



PLANNING COMMISSION

Thursday, March 12, 2015

1. Roll Call – 7:00 P.M. – City Hall Community Room

2. Planners Moments – “Northwest Michigan Regional Prosperity”; “Right to Farm Act and Urban Agriculture”

3. Old Business
 - (a) Review and discussion of Single Family District amendments
 - (b) Review first draft of Non-motorized Facilities Plan

4. Updates

5. Adjournment



BOARD: Planning Commission

MEETING DATE: March 12, 2015

DATE PREPARED: February 10, 2015

AGENDA SUBJECT: Proposed amendments to the single family districts

RECOMMENDATION: Discussion/ Schedule a public hearing

Over the past several months, the Commission has been discussing possible amendments to the single family districts, including home occupations, lot coverage ratios, accessory building standards, and special condition uses. Many of these subjects were identified through the master plan process as needed amendments to the zoning ordinance. The proposed changes based on these discussions and their rationales are below.

Home Businesses

These changes are proposed to promote an entrepreneurial community for small scale start-ups that residents may wish to begin in their homes. A home business would become a permitted use in all residential districts subject to the following:

1. Are incidental to the primary residential use.
2. Are conducted entirely within the principal residential building and not evident in any way from the street or from any neighboring premises.
3. Business is carried on only by the inhabitants of the building.
4. Do not involve any outdoor activities, and have no visible display or storage of goods from outside the dwelling unit.
5. Do not change the character of the building in which it is conducted.
6. Do not constitute, create or increase a nuisance.
8. Employ only mechanical equipment which is similar in power usage and type used for household purposes, home offices, or hobby workshops.
9. Devote no more than twenty-five (25) percent of the principal building to the home business.
10. Client traffic is restricted to between the hours of 8:00 a.m. and 6:00 p.m.
11. Must not require client parking spaces in excess two (2) spaces, located in the driveway or on the street directly adjacent to the property.
12. Must not generate vehicle trips in excess of ten (10) trips per day.

In addition, the Commission recommends amending Section 7.1(4)(d) of the Sign Ordinance to read:

Home businesses are allowed a single business identification sign, not exceeding one (1) square foot, to be wall-mounted next to the entrance.

Lot Coverage Ratio and Accessory Structure Standards

When a board of appeals receives numerous variance requests for common items, it is often an indication that the zoning ordinance may need an update. In reviewing past variance requests and approvals, the pattern has been for lot coverage or setback variances often to enable the construction of a garage. The Commission has looked at the single family standards to determine whether there may be a need for additional flexibility for the way people live today, while maintaining community character that could lessen the number of requests that go to the Zoning Board of Appeals.

Lot Coverage Options

Current Lot Coverage Standards:

Zoning District	Minimum lot size (square feet)	Current Lot Coverage Ratio	Structure coverage area (square feet)
R1	8,400	30%	2,520
R2	7,200	30%	2,160
R3	6,000	30%	1,800

While many City lots meet the current minimum lot sizes, there are also quite a few that do not, which means the lot is often non-conforming even before an owner wants to make an improvement. Below are some options the Commission has discussed that would increase the flexibility of existing conforming and non-conforming lots.

Zoning District	Minimum lot size (square feet)	Proposed Lot Coverage Ratio	Structure coverage area (square feet)
R1	8,400+	30%	2,520
R2	7,200+	33%	2,376+
	Existing, non-conforming lots <7,200	35%	Maximum coverage 2,520
R3	6,000	35%	2,100

Accessory Structures

Currently, a detached accessory building may only be used for storage, unless the use is approved by the Zoning Board of Appeals. However, there are several grandfathered accessory dwelling units in former carriage houses. Several communities are now allowing accessory dwelling units- commonly referred to as a “granny flat”- which is seen as a way to provide affordable housing if rented out, or a separate unit for a family member. The Michigan Economic Development Corporation is also promoting allowance of these units through its Redevelopment Ready program, again as a way of providing the community with affordable housing in non-traditional housing options

Traverse City is in the process of modifying its ordinance – the draft language that will be discussed for possible public hearing on January 6th is enclosed. Staff also asked Scott McPherson, Boyne City Planning Director, about their allowance for ADUs and specifically how they enforce the owner-occupied provision. He said they don’t aggressively enforce the provision but have had no complaints and have maybe had 5-6 ADUs built in the past 11 years. He noted that Wilson Township has a provision that there must be a deed restriction, but that has resulted in none being built and he would not recommend this approach.

An issue that has been raised with ADUs locally is the difficulty if houses have shared driveways. This could either be addressed either by not allowing ADUs on parcels with shared drives, or requiring that there is sufficient parking for two units on the lot that would not block the common drive.

Below is a summary of what the Commission discussed. Unless the Commission wants to revisit the 35 foot rear yard setback for principal structures, the setbacks for an attached garage would remain the same.

	Current	Proposed
Height - Max		
Detached	1 story, 14 feet	2 stories, height of principal structure or 25 feet, whichever is less
Attached	2 stories, 25 feet	2 stories, height of principal structure or 25 feet, whichever is less
Setbacks - Min (rear and side)		
Detached		
Single story	3 feet, 3 feet	3 feet, 3 feet
Two story	3 feet, 3 feet (If variance granted)	5 feet, 5 feet
Attached	35 feet, 5 feet	35 feet, 5 feet
Use		
Detached	Uses other than storage are approved by the ZBA	Allow accessory dwelling unit with condition that one unit must be owner occupied and on-site parking sufficient for two dwelling units.
Attached	Same as principal structure	Same as principal structure

Special Condition Uses

The Commission has reviewed and amended the special condition uses in the R1 and R2 Single Family Districts as follows:

1. Churches and other facilities normally incidental thereto subject to the following conditions:
 - a. Buildings of greater than maximum height allowed in Article XVI Schedule of Regulations may be allowed provided front, side and rear yards are increased above the minimum required yards by one (1) foot for each foot of building height that exceeds the maximum height allowed.
 - b. The site has frontage or direct access to an existing or planned principal or minor arterial.
2. Public, parochial and private intermediate and/or secondary schools offering courses in general education, not operated for profit, subject to the following condition: The site has frontage or direct access to an existing or planned principal or minor arterial.
3. Utility and public service buildings and uses (without storage yards) when operating requirements necessitate the locating of said building within the district in order to serve the immediate vicinity.
4. Non-public recreational areas and recreation facilities when not operated for profit and primarily intended to serve residents of a planned development
5. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit, subject to the following conditions:
 - a. Any use permitted herein shall be developed only on sites of at least forty (40) acres in area.
 - b. All access to said site shall be directly from a principal or minor arterial.
 - c. No building shall be closer than eighty (80) feet to any property line.
6. Cemeteries subject to the following:
 - a. All sides of the cemetery shall be adequately screened from any residential view.
 - b. All access to said site shall be directly from a major or collector thoroughfare.
7. Municipal office buildings when in character with the neighborhood.
8. Accessory buildings and uses customarily incident to any of the above permitted uses.
9. Two-family attached dwellings subject to the following standards:
 - a. All regulations as contained in Article XVI, Section 1600, Schedule of Regulation for Uses, in accordance with the district in which the parcel is located.
 - b. A two-family dwelling shall meet parking requirements of Section 1704.

- c. A two-family dwelling shall not allow a garage to protrude beyond the front building plane.

Clustered and Cottage Housing

The 2014 update to the master plan included a new housing and neighborhoods strategy of “Explore the use of ordinances that allow clustered housing units to create affordable housing options.” While there are not a lot of sizeable lots left for housing development in the City, creating an allowance for this type of housing could encourage someone to develop one of these lots.

Enclosed is information on cottage zoning from Networks Northwest, which is also being promoted for its ability to provide more affordable housing. However, clustered and cottage housing are not the same thing. The goal of clustered housing is typically to cluster the houses together to maintain more useable open space, to protect certain natural or environmentally sensitive areas, or to reduce costs of infrastructure. Cottage housing is more directly related to affordable housing as the allowable densities are greater and often there is a maximum house size.

Currently, our single family districts have minimum lot sizes between 6,000 square feet (R-3) and 8,400 square feet(R1), which relates to densities between 5.2 and 7.26 units per acre. The required minimum habitable structure size is 576 square feet (24'x24') – not including attached garages. If the Commission wishes to allow greater densities on existing in-fill lots, this could be accomplished by creating a clustered housing category in special condition uses that does not include a minimum lot size, has smaller required setbacks, and has a higher overall development lot coverage allowance. Examples of what these special condition use provisions could be include:

Clustered housing on a lot of not less than 25,000 square feet with the following conditions:

1. The existing street pattern of front-yard setbacks, if one exists, shall be replicated;
2. Public street-fronting houses shall have front façade treatment (i.e., no blank walls)
3. Private street standards are met
4. Exterior setbacks of no less than 15 feet
5. Limited property access to public street (use of alleys, interior drives, etc.)
6. Pedestrian access provided.
7. At least 50% of area in open space, including streets

For illustrative purposes only, concepts of how existing in-fill lots could be developed are enclosed. *These are only concepts – they are not to scale.*

Other Communities

Traverse City allows clustered housing in single family districts, but it appears this is designed more to allow duplexes – or zero-lot line construction (language below).

Clustering (e.g. single-family attached, zero-lot-line detached dwellings) may be allowed in either district on larger parcels within the designated density guidelines as a means to protect sensitive soils and provide usable open space.

1332.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

	Lot width (min.)	Lot area (min.)	Density (maximum)	Impervious surface
R-1a:	90 feet	9,000 sq. feet	Not applicable	30% maximum
R-1b:	35/45 feet ¹	5,000 sq. feet	Not applicable	45% maximum

¹ 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.

The Networks Northwest document mentions the cottage housing in **Langley, Washington**. Below is what staff found from that zoning ordinance.

Lot clustering.

On parcels over two acres, a density bonus of 25 percent is allowed in conjunction with lot clustering, subject to the following: 50 percent or more of the site is reserved for permanent open space. (Ord. 527, 1989)

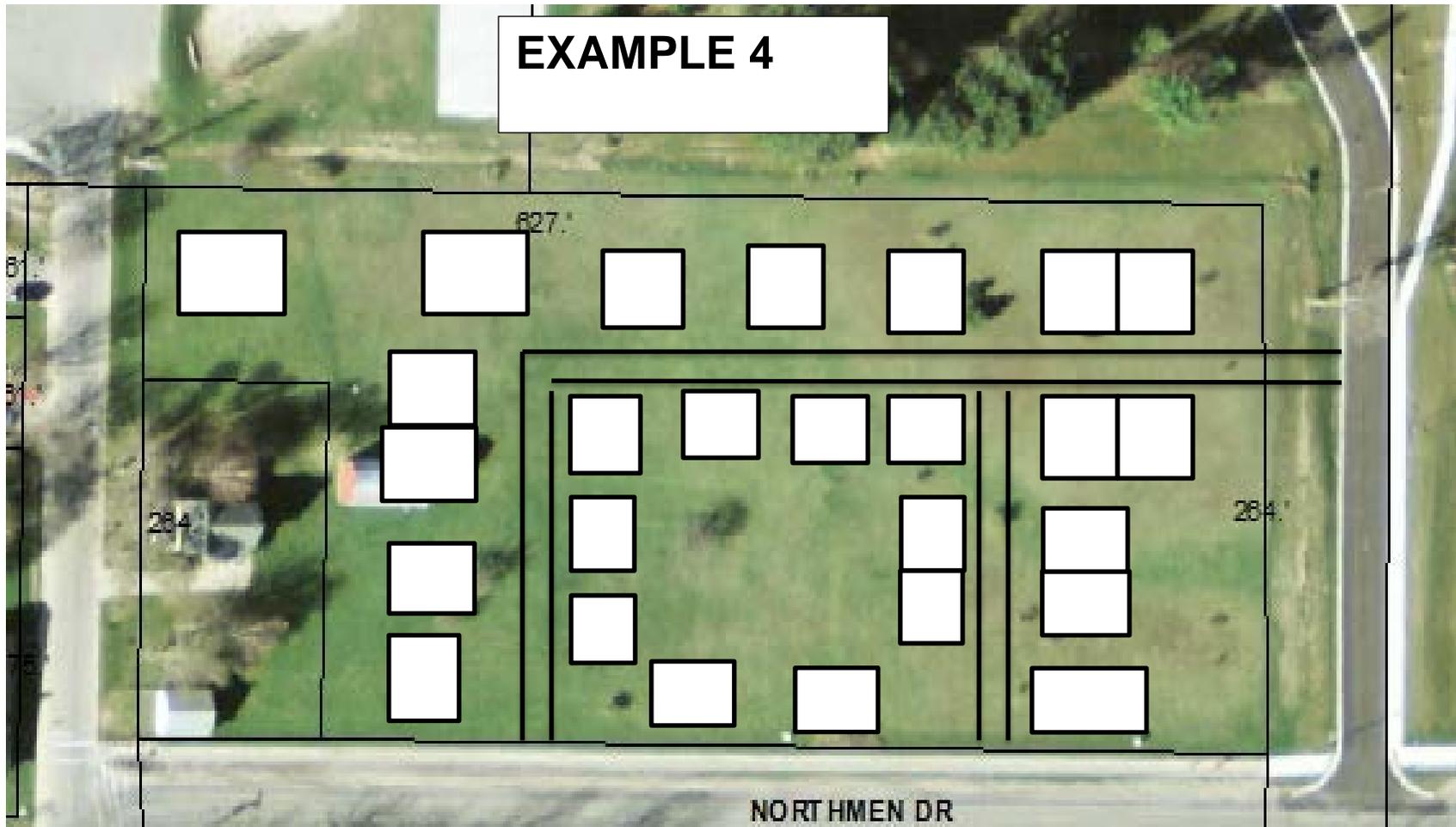
“Cottage housing” means a development comprised of at least four cottages (single-family dwelling units) arranged on at least two sides of a common open space with a maximum of 12 cottages per development.

Example 2

- 108,000 square foot lot (2.48 acres)
- Private circular drive
- 26 units (10.5 units per acre density versus 7.26 units per acre with R3 zoning (6000 s.f. lot))
- Attached units (duplex, triplex)

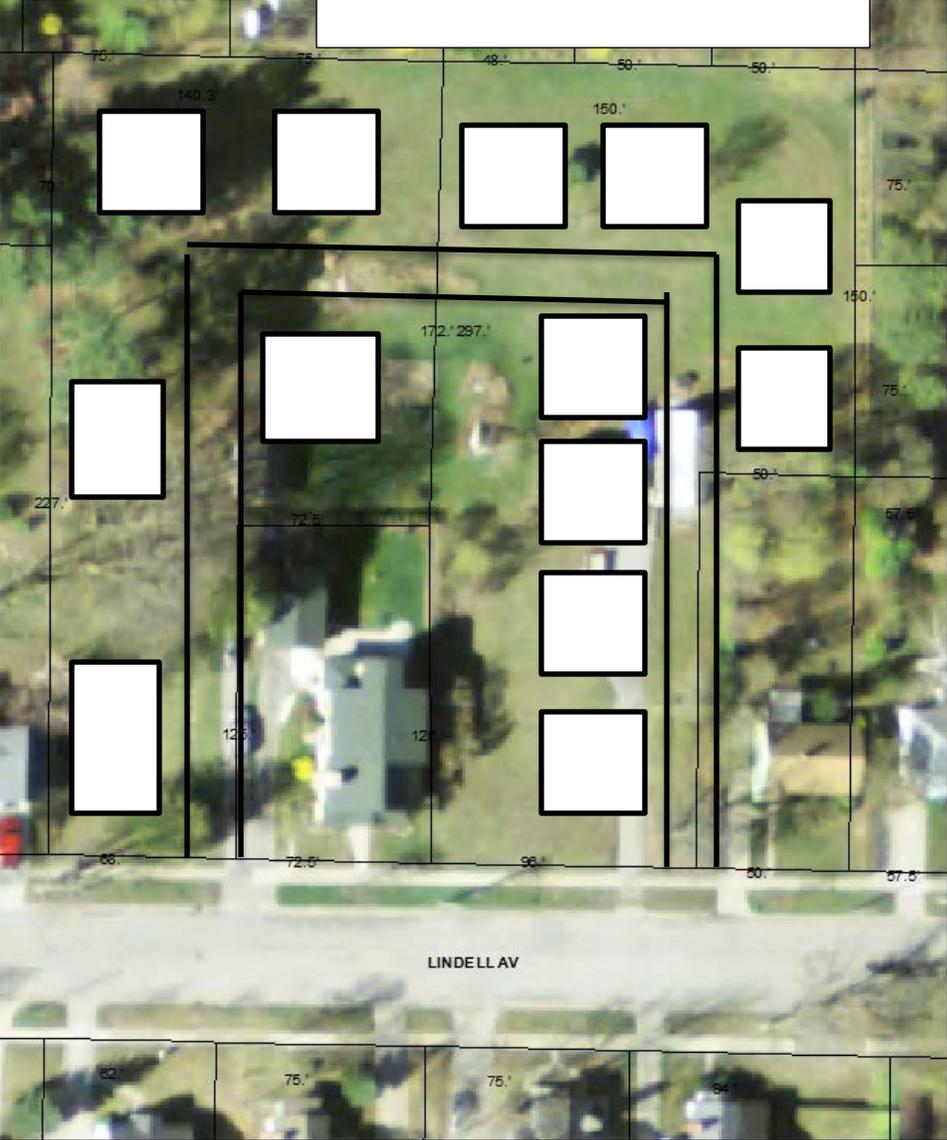


EXAMPLE 4



- 148,500 square foot lot (3.4 acres)
- Private circular drive and alley access
- 27 units (7.9 units per acre density versus 7.26 units per acre with R3 zoning (6000 s.f. lot)
- Attached units (duplex)

EXAMPLE 5



13 single family units on 1.73 Acres (7.5 units per acre)
Private drive ~ 20 feet



BOARD: Planning Commission

MEETING DATE: March 12, 2015

DATE PREPARED: March 4, 2015

AGENDA SUBJECT: Review first draft of the Non-Motorized Facilities Plan

RECOMMENDATION: Review/ Discussion

The Commission will continue review of the draft non-motorized facilities plan. Please bring copy provided at the February meeting.