

SIXTY OPEN QUESTIONS & ISSUES FOR

THE OCTOBER 16TH PLANNING COMMISSION MEET

***WE HAVE LEFT SEVERAL ISSUES ON THIS LIST THAT WERE DISCUSSED & MAYBE SETTLED DURING THE SEPTEMBER 18TH MEET FYI**

Housing, Density & Neighborhood Character

1. Lot Sizes in AG

Issue: Why were the minimum lot sizes in the AG district reduced from 12,000 sq. ft. to 10,000 sq. ft.?

Point of View: The draft code proposes a smaller minimum lot size. The intent appears to be to allow more flexibility and additional building sites, but does this reduce the average lot area previously required?

Response:

2. Lot Area in R-1B

Issue: The change in minimum lot area for R-1B is confusing. Why was this altered?

Point of View: The draft reduces lot size requirements without clear explanation. We are asking for justification.

Response:

3. R-1C Lot Sizes

Issue: The minimum lot size for R-1C has changed, but the draft does not clearly explain why or how this benefits residents.

Point of View: The reduction seems intended to allow more buildable lots. Residents want clarification on whether this aligns with neighborhood character goals.

Response:

4. ADU Size in R-1B

Issue: After combining R-B and C districts, the new R-1B has smaller lot sizes (around 6,864 sq. ft.). But the code doesn't list the ADU size allowed. How do we know the footprint we're allowed to build if it can be 25 ft tall?

Point of View: The draft does not provide a clear standard. The omission makes it difficult for property owners to plan. In the past, ADU size was tied to lot size or main dwelling size, but that detail is missing here.

Response:

5. ADU Size in R-1E

Issue: What size ADU is allowed in the R-1E district? The old code (section 7.2.2.B.3) set the size at 75%, but that section is missing in the new draft.

Point of View: The 75% limit was removed in the draft. Without it, the maximum size of ADUs in R-1E is unclear.

Response:

6. **ADU Minimum Size**

Issue: Why does the draft code leave out a minimum floor area for ADUs in some districts?

Point of View: The draft omits a specific minimum in some districts, which means ADUs could potentially be smaller than in the past. This may be an oversight or a policy choice to allow more flexibility.

Response:

7. **ADUs and Enlarged Homes**

Issue: The draft allows ADUs to be attached in basements, upper floors, or additions. Does this mean the main home can keep expanding, effectively becoming much larger than the original footprint?

Point of View: As written, yes. This could significantly increase home sizes. Clarification is needed to prevent unintended overbuilding.

Response:

8. **ADUs in Duplexes**

Issue: Are ADUs allowed in duplex districts? If so, how does ownership of two titles/deeds work? Would one ADU per duplex make it a triplex if built upstairs?

Point of View: The draft is unclear. Duplex ownership complicates ADU allowances. Residents want the city to clarify title handling and limits.

Response:

9. **ADUs and Utilities**

Issue: If ADUs are allowed on every residential lot, potentially doubling the number of houses in town, why hasn't there been a review of utilities (water, sewer, electric)?

Point of View: No utility impact study has been presented alongside the draft. Residents should ask whether the City has evaluated infrastructure capacity before expanding ADU allowances.

Response:

10. **Utility Lines for ADUs**

Issue: Can ADUs have separate electric, gas, and sewer lines so utilities are not co-mingled with the primary home?

Point of View: The draft does not clearly require or prohibit separate utility connections. This needs clarification.

Response:

11. **Renting of ADUs**

Issue: Can ADUs be rented? This was not clearly discussed.

Point of View: The draft is unclear. Renting rules need to be spelled out.

Response:

12. **ADUs and Business Use**

Issue: The draft says ADUs cannot be used for business or occupation, but the use tables show allowances. Which is correct?

Point of View: The code is inconsistent. This should be clarified to avoid confusion.

Response:

13. **Short-Term Rentals in ADUs**

Issue: If ADUs are allowed everywhere, are they also allowed to be used for short-term rentals?

Point of View: The draft does not clearly separate ADUs from short-term rental rules. This could double the number of rental units in neighborhoods.

Response:

14. **Co-Living in Every District**

Issue: Does the draft allow co-living arrangements in every residential district? How does this fit with the character of single-family neighborhoods?

Point of View: The draft expands co-living into all districts. This raises concerns about density and neighborhood compatibility. Residents should ask for the rationale behind this change. Explain commercial co-living vs roommates.

Response:

15. **Employee Dormitories & Parking**

Issue: If two lots are purchased uptown for employee dormitories: Do the two co-living homes need to be 1,400 ft apart (about 5 blocks)? If not, can parking for both be combined? If employees have partners living with them, does that change occupancy? How is parking for 12+ cars handled?

Point of View: The draft allows dormitory spacing of 1,400 ft between residences that allow co-living. Parking requirements are based on the number of residents, but the code does not clearly address co-mingled parking or occupancy limits if non-employees also reside there. This is a policy question for the Commission to clarify.

Response:

16. **Co-Living and Cluster Housing**

Issue: Co-living and Cluster Housing are mentioned in Article 3 but not fully discussed with the public. Can this be addressed now?

Point of View: These housing types may not be completely new to Harbor Springs but need open discussion. Residents want to know where they apply and how they affect density.

Response:

17. **Cluster Housing Revisions**

Issue: In January, Cluster Housing was removed, then placed in overlays, and now only appears in the glossary with a lengthy definition. Where can I find it now? Can you explain it to us?

Point of View: Cluster Housing has shifted throughout the drafts. The current placement leaves its rules unclear.

Response:

18. **Cluster Housing & Utilities**

Issue: How does Cluster Housing work in practice? Can ADUs within clusters have separate utility lines from the main home?

Point of View: The draft does not explain. Questions remain on how utilities and density will be managed.

Response:

19. **R-1A Neighborhood Character**

Issue: R-1A is supposed to focus on “maintaining existing character.” How does adding co-living, Cluster Housing, or Planned Developments fit with that stated goal?

Point of View: The draft’s expanded uses appear inconsistent with the neighborhood’s stated purpose. Clarification is needed on how these changes align with the city’s own objectives.

Response:

20. **Changing Neighborhood Character**

Issue: How do these zoning changes affect the traditional character of neighborhoods?

Point of View: The draft expands density and uses in ways that may not align with stated goals of preservation.

Response:

21. **Multi-Family in RM Districts**

Issue: Does the draft expand the number of multi-family units allowed in the RM district, and if so, by how much?

Point of View: The density provisions appear broader, but the actual limits are not spelled out. This should be clarified before approval.

Response:

Building Form, Height & Setbacks

22. **Building Heights**

Issue: What are the new height limits for buildings? Do elevators, tanks, fans, fire walls, antennas or parapet walls count toward the height? Where is this explained in the draft code?

Point of View: Height definitions vary across sections of the draft. Certain rooftop features may be exempted, while others count toward total height. Residents should review the definitions and height table in the zoning draft to confirm where exceptions apply. The Planning Commissioners should discuss this with the community.

Response:

23. **Community District Building Heights**

Issue: Is it true that buildings in the Community District can be up to 40-ft high? Why is that allowed, and why isn’t there a maximum floor area listed?

Point of View: Yes, the draft sets a 40-ft maximum height. The rationale appears to be to allow larger mixed-use or commercial buildings. Floor area maximums are not listed, leaving total building size open-ended. Up to subjective review?

Response:

24. **Height in CBD (35 ft vs. 38.6 ft)**

Issue: The CBD chart shows 35 ft plus 42 inches, equaling 38.6 ft. Is the true maximum 35 ft or 38.6 ft?

Point of View: The draft’s height table is inconsistent. Clearer rules are needed.

Response:

25. **Roof Decks, Elevators, Rooftops**

Issue: How are features like roof decks, parapets, or elevators measured in building height?

Point of View: The draft is unclear. Without clarification, these features may exceed limits.

Response:

26. **Heights in B-2 District**

Issue: Is the General Business B-2 district limited to 30 ft? Do decks and rooftops count?

Point of View: The draft mentions 30 ft but does not explain what is included. This requires clarification.

Response:

27. **Height Definitions (Draft 8.7.25)**

Issue: Section 3.3.4.b defines height in ways that are confusing—existing, finished, average, absolute. Which is correct?

Point of View: The draft provides multiple definitions throughout the draft but for me without clarity. Can you explain?

Response:

28. **Setback Reductions**

Issue: Can the Planning Commission change or reduce setbacks in the RM district? Was this power allowed in the old code?

Point of View: The old code included limited circumstances where setbacks could be reduced. The new draft appears to expand the Commission's discretion, but residents should request clarification on the scope of that authority.

Response:

29. **Setback Differences Between Districts**

Issue: Why do setback rules vary so much between districts, even when lots are similar sizes?

Point of View: The draft applies different standards inconsistently or on purpose?

Response:

30. **RA District Floor Area Rules**

Issue: Article 7 rules on floor area in the RA district are confusing. Why are they so strict, and why must accessory buildings resemble the principal building even when unrelated?

Point of View: The draft applies uniform standards, but this may over-regulate accessory structures. Residents should ask why flexibility is not allowed.

Response:

Land Use & Commercial Activity

31. **Living Space Above Garage**

Issue: If I build a living space above my garage to use as a home office, is that allowed? The draft (p. 12 of 161) says accessory buildings can't be used for any business or occupation. What does this mean in practice?

Point of View: The language is restrictive. As written, an accessory structure cannot be used for commercial or occupational purposes, even if the activity is a home-based business. Clarification is needed from the Planning Commission.

Response:

32. Home Occupations and Commercial Use

Issue: Does allowing home occupations mean commercial uses are now permitted in residential districts? Are signs allowed?

Point of View: The draft blurs the line. Short-term rentals and multiple employees housing resemble commercial activity. So how will limits be enforced?

Response:

33. Planned Developments and Retail

Issue: Planned Developments can include retail. If allowed in residential districts, could this turn much of town into a commercial hub?

Point of View: Yes, PDs allow discretionary uses. This could expand commercial areas beyond current districts.

Response:

34. Florist Shop Size Restriction

Issue: Why does the draft limit florist shops to 1,000 sq. ft. or less?

Point of View: The restriction seems arbitrary. It may be intended to limit scale, but it could also discourage viable businesses. The reasoning should be explained.

Response:

35. Lodging in B-1

Issue: Did lodging get added to the B-1 district? What does this mean for the surrounding area?

Point of View: If lodging is allowed, it could change the character of B-1. Residents should ask for clear restrictions.

Response:

36. Laundromats on Community Property

Issue: Why can't a laundromat be built on community property?

Point of View: The draft excludes it without explanation. This restriction may be arbitrary?

Response:

37. Farm Stores in R-Ag

Issue: Why is a farm store listed as a Special Land Use (SLU) in R-Ag? The Right to Farm Act allows them by right.

Point of View: The draft may conflict with state law. Farm-related uses should align with existing rights.

Response:

38. **Farmstand Setbacks**

Issue: Why must a farm stand accessory building be set back 100 ft from the road?

Point of View: The rule may be intended to reduce roadside clutter, but it could make small farm stands impractical.

Response:

39. **Mobile Home Park District**

Issue: What happened to the additional requirements for the Mobile Home Park (MHP) district (sidewalks, lighting, carports, signage, skirting, tanks)? Are they still in place?

Point of View: The draft seems to omit them. Is the city involved in how MHP standards will be governed?

Response:

40. **Religious Institutions in ROS**

Issue: At one meeting, there was discussion of religious institutions in the ROS district. What was decided?

Point of View: The draft has not clarified this. A final decision is still needed so I understand.

Response:

Environment, Overlays & Public Lands

41. **Overlay Districts and Environmental Protections**

Issue: Overlays were not fully discussed for public review. Items like neon signage came up, but wetlands and sand dunes were skipped. Why aren't they included and protected?

Point of View: The draft overlays focus on signs and general standards. Wetlands and dunes are not explicitly covered, leaving gaps in environmental protections.

Response:

42. **Article 4 Overlay District**

Issue: Article 4 Overlay was expected to be advertised and discussed to protect wetlands and dunes and maybe more environmental concerns. Why hasn't this happened?

Point of View: The draft does not fully develop overlay protections. Residents are asking for stronger environmental overlays before adoption.

Response:

43. **Overlay Additions Requested**

Issue: We want overlays added for wetlands and dunes. This request has also been raised in the Glenn Drive petition. Also that 'new roads' be curtailed.

Point of View: Overlays can add critical protections. The community has repeatedly requested them, but they have not been added to the draft.

Response

44. **Waterfront Protections**

Issue: The waterfront is considered a community resource. How will decisions ensure protection against over-development while still allowing limited public, private, and business uses?

Point of View: The draft permits a mix of uses. Residents want to know how the city will balance development with long-term protection of the waterfront.

Response:

45. **Conservancy Lands**

Issue: Why don't district boundaries include conservancy properties? Shouldn't those lands remain outside city zoning controls? Shouldn't these lands be clearly shown on the City maps?

Point of View: Conservancy lands often follow separate rules, but the draft is unclear. Clarification is needed on jurisdiction.

Response:

46. **Waterfront ADUs**

Issue: In the Waterfront District, can an ADU be as large as the principal building? Why would that be allowed?

Point of View: The draft appears to allow this. It may encourage oversized ADUs in sensitive areas.

Response:

47. **Community Parks Classification**

Issue: Section 2.3.2 (page 5) leaves open questions about how community parks are classified within districts.

Point of View: The draft is unclear. Parks may need their own district classification or a clearer definition to ensure consistent protection.

Response:

Infrastructure, Schools & Traffic

48. **Parking Requirements for ADUs**

Issue: Are additional parking spaces required when an ADU is built?

Point of View: The draft mentions parking in some cases but not consistently. This could create overflow parking problems.

Response:

49. **School District Impacts**

Issue: Has anyone reviewed how doubling housing units through ADUs will affect local public and private schools and class sizes?

Point of View: No study has been presented. The impact on school capacity is an open question.

Response:

50. **Traffic Impacts of Increased Density**

Issue: Has there been a traffic study to evaluate how more ADUs, co-living, and cluster housing will affect local streets?

Point of View: No traffic impact analysis has been included with the zoning draft. Residents are requesting one.

Response:

51. **Infrastructure Costs**

Issue: Who pays for infrastructure upgrades if density increases — residents through higher taxes, or developers through fees?

Point of View: The draft does not specify. This is a policy decision that should be addressed before adoption.

Response:

Design Standards & Community Identity

52. **CBD Design Standards**

Issue: Why weren't design standards for the Central Business District discussed? The idea of using 'cottage architecture' as a standard vs. newer vertical styles (p. 30) never came before the community. What makes the streets interesting is that they are not defined by the identical setbacks, heights, or facades, there is a natural rhythm and streetscape scale that has variety. In the current zoning and proposed zoning codes is a certain rigidity about use and scale that tends to create houses that are all exactly alike and that is not what a form based code tries to create. We want to add new design standards.

Point of View: The draft leaves design standards vague. Residents should ask for clarity on whether traditional forms will guide new development.

Response:

53. **Who Defines Harbor Springs' Identity?**

Issue: Is Beckett & Raeder "painting the picture" of Harbor Springs for us, rather than the community defining it ourselves?

Point of View: Consultants often provide descriptive language, but the question is whether their version reflects local values. Residents may wish to insist on language grounded in community input.

Response:

54. **Descriptive Language in the Code**

Issue: In the last PC meeting, there was talk of removing the descriptive, "tour-guide" style sections about town character. Should consultants be writing that narrative?

Point of View: Removing narrative language may strip context from the code. The community must decide whether to keep, revise, or replace these sections with locally written descriptions.

Response:

Process, Transparency & Baseline Code

55. Repealed Code vs. 2005 Code

Issue: At meetings, most changes have been framed using the repealed code as the baseline. Only one commissioner spoke up for the 2005 code. Does this approach make sense?

Point of View: Using the repealed code as a starting point shapes the entire draft. Some residents argue that the 2005 code, which voters upheld, should be the reference point.

Response:

56. Use of Repealed Code

Issue: The draft appears to be built on the repealed Beckett & Raeder Code #439, even though it was rejected by voters. Why was this used as a foundation?

Point of View: Much of the language mirrors the repealed code. The Planning Commission should explain why it served as the starting point despite public rejection.

Response:

57. Regulated Uses Table Symbols

Issue: In the Regulated Uses Table, supplemental asterisks are missing. What do they mean, and why are they not shown?

Point of View: Asterisks usually refer to footnotes or conditions. Without them, it is unclear whether restrictions apply. This appears to be either an omission or a formatting error.

Response:

58. Transparency of Changes

Issue: Why hasn't the Planning Commission provided a side-by-side or redline comparison between the old code and the new draft?

Point of View: Without a comparison, residents must parse long documents on their own. A redline version would improve transparency.

Response:

59. **Issue:** If a subject is not found in the proposed code, does that mean it's allowed everywhere? It's hard to grasp these conditions.

Point of View: There was a lot of discussion that if not put somewhere, a use could be put anywhere.

60. Public Participation

Issue: How will the community's comments from open houses and hearings be recorded, tracked, and addressed before final adoption?

Point of View: No clear feedback loop has been presented. Residents are asking for a process to ensure input is documented and acted on.

Response: