

# DOWNTOWN ZONING CODE UPDATE - Paper Survey

Feedback on activity 2 can be given online at [www.opentownhall.com/9403](http://www.opentownhall.com/9403) or by using this paper survey. When complete, return it to Community Planning & Economic Development (CPED) Offices at 245 North Rose Street, Suite 100 or scan it/photo it and email to [andersonc@kalamazoo.org](mailto:andersonc@kalamazoo.org).

## Activity 2: Confirm Activity 1 Mapping Results & Review Zoning Uses & Standards

**Map Review.** In Activity 1 earlier this summer, feedback was given to update the Zoning Map for Downtown using the three new zoning districts detailed below. Please review the resulting map (on back of this page) and provide additional comments in the space provided.



### District 1

Entertainment, dining, & shopping urban core

First floors storefront windows into retail & dining spaces

Less active uses such as residential in upper floors or in the rear

No surface parking lots  
Wide sidewalks to support the outdoor dining, benches and trash cans, and street trees and flowers.

Pedestrians are the priority user

On-street, typically metered parking provides convenient parking spaces.

### District 2

Mix of uses on the first floor - commercial, residential, civic & institutional

First floors of these blocks will have both storefronts & other designs to reflect the wide mix of uses

No or limited surface parking lots

Wide sidewalks with street trees & plantings

Public spaces in the streets & sidewalks support travel by walking, biking, transit, & vehicles

### District 3

Transition between Downtown & the surrounding neighborhoods

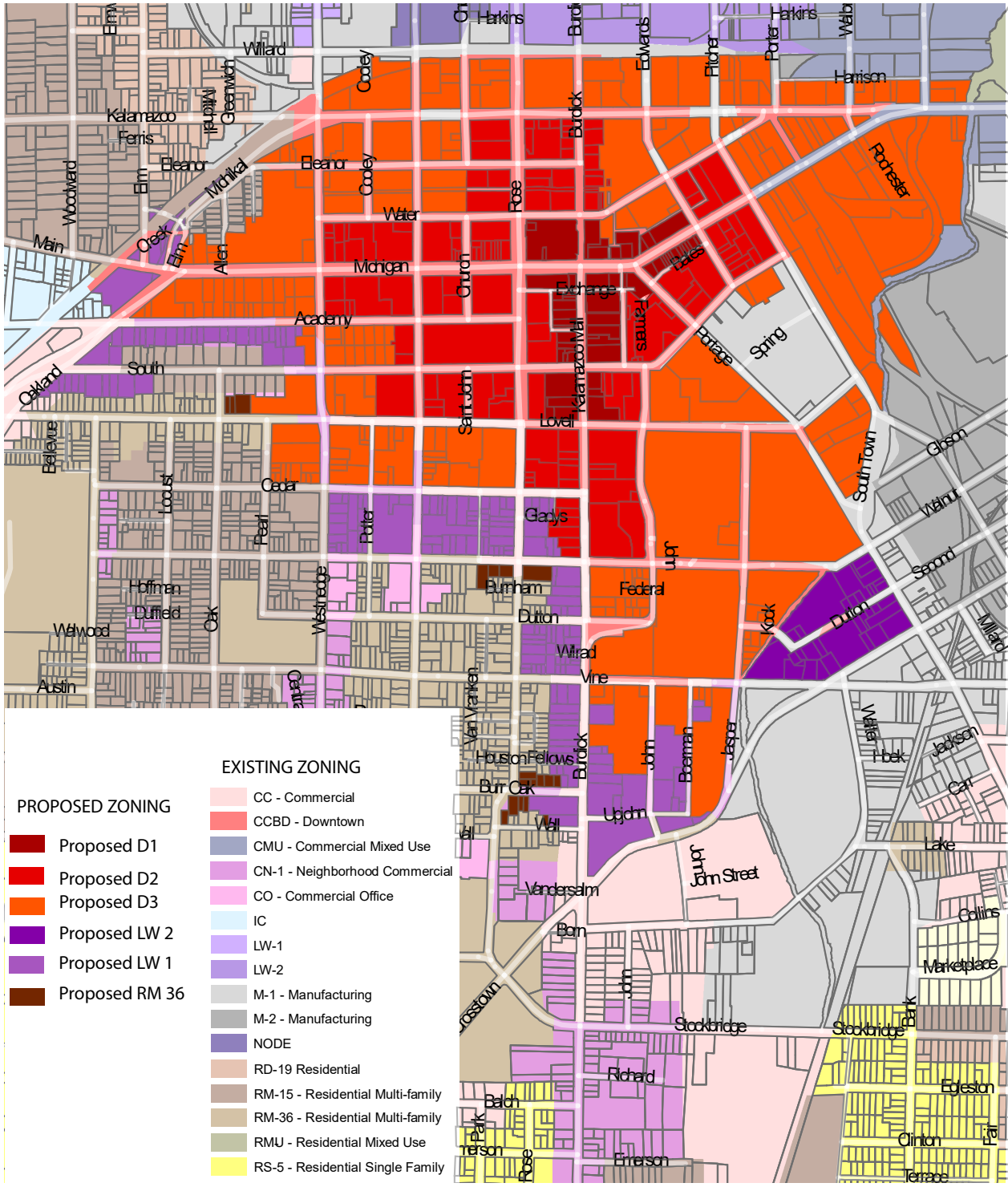
Allows a wide variety of development, including opportunity for more housing types such as row houses & low-rise apartment buildings

First floors have varied design, all have clear entrances & transparent windows

Sidewalks may be all pavement or a mix of pavement & grass in a curb lawn

Public spaces of the streets & sidewalks of this area should support travel by walking, biking, transit, & personal vehicles linking Downtown with the surrounding neighborhoods

Please review the proposed Zoning Map for Downtown Kalamazoo and adjacent blocks and provide feedback in the space provided below.




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## Review of Permitted Uses.

The current Commercial - Central Business District (CCBD) zoning allows a wide range of uses, but it is the same list of uses permitted on all properties in Downtown. The 3 new Downtown Districts will also allow a wide range of uses, but may treat them differently depending on the district and location. This is because the new districts take the idea of active ground floor uses into consideration, which are uses that support a vibrant pedestrian environment and when concentrated together create an active, inviting block of storefronts and entertainment. Shifting less active uses, such as residential units, to upper floors in key blocks is an example.

The following questions on permitted uses focus on the difference between the existing zoning and what is being proposed in the three new districts, including new uses such as marijuana businesses.

**1. Residential Uses.** Housing is critical to a successful Downtown. The residents of Downtown frequent shops, entertainment, and services. They typically travel by foot or bicycle, creating regular traffic on Downtown streets during the day and at night. Residential units on the ground floor of a building, however, are more private in nature, often with some privacy screening where retail storefronts or entertainment uses are lively and inviting to the public with storefront windows and signage. On the primary shopping and entertainment streets, ground floor residential can create an interruption or an area of no activity within the block.

Understanding the desire for a principle shopping district, residential uses are permitted in all three of the new districts, with one limitation. In D1, residential uses are allowed in upper floors of buildings and on the ground floor when in the back or rear of the building. This allows the front of the building, the area adjacent to the sidewalk, to be used for commercial uses, such as retail, on the key shopping and entertainment blocks.

Residential Uses are permitted as follows, please note if you agree or disagree.

Agree

Disagree

District 1 - permitted in upper floors and rear of ground floor

District 2 - permitted on all floors

District 3 - permitted on all floors

Why?

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**2. Assembly/Religious Assembly.** Downtowns often serve as the civic center for a community, home to important institutions, cultural resources, and gathering places for all- religious to government-focused to entertainment. Downtown Kalamazoo is no different. These locations bring people to Downtown to attend events or scheduled activities and some of these attendees also take the opportunity to shop or dine during their visit. Like residential uses, some assembly uses do not add to the everyday activity of key shopping and entertainment blocks because of limited hours of operation or private membership.

For your consideration, assembly and religious assembly uses are permitted in the new Downtown Districts with one limitation. Assembly uses with private membership and limited hours of operation and religious assembly are permitted on upper floors only in the D1.

Religious Assembly & Private Membership Assembly uses are permitted as follows, please note if you agree or disagree.

Agree                      Disagree

- District 1 - permitted in upper floors only
- District 2 - permitted on all floors
- District 3 - permitted on all floors

Why?

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**3. Park & Open Spaces.** Open space and parks are often overlooked in a Downtown, but these public spaces are critical to Downtown residents and civic life. The existing zoning for Downtown permits parks and open space on all lots.

This update allows parks and open space in Districts D2 and D3, but not in the central D1 blocks. The D1 blocks typically have the widest sidewalks and pedestrian alleyways that serve as the districts public space for gathering, dining, and sales.

Park & Open Space uses are permitted as follows, please note if you agree or disagree.

Agree                      Disagree

- District 1 - not permitted
- District 2 - permitted
- District 3 - permitted

Why?

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**4. Stand Alone Parking.** A stand-alone parking lot means the lot is used for the primary use of parking vehicles for adjacent businesses and residences. This does not refer to parking spaces for a building or use on the same lot (or privately assigned to building users). This also does not refer to parking structures with uses on the ground floor other than parking (often referred to as wrapping a parking structure). Parking lots are a necessity in Downtown Kalamazoo, especially understanding the wide local and regional retail, service, and entertainment uses. They need to be located to be both convenient for many users and to not concentrated so as to create areas of inactivity or interruptions in the flow of businesses along an active retail and entertainment streets. In the existing Downtown zoning, stand alone parking lots are permitted in all locations.

For your consideration, Stand Alone Parking Lots may be permitted in D3 and not permitted in D1. In D2, the zoning update proposes that stand-alone parking be permitted with the following limitations: not permitted on corner lots or on lots that front a Priority Street, like the Kalamazoo Mall & Michigan Avenue. A Street Type Map can be found later in this survey for review.

Stand Alone Parking is permitted as follows, please note if you agree or disagree.

Agree                      Disagree

- District 1 - not permitted
- District 2 - not permitted on corner lots or on Priority Streets
- District 3 - permitted

Why?

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**5. Vehicle Service Uses.** Vehicle Service uses include such businesses as gas stations, auto repair, and car washes. Though necessary, these uses are obviously vehicle focused and they often include multiple driveways and/or vehicle bays/garage doors, which can impact pedestrian travel. In the current CCBD district, these uses are permitted in all locations.

For your consideration, vehicle services uses are permitted only in D3, which aligns with some existing vehicle service locations today. All new vehicle service uses would need to be developed with the form-based standards of the district, as well as, the location of driveways and vehicle bays/garage doors.

Vehicle Service Uses are permitted as follows, please note if you agree or disagree.

Agree                      Disagree

District 1 - not permitted

District 2 - not permitted

District 3 - permitted

Why?

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**6. Marihuana Uses.** Both medical and adult use (recreational) marihuana businesses are permitted in many locations in the City of Kalamazoo. The decision to allow these business types in Downtown Kalamazoo was purposely saved for consideration during this Downtown Zoning Code update.

There are multiple types of marihuana businesses for both medical and adult use marihuana. Those that relate to growing, production, and transportation are not being considered for Downtown at this time, however, the following businesses are under consideration:

- *Retail/Provisioning Center.* Establishments that are licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older. The State refers to adult use sales by a retailer and those of medical marihuana as provisioning center. Both establishments are subject to a distance requirement between uses and between themselves and protected uses such as schools, playgrounds, and public schools. The list of protected uses and distances in Kalamazoo currently varies between medical provision centers and adult use retailers.

- *Designated Consumption Establishment.* A designated consumption establishment is a commercial space that is licensed for the consumption of marihuana products by persons 21 and older. The sale of marihuana products is not permitted at a consumption establishment.

- *Safety Compliance Establishments.* Safety compliance establishments are licensed to test marihuana, including certification for potency and the presence of contaminants; this can be considered a testing laboratory.

Where in Downtown should Marihuana Uses be permitted?

Retail/Provisioning Center:

Permitted

Not Permitted

District 1

District 2

District 3

Designated Consumption Establishment:	Permitted	Not Permitted
District 1		
District 2		
District 3		

Safety Compliance Establishment:	Permitted	Not Permitted
District 1		
District 2		
District 3		

Why?

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**Review of Zoning Standards.**

The proposed Zoning Code update includes form-based standards for new development in Downtown. This means that in addition to locating the building, driveway, and parking, this Zoning Code will also include standards for the building walls (facades), that face public streets, with a focus on a buildings' ground floor. Location and treatment of building entrance and regulating the amount of clear windows to wall area (building's transparency), are examples of these standards.

These are not new types of standards for Kalamazoo; Downtown development is already guided by form-based standards through the Downtown Design Review Guidelines. Downtown Design Review Guidelines set form and design standards for new development in Downtown. Since the standards are guidelines rather than code, a project goes through the Downtown Design Review Committee for review and approval.

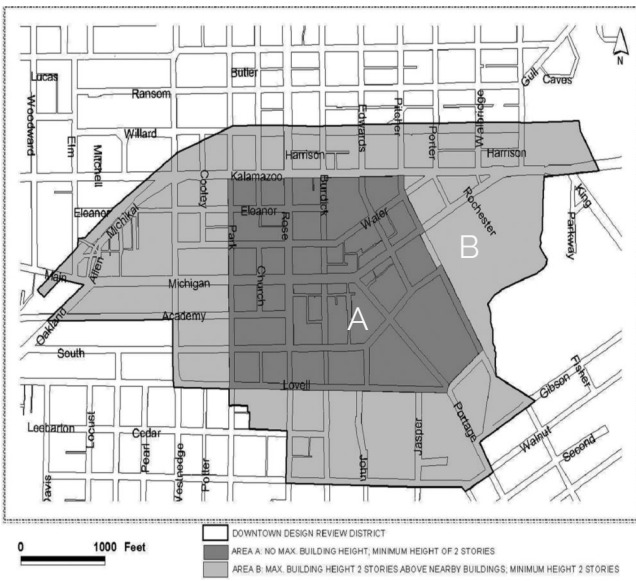
This update will shift many of the Downtown Design Review Guidelines standards to the Zoning Code. They will become requirements, rather than guidelines, and will not require a separate review and approval process like the Downtown Design Review Guidelines currently.

The questions in this section of the survey focus on just a few standards: height and design standards. Other standards, such as a building's setback on a lot or the requirement of a front entrance are not being changed with this update. This is because Downtown development has defined urban character both historically and in new construction. These buildings are built up to the adjacent streets and often the side property lines and focus their access to the pedestrians using the Downtown sidewalks.

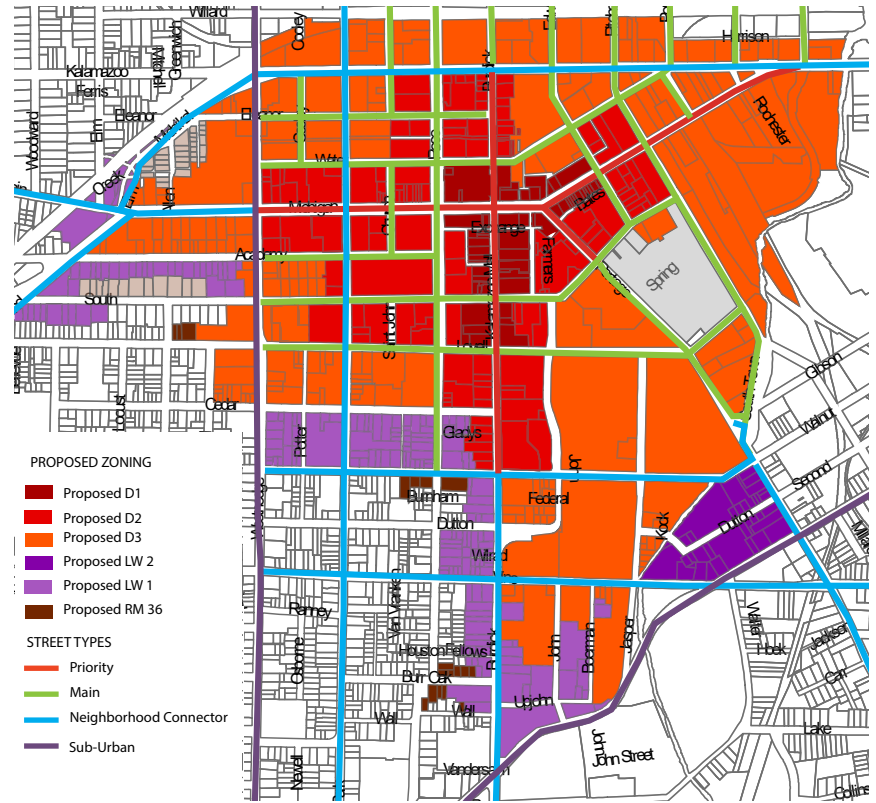
**1. Height.** Currently in Downtown, height is regulated by dividing Downtown into 2 areas. In Area A, there is no maximum height and in Area B, the allowed height is up to two stories taller than a building within 200 feet. There is a 2-story height minimum in both areas. See map on next page.

The proposed code update regulates height based on the zoning district and the street type which are both tied to the scale and size of the blocks on which they are designated and their location in relationship to the center of downtown or adjacent neighborhoods. This is shown on the map on the next page and is described in the text below.

- D1 – 2 story minimum, no maximum height on Priority Streets, up to 9 stories on Main Streets
- D2 - no maximum height on Priority Streets, up to 9 stories on Main Streets
- D3 – up to 5 stories in height



Existing Height Regulations for Downtown



Proposed Zoning & Street Types in Downtown

Height will be permitted as follows, please note if you agree or disagree.

Agree

Disagree

- District 1 - 2 story minimum, no maximum height on Priority Streets, up to 9 stories on Main Streets
- District 2 - no maximum height on Priority Streets, up to 9 stories on Main Streets
- District 3 - up to 5 stories in height

Why?

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**2. Building Materials.** Building material standards are currently included in the Downtown Design Review Guidelines. These state that the appropriate materials for Downtown are metal, stone, terra cotta, concrete, glass, brick, and stucco or an alternative material that is compatible with these. It also lists materials that are not appropriate for Downtown including: horizontal or vertical rough-textured wood siding, stone and gravel aggregates, shingles, vinyl or aluminum siding, plywood, and EIFS (exterior insulating finishing system). Material and design standards are also included in such elements as sidewalk cafes or dining areas. Currently, the materials proposed for a new or rehab project in Downtown are reviewed through the Downtown Design Review process.

Please answer each question by marking your answer:

How important is it to guide the building materials used for projects in Downtown?

Not Important

Somewhat Important

Very Important

How important is it to guide the materials used in a sidewalk café or dining area?

Not Important

Somewhat Important

Very Important

How important is it to have design guidelines for signage (commercial/business signs) in Downtown?

Not Important

Somewhat Important

Very Important

Do any of your answers change, if guiding any of the above standards requires an additional review step for a project?

Yes

No

What if that review step was an administrative (staff) review, rather than a board review?

Yes

No

Why?

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