

# TRAVERSE CITY PLANNING COMMISSION REGULAR MEETING

TUESDAY, August 5, 2014

**7:30** P.M.

Commission Chambers  
Governmental Center, 2nd Floor  
400 Boardman Avenue  
Traverse City, Michigan 49684

Posted: August 1, 2014

## AGENDA

The City of Traverse City does not discriminate on the basis of disability in the admission or access to or treatment or employment in, its programs or activities. Penny Hill, Assistant City Manager, 400 Boardman Avenue, Traverse City, Michigan 49684, 922-4440, T.D.D., 922-4766, has been designated to coordinate compliance with the non-discrimination requirements. If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator.

Planning Commission  
c/o Russell Soyring, Planning Director  
400 Boardman Avenue, Traverse City, MI 49684  
231-922-4778

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **ANNOUNCEMENTS**
4. **APPROVAL OF MINUTES**
  - A. July 1, 2014 Regular Meeting and July 15, 2014 Study Session minutes (Approval recommended)
5. **OLD BUSINESS**
  - A. Consideration of an amended request by Bonnie Adams, of 441 Fair Street, to vacate a portion of an alley located north of the 1400 block of Eighth Street (Action Requested)

- B. Public Hearing to consider an amendment to the Traverse City Code of Ordinances Sections 1320.07, *Definitions*; 1328.01 Open Space (OS) District *Uses Allowed*; 1338.01 Hotel Resort (HR) District *Uses Allowed*; 1340.01 Office Service (C-1) District *Uses Allowed*; 1344.01 Community Center (C-3) District *Uses Allowed*; 1350.01 Government/Public (GP) District *Uses Allowed*; and 1358.01 Hospital (H) Districts *Uses Allowed*; regarding recreational facilities.

- C. 2015 Street Projects- Review for consistency with Master Plan- (Action requested)

**6. NEW BUSINESS**

- A. 808 Carver- possible rezoning request- letter from Turning Leaf Inc. (Discussion)
- B. Housing and Building Committee proposed recommended changes to Accessory Dwelling Overlay Ordinance (Discussion)
- C. Possible establishment of a Parking Regulation Committee (Action Requested)

**7. CORRESPONDENCE**

- A. Boardman River Watershed Collective Impact Plan invitation
- B. Seventh Street handouts from Adrienne Rossi

**8. REPORTS**

- A. City Commission- Commissioners Easterday and Werner
- B. Board of Zoning Appeals- Commissioner Bergman
- C. Grand Traverse Commons Joint Planning Commission- Commissioners Serratelli and Warren
- D. Planning Commission
  - 1. Housing Building Committee— Commissioner Bergman
  - 2. Active Transportation Committee—Commissioner Werner
  - 3. Master Plan Review Committee—Commissioners Bergman, Dow and Twietmeyer
- E. Planning Department—Mr. Soyring
  - 1. Capital Improvement Program—Mrs. Luick

**9. PUBLIC COMMENT**

**10. ADJOURNMENT**

# MINUTES

## TRAVERSE CITY PLANNING COMMISSION

TUESDAY, July 1, 2014

7:30 P.M.

Commission Chambers  
Governmental Center, 2nd Floor  
400 Boardman Avenue  
Traverse City, Michigan 49684

**PRESENT:** Vice-Chairperson Jody Bergman, Commissioners Michael Dow, Jeanine Easterday, Janet Fleshman, Cecil McNally, Chairperson John Serratelli, Janice Warren and Tim Werner

**ABSENT:** Commissioner Bill Twietmeyer.

**STAFF PRESENT:** Russ Soyring, Planning Director; Missy Luick, Planning and Engineering Assistant

1. **CALL MEETING TO ORDER-** Chairperson Serratelli called the meeting to order at 7:30 p.m.

2. **ROLL CALL**

3. **ANNOUNCEMENTS**

Mr. Soyring announced that the Planning Commission is invited, along with the Downtown Development Authority, Grand Traverse Commons Joint Planning Commission, Board of Zoning Appeals, and Historic Districts Commission to attend the July 14, 2014 City Commission study session regarding a presentation by MEDC's Redevelopment Ready Communities program.

Mr. Soyring also announced that the July 15 study session topic will be regarding a discussion on overnight parking during the summer months.

Chairperson Serratelli announced that the City Planning Department purchased a handheld pocket radar recorder. It can be used for traffic safety or neighborhood safety. The device can be checked out by residents through the Planning Department.

4. **APPROVAL OF MINUTES**

A. June 3, 2014 Regular Meeting and June 17, 2014 Special Meeting minutes (Approval recommended)

Motion by Commissioner Warren, second by Commissioner Bergman that the June 3, 2014 Regular Meeting and June 17, 2014 Special Meeting minutes be approved.

Motion carried 8-0 (Commissioner Twietmeyer absent).

**5. OLD BUSINESS**

- A.** Public Hearing to consider a Special Land Use Permit request by Sandy Oliver, 1012 Centre Street, for a Group Daycare Home at the property mentioned (Action requested)

Mrs. Luick summarized her June 26, 2014 memo and the Staff Report dated June 27, 2014.

Motion by Commissioner Easterday, second by Commissioner Warren, that the request for a Special Land Use Permit 14-SLUP-01 to allow for a Group Day Care Home at 1012 Centre Street be hereby approved by the Planning Commission provided that the general and specific standards in sections 1364.02 and 1364.08 (i) respectively are met, any violations noted by the Fire Marshall are corrected, all necessary State licenses are obtained and "Approved Child Care Provider" identification is prominently displayed in a street side window; and further that the recommendation be passed along to the City Commission for consideration.

A public Hearing was opened. The Public Hearing was closed.

Motion carried 8-0 (Commissioner Twietmeyer absent).

- B.** Consideration of an amended request by Bonnie Adams, of 441 Fair Street, to vacate a portion of an alley located north of the 1400 block of Eighth Street (Action Requested)

Mr. Soyring summarized his June 26, 2014 memo to the Commission and distributed a photograph of the alley vacation site.

Commission discussion.

The following members of the public commented on the topic:

- Marion Fossil, of 4891 E. Mobile Trail, non-city resident and city property owner, opposes the request
- Bonnie Adams, 441 Fair Street, city resident, made general comments

Commission discussion. Commission consensus was to have staff verify how the vacated alley would be divided and to provide a better map depicting the city alley property in the alley vacation area and to discuss the matter again at the August 5, 2014 regular meeting.

- C. Recreation facilities ordinance amendment (For introduction and possibly scheduling a Public Hearing for August 5, 2014)

Mr. Soyring summarized his June 26, 2014 memo to the Commission.

Commission discussion.

Motion by Commissioner Warren, second by Commissioner McNally, that a Public Hearing be scheduled for August 5, 2014 to consider an amendment to the Traverse City Code of Ordinances Sections 1320.07, *Definitions*; 1328.01 Open Space (OS) District *Uses Allowed*; 1338.01 Hotel Resort (HR) District *Uses Allowed*; 1340.01 Office Service (C-1) District *Uses Allowed*; 1342.01 Neighborhood Center (C-2) District *Uses Allowed*; 1344.01 Community Center (C-3) District *Uses Allowed*; 1346.01 Regional Center (C-4) Districts *Uses Allowed*; 1347.01 Development (D) Districts *Uses Allowed*; 1348.01 Transportation (T) District *Uses Allowed*; 1350.01 Government/Public (GP) District *Uses Allowed*; 1354.01 Industrial (I) District *Uses Allowed*; 1356.01 Northwestern Michigan College (NMC) Districts *Uses Allowed*; and 1358.01 Hospital (H) Districts *Uses Allowed*; as described in the Planning Director's memo dated June 26, 2014 regarding recreational facilities.

Motion carried 8-0 (Commissioner Twietmeyer absent).

- D. NACTO "Urban Street Design Guide" Possible Endorsement (Action Requested)

Mr. Soyring explained that the City's Infrastructure Strategy Policy was first adopted in 2009. The Complete Streets policy was adopted in 2011. If the Planning Commission agrees, then the NACTO "Urban Street Design Guide" would be recommended to the City Commission to be included in the Infrastructure Strategy Policy.

Commission discussion.

Motion by Commissioner Bergman, second by Commissioner McNally, that the National Association of City Transportation Officials 'Urban Street Design Guide' be recommended by the Planning Commission for its inclusion as a technical resource as part of the City's Infrastructure Strategy Policy and such recommendation be forwarded to the City Commission for their consideration.

Commission discussion included checking to see if an electronic version of the book can be shared with the Planning and City Commissions.

**PLANNING COMMISSION  
REGULAR MEETING MINUTES  
JULY 1, 2014  
Page 4**

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Motion carried 8-0 (Commissioner Twietmeyer absent).

**6. NEW BUSINESS-** None.

**7. CORRESPONDENCE -** None.

**8. REPORTS**

**A.** City Commission- No report.

**B.** Board of Zoning Appeals- No report.

**C.** Grand Traverse Commons Joint Planning Commission- No report.

**D.** Planning Commission

1. Housing Building Committee— No report

2. Active Transportation Committee—Commissioner Werner and Mrs. Luick reported regarding a recent presentation on the draft plan to MDOT's North Region Bicycle and Pedestrian Committee.

3. Master Plan Review Committee—No report.

**E.** Planning Department—Mr. Soyring updated the Commission regarding parking needs in the Grand Traverse Commons

1. Capital Improvement Program—No report.

**9. PUBLIC COMMENT**

Commissioner Easterday inquired about the status of the Union Street reconstruction project and whether crosswalks, gateway features, additional landscaping or street furniture (as recommended in the Corridor Plan) are included in the project that is currently under construction. Mr. Soyring will provide a project update at the next meeting.

Commissioner Easterday also inquired about the 8<sup>th</sup> Street Restriping Project. Mr. Soyring verified that the City Commission authorized a contract for a 3 lanes with bike lanes design.

Commissioner Warren inquired if affordable housing would still be discussed by the Housing Building Committee since there is now a new committee of elected officials discussing the topic. Commission discussion.

**10. ADJOURNMENT-** Meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
Jan Warren, Secretary

# STUDY SESSION MINUTES TRAVERSE CITY PLANNING COMMISSION

TUESDAY July 15, 2014

7:30 P.M.

Commission Chambers  
Governmental Center, 2nd Floor  
400 Boardman Avenue  
Traverse City, Michigan 49684

**PRESENT:** Vice-Chairperson Jody Bergman, Commissioners Jeanine Easterday, Janet Fleshman, Cecil McNally, Chairperson John Serratelli, Bill Twietmeyer, Janice Warren, and Tim Werner

**ABSENT:** Commissioner Michael Dow

**STAFF PRESENT:** Russ Soyring, Planning Director; Missy Luick, Planning and Engineering Assistant; Tim Lodge, City Engineer

1. **CALL MEETING TO ORDER-** The meeting was called to order by Chairperson Serratelli at 7:30 p.m.

2. **ROLL CALL**

3. **ANNOUNCEMENTS-** Chairperson Serratelli announced that the August 19, 2014 Study Session will be cancelled.

4. **WEST FRONT STREET STREETScape CONCEPTS (DISCUSSION)**

Mr. Soyring explained that the Commission already approved the West Front Street Bridge Replacement project (that included the streetscape) for consistency with the Master Plan on 3/18/14. However, now that the project is in design, there are some additional concepts that staff would like input from the Commission on. If the decision is to change the project from what was already approved, then a motion will be required at the August 5 meeting.

Mr. Lodge explained that the rendering by Dave Weston was what was approved in March. The City has engaged the services of Nate Elkins, Influence Design Forum, to explore several alternative concepts for consideration by the Commission.

Mr. Elkins gave a brief presentation and presented four options to the Commission for consideration.

Commissioner Easterday left the meeting at 7:50 p.m.

Commissioner Easterday returned at 7:54 p.m.

Commission discussion.

The following made public comments on the subject:

- Sandy Cartwright- 607 N Elmwood Ave, made general comments
- Adrienne Rossi, 312 W 7<sup>th</sup> Street, made general comments

**5. OVERNIGHT PARKING (DISCUSSION)**

Mr. Soyering introduced the topic and stated that the City Manager requested that the Planning Commission discuss the topic due to its land use impact. Mr. Soyering included parking restrictions in Traverse City and other communities in the packet for information.

Commission discussion included willingness to try a temporary or trial overnight parking period or extending the on-street permit system. Discussion included exploring the existing street permit system that is in place on Railroad Ave and Cedar Street. If the city decides to move forward with overnight parking, discussion included keeping the overnight parking rules simple and not confusing like it tends to be in university cities. Discussion included questions about boat/RV/motor home storage on the street. Some Commissioners questioned the need for overnight parking in general and wondered if there is currently a problem that needs to be solved.

The following made public comment on the subject:

- Adrienne Rossi, 312 W 7<sup>th</sup> Street, made general comments

**6. PUBLIC COMMENT-** None.

**7. ADJOURNMENT-** Meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
Jan Warren, Secretary



## Communication to the Planning Commission

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FOR THE MEETING OF: August 5, 2014

FROM: Russ Soyring, Planning Director

SUBJECT: Amended request from Bonnie Adams to vacate a portion of an unimproved alley on the 1400 Block of Eighth Street

DATE: August 1, 2014

In November 2013, the Planning Commission considered a request by Bonnie Adams, 441 Fair Street, to vacate a portion of unimproved alley near the corner of 8<sup>th</sup> and Fair Streets. The alley requested to be vacated provides vehicular access to 449 Fair Street and could provide formal access to 1409 East Eighth Street. 1409 East Eighth Street is served by a driveway on East Eighth Street. The alley falls within a TC-3 Traditional Neighborhood.

Last year, City Departments reviewed the request and were supportive provided that utility easements are provided on the vacated portion of the alley. The Planning Department was supportive of the request provided an ingress/egress easements are recorded for 449 Fair Street and 1409 East Eighth Street. However, due to the difficulty providing access for 449 Fair and 1409 8th St by vacating the entire alley, Ms. Adams, upon consultation with Russ Soyring and Lauren Tribble-Laucht, has amended her alley vacation request to be only the northern ½ of the alley (see attached map), thus ingress/egress for 449 Fair and 1409 E. Eighth Street are still provided by the remaining southern ½ of the alley.

City Departments reviewed the amended request and are supportive provided that utility easements are provided on the vacated portion of the alley.

At the July 1, 2014 Planning Commission meeting staff was asked to verify how the vacated alley would be divided and to provide a better map depicting the subject city alleyway. After conferring with Lauren Tribble-Laucht, City Attorney if the alley is vacated as shown in the highlighted area on the attached map, the vacated portion of the alleyway would go entirely to the parcel addressed 441 Fair Street. Staff was also able to determine that should a person access property at 1409 East Eighth Street via the alley, it is theoretically possible to turn a full size vehicle with a 20-foot boat on a trailer around in the rear yard. This assumes any trees or other obstructions are removed.

The Michigan Municipal Planning Act states that a master plan shall include those subjects that reasonably can be considered as pertinent to the future development of the planning jurisdiction. Included in the list of subjects is the vacating or extension of streets. The Traverse City Master Plan mentions alleys as part of the infrastructure that is characteristic of a TC-3 Neighborhood. Although, formal review by the Planning Commission is not required, as a matter of practice, the Planning Commission has reviewed street and alley vacations since it

impacts land use and circulation patterns. According to the Planning Commission Rules and Procedures, the “(Planning) Commission may hold a public hearing as is deemed advisable for public street and alley vacations and openings.” The City Commission is the body that formally makes a decision by resolution after holding a public hearing. The Planning Department is interested in receiving input from the Planning Commission on this matter.

If the Planning Commission is interested in holding a public hearing on this vacation request the following motion is appropriate:

**I move that the request from Bonnie Adams, of 441 Fair Street, to vacate a portion of an east/west alley north of the 1400 block of 8th Street be introduced and scheduled for a Public Hearing on September 3, 2014.**

If the Planning Commission concludes a public hearing is not necessary, the Planning Commission can formally make a recommendation to vacate or not vacate in a form of a motion. Such as:

Approval:

**I move that the request from Bonnie Adams, of 441 Fair Street, to vacate a portion of an east/west alley north of the 1400 block of East 8<sup>th</sup> Street provided utility easements are provided be hereby approved by the Planning Commission and such recommendation be forwarded to the City Commission for their consideration.**

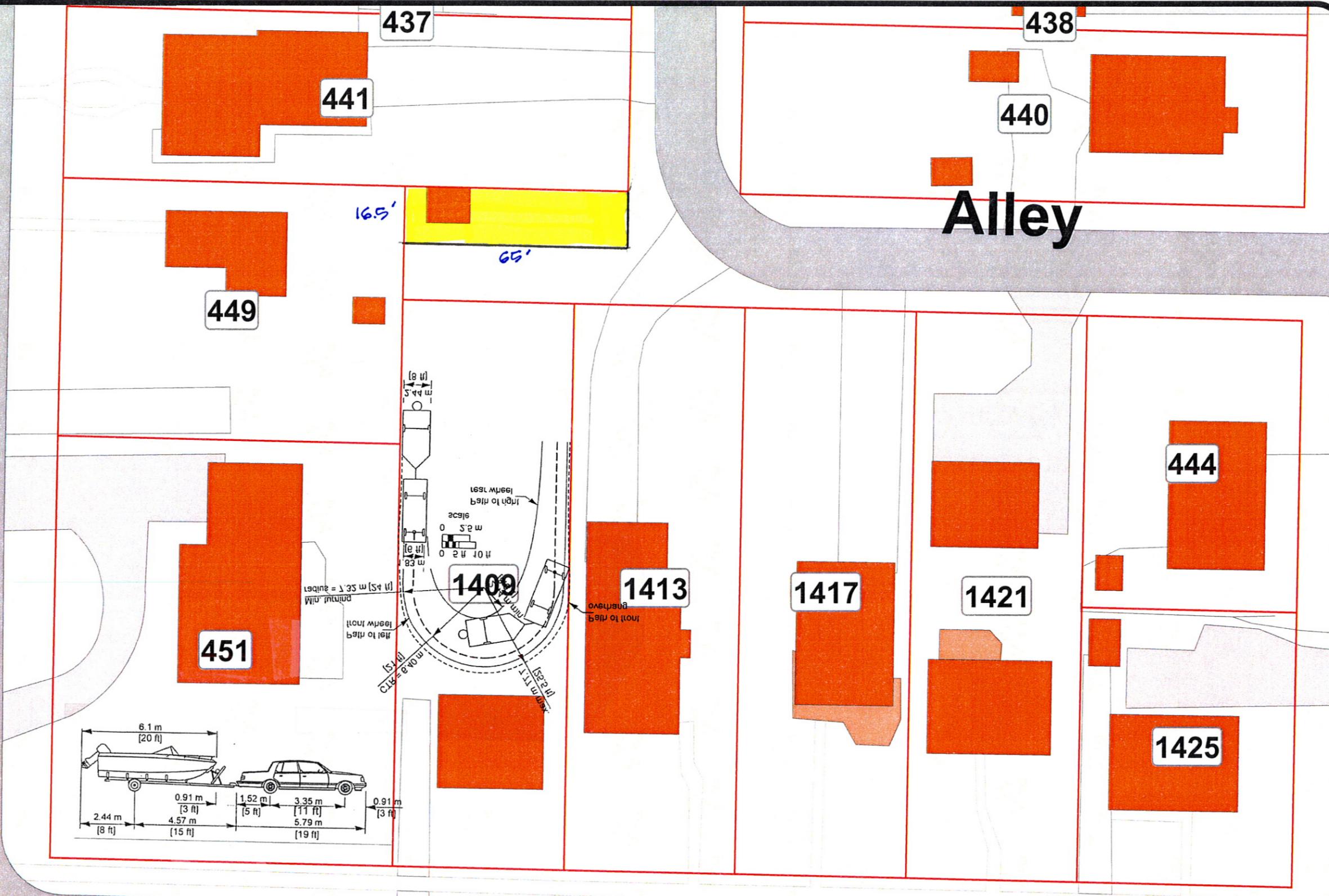
Denial:

**I move that the request from Bonnie Adams, of 441 Fair Street, to vacate a portion of an east/west alley north of the 1400 block of East 8<sup>th</sup> Street be hereby denied by the Planning Commission and such recommendation be forwarded to the City Commission for their consideration.**

Attachment: Map of Area

RAS/ml

FAIR ST



E EIGHTH ST

1400

Legend

- Road Names
- Parcels



1 inch = 30 feet

This map is based on digital databases from the City of Traverse City. Traverse City cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties expressed or implied.



## Communication to the Planning Commission

FOR THE MEETING OF:                   AUGUST 5, 2014

FROM:                                   RUSS SOYRING, PLANNING DIRECTOR

SUBJECT:                               RECREATIONAL FACILITIES ORDINANCE AMENDMENT PUBLIC HEARING

DATE:                                   AUGUST 1, 2014

At the June 17 and July 1 Planning Commission meetings, the Commission discussed possible amendments regarding regulations for recreational uses. At the July 1 meeting, the Commission set a public hearing for August 5.

Recreational facilities currently are allowed in OS (Open Space) and GP (Government Public) Districts and are defined as a **“public or private non-profit facility for athletic activities such as ice arenas, stadiums, indoor sports areas, community recreation centers, indoor and outdoor swimming pools.”**

“Amusement and recreational services” are allowed in the C-3 (Community Center) and C-4 (Regional Center) districts. Recreational services are not defined in the zoning code so staff relies on the Standard Industrial Classification Manual as an interpretative guide. This guide states this category of uses “includes establishments engaged in providing amusement or entertainment services, not elsewhere classified.”

The Zoning Code also regulates Mechanical amusement arcades, athletic fields and golf courses. Mechanical Arcades are allowed with conditions and limitations in the C-3 and C-4 Districts. See section 1344.01. Athletic fields and golf courses are allowed in the R Districts and any district that allows R District uses such the C Districts.

A brief summary of the proposed recreational facility amendments to the Zoning Ordinance:

1. Amend the definition of “Recreational facilities” to read, **“Recreational facilities means buildings or grounds, excluding amusement parks where a variety of sport or exercise activities are offered.”**
2. Add **“Recreation Facilities with spectator seating capacity of 200 or less”** to all zoning districts (OS, HR, C-1, C-2, C-3, C-4, D, T, GP, I, NMC and H) except for the R Districts.
3. Eliminate **“Amusement and recreation services”** as a use listed in the C-3 and C-4 Districts. (It is confusing to have both “Recreational facilities” and “Amusement and recreation services” listed as a permitted uses.)

4. Eliminate **“Mechanical amusement arcades”** with the associated conditions in the C-3 and C-4 Districts. Mechanical amusement arcades would be incorporated as a use by right under the revised Recreational facility definition.

Recreational facilities with more than 200 seats for spectators could be allowed by Special Land Use Permit or allowed by right with specific conditions. Stadiums have unique traffic, parking, lighting and sound issues and would be best handled by creating a special district with a campus plan, an overlay district or Special Land Use Permit. Amusement parks could also be allowed by Special Land Use Permit. Special Land Use Permit regulations for stadiums and amusement parks are not included in the current ordinance amendment, but could be considered at a future time if the Commission feels it is necessary.

Following the public hearing, if you are in agreement with the suggested amendments, the following motion would be appropriate:

**I move that an amendment to the Traverse City Code of Ordinances Sections 1320.07, *Definitions*; 1328.01 Open Space (OS) District *Uses Allowed*; 1338.01 Hotel Resort (HR) District *Uses Allowed*; 1340.01 Office Service (C-1) District *Uses Allowed*; 1344.01 Community Center (C-3) District *Uses Allowed*; 1350.01 Government/Public (GP) District *Uses Allowed*; and 1358.01 Hospital (H) Districts *Uses Allowed*; regarding recreational facilities be recommended by the Planning Commission and such recommendation be forwarded to the City Commission for their consideration.**

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. \_\_\_\_\_

Effective date: \_\_\_\_\_

TITLE: RECREATIONAL FACILITY USE ALLOWED ORDINANCE AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Open Space District Section 1328.01, *Uses allowed*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

**1328.01 USES ALLOWED.**

The following uses of land and buildings, together with accessory uses, are allowed in the Open Space District, with buildings less than 3,000 square feet in gross floor area:

- Airport clear zones;
- Athletic fields;
- Boat houses;
- Boat liveries;
- Cultural facilities;
- Community Gardens;
- Essential services without buildings;
- Golf Courses
- Marinas
- Outdoor public swimming pools
- Parks
- Playgrounds
- Recreational Facilities with spectator seating capacity of 200 or less
- Theaters in municipality owned buildings built prior to 2013

The effective date of this Ordinance is the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2014, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2014, at a regular meeting of the City Commission by a vote of Yes: \_\_\_\_ No: \_\_\_\_ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

\_\_\_\_\_  
Michael Estes, Mayor

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on \_\_\_\_\_.

\_\_\_\_\_

Benjamin C. Marentette, City Clerk

**TRAVERSE CITY CODE OF ORDINANCES**

**ORDINANCE AMENDMENT NO. \_\_\_\_\_**

Effective date: \_\_\_\_\_

TITLE: RECREATIONAL FACILITY USE ALLOWED ORDINANCE AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Hotel Resort District Section 1338.01, *Uses allowed*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

**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;
- Recreational Facilities with spectator seating capacity of 200 or less.
- 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.
- Vacation Home Rentals maintaining a City Vacation Home Rental license.
- Veterinary Services, without outdoor runs.

The effective date of this Ordinance is the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2014, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2014, at a regular meeting of the City Commission by a vote of Yes: \_\_\_\_ No: \_\_\_\_ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

\_\_\_\_\_  
Michael Estes, Mayor

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on \_\_\_\_\_.

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

**TRAVERSE CITY CODE OF ORDINANCES**

**ORDINANCE AMENDMENT NO. \_\_\_\_\_**

Effective date: \_\_\_\_\_

TITLE: RECREATIONAL FACILITY USE ALLOWED ORDINANCE AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Office Service District Section 1340 .01, *Uses allowed*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

**1340.01 USES ALLOWED.**

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

- R-29 District uses;
- Art galleries;
- Business services;
- Educational services, except schools;
- Engineering, accounting, research, management & related services except testing and laboratory services;
- Finance, insurance and real estate services;
- Funeral services, excepting crematories;
- Health services except hospitals, sales and rentals;
- Legal services;
- Mailing services;
- Membership organizations;
- Offices;
- Personal services, including walk-in laundry and dry cleaning pick-up stations, but laundry cleaning and garment services are not allowed and without drive-throughs;
- Places of worship;
- Public administration, except correctional institutions;
- Recreational Facilities with spectator seating capacity of 200 or less.
- Repair services - watch, clock and jewelry;
- Repair services - reupholstery and furniture;
- Security services exclusive of sales and installation;
- Social services;
- Vacation Home Rentals maintaining a City Vacation Home Rental license;
- Veterinary Services, without outdoor runs.

The effective date of this Ordinance is the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2014, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2014, at a regular meeting of the City Commission by a vote of Yes: \_\_\_\_ No: \_\_\_\_ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

\_\_\_\_\_

Michael Estes, Mayor

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Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on

\_\_\_\_\_.

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Benjamin C. Marentette, City Clerk

# TRAVERSE CITY CODE OF ORDINANCES

## ORDINANCE AMENDMENT NO. \_\_\_\_\_

Effective date: \_\_\_\_\_

TITLE: RECREATIONAL FACILITY USE ALLOWED ORDINANCE AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Community Center Districts Section 1344.01, *Uses allowed*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

### **1344.01 USES ALLOWED.**

The following uses of land and buildings, together with accessory uses, are allowed in the Community Center district:

- HR District uses;
- C-2 District uses;
- ~~Amusement and recreation services (see mechanical amusement arcades below);~~
- Communication establishments;
- Contractors, with no outside storage;
- Drinking places with entertainment;
- Equipment rental and leasing;
- Finance services, including those having drive throughs subject to the standards of Section 1374.06, *Drive-throughs*;
- Kennels, provided no that no building, open kennel or exercise runway is closer than 200 feet from a Residential District;
- ~~Mechanical amusement arcades subject to the following:~~
  - ~~(1) All necessary licenses are obtained and maintained.~~
  - ~~(2) There is in physical attendance at all times of operation a minimum of one adult employee whose sole responsibility is to supervise the conduct of patrons on or near the premises.~~
  - ~~(3) Suitable ventilation, fire protection measures and adequate lighting inside and outside the premises are provided for the safety of patrons and the public as required by the Fire Marshal.~~
  - ~~(4) One bicycle rack per mechanical amusement device is provided on site and located subject to the approval of the Planning Director.~~
  - ~~(5) There is not more than one arcade in a face block, and in no case shall an arcade be located closer than 600 feet to any existing arcade or amusement park.~~
- 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.
- Microbrewery
  - Motorized vehicle dealers, mobile home dealers, watercraft dealers and recreational vehicle dealers subject to the following conditions:
    - (1) All outdoor display and storage in front or on the side of a building shall meet landscape requirements for parking areas.
    - (2) Outdoor display areas shall be differentiated from parking areas using contrasting surface material and shall be designated on a site plan.
    - (3) Any display platforms shall not be elevated more than three feet higher than the adjacent public right of way.
  - Personal services, including those having drive-throughs subject to the standards of Section 1374.06, *Drive-throughs*;
  - Pet boarding or pet grooming services, provided that no building, open kennel or exercise runway is closer than 200 feet from an R-District.
  - Printing (commercial);
  - Repair services, miscellaneous;
  - Restaurants, family, fine and fast, including drive-ins and drive-throughs accessory to an on-site, indoor, full service restaurant and including the parking requirements of Chapter 1372, *Landscaping* and Section 1374.06, *Drive-throughs*;
  - Retail trade;
  - Service stations and repair shops (except tire retreading) with or without fuel dispensing;
  - Theaters, except outdoor;
  - Vehicle wash facilities subject to the following standards:
    - (1) Customer stacking space shall be provided at a rate of three spaces per bay or wash area for a stationary-type (coin-operated) system, and eight spaces per bay for an automatic system.
    - (2) Customer stacking spaces shall be located and arranged to preclude obstruction of traffic flow on the public right-of-way or overhang and the public sidewalk.
    - (3) Grates the full width of the driveway shall be provided at the exits to intercept and collect excess water and prevent its spread onto the public right of way.
    - (4) A 35 foot setback is required from the property line where the primary exit for the vehicle wash facility is made. All other setbacks shall conform to the district requirements.
    - (5) All operations connected with this facility shall be conducted within the buildings, except for vacuuming, so as to minimize the effect of noise and moisture on surrounding areas.
    - (6) Where an auto wash is adjoining residential property or is separated from such

property by a public alley, there shall be provided a continuous decorative screenwall of not less than five feet or more than six feet in height.

(7) Ingress and egress shall be on an arterial or collector street, except where the Planning Commission determines public welfare or safety would be best served by allowing other means of ingress or egress.

- Veterinary services, provided that no building, open kennel or exercise runway is closer than 200 feet from a R-District;
- Warehousing.

The effective date of this Ordinance is the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2014, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2014, at a regular meeting of the City Commission by a vote of Yes: \_\_\_\_ No: \_\_\_\_ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

\_\_\_\_\_  
Michael Estes, Mayor

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on \_\_\_\_\_.

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

# TRAVERSE CITY CODE OF ORDINANCES

## ORDINANCE AMENDMENT NO. \_\_\_\_\_

Effective date: \_\_\_\_\_

TITLE: RECREATIONAL FACILITY USE ALLOWED ORDINANCE AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Government/Public Districts Section 1350.01, *Uses allowed*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

### **1350.01 USES ALLOWED.**

- (a) Master Site and Facilities Plan. When applying for a land use permit, the governmental unit shall present a Master Site and Facilities Plan for the current uses on all contiguous property owned by that governmental unit 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*.
- (b) Uses allowed in the GP district. The following uses of land and buildings, together with accessory uses, are allowed in the Government/Public District:
- Administration of economic programs;
  - Administration of human resource programs;
  - Athletic fields;
  - Auditoriums;
  - Cemeteries;
  - Community Gardens;
  - Cultural facilities;
  - Electrical, combination electric and gas and other utility services, water supply, sewage systems (except gas storage and refuse);
  - Environmental quality & housing program administration
  - Essential services and essential services with buildings;
  - Executive, legislative & general government uses except correctional institutions;
  - Finance, taxation & monetary services, public;
  - Health services except hospitals, sales and rentals;
  - Libraries;
  - National security & international affairs;
  - 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. The shape of openings shall be vertical or square.
    - (3) Materials for parking structures shall follow the same restrictions as buildings;
    - (4) Sloped roofs are not required for parking decks, 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 language of historical

buildings may be employed.

(5) The design of parking decks shall be consistent with the design of historical buildings in the area.

- Parks;
- Places of Worship;
- Playgrounds;
- Public works facilities;
- Recreational facilities with spectator seating capacity of 200 or less;
- Social services;
- Transitional housing;
- United States Postal Service.

The effective date of this Ordinance is the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2014, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2014, at a regular meeting of the City Commission by a vote of Yes: \_\_\_\_ No: \_\_\_\_ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

\_\_\_\_\_  
Michael Estes, Mayor

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on \_\_\_\_\_.

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

# TRAVERSE CITY CODE OF ORDINANCES

## ORDINANCE AMENDMENT NO. \_\_\_\_\_

Effective date: \_\_\_\_\_

TITLE: RECREATIONAL FACILITY USE ALLOWED ORDINANCE AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Hospital Districts Section 1358.01, *Uses allowed*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

### **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;
  - 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.

- Recreational Facilities with spectator seating capacity of 200 or less.
- 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;
- Restaurants, family, fine and fast, under 2,000 square feet in gross floor 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.
- Recreational Facilities with spectator seating capacity of 200 or less.
- Residential care and treatment facilities.

The effective date of this Ordinance is the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2014, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2014, at a regular meeting of the City Commission by a vote of Yes: \_\_\_\_ No: \_\_\_\_ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

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Michael Estes, Mayor

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Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on \_\_\_\_\_.

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Benjamin C. Marentette, City Clerk

# TRAVERSE CITY CODE OF ORDINANCES

## ORDINANCE AMENDMENT NO. \_\_\_\_\_

Effective date: \_\_\_\_\_

TITLE: RECREATIONAL FACILITY DEFINITION AMENDMENT AND ELIMINATION OF THE DEFINITION FOR MECHANICAL AMUSEMENT ARCADES

THE CITY OF TRAVERSE CITY ORDAINS:

That General Provisions and Definitions Section 1320.07, *Definitions*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

### **1320.07 DEFINITIONS.**

As used in this Chapter:

***Abutting*** means a lot or parcel which shares a common border with the subject lot or parcel.

***Accessory building*** means a building or structure customarily incidental and subordinate to the principal building and located on the same lot as and spacially separated from the principal building.

***Accessory dwelling unit*** means a secondary, self-contained dwelling allowed only in conjunction with a detached single family dwelling. It is subordinate in size, location and appearance to the primary detached single-family dwelling. An accessory dwelling unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area. It may be located within, attached to or detached from the primary single family dwelling.

***Accessory use*** means a use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

***Adult Foster Care Family Home*** means a private residence with the approved capacity to receive not more than 6 adults who shall be provided foster care for 5 or more days a week and for 2 or more consecutive weeks. The adult foster care family home State licensee shall be a member of the household and an occupant of the residence.

***Adult foster care small group home*** means a State licensed adult foster care facility with the approved capacity for not more than 12 adult residents to be provided foster care.

***Affordable housing*** means housing units for eligible low-income households where the occupant is paying no more than 30% of gross income for housing costs.

***Aggrieved person*** means a person who has suffered a substantial damage from a zoning decision not in common to other property owners similarly situated, and who has actively opposed the decision in question.

***Airport terminal*** means the main passenger location of an airport and includes all office, hotel and retail uses commonly occurring at such locations.

***Alley*** means a way which functions primarily as a service corridor and provides access to properties abutting thereon. "Alley" does not mean "street".

***Alteration*** means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders.

***Basement*** means that portion of a building which is partly or wholly below finished grade, but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement, as defined herein, shall not be counted as a story (see Figure 1-1). A cellar is a basement.

***Berm*** means a constructed mound of earth rising to an elevation above the adjacent ground level of the site where located which contributes to the visual screening of the area behind the berm.

***Block*** means a unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity of development.

***Block, face.*** "Face block" means that portion of a block or tract of land facing the same side of a

single street and lying between the closest intersecting streets.

**Boat house** means an enclosed or partially enclosed structure designed for the use and storage of private watercraft and marine equipment.

**Boat livery** means any structure, site or tract of land utilized for the storage, servicing, docking or rental of watercraft for a fee.

**Brew pub** means a facility as defined such by the State of Michigan.

**Building** means any structure designed or built for the enclosure, shelter or protection of persons, animals, chattels or property of any kind.

**Building, height of.** See "Height of building".

**Building, principal.** "Principal building" means a building within which is conducted the main or principal use of the lot upon which it is located.

**Cemetery** means property, including crematories, mausoleums, and/or columbariums, used or intended to be used solely for the perpetual interment of deceased human beings or household pets.

**Clinic** means an establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians or dentists or similar professions.

**Club** means an organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics, agriculture or similar activities, but not operated for profit and open only to members and not the public.

**Cluster** means a development design technique that concentrates building on a portion of the site to allow the remaining land to be used for recreation, common open space and preservation of environmentally sensitive features.

**Communication Antenna** means a device, dish or array used to transmit or receive telecommunications signals mounted on a communication tower, building or structure that is greater than one square meter in a residential district or two square meters in a non-residential district. Antenna does not include federally-licensed amateur radio station, television or radio receive-only antennas or antennas used solely for personal use. Communication antennas are not "essential services," public utilities or private utilities.

**Communication tower or tower** means any structure that is primarily designed and constructed for the purpose of supporting one or more antennas for telecommunications, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.

Communication towers are not "essential services," public utilities or private utilities.

**Community Garden** means a parcel gardened collectively by a group of people.

**Convenience store** means a retail establishment offering for sale prepackaged food products, household items and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

**Country club.** See "golf course".

**Critical root zone** means a circular area surrounding a tree, the radius of which is measured outward from the trunk of a tree one foot for each one inch of diameter at breast height. The critical root zone shall also extend to a depth of four feet below the natural surface ground level.

**Cultural facilities** means facilities for activities for the preservation and enhancement for the cultural well-being of the community.

**Development** means all structures and other modifications of the natural landscape above and below ground or water on a particular site.

**Diameter at breast height** means the diameter of a tree trunk in inches measured by diameter at four and one-half feet (4.5') above the ground.

**District** means a section of the City for which the zoning regulations governing the use of buildings and premises, the height of buildings, setbacks and the intensity of use are uniform.

**Drive-in** means an establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services or obtain goods while remaining in their motor vehicles.

**Drive-through** means an establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive service or obtain goods intended to be consumed off-premises.

**Dripline** means an imaginary vertical line extending downward from the outermost tips of the tree branches to the ground.

**Driveway** means a means of access for vehicles from a street, approved alley, across a lot or parcel to a parking or loading area, garage, dwelling or other structure or area on the same lot.

**Driveway, Service** means a point of access solely for the use of vehicles designed to load and unload trash receptacles three cubic yards or more in size.

**Dwelling** means any building or portion thereof which is designed for or used exclusively for residential purposes and containing one or more dwelling units.

**Dwelling, multiple family.** "Multiple family dwelling" means a building or portion thereof containing three or more dwelling units and designed for or occupied as the home of three or more families living independently of each other.

**Dwelling, single-family.** "Single-family dwelling" means a detached building containing one dwelling unit and designed for or occupied by only one family.

**Dwelling, two-family.** "Two-family dwelling" means a building designed for or occupied exclusively by two families living independently of each other.

**Dwelling unit** means one or more rooms with bathroom and principal kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes. The existence of a food preparation area within a room or rooms shall be evidence of the existence of a dwelling unit.

**Eligible household** means a household meeting the income criteria included in Chapter 1376, with income determined in a manner consistent with determinations of lower-income households and area median income under Section 8 of the U.S. Housing Act of 1937, as amended (Section 8 Housing Program).

**Eligible housing nonprofit** means a 501(c)3 nonprofit housing organization with the means and capacity to guarantee and enforce long-term affordability of affordable housing units meeting the requirements of Chapter 1376.

**Emergency shelter** means a facility operated by a governmental or nonprofit agency where supportive services and shelter are offered to homeless persons.

**Erected** means built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage and the like, shall be considered a part of erection when done in conjunction with a structure.

**Essential services** means the installation, construction, alteration or maintenance by public utilities or governmental agencies of underground, surface or overhead telephone, electrical, gas, steam, fuel, or water distribution systems, collections, supply or disposal systems, streets, alleys, sidewalks, or trails, including pavement, traffic control devices, signs, poles, wires, mains, drains, sewers, pipes, conduits, cables, padmount transformers, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith which are necessary for the furnishing of adequate service by such utilities or governmental agencies for the general public health, safety, convenience or welfare. "Essential services" do not include communication antennas and communication towers.

**Essential service-structures.** The erection, construction, alteration or maintenance by public utilities or governmental agencies of structures not in the right-of-way over 800 cubic feet in area including, but not limited to, towers, transmission and subtransmission facilities, or buildings related to essential services in all districts.

**Facade** means the exterior wall of a building exposed to public view.

**Family** means one or more persons occupying a dwelling unit and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from persons occupying a boarding house, lodging house or hotel.

**Fence** means a constructed barrier made of wood, metal, stone, brick or any manufactured materials erected for the enclosure of yard areas.

**Flood plain, 100 year.** "100 year flood plain" means the lowland areas adjoining inland and coastal waters which are identified on Floodway Maps produced by FEMA (Federal Emergency Management Agency) and which are estimated to have a one per cent chance of flooding in a given year.

**Floor area.** See AGross Floor Area@.

**Frontage** means the total continuous width of the front lot line.

**Golf course/country club** means any golf course, public or private, where the game of golf is played, including accessory uses and buildings customary thereto, but excluding golf driving ranges and miniature golf courses as a principal use.

**Grade** means

1. **For buildings having walls adjoining one street only:** the elevation of the public sidewalk, top of curb, or centerline of the street right-of-way, whichever is closest to the building, where a building wall adjoins a street.
2. **For buildings having walls adjoining more than one street:** the average elevation of the sidewalks, curbs or centerlines of streets, whichever is closest to the building walls adjoining the streets.
3. **For buildings having no wall adjoining the street:** the average of the lowest and highest ground surface elevations in an area within six feet of the foundation line of a building or structure. Any building or structure wall within 35 feet of a public or private street shall be considered as adjoining the street. (See Figure 1-2.)

**Greenbelt** means a strip of land of definite width and location upon which existing vegetation is preserved or an area is reserved for the planting of living plant materials to serve as an obscuring screen or buffer strip in carrying out the requirements of thisCode.

**Grocery store** means a retail establishment primarily selling prepackaged and perishable food as well as other convenience and household goods.

**Gross floor area (GFA)** means the sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

**Height of building** means the vertical distance from the grade to the highest point on a mansard or flat roof or to the median height between the eaves and the ridge for gable, hip and gambrel roofs. (See Figure 1-3).

**Home occupation** means an accessory use of a dwelling unit for business purposes.

**Impervious surface** means any material which prevents, impedes or slows infiltration or absorption of storm water directly into the ground at the rate of absorption of vegetation bearing soils, including building, asphalt, concrete, gravel and other surfaces.

**Impervious surface ratio** means the area of impervious surface less those areas used exclusively for pedestrian circulation or outdoor recreational facilities divided by the gross site area.

**Kennel** means any lot or premises used for the sale, boarding, or breeding of dogs, cats or other household pets or the keeping of five or more dogs or cats in any combination over the age of six months.

**Land clearing** means:

1. The clearing of over 8,000 square feet of vegetation from any site, or
2. The removal of more than 20 trees more than 6 inches in diameter at breast height within 50 feet of a public or private street or river.

Mowing, trimming or pruning of vegetation to maintain it in a healthy, viable condition is not considered land clearing.

**Landing area** means a landing pad, area, strip, deck or building roof used to launch or receive aircraft, including, but not limited to, power-driven winged or delta-winged aircraft, gliders, balloons and helicopters.

**Landscaping** means some combination of planted trees, vines, ground cover, flowers or turf so long as a minimum of 80 per cent of the landscape area is covered by living plant material. In addition, the combination or design may include rock ground cover, earth mounds, and such

structural features as fountains, pools, art works, screens, walls, fences and benches.

**Laundromat** means a business that provides home-type washing, drying and/or ironing machines for hire to be used by customers on the premises or operated for the benefit of retail customers who bring in and call for laundry.

**Lot** means a parcel of land occupied or intended for occupancy by a use permitted in this Zoning Code, including one principal building together with accessory buildings, open spaces and parking areas required by this Zoning Code, and having its principal frontage upon a street or upon an officially approved private street. The word "lot" includes the words "plot", "tract" or "parcel".

**Lodging Facility** means a commercial establishment with one or more buildings whose primary use is to provide temporary overnight accommodations within individual guest rooms or suites to the general public for compensation. Accessory uses may include eating places, meeting rooms and other similar uses.

**Lot, corner.** "Corner lot" means a lot which has at least two contiguous sides abutting on and at the intersection of two or more streets.

**Lot of record** means a lot whose existence, location and dimensions have been legally recorded or registered in a deed or on a plat.

**Lot, through.** A Through lot means an interior lot having frontage on two more or less parallel streets.

**Lot width** means the horizontal distance between side lot lines measured parallel to the front lot line at the minimum required front setback line.

**Manufacturing** means the production of articles for use from raw or prepared materials by giving these materials new forms, qualities, properties or combinations, whether by hand labor or machine.

**Marina** means a commercial mooring, berthing, or docking facility for watercraft with or without provisions for launching, haulout, servicing, fueling or sales of accessory supplies.

~~**Mechanical amusement arcade** means any place, premises, room or establishment in which a substantial and significant portion of the business is devoted to the operation of mechanical amusement devices, or in which more than five mechanical amusement devices are located and available for operation. For purposes of this Zoning Code, a mechanical amusement arcade shall not include the following:~~

- ~~1. Mechanical amusement devices located in bars, taverns and cocktail lounges which are properly licensed by the State when the devices are located so as to be an integral part of the licensed operation and are available only to tavern patrons; and~~
- ~~2. Mechanical amusement devices located in motels or hotels when the devices are generally available only to registered guests.~~

~~**Mechanical amusement device** means any machine which, upon the insertion of a coin, slug, token, plate or disk, or upon payment of a price, may be operated by the public generally for use as a game, entertainment or amusement, including, but not limited to, games registering a score; electronic video games; mechanical and/or electronic devices, such as marble machines, pinball machines, mechanical grab machines, shuffle board game machines, pool tables and billiard tables; and all game operations or transactions similar thereto, whether operated by hand, electric power or a combination thereof. "Mechanical amusement device" shall not include:~~

- ~~1. A juke box or other similar device which plays only music for money;~~
- ~~2. A full size bowling lane or alley;~~
- ~~3. A movie theater seating more than ten persons; and~~
- ~~4. A vending machine dispensing food, drink, tobacco, toys or written material, which material can be utilized away from the premises where the machine is located and does not require further participation by the person inserting the item or paying the price at the location of the machine. A mechanical amusement device located on property used solely for a residential purpose or a private club, which device is not available for use by the general public, shall be exempt from this definition.~~

**Medical Marihuana** means marihuana as defined by the Michigan Medical Marihuana Act.,

MCL 333.26421 et seq. grown, used, or transferred for “medical use” as defined by the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**Medical Marihuana Collective** means a use where Medical Marihuana is transferred, pursuant to the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**Medical Marihuana Cultivation** means a use where Medical Marihuana is grown as permitted by the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**Medical Marihuana Cultivation Facility** means a use where more than 72 plants are being cultivated on a Parcel.

**Microbrewery** means a facility as defined as such by the State of Michigan.

**Non-conforming use** means a lawful use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

**Nursing home.** See “Residential care and treatment facility”.

**Open space, common.** "Common open space" means land within or related to a development, not individually owned that is designed and intended for the common use or enjoyment of the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate.

**Operator of Medical Marihuana Collective** means any person who is employed by or otherwise involved in the operation of a Medical Marihuana Collective.

**Ordinary high water mark** means the line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is identified along Grand Traverse Bay and the lower Boardman River as elevation 581.04 feet USGS.

**Owner** means any person having an ownership interest in a premises as shown on the latest Traverse City tax records.

**Parcel.** See a “lot”.

**Parking area** means any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, driveways and legally designated areas of public streets.

**Parking area, commercial.** "Commercial parking area" means a tract of land which is used for the storage of motor vehicles, which is not accessory to any other use on the same or any other lot and which contains parking space rented to the general public or reserved for individuals by the hour, day, week or month.

**Parking area, off-street.** "Off street parking area" means a land surface or facility providing vehicular parking spaces off of a street together with drives and maneuvering lanes so as to provide access for entrance and exit for the parking of motor vehicles.

**Parking area, private.** "Private parking area" means a parking area for the exclusive use of the owners, tenants, lessees, or occupants of the lot on which the parking area is located or their customers, employees, or whomever else they permit to use the parking area.

**Parking area, public.** "Public parking area" means a publicly owned or controlled parking area available to the public, with or without payment of a fee.

**Parking space** means an area of land provided for vehicles exclusive of drives, aisles, or entrances giving access thereto, which is fully accessible for parking of permitted vehicles.

**Parking structure** means a building or structure consisting of more than one level and used to store motor vehicles.

**Pavement.** "Pavement" and "paved" mean permanent and completely covered with concrete, a bituminous surface, brick or other surface approved by the Planning Director.

**Pedestrian scale** means design and construction considerations based upon the scale of a human being which imbue occupants and users of the built environment with a sense of comfort and security.

**Person** means a corporation, association, partnership, trust, firm or similar activity as well as an individual.

**Place of worship** means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

**Planning director** means the head of the City Planning and Zoning Department or the designee of that person.

**Plat** means a map of a subdivision of and recorded with the Register of Deeds pursuant to State statute

**Primary Caregiver** means a primary caregiver with a registry identification card as defined by the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**Principal use** means the main use of land or structures as distinguished from a secondary or accessory use.

**Public utility** means any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public; gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation or water.

**Qualifying Patient** means a qualifying patient with a registry identification card as defined by the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**R-District** means a residence district, namely an RC, R-1a, R-1b, R-2, R-9, R-15, and R-29 district.

**Recreational facilities** means ~~a public or private non-profit facility for athletic activities such as ice arenas, stadiums, indoor sports arenas, community recreation centers, indoor and outdoor swimming pools~~ buildings or grounds, excluding amusement parks where a variety of sport or exercise activities are offered.

**Recreational vehicle** means a vehicle primarily designed and used as a temporary living quarters for recreational, camping, or travel purposes including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle.

**Residential Care and Treatment Facility** means a facility providing:

1. Services, programs and temporary shelter for residents who are undergoing alcohol or substance abuse rehabilitation;
2. Temporary emergency shelter and services for battered individuals and their children in a residential structure.

**Restaurant, family** means an establishment where food and drink are prepared and served to seated customers. Customer turnover rates are typically less than one hour. Generally, these establishments serve breakfast, lunch, and dinner and sometimes are open 24 hours a day. It may include cafeteria-style facilities.

**Restaurant, fast food** means an establishment where food and drink are served to customers at a counter. Such establishments may or may not have seating facilities. Generally, food and drink is ordered and taken to be consumed outside the restaurant building.

**Restaurant, fine** means an establishment where food and drink are prepared and served. Customer turnover rates are typically one hour or longer. Such establishments serve dinner but generally do not serve breakfast and may or may not serve lunch or brunch.

**Right-of-way** means a public or private street, alley or easement permanently established for the passage of persons or vehicles.

**Rooming house** means a residential building where rooms or suites of rooms are rented where the renters use common facilities, such as hallways and bathrooms. A rooming house shall not include lodging facilities, apartment houses, two and multi-family dwellings or fraternity and sorority houses.

**School** means an educational institution under the sponsorship of a private or public agency providing elementary or secondary curriculum, and accredited or licensed by the State of Michigan; but excluding profit-making private trade or commercial schools.

**Screen** means a structure providing enclosure and a visual barrier between the area enclosed and the adjacent property. A screen may also be non-structured, consisting of shrubs or other growing materials.

**Screen, opaque** means a masonry wall, fence sections, earthen berm, evergreen hedge or a combination of these elements which completely interrupt visual contact and provide spatial separation.

**Setback** means the distance required between a lot line and a building wall.

**Setback, front.** A Front setback@ means the minimum required distance, extending the full lot width, between the principal building and the front lot line.

**Setback, rear.** A Rear setback@ means the minimum required distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front line.

**Setback, side.** A Side setback@ means the minimum required distance, extending from the front setback to the rear setback, between the principal and accessory building and the side lot line.

**Site diagram** means a drawing, drawn to scale, showing the location of buildings and structures on a lot, as well as driveways, curb cuts, alleys, streets, easements and utilities. See Appendix 1, Figure 1-4.

**Site plan** means a plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this Code.

**Stop work order** means an administrative order which directs a person not to continue, or not to allow the continuation of an activity which is in violation of this Code.

**Street** means any public way, such as a public street, avenue or boulevard, at least 16 feet wide. Street does not mean "alley". See also "Private street".

**Street, access.** "Access street" means a street or alley designed primarily to provide access to properties.

**Street, arterial.** "Arterial street" means a street designed to carry high traffic volumes through the community.

**Street, collector.** "Collector street" means a street designed to carry moderately high traffic volumes from arterial and access streets.

**Street, private.** "Private street" means an officially approved thoroughfare, other than a public street or alley, permanently reserved as the principal means of access to abutting property.

**Structural alterations** means any change in a building requiring a building permit.

**Structure** means anything constructed or erected, the use of which requires a more or less permanent location on the ground or an attachment to something having a permanent location on the ground, including, but not limited to, freestanding signs, billboards, back stops for tennis courts and pergolas.

**Tourist home** means a single-family dwelling owned and occupied by a person renting out not more than three rooms for compensation to persons who do not stay for more than seven consecutive days.

**Townhouse** means a multiple dwelling in which each dwelling unit shares a common wall with at least one other dwelling unit and in which each dwelling unit has living space on the ground floor and has a separate ground-floor entrance.

**Trailer** means any enclosure used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirtings, and which has been or reasonably may be equipped with wheels or devices for transporting the enclosure from place to place. "Trailer" includes motor homes, travel trailers and camper vans.

**Transit center** means a fixed location where passengers interchange from one route or vehicle to another that has significant infrastructure such as a waiting room, benches, restrooms, sales outlet, ticket or pass vending machines and other services.

**Transitional housing** means a facility which is operated by a government or a nonprofit agency providing interim sleeping and bath accommodations; interim eating and cooking facilities; and professional services to assist individuals or families in locating permanent housing.

**Treelawn** means the area of public right-of-way lying between the curb line of a curbed Street or developed travelway of a noncurbed street and the nearest private property line substantially parallel to said street.

**Trip end** means the total of all motor vehicle trips entering plus all motor vehicle trips leaving a designated land use or building over a given period of time.

**Vacation Home Rental** means a commercial use of a dwelling where the dwelling is rented or sold for any term less than 30 consecutive days.

**Yard** means an open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Zoning Code.

**Yard, front.** "Front yard" means all land extending across the width of a property and lying between the building line and the front lot line.

**Yard, rear.** "Rear yard" means all land extending across the width of the property and lying between the building and the rear lot line.

**Yard, side.** "Side yard" means all land lying between a principal building and the side lot lines and extending from the front to the rear of the principal building.

**Zoning Code** means Part 13, Title One of the Code of Ordinances of the City of Traverse City and includes the text of this Zoning Code as well as all maps, tables, graphics, schedules as included or attached as enacted or subsequently amended.

The effective date of this Ordinance is the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2014, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2014, at a regular meeting of the City Commission by a vote of Yes: \_\_\_\_ No: \_\_\_\_ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

\_\_\_\_\_  
Michael Estes, Mayor

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on \_\_\_\_\_.

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk



## Communication to the Planning Commission

FOR THE MEETING OF: August 5, 2014

FROM: Russ Soyring, Planning Director

SUBJECT: 2014/15 Street Projects

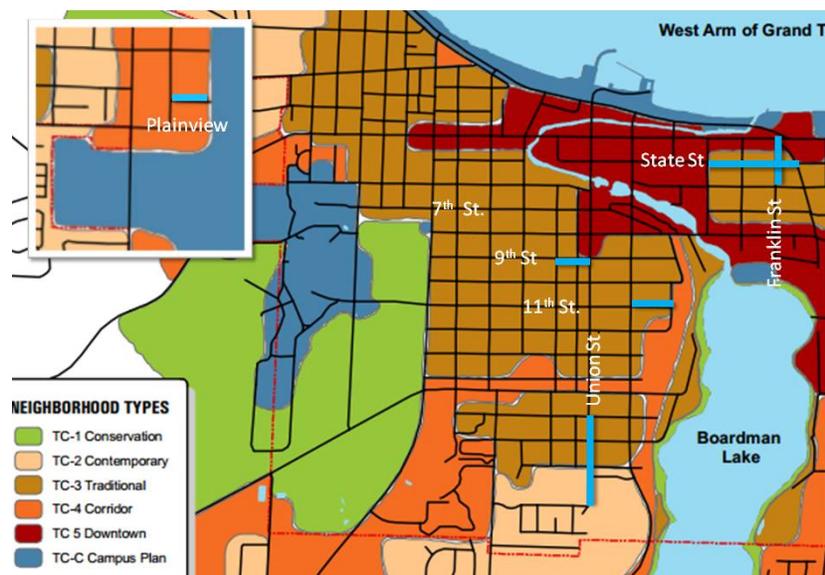
DATE: July 31, 2014

The purpose of reviewing the street projects is for the Planning Commission to provide early input. Your guidance for reviewing the projects is the City Master Plan. The Commission initially reviewed the proposed projects at the May 20 meeting.

Following the Planning Commission's review, notices with project information were mailed to the residents and occupants along these streets. Staff reviewed the input from the public and the approved budget allocations for the streets. Due to budgetary limits and complexities associated with Seventh Street and 11<sup>th</sup> Street on the block where Saint Francis School is located, staff decided to delay work on Seventh Street and the 100 Block of E. 11<sup>th</sup> Street for the 2014/15 budget cycle. Staff also has made recommendations regarding the streets in terms of street widths, sidewalks, etc. The Planning Commission is now being asked to determine if the proposed street projects are consistent with the Master Plan in terms of location, extent and character.

The streets identified for reconstruction are:

**State Street** between Boardman and Railroad; **Franklin Street** between Front and Washington; **Ninth Street** between Union and Pine; **Eleventh Street** between Cass and Lake; **Union Street** between Sixteenth and Boughey and; **Plainview** entire length





### State Street

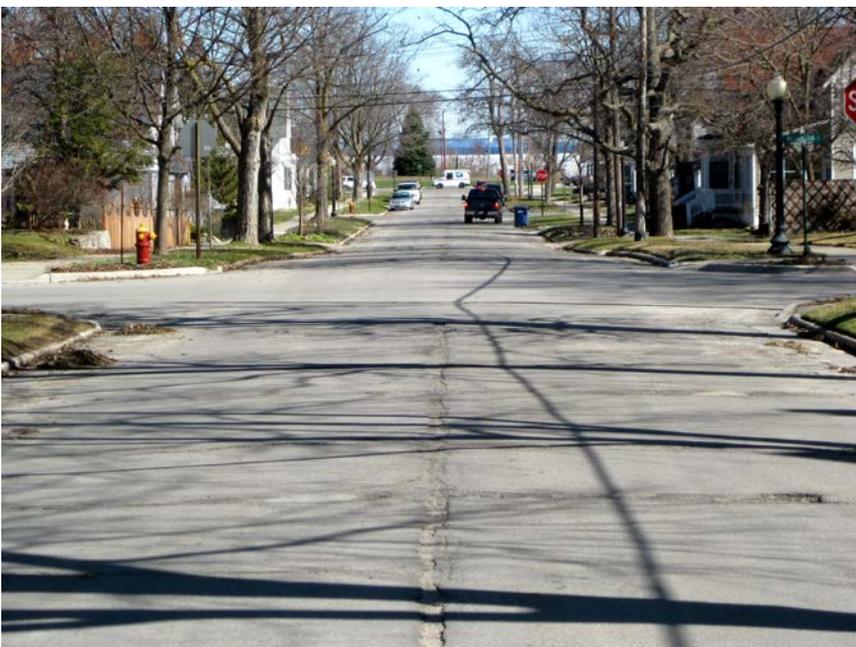
The section of street proposed for reconstruction falls within the Master Plan's Traditional (TC-3) neighborhood where more formal streets with sidewalks are typical. Initially, a 32-foot wide street was proposed to maintain its current width. New 8" sanitary sewer will be installed in the 400 block. Stormwater catch basins and castings will be replaced. Three handicap sidewalk ramps will be replaced to meet current standards. Poor sections of the six-foot sidewalk will be replaced. The street carries 1785 vehicles

per day. Traffic island at the western end is to remain. Just east of the project area, the 24-hour traffic count in July 2013 was 1387.

13 feedback forms were received, 10 support the project, 2 do not support, and 1 could not answer the question because they had questions

4 responses supported street narrowing, 1 did not support narrowing, and 3 responses requested bike lanes

**Recommendation: Proposal as described above, except for rebuilding the street at a width of 30' instead of 32'. No bike lanes are planned.**



### Franklin Street

This section of street proposed for reconstruction falls mostly within a TC-3 Neighborhood. North of the alley, north of State Street falls with the TC-5 Neighborhood. The street is a 30 foot wide curbed street with 5 to 6 foot wide sidewalks on both sides. The 200 Block of Franklin Street 24-hour traffic count was 708. The proposal is to replace the street at the current width with new curbs. Sidewalks sections in a poor state of repair will be replaced. 2 feedback forms were received, all in support of the project

This section of street proposed for reconstruction falls mostly within the Master Plan's Traditional (TC-3) Neighborhood type. North of the alley, north of State Street falls with the Master Plan's Downtown (TC-5) Neighborhood type. The street is a 30 foot wide curbed street with 5 to 6 foot wide sidewalks on both sides. The 200 Block of Franklin Street 24-hour traffic count was 708.

**Recommendation: Proposal as outlined above with no changes.**



**Seventh Street**

The section of street proposed for reconstruction falls mostly within the Master Plan's Traditional (TC-3) Neighborhood. The far eastern end of the project just west of Union Street falls within the Master Plan's Downtown (TC-5) Neighborhood. The street is proposed to remain at its current 30 foot width. The project includes replacement of 1200' of 6" water main with a 16 to 20" water main and new copper service lines. Three stormwater catch basins will be replaced. Sections of the 6-foot wide sidewalk in poor condition

are proposed to be replaced. The bold crosswalk markings at Pine Street are proposed to be repainted. A speed count taken over several days in June, 2013 revealed that 95% of the drivers were traveling at speeds 29 mph or less on the block between Wadsworth and Oak Streets. The 24-hour weekday count was 1, 794. On the weekend the count dropped to 915 vehicles for a 24-hour count.

7 feedback forms were received, 4 in support and 3 made general comments and did not indicate whether they supported or opposed the project

Considerations were given for neck downs and/or more pronounced pedestrian crosswalk markings near the school and adjusting the street width to allow parking on both sides of the street. Currently, parking is restricted to one side due to its narrow width for an emergency route. Consideration was also given to narrow the width of the street. The street is overly wide for two lanes of traffic with parking allowed only on one side.

There has been recent discussion whether 7<sup>th</sup> Street should be converted to a two-way street, and if so, should 8<sup>th</sup> Street be converted as well to a two way street.

**Recommendation: Delay the street work until the 2015/16 budget cycle to allow for further discussions with TCAPS and the neighborhood regarding a more comprehensive planning effort for Seventh Street.**



### **Ninth Street**

This street section falls mostly within the Master Plan's Traditional (TC-3) Neighborhood type. The eastern end near Union Street falls within the Master Plan's Downtown (TC-5) Neighborhood type. Just west of the project limits the 24-hour vehicle count was 873.

The proposal is to replace the street in its current 28-foot wide width. Curbs will be replaced and sections of sidewalks in poor state of repair will be replaced. The project includes the replacement

of the existing 6" water main with an 8" water main. Four stormwater catch basins will be replaced. The sidewalk ramp at Locust will be replaced to meet current standards. Four street trees will be replaced.

4 feedback forms were received, all in support of the project.

**Recommendation: Proposal as outlined above with no changes.**

### **Eleventh Street**



This street segment falls within the Master Plan's Traditional (TC-3) neighborhood type. The 36-foot wide

street was initially proposed to be replaced at its current width.

The project includes the replacement of 1450' of 6" water main with 8" water main. Four stormwater catch basins and two storm manhole castings will be replaced. Curbs will be replaced as will the poor sections of sidewalks. The marked crosswalks will be repainted. The average 24-hour traffic count in June 2013 was 1043.

4 feedback forms were received, all in support of the project. Two respondents supported narrower the street, with one of those respondents requesting traffic calming measures.

**Recommendations:**

**Delay working the 100 Block of East 11<sup>th</sup> Street due to budget constraints and to determine if school’s planned exterior improvements can be coordinated with the street project and; to determine the school’s capabilities to clearing snow from the walks where curb extensions have been considered at the block ends and midblock.**

**For the 200 Block of East 11<sup>th</sup> Street implement the proposal as outlined above, except that the street width be reduced by six feet to 30’. Project is recommended to be delayed to determine if project participation from GTACS/St. Francis for site improvements in the tree lawn area are recommended. High visibility crosswalks near the school are proposed.**



**Union Street**

The project area includes two Master Plan neighborhood types, Traditional (TC-3) in the lower section and Contemporary (TC-2) south of 17<sup>th</sup> Street.

The initial proposal was to replace the street in its current width of 32 feet, replace the water main, replace five storm sewer catch basin castings and three manhole castings, and add sidewalks where there are gaps. Approximately, 785 linear feet of new sidewalk is proposed on the east side only where the street has a steep

grade.

7 feedback forms were received, 6 support the project, and 1 does not support the project.

5 of 7 respondents did not support narrowing the street

**Recommendation: Proposal as described above, except for rebuilding the street at a width of 27 feet instead of 32 feet and to install a sidewalk on the east side of the street.**



### **Plainview Street**

The dead-end street has 17 homes fronting the street and is within the Master Plan's (TC-4) Corridor Neighborhood. According to the Traverse City Master Plan this neighborhood type is envisioned to have a network of sidewalks and trails are envisioned.

The proposal is to pave the 26-foot wide gravel street with asphalt 24 feet wide. No utility work is planned. The existing sanitary sewer and water main are old, but in good condition. No sidewalks or curbing are proposed. There are two Chinese Elm trees at 1212 Plainview that are very close to the street and may need to be removed. Another Chinese Elm tree at the east end of Plainview by the airport fence may also need to be removed.



6 feedback forms were received, all in support of the project, 2 opposed sidewalks.

**Recommendation: Proposal as described above (no sidewalks or curbs), except for the addition of a hammerhead turn around at the end ("T" shape) to facilitate turning around a snow plow truck or grader at the east end of the street. Green infrastructure is planned pending underground utility review.**

If you find the 2015 Street projects are consistent with the City Master Plan in terms of extent, location and character, the following motion would be appropriate:

**I move that the 2015 Street Projects as described and recommended in this memo dated July 31, 2014 are consistent with the City Master Plan in terms of extent, location and character.**

RS

RECEIVED

JUL 16 2014

PLANNING DEPT  
CITY OF  
TRAVERSE CITY

Dear Mr. John Serratelli,

As property owners of the vacant parcel located at 808 Carver Street, Turning Leaf Inc. and Summit Development LTD are interested in having this parcel re-zoned from its current zoning R1 to R2 multi-family.

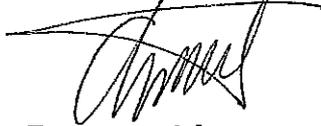
After much research we have found that this particular parcel would be best used as a multi-family building site. The surrounding properties adjacent to and behind this parcel are currently zoned multi-family. We feel that re-zoning 808 Carver would be beneficial for increasing population density as well as providing two units of much needed affordable housing close-in to down town Traverse City.

After speaking with Russ Soyering it is apparent that this particular neighborhood is described in the city plan as a mixed use, R1 and R2 neighborhood. Thus, making this request a logical idea for Traverse City's master plan.

We would greatly appreciate this request to have review at the August 5th, 2014 Planning/Zoning meeting. I look forward to your response.

Thank you for your consideration,

Anne L Schwartz



7/12/14

Executive Administrator  
Turning Leaf Inc.  
Po Box 213  
Traverse City, MI. 49685  
231.409.2464



- Legend**
- Road Names
  - TC-1 Conservation
  - TC-2 Contemporary
  - TC-3 Traditional
  - TC-4 Corridor
  - TC-5 Downtown
  - TC-C Campus Plan
  - Parcels



1 inch = 113 feet

This map is based on digital databases from the City of Traverse City. Traverse City cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties expressed or implied.

# ~~Chapter 1377~~

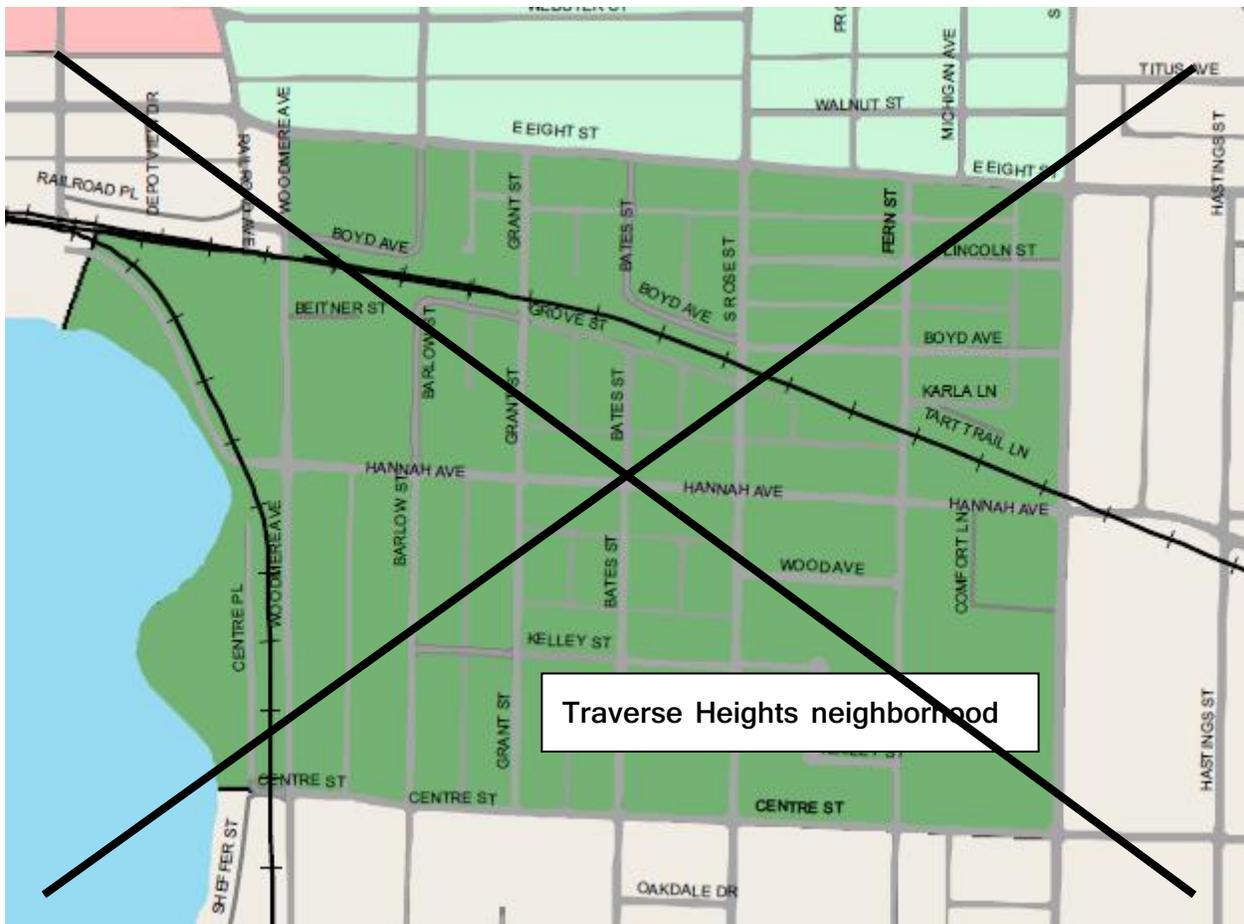
## ~~Accessory Dwelling Units Overlay Districts~~

~~The purpose of the Accessory Dwelling Units Overlay Districts in certain areas of the City is to permit small secondary dwellings on single family zoned parcels to help owners pay expenses, making the house itself more affordable, increase the efficiency of developed land and provide additional housing options.~~

~~This chapter would be deleted and incorporated in Section 1332.01 Uses Allowed (R-1a and R-1b) Single-Family Dwelling Districts.~~

### ~~1377.01 — DESCRIPTION OF DISTRICT.~~

~~These regulations apply to the Traverse Heights neighborhood. See Traverse Heights neighborhood boundary map below:~~



### ~~1377.02 — CONDITIONS.~~

~~A land use permit for an accessory dwelling unit may be issued if the following conditions are met and continue to be met during the life of the accessory dwelling unit:~~

#### ~~1332.01 USES ALLOWED~~

~~The following uses of land and buildings, together with accessory uses, are allowed in the Single Family districts:~~

- Accessory Dwelling Units

- (1) The existing site and use are substantially in compliance with this Zoning Code.
- (2) There shall be a maximum limit of five (5) Accessory Dwelling Units per calendar year.
- (3) The accessory dwelling unit is allowed only on a lot having at least 5,000 square feet.
- (4) Only one accessory dwelling unit per parcel is allowed with a maximum of 2 dwellings per parcel.
- (5) ~~Access to an upper story accessory dwelling unit must be internal to the building structure.~~
- (6) The accessory dwelling unit is clearly incidental to the principal dwelling unit and the structures' exteriors appear to be single-family. ~~No alteration to the exterior of the residential dwelling, accessory building or yard that alters the single family residential character of the premises is permissible.~~
- (7) The orientation of the accessory dwelling unit shall, to the extent practical, maintain the privacy of residents in adjoining dwellings, as determined by the physical characteristics surrounding the accessory dwelling unit, including landscape screening, fencing and window and door placement.
- (8) For new buildings or buildings that will be externally modified where such modification requires a building permit, ~~If the accessory dwelling unit's primary entrance is not the same as that of the principal dwelling unit,~~ it shall be made less visible from the street view than the main entrance of the principal dwelling unit.
- (9) Individual site plans, floor plans, elevation drawings and building plans for both the proposed accessory dwelling unit and the subsequent reconversion to conventional single-family residence shall be submitted with the application for a land use permit. Any construction of an accessory dwelling unit shall meet all design and building code requirements.
- (10) The accessory dwelling unit may not exceed forty percent of the total floor area of the principal dwelling unit including the garage. The interior staircase of the accessory dwelling unit is not included in the total floor area.
- (11) The accessory dwelling unit must have at least 250 square feet of gross floor area per dweller.
- (12) The dwelling unit that is rented shall not be leased for less than twelve months at a time.
- (13) ~~All off street parking facilities shall be behind or to the side of the primary dwelling and shall be paved. The petitioner must submit a site diagram indicating the location of proposed off street parking.~~
- (14) At least one owner of record shall occupy either the primary dwelling unit or the accessory dwelling unit. The owner occupant shall meet the requirements for a minimum sixty percent principal residence tax exemption.
- (15) An accessory dwelling unit shall meet all applicable requirements of the Traverse City Code of Ordinances.
- (16) Prior to issuing a land use permit, the Planning Director shall notify, ten days in advance by first class mail, abutting property owners so that they may provide input on the pending request to the Planning Director.
- (17) The accessory dwelling unit shall be discontinued and the property shall be brought into full compliance with the use requirements of this Zoning Code if any of the above conditions are not met.

**1374.03 MOTOR VEHICLE PARKING.**

(d) **Requirements.** The number of required off-street parking spaces shall be provided by a property owner according to the following schedule. **All requirements are minimum unless otherwise noted.**

<b>Residential</b>	1 per dwelling unit*
<b>Specialized Housing</b>	
Adult foster care home	1 per three residents
Child care center	1 per ten children
Residential care and treatment facilities	1 per three beds
Independent living	1 per unit
<b>Institutions</b>	
High schools, colleges	3 per 10 students
All other schools	1.5 per classroom
Places of worship	1 per 4 seats in main area of worship
Hospitals	1 per 400 square feet gross floor area
Governmental offices, post offices	1 per 400 square feet
Auditoriums (excluding schools)	1 per 3 seats
<b>Commercial</b>	
Office, financial institutions, retail (Max. 1 per 150 sq. feet)	1 per 350 square feet gross floor area
Medical office (Max. 1 per 150 sq. feet)	1 per 300 square feet gross floor area
Furniture, antique and bicycle shops	1 per 850 square feet gross floor area
Theaters	1 per 3 seats
Restaurants <i>Family</i>	0.4 per seat (alt. 2 for every 5 seats)
<i>Fine / Banquet Halls/ Fast Food</i>	0.7 per seat (alt. 3 for every 4 seats)
Lodging facilities	1 per room or suite
Marinas	1 per boat slip
Grocery, hardware /all other uses	1 per 325 square feet gross floor area
<b>Industrial</b>	
Office	1 per 350 square feet gross floor area
Assembly/ Warehouse/Manufacturing	1 per 600 square feet gross floor area

\* No parking is required for Accessory Dwelling Units



## Communication to the Planning Commission

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FOR THE MEETING OF: August 5, 2014  
FROM: Russ Soyring, Planning Director  
SUBJECT: Parking Regulation Committee  
DATE: August 1, 2014

In 2012, the Planning Commission discussed establishing a Parking Committee to discuss creating a “comprehensive parking plan”. A comprehensive parking plan would include but not be limited to topics such as: an account of all current parking land use; parking space requirements; use, value and opportunity costs when requiring off-street parking; need and potential sites for parking decks; neighborhood on-street parking and bicycle parking.

Parking is a topic that comes up almost daily in the Planning Department. Just last month, the Planning Commission was asked to discuss overnight parking in the City.

Formation of the Parking Regulation Committee could include at least one Planning Commissioner, one City Staff and three citizens at large. The deliverable from the Parking subcommittee to the Planning Commission will be: a comprehensive parking plan with recommendations for parking improvements in Traverse City to be discussed and possibly approved for forwarding to the City Commission.

If you are in agreement with the establishment of the Comprehensive Parking Committee that includes Planning Commission representation, the following motion would be appropriate:

**That the Parking Regulation Committee, a committee of the Planning Commission, be established to deliver a comprehensive parking plan with recommendations to the planning commission.**

## Boardman River Watershed Collective Impact Plan MEETING INVITATION

The Boardman River Watershed Collective Action Plan utilizes the information and recommendations developed as part of the Boardman River Watershed Prosperity Plan to prepare an action program focused on the identification of projects and programs that will enhance the economic development outcome of the thirteen watershed communities.

Blair Township  
Boardman Township  
City of Traverse City  
East Bay Township  
Fife Lake Township  
Garfield Township  
Kalkaska Township

Paradise Township  
Union Township  
Village of Fife Lake  
Village of Kalkaska  
Village of Kingsley  
Whitewater Township

The process that we propose to use is **locally-based** and is focused on identifying short-term implementable projects that bolster opportunities for economic development growth in the community and the watershed as a whole. Local government unit participation is critical to process and outcome of the program. Results from this process will be shared with State of Michigan departments and agencies that will assist with implementation. On June 12, 2014 the results of the Boardman River Watershed Prosperity Plan and this project were shared with the Governor's cabinet of department heads and other agency representatives.

The Boardman River Watershed Collective Impact Plan is being co-chaired by Chuck Korn, Supervisor, Garfield Township and Mitch Foster, Village Manager for the Village of Kingsley.

**Meeting Information**  
Monday, July 28, 2014  
1:30 p.m.  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI

Please feel free to invite a representative from your Planning Commission, Downtown Development Authority, and Parks and Recreation Commission to attend. Again, local participation and involvement will be the key to this process.

If you would prefer to receive advance materials and a reminder please send me an e-mail. Thank you.

John Iacoangeli  
jri@bria2.com



## Seventh Street Traffic Meeting

Wednesday, June 25, 2014

History Center, 322 Sixth St.

7:00 P.M.

Dear Neighbors,

Russ Soyring, City Planning Director, has notified the residents of the 100, 200, and 300 blocks of West Seventh Street that funds have been allocated to repair, upgrade, and perhaps change the configuration of the street in front of their homes in 2014-2015. A form was provided by the city and residents were encouraged to respond to several different proposals. TCAPS will also provide input. Comments will be taken until July 14, 2014.

The traffic pattern established in these three blocks impacts the entire street. In 1999 residents identified thirteen traffic-related problems affecting the quality of residential life and/or public safety. Residents of the streets surrounding Central Grade school have identified six problems specific to that block which degrade the value of their homes and/or threaten the health and safety of the 750 students who attend that school.

The purpose of this meeting is to review these issues and determine whether they are still relevant. We will also consider the proposals the City has made as well as any suggestions you may have. My hope is that this meeting will clarify our common values as we respond to the City's request.

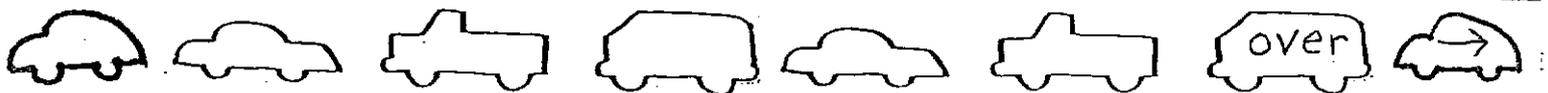
**Please attend this meeting. It is an opportunity to affect real change, and it is important to the city, the school, and the neighborhood that we GET IT RIGHT!**

Sincerely,

Adrienne Rossi, Street Director

*The purpose of a street is to add value to the properties along it. Traffic doesn't pay taxes, residents do.*

John Norquist, Author, *The wealth of Cities*





## SEVENTH STREET TRAFFIC PROBLEMS IDENTIFIED

On December 1, 1999, all residents of Seventh Street east of Division were invited to a traffic meeting held in the Central Grade School Cafeteria. This group identified the following traffic-related problems on our street:

- (1) Drivers travelling at excessive speeds
- (2) Use of West Seventh Street as a crosstown route
- (3) Increasing truck traffic
- (4) Volume, speed and character of traffic threatens quality of residential life (noise, fumes, dirt, danger, vibration, etc.)
- (5) Drivers travelling two abreast
- (6) Drivers passing one another on a residential street
- (7) Drivers making left turns from right lane
- (8) Increasing number of drivers going the wrong way
- (9) Lack of caution in school zone
- (10) Failure of some drivers to obey stop signs
- (11) Lack of enforcement
- (12) Intersection at Seventh/Union is unsafe
- (13) Intersection at Seventh/Division is confusing

## PROPOSED SOLUTIONS

In an initial effort to address these problems, two changes were proposed and nearly unanimously supported by residents attending this meeting and two subsequent meetings held later in December and early January. The proposals are:

- (1) Allow right turns only at Lake/Union intersection except for emergency vehicles
- (2) Restrict north and west-bound traffic exiting West Seventh at Division to one lane except for emergency vehicles

These two changes would (1) increase the safety of both intersections, (2) allow emergency vehicles use of both intersections, (3) allow city residents who need to use our street to do so via East Eighth/Union/West Seventh, and (4) discourage crosstown and cut-through traffic on a residential Street.



Adrienne Rossi  
312 W. Seventh St.  
Traverse City, MI. 49684

(231) 946-7315

[abr4tc@yahoo.com](mailto:abr4tc@yahoo.com)

July 3, 2014

Dear Russ, FYI

I am writing in response to a letter sent to Seventh Street residents by City Planning director Russ Soyring. Mr. Soyring outlined several options for changing the configuration of our street in 2014-2015 and has asked residents to submit input by July 14, 2014.

The First document outlines my concerns regarding:

- Safety of students who are bused to school, walk to school, and driven to school in private vehicles
- Dumping and Storage of snow on the school lawn
- Teacher Parking

The second document outlines sensible, safe, solutions. I hope you will take the time to read both. I have been in communication with TCAPS and the city regarding my concerns since 1999. Living directly across the street from Central Grade School for 45 years has provided me with a great deal of insight into all three areas of concern, and I have put a great deal of thought into possible solutions. Thank you for your time.

Sincerely,

Adrienne Rossi

Seventh Street Resident

Cc: Paul Soma, Jared Ottenwess

## Concerns Regarding Central Grade School

Submitted by Adrienne Rossi, June 2014

### Safety Concerns Related to Student Drop-off and Pick-up

- The direction of the street on both Seventh and Eighth Streets prevents riders on the passenger side of private vehicles from discharging directly onto the school grounds.
- Children riding in the passenger side of vehicles discharge into the street directly into the path of both school and cross-town traffic.
- Children entering the street must pass between both parked and moving vehicles to access the school-yard.
- A 2003 school site safety study by AAA cited each of these factors as hazardous to students and recommended several changes including reversing the traffic pattern on Seventh and Eighth Streets. See attached document

### Additional Concerns related to Student Drop-off and Pickup

- There is no designated parent drop-off/pick-up area.
- Seventh and Eighth Streets in front of the school are signed NO PARKING.
- Both streets serve as de facto cross-town routes carrying a higher volume of vehicles per day than most residential streets.



Adrienne Rossi  
312 W. Seventh St.  
Traverse City, MI 49684

Cars in center lane are moving!



Adrienne Rossi  
312 W. Seventh St.  
Traverse City, MI 49684

Note student entering car from the center of the street



Adrienne Rossi  
312 W. Seventh St.  
Traverse City, MI 49684



this vehicle is marked for sale!



Adrienne Rossi  
312 W. Seventh St.  
Traverse City, MI 49684



Both children are entering  
roadway from left hand  
parked

Adrienne Rossi  
312 W. Seventh St.  
Traverse City, MI 49684



Child entering car from middle of the street ~ after emerging from between parked cars

Adrienne Rossi  
 312 W. Seventh St.  
 Traverse City, MI 49684

The snow in  
2005 looked  
beautiful  
when it was  
freshly  
plowed...

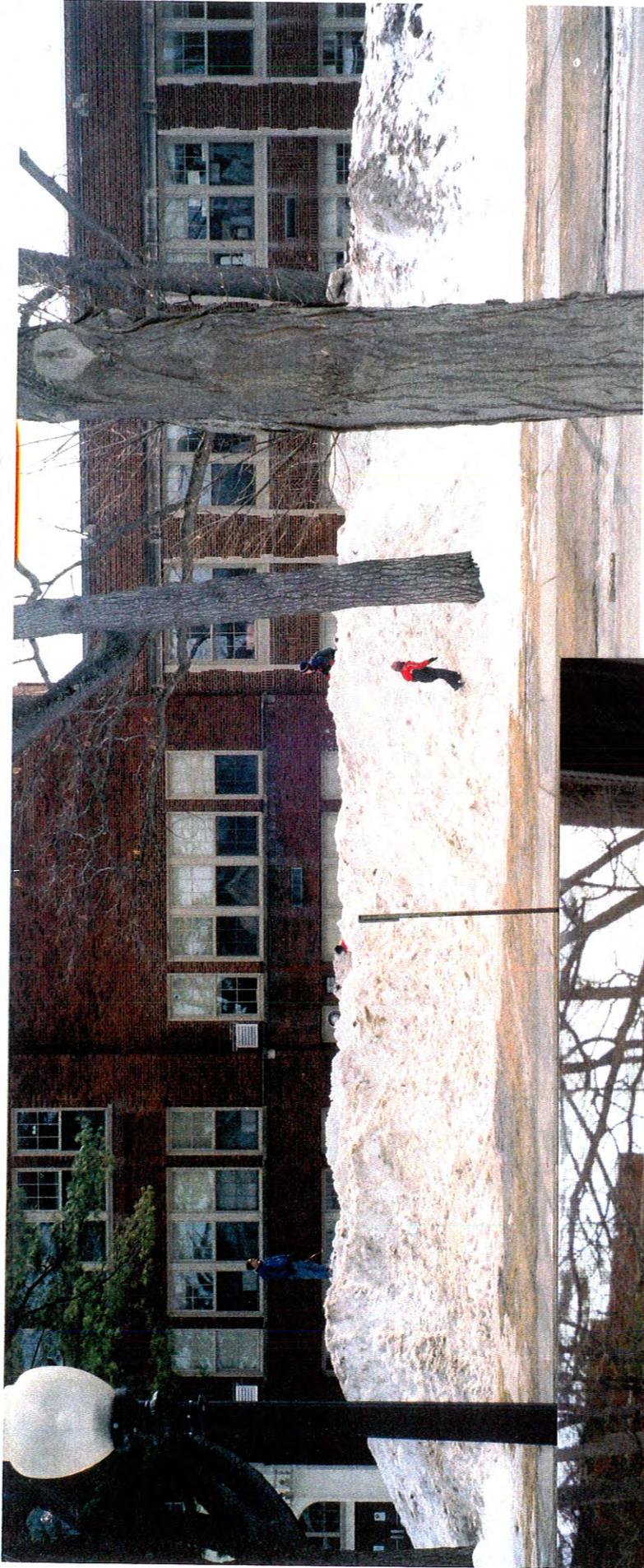


but by April and  
May

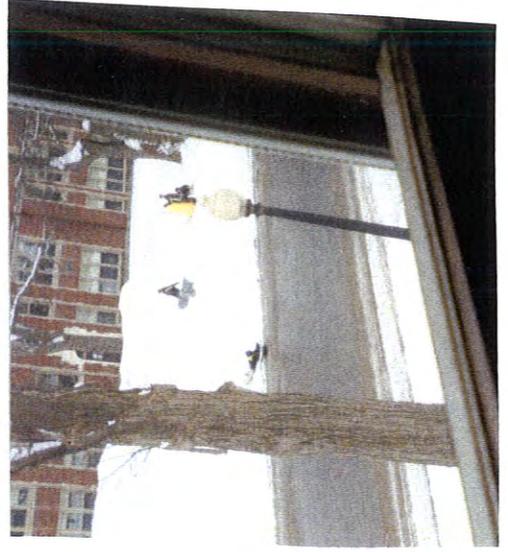
Not so much!



1 adult and 5 children are enjoying the snowbanks



but one boy on a sled is in danger



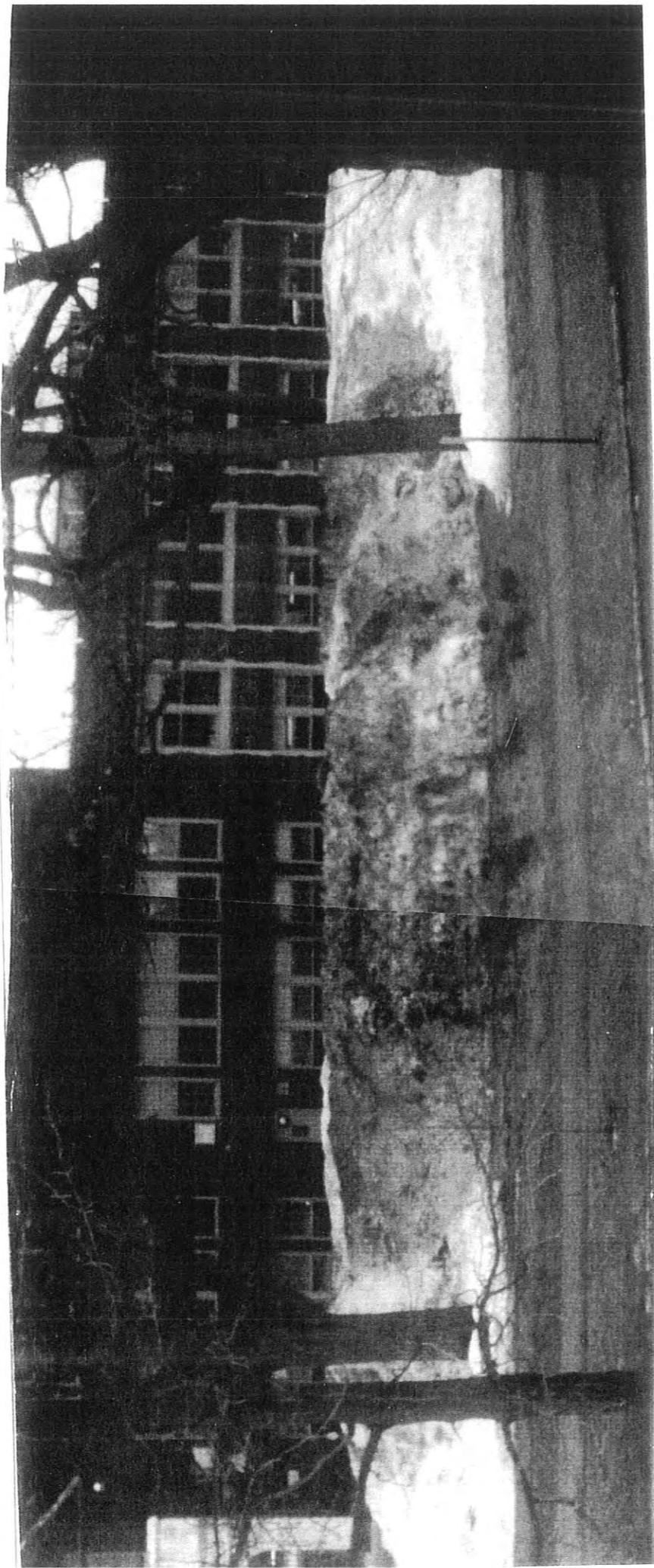
Thank you  
for  
kind  
help



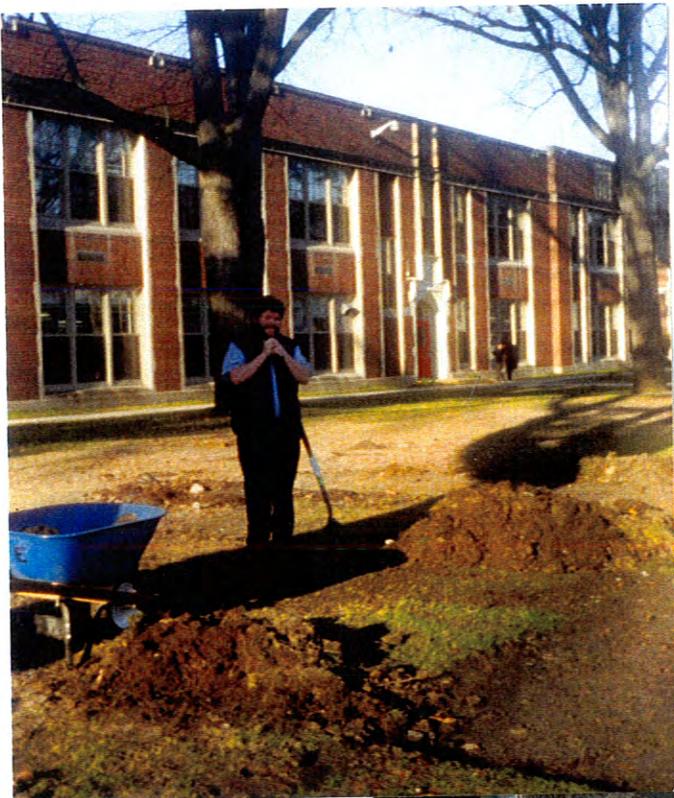
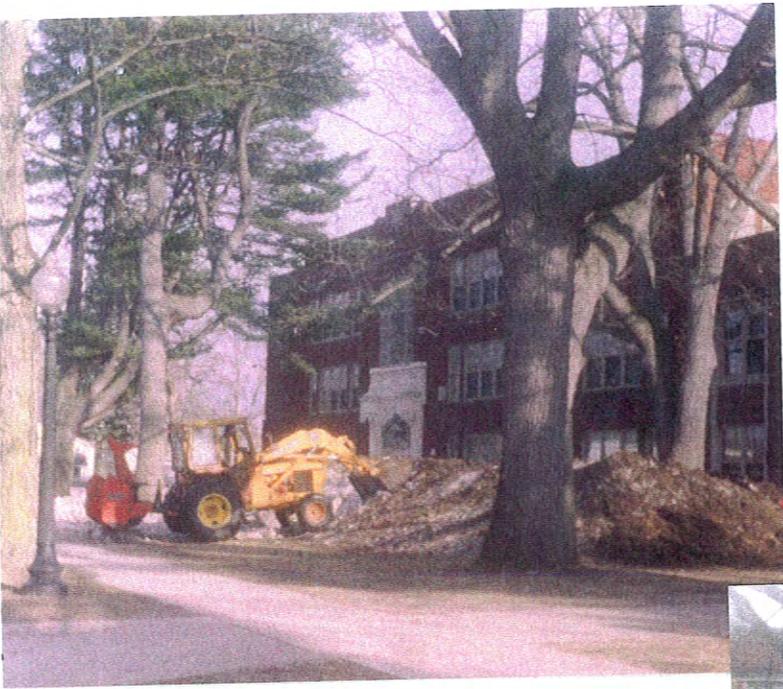
**Taste of winter**



Central School  
Spring 2004

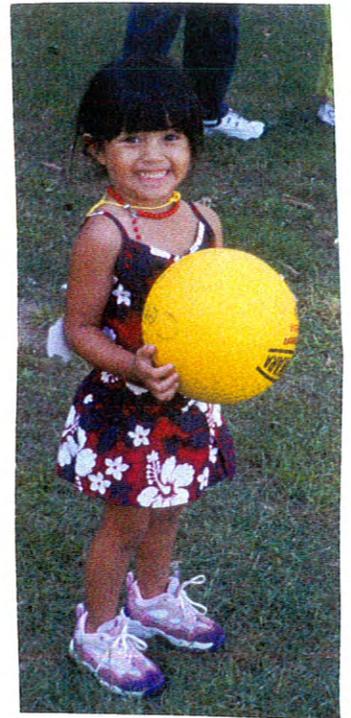


In the spring, the piles get cleaned up in a variety of ways. The green loader showed up during track practice!!!

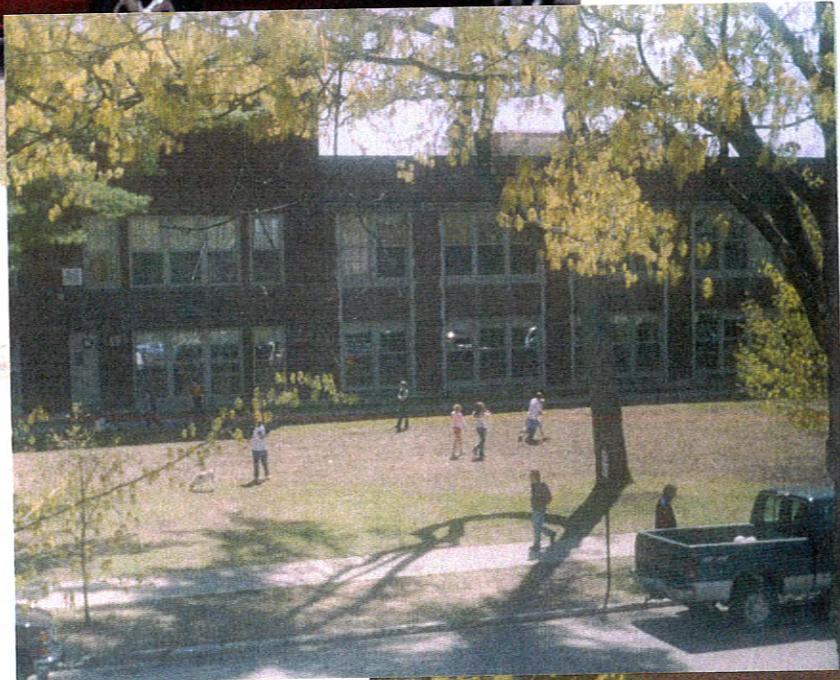


As soon as  
the snow melts  
the school lawn  
is in use ~  
for classes.

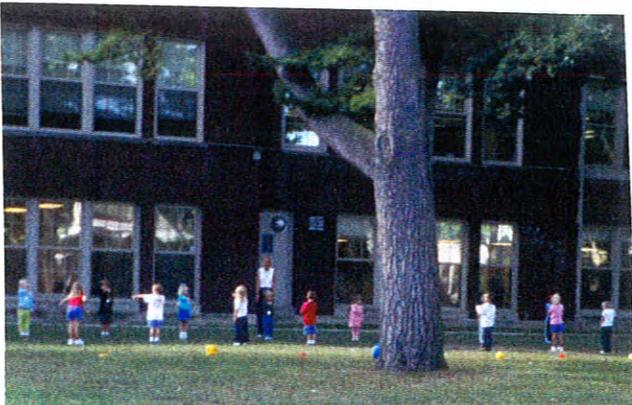
Athletic teams  
begin practice  
in  
the dirt,

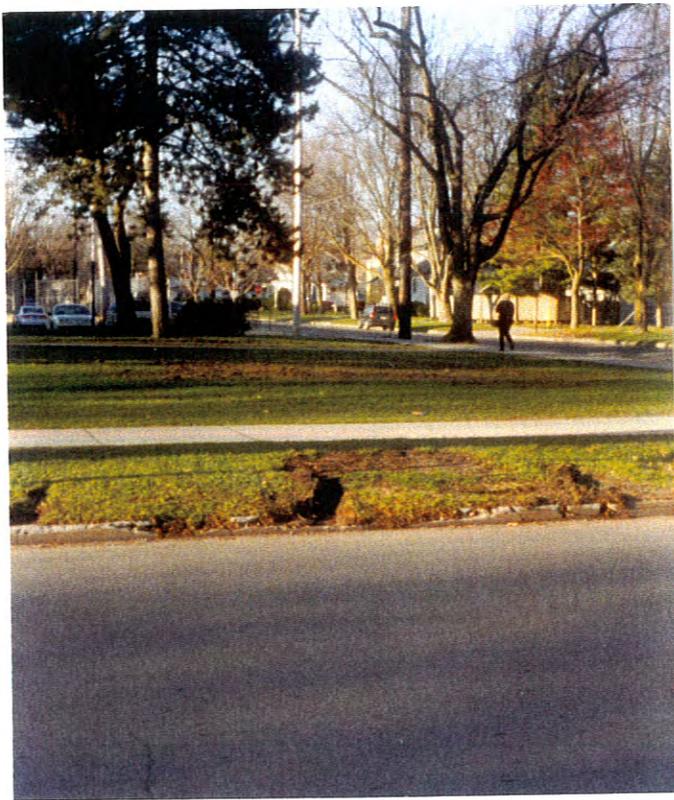


↑  
Cars are  
close to  
the  
students



These folks are  
ready for Earth Days





And when all  
the excitement  
is over ~  
reconstruction  
begins all over  
AGAIN!

### **Excessive Plowing by TCAPS is Fiscally Irresponsible**

- Large amounts of sod on the school lawn are torn up by the plows
- The sprinkler system is often damaged by the plows, the weight of the snow, and the weight of the highway- sized equipment used to move it.
- Plows have twice damaged a bronze memorial plaque commemorating the school's first teacher. It disrespectful and costly to tolerate this destruction.
- Cleanup of debris on the lawn after the spring melt is extensive and expensive in terms of both manpower and equipment.

### **Excessive Plowing by TCAPS has Damaged City Property**

- City tree-lawns have been stripped of sod in some areas and severely damaged in others.
- Street trees have sustained injuries by school plows
- City Curbing has been destroyed by plow blades and the weight of heavy equipment.

### **School Plows in the Roadway are a Traffic Hazard**

- Contractors hired by TCAPS push the street snow which has already been plowed onto tree-lawns by the city BACK into the roadway, creating an obstacle for drivers. This happens on all four streets around the school.
- The piles of snow in the streets are then scooped up and dumped on the Seventh Street lawn

- Highway sized equipment is working in the street as commuters are traveling to work in the dark, early morning hours.
- Plows and loaders working in the street often go the wrong way

**Note: By the time this street snow reaches the school lawn, it has been moved 3 TIMES...once by the city, and twice by the school!!!**

### **Neighbors' Concerns Related to the Dumping and Storage of Snow on the School Lawn**

- Use of the school lawn for the dumping and storage of snow is an affront to the neighborhood.
- Snow-banks extend the full length of the 300 Block of Seventh Street.
- These banks are usually as high as the first floor windows of the school.
- They are **FILTHY!!!** *See attached photos*
- Neighbors must look at these unsightly piles for 6+ months of the year.
- Their appearance degrades the quality of neighborhood life.
- Use of the school lawn as a dumping ground depreciates the value of surrounding properties.

*Dumping of debris on the school lawn by the street sweeper would not be tolerated. Why should winter dumping of this same debris (plus the added sand and chemicals) be tolerated just because it is mixed with snow and not immediately visible?*

*A neighbor once remarked, "Central Grade School should be the Jewel of the TCAPS System". Abusing the front lawn of this venerable building seems to demonstrate a callous disregard for this beloved landmark.*

### Seventh Street Neighbors' Concerns about On-Street Parking

- There is not room on school property to accommodate all staff vehicles.
- The 18 on-street parking spaces in the 300 block are used by TCAPS employees, volunteers, and parents as well as employees of the funeral home, the History Center, the U.S. Postal service, and businesses in Old Town and Downtown.
- 2-hour parking has been implemented on most surrounding streets.
- The 300 Block of Seventh Street does not have a 2-hour limit. It is treated like a free City Parking Lot. Many drivers park for 8 hours. Drivers dump ashtrays, cigarette butts, dirty diapers, beverages and beverage containers, into the roadway. A few drivers have left their cars on the street in front of our homes for a whole week-end!

*Residents of heavily used streets are less likely to clean up road litter than are folks on lightly trafficked streets who treat the street as an extension of their yard*

- This block is zoned R-2 and includes 15 residential units fronting Seventh Street.
- Residents can rarely park in front of their homes.
- Parking spaces are occupied by non-residents every week-day and on week-nights and week-ends when there are activities at the school.
- Drivers often block sidewalks leading from the street to residences making it difficult for residents to access the street, receive deliveries, and entertain guests.

**MOST IMPORTANTLY, BLOCKING RESIDENTIAL SIDEWALKS BLOCKS EMERGENCY ACCESS TO RESIDENCES!**

- Inadequate parking for residents and guests demoralizes homeowners and degrades property values.

## Keeping Kids Safe at Central Grade School

### Sensible, Inexpensive Solutions

Submitted by Adrienne Rossi, June 2014

**Student safety should be the primary goal when considering the reconfiguration of West Seventh Street.**

**GOAL: Central Grade School students arriving in private vehicles should be able to exit directly onto the school yard from the passenger side of the vehicle. Buses are required to discharge children directly onto school premises.**

#### **How to Do It: Designate a Parent Drop-off/Pick-up Area**

**If Seventh and Eighth Streets continue to be the primary drop-off/pickup areas, both streets should either be returned to 2-way traffic or the traffic flow on both streets should be reversed, making it possible for riders in the passenger seat to discharge directly onto school property. Either option could be accomplished with determination, education, persuasion, and signage.**

*Another option that has been considered is creating a parking bay on Seventh Street. However, this would encourage drivers on Seventh Street to travel faster as they pass just a few feet from students exiting cars. If the direction of traffic remained the same, students exiting into the parking bay would still have to go between parked and moving cars to access the school grounds. It would not solve the Eighth Street issues.*

*Another proposal is to create a drive-through on the school lawn. A single lane drive-through is ineffective since the drivers at the end of the line must always wait for the first driver to leave.*

*A two-lane drive-through would be more efficient but would, in effect, create another road. Again, without changing the direction of traffic entering the drive-through, children would still cross through parked and moving cars to access the school, or be required to navigate the intersection between the drive-through and the street. Again, this would not solve the Eighth Street issues. It would also make the lawn unsafe for other activities.*

# In praise of 2-way traffic

Years ago, to ease traffic volumes through Central Neighborhood on 7<sup>th</sup> and 8<sup>th</sup> Streets, a one way coupling system was created – and so were many more problems that have yet to be resolved because of that one-way system.

The one-way streets now:

- 1. Add a "passing" lane.** The 7th and 8th Street one-way roads effectively act as two lanes in each direction, giving drivers the ability to take the left "fast lane" and create unsafe conditions at intersections where some drivers are not aware of the unofficial second lane.
- 2. Widen the road.** The absence of an on-coming lane makes the existing lane wider. *Wide roads increase speeds.* Studies show that one-way streets actually have an *increase in traffic volumes* because drivers choose these faster roads.
- 3. Take away from the natural tendency to slow down when cars approach from the opposite direction.** Oncoming traffic decreases speeds, but dividers and many one-way streets, like two-laned parkway or highway configurations, *increase vehicle speeds.* Studies also show that drivers pay less attention on one-way streets because of the lack of on-coming traffic.
- 4. Increase distances traveled out of the way, causing motorists to increase their speeds to make up for lost time.** This backtracking and confusion also *increases vehicle miles driven* inside our neighborhood.
- 5. Increase confusion and crashes because pedestrians and motorists naturally do not expect oncoming vehicles from the wrong side of the road.**

A simple, cost effective and less self-destructive solution would be to **block traffic from entering 7<sup>th</sup> Street at Division as we currently do (except for bicycles) and doing the same for 8<sup>th</sup> and Union.** *But allow normal 2-way traffic for those inside the neighborhood on 7<sup>th</sup> and 8<sup>th</sup> Streets,* possibly even allowing traffic to exit the neighborhood at 7<sup>th</sup>/Union and 8<sup>th</sup>/Division. This will address and ease almost all of the 13 concerns from the past meetings:

- #1. Drivers traveling at excessive speeds.
- #2. Use of 7<sup>th</sup> Street as a crosstown route.
- #4. Volume, speed, and character of traffic threaten quality of life.
- #5. Drivers traveling two abreast.
- #6. Drivers passing one another.
- #7. Drivers making a left turn from right lane.
- #8. Increasing number of drivers going the wrong way.
- #9. Lack of caution in a school zone.
- #10. Failure to stop at Stop signs.
- #12. 7<sup>th</sup>/Union Intersection is unsafe.
- #13. 7<sup>th</sup> Street/Division intersection is confusing.

And a new one; it is hard to get people to park on both sides of the road. On street parking on both sides of the road is a good traffic-calming tool.

A single exit lane at Division for right turning and straight traffic, a *Do Not Enter* sign, and a 6-foot wide entrance for bicycles would be less confusing and dangerous than the current offset-lane configuration. Signage should be adequate since it has been a restricted entrance for so long, but some barriers can also be constructed - permanent or seasonal.

Prepared by Bill Clark. Presented  
at 7th St. traffic meeting 6-25-14

**GOAL: Devise a pick-up/drop-off plan that is safe and enforceable for students arriving or departing in private vehicles.**

*Students exiting the school on Eighth Street cannot leave the fenced playground area until a parent appears. There appears to be no orderly plan for students exiting the school on Seventh Street. Students swarm out of the school to cars at the curb, cars in the street, and cars across the street. People with orange vests are posted at the doors of the school, but no one is supervising at the sidewalk/curb/street area where the action is! See photos*

**HOW TO DO IT: Assign each student exiting on Seventh Street to a sidewalk area near one of the three existing curb cuts. Require parents to meet their child at that curb cut, either on foot or in their vehicle. Don't release any student until a parent appears. Adult supervisors should be present. This plan also should negate the need for drivers to back up as they leave the curb.**

**Goal: Create a safe, reliable plan for "Walkers" to enter and leave the school grounds.**

**HOW TO DO IT: There should either be crossing guards at every corner, every day, or there should be none at all. Parents sending their walkers off to school should be CERTAIN that there WILL or WILL NOT be a guard at the corner their child needs to cross.**

**Children should be taught and allowed to cross only at the intersections.**

**Consider the moral implication of assigning guards only to corners with the most walkers. It implies that 3 children are not as important as 10 children!**

**Re-evaluate the need for adult Crossing guards on some corners.**



Michigan Compiled Laws Complete Through PA 225 of 2003

[Home](#)[Register](#)[Login](#)[Help](#)

Navigation	
←	Documents
	→
	MCL Chapter Index
	Chapter 257
	Act 300 of 1949
	300-1949-VI
	300-1949-VI-SPEED-RESTRICTIONS
	Section 257.629

Legislature
Bills
Calendars
Committee Bill Records
Committee Meetings
Concurrent Resolutions
Joint Resolutions
Journals
Legislators
Public Acts
Resolutions
Session Schedules
Search Wizard
Basic Search
Advanced Search
Laws
Freq Requests (by topic)
Freq Requests (alpha)
Search Wizard
Basic MCL Search
Advanced MCL Search
Constitution Search
Chapter Index
Executive Orders
Historical Documents
MCL Tables
Publications
Publications
Publications (text only)
Related Sites

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Jump to the first occurrence of "Traffic Laws"

## MICHIGAN VEHICLE CODE (EXCERPT)

### Act 300 of 1949

#### **257.629 Prima facie speed limits; establishment; limitations; signs; civil infraction; "local authority" defined.**

Sec. 629.

(1) Local authorities may establish or increase the prima facie speed limits on highways under their jurisdiction subject to the following limitations:

(a) A highway within a business or residential district on which the prima facie speed limit is increased shall be designated a through highway at the entrance to which vehicles shall be required to stop before entering, except that where 2 of these through highways intersect, local authorities may require traffic on only 1 highway to stop before entering the intersection.

(b) The local authorities shall place and maintain, upon all through highways in which the permissible speed is increased, adequate signs giving notice of the special regulations and shall also place and maintain upon each highway intersecting a through highway, appropriate signs which shall be reflectorized or illuminated at night.

(c) Local authorities may establish prima facie lawful speed limits on highways outside of business or residential districts which shall not be less than 25 miles per hour, except as provided in subsection (4).

(d) Before a local authority increases or decreases the prima facie speed limit on a state trunk line highway within a school zone, the local authority shall confer with the state transportation department, the department of state police, and the school board of the affected school district.

(2) The state transportation commission may establish the speed which shall be prima facie lawful upon all trunk line highways outside of business districts and located within cities and villages and outside of school zones, as follows:

(a) A written copy of the authorization or determination shall be filed in the office of the county clerk of the county or counties where the highway is located and a certified copy of the authorization or determination shall be prima facie evidence in all courts of the issuance of the authorization or determination.

(b) When the state transportation commission increases the speed upon a trunk line highway as provided in this act, subject to section 627a, the state transportation department shall place

**Related Sites**

and maintain upon these highways adequate signs giving notice of the permissible speed fixed by the state transportation commission.

(3) Local authorities are authorized to decrease the prima facie speed limits in public parks under their jurisdiction. A decrease in the prima facie speed limits shall be binding when adequate signs are duly posted giving notice of the reduced speeds.

(4) Local authorities are authorized to decrease the prima facie speed limits to not less than 15 miles an hour on each street or highway under their jurisdiction which is adjacent to a publicly owned park or playground. A decrease in the prima facie speed limits shall be binding when adequate signs are duly posted giving notice of the reduced speeds. As used in this subsection, "local authority" includes the county road commission with the concurrence of the township board of a township for a street or highway within the boundaries of the township.

(5) The maximum rates of speed allowed pursuant to this section are subject to the maximum rate established pursuant to section 629b.

(6) A person who exceeds a lawful speed limit established pursuant to this section is responsible for a civil infraction.

(7) As used in this section, "local authority" means the governing body of a city or village, except as provided in subsection (4).

**History:** 1949, Act 300, Eff. Sept. 23, 1949 ;--Am. 1974, Act 28, Imd. Eff. Mar. 2, 1974 ;--Am. 1976, Act 75, Imd. Eff. Apr. 11, 1976 ;--Am. 1978, Act 42, Imd. Eff. Mar. 7, 1978 ;--Am. 1978, Act 510, Eff. Aug. 1, 1979 ;--Am. 1979, Act 21, Eff. Mar. 27, 1980 ;--Am. 1980, Act 222, Imd. Eff. July 18, 1980 ;--Am. 1987, Act 193, Imd. Eff. Dec. 2, 1987 ;--Am. 1988, Act 368, Imd. Eff. Dec. 21, 1988 .

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## The driver's focus at different speeds.

A low speed allows drivers to be more aware of their surroundings and to have time to react to other highway users.

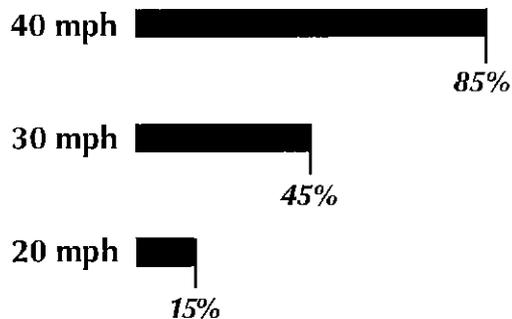
The photos show how a driver's focus changes as their speed increases. The setting is a typical downtown in a small Oregon city. Shops and on-street parking line both sides of this 2-lane couplet. The highway is built to "full standard" because of the ample right-of-way.

At the posted speed of 30 mph, many drivers have a difficult time seeing bicyclists and pedestrians, and stopping distance is nearly twice that of 20 mph.

To safely accommodate all users, this highway needs substantial design changes that tell the driver that this is not the open highway it was a few blocks before.

A good start would be wide planting strips with trees to narrow the roadway. A bike lane could be striped. Intersections could be narrowed even further with curb extensions.

When a person is struck by a motor vehicle, they have the following chances of death according to *Killing Speed and Saving Lives*, UK Department of Transportation:



At 40 mph the driver's focus is on the roadway in the distance.



At 30 mph the driver begins to see things at the road edges in the background.



At 20 mph the foreground comes into focus.



At 15 mph the driver easily sees that this is a place where pedestrians and bicyclists are present.

**GOAL: Reduce the speed of traffic passing by the school.** *The average speed of drivers on Seventh Street is 29 mph. The chance of death when a person is struck at that at that speed is 45%. At 20 mph the chance of death drops to 15%. See attached document*

**How to Do It: TCAPS should identify the Seventh Street lawn as a PLAYGROUND.** The City should pursue the option of REDUCING SPEED limits on both Seventh and Eighth Streets to 15 mph in the block of the school.. see attached document

**GOAL: Reduce the volume of traffic passing by the school.** *Children and adults are often on the school lawn, on the sidewalk, or in the street during school hours or when the building is in use for a community event.*

**How to Do It: Allow right turns only at west-bound Lake and Union intersection east of Union except for emergency vehicles.** *This is a congested and unsafe crossing. Traffic backs up on Lake Street as drivers wait to for a chance to cross Union.*

**Eliminating west-bound through traffic at Lake/Union intersection would discourage both cut-through and truck traffic.**

*It would also make more space at that intersection for emergency vehicles and would allow drivers to exit the intersection more rapidly as they see emergency vehicles approaching. It would reduce back-ups by reducing the number of vehicles using the intersection.*

**EVERYONE COULD STILL GET WHERE- EVER THEY WANT TO GO!!!**

*Drivers going to Old Town could go Eighth> Union.*

*Drivers going to the Hospital area could go Eighth>Union>Seventh*

*Drivers going to Central Neighborhood could go Eighth>Union>Seventh*

*Drivers going to Slab Town or the Parkway could go Eighth>Union>Seventh, Eighth>Union>Front, or Eighth>Union>Parkway*

**Allowing right turns only at the Sixth/ Division intersection would discourage cut-through traffic from diverting to Sixth Street and would make the Sixth/Division intersection safer.**

**West and North-bound traffic at the Seventh/Division Intersection east of Division should be reduced to one lane and the street re-striped to align with the opposing lane west of Division.** *This would eliminate confusion at the intersection and allow more room for emergency vehicles. It would discourage cut-through traffic on Seventh Street because drivers would have to exit the street one-at-a-time just as they do on other residential streets.*

*These changes would make the Eighth>Lake>Seventh>Division route less appealing to cut-through traffic approaching the Eighth/Munson intersection. These drivers might choose the Munson>Front>Parkway route to the hospital or areas west of Division rather than cutting through Central Neighborhood and past Central Grade School.*

**GOAL: Increase Safety of Children who are bused to school.** *If the traffic flow on Seventh Street remains as is, buses must discharge directly onto school grounds on either Wadsworth or Pine Street.*

**HOW TO DO IT: Buses should use both docking areas to avoid queuing on surrounding streets and to avoid students crowding onto docking areas.**

*All buses currently use the narrow (6'-12') docking area on Pine Street. Pine Street was widened to accommodate a fire lane. The widened street encourages drivers to travel faster past the docking area.*

**Consider angle parking on the east side of Pine Street.** *This would narrow the street, slow traffic, and provide more parking spaces for teachers.*

**Special Ed buses should continue to dock on Pine Street.** *Special Ed students are escorted to and from their buses by adults, and are closely supervised when they are on the docking area.*

**Bus Drivers should turn on their yellow flashers when they are parked.** *This reminds drivers to reduce their speed when students are present.*

**Most students should use the Wadsworth Street docking area.** *With a combined docking/sidewalk area of 18' it is safer than the Pine Street area. Wadsworth is a narrow street (27') which may cause drivers to lower their speed as they pass the by the docking area. Again, bus drivers should always have their yellow flashers on to remind drivers that students are present.*

**Each bus docking on Wadsworth Street should be assigned to park either to the north or to the south of the teacher's parking lot. Students should be assigned to an exit door which would allow them access to their bus without crossing the entrance to the teachers' parking lot.**

**There should be no parent parking in the teachers' parking lot.** *Currently, parents pick-up/drop-off that area. This creates unnecessary traffic across the docking area. Eliminating parent parking would free up more parking spaces for teachers.*

**All parking in the Wadsworth lot should be reserved for teachers, handicapped, and deliveries.**

**The sign identifying the delivery area in the teachers' parking lot should be changed to DELIVERIES ONLY**

**Drivers who make regular deliveries should avoid times when buses are present.**

**A stop sign should be placed at the exit of the teachers parking lot and the shrubbery trimmed back to increase visibility.**

**Teachers who must unexpectedly leave school when buses are parked at the docking area should exit via the alley directly across from the parking lot.**

**Teachers who KNOW they will be leaving school while students are present in the docking area should park elsewhere.**

**Signage on the west side of Wadsworth should be changed to NO PARKING, STOPPING, OR STANDING 7:00-400 WEEKDAYS.** *This would relieve congestion on Wadsworth which is a very narrow street (27') and give buses the turning radius they need.*

**Alternatively, Wadsworth and/or Pine could be closed to through traffic during school hours.** *This was done on Pine when Central School housed Junior High Students. The closure occurred after a student ran from between parked buses and was struck by a passing car.*

**Allow 2- hour parking on the south side of Seventh during school hours to accommodate parents, volunteers, and those attending events at the school.** *Parked cars slow traffic and provide a barrier between students and moving cars Currently, many drivers park illegally on the south side of Seventh during drop-off, pick-up, and school events. It makes sense to make it legal!*

*Emergency access has not been a problem during times when the 300 block is fully parked on both sides of the street which is twice a day every school day, nor has it been a problem in blocks that allow 2-hour parking on both sides. Two-hour parking has successfully thinned parking to a residential level. Parking on both sides of the street has also been successful. Residents appreciate being able to park in front of their homes, and report that it has slowed traffic and prevented drivers from passing and driving 2-abreast. This makes it safer and more pleasant for both students and residents.*

**GOAL: Stop the Excessive, Expensive, Unsafe, Disrespectful, and Possibly Illegal Dumping of snow on the Central Grade School Tree Lawn.** See attached document

**HOW TO DO IT; Make a Better Plan!**

**History;** *The excessive plowing of snow at Central Grade School began when the TAG program was discontinued and those parents were forced to drive their children to school. Open Enrollment and the Montessori program brought even more children to Central School...all arriving by private vehicles. Traverse City parents also became part of a nation-wide trend that saw parents choosing to drive their children to school rather than having them ride the bus.*

*Suddenly, there were 300+ children arriving on Seventh Street, exiting cars directly into passing traffic, going between parked cars and clambering over snow-banks to access the school yard. The school and parents were over-whelmed.*

*Instead of making a plan to solve the real problems (traffic going the wrong way, no organized drop-off/e pick-up plan) the school decided to plow the snow-banks on the tree-lawn up onto the school lawn.*

*Never mind that children still had to get out into moving traffic and pass between parked and moving cars(often in the dark), at least they didn't get snow in their boots!!!*

### **A BETTER PLAN**

**GOAL:** Increase the safety of students entering cars during winter months.

**HOW TO DO IT:** Plow the sidewalk areas around the school and at corners where you want students to cross. Plow the teachers' parking lot. Plow PATHS across the tree lawn only where students are assigned to be picked-up/dropped off. Calculate where the door area of buses will be, and plow PATHS TO those areas.

**DO NOT PLOW THE WHOLE TREE LAWN AREA!** Snow-banks between the sidewalk and the street except at assigned pick-up/drop-off points will discourage students from entering the street mid-block. Snow-banks will also keep students from slipping under the wheels of approaching buses.

**Place DO NOT BLOCK DRIVEWAY SIGNS at curb-cuts that students will use to access private vehicles.**

**BLOW the snow from paths and sidewalks onto the nearest lawn area.**

**Pile snow from the teachers' parking lot onto the lawn utilizing curb cuts. *This will preserve the City curbs. Pile the snow evenly along the WHOLE lawn area so that it will MELT FASTER in the spring. This is relatively clean snow, and it is the same snow that students and neighborhood children have enjoyed playing in for generations.***

**Plow after six inches of snowfall.**

**Use appropriately sized equipment for each task.**

**Assess which areas must be cleared when school is not in session and whether the six-inch rule for vacation days is necessary. It is disconcerting for neighbors when plows are working at 6:00 am on snow-days and on weekends when there are no activities at the school.**

**THANK YOU FOR YOUR CONSIDERATION.**

***FYI: The following is a partial list of items I have found in the melting snow-piles on the Central school lawn:***

*A dirty diaper, a full bottle of peroxide, all of the wire flags placed on the tree lawn by a city utility, pointed wooden sticks used to mark the areas to be plowed, a pointed metal framing strip from one of the first floor window screens, hundreds of sharp sticks and branches, enough city curbing to make a short wall at my house, and thousands of piles of Doggy Doo-Doo.*

**A dead squirrel and a piece of rebar from a passing pick-up truck never made it to the piles only because I picked them up out of the street!!!**



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**QUARTERLY REPORT FOR MAY-JULY 2014**  
**MIKE TROMBLEY CEO**

<b>COMPLAINTS for 2014</b>	<b>MAY (14-31)</b>	<b>JUNE</b>	<b>JULY( 1-17)</b>	
Lawns	3	20	5	
Sign Violations	2	1	0	
Sidewalk Café Inspections	2	6	5	
Brush/ Streets Dpt.	2	17	4	
Parking violations	3	13	8	
Neighbor Disputes	5	8	3	
Street Performer inspections/compl.	1	4	1	
Commissioner/Mayor Complaints	1	4	4	
Chickens	1	1	0	
Trash/garbage/junk	4	9	4	
Smoking Violation	2	0	0	
Dilapidated Homes/buildings	1	5	0	
Food Trucks/Vendors	3	0	0	
Noise	1	0	0	
Health/Safety	1	6	0	
News Racks	0	2	0	
DDA issues/complaints	0	4	8	
<b>TOTALS</b>	<b>32</b>	<b>100</b>	<b>41</b>	

The above chart shows the type and amount of each complaint that was handled. No citations were issued, only warnings, as almost all violations were corrected after one warning. I have not begun to do any Rental Housing Inspections, however will be sending out letters this week to schedule and begin the weekly inspections. Approximately 90% of the above complaints were call generated, and 10% self initiated.