discussed elsewhere in this report, consolidating landscaping requirements into a single section of the ordinance will make planting expectations easier to understand for developers.

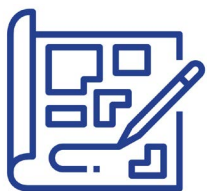
UNDERTAKE A SIGN CODE UPDATE TO CREATE DESIGN STANDARDS AND ENSURE ALL SIGN CONTENT REQUIREMENTS ARE CONTENT NEUTRAL. As discussed elsewhere in this report, the sign ordinance will be reviewed and updated for consistency with the Supreme Court ruling in *Reed Vs. Gilbert* (2015) requiring content neutrality. Sign requirements should regulate time, manner, and place only.

CREATE ARCHITECTURAL AND DESIGN STANDARDS FOR THE CBD, WITH GRAPHICS TO ILLUSTRATE PREFERRED DESIGN TREATMENTS.

As discussed elsewhere in this report, design standards should be added to enhance the durability of buildings, ensure architectural compatibility, and promote walkability, without limiting architectural freedom and innovation in design. In the CBD, these standards are especially important to protect the historic character of Downtown.

Master Plan Alignment

Major Revisions to Consider

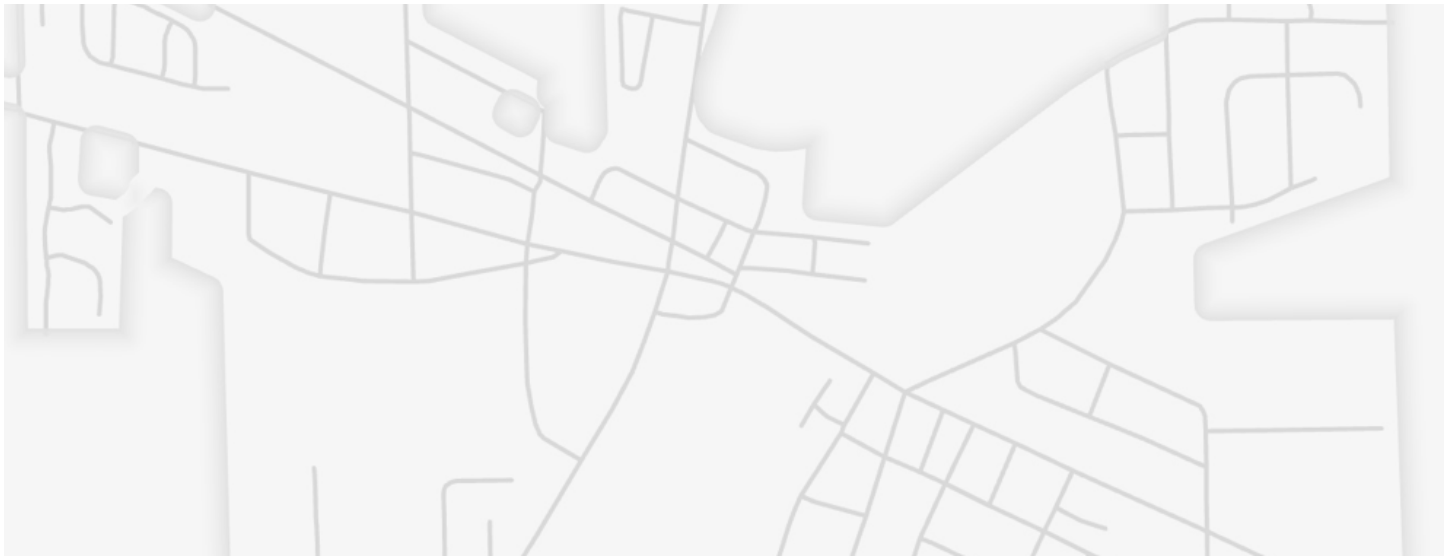


Site Standards

WASTE MANAGEMENT. Blissfield's zoning ordinance does not address site plan requirements for waste management. Zoning ordinances should include waste management requirements to ensure that waste is appropriately planned for. In general, these standards should require applicants detail their plans for managing waste. Applicants should show where curb carts or dumpsters will be stored, and ensure that they do not interfere with pedestrian circulation or parking spaces. If dumpsters are provided, a concrete pad below the dumpster should be required to prevent surface damage and ground contamination. Applicants should be able to demonstrate that a garbage vehicle can easily access the dumpster. In addition, in many communities, enclosures are required to prevent litter, rodents, and other nuisances associated with waste.

EXTERIOR LIGHTING. Although the ordinance requires lighting to be confined on-site and has many provisions prohibiting off-site glare, a set of lighting standards will help provide an objective framework to review lighting on a site. Requirements for applicants to submit a lighting plan with specific illumination and color temperature requirements will provide clear guidance for applicants and administrative staff on how lighting is regulated and enforced.

Additional Site Standards to Consider



Development Procedures

This section of the ordinance outlines the steps required for obtaining approvals for new construction, renovations, or land use changes. These typically include application requirements, review processes by administrative staff and public bodies, public hearing procedures, and criteria for approval. Clear development procedures simplify an often complex process, making it easier for applicants, staff, and public bodies to understand.

Updates to development procedures should not only enhance clarity, but also consider the impact on processes and timelines. A streamlined review process may help with costs and improve scheduling for applicants, but may also result in less intensive scrutiny during the review process. Every community must determine and design processes that are consistent with their goals for development and tolerance for risk.

Development procedures will include the procedures for site plans, special land uses, and site condominiums.

Overview



Development Procedures

IT SHOULD BE CLEAR WHEN SITE PLANS ARE REQUIRED. Each section of district regulations includes a subsection called, “Site Plan Review,” and in the R-1, R-2, C-1, C-2 Districts, this subsection states that site plans are required for all uses, “only if a variance or rezoning is necessary, as determined by the Zoning Administrator.” This language should be updated to resolve discrepancies and comply with the Michigan Zoning Enabling Act (MZEA).

- Per the MZEA, variances and rezoning requests may be pursued by any applicant and pursuit of these requests should not be subject to the discretion or oversight of the Zoning Administrator. In addition, rezoning requests are typically reviewed separately from site plans.
- Contrary to this provision, the condominium subdivision review procedures in Section 216.1010.5 and the Special Land Use requirements in Section 216.1316 require a site plan for all Site Condominiums and Special Land Use requests. Site plans are also required for PUDs.
- While the provision requiring site plans only when a variance or rezoning is necessary is written to apply to all uses, some uses are also specifically required to provide a site plan. The MZEA also requires site plans for all Special Land Uses.
- Although site plans are not required for all uses/districts, some standards in the ordinance require consideration and approval by the Planning Commission. When waivers or other considerations by the Planning Commission are needed, a site plan should be required.

SITE PLAN REVIEW SHOULD BE REGULATED BY USE, NOT DISTRICT.

Site plan requirements should be based on land use rather than zoning district to ensure that developments with significant impacts, such as traffic, drainage, or infrastructure demands, are properly reviewed regardless of their location. A uniform district-wide requirement may unnecessarily burden low-impact uses while allowing high-impact uses to bypass important oversight.

In Blissfield, the site plan requirements vary by zoning district. While some districts require site plans for all uses, others only require site plans when variance or rezoning requests are necessary (as discussed above). Instead, the Zoning Ordinance should recognize the specific land uses that require site plans. For example, while single-family dwellings are permitted in the RM District, all uses in the RM District are required to submit site plans. Single-family dwellings should be exempt from site plan requirements in all districts.

Organization & Structure

Major Revisions to Consider

Language & Clarity

Major Revisions to Consider



Development Procedures

REVIEW INFORMATION REQUIRED FOR SITE PLANS. The required information for site plans should be consistent with all information needed to evaluate compliance with the Zoning Ordinance. As a part of the zoning ordinance rewrite, the Planning Commission will review the site plan requirements to ensure they align with the standards in the Ordinance. In addition, any new regulations should detail required information to review compliance with them; for example, if design standards are added, the site plan requirements should include building elevations as required information.

In addition, because Blissfield allows many types of uses to undergo administrative review, the information required for Plot Plans should also be updated to reflect all information necessary to review compliance.

DISTINGUISH BETWEEN MAJOR AND MINOR AMENDMENTS. Ordinances should establish a clear process for amendments to approved site plans. Some amendments may only require minor changes to a site which could be easily reviewed by administrative staff, while others may change the character or layout of a site, requiring reconsideration by the Planning Commission.

In Blissfield, all site plan amendments are required to undergo review by the Planning Commission. As part of the update, a clear process for “minor” and “major” amendments will enable a streamlined process for small, non-discretionary approvals, while requiring “major” amendments to follow the same process as required for the initial approval.

REVIEW TIMELINES FOR VILLAGE COMPLIANCE THAT ARE NOT REQUIRED BY STATUTE. The processes for Special Land Uses and Site Plans include a set timeline for Planning Commission to take action, exceeding the requirements of the Michigan Zoning Enabling Act. The Planning Commission may consider eliminating these time requirements to provide greater flexibility to the Village, especially to account for extenuating circumstances or the absence of a quorum.

Language & Clarity

Major Revisions to Consider

Legal Alignment

Moderate Revisions to Consider



Development Procedures

OVERVIEW OF BEST PRACTICE 3. Best Practice 3 focuses on development review, encouraging processes that are streamlined, easy to understand, and promote a common set of expectations between municipalities and applicants. Recommendations for improvements to development procedures discussed above will help to meet the Best Practices below.

3.1 DEFINED PROCESSES CLEARLY DEFINED DEVELOPMENT REVIEW PROCESSES PROVIDE PREDICTABILITY FOR INVESTMENTS BIG AND SMALL.

Certified Expectations

- Processes for site plan review, special land use, rezoning, variances, and text amendments are clearly laid out in the zoning ordinance.
- Development review standards are clearly defined.

Recommendations for improvements to development procedures discussed above will result in greater clarity with the required process. Development review standards are clearly defined in the Ordinance.

3.5 APPROVAL AUTHORITY APPROVING PERMITTED USES AT THE PLANNING COMMISSION OR STAFF LEVEL ALLOWS FASTER APPROVAL AND RESPECTS THE ADMINISTRATIVE NATURE OF DEVELOPMENT REVIEW.

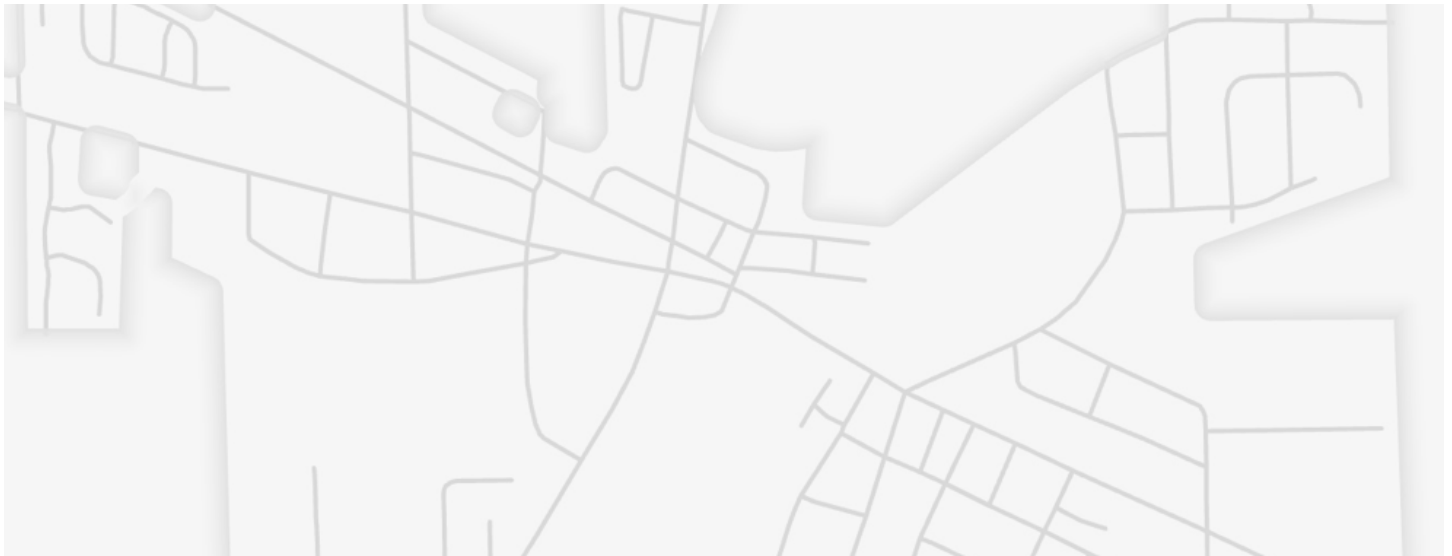
Certified Expectations

- Site plans for permitted uses are approved administratively or by the planning commission.
- Permitted uses do not require a formal public hearing (but allow for public comment and other engagement as deemed necessary).

In Blissfield, many developments are only subject to the discretion of staff review. In addition, Planning Commission is the final approval authority for all site plans and Special Land Uses. By eliminating unnecessary meetings with public bodies, the current review process is development-friendly, but offers the appropriate rigor and scrutiny.

RRC Best Practices

Moderate Revisions to Consider



Administration & Enforcement

The administration and enforcement section of the ordinance includes standards relevant to the implementation, interpretation, and oversight of zoning regulations. This section includes the roles and responsibilities of staff and public bodies, the procedures for permits, certificates of occupancy, and performance guarantees, and the processes for handling violations, appeals, and amendments. In addition, this section includes the provisions for nonconforming uses, lots, and structures, that were once permissible, but no longer comply.

It is important for the administration and enforcement section to provide clear and consistent guidance on how the ordinance is applied, ensuring fairness between applicants and transparency in decision-making. In addition, it is important to provide a clear legal framework to enforce the ordinance and address nonconformities in a way that balances property rights with planning objectives.

REMOVE GENDERED LANGUAGE. The ordinance includes language that refers to the Zoning Administrator as him/his. As a part of the rewrite, we recommend removing all gendered language to reflect modern best practices in legal drafting.

REVIEW ROLES FOR STAFF AND PUBLIC BODIES. In addition to granting variances, making interpretations, and hearing appeals, the Zoning Board of Appeals is authorized to permit the modification of parking, loading, temporary buildings, and temporary uses. As a part of the rewrite, the Planning Commission may consider whether these may be more appropriately reviewed under a different body.

- Parking and loading relief may be better addressed by the Planning Commission, especially when it is needed to accommodate for land use changes within existing buildings on sites with existing parking lots. By

Language & Clarity

Major Revisions to Consider



Administration and Enforcement

granting planning commission oversight of this, applicants will have a less demanding review process with only one public meeting instead of two.

- Temporary buildings and uses may be better administered under the approval authority of the zoning administrator, especially when temporary uses are not associated with capital improvements. Often times temporary uses must be implemented quickly and review by a public body may be overly burdensome. Since the Blissfield Ordinance allows many permitted uses to be reviewed administratively, less-intensive temporary uses should be provided this same process.

REVIEW THE “CLASS A” AND “CLASS B” DESIGNATION PROCESS FOR NONCONFORMING STRUCTURES AND USES. Nonconforming structures and uses are structures and uses that were once legally permissible but no longer comply with the ordinance. The expansion or enlargement of nonconforming uses and structures should be discouraged to allow for the gradual transition towards uses and structures that are compliant.

In Blissfield, nonconformities are classified into two separate designations, “Class A” and “Class B” nonconforming uses and structures. Class A nonconformities are designated through a qualification process outlined in the ordinance. Once designated, these properties can be improved or changed with review by the Planning Commission. The Planning Commission may attach discretionary conditions to this approval.

This section should be updated to only apply to nonconforming uses rather than nonconforming uses and structures. Class B nonconforming structures are permitted to expand so long as the expansion does not increase the nonconformity. In no case should any expansion of a structure result in the enlargement of a nonconformity, as this would result in unfair treatment between structures that have nonconforming characteristics and structures that do not. Therefore, there is no reason to distinguish between Class A and Class B nonconforming structures.

With that, the development flexibility provided by the Class A and B designations is desirable for the regulation of nonconforming uses. Provisions to allow for the expansion of a nonconforming use when certain qualification criteria are met would ensure that property owners have a clear path to making improvements while maintaining compatibility with surrounding land uses.

Language & Clarity

Major Revisions to Consider



Administration and Enforcement

CONSIDER REVIEW STANDARDS FOR AMENDMENTS. Review standards help to guide Planning Commission and other public bodies with decision-making. While the ordinance includes review standards for Special Land Use, PUD, and variance considerations, additional review standards may help to facilitate an amendment process that is consistent with established Village goals, long-term planning, and available service and infrastructure capacity. Some of the review standards the Village may want to include might be:

- Whether the text or map amendment is consistent with the Master Plan
- Whether the text or map amendment is detrimental to public health, safety, and welfare
- Whether the text or map amendment is consistent with the purpose and intent of the zoning ordinance
- Whether the text or map amendment will result in an undue burden on roads, emergency services, or public infrastructure
- Whether the text or map amendment is in conflict with existing regulations
- Whether the text or map amendment serves a broad public interest (avoidance of special treatment)
- Whether the text or map amendment is consistent with state and federal laws

Language & Clarity

Major Revisions to Consider



Administration and Enforcement

ABANDONMENT. The nonconforming use regulations state that when a nonconforming use or use of a structure has ceased for a period of more than six consecutive months (or 18 months within a three-year period) the nonconforming status is revoked. This language could be improved to include specific criteria for what constitutes the cessation of a use. In *Livonia Hotel LLC V. City of Livonia*, the courts reviewed a case regarding the revocation of nonconforming use status, and issued a ruling that non-use alone was not substantial enough for the City to revoke nonconforming use status. Instead, the court ruled that the City must provide proof that the property owner intended to relinquish or abandon its vested nonconforming use rights. This precedent was further established in the subsequent case of *Soechtig Vs Greenbush Township*. To ensure consistency with the courts' rulings, the Village may update this language to reflect that intent to abandon must be demonstrated. In addition, actions that would constitute intent to abandon could be listed in the ordinance (i.e. Equipment necessary for the use has been removed, etc.)

OVERVIEW OF BEST PRACTICE 3. Best Practice 3 focuses on development review, encouraging processes that are streamlined, easy to understand, and promote a common set of expectations between municipalities and applicants. Recommendations for improvements to administration and enforcement discussed above will help to achieve this Best Practice.

3.1 DEFINED PROCESSES CLEARLY DEFINED DEVELOPMENT REVIEW PROCESSES PROVIDE PREDICTABILITY FOR INVESTMENTS BIG AND SMALL.

Certified Expectations

- Processes for site plan review, special land use, rezoning, variances, and text amendments are clearly laid out in the zoning ordinance.
- Development review standards are clearly defined.

Recommendations for improvements to administration and enforcement discussed above will result in greater clarity with the required process for variances, nonconformities, and amendments. Development review standards for rezonings and text amendments will help to guide Planning Commission in decision-making.

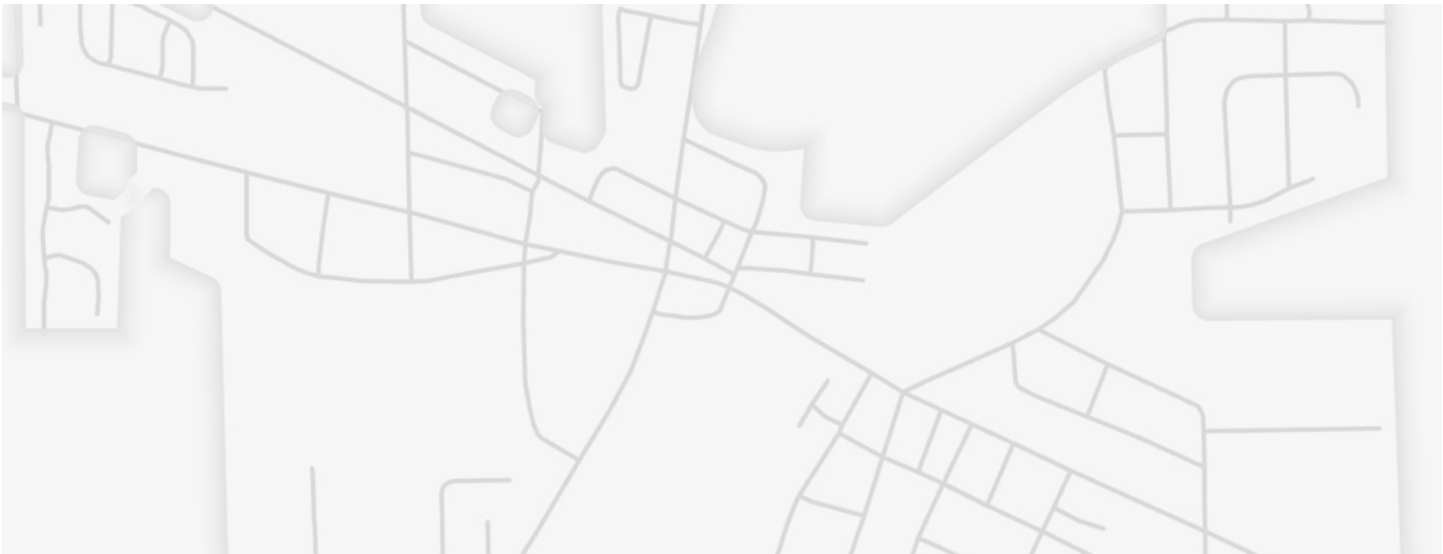
Legal Alignment

Moderate Revisions to Consider

RRC Best Practices

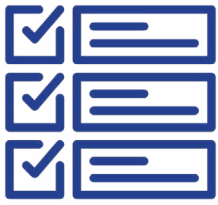
Moderate Revisions to Consider

Intentionally Blank



Checklist

	Consideration	Priority
Master Plan Alignment	Implement Future Land Use Plan	
	Improve the PUD Process and development requirements.	
	Modify residential districts to allow duplexes by-right in the low-density residential district, allow for missing middle in the medium-density residential district, allow for manufactured home communities in the Medium-Density Residential district, and updated the dimensional standards to better facilitate Missing Middle typologies.	
	Update off-street parking to modernize the parking schedule, consider parking maximums, and develop access management standards.	
	Incorporate provisions for Solar Energy Systems and EV Charging.	
	Create a new Mixed-Use district with a focus on pedestrian-oriented uses.	
	Simplify and modernize the landscaping requirements for each district. Include more specific guidelines for planting.	
	Undertake a sign code update to create design standards and ensure all sign content requirements are content neutral.	
	Create architectural and design standards for the CBD, with graphics to illustrate preferred design treatments.	
	Improve the PUD Process and development requirements.	



Checklist

	Consideration	Priority
Organization and Structure	Create PDF Document instead of hosting Ordinance on Municode	
	Provide supporting images	
	Group together relevant standards in a single section	
	Convert the Ordinance into the Clearzoning format	

	Consideration	Priority
Definitions	Define terms in a single section of the ordinance	
	Separate standards from definitions	
	Make sure definitions are clear and easy to understand	
	Distinguish between similar terms	
	Identify and remove duplicate definitions	
	Land uses should be defined	
	Simple, clear graphics help illustrate definitions	
	Definitions should be updated to include current terminology and be consistent with state and federal laws, as well as case law	

	Consideration	Priority
Districts and Uses	Intent, uses, and dimensional standards should be located in a single section of the Ordinance	
	Standards for specific uses belong in a separate section of "use standards"	
	District intent should serve as a guide to development with clear instruction on the purpose of the district.	
	Uses should be named intuitively. Uses that operate similarly and regulated the same should be consolidated into a single use category	



Checklist

	Consideration	Priority
Districts and Uses	Review the zoning map and consider eliminating any split-zoned lots	
	Add visual aids to support dimensional standards.	
	Review districts and uses for consistency with the Religious Land Uses and Institutionalized Persons Act	
	Review districts and uses for consistency with the Right to Farm Act	
	Review districts and uses for consistency with the Fair Housing Act	
	Review and consider new Missing Middle housing opportunities	
	Review and consider RRC Best practices for Master Plan Alignment (2.1)	
	Review and consider RRC Best practices for Housing Diversity (2.4).	

	Consideration	Priority
Use Standards	Use standards should be consolidated into a single section of the Ordinance	
	Consider whether use standards limit future redevelopment	
	Consider administrative approval of temporary uses	
	Consider standards for auto-oriented uses	
	Review use standards for consistency with statutory requirements	
	Consider regulations for principal use solar energy systems	
	Consider alignment with Michigan Building Code	
	Review and consider RRC Best practices for concentrated development (2.3) pertaining to specific land uses.	



Checklist

	Consideration	Priority
Site Standards	Clear and easy navigation will ensure site standards are not overlooked	
	Subsections should be named intuitively and easy to quickly review. (IE landscaping in a single section)	
	Review and consider the applicability of site standards for redevelopment projects	
	Review waivers and discretionary determinations	
	Requirements for site development often require visual aids (ie buffer requirements, sign standards)	
	Sign standards should be reviewed for content neutrality	
	Add regulations for wireless communication facilities	
	Review and consider RRC Best practices for concentrated development (2.3) pertaining to site design	
	Review and consider RRC Best practices for parking flexibility (2.5)	
	Review and consider RRC Best practices for green infrastructure (2.6)	

	Consideration	Priority
Development Procedures	Make sure ordinance is clear when site plans are required	
	Site plan review should be regulated by use, not district	
	Review information required for site plans	
	Distinguish between minor and major amendments	
	Review timelines for Village compliance that are not required by statute	
	Review and consider RRC Best practices for clearly defined processes (3.1) for development procedures.	
	Review and consider RRC Best practices for approval authority (3.5)	

Checklist

	Consideration	Priority
Administration and Enforcement	Remove gendered language	
	Review roles for staff and public bodies	
	Review the "Class A" and "Class B" Designation process for nonconforming uses and structures	
	Consider review standards for amendments	
	Review process for determining that a nonconforming use has been ceased/ abandoned.	
	Review and consider RRC Best practices for clearly de-fined processes (3.1) for administration and enforcement.	