



City Council Special Meeting

Study Session Agenda

October 25, 2021

6:45 PM

1. **Roll Call**
2. **Agenda - Motion to accept Study Session Agenda as presented**
3. **Discussion: Proposed Amendments for long-term parking facilities; Cell Towers; Lighting Regulations**
4. **Public Comment**
5. **Adjournment - Motion to adjourn the Special Meeting**



PLANNING DEPARTMENT MEMORANDUM

DATE: October 20, 2021

To: City Council

FROM: Carol Maise, City Planner

SUBJECT: TA-2021-001; Zoning Ordinance Text Amendment
Long-term Parking Facilities (**Park & Fly**) and Temporary Buildings and Uses
(Security)

Attached for your consideration is a draft of a Zoning Ordinance amendment to Article 14, PARKING REQUIREMENTS, *Section 14.05, Long-Term Parking Facilities, Car Rental, and Leasing Facilities* and Article 22, BOARD OF ZONING APPEALS, *Section 22.03, Temporary Buildings and Uses*.

Updates to these sections have been made to address consistency with the City's Code of Ordinances (Licensing for park & fly) and security requirements for long-term parking facilities including park & fly.

The Planning Commission held a public hearing on the amendments on October 18, 2021 and recommended approval to the City Council. Please find attached the following:

- Article 14, PARKING REQUIREMENTS, *Section 14.05, Long-Term Parking Facilities, Car Rental, and Leasing Facilities* – proposed text amendment
- Article 22, BOARD OF ZONING APPEALS, *Section 22.03, Temporary Buildings and Uses* - proposed text amendment
- Planning Commission draft minutes 10/18/21

City Attorney, Steve Hitchcock will be presenting the proposed amendments. We look forward to discussing these with you at the study session on October 25, 2021.

RECOMMENDATION

If the City Council determines that action on the proposed amendment is warranted, the following motion should be considered:

*"To **approve the first reading of** TA-2021-001; a proposed text amendment to Article 14, PARKING REQUIREMENTS, *Section 14.05, Long-Term Parking Facilities, Car Rental, and Leasing Facilities* and Article 22, BOARD OF ZONING APPEALS, *Section 22.03, Temporary Buildings and Uses of the Zoning Ordinance*.*

Should you have any questions, or desire additional information, please do not hesitate to contact the Planning Department at 734-955-4530.

ORDINANCE _____
CITY OF ROMULUS
APPENDIX A – ZONING
Amendment 1.250

AN ORDINANCE AMENDING ARTICLE 14, PARKING REQUIREMENTS, SECTION 14.05, LONG-TERM PARKING FACILITIES, CAR RENTAL, AND LEASING FACILITIES OF THE ZONING ORDINANCE FOR THE CITY OF ROMULUS.

THE CITY OF ROMULUS ORDAINS:

SECTION 1. Article 14, Parking Requirements, Section 14.05, Long-Term Parking Facilities, Car Rental, and Leasing Facilities is amended to read as follows:

Section 14.05 Long-term Parking Facilities, Car Rental, and Leasing Facilities

- (a) **Intent.** Long-term surface parking facilities, car rental, and car leasing facilities do not represent the most efficient and best use of land within the City. The proliferation of large paved areas more than _____ square feet create a negative image and large surface parking lots create increased environmental impacts, such as a greater stormwater runoff. Utilizing large land areas in commercial and industrial districts for parking is not consistent with the objective of encouraging other types of commercial uses, such as hotels, offices, and high quality manufacturing facilities that provide a greater contribution to the City's economy and character. It is the intent of these regulations to:
- (1) Minimize the amount of valuable commercial and industrial land that is consumed by long-term parking facilities and ensure there is adequate land available for economic growth of the City for industry and commercial services needed by residents.
 - (2) Ensure long-term parking facilities are appropriately located to support other airport-related facilities.
 - (3) Minimize traffic impacts from long-term parking facilities.
 - (4) Minimize the amount of woodlands that need to be clear for parking facilities.
 - (5) Minimize the impact to the microclimate and the "heat island" effect of large parking facilities.
 - (6) Minimize the amount of stormwater runoff generated from a parking facility.

(b) **Long-term Parking Facilities.** Long-term parking facilities must meet the following special land use requirements:

- (1) This section shall apply to long-term parking facilities used by airport travelers or other types of long-term vehicle parking facilities; hotels/motels that provide long-term park-and-fly space; and, parking lots used for storage of new vehicles not located on the same lot as a dealership or automobile manufacturing facility. Long-term parking facilities are only permitted in the RC, M-T, and AP Districts as a special land use. Long term parking facilities must also obtain a Class I Parking License from the City Council in accordance with the City's Parking Ordinance following approval of the special land use.
- (2) Any application for a new long-term parking facility or expansion to an existing facility shall be accompanied by a market study with supporting documentation verifying the need for long term parking. The study will inventory the supply of existing parking, both on and off the airport, and demands created by increased usage. The City Council shall not approve an application for a long-term parking facility unless the study demonstrates that there is a undersupply of long-term parking.
- (3) Long-term parking facilities in excess of 50 parking spaces, must be entirely contained with in a parking structure meeting the requirements of Section 14.02(d). Entrance, driveways, collection booths, and other facilities ancillary to the parking facility may be permitted outside of the structure, but parking spaces outside of the structure are not permitted. In order to minimize the amount of land area consumed by a long-term parking facility, no more than twenty five percent (25%) of the parking may be located on the ground level of the parking structure. All parking spaces, whether on the surface or in parking structure, must be in addition to parking spaces required for any other use of the premises.
- (4) Long-term parking facilities shall have access to an arterial roadway that has a right-of-way width of at least one hundred twenty (1~~1~~2) feet extending from the entrance of the site to the nearest freeway interchange.
- (5) All structures and facilities for the long-term parking facility shall be located at least four hundred (400) feet from any road right-of-way.
- (6) The frontage along the arterial roadway shall be capable of development for uses permitted in the district in which the proposed facility is located. The frontage must be developed in conjunction with the long term parking facility. The development may be completed in phases, provided only fifty percent (50%) of the long term parking can be development prior to the 400-foot setback area in front of the parking being developed. The long term parking facility shall be integrated with the development of the frontage with integrated access and circulation.
- (7) The access drive to the site shall be at least three (3) traffic lanes wide with a minimum of two (2) incoming lanes.

- (8) A traffic impact study meeting the requirements of Section 23.02(a)(3) shall be submitted with any application for a new or expanded long-term parking facility.
- (9) The long-term parking facilities shall be designed and located to be compatible with proposed land uses in the district, not adversely affect adjacent land uses, and be located and consistent with the Master Plan.
- (10) The entrance to the parking area shall be landscaped along both sides of the entrance road. A greenbelt C meeting the requirements of Section 13.02 shall be provided around the entire perimeter of the parking area.
- (11) Overnight or long-term parking is prohibited for commercial vehicles such as delivery vans or trucks, truck tractors, over-the-road hauling trucks, sei-trucks, trailers or construction equipment, or similar vehicles, and recreational vehicles such as motor homes, travel trailers and similar vehicles.
- (12) Long-term parking facilities may be prohibited at highly visible locations that may have a negative influence on the character and appearance of the surrounding area. Added screening requirements may be imposed to reduce the visibility of parking facilities.
- (13) Existing long-term facilities may be permitted to increase the number of parking spaces utilized for long term parking, provided newly creating parking spaces are located in a parking structure within an area that is currently paved for long term parking. Existing surfaced parking may remain, provided there is no expansion in the land area covered by parking and all new spaces are being added in a structure. The site shall be upgraded to comply with the landscaping and driveway design requirements of this Ordinance.
- (14) A long term parking facility may not be expanded to cover a larger land area unless all of the requirements of this section are met.

(15) All long-term parking facilities shall provide security including fencing and lighting of the site approved by the Planning Commission or ARC; and adequate lighting security camera systems with storage of the security video for thirty (30) days as approved by the Police Department-determined by the planning commission or the Board of Zoning Appeals.

- (c) **Car Rental Establishments.** Car rental establishments must meet the following requirements:
 - (1) A greenbelt C landscaping along the site frontage and a landscape buffer zone shall be provided along all other lot lines, as required by Section 13.02.
 - (2) Customer parking may be provided in the required front yard as long as the area is landscaped as required by Section 13.02.

SECTION 2. Severability.

Should any word, sentence, phrase or any portion of this ordinance be held in any manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such words, sentence, phrase, or any portion of the ordinance held to be so invalid and shall not be construed as effecting the validity of any of the remaining words, sentences, phrases or portions of this ordinance.

SECTION 3. Conflicting Ordinances.

All prior existing ordinances adopted by the City of Romulus inconsistent or in conflict with the provisions of this ordinance are, to the extent of such conflict or inconsistency hereby expressly repealed.

SECTION 4. Effective Date.

This ordinance shall take effect upon publication thereof in an official newspaper, which publication shall be made when the minutes passing the ordinance are published subject to revocation at will of the City of Romulus at any time.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Romulus this _____ day of _____, 2021.

LEROY BURCROFF, MAYOR

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Romulus at a regular Council Meeting held in the City Council Room in said City of the _____ day of _____, 2021.

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I further certify that the foregoing was published in Associated/Journal Newspaper, a newspaper of general circulation in the City of Romulus, on the _____ day of _____, 2021.

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

Within forty-five- (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Council protesting such ordinance continuing effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

Introduced:

Adopted:

Published:

Effective:

ORDINANCE _____
CITY OF ROMULUS
APPENDIX A – ZONING
Amendment 1.251

AN ORDINANCE AMENDING ARTICLE 22, ZONING BOARD OF APPEALS, SECTION 22.03, POWERS AND DUTIES, SECTION (e) TEMPORARY BUILDINGS AND USES OF THE ZONING ORDINANCE FOR THE CITY OF ROMULUS.

THE CITY OF ROMULUS ORDAINS:

SECTION 1. Article 22, Board of Zoning Appeals, Section 22.03 (e) Temporary Building and Uses is amended to read as follows:

(e) **Temporary Building and Uses.** Temporary buildings, structures and uses may be permitted as follows:

~~(1) (4)~~ The Board of Zoning Appeals may permit temporary buildings, structures, and uses for up to twelve (12) months in a calendar year from the date of BZA approval provided that all requirements and conditions relative to the type of structure and use, and timing and arrangements for termination and removal, are specified in writing.

- a. The Board of Zoning Appeals may condition approvals related to setbacks, screening, off-street parking, liability coverage, security including, fencing, lighting and cameras, and other conditions considered necessary to protect the health, safety, welfare, and comfort of the inhabitants of the City.
- b. A single six (6) month extension may be granted if the Board of Zoning Appeals is petitioned by the applicant prior to the expiration of the original approval.
- c. Applicants who are dissatisfied with the decision of the Administrative Review Committee (ARC) set forth below may appeal the decision to the Board of Zoning Appeals to determine whether the ARC properly applied the conditions set forth in this Ordinance below in its decision, or in the Food Handlers Ordinance.

(2) The Administrative Review Committee (ARC) may approve temporary buildings, structures and uses for not to exceed a period of one-hundred eighty (180) days in a calendar year, provided the proposed use is an accessory use to an approved principal permitted use for the site, the principal permitted use is in compliance with city

ordinances, and the applicant has a business located in the City that has a current business registration issued by the City with such additional conditions as may be determined by the ARC, including but not limited to security, fencing, lighting and cameras.

- a. ARC may also approve temporary structures and uses (not temporary buildings) for not to exceed thirty (30) days in a calendar year if the proposed use is not an accessory use for the site, the principal permitted use is in compliance with this zoning ordinance, and the applicant has a business located in the City that has a current business registration issued by the City with such additional conditions as may be determined by the ARC.
 - b. Applicants who are dissatisfied with the decision of the Administrative Review Committee (ARC) as set forth above may appeal the decision to the Board of Zoning Appeals to determine whether the ARC properly applied the conditions set forth in this Ordinance below in its decision, or in the Food Handlers Ordinance.
- (3) Any special event on any city street, park or public area of the city shall be subject to Chapter 52 Article II Section 52-84 of the Code of Ordinances for the City of Romulus.
- (4) Non-profit entities that have obtained tax exempt status from the Federal Internal Revenue or have applied for such tax exemption may have temporary structures and uses on property they own or lease for their tax-exempt purpose, for up to three (3) consecutive days, not more than three (3) times in a calendar year without obtaining the consent of the Board of Zoning Appeals or the ARC.
- (5) To receive Board of Zoning Appeals or ARC approval, the following are required:
- a. The applicant and the property owner must not be delinquent on any property taxes or fees owed to the City;
 - b. The use must not be prohibited by any other ordinance of the City;
 - c. The applicant must provide written permission from the property owner for the proposed temporary use;
 - d. If there is an existing occupied use of the property, a Certificate of Occupancy must be provided;
 - e. A written application shall be provided to the Planning Department for any temporary use. The application to the Board of Zoning Appeals or ARC shall comply with the requirements of Section 17.03(b);

- f. Upon approval by the Board of Zoning Appeals or ARC, a business registration must be obtained from the City Clerk's office; and
- g. Other information as may be required in the application by ARC or BZA.

SECTION 2. Severability.

Should any word, sentence, phrase or any portion of this ordinance be held in any manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such words, sentence, phrase, or any portion of the ordinance held to be so invalid and shall not be construed as effecting the validity of any of the remaining words, sentences, phrases or portions of this ordinance.

SECTION 3. Conflicting Ordinances.

All prior existing ordinances adopted by the City of Romulus inconsistent or in conflict with the provisions of this ordinance are, to the extent of such conflict or inconsistency hereby expressly repealed.

SECTION 4. Effective Date.

This ordinance shall take effect upon publication thereof in an official newspaper, which publication shall be made when the minutes passing the ordinance are published subject to revocation at will of the City of Romulus at any time.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Romulus this _____ day of _____, 2021.

LEROY BURCROFF, MAYOR

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Romulus at a regular Council Meeting held in the City Council Room in said City of the _____ day of _____, 2021.

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I further certify that the foregoing was published in Associated/Journal Newspaper, a newspaper of general circulation in the City of Romulus, on the _____ day of _____, 2021.

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

Within forty-five- (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Counsel protesting such ordinance continuing effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

Introduced:

Adopted:

Published:

Effective:

B. TA-2021-001; Zoning Ordinance Text Amendment for Section 14.05 Long-Term Parking Facilities and Section 22.03(e) Temporary Buildings and Uses

(Action Required: Recommendation to City Council)

City Attorney Hitchcock described the background and rationale for this ordinance change, which addressed issues of some hotels/motels allowing park and fly uses at their facilities without going through normal licensing processes, and allowing long-term parking to take up required parking spaces on site.

MOTION by McAnally, support by Talon-Jemison, to recommend adoption to City Council TA-2021-001 Zoning Ordinance Text Amendment for Section 14.05 Long-Term Parking Facilities and Section 22.03(e) Temporary Buildings and Uses.

Roll Call Vote: Ayes – McAnally, Talon-Jemison, Roscoe, Crova, Gbogboade, Frederick, Glotfelty, Paul, and Freitag. Nays – none. **Motion carried 9-0.**

C. TA-2021-002; Zoning Ordinance Text Amendment for Section 12.15, Wireless Communication Facilities and Services

(Action Required: Recommendation to City Council)

City Attorney Hitchcock described the background and rationale for this ordinance change, which specifically applied to wireless facility co-locations, and time limits for approval as imposed by Federal and State law.

MOTION by Crova, support by Gbogboade, to recommend adoption to City Council TA 2021-002 Zoning Ordinance Text Amendment for Section 12.15, Wireless Communication Facilities and Services.

Roll Call Vote: Ayes – Crova, Gbogboade, Roscoe, Glotfelty, Paul, Talon-Jemison, McAnally, Frederick, Freitag. Nays – none. **Motion carried 9-0.**

D. TA-2021-003; Zoning Ordinance Text Amendment for Section 13.05, Lighting Regulations

(Action Required: Recommendation to City Council)

MOTION by Crova, support by Frederick, to recommend adoption to City Council TA 2021-003 Zoning Ordinance Text Amendment for Section 13.05, Lighting Regulations

Engineering Consultant Katers described the background and rationale for this ordinance change, which specifically addressed the difficulty of compliance with current lighting regulations for the larger-scale industrial developments recently reviewed by the City and Planning Commission. These recommendations were provided by Carmine Avantini from CIB Planning who originally drafted the ordinance in 2008 and OHM Advisors who have also reviewed the lighting on more recent site plans.

Roll Call Vote: Ayes – Crova, Frederick, Talon-Jemison, Roscoe, Gbogboade, McAnally, Paul, Glotfelty, and Freitag. Nays – none. **Motion carried 9-0.**



PLANNING DEPARTMENT MEMORANDUM

DATE: October 20, 2021
To: City Council
FROM: Carol Maise, City Planner
SUBJECT: TA-2021-002; Zoning Ordinance Text Amendment
Section 12.15, Wireless Communication Facilities and Services **(Cell Towers)**

Attached for your consideration is a draft of a Zoning Ordinance amendment *to Article 12, General Provisions, Section 12.15, Wireless Communication Facilities and Services (Cell Towers)*. This draft is based on compliance with the Federal and State law.

The Planning Commission held a public hearing on the amendments on October 18, 2021 and recommended approval to the City Council. Please find attached the following:

- Section 12.15, *Wireless Communication Facilities and Services*
- Planning Commission draft minutes 10/18/21

City Attorney, Steve Hitchcock will be presenting the proposed amendments. We look forward to discussing these with you at the study session on October 25, 2021.

RECOMMENDATION

If the City Council determines that action on the proposed amendment is warranted, the following motion should be considered:

"To approve the first reading of TA-2021-002; a proposed text amendment to Section 12.15, Wireless Communication Facilities and Services of the Zoning Ordinance.

Should you have any questions, or desire additional information, please do not hesitate to contact the Planning Department at 734-955-4530.

ORDINANCE _____
CITY OF ROMULUS
APPENDIX A – ZONING
Amendment 1.253

AN ORDINANCE AMENDING ARTICLE 12, GENERAL PROVISIONS, SECTION 12.15, WIRELESS COMMUNICATION FACILITIES AND SERVICES OF THE ZONING ORDINANCE FOR THE CITY OF ROMULUS.

THE CITY OF ROMULUS ORDAINS:

SECTION 1. Article 12, General Provisions, Section 12.15, Wireless Communication Facilities and Services is amended to read as follows:

Section 12.15 Wireless Communication Facilities and Services

(a) **Purpose and Intent.** The regulations of this Section are intended to conform with federal laws and administrative rules governing facilities needed to operate wireless communication systems and to set forth procedures and standards for review and approval for the location of such facilities within the City of Romulus. It is the City's intent to reasonably regulate the location and design of such facilities to retain the integrity of neighborhoods and the character, property values, and aesthetic quality of the City and to also ensure compliance with FAA height restrictions in the vicinity of the Detroit Metropolitan Wayne County International Airport. Given the increase in the number of wireless communication facilities requested as a result of the new technology and the Federal Telecommunications Act of 1996 and Public Act 143 of 2012, it is the policy of the City that all users should co-locate on attached wireless communication facilities and wireless communication support structures. Collocation is proposed in order to assure the most economic use of land and to prevent the proliferation of duplicative services. In recognition of the City's concern that technological advances may render certain wireless communication facilities obsolete or unnecessary in the future, requirements are set forth for the removal of unused or unnecessary facilities in a timely manner and provide security for removal.

(b) **Definitions:** The following definitions shall apply in the interpretation of this Section:

- (1) **Wireless Communication Facilities (WCF).** All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio antenna, television broadcasting antenna, telephone devices, personal communication transmission equipment and exchanges, microwave

relay, telephone transmission equipment buildings, and commercial mobile radio service facilities. This definition does not include satellite dish, television and radio reception antenna for an individual lot as otherwise regulated in the applicable zoning district.

(2) **Attached Wireless Communication Facilities.** Wireless communication facilities affixed to existing structures, including but not limited to existing buildings, towers, water tanks, or utility poles.

(3) **Wireless Communication Support Structures (WCSS).** Structures erected or modified to support wireless communication antennas. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, and guyed towers, or other structures that are erected for the purpose of supporting WCF's.

(4) **Collocation.** Location by two (2) or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, to reduce the overall number of structures required to support wireless communication antennas within the City.

(c) **Use Requirements.** Wireless communication facilities may be located within the City in accordance with [Table 12.15 \(c\)](#).

Table 12.15(c) Wireless Communication Facilities		
Type/Location of Wireless Facility	Location Permitted	Approval Procedure
1. Wireless Communication Facility attached to existing structures:		
Collocation upon an existing wireless communication support structure	All districts	Administrative approval
Replacing an existing wireless communication support structure with a new one to support additional collocation	All districts	Administrative approval if not more than 20 feet taller <u>or 10% of original height, whichever is greater.</u> Planning Commission if more than 20 feet taller <u>or more than 10% greater than original height.</u>
Attached to an existing utility structure	All districts	Administrative approval, with letter of acceptance from the utility company
Attached to an existing building	All non-single-family residential districts	Administrative approval
2. New Wireless Communication Support Structure:		

Replacing an existing tower with a taller tower to permit additional collocation	O-1, C-1, C-2, C-3, RC, O-R, M-1, M-2, M-T, AP districts or a government owned site in any district	Site Plan approval by the Planning Commission in accordance with Article 17 .
Monopole	Located on a municipally owned site in any zoning district	Site Plan approval by the Planning Commission in accordance with Article 17 .
Monopole	Located on a site owned by county or state government entity, places of worship, or public school in any zoning district	Special Land Use approval by the City Council in accordance with Article 18 .
Monopole	O-1, C-1, C-2, C-3, RC, O-R, M-1, M-2, M-T, AP districts	Special Land Use approval by the City Council in accordance with Article 18 .
Lattice tower where it can be shown that a monopole is not feasible.	M-2, M-T districts	Special Land Use approval by the City Council in accordance with Article 18 .

(d) Application Requirements

(1) An application for a wireless communication facility, ~~including new towers and collocation~~ shall be required to include a site plan that meets the requirements of [Article 17](#). An application for a new wireless communication support structure (i.e. a new tower) shall include the following, in addition to other submittal requirements for site plan, as required in [Article 17](#):

- a. Signed certification by a professional engineer licensed by the State of Michigan with regard to the manner in which the proposed structure will fall in the event of damage, accident or injury (i.e. "fall zone"), and that the setback area provided shall accommodate the structure should it fall or break and provide a reasonable buffer in the event the structure fails.
- b. A description of performance guarantee to be posted at the time of receiving approval for the facility to ensure removal of the facility when it is abandoned or is no longer needed. The applicant shall demonstrate that funds will be available to the City for removal of any structure used for wireless communication in an amount which reasonably reflects the cost of removal of the facility and restoration of the property or structure upon which the facility is located or placed. Adequate funds shall also be provided to cover the City's administrative costs in the event that the applicant or its successor does not remove the wireless communication facility in a timely manner and the City chooses to undertake removal of the facility. The City may choose to use outside contractors for such purposes.

The security shall, at the election of the City Council, be in the form of: (1) cash; (2) security bond; (3) letter of credit; or, (4) an agreement in a form approved by the City Attorney and

recordable at the office of the Register of Deeds, establishing a promise of the applicant and owner of the property, or their successors, to remove the facility in a timely manner as required under this Section of the Ordinance. It shall further be provided that the applicant, owner or successor, shall be responsible for payment of any costs or attorney fees incurred by the City in securing removal.

- c. A map that illustrates existing and known proposed wireless communication facilities within the City of Romulus and adjacent communities, which are relevant in terms of potential collocation or to demonstrate the need for the proposed facility. If the information in question is on file with the City, the applicant shall be required only to update as needed. Any such information which is trade secret and/or other confidential commercial information which, if released would result in commercial disadvantage to the applicant, may be submitted with a request for confidentiality in connection with the development of governmental policy MCL 15.243(l)(g). This Ordinance shall serve as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be prominently stated in order to bring it to the attention of the community.
- d. A permit for the construction and use of a new wireless communication support structure shall not be granted until the applicant demonstrates a feasible collocation is not available for the coverage area and capacity needs.
- e. For all new facilities, in recognition of the City's policy to promote collocation, a written agreement, transferable to all assessors and assigns, that the operator shall make space available on the facility for collocation.
- f. The name, address and phone number of the person to contact for engineering, maintenance and other notice purposes. This information shall be continuously updated during all times the facility is on the premises.
- g. A Notice of Proposed Construction or Alteration, Federal Aviation Authority (FAA) Form 7460-1.

(2) The City shall make a determination as to whether an application is complete. Applicant must be notified of incomplete application within 14 days of receipt of application, and notify the applicant if it is not within thirty (30) days.—The City shall process applications for collocation on existing personal wireless service facilities within forty-fiveninety (4590) days of receiving a complete application. The City shall process all other applications, including new towers, within one hundred fifty (150) days of receiving a complete application. Application must be approved in the above time periods or will be deemed approved.

- (e) **Design Standards Applicable to All Facilities.** In addition to the Criteria of Site Plan Review listed in [Article 17](#) and Special Land Use Review listed in [Article 18](#), all new wireless communication facilities

shall be constructed and maintained in accordance with the following standards:

- (1) Facilities shall be located and designed to be harmonious with the surrounding areas. The Planning Commission may require unique design of the structure to either diminish the visual impact or to create an architectural feature that will contribute to or enhance community character.
- (2) All new and modified wireless communication facilities shall be designed and constructed to accommodate collocation, with a written agreement in a format approved by the City Attorney.
- (3) Landscaping shall be provided to screen the structure base, accessory buildings and enclosure from adjacent uses and public rights-of-way. The City may approve a six (6) to eight (8) foot tall brick wall around the site for screening purposes in any location where landscaping may not survive.
- (4) Elevations of the accessory buildings shall be provided. All accessory buildings shall be constructed of brick, provided the City may waive this requirement for a building that is not visible from a public right-of-way or any adjacent non-industrial lot.
- (5) Fencing, six (6) to eight (8) feet in height, shall be provided for protection of the support structure and security from children and other persons who may otherwise access facilities. Fencing shall be black vinyl coated or decorative wrought iron.
- (6) Any nonconforming situations on the site, such as, but not limited to, outdoor storage, signs, inadequate landscaping, unpaved parking, lack of a sidewalk, improper lighting, or similar conditions shall be brought into conformance to the maximum extent possible prior to the erection of the wireless communication facility in accordance with [Section 20.09](#).
- (7) The applicant shall demonstrate that the requested height of the new or modified support structure and antenna shall be the minimum height necessary for reasonable communication by the applicant, including additional height to accommodate future collocation where appropriate. All wireless facilities shall be within the maximum height set by the FAA.
- (8) Minimum required setbacks for a new facility or support structure:
 - a. From the lot line of any residential lot - the height of the structure, provided the engineering information required in (d)(1) is provided. The person or body with authority to approve the facility may decrease this setback to that provided in c. below upon a finding that no residential use exists or is expected on the adjacent site.
 - b. From any existing or proposed rights-of-way or other publicly traveled roads or non-motorized improved pathways - the height of the structure.
 - c. From the lot line of any adjacent nonresidential lot - one half the height of the structure, provided the engineering information required in (d)(1) above demonstrates such setback is

adequate.

- (9) Accessory buildings shall be a maximum of fourteen (14) feet high and shall be set back in accordance with the requirements for principal buildings in that zoning district.
 - (10) There shall be unobstructed access to the support structure, for operation, maintenance, repair, and inspection purposes, which may be provided by an easement. This access drive shall be paved and have a minimum width of twenty six (26) feet.
 - (11) Where an attached wireless communication facility is proposed on the roof of a building, if the equipment enclosure is proposed as a roof appliance or penthouse on the building, it shall be designed, constructed, and maintained to be architecturally compatible with the principal building. The equipment enclosure may be located within the principal building or may be an accessory building. If proposed as an accessory building, it shall conform with all district requirements for principal buildings, including yard setbacks.
 - (12) The support system shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements confirming the suitability of soil conditions for the proposed use.
 - (13) The requirements of the Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission shall be met. Any aviation hazard lighting shall be detailed on the plans. An FAA Form 7460-1, Notice of Proposed Construction or Alteration shall be approved by the FAA.
 - (14) A maintenance plan, and any applicable maintenance agreement, shall be presented and approved as part of the site plan for the proposed facility. Such plan shall be designed to ensure the long term, continuous maintenance to a reasonably prudent standard.
- (f) **Removal.** As a condition of every approval of a wireless communication facility, adequate provision shall be made for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events:
- (1) When the facility has not been used for one hundred eighty (180) days or more. For purposes of this Section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of non-use.
 - (2) Six (6) months after new technology is available at a reasonable cost, as determined by the City Council, which permits the operation of the communication system without the requirement of the support structure.
 - (3) The situations in which removal of a facility is required, as set forth in paragraph (1) above, may be applied and limited to portions of a facility.

- (4) Upon the occurrence of one or more of the events requiring removal, specified in paragraph (1) above, the property owner or persons who had used the facility shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Building and Safety Director.
- (5) If the required removal of a facility or a portion thereof has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice, the City may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be drawn or collected and/or enforced from or under the security posted at the time application was made for establishing the facility.

(g) Collocation

- (1) **Statement of Policy.** It is the policy of the City of Romulus to minimize the overall number of newly established locations for wireless communication support structures within the City and to encourage the use of existing structures for attached wireless communication facilities. If a provider fails or refuses to permit collocation on a facility owned or controlled by it, where collocation is feasible, the result will be that a new and unnecessary additional structure will be required, in contradiction with City policy. Collocation shall be required unless an applicant demonstrates that collocation is not feasible.
- (2) **Feasibility of Collocation.** Collocation shall be deemed “feasible” for the purpose of this Section where all of the following are met:
 - a. The wireless communication provider or property owner where collocation is proposed will accept market rent or other market compensation for collocation and the wireless communication provider seeking the facility will pay such rates.
 - b. The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.
 - c. The collocation being considered is technically reasonable, e.g. the collocation will not result in unreasonable interference, given appropriate physical and other adjustments in relation to the structure, antennas and the like.
 - d. All collocation will be approved administratively if:
 1. The increase in overall height of the wireless communications structure will not be more than 20 feet or 10% of its original height, whichever is greater.
 2. The Increase in width of the wireless communication support structure by more than minimum necessary to permit collocation.
 3. The increase in the area of the existing equipment compound is not greater than 2,500

square feet.

4. All building code requests must be complied with.

- (h) **Nonconforming Facilities and Penalties for Not Permitting Collocation.** If a party who owns or otherwise controls a wireless communication support structure shall fail or refuse to alter a structure to accommodate a proposed and otherwise feasible collocation, such facility shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded, or extended in any respect. In addition, if a party refuses to allow collocation in accordance with the intent of this Section, and this action results in construction of a new tower, the City may refuse to approve a new wireless communication support structure from that party for a period of up to five (5) years. Such a party may seek and obtain a variance from the Board of Zoning Appeals if and to the limited extent the applicant demonstrates entitlement to variance relief which, in this context, shall mean a demonstration that enforcement of the five (5)-year prohibition would unreasonably burden some providers of functionally equivalent wireless communication services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communication services.
- (i) **Variances.** The Board of Zoning Appeals may consider a variance from the standards of this Section, based upon a finding that one or more of the following factors exist, as appropriate for the type of variance requested:
- (1) For location, the applicant has demonstrated that a location within a district or location in accordance with the standards of this Section cannot reasonably meet the coverage or capacity needs of the applicant.
 - (2) For no collocation the applicant has demonstrated that a feasible collocation is not available for the coverage area and capacity needs because existing structures cannot support the facility, that collocation would result in unreasonable interference, or that reasonable financial terms are not available for collocation.
 - (3) For setback, the applicant has provided engineering information that documents that the tower is self collapsing and that the setback area provided shall accommodate the structure should it fall or break and provide a reasonable buffer in the event the structure fails.
 - (4) For all, the applicant has proposed means to mitigate any negative impacts through provision for future collocation, if found to be appropriate by the City, and special design of the facility and site.
 - (5) For all, the wireless communication and accessory facilities shall be designed to be compatible with the existing character of the proposed site, neighborhood, and general area and may include such features as a steeple, bell tower, or similar form.

SECTION 2. Severability.

Should any word, sentence, phrase or any portion of this ordinance be held in any manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such words, sentence, phrase, or any portion of the ordinance held to be so invalid and shall not be construed as effecting the validity of any of the remaining words, sentences, phrases or portions of this ordinance.

SECTION 3. Conflicting Ordinances.

All prior existing ordinances adopted by the City of Romulus inconsistent or in conflict with the provisions of this ordinance are, to the extent of such conflict or inconsistency hereby expressly repealed.

SECTION 4. Effective Date.

This ordinance shall take effect upon publication thereof in an official newspaper, which publication shall be made when the minutes passing the ordinance are published subject to revocation at will of the City of Romulus at any time.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Romulus this _____ day of _____, 2021.

LEROY BURCROFF, MAYOR

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Romulus at a regular Council Meeting held in the City Council Room in said City of the _____ day of _____, 2021.

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I further certify that the foregoing was published in Associated/Journal Newspaper, a newspaper of general circulation in the City of Romulus, on the _____ day of _____, 2021.

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

Within forty-five- (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Counsel protesting such ordinance continuing effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

Introduced:

Adopted:

Published:

Effective:

B. TA-2021-001; **Zoning Ordinance Text Amendment for Section 14.05 Long-Term Parking Facilities and Section 22.03(e) Temporary Buildings and Uses**

(Action Required: Recommendation to City Council)

City Attorney Hitchcock described the background and rationale for this ordinance change, which addressed issues of some hotels/motels allowing park and fly uses at their facilities without going through normal licensing processes, and allowing long-term parking to take up required parking spaces on site.

MOTION by McAnally, support by Talon-Jemison, to recommend adoption to City Council TA-2021-001 **Zoning Ordinance Text Amendment for Section 14.05 Long-Term Parking Facilities and Section 22.03(e) Temporary Buildings and Uses**.

Roll Call Vote: Ayes – McAnally, Talon-Jemison, Roscoe, Crova, Gbogboade, Frederick, Glotfelty, Paul, and Freitag. Nays – none. **Motion carried 9-0.**

C. TA-2021-002; **Zoning Ordinance Text Amendment for Section 12.15, Wireless Communication Facilities and Services**

(Action Required: Recommendation to City Council)

City Attorney Hitchcock described the background and rationale for this ordinance change, which specifically applied to wireless facility co-locations, and time limits for approval as imposed by Federal and State law.

MOTION by Crova, support by Gbogboade, to recommend adoption to City Council TA 2021-002 **Zoning Ordinance Text Amendment for Section 12.15, Wireless Communication Facilities and Services**.

Roll Call Vote: Ayes – Crova, Gbogboade, Roscoe, Glotfelty, Paul, Talon-Jemison, McAnally, Frederick, Freitag. Nays – none. **Motion carried 9-0.**

D. TA-2021-003; **Zoning Ordinance Text Amendment for Section 13.05, Lighting Regulations**

(Action Required: Recommendation to City Council)

MOTION by Crova, support by Frederick, to recommend adoption to City Council TA 2021-003 **Zoning Ordinance Text Amendment for Section 13.05, Lighting Regulations**

Engineering Consultant Katers described the background and rationale for this ordinance change, which specifically addressed the difficulty of compliance with current lighting regulations for the larger-scale industrial developments recently reviewed by the City and Planning Commission. These recommendations were provided by Carmine Avantini from CIB Planning who originally drafted the ordinance in 2008 and OHM Advisors who have also reviewed the lighting on more recent site plans.

Roll Call Vote: Ayes – Crova, Frederick, Talon-Jemison, Roscoe, Gbogboade, McAnally, Paul, Glotfelty, and Freitag. Nays – none. **Motion carried 9-0.**



PLANNING DEPARTMENT MEMORANDUM

DATE: October 20, 2021
To: City Council
FROM: Carol Maise, City Planner
SUBJECT: TA-2021-003; Zoning Ordinance Text Amendment
Section 13.05, **Lighting** Regulations

Attached for your consideration is a draft of a Zoning Ordinance amendment to Article 13, Site Design, *Section 13.05, Lighting Regulations*.

It has come to staff's attention that compliance with our current lighting regulations is difficult for the larger-scale industrial development that we have been reviewing. Applicants are having challenges meeting the uniformity ratios between the average and minimum illumination levels in truck dock and loading areas of industrial development. In order to meet the current ordinance requirements, more light poles would be needed in these areas which would be in conflict with efficient truck circulation. The lighting ordinance has also been updated to require LED (rather than metal halide) fixtures and to include more detail on lighting submittal requirements. These recommendations were provided by Carmine Avantini from CIB Planning who originally drafted the ordinance in 2008 and OHM Advisors who have also reviewed the lighting on more recent site plans.

The Planning Commission held a public hearing on the amendments on October 18, 2021 and recommended approval to the City Council. Please find attached the following:

- Section 13.05, Lighting Regulations
- Planning Commission draft minutes 10/18/21

Jessica Katers from OHM will be presenting the proposed amendments. We look forward to discussing these with you at the study session on October 25, 2021.

RECOMMENDATION

If the City Council determines that action on the proposed amendment is warranted, the following motion should be considered:

"To approve the first reading of TA-2021-003; a proposed text amendment to Article 13, Site Design, Section 13.05, **Lighting Regulations** of the Zoning Ordinance.

Should you have any questions, or desire additional information, please do not hesitate to contact the Planning Department at 734-955-4530.

ORDINANCE _____
CITY OF ROMULUS
APPENDIX A – ZONING
Amendment 1.252

AN ORDINANCE AMENDING ARTICLE 13, SITE DESIGN, SECTION 13.05, LIGHTING REGULATIONS OF THE ZONING ORDINANCE FOR THE CITY OF ROMULUS.

THE CITY OF ROMULUS ORDAINS:

SECTION 1. Article 13, Site Design, Section 13.05, Lighting Regulations is amended to read as follows:

Section 13.05 Lighting Regulations

- (a) **Purpose.** The purpose of this Section is to permit reasonable uses of outdoor lighting for night-time safety, utility, security, productivity, enjoyment, and commerce while minimizing the effects of excessive or uncontrolled light to:
- (1) Maintain consistent and uniform light levels for traffic and pedestrian safety along roadways, sidewalks, and in parking lots.
 - (2) Ensure uniform lighting for security and law enforcement.
 - (3) Minimize glare, obtrusive light, and artificial sky glow by limiting outdoor lighting that is misdirected, excessive, or unnecessary.
 - (4) Minimize light pollution and light trespass from light sources onto adjacent properties.
 - (5) Preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to “sky glow.”
 - (6) Curtail and reverse the degradation of the nighttime environment and the night sky.
 - (7) Preserve the dark night sky for astronomy.
 - (8) Conserve energy and resources to the greatest extent possible.
 - (9) Prevent upward directed intensive lighting that may distract air traffic or conflict with approach lighting for Detroit Metropolitan Wayne County International Airport.
- (b) **Light Levels.** All outdoor lighting for all nonresidential uses shall be fully shielded to reduce glare and shall be arranged to reflect light away from all adjacent residential districts or uses. Light levels on a site that is subject to site plan approval under this Ordinance shall meet the following ~~minimum~~

average and maximum requirements for the developed portion of the site containing buildings, drives, and parking lots. In addition, the uniformity ratio between the average maximum and minimum illumination within the developed portion of the site shall not exceed four ten to one (410:1).

Table 13.05 Required Site Illumination		
	<u>Minimum Average</u> Illumination (footcandles)(1)	Maximum Illumination (footcandles)
Parking lots, loading areas, <u>drive</u> <u>aisles</u> <u>sidewalks</u> and <u>building</u> <u>entrances</u>	<u>1-3</u> fc (2)	10 fc (3)
<u>Sidewalks</u> , <u>site</u> and <u>building</u> <u>entrances</u>	<u>3-6</u> fc	<u>10</u> fc
Under canopies such as gas stations, drive-thru banks porte- cochere	3 fc	20 <u>22</u> fc
Along front lot line adjacent to the street frontage	0.5 fc	3 fc (4)
Along a property line adjoining a nonresidential use or district	0.5 fc	3 fc (5)
Along a property line adjoining a residential use or district	0 fc	0.1 fc

(c) **Footnotes to Table 13.05**

- (1) Lighting levels may be reduced to half (0.5) footcandle with a uniformity ratio of not more than ten to one (10:1) after 12:00 PM, or after established hours of operation.
- (2) The minimum average illumination levels shall not apply to portions of the site that are fenced to restrict public access, such as storage yards.
- (3) For automobile dealerships and other types of outdoor sales areas the maximum illumination may be increased to fifteen (15) footcandles, provided the limits at the property line are not exceeded.

- (4) These regulations shall not apply to ornamental street lighting, public street lights, or driveway/intersection lighting necessary for pedestrian and traffic safety.
- (5) The light level along a nonresidential property line may be increased to up to five (5) footcandles where there is shared access/vehicular connections with the adjacent use or the adjacent use is a similar use (e.g. commercial adjacent to commercial).
- (d) **Light Fixtures.** Outdoor lighting on all nonresidential sites shall be directed downward and confined to the ground areas of lawns or parking lots except as noted elsewhere in this Section. Lighting shall utilize full cutoff fixtures that are recessed sufficiently such that the light source is not visible from off site. Bollard lights are permitted to light driveways and pedestrian areas. All lamps shall be ~~metal halide~~ LED lamped luminaries, unless otherwise approved by the City.
- (e) **Fixture Height.** Light fixtures shall not be higher than fourteen (14) feet within three hundred (300) feet of a residential district. Otherwise, fixtures shall be no higher than twenty five (25) feet. Height shall be measured from the parking lot grade.
- (f) **Ornamental-/Decorative Lighting.** The requirement for downward directed lighting may be waived for ornamental and decorative lighting which is part of an overall architectural theme and street lighting.
- (g) **Floodlighting Prohibited.** Floodlight type fixtures shall be used only for building accent, landscaping, and sign lighting. Upward directed flood lighting that may distract air traffic or conflict with approach lighting for Detroit Metropolitan Wayne County International Airport shall be prohibited in accordance with FAA standards.
- (h) **Sign Lighting.** Illumination of signs shall comply with the requirements of the City of Romulus Sign Ordinance. Internally illuminated signs shall be permitted and light fixtures directed at a sign may be permitted where the fixtures are shielded so not to cause visible glare to persons on adjacent streets or adjacent property.
- (i) **Photometric Plan.** The evaluation of the photometric plan is intended to permit the City to determine potential adverse effects the site lighting may have on adjoining properties and motorists. Any site plan application for new or revised lighting shall include a photometric plan overlaid on the site plan illustrating the planned layout and footcandles of site lighting. The following are required for review:
- (1) Location of all site lights including pole lights, pedestrian lights, building mounted lights, canopy lights, sign lights, and landscape lights.
- (2) The designation type for each luminaire.
- (3) A Luminaire Schedule indicating type ("A", "B", "C", etc.), manufacturer, model number, lamp type, lumen output, wattage, number of heads and the I.E.S. luminaire photometric file number used for the calculations.

(4) Mounting height for each luminaire.

(5) A photometric grid indicating foot-candle levels over the entire site, including at all property lines, measured at grade level. Grid spacing shall not exceed 20 feet by 20 feet. ISO foot-candle lines may be included.

(6) A Photometric Summary and Statistics Table indicating the maximum, minimum and average foot-candle levels, maximum-to-minimum and average-to-minimum ratios.

~~(1) Lighting plan showing light pole and fixture locations and type designations.~~

~~(2) Photometric plan showing horizontal luminance levels in a point by point format with contour lines. Canopy lighting will also be included in luminance levels.~~

(7) Lighting manufacturers' equipment specifications and data (cut) sheets must be copied on the photometric plan, and

(8) Any other presentations required to convey the intent of the design.

SECTION 2. Severability.

Should any word, sentence, phrase or any portion of this ordinance be held in any manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such words, sentence, phrase, or any portion of the ordinance held to be so invalid and shall not be construed as effecting the validity of any of the remaining words, sentences, phrases or portions of this ordinance.

SECTION 3. Conflicting Ordinances.

All prior existing ordinances adopted by the City of Romulus inconsistent or in conflict with the provisions of this ordinance are, to the extent of such conflict or inconsistency hereby expressly repealed.

SECTION 4. Effective Date.

This ordinance shall take effect upon publication thereof in an official newspaper, which publication shall be made when the minutes passing the ordinance are published subject to revocation at will of the City of Romulus at any time.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Romulus this _____ day of _____, 2021.

LEROY BURCROFF, MAYOR

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Romulus at a regular Council Meeting held in the City Council Room in said City of the _____ day of _____, 2021.

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I further certify that the foregoing was published in Associated/Journal Newspaper, a newspaper of general circulation in the City of Romulus, on the _____ day of _____, 2021.

ELLEN L. CRAIG-BRAGG, CMC, City Clerk

Within forty-five- (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Counsel protesting such ordinance continuing effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

Introduced:
Adopted:
Published:
Effective:

B. TA-2021-001; **Zoning Ordinance Text Amendment for Section 14.05 Long-Term Parking Facilities and Section 22.03(e) Temporary Buildings and Uses**

(Action Required: Recommendation to City Council)

City Attorney Hitchcock described the background and rationale for this ordinance change, which addressed issues of some hotels/motels allowing park and fly uses at their facilities without going through normal licensing processes, and allowing long-term parking to take up required parking spaces on site.

MOTION by McAnally, support by Talon-Jemison, to recommend adoption to City Council TA-2021-001 **Zoning Ordinance Text Amendment for Section 14.05 Long-Term Parking Facilities and Section 22.03(e) Temporary Buildings and Uses**.

Roll Call Vote: Ayes – McAnally, Talon-Jemison, Roscoe, Crova, Gbogboade, Frederick, Glotfelty, Paul, and Freitag. Nays – none. **Motion carried 9-0.**

C. TA-2021-002; **Zoning Ordinance Text Amendment for Section 12.15, Wireless Communication Facilities and Services**

(Action Required: Recommendation to City Council)

City Attorney Hitchcock described the background and rationale for this ordinance change, which specifically applied to wireless facility co-locations, and time limits for approval as imposed by Federal and State law.

MOTION by Crova, support by Gbogboade, to recommend adoption to City Council TA 2021-002 **Zoning Ordinance Text Amendment for Section 12.15, Wireless Communication Facilities and Services**.

Roll Call Vote: Ayes – Crova, Gbogboade, Roscoe, Glotfelty, Paul, Talon-Jemison, McAnally, Frederick, Freitag. Nays – none. **Motion carried 9-0.**

D. TA-2021-003; **Zoning Ordinance Text Amendment for Section 13.05, Lighting Regulations**

(Action Required: Recommendation to City Council)

MOTION by Crova, support by Frederick, to recommend adoption to City Council TA 2021-003 **Zoning Ordinance Text Amendment for Section 13.05, Lighting Regulations**

Engineering Consultant Katers described the background and rationale for this ordinance change, which specifically addressed the difficulty of compliance with current lighting regulations for the larger-scale industrial developments recently reviewed by the City and Planning Commission. These recommendations were provided by Carmine Avantini from CIB Planning who originally drafted the ordinance in 2008 and OHM Advisors who have also reviewed the lighting on more recent site plans.

Roll Call Vote: Ayes – Crova, Frederick, Talon-Jemison, Roscoe, Gbogboade, McAnally, Paul, Glotfelty, and Freitag. Nays – none. **Motion carried 9-0.**