



Agenda

City of Charlevoix Planning Commission Regular Meeting

Monday, June 13, 2022 - 6:00 PM

Council Chambers, 210 State Street, Charlevoix, MI

- A. Call to Order/Pledge of Allegiance**
- B. Roll Call**
- C. Inquiry into Potential Conflicts of Interest**
- D. Approval of Agenda**
- E. Approval of the Minutes**
 - 1. May 9 Meeting Minutes
- F. Call for Public Comment Not Related to Agenda Items**
- G. New Business**
 - 1. 2021-2022 Annual Report
 - 2. Residential Types and Unit Sizes
- H. Old Business**
- I. Staff Updates**
- J. Requests For Next Months Agenda or Research Items**
- K. Adjournment by 8:00 p.m. unless extended by a motion**

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Clerk's Office at 231-547-3250 or by email clerk@charlevoixmi.gov. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodations requests.

**CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS, CITY HALL, 210 STATE STREET
Monday, May 9, 2022 - 6:00 p.m.**

A. Call to Order

The meeting was called to order at 6:00 p.m. by Chair Waddell.

B. Roll Call

Chair RJ Waddell

Members Present: Sherm Chamberlain, Annemarie Conway, Toni Felter, Mary Millington, Jennifer Muladore, Maureen Radke

Members Absent: Reid Beegen

Staff Present: Jennifer Neal, Community Planner, Networks Northwest; Janet Koch, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of the Agenda

Chair Waddell stated that the prior Zoning Administrator Jonathan Scheel would not be available to attend the meeting until later and asked to re-arrange the agenda items to move Item 4 under New Business to Item 1. Motion by Member Chamberlain, second by Member Conway to re-arrange the agenda as requested by Chair Waddell. **Motion carried by unanimous voice vote.**

E. Approval of the Minutes

April 11, 2022 Meeting Minutes

Motion by Member Radke, second by Member Felter to approve the minutes of April 11, 2022 as presented. **Motion carried by unanimous voice vote.**

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Master Plan Draft for Public Comment

Planner Neal reviewed changes that were made to the Master Plan Draft since the April Planning Commission meeting. She stated the Draft Plan included changes discussed at previous meetings, including extensive changes in Chapter 2: *Community Profile*, minor changes in Chapter 8: *Implementation*, and modifications to pictures and plan formatting.

The Commission members referenced additional changes needed:

- Chapter 1, Page 9, Step 2, first line change “indicates” to “indicate”.
- Chapter 2, Page 11, last sentence to read: “Boyne City and East Jordan are located at the eastern end of Lake Charlevoix and on the south arm, respectively.”
- Chapter 2, Page 15, Member Chamberlain asked that a reference to the farming/agricultural industry be included in the history section.
- Chair Waddell stated the biggest threat to Lake Charlevoix’s water quality is its rivers and streams and the effect of the current clean-up is the chemicals are migrating toward the Lake which he felt should be included in the Plan.
- Chapter 2, Page 19, *Sand Dunes*, first line, change “acers” to “acres”.
- Chapter 2, Page 19, *Trees and Woodlands*, second line, indicate that the Chicago Club’s Old Island is the only wetlands within the City.
- Chapter 2, Page 24, Table 2.5, add Boyne City to the School Enrollment Table.
- Chapter 3, Page 33, *Significance for Planning Socioeconomics*, 2nd paragraph, “phenomenon’s” should be “phenomena”. Member Chamberlain also felt that language should be included “to ensure adequate staffing for all our services”. Picture at the bottom of page 33 deemed not attractive and needs to be replaced.
- Member Chamberlain stated that the municipal golf course was nine (9) holes instead of 18.
- Added note to the Implementation section to add connectivity to existing sidewalks and the Lake-to-Lake Trail.
- Discussion regarding lack of a sidewalk to the Lake to Lake Trail (Ferry Avenue to Stover Road), and Planner Neal recommended adding a recommendation to the Implementation section of the Plan to prioritize connectivity of existing sidewalks to trails and other sidewalks.
- Chapter 4, Page 49, *Infrastructure and Mobility*, 4th paragraph “Public Works Facility” should be “Public Services Facility”.

- Chapter 4, Page 52, *Infrastructure and Mobility*, 3rd paragraph, it should be noted that Coast Guard Park is only accessible by water.
- Chapter 4, Page 61, *Infrastructure and Mobility*, 6th paragraph, last sentence add “medical services”.
- Chapter 4, Page 67, *Infrastructure and Mobility*, 1st paragraph, 3rd sentence should read: “the city becomes more accessible to those living miles beyond city limits.”
- Chapter 4, Page 68, *Infrastructure and Mobility*, paragraph regarding the “Boyer City to Charlevoix Non-motorized Trail” needs to be updated with current information.
- Chapter 5, Page 73, *Housing and Neighborhoods, Community Response to Short-Term Rentals*, 2nd paragraph, 1st sentence, change to read: “The Charlevoix City Council and Planning Commission heard residents’ concerns...”
- Chapter 5, Page 75, *Housing and Neighborhoods, Expanding Housing Choices*, second paragraph, update references to ADU’s.

Motion by Member Felter, second by Member Conway to send the Draft Master Plan with the latest revisions to the City Council. **Motion carried by unanimous voice vote.**

2. Public Hearing: 401 Antrim – Special Land Use – Janet Koch

The public hearing was opened and closed and there were no public comments.

3. 401 Antrim Site Plan Review

Chair Waddell reviewed the Planning Commission’s comments on this project from the previous meeting. He stated that the accessory dwelling unit (ADU) and the survey were scheduled for a Zoning Board of Appeals (ZBA) meeting next week.

Discussion followed regarding elevations of the proposed structures (house/store and garage/accessory building); basement wall exposure, no standard for the five (5) parking spaces, need for a complete survey and drawings, topography, lack of specific standards for a site plan for a bed and breakfast establishment, new build vs. renovations, and the character of the neighborhood.

The owner, Bev Barton of 401 Antrim Street, stated that when she filed out the application it was for a new build for a bed and breakfast and a remodel for an ADU. She stated that she was under the impression that the ADU could have bedrooms and bath and the only reason that it had to go before the ZBA was because they wanted to have a kitchen. Former Zoning Administrator Jonathan Scheel stated that the applicant wanted to take the existing accessory building and change it to an ADU with a kitchen. Ms. Barton stated that they had found a builder who could do the project in May otherwise they would have to wait a year for an available builder. She stated that the site had two (2) parking spaces in the driveway, two (2) on the street and two (2) on site.

Motion by Member Felter, second by Member Conway to extend the meeting to 8:13 p.m. **Motion carried by unanimous voice vote.**

Mrs. Barton stated that if she kept the house in the same condition and wanted a bed and breakfast with that, she would need to bring it back before the Planning Commission, and if she left the property as is and rented it out then she wouldn’t have to bring it back before the Commission.

Member Chamberlain stated that having the field dimensions and elevations were critical to ensure that the water is flowing away from the property and a topographical survey to show location of catch basins. Chair Waddell read through the Findings of Fact/Review Standards.

Motion by Member Conway, second by Member Felter to accept the plan to convert this property to a bed and breakfast establishment contingent on submittal of a topographical survey which shows water movement which the Zoning Administrator will administrate. **Motion carried by unanimous voice vote.**

4. Zoning Ordinance Residential Districts Discussion

No discussion was held.

H. **Old Business**

I. Staff Updates

J. Request for Next Month's Agenda or Research Items

Chair Waddell stated that Mayor Kurtz advised that he would be asking the City Council to direct the Planning Commission to research efficiency apartments. Commission concurred it would be a good topic for the agenda in June.

Planner Neal stated the Annual Planning Report would also be on the June meeting agenda.

K. Adjournment

Meeting adjourned at 8:13 p.m.

Sarah Dvoracek/fgm

City Clerk

R.J. Waddell

Chair

Charlevoix Planning Commission

New Business

Title: 2021-2022 Annual Report

Date: June 13, 2022

Presented By: Jennifer Neal, Community Planner

Background:

As required per the Michigan Planning Enabling Act, Section 125.3819 (2) (Act 33 of 2008, as amended), the Planning Commission respectfully submits a report of the activities they undertook in the previous twelve months (May 2021-April 2022).

Recommendation:

Attachments:

1. Charlevoix Annual Report 2022



June 13, 2022

Hon. Mayor and Council Members
210 State Street
Charlevoix, MI 49720

RE: 2022 Charlevoix Planning Commission Annual Report

Hon. Mayor and Council Members:

As required per the Michigan Planning Enabling Act, Section 125.3819 (2) (Act 33 of 2008, as amended), the Planning Commission respectfully submits a report of the activities they undertook in the previous twelve months (May 2021-April 2022).

"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."

PLANNING COMMISSIONERS

1. R.J.Waddell, Chairperson
2. Sherm Chamberlain, Vice-Chair (elected Mar. 2021 through Dec. 2021)
3. Jennifer Muladore (elected Jan. 2022)
4. Mary Millington
5. Toni Felter
6. Reid Beegen
7. David Gray (res. Apr. 2022)
8. Annemarie Conway
9. Emma Suarez Pawlicki (res. Aug. 2021)

PLANNING STAFF

Planning and zoning services are provided by regional planning agency, Networks Northwest. The Zoning Administrator provides on-site support by maintaining regular office hours on Monday, Tuesday, and Wednesday 8 AM – 5 PM. Planning and zoning staff include:

1. Jennifer Neal, Community Planner, Networks Northwest
2. Jonathan Scheel, Zoning Administrator, Networks Northwest

MEETINGS

The Planning Commission met a total of fifteen (15) times in the past year. Meetings are typically scheduled for the second Monday of the month, at 6:00 PM, at City Hall. The 2021-2022 meeting schedule included one special meeting and two work sessions. The November 22 Work Session was held at 4:30 PM at 401 W. Carpenter Street to tour the Public Services Facility. The Work Session on December 20 was held as a joint meeting with the City Council at 4:30 PM in Council Chambers. All meetings are held in compliance with the *Open Meetings Act, PA 267 of 1976, as amended*. Due to pandemic restrictions, the May and June meetings were held partially remote.

- | | |
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| 1. Monday, May 10, 2021 | 9. Monday, November 22, 2021 – Special Meeting |
| 2. Monday, June 14, 2021 | 10. Monday, December 13, 2021 |
| 3. Monday, July 12, 2021 | 11. Monday, December 20, 2021 – Work Session |
| 4. Monday, August 9, 2021 | 12. Monday, January 10, 2022 |
| 5. Monday, September 13, 2021 | 13. Monday, February 14, 2022 |
| 6. Monday, October 11, 2021 | 14. Monday, March 14, 2022 |
| 7. Monday, November 8, 2021 | 15. Monday, April 11, 2022 |
| 8. Monday November 22, 2021 – Work Session | |

2021 MASTER PLAN UPDATE

In February 2021, the Planning Commission initiated a review of the City's Master Plan. The current Master Plan was adopted in December of 2016, and in accordance with the Michigan Planning Enabling Act (Act 33 of 2008), the Planning Commission shall review the plan at least every five years after adoption. The plan will be updated with new and relevant data and will include expanded discussion on emerging issues such as housing. Public input will be sought throughout the update process and the plan is expected to be completed in 2022.

UPDATES TO THE ZONING ORDINANCE

The Planning Commission reviewed the Zoning Ordinance for language to expand housing choices and identify potential barriers to adding housing capacity in the city. The language required an amendment in which a public hearing was held and the proposed language was reviewed by the city attorney.

In early 2019, the City Council approved the use of accessory dwelling units (ADUs) in the R2 Zoning District. In early 2021, the Planning Commission requested an update of how many ADUs have been built. Zoning Administrator Scheel stated he has issued four permits for ADUs. He noted that two are substantially complete and two are under construction. City residents have raised concerns that the size and scale of the structure are not compatible with the neighborhood. If considerations for architectural standards are addressed, Jonathan recommended permitting ADUs in the R1 and R2A Districts. The Commission has had on-going discussions about the architectural standards that are appropriate for ADUs.

The Planning Commission held a public hearing for language pertaining to ADU Architectural Design Standards on January 10, 2022. No comments were received and the Planning Commission recommended adoption to the City Council. The language is currently under attorney review.

On February 14, 2022 the Planning Commission held a public hearing for language pertaining to permitting ADUs in the R1 Zoning District. No comments were received and the Planning Commission recommended adoption to the City Council. The language is currently under attorney review.

DEVELOPMENT REVIEWS

During the previous year, the Planning Commission reviewed several development proposals in the form of site plan reviews. The Zoning Ordinance requires Planning Commission review and approval for all Level B Site Plan applications. The Zoning Administrator, Jonathan Scheel, will often present Level A Site Plans to the Planning Commission to gather input and update them about current projects. The following Level B Site Plan Reviews were completed by the Planning Commission:

1. A request to add 3,900 square feet to the existing 900 square foot outdoor lounge for food truck service located at 230 Ferry Avenue. The site plan was approved as presented.
2. City Manager Heydlauff requested the Planning Commission consider the proposed use for property located at 1522 Bridge Street in response to a bid received by the City. The Planning Commission confirmed it was consistent with the Master Plan.
3. A public hearing was held in December 2021 for a Special Land Use request at 803 State Street. The applicant proposed the use of a Boarding/Rooming House in the R1 Zoning District. The special land use was approved with conditions.
4. A request to build residential apartments and a rooftop deck located at 211 Bridge Street. The project would provide indoor and outdoor living space for the residential use in the downtown mixed-use building. The site plan was approved with conditions.

OTHER REVIEWS AND RECOMMENDATIONS

The Planning Commission completed a review of their Bylaws and approved three changes:

1. An additional sentence was added to the Section 2: Membership that provided for recording completed education and training sessions completed by the commissioners.
2. Section 5: Meetings was updated with the most current edition of *Roberts Rules of Order Newly Revised*.
3. Section 9: Planning Commission Responsibilities was updated to include making recommendations to City Council for uses on public properties and donations to be used in public spaces.

At the request of the City Manager, the Jonathan Scheel presented a memo regarding the proposed adoption of the International Property Maintenance Code. Adoption of the code would allow the City to pursue blighted properties prior to them deteriorating beyond the point of repair and need to be torn down. The Commission recommended the proposed ordinance language to City Council for adoption.

LOOKING FORWARD...

Upon completion of the Master Plan, the Planning Commission's will prepare a list of priority projects based on the implementation action items listed in the plan. The implementation strategies are typically assigned to a City department, public body, or organization capable of completing the task and assigned a level of prioritization or a timeframe for completion. Anticipated action items include Zoning Ordinance amendments, further discussion of architectural standards and design guidelines, joint projects with the Historic District Commission and Downtown Development Authority, and joint projects with neighboring townships.

Respectfully submitted,

PLANNING COMMISSION
CITY OF CHARLEVOIX, MICHIGAN

R.J. Waddell, Chairperson

Charlevoix Planning Commission

New Business

Title: Residential Types and Unit Sizes

Date: June 13, 2022

Presented By: Jennifer Neal, Community Planner

Background:

The Planning Commission requested a review of efficiency apartments at the May meeting. Staff have provided a memo describing permitted uses and unit sizes in the Zoning Ordinance.

Recommendation:

For discussion only.

Attachments:

1. Residential Units Sizes 61322

MEMO

To: City of Charlevoix, Planning Commission
From: Jennifer Neal, Planner
Janet Koch, Zoning Administrator
Subject: Permitted Residential Unit Types and Unit Sizes
Date: June 13, 2022

The Need

The City has taken many steps to address housing affordability and availability including drafting a master plan that focuses on housing. However, we know that members of the community still struggle to find housing because they are competing against market forces that have limited the attainable housing options. Affordability is an issue for many residents, but finding a home for sale at all is equally as difficult. Of the 93 listings available for the Charlevoix immediate area, on Realtor.com on June 6, 2022, 11% were non-condos within the city limits, and an additional 8% were condo units. 47% of available properties were vacant lots both within and outside of the city limits. Building a new house is an opportunity, and is discussed later in this memo.

The Charlevoix City Council and Planning Commission recognize the difficulties community members continue to struggle with and have identified housing as a main priority. It is important to remember that **there is no one solution to fix the housing crisis**. There are many opportunities to streamline the Zoning Ordinance and support additional housing capacity without sacrificing the character of the neighborhood. Discussion should focus on the desired future conditions within the zoning districts.

Background

Per the direction received from the Planning Commission, staff reviewed the permitted dwellings types in each of the City's fourteen (14) zoning districts and the dwelling unit sizes permitted. This report contains a summary table of residential unit types (uses) and whether or not they are permitted (P) or a special land use (S) within the zoning district. Boxes left blank indicate the use is not permitted in that zoning district. Boxes with a "P" or an "S" will also have the corresponding minimum unit size permitted or the maximum size where indicated. Maximum unit sizes only occur in the following:

- Accessory Dwelling Units - 650 sf. A revised maximum of 900 SF is under review.
- Accessory buildings and uses – 2,000 SF. A secondary detached accessory building such as a shed is also permitted maximum 200 SF.

Complete dimensional requirements are located in Sections 153.072(b) and 153.087 of the City of Charlevoix Zoning Ordinance. Locations of mapped districts can be found on the City of Charlevoix Zoning Map. Also included at the end of this report are relevant codified definitions that should be carefully considered when reviewing the uses permitted in each district.

Findings

Staff was asked to specifically consider how efficiency apartments might be permitted within the Zoning Ordinance. Firstly, when we discuss an efficiency apartment we mean one space serving as a living room, dining room, and kitchen. The only room with a door will be the bathroom and maybe the closet. The size of an efficiency apartment averages about 500-600 square feet. A studio apartment may be much larger, as large as 900-1,000 square feet, but efficiency apartments are almost always small. They may even be less than 500 square feet.¹ An efficiency apartment may be a single building, one unit within a multiple family building, or one or more units as part of a mixed use building. An

¹ Pirulis, A. (2020, July 23). *Apartment.com*. Retrieved June 9, 2022, from <https://www.apartments.com/blog/what-is-an-efficiency-apartment>

efficiency apartment as a single building is more commonly known as a tiny house and can be as few as 100 square feet (made from a 10' x 10' shipping container). Based on sizes of commonly built efficiency apartments, this unit type may be built in the following districts:

Residential Districts

- R2 – Medium Density Single Family as an ADU use accessory to a principal dwelling unit.
- R2 – Medium Density Single Family as a part of a home conversion

The minimum unit sizes (1,040 square feet in R1, 800 square feet in R2, and minimum bedroom sizes in R4) are larger than the typical efficiency apartment of 500-600 square feet. Thus, an efficiency apartment would not be permitted in these districts.

Non-residential and Mixed Use Districts

An efficiency apartment is permitted in various forms in all non-residential and mixed use districts. This is so because many of the districts permit single- or multiple-family structures without a minimum unit size. The Planning Commission reviewed the rooftop deck for one such project located at for 211 Bridge Street on March 14, 2022. To reference Zoning Administrator Scheel's staff report, "The applicant is proposing building a total of five residential apartments (not a site condominium) in the basement and on the second story of an existing downtown building. Residential use is a use by right excepting the first floor in the Central Business District. There is not a regulation for size or density of residential use in the Central Business District." These apartments were designed based on market demands and are around 1,100 square feet.

Upon review of the use table and after conferring with fellow planners and housing advocates, staff offer the following points for discussion.

1. The City may consider reducing the minimum size of residential unit types in Residential districts.
2. The City may consider removing the minimum unit size and instituting a density requirement or units per acre or parcel depending on the district.

The most meaningful change would be to remove the minimum unit size in all districts and instead prepare a maximum density which identifies how many dwelling units may be permitted per acre or per parcel, depending on the district. As seen in the case above, the market (and building department) will determine the habitable space required while required lot widths, setbacks, and impervious surface coverage will maintain congruity with surrounding buildings. The City may develop architectural design standards for additional types of residential uses that determine the preferred residential character and the details of how to regulate it. The City of Traverse City has adopted this type of regulation and the dimensional standards of their Zoning Ordinance are included in this report. In comparison, dimensional requirements are included for the City of Boyne City. Boyne City's regulations more closely resemble Charlevoix's own ordinance.

In either case, the Planning Commission should consider providing consistency in permitted unit types and sizes across all zoning districts.

An additional point for discussion would be to take a deeper dive into the vacant and underused property available throughout the city. The 2016 Master Plan included a review of vacant land where potential infill might be sought. The process for the 2021 Master Plan update did not include updating the vacant parcels map, but this may be an action the Planning Commission would like to work on in the future. A study of vacant land may provide insight as to locations where Planned Unit Developments (PUDs) might be eligible. A PUD is a use established to permit flexibility in the regulation of land development. The minimum PUD size is 21,780 SF (.5 acres). A PUD may permit more than one standalone efficiency apartment or tiny house on a parcel of land. More study is required to determine the potential impact of vacant land and PUD uses.

Staff welcome your comments, and based on the discussion and direction of the Planning Commission, staff will prepare additional materials as necessary for future meetings.

Use	R1 – Low Density Single-Family	R2 – Medium Density Single Family	R2A – Two Family	R4- Planned High Density	PC – Private Club	GC – General Commercial	CBD – Central Business District	CM - Commercial Mixed Use	MC - Marine Commercial	CH – Commercial Hospitality	PO – Professional Office	SR – Scenic Reserve	I – Industrial	P – Public Facilities
Single-family, detached	P – 1,040	P – 800	P – 800	P – 800	P – 0			P – 0	P – 0					
Single-family, attached		P – 800	P – 800	P – 800	P – 0			P – 0	P – 0					
Two-Family		P – 800	P – 800	P – 800	P – 0									
Multiple-family				P – [1] 1 BR - 660 2 BR - 780 3 BR - 900	P – 0	P – 0	P – 0	P – 0	P -[2] 800 Or 1 BR - 660 2 BR - 780 3 BR - 900	P – 0				
Single Multiple Family building		P – 800												
Accessory dwelling unit	P – 300 min 900 max[3]	P – 300 min. 650 max 900 max. rev.												
Home conversion		P – 1 BR - 300 2 BR - 450												
Rentals	P – Size based on specific dwelling type (use)													
Senior Housing: Independent Living, assisted living and similar facilities				S - 1 BR - 660 2 BR - 780 3 BR - 900										
Convalescent and nursing homes				S -										
Boarding/rooming house	S - 1,040	S - 800												
Dwellings above the first floor						P[4] - 0	P - 0		P – 0		P[5] - 0			
Motel or hotel						P – 0	P – 0	P – 0		P – 0				
Bed and breakfast	S - 1,040	S - 800					P – 0		P – 0	P – 0				
Adult foster care group home	S - small group 1,040 / 800			S - large group		S - 0								
Accessory uses, buildings and structures	P - 2,000 max													

[1] In a building containing three or more dwelling units

[2] Developments of a single multiple-family dwelling may be developed to the requirements of the R2 District, while Developments of more than one Multiple-family dwellings shall be developed to the requirements of the R4 District.

[3] Yet to be heard at City Council

[4] Mixed use developments where dwelling units are proposed above GC structure shall comply with the area, height and placement requirements of the GC District.

[5] Mixed use developments where dwelling units are proposed above professional offices shall comply with the area, height and placement requirements of the PO District.

1368.03 - Lot width, lot area, impervious surface and density requirements.

- (a) *Density.* Density standards serve several purposes. They match housing density with the availability of public services and with the carrying capacity of the land. For example, more housing can be allowed on flat areas than on steep, slide-prone zones. At the same time, density standards promote development opportunities for housing and promote urban densities in less developed areas. The density regulations are a tool to judge equivalent density when comparing standard and nonstandard land divisions (such as Planned Unit Developments).
- (b) *Lot size.* In standard land divisions, lot size limits help to preserve the overall character of developed neighborhoods by assuring that new houses will generally have the same size lots as the surrounding built-up area. They also assure that development on a lot will, in most cases, be able to comply with all applicable development standards.
- (c) *Compliance required.* Every single-family dwelling and every two-family dwelling erected or structurally altered after the effective date of this Zoning Code in the R-1a, R-1b, and R-2 districts shall be located on a lot.
- (d) *Impervious surface.* Surface parking areas shall not exceed the total floor areas of all buildings on the lot in the C-4 and GP districts. In the NMC-1 and NMC-2 districts, the surface parking area shall not exceed 15 percent of the total area of any lot over 10 acres.
- (e) *Table.* The lot width, lot area and impervious surface and density requirements for each district shall be as indicated in each district and as on the following chart:

District	Minimum Lot Width (feet) ¹	Minimum Lot Area (square feet)	Maximum Density (dwelling units per acre)	Maximum Impervious Surface %
OS	20	None	N/A	20
RC	20	None	4.4	20
R-1a	90	9,000	1 ⁵	30
R-1b	35/45 ⁴	5,000	1 ⁵	45
R-2	35	4,000	2	45
R-3	50	7,500	none	70
HR	50	7,500	44 rooms/acre	70
C-1	20	3,750	N/A	60
C-2	20	3,750	N/A	70
C-3	20	3,750	N/A	80
C-4	None	None	N/A	100 ³
D	See Chapter 1347 for requirements			
T	20	None	None	70
GP	20	None	None	70 ²
I	100	None	None	80
PRD	See Chapter 1352 for requirements			
NMC-1	20	None	15	30 ²
NMC-2	20	None	29	50 ²
H-1	20	None	29	70
H-2	20	None	29	60

¹ See access control restrictions, Traverse City Code, [Section 1374.04](#).

² The surface parking area shall not exceed 15 percent of the total area of any lot over 10 acres.

³ The surface parking area shall not exceed the total floor area of all buildings on the lot.

⁴ The minimum lot width for parcels located north or east of the US31/M-72, east of Milliken Drive and south of Eastern Ave are 45 feet.

⁵ An accessory dwelling unit may be permitted in R-1a and R-1b which if permitted, would increase the allowed density maximum to 2 dwellings per parcel.

(Ord. 476, Passed 7-6-99; Ord. 489, Passed 4-17-00; Ord. 534, Passed 6-4-01; Ord. 551, Passed 12-3-01; Ord. 555, Passed 2-4-02; Ord. 568, Passed 7-11-02; Ord. 624, Passed 3-15-04; Ord. 654, Passed 8-16-04; Ord. 829, Passed 3-16-09; Ord. 832, Passed 5-4-09; Ord. 890, Passed 11-1-10; Ord. 917, Passed 6-6-11; Ord. 956, Passed 1-7-13; Ord. No. [1095](#), Passed 6-3-19; [Ord. No. 1177](#), Passed 10-18-21)

Sec. 20.10. - Residential districts.

Zoning District	Minimum Lot Area		Maximum Height of Structure	Minimum Yard Setback (Per Lot In Feet)				Minimum Dwelling Size		Maximum Percentage of Lot Area Covered by All Buildings
	Area in Square Feet	Width In Feet	In Feet	Front	Sides k		Rear	Floor Area In Sq Ft	Width	
					At Least One	Total of Two				
Rural Estate District (RED) n	10,890	100	30	30 c	10 k	30 k	30 l	800 first floor 1,200 if more than one story	24	30%
Traditional Residential District (TRD) n	5,445	50	30	10 c	5 k	15 k	15 l	672 first floor 1,000 if more than one story	24	40%

Waterfront Residential District (WRD) e, l, m, n,	5,445	66	30	35	5 k	15 k	15	672 first floor 1,000 if more than one story	24	30%
Multiple Family Residential District (MFRD) e, l, m, n, g	21,780	100	35	40 d	25 d	50 d	50 d	500	-	30%
Manufactured housing district	See article VII manufactured housing park district.									

(Ord. of 4-10-2018; Ord. of 2-12-2019(2))

Sec. 20.20. - Mixed use and non-residential districts.

Zoning District	Minimum Lot Area		Maximum Height of Structure	Minimum Yard Setback (Per Lot In Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum Percentage of Lot Area Covered by All Buildings i
	Area in Square Feet	Width In Feet	In Feet	Front j	Sides c, l		Rear l		
					At Least One	Total of Two			
Professional Office District (POD)	5,445	50	35	10	5	15	15	672	60%
Waterfront Marina District (WMD) e, l, m, n,	5,445	50	35	10	5	15	15	672	60%
Central Business District (CBD)	-	-	45	-	-	-	-	-	100%
Transitional Commercial District (TCD)	5,445	50	<u>2.5</u> 35	10	5	15	15	672	60%
General Commercial District (GCD)	10,890	75	35	10	5 a	15	15 b	-	60%
Regional Commercial/Industrial District (RC/ID)	21,780	100	35	20	10 a	25	25 b	-	60%
Planned Industrial District (PID)	21,780	100	35	50	25 a	50	25 b	-	40%
Community Service District (CSD) f, n	5,445	50	35	10	5	15	15	672	40%
Flood hazard district (FHD)	All structures shall be set back a minimum of 15 feet from the 100-year floodplain. See article XVI Flood Hazard District for the remaining regulations.								

(Ord. of 2-12-2019(2))

153.005 Definitions

Please note: some definitions are simplified to provide a generalize overview of the term's meaning.

ACCESSORY STRUCTURE. An attached or detached structure on the same lot with and of a customarily incidental nature that is subordinate to the principal use or building/structure. (See § [153.116](#) of this chapter.)

FOSTER CARE.

(a) **ADULT FOSTER CARE FACILITY.** A facility defined by the Adult Foster Care Facility Licensing Act, Public Act 218 of 1979, being M.C.L.A. §§ 400.701 et seq., as an establishment providing foster care to adults. Included are foster care facilities and family homes for adults that are aged, mentally ill, developmentally disabled or physically disabled, and that require supervision on an ongoing basis, but do not require continuous nursing care.

BED AND BREAKFAST. Any place of lodging that provides rooms for rent for more than ten nights in a 12-month period, is the owner's personal residence, is occupied by the owner or owner's representative at the time of rental and in which a morning meal is served to guests.

CONVALESCENT HOME or **NURSING HOME.** A facility licensed as a "nursing home" by the state's Department of Public Health under Art. 17 of the Public Health Code, Public Act 368 of 1978, being M.C.L.A. §§ 333.2010 et seq., as amended, where residents generally require 24-hour care and monitoring to meet their health and security needs. A **NURSING HOME** shall include an extended care facility, hospice and convalescent home.

Dwelling Unit. A building or portion of a building, designed for use and occupancy by individuals, or one family, for living, kitchen and bathing facilities. A recreational vehicle, vehicle chassis or tent is not considered a dwelling.

- (a) **DWELLING, MULTIPLE-FAMILY.** A building containing **three or more** dwelling units where each unit may have access to a common hallway, stairs or elevator, or where each unit may have individual access to a street or common courtyard.
- (b) **DWELLING, SINGLE-FAMILY.**
1. **DETACHED.** A single-family dwelling unit that is separate and distinct from any other dwelling. A single-family dwelling that does not share a party wall with any other dwelling is a **DETACHED SINGLE-FAMILY DWELLING**.
 2. **ATTACHED.** A dwelling designed for occupancy by one family in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. (Also known as a **TOWNHOUSE** or **ROWHOUSE**.)
- (c) **DWELLING, TWO-FAMILY.** A single-family dwelling unit attached to one other single-family dwelling by a common wall or floor. (Also known as a **DUPLEX**.)



- (d) **DWELLING, ACCESSORY (ADU).** A second unit on an owner-occupied single-family parcel that is a minimum of three-hundred (300) and less than six-hundred-fifty (650) square feet and is either attached to the principal dwelling or in a separate structure on the same parcel.

Single Multiple Family building. Sec. 153.117(G)

(G) *Single-family attached and single multiple-family buildings.*

- (1) Single-family attached buildings and single multiple-family buildings are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this section.
- (2) The main entrance is located in the building façade of the principal frontage.
- (3) A maximum of two entrances per building façade.
- (4) Parking is located in the rear or on the side of the building.
- (5) Parking access is from the alley where available, otherwise access may be from the side or front lot line.
- (6) The principal building façade shall have a minimum of 20% glazing (windows).
- (7) There shall be a minimum of two windows per non-street facing building façade.
- (8) Porches and stoops may project into the yards.
- (9) Façade elements above the ground floor may project into the yards.

Home Conversion. Sec. 153.117(F)

(F) *Home conversions.* An existing detached single-family dwelling built prior to 2019 that is located within the required setbacks of the district may be converted to multiple permanent dwelling units subject to the following:

- (1) Lot area meets the minimum requirements for the district.
- (2) The exterior appearance of the structure is not altered from its single-family character.
- (3) Parking meets the requirements of § [153.187](#).
- (4) Access to any second floor dwelling unit is provided from the interior of the structure.
- (5) The minimum square footage required for a studio or one bedroom unit shall be 300 square feet.
- (6) The minimum square footage required for a two bedroom unit shall be 450 square feet.
- (7) All units have construction code-approved egress.

Dwellings above the first floor. No definition or specific requirements listed

Floor Area, Gross. The sum of the horizontal area of all building floors, measured from the interior faces of exterior walls, excluding porches, patios, terraces, breezeways, carport garages, unfinished attic areas and basements.

MOTEL/HOTEL. A building or group of buildings on the same lot, containing sleeping or dwelling units in which lodging is provided for compensation on a transient basis. The term includes tourist cabins, motor courts, motor lodges and similar facilities.

PLANNED UNIT DEVELOPMENT (PUD). A use which allows a development to be designed and built as a unit and which is designed to encourage quality land development and site design outside the typical zoning standards through flexible design and use standards and a greater latitude in the mix or uses resulting in more efficient and effective use of the land and infrastructure.

RENTALS.

(a) **LONG-TERM RENTALS.** Any dwelling or condominium or portion thereof, that is available for use for a fee or other compensation for a term of 30 consecutive days or more.

(b) **SHORT-TERM RENTALS.** Any dwelling or condominium or portion thereof, that is available for use for a fee or other compensation for a term of less than 30 consecutive days, but not including hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, and hospitals or other health care related facilities.

SENIOR HOUSING. See also **CONVALESCENT HOME OR NURSING HOME.**

(a) **INDEPENDENT LIVING.** A housing development consisting of attached or detached single-family, two-family or multiple-family dwellings designed for and generally limited to housing of persons over 62 years of age who maintain a degree of physical independence, and thus shared medical services and congregate meals are generally not provided.

(b) **ASSISTED LIVING.** A housing development consisting of attached or detached single-family, two-family or multiple-family dwellings designed for and generally limited to housing of persons over 62 years of age, who because of physical or other limitations, need access within the development to medical and other services and where congregate meals are provided; however, 24-hour care and monitoring is not necessary.