

# CHAPTER 1338

## HR - Hotel Resort District

The Hotel Resort (HR) District is for the purpose of accommodating tourist-related land uses along the major routes near tourist attractions. It is important that motor vehicle access be limited and land uses are compatible with peak traffic flows. Uses for these zones include multi-family housing, lodging facilities, accessory offices, and limited uses that are functionally integrated as part of the development.

(Ord. 782. Passed 2-4-08.)

### CROSS REFERENCES

Zoning and planning in home rules cities - MCL 117.4i

Regulation of location of trades, buildings and uses by local authorities - MCL 125.581

Regulation of buildings; authority to zone - MCL 125.582

Regulation of congested areas - MCL 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCL 125.583a

Motels - See BR & T Chapter 836

<p>1338.01 Uses allowed.</p> <p>1338.02 Uses allowed by special land use permit.</p> <p>1338.03 Lot, density and impervious surface provisions.</p> <p>1338.04 Setbacks.</p> <p>1338.05 Encroachments into the setbacks.</p>	<p>1338.06 Building height.</p> <p>1338.07 Accessory buildings.</p> <p>1338.08 Parking, loading and driveways.</p> <p>1338.09 Special requirements.</p>
--	---

### **1338.01 USES ALLOWED.**

The following uses of land and buildings, together with accessory uses, are allowed in the Hotel Resort District:

- R-29 District uses;
- Lodging facilities;
- Offices, and retail shops provided the total floor area of the business or business within a building does not exceed 6,000 square feet in gross floor area on one level;
- Restaurants, family or fine, banquet or meeting rooms, but not drive-ins or drive-throughs and not exceeding 6,000 square feet in gross floor area.
- Drinking places without entertainment, up to 6,000 square feet gross floor area;
- Drinking places with entertainment if not adjacent to, abutting or across an alley from a residential district.
- Veterinary Services, without outdoor runs.
- Recreational Facilities

(Ord. 476. Passed 7-6-99. Ord. 492. Passed 4-17-00. Ord. 623. Passed 3-15-04. Ord. 782. Passed 2-4-08. Ord. 788. Passed 3-17-08. Ord. 844. Passed 8-3-09. Ord. 1010. Passed 9-2-14)

**1338.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.**

The following uses of land and buildings, together with accessory uses, are allowed in the Hotel Resort District if a special land use permit is issued according to the standards of this Code:

- Essential services buildings
- Residential care and treatment facilities
- Transitional housing
- Communication towers and Emergency shelters
- Wind Energy Building-Mount

(Ord. 476. Passed 7-6-99. Ord. 709 . Passed 10-2-06. Ord. 938. Passed 4-2-12. Ord. 1001. Passed 7-7-14)

**1338.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.**

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
50 feet	7,500 sq. feet	44/rooms/acre	70% maximum

(Ord. 476. Passed 7-6-99. Ord. 489. Passed 4-17-00. Ord. 624. Passed 3-15-04. Ord. 885. Passed 11-1-10.)

**1338.04 SETBACKS.**

(a) **Front setbacks:**

**Building:** The minimum setback is the lesser of 8 feet or the average setback of principal buildings on the same face block on the same side of the street. The maximum setback is 25 feet.

**Parking area:** To the side or rear of the principal building and set back a distance at least equal to the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(b) **Side setbacks (minimum):**

**Building:** None, except a minimum 10-foot side setback is required on the side adjoining a residential district. For structures above grade on lots or tracts of land on Grand Traverse Bay, the setback is the greater of 30% of the lot width or the number listed above.

**Parking area:** Minimum of 10 feet if adjacent to an R-district. Otherwise, 5 feet. If shared parking is developed, these setbacks would affect only the perimeter of the combined parcels.

(c) **Rear setbacks:**

**Building:** 5 feet, except a minimum 20-foot rear setback is required if adjacent to or across an alley from a residential district.

**Parking area:** 5 feet. 20 feet if abutting, adjacent to or across an alley from an R-District.

(d) **Corner lots and through lots** shall have a front setback on both streets.

(e) **Water setbacks:** 50 feet inland from the ordinary high water mark of Grand Traverse Bay and Boardman Lake and 25 feet from the ordinary high water mark of Boardman River. Where the dock line is established by City ordinance, it shall be measured inland

from the dock line.

(Ord. 476. Passed 7-6-99. Ord 490. Passed 4-17-00. Ord. 625. Passed 3-15-04. Ord. 716. Passed 1-2-07.)

**1338.05 ENCROACHMENTS INTO THE SETBACKS.**

No encroachments into the required setbacks are allowed except:

- (a) **Eaves, chimneys, sills, belt courses, cornices and ornamental features** not to exceed 18 inches are permitted to extend within the setbacks.
- (b) **Terraces, patios, decks, uncovered and unenclosed porches** and other ornamental features which do not extend more than 30 inches above grade at the nearest side property line may project into a required side setback provided these projections are no closer than 2 feet from the subject side property line.

(Ord. 476. Passed 7-6-99. Ord. 626. Passed 3-15-04.)

**1338.06 BUILDING HEIGHT.**

- (a) **Building height:** Maximum 45 feet.

- (b) **Exceptions:**

**Steeple and clock towers** may be erected to a height not exceeding twice the height of the attached building.

**Parapet walls** may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 476. Passed 7-6-99. Ord. 491. Passed 4-17-00. Ord. 628. Passed 3-15-04. Ord. 729. Passed 3-19-07. Ord. 993. Passed 6-2-14)

**1338.07 ACCESSORY BUILDINGS.**

Accessory buildings shall:

- (a) Only be permitted in the rear yard, except a pool equipment structure may be located in a front or side yard, and except accessory buildings may be located streetward on lots on navigable water and may be located streetward of the principal building on the less traveled street on through lots;
- (b) Be located no closer than 5 feet to any side or rear property line. A boat house up to 250 sq. ft. gross floor area may be built to the water's edge.

(Ord. 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

**1338.08 PARKING, LOADING AND DRIVEWAYS.**

Requirements for parking, loading and driveways are contained in Chapter 1374. In addition, athletic fields may provide up to 50% of the required number of organized parking on an area developed in turf grasses. Grassed parking areas are considered as providing one parking space for every 350 square feet of continuous turf-covered area. All grassed parking areas shall be maintained in a healthy, vigorous growing condition and shall not be used more than 12 times per calendar year. When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed.

Any residential building or driveway constructed after the effective date of this zoning code which has access to a maintained alley shall not have access to a street nor shall a parking area

be located in the front yard.

For parcels having alley access, the parking of a boat, motor home, camper, utility trailer or other recreational vehicle is limited to the rear yard.

(Ord. 476. Passed 7-6-99. Ord. 762. Passed 7-2-07.)

**1338.09 SPECIAL REQUIREMENTS.**

The following are additional requirements for hotel, motel and restaurant uses:

- (a) Mechanical equipment shall be screened from public view using the same materials used for the building walls or material which is approved by the Planning Director as visually compatible with the building.
- (b) The main entry door of the principal building must face the street.
- (c) Window openings in the principal building must constitute a minimum of 40 percent of the area of the first story street wall facing any public street unless the building is solely for residential use.
- (d) Window glazing shall be recessed from the outside of all walls.
- (e) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street-facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements, however, offsets in any wall shall not be less than eight inches from the subject plane.
- (f) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience.

(Ord. 476. Passed 7-6-99. Ord. 627. Passed 3-15-04. Ord. 993. Passed 6-2-14)