

### **AGENDA**

### CHARTER TOWNSHIP OF MERIDIAN PLANNING COMMISSION – REGULAR MEETING January 22, 2018 7PM



- 1. CALL MEETING TO ORDER
- 2. PUBLIC REMARKS
- 3. APPROVAL OF AGENDA
- 4. APPROVAL OF MINUTES
  - A. January 8, 2017 Regular Meeting
- 5. COMMUNICATIONS
- 6. PUBLIC HEARINGS
- 7. UNFINISHED BUSINESS
- 8. OTHER BUSINESS
  - A. Mixed use planned unit development (MUPUD) concept plan review Saginaw Highway (Newton Estates)
  - B. Zoning Board of Appeals and commission liaison assignments
  - C. Accessory Dwelling Units
- 9. TOWNSHIP BOARD, PLANNING COMMISSION OFFICER, COMMITTEE CHAIR, AND STAFF COMMENTS OR REPORTS
- 10. PROJECT UPDATES
  - A. New Applications None
  - B. Site Plans Received None
  - C. Site Plans Approved None
- 11. PUBLIC REMARKS
- 12. ADJOURNMENT
- 13. POST SCRIPT: DANTE IANNI

All comments limited to 3 minutes, unless prior approval for additional time for good cause is obtained from the Planning Commission Chairperson. Meeting Location: 5151 Marsh Road, Okemos, MI 48864

Individuals with disabilities requiring auxiliary aids or services should contact Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required.



### TENTATIVE PLANNING COMMISSION AGENDA

### February 12, 2018

### **REGULAR MEETING**

- 1. PUBLIC HEARINGS
- 2. UNFINISHED BUSINESS
- 3. OTHER BUSINESS
  - A. EDC sign revision recommendations
  - B. Accessory Dwelling Units

**DRAFT** 

### CHARTER TOWNSHIP OF MERIDIAN PLANNING COMMISSION REGULAR MEETING MINUTES

January 8, 2017 5151 Marsh Road, Okemos, MI 48864-1198 517-853-4560, Town Hall Room, 7:00 P.M.

PRESENT: Commissioners Lane, Cordill, Ianni, Premoe, Scott-Craig, Richards

ABSENT: None

STAFF: Principal Planner Peter Menser

### 1. Call meeting to order

Chair Ianni called the regular meeting to order at 7:01 P.M.

### 2. Public Remarks-NONE

### 3. Approval of Agenda

Commissioner Cordill moved to approve the agenda as written.

Seconded by Commissioner Scott-Craig

VOICE VOTE: Motion approved unanimously.

### 4. Approval of Minutes

### A. December 11, 2017 Regular Minutes

Commissioner Richards moved to approve the minutes as amended.

Seconded by Commissioner Lane

VOICE VOTE: Motion approved unanimously.

### 5. Communications

Senior Planner Menser said a communication from Charter Township of Lansing was received with details about their parks plan.

### 6. Public hearings-NONE

### 7. Unfinished Business-NONE

### 8. Other Business

### A. Commercial Planned Unit Development (C-PUD) Concept Plan – 2080 Grand River Avenue

Senior Planner Menser gave a brief summary of the project.

Jeff Kyes, KEBS, 2116 Haslett Road, spoke on behalf of the applicant. Mr. Kyes stated the current configuration of the property does not meet any of the Township Ordinances.

Commissioner Richards asked where the proposed plan fits in with the future plans for the Grand River Avenue Corridor and if the applicant had considered moving the building forward on the lot. Mr. Kyes responded the applicant was unable to move toward the road because of the frontage road requirements.

Commissioner Richards asked if the applicant could tie into the drive on the west side of the existing parking lot. Mr. Kyes replied there was not currently any easement to allow for that option.

Commissioner Cordill asked what amenities the applicant would be offering. Mr. Kyes responded Wi-Fi would be the major amenity offered.

Vice Chair Scott-Craig commented he did not think the property could support a drivethrough window because there is only one means of egress onto Grand River and the one exit is very close to the intersection.

Chair Ianni commented the applicant should keep in mind that one of the Township goals is to create a more walkable community.

Vice-Chair Scott-Craig commented the property cannot support a drive through window without another means of egress onto Grand River.

### B. 2018 Planning Commission goals

Principal Planner Menser outlined the goals provided in the staff report

Vice-Chair Scott-Craig moved to adopt the goals as written in the staff report. Seconded by Commissioner Lane.

VOICE VOTE: motion approved unanimously.

### C. Election of 2018 Officers

Commissioner Richards moved to appoint Chair Ianni as the Chairperson, Vice-Chair Scott-Craig as the vice chair, and Commissioner Premoe as the Secretary. Seconded by Vice-Chair Scott-Craig.

ROLL CALL VOTE: YEAS: Commissioner Richards, Scott-Craig, Lane, Premoe, Cordill and

Ianni NAYS: None

Motion approved unanimously.

### D. Zoning Board of Appeals and Commission Liaison assignments

The Planning Commission decided all commissioners would continue in their current assignments until the new commissioners are appointed.

### E. Accessory Dwelling Units

Principal Planner Menser spoke briefly about the items the Planning Commission will have to take into consideration when drafting any ordinances regarding accessory dwelling structures. He stated the Master Plan calls for some areas to include multi dwelling lots.

Vice-Chair Scott-Craig commented there are a lot of considerations to be made when drafting any ordinances including the definition and scope of what will be allowed so a lot of research will be required.

Commissioner Cordill asked if rental properties will be allowed. Principal Planner Menser said he did not think they would be allowed.

### F. Resolution of Appreciation for Dr. Christine Tenaglia

Vice-Chair Scott-Craig read a resolution of appreciation for Dr. Christine Tenaglia into the record.

Seconded by Commissioner Cordill.

ROLL CALL VOTE: YEAS: Commissioner Richards, Scott-Craig, Lane, Premoe, Cordill and

Ianni

NAYS: None

Motion approved unanimously.

### G. Resolution of Appreciation for Samantha Baruah

Commissioner Cordill read a resolution of appreciation for Samantha Baruah into the Record.

Seconded by Vice-Chair Scott-Craig

ROLL CALL VOTE: YEAS: Commissioner Richards, Scott-Craig, Lane, Premoe, Cordill and

Ianni

NAYS: None

Motion approved unanimously.

### H. Boards and Commission meeting on January 16, 2018

### 9. TOWNSHIP BOARD, PLANNING COMMISSION OFFICER, COMMITTEE CHAIR, AND STAFF COMMENTS OR REPORTS

A. Adopted Master Plan

A copy of the recently adopted Master Plan was provided to each commissioner.

Vice-Chair Scott-Craig recommended any other commissioners interested should attend the next Michigan Association of Planners event.

Principal Planner Menser introduced new Assistant Planner Justin Quagliata.

### **10. PROJECT UPDATES**

- A. New Applications
  - 1. <u>Special Use Permit #17061 and #17071 (LaFontaine)</u>, establish automotive sales and service center greater than 25,000 square feet in size at 1622 Grand River Avenue.
- B. Site Plans Received None
- C. Site Plans Approved None

### 11. PUBLIC REMARKS-NONE

### 12. ADJOURNMENT

Chair Ianni adjourned the regular meeting at 8:09 p.m.

Respectfully Submitted,

Angela M. Ryan Recording Secretary



To: Township Board

**Planning Commission** 

From: Peter Menser, Principal Planner

Keith Chapman, Assistant Planner

**Date: January 19, 2018** 

Re: <u>Mixed Use Planned Unit Development (MUPUD) concept plan - Newton</u>

**Estates** 

The 23.97 acre subject property is located at the southeast corner of Newton Road and Saginaw Highway (I-69 BL) and consists of two parcels. The west parcel is 17.97 acres and the east parcel is six acres. In 2006 the property was rezoned (Rezoning #06050) to C-2 (Commercial) with a condition offered by the applicant to develop the property as a Mixed Use Planned Unit Development (MUPUD). The condition also placed limitations on the types and sizes of uses including the residential density. The applicant identified three areas of development as Area A, Area B, and Area C. Overall, the entire property is limited to no more than 10 dwelling units per acre. The exhibits approved as part of Rezoning #06050 (attached) detail the uses allowed for each of the three areas of the property. A general outline of each is included below.

- Area A, limits the types of allowed land uses, restricting uses such as bowling alleys, gasoline stations, and brewpubs, among others. It also limits first-floor commercial space to no more than 25,000 square feet.
- Area B is limited to single family detached (free-standing) units and single family attached brownstone-type townhouses. The townhouses are limited to three or four units. The density of Area B cannot exceed six dwelling units per acre.
- Area C is limited to multiple family apartments (and/or condominium units) at a density of no more than 14 dwelling units per acre.

DTN Management Company has submitted a concept plan to develop the property with a mix of commercial, multiple family, and single family. The applicant is proposing to develop the three areas A, B, and C which corresponds to the land uses and densities established in the 2006 rezoning. Area A will contain 85 residential units and 13,780 square feet of commercial space. Area B will contain 32 residential units and a 4,330 square foot clubhouse. Area C will contain 100 residential units.

The mixed use planned unit development (MUPUD) ordinance includes a provision for an applicant to submit a concept plan for concurrent review by the Planning Commission and Township Board. The review provides an opportunity to offer comments and suggestions on the project design prior to a MUPUD application. The review is informal; therefore a public hearing and associated noticing are not required.

### **Master Plan**

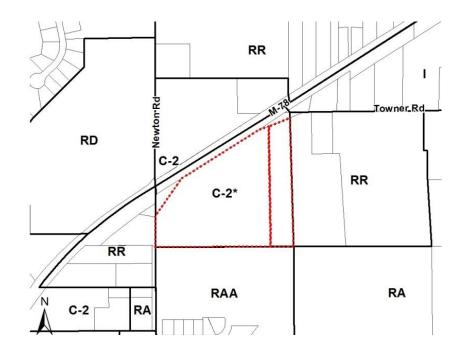
The properties are designated on the 2017 Master Plan Future Land Use Map as R2 – Residential 0.5-3.5 dwelling units per acre (du/a).

## Future Land Use 2017 R1-RESIDENTIAL 0-0.05 DUA R2-RESIDENTIAL 0-0.05 DUA R3-RESIDENTIAL 0-0.05 DUA

### **FUTURE LAND USE MAP**

### **Zoning**

The proposed project is located in the C-2 (Commercial) zoning district. A MUPUD is permitted in the C-2, C-3 (Commercial), CR (Commercial Recreation) and CS (Community Service) zoning districts and is also permitted in C-1 (Commercial and PO (Professional Office) when public water and sewer are available. All uses permitted by right and by special use permit in the underlying C-2 zoning district are permitted in a MUPUD. The 2006 rezoning placed restrictions on the uses allowed on the subject site.



### **Floodplain**

There is no floodplain located on the subject property.

### Wetlands

A wetland delineation for the property was done in 2007. The delineation indicated that there are four wetlands on the subject site. Wetland delineations are only valid for three years therefore a new delineation will be required upon formal submittal of a development plan. Once complete, any resulting wetland setbacks will be incorporated into the project design and depicted on future site plans. The proposed plan indicates possible impact to regulated wetlands which will require a wetland use permit (WUP).

### **Utilities**

Municipal water and sanitary sewer is available in the vicinity of the project site and would have to be extended to serve the subject site. The location and capacity of utilities for the proposed new buildings will be reviewed in detail by the Department of Public Works and Engineering should the project move ahead to a formal submittal.

### **Staff Analysis**

The applicant is proposing to develop the site using the mixed use planned unit development (MUPUD) ordinance. A MUPUD is reviewed in accordance with the provisions of Section 86-440 of the Code of Ordinances. The conditions of the rezoning (REZ #06050) limit the types of uses that are allowed within the three areas A, B, and C. Area A can have up to 34 units and there are 32 units proposed. Area B is allowed to have 115 units and 100 units are proposed. A special use permit (SUP) may be necessary for any building or group of buildings over 25,000 square feet.

The MUPUD process requires public hearings held by both the Planning Commission and Township Board. The Planning Commission makes a recommendation on the project with the Township Board having final approval.

### **Waiver Requests**

The MUPUD ordinance is intended to provide flexibility for the Planning Commission and Township Board to set appropriate standards during the review process. The MUPUD ordinance generally waives the standard requirements for the yard, setback, lot size, type and size of dwelling unit, frontage requirements, and impervious surface regulations and restrictions, provided the purpose and intent of the ordinance is incorporated into the overall development plan. Based on the submitted site plan the applicant is requesting the following waivers for the project (additional waivers may be identified in the future):

Building 100' From Residential Zoned Property

The C-2 zoning district requires a 100 foot setback from the residential zoning district along the east and south property line. The project proposes 20 foot setbacks to the east and the south residential properties. A waiver of 80 feet is requested for each.

Parking Requirements

632 parking spaces are required for the site. The applicant is proposing 589. A waiver of 43 spaces is requested.

Building 100' Front Yard Setback From The Centerline

The C-2 zoning district requires a 100 foot setback from the centerline of Saginaw Highway and Newton Road. The project proposes a 50.5 foot setback to the centerline of Newton Road and a 75.5 foot setback from the centerline of Saginaw Highway. A waiver of 49.5 feet and 24.5 feet is requested for each respectively.

40' Parking Setback From Residential Zoned Property

A 40 foot parking setback from the residential zoning district to the east and south is required. The project proposes a 10 foot parking setback from the east and the south residential zoning district. A waiver of 30 feet is requested for each. 20' Parking Setback from Road Right-of-way

The project proposes a 20 foot parking setback from the road right-of-way along Newton Road. The project proposes a 1.5 foot parking setback near the southeast corner. A waiver of 18.5 feet is requested.

### **Amenities**

One or more amenities are required for every MUPUD project. The amenities are provided in exchange for waivers from the provisions of the ordinance. The applicant has not yet identified amenities for the proposed project. The site plan shows areas that are designated as Amenities Area.

The applicant will present the concept plan to the Planning Commission on January 22, 2018 and the Township Board on January 23, 2018.

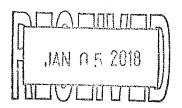
### **Planning Commission & Township Board Options**

The Planning Commission & Township Board may comment and/or offer suggestions on the project design of the proposed MUPUD.

### **Attachments**

- 1. Letter from Chuck Holman dated January 5, 2018 and received by the Township on January 5, 2018
- 2. Site plan and survey prepared by Kebs, Inc. dated November 22, 2017 and received by the Township on January 5, 2018.
- 3. Architectural renderings received by the Township on January 5, 2018.
- 4. Rezoning Conditions approved by the Township Board on March 20, 2007.





January 5, 2018

Mr. Mark Kieselbach Community Planning & Development Director Meridian Township 5151 Marsh Road Okemos, MI 48864

Re: 6276 Newton Road

Dear Mr. Kieselbach, Please consider this letter DTN Management's request for Meridian Township to initiate a "Concept Plan Review" for the referenced project.

### Project Summary -

This site received approved for rezoning (#06050) to Commercial (C-2) by the Meridian Township Board on March 20, 2007. The approval for rezoning is conditioned on the site being developed under the Township's mixed use planned unit development ordinance and limiting the types of permitted uses and the residential density of the development. The proposed "Concept Plan" being submitted complies with these conditions and contains the site data for the different types of proposed uses, along with the proposed waiver list. Not all proposed amenities are shown at this time. They will be discussed at the Planning Commission and Township Board meetings to determine the most appropriate amenities for the development.

Please let us if we need to take any further action to initiate this review. Thank you,

Chuck Holman

Chuck Holman

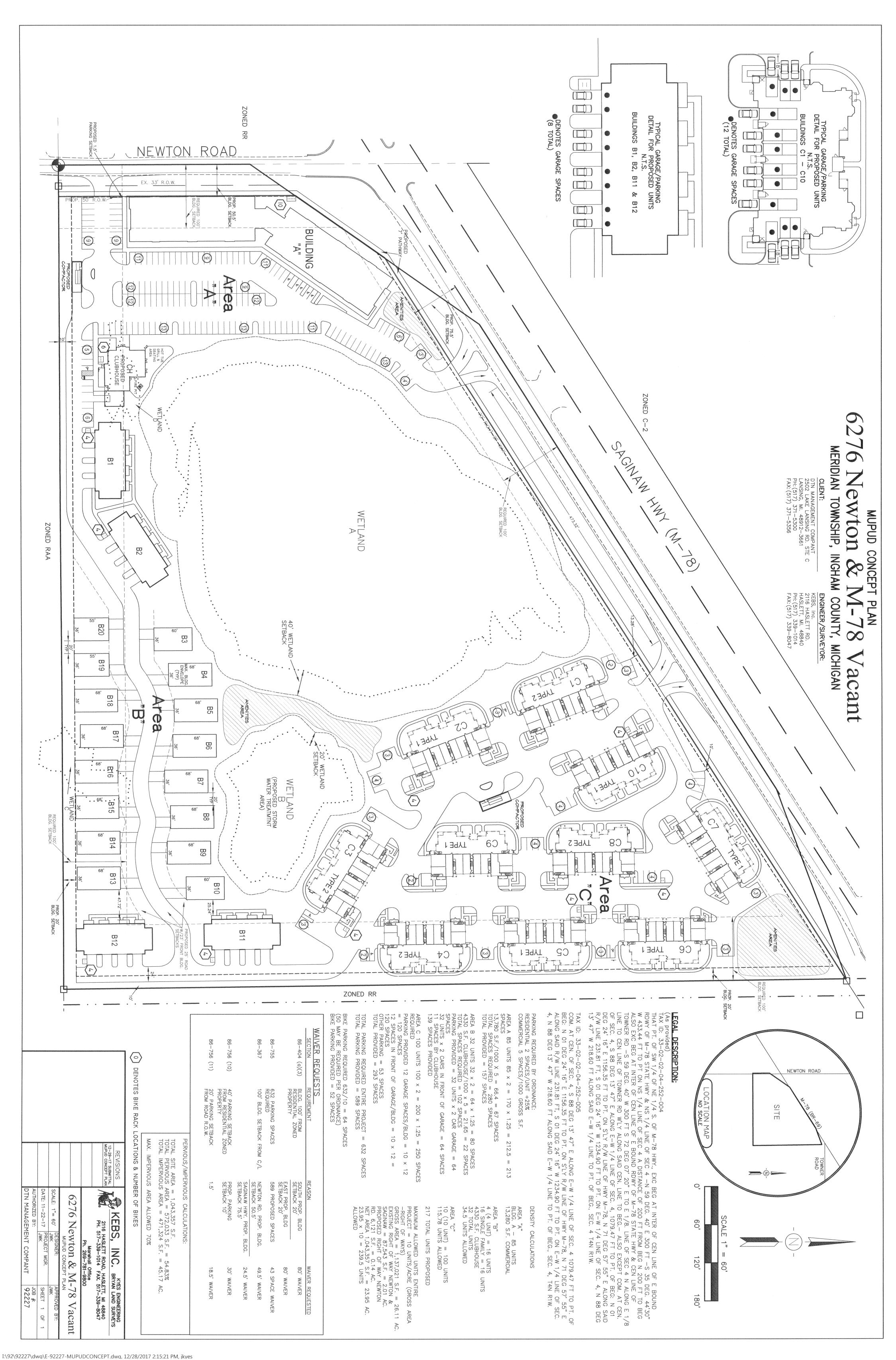
Vice President, Development & Construction

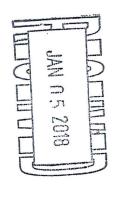
**DTN Management Company** 2502 Lake Lansing Road, Suite C

Lansing, MI 48912

p 517.371.5300 c 704.626.0705

e cholman@dtnmgt.com





# NEWTON ESTATES







### **NEWTON CORNERS**

### PROPOSED MAP AMENDMENT

C-2 ZONING CONDITIONED UPON APPLICATION AND APPROVAL OF MIXED USE PLANNED UNIT DEVELOPMENT (PRESENTATION OF LOCATION, USE AND DENSITY CONDITIONS)



Wetland "1"

AREA "A" **2.89 ACRES** (SEE ATTACHED AREA DESCRIPTIONS)

> TRINITY AREA "B"OUTH 5.75 ACRES (SEE ATTACHED AREA DESCRIPTIONS)

STRUCTURE, LOT, UNIT, ROAD, PARKING, ACCESS IMPROVEMENTS SHOWN ARE CONCEPTUAL AND PROVIDE A DESCRIPTION OF A POSSIBLE DEVELOPMENT SCENARIO UNDER THE PROPOSED "LOCATION, USE AND DENSITY" CONDITIONS OFFERED BY THE APPLICANT.

DEVELOPMENT OF PROPERTY SHALL BE BASED UPON APPLICATION FOR A MIXED-USE PLANNED UNIT DEVELOPMENT AND AS REVIEWED AND APPROVED BY THOSE BOARDS, COMMISSIONS, OR OFFICIALS CHARGED WITH SUCH RESPONSIBILITY PURSUANT TO THE MERIDIAN CHARTER TOWNSHIP ZONING ORDINACE, PROPOSED DEVELOPMENT UNDER MIXED-USE PUD SHALL BE IN COMPLIANCE WITH THE "LOCATION, USE AND DENSITY" CONDITIONS AS PRESENTED BY THE APPLICANT.

WETLAND ANALYSIS	u company and a second
Wetland "1"	182,853 SF ±4.20 ACRE
Wetland "2"	36,375 SF ±0.84 ACRE
Wetland Buffer Area "1"	78,470 SF ±1.80 ACRE
Wetland Buffer Area *2"	17,673 SF ±0.40 ACRE
Preservation Area (Wetland & Buffer)	315,374 SF ±7.24 ACRE

Wetland "2"



TOWNER ROAD



### ATTACHMENT "C"

**REVISED: 2/8/07** 

The following "areas" correspond to the "areas" presented under Attachment "B".

### A. AREA "A"- COMMERCIAL USE

### (1.) Allowable Uses:

### (a.) C-1, Commercial Uses

All uses permitted by right in the C-1, Commercial District (Sec. 86-403.c.)

All uses permitted as conditional uses in the C-1, Commercial District (Sec. 86-403.d.)

All uses permitted by special use permit in C-1, Commercial District (Sec. 86-403.e.), except:

- -Sec. 86-403.e.2- Public or private utility building and structures
- -Sec. 86-403.e.5- Gasoline Stations

All above uses shall maintain the standards applying to all C-1 uses as provided in Sec. 86-403.b, except the following, which are anticipated to be addressed through the Mixed-Use Planned Unit Development process as standards addressed through design and provision for amenities:

- -Section 86-403.b.3- Side and rear yard setback adjacent to a residential district.
- -Section 86-403.b.10- Lighting height restrictions.

### (b.) C-2, Commercial Uses

All uses permitted by right in the C-2, Commercial District (Sec. 86-404.c.), except:

- -Section 86-404.c.5 (portions of) Bowling alleys.
- -Section 86-404.c.12 Retail food establishments, such as supermarkets, occupying a maximum of 25,000-sf. of gross floor area which supply grocery. Use still permitted, but as permitted in the C-1 district, which limits the size of establishment to 3,000-sf.
- -Section 86-404.c.14 Theaters and Auditoriums

All uses permitted as conditional uses in the C-2, Commercial District (Sec. 86-404.d.), except:

-Section 86-404.d.1- Bars, taverns, lounges and brewpubs.

All uses permitted by special use permit in C-2, Commercial District (Sec. 86-404.e.), except:

- -Sec. 86-404.e.1- Funeral homes and mortuaries.
- -Sec. 86-404.e.2 (portion of) Hospitals
- -Sec. 86-404.e.3- Light manufacturing
- -Sec. 86-404.e.4- Open air business uses, unless otherwise provided for in the C-1 district.
- -Sec. 86-404.e.5- Parking buildings or lots
- -Sec. 86-404.e.6- Public or private utility buildings or structures
- -Sec. 86-404.e.7- Satellite passenger bus terminals
- -Sec. 86-404.e.8- Tattoo and body piercing establishments
- -Sec. 86-404.e.9- Any building or group of buildings with a combined gross floor area of greater than 25,000-sf.
- -Sec. 86-404.e.10- Use or combinations of uses located in a structure greater than 75,000-sf. in gross floor area.
- -Sec. 86.404.e.11- Banks, credit unions, saving and loan establishments occupying a maximum of 5,000-sf. of gross floor area with a maximum of five (5) drive-through lanes. Use still permitted, but as permitted in the C-1 district, which limits the size to 2,500-sf. (but permitted by right) and two-drive thru window by special use permit.
- -Sec. 86.404.e.13 (portion of) Gasoline, automobile service stations, oil change establishments, and car washes are excluded.
- -Sec. 86.404.e.14- Hotels or motels
- -Sec. 86.404.e.15- Enclosed climate controlled storage facilities.

All above uses shall maintain the standards applying to all C-2 uses as provided in Sec. 86-404.b, except the following, which are anticipated to be addressed through the Mixed-Use Planned Unit Development process as standards addressed through design and provision for amenities:

-Section 86-404.b.3- Side and rear yard setback adjacent to a residential district.

### (2.) Density:

First-floor commercial square footage shall not exceed twenty-five (25,000) square feet within Area "A".

### (3.) Additional Conditions:

Any residential proposed above commercial establishments shall not cause overall residential density on entire subject property to exceed 10-DU's per acre.

### B. <u>AREA "B"- SINGLE-FAMILY USE</u>

(1.) Allowable Uses:

Single-family, detached

Single-family, attached, comprised of three (3) to four (4) units townhouse, brownstone, type structures.

(2.) Density:

Single-family residential density shall not exceed six (6) dwelling units per acre within Area "B".

(3.) Additional Conditions:

In the event that single-family attached (three (3) to four (4) unit townhouse, brownstone type structures) are proposed, the majority of said structures shall not be located along the southern property line on the south side of proposed access within the subject property.

Overall residential density on entire subject property shall not exceed 10-DU's per acre.

### C. AREA "C"- MULTIPLE-FAMILY USE

(1.) Allowable Uses:

Multiple-family (apartments and/or condominiums)

(2.) Density:

Multiple-family residential density shall not exceed fourteen (14) dwelling units per acre within Area "B" "C".

(3.) Additional Conditions:

Overall residential density on entire subject property shall not exceed 10-DU's per acre.



**To:** Planning Commission

From: Peter Menser, Principal Planner

**Date: January 16, 2018** 

Re: Zoning Board of Appeals and commission liaison assignments

A member of the Planning Commission is required by the Code of Ordinances to serve on the Zoning Board of Appeals (ZBA) as a regular member. The following motion is provided to appoint a member of the Planning Commission to the ZBA:

 MOTION TO APPOINT \_\_\_\_\_ TO SERVE AS THE PLANNING COMMISSION REPRESENTATIVE ON THE ZONING BOARD OF APPEALS

In the past the Planning Commission has selected from among its members informal representatives/liaisons to other boards and commissions in Meridian Township. The Planning Commission may choose to appoint a representative to the following boards and commissions (or other groups not listed here, as desired):

- Downtown Development Authority (DDA)
- Economic Development Corporation (EDC)
- Environmental Commission
- Transportation Commission

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**To:** Planning Commission

From: Peter Menser, Principal Planner

Justin Quagliata, Assistant Planner

**Date: January 18, 2018** 

Re: Accessory Dwelling Units

The purpose of this memorandum is to provide an overview of policy options to regulate accessory dwelling units (ADU). The 2017 Master Plan encourages ADUs in the R3 Future Land Use Map (FLUM) category (1.25-3.5 dwelling units per acre), allowing a bonus density of up to 5 dwelling units per acre in the R3 FLUM category when ADUs are located on a property. The updated FLUM and corresponding new land use designations are located in the Zoning Plan (page 14 of the Master Plan). The R3 FLUM designation correlates with the current RA (Single Family-Medium Density), RB (Single Family-High Density), and RX (Duplex) zoning districts.

The term accessory dwelling unit generally describes a residential unit that provides living quarters for one individual or a family that is on the same lot, but is separate from, the principal structure. ADUs may be located in an accessory structure, such as a converted detached garage, or within a principal structure, such as an attached garage or a converted living space (attic or basement). Individual accessory structures could also be constructed on a property to serve as an ADU. Such units are sometimes referred to as granny flats or carriage houses, but would also include newer building types such as those referred to as "tiny" houses.

The Zoning Ordinance currently has several provisions prohibiting ADUs, one of which being only one dwelling per parcel is allowed in all single family residential districts. If Meridian Township proceeds with creating regulatory standards for ADUs, the limit of one primary dwelling per parcel would need to be amended in selected zoning districts. The minimum living space requirement, which currently cannot be less than 1,000 square feet, would also need to be revised.

Communities have defined ADUs numerous ways. Defining ADUs could help provide a vision and narrow the scope of options to pursue in Meridian Township. ADUs come in a variety of shapes and sizes, which can complicate policy making. There are several factors that should be considered when deciding on a particular policy strategy.

Location: The R3 FLUM designation correlates with the current RA (Single Family-Medium Density), RB (Single Family-High Density), and RX (Duplex) zoning districts. ADUs may also be appropriate in other single family zoning districts. The Planning Commission can determine where ADUs are appropriate in Meridian Township.

### Accessory Dwelling Units Planning Commission (January 22, 2018) Page 2

Eligible Lots: Most municipalities that have ADU policies identify 5,000 square feet as the minimum lot size required to construct an ADU in any of the districts in which they are allowed. Usually only one ADU is allowed per parcel and is only permitted on a lot with a single-family dwelling. The City of Ann Arbor prohibits ADUs on property with multiple-family residences, such as a duplex. If a similar policy is implemented in Meridian Township, ADUs would only be permitted on property with single-family residences in the RX (Duplex) zoning district.

Occupancy Requirements: Occupancy in an ADU can be limited to a specific number of persons. The City of Grand Rapids limits ADU occupancy to no more than two (2) persons. The City of Ann Arbor and the City of Grand Rapids requires the owner of the property to occupy either the ADU or the single-family dwelling on the property, with rental housing requirements applying for any primary residence or ADU being rented to another person other than the property owner.

*Rental Restrictions:* In some municipalities ADUs can be rental units. Typically the length of the lease is defined to prohibit short-term rentals. Any ADU, regardless of unit type or length of lease, would be required to be registered as a rental. The unit would be subject to regular inspections like any other rental house or apartment and required to maintain the property in accordance with the standards identified in the property maintenance code.

*Unit Type:* An ADU could be an addition attached to a principal structure, located within an existing single-family house (attic or basement), and/or part of a detached accessory structure, such as a converted detached garage or carriage house. Detached, standalone units, such as "tiny" houses may also be considered.

*Size:* An ADU can be subject to minimum and maximum square footage and height restrictions. The City of Grand Rapids does not allow ADUs to exceed 25 percent of the gross floor area of the primary residence, nor be less than 400 square feet or greater than 850 square feet in gross floor area. The City of Ann Arbor has implemented the following ADU design specifications:

Lot Size	Maximum Size of an ADU						
5,000 – 7,199 square feet	600 sq-ft or the same size as the ground floor of the primary dwelling, whichever is less.						
7,200 square feet or greater	800 sq-ft or the same size as the ground floor of the primary dwelling, whichever is less.						
Height Restrictions	Maximum Height of an ADU						
An ADU within an accessory structure	Cannot exceed 21 feet						
An ADU that is part of the primary dwelling	Cannot exceed 30 feet						

The Code of Ordinances does not allow accessory buildings to exceed a height of 15 feet on any residential lot. A revision to the Zoning Ordinance may be necessary to establish regulatory standards for ADUs in accessory structures if that direction is taken by the Planning Commission.

### Accessory Dwelling Units Planning Commission (January 22, 2018) Page 3

*Parking:* Most communities that have ADU policies require at least one additional off-street parking space. The City of Ann Arbor waives this requirement if the primary single family residence already has two parking spaces, such as a two-car garage.

Controlling the number of ADUs: In some instances a municipality will track and limit the number of new ADUs over a specific amount of time, usually a year. The City of Traverse City set a maximum limit of ten (10) newly registered ADUs per calendar year.

ADUs may not be appropriate for all residential properties in the R3 FLUM category. The size and shape of the parcel, the size and orientation of the existing principal structure, driveway configuration, and/or other conditions may prohibit the feasibility of ADUs on some properties.

### Possible Next Steps

If the Planning Commission chooses to proceed with creating ADU regulations, the limit of one primary dwelling per parcel would need to be amended in selected zoning districts. The minimum living space requirement would also need to be revised.

The Planning Commission may consider initiating a zoning amendment to allow ADUs in selected zoning districts by issuance of a conditional use permit. A conditional use permit would allow an ADU subject to a set of conditions, established by the Planning Commission, such as location, appropriate means of egress, occupancy limits, fire protection, sufficient parking, etc. As long as the unit meets the established conditions, it would be approved, subject to issuance of a building permit and possible registration as a rental unit.

Due to the different types of ADUs the Planning Commission may choose to draft a new ordinance addressing each potential ADU situation. A new ordinance could include different regulations for each scenario, whether it is an ADU located in an accessory structure or as part of a principal structure. The Planning Commission can establish operational standards as appropriate for the length of lease, location, and any other factors to minimize disturbance to surrounding property owners and ensure the unit is safe for occupancy.

The Planning Commission may consider the possible next steps outlined above, identify a new approach not listed, or choose not to proceed with accessory dwelling unit regulations. Staff can provide additional information as requested.

### **Attachments**

- 1. "Accessory Dwelling Unit Guidebook" from the City of Ann Arbor, April 2017.
- 2. Pages 14 and 21 from the 2017 Master Plan
- 3. Future Land Use Map

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### **Accessory Dwelling Unit Guidebook**

Compiled by the City of Ann Arbor Planning Division

**April 2017** 

Please direct all inquiries to:

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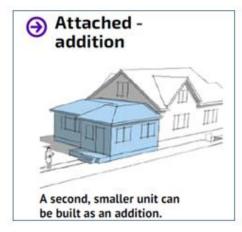
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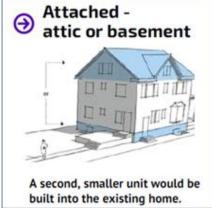
### I. OVERVIEW

The purpose of this guide is to assist homeowners, contractors, builders, and developers with the consideration, design, and construction of Accessory Dwelling Units (ADUs). This manual will give an overview of the design requirements per the City of Ann Arbor zoning ordinance and Michigan Residential Code, provide a checklist for the application process for building an ADU, and share other useful information.

### What is an Accessory Dwelling Unit (ADU)?

An Accessory Dwelling Unit is a second, smaller dwelling unit either developed within an existing single-family house (such as in a basement, attic, or addition) or part of an accessory structure (such as a converted garage or carriage house).







Drawings courtesy of the City of Minneapolis

### What are the advantages of ADUs?

The recent changes to the ADU policy in the City of Ann Arbor reflect efforts to increase the diversity of housing options within the city by introducing a new housing prototype that respects the look and scale of single-family neighborhoods. Accessory dwelling units are also a strategy for affordability in Ann Arbor in two ways—for the renter and the homeowner. ADUs can be more affordable than other new dwelling units because infrastructure (i.e., existing utilities, roads) and land costs have already been absorbed by the main dwelling unit, and are typically smaller in size. Conversely, the supplemental income a homeowner can receive from renting out an ADU on their property can offset their own expenses. In the case of seniors and others on fixed incomes, rental income can offset mortgage, tax or other costs allowing individuals to age in place. Such units also provide the potential for a homeowner to negotiate assistance in household maintenance in exchange for rent.

You may be familiar with the term "granny flat" or "mother-in-law suite" to describe these units and indeed, that describes one of their potential uses—as a way for a homeowner to care for their aging parents in a secondary dwelling on their property. Additionally, accessory dwelling units are a way to address declining household size. For example, the average household size

in Washtenaw County decreased from 3.3 people in 1960 to 2.43 people in 2015 (U.S. Census Bureau, American Community Survey 5-Year Estimate). ADUs can allow for reutilization of some of that space, without considerably expanding the existing footprint of a building. Furthermore, ADUs support more efficient and sustainable use of existing housing stock and infrastructure.

### **II. ZONING REQUIREMENTS**

### **Permitted Districts**

- ADUs are permissible in the following zoning districts only:
  - o R1A, R1B, R1C, R1D, R1E and R2A.
  - You can view the Ann Arbor Zoning map <u>here</u>.

### Eligible Lots

- An ADU is permitted only on a lot with a single-family dwelling. If the lot contains a duplex
  or other multiple-family residence, an ADU is not permitted. For example, if you live in the
  R2A district in a duplex, you are not eligible to construct an ADU on your property.
  However, if you live in the R2A district in a single-family dwelling, you are eligible to
  construct an ADU.
- Only one accessory dwelling unit is permitted per single-family detached dwelling.
- The minimum lot size required to construct an ADU is **5,000 sq-ft** in any of the districts in which they are allowed.

### Where can I locate an ADU on my property?

- ADUs can be located inside of an existing house on any of its floors, or all or part of a side or rear addition. This type is referred to as an *attached ADU*.
- Alternatively, an ADU can be part of an existing garage, carriage house, or other legal, conforming detached accessory structure over 200 square feet, and is referred to as a detached ADU. For existing legal accessory structures over 200 square feet, the owner can demolish the structure and rebuild with an ADU if desired.

### **Timeline Restrictions**

- Detached ADUs: A detached ADU is only permitted in a legally conforming accessory building that was constructed before December 31, 2016. If an accessory structure was not present on the parcel on December 31, 2016, then no detached ADU is permitted.
  - Currently conforming accessory structures:
    - If you have a conforming accessory structure built before December 31, 2016, you can choose to replace or modify the structure to incorporate an accessory dwelling unit.
  - Currently nonconforming accessory structures:
    - If you have a nonconforming accessory structure built before December 31, 2016, you can rebuild the structure to comply with code and incorporate an accessory dwelling unit.

### **Design Specifications**

### How big can an ADU be?

- For lots between 5,000 and 7,199 sq-ft, the maximum size of an ADU is 600 sq-ft or the same size as the ground floor of the primary dwelling, whichever is less.
- For lots 7,200 sq-ft or greater, the maximum size of an ADU is 800 sq-ft or the same size as the ground floor of the primary dwelling, whichever is less.
- **NOTE:** Finished or unfinished basements, accessed by a fixed stairway, with more than 90 inches of headroom, count as usable floor area.

### How tall can an ADU be?

- The standard height restrictions of the zoning district apply, meaning that:
  - o An ADU within an accessory structure cannot exceed 21 feet.
  - o An ADU that is part of the primary dwelling structure cannot exceed 30 feet.

### What are the setback requirements?

### Definitions:

- Front open space The portion of a lot between the required front setback line and the lot line.
- Side open space The portion of a lot between the required side setback line and the lot line.
- Rear open space The portion of a lot between the required rear setback line and the lot line.

### In General:

- Setback requirements for front, side, and rear open space are determined by zoning district. Refer to the <u>Zoning Code</u> for specific details.
- Setbacks are always measured from the property line, not the curb or center of the street. Usually, the house-side of the sidewalk edge is also the front property line. A survey may be required to determine setbacks.
- The minimum front setback is the average setback within 100 feet on either side of the lot, up to 40 feet maximum.
- The minimum front setback applies to every property line that abuts a public street.
   Corner lots have two front property lines, one side and one rear property line. Thrulots have two front property lines, two side setbacks and no rear property line.

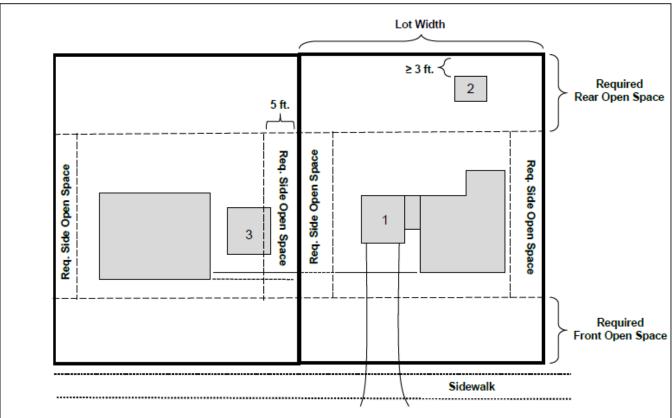
### Detached ADUs:

- Front open space: Detached accessory dwelling units may not be located within the required front open space. On corner lots, there is required front open space along each street frontage.
- Side open space: A detached ADU may be located in the required side open space if:
  - It is farther from the street than the principal building;
  - It is farther from the street than any part of principal buildings on abutting lots:

- It is at least 3 feet from any lot line.
- If between 3 and 5 feet from a lot line, the ADU must contain fire-rated walls.
- Rear open space: A detached ADU may be located in the required rear open space if:
  - The sum of all structures on the lot, including accessory buildings and parts
    of the principal building that encroach upon the rear open space, do not
    occupy more than 35% of the required rear open space; and
  - It is at least 3 feet from any lot line.
  - If between 3 and 5 feet from a lot line, the ADU most contain fire-rated walls.

### Attached ADUs:

 For ADUs incorporated into the primary dwelling, the setback requirements of that zoning district apply.



### HYPOTHETICAL ACCESSORY DWELLING UNIT CONFIGURATIONS

- 1. Because this accessory dwelling unit is attached to the principal building, it may not be located in the side open space.
- Any accessory structure may not take up more than 35% of the required rear open space (lot width x required rear open space depth).
   For EX: if the rear open space of this hypothetical lot were 2,000 sq ft, the accessory building would need to be less than 700 sq-ft (2,000 sq-ft \* 0.35). A detached accessory structure may encroach upon the rear open space as long as it is 3 feet from any lot line.
- 3. A detached ADU can be located in required side open space if it is farther from the street than the principal building, any part of a principal building on abutting lots, and farther than 3 feet from any lot line. In this example, we can presume the accessory structure is more than 3 feet from the lot line, but less than 5 feet.

### Occupancy Requirements

### Who and how many people can live in an ADU?

- Occupancy in the accessory dwelling unit is limited to two persons and their offspring living as a single housekeeping unit, except in the case of a special exception use, following section 5:104 of the City of Ann Arbor Zoning Code.
- Additionally, the total number of persons residing in the primary dwelling unit and the ADU
  combined cannot not exceed four persons plus their offspring, except when a functional
  family is allowed by special exception use. For example, if there are four people plus their
  offspring living in the primary dwelling unit, they could not have an ADU because they are
  already at the maximum occupancy for the property.

### Are there other occupancy or rental restrictions?

- One of the two residences must be owner-occupied and the other unit can be rented.
- The owner of the property must occupy either the ADU or the single-family dwelling on the property, except for temporary absences not to exceed a combined total of 6 months in a calendar year.
- Leasing or rental of the ADU for less than 30 days is prohibited.
- Rental housing requirements will apply for any primary residence or accessory dwelling unit that is rented out to another person. See the City's <u>Rental Housing Department</u> webpage for more information.
- A deed restriction that runs with the land, on a form to be provided by the City (see Additional Resources), must be filed with the Register of Deeds prior to occupancy, and it must incorporate the following restrictions:
  - The ADU may not be sold separately from the single-family dwelling.
  - The owner occupancy requirement of section 5:10.2(d)(2).
  - The deed restriction must be in effect until the ADU is removed.

### Parking Requirements

- At least one additional off-street parking space is required when adding an ADU unless:
  - o The property is within a quarter-mile of a bus stop.
  - The house already has two conforming parking spaces (such as a two-car garage), which meet the requirement.
- **NOTE:** Tandem or stacked parking in the driveway is permitted as long as it is not located in the front yard setback.



Legal tandem parking space for ADU



Does <u>NOT</u> meet parking requirement, as located in required front open space

### III. APPLICATION PROCESS

- 1. Determine if your property qualifies for an ADU.
  - a. Verify that your property is in an R1 or R2A zoning district by checking the City of Ann Arbor Zoning map.
  - b. Verify zoning compliance for setbacks and minimum lot size by checking the Zoning Code.
- If your property is located in a Historic District, you must apply for and receive a Certificate of Appropriateness from the <u>Historic District Commission</u> before your building permit will be reviewed.
- 3. File deed restriction with the Planning Department.
- 4. Apply for a <u>Building Permit</u>. Submit building plans, including plans for mechanical, plumbing, and electrical work as needed. New houses will require a Michigan Energy Code Compliance form. Zoning compliance is reviewed as a part of building permitting process.
  - a. Plumbing Permit
  - b. Electrical Permit
  - c. Mechanical Permit
  - d. Grading Application and Impervious Area Checklist
  - e. Demolition Permit, if applicable
  - f. Fire Suppression Permit and Fire Alarm Permit.
- 5. Start construction and building/trade inspections.
- Housing Inspection Program registration. Contact Ann Howard at 734.794.6000 x42667 or <a href="mailto:ahoward@a2gov.org">ahoward@a2gov.org</a> for more information.
- 7. Submit Address Request Form for new rental address.
- 8. Apply for Certificate of Occupancy.

### **Zoning Plan**

The Zoning Plan consists of the Future Land Use Map and the land use designations outlined in this chapter. It suggests the Township adopt the recommendations for revisions to the Zoning Ordinance and Zoning Map.

A Zoning Plan is required by the Michigan Planning and Zoning Enabling Acts. Section 33(d) of the Michigan Planning Enabling Act, PA 33 of 2008, as amended, requires that the Master Plan prepared under that act shall serve as the basis for the community's Zoning Plan. The Michigan Zoning Enabling Act, PA 110 of 2006, as amended, requires a zoning plan to be prepared as the basis for the zoning ordinance. The Zoning Plan must be based on an inventory of conditions pertinent to zoning in the municipality and the purposes for which zoning may be adopted (as described in Section 201 of the Michigan Zoning Enabling Act). This Zoning Plan consists of the Future Land Use Map, the land use designations outlined in this chapter, and the suggestions that the Township adopt the recommendations for revisions to the zoning ordinance and map.

The following table presents the Meridian Township Zoning districts that apply to each of this Plan's Future Land Use designations.

Table 1. Future Land Use and Zoning Map Correlation

Future Land Use Designation	Zoning Districts
R1 Residential	RR, RRR, AG, CV
R2 Residential	RRA, RAAA, RAA
R3 Residential	RA, RB, RX
MR Residential	RX, RD, RDD, RC, RCC, RN, PRD, MP, PUD
Business/Technology	PO, RP, I
Commercial	C-1, C-2, C-3, PO, CR
Mixed Use Planned Unit Development	C-PUD, MUPUD
Mixed Use Core	C-PUD, PUD, MUPUD
Institutional	All Districts
Parks and Open Space	All Districts

Source: McKenna Associates 2016

Not all of the Master Plan's future land use categories will match up with the current location or regulations of the Zoning District to which they most closely correspond. Zoning Ordinance text amendments, map amendments, or new Zoning Districts will be necessary to implement the Future Land Use Plan. The key revisions of the Zoning Ordinance are discussed on the following page.

The Zoning Ordinance is the major tool available to local government to implement the land use mapping element of the Master Plan. The Meridian Township Future Land Use Map indicates residential growth areas of different densities and provides locations for commercial and industrial uses.

### Agricultural/Educational

Preserving agricultural character that was once prevalent throughout the Township. Michigan State University owns and operates this land and uses it for research and living classrooms.

### Residential

In an effort to encourage land preservation, densifying residential development is encouraged instead of expansion to the east. For example, in neighborhoods adjacent to the mixed use centers, the Township is interested in pursuing strategies that would permit accessory dwelling units without altering the existing character of the neighborhoods. Also, the Urban Service Boundary has been redefined to clarify the intended extent of utility service provided by the Township and to help prevent undesired residential sprawl into the natural and agricultural landscapes to the east.

R1: O - O.5 DU/A. Preserving rural and agricultural character through low density. These areas, characterized by agricultural fields, natural settings, wetlands, and stands of vegetation, are generally found in the eastern one-third of the Township. No water and sewer service should be extended to these locations.

**R2**: **0.5** – **3.5 DU/A**. Providing suburban amenities in a medium density environment. The most prevalent residential category in the Township, these areas are characterized by planned aesthetic, proximity to retail and cultural centers, and personal vehicle-centric transportation. These areas are found throughout the western two-thirds of the Township.

R3:1.25 – 3.5 DU/A, with bonus density of up to 5 DU/A. Encouraging residential infill near activity centers to promote density and walkability. This single-family residential category is similar in feel and function to the R2, but has the additional benefit of proximity to mixed use cores of activity. Accessory dwelling units and prioritization of pedestrian movement should be encouraged in these areas. Meridian Township should develop regulations for granting bonus densities to encourage accessory dwelling units on appropriate sites.

As the densest of the single-family residential designations, planned and redeveloped R3 Residential districts should provide more flexible housing options than other single-family residential districts. Planned R3 areas should incorporate into the Township's Zoning Ordinance regulations intended to provide a consistent transition from the Mixed Use Core.

MR: 5 – 14 DU/A. Providing varying design, density, and amenities for multiple-family housing. The multi-family residential category provides housing options of varying intensity. These areas are found throughout the western two-thirds of the Township, between high-intensity commercial uses and low-intensity single-family housing. Bonus densities should be considered for developers that can incorporate inclusionary housing units into 20% of the development.

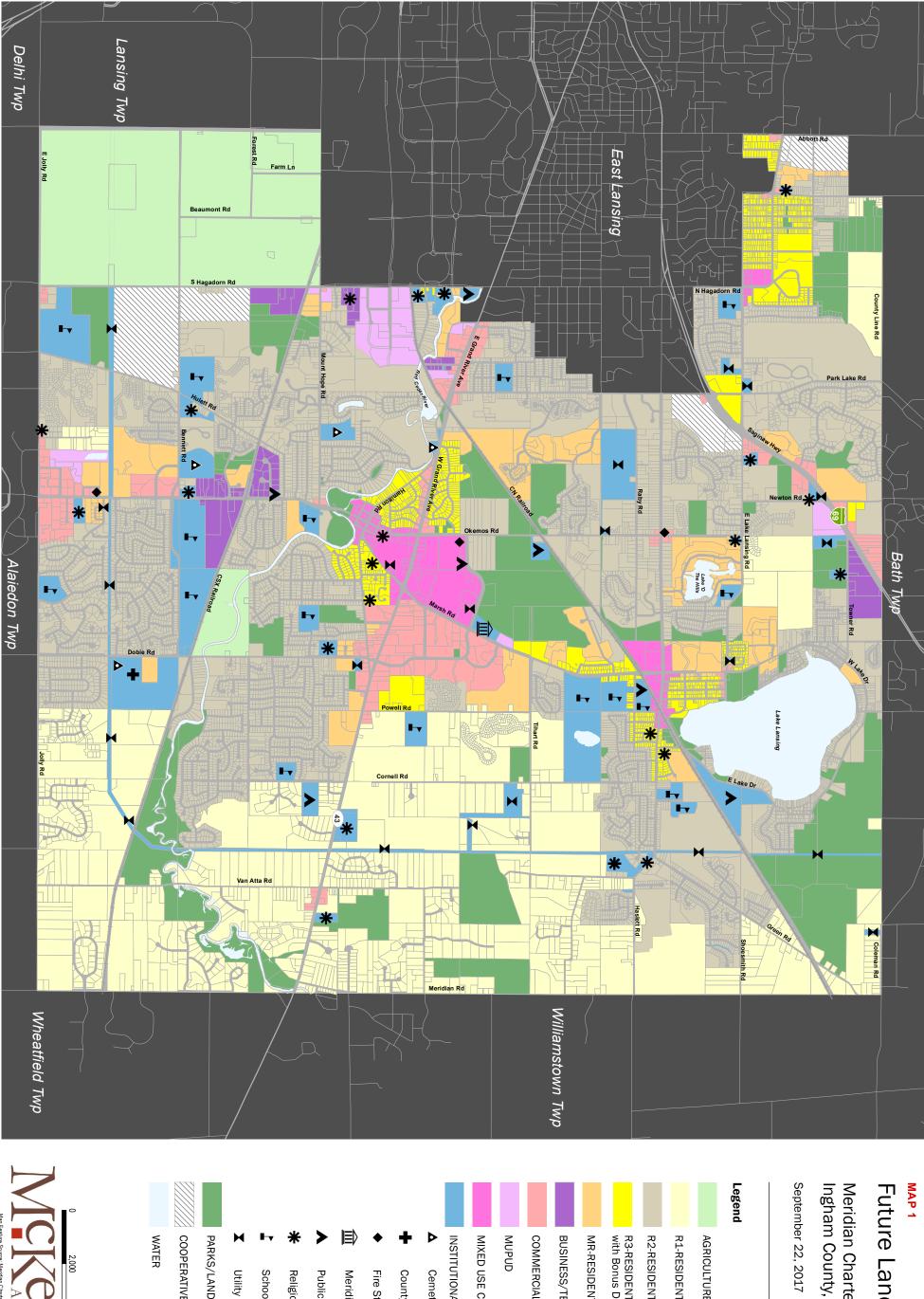








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### Future Land Use

Meridian Charter Township Ingham County, Michigan

																				Legend
COOPERATIVE AGREEMENT	PARKS/LAND PRESERVATION	■ Utility	School	* Religious Institution	Public	Meridian Township Municipal Center	◆ Fire Station	County Medical Center	<b>△</b> Cemetery	INSTITUTIONAL	MIXED USE CORE	MUPUD	COMMERCIAL	BUSINESS/TECHNOLOGY	MR-RESIDENTIAL 5.0-14.0 DU/A	R3-RESIDENTIAL 1.25-3.5 DU/A with Bonus Density Up to 5 DU/A	R2-RESIDENTIAL 0.5-3.5 DU/A	R1-RESIDENTIAL 0.0-0.5 DU/A	AGRICULTURE/EDUCATIONAL	



WATER