

Hayes Township, Charlevoix County, Planning Commission

Regular Meeting of Planning Commission

February 15, 2022 7:00 pm

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

<https://us02web.zoom.us/j/81123104165?pwd=OXYrREdYZVIUWStnZ3loOUoyRlhscz09>

Meeting ID: 811 2310 4165

Passcode: 477558

+1 312 626 6799 US (Chicago)

AGENDA

Call to Order

Pledge of Allegiance

Review of Agenda

Declarations of Conflict of Interest

Approval of Minutes- January 18, 2022 and February 8, 2022 (Special Meeting/Training)

Public Comments Unrelated to Agenda Items

Report of Township Board Representative to the Planning Commission

Report of Planning Commission Representative to the Zoning Board of Appeals

Zoning Administrator Report –

New Business – Resumption of discussion on Article VII

Old Business – Resumption of discussion on Article VII – Zoning Districts

Set/Confirm Public Hearing Dates –

Set/Confirm Date of Next PC Meeting – March 15, 2022

Planning Commission Comment -

Public Comment

Adjournment

To best facilitate a hybrid meeting (in person as well as ZOOM) for the public, please adhere to the following guidelines:

In person attendance

1. Doors to the hall will open at 6:45 pm
2. Please voluntarily provide a name for the record
3. Please hold all comments until the appropriate designated public comment agenda item
4. To maintain an orderly meeting while providing opportunity for the public to be heard, Planning Commission Chairman will call names in appropriate order
5. We ask that you voluntarily state your name for the record
6. Direct all comments to the planning commission
7. Keep comments brief and to the point (3 minutes per person); deputy clerk will advise when time is up
8. Do not speak while others are speaking
9. Minutes may not be yielded to other speakers.

Via ZOOM attendance

1. Upon signing into the meeting, please voluntarily provide a name for the record
2. All ZOOM participants will be admitted from the waiting room prior to the start of the meeting
3. All ZOOM participants will remain muted until called on during the appropriate designated public comment agenda item
4. Please raise your hand to be called on during public comments
5. Direct all comments to the planning commission
6. Keep comments brief and to the point (3 minutes per person); participant will be muted at 3 minutes
7. Minutes may not be yielded to other speakers.

Note: A quorum of the Hayes Township Board members may be present at this meeting. No Hayes Township Board business will be discussed or conducted at this meeting.

Hayes Township Planning Commission
January 18th, 2022
Regular Meeting
At Hayes Township Hall
Zoom ID 823 3484 4160

CALL TO ORDER: Chair Roy Griffiths called the meeting to order at 7:00 p.m.

Members present Roy Griffiths (Chair), Ed Bajos, Matt Cunningham (Board of Trustee Representative), Rex Greenslade (ZOOM), Omar Feliciano (Vice-Chair), Marilyn Morehead, and Steve Bulman

Also, present: Ron VanZee (Zoning Administrator), and April Hilton (Recording Secretary/Deputy Clerk) Kristin Baranski.

Audience members signed in: Greg Denzinger, Tim Boyko, Luanne Kozma, Ellis Boal, Doug Kuebler, Fred Parsons, Doug McCombs, Jim McMahon, and Winnie Boal.

PLEDGE OF ALLEGIANCE TO THE FLAG: Mr. Griffiths led the Pledge of Allegiance.

REVIEW AGENDA:

Mr. Bajos made a motion, supported by Mr. Bulman to approve the agenda as presented.
Yeas: Roy Griffiths, Ed Bajos, Matt Cunningham, Omar Feliciano, Marilyn Morehead, Steve Bulman.

Nays: None Motion Passed

DECLARATIONS OF CONFLICTS OF INTERESTS: None

APPROVAL OF MINUTES DECEMBER 21st, 2021 REGULAR MEETING:

Mr. Bajos made a motion, supported by Mr. Cunningham, to approve the December 21, 2021 regular meeting minutes as presented. Motion passed.

Yeas: Roy Griffiths, Ed Bajos, Matt Cunningham, Omar Feliciano, Marilyn Morehead, Steve Bulman.

Nays: None

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:

Public comments open at 7:04pm

Comments included:

- A request of the Planning Commission to keep the protection of the lakes and limit future development, concerns for the lake health due to an increase in algae on lake Michigan.

Hayes Township Planning Commission
January 18th, 2022
Regular Meeting
At Hayes Township Hall
Zoom ID 823 3484 4160

- A question regarding why the waterfront section of the ordinance was not on the evening agenda; informed the Planning Commission of two upcoming ZBA meetings, an interpretation on January 26, 2022 and appeal on February 2, 2022.

Public comments closed at 7:09 pm

REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Matt Cunningham gave an oral report of the January 10, 2022, Board of Trustees meeting. The next Board meeting will be February 14, 2022.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:

The ZBA will hear a case for interpretation on January 26, 2022 and an appeal case on February 2, 2022.

ZONING ADMINISTRATOR REPORT: Ron VanZee presented an oral Zoning Administrator report. A copy of this report is available at the township hall.

NEW BUSINESS

PRESENTATION BY STEPHEN SCHNELL- HOUSING NORTH ON HOUSING NEEDS IN THE AREA:

Stephen Schnell from Housing North gave a presentation to the Planning Commission on the need for homes in the Charlevoix area.

REVIEW PRELIMINARY DRAFT ARTICLE VII – ZONING DISTRICTS:

The Planning Commission reviewed and discussed the Preliminary Zoning Ordinance draft of Article VII concerning Zoning Districts. The Planning Commission will continue work on articles.

2021 YEAR IN REVIEW:

See attachment.

SET/CONFIRM PUBLIC HEARING DATES:

None

Hayes Township Planning Commission
January 18th, 2022
Regular Meeting
At Hayes Township Hall
Zoom ID 823 3484 4160

SET/CONFIRM DATE OF NEXT REGULAR PLANNING COMMISSION MEETING:

Next regular Planning Commission meeting will take place on February 15, 2022 at 7:00 pm at the Township Hall.

PUBLIC COMMENT:

Public comments open at 9:25 pm

Comments included:

- Residents should have more input on the re-write of the ordinance, lake shore property owners are especially concerned.
- Appreciation of simplifying the Zoning Ordinance; does not agree with cutting rural residential from 5 acres to 2 acres.
- When working on the ADU keep in mind deed restrictions.

Public comments closed at 9:30 pm.

ADJOURNMENT:

Mr. Bajos made a motion, supported by Mr. Cunningham, to adjourn the meeting at 9:30 pm.

Motion passed.

Yeas: Roy Griffitts, Ed Bajos, Matt Cunningham, Omar Feliciano, Marilyn Morehead, Steve Bulman.

Nays: None

Respectfully Submitted by:

April Hilton
Recording Secretary/Deputy Clerk

Hayes Township Planning Commission
Housing North Presents
Northwest Housing Training Session
Special Meeting
February 08th, 2022
At Hayes Township Hall

CALL TO ORDER: Chair Roy Griffiths called the meeting to order at 7:00 p.m.

Members present Roy Griffiths (Chair), Ed Bajos, Matt Cunningham (Board of Trustee Representative), Rex Greenslade (ZOOM), Omar Feliciano (Vice-Chair), and Marilyn Morehead
Excused: Steve Bulman

Also, present: Ron VanZee (Zoning Administrator), Kristin Baranski, and April Hilton (Recording Secretary/Deputy Clerk).

Audience members signed in: Dave Skornia and Tim Boyko.

REVIEW AGENDA: Mr. Bajos made a motion, supported by Ms. Morehead to approve the agenda as presented. Motion Passed

Yeas: Roy Griffiths, Ed Bajos, Matt Cunningham, Omar Feliciano, Marilyn Morehead

Excused: Steve Bulman.

Nays: None

HOUSING NORTH NORTHWEST MICHIGAN HOUSING TRAINING SESSION:

Steve Schnell from Housing North presented the Northwest Michigan Housing Ready Checklist to the Planning Commission. The checklist will help guide the Planning Commission as they work on the ordinance to possibly include additional housing options in Hayes.

PUBLIC COMMENT: Public comments open at 8:21pm

Public comments closed at 8:21 pm.

ADJOURNMENT: Ms. Morehead made a motion, supported by Mr. Bajos, to adjourn the meeting at 8:22 pm. Motion passed.

Yeas: Roy Griffiths, Ed Bajos, Matt Cunningham, Omar Feliciano, Marilyn Morehead, Steve Bulman.

Nays: None

Respectfully Submitted by:

April Hilton
Deputy Clerk/Recording Secretary

Article VII

Zoning Districts and Maps

Preliminary Draft

Section 7.01 Classification of Zoning Districts

1. Zoning Districts

For the purpose of this Ordinance, the following Zoning Districts shall be established in Hayes Township.

CR	Conservation Reserve
ARR	Agricultural and Rural Residential
R-1	Residential
MRF	Multiple Family Residential
MHP	Mobile Home Park
C1	Commercial
I1	Industrial

2. Zoning Map

The areas assigned to each Zoning District and the boundaries thereof shown on the map entitled "Hayes Township Zoning Map, Charlevoix County, Michigan" are hereby established, and said map and all proper notations and other information shown thereon are hereby made a part of this Zoning Ordinance.

3. Boundaries of Districts

Unless otherwise specified, the boundary lines of the Zoning Districts shall be interpreted as following along section lines, or customary subdivisions of sections, or centerlines of highways or streets, or the shoreline of waterways, or property lines of legal record at the office of the Charlevoix County Register of Deeds on the date of the enactment of the Zoning Ordinance. The official Zoning Map shall be the final authority in any dispute concerning district boundaries. The official map shall be kept up to date, with any amendments to the Ordinance involving changes to the official map noted and portrayed on said map.

The official zoning map, including legally adopted amendments, shall be designated as such by the signature of the Township Clerk. Where uncertainty exists as the exact district boundaries, the following shall prevail:

- A. Where boundary lines are indicated as approximately following streets, alleys, or highways; the center lines of the said streets, alleys, or highways shall be considered to be exact boundary lines.
- B. Boundaries indicated as approximately following lot lines shall be considered to follow said lot lines.

- C. Where the application of the above rules leaves a reasonable doubt as to the exact location of a district boundary, the provisions of the more restrictive district shall govern the entire parcel in question, unless determined otherwise by the Zoning Board of Appeals.

4. Zoning of Vacated Lands

Whenever any street, alley, highway, or other public right-of-way within the Township has been abandoned by official government action, such right-of-way lands attach to and become part of the land adjoining. Such right-of-way lands property shall automatically acquire and be subject to the provisions of the Zoning District of abutting property. In the case of an abandoned right-of-way which also serves as the district boundary, the centerline of the right-of-way shall be the district boundary.

5. Zoning of Filled Areas

Whenever, after appropriate permits are obtained, any fill material is placed in any lake, stream, or wetland so as to create a usable or buildable space, such fill area shall take on the Zoning District and accompanying provisions of the land abutting said fill area. No use on any lake or stream shall be allowed which does not conform to the Ordinance provisions on the property from which said property emanates. No fill material shall be placed in any lake or stream within the Township unless appropriate permits are obtained from the Michigan Department of Environmental Quality and U.S. Army Corp of Engineers, as required.

6. Zoning District Changes

When district boundaries change, any non-conforming use may continue subject to all other applicable provisions of this Ordinance.

Section 7.02 Conservation Reserve District (CR)

The following provisions shall apply to the Conservation Reserve District (CR).

1. Intent

The land uses in this district are intended to promote the proper use, enjoyment and conservation of water, land, topographic and forest resources of the Township particularly adapted to recreational and forest uses. The provisions of this section also recognize the gradual extension of other property uses into the district, and the importance of adopting good standards to guide such developments. If properly integrated, the inclusion of such uses is provided for by special approval.

2. Permitted Uses

- A. Parks, playgrounds, recreational areas and community centers
- B. Conservation areas for fauna and flora

- C. Accessory buildings and uses customarily incidental to the above permitted uses
3. Uses Subject to Special Use Permit

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **SECTION XXXXXXXXX** *Uses Subject to Special Use Permit* and the applicable portions of **ARTICLE XXXXXXXX** *Supplemental Site Development Standards*.

- A. Docks and launched ramps
 - B. Recreational Camps
 - C. Commercial Wind Turbine Generator and Anemometer Towers, subject to the provisions of **Section XXXXXXX** *Supplemental Site Development Standards*.
 - D. Accessory buildings and uses customarily incidental to the above special uses.
4. Dimensional Regulations
- Structures and uses in the Conservation Reserve District are subject to the area, height, bulk and placement requirements in **Section XXXX** Schedule of Regulations.

Section 7.03 Agricultural (AG)

The following provisions shall apply to the Agricultural (AG).

1. Intent

The Agricultural is designed to promote the use of wooded and rural areas of the Township in a manner that will retain the basic attractiveness of the natural resources and provide enjoyment for both visitors and the community at large. The primary intent of the district is to hold the rural Township areas for agricultural and forestry purposes and to allow some multiple uses of marginal farm-forest lands. Residential uses are considered secondary in Agricultural, the minimum lot size for Agricultural Zoning is 5 acres, however given the rural nature of areas of the township, some 2 acre lots are allowed subject to the uses allowed by right in the R-1 Zoning District where the creation of these lots does not fragment the larger AG areas.

It is the intent of the AG district is to provide for a variety of comparatively low-density residential lifestyles in a manner which preserves open spaces and natural resources of the Township and the Township's rural character. These smaller parcels for residential purposes require a minimum of 2 acres and are intended to preserve open space for agricultural uses. The expanses of open spaces and natural resources, including woodlands, wetlands, hillsides, fields, and farmland comprise the fundamental rural character of the Township which residents wish to protect for future generations. This designation includes limited existing farms and it is not the intent of this designation to encourage the conversion of these agricultural lands to more intensive land uses, but to provide opportunities for residential development in a manner more compatible with the continuation of agricultural activities than traditionally provided for. However, neither is it the intent of this designation to encourage the establishment of more intensive agricultural uses, such as confined livestock operations, which are

incompatible with residential use of adjoining lands. Permitted land uses within this district are established based upon, in part, the limited public services available and accompanying natural constraints. The Rural Residential designation is intended to implement, in part, the Rural Residential portion of the Future Land Use Plan in the Hayes Township Master Plan.

MARILYNS QUESTION: IF RURAL RESIDENTIAL DROPS FROM 2 ACRES, HOW DOES THAT AFFECT OPEN SPACE/NEIGHBORS/DEVELOPMENT

2. Permitted Uses

- A. Single family dwellings.
- B. Agricultural, including both general and specialized farming, tree farms and forestry.
- C. Roadside stands for the sale of farm product, provided that not less than fifty (50) percent of the goods offered for sale shall have been produced on the premises; and provided further, that the facilities for entry to and exit from the premises and adequate off-street parking are available.
- D. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section XXXXX Antenna Co-location on an Existing Tower or Structure**.
- E. Home occupations conducted completely inside the residence, subject to the provisions of **Section XXXXX Home Businesses**.
- F. Accessory buildings and uses customarily incidental to the above permitted uses.
- G. Accessory Dwelling Units.
- H. Agricultural warehouses and non-animal agricultural processing plants.
- I. Plant nurseries and greenhouses.

Uses Subject to Special Uses Permit

- A. Bed and breakfast facilities.
- B. Clustered residential development (Open Space Preservation Option), subject to the provisions of **Section XXXX Supplemental Site Development Standards**
- C. Public buildings and facilities.
- D. Places of worship and related religious buildings.
- E. Cemeteries.
- F. Golf courses and country clubs.
- G. Public and private campgrounds.
- H. Private airports and landing strips.
- I. Fire control structures.
- J. Kennels, veterinary clinics and animal hospitals. **DISCUSS DEFINATIONS**
- K. Non-domestic furbearing animals when confined in cages not less than two hundred (200) feet from property line.
- L. Planned Unit Developments.
- M. Additional ~~farm-employee~~ **SEASONAL WORKFORCE** dwellings, provided the property is at least **20 5** acres in size. The additional dwellings must be sited such that the property could be split in the future with all setbacks met for parcels created.

- N. Migratory labor dwellings, provided the property is at least ~~20~~ 5 acres in size and subject to the provisions of **Section XXXXX** *Supplemental Site Development Standards*.
- O. Forest product processing and sales.
- P. Sand and gravel excavation, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards*.
- Q. Commercial Wind Turbine Generator and Anemometer Towers, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards*.
- R. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of **Section XXXX** *Home Businesses*.
- S. Accessory buildings and uses customarily incidental to the above special approved uses.
- T. Special events.

3. Dimensional Regulations

Structures and uses in the Agricultural and Rural Residential (ARR) District are subject to the area, height, bulk and placement requirements in Article 5 *Schedule of Regulations*.

Section 7.04 Residential District (R-1)

The following provisions shall apply to the minimum ½ acre lot, subject to Health Department and other Ordinance Regulations.

1. Intent

The Residential District is designed to accommodate and encourage single family residential development and associated uses, in keeping with the residential goals and policies specified in the Hayes Township Master Plan. The permitted uses are intended to provide for residential and related uses and those compatible with such, with the intent to keep residential areas relatively quiet and free from detrimental influences.

2. Permitted Uses

- A. Single family dwellings.
- B. Parks, playgrounds, recreational areas and community centers.
- C. Home occupations conducted completely inside the residence, subject to the provisions of **Section XXXXXX** *Home Businesses*.
- D. Accessory buildings and uses customarily incidental to the above permitted uses.
- E. Accessory Dwelling Units.

3. Uses Subject to Special Use Permit

- A. Clustered residential development (Open Space Preservation Option), subject to the provisions of **Section XXXXXX** *Supplemental Site Development Standards*.
- B. Public buildings and facilities.

- C. Places of worship and related religious buildings.
- D. Accessory buildings and uses customarily incidental to the above special approval uses.
- E. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of **Section XXXXXX Home Businesses**.
- F. ~~Multiple family dwellings greater in number than an ADU~~ **UNITS LARGER THAN 2 UNITS** are subject to special conditions in Sec XXX

4. Dimensional Regulations

Structures and uses in the Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXXX Schedule of Regulations**

Section 7.05 Multiple Family District ~~(MFR)~~ (MRF)

The following provisions shall apply to the Multiple Family District ~~(MFR)~~ (MRF)

1. Intent

The Multiple Family District is designed to accommodate and encourage higher density residential development through a mix of residential structures and associated uses, including both one-family and multiple family dwelling structures, in keeping with the residential goals and objectives specified in the Hayes Township Master Plan. The uses permitted are intended to promote land uses for residential and related uses and those compatible with such, with the intent to keep residential areas relatively quiet and free from detrimental influences.

2. Permitted Uses

- A. Single family dwellings.
- B. Two family dwellings.
- C. Parks, playgrounds, recreational areas and community centers.
- D. Home occupations conducted completely inside the residence, subject to the provisions of **Section XXXXXX Home Businesses**.
- E. Accessory buildings and uses customarily incidental to the above permitted uses.

3. Uses Subject to Special Use Permit

- A. Public buildings and facilities.
- B. Places of worship and related religious buildings.
- C. Multiple family dwellings.
- D. Buildings with 3 or more units commercial criteria shall apply
- E. Accessory buildings and uses customarily incidental to the above special approval uses.

4. Dimensional Regulations

Structures and uses in the Multiple Family Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX Schedule of Regulations**.

Section 7.06 Mobile Home Park District (MHP)

The following provisions shall apply to the Mobile Home Park District (MHP).

1. Intent

The Mobile Home Park District is intended to provide for the location and regulation of mobile home parks. It is intended that mobile home parks be provided with necessary community services in a setting that provides a high quality of life for residents. These districts should be located in areas where they will be compatible with adjacent land uses.

2. Permitted Uses

- A. Manufactured or mobile home developments.
- B. Parks, playgrounds, recreational areas and community centers.
- C. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section XXXXX Antenna Co-location on an Existing Tower or Structure**.
- D. Home occupations conducted completely inside the residence, subject to the provisions of **Section XXXXX Home Businesses**.
- E. Accessory buildings and uses customarily incidental to the above permitted uses.

3. Uses Subject to Special Use Permit

- A. Public buildings and facilities.
- B. Places of worship and related religious buildings.
- C. Accessory buildings and uses customarily incidental to the above special approval uses.

4. Dimensional Regulations

Structures and uses in the Multiple Family Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX Schedule of Regulations**.

Section 7.07 Commercial District (CD)

The following provisions shall apply to the Commercial District (CD).

1. Intent

The intent of the Commercial District is to provide for retail, service and office development that offers a variety of goods and services to primarily address the needs of Township residents. Because of the variety of business types permitted in the Commercial District, special attention must be focused on site layout, building design, vehicular and pedestrian circulation, and coordination of site features between adjoining uses. Accordingly, it is the intent of this ordinance that commercial development be:

- Compatible in design with adjacent commercial development
- Buffered from or located away from residential areas and non-commercial uses in coordination with development on adjoining sites

2. Permitted Uses

- A. Public parks, playgrounds and recreational facilities.
- B. **SINGLE FAMILY**/Multiple family dwellings.
- C. Restaurants and bars, except drive-through restaurants.
- D. Retail sales, within an enclosed building.
- E. Banks and financial services.
- F. Business and personal services.
- G. Professional offices.
- H. Funeral homes.
- I. Public utility buildings without storage yards.
- J. Public buildings and facilities.
- K. Civic, social and fraternal organizational facilities.
- L. Motels and resorts.
- M. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section XXXXX** *Antenna Co-location on an Existing Tower or Structure*.
- N. Home occupations conducted entirely inside the residence, subject to the provisions of **Section XXXX** *Home Businesses*.
- O. Accessory buildings and uses customarily incidental to the above permitted uses.

3. Uses Subject to Special Use Permit

- A. Gasoline/Service Station/**AUTOMOTIVE REPAIR**
- B. Any use permitted in the CD district with a drive-through window.
- C. Places of worship and related religious buildings.
- D. Child or adult daycare facilities serving more than six (6) clients.
- E. Group foster care facilities.
- F. Convalescent or nursing homes.
- G. Building material sales.
- H. Public campgrounds.
- I. Carpentry, plumbing and electrical sales, services and contracting offices.
- J. Machine shop.
- K. Car wash facilities, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards*.
- L. Sale of motor vehicles.
- M. Outdoor sales facilities.

- N. Warehouse and storage buildings, but not including commercial bulk storage of flammable liquid and gases.
- O. Transmission and communication towers, subject to the provisions of **Section XXXXX** *Supplemental Site Development Standards*.
- P. Commercial wind turbine generator and anemometer towers, subject to the provisions of **Section XXXXX** *Supplemental Site Development Standards*.
- Q. Sand and gravel extraction, subject to the provisions of **Section XXXXX** *Supplemental Site Development Standards*.
- R. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of **Section XXXX** *Home Businesses*.
- S. Production, processing, assembly, manufacturing or packing of goods or materials. Such facilities may include testing, repair, storage, distribution and sale of such products. Facilities must meet regulatory agency guidelines.
- T. Accessory buildings and uses customarily incidental to the above special approval uses.

4. Dimensional Regulations

Structures and uses in the Multiple Family Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX** *Schedule of Regulations*.

Section 7.08 Industrial (I-1)

The following provisions shall apply to the Industrial District (I-1).

1. Intent

It is the intent of the Industrial District to provide for a variety of manufacturing and industrial uses that can be generally characterized as being of low intensity, including the absence of objectionable external affects such as noise, fumes, excessive heavy truck traffic and similar characteristics. This district is also intended to accommodate commercial establishments not engaging primarily in retail sales. Such industrial areas should be free of incompatible uses, and designed to avoid negatively impacting adjacent conforming uses. Public sewer or water is not available in this district and all future land uses and activities in tis District shall provide for safe sewage disposal and potable water.

2. Permitted Uses

Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section XXXX** *Antenna Co-location on an Existing Tower or Structure*.

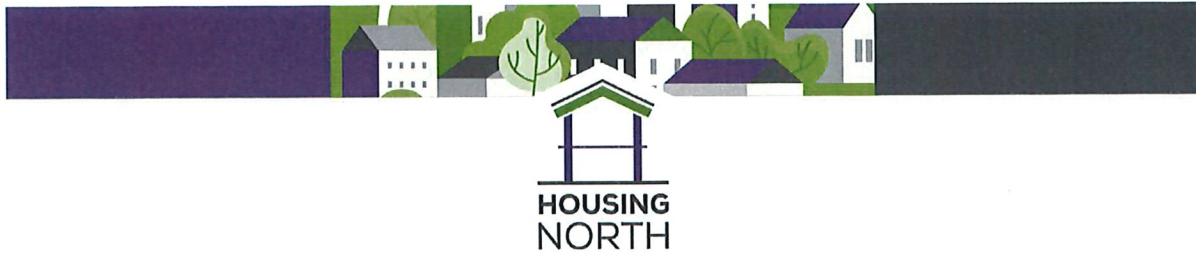
3. Uses Subject to a Special Use Permit

- A. Building material sales.
- B. Carpentry, plumbing and electrical sales, services and contracting offices.
- C. Machine shop.

- D. Warehouse and storage buildings, but not including commercial bulk storage of flammable liquid and gases.
- E. Production, processing, assembly, manufacturing or packaging of goods or materials. Such facilities may include testing, repair, storage, distribution and sale of such products. Facilities must meet regulatory agency guidelines.
- F. Junkyard and salvage material storage.
- G. Sand and gravel excavation, subject to the provisions of **Section XXXX Supplemental Site Development Standards**.
- H. Outdoor storage facilities, including self-storage facilities.
- I. Sexually oriented businesses, subject to the provisions of **Section XXXX Supplemental Site Development Standards**.
- J. Sanitary landfill.
- K. Transmission and communication towers, subject to the provisions of **Section XXXX Supplemental Site Development Standards**.
- L. Commercial wind turbine generator and anemometer towers, subject to the provisions of **Section XXXX Supplemental Site Development Standards**.
- M. Accessory buildings and uses customarily incidental to above special approval uses.

4. Dimensional Regulations

Structures and uses in the Multiple Family Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX Schedule of Regulations**.



To: Hayes Township Planning Commission
From: Steve Schnell, Charlevoix County Housing Ready Program Director
Date: February 10, 2022
Re: Housing Ready Zoning Review

Thank you again for your time last week to talk about the variety of housing ready tools at your disposal. In this memo I highlight some of what we talked about, some additional information that may be relevant to the discussion, and a worksheet that you can use if you find it helpful. This worksheet is intended to help organize ideas on where some of these suggested changes could be implemented. Please don't feel that you need to use only this method for noting your thoughts. Any comments on these potential Housing Ready zoning changes will be helpful. In the end, we could map out the areas that you would like to proactively seek housing development. With this map we can better communicate to the public where the township would like to see more housing and of what type.

The following information focuses on the zoning changes that are possible to become more Housing Ready. I look forward to talking with you more at another time regarding the other topics we discussed (focus groups, housing funding tools, and partnerships with neighbors, etc.). For now, I recognize that you are focused on updating your zoning ordinance.

At the end of this memo is a table of zoning districts including your new/proposed districts as well as your existing zoning districts. Please write on this table any changes that you might want to consider. Also, the last page is a map of the township for you to write on. The map has shaded areas that are your zoning districts. This is from an older map and may not be exact.

The information we gather from your input could be used to create a Housing Opportunity Map. Such a map communicates to those interested in creating housing where the township desires more housing.

Accessory Dwelling Unit (ADU)

An ADU is defined as a subordinate use and will only be allowed on property where there is a primary residence. An ADU can provide substantial income if rented and convenience when inhabited by family members or a caretaker. ADUs are also a great way to provide workforce housing. These can be in the form of a carriage house (apartment over a garage) or as a standalone dwelling unit that can be placed in a backyard. Even along lakefront properties these can serve as guest cottages. With some simple controls in place, they can be built in a way that is compatible with most if not all zoning districts. In the following graphic, Figures 2-6

Creating pathways and partnerships for housing in Northwest Michigan.

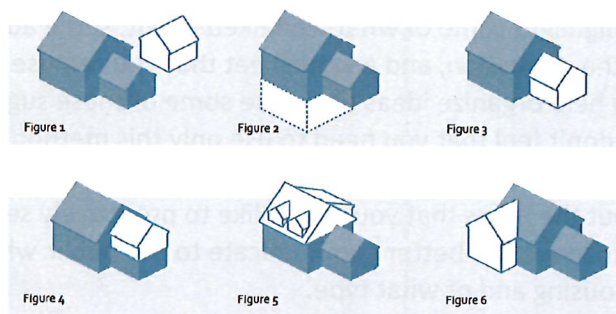
PO BOX 1434 | TRAVERSE CITY, MICHIGAN 49685 | 231-330-7070 | info@housingnorth.org

housingnorth.org



the ADUs keep it looking like any other house. Even Figure 1 could be compatible in just about any residential area, especially if the detached ADU is a small studio above a 1 ½-story garage.

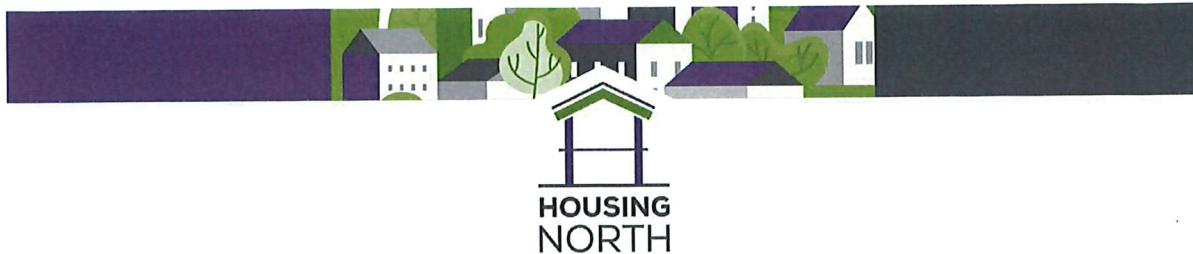
1. Detached, stand-alone ADU
2. Basement ADU
3. Garage conversion ADU
4. Above-garage ADU
5. Internal ADU
6. Bump-out ADU



Streamline Zoning Ordinance and Review Procedures

Allowing more uses to be reviewed efficiently by the Zoning Administrator or changing some uses from special uses to uses by right are effective ways to be more Housing Ready. The Township Zoning is already quite streamlined compared to many but there are a couple of areas to consider streamlining. It's possible to have standards that are specific enough that smaller multi-family developments do not need planning commission attention. Reserve that level of review for larger developments. More details on this are below in the Recommendations section.

Since you are reworking your ordinance, perhaps it is a good time to consider some reorganizing of the ordinance also. An easy to read and predictable format for an ordinance is also a way to make a community more housing and development ready. One addition that could help is a use table. This example is from the [Albert Township zoning ordinance](#), assembled by NEMCOG's Denise Cline, which shows an easy to read table of uses. The ordinance also utilizes hyperlinks within the document to make it easier to navigate. Here is that example:



[Click to return to previous view \(or alt+back arrow\)](#)

ARTICLE
4

Albert Township Zoning Ordinance

Table of Permitted and Special Land Uses									
P = Permitted by right S = Permitted with a Special Use Permit *Uses with Supplemental Regulations (Article 7)									
	RR	R-1	R-2	R-3	MHC	FR	C-P	C-V	IE
Residential Uses									
Accessory Dwelling Units/Guest Houses (§7.18)	P*	P*	P*	P*	P*	P*			
Cottage Industry (§7.7)	S*	S*	S*	S*	S*	S*			
Dwelling Units above/to the rear of a Commercial Establishment							P	P	
Home Occupations (wholly contained) (§7.7)	P*	P*	P*	P*	P*	P*			
Home Occupations (using land outside dwelling unit) (§7.7)	S*	S*	S*	S*	S*	S*			
Manufactured Housing Community					S				
Multiple-Family Dwelling Units (apartments)	P		S	P		P			
Single-Family Detached Dwelling	P	P	P	P	P	P			
Single-Family Attached Dwelling (Townhouses)	P		S	P		P			
Two-Family Dwelling (duplex)	P	P	P	P		P			
Transportation Services/Warehousing/Wholesale Trade/ Storage/Shipping									
Airports, Aviation Support Services, Heliports & Landing Fields (added)						S			P
Couriers/Parcel Packing/Shipping/ Delivery /Mail Order Establishments								P	P
Marinas, Port and Dock Facilities		P						P	
Moving Companies									P
Scenic & Sightseeing Transportation/Ground Passenger Transportation								P	P
Self-Storage Facilities									P
Towina Businesses								S	P

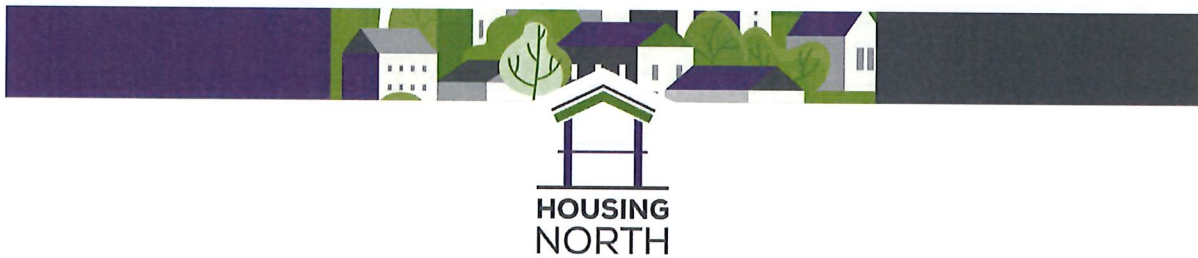
Regarding ADU approvals, if ADUs will go through the approval process outlined in 3.05.7 on page III-4, the approval requirements in R-4 and the C-1, C-2, I-1 districts could be changed to administrative approvals for any residential accessory structure, whether that's an ADU or storage. (This assumes you may consider ADUs in I-1.) The standards you have for accessory structures are very straightforward and very appropriate for the Zoning Administrator to review without need for a longer, more complicated review by the planning commission. To ensure that ADUs aren't used as primary homes, Section 3.05.8 may need to be changed. That section is inconsistent with the definition of accessory structures. This could be resolved with some rewording.

Looking at the new language that was reviewed at your previous meetings, the new CD and I-1 districts are not allowing ADUs. An accessory dwelling unit at a commercial or industrial site could be a welcome addition to a corporation that needs to house employees from other locations or new recruits while they search for housing in a challenging market.

Recommendations

1. ADMINISTRATIVE REVIEW. In the multi-family zoning district, allow apartments to be built by right with zoning administrator approval. Set standards that are predictable, and the developer expectations are clear. This makes housing investment more likely.
2. MORE HOUSING TYPES
 - a. ADUs & GUEST COTTAGES. Consider allowing ADUs in all zoning districts. In commercial and industrial districts, consider allowing multiple ADUs per business

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as needed by that industry to recruit workforce or temporarily house traveling employees. Call them ADU/Guest Houses and consider this along the waterfront also as guest cottages.

- b. **DUPLEX.** Consider allowing duplexes in all zoning districts.
- c. **SECOND FLOOR RESIDENTIAL.** In the Commercial zone, add back in the permitted use of housing on the second floor or to the rear of commercial uses.
- d. **TOWNSHOMES.** Add a category for single-family, attached housing such as townhouses. These can sometimes be provided on a larger parcel, possibly a PUD, as a mix of housing types along with single-family, apartments, and cottages.
- e. **COTTAGE COURT.** Allow for a “cottage court” use in multiple districts that would include smaller homes clustered together with larger setbacks and greenspaces separating from neighboring parcels.
- f. **RESIDENTIAL PUD.** I can share some ordinance language that supports a residential PUD option that can add more flexibility to a clustered residential development and create more housing that remains compatible with surrounding land uses.

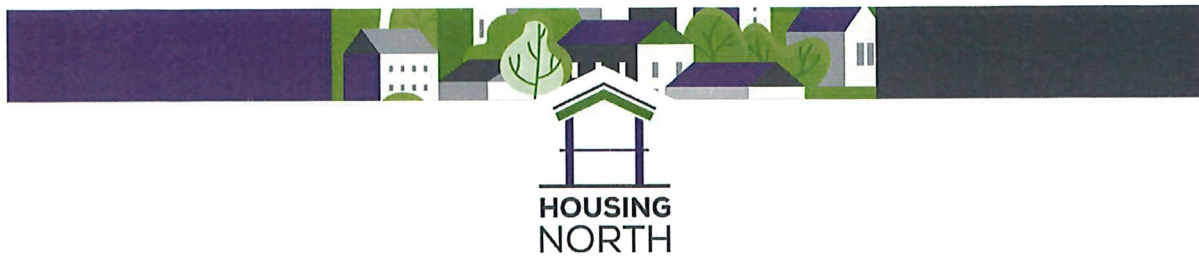
3. DIMENSIONAL REQUIREMENTS

- a. **LOT SIZE.** Smaller minimum lot sizes – a 50'x150' lot is 7,500 square feet and a good size lot in many residential zones. In areas where septic systems are needed, the lot size will be determined primarily by the required drain field and reserve drain field required by the health department. In areas that may, in the future, be served by a shared septic or public sewer will allow for the smaller lots. Zoning could allow for these opportunities by shrinking the minimum lot size and let the other regulations determine larger lots as needed.
- b. **FLOOR AREA.** Reduce or eliminate minimum floor areas for dwellings. Michigan residential code has minimum requirements for certain rooms within a dwelling. Traverse City eliminated minimum floor area back in 1999 and this did not create tiny homes in residential neighborhoods. This allowed for more dwelling units in multi-family structures.
- c. **BUILDING HEIGHT.** Consider taller multi-family buildings. A maximum height of 45 feet could be compatible on a larger lot.
- d. **PARKING.** Reduction in parking requirements for some residential uses. Most housing developments are going to provide the parking desired by the residents as this is a selling point. ADUs and other smaller dwelling units that are more likely to be rented by a single person will not likely need more than 1 space.

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Questions to consider:

1. Where do you want more housing to occur? Draw lines around areas where you would like to see more housing. Indicate where you'd like to see more:
 - Single family homes on smaller lots
 - More housing that has more than one housing unit
 - Apartment complex – where could this be considered?
2. If you had to choose two locations that were the most Housing Ready (or could be with some small zoning changes) where would those be?
3. What other people or organizations would you consider to be the most important partners who could help the Township create more housing?

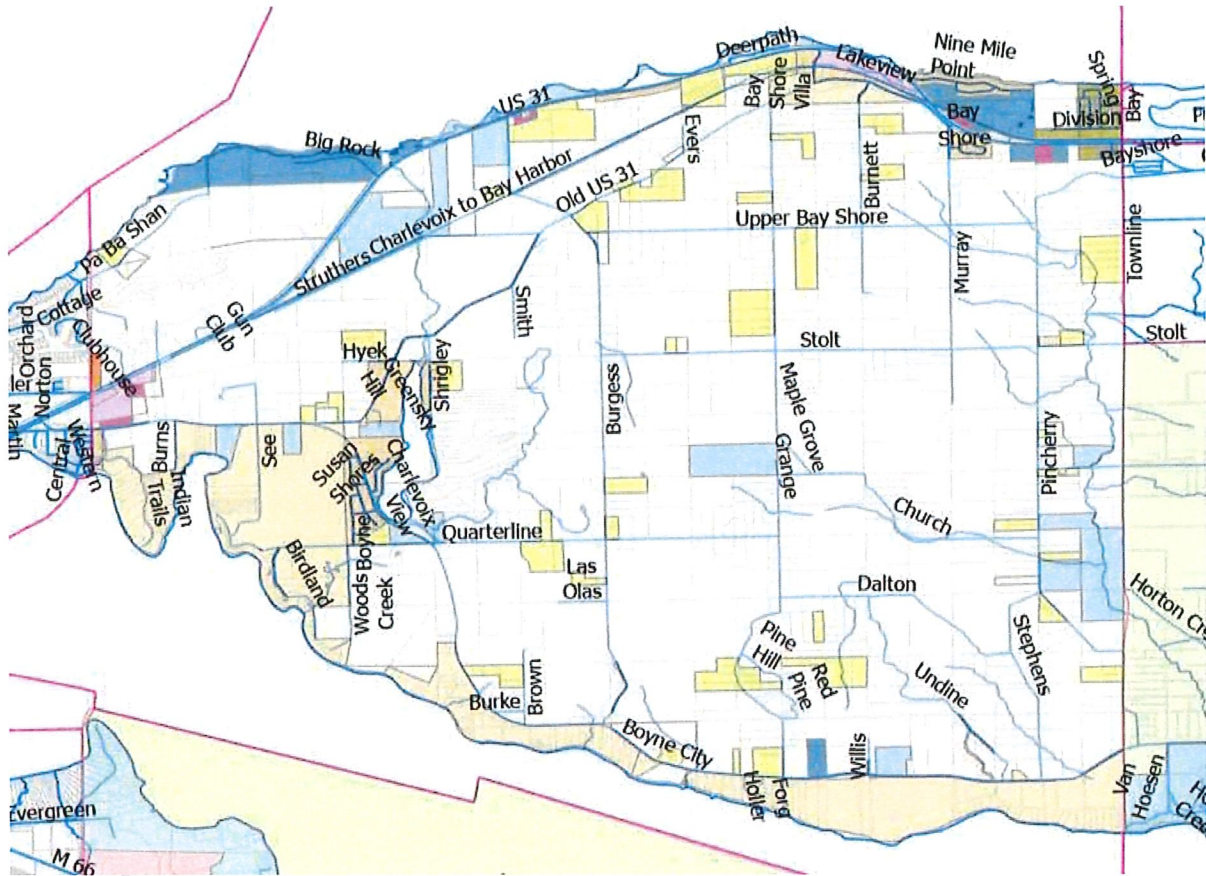
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	NEW PROPOSED ZONING DISTRICTS							EXISTING ZONING DISTRICTS									
	CR	R-1*	ARR*	MFR*	MHP*	CD*	I-1	RR	A	R-1	R-2	R-3	R-4	R-5	C-1	C-2	I-1
Single-family dwellings		P	P	P				P	P	P	P	P	P	P	P		
Two-family dwellings				P								P	P	P	P		
Multiple-family dwellings				SUP		P							P	P	SUP		
Manufactured (or mobile) home developments					P									P			
Residential dwellings on 2nd fl of commercial structures															SUP		
Clustered Residential Development		SUP	SUP					SUP	SUP	SUP							
Migratory labor dwelling (Seasonal Workforce?)			SUP						SUP								
Migratory Labor Dwellings									SUP								
Planned Unit Developments			SUP														
Accessory Dwelling Units		P	P	P	P												
One residential dwelling unit, as an accessory use to an on-site commercial/business use																P	
	P = Permitted by right																
	SUP = requires Special Use Permit																

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