

JPC Team 2: Zoning Ordinance Table of Contents Review

Friday October 27th, 2023 11AM BIC Center

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General Concerns:

- Outer Islands
- Enforcement, Fees/Fines, C&Bs
- AirBnBs/B&Bs/Occupancy
- Minimum Floor Requirements
- Shoreline Protection & Updates
- Food Trucks
- Parking
- Blight
- T&E Protections, Eradication Zone
- Light Management
- Cultural Resources Protection
- Airports (Agricultural, Outer Islands, Protection District)
- Septic Concerns
- Critical Dunes*
- Electric Bikes/ORVs/etc.
- Wetlands Protection
- Definitions of Workforce and Affordable Housing
- Zoning Reviews & Updates periodically (w/ MP)
- Additional Diagrams
- Development Plan Requirements & Oversight

Table of Contents: Items to Address

- Codification
- General Revision of Table of Contents Layout (Stevensville example)
- Improvement of “legalese” language throughout ZO
- Article III Rules Applying to Text and Definitions
 - Update/Review of Definitions throughout ZO
 - Example: “building vs structure”, “existing”, “beauty”, “lot lines”, “setbacks”, any additions (ex: food truck), etc.
- Article IV General Provisions
 - Additions
 - Blight
 - Drive Ways
 - Sec 4.03/.04 Accessory Buildings, Sec 4.04/.05 Accessory Dwellings in RDs, Sec 4.05/.06 Temporary Buildings & Dwellings, Sec 4.19/.20 Occupancy and Storage of Mobile Homes, et al. Update/Review
 - Consideration of Housing Crisis
 - Sec 4.14/.15 Dumping and Storage of Rubbish & Waste Matter Review/Update
 - Dump stations for RVs, boats, etc future consideration
 - Sec 4.20/4.21 Greenbelts and Sec 4.21/.22 Shoreline Protection Strip Update/Review
 - Ecological integrity, enforcement and regulations (ex: OHWM)

- Docks, boat houses, beach access ways, set backs
 - Shoreline vegetation management plans/shoreline hardening/etc.
 - Sec 4.24/.25 Outdoor Lighting Update/Review
 - Dark Sky Initiative
- Article V Establishment of Zoning Districts
 - Sec 5.00/.01 Zoning Districts, Sec 5.01/.02 Zoning District Maps Update/Review
 - Outer Islands to have their own Zoning District
 - Recognition of MDNR State Management & Implementation Plan
 - Update of ZO Maps
- Article VI Zoning District Regulations
 - Floor Area Requirements Review/Update
 - Consideration of Housing Crisis and “Tiny Homes”
 - Review/Update ALL Enforcement details for Districts
 - Review/Update of ALL Zoning District Purposes
 - Sec 6.02/.03 Manufactured Home Development District, Sec 6.03/.04 Multiple Family Residential District Review/Update
 - Future housing solutions consideration
 - Sec 6.09/10 “PLFD” Public Land & Facilities District Review/Update for Parking
 - Parking at public lands/trail heads/boat launches/etc.
 - Sec 6.10/.11 Airport District and Sec 6.11/6.12 Airport Protection District
 - Water landing craft details review (business, access, neighbors’ consideration, etc. | Lake G, Harbor, etc.)
 - Sec 6.12/.13 Marine Related District
 - Review of rules and applications for docks, boat houses, lake access, decks, etc.
 - Sec 6.14/.15 Critical Dune District Update
 - Map Update
 - Ordinance & Application Update
 - Review of “usable lots” for permitting and sale
- Article VII Sign Regulations
 - Update/Review
 - Dark Sky Lighting Consideration
- Article VIII Off-Street Parking
 - Full Review/Update
 - Rental business, food trucks, etc.
 - Public properties (trailheads, public buildings, etc.)
 - Farmer’s Market (“Streetside Stands”)
- Article IX Special Uses
 - Additions
 - Food Trucks
 - AirBnB, B&Bs, etc.
 - Sec 9.04/.05
 - Boat houses, etc.

- Rental businesses' parking (cars, boats, etc.)
 - Sea plane businesses
 - Gun Ranges/Recreational Uses
 - Extension on Permit(s) Application Update
 - Full Review/Update
 - Cemeteries (private land, expansions in future)
 - Senior/Elder Housing (Districts?)
 - Assessment of "living quarters" in consideration of housing crisis
 - Sewage Treatment Facilities Assessment (future RV/boat dump sites, expansion, grass to be native grass seed)
 - Natural Resource Extraction (Regulations/Standards of the State included in our Twp ZO, cultural resource protections)
- Article X Nonconforming Uses, Lots and Structures
 - Full Review/Update
 - Definition of "Grandfathered In"
- Article XI Zoning Board of Appeals
 - Sec 11.08/.09 Variance from CD Requirements
 - Better define "unreasonable hardship"
- Article XII Administration
 - Additions of Definitions/Job Descriptions of "Planning Assistant" and "Zoning Administrator Assistant"
 - Review of "checks and balances" and duties of all involved in Planning decisions
 - Sec 12.01/.02 Addition
 - "...violation of any of the provisions of this Ordinance *or laws of the state, tribal or federal agencies.*"
 - Sec 12.03/.04 Zoning Permit Application
 - Removal suggestion: "... evidence of all required federal, state and county licenses or permits have been acquired ~~or that applications have been filed for same.~~"
 - Exception for Equalization Office
 - Review/Update Fees
 - Additions for Vegetation Assessments for wetland/shoreline properties
 - Sec 12.09/10 Performance Guarantees
 - Add environmental expectations and laws
 - Review of process to have Clerk conduct these
 - Sec 12.10/.11 Enforcement
 - Complete Update/Review
 - Legality, Clarity, Checks & Balances, "Teeth"
- Article XIV Development Plan Review
 - Update/Review of 'Applications' & 'Development Plan Reviews'
 - When/where they are needed
 - What they require (natural & cultural protections)
 - Review/submittal requirements

- Explanations of how to go about application process and development plan reviews
- Sec 14.01/.02
 - Additional environmental aspects
 - Additional cultural resource aspects
 - Clarify “waive certain requirements”
 - Add “approval of county, state, federal or tribal requirements if necessary”
- Sec 14.03/.04
 - Update DEQ to EGLE
 - Additional agencies: SHPO, THPO, USFWS, etc.
 - Add requirement of Management Plan with the Written Narrative
 - Native plants/non-invasive plants to be used in landscaping
- Review of Conservation Easements (ex: LTC)
- Article XV Tower Zoning Regulations
 - Review of “Tower Zoning” in consideration of Telecommunications future
- Article XVI PURD Overlay
 - Full review/update in consideration of future housing development plans
 - Minimum acreage 20acres – lower to 15?
 - Full review/update of application and review/approval process
 - ZA only one to review currently
 - More time for PC to review
 - EGLE, ACOE and CD Requirements when necessary
 - Dark Sky Initiative
 - Sustainability Initiative
 - Fee review
 - Sec 16.06/.07
 - DEQ to EGLE
 - VAPs added especially with wetland statuses and landscaping with native or noninvasive plants
 - Add to more of the ZO: “These regulations and controls shall in no way repeal, annul or in any way interfere with the provisions and standards of any other state and federal laws and regulations”, “Protects and incorporates sites of historic, archeological or cultural value”