

CHAPTER 1358

H - Hospital Districts

The H-1 and H-2, Hospital Districts are for the purpose of accommodating medical centers, hospitals and all their normally related functions, if properly sited in relation to each other and pursuant to an approved plan for that district. The difference between the H-1 and H-2 districts are fewer uses but greater size allowed in the H-2 district. Developments in the H-2 district shall be functionally integrated with other buildings and parking areas and be in substantial conformity with the Hospital Master Site and Facilities Plan.

CROSS REFERENCES

- Zoning and planning in home rules cities - MCLA 117.4i
- Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581
- Regulation of buildings; authority to zone - MCLA 125.582
- Regulation of congested areas - MCLA 125.583
- Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a
- Signs - B & H Chapter

<p>1358.01 Uses allowed.</p> <p>1358.02 Uses allowed by special land use permit.</p> <p>1358.03 Lot, density and impervious surface provisions.</p> <p>1358.04 Setbacks.</p> <p>1358.05 Encroachments into the setbacks.</p>	<p>1358.06 Building height.</p> <p>1358.07 Accessory buildings.</p> <p>1358.08 Parking, loading and driveways.</p> <p>1358.09 Special requirements.</p>
--	---

1358.01 USES ALLOWED.

- (A) Master Site Facilities Plan. When applying for a land use permit for H-2 District properties, the applicant shall present a Master Site and Facilities Plan for the current uses on all contiguous property owned by applicant and all anticipated uses within a minimum of the next five years. This plan shall show adjacent properties sufficiently to identify surrounding uses and potential impacts on them by the applicant's plan and shall conform to the requirements of Traverse City Code Section 1366.08, *Master Site and Facilities Plans*.
- (B) H-1 District. The following uses of land and buildings, together with accessory uses, are allowed in the H-1 Hospital District:
 - Community Gardens;
 - Dormitories;
 - Dwellings, multiple family, up to 29 dwelling units per acre;
 - Group day care homes;
 - Florists;
 - Health services, including clinics of doctors and dentists;
 - Hospitality houses;

HOSPITAL DISTRICTS

- Medical Marihuana Collective meeting the following requirements:
 - (1) Use and transfer of Medical Marihuana shall comply at all times with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
 - (2) Transfer of Medical Marihuana shall be only allowed to a Qualifying Patient directly in person by his or her Registered Primary Caregiver or by another Qualifying Patient as allowed by the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
 - (3) The Collective shall not be in operation between the hours of 10:00 p.m. and 7:00 a.m.
 - (4) No Medical Marihuana Cultivation shall occur on the parcel.
 - (5) Except for parents or guardians of a Qualifying Patient and the Owner or staff of the facility, persons other than a Qualifying Patient or Primary Caregiver shall be not permitted within the Collective when Medical Marihuana is being transferred or used.
 - (6) A Qualifying Patient under the age of 18 shall be accompanied by a parent or guardian and notice of such shall be conspicuously posted.
 - (7) A Medical Marihuana Collective shall not be located within a 1,000 foot radius from any existing School.
 - (8) A Medical Marihuana Collective shall not be located within 1000 feet from another existing Collective.
 - (9) An Owner or Operator of a Medical Marihuana Collective shall not have been convicted of a felony involving controlled substances.
 - (10) The name and address of all persons with an ownership interest in the Medical Marihuana Collective and all Operators of the Medical Marihuana Collective shall be provided to the Zoning Administrator at least ten (10) business days prior to opening the Medical Marihuana Collective and least ten (10) business days prior to when a new person owns or operates the Medical Marihuana Collective.
- Residential care and treatment facilities.

The following uses, if they meet the requirements of an accessory use, except that they need not be in the same building or on the same lot:

- Duplicating, mailing, stenographic and office services no larger than 2,000 square feet gross floor area;
- Schools for the handicapped;
- Educational services to the public related to health care;
- Financial institutions with no drive-throughs;
- Gift shops no larger than 2,000 square feet gross floor area;
- Orthopedic stores;
- Pharmacies no larger than 2,000 square feet gross floor area;
- Places of worship;
- Recreational Facilities
- Restaurants, family, fine and fast, under 2,000 square feet in gross floor

HOSPITAL DISTRICTS

- area without drive-throughs or drive-ins;
 - Social services;
 - Veterinary Services, without outdoor runs
- (C) H-2 District. The following uses of land and buildings, together with accessory uses, are allowed in the H-2 District:
- H-1 District uses;
 - Health services;
 - Hospitality houses;
 - Hospitals and medical centers;
 - Medical care facilities;
 - Parking structures, public or private, subject to the following standards:
 - (1) Parking structures shall be designed to have horizontal versus stepped or sloping levels at areas of public view. All ramping shall be concealed from public view.
 - (2) Openings shall not exceed 60 percent of the total wall surface. Openings shall be vertical or square.
 - (3) Sloped roofs are not required for parking structures, however:
 - A. The upper and lowest level of parking shall incorporate sufficient screening to shield cars from public view.
 - B. Parapet treatment is required to terminate the deck and give proper architectural finish to the structure. Cornices, overhangs and other devices which are consistent with the design of historical buildings may be employed.
 - (4) The design of parking decks shall be complementary to the design of historical buildings in the area.
 - Residential care and treatment facilities.

(Ord. No. 476. Passed 7-6-99. Ord. No. 550. Passed 12-3-01. Ord. 591. Passed 1-06-03. Ord. 602. 6-2-03. Ord. 668. Passed 03-21-05. Ord. 842. Passed 8-3-09. Ord. 844 Passed 8-3-09. Ord. 880. Passed 8-16-10. Ord. 904. Passed 2-7-11.)

1358.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

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

- Communication towers;
- Essential services buildings;
- Landing areas;
- Taller buildings for H-2 district uses;
- Transitional housing and Emergency shelters
- Wind Energy Pole/Tower-Mount
- Wind Energy Building-Mount

(Ord. No. 476. Passed 7-6-99. Ord. No. 550. Passed 12-3-01. Ord. 938. Passed 4-2-12. Ord. 1007. Passed 7-7-14. Ord. 1010. Passed 9-2-14)

1358.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

HOSPITAL DISTRICTS

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
20 feet	No minimum.	29 dwelling units/acre	H-1: 70% maximum H-2: 60% maximum

(Ord. No. 476. Passed 7-6-99. Ord. No. 551. Passed 12-3-01. Ord. No. 568. Passed 7-1-02.)

1358.04 SETBACKS.

(A) **Front setbacks:**

Buildings: H-1: The lessor of 8 feet or the average setback of principal buildings on the same face block. H-2: 25 feet or as shown on the approved Master Site and Facilities Plan allowing a lesser setback.

Parking areas: H-1: Behind or to the side of the principal building and set back a distance equal to the setback of 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 no closer than 25 feet from the front property line. H-2: Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater, or as shown on the approved Master Site and Facilities Plan allowing a lesser setback.

(B) **Side setbacks (minimum):**

Building: 5 feet, except a 10-foot side setback is required on the side abutting an R-District.

Parking areas: If contiguous to an R-district, a minimum of 10 feet. 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 20 feet if abutting or adjacent to an R-district.

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

(D) **Corner lots and through lots** having a frontage on two streets shall provide the required front setback on both streets.

(E) **An additional setback** of one foot for each foot of building height above 45 feet is required for any portion of a building above 45 feet.

(Ord. 476. Passed 7-6-99. Ord. 608. Passed 7-21-03.)

1358.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into the setbacks are allowed.

(Ord. 476. Passed 7-6-99.)

1358.06 BUILDING HEIGHT.

(A) **Building height:**

H-1: Maximum 45 feet.

H-2: West of Elmwood Avenue (within 100 feet of the right-of-way) 110 feet maximum

Remaining area: 90 feet maximum
More than 60 feet may be allowed by SLUP or PUD.

- (B) **Exceptions:**
Steeple and clock towers may be erected to a height the lessor of twice the height of the attached building or 110 feet.
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. 704. Passed 7-17-06. Ord. 739. Passed 3-19-07.)

1358.07 ACCESSORY BUILDINGS.

Accessory buildings shall:

- (A) Not be permitted in the front yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.
(B) Not be closer than 5 feet to any side or rear property line.
(Ord 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

1358.08 PARKING, LOADING AND DRIVEWAYS.

- (A) 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.
(B) Parking is not required for upper story dwellings above a first floor commercial or office use.
(C) All parking areas within the same block shall be designed to allow interconnection to neighboring parking areas.
(Ord. 476. Passed 7-6-99.)

1358.09 SPECIAL REQUIREMENTS.

The following requirements apply:

- (A) All roof-mounted equipment, including satellite dishes and other communication equipment, shall be screened from view by a parapet or similar architectural feature. The equipment shall not be visible from recreation trails or from public sidewalks adjacent to the site.
(B) All equipment and activities shall be screened and placed so as to create no noise disturbance on any neighboring property.
(C) No material, equipment, or goods of any kind shall be stored on the roof of any building or outside unless otherwise allowed by ordinance.
(Ord 476. Passed 7-6-99.)