



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY SEPTEMBER 14, 2022 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

The City continues to recommend the public wear masks while attending City meetings per CDC guidelines. The cases of COVID-19 are increasing in the area. All City employees, commissioners, and board members must wear a mask while indoors when 6-feet of social distancing cannot be maintained. This is to ensure the continuity of government is not affected by an exposure to COVID-19 that can be prevented by wearing a mask. The City continues to provide KN-95 respirators and triple-layered masks for all in-person meeting attendees.

- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **August 24, 2022**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Unfinished Business/Courtesy Review
- F.** Rezoning Applications
- G.** Community Impact Studies
- H.** Special Land Use Permits
- I.** Site Plan & Design Reviews
- J.** Study Session
 - 1. **The Birmingham Plan 2040 – Final Draft Receipt**
 - 2. **Outdoor Dining**
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - 3. Administrative Approval Correspondence
 - 4. Draft Agenda – **September 28, 2022**
 - 5. Action List - 2022
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** Adjournment

* Please note that board meetings will be conducted in person once again. Members of the public can attend in person at Birmingham City Hall OR may attend virtually at:

Link to Access Virtual Meeting: [**https://zoom.us/j/111656967**](https://zoom.us/j/111656967)

Telephone Meeting Access: 877-853-5247 US Toll-Free

Meeting ID Code: 111656967

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City Of Birmingham
Regular Meeting Of The Planning Board
Wednesday, August 24, 2022
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on August 24, 2022. Chair Scott Clein convened the meeting at 7:30 p.m.

A. Roll Call

Present: Chair Scott Clein; Board Members Robin Boyle, Bert Koseck Daniel Share, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin (left 8:47 p.m.); Student Representatives MacKinzie Clein, Andrew Fuller

Absent: Board Members Stuart Jeffares, Janelle Whipple-Boyce

Administration:

Nick Dupuis, Planning Director
Leah Blizinski, City Planner
Brooks Cowan, Senior Planner
Laura Eichenhorn, City Transcriptionist

B. Approval Of The Minutes Of The Regular Planning Board Meeting of August 10, 2022

08-147-22

Motion by Mr. Share

Seconded by Mr. Williams to approve the minutes of the Regular Planning Board meeting of August 10, 2022 as submitted.

Motion carried, 7-0

VOICE VOTE

Yeas: Emerine, Clein, Koseck, Boyle, Ramin, Williams, Share

Nays: None

C. Chair's Comments

Chair Clein welcomed everyone to the meeting and reviewed the meeting's procedures.

D. Review Of The Agenda

E. Unfinished Business/Courtesy Review

F. Rezoning Applications

G. Community Impact Studies

H. Special Land Use Permits

I. Site Plan & Design Reviews

1. 35106 Woodward – Whole Dental Wellness (Postponed from July 27, 2022) – Final Site Plan and Design Review request for new addition to rear of building.

CP Blizinski presented the item and answered informational questions from the Board.

Iden Kalabat, representative for the applicant, stated:

- The sidewalk ramp and entrance at the front of the building would be widened in order to meet ADA requirements;
- The Building Department also had concerns regarding the door between the waiting room and the patient area in terms of ADA requirements, but said that because it would be a double-swing door it would meet ADA requirements; and,
- The applicant would comply with any right-of-way repairs required by the Engineering Department.

Mr. Williams expressed appreciation of the additional windows in the updated plan.

08-148-22

Motion by Mr. Williams

Seconded by Mr. Share to approve the Final Site Plan & Design Review for 35106 Woodward – Whole Dental Wellness – subject to the following conditions:

- 1. The applicant must comply with the requests of all City Departments.**

Motion carried, 7-0

VOICE VOTE

Yeas: Emerine, Clein, Koseck, Boyle, Ramin, Williams, Share

Nays: None

2. 295 Elm St. – Forest Townhomes – Preliminary Site Plan Review request for new attached single family units.

PD Dupuis presented the item and answered informational questions from the Board.

Mr. Koseck said insufficient information was provided to understand the project's massing and how this proposal related to its context.

Messrs. Boyle, Emerine, and Williams concurred with Mr. Koseck.

In reply to Board comment, John Marusich, architect for the applicant, stated:

- The Vesta aluminum panels would be replaced with a stained cedar in advance of the final site plan;
- He would bring in samples of the materials for final site plan; and,
- He would meet with DPW to determine the best options for onsite trash removal.

Public Comment

Richard Gerrity, resident of Forest, said this building would obscure some views from his home and raised concerns about this project potentially increasing congestion on Forest.

Allison Everett, resident of Forest, also expressed concerns about this project potentially increasing congestion on Forest.

Seeing no further public comment, the Chair returned discussion to the Board.

Mr. Boyle said issues on Elm tend to arise from the commercial and vehicular aspects and not the residential ones. He said this proposal was the kind of residential project the Board was hoping to see in this area. He said while the tandem parking might be challenging, it is feasible and worthwhile to get six residential units on this site. He offered his support for the proposal despite the issues with the presentation and said this project would enhance this area of the Triangle.

Mr. Koseck concurred that this was a good project and appropriate for the proposed location generally. He said he wished he had more information on how the project related to its neighbors more specifically and noted that information was a requirement for preliminary site plan reviews.

Mr. Share noted that the building could be built to the proposed height by-right. He said it was a good proposal and that he was persuaded that the tandem parking could work based on Mr. Williams' account of successfully using tandem parking in a previous residence. He offered his support for the project.

Mr. Emerine said he concurred with Mr. Boyle, and added that the tandem parking would be functional, that no curb cut should be added onto Forest, and that residential is the least intense use for the plot.

Mr. Williams said he would like to see more detail of the eastern boundary of the project and concurred with Mr. Emerine that no curb cut should be added onto Forest.

Mr. Marusich said he could return with the full massing and context of the project for final.

Mr. Share said he believed the southern wall should be masonry and not arborvitae. Mr. Emerine expressed a preference for arborvitae.

In reply to PD Dupuis, the Chair said a residential streetscape made more sense to him in front of this project than a commercial one. Mr. Williams concurred.

08-149-22

Motion by Mr. Boyle

Seconded by Mr. Share to approve the Preliminary Site Plan for 295 Elm St. – Forest Townhomes – with the following conditions:

- 1. The applicant must submit a revised roof plan demonstrating adequate screening, and submit specification sheets for all new rooftop equipment at final site plan;**

- 2. The applicant prepare a footprint and massing of all the adjacent buildings to the north, south, west, and to include the residential area to the east; and,**
- 3. The applicant must comply with the requests of all City Departments.**

Motion carried, 6-1

VOICE VOTE

Yeas: Emerine, Clein, Koseck, Boyle, Ramin, Share

Nays: Williams

The Chair advised Mr. Marusich to return with the required information and recommended that he meet with the residential neighbors regarding their concerns.

3. 183 N. Old Woodward – Paris Baguette – Design Review request for new outdoor dining facility

SP Cowan presented the item and answered informational questions from the Board.

Nick Boutros, attorney for the applicant, and Catie Schmitz, architect for the applicant, stated:

- There would be approximately 7.5 feet of clearance between the ADA compliant outdoor table and the front of the building; and,
- The tables and chairs will not drift into the pedestrian clear path because of the locations of the planters and the trash receptacle.

08-150-22

Motion by Mr. Williams

Seconded by Mr. Koseck to approve the Design Review application for 183 N. Old Woodward – Paris Baguette with the following conditions:

- 1. The applicant maintain a valid outdoor dining permit; and,**
- 2. The applicant comply with all requests of City departments.**

Mr. Share expressed appreciation that the chairs were designed to be parallel to the walkway because he said it would minimize drift of the furniture into the pedestrian clear path. He said the Board should encourage other restaurateurs to adopt similar outdoor dining layouts.

Motion carried, 7-0

VOICE VOTE

Yeas: Emerine, Clein, Koseck, Boyle, Ramin, Share, Williams

Nays: None

4. 469-479 S. Old Woodward – Site Plan Approval Extension Request

Ms. Ramin recused herself from this and the following item and departed the meeting at 8:47 p.m.

PD Dupuis summarized the item.

08-151-22

Motion by Mr. Williams

Seconded by Mr. Boyle to extend site plan approval for 469-479 S. Old Woodward to August 24, 2023.

The Chair supported the motion, citing the Covid-19 pandemic, changes in the market, and the applicant's continued interest in developing the site as reasons.

Motion carried, 6-0

VOICE VOTE

Yeas: Emerine, Clein, Koseck, Boyle, Share, Williams

Nays: None

J. Study Session

1. D4 Parking Standards – Ordinance Amendment Request (Postponed from July 27, 2022)

The Chair described the process that would be followed for the item's review.

SP Cowan presented the item and answered informational questions from the Board.

Stephen Estey, attorney for the applicant, reviewed his letter dated June 20, 2022 which was included in the evening's agenda packet. Mr. Estey further stated:

- The applicant had no issues with the proposed amendment as revised by Staff for the present meeting;
- Plymouth, Michigan ordinance allows its Commission to waive or modify off-street parking requirements. Their ordinance also allows parking requirements to possibly be met via a lease payment, special assessment, or other form of payment;
- The applicant would be interested in coming to a similar agreement with Birmingham;
- The proposal being offered by the applicant has much stronger standards and parameters than a resolution by the Commission would have had;
- Approving this proposal would not establish precedent since this property is the only D4 property that was not included in the Parking Assessment District (PAD), and other D2 or D3 properties would not be able to make a similar argument. Additionally, the City has discretion on how to deal with any such requests that would arise;
- The City Commission asked the applicant to find a way to make this proposal 'work';
- Pursuing development on this site via the Board of Zoning Appeals (BZA) did not have the support of the City Manager and was likely to pose significant additional cost to the applicant;

- Postponing this proposal as part of a larger Planning effort would not align with the intent of the request by the applicant for a public hearing or with the intent of the ordinance; and,
- Receiving a public hearing before the Planning Board, and hearing their recommendations, could possibly allow the applicant to find a path forward with the City Commission.

Doraid Markus, owner of 469-479 S. Old Woodward, concurred with Mr. Estey's statement about this proposal not establishing precedent for D2 and D3 buildings.

Board members discussed that:

- The applicant was entitled to a public hearing and should be permitted one;
- Setting a public hearing should not be construed as reflecting any Board members' opinions on the proposal;
- There was some confusion about Mr. Estey's statement that the City Commission wanted the applicant to find a way to make this proposal 'work';
- An appeal before the BZA would not be influenced by the City Manager's support or lack thereof, and it likely would be appropriate for the applicant to hire an architect and take a proposal to the BZA;
- What is currently on the site is aesthetically undesirable;
- There may be a case to be made for a variance from the BZA;
- The applicant is correct that undertaking the revision of the zoning ordinance is a massive task;
- Given the presentations and discussions that have occurred around this request, it might be appropriate to consider using this proposal to challenge some of the City's longstanding practices which may no longer be serving the City or most of its residents;
- This proposal needs to be considered within the context of the reconstruction of S. Old Woodward, which includes the removal of a number of on-street parking spaces;
- The City has decoupled use from dimensional considerations in the past, citing D5 and the Triangle as examples. Those examples involved applicants providing a public good;
- Determining what the public good might be in this case could help point the Board towards possible standards for approval of this proposal;
- The term of the public good should be commensurate with the term of the parking waiver, should there be one;
- The City Commission does waive parking requirements on occasion;
- The Board should be careful about engaging in absolutes when reviewing this proposal; and,
- The Board would need to hear the City Attorney's opinion on whether allowing this proposal would have impacts on other businesses that paid into the PAD.

Public Comment

Jack Reinhart, managing partner of the 555 Building, said increasing parking demand along S. Old Woodward would have a negative impact on the area's accessibility.

Paul Reagan, resident, requested that data on the City's parking capacity and the City's parking demand be considered as part of this proposal.

08-152-22

Motion by Mr. Williams

Seconded by Mr. Share to set a public hearing of the proposed Ordinance amendment for Article 3, Section 3.04(D)(3) parking requirements for the Downtown Overlay for September 28, 2022.

Motion carried, 6-0

VOICE VOTE

Yeas: Emerine, Clein, Koseck, Boyle, Share, Williams

Nays: None

It was noted that there would be two public hearings, one at the Board and one at the City Commission.

K. Miscellaneous Business and Communications

1. Pre-Application Discussions

2. Communications

3. Administrative Approval Correspondence

i. Williamsburg of Birmingham Condominiums - N. Eton

SP Cowan presented the request.

The Board agreed that this matter fell outside of the Board's purview.

ii. Mare Mediterranean - 115 Willits

PD Dupuis presented the request.

The Board agreed that the establishment should either be required to comply with its site plan or required to come in for a site plan review.

4. Draft Agenda

5. Action List - 2022

6. Other Business

L. Planning Division Action Items

a. Staff Report on Previous Requests

b. Additional Items from tonight's meeting

PD Dupuis said he would follow up with the master planning team to determine whether there would be an appendix, end notes, bibliography, index, or other similar documents at the end of the 2040 Master Plan document.

M. Adjournment

No further business being evident, the Chair adjourned the meeting at 9:46 p.m.



Nick Dupuis
Planning Director



Laura Eichenhorn
City Transcriptionist

DRAFT



MEMORANDUM

Planning Division

DATE: September 14, 2022

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: The Birmingham Plan 2040 – Final Draft Presentation & Process Update

The City of Birmingham has received the third and final draft of the Birmingham Plan 2040 (the “2040 Plan”), which is available at www.thebirminghamplan.com. The schedule of review below outlines the presentation of the plan, the required 63-day public noticing period, and the reviews planned for the Planning Board and the City Commission. The planned schedule of review is as follows:

Date	Meeting Type	Action Needed
September 14, 2022	Planning Board	<ul style="list-style-type: none">• Present final draft.• Board recommends to the City Commission that the Plan be distributed for public comment (minimum of a 63-day period).
October 3, 2022	City Commission	<ul style="list-style-type: none">• Vote to authorize the 63-day distribution period for the final, draft Master Plan.
<i>Required 63-Day Public Notice Period</i>		
December 14, 2022	Planning Board	<ul style="list-style-type: none">• Review final draft and present / discuss comments received during the distribution period.• Set public hearing date.
January 11, 2023	Planning Board	<ul style="list-style-type: none">• Present the final Plan and hold a public hearing. Further discuss comments received during the distribution period as needed.• Adopt plan; recommend to the City Commission for adoption.

February 2023 (Exact Date TBD)	City Commission	<ul style="list-style-type: none"> • Present the final Plan and hold a public hearing. • If prepared to do so, the City Commission may adopt the Plan by resolution.
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At this time, the Planning Board should acknowledge the receipt of the final draft of the 2040 Plan and present it to the public, provide any high level observations, and recommend that the City Commission distribute the final draft as required by the Michigan Planning Enabling Act. Those entities in which the City is required to provide a copy of the final draft of the 2040 Plan may be summarized as follows:

- Surrounding Municipalities
- Oakland County
- SEMCOG
- Public Utilities
- CN North America (Railroad)
- SMART

Sample Motion Language

Motion to recommend that the City Commission authorize the 63-day distribution period for the final draft of the 2040 Plan pursuant to the requirements of Article III, Section 125.3841 of the Michigan Planning Enabling Act.



The Birmingham Plan

08/22/22

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A. Introduction

A. Introduction

Context

Context

Planning for the future of a successful city is an intriguing challenge; in a city that is looked upon fondly by residents, workers, and leaders, what is to be improved? Birmingham's structure is well defined, its parks are numerous and accessible, its downtown is active and successful, and its neighborhoods are calm, quiet, and comfortable. Despite these qualities, greater societal changes have had an impact on the city. Even among optimistic residents, a concern for deteriorating social connectivity rings clear.

While Birmingham has long supported a series of close-knit communities within its borders, the greater culture has shifted towards increasing isolation. This comes not at the fault of individuals - who remain bright, engaged, loving, and caring members of families, civic, and social groups - but due in large part to changes in the structure of our regions and technology's role in bridging social gaps created by increasing physical isolation. Structurally, the fabric of daily life has been spread apart, few places as completely as Metropolitan Detroit. People have been spread further from their workplaces, social spaces, entertainment, and the staples of daily life, forced to spend an increasing amount of their time driving from place to place. Today, the resulting and relentless traffic congestion leaves little time for family or friends, and especially little time for engaging within our communities.

Birmingham is rare. It is a place historically built upon community, weaving together neighbors, schools, churches, civic clubs and institutions, and businesses. It continues to function well for its residents; far better than most surrounding communities. However, many residents express nostalgia for the city's social structures which have lost prominence. For some, the loss of strong social spheres is manifest in the changing character of homes and business districts. For others, greater societal issues are the cause. The sentiment is expressed especially strongly from the city's civic institutions which are trying to build and support community but feel that they are increasingly unknown as society has forgotten their critical role. Some feel that downtown's more recent intensity of activity has further eroded its' culture. Yet many new or younger residents express a great deal of optimism, invigorated by life in Birmingham and by the city's active downtown, life in its neighborhoods, and positive changes to be brought about by growth.

Birmingham is rare because it remained intact while most historic places in Metropolitan Detroit eroded their downtowns and invested in car-centric roadways and businesses. As a rare place, Birmingham is desirable. That desire results in growth pressure which continually increases property values. New residents are willing to pay for the lifestyle that Birmingham offers, many stretched thin to do so. Some

residents prefer that the city become increasingly exclusive while others feel that it is antithetical to the community's history. Many residents are dismayed that the demand to live in Birmingham has resulted in a significant number of demolitions. However, other residents have purchased the new homes for the quality of life offered in the city and its neighborhoods. Some residents would like to downsize and remain in the community but can't find the apartments and condos they desire. No single group is in the majority.

Despite concerns around the edges, overall residents are optimistic for the City's future. Birmingham is doing well today and will continue to be a wonderful place to live. As a result this plan looks to improve upon what works and learn from best practices that have evolved in recent decades. The primary issue requiring radical change is the divide caused by Woodward. Remaining plan elements are either incremental improvements - such as bicycle and micro-mobility accommodations - or organizational improvements - such as analysis by Planning District and optimizing the zoning code. This plan reinforces the physical structure of Birmingham that makes it comfortable, neighborly, and successful.

A Global Pandemic

In early 2020, a global pandemic disrupted everyone's lives, work, schooling, and leisure time. We must acknowledge the tragic loss of family, friends, and colleagues. The community has experienced and continues to experience loss, and will forever be impacted.

The long-term influence of Covid-19 on the work and retail environment is uncertain. A significant amount of office work has moved from the collective office environment to working from home some or all of the time, which impacts places like Downtown Birmingham. Delivery services have also increased significantly, reducing foot traffic for local businesses, increasing competition, and requiring new models for food service. For individuals and families, it has required more physical separation and reduced interactions and sociability. However, the walkable streets, accessible parks and trails, and places to socialize in safe conditions have been invaluable for residents. The underlying structure of the City, which this plan supports and enhances, has provided a great deal of normalcy. The plan's focus on housing within mixed-use districts will help mitigate the loss of in-person office work and shopping foot traffic, as well as bolster those districts should conditions return to pre-pandemic normal. In total, the plan's support for the timeless structure, habitation, and programming of neighborhoods and mixed-use districts will enhance the community's resilience in the face of future challenges.

Planning Districts

Of the City plans following 1929, only the 1980 Plan addressed structural elements of neighborhoods and commercial districts. Interestingly, when describing neighborhoods, the plan defined them by the roads that bound them rather than by a name. The scale used for many of the neighborhoods discussed by the 1980 Plan is similar to that which this plan has defined. Yet properly defining and controlling the extent of commercial districts and their effect on residential neighborhoods is a clear goal of that plan. Through this process of defining residential areas and establishing permanent extents to commercial areas, the 1980 Plan began to identify a city structure, including recognition of the positive role that neighborhood commercial centers play.

While prior plans have dealt with issues pertinent to the success of the City and its neighborhoods, these plans have lacked the necessary descriptive language that clarifies where and why land uses should be allowed. Allocating parks is the clearest example. Today the Torry planning district, north of Lincoln, clearly lacks park space, despite its inclusion in the 1929 Plan (See Fig. 1) which identified a large park for this neighborhood that was not acquired. The purpose for locating the park in 1929 was in finding land yet to be fully platted and built upon. Today we can objectively identify the fact that the Torry planning district needs park space, which is a more actionable proposition. Similarly, the 1980 Plan makes park space recommendations based upon objective, numerical analysis. Yet acquiring land for the neighborhood's future quality of life is an emotional appeal. Identifying the Torry planning district by name, and its lack of park space, is a more powerful prospect than suggesting a general lack of parks.

This plan establishes planning districts as a tool for evaluating access to community amenities, civic institutions, and neighborhood-centric commercial areas. Planning districts are also a tool for evaluating access to facilities like bicycle facilities and improved streets. Not every deficit can be corrected, but evaluating the deficit leads to discussions of alternatives and opportunities. While there may be a few opportunities to add park space in the Torry District, the Quarton District also lacks park space but has no space to allocate. Rather in the Quarton District, the use and improvement of nearby school fields may be the most viable outcome. These districts are derived from prior plans and solidified here so they continue as a useful civic tool for the future.

Retaining Quality of Life

Birmingham's high quality of life comes from a number of relatively common neighborhood characteristics, but the city stands out in that it has retained all of these characteristics while other places have not (See Fig. 2). Just as quality of life has a positive feedback loop with resident pride and local investment, it also does with fiscal viability. The city is fiscally successful because it invests in itself, residents invest in the city, and overall that maintains a high quality of life. Elements key to that quality of life are:

1. School quality and access;
2. Park quality, access, and diversity;
3. Downtown access and success;
4. Tree canopy;
5. Narrow streets;
6. Walkability;
7. Age diversity;
8. Property maintenance; and
9. Housing diversity and quality.

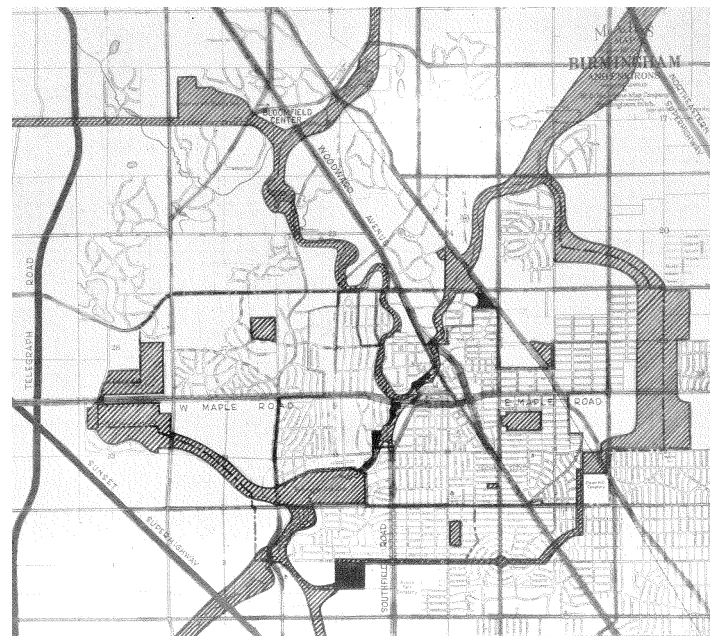


Figure 1. 1929 Plan of Birmingham and Vicinity - the shaded areas indicate proposed future parkways.

A. Introduction

Retaining Quality of Life

Individually each of these elements is simple and obvious, but they work together to make places feel safe, comfortable, friendly, and relaxed - like home. While not an element above, good governance is and has been key to maintaining these individual qualities and the city's overall quality of life.

Resilience is an important quality for any community to possess. As the world changes, cities need to withstand those changes and emerge strong. Birmingham has fared well in this regard throughout its' history, despite the disastrous blows many cities have endured through the 20th Century. Resilience is derived from social, physical, environmental, and governmental systems. Each of these areas influences the other; a healthy and resilient community must understand the balance and interaction of its systems, that decisions and initiatives should be weighed by their impact in all of these areas.

Ultimately, cities are social ecosystems for people. Cities thrive where people build roots and interconnections, the physical social network. Neighborhood social networks build, support, and retain a high quality of life. Citywide social networks build, support, and retain civic services such as schools, parks, libraries and historical resources, support organizations for seniors, impoverished residents, and others, extracurricular educational, skills, health development, and community building activities. Business social networks build innovation and local economies. Each scale of physical social network needs a means for people to observe each other in the city, places for them to meet and interact, and support structures which help them develop. For instance, people who enjoy observing nature need places to do so alone and together, and an advocacy organization for ecological preservation. Similarly, business innovation needs space for creative and driven people to interact, and

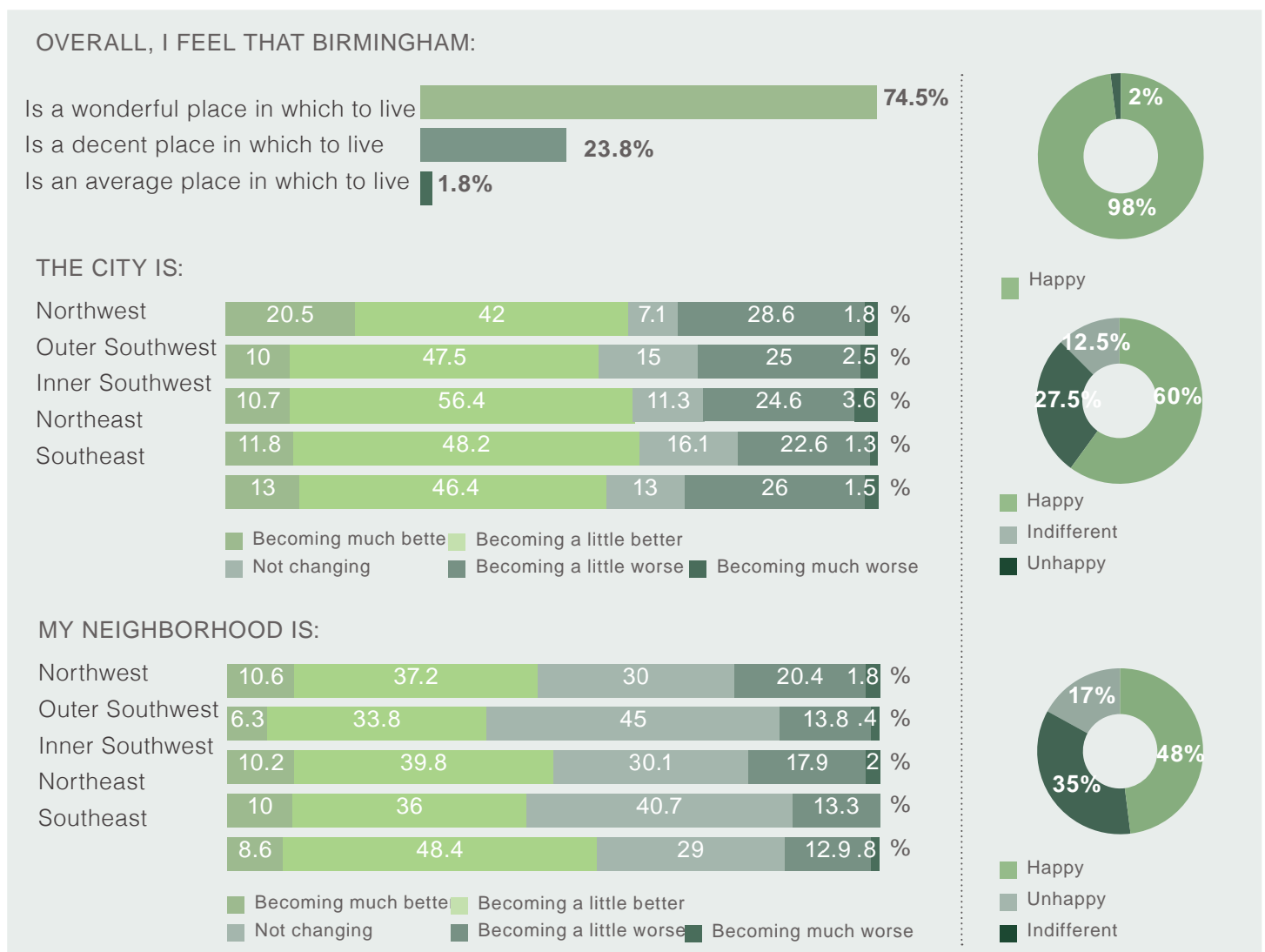


Figure 2. The Birmingham Plan initial survey results (May 2019).

A. Introduction

Retaining Quality of Life

buildings with inexpensive rent or shared facilities where they can incubate new ventures.

A key component of all three social realms is diversity. When cities become too narrow in their diversity of age, race, family structure, background, experience, civic institutions, and businesses, they eventually decline. Residents have discussed the needs of the older adult population extensively. Discussed less frequently are the needs of middle aged and younger populations. Focusing too much on one group over another is a distraction of the present; cities need to provide for and retain a population that is diverse in age. Similarly, businesses must be diverse in their sizes, areas of focus, and age. Cities need well established businesses along with new and innovative businesses. To achieve this, buildings are needed which differ in the size of space provided, rent, and location in the community, and zoning needs to allow for a broad and ever-changing range of business types.

As places where people exist in physical space, cities must be supportive of peoples' physical needs and abilities, and provide the spaces necessary for interpersonal networks to thrive. At a basic level, people need food, shelter, exercise, and access to nature. To exist as a broader society, people need access to a marketplace and places to gather. While food and shelter are often discussed, exercise and access to nature have only more recently been studied. The form of a city significantly influences one's likelihood of daily exercise. If much of a day's trips can occur by walking and biking, then on average people are physically healthier. When a city maintains a vibrant tree canopy, parks, and natural areas, combined with opportunities to walk, people are mentally healthier (See Fig. 3). At the broader societal level, people need a marketplace for jobs and to acquire goods. Ideally this should be near to where they live to achieve the physical and mental advantages of walking and nature. And places to gather are also key social requirements, which should be varied in type and distributed throughout the community, typically in the form of plazas, parks, and preserves, but also in the form of cafes, markets, and social clubs (See Fig. 4).

Birmingham straddles the Rouge River and has a direct relationship with the

watershed. The river and watershed are important for the region and for peoples' daily life in the city. Since the industrial revolution, cities have done a poor job of caring for the natural environment upon which they are built. Eventually those natural systems react in a way that makes places less hospitable. For instance, caring for the city's soils, water quality, and street design and maintenance impacts the health and longevity of street trees, which impact mental health, clean the air of pollutants, and keep the city cool during the hot months. Beyond the immediate environment of Birmingham, choices made within the city have a broader impact. Buildings can use less energy or generate their own, driving can be reduced, recycling opportunities can be expanded, composting opportunities can be added, and choices being made concerning material use in homes, businesses, and municipal operations can cause less impact. Overall, caring for the city's local environment and lessening its impact on the broader environment will in turn support the city's future health.



Figure 3. Vibrant tree canopy in Birmingham.



Figure 4. Birmingham Hometown Parade (May 2019).

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B. Future Land Use

B. Future Land Use

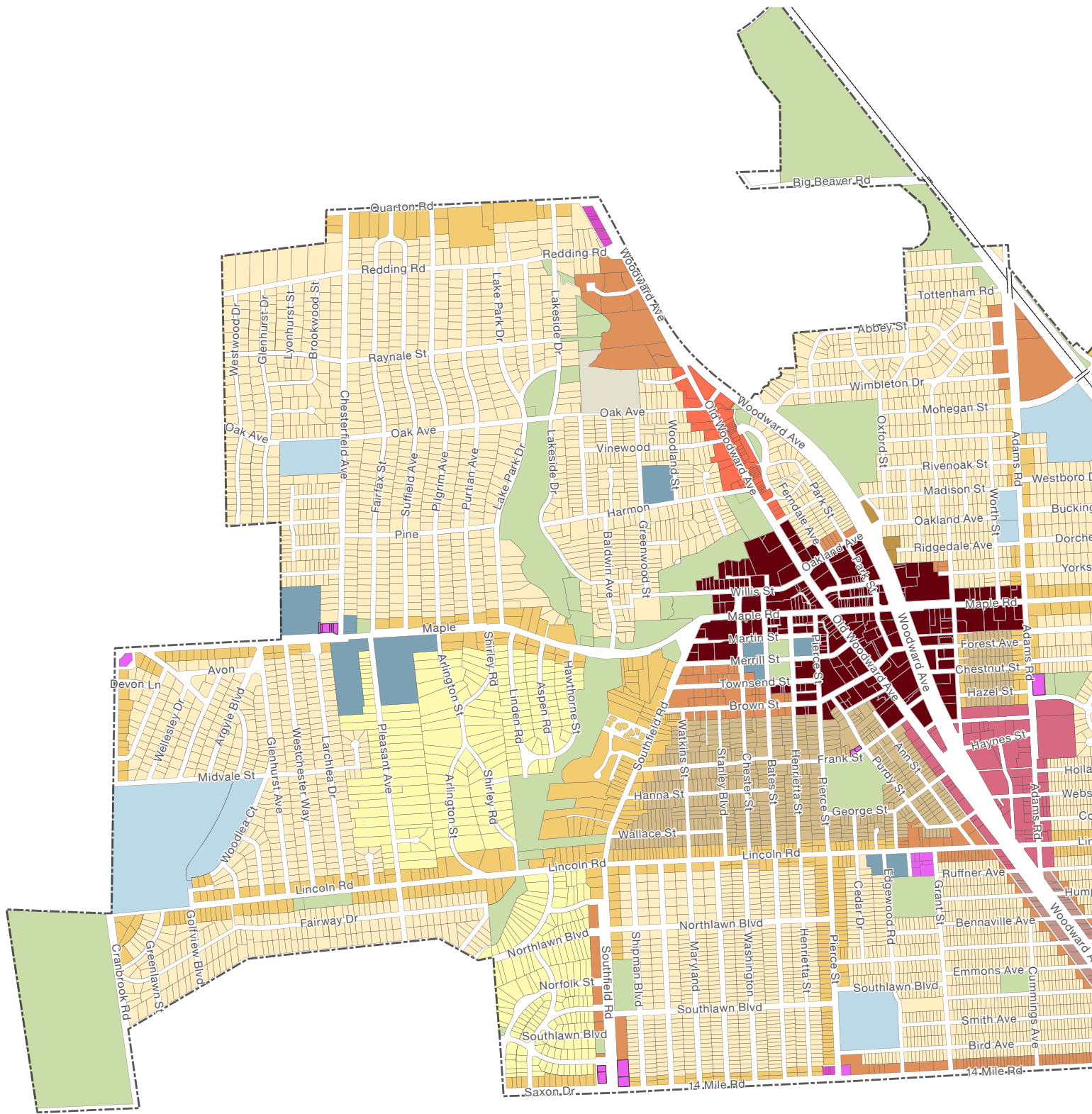


Figure 5. Future Land Use Map.

B. Future Land Use

Future Land Use Map

Future Land Use Map

Birmingham's future land use map is structured by Planning District boundaries within which land uses reinforce the desired future character. This map serves as the basis for zoning, specifying where different uses and intensities are appropriate throughout the City. This Future Land Use Map aims to identify, sustain, and strengthen Birmingham's neighborhoods and mixed-use districts. The following sections describe each land use in greater detail.



District Destinations

- Civic Destination: General
- Civic Destination: School
- Civic Destination: Cemetery
- Recreational Destination
- Commercial Destination

Mixed Use District Fabric

- Maple and Woodward
- Haynes Square
- Market North
- Rail District
- South Woodward

Neighborhood District Fabric

- Fine Grained
- Traditional
- Picturesque

District Seams

- Buffer
(TZ-1, TZ-3, R3, R4, R5, R6, R7, R8, MX)
- Activity
(TZ-1, R3, R4, R5, R6, R8)
- Access
(R1A, R1, R2, R3)

B. Future Land Use

Zoning Plan

Zoning Plan

A zoning plan is required by the Michigan Planning Enabling Act (MPEA) and Zoning Enabling Act (MZEA). Section 33(d) of the MPEA (PA 33 of 2008), as amended, requires that the comprehensive plan shall serve as the basis for the community's zoning plan and the Michigan Zoning Enabling Act (PA 110 of 2006), as amended, requires a zoning plan to be prepared as the basis for the zoning ordinance.

Birmingham's Zoning Plan (See Fig. 6) presents a summary of the zoning districts that apply to each of the proposed future land use planning district designations. To implement the zoning plan, recommended future revisions to Birmingham's zoning ordinance are discussed throughout this plan.

Future Land Use Category	Corresponding Zoning District(s)
District Destinations	
Civic Destinations: General	Any district which permits institutional uses
Civic Destinations: School	Varies: must match the predominant district of surrounding properties
Civic Destinations: Cemetery	PP: Public Property
Recreational Destinations	PP: Public Property
Commercial Destinations	N/A: New zoning districts required to control scale
Mixed-use District Fabric	
Maple and Woodward	Downtown Overlay; Triangle Overlay; MX: Mixed Use
Haynes Square	Downtown Overlay; Triangle Overlay; MX: Mixed Use
Market North	Downtown Overlay; Triangle Overlay
Rail District	MX: Mixed Use; R7: Multiple-Family Residential
South Woodward	MX: Mixed Use; R7: Multiple-Family Residential
Neighborhood District Fabric	
Fine Grained	R2: Single-Family Residential; R3: Single-Family Residential; R4: Two-Family Residential
Traditional	R1: Single-Family Residential; R2: Single-Family Residential
Picturesque	R1A: Single-Family Residential; R1: Single-Family Residential
District Seams	
Buffer	TZ-1: Transition Zone; TZ-3: Transition Zone; R3: Single-Family Residential R4: Two-Family Residential; R5: Multiple-Family Residential R6: Multiple-Family Residential; R7: Multiple-Family Residential R8: Attached Single-Family Residential; MX: Mixed Use
Activity	TZ-1: Transition Zone; R3: Single-Family Residential R4: Two-Family Residential; R5: Multiple-Family Residential R6: Multiple-Family Residential; R8: Attached Single-Family Residential
Access	R1A: Single-Family Residential; R1: Single-Family Residential; R2: Single-Family Residential; R3: Single-Family Residential; R4: Two-Family Residential (only where abutting R3 or more intense zoning districts)

Figure 6. Zoning Plan.

B. Future Land Use

Birmingham Planning Districts

Birmingham Planning Districts

Planning Districts identify segments of the city that demonstrate a consistent character, which differs from that of surrounding areas. (See Fig. 8) Those character differences may be defined by the mixture of uses, the size of properties and blocks, the trajectory of streets, or natural and man made divisions such as the Rouge River or railroad alignment. These districts were originally identified by their bounding roads in the text of the 1980 Master Plan but not reflected in Future Land Use. Adding this distinction to Future Land Use indicates that land use decisions should consider the area's unique character. In addition to land use decisions, this plan uses Planning Districts for analysis and structuring of other municipal programs such as parks and civic art.

Birmingham's Planning Districts, due in part to the era in which the city was built, closely reflect the structure of a 1920's neighborhood unit. Figure 7 illustrates that typical neighborhood unit structure, which is reflected in the Future Land Use Map. The neighborhood unit consists mostly of District Fabric, whether mixed-use or residential. Districts typically contain recreational space, civic institutions, and a small commercial area, which are all destinations for district

residents. Most of Birmingham's Planning Districts include these elements, Barnum and Pierce most closely resembling the diagram.

The edges of Planning Districts are designated District Seams. These are places where districts abut each other, natural or man made barriers, and roadways that are more significant than a neighborhood street. Seams recognize this condition which results in greater pedestrian, bicycle, and vehicular traffic along the Seam. Most Seams are low in intensity, designated Access, which reflects the character of surrounding District Fabric and recognizes the increased activity. Higher intensity Buffer and Activity Seams occur along regionally significant roadways which carry high traffic volumes and in places adjacent to Mixed-use Districts which are much higher in intensity than the surrounding District Fabric.

Five Mixed-use Districts are identified, differentiated by character. Like other Planning Districts, most Mixed-use Districts include or should include recreational space and civic institutions. Commercial destinations are not generally part of a Mixed-use District, however, because these districts include a mix of commercial uses more broadly.

Planning Districts serve as a guide for the types of land use which are appropriate across distinct segments of the city. Changes in land use should consider the neighborhood unit structure and typical distribution of uses as follows:

- District Fabric is either mixed-use or neighborhood, and is consistent across the district;
- District Seams occur along the edge of a district;
- Commercial Destinations occur along the edge of a district or adjacent to significant recreational destinations, and are limited in area;
- Civic Destinations may occur within a district or at its edge, and are few in number;
- Recreational Destinations may take many forms, but districts should include or abut at least one.



Figure 7. Planning District Structure.

B. Future Land Use

Zoning Plan

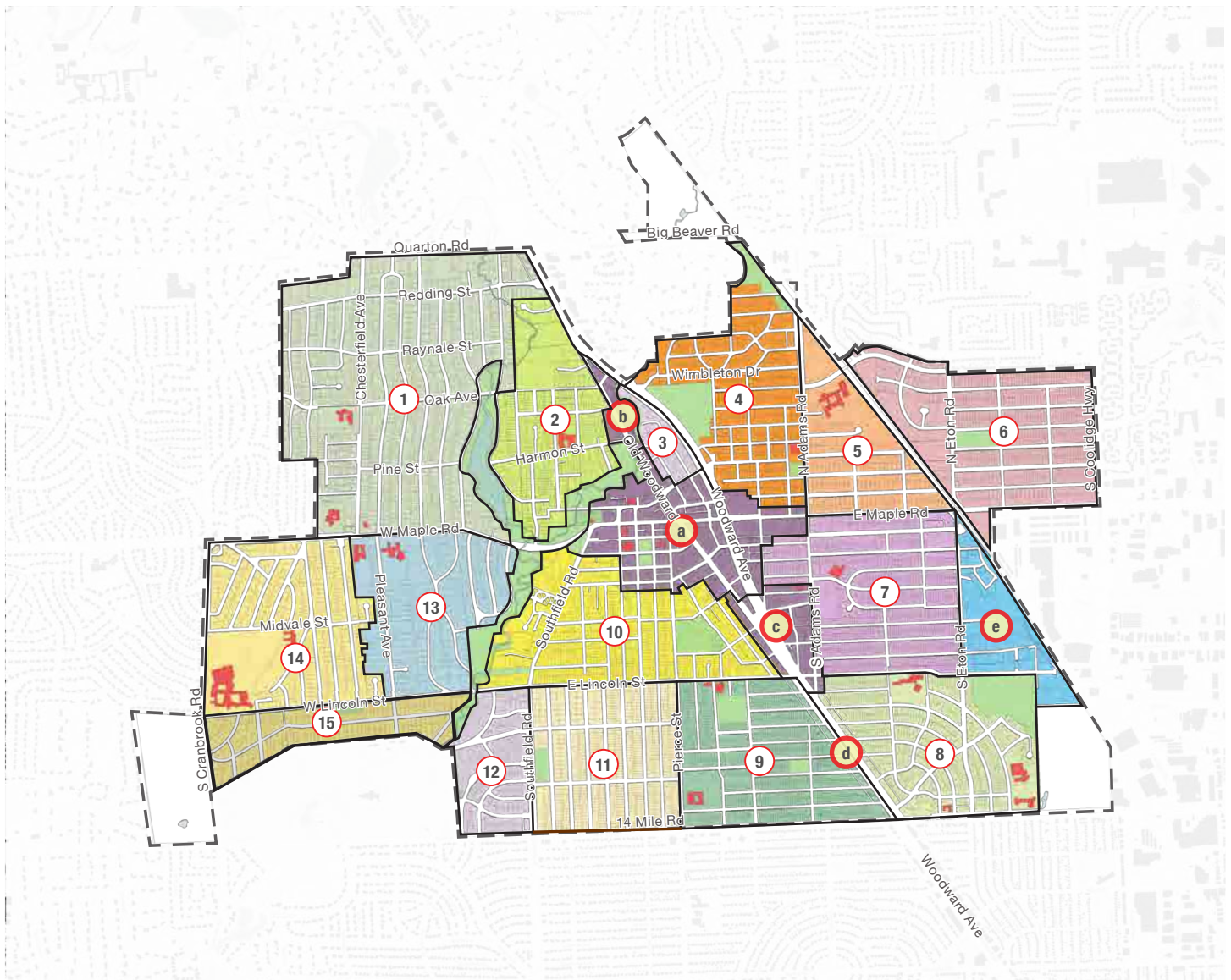


Figure 8.

BIRMINGHAM PLANNING DISTRICTS

Neighborhood Districts

- | | |
|---------------|---------------------|
| 1 Quarton | 9 Pierce |
| 2 Holy Name | 10 Barnum |
| 3 The Ravines | 11 Crestview |
| 4 Poppleton | 12 Birmingham Farms |
| 5 Derby | 13 Linden |
| 6 Pembroke | 14 Seaholm |
| 7 Torry | 15 Lincoln Hills |
| 8 Kenning | |

Mixed-use Districts

- | |
|--------------------------|
| a Maple & Woodward |
| b Market North |
| c Haynes Square |
| d South Woodward Gateway |
| e Rail District |

B. Future Land Use

Mixed-use District Fabric

Mixed-use District Fabric

Birmingham's Mixed-use Districts are defined principally by Mixed-use District Fabric. As the name implies, these are blocks and buildings which include a variety of uses. Between the Downtown and Triangle District Overlays, and the Eton Corridor Plan, each area has a clear set of rules and applicable zones. To achieve greater zoning consistency citywide, these zones may be changed through a zoning update, but should retain the intent of prior plans for Downtown, the Triangle District, and the Eton Corridor. Each district is distinct in its mix of uses and location for required ground floor commercial uses. To be successful, each district must also develop moderate to high densities of housing, and provide civic and recreational space.

- Maple and Woodward is a high intensity mixed-use district which includes zones as defined in the Downtown and Triangle District Overlays. Zoning may be modified to create greater consistency between these overlay districts, but should generally retain the heights and uses as defined in those overlays. Ground floor commercial uses are required as defined by the Red Line Retail standards.
- Market North is a low intensity mixed-use district which includes zones as defined in the Downtown Overlay. Market North should consist of buildings lower in scale and intensity than the core of Downtown to the south, and of smaller scale businesses. Ground floor commercial uses are required as defined by the Red Line Retail standards.
- Haynes Square is a medium intensity mixed-use district which includes zones as defined in the Downtown and Triangle District Overlays. Similar to Maple and Woodward, zoning may be modified for greater consistency. Haynes Square should be lower in height and intensity than areas further north in the core of downtown. Ground floor commercial uses should be provided along Old Woodward, Woodward, and Haynes Street. Other streets may include other primary uses.
- The South Woodward Gateway is a specialized mixed-use district which provides a transition between the high speed, high capacity Woodward Ave and adjacent neighborhoods. This transition is both in height and use. Additional height and intensity are needed to provide a better buffer for the adjacent neighborhoods, yet height should step-down to meet the scale of adjacent residences.
- The Rail District is a low intensity mixed-use district which includes zones as defined in the Eton Corridor Plan.

Neighborhood District Fabric

Neighborhood District Fabric constitutes the majority of each neighborhood-based Planning District, and as a result most of the City overall. Identified as picturesque, traditional, and fine grained, neighborhood fabric consists of single-family housing within a narrow range of size and character. This housing is arranged in blocks bounded by low speed, pedestrian and bicyclist-centric roads, lined with mature street trees.

Neighborhood District Fabric is often distinguished in terms of block structure, which is its framing element. Across Birmingham, block structure varies substantially. Most of Quarton Lake Estates has long blocks, oriented north-south, with the exception of the western portion which has a variety of shorter blocks, some that change direction. Holy Name has principally square blocks. Interestingly, Crestview and Pierce have similarly sized blocks but in different orientations. Kenning and Birmingham Farms have many curvilinear blocks. The structure of a neighborhood's blocks establishes a great deal of its character. Deep blocks support deeper properties. Short blocks are more easily walkable. Curvilinear blocks deflect views. Very straight blocks give long views. No pattern is better or worse, they simply provide a structure for the neighborhood fabric.

In each neighborhood, the size of private lots varies while often occupying the same structure of blocks. For instance, Crestview has larger lots to the west and smaller lots to the east (See Fig. 9). The same is true in Pembroke, with smaller lots to the north and larger to the south. Variety of lot sizes in a neighborhood contributes to the visual interest of pedestrians, with houses of different types and sizes. This also supports a diversity of resident types in terms of family structure, age, and income. Each Planning District includes a narrow range of diversity internally, which is reflected in the narrow range of zoning districts within each intensity of neighborhood fabric.

- Picturesque Fabric includes R1A and R1 zoning districts.
- Traditional Fabric includes R1 and R2 zoning districts.
- Fine Grained Fabric includes R2, R3, and R4 zoning districts.

B. Future Land Use

District Seams

District Seams

District Seams are an important means of coordinating land use and transportation and significant routes of vehicular, bicycle, and pedestrian movement. Identified as access, activity, and buffer, neighborhood seams consist of a variety of single-family detached and attached housing and multi-family housing at different scales, limited according to intensity, home-based businesses, and some size-limited businesses in Buffer Seams (See Fig. 10). By definition, Seams are applied only at the edges of Planning Districts - one or two lots deep. The intensity of Neighborhood Seams is related to the Neighborhood Fabric intensity, the size and character of the adjacent roadway, or adjacency of Mixed-use Districts. Buffer Seams are very limited in application, only appropriate adjacent to mixed-use centers and the intersections of major and section line roads.

Access Seams match the intensity of the Planning District's neighborhood fabric. These Seams signal a response to adjacent transportation conditions, where streets may require wider sidewalks, bicycle accommodations, or traffic calming to lessen the impact of higher speed and volume traffic within a residential context.

Activity and Buffer Seams are located along regionally significant streets and in places where multi-family housing, attached single-family housing, and commercial uses have previously been built. The Seam designation establishes consistency, recognizing what has already been built and enabling infill development in conditions that are not conducive to single-family housing. Activity and Buffer Seams



Figure 10. A hypothetical Activity Seam.

provide opportunities for building townhomes, cottage courts, and small multi-family buildings. These types are allowed within some Mixed-use Districts, however the value of land precludes their construction.

Non-residential uses within the edge of Planning Districts are designated as Commercial Destinations, not Seams, and are subject to restrictions of business size, noise, hours of operation, and other elements ensuring compatibility with surrounding housing.

- Access Seams include R1A, R1, R2, and R3, and R4 where abutted by R3 or more intense properties on all boundaries.
- Activity Seams include TZ-1, R3, R4, R5, R6, and R8 districts.
- Buffer Seams include TZ-1, TZ-3, R3, R4, R5, R6, R7, R8, and MX districts.

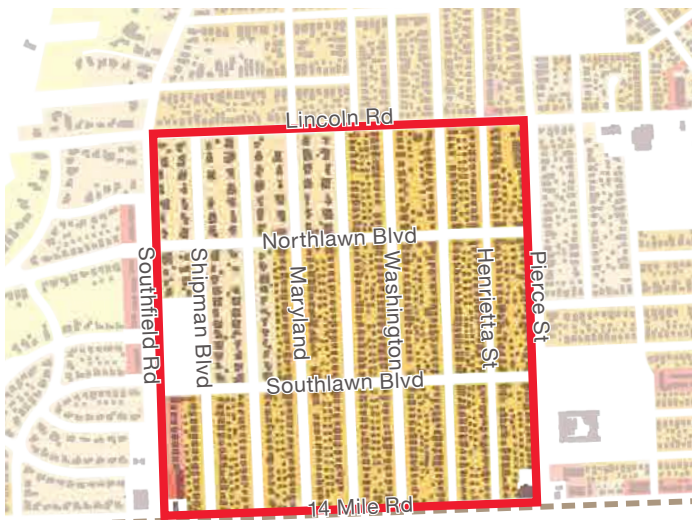


Figure 9 - Crestview neighborhood fabric.

B. Future Land Use

District Destinations

District Destinations

Within each planning district there may be one or more special land uses which serve as destinations for residents of that district, surrounding districts, or even outside of the city. Most frequently these destinations are schools, churches, and other civic institutions, followed in frequency by open spaces. Destinations are key supportive features within the city and planning district, giving many residents the opportunity to walk to some of their daily needs, to socialize with neighbors, and for residents of all ages to build friendships. However, destinations also generate some amount of traffic and parking demand, and may have peak hours of activity that require consideration for their surroundings.

Destinations are organized in three categories: Civic Destinations, Recreational Destinations, and Commercial Destinations. Civic destinations include civic institutions and outdoor spaces in institutional use. Schools and cemeteries are further identified within the civic category due to their importance within the city. Recreational destinations include parks and public open spaces of different sizes, from pocket parks to the Rouge River natural area. Commercial destinations are a special category of non-residential uses that serve a local rather than regional customer base due to their size, hours of operation, and the

specific category of business. These include neighborhood-supportive services where a significant share of customers are located nearby (See Fig. 11).

- Civic Destination: General includes any zoning district within which the institutional use is allowed, and is restricted only to allowed institutional uses.
- Civic Destination: School should match the predominant zoning district of surrounding properties.
- Civic Destination: Cemetery includes the Public Property District.
- Recreation Destinations include the Public Property District.
- Commercial Destinations are intended for new zoning categories which limit development and operational parameters necessary to promote compatibility with surroundings.



Figure 11. Example of a Commercial Destination land use.

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C. Summary of Key Actions

C. Summary of Key Actions

Key Actions

This section summarizes the actions embedded in each subsequent chapter and subsection of this document. Some actions include numerous specific recommendations, listed here, as well as details and best practices, embedded in the chapter text..

Type	Title	Description	Where
Policy	1. Zoning Code Update	Update the zoning code. The following goals are provided greater detail within the chapters listed. See additional goals under “Best Practice Recommendations” in the “Update the Zoning Code” section.	
		- Focus on brevity, clarity, graphics, and aligning zones with Future Land Use categories.	Ch. 2
		- Consolidate zones and uses as much as is practical and ensure the updated document is legible, clear, and predictable.	Ch. 2
		- Extend D2 zoning to the multi-family properties along the west side of Old Woodward up to Quarton.	Ch. 4
		- Modify the MX District to enable the urban development envisioned for the Rail District.	Ch. 4
		- Develop an Overlay Zoning District for the Lower Rail District that permits the existing, but somewhat improved condition to persist for the area south of Palmer Street.	Ch. 4
		- Create a zoning district to enable neighborhood destinations.	Ch. 1
		- Create a new zoning district or modify the transition zone districts to enable infill development of small homes, townhomes, duplexes, and small multi-family buildings, limited to buffer and activity district seams.	Ch. 2
		- Reduce the amount of open space required per unit for townhomes and multi-family.	Ch. 2
		- Adjust residential zone boundaries and standards to better match existing housing. Including a study of the city’s residential architectural styles and building types, their key characteristics, position on their properties, driveway configuration, age, and the areas where each common type is located.	Ch. 3
		- Encourage renovations to expand existing houses rather than the construction of new houses.	Ch. 3
		- Review and update site, building, and design codes to prevent increased rainwater runoff and other negative impacts from new house construction.	Ch. 3
		- Consider age-in-place-friendly building regulations, such as grab-bars, ramps, and elevators in single-family homes, with careful attention paid to the city’s architectural heritage.	Ch. 3
		- Address neighborhood lighting standards, including exterior residential lighting intensity and color temperature. See the International Dark Sky Association recommended standards.	Ch. 3
		- Develop storefront design, signage, and other standards to retain the small-scale business character of Market North.	Ch. 4
		- Enable Accessory Dwelling Units (ADUs) in already compatible zones: MX, TZ1, TZ3, and R4 through R8. Study ADUs for additional locations within the city and the regulations necessary to ensure compatibility.	Ch. 2
		- Allow cafes, food trucks, carts, and kiosks in parks (currently the Public Property district).	Ch. 1

C. Summary of Key Actions

Key Actions

Type	Title	Description	Where
	1. Zoning Code Update (continued)	<ul style="list-style-type: none"> - Create subdivision and zoning standards to encourage redevelopment of the Adam's Square shopping center. - Establish zoning standards to encourage redevelopment of South Woodward Gateway properties. - Establish zoning standards to enable Neighborhood Sleeves in the South Woodward Gateway. - Establish zoning standards to enable shared-use alleys, particularly in the South Woodward Gateway. - Incentivize South Woodward Gateway redevelopment through increased zoning capacity, permitting housing, and reduced parking requirements. - Require adherence to LEED standards within the City's mixed-use districts and municipal buildings. 	<p>Ch. 1</p> <p>Ch. 4</p> <p>Ch. 4</p> <p>Ch. 4</p> <p>Ch. 4</p> <p>Ch. 5</p>
Policy	2. Inspections Policy	Expand the inspection process for new house construction to minimize negative impacts on surrounding properties.	Ch. 3
Policy	3. Historic Districts Policy	Adopt a policy to proactively establish new historic districts as well as landmarks.	Ch. 3
Policy	4. Public Art Policy	Permit murals and wraps like the popcorn utility wrap to be city-initiated or by the Public Arts Board.	Ch. 1
Boards & Programs	5. Sustainability Board	Establish a Sustainability Board to oversee the recommendations of this plan section and other future sustainability initiatives.	Ch. 5
New Plans	6. Woodward Safety & Beautification Plan	<p>Create a Woodward Safety and Beautification Plan. The following goals are provided greater detail within the chapters listed.</p> <ul style="list-style-type: none"> - Improve Woodward crossings following best practices for pedestrians and cyclists. - Study lane reduction and re-striping options for Woodward. - Pursue a speed reduction on Woodward through legislative means. - Plant a full and consistent tree canopy along the Woodward median throughout Birmingham, beginning with the northern and southern entries. - Adjust Elm to meet Woodward perpendicularly. - Adjust Worth to meet Woodward perpendicularly. 	<p>Ch. 1</p> <p>Ch. 1</p> <p>Ch. 1</p> <p>Ch. 4</p> <p>Ch. 1</p> <p>Ch. 1</p>
Policy	7. Unbundled Parking	Pilot unbundled residential parking within Downtown parking garages.	Ch. 2
Policy	8. Unimproved Streets	<p>Adopt policy recommendations specified by the Ad-hoc Unimproved Streets Committee (AHUSC), including the following:</p> <ul style="list-style-type: none"> - Establish a yearly budget to remedy unimproved streets, considering the general fund plus bond strategy and repayment timelines. - Survey the current condition of unimproved streets, categorized by the current quality such that streets in the most extreme states of disrepair can be prioritized for improvement. - Remedy unimproved streets according to the repair priority and budget, ensuring improvements occur in multiple Planning Districts each year. 	<p>Ch. 3</p> <p>Ch. 3</p> <p>Ch. 3</p>
New Plans	9. Mixed-use Districts Parking Plan	<p>Create a Mixed-use Districts Parking Plan. The following goals are provided greater detail within the chapters listed.</p> <ul style="list-style-type: none"> - Establish unbundled residential parking policies within Downtown garages. 	Ch. 2

C. Summary of Key Actions

Key Actions

Type	Title	Description	Where
	9. Mixed-use Districts Parking Plan (continued)	<ul style="list-style-type: none"> - Establish unbundled residential parking policies in all mixed-use districts in existing and future parking garages. - Provide public parking as recommended in the 2007 Triangle District Plan. - Provide public parking in the Rail District. Consider redevelopment of the DPS building to occupy a portion of a public parking garage in its place, which services the lower Rail District. - Provide public parking for the western Haynes Square district. - Provide way-finding and informational signage for public parking. - Study opportunities to accommodate more monthly garage permits. - Study monthly parking pass fees to better align with prevailing rates. - Study tiered parking pricing to encourage use of under-utilized garages. - Study tiered parking meter pricing to encourage use of under-utilized on-street parking. - Study the potential for Public Private Partnerships to construct garages. - Study bike parking and electric vehicle charging stations in garages. - Study additional parking assessment districts or incremental tax districts for land purchases and financing the development of parking garages. - Study parking garages at the Bates Street Extension and Lot 6. - Study technological improvements to ease usage of parking garages. 	<p>Ch. 2</p> <p>1, 2, 4</p> <p>2 & 4</p> <p>Ch. 2</p> <p>1 & 4</p> <p>Ch. 4</p> <p>Ch. 4</p> <p>2 & 4</p> <p>Ch. 4</p> <p>Ch. 1</p> <p>Ch. 4</p> <p>Ch. 1</p> <p>Ch. 4</p> <p>Ch. 4</p>
New Plans	10. North Old Woodward Streetscape Plan	Develop a streetscape plan along North Old Woodward, up to Big Woodward, with a focus on adding on-street parking and pedestrian and bicycle amenities and improving safety.	Ch. 4
Studies	11. Civic Facilities Study	<p>Study key civic facilities to continue to support Birmingham residents. The following goals are provided greater detail within chapters specified.</p> <ul style="list-style-type: none"> - Study the location, programming, and funding for new facilities for Next. - Study a permanent, open-air farmers market pavilion with public restrooms on the portion of Lot 6 that is along Old Woodward. - Establish policy to continue the tradition of constructing Birmingham's civic buildings and parks as iconic structures and landscapes to the highest standards and at a civic scale. <p>Ensure the Community Foundation / Fund is established in a timely manner.</p>	<p>Ch. 1</p> <p>Ch. 4</p> <p>Ch. 1</p> <p>Ch. 1</p>
Existing Plan Updates	12. Parks and Recreation Master Plan Update	<p>Expand the 2018 Parks and Recreation Master Plan or create a new plan beyond the 2022 horizon. The following goals are provided greater detail within the chapters listed. See additional goals under headings "Parks Best Practices" in Chapter 4.</p> <ul style="list-style-type: none"> - Differentiate parks by type to better determine appropriate amenities, services, and best practices. - Utilize Planning Districts to determine sufficiency of park access across the city, availability of amenities, and consideration of activities and recreation in each season. - Formalize the public use of school and institutional open spaces for neighborhood recreation, prioritizing under-served Planning Districts. - Develop Worth Park to provide needed open space for Torry. - Develop the contemplated linear park and trail along the Rail District. 	<p>Ch. 3</p> <p>Ch. 3</p> <p>1 & 3</p> <p>Ch. 3</p> <p>Ch. 4</p>

C. Summary of Key Actions

Key Actions

Type	Title	Description	Where
	12. Parks and Recreation Master Plan Update (continued)	<ul style="list-style-type: none"> - Build a cafe or provide accommodations in Booth Park as recommended in the 2016 Downtown Plan. - Increase amenities and connections in Downtown's parks and mini-parks. - Purchase part of the Adams Square parking lot for park space, or ensure that redevelopment would require that future park space be provided near Adams and Bowers. 	<p>1 & 4</p> <p>Ch. 4</p> <p>Ch. 3</p>
Policy	13. Residential Street Standards	<p>Update the Residential Street Standards, aligning the streetscape elements with Future Land Use categories. Update the Multi-modal Plan accordingly. Additionally:</p> <ul style="list-style-type: none"> - Advocate for state legislation permitting municipalities to reduce posted speed limits below 25 mph. 	<p>Ch. 3</p> <p>Ch. 3</p>
Policy	14. Mixed-use District Streets	Adopt a policy requiring a minimum 6-foot clear path along the sidewalk be retained throughout mixed-use districts.	Ch. 4
New Plans	15. Mixed-use Streetscape Plan	- Create a streetscape improvement plan for the Triangle District and Rail District.	Ch. 1
Existing Plan Updates	16. Multi-modal Plan Update	<p>Update the Multi-modal Plan. The following goals are provided greater detail within the chapters listed. See additional goals under headings "Multi-modal Plan Updates" and "Best Practice Recommendations for the Multi-modal Plan" in Chapters 1 and 4.</p> <ul style="list-style-type: none"> - Address increased pedestrian activity anticipated in mixed-use districts that will grow in residential population. - Support increased pedestrian activity on both sides of North Old Woodward and provide streetscape amenities. - Complete gaps in sidewalks, add accessible corner ramps where not already specified, and replace street trees which are displaced by the process. - Address recent experiences with increased outdoor dining. - Ensure bicycle facilities are protected on all streets posted at or above 35mph. - Study bicycle accommodation alternatives along Lincoln. - Include mobility routes based upon bicycle boulevard practices. - Implement additional transportation mode best practices for new mobility technology and modes such as micro EVs, golf carts, and micro-mobility. - Improve the conditions at bus stops along more major roads. - Add Electric Vehicle charging stations throughout the city at garages, public parking lots, and on-street in Mixed-use Districts. - Adopt a policy regulating street lighting, including intensity, color temperature, luminaire, and pole height and frequency. - Include a public education component. 	<p>Ch. 1</p> <p>Ch. 4</p> <p>Ch. 3</p> <p>1 & 4</p> <p>Ch. 1</p> <p>Ch. 3</p> <p>Ch. 1</p> <p>Ch. 1</p> <p>Ch. 1</p> <p>Ch. 5</p> <p>Ch. 3</p> <p>Ch. 1</p>
Existing Plan Updates	17. Eton Road Corridor Plan	<p>Update the Eton Road Corridor Plan. The following goals are provided greater detail within Chapter 4.</p> <ul style="list-style-type: none"> - Increase connectivity for pedestrians, bikes, and cars for the area south of Hazel Street including future rail crossings. - Provide access to the Troy Transit Center and consider the development of surrounding properties. 	<p>Ch. 4</p> <p>Ch. 4</p>

C. Summary of Key Actions

Key Actions

Type	Title	Description	Where
New Plans	18. Mixed-use Districts Branding Plan	Create a Mixed-use Districts Branding Plan, in coordination with the Birmingham Shopping District, to brand the City's multiple mixed-use districts.	1 & 4
Policy	19. Art Murals Policy	Implement an art-mural program for large blank wall surfaces in key locations. Coordinate with the Mixed-use Districts Branding Plan.	Ch. 4
New Plans	20. Green Infrastructure	Create a Green Infrastructure Plan to address stormwater run-off and areas experiencing regular flooding.	Ch. 5
New Plans	21. Sustainability Action Plan	<p>Create a Sustainability Action Plan. The following goals are provided greater detail within chapter 5.</p> <ul style="list-style-type: none"> - Reduce environmental impacts of municipal operations. - Incentivize green building, renewable energy, and green landscaping. - Expand recycling and composting. - Implement green stormwater practices in streets and parks. - Support Rouge River Natural Area improvements. - Implement other sustainability focused recommendations of this plan. - Increase inter-governmental cooperation around sustainability initiatives. - Study the best path towards encouraging or requiring businesses reduce plastic and styrofoam use. 	<p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p>
New Plans	22. Rouge River Restoration Plan	<p>Develop a plan to improve and maintain the Rouge River natural area. The following goals are provided greater detail within chapter 5.</p> <ul style="list-style-type: none"> - Inventory and analyze the Rouge corridor's wildlife, ecology, natural systems, and pollution sources. - Stabilize riverbanks, remove invasive species, reintroduce native ground covers, wildflowers, under-story, and canopy tree species. - Mitigate potential pollution or chemical sources, including the existing Springdale snow storage dumping area. - Establish a "Friends of the Rouge" or similar foundation to oversee, build support, and raise funding for the park's enhancements. - Provide funding for city staff and resources to permanently preserve and manage the Rouge ecosystem. 	<p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p>
New Plans	23. Rouge River Trails and Access Master Plan	<p>Develop and implement a trails and access master plan to improve the Rouge River trails and trail heads.</p> <ul style="list-style-type: none"> - Install pedestrian linkages to the park's surrounding neighborhoods and commercial districts, including to Quarton Road. - Secure easements to expand the park area and improve its walkability, for complete ecological restoration, and universal accessibility. - Coordinate with Bloomfield and Beverly Hills to expand trail connections. - Install an environmentally sensitive, hard-surfaced pathway for pedestrians and cyclists along the Rouge River. - Expand the extent of the trail system, crossing the river at more locations to access large portions of the natural area currently cut off. - Install bridges, ramps, and other enhancements to enable access by all ages and abilities. 	<p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p> <p>Ch. 5</p>

C. Summary of Key Actions

Key Actions

Type	Title	Description	Where
		- Install other amenities such as bicycle racks, lighting, markers, seating, and signage at trail heads, and seating, markers, and interpretive features throughout the trail system.	Ch. 5
New Plans	24. Tree Canopy Improvement Plan	Create a Tree Canopy Improvement Plan. The following goals are provided greater detail within Chapter 3. - Establish comprehensive policies for trees in streets and open spaces. - Create 5-, 10-, and 15- year goals to expand tree canopy cover. - Study the condition of neighborhood tree canopies in parks and private spaces and potential improvements. - Require that trees removed due to construction be replaced, as well as mandatory contributions to fund new off-site trees. - Prevent existing, healthy trees from being removed due to new construction. - Survey areas with constrained root area and establish a plan to add additional soil volume.	Ch. 3 Ch. 3 Ch. 3 Ch. 3 Ch. 3 Ch. 3
New Plans	25. Woodward Gateways Plan	Create a Woodward Gateways Plan to comprehensively address the three gateway areas along Woodward. - Revisit and adopt plan components for the South Woodward Gateway Plan. - Create plan components for a North Woodward Gateway. - Create plan components a Downtown Gateway Plan for the Big Woodward and Maple intersection.	1 & 4 1 & 4 Ch. 1
New Plans	26. Haynes Square Plan	Create a Haynes Square Plan which provides the details, timing, and funding for implementing Haynes Square recommendations.	Ch. 1
Studies	27. Residential Districts Parking	Study citywide street on-parking restrictions and permits.	Ch. 3
Studies	28. Shared-use Streets	Study shared-use streets. The following goals are provided greater detail within the chapters listed. - Study a shared-use streetscape retrofit along with a social district in the Maple & Woodward district. - Study a shared-use street section along Cole and Commerce Streets. - Study additional opportunities in other mixed-use districts.	1 & 4 Ch. 4 1 & 4
Boards & Programs	29. Civic Events Board	Establish a Civic Events Board or extend the role of the Public Arts Board to develop regular civic events to continue engaging the community throughout the year and promote existing civic institutions. - Consider regular events in community parks. - Consider activities and special events to attract office workers and residents to shop and dine downtown, including weekly food-truck events at Shain Park.	1 & 4 Ch. 3 Ch. 4
Studies	30. Circulator	Study a public circulator to provide viable means of accessing mixed-use districts without a car.	Ch. 1
Studies	31. Parking Technology	Review master plan parking recommendations in 2030-35 to evaluate new technologies and trends.	Ch. 4

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Ch 1. Connect the City

Ch 1. Connect the City

Overcome the Woodward Divide

Overcome the Woodward Divide



Figure 12. The Woodward divide.

Woodward divides Birmingham physically and mentally (See Fig. 12). It is an extremely fast, high volume roadway described as a “superhighway” in the city’s 1929 plan. While it provides regional connections that support Downtown activities, Woodward separates the City’s neighborhoods. Particularly for older adults and children, Woodward can be an impenetrable barrier to mobility. Not only is the road unsafe to walk or bike along, there are too few crossings, and existing crossings are uncomfortable for pedestrians and cyclists.

A complete street plan for Woodward has been produced by the Woodward Avenue Action Association, and has been well supported but not yet implemented. The state department of transportation (MDOT) indicated that their current preference for major roadways such as Woodward is to provide greater accommodation for pedestrians, cyclists, and transit, and to stitch together those communities historically divided by state routes. However, implementing those changes are currently well beyond MDOT’s ability to fund directly. Funding aside, they are supportive of City-led initiatives to improve crossings and the character of Woodward. In the short term, key changes to Woodward should be targeted with a focus on pedestrian and bicyclists at crossings. In the long term, larger changes should be studied and advocated for at the county and state levels.

Short-term Action: Improve Crossings

The top priority for pedestrian and bicyclist safety is to make Woodward crossing safe. Each crossing should:

- Provide sufficient pedestrian crossing time;
- Provide clear and visible signage;
- Provide highly visible crosswalk striping;
- Provide automatic pedestrian signal activation; and
- Provide pedestrian crossing refuges.
- Where bike routes connect with crossings, there should additionally be highly visible bike lane striping and bicycle signal activation.

An initial set of key crossings is selected from those major Sectionline and Quartersection roads, important bike route connections, and crossings that already exist but are insufficient (See Fig. 14). These include: Sectionline crossings at 14 Mile and Maple, Quartersection crossings at Lincoln and Oak, bike route connections at Emmons and Oak (See Fig. 13), and existing crossings at Brown and Oakland. Additionally, the intersection of Old Woodward and Woodward is proposed for redevelopment (discussed in the Haynes Square section). Development of this intersection would include adding a crossing at Haynes St.



Figure 13. Prioritized Crossing at Emmons.

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Overcome the Woodward Divide

Short-term Action: Re-striping

Should Woodward be justifiably reduced to three lanes in each direction, reconfiguring the roadway still remains prohibitively expensive. However, as a lower cost option, the City should pursue re-striping the outside travel lane, converting it to a substantial protected bicycle lane, one-way each side, or a pair of two-way cycle tracks on each side, similar to what the City of Ferndale is pursuing. Regionally, Ferndale's Woodward bike facilities should connect north to facilities in Pleasant Ridge, Royal Oak, and Birmingham, and on to Bloomfield Hills and Pontiac.

Another consideration for re-striping is a shared bicycle and transit lane. As the regional transit authority pursues improvements to bus frequency, a dedicated lane would improve bus function through Birmingham. Since buses are relatively infrequent, the transit lane could be shared with cyclists (this would require one-way cycle facilities).

Medium-term Action: Reduce Vehicle Speeds

Woodward's high travel speeds perpetuate the City's east-west disconnection, create dangerous conditions when accessing businesses along the corridor, and threaten the safety of all roadway users. While reducing vehicle speeds is a critical and immediate issue to tackle, change is not simple.

Overall the Woodward corridor varies in its speed and context along its trajectory, from a low speed urban context in downtown Detroit to a high-speed highway-like context in Bloomfield Hills, before slowing down again at Pontiac. Along its trajectory, Woodward's speed and design changes in a number of contexts. Through Ferndale, the posted speed is 35 mph and on-street parking is permitted. Birmingham presents a more urban context to Woodward than Ferndale, which should warrant lower speeds.

Unfortunately MDOT is forced by state law to use the "85th Percentile Rule" when attempting to lower speeds, which measures the typical speed actually traveled on the roadway and can result in increased posted speeds instead of reduced. The most expedient path to changing the speed along Woodward is through legislative means.

KEY WOODWARD CROSSING IMPROVEMENTS

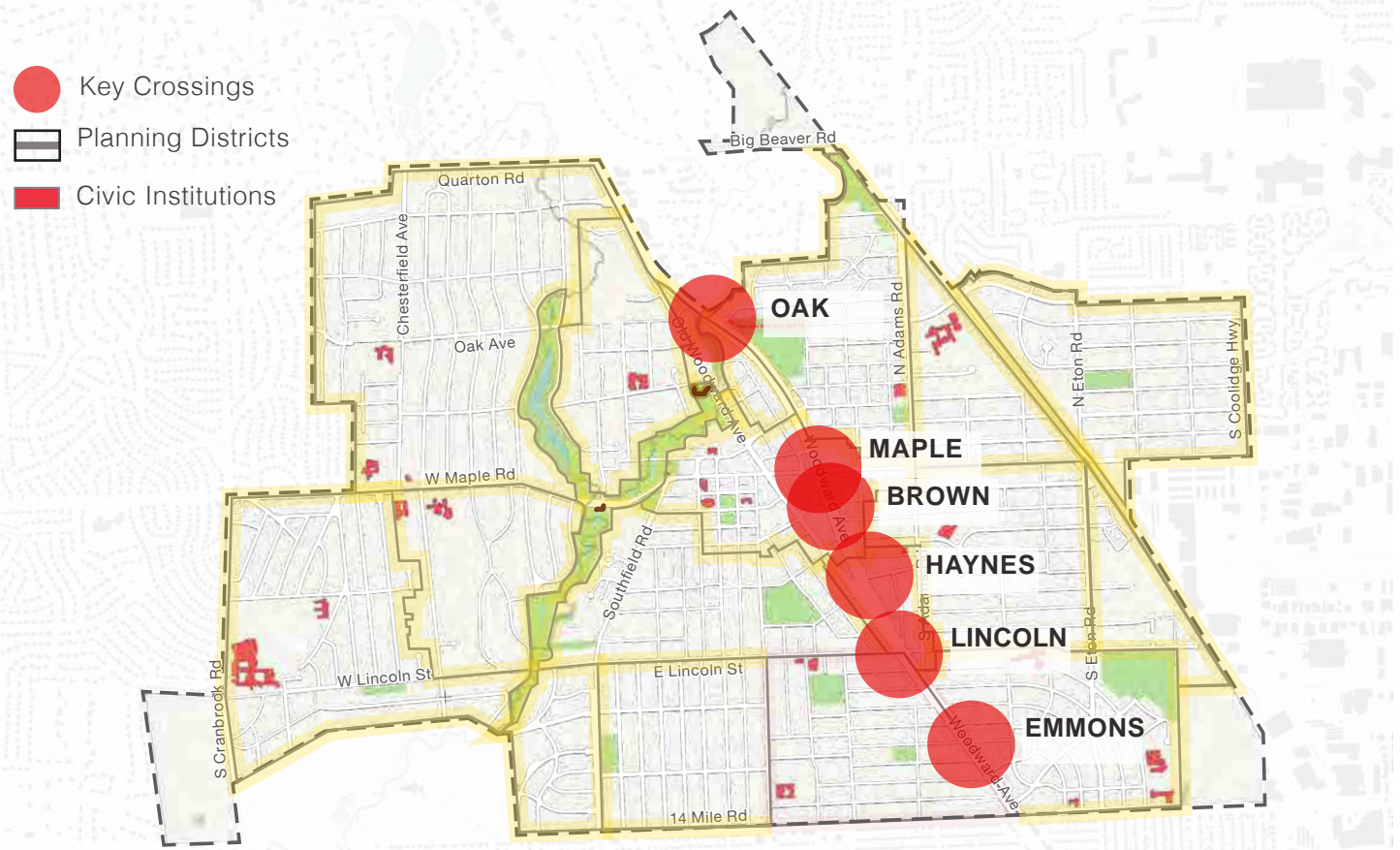


Figure 14. Key Woodward Crossing Improvements.

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Overcome the Woodward Divide

The posted speed is not the only means necessary to control speed. Land use, landscaping and landscape architecture, travel lane size, lighting, and other elements in and around the roadway signal drivers to reduce speed. From the south, the large clear zone and curb separation in the South Woodward Gateway gives visual cues to drivers that Woodward is a high-speed roadway. Solving the speed issue here requires land use changes described later in this plan, along with posted speed reductions. From the north, the highway-like conditions of Woodward through Bloomfield Hills brings drivers in to Birmingham at high speeds. From this direction, drivers need a signal that they have entered a different type of environment than Bloomfield Hills and should reduce speeds. Like the South Woodward Gateway, Birmingham needs a vision for the North Woodward Gateway,

from Big Beaver to Maple, with a particular focus on the Old Woodward and Oak Avenue intersections.

Long-term Action: Re-align Secondary Intersections

Traffic problems caused by Woodward spill into surrounding streets in a few key locations. Due to Woodward's angle, Adams, Worth, and Elm streets intersect at obtuse angles in the northbound direction allowing soft-right turns at high speeds. When streets intersect at extreme angles, pedestrian crossing distances and vehicle speeds increase, leading to safety and operational issues. Additionally, these intersections occur close to the east-west streets of Ruffner, Lincoln, and Haynes, further complicating operations. Elm and Worth should be realigned to intersect Woodward perpendicularly, as shown in the Triangle District Plan (See Fig. 15).

The intersection of Adams with Woodward is especially complicated due to its traffic volume and existing median breaks, making it particularly dangerous for pedestrians. To address this issue, when the Haynes Square intersection redevelopment occurs (discussed later in the section on Haynes Square), traffic along Adams should be rerouted to access Woodward at Haynes, which is already a near-perpendicular intersection. Additionally, the median break on Woodward at southbound Adams should be closed. The Haynes Square intersection would allow southbound Adams traffic to turn left onto Woodward at a new traffic signal. This will reduce traffic at Adams and Lincoln. At the Woodward intersection, Adams should be realigned to intersect perpendicularly, as is proposed for Elm and Worth. Where Adams meets Haynes, the street should turn to the left slightly, to intersect perpendicularly with Haynes, which may also be accomplished through signage encouraging southbound Adams traffic to use Haynes for Woodward access. Additionally, this movement will help provide momentum to future retail in the Haynes Square / Triangle District area. To accommodate this, Haynes between Woodward and Adams should receive a streetscape redevelopment similar to Maple through Downtown, which has the same width.

Long-term Action: Celebrate Downtown with a Gateway

Perhaps the greatest mental division created by Woodward is the feeling that Birmingham is to the west due to the Maple and Old Woodward intersection representing the city's heart. Rather than passing by Birmingham along Big Woodward, drivers should feel that they are passing through Birmingham, and as a result feel that they should slow and expect pedestrians, bikes, and buses (See Redefine Downtown Districts for more on this subject). The Maple and Big Woodward intersection should be redesigned as a downtown gateway, celebrating the heart of the city. This gateway should reconfigure the intersection to focus heavily on pedestrian

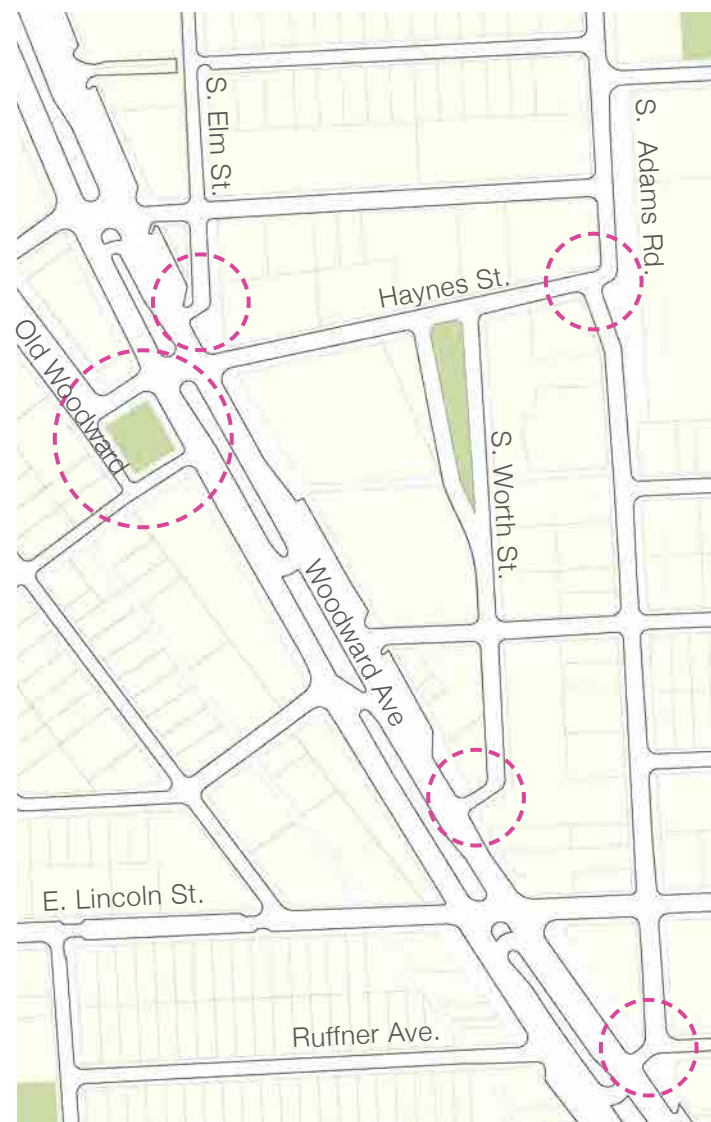


Figure 15. Key Woodward intersection adjustments.

Ch 1. Connect the City

Overcome the Woodward Divide

and bicycle safety, along with civic art. As the figurative center of the city, it should be imposing, causing cars to slow substantially, and greatly improving the comfort of crossing Big Woodward.

MASTER PLAN ACTIONS

1. Create a Woodward Safety and Beautification Plan, including:
 - a. Adjust Elm to meet Woodward perpendicularly per the Triangle District plan.
 - b. Adjust Worth to meet Woodward perpendicularly per the Triangle District plan.
 - c. Update the Multi-modal Plan as to improve Woodward crossings and conditions.
 - d. Pursue a speed reduction on Woodward, to 35mph or similar, through legislative means.
 - e. Study lane reduction and re-striping options for Woodward in coordination with MDOT.
Recommended actions:
 - i. Participate in a traffic study along Woodward, with MDOT, once I-75 reopens fully to determine whether the road can be reduced to 3-lanes in each direction.
 - ii. Pending verification of potential lane reductions, fund and implement re-striping on Woodward, between 14 Mile and Oakland, potentially to Quarton, converting the outside lane to a buffered bicycle and transit lane.
 - iii. Participate in regional plans to coordinate bicycle and transit infrastructure along Woodward between municipalities.
2. Create a Woodward Gateways Plan, including:
 - a. Create a North Woodward Gateway Plan to address land use, gateway, and road design elements of Woodward north of Maple.
 - b. Revisit and adopt a South Woodward Gateway Plan, focused on traffic calming and beautification of Woodward.
 - c. Study a downtown gateway redesign of the Big Woodward and Maple intersection.
3. Create a Haynes Square Plan (addressed in a following section).

MULTI-MODAL PLAN UPDATES

- a. Improve pedestrian and bicycle crossings along Woodward at 14 Mile, Emmons, Lincoln, Haynes, Brown, Maple, Oakland, and Oak.
- b. Move signage at Lincoln and Woodward which obscures pedestrian countdown timers.
- c. Add a signal for the Brown Street crosswalk along the northbound lanes of Woodward.
- d. Install ADA-compliant ramps at intersections that are not in compliance along Woodward.
- e. Review pedestrian crossing times for MUTCD compliance, some may need to be lengthened.
- f. Add a protected only left turn signal for northbound left turns to Old Woodward. This may be omitted if the Haynes Square street reconfiguration occurs quickly.
- g. Update the plan to reflect the chosen outer lane conversion along Woodward.

CROSSING BEST PRACTICES

Each crossing of Woodward should provide a minimum set of accommodations for pedestrian safety, as well as bicyclist safety where connecting with bicycle routes. The following features are recommended:

- a. Accessible ramps at all crosswalk quadrants, including all necessary ADA features.
- b. Highly visible crosswalk painting, special emphasis type (ladder) at a minimum.
- c. Pedestrian signal with countdown time.
- d. Automatic pedestrian crossing phase (not on-demand).
- e. Signal demand button for pedestrians.
- f. Signal demand button for bicyclists and bicycle signal at bike route connections.
- g. Highly visible painting for bicycles at bike route connections.
- h. All MUTCD recommended signage.

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Redefine Downtown Districts

Redefine Downtown Districts

Birmingham's mixed-use districts are defined circumstantially by their areas of historic growth and the division caused by Woodward. However, the Downtown area in particular contains multiple sub-districts which require their own character and definition to become active and competitive. Old Woodward is too long to sustain a consistent main street without sub-districts of distinct character. Most traditional main streets, and shopping malls which have modeled themselves from traditional main streets, are ¼ mile in length. This is the distance from Willits to Brown, the most active section of Old Woodward, and Bates to Park, the most active section of Maple (See Fig. 17). Beyond this distance, activity and retail quality declines. But once downtowns are successful enough, they can expand beyond this distance by establishing secondary districts.

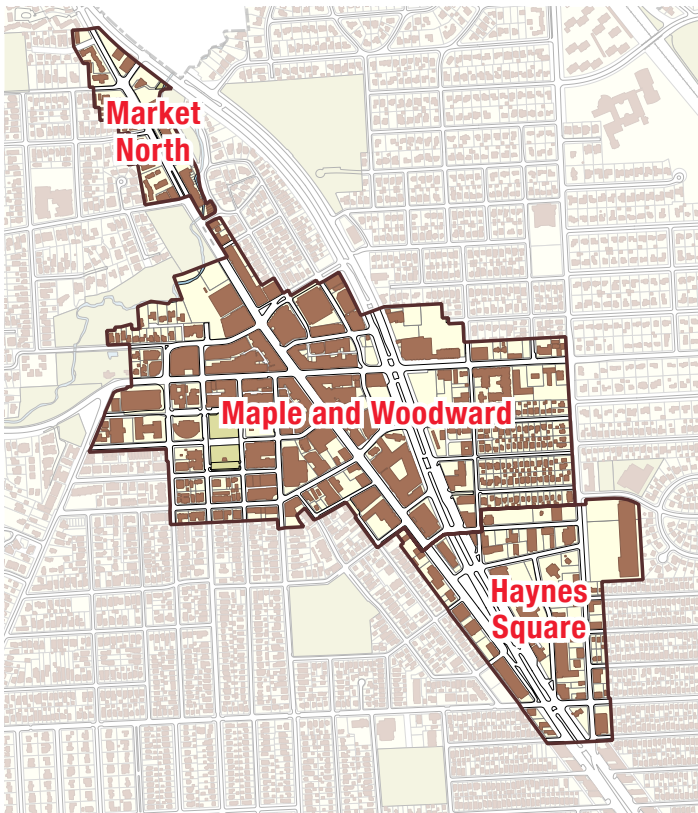


Figure 16. Three districts of downtown.

Downtown Sub-districts

Larger downtowns contain multiple districts with their own distinct character. For instance, Downtown Detroit contains Bricktown, Greektown, Hudson, Corktown, and other districts. Together they make up the greater downtown, but they each have an individual character. Similarly yet at a more relate-able scale, Ann Arbor has a downtown district along Main Street and a university district along State Street. Both are distinct yet interconnected.

North to south, Downtown Birmingham includes three distinct districts. At the center, Maple and Woodward, Downtown is at its most intense and successful. To the north along Old Woodward, the topography and building scale clearly changes after Oakland, becoming distinct by Euclid. North of Euclid this area becomes a sub-district. This Market North area (See Fig. 16) is now most clearly defined by the Farmers' Market and Booth Park, as well as a scale that is less intense than Maple and Woodward. To the south along Old Woodward, the street activity clearly changes after Brown. This area is distinct and requires an identity, but the area is heavily constrained by the intersection of Woodward and Old Woodward. Each sub-district should be clearly differentiated, offering a different customer experience yet working together as the larger downtown area.

Further, Downtown Birmingham is considered to be only west of Woodward. This perpetuates the mental divide that Woodward cuts through the community (See Fig. 12). If Woodward were not a major division, Downtown would continue east on Maple. The form of more intensive buildings east of Maple reflects this condition, with the housing along Forest, Chestnut, and Hazel establishing a break between this core downtown area and the remainder of the Triangle District to the south.

Spanning Woodward mentally makes the most significant impact south of Brown where the west side is constrained just at the point that the east side, the southern Triangle District, is at its widest. This Haynes Square area, centered on Haynes Street, is cohesive when it spans Woodward (discussed in the section on Haynes Square). With its own identity, Haynes Square can be elevated to a full sub-district of downtown rather than the unsuccessful southern fringe of a successful downtown.

Identity, Signage, and Way-finding

Many Downtown visitors are unfamiliar with its business offerings, parking locations, and street layout. When establishing multiple districts, signage is especially important to orient visitors. Similarly, multiple districts can assist in way-finding



Ch 1. Connect the City

Redefine Downtown Districts

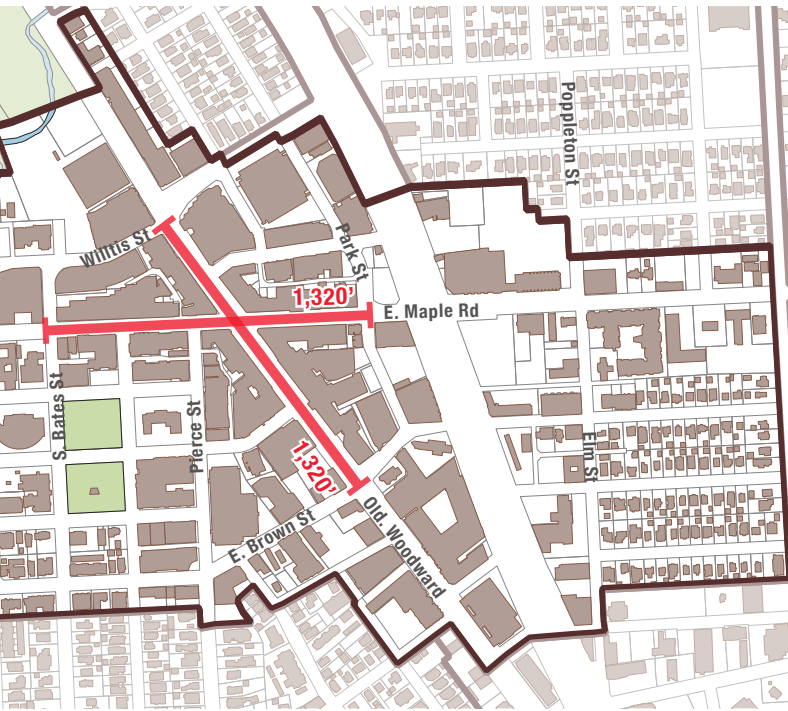


Figure 17. Typical length of main streets.

overall if signed properly. Today, signage is lacking throughout the greater downtown area, from way-finding for parking access to civic institutions and business directories. Each district should have clear signage which is consistent in the information provided but differentiated by district. (See Fig. 18)

Parking signage is especially important as the City typically deals with extremely high occupancy of its Downtown garages. While the North Old Woodward, Park, and Peabody garages typically operated above 90%, visitors are not always aware of nearby spaces available in the Chester and Pierce garages. Technology should be employed to inform users of available capacity throughout the greater downtown. Much of this equipment is unattractive, like Ann Arbor's parking signage, yet there are minimal and elegant solutions available to direct users to the nearest available capacity. This signage should be piloted in Maple and Woodward, and spread to the City's other mixed-use districts once parking investments are made.



Figure 18. Way-finding signage examples.

MASTER PLAN ACTIONS

1. Create a Mixed-use Districts Parking Plan which includes parking way-finding signage as one component, ensuring the design is simple and elegant. Signage may be piloted in Maple and Woodward in advance of the full plan.
2. Create a Mixed-use Districts Branding Plan, in coordination with the Birmingham Shopping District, to brand the City's multiple mixed-use districts. This plan should address, at a minimum:
 - a. District way-finding (vehicular, pedestrian, and cyclist-oriented), business directory, and gate-way signage;
 - b. Differentiation in streetscape products like tree grates, lights, trash and recycling cans, and public art themes;
 - c. A marketing plan for each of the distinct districts;
 - d. A phasing plan to install business directory and way-finding signage throughout all districts.
3. Establish a policy to permit murals and wraps like the popcorn utility wrap to be city-initiated or by the Public Arts Board.

Ch 1. Connect the City

Implement Haynes Square

Implement Haynes Square

Connecting the city requires a change in perception about Woodward. No greater opportunity exists to change this perception than Haynes Square. South of Frank Street, the character of Downtown changes, expressed in zoning, street life, and business success. Rather than consider South Old Woodward an inferior retail district, the area can be combined with the southern Triangle District, spanning big Woodward. The Haynes Square district is bound by Bowers to the North, Adams to the East (See Fig. 16), and Lincoln to the South. Its size is similar to the active office and retail core of Maple and Woodward.

Street reconfigurations to achieve this result in a public open space at south Old Woodward and Haynes Street. This square is the new heart of a district independent from Maple and Woodward. (See Fig. 19) The square should be similar to Shain Park from a design perspective, but about half its size, with a cafe, seating, and restrooms as is recommended for other urban parks. Lined by trees along its edges, the square provides an attractive entrance to the greater Downtown area, flanked by tall, new development east along Woodward and the 555 building to its north.

This combined district represents Birmingham's greatest opportunity for the development of both extensive middle-income housing—a deficiency that should be addressed—and emerging commercial business spaces. While Maple and Woodward includes a significant presence of offices, Haynes Square should focus on residential above commercial uses,

and on commercial uses that serve a different market than the core shopping district of Maple and Woodward.

To capitalize on its potential, two major investments are required: reconfiguring the intersection between Woodward and Old Woodward, and constructing a parking garage on the east side of Woodward.

Street and Property Reconfiguration

A pair of related issues make clear the need for street and property reconfiguration in this area. First, the intersection of Old Woodward and Woodward occurs at a very acute angle and requires a dangerous northbound left turn. The intersection also creates a narrow and unusable strip of land which mirrors the poor frontage condition of the South Woodward Gateway. Second, properties that are located along Old Woodward south of George Street are zoned for taller buildings, but have not seen redevelopment due in part to parking issues. The parking necessary to redevelop properties south of George St. is difficult to accommodate on shallow lots adjacent to single-family properties, and the area's exclusion from the Downtown parking district.

This plan recommends that Old Woodward be reconfigured to alleviate the awkward intersections and provide larger building sites. George St. is extended to big Woodward, and Old Woodward removed south of George. South of George St., properties are extended to big Woodward, providing sites that can accommodate buildings and parking. Property extensions may be traded for a public surface parking lot where buildings currently sit along Old Woodward, 70 feet

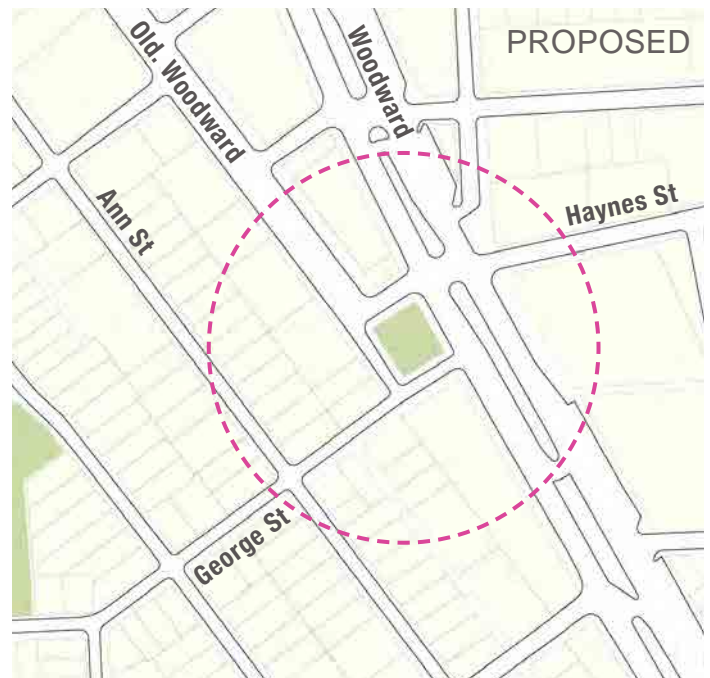
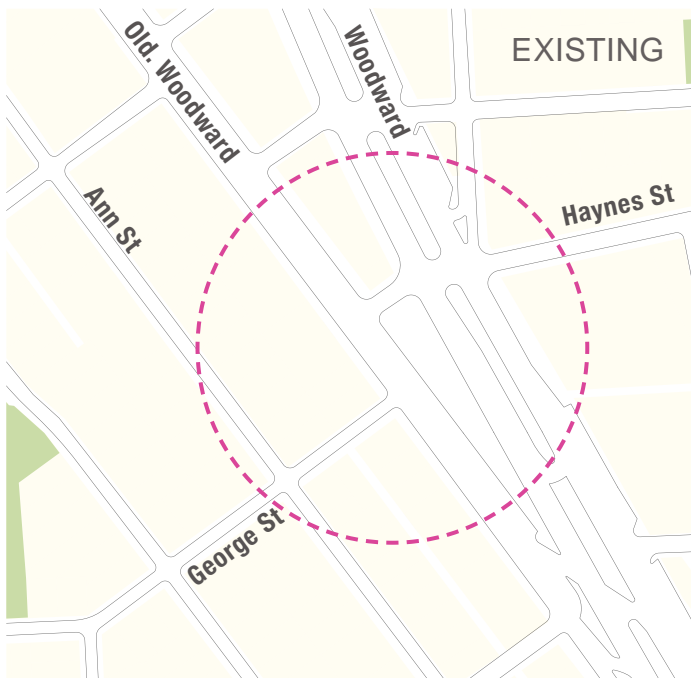


Figure 19. Haynes Square reconfiguration.

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Implement Haynes Square



Figure 20. Creating Haynes Square at Haynes St., Old Woodward, and Big Woodward.

deep measured from the alley, which leaves over 100 feet of property for development, deeper than current properties.

Through this redevelopment, Haynes St. crosses Woodward to meet Old Woodward at a new signal. On the east side of Woodward, Haynes becomes a main street, paired with Worth Street. To support the main street with additional traffic, as Maple and Woodward is supported by Maple's traffic, Adams should be slightly adjusted so that south-bound traffic uses Haynes to access Woodward (See Fig. 15). This adjustment to Adams enables the improvement of the dangerous intersection of Adams and Big Woodward as well, addressed earlier in this chapter.

Public Parking

Due to the odd lot shapes in the district, significant zoned capacity, and lack of access to the Downtown parking district, private development is unlikely to take the first step to launch the Haynes Square, as has been the case for the Triangle District. To successfully launch Haynes Square, the City needs to invest in a parking garage. Unfortunately, neither of the 2007 Triangle District Plan's proposed public parking structures nor its proposed parking assessment district have been implemented. A new garage is needed,

alleviating developers from the burden of parking with both commercial and residential parking permitted. With a structure in place, and mixed-use residences able to unbundle parking (See the Mixed-use Districts chapter), new housing and businesses are likely to develop quickly. Due to the district's size and low existing intensity, development will bring significant increases in tax revenue.

Other Area Improvements

At the intersection of Haynes and Worth Streets, the 2007 Triangle District Plan recommends a triangular green called Worth Park. This space provides an important focal center for the east side of Haynes Square. It also provides needed open space for the Torry neighborhood. Like other urban parks discussed in this plan, Worth Park should have ample seating, shade, and areas for children to play. Worth Street, which has few existing buildings facing onto it, should be considered for a shared-use treatment to provide interest and connect with the South Woodward Gateway alley system. Worth Park may be built in the form of a plaza - mostly paved - which is a type of civic open space Birmingham does not yet have. New buildings in the area can take advantage of the dynamic and pedestrian-centric streetscape and plaza.

Ch 1. Connect the City

Implement Haynes Square

Also in the area is the Adam's Square shopping center, which represents the greatest single redevelopment site in Birmingham. With an active Haynes Square district adjacent, redevelopment is likely to occur. To prepare for this, zoning and subdivision requirements should be considered such that Adam's Square provide open space for the Torry neighborhood and public parking in exchange for development capacity modeled upon the Triangle District Overlay.

MASTER PLAN ACTIONS

1. Create a Mixed-use Districts Parking Plan, including:
 - a. Implementing the public parking deck recommendation of the 2007 Triangle District Plan.
 - b. Create additional parking assessment districts (such as per the 2007 Triangle District Plan) or incremental tax district as necessary for land purchases and for financing the development of parking structures.
 - c. Study the potential for Public Private Partnerships to construct parking structures (including in the Triangle District).
2. Create a Haynes Square Plan which provides the details, timing, and funding for implementing Haynes Square recommendations, including:
 - a. Study the privatization of public property, or land swap, as is necessary to implement Haynes Square.
 - b. Reconfigure the streets around Haynes Square to create the square and fix the acute intersection between Woodward and Old Woodward.
 - c. Divert Adams traffic onto Haynes by angling NB Adams to intersect perpendicularly with Haynes.
 - d. Adjust Adams to meet Woodward perpendicularly at Ruffner.
 - e. Build the public square with a cafe, trees, seating, a kids play area, and other civic features.
 - f. Consider revising the design of Worth Park in the form of a plaza and other opportunities for shared streets and passageways, civic art, traffic calming, and way-finding.
 - g. Detail streetscape and landscape improvements along Worth, Bowers, Haynes, and Webster.
 - h. Improve pedestrian linkages to the surrounding neighborhoods, especially along Adams.
 - i. Consider swapping land to install a public parking lot along the south Old Woodward alley.
 - j. Create a parking district for Haynes Square which allows residences to purchase parking passes in public garages, in addition to commercial parking.
 - k. Install metered, on-street parking along Adams and Lincoln Roads.
 - l. Create subdivision and zoning standards to encourage redevelopment of the Adam's Square shopping center, offering significant development capacity in exchange for a public open space and public parking.
 - m. Consider streetscape improvements along Woodward and Haynes.
 - n. Consider green stormwater management opportunities made possible through the area's growth and redevelopment.

Ch 1. Connect the City

Encourage Gathering Places

Encourage Gathering Places

Neighborhood Destinations are critical neighborhood components supporting community social structures. While Birmingham is more walkable than most cities in Metro-Detroit, accessing daily destinations still requires a car for many residents. City structure and the distribution of daily destinations is the greatest determinant of the transportation mode people will choose and its impact on sociability and the environment. When destinations like parks, schools, and cafes are near homes, residents will use those amenities more frequently and often walk or bike rather than drive, all of which increases interaction among neighbors. Improving city-wide pedestrian and bike connections to mixed-use districts and larger parks will have similar results, all means of connecting the city, physically and socially.

Neighborhood Destinations fall into 3 categories: Commercial Destinations like markets and cafes, Recreational Destinations like parks and trails, and Civic Destinations like schools and religious institutions.

Commercial Destinations

Due to the regional draw of Downtown, its price point is too high to provide the neighborhood services that residents require frequently access to. Historically, Birmingham has supported civic institutions and parks within neighborhoods, and has had a number of small, neighborhood business clusters that provided goods and services aligned with the needs of nearby residents. Birmingham has retained its parks and institutions, but only a few neighborhood commercial destinations remain: Maple and Chesterfield, Maple and Eton, and 14 Mile and Southfield.

Local bakeries, specialty markets, coffee shops, cafes, dry cleaners, hair salons, and similar small businesses comprise neighborhood scaled amenities that are unique to Birmingham among surrounding communities. Easy access to these amenities, especially by walking, contribute to the City's comfortable lifestyle and high property values. Recent studies indicate house values dramatically increase when located within a ten-minute walk of a coffee shop, green grocery, micro-brewery, park, or school.

Neighborhood Commercial Destinations should be located to provide walkable access to neighborhoods, but not be so close to one another that they become a larger district. They should be encouraged in key locations and their scale and specific uses should be limited, along with operating hours and noise, to ensure limited impact on surrounding residents. (See Fig. 22) These destinations should also be allowed to provide residential uses above the ground floor. Scale and character should remain compatible with the surrounding neighborhood, reviewed by the Planning Board.

Park Cafes

Because opportunities for full commercial destinations are limited, many portions of the city are not able to be well served. Park cafes are an additional means of providing nearby social destinations, as well as support park activities. Cafes may be provided in permanent structures, or by allocating space, power, water, and wastewater connections for food trucks, mobile carts, or other temporary vendors. Cafe or vendor space and connections should be considered at many parks throughout the city (See chapter 3), and targeted for locations not otherwise well served by commercial destinations (See Fig. 22). Additionally, within mixed-use districts, cafes or accommodations should be provided within larger open spaces: Booth Park and Shaine Park, and future Haynes Square and Worth Park.

MASTER PLAN ACTIONS

1. Update the Parks and Recreation Master Plan, including:
 - a. Cafes and other vendor accommodations in appropriate parks.
 - b. Building a cafe or vendor accommodations in Booth Park as recommended in the 2016 Downtown Plan.
2. Update the zoning code, including:
 - a. Permitting of cafes, food trucks, and other vendors in parks.
 - b. Create commercial destination zoning districts, considering the following recommendations:
 - i. Allow by-right Commercial Destinations up to 10,000 square feet total, no more than 3,000 square feet per tenant.
 - ii. Limit uses to bakeries, banks, bicycle shops, cafés, carry-out foods, coffee shops, exercise studios, florists, hardware, ice cream parlors, mail centers, personal care, medical offices, pharmacies, real estate offices, financial services, small groceries, specialty shops, and other small local service-businesses. Housing should be permitted above the ground floor.
 - iii. Nationally branded chains should be permitted when designed to look local.
 - iv. Limit hours, and prohibit excessive noise, and restrict early or late truck deliveries.
 - v. Larger restaurants and other potentially intensive commercial should be permitted as special uses, with appropriate design, management, and operational conditions to minimize impact.

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Encourage Gathering Places

- vi. Drive-thru windows should be prohibited.
- vii. Loading docks should be limited.
- viii. Require landscaped screening from adjacent single-family properties.
- ix. Allowed up to three floors, provided they match the scale of a two and one-half story structure.
 - For buildings with 3 stories, the upper floors must be residential.
 - For buildings with 2 stories, the upper floor may be office or residential.
- x. Parking should be as minimal as possible, or not required. If required, parking should not exceed 3 cars per 1,000 square feet of non-residential uses and 1 car per bedroom of residential uses.
- xi. Planning Board review should ensure minimal impacts to the neighborhood.

Civic Destinations

Birmingham has a long tradition of investing in civic buildings and landscapes, which began with the construction of its first library and the build-out of its civic center in the 1920s. Outside of the City's primary civic cluster in Downtown, nearly all of Birmingham's neighborhoods include one or more civic uses, frequently schools, within a short walk for most residents. This relationship is relatively rare in postwar suburbs and contributes to Birmingham's desirable quality of life. These Civic Destinations include fire stations, meeting halls, museums, places of worship, post offices, schools, and specialized civic institutions such as Next and the YMCA. The 1929 plan proposed anchoring each of the city's neighborhoods with a civic center, a school, or a park. Largely implemented, this plan resulted in the numerous schools and parks that now exist in most of Birmingham's neighborhoods, which contribute to neighborhood cohesion and quality.

Civic buildings offer neutral, aspirational places for citizens and community leaders to exchange ideas, form community associations, or simply socialize. Located in a neighborhood setting, these institutions encourage neighborhood

- Commercial Destinations
- Recreational Destinations
- 5-minute Walk (existing)
- 5-minute Walk (new)

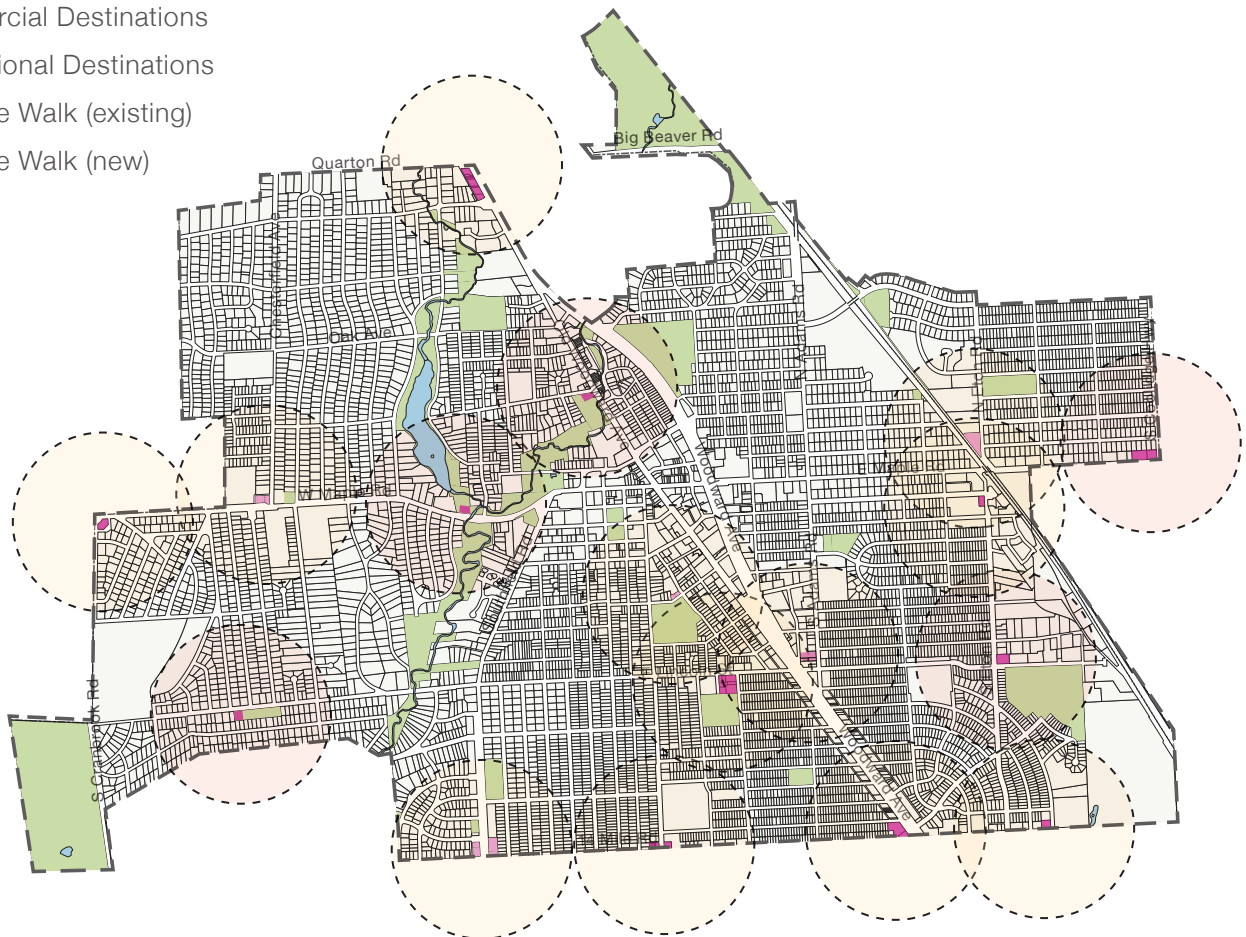


Figure 22. Proposed Neighborhood Destinations.

Ch 1. Connect the City

Encourage Gathering Places

interaction (See Fig. 23). They also tend to draw people from other nearby neighborhoods, cross-pollinating the City's social structures. Civic buildings and landscapes should be grand and iconic, and be distinct from residential construction to avoid confusing public and private uses. Birmingham's prewar civic buildings—the City Hall, library, post office, and train station—were built of brick and stone in an English Tudor style, with the exaggerated scale and exceptional quality befitting signature civic buildings.

Throughout the community, Civic Destinations should be maintained and supported. During the planning charrette, some of the City's civic institutions discussed their great variety of programs. We also heard that some struggle to reach residents and new generations who are not familiar with the role that civic institutions play in the community. To support these institutions, Birmingham should have a Community Foundation or fund, which the Chamber of Commerce is in the process of establishing. In addition to the fund, regular social events should be organized throughout the city. At present, a series of events occurs downtown, but additional events should be considered throughout the community. Regular

events such as these are an important means of gaining visibility among community members, engaging them, and strengthening the community's social and civic structure.

Of particular interest to older residents is the lack of a sufficient senior center. While Next's programs and staff meet much of this need, their facilities are insufficient. Surrounding communities boast substantial seniors facilities. Beyond the senior focus, some younger adults use Next's facilities and Next has begun to broaden their appeal beyond the senior cohort. Improved facilities for Next would contribute to both older and younger adult populations. At present Next occupies a former school building located adjacent to Seaholm. New facilities for Next would ideally be located near the center of the city, for more convenient access to all residents. Many options exist and should be studied, including: part of a public parking facility development in Haynes Square or the Bates Street extension, replacing the surface parking in Shain Park, or other locations near the city center. In addition to programming for Next, the facility should provide space that may be reserved free of charge for meetings of resident organizations.

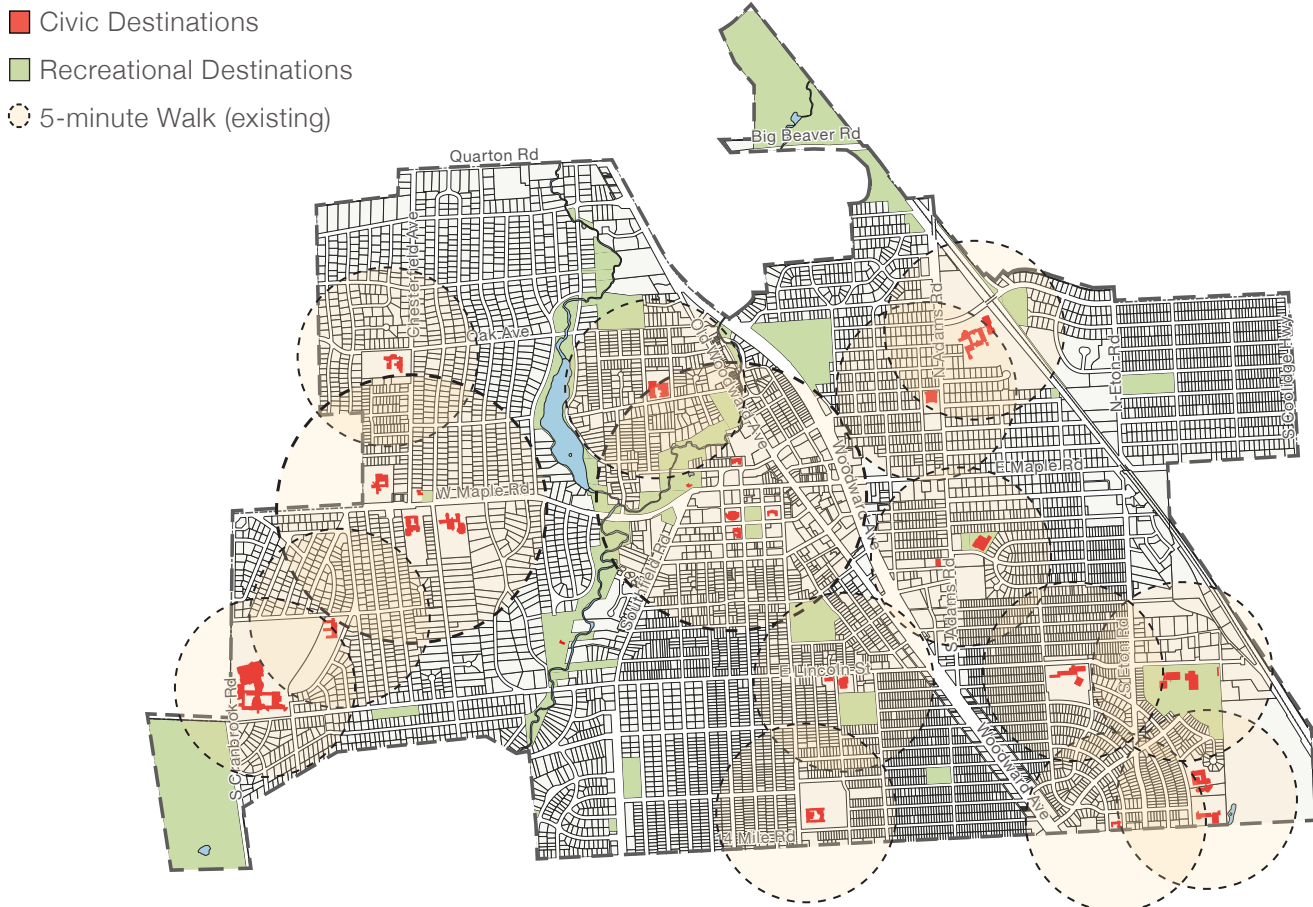


Figure 23. Civic Destinations.

Ch 1. Connect the City

Accommodate More Modes of Movement

MASTER PLAN ACTIONS

1. Study key civic facilities to continue to support Birmingham residents, including:
 - a. Study the location, programming, and funding for new facilities for Next.
 - b. Establish a policy to continue the tradition of constructing Birmingham's civic buildings and parks as iconic structures and landscapes to the highest standards and at a civic scale. This should include authentic durable materials, oversized windows, high ceilings, and Tudor design and detailing.
 - c. Ensure the Community Foundation / Fund is established in a timely manner.
2. Establish a Civic Events Board or extend the role of the Public Arts Board to develop regular civic events to continue engaging the community throughout the year and promote existing civic institutions.
3. Update the Parks & Recreation Master Plan, including formalizing the public use of school and institutional open spaces for neighborhood recreation.

Accommodate More Modes of Movement

Much of the congestion that Birmingham experiences is due to regional issues, which the city has little opportunity to change. While fixes may address cut-through traffic and dangerous intersections, providing viable alternatives for getting around the City without a car is the most effective strategy to reduce the inconvenience caused by congestion. Across the country mobility has evolved from a focus on personal automobiles to support bicycle and pedestrian priority, and to integrate evolving technologies. Birmingham needs a strategy to integrate a wide variety of alternatives to personal vehicles.

The 2013 Multi-modal Plan increases priority for bicycles and pedestrians which is a critical improvement. Today, there remains a long way to go to achieve the goals of this plan. With emerging technologies and lessons learned in bicycle accommodations, the 2013 plan should be updated to integrate new modes as well as experiences from implementation to date.

Beyond bicycles and pedestrians, preparing for unknown future mobility devices is difficult to predict but important to allow for increased access throughout the city. To successfully integrate new technologies, strategies are required for both facilities and education.

Multi-modal Facilities

To accommodate an increasing number of mobility options, facilities for different roadway users should be considered according to the speed of user. A significant difference in speed is why cars and pedestrians don't mix well. Similarly, this is why bicycles need dedicated lanes when cars travel above 25mph; the difference in speeds causes a safety issue. This view is important when considering how to integrate micro EVs and golf carts, scooters, single wheels, and even e-bikes. Whether a street should be slow speed and shared for all users, higher speed and separated for all users, or somewhere in between intersects transportation network and urban design.

Within neighborhoods, accommodation for multiple modes is relatively easy. Most streets in Birmingham are narrow, slowing cars enough to mix modes within the street. Implementing the bicycle boulevard recommendations would also provide safe and convenient access for modes other than cars. To protect pedestrian use of sidewalks, bikes, scooters, and other small footprint vehicles should be discouraged from using sidewalks through signage and education.

Within Mixed-use Districts, accommodation for new mobility modes should be considered more carefully. On streets with larger volumes of car traffic, improved bicycle accommodations such as protected bike lanes help ensure comfort and safety for riders of all ages. These lanes can also accommodate faster moving new technology like scooters. However, many streets in Birmingham cannot accommodate both bike lanes and on-street parking yet these mixed-use districts also experience the highest parking usage rates. The most effective means of accommodating multiple modes is to slow the speed of all users.

Piloting shared-use streets where materials, signage, and the street edge are designed for all users to operate at very slow speeds and mix may provide greater access opportunities for emerging technologies as well as micro EVs and golf carts. These shared use spaces and streets are common in Europe and are increasing in use in the US. A notable example is Argyle Street in Chicago. Merrill Street is an excellent location to consider as a shared use street pilot, connecting Old Woodward with Shain Park and the Library. Worth Street in Haynes Square could pilot the form as a future main street, along with Cole Street in the Rail District. The strategy should be investigated from a network standpoint, beyond individual streets, to provide broader multi-modal network connectivity within mixed-use districts. Over time a network of shared use streets should be assembled, better accommodating changing mobility.

Ch 1. Connect the City

Accommodate More Modes of Movement

Mobility Routes

Presently, the city's major roads run between planning districts which is efficient for long-distance car needs, but is less convenient and safe for walkers, cyclists, and micro-mobility users. Additionally, many neighborhoods experience cut-through traffic when congestion is high on major roads along the district perimeter. To address these issues the Multi-modal Plan should be updated to add a series of "mobility routes" based upon bicycle boulevard practices. Mobility routes should form a network and connect the city's major destinations and planning districts, as well as to bicycle routes in surrounding communities. By limiting cars, these routes may also provide an opportunity for a future internal public transportation circulator for the city, to provide mobility options for those who cannot walk long distances, cycle, or use micro-mobility devices.

Mobility routes should be built on a bicycle boulevard system which also focuses on other non-vehicular means of movement, pedestrian accommodations, micro EVs and golf carts, and comfort of all users. Bicycle boulevards are routes that are designed for bicycle access while discouraging through access for cars. As such, they can serve to reduce cut-through traffic by diverting cars to provide better non-vehicular access and safety. Pedestrian accommodations should include sufficient sidewalks, marked crosswalks, shading, and benches.

Bicycle destination signage is currently lacking throughout the City. While the 2013 Multi-modal Plan recommended signage, this plan establishes a number of more clear destinations with planning district boundaries and multiple downtown districts. Bicycle signage provides significant way-finding assistance to riders who may be unsure of how to use the bike network. Pedestrian destination signage should also be considered in conjunction with bicycle signage. For other mobility devices, bicycle and pedestrian signage will assist with way-finding.

Educating Roadway Users

While new mobility options provide benefits for many travelers, addressing safety issues and a clear understanding and respect for rules is critical. Riders of bicycles, scooters, and other modes must be aware of where they are expected and allowed to ride, whether safety equipment is required, and how right-of-way is determined. In addition to awareness, the city should understand that most frequently violations occur where people feel that it is unsafe or very inconvenient to ride where directed. But equally importantly, drivers need to respect the rights of other roadway users, many of which do not. To address these issues, adequate signage, public education, and enforcement are necessary.

MASTER PLAN ACTIONS

1. Update the Multi-modal Plan, including:
 - a. Ensure bicycle facilities are protected on all streets posted at or above 35mph.
 - b. Include mobility routes based upon bicycle boulevard practices.
 - c. Implement additional transportation mode best practices for new mobility technology and modes such as micro EVs, golf carts, and micro-mobility.
 - d. Include a public education component.
2. Study shared-use streets, including:
 - a. A shared-use streetscape retrofit along with a social district in the Maple & Woodward district.
 - b. Study additional opportunities for shared-use streets in other mixed-use districts.

BEST PRACTICE RECOMMENDATIONS FOR THE MULTI-MODAL PLAN

- a. Shift the burden of public bicycle parking in the downtown from private businesses to the city.
- b. Increase proposed street-side bicycle parking.
- c. Add parking areas for micro-mobility devices.
- d. Add bicycle parking and repair stations like those found in Shain Park to all parks.
- e. Convert bicycle lane signage to mobility lane.
- f. Install signage informing micro-mobility users and cyclists of where they are permitted to ride.
- g. Use bicycle and pedestrian destination signage along mobility routes.
- h. Provide mobility education to all residents.
- i. Locate benches along mobility routes at major roads, schools, and parks.

Ch 1. Connect the City

Improve Regional Transit Connections

Improve Regional Transit Connections

Regional transit will increase in importance as long as the transit authorities invest in the system, and residents support that investment. As one of a number of cities and mixed-use centers along Woodward, Birmingham would benefit significantly from improved bus or rail along the corridor. While this has been projected for decades, there is still hope that it will occur.

To support transit, Birmingham has relatively little work to do, already having a well established downtown along Woodward. Most significantly, Birmingham needs to add residents to Downtown, which is proposed in greater detail in following chapters. Residents Downtown would also be located along the regional transit corridor, more readily users of that service and able to reduce car dependency as a result. The Rail District also needs to secure a connection to the Troy Transit Center and add residents and businesses. This is also discussed in later chapters. Concerning facilities, the City needs to improve transit stops with covered seating areas and real-time information, along with nearby covered bike parking.

For Birmingham, regional transportation will mean relatively little for residents who are further from Downtown without an internal circulator. A circulator, autonomous or otherwise, would also improve access around the City to residents who have difficulties walking and biking during the winter months. A circulator within Birmingham should be accessible within neighborhoods, potentially paired with a bicycle boulevard network, and have a few diversions to high-frequency destinations like Seaholm. Overall this would provide greater access to residents and reduce some parking issues Downtown and also at Seaholm.

MASTER PLAN ACTIONS

1. Update the Multi-modal Plan, including improving bus stops along major roads.
2. Convene a committee to study a public circulator.

BEST PRACTICE RECOMMENDATIONS FOR THE MULTI-MODAL PLAN

- a. Improve bus stops by adding shelters, paving, and seating along:
 - Big Woodward;
 - Old Woodward;
 - Maple, including stops outside of Downtown;
 - Coolidge Hwy.; and
 - 14 Mile Rd.

Multi-modal Plan Updates

A number of adjustments are recommended to the 2013 Multi-modal Plan within the previous sections. Those updates that are able to be expressed on a map are included in this section for ease of comparison to the existing plan. In addition, these recommendations impact the overall network for bicyclists, pedestrians, and transit. Some of the updates identified in this section are adjustments based upon those impacts.

PEDESTRIAN FACILITIES

Pedestrian facilities are generally adjusted in order to implement recommendations in the Connect the City and accompany bicycle boulevard recommendations. These are specified in Figure 25.

BICYCLE FACILITIES

Bicycle facilities are generally adjusted in order to implement recommendations in the Connect the City, prioritize the bicycle boulevards, and Accommodate More Modes of Movement sections. These are specified in Figure 26 and include recommended adjustments to the overall bicycle network function as a result of other changes.

TRANSIT FACILITIES

Transit facilities are generally adjusted in order to implement recommendations in the Connect the City and Improve Regional Transit Connections sections. These are specified in Figure 27.

Ch 1. Connect the City

Improve Regional Transit Connections

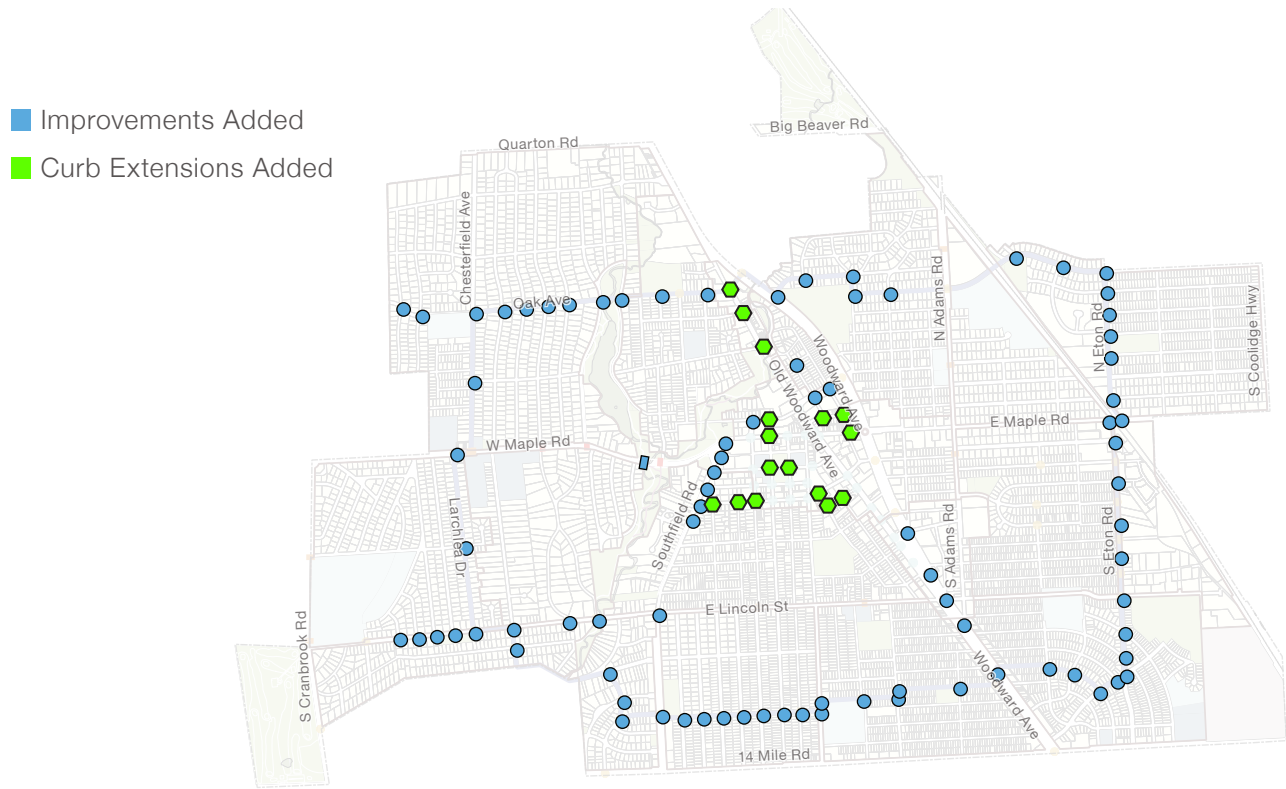


Figure 25. Pedestrian updates to the Multi-modal Plan.

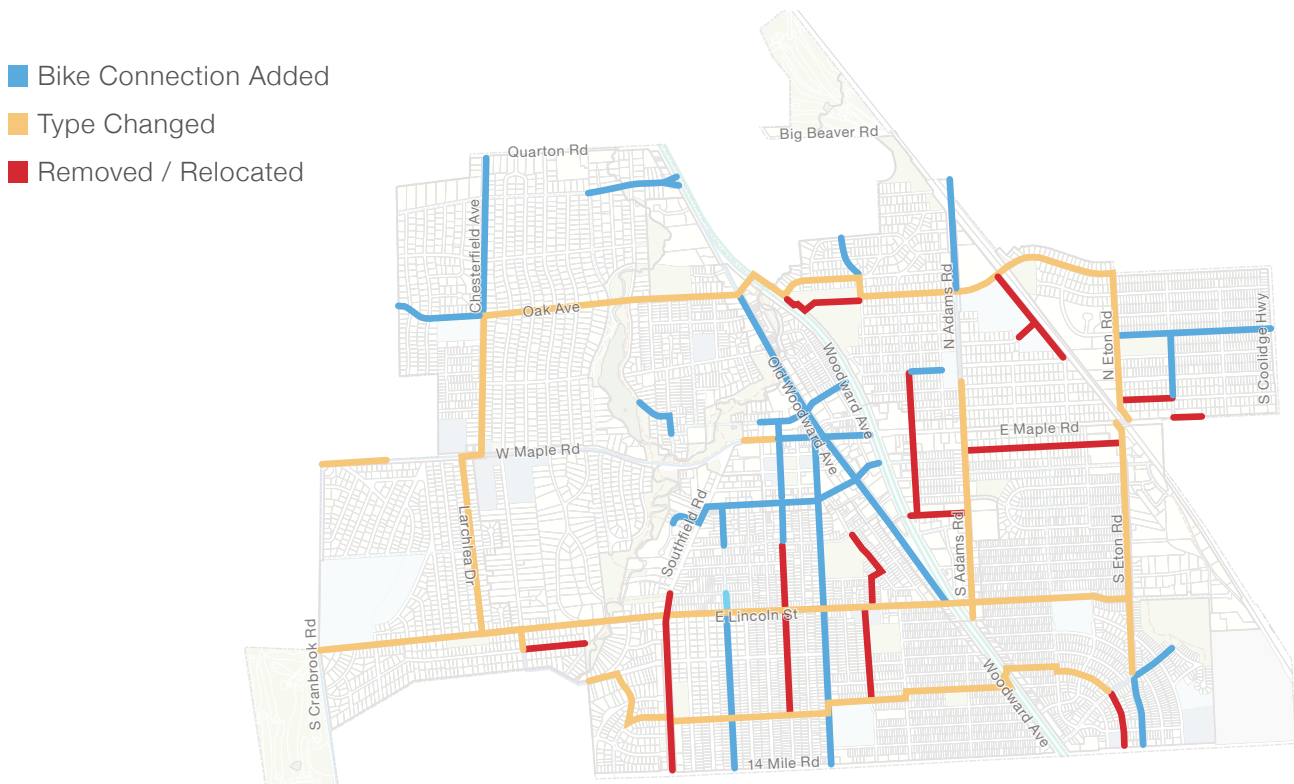


Figure 26. Bicycle facility updates to the Multi-modal Plan.

Improve Regional Transit Connections

Improve Regional Transit Connections

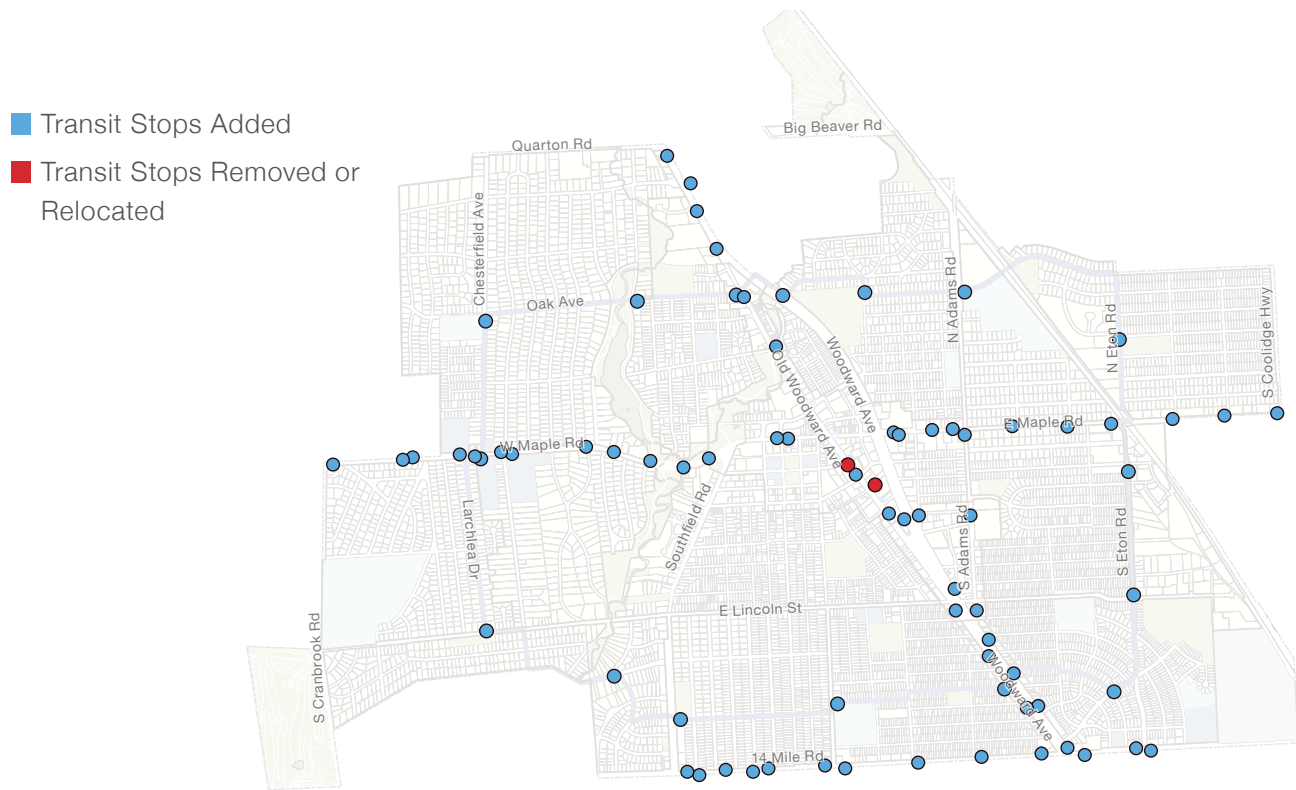


Figure 27. Transit updates to the Multi-modal Plan.

Ch 2. Embrace Managed Growth

Ch 2. Embrace Managed Growth

Encourage Housing in Mixed-use Districts

Encourage Housing in Mixed-use Districts

There housing in Birmingham is in high demand, an indication of the city's quality of life. But that demand has brought with it a rapid increase in housing cost, difficulty for aging residents to downsize within the community, and a changing community composition that has resulted in reduced school enrollment. New housing plays an important role in stabilizing these threats, but locating growth is difficult in a built-out city. Birmingham's mixed-use districts are ideal places to accommodate new housing that is proximate to existing services, does not impact neighborhoods, increases foot traffic for businesses, and is most likely to result in attainably priced units. Each mixed-use district is below its currently zoned capacity for building, which means new housing growth can be accommodated without changing the community expectations currently stipulated in the zoning code.

Maple and Woodward

The Maple and Woodward district (Downtown Birmingham) has an imbalance of commercial to residential development, with very few households compared to a significant amount of office and retail space. This lack of housing has been recognized since the 1980 Birmingham Plan, principally due to a policy which does not allow residences to park in the public parking decks. Each mixed-use district requires a balance of housing with offices and retail space to ensure the district is active during daytime hours and into the evening, supporting retail and restaurants and promoting greater public safety. If housing is to be provided downtown to re-balance the 24-hour downtown life-cycle, it will require access to the municipal parking supply.

Providing parking on private properties in downtown is difficult due to the small size of properties and goals for walkable

streets activated by storefronts. Properties in suburban locations can more easily provide on-site parking because land is not scarce. Those areas are also not walkable. Walkable streets require small blocks and a lot of activity; there is not room for parking on every property. The current rules encourage development to add housing on upper floors to achieve a height bonus, but require some of the very valuable ground floor to be set aside for parking. This results in very large units, where provided, to fill to bonus space in a downtown that needs attainably priced housing.

Parking downtown is heavily utilized during the daytime, with most public garages over 90% of their capacity. However, that same parking is virtually empty during the evening and overnight. Weekend parking is also underutilized with around 2,000 spaces available. This parking imbalance is an ideal opportunity to accommodate housing, which requires parking at night and on weekends, and vacates parking during the day. During the Covid-19 Pandemic there has been low overall parking usage, increasing opportunities to re-use parking for housing. When initially proposing residential usage of public parking structures, concern for the time that residents would depart and office workers would arrive was raised. Parking monitoring in Birmingham has shown at least half of total parking capacity is available at 10am, providing a significant period of overlap between uses (See Fig. 28).

Presently, four and five-story buildings are allowed in most areas downtown yet most buildings are lower. Considering the difference between the height of existing buildings and the currently allowed potential, all housing growth needed in the downtown area could be accommodated within the existing zoned capacity. Some of that capacity is further limited by the historic status of many existing buildings. However, heights should not be increased, except where adjusting zone boundaries results in greater consistency. Focus should instead be on filling existing capacity.

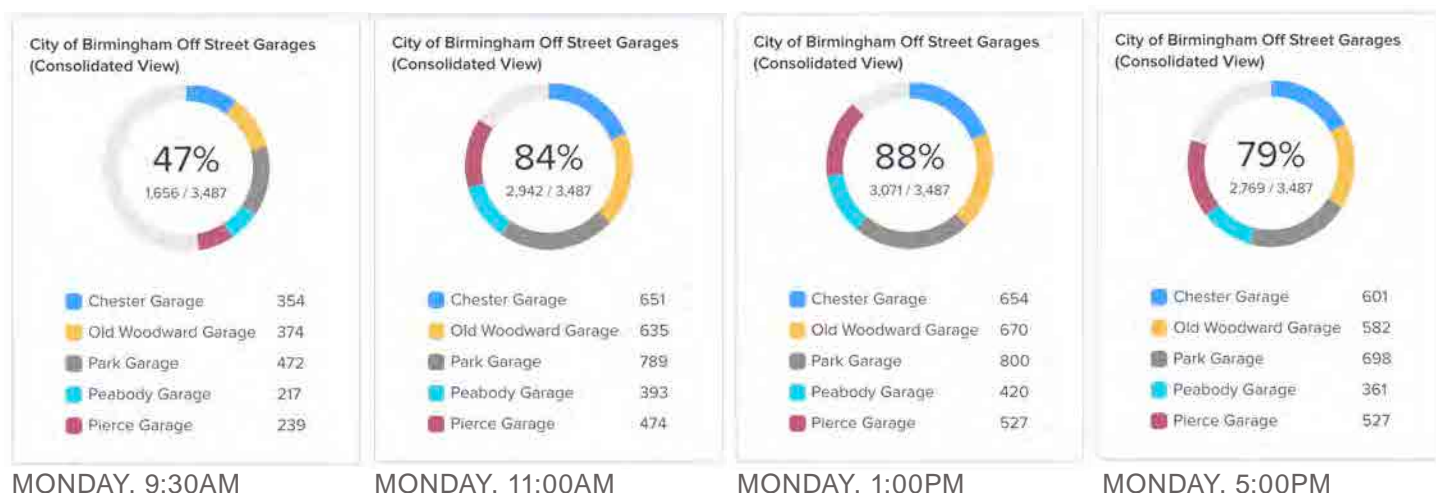


Figure 28. Downtown garage capacity at different times on a Monday.

Ch 2. Embrace Managed Growth

Encourage Housing in Mixed-use Districts

New residential parking permit price should be set attainably yet to discourage residents from parking cars that are not used regularly. Distribution of permits can also be managed through permit assignments, assigning spaces in less used garages, like Chester Street, and on upper floors. For the mostly younger and older residents who may not need a car, they benefit from the cost of parking being entirely eliminated from the cost of their housing. To address attainable housing needs, the availability of passes should be tied to a minimum threshold of attainably priced units. Lastly, the added income for the parking district can be reinvested into existing and new structures.

Haynes Square

Haynes Square, to both sides of Woodward, can accommodate a significant amount of infill development. As discussed in Chapter 1, this area should target more housing than office. Most of the available capacity is located east of Woodward in the Triangle District, which is already zoned for significant infill. However, like Downtown, housing development is restricted by parking.

To the east of Woodward, many properties are oddly shaped and relatively shallow in depth. These characteristics are inefficient for on-site parking. Non-residential development in this area has been slow for similar reasons - parking is difficult to fit due to the geometry of most properties. A public parking structure is needed east of Woodward to drive private sector development, as previously discussed.

To the west of Woodward, properties are also too shallow to provide sufficient on-site parking. In addition, because this area is near to the downtown parking district but not within, development demand funnels to the downtown district where parking is not required for new development. One solution for the west side of Woodward is proposed in Chapter 1. The western Haynes Square district could be provided additional parking access by: extending the downtown parking district; building a parking structure on the west side of Woodward as part of the Haynes Square street modifications; or including this area within a future Triangle District parking district.

The Rail District

Like the Triangle District, the Rail District has long been zoned for significant infill but has seen little growth, particularly in the lower Rail District. This location is ideal for housing infill with its proximity to Kenning Park and future access to the Troy Transit Center. Development has occurred in the area on properties that are large, but the many smaller properties around Cole Street remain underdeveloped, despite being zoned for high density infill. Similar to the Triangle District, development of housing is restricted by the size and shape of properties, and lack of public parking. A public parking garage should be built near the lower Rail District and future

Troy Transit Station access. Like the other mixed-use districts, this garage should allow for unbundled residential parking by selling residential parking passes. The garage would also help alleviate parking conflicts with the Torry neighborhood.

MASTER PLAN ACTIONS

1. Pilot unbundled residential parking within Downtown parking garages. This may be achieved by releasing 100 to 200 passes for new downtown residential units.
2. Create a Mixed-use Districts Parking Plan, including:
 - a. Establish unbundled residential parking policies within Downtown parking garages, consider:
 - i. Offering an initial limited supply of permits for downtown housing, eliminating on-site parking. Evaluate the supply and modify as needed over time to maximize garage usage and housing.
 - ii. Tie parking passes to an average rental or sales rate of 150% of Area Median Income or less, calculated on a per-building basis.
 - iii. Tier permit costs according to the number of vehicles per residence, increasing in price for each vehicle and by parking garage.
 - b. Establish unbundled residential parking policies in all mixed-use districts in existing and future parking garages.
 - c. Provide public parking as recommended in the 2007 Triangle District Plan.
 - d. Provide public parking in the Rail District. Consider redevelopment of the DPS building to occupy a portion of a public parking garage in its place, which services the lower Rail District.
 - e. Provide public parking for the western Haynes Square district.

Ch 2. Embrace Managed Growth

Infill Some Activity and Buffer Seams

Infill Some Activity and Buffer Seams

Increasing the housing supply in only the mixed-use districts will result in a narrow range of new housing types, almost exclusively multi-family in larger buildings. This form of infill addresses the need of some but not all demographic groups. One under-supplied group is households with young children, which are important in supporting the public school system. Few opportunities exist for new townhomes, duplexes, smaller houses, and small multi-family buildings. To accommodate these housing types, Activity and Buffer Seams should be zoned to enable this range of housing (See Fig. 29).

Most of the Activity and Buffer Seams are mapped on existing multi-family properties, which does add to the housing supply. However, there may be some additional infill capacity available in these properties by adjusting downward the minimum open space per dwelling standards, which are quite high today. Additionally, some Activity and Buffer Seams are mapped on properties that are single-family today, notably along 14 Mile Road. While there are not many properties available for infill at this scale, those areas able to accommodate infill should be zoned to encourage it.

MASTER PLAN ACTIONS

1. Update the zoning code, including:
 - a. Create a new zoning district or modify the transition zone districts to enable infill development of small homes, townhomes, duplexes, and small multi-family buildings, limited to buffer and activity district seams.
 - b. Reduce the amount of open space required per unit for townhomes and multi-family.

Study Accessory Dwelling Units

Accessory Dwelling Units (ADUs) are a low impact way to provide additional housing, particularly for older adults and lower income individuals. The City currently allows accessory structures but has restrictions to prohibit their use as permanent dwellings. ADUs are small homes typically located in the rear yard of a single-unit residential or attached townhouse lot, frequently over a garage but often a small secondary unit within the primary home. ADUs can provide housing sought by many young renters, single-person households, and older adults. Birmingham has had historic ADUs for decades (See Fig. 30).

- Buffer Seams
- Activity Seams



Figure 29. Activity and Buffer Seams.

Ch 2. Embrace Managed Growth

Study Accessory Dwelling Units



Figure 30. An existing ADU equivalent.

Presently, there is considerable market demand for ADUs in the City, but accessory structures are not permitted to be used as residences for people other than a relative of the primary household. For older adults looking to downsize but avoid a spike in property tax by selling, they may benefit from an at-grade ADU to live in and rent their primary home. And generally, ADUs are a means of providing additional household income while supporting a small amount of additional units, at a very low overall neighborhood impact.

Through the development of this plan, resident opinions concerning the appropriateness of ADUs within Birmingham were neatly divided, nearly 50/50. Due to potential benefits, ADUs merit further study which should consider where and in which circumstances they may be appropriate, and regulatory practices which best fit the community.

MASTER PLAN ACTIONS

1. Update the zoning code, including:
 - a. Enable Accessory Dwelling Units (ADUs) in already compatible zones: MX, TZ1, TZ3, and R4 through R8. Study ADUs for additional locations within the city and the regulations necessary to ensure compatibility.

ADU BEST PRACTICES

- a. Permit ADUs where the property owner lives on-site, in the primary home or ADU.
- b. Prohibit two-rental structures on any single-family property.
- c. Require ADUs to be designed and built to match or exceed the quality of the primary structure.
- d. Require adequate landscape screening between ADUs and adjacent properties
- e. Do not require parking for ADUs.
- f. Increase the allowable height for accessory structures to allow 2 stories when there is a dwelling within it above a garage.
- g. Exempt the area of interior staircases from the maximum area of accessory structures when there is a dwelling within it.

Ch 2. Embrace Managed Growth

Update the Zoning Code

Update the Zoning Code

Birmingham's Zoning Ordinance is difficult to understand and has been updated through overlays, like Downtown and the Triangle District, to replace code elements that no longer function for the City's goals. Within the city's residential districts, the zoning standards are not well aligned with the existing character of housing, which has led to new construction that residents feel to be out of character with the surrounding neighborhood. Birmingham's Zoning Code is due for an overhaul. While it is certainly better than many other codes for cities of a similar size across the country, the code no longer aligns with best practices.

Zoning codes should be legible and comprehensible for residents and professionals alike, including graphic exhibits to clarify text-based concepts. Zones should be minimized, combining those which may be very similar but in different parts of the city (See Fig. 31), like the Downtown Overlay, Triangle District Overlay, and the Mixed-use district established for the Rail District. Overlay zones should replace their outdated underlaying zoning, typically Business or Office. Residential districts should be examined for their

appropriateness and some collapsed, especially towards the higher end such as R6 through R8.

Perhaps most importantly, the single-family residential districts should align more closely with the existing housing stock to protect neighborhood character. The zoning update process should include a careful analysis of the city's residential districts and existing housing stock, on a neighborhood-by-neighborhood basis to reflect the clear character differences across the city.

Clarity and simplicity in zoning helps residents understand the implication of the zoning code, which is otherwise opaque to most. Collapsing zones and standards can simplify the review process and make new revisions easier to implement. Along with these, use categories should be collapsed to the broadest categories practicable. Overlays remain a useful tool, but they are best used to apply more stringent standards for an area, rather than overriding the majority of the code.

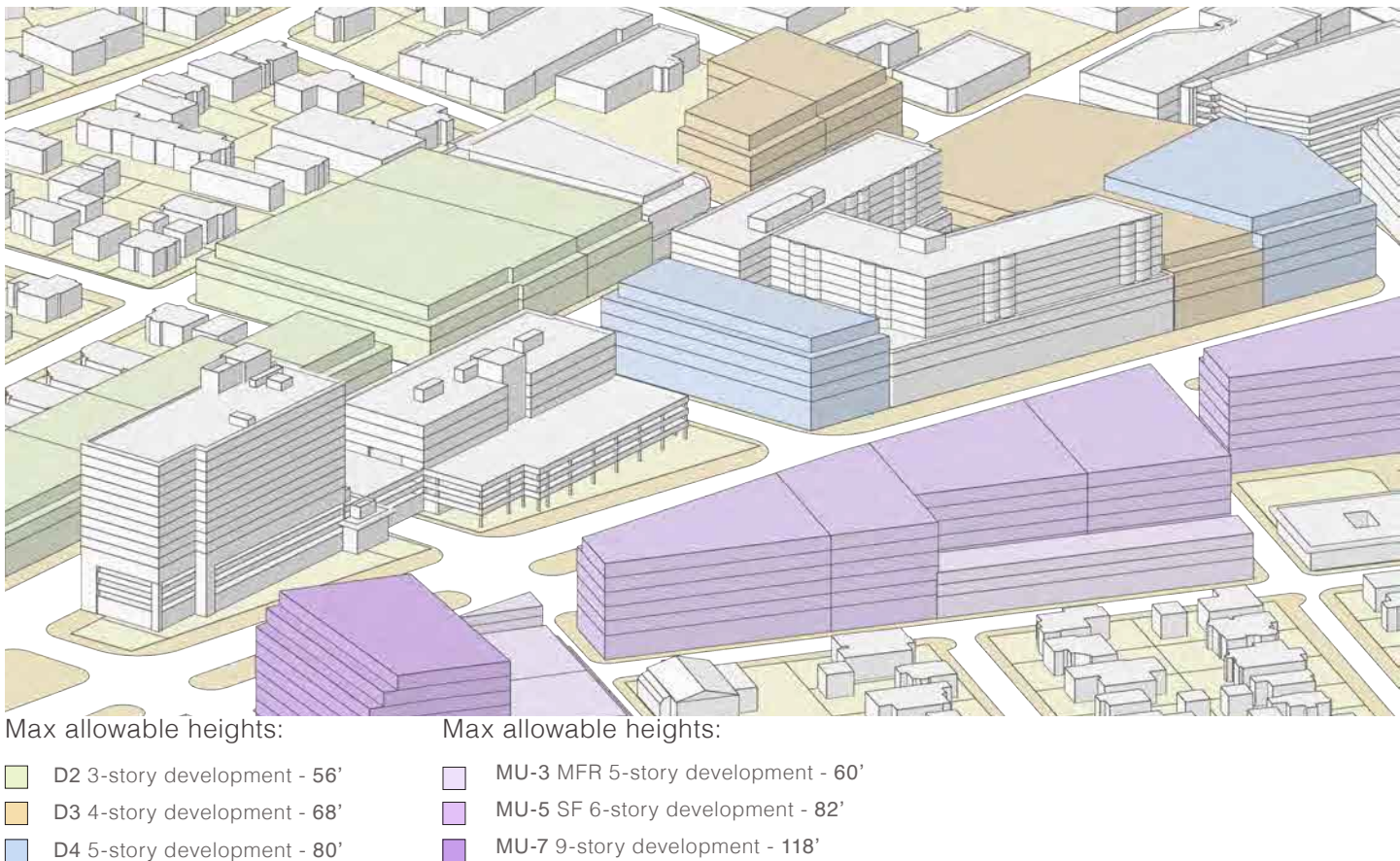


Figure 31. Existing Development Potential in Neighboring Overlays.

Ch 2. Embrace Managed Growth

Update the Zoning Code

MASTER PLAN ACTIONS

This list consolidates zoning related actions from this and other chapters of the Master Plan for ease of applicability.

1. Update the zoning code, including:
 - a. Focus on brevity, clarity, graphics, and aligning zones with Future Land Use categories.
 - b. Consolidate zones and uses as much as is practical and ensure the updated document is legible, clear, and predictable for residents as well as developers.
 - c. Extend D2 zoning to the multi-family properties along the west side of Old Woodward up to Quarton. (Ch.4)
 - d. Modify MX to enable the urban development envisioned for the Rail District. (Ch. 4)
 - e. Develop an Overlay Zoning District for the Lower Rail District that permits the existing, but somewhat improved condition to persist for the area south of Palmer Street. (Ch. 4)
 - f. Create zoning districts to enable neighborhood destinations. (Ch.1)
 - g. Create new zoning districts or modify the transition zone districts to encourage infill development of small homes, townhomes, duplexes, and small multi-family buildings, limited to Activity and Buffer Seams. (Ch.2)
 - h. Adjust residential zone boundaries and standards to better match existing housing. This requires a study of the city's residential architectural styles and building types, their key characteristics, position on their properties, driveway configuration, age, and the areas where each common type is located. (Ch. 3)
 - i. Encourage renovations to expand existing houses rather than the construction of new houses. (Ch. 3)
 - j. Review and update site, building, and design codes to prevent increased rainwater runoff and other negative impacts from new house construction. (Ch. 3)
 - k. Consider age-in-place-friendly building regulations, such as grab-bars, ramps, and elevators in single-family homes, with careful attention paid to the city's architectural heritage. (Ch. 3)
 - l. Address neighborhood lighting standards, including exterior residential lighting intensity and color temperature. See the International Dark Sky Association recommended standards. (Ch. 3)
 - m. Develop storefront design, signage, and other standards to retain the small-scale business character of Market North. (Ch. 4)
 - n. Enable Accessory Dwelling Units (ADUs) in already compatible zones: MX, TZ1, TZ3, and R4 through R8. Study ADUs for additional locations within the city and the regulations necessary to ensure compatibility. (Ch. 2)
 - o. Allow cafes, food trucks, carts, and kiosks in parks (currently the Public Property district). (Ch. 1)
 - p. Create subdivision and zoning standards to encourage redevelopment of the Adam's Square shopping center. (Ch. 1)
 - q. Establish zoning standards to encourage redevelopment of South Woodward Gateway properties. (Ch. 4)
 - r. Establish zoning standards to enable Neighborhood Sleeves in the South Woodward Gateway. (Ch. 4)
 - s. Establish zoning standards to enable shared-use alleys, particularly in the South Woodward Gateway. (Ch. 4)
 - t. Require adherence to LEED standards within the City's mixed-use districts and municipal buildings. (Ch. 5)

BEST PRACTICE RECOMMENDATIONS

- a. Collapse uses into the broadest categories possible, with detailed use specification only provided where absolutely necessary, and in limited areas.
- b. Combine the business, office, Downtown, Triangle, and mixed-use districts into a single set of mixed-use districts shared between all mixed-use areas. Low intensity mixed-use districts would only include the lower intensity mixed-use zones, and high intensity mixed-use districts the higher intensity zones.
- c. Revise residential districts to reduce the number of non-conforming structures by better aligning standards with existing structures.
- d. Ensure new zoning language is considered for simplicity and expediency, achieving regulatory goals in a manner clear to the general public.

Ch 2. Embrace Managed Growth

Update the Zoning Code

Downtown overlay

Triangle overlay

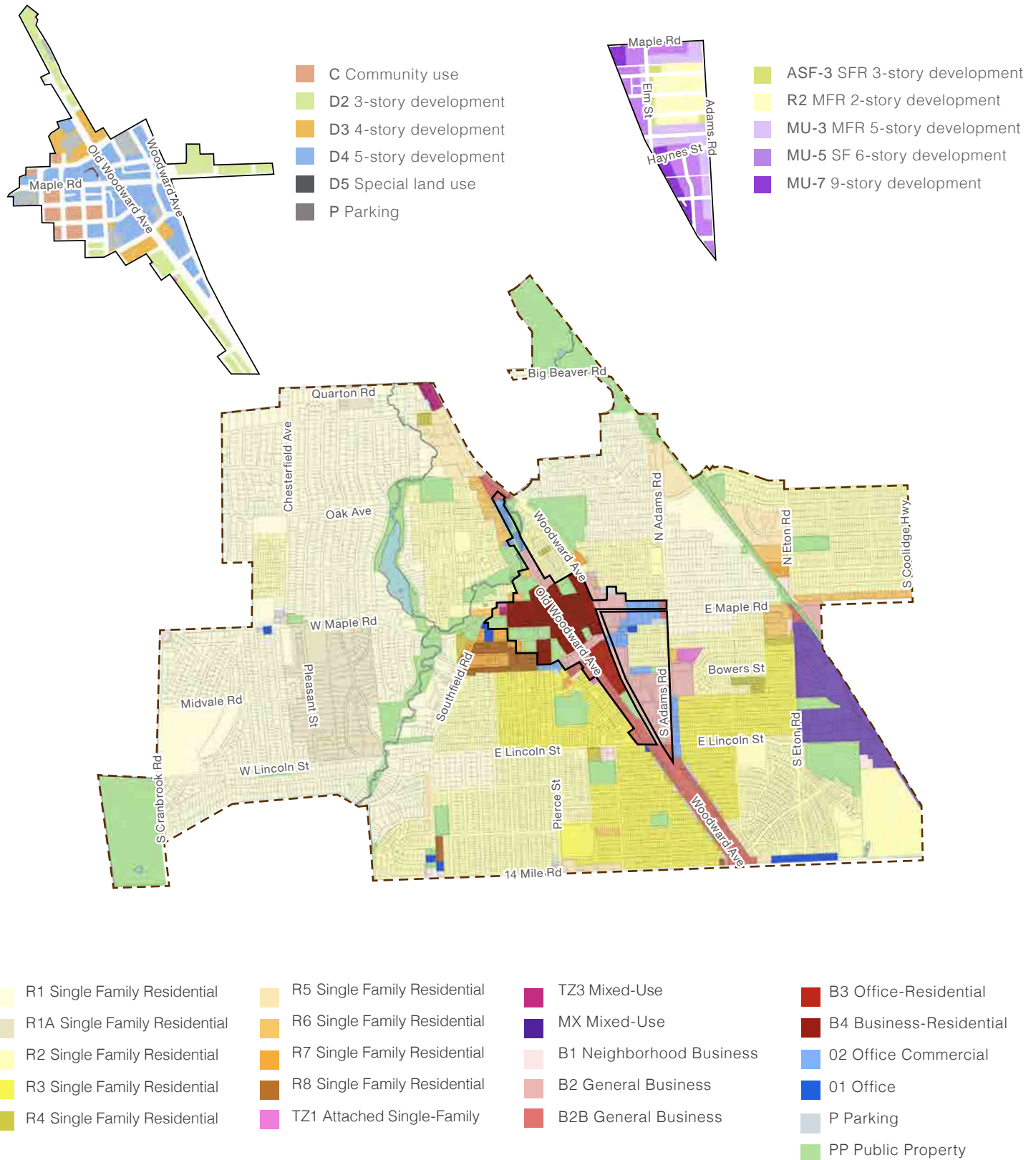


Figure 32. Existing Zoning Districts.

Ch 3. Retain Neighborhood Quality

Ch 3. Retain Neighborhood Quality

Equip Parks to Serve Neighborhoods

Equip Parks to Serve Neighborhoods

Birmingham's natural areas, parks, recreational facilities, and schoolyards are vital resources for its neighborhoods. These open space amenities are important both for public health and as places where neighbors interact. Each neighborhood should have nearby access to open space which is designed with a broad set of activities to support a range of ages and abilities. While some neighborhoods are well served with parks and open spaces, when analyzed from a Planning District basis, many lack sufficient services. A Planning District-based analysis should be completed to ensure that each neighborhood has access to diverse activities, within existing neighborhood parks or with programming at nearby community parks.

Parks and open spaces differ in their size, context, and ability to provide services. Larger, community parks provide numerous amenities, made possible by the park size. Because they are large, community parks are limited in number. As a result, each services a significant portion of the city, not only the surrounding neighborhood. Yet these parks must also provide neighborhood park amenities for nearby residents. This dual-purpose can cause conflict, where nearby neighbors attempt to limit their use and access. For instance, some residents have expressed serious frustration that dog runs have been excluded from neighborhood parks. The single run at Lincoln Hills Golf Course is insufficient for a city the size of Birmingham.

Open space amenities are a critical resource for quality of life across the city. To ensure each Planning District has sufficient access to these amenities, location, service area, and programming should be studied from this perspective. Amenities should be provided according to the size and location of each open space by type, and to ensure residents of

all ages are accommodated. Best practice recommendations are provided herein for consideration in a future update to the Parks and Recreation Master Plan.

While Birmingham boasts many parks and the Rouge River natural area, an open space amenity is not located within close proximity to all residents. Considering which parks are accessible by a short walk to most residents, the core portion of the city is well accommodated while edges have less access. Opportunities to add park space are limited but parks programming can be augmented to make up for missing or distant amenities.

Of all Planning Districts, Torry is most notably lacking park space. Already built-up there are few easy solutions to providing new open space. Two potential opportunities should be pursued: 1) open space may be required as a condition for redevelopment of the Adams Square shopping center, and 2) alternatively, the current post office site would accommodate a well-sized park if, within the horizon of this plan, the post office elects to vacate the property. As both options are difficult, the planned Worth Park in the Triangle District should be developed, however it would not fulfill all of the neighborhood's needs.

Quarton and Seaholm districts also lack official open park space for much of their Planning Districts. Like Torry, these areas have little opportunity for new open spaces. However, both neighborhoods utilize schoolyards as informal open spaces. The city should consider a more formal arrangement for neighborhood use of these spaces, including equipment and amenity needs to fulfill neighborhood park best practices. Officially using school fields as community and neighborhood parks requires approval from the school board and collaboration with the city concerning access, hours, liability, equipment, and maintenance. In a fully built community like Birmingham, school fields are one of the only opportunities to expand open space access and amenities. Similarly, religious and other institutions may also be engaged in formal shared amenity arrangements. Such an arrangement with Our Shepherd Lutheran School would provide needed amenities to the Torry neighborhood.



Figure 33. Kids playing in Booth Park.

Ch 3. Retain Neighborhood Quality

Equip Parks to Serve Neighborhoods

	Athletics	Food & Bev.	Garden	Dogs	Exercise	Play	Splash	Seating	Walkways
Mini Parks									
1. Baldwin Well								X	
2. Derby Well			X	X	X	X		X	X
3. Pump House					X			X	X
4. Redding Well			X		X			X	X
5. Lynn Smith			X		X			X	X
6. Martha Baldwin					X			X	X
7. South Well			X					X	X
Neighborhood Parks									
8. Crestview	X	X	X	X	X	X		X	X
9. Howarth	X		X	X	X	X		X	X
10. Linden	X		X	X	X	X		X	X
11. Pembroke	X		X	X	X	X		X	X
12. St. James	X		X	X	X	X		X	X
13. W. Lincoln Well Site	X		X	X	X	X		X	X
14. Adams Park	X				X	X		X	X
A. Adams Square	X			X	X	X		X	X
B. Quarton School	X			X	X	X		X	X
Community Parks									
15. Barnum	X	X	X	X	X	X	X	X	X
16. Kenning	X	X		X	X	X	X	X	X
17. Poppleton	X	X	X	X	X	X	X	X	X
C. Seaholm	X	X		X	X	X		X	X
Specialty Parks									
18. Booth		X		X	X	X	X	X	X
19. Rouge River								X	X
20. Shain		X				X	X	X	X
21. Quarton Lake			X	X	X	X	X	X	X
22. Museum								X	X
23. Manor					X	X		X	X
24. Springdale	X			X	X	X		X	X
25. Lincoln Hills	X			X	X			X	X
26. Worth Park		X						X	
26. Haynes Sq.		X			X	X	X	X	X

Figure 34. Recommended Park Amenities for Consideration in a Parks and Recreation Plan Update.

Ch 3. Retain Neighborhood Quality

Equip Parks to Serve Neighborhoods

MASTER PLAN ACTIONS

1. Expand the 2018 Parks and Recreation Master Plan or create a new plan beyond the 2022 horizon, including:
 - a. Differentiate parks by type to better determine appropriate amenities, services, and best practices.
 - b. Utilize Planning Districts to determine sufficiency of park access across the city, availability of amenities, and consideration of activities and recreation in each season. (See Fig. 34)
 - c. Formalize the public use of school and institutional open spaces for neighborhood recreation, prioritizing under-served Planning Districts.
 - d. Develop Worth Park to provide a portion of the needed open space for Torry.
 - e. Purchase part of the Adams Square parking lot for park space, or ensure that redevelopment would require that future park space be provided near Adams and Bowers.

PARKS BEST PRACTICES

Each type of park should provide specific amenities, as their size and configuration permits. Spaces should serve residents of all ages and include public art, signage, accessible paths, trash and recycling receptacles, and shaded seating.

Plazas are the most limited type of open space due to their small size. These paved areas primarily provide passive recreation with seating along their edges. Some may also include water features and splash pads. No plazas exist today, but they are proposed by this and other plans.

Mini parks, like the well sites, are mostly limited in size, serving an area of roughly 2-to-5 minutes walking distance. These spaces provide limited active recreation with trails, where exercise opportunities should be considered. Passive recreational opportunities are provided through seating areas and may be expanded with community gardens and small dog runs. Mini parks should have some lighting, but be limited in intensity and frequency.

Neighborhood parks are of a moderate size, able to provide a variety of amenities. They serve an area of roughly 5-to-7 minutes walking distance. These should include play

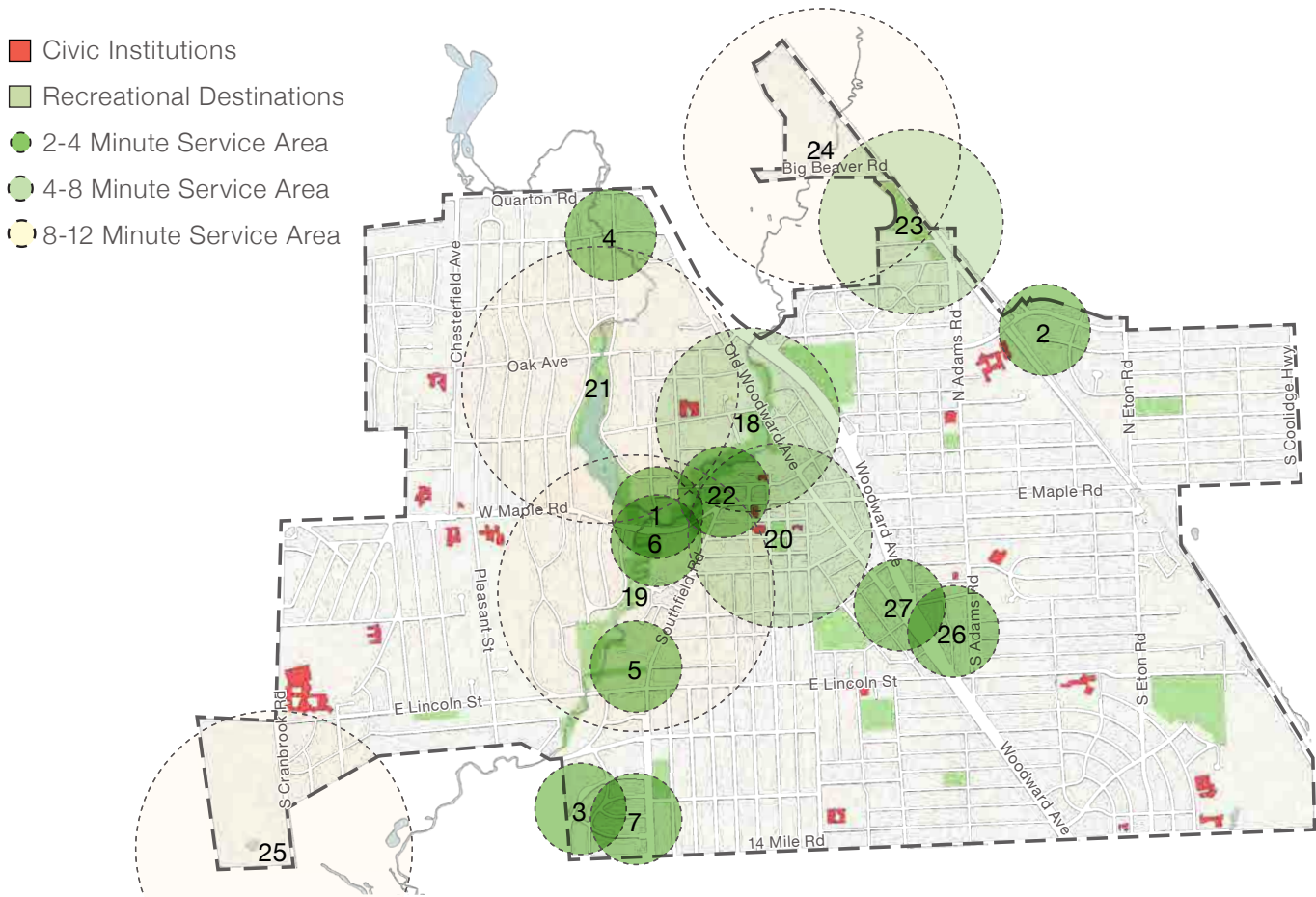


Figure 35. Birmingham Specialty Parks and Mini Parks.

Ch 3. Retain Neighborhood Quality

Equip Parks to Serve Neighborhoods

equipment for children, passive seating areas, and active amenities like tennis, basketball, and limited sports fields as space allows. Neighborhood parks should also provide bicycle parking and lighting, dog runs, and green stormwater infrastructure, and may provide community garden space.

Community parks are substantial spaces that should include a significant variety of amenities. These parks serve a neighborhood park function for those within a 5-to-7 minute walk, but also serve a much more significant population beyond this distance. Community parks should provide the amenities of neighborhood parks, and include more significant active recreational offerings, restrooms, and opportunities for food and beverage service through a small cafe or accommodations for occasional food service such as food trucks or vendor booths. They should provide ample bicycle parking, lighting, and some public parking, on- or off-street.

Specialized parks serve a very specific function due to their location, and should be considered on a case-by-case basis. These include the Rouge River Natural Area, Shain Park, and other special open spaces. Worth Park and Haynes Square are included in this category and require special programming consideration due to their locations.

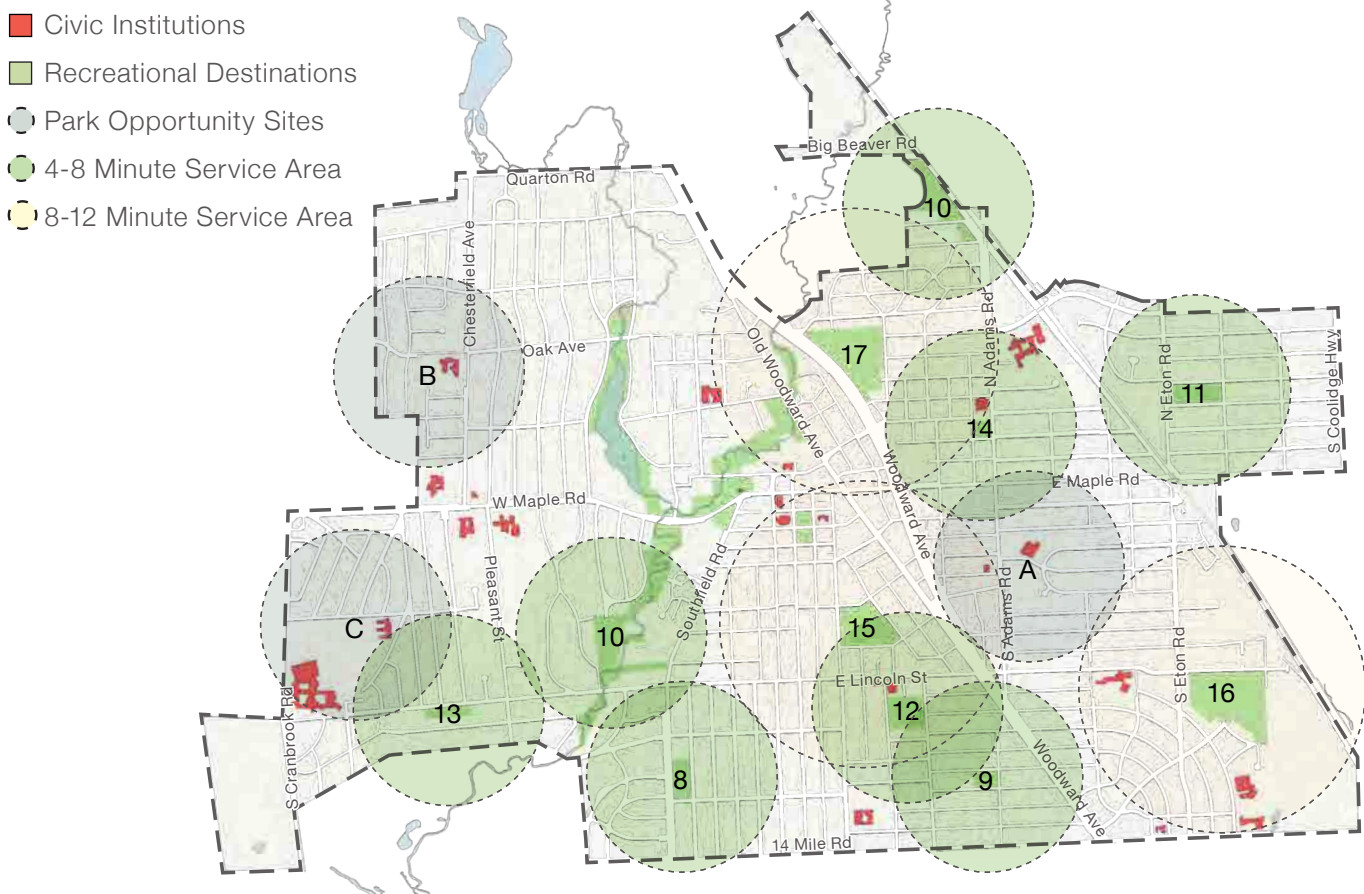


Figure 36. Neighborhood and Community Parks.

Ch 3. Retain Neighborhood Quality

Keep Streets Pedestrian-oriented

Keep Streets Pedestrian-oriented

Streets are the most pervasive public space in a city, and generally, Birmingham's streets are exceptionally beautiful and pleasant (See Fig. 37). However, moving cars is too often primary focus of street design, which results in widening to make driving easier. In most cases, widening neighborhood streets reduces their safety for pedestrians and bicyclists, reduces street tree canopy, and increases vehicle speeds. Fortunately, Birmingham has resisted calls to widen streets. As a result, the city retains a extensive tree canopy and pleasant streets to walk and bike along.

Yet today, calls for wider streets continue. If widened, cars will move more quickly and those streets become convenient ways to cut around areas of congestion. There are some streets in Birmingham are too narrow, like Westchester Way, paved approximately 16 feet yet operating two-way with parking. Streets narrower than 20 feet paved and operating two-way with on-street parking should be considered for a change to one-way or removal of some street parking, perhaps widening. Most other streets should not.

Beyond the space to accommodate automobiles, street design must consider pedestrian comfort and safety, bicyclist comfort and safety, and street trees for public health.

Pedestrian comfort and safety is influenced by the size and location of sidewalks. Birmingham's historic neighborhood standard was a minimum 4 foot sidewalk, which is insufficient by today's standards. In most neighborhoods, sidewalks should be a minimum of 5 feet wide, and 6 feet in neighborhoods near mixed-use districts or streets with multi-unit housing. The recently passed Residential Street Design Standard specifies a 5 foot minimum, which works for most places. In areas with smaller lots and multi-unit housing, sidewalks

should be at least 6 feet wide. In a mixed-use context, sidewalks should be wider, no less than 14 feet from curb to edge of right-of-way assuming a paved tree lawn with tree wells. Shared space streets are a special exception to be handled on a case-by-case basis.

Today, sidewalks are missing in numerous places, which should be surveyed and remedied. Similarly, street intersections which do not have accessible ramps to crossings should be remedied. These changes may cause trees to be removed, which should be replaced nearby to maintain the street tree canopy.

Bicyclist and micro-mobility comfort and safety is principally influenced by the speed of vehicles and availability of dedicated facilities. In most streets, narrow lanes result in slow car movement, which provide for bike and micro-mobility needs. But more so than cars, frequent stopping is extremely inconvenient. Bicycle boulevards should be considered to solve this issue, arranging intersection control to prefer bike and micro-mobility through movement and diverting cars to avoid cut through movement. Strategically located bicycle boulevards can also be used to reduce cut-through traffic, such as that between Quarton, Maple, Lincoln, and 14-Mile. Along streets with speeds above 25mph, however, dedicated facilities should be provided or other means of slowing traffic pursued.

The tree lawn is critical to street trees; sufficient root area results in greater canopy. Canopy health is very closely related with the health of residents, mental and physical, the ease of walking or biking along streets, and the success of children in school. In fact, programs exist across the country to re-establish urban tree canopies to improve the health outcomes of children. In neighborhoods, tree lawns should not be sacrificed for pavement width.



Figure 37. A pleasant, right-sized street in the Quarton district.

With these concerns in mind, the ideal roadway width will depend upon the right-of-way width and what the street should best accommodate. Lincoln is perhaps the most difficult decision point in Birmingham. It needs on-street parking but is also an important route for cyclists. Certainly Lincoln needs to sustain its tree canopy. And as a major vehicular connector, Lincoln must accommodate cars. With recent crosswalk improvements, the means of accommodating bicycles must be carefully considered. Today, Lincoln is too busy a street to feel safe for many bicyclists.

Standards were set for residential streets by the Multi-modal Transportation Board and City Commission due to recurring resident

Ch 3. Retain Neighborhood Quality

Keep Streets Pedestrian-oriented

requests for wider streets. The current policy sets a standard residential street at 26 feet from curb-to-curb where the right-of-way is 50 feet or greater and 20 feet with parking along one side where the right-of-way is less than 50 feet. The policy provides for modifications for a number of specific conditions that may legitimately require greater paving, such as school bus routes. Generally these standards align with best safety practices.

Current street roadway standards should be retained, and augmented to simplify the exception criteria, aligning it with future land use. Minor modification is also needed to accommodate wider sidewalks along district seams. The residential street standards provide a modification of roadway width from 26 feet to 28 feet where on-street parking is in more active use. Because on-street parking will be more actively used in neighborhoods with high intensity fabric, the standard here may default to 28 feet. Similarly, neighborhoods with low intensity fabric will have low on-street parking usage and should be less justified to allow for wider streets.

To further support pedestrian and bicycling safety, the standard residential street posted speed should be lowered to 20 mph. Unfortunately current legislation does not permit posting speeds below 25 mph. Across the world, including in other US states, “20 is Plenty” campaigns have reduced speeds on residential streets to 20mph or below. Legislative change is necessary to improve pedestrian and bicycle safety on neighborhood streets.

The main remaining issue with streets is parking beyond the roadway on unimproved streets as it encourages cut-through traffic and speeding. Once streets are improved this issue will be resolved.

MASTER PLAN ACTIONS

1. Update the Residential Street Standards, aligning the following streetscape elements with Future Land Use categories. Update the Multi-modal Plan accordingly. Additionally, Advocate for state legislation permitting municipalities to reduce posted speed limits below 25 mph.
 - a. Sidewalk width;
 - b. Planter width and type;
 - c. Type and extent of on-street parking;
 - d. Frequency of curb cuts; and
 - e. Width of roadway.
2. Update the Multi-modal Plan, including:
 - a. Study bicycle accommodation alternatives along Lincoln.
 - b. Complete gaps in sidewalks, add accessible corner ramps where not already specified, and replace street trees which are displaced by the process.

STREETSCAPE BEST PRACTICES BY LAND-USE CATEGORY

1. Mixed-use Center: 8 foot sidewalks or wider, excluding a paved tree lawn area; 5-to-6 foot tree lawn principally paved with tree wells; on-street parking both sides.
2. High Intensity Fabric: 6 foot sidewalk; tree lawns 6 feet or wider, appropriate for long tree wells or continuous planters; on-street parking both sides.
3. Medium and Low Intensity Fabric: 5 foot sidewalk; tree lawns 8 feet or wider; on-street parking on one or both sides.
4. High and Medium Intensity District Seam: 6-to-8 foot sidewalk; tree lawns 6 feet or wider, appropriate for long tree wells; on-street parking both sides.
5. Low Intensity District Seam: 6 foot sidewalk, tree lawns 6 feet or wider; on-street parking both sides.

Ch 3. Retain Neighborhood Quality

Replace Unimproved Streets

Replace Unimproved Streets

Many neighborhood streets in Birmingham are in disrepair. Residents are confused about the process to improve streets, which is exacerbated by unique situations in two parts of the community.

As is readily apparent, many neighborhood streets are in very poor condition. The situation is historic, related to the standards in place as far back as each neighborhood was initially developed. It has been incumbent upon neighbors to choose to improve their streets, and pay into that improvement based upon how much lot frontage they have along the street. To date, a significant number of residents have done just that, yet it leaves nearly 26 linear miles of streets unimproved. Most unimproved streets are easily recognizable in that they do not have curbs. Yet, to confuse the matter, about half of the unimproved streets have historic curbs. And

lastly, there is a section of Birmingham where sewer service is located in the rear lot, not in the street, which requires special consideration when improving streets.

The City Commission convened an Ad-hoc Unimproved Streets Committee (AHUSC) to study this issue. In late 2020, the committee issued its recommendations. A high-level summary of those recommendations are to: 1) change the process of initiating street repair to be instigated by the City; 2) use the City's general fund to pay for the non-utility improvements to streets and bonds to pay for the utility portion of improvements, reimbursed by residents through special assessment and utility rate fees; and 3) to prefer construction of concrete streets over asphalt for their longevity, with exceptions for low volume conditions.

With these well researched recommendations in place, adjustments to unimproved streets policy and the city budget are required, along with a strategy for prioritizing streets to

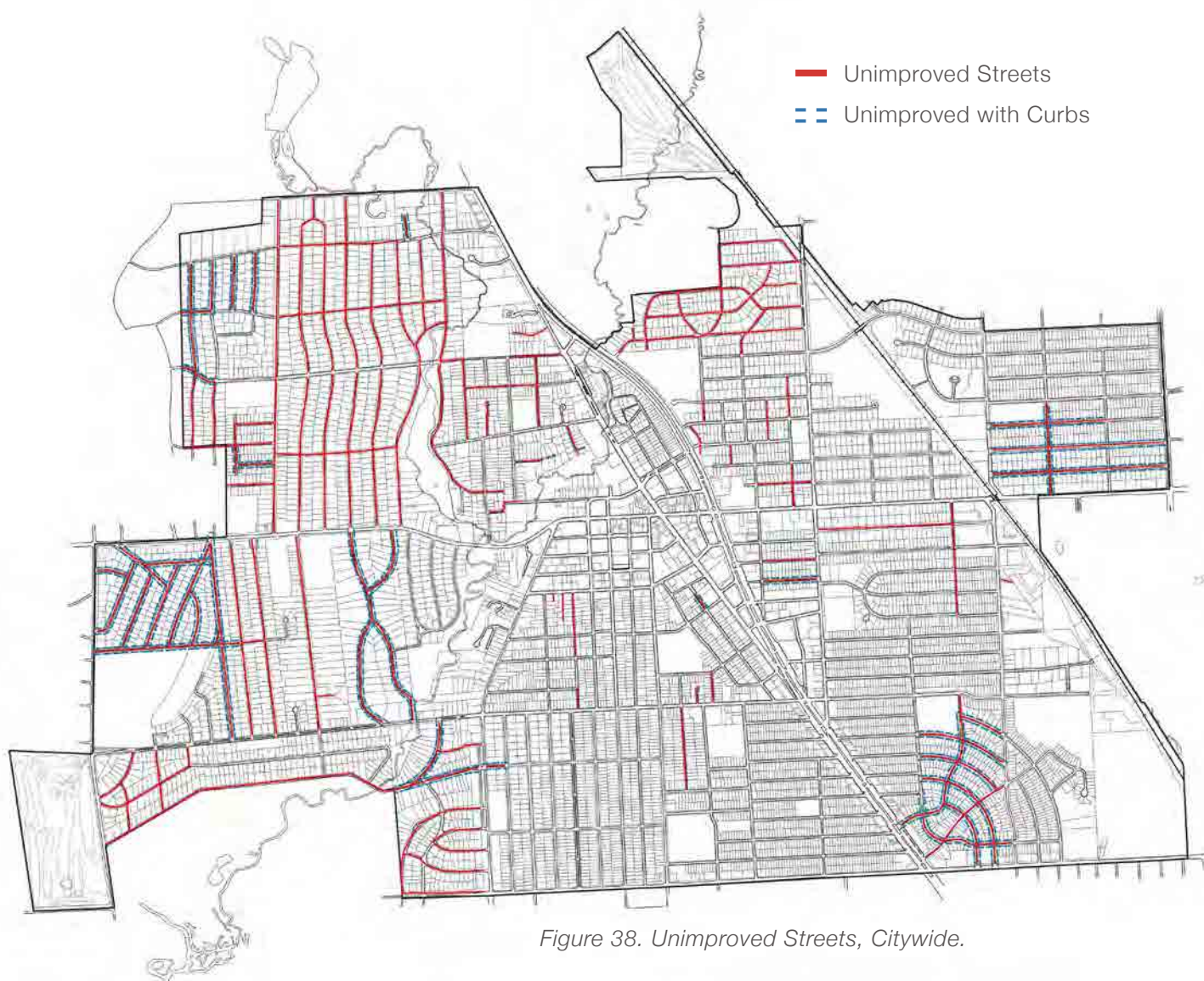


Figure 38. Unimproved Streets, Citywide.

Ch 3. Retain Neighborhood Quality

Retain Street Tree Canopy

improve. A consistent approach is recommended, ensuring funds are regularly allocated to carry on improvements. From a priority standpoint, the current condition of unimproved streets should be surveyed to categorize the state of disrepair. The stormwater condition of streets is a particularly important element to consider as streets with stormwater problems will deteriorate more quickly than others and work done to improve streets can also address some or all of the stormwater issues. To work through the list of repairs, consideration should be given to equitably distribute repairs throughout the city so that one Planning District is not prioritized over another. This can be done by ensuring that more than one Planning District receives repairs in any year. Some districts, like Quarton and Seaholm, are almost entirely unimproved and may receive a greater share of improvements than others as a result.

MASTER PLAN ACTIONS

1. Adopt policy recommendations specified by the Ad-hoc Unimproved Streets Committee (AHUSC), including the following:
 - a. Establish a yearly budget to remedy unimproved streets, considering the general fund plus bond strategy and repayment timelines recommended by the AHUSC.
 - b. Survey the current condition of unimproved streets, categorized by the current quality such that streets in the most extreme states of disrepair can be prioritized for improvement. Stormwater issues should receive special priority.
 - c. Remedy unimproved streets according to the repair priority and budget, ensuring improvements occur in multiple Planning Districts each year.

Retain Street Tree Canopy

Birmingham's downtown and neighborhoods benefit from a rich tree canopy, increasing house values, public health, and sustainability. This street tree canopy should be protected, well maintained, and prepared for a changing climate. At present, the City works to diversify tree species, which is important in avoiding disease. Considerations should also be made to select species that will better fit the area's future climate. Much of the community is well stocked with trees but some streets, like Brown and 14 Mile, have gaps in the street tree canopy, sometimes spanning an entire block.

Most substantially, the City's commercial districts have severe street tree gaps, including entire streets without trees. Maple and Woodward have more consistent trees than elsewhere, with limited gaps such as Willits. However, streets like Merrill appear to have insufficient root area, resulting in small and ineffective trees. New plantings with the recent Woodward and future Maple streetscape projects have extended the root area to support a healthier tree stock, which is necessary elsewhere. The Triangle and Rail Districts have few street trees at all and are in need of streetscape redesign. Plantings are especially needed in these areas to fight the urban heat island by shading sidewalks and roadways, and to provide relief for pedestrians.

MASTER PLAN ACTIONS

1. Create a Tree Canopy Improvement Plan, including:
 - a. Establish comprehensive policies for trees in streets and open spaces.
 - i. Select large canopy species for streets and parks, native to the region and resilient for its' future climate, retaining the character of each neighborhood's distinctive canopy.
 - ii. Minimize overly-used or exotic species, such as Crab Apple, Honey Locust and Pear Trees.
 - b. Create 5-, 10-, and 15- year goals to expand tree canopy cover.
 - c. Study the condition of neighborhood tree canopies in parks and private spaces and potential improvements.
 - d. Require that trees removed due to construction be replaced, as well as mandatory contributions to fund new off-site trees.
 - e. Prevent existing, healthy trees from being removed due to new construction.
 - f. Survey areas with constrained root area and establish a plan to add additional soil volume.

Ch 3. Retain Neighborhood Quality

Revise Parking Restrictions

Revise Parking Restrictions

Parking policies within Birmingham neighborhoods confuse visitors and residents and are difficult if not impossible to enforce. Current posted requirements differ substantially throughout the City to such an extent that the Police Department can only enforce by complaint. Decades of block-by-block modifications have eroded the public nature of streets.

The source of resident requests are real problems created by parking overflow in key areas of the City, but there is a mismatch between the conditions creating problems and the number and location of solutions. Residents are understandably concerned with parking spill-over from nearby non-residential uses. City staff is concerned that removing parking exacerbates parking spill-over, the complexity of regulations is difficult to enforce, and that street parking is a public good.

Observations in the Rail District and Seaholm corroborate these concerns (See Fig. 39). Rail District regulations have been created to limit nighttime use of on-street parking to ensure residents have available parking, resulting in 8 different parking standards within a small area. Seaholm regulations have been created to limit daytime student parking, resulting in 12 different parking standards within a small area.

These conditions studied represent a small segment of the city which has many more areas with additional, complex requirements. Some areas have entirely removed parking, which encourages speeding - another issue of concern to residents. In many cases the perception of insufficient parking is not in step with the actual availability of parking, however, the complexity of restrictions contributes to violations.

To reduce excessive complexity that leads to enforcement difficulties, and to solve for the real issues of spill-over parking, the city should begin anew with a simplified selection of standard restrictions. There is far too much variation in existing restrictions to adjust them one-by-one. A committee should study the situation citywide and establish a limited set of options and a plan to re-assign parking restrictions. The option to have no parking restrictions at all along streets should be the default preference where there is not a clear conflict caused by adjacent mixed-use districts or institutions.

MASTER PLAN ACTIONS

1. Study citywide street parking restrictions and permits, charged with:
 - a. Creating a consistent and limited set of citywide parking standards. An example of such a set follows:
 - No restriction
 - 2-hour parking from 9am to 4pm, except by permit (this addresses daytime parking issues from students and downtown workers)
 - Parking by permit only, 5pm to 10am (this addresses nighttime parking issues from food service)
 - Neighborhood Parking Benefit District, used in association with (b) or (c) above.
 - b. Creating a plan to re-assign street parking restrictions citywide for greater consistency.
 - c. Establishing a consistent residential permit system to service those neighborhoods that choose to use such a system which includes permit fees to cover costs, decals, and visitor rear-view mirror tags purchased separately from the residential permit. The existing permit systems may suffice to operate more broadly.

Ch 3. Retain Neighborhood Quality

Revise Parking Restrictions

EXISTING PARKING RESTRICTIONS

TORRY AT THE RAIL DISTRICT:

- 15 Min Parking 8am-9am Except Sun. & Holidays
- 2 HR Parking 6am-4pm Except Sat, Sun., & Holidays
- 2 HR Parking 8am-6pm Except Sun. & Holidays
- 2 HR Parking 9am-6pm Except Sun. & Holidays
- 2 HR Parking Limit
- No Parking Anytime
- Parking Allowed, All Times
- Permit Parking Required at All Times



SEAHOLM AND LINCOLN HILLS:

- 2 HR Parking 9am-5pm Except Sat, sun, & Holidays
- No Parking 8am-6pm
- No Parking, 7am-9am Except Sun. & Holidays
- No Parking, 8am-6pm Except Sat., Sun. & Holidays
- No Parking, 8am-6pm Except Sun. & Holidays
- No Parking, M-F 7am-2pm
- No Parking, School Days 7am-3pm
- No Parking, School Days 8am-10am
- No Parking, Sunday 7am-1pm
- Parking Allowed, All Times
- Parking Permit 7am-4pm School Days
- Residential Permit Parking



Figure 39. Sample of Existing Parking Restrictions

Ch 3. Retain Neighborhood Quality

Retain Housing Character

Retain Housing Character

The value of properties in Birmingham has risen such that the cost of purchasing and demolishing existing homes is viable. Some parts of the City have already been significantly rebuilt and the trend is moving into other neighborhoods. Many residents feel that the scale of new homes are overwhelming and out of character with their neighborhoods, the result of both trends in building larger homes and a lack of coordination between the existing housing character and zoning standards. While the City has implemented progressive design standards for garage placement and overall construction management, many of the new houses are, in fact, oversized for their lots and often negatively impact surrounding households. Except in historic districts, new houses are not evaluated for the appropriateness of their architectural design or building materials by a review board or committee. New house plans are only reviewed for compliance with building codes and required site engineering regulations.

House design and consumer preferences have changed since Birmingham's neighborhoods were first developed. The original prewar houses were usually modestly designed and downplayed the home-owners wealth or lack thereof. Large houses and manors were broken up into a series of smaller volumes which effectively disguised their overall volume and, with commensurate architectural details, gave them the appearance of matching the scale of neighboring houses. Most of Birmingham's original houses were constructed with quality craftsmanship and designed with architectural massing and details intended to blend into the neighborhood rather than command attention. Following trends in

today's housing market, many new homes are designed to stand out and be noticed, rather than harmonize with and complement neighboring houses.

Additions to existing homes should be encouraged as a way to accommodate changes that the market desires without eroding neighborhood character. Often the driver of new construction is market demand for additional bathrooms, a master suite, closet space, larger kitchens, and larger garages, which tend to be lacking in older homes. While it is often easier to tear down an existing home and build a new one, this is a destructive process that creates significant waste and impacts neighborhood character. Renovation and addition could be encouraged through a number of policies such as: a fast-tracked approval process (requiring a slowing down of new construction approvals), waived fees for review and inspection, and increased lot coverage allowances at the ground level (not second story). While additions and renovation cannot be required, they may be encouraged.

Leveraging historic districts is another means of controlling the pace of demolitions, providing review of the scale and character of new housing, and encouraging renovation. Expanding existing historic districts and landmarks, and establishing new districts would provide oversight of new construction and renovation in many areas of the city. The Historic District Commission (HDC) should actively study and establish new historic districts and landmarks throughout the city. Additionally, HDC review authority should be strengthened in consideration of demolitions and renovations.

Lastly, light intensity and color is an often overlooked quality of Birmingham's neighborhood streets. Some new homes have been built with lighting that is too intense, degrading the calm character of Birmingham's neighborhood fabric. Lighting should be subdued generally, avoid spillover onto neighboring properties, and be oriented downward not outward. Luminaires should be shielded to eliminate glare and limited in individual intensity. Multiple bulbs of lower intensity can provide the same light coverage without glare or hot spots. Color temperature is also keenly important. Light that is towards the blue end of the spectrum, higher color temperature, disrupts natural human cycles when used at nighttime. Color temperature should not exceed 3500 Kelvin after dusk. Currently the Zoning Ordinance uses Illuminating Engineering Society of North America (IESNA) standards

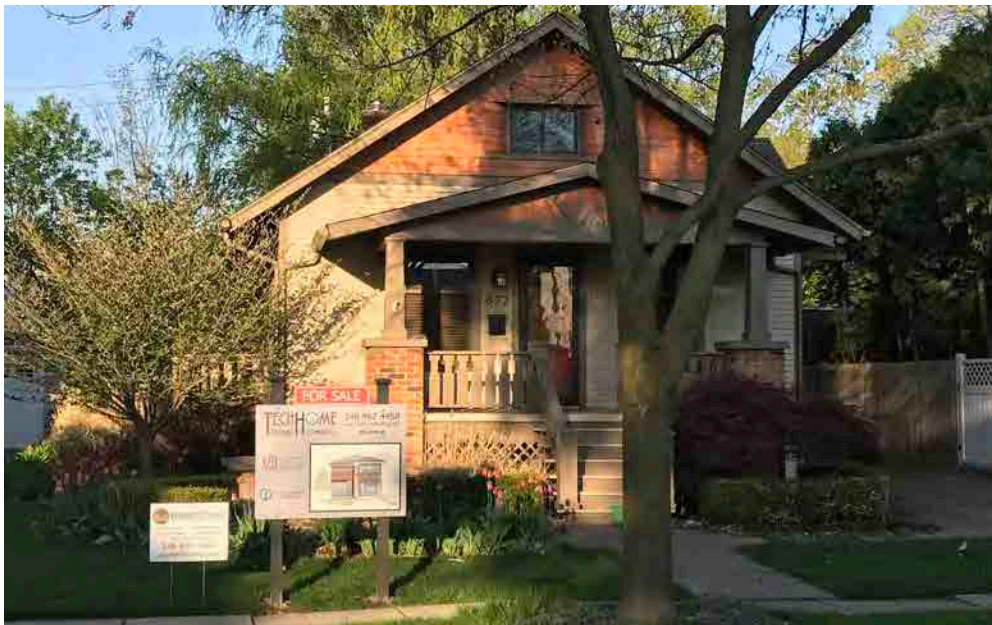


Figure 40. Historic home with a sign marketing demolition for a larger home.

Ch 3. Retain Neighborhood Quality

Retain Housing Character



Figures 41 & 42. Infill housing on two sides of one street, older homes (left) and new homes (right).

as a baseline, IESNA Zone E4 for everything R4 and above. Neighborhood illumination is not regulated, which is clearly in need. The International Dark Sky Association model standards are recommended in place of IESNA standards. These standards should be evaluated for use in neighborhoods as well as for adjustment or replacement of existing zoning requirements concerning lighting in R4 and above.

Similarly, the color temperature and intensity of streetlights requires study to avoid issues similar to residential exterior lighting. Across the country many cities have switched to LED streetlights. This is a recommended practice for maintenance and energy usage but the fixtures and luminaires must be carefully selected. LED streetlights produce more glare and hotspots than prior technologies. The earliest models, still available, are set to color temperatures that are

too blue. As the city contemplates a change in technology, common pitfalls should be avoided, ensuring: luminaires are shielded with globes or similar devices that scatter light; luminaires have a color temperature no greater than 3500K; and that poles be installed more frequently, at a lower height, to achieve the desired light level while avoiding glare, excessive intensity, and hot spots.



Figure 43. High quality contemporary infill, in scale with neighborhood fabric.

Ch 3. Retain Neighborhood Quality

Retain Housing Character

MASTER PLAN ACTIONS

1. As part of a zoning code update:
 - a. Adjust residential zone boundaries and standards to better match existing housing. This requires a study of the city's residential architectural styles and building types, their key characteristics, position on their properties, driveway configuration, age, and the areas where each common type is located.
 - b. Encourage renovations to expand existing houses rather than the construction of new houses.
 - c. Review and update site, building, and design codes to prevent increased rainwater runoff and other negative impacts from new house construction.
 - d. Consider age-in-place-friendly building regulations, such as grab-bars, ramps, and elevators in single-family homes, with careful attention paid to the city's architectural heritage.
 - e. Address neighborhood lighting standards, including exterior residential lighting intensity and color temperature. See the International Dark Sky Association recommended standards.
2. Adopt a policy to expand the inspection process for new house construction to ensure that they are built per approved plans to minimize negative impacts on surrounding properties.
3. Adopt a policy to proactively establish new historic districts as well as landmarks.
4. As part of a Multi-modal Plan update, adopt a policy regulating street lighting, including intensity, color temperature, luminaire, and pole height and frequency.

BEST PRACTICE RECOMMENDATIONS FOR RESIDENTIAL LIGHTING

- a. Residential lighting standards should address:
 - a. Maximum luminaire intensity,
 - b. Color temperature range,
 - c. Shielding and directionality, and
 - d. Spillover.
- b. Street lighting standards should address:
 - a. Maximum luminaire intensity,
 - b. Color temperature range,
 - c. Shielding and directionality,
 - d. Lamp design, and
 - e. Pole height and spacing.
- c. Consider the International Dark Sky Association model standards.
- d. Consider aligning lighting intensity restrictions with the Future Land Use categories for neighborhood fabric intensity where high intensity fabric justifies higher lighting intensity and low intensity fabric justifies lower lighting intensity. Dark Sky LZ1 may be appropriate in low intensity fabric and medium intensity fabric areas, LZ2 in high intensity fabric areas, and LZ3 in the city's mixed-use districts.

Ch 4. Support Mixed-use Districts

Ch 4. Support Mixed-use Districts

Continue Improving the Maple & Woodward District

Continue Improving the Maple & Woodward District

Maple and Woodward (Downtown Birmingham) is a vibrant urban center that is the envy of many other communities. Although its population is only 21,000, Birmingham has a commercial core the size of a city of 200,000. The city's assortment of shops, restaurants, parks, offices, civic buildings, and entertainment venues offers an exciting, safe, and walkable lifestyle to its residents. It also draws people from throughout the region. Like any dynamic urban center, downtown continues to address challenges such as affordability, conflicting commercial and residential interests, rapid growth, adequate parking, and effective traffic management.

Active Sidewalks

Given Downtown's walkability and scale of commercial presence, it has only a moderate amount of weekday pedestrian traffic. During the weekends Birmingham's downtown pedestrian traffic has noticeably fewer visitors than Downtown Royal Oak and Detroit. Combining offices, services, and housing means that a district can be busy day and night, which provides a more robust customer base during most hours of the day. Increasing housing in downtown can shift the balance, further bolstered by increasing events, improving streetscapes, and activating Downtown's open spaces.

Old Woodward, between Hamilton and Merrill Streets, West Maple, and Pierce Streets carry the most pedestrian traffic. This is the core of the Maple and Woodward district. Due to their size and volume of traffic, both Maple and Woodward perform poorly for restaurants compared to smaller streets with intimate outdoor dining experiences, as is found along Merrill and Pierce. Similarly, Hamilton boasts a collection of smaller businesses in a vibrant environment, but is negatively impacted by the bank on the corner, deadening 350 feet of Hamilton at the most critical retail intersection.

To expand active use of street spaces, shared space streets should be considered, which reduce, but does not eliminate, cars, optimizing for dining areas, public seating, and community events extending into the street. Shared space streets would require repaving to be similar to the paving found within Shain Park, and designed to accommodate clusters of public seating, public art, and bike racks. Merrill between Old Woodward and Shain Park, and Pierce between Maple and Merrill are both viable

options. Shared space streets require active businesses along the edges, ideally with a strong mix of food service to occupy street space with seating. Community events may close shared space streets on a regular basis. Along with the street design itself, social districts should be considered, which allow for barrier-free alcohol consumption over a defined area. These would allow dining and seating areas to integrate into the space without walls or other barriers that restrict movement.

The seasonal dining decks proposed in the Downtown Birmingham 2016 plan have successfully expanded the afternoon and early evening street life. The popularity of these decks has increased the demand for downtown parking at the same time that their implementation has decreased the number of parking spaces available to both diners and shoppers. Yet the pandemic has made outdoor dining necessary, a trend likely to continue in good weather. As a result, two solutions should be pursued in parallel: the use of technology to make parking easier to access and locating other opportunities for outdoor dining that do not displace parking. Technology may relieve some amount of the street parking problem in Downtown by making garages easier to access and adjusting the supply of on-street parking through pricing cues.

Outdoor dining next to the curb or building facade should be encouraged, with special attention to ensure that fencing does not limit the mobility of pedestrians on the sidewalk. Today a few instances of fenced outdoor seating significantly restrict sidewalk width; a minimum 6 foot clear path should be required along the sidewalk even if the sidewalk is not 6 feet wide. Where streetscape projects make curb changes, space at corner and mid-block bulb-outs may be used for dining. And alleys and passageways should be



Figure 44. Old Woodward following the recent streetscape redevelopment.

Ch 4. Support Mixed-use Districts

Continue Improving the Maple & Woodward District

considered where dining in those locations is convenient for an adjacent business.

Old Woodward, being the largest and most trafficked roadway, requires the greatest consistency and quality of storefronts, with more transparency than the smaller streets. The new streetscape is an improvement for pedestrians, but at present it lacks adequate public seating. In fact, throughout the Maple and Woodward area, and in other mixed-use districts, public seating is lacking. New seating installed with the recent streetscape project is out of character with Birmingham and should be replaced by benches with backs, like those found in Shain Park.

Bike parking and micro-mobility corrals are also lacking throughout the district. As micro-mobility has yet to become a concern locally, addressing bike parking should come first, but micro-mobility will arrive soon. Bike racks are most easily accommodated in bulb-outs at intersections where they can be installed perpendicular to the curb, accommodating 3 or 4 U-racks.

Public Space

Downtown boasts a wide variety of parks from its' collection of pocket parks, to the formal square of Shain Park, and Booth Park and the Rouge Trail. Shain Park is active on a daily basis, due to its variety of amenities and its visibility. Other park spaces in Downtown could be improved with additional amenities and better visibility and connections.

Signage and trail connections would make existing park spaces more accessible from Downtown. Directional signage throughout Downtown should direct people to the area's parks and trails, in addition to key landmarks and institutions. To access these destinations, a few key connections

should be added. From Maple and Woodward, Booth Park feels separated, more a part of Market North. The Bates Street Extension recommended in the 1996 plan should be pursued, particularly with a focus on connecting Maple and Woodward to Booth Park and the Rouge River trails. Where the Willits Trail meets Maple at the Birmingham Museum, the museum's entry with seating and the bell should more clearly connect down the slope and into the trail system.

Seating at both Shain and Booth Parks does not accommodate visitors during peak hours. Shain Park's movable seating has been a good addition which should be expanded. More regular park benches should also be installed around the central loop. In major cities, the central loop would be entirely lined with benches, which is too much for Birmingham's character, but the supply should be greatly increased. Booth Park has a well used set of play structures but very few additional accommodations. The entry is underwhelming, an ideal location to get information, a beverage, and to have seating opportunities either in a plaza space towards the entry corner or a more naturalistic setting further into the park and along the Rouge River trail. Shain and Booth Park's lack of food and beverage offerings could be rectified by opening a small café or coffee shop, or providing connections and allowances for mobile vendors, either of which would enhance park-goers' experiences and draw more people to the parks during the daytime.

Downtown's pocket parks, however, are underutilized at all times. The Old Woodward-Oakland pocket park's size is limited and its use is inhibited by the vehicular turn lane along its southern edge. The 1996 Downtown Plan recommended removing this south vehicular lane and expanding the park, which would improve the park's appeal, the walkability along Old Woodward, and the pedestrian linkage between the

Market District and downtown. Each of Downtown's pocket parks would benefit from additional seating and public art. The Pierce-Merrill space has sufficient public art but no seating, and Pierce-Brown also has no seating. The plaza at the Library's entrance also lacks seating and other amenities, which will be provided through the Baldwin Public Library Long-Range Building Vision Plan.

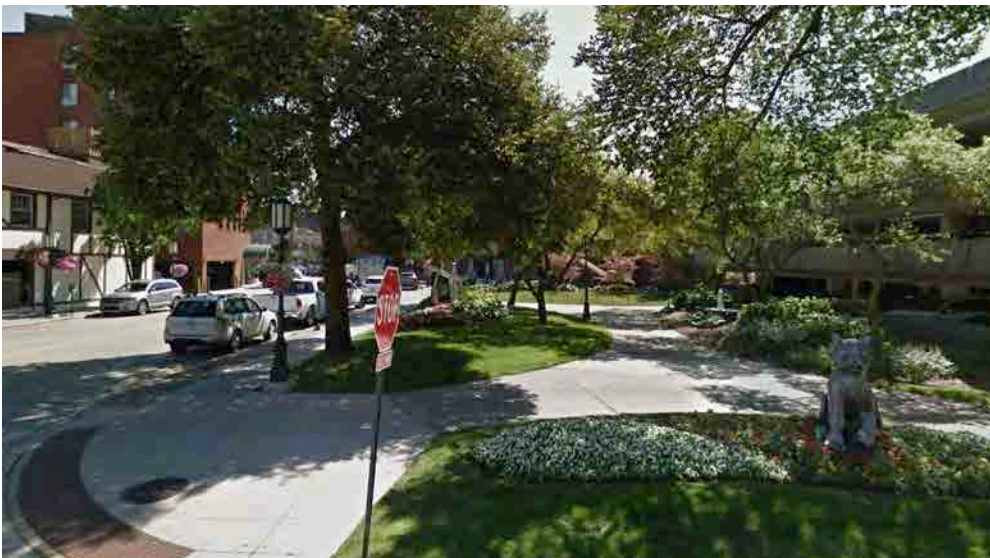


Figure 45. The Pierce-Merrill pocket park.

Ch 4. Support Mixed-use Districts

Continue Improving the Maple & Woodward District

Parking

Many parking issues in the Maple and Woodward District are common to all mixed-use districts where there is an imbalance between housing and commercial uses. Municipal parking downtown operates at around 90% occupancy (2019) and the district is growing. During its busiest periods, valet services are employed to fully utilize rooftop capacity which is otherwise not preferred by drivers. While the roughly 5-10% available capacity seems right-sized for the district, monthly passes for Downtown workers have a significant waiting list and parking continues to spill-over into adjacent neighborhoods. While parking occupancy decreased significantly at the height of the Covid-19 pandemic, the future growth and intensification of the district will continue to strain the parking supply.

Continued growth and success Downtown is important for the continued success of Birmingham. In each of the City's major plans, post-1929, increasing parking capacity has been recommended. The City's current insufficient supply is a result of not following those recommendations in a timely manner. The Bates Street Extension (recommended in the 1996 Downtown Plan) was recently pursued but a bond measure failed to garner support. Parking in this location should be studied once more, along with the parking study recommended for Lot 6 in Market North.

The City has considered resident requests to add secure bicycle parking to garages and spaces for electric vehicle charging. Both of these proposals should be pursued. However, there is not capacity to remove many regular vehicle spaces. Some recent trends are likely to reduce future parking demand, like the rise of Transportation Network Companies, re-balancing housing and commercial in the

Downtown, and reduced rates of teen driving. Autonomous vehicles (AVs) are also a future consideration, however, at this point in time AVs are still in development and are not likely to see widespread usage until the end of this plan's horizon. At present it remains unclear whether AVs will reduce traffic and parking demand or increase it. To address this timing issue, another set of parking analysis will likely be needed in 10 years. In the meantime, more parking is needed and will continue to be needed for at least the next 15 years. The best short-term strategy is to invest in parking, but construct garages that may be converted to other uses in the future.

While parking across Woodward in Haynes Square / Triangle District is somewhat remote, the area is in need of parking investment and may be able to accommodate some Downtown / Maple and Woodward workers. A parking deck here should be pursued immediately in order to jump-start development and provide some alleviation for parking demand Downtown (as discussed in the sections addressing Haynes Square).

In addition to capacity, the downtown parking district is pursuing a number of technological solutions. In the garages, they intend to test a pay-by-phone near field communication (NFC) system aimed at reducing the lines entering garages. In the broader mixed-use district discussion in Chapter 1, smart signage is recommended to direct users towards garages with capacity and away from those at or near capacity. Metered parking has recently been equipped for monitoring and demand or tiered pricing, which allows prices to be adjusted electronically. These systems are used to balance where people park by manipulating meter rates on a per-block basis. This should be pursued and monitored, but rates should not be changed too frequently. Together these technologies will help the existing parking supply feel less constrained.

During the master plan design charrette, numerous attendees stated that the monthly parking pass rates are extremely low in Birmingham, recommending that they be raised. Fees should be set to be competitive with other jurisdictions. The additional funding created by increased fees should be reinvested in building new parking capacity, technological improvements, safety, lighting, and aesthetic improvements.



Figure 46. The Library's entrance plaza.

Ch 4. Support Mixed-use Districts

Continue Improving the Maple & Woodward District

MASTER PLAN ACTIONS

1. Adopt a policy requiring a minimum 6 foot clear path along the sidewalk be retained throughout mixed-use districts.
2. Establish a Civic Events Board or extend the role of the Public Arts Board, tasked with expanding activities and special events to attract office workers and residents to shop and dine downtown, including weekly food-truck events at Shain Park.
3. Update the Multi-modal Plan to address micro-mobility, increased pedestrian activity due to new downtown housing, and recent experiences with increased outdoor dining. See Multi-modal Plan update recommendations.
4. Update the Parks & Recreation Master Plan, including increased amenities and connections in Downtown's parks. See parks and recreation plan updates for specific recommendations.
5. Create a Mixed-use Districts Parking Plan, including:
 - a. Provide way-finding and informational signage for public parking.
 - b. Provide public parking as recommended in the 2007 Triangle District Plan.
 - c. Study monthly parking pass fees.
 - d. Study tiered parking rates for different garages.
 - e. Study tiered parking meter pricing in Downtown. A best practice goal is to achieve an average maximum 85% occupancy all streets.
 - f. Study secure bike parking and electric vehicle charging stations within parking garages.
 - g. Study the Bates Street Extension along with Lot 6 in Market North.
 - h. Study technological improvements to ease usage of parking garages, such as parking space occupancy indicators (green and red lights above spaces) to more easily direct users through the garages.
6. Implement an art-mural program for large blank wall surfaces in key locations. Coordinate with the Mixed-use Districts Branding Plan.
7. Study shared-use streets, including a shared-use streetscape retrofit along with a social district in the Maple & Woodward district.
8. Review master plan parking recommendations in 2030-35 to evaluate new technologies and trends.

MULTI-MODAL PLAN UPDATES

- a. Install benches with backs and armrests throughout the Downtown area.
- b. Increase bike parking within the public streetscape throughout Downtown, especially at corner and midblock bulb-outs which support multiple racks.
- c. Reserve space for micro-mobility storage at corner and midblock bulb-outs along with bike parking.
- d. Expand the distance of corner curb extensions at street intersections and midblock to accommodate public seating. Permit outdoor dining in these seating areas for abutting businesses.

PARKS AND RECREATION PLAN UPDATES

- a. Increase the amount of seating in Shain, Booth, and the City's pocket parks with benches.
- b. Expand portable café seating in Shain and Booth Parks and on all widened sidewalks.
- c. Open cafés in Shain and Booth Parks with public restrooms and limited food and beverage offerings.
- d. Expand the Oakland – Old Woodward pocket park by removing the south vehicular lane, per the 1996 Downtown Plan recommendations.
- e. Add paths and seating to the Pierce-Brown pocket park.
- f. Integrate the Birmingham Museum into the Rouge River trail and park system, including more connections and signage Downtown.
- g. Add green stormwater infrastructure to parks and pocket parks.

Ch 4. Support Mixed-use Districts

Establish Market North as a Distinct District

Establish Market North as a Distinct District

Historically, the 1/3rd mile-long Market North – Old Woodward retail district has been identified with a clearly different character from the core Downtown. It has now become a dining and shopping destination of its own. North Old Woodward has transitioned from a collection of fine art galleries into a busy dining district. The district requires its own identity, branding, and focus on its specific needs independent of other districts. Because it hosts a popular seasonal farmer's market, and following the aptly named Market North End restaurant, it is recommended that the area be called Market North. The future of Market North is bright but it should retain its character of small shops and restaurants, and a street life distinct from Maple and Woodward.

Active Sidewalks

The implementation of the 1996 Downtown Plan's traffic-calming design for Old Woodward, which reduced the number of lanes and inserted a landscaped island, has significantly slowed vehicular speeds and improved the area's walkability. But problems still exist such as the pedestrian crossing at Harmon and Old Woodward, which can be dangerous at times. Further north along Old Woodward, traffic increases in speed and pedestrian crossing opportunities are non-existent, clearly missing at Vinewood Ave. North of Harmon St, Old Woodward needs to be redesigned to slow traffic and focus on increasing street parking and pedestrian crossings, especially in anticipation of increasing redevelopment.

Market North's district character should be reinforced at the connection between the sidewalk and building facades. Currently some storefronts and signage are unattractive and incongruous with Birmingham's upscale character and image. This district is distinct from Maple and Woodward in storefront design, featuring less glazing and more small-scale business facades (See Fig. 47). Streetscape elements like benches, trash cans, and signage should also be unique.



Figure 47. Character of small scale businesses.



Figure 48. Small scale outdoor dining.

Unlike Maple and Woodward where restaurants have large seating areas in dining decks, Market North maintains a character of smaller cafes and even ice cream stores with limited outdoor seating. This treatment should be encouraged in new buildings, with intimate cafe spaces and some outdoor dining along the building and the furnishing zone (See Fig. 48).

Public Space

Market North is anchored by Booth Park and the farmers market. Booth Park provides direct access to the Rouge River trail system, and occupies nearly 500 feet of Old Woodward frontage which creates a clear distinction between Maple and Woodward and Market North. As discussed previously, the park lacks adequate seating for its users at peak hours. Additionally the entry corner at Harmon and Old Woodward is too informal for its' setting (See Fig. 51). Proposed in the Downtown 2016 plan, Booth Park should have a cafe and restrooms within an iconic park building near this entrance in a paved plaza.

The farmers market gives the district its name, but has little presence on non-market days. Rather than an afterthought, the district's identity should be reinforced with a permanent, open-air market pavilion. The pavilion could be located where the market currently takes place, in the portion of municipal parking lot 6 that is open to Old Woodward. Designed appropriately, cars could continue to park under the pavilion awnings on non-market days. (See Figure 49).

Housing

The district's existing housing is mainly multi-family buildings along its northwestern edge which have large spaces between buildings. Redevelopment has begun with new mixed-use buildings on the east side of Old Woodward and development interest beginning on the west. Many of the

Ch 4. Support Mixed-use Districts

Establish Market North as a Distinct District



Figure 49. Proposed open air market pavilion.

district's buildings along Old Woodward are prime opportunities for redevelopment as mixed use structures. While some may be nostalgic for the area's garden apartments, their form and deep setbacks from Old Woodward signal that drivers can speed through the area, especially coming from the high speed portions of big Woodward just to the north. Better definition at the streetscape with new buildings will slow cars and reinforce walkability. To support this, the D2 zoning should be extended to the west side of Old Woodward (See Fig. 50) and streetscape improvements are

needed along Old Woodward particularly north of Harmon.

Parking

As the Market North district is seeing redevelopment interest, it has too little parking to support its potential. As in Maple and Woodward, daytime parking is full in Lot 6 while it is empty at night. The Downtown 2016 plan recommended that a parking deck be built on Lot 6. This recommendation should be pursued along with the permanent market pavilion, located behind the existing buildings. To avoid disturbance to neighbors along Brookside, care should be taken to eliminate any light spill over, to present a pleasant facade to the west, and care to limit impacts on the Rouge River.

MASTER PLAN ACTIONS

1. Update the zoning code, including extending D2 zoning to the multi-family properties along the west side of Old Woodward up to Quarton.
2. Install way-finding signage throughout the district. (Addressed previously)
3. Update the Multi-modal Plan to support increased pedestrian activity on both sides of North Old Woodward and install streetscape amenities. See the section on Multi-modal Plan updates recommendations.
4. Update the Parks and Recreation Plan, including

CURRENT ZONING WITH OVERLAY



Downtown Overlay Zoning

- D2 3-story development
- D4 5-story development

Zoning

- R2 single family residential
- R6 single family residential

PROPOSED OVERLAY EXTENSION



- B2 general business
- O office commercial
- P parking structures

Figure 50. Extension of D2 zoning in Market North.

Ch 4. Support Mixed-use Districts

Implement Haynes Square

amenities and a cafe to Booth Park. See the section on Parks and Recreation Plan updates.

5. Create a Mixed-use Districts Branding Plan, including branding, special signage, seating, and street-scape elements unique to the Market North district.
6. Create a Mixed-use Districts Parking Plan, including studying a parking garage in the Lot 6 parking lot along with the Bates Street Extension.
7. Study a permanent, open-air farmers market pavilion with public restrooms on the portion of Lot 6 that is along Old Woodward.
8. Develop storefront design, signage, and other standards to retain the small-scale business character of Market North.
9. Develop a North Old Woodward Streetscape Plan, with a focus on adding on-street parking and pedestrian and bicycle amenities and improving safety.

MULTI-MODAL PLAN UPDATES

- j. Expand pedestrian safety and traffic-calming measures along North Old Woodward.
- k. Install additional pedestrian seating throughout the Market North district.
- l. Install new Market North branded streetscape fixtures throughout the district.

PARKS AND RECREATION PLAN UPDATES

- m. Install ample benches in Booth Park.
- n. Install a small café and public restrooms in Booth Park or services for mobile vendors, along with movable tables and chairs.
- o. Create a paved plaza, ideally pervious, at the entrance to Booth Park with signage and seating.



Figure 51. Booth Park's underwhelming entrance.



Figure 52. Typical character of the gateway.

Implement Haynes Square

The Haynes Square plan corrects a dangerous Woodward intersection, activates and elevates the South Old Woodward commercial district, and connects the Triangle District across Woodward to take part in the overall downtown. Details are addressed in the Chapter 1. That content will not be repeated here; this is a reminder of its' goal to support the South Old Woodward and Triangle District areas.

Adopt a South Woodward Gateway Plan

The South Woodward Gateway, located along Woodward from 14 Mile to Lincoln, is the most unsophisticated stretch of retail in the City. The southern portion of Woodward presents a sloppy and tired image of the community, which is otherwise active and successful. Woodward's growth and decades of mis-focused transportation policy has divided Birmingham and eroded the quality of the pedestrian and business environments (See Fig. 52). This Gateway district is Birmingham's first impression to those traveling from the south. However, the area provides lower cost retail space with excellent exposure to traffic, housing most of the national chain merchants in the City. The Gateway is valuable for Birmingham, it just needs a new and sophisticated image.

Woodward's conversion to an attractive and grand avenue is now supported by the Department of Transportation, however that future remains distant. In the interim, changes can be made on the side of private development to make this area more attractive and functional, paired with near-term improvements to Woodward itself, detailed in Chapter 1. Today, communities to the south are well on their

Ch 4. Support Mixed-use Districts

Adopt a South Woodward Gateway Plan



Figure 53. Shared-use alley space concept.

way to improving Woodward's streetscape but have not yet addressed adjacent building form. While streetscape improvements are needed, and Birmingham should improve median plantings right away, the character of buildings along Woodward establish the area's image.

The low quality of the Gateway is well recognized; in 2013 The Southern Gateway Urban Design Plan was developed. Never adopted, the plan should be revisited, updated, and adopted. With fresh eyes, the Gateway needs a more radical transformation than previously proposed, which focused heavily on public sector improvements. With the right incentives, the area's aged buildings can be redeveloped in a manner that truly changes the Gateway's character.

From a neighborhood perspective, the Gateway provides some neighborhood retail services but it continues to encroach into neighborhoods with parking, increases neighborhood cut-through traffic, and is incredibly inconvenient for pedestrians. Many businesses have replaced adjacent houses with surface parking. This condition is most prevalent on the west side, but exists on both sides of Woodward. In many cases, this results in houses that remain facing onto open parking lots, and many more sharing a side or rear lot with them. As is recognized in the 2013 plan, the triangular parking lots are incredibly inefficient, erode the neighborhood, and are better served by efficient mid-block parking.

The 2013 Southern Gateway Urban Design Plan recommends that alley pavement be improved and made consistent and shared-use to accommodate pedestrians, shoppers, and service vehicles. In addition to the surface treatment of alleys, they require active uses along their edges to be safe and pleasant. Currently businesses face onto Woodward and use alleys for parking and service. For transformational change, businesses should also face onto alleys, creating true shared-use streets. This dual-sided condition is becoming common in the local area, found at Kroger along Maple, along Big Beaver in Troy, and elsewhere throughout the region. In the

alley, businesses should be encouraged to extend outdoor seating and outdoor retail displays into the shared-use alley space (See Fig. 53).

Full alley activation requires that both sides of the alley engage to define its character. With parking addressed more efficiently, the triangular parking lots should revert to residential use in order to reduce noise spill over into the neighborhood. Most of the triangular properties can retain yard space, with shallow townhouses lining the alley and side streets.

Neighborhood Sleeves

To create a better interface between Gateway retail and surrounding neighborhoods, buildings should provide active facades along side streets. In an ideal condition, the redevelopment of an entire block face would consolidate parking in the mid-block and face buildings towards side streets (See Fig. 55). Doing so simplifies parking access, provides more parking spaces, and creates a more pleasant retail experience. Presently, facing buildings onto Woodward creates an awkward parking condition, poor pedestrian experience, and dangerous parking access from Woodward.

Each residential street in the Kenning and Pierce neighborhoods terminates on Woodward. Currently, the last 150 feet or more of each residential street is presented with surface parking, an unattractive alley, and typically a long blank wall along the side of buildings that face Woodward. For the neighborhood this is a poor experience by car, and especially walking. Potential exists to face storefronts onto side streets rather than Woodward, like the condition depicted along Benneville (See Fig. 54). If this building were a cafe, it could have a pleasant outdoor patio nearby neighbors might frequent.

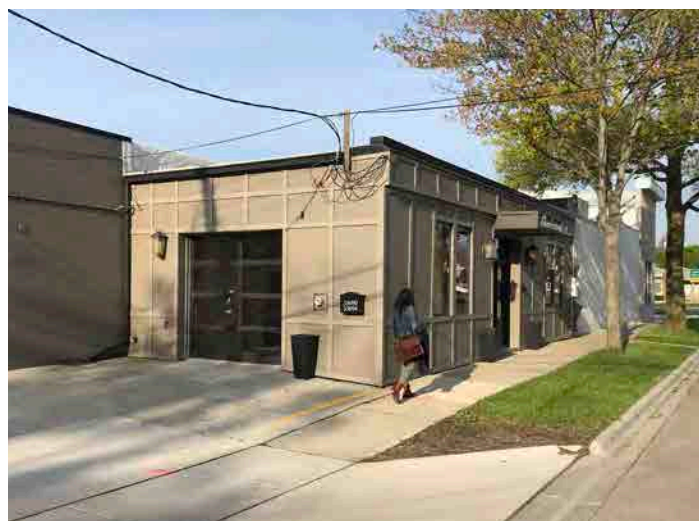


Figure 54. Building with potential for sleeve activation.

Ch 4. Support Mixed-use Districts

Adopt a South Woodward Gateway Plan



Figure 55. Neighborhood Sleeve configuration which creates small neighborhood-focused nodes along side streets.

If most buildings faced businesses onto the neighborhood streets rather than Woodward, the end of each street would become a small neighborhood main street with a handful of shops. These Neighborhood Sleeves would benefit neighborhood residents and provide a superior pedestrian experience over Woodward. Limited in size, each Neighborhood Sleeve would create minimal traffic, and further they would encourage neighborhood residents to walk or bike.

The 2013 Southern Gateway Urban Design Plan includes two recommendations for reducing traffic speed into neighborhoods. These options - angled parking with bump-outs entering the neighborhood, or parallel parking with chicanes entering the neighborhood - perfectly support Neighborhood Sleeves and pedestrianized alleys.

In a full redevelopment scenario, new buildings could accommodate housing above. Due to the street geometries, buildings could also include a mix of larger and smaller spaces. Should development demand be sufficient, a single parking deck would fit mid-block, allowing for two stories of housing above shops. Where full redevelopment does not occur, corner properties along the side streets should face onto those streets with active storefronts. Each piece of the Gateway concept - alleys, alley housing, parking consolidation, and sleeves - could develop independently.

MASTER PLAN ACTIONS

1. Create a Woodward Gateways Plan to comprehensively address the three gateway areas along Woodward, including revisiting and adopting plan components for the South Woodward Gateway Plan and consideration for Neighborhood Sleeves, shared-use alleys, and redevelopment of the triangular parking lots.
2. Update the zoning code, including:
 - a. Incentivize South Woodward Gateway redevelopment through increased zoning capacity, permitting housing, and reduced parking requirements.
 - b. Establish zoning standards to enable Neighborhood Sleeves. This may be done by requiring storefronts along neighborhood streets and other strategies.
 - c. Establish zoning standards to enable shared-use alleys. This may be done by requiring storefronts at entries along the alley and permitting redevelopment of the triangular parking lots.

Ch 4. Support Mixed-use Districts

Create a North Woodward Gateway Plan

Create a North Woodward Gateway Plan

Both the North and South Woodward Gateways are important opportunities to showcase Birmingham's character, and play an important role in calming speedy traffic entering the city. While speeding is prevalent everywhere on Woodward, it is especially important to address southbound traffic due to the highway-like conditions north of Birmingham. The North Woodward Gateway provides a significant opportunity to improve safety, reduce noise, and change the perception of entering Birmingham.

Key to this transformation is the northern intersection with Old Woodward. The triangular green provides a perfect terminated and deflected vista for southbound drivers. Today, drivers are greeted by a gas station. This should be a grand entry to Birmingham with impressive and tall civic art or a signature gateway building. In fact the entire, privately owned, triangular property from Oak Ave to the point should be the most impressive structure in the City. Short of transformation, every effort should be made to announce Birmingham's character and the entry to its' Downtown at this location.

Leading to the Old Woodward intersection, streetscape improvements, traffic calming, and frontage improvements should be studied. With consideration for lane reduction, such as in the South Gateway, a multi-way boulevard section could come to life between Quarton and Old Woodward. Significant transformation is possible by continuing the slip lane along Colonial Court Terraces to Quarton and Old Woodward, removing the outer travel lane for further landscaping, and accommodating bicycles and parking within the slip lane. The opposite side, however, is complicated by a mixed jurisdiction, with Birmingham controlling only half of the road's edge.

Certainly other opportunities exist to improve the entrance character and slow traffic. Like the South Woodward Gateway, the North Woodward Gateway needs an urban design plan. Ahead of a full gateway plan, additional canopy trees should be added to the Woodward median throughout the city.

MASTER PLAN ACTIONS

1. Create a Woodward Safety and Beautification Plan, including a full and consistent tree canopy along the Woodward median throughout Birmingham.
2. Create a Woodward Gateways Plan to comprehensively address the three gateway areas along Woodward, including a North Woodward Gateway Urban Design Plan to improve safety, reduce noise, improve the appearance of the northern approach, slow traffic entering the city, and improve the Old Woodward entrance as a gateway to Birmingham.

Keep it Loose in the Rail District

The Rail District is divided between what has been envisioned for its future and the utility that it currently provides. This is a place of experimentation for Birmingham businesses, and has been for some time. Traces of former rail spurs from the Grand Trunk Railroad are evident in odd property divisions, fence lines, and paths of unkempt foliage.

The district's northern edge, at the top of South Eton Rd., has been capped by an upscale restaurant housed in the City's former passenger rail station, now closed. From nearby parking lots, the City's Whole Foods and large scale commercial in Troy is visible just over the tracks, yet inaccessible. Just below this, the District Lofts illustrate a future vision that is formal and neat (See Fig. 56). Along with the adjacent Iron Gate to the south, the area includes some of the City's most contemporary multi-family offerings. Just east of Iron Gate, also part of the 1999 Eton Road Corridor Plan, is an experiment in live-work units that create a tight urban street grid open for future connections to neighboring properties. The Griffin Claw brewery is next southbound on Eton, a substantial micro brewery with an informal brewpub and outdoor beer garden, especially popular with young families. Next to this, tucked far back from Eton is the Robot Garage, a wonderland of toys and classes for creativity in making, from legos to art to robotics. Auto service, a lumber yard, and the City's Public Services Department follow old lines of rail spurs.

The Lower Rail District, south of Palmer Street (See Fig. 58), consists of small, mostly single-story warehouse buildings occupied with varied businesses including yoga, co-working, dog daycare, art, dance, auto body shops, and more. These are arranged haphazardly among small parking areas, charming in a way that is certainly not suburban. Only the degraded character of the street and lack of trees detract from the area's charm. The southern end of the district is capped by Kenning Park with the City's Ice Rink and skate park, along with a new and quite urban senior retirement development.

The Rail District has no single character but overall it has an intimate charm. Other parts of the City are increasing their refinement, and many lament the loss of the City's artistic and entrepreneurial roots. Yet this is alive in the Rail District.

Plans and zoning for the Rail District point to a heavily urbanized future. A 2017 Ad-hoc Committee report for the Rail District estimated the zoned potential that could be built on properties likely to redevelop in the near future could increase intensity 10-fold, albeit unlikely. Due to the significant disparity between the district's long-term future and the functional and desirable near-term conditions, policies and improvements should permit the district's current condition and success to continue in the near-term.

Ch 4. Support Mixed-use Districts

Keep it Loose in the Rail District

Near-term Conditions

Many existing buildings within the Lower Rail District are legally non-conforming, disincentivizing investment in existing buildings and continuation of the present condition, yet they provide incubator space for businesses at a much lower cost than Downtown (See Fig. 57). The current code applies standards that are appropriate to create pedestrian-oriented streets but are burdensome to existing uses. In the near-term, the Lower Rail District should remain informal and somewhat experimental. This character should be encouraged through zoning, development review, and in the public realm.

Zoning need only be slightly adjusted. These adjustments are the type appropriate for an overlay district which applies only to the Lower Rail District. The overlay should consider allowing the following when existing buildings are improved or expanded, or when new single-story buildings are built:

- Parking may remain between buildings and front lot lines if it already exists.
- Buildings may retain their present setback when renovated, expanded, or reconstructed.
- Parking lots of 70 feet wide or less may be exempted from required trees and landscaping.
- Screening may not be required except along lot lines facing Eton Street.

Development review should allow the unique nature of the district to continue when single story structures are improved



Figure 56. The District Lofts preview the Rail District's urban future.

or expanded, or when new single-story buildings are built, including wall cladding, murals, awnings and canopies, adaptive reuse of paved areas, and a shared-use street.

To support the district's current character and prepare for the future, streetscape improvements should be pursued which work for both near and long-term. While mentioned in a number of existing contexts in other districts, shared-use streets are ideal for implementation along Cole and Commerce Streets, and Lincoln to the East of Eton. For the current condition, shared-use formalizes the situation that has occurred organically over time, and provides greater importance to pedestrians and cyclists. In the long-term condition, it helps to retain the character of the district, with greater use of shared-use streets than other places in the City.



Figure 57. Current conditions in the Lower Rail District.

Ch 4. Support Mixed-use Districts

Keep it Loose in the Rail District

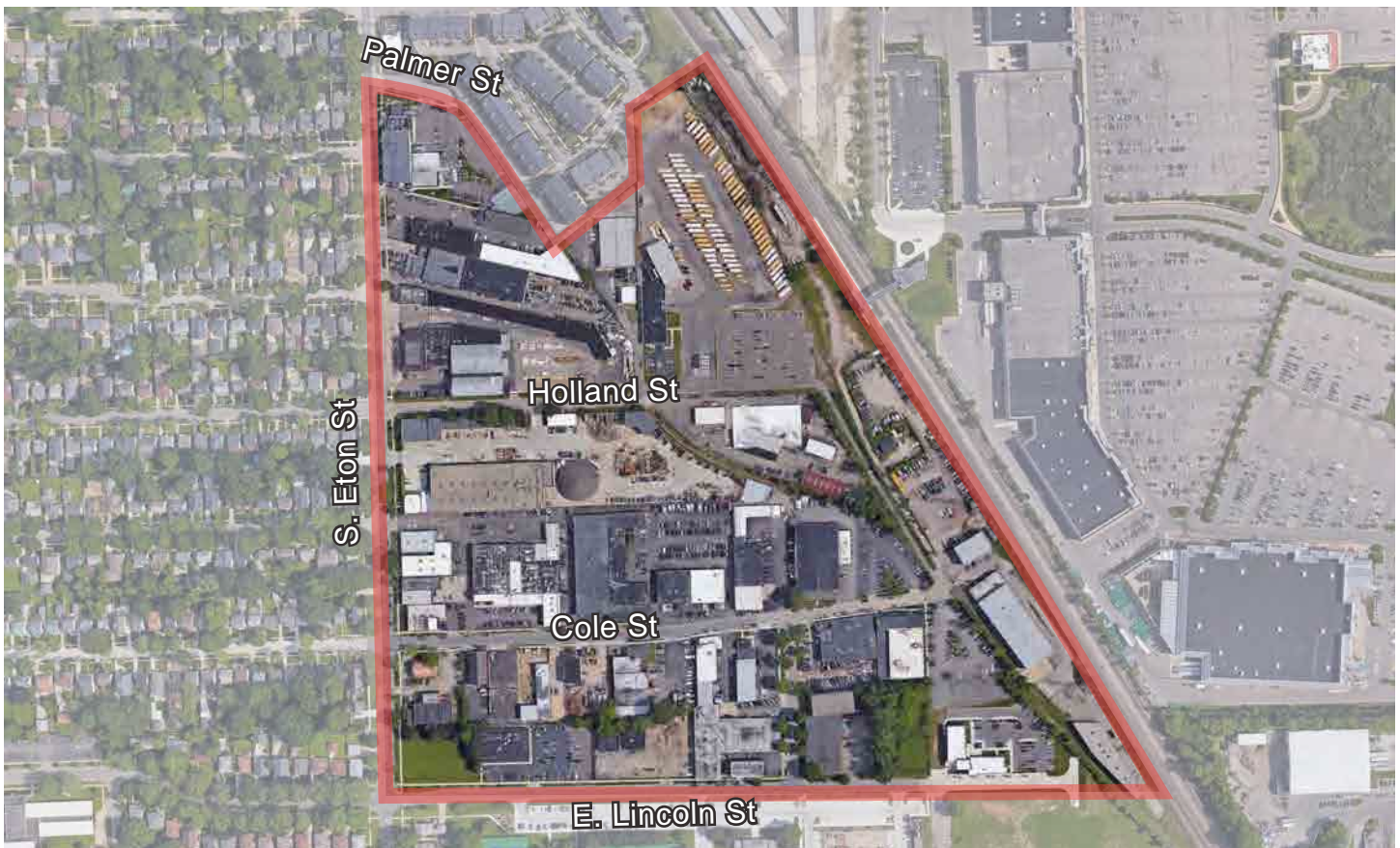


Figure 58. The Lower Rail District.

Long-term Conditions

Many of the City's district-specific plans have become long-range, with investment remaining focused Downtown. Beyond the clear draw of Downtown's reputation, building there removes a \$50,000 per car obligation from developers. Both the Triangle and Rail Districts suffer from lot patterns that are generally small and include a number of oddly shaped properties. Redeveloping these properties at a high capacity doesn't work when parking must be accommodated. Like the Triangle District, the Rail District needs public parking capacity and the ability to use that capacity in lieu of providing parking in mixed-use development projects. Conveniently, the City already owns property in the rail district. Most notably, the Public Services Department site is well located to provide parking access to Cole Street. Uses on site are necessary for maintenance of the City, and there are few places to relocate those uses. Even remaining on site, the DPS building is approximately the size of a parking structure, and may be part of a redevelopment plan to accommodate both. Additionally, the School District's underutilized bus lot can easily accommodate structured parking. These are options to be weighed in service of unlocking the area's development potential.

Before the district begins to see more intense development,

its standards should be revisited. There are a number of ways that the MX standards differ from the Downtown Overlay standard, despite having similar desired physical outcomes. As discussed previously, zoning districts across the City that are similar in their desired outcome should be consolidated. If not consolidated with Downtown and Triangle District zones, the MX zone should be carefully analyzed. A quick reading of zone standards passes muster, however some details have potential negative consequences. For instance, the zone has tree requirements tied to the number of residential units; because this doesn't account for potentially high lot coverage on these small properties, this is a barrier to development, disincentivizing new housing.

Connectivity is the most significant limitation to the Rail District. The Grand Trunk Railroad limits all modes of connectivity, with crossings only at Maple and 14 Mile, of which the Maple crossing is in poor condition. Additional rail crossings should be studied, mainly for pedestrian and bicycle movement. A vehicular bridge would be logical at Lincoln, like the Derby bridge, though difficult to achieve due to existing buildings. In the further future, with significant development in the Rail District, further connections will be necessary. Every effort should be made to avoid increased car trips from new development, providing extensive pedestrian, bicycle,

Ch 4. Support Mixed-use Districts

Keep it Loose in the Rail District

and transit infrastructure instead. Today, right-of-way and access should be reserved to connect Lincoln with Lewis Street, also connecting to Cole and Holland. Additionally the contemplated greenway along the railroad should be pursued for bicycle and pedestrian connectivity.

Over Birmingham's long history, the railroad connection to Detroit has been an important asset. In recent decades, disinvestment in rail and investment in automobiles has reduced the role of rail travel. However, this trend is slowly changing across the country. Into the future, rail's comeback is projected to continue. Looking forward a few decades, rail access in the Rail District can be a significant economic driver. The City needs to secure a long-term connection to the Troy Transit Center and consider the redevelopment potential this may bring to the district in the future.

3. Study shared-use streets, including a shared-use street section along Cole and Commerce Streets.
4. Create a Mixed-use Districts Parking Plan, including study of DPZ building redevelopment to occupy a portion of a public parking facility in its place.
5. Update the Parks & Recreation Master Plan, including constructing the contemplated linear park and trail along the railroad.

MASTER PLAN ACTIONS

1. Update the zoning code, including:
 - a. Develop an Overlay Zoning District for the Lower Rail District that permits the existing, but somewhat improved condition to persist for the area south of Palmer Street.
 - b. Modify the MX District to enable the urban development envisioned for the Rail District, consider the following:
 - i. Exempt LA-01 (E) and (F), as is true in Downtown, or at a minimum that plantings in the MX District are only required within the streetscape and within open areas of the property, not based on a minimum number of trees per residential unit.
 - ii. MX District zoning should be carefully analyzed by contracting multiple architects to complete preliminary building designs for mixed-use buildings on existing sites, small and large, with and without on-site parking, attempting to achieve capacity. The architects should be requested to discuss and present challenges and constraints that are faced in the process. Some challenges require testing to uncover.
2. Update the 1999 Eton Road Corridor Plan, including:
 - a. Increase connectivity for pedestrians, bikes, and cars for the area south of Hazel Street, including future rail crossings.
 - b. Provide access to the Troy Transit Center and consider the development of surrounding properties, including the School District bus parking lot and the DPS facility.

Ch 5. Advance Sustainability Practices

Ch 5. Advance Sustainability Practices

Create a Sustainability and Climate Action Plan

Create a Sustainability and Climate Action Plan

To focus on sustainability and the future climate of Birmingham, the city should create a Sustainability and Climate Action Plan. Many of the key actions are embedded in land use and mobility aspects of this plan, inherent in the historic pattern of the city, and in the contents of this chapter. Together, sustainability and climate actions should be integrated in a targeted plan. Doing so solidifies the city's commitment to sustainability and helps drive future decision making. Addressing present and future sustainability also requires consistent and ongoing focus. In order to address not only an action plan, but ongoing evaluation of climate conditions and emerging practices and technologies, a Sustainability Board should be established. This board should be tasked with leading the action plan, keeping the city accountable for its' implementation, and making regular updates to the plan and other policies as conditions change, improvements are made, and new approaches and technologies emerge. Birmingham will not be the first in the region to adopt such a plan, Royal Oak adopted theirs in 2022. However, Birmingham can help expand regional cooperation in climate action among surrounding communities and the Southeast Michigan Council of Governments (SEMCOG). Like the regional transportation issues that impact Birmingham, climate issues are interrelated throughout the region. The Sustainability Board should interface with neighbors and SEMCOG, support regional programs, and provide a model for other municipalities to emulate.

MASTER PLAN ACTIONS

1. Establish a Sustainability Board to oversee the sustainability-related recommendations of this plan and other future sustainability initiatives.
2. Create a Sustainability and Climate Action Plan, including:
 - a. Reducing environmental impacts of municipal operations.
 - b. Incentivizing green building standards, renewable energy, and green landscaping.
 - c. Expanding recycling and composting.
 - d. Implementing green stormwater practices in streets and parks.
 - e. Support Rouge River Natural Area improvements.
 - f. Implement other sustainability focused recommendations of this plan.
 - g. Increase inter-governmental cooperation around sustainability initiatives.

Reduce the Impacts of Municipal Operations

Concerning sustainability, the City should lead by example. Municipal buildings and operational choices should align with environmental goals. New buildings should meet LEED standards, as addressed in the following section. Recycling should be a focus within and around municipal properties. Plastic and styrofoam bottles and containers should not be purchased by the City. Municipal fleet fuel efficiency standards should be increased and the fleet converted to Electric Vehicles. Staff may be incentivized to commute to work by bike, public transit, or carpooling. And the City may require its contractors to adopt similar policies. These actions, and the identification of other sustainability goals, should be the focus of a sustainability action plan.

MASTER PLAN ACTIONS

1. Create a Sustainability and Climate Action Plan, including:
 - a. Establish policies for the sourcing of office supplies and materials, and supplies used in meetings and other public events.
 - b. Study sustainability opportunities in Parks and Recreation, such as pollinator gardens, solar panel pavilions, plant species, tree canopy, landscape maintenance processes, and environmental regulations.
 - c. Migrate the city's vehicle fleet to electric vehicles.
 - d. Locate Electric Vehicle charging stations at public garages, public parking lots, and on-street in Mixed-use Districts.
 - e. Establish policies for municipal buildings, following the green buildings discussion in the next section.

Require Green Building in New Construction

Elsewhere in the country, building energy use and production is moving slowly towards carbon neutrality, with some states far ahead of others. Michigan has residential and commercial energy codes which comply with federal mandates, yet leave room for improvement. Detroit and Grand Rapids have adopted 2030 Districts with goals of reaching net zero energy usage by 2050. With a significant amount of new construction in Birmingham, there is room to incentivize movement towards net zero and use of LEED standards.

Ch 5. Advance Sustainability Practices

Expand Recycling and Composting

MASTER PLAN ACTIONS

1. Create a Sustainability and Climate Action Plan, including:
 - a. Establish green building policies, such as adherence to LEED standards within the City's mixed-use districts and municipal buildings and increasing energy standards for new residential construction above those of the state energy code, ideally implementing 2030 District goals.

Expand Recycling and Composting

Recycling and composting have been targets of recent policies across the country, aimed at reducing the use of plastics and styrofoam, and reduce the volume of compostable waste in landfills. For residences, recycling programs have been available for some time, but municipal compost has not. Currently yard waste compost is collected in the fall, which may be able to expand to food scraps, especially important for restaurant and grocery store waste. Composting potential should be investigated. Concerning normal recycling, commercial standards should be considered along with a greater number of recycling bins in City parks and public spaces. Many area businesses use plastic utensils and styrofoam carryout, along with plastic bags. All of these could be reduced or eliminated either through ordinance or through a Birmingham Shopping District program.

MASTER PLAN ACTIONS

1. Create a Sustainability and Climate Action Plan, including:
 - a. Study food waste compost service for homes and businesses.
 - b. Increase the availability of recycling bins in public spaces like parks, public buildings, and along streets with high pedestrian traffic.
 - c. Study reduced plastics and styrofoam policies for Birmingham businesses.

Install Green Stormwater Infrastructure in Neighborhood Streets and Parks

Water quality management has undergone significant improvements in recent years. Birmingham regularly experiences flooding and is situated along a sensitive natural river system. Untreated runoff threatens the Rouge River natural system and damages private properties. Streetside landscape areas, City parks, and other City properties are clear opportunities to provide stormwater solutions, and are plentiful. To address this issue, a new plan should be created which evaluates the issues and problem areas, emerging best practices, and establishes a strategy to implement green infrastructure across the city. In 2008, the Southeast Michigan Council of Governments (SEMCOG) developed a Low Impact Development Best Practices manual for metro-Detroit communities. This comprehensive manual should act as an important resource for Birmingham's own green infrastructure development moving forward.

MASTER PLAN ACTIONS

1. Create a Green Infrastructure Plan establishing strategies, design standards, and locations in streets, parks, and other City properties with locating streetside areas where stormwater can be cleaned and retained through bioswales and other means, particularly in areas experiencing flooding.



Figure 60. A segment of the Rouge trail.

Ch 5. Advance Sustainability Practices

Improve the Rouge River Natural Area

Improve the Rouge River Natural Area

The Rouge River natural area has been recognized as an important amenity by the city and Oakland County since the 1920s, part of a planned but not fully executed regional park system. The park area is a unique asset including diverse wildlife habitats and ecosystems, wooded uplands, prairies, and wetlands. The Rouge borders eight neighborhoods as well as Downtown. Approximately 48% of Birmingham's residents and over 11,000 employees are within a five-minute walk of the Rouge. A midday walk in the summertime along the Rouge trail includes workers, joggers, families, and diverse wildlife. Many people use the park, and recent studies have shown that access to trees, wildlife, and naturalistic settings is important for mental health.

However, the Rouge River natural areas require better management, maintenance, and accommodations for the diverse set of users who value it. The park's natural ecosystem is challenged by invasive plant species, minimal forest management, degraded bank conditions, landscape chemical runoff, and roadway storm-water runoff. Active management of the area is needed, along with stormwater management interventions to clean water before it enters the Rouge.

The Rouge's relatively flat topography is ideal for pedestrians and cyclists of all ability levels (See Fig. 60 & 61). However the condition of trails and access severely limit its use. The wood chip and crushed-stone hiking trails are unstable surfaces and sections of the existing Rouge trail traverse steep grades or waterlogged soils. In fact, the Rouge hiking trail is often entirely unusable during heavy rain or freezing conditions. Where the river comes close to property lines,

the trail often becomes steep and difficult to traverse. A properly designed, paved walkway could provide an easy alternative to West Maple's steep hill between Baldwin and Southfield Road, as well as link Linden, Seaholm, Quarton and Beverly Hills residents directly to Booth Park. And due to the trail's trajectory, much of the park is completely inaccessible. Additionally, many of the trail heads are unmarked and hidden. The river trail is of both community-wide and regional importance. Access and accommodations are necessary for the health of all Birmingham residents.

Many sections of the Rouge trail and trail heads lack benches, bicycle racks, lighting, way-finding maps, educational placards, and other basic amenities. Benches are convenient for the enjoyment of the natural area, but also for many older adults who need places to rest along long walks. Lighting and forest management are important for security. Regular surveillance of the trail is difficult for the police and public due to insufficient access, and emergency response vehicles have limited or no access to many segments of the trail.

The needs of pedestrians and cyclists are often aligned, but in the natural areas, multiple facilities are merited. By adding trails along with pedestrian and bike bridges at key locations, much more of the natural area would become accessible, and the trail system would be able to avoid steep areas if it crossed the river more frequently. Opening up access to the far side of the river would allow for a paved pedestrian and bicycle trail, along with a smaller pedestrian walkway that may be more naturalistic in design and access the river more intimately. Care is needed in designing upgraded trails. The design of trails should endeavor to remain as narrow as practical for the effective use of the facility, in order to minimize the visual and actual impact on the natural area.



Figure 61. A segment of the Rouge trail.

Along with amenities and trails, the natural area requires active management and targeted improvements. In many instances, the banks and slopes have been stabilized in a way that intrudes upon the ecosystem, clearing segments of plants and interrupting wildlife access. In others, the banks are not stabilized at all. Along with the edge conditions, plant species and tree health need monitoring and management. Natural areas at the urban interface cannot simply be left to chance.

Ch 5. Advance Sustainability Practices

Implement Plan Actions Supporting Sustainability

MASTER PLAN ACTIONS

1. Develop and implement a trails and access master plan to improve the Rouge River trails and trail heads. The plan should consider:
 - a. Installing pedestrian linkages to the park's surrounding neighborhoods and commercial districts, including to Quarton Road.
 - b. Securing easements of additional key properties to expand the park area and improve its walkability, for complete ecological restoration, and universal accessibility.
 - c. Coordinating with Bloomfield and Beverly Hills to expand trail access and connections.
 - d. Installing an environmentally sensitive, hard-surfaced pathway for pedestrians and cyclists along the Rouge River.
 - e. Expanding the extent of the trail system, crossing the river at more locations to access large portions of the natural area currently cut off.
 - f. Installing bridges, ramps, and other enhancements to enable access by all ages and abilities.
 - g. Installing other amenities such as bicycle racks, lighting, markers, seating, and signage at trail heads, and seating, markers, and interpretive features throughout the trail system.
2. Develop and implement a restoration master plan to restore the Rouge River ecosystem to its natural and sustainable conditions. The plan should consider:
 - a. Retaining environmental scientists to inventory and analyze the Rouge corridor's wildlife, ecology, natural systems, and pollution sources.
 - b. Establishing a phased enhancement time frame to stabilize riverbanks, remove invasive species, reintroduce native ground covers, wildflowers, under-story, and canopy tree species.
 - c. Identifying and mitigating potential pollution or chemical sources, including the existing Springdale snow storage dumping area.
3. Establish a "Friends of the Rouge" foundation to oversee, build support, and raise funding for the park's enhancements. Consider securing corporate or philanthropic funding in exchange for special recognition.
4. Provide funding for city staff and resources to permanently preserve and manage the Rouge ecosystem.
5. As part of a zoning code overlay, implement policy to ensure that private property construction, fencing, landscaping, lighting, etc., are compatible with the park's ecology, its restoration master plan, and overall public welfare.

Implement Plan Actions Supporting Sustainability

Many of the plan goals and actions addressed in previous chapters implement public health and environmental sustainability goals. They specifically advance sustainability practices in Birmingham and should be implemented with sustainability in mind. These elements may be included within the Sustainability and Climate Action Plan, or otherwise overseen by the Sustainability Board to ensure the city continues in to implement upon their climate goals.

Other sustainability actions include:

- Preserving, enhancing, and diversifying the city's tree canopy in streets and open spaces.
- Infill housing in Mixed-use Districts result in households which on average drive less, use less overall energy in heating and cooling, and use practically no water and fertilizer in landscape maintenance.
- Neighborhood destinations reduce vehicle trips by providing destinations near homes.
- Bicycle and pedestrian multi-modal improvements, and support for neighborhood destinations encourage exercise and more trips taken by foot or bike rather than by car, including public transit improvements.
- Support for the Farmer's Market increases connections to food growing, healthy consumption, and food education.
- Connecting to the Troy Transit Center provides future alternatives to driving.

B

MICHIGAN PLANNING ENABLING ACT

Act 33 of 2008

AN ACT to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts.

History: 2008, Act 33, Eff. Sept. 1, 2008.

The People of the State of Michigan enact:

ARTICLE I.

GENERAL PROVISIONS

125.3801 Short title.

Sec. 1. This act shall be known and may be cited as the "Michigan planning enabling act".

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3803 Definitions.

Sec. 3. As used in this act:

(a) "Chief administrative official" means the manager or other highest nonelected administrative official of a city or village.

(b) "Chief elected official" means the mayor of a city, the president of a village, the supervisor of a township, or, subject to section 5, the chairperson of the county board of commissioners of a county.

(c) "County board of commissioners", subject to section 5, means the elected county board of commissioners, except that, as used in sections 39 and 41, county board of commissioners means 1 of the following:

(i) A committee of the county board of commissioners, if the county board of commissioners delegates its powers and duties under this act to the committee.

(ii) The regional planning commission for the region in which the county is located, if the county board of commissioners delegates its powers and duties under this act to the regional planning commission.

(d) "Ex officio member", in reference to a planning commission, means a member, with full voting rights unless otherwise provided by charter, who serves on the planning commission by virtue of holding another office, for the term of that other office.

(e) "Legislative body" means the county board of commissioners of a county, the board of trustees of a township, or the council or other elected governing body of a city or village.

(f) "Local unit of government" or "local unit" means a county or municipality.

(g) "Master plan" means either of the following:

(i) As provided in section 81(1), any plan adopted or amended before September 1, 2008 under a planning act repealed under section 85.

(ii) Any plan adopted or amended under this act. This includes, but is not limited to, a plan prepared by a planning commission authorized by this act and used to satisfy the requirement of section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term.

(h) "Municipality" or "municipal" means or refers to a city, village, or township.

(i) "Planning commission" means either of the following, as applicable:

(i) A planning commission created pursuant to section 11(1).

(ii) A planning commission retained pursuant to section 81(2) or (3), subject to the limitations on the application of this act provided in section 81(2) and (3).

(j) "Planning jurisdiction" for a county, city, or village refers to the areas encompassed by the legal boundaries of that county, city, or village, subject to section 31(1). Planning jurisdiction for a township refers to the areas encompassed by the legal boundaries of that township outside of the areas of incorporated villages and cities, subject to section 31(1).

(k) "Population" means the population according to the most recent federal decennial census or according to a special census conducted under section 7 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.907, whichever is the more recent.

(l) "Public transportation agency" means a governmental entity that operates or is authorized to operate

intercity or local commuter passenger rail service in this state or a public transit authority created under 1 of the following acts:

- (i) The metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426.
- (ii) The public transportation authority act, 1986 PA 196, MCL 124.451 to 124.479.
- (iii) 1963 PA 55, MCL 124.351 to 124.359.
- (iv) The home rule city act, 1909 PA 279, MCL 117.1 to 117.38.
- (v) The revenue bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140.
- (vi) The charter township act, 1947 PA 359, MCL 42.1 to 42.34.
- (vii) The urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.
- (m) "Public transportation facility" means that term as defined in section 2 of the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.402.
- (n) "Street" means a street, avenue, boulevard, highway, road, lane, alley, viaduct, or other public way intended for use by motor vehicles, bicycles, pedestrians, and other legal users.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3805 Assignment of power or duty to county officer or body.

Sec. 5. The assignment of a power or duty under this act to a county officer or body is subject to 1966 PA 293, MCL 45.501 to 45.521, or 1973 PA 139, MCL 45.551 to 45.573, in a county organized under 1 of those acts.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3807 Master plan; adoption, amendment, and implementation by local government; purpose.

Sec. 7. (1) A local unit of government may adopt, amend, and implement a master plan as provided in this act.

(2) The general purpose of a master plan is to guide and accomplish, in the planning jurisdiction and its environs, development that satisfies all of the following criteria:

- (a) Is coordinated, adjusted, harmonious, efficient, and economical.
- (b) Considers the character of the planning jurisdiction and its suitability for particular uses, judged in terms of such factors as trends in land and population development.
- (c) Will, in accordance with present and future needs, best promote public health, safety, morals, order, convenience, prosperity, and general welfare.
- (d) Includes, among other things, promotion of or adequate provision for 1 or more of the following:
 - (i) A system of transportation to lessen congestion on streets and provide for safe and efficient movement of people and goods by motor vehicles, bicycles, pedestrians, and other legal users.
 - (ii) Safety from fire and other dangers.
 - (iii) Light and air.
 - (iv) Healthful and convenient distribution of population.
 - (v) Good civic design and arrangement and wise and efficient expenditure of public funds.
 - (vi) Public utilities such as sewage disposal and water supply and other public improvements.
 - (vii) Recreation.
 - (viii) The use of resources in accordance with their character and adaptability.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010.

ARTICLE II.

PLANNING COMMISSION CREATION AND ADMINISTRATION

125.3811 Planning commission; creation; adoption of ordinance by local unit of government; notice required; exception; adoption of charter provision by city or home rule village; effect of repeal of planning act; continued exercise or transfer of powers and duties of zoning board or zoning commission.

Sec. 11. (1) A local unit of government may adopt an ordinance creating a planning commission with powers and duties provided in this act. The planning commission of a local unit of government shall be officially called "the planning commission", even if a charter, ordinance, or resolution uses a different name such as "plan board" or "planning board".

(2) Within 14 days after a local unit of government adopts an ordinance under subsection (1) creating a planning commission, the clerk of the local unit shall transmit notice of the adoption to the planning

commission of the county where the local unit is located. However, if there is not a county planning commission or if the local unit adopting the ordinance is a county, notice shall be transmitted to the regional planning commission engaged in planning for the region within which the local unit is located. Notice under this subsection is not required when a planning commission created before the effective date of this act continues in existence under this act, but is required when an ordinance governing or creating a planning commission is amended or superseded under section 81(2)(b) or (3)(b).

(3) If, after the effective date of this act, a city or home rule village adopts a charter provision providing for a planning commission, the charter provision shall be implemented by an ordinance that conforms to this act. Section 81(2) provides for the continuation of a planning commission created by a charter provision adopted before the effective date of this act.

(4) Section 81(3) provides for the continuation of a planning commission created under a planning act repealed under section 85.

(5) Section 83 provides for the continued exercise by a planning commission, or the transfer to a planning commission, of the powers and duties of a zoning board or zoning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3813 Planning commission; effect of township ordinance; number of days; petition requesting submission of ordinance to electors; filing; petition subject to Michigan election law; violation.

Sec. 13. (1) Subject to subsection (2), a township ordinance creating a planning commission under this act shall take effect 63 days after the ordinance is published by the township board in a newspaper having general circulation in the township.

(2) Subject to subsection (3), before a township ordinance creating a planning commission takes effect, a petition may be filed with the township clerk requesting the submission of the ordinance to the electors residing in the unincorporated portion of the township for their approval or rejection. The petition shall be signed by a number of qualified and registered electors residing in the unincorporated portion of the township equal to not less than 8% of the total vote cast for all candidates for governor, at the last preceding general election at which a governor was elected. If such a petition is filed, the ordinance shall not take effect until approved by a majority of the electors residing in the unincorporated portion of the township voting thereon at the next regular or special election that allows reasonable time for proper notices and printing of ballots or at any special election called for that purpose, as determined by the township board. The township board shall specify the language of the ballot question.

(3) Subsection (2) does not apply if the planning commission created by the ordinance is the successor to an existing zoning commission or zoning board as provided for under section 301 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3301.

(4) If a township board does not on its own initiative adopt an ordinance under this act creating a planning commission, a petition may be filed with the township clerk requesting the township board to adopt such an ordinance. The petition shall be signed by a number of qualified and registered electors as provided in subsection (2). If such a petition is filed, the township board, at its first meeting following the filing shall submit the question to the electors of the township in the same manner as provided under subsection (2).

(5) A petition under this section, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3815 Planning commission; membership; appointment; terms; vacancy; representation; qualifications; ex-officio members; board serving as planning commission; removal of member; conditions; conflict of interest; additional requirements.

Sec. 15. (1) In a municipality, the chief elected official shall appoint members of the planning commission, subject to approval by a majority vote of the members of the legislative body elected and serving. In a county, the county board of commissioners shall determine the method of appointment of members of the planning commission by resolution of a majority of the full membership of the county board.

(2) A city, village, or township planning commission shall consist of 5, 7, or 9 members. A county planning commission shall consist of 5, 7, 9, or 11 members. Members of a planning commission other than ex officio members under subsection (5) shall be appointed for 3-year terms. However, of the members of the planning commission, other than ex officio members, first appointed, a number shall be appointed to 1-year or

2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year. If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

(3) The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable.

(4) Members of a planning commission shall be qualified electors of the local unit of government, except that the following number of planning commission members may be individuals who are not qualified electors of the local unit of government but are qualified electors of another local unit of government:

(a) 3, in a city that on September 1, 2008 had a population of more than 2,700 but less than 2,800.

(b) 2, in a city or village that has, or on September 1, 2008 had, a population of less than 5,000, except as provided in subdivision (a).

(c) 1, in local units of government other than those described in subdivision (a) or (b).

(5) In a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, 1 member of the legislative body or the chief elected official, or both, may be appointed to the planning commission, as ex officio members. In any other township, 1 member of the legislative body shall be appointed to the planning commission, as an ex officio member. In a city, village, or county, the chief administrative official or a person designated by the chief administrative official, if any, the chief elected official, 1 or more members of the legislative body, or any combination thereof, may be appointed to the planning commission, as ex officio members, unless prohibited by charter. However, in a city, village, or county, not more than 1/3 of the members of the planning commission may be ex officio members. Except as provided in this subsection, an elected officer or employee of the local unit of government is not eligible to be a member of the planning commission. The term of an ex officio member of a planning commission shall be as follows:

(a) The term of a chief elected official shall correspond to his or her term as chief elected official.

(b) The term of a chief administrative official shall expire with the term of the chief elected official that appointed him or her as chief administrative official.

(c) The term of a member of the legislative body shall expire with his or her term on the legislative body.

(6) For a county planning commission, the county shall make every reasonable effort to ensure that the membership of the county planning commission includes a member of a public school board or an administrative employee of a school district included, in whole or in part, within the county's boundaries. The requirements of this subsection apply whenever an appointment is to be made to the planning commission, unless an incumbent is being reappointed or an ex officio member is being appointed under subsection (5).

(7) Subject to subsection (8), a city or village that has a population of less than 5,000, and that has not created a planning commission by charter, may by an ordinance adopted under section 11(1) provide that 1 of the following boards serve as its planning commission:

(a) The board of directors of the economic development corporation of the city or village created under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636.

(b) The board of a downtown development authority created under 1975 PA 197, MCL 125.1651 to 125.1681, if the boundaries of the downtown district are the same as the boundaries of the city or village.

(c) A board created under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, if the boundaries of the authority district are the same as the boundaries of the city or village.

(8) Subsections (1) to (5) do not apply to a planning commission established under subsection (7). All other provisions of this act apply to a planning commission established under subsection (7).

(9) The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.

(10) An ordinance creating a planning commission may impose additional requirements relevant to the subject matter of, but not inconsistent with, this section.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 105, Imd. Eff. June 29, 2010.

125.3817 Chairperson, secretary, and other offices; election; terms; appointment of advisory committees.

Sec. 17. (1) A planning commission shall elect a chairperson and secretary from its members and create and fill other offices as it considers advisable. An ex officio member of the planning commission is not eligible to serve as chairperson. The term of each officer shall be 1 year, with opportunity for reelection as specified in bylaws adopted under section 19.

(2) A planning commission may appoint advisory committees whose members are not members of the planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3819 Bylaws; adoption; public record requirements; annual report by planning commission.

Sec. 19. (1) A planning commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(2) A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3821 Meetings; frequency; time; place; special meeting; notice; compliance with open meetings act; availability of writings to public.

Sec. 21. (1) A planning commission shall hold not less than 4 regular meetings each year, and by resolution shall determine the time and place of the meetings. Unless the bylaws provide otherwise, a special meeting of the planning commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws provide otherwise, the secretary shall send written notice of a special meeting to planning commission members not less than 48 hours before the meeting.

(2) The business that a planning commission may perform shall be conducted at a public meeting of the planning commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that act.

(3) A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3823 Compensation; expenses; preparation of budget; acceptance of gifts.

Sec. 23. (1) Members of a planning commission may be compensated for their services as provided by the legislative body. A planning commission may adopt bylaws relative to compensation and expenses of its members and employees for travel when engaged in the performance of activities authorized by the legislative body, including, but not limited to, attendance at conferences, workshops, educational and training programs, and meetings.

(2) After preparing the annual report required under section 19, a planning commission may prepare a detailed budget and submit the budget to the legislative body for approval or disapproval. The legislative body annually may appropriate funds for carrying out the purposes and functions permitted under this act, and may match local government funds with federal, state, county, or other local government or private grants, contributions, or endowments.

(3) A planning commission may accept gifts for the exercise of its functions. However, in a township, other than a township that on the effective date of this act had a planning commission created under former 1931 PA 285, only the township board may accept such gifts, on behalf of the planning commission. A gift of money so accepted in either case shall be deposited with the treasurer of the local unit of government in a special nonreverting planning commission fund for expenditure by the planning commission for the purpose designated by the donor. The treasurer shall draw a warrant against the special nonreverting fund only upon receipt of a voucher signed by the chairperson and secretary of the planning commission and an order drawn by the clerk of the local unit of government. The expenditures of a planning commission, exclusive of gifts and grants, shall be within the amounts appropriated by the legislative body.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3825 Employment of planning director and other personnel; contract for services; use of information and advice provided by public officials, departments, and agencies.

Sec. 25. (1) A local unit of government may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by the legislative body. This authority shall be exercised by the legislative body, unless a charter provision or ordinance delegates this authority to the planning commission or another body or official. The appointment of employees is subject to the same provisions of law as govern other corresponding civil employees of the local unit of government.

(2) For the purposes of this act, a planning commission may make use of maps, data, and other information and expert advice provided by appropriate federal, state, regional, county, and municipal officials, departments, and agencies. All public officials, departments, and agencies shall make available public information for the use of planning commissions and furnish such other technical assistance and advice as they may have for planning purposes.

History: 2008, Act 33, Eff. Sept. 1, 2008.

ARTICLE III.

PREPARATION AND ADOPTION OF MASTER PLAN

125.3831 Master plan; preparation by planning commission; meetings with other governmental planning commissions or agency staff; powers.

Sec. 31. (1) A planning commission shall make and approve a master plan as a guide for development within the planning jurisdiction subject to section 81 and the following:

(a) For a county, the master plan may include planning in cooperation with the constituted authorities for incorporated areas in whole or to the extent to which, in the planning commission's judgment, they are related to the planning of the unincorporated area or of the county as a whole.

(b) For a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, or for a city or village, the planning jurisdiction may include any areas outside of the municipal boundaries that, in the planning commission's judgment, are related to the planning of the municipality.

(2) In the preparation of a master plan, a planning commission shall do all of the following, as applicable:

(a) Make careful and comprehensive surveys and studies of present conditions and future growth within the planning jurisdiction with due regard to its relation to neighboring jurisdictions.

(b) Consult with representatives of adjacent local units of government in respect to their planning so that conflicts in master plans and zoning may be avoided.

(c) Cooperate with all departments of the state and federal governments, public transportation agencies, and other public agencies concerned with programs for economic, social, and physical development within the planning jurisdiction and seek the maximum coordination of the local unit of government's programs with these agencies.

(3) In the preparation of the master plan, the planning commission may meet with other governmental planning commissions or agency staff to deliberate.

(4) In general, a planning commission has such lawful powers as may be necessary to enable it to promote local planning and otherwise carry out the purposes of this act.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3833 Master plan; land use and infrastructure issues; inclusion of maps, plats, charts, and other related matter; recommendations for physical development; additional subjects; implementation of master street plan or certain elements; specifications; section subject to MCL 125.3881(1); public transportation facilities.

Sec. 33. (1) A master plan shall address land use and infrastructure issues and may project 20 years or more into the future. A master plan shall include maps, plats, charts, and descriptive, explanatory, and other related matter and shall show the planning commission's recommendations for the physical development of the planning jurisdiction.

(2) A master plan shall also include those of the following subjects that reasonably can be considered as pertinent to the future development of the planning jurisdiction:

(a) A land use plan that consists in part of a classification and allocation of land for agriculture, residences, commerce, industry, recreation, ways and grounds, subject to subsection (5), public transportation facilities, public buildings, schools, soil conservation, forests, woodlots, open space, wildlife refuges, and other uses and purposes. If a county has not adopted a zoning ordinance under former 1943 PA 183 or the Michigan

zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, a land use plan and program for the county may be a general plan with a generalized future land use map.

(b) The general location, character, and extent of all of the following:

(i) All components of a transportation system and their interconnectivity including streets and bridges, public transit including public transportation facilities and routes, bicycle facilities, pedestrian ways, freight facilities and routes, port facilities, railroad facilities, and airports, to provide for the safe and efficient movement of people and goods in a manner that is appropriate to the context of the community and, as applicable, considers all legal users of the public right-of-way.

(ii) Waterways and waterfront developments.

(iii) Sanitary sewers and water supply systems.

(iv) Facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels.

(v) Public utilities and structures.

(c) Recommendations as to the general character, extent, and layout of redevelopment or rehabilitation of blighted areas; and the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities.

(d) For a local unit of government that has adopted a zoning ordinance, a zoning plan for various zoning districts controlling the height, area, bulk, location, and use of buildings and premises. The zoning plan shall include an explanation of how the land use categories on the future land use map relate to the districts on the zoning map.

(e) Recommendations for implementing any of the master plan's proposals.

(3) If a master plan is or includes a master street plan or 1 or more elements described in subsection (2)(b)(i), the means for implementing the master street plan or elements in cooperation with the county road commission and the state transportation department shall be specified in the master street plan in a manner consistent with the respective powers and duties of and any written agreements between these entities and the municipality.

(4) This section is subject to section 81(1).

(5) The reference to public transportation facilities in subsection (2)(a) only applies to a master plan that is adopted or substantively amended more than 90 days after the effective date of the amendatory act that added this subsection.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3835 Subplan; adoption.

Sec. 35. A planning commission may, by a majority vote of the members, adopt a subplan for a geographic area less than the entire planning jurisdiction, if, because of the unique physical characteristics of that area, more intensive planning is necessary for the purposes set forth in section 7.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3837 Metropolitan county planning commission; designation; powers.

Sec. 37. (1) A county board of commissioners may designate the county planning commission as the metropolitan county planning commission. A county planning commission so designated shall perform metropolitan and regional planning whenever necessary or desirable. The metropolitan county planning commission may engage in comprehensive planning, including, but not limited to, the following:

(a) Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, together with long-range fiscal plans for such development.

(b) Programming of capital improvements based on relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program.

(c) Coordination of all related plans of local governmental agencies within the metropolitan area or region.

(d) Intergovernmental coordination of all related planning activities among the state and local governmental agencies within the metropolitan area or region.

(2) In addition to the powers conferred by other provisions of this act, a metropolitan county planning commission may apply for, receive, and accept grants from any local, regional, state, or federal governmental agency and agree to and comply with the terms and conditions of such grants. A metropolitan county planning commission may do any and all things necessary or desirable to secure the financial aid or cooperation of a regional, state, or federal governmental agency in carrying out its functions, when approved by a 2/3 vote of the county board of commissioners.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3839 Master plan; adoption; procedures; notice; submittals; use of electronic mail.

Sec. 39. (1) A master plan shall be adopted under the procedures set forth in this section and sections 41 and 43. A master plan may be adopted as a whole or by successive parts corresponding with major geographical areas of the planning jurisdiction or with functional subject matter areas of the master plan.

(2) Before preparing a master plan, a planning commission shall send to all of the following, by first-class mail or personal delivery, a notice explaining that the planning commission intends to prepare a master plan and requesting the recipient's cooperation and comment:

(a) For any local unit of government undertaking a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county undertaking a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality undertaking a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that municipality is located. If there is a county planning commission, the municipal planning commission may consult with the regional planning commission but is not required to do so.

(e) For a municipality undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located.

(f) For any local unit of government undertaking a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and mailing address for this purpose with the planning commission.

(g) If the master plan will include a master street plan, the county road commission and the state transportation department.

(3) A submittal under section 41 or 43 by or to an entity described in subsection (2) may be made by personal or first-class mail delivery of a hard copy or by electronic mail. However, the planning commission preparing the plan shall not make such submittals by electronic mail unless, in the notice described in subsection (2), the planning commission states that it intends to make such submittals by electronic mail and the entity receiving that notice does not respond by objecting to the use of electronic mail. Electronic mail may contain a link to a website on which the submittal is posted if the website is accessible to the public free of charge.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3841 Preparation of proposed master plan; submission to legislative body for review and comment; approval required; notice; submission of comments; statements as advisory.

Sec. 41. (1) After preparing a proposed master plan, a planning commission shall submit the proposed master plan to the legislative body for review and comment. The process of adopting a master plan shall not proceed further unless the legislative body approves the distribution of the proposed master plan.

(2) If the legislative body approves the distribution of the proposed master plan, it shall notify the secretary of the planning commission, and the secretary of the planning commission shall submit, in the manner provided in section 39(3), a copy of the proposed master plan, for review and comment, to all of the following:

(a) For any local unit of government proposing a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county proposing a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality proposing a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that local unit of government is located. If there is a county planning commission, the secretary of the municipal planning commission may submit a copy of the proposed master plan to the regional planning commission but is not required to do so.

(e) For a municipality proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located. The secretary of the municipal planning commission shall concurrently submit to the county planning commission, in the manner provided in section 39(3), a statement that the requirements of subdivision (a) have been met or, if there is no county planning commission, shall submit to the county board of commissioners, in the manner provided in section 39(3), a statement that the requirements of subdivisions (a) and (d) have been met. The statement shall be signed by the secretary and shall include the name and address of each planning commission or legislative body to which a copy of the proposed master plan was submitted under subdivision (a) or (d), as applicable, and the date of submittal.

(f) For any local unit of government proposing a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and address for this purpose with the secretary of the planning commission. An entity described in this subdivision that receives a copy of a proposed master plan, or of a final master plan as provided in section 43(5), shall reimburse the local unit of government for any copying and postage costs thereby incurred.

(g) If the proposed master plan is or includes a proposed master street plan, the county road commission and the state transportation department.

(3) An entity described in subsection (2) may submit comments on the proposed master plan to the planning commission in the manner provided in section 39(3) within 63 days after the proposed master plan was submitted to that entity under subsection (2). If the county planning commission or the county board of commissioners that receives a copy of a proposed master plan under subsection (2)(e) submits comments, the comments shall include, but need not be limited to, both of the following, as applicable:

(a) A statement whether the county planning commission or county board of commissioners considers the proposed master plan to be inconsistent with the master plan of any municipality or region described in subsection (2)(a) or (d).

(b) If the county has a county master plan, a statement whether the county planning commission considers the proposed master plan to be inconsistent with the county master plan.

(4) The statements provided for in subsection (3)(a) and (b) are advisory only.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

125.3843 Proposed master plan; public hearing; notice; approval by resolution of planning commission; statement; submission of copy of master plan to legislative body; approval or rejection by legislative body; procedures; submission of adopted master plan to certain entities.

Sec. 43. (1) Before approving a proposed master plan, a planning commission shall hold not less than 1 public hearing on the proposed master plan. The hearing shall be held after the expiration of the deadline for comment under section 41(3). The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government. The planning commission shall also submit notice of the public hearing in the manner provided in section 39(3) to each entity described in section 39(2). This notice may accompany the proposed master plan submitted under section 41.

(2) The approval of the proposed master plan shall be by resolution of the planning commission carried by the affirmative votes of not less than 2/3 of the members of a city or village planning commission or not less than a majority of the members of a township or county planning commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the planning commission to form the master plan. A statement recording the planning commission's approval of the master plan, signed by the chairperson or secretary of the planning commission, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map. Following approval of the proposed master plan by the planning commission, the secretary of the planning commission shall submit a copy of the master plan to the legislative body.

(3) Approval of the proposed master plan by the planning commission under subsection (2) is the final step for adoption of the master plan, unless the legislative body by resolution has asserted the right to approve or reject the master plan. In that case, after approval of the proposed master plan by the planning commission, the legislative body shall approve or reject the proposed master plan. A statement recording the legislative body's approval of the master plan, signed by the clerk of the legislative body, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map.

(4) If the legislative body rejects the proposed master plan, the legislative body shall submit to the planning commission a statement of its objections to the proposed master plan. The planning commission shall consider the legislative body's objections and revise the proposed master plan so as to address those objections. The procedures provided in subsections (1) to (3) and this subsection shall be repeated until the legislative body approves the proposed master plan.

(5) Upon final adoption of the master plan, the secretary of the planning commission shall submit, in the manner provided in section 39(3), copies of the adopted master plan to the same entities to which copies of the proposed master plan were required to be submitted under section 41(2).

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3845 Extension, addition, revision, or other amendment to master plan; adoption; procedures; review and findings.

Sec. 45. (1) An extension, addition, revision, or other amendment to a master plan shall be adopted by following the procedure under sections 39, 41, and 43, subject to all of the following:

(a) Any of the following amendments to a master plan may be made without following the procedure under sections 39, 41, and 43:

(i) A grammatical, typographical, or similar editorial change.

(ii) A title change.

(iii) A change to conform to an adopted plat.

(b) Subject to subdivision (a), the review period provided for in section 41(3) shall be 42 days instead of 63 days.

(c) When a planning commission sends notice to an entity under section 39(2) that it intends to prepare a subplan, the notice may indicate that the local unit of government intends not to provide that entity with further notices of or copies of proposed or final subplans otherwise required to be submitted to that entity under section 39, 41, or 43. Unless the entity responds that it chooses to receive notice of subplans, the local unit of government is not required to provide further notice of subplans to that entity.

(2) At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3847 Part of county master plan covering incorporated area; adoption by appropriate city or village required; exception.

Sec. 47. (1) Subject to subsection (2), a part of a county master plan covering an incorporated area within the county shall not be recognized as the official master plan or part of the official master plan for that area unless adopted by the appropriate city or village in the manner prescribed by this act.

(2) Subsection (1) does not apply if the incorporated area is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3849 City or village planning department; authority to submit proposed master plan, or proposed extension, addition, revision, or other amendment.

Sec. 49. (1) This act does not alter the authority of a planning department of a city or village created by charter to submit a proposed master plan, or a proposed extension, addition, revision, or other amendment to a master plan, to the planning commission, whether directly or indirectly as provided by charter.

(2) Subsection (1) notwithstanding, a planning commission described in subsection (1) shall comply with the requirements of this act.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3851 Public interest and understanding; promotion.

Sec. 51. (1) To promote public interest in and understanding of the master plan, a planning commission may publish and distribute copies of the master plan or of any report, and employ other means of publicity and education.

(2) A planning commission shall consult with and advise public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens concerning the promotion or

implementation of the master plan.

History: 2008, Act 33, Eff. Sept. 1, 2008.

ARTICLE IV.

SPECIAL PROVISIONS, INCLUDING CAPITAL IMPROVEMENTS AND SUBDIVISION REVIEW

125.3861 Construction of certain projects in area covered by municipal master plan; approval; initiation of work on project; requirements; report and advice.

Sec. 61. (1) A street; square, park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body having jurisdiction over the authorization or financing of the project and has been approved by the planning commission. The planning commission shall submit its reasons for approval or disapproval to the body having jurisdiction. If the planning commission disapproves, the body having jurisdiction may overrule the planning commission by a vote of not less than 2/3 of its entire membership for a township that on the enactment date of this act had a planning commission created under former 1931 PA 285, or for a city or village, or by a vote of not less than a majority of its membership for any other township. If the planning commission fails to act within 35 days after submission of the proposal to the planning commission, the project shall be considered to be approved by the planning commission.

(2) Following adoption of the county plan or any part of a county plan and the certification by the county planning commission to the county board of commissioners of a copy of the plan, work shall not be initiated on any project involving the expenditure of money by a county board, department, or agency for the acquisition of land, the erection of structures, or the extension, construction, or improvement of any physical facility by any county board, department, or agency unless a full description of the project, including, but not limited to, its proposed location and extent, has been submitted to the county planning commission and the report and advice of the planning commission on the proposal have been received by the county board of commissioners and by the county board, department, or agency submitting the proposal. However, work on the project may proceed if the planning commission fails to provide in writing its report and advice upon the proposal within 35 days after the proposal is filed with the planning commission. The planning commission shall provide copies of the report and advice to the county board, department, or agency sponsoring the proposal.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3863 Approval of construction project before effective date of act; rescission of authorization; failure of planning commission to act within certain period of time.

Sec. 63. If the opening, widening, or extension of a street, or the acquisition or enlargement of any square, park, playground, or other open space has been approved by a township planning commission that was created before the effective date of this act under former 1931 PA 285 or by a city or village planning commission and authorized by the legislative body as provided under section 61, the legislative body shall not rescind its authorization unless the matter has been resubmitted to the planning commission and the rescission has been approved by the planning commission. The planning commission shall hold a public hearing on the matter. The planning commission shall submit its reasons for approval or disapproval of the rescission to the legislative body. If the planning commission disapproves the rescission, the legislative body may overrule the planning commission by a vote of not less than 2/3 of its entire membership. If the planning commission fails to act within 63 days after submission of the proposed rescission to the planning commission, the proposed rescission shall be considered to be approved by the planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3865 Capital improvements program of public structures and improvements; preparation; basis.

Sec. 65. (1) To further the desirable future development of the local unit of government under the master plan, a planning commission, after adoption of a master plan, shall annually prepare a capital improvements program of public structures and improvements, unless the planning commission is exempted from this requirement by charter or otherwise. If the planning commission is exempted, the legislative body either shall prepare and adopt a capital improvements program, separate from or as a part of the annual budget, or shall delegate the preparation of the capital improvements program to the chief elected official or a nonelected administrative official, subject to final approval by the legislative body. The capital improvements program

shall show those public structures and improvements, in the general order of their priority, that in the commission's judgment will be needed or desirable and can be undertaken within the ensuing 6-year period. The capital improvements program shall be based upon the requirements of the local unit of government for all types of public structures and improvements. Consequently, each agency or department of the local unit of government with authority for public structures or improvements shall upon request furnish the planning commission with lists, plans, and estimates of time and cost of those public structures and improvements.

(2) Any township may prepare and adopt a capital improvement program. However, subsection (1) is only mandatory for a township if the township, alone or jointly with 1 or more other local units of government, owns or operates a water supply or sewage disposal system.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3867 Programs for public structures and improvements; recommendations.

Sec. 67. A planning commission may recommend to the appropriate public officials programs for public structures and improvements and for the financing thereof, regardless of whether the planning commission is exempted from the requirement to prepare a capital improvements program under section 65.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3869 Copy of zoning ordinance and amendments; request by county planning commission for submission by municipal planning commission.

Sec. 69. If a municipal planning commission has zoning duties pursuant to section 83 and the municipality has adopted a zoning ordinance, the county planning commission, if any, may, by first-class mail or personal delivery, request the municipal planning commission to submit to the county planning commission a copy of the zoning ordinance and any amendments. The municipal planning commission shall submit the requested documents to the county planning commission within 63 days after the request is received and shall submit any future amendments to the zoning ordinance within 63 days after the amendments are adopted. The municipal planning commission may submit a zoning ordinance or amendment under this subsection electronically.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3871 Recommendations for ordinances or rules governing subdivision of land; public hearing; notice; action on proposed plat; approval, approval with conditions, or disapproval by planning commission; approval of plat as amendment to master plan.

Sec. 71. (1) A planning commission may recommend to the legislative body provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, the county planning commission may recommend to the legislative body of the municipality provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. A planning commission may proceed under this subsection on its own initiative or upon request of the appropriate legislative body.

(2) Recommendations for a subdivision ordinance or rule may address plat design, including the proper arrangement of streets in relation to other existing or planned streets and to the master plan; adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air; and the avoidance of congestion of population, including minimum width and area of lots. The recommendations may also address the extent to which streets shall be graded and improved and to which water and sewer and other utility mains, piping, or other facilities shall be installed as a condition precedent to the approval of a plat.

(3) Before recommending an ordinance or rule described in subsection (1), the planning commission shall hold a public hearing on the proposed ordinance or rule. The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government.

(4) If a municipality has adopted a master plan or master street plan, the planning commission of that municipality shall review and make recommendations on plats before action thereon by the legislative body under section 112 of the land division act, 1967 PA 288, MCL 560.112. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL

124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, and the municipality has adopted a master plan or master street plan, the county planning commission shall also review and make recommendations on plats before action thereon by the legislative body of the municipality under section 112 of the land division act, 1967 PA 288, MCL 560.112.

(5) A planning commission shall not take action on a proposed plat without affording an opportunity for a public hearing thereon. A plat submitted to the planning commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time, and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the municipality. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

(6) A planning commission shall recommend approval, approval with conditions, or disapproval of a plat within 63 days after the plat is submitted to the planning commission. If applicable standards under the land division act, 1967 PA 288, MCL 560.101 to 560.293, and an ordinance or published rules governing the subdivision of land authorized under section 105 of that act, MCL 560.105, are met, the planning commission shall recommend approval of the plat. If the planning commission fails to act within the required period, the plat shall be considered to have been recommended for approval, and a certificate to that effect shall be issued by the planning commission upon request of the proprietor. However, the proprietor may waive this requirement and consent to an extension of the 63-day period. The grounds for any recommendation of disapproval of a plat shall be stated upon the records of the planning commission.

(7) A plat approved by a municipality and recorded under section 172 of the land division act, 1967 PA 288, MCL 560.172, shall be considered to be an amendment to the master plan and a part thereof. Approval of a plat by a municipality does not constitute or effect an acceptance by the public of any street or other open space shown upon the plat.

History: 2008, Act 33, Eff. Sept. 1, 2008.

ARTICLE V.

TRANSITIONAL PROVISIONS AND REPEALER

125.3881 Plan adopted or amended under planning act repealed under MCL 125.3885; effect; city or home rule village charter provision creating planning commission or ordinance implementing provision before effective date of act; ordinance creating planning commission under former law; ordinance or rules governing subdivision of land.

Sec. 81. (1) Unless rescinded by the local unit of government, any plan adopted or amended under a planning act repealed under section 85 need not be readopted under this act but continues in effect as a master plan under this act, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term. This includes, but is not limited to, a plan prepared by a planning commission and adopted before the effective date of this act to satisfy the requirements of section 1 of the former city and village zoning act, 1921 PA 207, section 3 of the former township zoning act, 1943 PA 184, section 3 of the former county zoning act, 1943 PA 183, or section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203. The master plan is subject to the requirements of this act, including, but not limited to, the requirement for periodic review under section 45(2) and the amendment procedures set forth in this act. However, the master plan is not subject to the requirements of section 33 until it is first amended under this act.

(2) Unless repealed, a city or home rule village charter provision creating a planning commission before the effective date of this act and any ordinance adopted before the effective date of this act implementing that charter provision continues in effect under this act, and the planning commission need not be newly created by an ordinance adopted under this act. However, both of the following apply:

(a) The legislative body may by ordinance increase the powers and duties of the planning commission to correspond with the powers and duties of a planning commission created under this act. Provisions of this act regarding planning commission powers and duties do not otherwise apply to a planning commission created by charter before the effective date of this act and provisions of this act regarding planning commission membership, appointment, and organization do not apply to such a planning commission. All other provisions of this act, including, but not limited to, provisions regarding planning commission selection of officers, meetings, rules, records, appointment of employees, contracts for services, and expenditures, do apply to such a planning commission.

(b) The legislative body shall amend any ordinance adopted before the effective date of this act to implement the charter provision, or repeal the ordinance and adopt a new ordinance, to fully conform to the requirements of this act made applicable by subdivision (a), by the earlier of the following dates:

(i) The date when an amendatory or new ordinance is first adopted under this act for any purpose.

(ii) July 1, 2011.

(3) Unless repealed, an ordinance creating a planning commission under former 1931 PA 285 or former 1945 PA 282 or a resolution creating a planning commission under former 1959 PA 168 continues in effect under this act, and the planning commission need not be newly created by an ordinance adopted under this act. However, all of the following apply:

(a) Beginning on the effective date of this act, the duties of the planning commission are subject to the requirements of this act.

(b) The legislative body shall amend the ordinance, or repeal the ordinance or resolution and adopt a new ordinance, to fully conform to the requirements of this act by the earlier of the following dates:

(i) The date when an amendatory or new ordinance is first adopted under this act for any purpose.

(ii) July 1, 2011.

(c) An ordinance adopted under subdivision (b) is not subject to referendum.

(4) Unless repealed or rescinded by the legislative body, an ordinance or published rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105, need not be readopted under this act or amended to comply with this act but continue in effect under this act. However, if amended, the ordinance or published rules shall be amended under the procedures of this act.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3883 Transfer of powers, duties, and records.

Sec. 83. (1) If, on the effective date of this act, a planning commission had the powers and duties of a zoning board or zoning commission under the former city and village zoning act, 1921 PA 207, the former county zoning act, 1943 PA 183, or the former township zoning act, 1943 PA 184, and under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, the planning commission may continue to exercise those powers and duties without amendment of the ordinance, resolution, or charter provision that created the planning commission.

(2) If, on the effective date of this act, a local unit of government had a planning commission without zoning authority created under former 1931 PA 285, former 1945 PA 282, or former 1959 PA 168, the legislative body may by amendment to the ordinance creating the planning commission, or, if the planning commission was created by resolution, may by resolution, transfer to the planning commission all the powers and duties provided to a zoning board or zoning commission created under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702. If an existing zoning board or zoning commission in the local unit of government is nearing the completion of its draft zoning ordinance, the legislative body shall postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but is not required to postpone the transfer more than 1 year.

(3) If, on or after the effective date of this act, a planning commission is created in a local unit of government that has had a zoning board or zoning commission since before the effective date of this act, the legislative body shall transfer all the powers, duties, and records of the zoning board or zoning commission to the planning commission before July 1, 2011. If the existing zoning board or zoning commission is nearing the completion of its draft zoning ordinance, the legislative body may, by resolution, postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but not later than until 1 year after creation of the planning commission or July 1, 2011, whichever comes first.

History: 2008, Act 33, Eff. Sept. 1, 2008.

125.3885 Repeal of certain acts.

Sec. 85. (1) The following acts are repealed:

(a) 1931 PA 285, MCL 125.31 to 125.45.

(b) 1945 PA 282, MCL 125.101 to 125.115.

(c) 1959 PA 168, MCL 125.321 to 125.333.

(2) Any plan adopted or amended under an act repealed under subsection (1) is subject to section 81(1).

History: 2008, Act 33, Eff. Sept. 1, 2008.



MEMORANDUM

Planning Division

DATE: September 14, 2022

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Outdoor Dining Ordinance – Study Session #12

On December 7, 2020 ([Agenda](#) – [Minutes](#)), the City Commission discussed amending the Zoning Ordinance to consider allowing the enclosure of outdoor dining areas during the winter months. The City Commission asked the Planning Board to consider this issue, and any regulations they may recommend should outdoor dining enclosures be permitted.

On June 21st, 2021 ([Agenda](#) – [Minutes](#)), the City Commission and Planning Board met at a joint meeting to further discuss outdoor dining, and to get a clear direction as to what elements of outdoor dining should be addressed. In general, the City Commission and Planning Board discussed several topics spanning from enclosures to private vs. public space, but ultimately asked the Planning Board to take a comprehensive look at the entire outdoor dining ordinance.

On June 23rd, 2021 ([Agenda](#) – [Minutes](#)), the Planning Board discussed outdoor dining in further detail based on the joint meeting two days prior. The Planning Board settled on a list of goals that they would like to focus on in the ordinance review process, which includes the following:

- Incentivize outdoor off-season dining;
- Review the placement of decks and enclosures;
- Ensure that additional outdoor off-season dining does not become an extension of the indoor space;
- Solicit feedback from restaurateurs of all types in the City;
- Seek possible ideas from local, national and international examples;
- Review the current ordinance for issues;
- Review tickets that were given out to temporary outdoor dining operations;
- Review photos of the variety of temporary outdoor dining structures that were used around the City;

- Explore options for maintaining permanent aspects of outdoor dining structures even if the parts of the structures come down in different seasons;
- Discuss potential differences in policy for outdoor dining on public versus private property;
- Solicit feedback from Public Services and the BSD;
- Review agreements from temporary outdoor dining to see if any of the temporary policies might be worth integrating;
- Consider aspects like sidewalk widths and snow clearing in writing the policy;
- Maintain the current seating allowances for differently-sized establishments and maintain the differences for establishments holding different kinds of licenses for alcoholic beverage service; and,
- Recommend a permanent solution so that restaurateurs do not have to continue to adapt to changing policies.

Study Session #1 Summary

On July 14, 2021 ([Agenda](#) – [Minutes](#)), the Planning Board reviewed a high-level report on outdoor dining to guide future discussion. The topics included observations as to what constitutes “good” outdoor dining with national and local examples, as well as a local ordinance review for outdoor dining. The Planning Board discussed next steps and emphasized the need to (1) hear from different City Departments (code issues, retail neighbor conflicts, streetscape), (2) review available codes and ordinances from other areas of the country (enclosures, public vs. private, year-round), and (3) analyze information from national downtown associations or other related organizations (trends, social districts, success stories).

Study Session #2 Summary

On August 11, 2021 ([Agenda](#) – [Minutes](#)), the Planning Board reviewed another high-level report in which the Planning Division presented various departmental comments on outdoor dining, a national outdoor dining ordinance review, conversations with local cities, and a study of national organization input and trends. The Planning Division also provided some public feedback from Engage Birmingham, which surveyed the public for their opinion of the COVID-19 temporary outdoor dining expansions, which were overwhelmingly positive. Moving forward, the Planning Board expressed interest in getting into more detail on seasonal/year round dining and its effect on street activation, public versus public space, the potential for regulating different restaurants/licenses differently, and defining and establishing a purpose of outdoor dining in the City.

Study Session #3 Summary

On September 9, 2021 ([Agenda](#) – [Minutes](#)), the Planning Board discussed the report which contained comments from the Advisory Parking Committee, common issues with outdoor dining patios, information on the temporary COVID-19 patios, and also discussed the purpose of outdoor dining. In addition, the Planning Board was able to review an example of how the outdoor dining ordinance could look based on comments up to that point. Ultimately, the conversation started to get more granular with specific ordinance-related ideas ranging from an official stance on

enclosures to material guidelines to patio placement. There were several other requests for information including a review of Michigan Liquor Control Commission guidelines for outdoor dining, a review of the concept of windbreak versus wall, and the possibility of regulating outdoor dining by zones.

Study Session #4 Summary

On September 23, 2021 ([Agenda](#) – [Minutes](#)), the Planning Board discussed the MLCC rules for outdoor dining patios, the concept of a windbreak and whether or not they should be permitted, and also explored the different zoning districts in which outdoor dining is permitted. These topics led to more conversation about how overhead weather protection will interact with said overhead coverings, and what typed of overhead protection the Planning Board should permit. The Planning Board expressed an interest in taking a deeper dive into overhead weather protection and reviewing different options.

Study Session #5 Summary

On October 27, 2021 ([Agenda](#) – [Minutes](#)), the Planning Board focused much their conversation on overhead weather protection and which types may be considered within the new ordinance language, and what different issues might arise with the different styles. In addition, the Birmingham Fire Chief Paul Wells gave a brief overview of the fire code as it relates to overhead weather protection, and offered some guidance to the Planning Board regarding fire suppression and other aspects of outdoor dining. In addition to overhead weather protection, the Planning Board provided some clear direction on the subjects of windbreaks, year-round dining, and the role of outdoor dining decks.

Study Session #6 Summary

On December 8, 2021 ([Agenda](#) – [Minutes](#)), the Planning Board reviewed comments regarding outdoor dining from the Birmingham Shopping District (BSD). In addition to the BSD comments, the Planning Board also reviewed some updated comments from the Fire Department based on their additional research into the Fire Code. To round out the meeting, the Planning Board outlined several items that they feel need further discussion/decision moving forward:

- Whether establishments with liquor licenses and establishments without liquor licenses should be handled differently;
- Whether there should be on-season and off-season dates for outdoor dining, and what should happen to furniture and other equipment on public property if there are different 'seasons';
- Whether establishments should be permitted outdoor dining on both a sidewalk and a deck if requested, and if not, what the City wants to incentivize instead;
- What types of coverings and equipment should be allowed, and how specific the standards should be in terms of material, location, and other considerations;
- Whether outdoor dining should be permitted to extend beyond the storefront of an establishment, and if so, what the limitations should be;

- Whether outdoor dining decks should be limited to a certain number per block; and,
- Whether outdoor dining in public space and outdoor dining in private space should be regulated differently.

Study Session #7 Summary

On January 12, 2022 ([Agenda](#) – [Minutes](#)), the Planning Board discussed the several questions posed in the previous study session and come to a conclusion on most of them. In general, the Planning Board decided on a short extension to the regular outdoor dining season, treating all outdoor dining establishments alike, enhanced material and appearance standards, and allowing expansion of patios with neighbor consent. During this study session, the Planning Board also reviewed seating data for the different outdoor dining establishments, and was provided a map of all outdoor dining in the City, which is heavily concentrated downtown. Ultimately, the Planning Board asked Staff to take their comments and work them into a new revised set of ordinance amendments to review on February 9, 2022.

Study Session #8 Summary

On February 9, 2022 ([Agenda](#) – [Minutes](#)), the Planning Board worked on fine-tuning a set of ordinance amendments to try to finalize a few of their discussion points, and make sure the intent of the original direction of the City Commission was met. The Planning Board made several revision requests that were aimed at clarifying different aspects of the proposed ordinance, but especially relating to the barriers and enclosure regulations. In addition, the Planning Board made some requests to review various site plans from approved outdoor dining patios in the City to help guide the final discussions on the placement of patios, and other design limitations.

Study Session #9 Summary

On March 9, 2022 ([Agenda](#) – [Minutes](#)), the Planning Board took another long look at the proposed ordinance language and offered several minor changes to the text in attempts to offer further clarity and consistency throughout the ordinance. In addition, the Planning Board discussed the remaining issues that were in need of direction. In short, the Planning Board decided that they did not wish to restrict outdoor dining patios to one contiguous patio, but did express interest in restricting platform dining to the street with no impingement on the furniture zone. Additionally, the majority of the Planning Board did not feel as though fixed awnings were appropriate over outdoor dining platforms, and sought additional language to restrict overhead weather protection to umbrellas on platforms. Finally, the Planning Board did not feel as though the numbers of platforms per block should be restricted.

Public Hearing #1 Summary

On March 9, 2022, the Planning Board moved to set a public hearing date of April 13, 2022 for a final review and recommendation to be forwarded to the City Commission. Due to a noticing issue, the Planning Board reset the public hearing to May 11, 2022 ([Agenda](#) – [Minutes](#)). At the public hearing, the Planning Division provided finalized ordinance language based on Planning Board comments, but also re-circulated the language to each department, as well as the City

Attorney to ensure that the language addressed their concerns, and would provide consistent and enforceable regulation. Ultimately, a motion to recommend approval to the City Commission failed 3-4. The driving factors behind the failed vote were concerns over the impact of the amended ordinance language on existing establishments, and some lingering design questions

Joint Meeting Summary

On June 20, 2022 ([Agenda](#) – [Minutes](#)), the Planning Board and City Commission held a joint meeting to discuss a few remaining policy considerations related to the overall outdoor dining study, as well as give the Commission a progress report. Three main questions were posed to the group:

1. Does the Commission wish to engage in any additional public input on the outdoor dining ordinance?
2. Does the Commission wish to consider a cap on the number of outdoor dining platforms permitted in the public rights-of-way by block, by area, or overall?
3. Should the Planning Board require additional documents and plans regarding the integration of valet operations and outdoor dining?

During the meeting, there was consensus that the City should use its constant contact email service to help inform the public of the upcoming outdoor dining study session. In addition, the group was in agreement that a non-conformity or sunset provision would be appropriate based on the nature of some of the larger changes proposed. Finally, it was unanimously accepted that a valet operations plan be included wherever outdoor dining facilities and valet operations coexist.

Study Session #10 Summary

On July 13, 2022 ([Agenda](#) – [Minutes](#)), the Planning Board discussed at length the final major design considerations that were unresolved, which included outdoor dining facilities in the furnishing zone, overhead weather protection, and windbreaks. Due

Study Session #11 Summary

On August 10, 2022 ([Agenda](#) – [Minutes](#)), the Planning reviewed revised ordinance language to reflect an adjustment to outdoor dining facility placement, the allowance of canopies and awnings on platforms, and other minor improvements.

Study Session #12

At this time, the Planning Division has provided the minor revisions requested from the Planning Board from the previous meeting. However, the drafting of the nonconformity section of the proposed ordinance language has not been completed at this time. In addition to assisting in the drafting of that particular section, the City Attorney will be reviewing the entirety of the language to ensure that it has been written in a satisfactory manner from a legal perspective.

Sample Motion Language:

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CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 4, SECTION 4.44, OUTDOOR DINING STANDARDS, TO SUPPORT PUBLIC HEALTH, ACTIVATE PUBLIC SPACE, FOSTER ECONOMIC DEVELOPMENT, SAFEGUARD THE USE OF PUBLIC PROPERTY, AND PROVIDE FLEXIBILITY FOR CURRENT TRENDS AND FUTURE DEMANDS FOR OUTDOOR DINING.

Article 4, Section 4.44 – Outdoor Dining Standards

This Outdoor Dining Standards section applies to the following districts:

B1 B2 B2B B2C B3 B4 MX 01 02 TZ3

The following outdoor dining standards apply:

~~A. **Outdoor Dining:** Outdoor dining is permitted immediately next to the principal use, subject to Site Plan Review, and the following conditions:~~

- ~~1. Outdoor dining areas shall provide and service refuse containers within the outdoor dining area and maintain the area in good order.~~
- ~~2. All outdoor activity must cease at the close of business or as noted in subsection 3 below.~~
- ~~3. When an outdoor dining area is immediately adjacent to any single family or multiple family residential district, all outdoor activity must cease at the close of business or 10:00 p.m., whichever is earlier.~~
- ~~4. Outdoor dining may be permitted on the sidewalk throughout the year with a valid Outdoor Dining License.~~
- ~~5. All tables and chairs provided in the outdoor dining area shall be constructed primarily of metal, wood, or material of comparable quality.~~
- ~~6. Table umbrellas shall be considered under Site Plan Review and shall not impede sight lines into a retail establishment, pedestrian flow in the outdoor dining area, or pedestrian or vehicular traffic flow outside the outdoor dining area.~~
- ~~7. For outdoor dining located in the public right-of-way:~~

- ~~a. All such uses shall be subject to a license from the city, upon forms provided by the Community Development Department, contingent on compliance with all city codes, including any conditions required by the Planning Board in conjunction with Site Plan approval.~~
- ~~b. In order to safeguard the flow of pedestrians on the public sidewalk, such uses shall maintain an unobstructed sidewalk width as required by the Planning Board, but in no case less than 5 feet.~~
- ~~c. Outdoor dining is permitted to extend in the right-of-way in front of neighboring properties, with the written permission of the property owner(s) and with Planning Board approval, if such property is vacant or the first floor storefront(s) is/are vacant. Outdoor dining areas may extend up to 50% of the width of the neighboring lot(s) storefront(s), or up to 50% of the lot(s) frontage, if such lot is vacant.~~
- ~~d. City Commission approval is also required for outdoor dining extensions onto neighboring property if the establishment making such a request holds a bistro license.~~
- ~~e. An elevated, ADA compliant platform may be erected on the street in front of an eating establishment to create an outdoor dining area only if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.~~
- ~~f. No such facility shall erect or install permanent fixtures in the public right-of-way.~~

~~8. Outdoor dining is permitted in a B1 District at a rate of 4 seats for every 12 linear feet of store frontage, with no more than 12 seats total per building; no elevated enclosed platforms on the street are permitted in a B1 District.~~

The following outdoor dining standards apply:

- A. Purpose and Intent: The purpose of this section is to provide harmonious outdoor dining design in order to support public health, activate public space, foster economic development, safeguard the use of public property, and provide flexibility for current trends and future demands for outdoor dining.
- B. Outdoor Dining – General: Outdoor dining is permitted immediately adjacent to the principal use, subject to review by the Planning Board, or by the Planning Division at the discretion of the Planning Board, and the conditions below. For the purposes of this section, outdoor dining facility shall mean patios and/or platforms.
 - 1. All outdoor activity including cleaning, maintenance and closing procedures must cease at the close of business or as noted in subsection 2.

2. When an outdoor dining facility is immediately adjacent to any single-family or multiple-family zoned residential district, all outdoor activity must cease at the close of business or 10:00 p.m., whichever is earlier.
 3. Reviews of outdoor dining facilities shall include, but are not limited to, the following elements: tables, chairs, umbrellas, portable heating elements, barriers, service stations, landscaping/plantings, awnings, canopies, lighting, host/hostess stands, entertainment, valet operations, and adjacent outdoor dining facilities.
 4. Outdoor dining facilities may be permitted to extend in front of neighboring properties or tenant spaces with the written permission of the property owners(s) affected and with Planning Board approval. Written permission must be renewed annually and submitted with the Outdoor Dining Permit application(s) for each outdoor dining facility affected.
 5. Outdoor dining facilities may be permitted on public property only with a valid Outdoor Dining License, provided that the following conditions are met:
 - i. Approval of an Outdoor Dining License shall be contingent upon compliance with all city codes, including any conditions required by the City or the Planning Board in conjunction with Site Plan approval.
 - ii. Operators of outdoor dining facilities shall be responsible for snow and ice removal, and shall remove snow and ice in a manner consistent with the regulations of the Department of Public Services.
 - iii. All outdoor dining facility elements such as railings, planters, tables, chairs, heaters, umbrellas, and the like must be stored indoors each night between January 1 and March 31 to allow for complete snow and ice removal.
 - iv. Outdoor dining patios located in an alley or passage that contains vehicular traffic are only permitted April 1 through December 31.
 - v. An ADA compliant platform may be erected in the on-street parking space(s) immediately in front of an eating establishment to create an outdoor dining facility from April 1 through December 31, subject to an additional review by the Advisory Parking Committee.
 6. All outdoor facilities shall be designed to meet the requirements of this section, as well as all applicable building and fire codes.
- C. Outdoor Dining – Design: All outdoor dining facilities are subject to the following design standards:
1. All outdoor dining elements, fixtures and furnishings must be constructed of high quality and durable materials that are compatible with the establishment and the environment in which the outdoor dining facility is located.

2. Outdoor dining facilities shall provide and service refuse containers within the outdoor dining facility and maintain the area in good order. Public trash receptacles are not permitted to be utilized by outdoor dining facilities.
3. Outdoor dining facilities shall not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance.
4. In order to safeguard the flow of pedestrians on the public sidewalk, such uses shall maintain an unobstructed sidewalk width as required by the Planning Board, but in no case less than 5 ft.
5. **Placement of outdoor dining patios shall be limited to either the area immediately adjacent to the building in which an establishment resides, or in the furnishing zone, but not both. Limited exceptions to the placement of outdoor dining patios as noted in this subsection may be made by the Planning Board where the streetscape conditions demonstrate sufficient space to permit adequate pedestrian passage, and as permitted in Article 4, Section 4.44(B)(4).**
6. Outdoor dining platforms within the adjacent street or parking space(s) shall be designed to be flush with the curb, and may not extend beyond the curb into the furnishing zone except to accommodate accessibility requirements.
7. No such establishment shall erect or install permanent fixtures in the public right-of-way.
8. Overhead weather protection such as umbrellas, awnings or canopies shall not:
 - i. Impede sight lines into a retail establishment;
 - ii. Obstruct pedestrian flow within the outdoor dining facility;
 - iii. Obstruct pedestrian or vehicular traffic flow outside the outdoor dining facility;
 - iv. **Overhead weather protection on outdoor dining platforms shall not measure less than 8 ft. from the finished floor of an outdoor dining platform, and shall not exceed 10 ft. in overall height;**
 - v. Contain signage or advertising.
9. Barriers defining outdoor dining facilities shall be constructed of a quality and durable material, and shall be maintained and placed in a consistent and organized fashion. Barriers may not exceed 42 inches in height measured from grade or the finished floor of an outdoor dining platform.
10. Windbreaks are permitted within outdoor dining facilities and shall be affixed to, or integrally designed within a barrier. The total combined height of a barrier and windbreak shall not exceed **42 inches as measured from grade or the finished floor of an outdoor dining platform**. Windbreaks must be constructed of a clear, rigid and durable material. Eisenglass and other vinyl-based materials are prohibited.

11. Portable heating elements must be maintained and kept in an orderly fashion and in accordance with all applicable fire codes. Propane or other fuels may not be stored on public property, and are subject to the Storage and Display Standards outlined in Article 4, Section 4.67 of the Zoning Ordinance.
12. All service functions and ancillary elements including, but not limited to, trash receptacles, service stations or host/hostess stands must be located within the approved outdoor dining facility, contained, and kept in a neat and orderly fashion. Service stations and host/hostess stands may not exceed 4 feet in height. The storage of dirty dishware is prohibited.

D. Continuation of Nonconforming Outdoor Dining Facilities: **TBD**

ORDAINED this _____ day of _____, 2023 to become effective 7 days after publication.

Therese Longe, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 3, SECTION 3.04 (C), SPECIFIC STANDARDS, TO REDUCE REDUNANCY AND PROVIDE CONSISTENT OUTDOOR DINING REGULATIONS.

Article 3, Section 3.04 – Specific Standards (Downtown Overlay District)

C. Building Use: Buildings shall accommodate the following range of uses for the various designations on the Regulating Plan of the Downtown Birmingham Overlay District:

1. ...
2. ...
3. ...
4. ...
5. ...
6. ...
7. ...
8. ...
9. ...

10. Bistros are permitted with a valid Special Land Use Permit with the following conditions:

- a. No direct connect additional bar permit is allowed and the maximum seating at a bar cannot exceed 10 seats;
- b. Alcohol is served only to seated patrons, except those standing in a defined bar area;
- c. No dance area is provided;
- d. Only low key entertainment is permitted;
- e. Bistros must have tables located in the storefront space lining any street, or pedestrian passage. **If the storefront area is not feasible for outdoor dining, alternative outdoor dining facility placement may be considered by the Planning Board;**
- f. **All outdoor dining facilities are subject to the requirements located in Article 4, Section 4.44 of this Ordinance;**
- g. A minimum of 70% glazing must be provided along building facades facing a street or pedestrian passage between 1 foot and 8 feet in height; **and**

- h. All bistro owners must execute a contract with the City outlining the details of the operation of the bistro.; and
- ~~i. Outdoor dining must be provided, weather permitting, along an adjacent street or passage during the months of May through October each year. Outdoor dining is not permitted past 12:00 a.m. If there is not sufficient space to permit such dining on the sidewalk adjacent to the bistro, an elevated, ADA compliant, defined platform must be erected on the street adjacent to the bistro to create an outdoor dining area if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.~~
- ~~j. Enclosures facilitating year round dining outdoors are not permitted.~~
- ~~k. Railings, planters or similar barriers defining outdoor dining platforms may not exceed 42" in height.~~
- ~~l. Outdoor rooftop dining is permitted with the conditions that surrounding properties are not impacted in a negative manner and adequate street level dining is provided as determined by the Planning Board and City Commission. Rooftop dining seats will count towards the total number of permissible outdoor dining seats.~~

ORDAINED this _____ day of _____, 2023 to become effective 7 days after publication.

Therese Longe, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 3, SECTION 3.16, SPECIFIC STANDARDS, TO REDUCE REDUNANCY AND PROVIDE CONSISTENT OUTDOOR DINING REGULATIONS, AND TO PERMIT OUTDOOR DINING IN ACTIVE VIAS.

Article 3, Section 3.16 – Specific Standards (Via Activation Overlay District

- A. Permitted and Prohibited Uses: To enhance the amenity and character of vias, **and** to enhance visual interest and encourage surveillance of urban spaces, active uses should be provided at the ground floor level along the majority of the edges of buildings located adjacent to vias. While buildings should accommodate these uses, care must be taken to avoid conflict with pedestrian movement in the via. To specifically encourage the activation of vias, the following uses are permitted within Active, Connecting, and Destination Vias:

1. Retail sales and display;
2. Public plazas and informal gathering spaces;
- 3. Outdoor Dining;**
4. Art display; and
5. Community Gardens.

In addition, the following ~~uses are~~ **use is** also permitted within Connecting and Destination Vias:

- ~~1. Outdoor dining; and~~
2. Special Events.

The following are specifically prohibited in all vias:

1. Automatic food and drink vending machines outdoors;
2. Drive-in facilities or any commercial use that encourages patrons to remain in their automobiles while receiving goods or services;
3. Unscreened trash receptacles; and
4. Unscreened outdoor storage.

B. ...

C. ...

ORDAINED this _____ day of _____, 2023 to become effective 7 days after publication.

Therese Longe, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 9, SECTION 9.02, DEFINITIONS, TO ADD DEFINITIONS FOR ENCLOSURE, OUTDOOR DINING PATIO, AND PERMANENT FIXTURE.

Article 9, Section 9.02 – Definitions

Enclosure (outdoor dining): A vertical wall, panel, or other material that extends above 60 in. in height which provides extended relief from weather and impedes physical and/or visual access to the outdoor dining space. For the purposes of this definition, enclosure does not include exterior building walls.

Furnishing Zone: The area between the sidewalk and the curb where streetscape amenities such as planter boxes, streetlights, and tree wells are typically located.

~~**Outdoor Café:** An outdoor area accessory to an existing restaurant operation designated for consumption of food prepared within the restaurant and subject to the provisions of this ordinance.~~

Outdoor Dining Patio: A defined outdoor area accessory to an existing food and drink establishment designated for consumption of food and/or drink prepared within the establishment and subject to the provisions of this ordinance.

Outdoor Dining Platform: A defined outdoor area accessory to an existing food and drink establishment designated for consumption of food and/or drink prepared within the establishment that is located in a parking space and/or street and subject to the provisions of this ordinance.

Permanent Fixture (outdoor dining): Any element within an outdoor dining patio containing a foundation or other rigid attachment that prevents removal or that which requires extensive modifications to the public right-of-way.

ORDAINED this _____ day of _____, 2023 to become effective 7 days after publication.

Therese Longe, Mayor

Alex Bingham, City Clerk



Nicholas Dupuis <ndupuis@bhamgov.org>

OUTDOOR DINING

1 message

Mike Clawson <msc@mikeclawsonlaw.com>
To: "ndupuis@bhamgov.org" <ndupuis@bhamgov.org>

Tue, Aug 23, 2022 at 8:08 AM

Good Morning:

I think Outdoor Dining is an important part of the Birmingham Downtown. I know most visitors and residents enjoy this aspect of our City. My recommendation would be to keep that option open for restaurants. I would not however be in favor of opening it up to food trucks.

Mike Clawson

Sent from [Mail](#) for Windows

ADMIN APPROVAL - DRB

App Date	Case #	Scope of Work	Property Address	Status
12/13/2021	PAA21-0139	Fire repair	996 S ADAMS RD	COMPLETED - APPROVED
01/10/2022	PAA22-0003	Changing top floor windows in rear, adding transoms, roviding access to balcony area.	720 N OLD WOODWARD AVE	COMPLETED - APPROVED
01/10/2022	PAA22-0004	New rear entry door, new RTU screening	670 S OLD WOODWARD AVE	IN PROGRESS
03/17/2022	PAA22-0021	Screening of roof top units (3) in total using provided plan and 6" wood materials painted to match (see plan)	34000 WOODWARD AVE	COMPLETED - APPROVED
04/22/2022	PAA22-0039	Leveling, altering driveway	1605 HAYNES AVE	COMPLETED - APPROVED
04/25/2022	PAA22-0042	Re-paving existing patio	1022 WATERFALL CT	IN PROGRESS
06/03/2022	PAA22-0060	Relocating one 2x2 exhaust curb/fan and one 2x5 makeup air curb, both on roof. Replacing 2 HVAC units in existing location	151 N ETON ST	IN PROGRESS
07/18/2022	PAA22-0079	1st floor storefront window replacement	640 N OLD WOODWARD AVE	IN PROGRESS
07/22/2022	PAA22-0081	Minor facade rnovations to existing Babs Salon.	1077 S WORTH ST	IN PROGRESS
08/04/2022	PAA22-0092	Removal and relocation of exterior door	690 S OLD WOODWARD AVE	IN PROGRESS

Total Processes For Type: 10

ADMIN APPROVAL - HDC

App Date	Case #	Scope of Work	Property Address	Status
01/10/2022	PAA22-0001	Rear yard Minisplit. Home is designated as historic. Wall mounted a/c unit with exterior piping.	544 S BATES ST	IN PROGRESS
01/10/2022	PAA22-0002	Paint house, remove existing awnings, remove fence and replace with arborvitae	146 PURITAN AVE	IN PROGRESS
01/13/2022	PAA22-0005	Recessed double-doors, new paint	183 N OLD WOODWARD AVE	COMPLETED - APPROVED
04/06/2022	PAA22-0029	Basement entry and windows replacement	1128 PIERCE ST	IN PROGRESS
04/13/2022	PAA22-0034	Replacement of current wood double entrance doors with hollow metal faux wood doors	101 N OLD WOODWARD AVE	IN PROGRESS
05/25/2022	PAA22-0059	Roof top screening for new roof top mechanical equipment	239 N OLD WOODWARD AVE	IN PROGRESS
06/16/2022	PAA22-0066	Addition to rear for elevator and stairs	132 N OLD WOODWARD AVE MAIN BLDG	IN PROGRESS
06/17/2022	PAA22-0067	Stone wall	412 WILLITS ST	IN PROGRESS
07/01/2022	PAA22-0070	Minor exterior renovations including: -Repainting -Deck repair/modification -Tree Planting -Window replacement in rear (non-original, one window) -Roof maintenance -Wood siding maintenance	1128 PIERCE ST	IN PROGRESS
07/13/2022	PAA22-0075	Replace tile and Dryvit, paint Dryvit.	323 E MAPLE RD	IN PROGRESS

Total Processes For Type:	10
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ADMIN APPROVAL - PB

App Date	Case #	Scope of Work	Property Address	Status
02/21/2022	PAA22-0011	Proposed 4' extension to the west of the existing rooftop mechanical screen to allow for rooftop condensing unit. Proposed condensing unit on north side of building to be screened with 6' arbovitae to match existing plant material.	191 N CHESTER ST	COMPLETED - APPROVED
02/21/2022	PAA22-0012	Complete removal of existing Sprint rooftop cell site at the selected address (Site ID = DE03XC104) . All antennas, radios, antenna ballast sleds, cables and cable tray, and equipment cabinets will be taken apart and removed.	555 S OLD WOODWARD AVE	COMPLETED - APPROVED
02/28/2022	PAA22-0013	Replacing antenna and accessory equipment on existing mounds on rooftop. There will be no new penetrations to the building for this work.	251 E MERRILL ST MAIN BLDG	COMPLETED - APPROVED
02/28/2022	PAA22-0014	Installation of 20kw Briggs and Stratton Model Number 040609 whole house standby generator.	100 WOODLAND VILLA CT	IN PROGRESS
03/04/2022	PAA22-0015	Add screen wall material enclosure around the exhaust fan unit on the SE corner of the 5th floor roof.	298 S OLD WOODWARD AVE	COMPLETED - APPROVED
03/08/2022	PAA22-0016	Administrative Approval for an awning to cover stairs	166 W MAPLE RD STE 200	COMPLETED - APPROVED
03/08/2022	PAA22-0017	RENOVATION FOR NEW RESTAURANT SWEET GREEN - install 1 illuminated wall sign Sweetgreen = 14.41 sq. ft. Tile (Summer, Winter, Spring, Fall) = 3.156, 2.734, 2.734, 1.406 = 10.03 sq. ft. Total = 24.44 sq. ft. Principal Frontage = 38.1 ft.	167 N OLD WOODWARD AVE	IN PROGRESS
03/09/2022	PAA22-0018	New outdoor dining pation, addition of windows on east building elevation	159 N ETON ST	IN PROGRESS
03/11/2022	PAA22-0020	Replace existing 15 Ton RTU with smaller 6 ton RTU. Removing existing curb and installing new curb. New unit will be shorter than the existing unit. New unit dimension 74"L x 47"W x 41"T	100 W 14 MILE RD	IN PROGRESS
03/22/2022	PAA22-0023	20' x 40' tent using 1.5 to 2 parking spaces	1669 W MAPLE RD	WITHDRAWN
03/23/2022	PAA22-0024	ADDITION OF OUTDOOR SEATING AREA WITH UMBRELLAS, ADDITION OF TILE WORK AT THE ENTRANCE AND RECONVERSION OF AN EXISTING WINDOW BACK INTO A DOORWAY.	167 N OLD WOODWARD AVE	COMPLETED - APPROVED
03/28/2022	PAA22-0026	Changing the color of the chairs and tables	501 S ETON ST # 505	COMPLETED - APPROVED

04/04/2022	PAA22-0027	DISH Wireless is collating wireless equipment on this rooftop. DISH Wireless is proposing three ballast mounts for antennas, and an equipment platform with one cabinet. Installation will include (3) antennas (1 ballast mount) and associated radios and cables. There will also be a 5x7 steel equipment platform installed on the roof for the equipment.	555 S OLD WOODWARD AVE	IN PROGRESS
04/04/2022	PAA22-0028	Various reovals and additions to apartment building and landscape	201 SOUTHFIELD RD	IN PROGRESS
04/11/2022	PAA22-0030	New 4-story commercial building Restoration Hardware. Amended plans 4/4/2022	300 S OLD WOODWARD AVE	IN PROGRESS
04/11/2022	PAA22-0031	Install umbrellas on the deck	115 WILLITS ST	IN PROGRESS
04/11/2022	PAA22-0032	new RTU's and associated screening 4 ft. trex fascia screening	163 W MAPLE RD	IN PROGRESS
04/11/2022	PAA22-0033	A new tenant build out - proposed facade improvements, new store-front glazing system, exterior signage, interior partial re-model.	129 E MAPLE RD	IN PROGRESS
04/21/2022	PAA22-0036	Remove 1 interior door Hang 2 tvs Add track lighting Add shelves to walls Add clothes hanging systems Replace front door handle and knobs Paint exterior Add exterior signage (separate permit)	361 E MAPLE RD	COMPLETED - APPROVED
04/21/2022	PAA22-0037	8x8 shed with cement base (backyard)	1776 HAYNES ST	IN PROGRESS
04/25/2022	PAA22-0041	Requesting admin approval of minor changes to the previously approved building plans. Changes are due to detailed building design work. No changes to proposed building materials. NEW 5-STORY COMMERCIAL BLDG FOR "ALL SEASONS 2" SENIOR LIVING APTS *2 variations of plans submitted for review - PLAN 'A' and PLAN 'B'	219 ELM ST	COMPLETED - APPROVED
04/25/2022	PAA22-0044	TAKE EXISTING ELEVATOR SHAFT TO ROOF FOR FUTURE ELEVATOR TO ROOF	180 PIERCE ST MAIN BLDG	IN PROGRESS
04/27/2022	PAA22-0045	Request to replace two existing entry doors on both sides of the Kohler showroom entrance and storefront with material to match in both color and height	720 N OLD WOODWARD AVE	IN PROGRESS
05/02/2022	PAA22-0048	Installation of 2 sky lights	2055 E 14 MILE RD	IN PROGRESS

05/16/2022	PAA22-0053	Placement of 4 bee hives on 2nd level green roof.Beed in the D will curate and maintain. Honey from the hives will be used at the Daxton.	298 S OLD WOODWARD AVE	COMPLETED - APPROVED
05/16/2022	PAA22-0054	TWO A/C REPLACEMENTS. SAME LOCATION AS EXISTING UNITS	280 HARMON AVE # 300	IN PROGRESS
05/17/2022	PAA22-0056	in grade lighting fixtures originally spec'd are too deep to fit existing depth of concrete. New fixtures specified will fit in new concrete slab depth topping	255 S OLD WOODWARD AVE MAIN BLDG	IN PROGRESS
05/24/2022	PAA22-0058	Taking bricks down around pump island, replacing with thin brick/veneer brick.	1065 E MAPLE RD	IN PROGRESS
06/03/2022	PAA22-0061	Removal of windows in rear of bldg. Add ground-mounted transformer to rear of property.	460 N OLD WOODWARD AVE	COMPLETED - APPROVED
06/14/2022	PAA22-0065	Installation of wooden privacy partitions on 5th floor terracews, between each suite.	298 S OLD WOODWARD AVE	IN PROGRESS
06/22/2022	PAA22-0068	New RTU's and associated screening	167 N OLD WOODWARD AVE	COMPLETED - APPROVED
07/01/2022	PAA22-0071		555 S OLD WOODWARD AVE	IN PROGRESS
07/06/2022	PAA22-0073	Repair exisitng porch, windows, doorwall, siding	1725 HAYNES ST	IN PROGRESS
07/13/2022	PAA22-0074	Update to parking levels missed during Final Inspection - 75 parking spaces total	353 N OLD WOODWARD AVE	COMPLETED - APPROVED
07/13/2022	PAA22-0076	New outdoor deck for Townsend Hotel	100 TOWNSEND ST	IN PROGRESS
07/14/2022	PAA22-0078	Approval for changes observed during the Final Inspection. Changes include: - New duct shaft material - Diffferent front door - MESH panels removed	470 N OLD WOODWARD AVE STE 100	COMPLETED - APPROVED
07/21/2022	PAA22-0080	Second floor rear deck	2023 HAZEL AVE	IN PROGRESS
07/25/2022	PAA22-0085	Replacing windows and door within the existing exterior openings.	33366 WOODWARD AVE	IN PROGRESS
08/02/2022	PAA22-0089	Interior build out 4000 sf space.	34040 WOODWARD AVE	IN PROGRESS
08/03/2022	PAA22-0090	RENOVATION OF EXISTING TENANT BLOOM PEDIATRICS. RENO OF 1ST FLOOR AND MEZZAZINE.	2055 E 14 MILE RD	IN PROGRESS
08/04/2022	PAA22-0091	New T-Mobile cellular equiptment on existing tower.	2666 W 14 MILE RD	IN PROGRESS
08/09/2022	PAA22-0094	Placement of 2 bistro tables with chairs in front of the storefront	250 W MAPLE RD	IN PROGRESS

08/19/2022 PAA22-0095 Approval of changes observed during final inspection:

277 PIERCE ST # MAIN

IN PROGRESS

- Minor lighting changes
- Garage door change
- Utility meters and screening

Total Processes For Type:	43
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Grand Total Fees:	6,200.00
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Grand Total Processes:	63
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Report Filter Query:

PlanReview.PlanReviewType = ADMIN APPROVAL - PB OR

PlanReview.PlanReviewType = ADMIN APPROVAL - DRB OR

PlanReview.PlanReviewType = ADMIN APPROVAL - HDC

AND

PlanReview.DateProcessStarted Between 1/1/2022 12:00:00 AM AND 8/22/2022 11:59:59 PM



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY SEPTEMBER 28, 2022 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

The City continues to recommend the public wear masks while attending City meetings per CDC guidelines. The cases of COVID-19 are increasing in the area. All City employees, commissioners, and board members must wear a mask while indoors when 6-feet of social distancing cannot be maintained. This is to ensure the continuity of government is not affected by an exposure to COVID-19 that can be prevented by wearing a mask. The City continues to provide KN-95 respirators and triple-layered masks for all in-person meeting attendees.

- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **September 14, 2022**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Unfinished Business
- F.** Rezoning Applications
- G.** Community Impact Studies
- H.** Special Land Use Permits
- I.** Site Plan & Design Reviews
 - 1. **295 Elm – Request for Final Site Plan & Design Review for 6 new attached single family townhomes.**
- J.** Study Session
 - 1. **D4 Parking Ordinance Request – Public Hearing**
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - 3. Administrative Approval Correspondence
 - 4. Draft Agenda – **October 12, 2022**
 - 5. Action List - 2022
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** Adjournment

*Please note that board meetings will be conducted in person once again. Members of the public can attend in person at Birmingham City Hall OR may attend virtually at:

Link to Access Virtual Meeting: [**https://zoom.us/j/111656967**](https://zoom.us/j/111656967)

Telephone Meeting Access: 877-853-5247 US Toll-Free

Meeting ID Code: 111656967

NOTICE: Due to Building Security, public entrance during non-business hours is through the Police Department—Pierce St. Entrance only. Individuals with disabilities requiring assistance to enter the building should request aid via the intercom system at the parking lot entrance gate on Henrietta St.

Persons with disabilities that may require assistance for effective participation in this public meeting should contact the City Clerk's Office at the number (248) 530-1880, or (248) 644-5115 (for the hearing impaired) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la ciudad en el número (248) 530-1800 o al (248) 644-5115 (para las personas con incapacidad auditiva) por lo menos un día antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964).



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY OCTOBER 12, 2022 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

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- A.** Roll Call
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- D.** Review of the Agenda
- E.** Unfinished Business
- F.** Rezoning Applications
- G.** Community Impact Studies
- H.** Special Land Use Permits
- I.** Site Plan & Design Reviews
- J.** Study Session
 - 1. **Outdoor Dining**
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - 3. Administrative Approval Correspondence
 - 4. Draft Agenda – **October 26, 2022**
 - 5. Action List - 2022
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** Adjournment

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Planning Board Action List – 2022 (Approved)

Topic	General Goals	City Commission Directive?	Quarter	Status	
				In Progress	Complete
2040 Master Plan	Adopt a new comprehensive master plan.	<input checked="" type="checkbox"/>	Ongoing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Outdoor Dining	Study the Outdoor Dining Ordinance re: enclosures, expansions, etc.	<input checked="" type="checkbox"/>	1 st (January-March)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Window Standards (Glazing)	Update window standards to help support building renovation and the Energy Code requirements.	<input type="checkbox"/>	1 st (January-March)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Barrier-Free Ramps	Reduce unintentional restrictions on handicap ramps in the front setbacks.	<input type="checkbox"/>	2 nd (April-June)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Side Yard A/C	Update the ordinance to address issues with side yard a/c units.	<input type="checkbox"/>	2 nd (April-June)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Front Setback Rules	Consider revisions to the setback ordinances in R1-R3 to address 200 ft. calculations rule.	<input type="checkbox"/>	3 rd (July-September)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lighting Standards	Remove conflicting regulations regarding photometric plans.	<input type="checkbox"/>	3 rd (July-September)	<input type="checkbox"/>	<input type="checkbox"/>
Impervious Surface Definition	Clarify definition to promote the infiltration of storm water.	<input type="checkbox"/>	4 th (October-December)	<input type="checkbox"/>	<input type="checkbox"/>
Health Club/Studio Use	Consider allowing health/fitness type activities in more areas of the City.	<input type="checkbox"/>	4 th (October-December)	<input type="checkbox"/>	<input type="checkbox"/>

Next Up...

Topic	General Goals	City Commission Directive?	Quarter	Status	
				In Progress	Complete
Dumpster Enclosures	Expand the materials permitted/not permitted in dumpster enclosures.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Balcony/Terrace Enclosures	Clarify and add regulations for the enclosure of outdoor living space.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Lot Combination Process	Review the process for lot combinations to add clarity to approval standards.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Mixed Use Requirements	Consider changing the requirements for the stacking of mixed uses.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Review Processes for Public Projects	Clarify review process for projects on public property.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
SLUP Application Process	Clarify the SLUP process in terms of the order of board/commission review.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Retail Definition	Revisit the retail definition to address any concerns about first floor uses.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Medical Marijuana & CBD	Update the Zoning Ordinance to help regulate Medical Marijuana and CBD through ordinance language.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability Initiatives	Prepare a sustainability agenda to increase Birmingham's resilience.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Lighting Standards	Review lighting standards for residential districts to reduce light pollution and nuisance.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Landscaping Standards	Consider amendments to permit synthetic planting materials.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Social Districts	Study the state regulations and the City to help draw district boundaries.	<input checked="" type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Food Trucks	Study the application of food trucks in the City in terms of locations, restrictions, etc.	<input checked="" type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
Leaf Blowers	Study the potential to restrict leaf blowers in regards to noise/pollution	<input checked="" type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>

Mixed-Use Requirements for Bonus-Stories in the Triangle District	Define the mixed-use requirements in the Triangle District to receive bonus-stories.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>
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