

Summary of Key Topics
 Zoning Code Update – 2024
 City of Harbor Springs Michigan
 February 13, 2024

Topic and Location	Changes	Purpose
Format and Structure of the Zoning Code	<u>Restructure and reorganize information</u> , use more tables and illustrations, remove requirements covered by building codes, sync with nearby townships and county where applicable	<ul style="list-style-type: none"> • Simplify, clarify, and improve usability of zoning code
Zoning Districts Article 2	Combine 17 existing zoning districts into <u>9 new zoning districts</u>	<ul style="list-style-type: none"> • Simplify, clarify, and improve usability of zoning code
Residential zoning districts Article 3	Establish new <u>minimum lot sizes</u> RN = 52' x 132' (same as our smallest existing platted lots) WF = 100' x 250' (rough average of our existing waterfront lots) RM = 52' x 132' (same as our smallest existing platted lots)	<ul style="list-style-type: none"> • Necessary for combining existing residential zoning districts • Simplify and improve usability of zoning code
Residential zoning districts Article 3	Introduce <u>new front setback methodology</u> RN = average of the existing homes on the block. If no existing homes, then front setback is 15 feet WF = average of the 3 homes on either side of the property. If no existing homes, then front setback is 15 feet	<ul style="list-style-type: none"> • Necessary for combining existing residential zoning districts • Simplify, improve usability of zoning code
Residential zoning districts Article 3	Standardize <u>side setbacks</u> RN= 8 feet or 12% of total lot width, whichever is greater WF = 8 feet or 12% of total lot width, whichever is greater	<ul style="list-style-type: none"> • Necessary for combining existing residential zoning districts • Simplify, improve usability of zoning code
Minimum Dwelling Size Article 3	Set <u>new minimum floor area size</u> of 560 ft ² . Previous minimums were 864 ft ² , 1,000 ft ² , and 1,200 ft ² within the old zoning code districts	<ul style="list-style-type: none"> • Necessary for combining existing residential zoning districts • Sync with building codes

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Residential zoning districts Article 3	Allow <u>additional housing types</u> RN = single family as today and adding duplex, triplex, and ADU RW = single family as today and adding duplex, triplex, and ADU RM = single family as today (but now requires special land use approval) and adding duplex, triplex, quadplex, and ADU	<ul style="list-style-type: none"> • Provide more options for owners to configure their property to meet changing household makeup and to age in place
Business Zoning Districts Articles 2 and 3	Expand <u>boundaries of CBD</u> which becomes the only business zoning district below the bluff	<ul style="list-style-type: none"> • Simplify, clarify, improve usability for residents and city staff
Business Zoning Districts Articles 2 and 3	New <u>Convenience Business district (B-1)</u> becomes the only business district above the bluff	<ul style="list-style-type: none"> • Simplify, clarify, improve usability for residents and city staff
Regulated Uses Table in Article 3	Modernize and condense the types of <u>uses allowed</u> in all zoning districts	<ul style="list-style-type: none"> • Simplify, clarify, improve usability for residents and city staff • Sync alcohol-related uses with state definitions
Building Heights Article 3 Is this the correct article?	In CBD, re-define maximum building height, stories, rooftop equipment allowed in height calculations Add new diagram	<ul style="list-style-type: none"> • Simplify, clarify, improve usability for residents and city staff
Overlay Districts Article 4	Introduce <u>Floodplain Overlay District</u>	<ul style="list-style-type: none"> • Comply with FEMA environmental regulations

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Overlay Districts Article 4	Introduce <u>Downtown Overlay District</u> which includes design guidelines	<ul style="list-style-type: none"> • Preserve character of downtown • Encourage vibrant, growing downtown
Shoreline Protection Strip Article 4	Introduce <u>Shoreline Protection Strip</u> which extends 35' from the 1985 high water mark (580.5 feet) for waterfront lots which do not have a bottomland lease or which are in the Community zoning district	<ul style="list-style-type: none"> • Protect the lake from damaging uses on shore • Recommended by Tip of the Mitt Watershed Council
Overlay Districts Article 4	Introduces an Agricultural Overlay District	<ul style="list-style-type: none"> • Preserves agricultural uses by right even though the current AR zoning district is being combined into the new RW zoning district.
Non-Conforming Uses Article 5	Make <u>zoning code consistent</u> with the Michigan Zoning Enabling Act Allow an existing non-conforming structure to be modified slightly	<ul style="list-style-type: none"> • Provide more options for property owners • Structure still needs to meet setbacks and other dimensional requirements for the zoning district
Permitted Yard Encroachments Article 5	Allow up to 7' of a non-enclosed <u>front porch</u> to extend beyond the front setback line	<ul style="list-style-type: none"> • Strengthen neighborhoods and community • Eliminate a common ZBA request
Chickens Article 5	Allow keeping of up to 6 <u>chickens</u> (no roosters) in a fenced area	<ul style="list-style-type: none"> • Give residents more choices about property use • Respond to residents' requests to keep chickens for local egg production • Partially offset the elimination of the AR zoning district where agricultural uses are currently permitted

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Parking Article 6	Set new minimum and maximum <u>parking requirements</u> Single Family and Duplex – 1 space per “unit” min / 4 max on the property Triplex and Quadplex – 1 space per “unit” plus 1 more Various commercial uses – see detailed table Parking allowed in side and rear yards only	<ul style="list-style-type: none"> • Simplify and clarify rules • Discourage “over-paving”
Accessory Dwelling Units (ADUs) Article 7	Modify existing Guest Quarters regulations to allow occupancy of a small, detached accessory structure Would now be usable by other than just family or friends 560 ft2 min. / 75% of principal building footprint maximum Allows long-term rental of ADUs Forbids short-term rental of ADUs Limit of 2 accessory structures of any kind per lot as today	<ul style="list-style-type: none"> • Provide more options for owners to configure their property to meet changing household makeup and to age in place • Could house family members, caregivers, caretakers, long-term renters, etc.
Accessory Commercial Units (ACUs) Article 7	Introduce ability for a property owner to operate a small (800 ft2 max) neighborhood business on their property Allowed in RN and RW with special land use approval Allowed in B-1 by right Business operator must be the homeowner Limit of 2 accessory structures of any kind per lot as today	<ul style="list-style-type: none"> • Provide more options for property owners • Allow residents to purchase a few goods and services closer to home by walking • Strengthen neighborhood and community
Mid-level of review authority Article 8	Introduce a zoning <u>Administrative Review Committee</u> to hear requests including ADUs, front yard parking, commercial renovations, commercial projects under 5,000 ft ² .	<ul style="list-style-type: none"> • Reduce bureaucratic processes • Speed approvals while still requiring a thorough review by more than one person

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Flag Lots Article 10	Introduce ability to create <u>flag</u> lots for residential use Applies in RN, RW, and B-1 districts	<ul style="list-style-type: none"> • Provide more options for owners to configure their property to meet changing household makeup and to age in place • Allow construction of some modest sized new homes
Terms Article 14	<u>Definitions</u> are expanded and modernized	<ul style="list-style-type: none"> • Simplify, clarify, improve usability for residents and city staff

Notes

1. Short term rental (STR) regulations are not part of either the present or proposed zoning code. The planning commission and city council will likely need to redefine STR regulations due to the consolidation of zoning districts as part of this project.
2. Signage regulations will be taken from the existing zoning code and placed in a stand-alone city ordinance. No changes in current signage regulations are recommended.
3. Recommended changes to the current Central Business District (CBD) boundaries, uses, or other aspects have no effect on the Downtown Development Authority (DDA) which is governed outside the zoning code.