



Natural Features Protection (NFP) Overlay District FAQs

Maps, ordinance, videos, and project information is available at www.imaginekalamazoo.com/projects/nfp2

What is the purpose of the NFP Overlay District?

The purpose of the Natural Features Protection (or NFP) Overlay District is to guide development to be as protective as possible of the natural features at the site while still allowing for the zoned use of the property. The NFP Overlay District does not stop development, redevelopment, or improvements to existing buildings on the property. The NFP zoning standards require things like new buildings and parking lots to be set back from lakes and rivers, allows but puts limits on land clearing, prohibits planting problematic invasive plants, and protects steep slopes to prevent erosion.

How do I find out if my property is mapped in the NFP Overlay District?

You can find an interactive map at www.imaginekalamazoo.com/projects/nfp2 which shows all properties included in the proposed expansion. The web map allows you to zoom to street level, search for a specific address (top right), and click on a parcel to see what natural feature(s) were used to recommend adding it to the map. There is also a printed map located in the atrium at City Hall (241 W. South St).

How will the NFP Overlay District rules affect my property?

For parcels that already have buildings, parking lots, and other structures not likely to change, being mapped in the NFP Overlay District may have little impact. The NFP standard were designed to work for all allowable uses, whether zoned for residential use, manufacturing, or high intensity commercial. For parcels that are heavily wooded or have steep slopes (>20% grade), special zoning review may be required to clear the land. If a property owner wants to make a substantial change to a home, build a new garage, or do other work that requires a permit, the project plans will be reviewed by staff when the applicant is getting a building permit to ensure the NFP standards are met. If a commercial or multi-family project is proposed on a parcel in the NFP Overlay District and site plan review is required, the NFP Review Board will review and approve the plan to ensure the NFP standards are met. The proposed amended standards in [Chapter 50, Article 6 of the City's Zoning Code](#) can be found on the project website.

Who serves on the NFP Review Board?

The NFP Review Board is made up of seven volunteer members of the public with experience in natural resources and property development. Review by the NFP Review Board is technical in nature. The Board reviews and approves plans required to apply for site plan review and recommends variances requests to the Zoning Board of Appeals.

If I have questions or concerns about my property being included, what can I do?

City staff are available to do NFP zoning reviews for property owners and set up a meeting to discuss questions and concerns about NFP or a specific project. Check out www.imaginekalamazoo.com/projects/nfp2 for information on how to request a review, submit comments, and learn more about the proposed amendments. If you think there is an error in the online map email hello@kalamazoo.org or call (269) 337-8789 by **June 28th** and staff will review and respond prior to the Planning Commission meeting on July 1st.

How does the NFP Overlay District affect property taxes and property values?

There is often a perception that when zoning changes, changes in property values should respond quickly. However, the Assessor's office is guided by the General Property Tax Act, and as such, must have statistical evidence to adjust values up or down. There are many factors that go into property tax values, of which zoning is just one. A property's

assessed value in Kalamazoo is evaluated every year based on a multitude of factors including the County Equalization's two-year property sales study. Based on sales, construction, economic influences, depreciation, costs, etc., property values could rise or fall from year to year. Given time and new development or amenities to an area, values may increase but what specific factor caused the increase may not be easily identifiable. Property taxes are tied to a property's taxable value and the voted millage (tax) rates. The taxable value is tied to the assessed value, but it is limited in how the value can change from year to year. A national study showed that large, mature trees in yards can add 3% - 15% to home values throughout a neighborhood¹. A similar study found that shoppers claim that they will spend 9% to 12% more for goods and services in central business districts having high quality tree canopy².

How were property owners included in this process?

Protection of Kalamazoo's natural features was an important goal identified in the Imagine Kalamazoo Master Planning process in 2017, which was developed with extensive outreach and engagement efforts. In this update to the NFP ordinance and overlay district, the NFP Review Board used a data-driven mapping analysis to create the initial NFP Phase 2 map. Then public input and engagement started in summer 2020 to find out if important areas were missed or errors found in the mapping. The city received over 200 survey responses and pins placed on an online mapping tool. Information was sent to all neighborhood associations and included in the View from the Curb in fall 2020 and spring 2021, which is mailed to every household in the City. The NFP Review Board will continue to take public comment at their regular meeting on June 22nd. Two virtual information sessions will be held in June (<http://www.imaginekalamazoo.com/projects/nfp2/>). All properties that are directly affected or within 300 feet of an affected property received a notice by mail of the upcoming public hearing at Planning Commission on July 1st.

How many projects have been reviewed by the NFP Review Board?

In the two years since the NFP Overlay District was created, the NFP Review Board has reviewed approximately 10% of the project plans that are required to apply for site plan review. The City reviews around 50-60 site plans annually, so on average the Board reviews around six plans each year. The NFP Review Board has recommended three of the four variance applications that were requested over the past two years, and all projects have been able to successfully meet the NFP standards. For single-family and duplex projects, staff review the project administratively prior to issuing building permits, as this type of project is not required to go to the NFP Review Board.

What is required of the homeowner when maintaining their property or before starting a new building or improvement project?

For a project requiring a building permit, the applicant will apply for permits through the City's Department of Community Planning & Economic Development. This process is no different for projects mapped in the NFP Overlay District and those not in the district. For projects in the district, staff review the project plans to ensure compliance with NFP standards. Under the proposed code amendments, property owners have the right to remove any tree that is diseased, dying, or has the potential to cause damage to a structure on the property, restricts access and zoned use of the property, and for utility work. No permit is required to do this work. Residents are not required to replace or replant new trees. There are allowances and flexibility to many aspects of the code, including greater allowances for woodland clearing to allow for new structures, driveway access, and zoned use of the property.

Does the NFP Overlay District extend outside of City of Kalamazoo boundaries?

No, the NFP Overlay District is contained entirely within the city limits of Kalamazoo. The City is required to notify all property owners within 300 feet of an affected property so in areas near the city limits a letter will be sent to properties outside of the City of Kalamazoo but within 300 feet of a property inside the city.

¹ Wolf, K.L. 2007 (August). City Trees and Property Values. *Arborist News* 16, 4:34-36.

² Wolf, K.L. 2005. Business District Streetscapes, Trees and Consumer Response. *Journal of Forestry* 103, 8:396-400.

Is the NFP Overlay District similar to other overlay districts in the City?

The NFP Overlay District is similar to all overlay districts in that it applies additional zoning rules over top of the existing base zoning district. The base zoning district controls the type of uses allowed on the property and the NFP Overlay District guides how those uses get developed on the site. The NFP Overlay District does not include architectural standards like a historic district or the River's Edge Overlay District. The NFP Overlay District does include standards that impact things like site preparation and landscaping. It is similar to some of the rules found in the City's Wellhead Protection Overlay District, which limits the use of hazardous substances near waterbodies and requires more stormwater treatment near sensitive features.

When would the new NFP Overlay District Map take effect?

The proposed amendments to the NFP Overlay District map will be reviewed by the Planning Commission on July 1 at their regularly scheduled virtual meeting starting at 7 p.m. (<https://www.kalamazoo.org/notices>). The Planning Commission's recommendation will then be put on two consecutive City Commission meeting agendas where the Commissioners can vote to adopt the new map. The changes to the map would take effect 10 days following approval by the City Commission.

Can I apply for a variance from the NFP requirements or a re-zoning in the future?

Yes. The power to grant variances is reserved for the Zoning Board of Appeals (ZBA). The NFP Review Board hears variance and zoning requests and provides recommendations to the ZBA. The power to re-zone a parcel is reserved for the City Commission. The Planning Commission hears the re-zoning request and provides a recommendation to the City Commission.

How can I provide comments on the proposed amendments?

Public comments can be emailed to hello@kalamazoo.org, submitted online www.imaginekalamazoo.com/projects/nfp2, or mailed to 245 N. Rose Street, Ste. 100, Kalamazoo, MI 49007. Comments will also be accepted by phone for the virtual NFP Review Board Meeting on June 22 starting at 3:30 p.m. and the Planning Commission public hearing on July 1 starting at 6:30 p.m. by calling (269) 226-6573. Comments recorded by phone before the end of the public hearing will be played during the meeting and public hearing. Comments provided online or by email will be provided to Board Members and Planning Commissioners but not read during the meeting.

What are the next steps for this process?

The Planning Commission anticipates holding a public hearing on Thursday, July 1 at 7:00 p.m. The Planning Commission will make a recommendation to the City Commission, which has the authority to change the Zoning Maps. Public comments will be accepted at all meetings and can also be submitted online through **July 1**. The City Commission will include this item at two meetings (a first reading, and a public hearing) before voting to accept the amendments.

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