Zoning Element

Introduction

The intent of the Zoning Element of the City of Traverse City Master Plan 2009 (herein after referred to as 'the Master Plan') is to articulate a strategy for bringing the existing Zoning Ordinance into compliance with the City of Traverse City Master Plan. It addresses issues and concerns and sets the foundation for future zoning ordinance and zoning map modifications.

HAME

The Master Plan has as a core principal the utilization of HAME – Hours, Auto, Mass and Emissions and uses these measures of intensity as a way to differentiate neighborhood types (TC-2, TC-3 etc.). The utilization and the development of a working HAME model was not addressed in the Master Plan document. Is HAME measured subjectively or objectively? Is it a number or a comparison to the existing conditions of a neighborhood type or neighborhood edge?

HAME will not be measured by a numerical benchmark, but instead includes those aspects of development that can and should be regulated – hours, traffic volume, noise, and building mass – and as such should be 'the focus' of discussion and decision-making processes. The intent of HAME is to ensure that language used in land development discussions is centered on these intensities.

There are a variety of options for incorporating HAME into the planning review and approval process, with the understanding that HAME standards empower, but do not compel the use of rigid numerical measures in the planning process. A separate decision-making process based strictly on HAME measurements would not be effective or advisable at this time. Instead, intensities relative to hours, autos, mass, and emissions should be a part of the dialogue as we move into discussions on recommendations for consolidation of the Zoning Ordinance and the Master Plan, which includes the Future Land Use Map.

Step Down

As stated in the Master Plan, higher intensity uses must step down in intensity at borders with less intense neighborhoods. It is recommended that corridor overlay districts be developed to address the issues associated with step down in intensities especially where TC-4 and TC-5 neighborhoods are next to TC-2 or TC-3 neighborhoods. These corridor overlay district plans must accommodate the neighborhood concerns and avoid the issue of 'down zoning'. This may require a step up in intensity at the neighborhood border with a higher intensity area and lowering of intensity at border by the more intense use. Corridor study initiatives currently underway may be the foundation for development of a comprehensive means to monitor and regulate development intensities at neighborhood borders. The City of Traverse City Planning Commission must develop an approach and process to deal with the interface areas where two different neighborhood types meet.

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Zoning Element

Zoning Code Changes

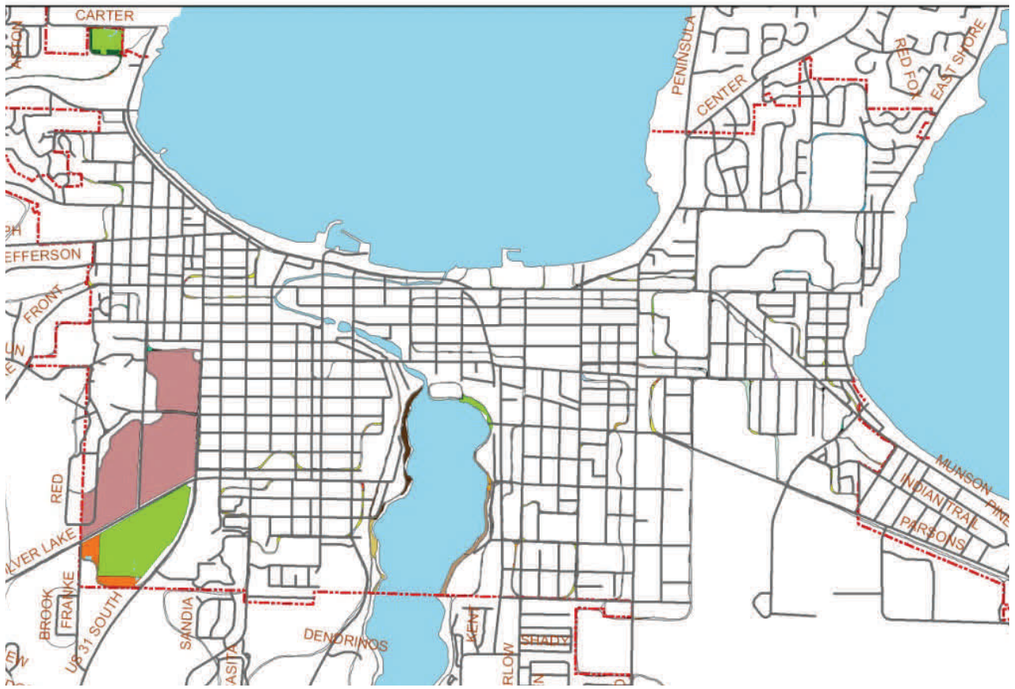
In the following assessment of zoning districts in each neighborhood type, there are specific zoning districts that are substantially consistent with the Master Plan and some where, changes to the Zoning Ordinance are needed in order to bring the existing zoning regulations into compliance with the Master Plan.

For each potential change to the Zoning Ordinance an indication is given as to whether this is a long term or short-term objective. It is considered a short-term objective if the change could be accomplished in 6 – 12 months and would probably not result in significant discussion or problems or this change is considered a high priority. More substantive issues that will likely warrant more lengthy public input processes and may be more contentious, or of lower priority, are identified as long term. The long-term issues are envisioned to require up to 3 years to accomplish. It should be noted that all of the changes are needed to bring the current Zoning Ordinance fully into compliance with the Master Plan and all of the Sub Plans.

Form Based Zoning

The recommendation for the City of Traverse City is: to develop a form-based zoning code in place of the existing use-based zoning code. The combination of form-based and smart code utilization could result in less confusion and more certainty in the zoning process. It could also shorten time to implement new development that is consistent with the zoning code. The development of a form-based zoning code will require considerable time and effort. It is recommended that initial attempts to develop a form-based code be limited to specific sub areas of the city. (Garland Street, Grand Traverse Commons, major corridors, etc.) The knowledge gained from these projects can serve as the basis for the development of a more comprehensive form-based zoning code for Traverse City.

Zoning Element TC-1, Conservation Neighborhood



ZONING DISTRICTS IN THE TC-1 NEIGHBORHOOD

OS	Open Space District
PR	Planned Redevelopment District
C-3	Community Center District

Zoning Element TC-1, Conservation Neighborhood

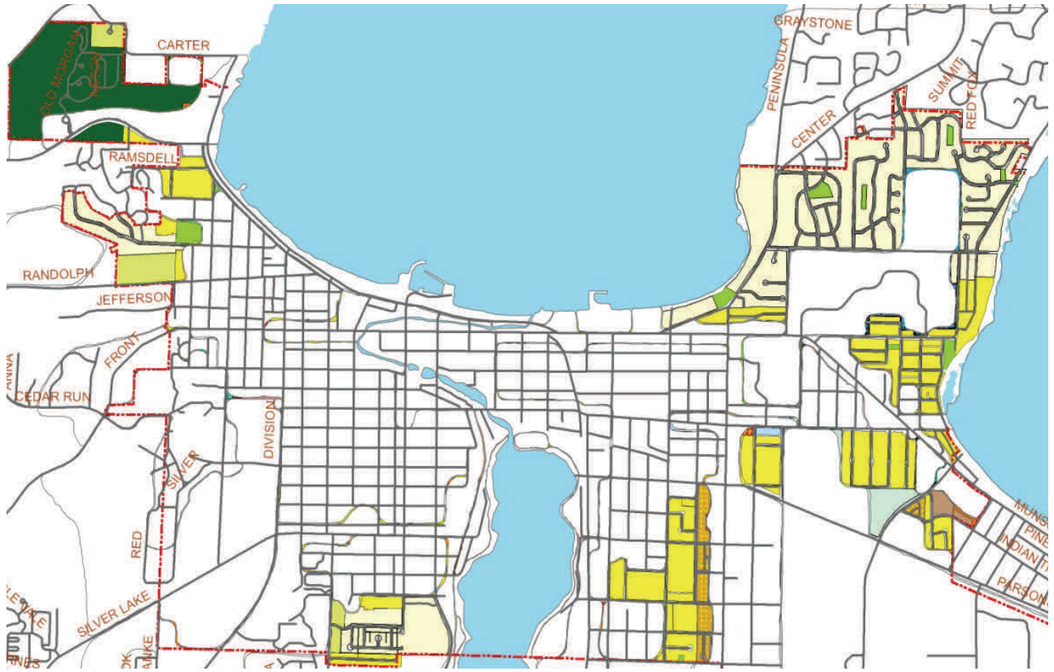
ZONING DISTRICTS CONSISTENT WITH THE TC-1 NEIGHBORHOOD

- The area zoned PR District represents City Park Land and City of Traverse City and Charter Township Recreational Authority property and is governed by its own Master Plan and Zoning Code. The Grand Traverse Commons Master Plan designates this area as “Conservation and Recreation” and is consistent with the Core Principles of the TC-1 Neighborhood.
- The OS District adjacent to Carter Road is designated as a City Park and is identified in the City of Traverse City Recreation Plan as a “natural area” and is consistent with the Core Principles of the TC-1 Neighborhood.
- The OS District between Silver Lake Road and Division Street is a designated wetland and is consistent with the Core Principles of the TC-1 Neighborhood.

POTENTIAL CHANGES TO ZONING

- The C-3 District at the south east corner of Franke Road and Silver Lake Road is a designated wetland and could be rezoned to OS District or the City could adopt a Wetland Ordinance. ***Long term recommendation***
- The C-3 District located on the west side of Division Street at the southern City limits is a parking lot for a fast food restaurant and is adjacent to a TC-4 Neighborhood. The Future land Use Map should be amended to represent this area as TC-4 or it should be interpreted as a TC-4 neighborhood since it is at the transition point between two neighborhoods. ***Long term recommendation***

Zoning Element TC-2, Contemporary Neighborhood



ZONING DISTRICTS IN THE TC-2 NEIGHBORHOOD

OS	Open Space District
RC	Residential Conservation District
R-1a	Single Family Dwelling District
R-1b	Single Family Dwelling District
R-2	Two Family Dwellling District
R-15	Multiple Family Dwelling District
C-1	Office Service District
R-1b / Mixed Use PUD - Morgan Farm Area	

Zoning Element TC-2, Contemporary Neighborhood

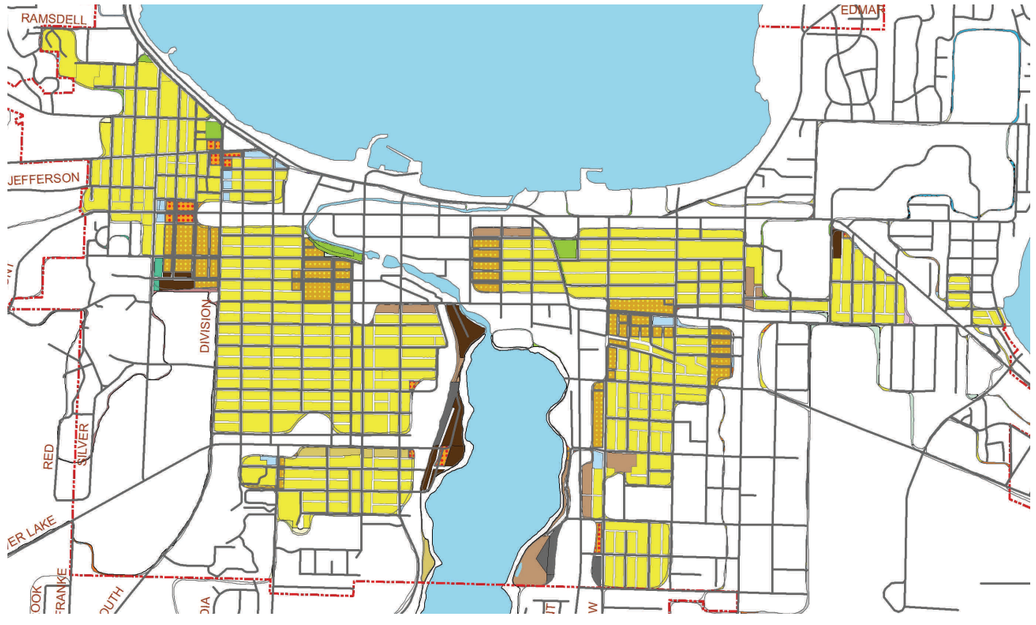
ZONING DISTRICTS CONSISTENT WITH THE TC-2 NEIGHBORHOOD

- The RC Zoning District satisfies the core principles of the TC-2 Neighborhood and allows for a tool (clustered housing) to protect natural resources.
- R-1a Zoning District satisfies the core principles of the TC-2 Neighborhood.
- Most areas zoned R-1b in this neighborhood should not change. These areas typically have an informal infrastructure which includes uncurbed streets, no sidewalks or alley access. This will eliminate the creation of nonconforming lots due to lot widths, area and setbacks.
- The R-2 Zoning District in this neighborhood should not change. The location of these parcels is adjacent to the TC-4 Neighborhood and higher densities at these transition points satisfy the principles of the TC-2 Neighborhood.

POTENTIAL CHANGES TO ZONING

- The R-15 Zoning District could be rezoned to R-9 (the lowest multiple family density in the Zoning Code). Low density multiple family dwellings located at the perimeters of the neighborhood is identified as one of the core principles in the TC-2 Neighborhood. ***Long term recommendation***
- The C-1 location in this neighborhood is on a corridor of significance and should be developed as an overlay district or in conjunction with any future corridor studies or plans. ***Short term recommendation***
- The underlying Zoning for the R-1b/MU District should be changed to R-1a. ***Long term recommendation***

Zoning Element TC-3, Traditional Neighborhood



ZONING DISTRICTS IN THE TC-3 NEIGHBORHOOD

OS	Open Space District
R-1b	Single Family Dwelling District
R-2	Two Family Dwellling District
R-9	Multiple Family Dwelling District
R-15	Multiple Family Dwelling District
R-29	Multiple Family Dwelling District
C-1	Office Service District
C-2	Neighborhood Center District
I	Industrial District
H-1	Hospital District

Zoning Element TC-3, Traditional Neighborhood

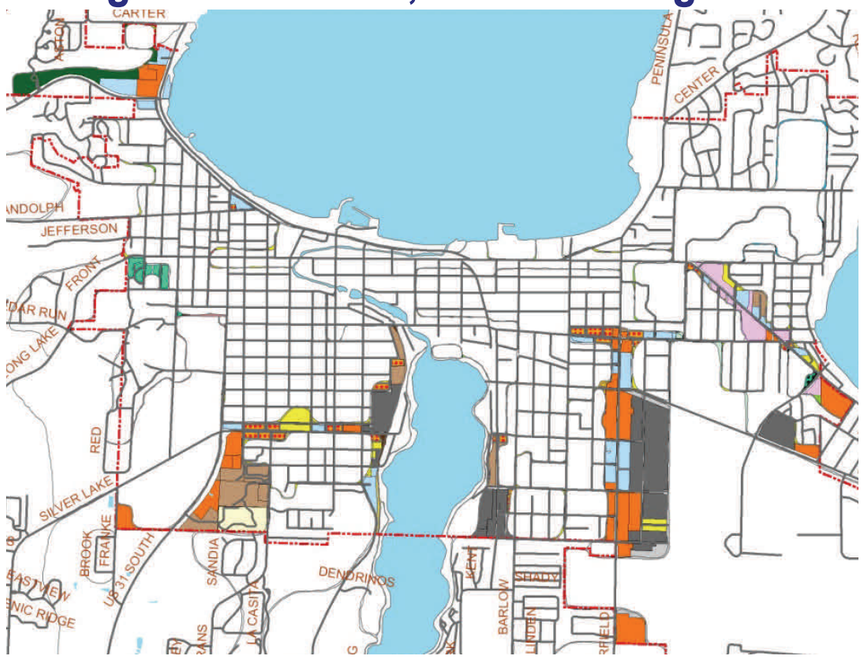
ZONING DISTRICTS CONSISTENT WITH THE TC-3 NEIGHBORHOOD

- The OS District in the TC-3 Neighborhood represented neighborhood parks and is consistent with Core Principles of the TC-3 Neighborhood.
- The R-1b District is consistent with the Core Principles of the TC-3 Neighborhood.
- The TC-3 Neighborhood identifies moderate residential density with some multi-family dwellings. The R-2 District and the R-9 and R-15 District are consistent with this Core Principle.
- The R-29 District south of Eighth Street along Boardman River and Boardman Lake is adjacent to TC-4 and TC-5 Neighborhoods and the higher residential density is consistent with the intensity of these neighborhoods.
- The C-1 District and C-2 District allow for basic neighborhood services and is consistent with the Core Principles of the TC-3 Neighborhood.

POTENTIAL CHANGES TO ZONING

- The R-1b District should be modified to allow more opportunities for neighborhood services. ***Short term recommendation***
- The R-29 District located on the north and south side of Seventh Street near Elmwood Avenue is predominately single and two family dwellings and should be rezoned to R-15 to reflect "moderate" residential density as identified in the Core Principles of the TC-3 Neighborhood. ***Long term recommendation***
- C-1 District uses should be expanded to allow for more opportunities for neighborhood services (i.e. limited retail). ***Short term recommendation***
- Recommend ordinance amendments in the R-1b District that would allow for accessory dwelling units (ADUs) as Special Land Use Permit. ***Long term recommendation***
- Recommend ordinance amendments that would permit a cottage overlay district in the R-1b District. ***Long term recommendation***
- The parcels zoned R-1b located on the south west side of North Division and Third Streets should be rezoned to C-1 to reflect the current land use and be a transition are between the TC-3 and TC-5 neighborhoods.

Zoning Element TC-4, Corridor Neighborhood



ZONING DISTRICTS IN THE TC-4 NEIGHBORHOOD

OS	Open Space District	HR	Hotel Resort District
R-1a	Single Family Dwelling District	H-1	Hospital District
R-1b	Single Family Dwelling District	I	Industrial District
R-15	Multiple Family Dwelling District		
C-1	Office Service District		
C-2	Neighborhood Center District		
C-3	Community Center District		

ZONING DISTRICTS CONSISTENT WITH THE TC-4 NEIGHBORHOOD

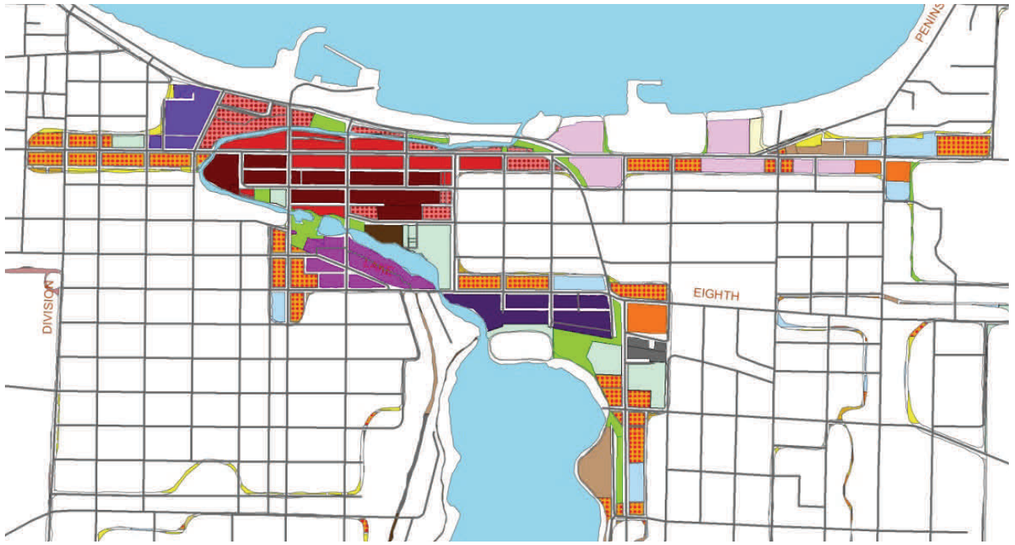
- The R-1b District along 14th Street represents a conforming athletic field with seasonal increases in intensity and is consistent with the core principles of the TC-4 Neighborhood.
- The R-15 District east of Lake Street is adjacent to a TC-3 neighborhood and the lower residential density adjacent to this traditional neighborhood meets the core principles of the TC-4 Neighborhood.
- C-2 District and the C-3 District are consistent with the core principles of the TC-4 Neighborhood.
- The R-1b/MU District along East Traverse Highway allows for C-2 District uses and these uses are consistent with the core principles of the TC-4 Neighborhood.

Zoning Element TC-4, Corridor Neighborhood

POTENTIAL CHANGES TO ZONING

- The R-1a District west of Veterans Drive at the southern City limits should be rezoned to R-29 District to reflect the current land use as well as meet the core principle of higher residential density in the TC-4 Neighborhood. ***Long term recommendation***
- The R-1b District on Plainview Street should be rezoned to I District and include C-2 District uses similar to Woodmere Avenue Corridor. ***Long term recommendation***
- The R-15 District west of Veterans Drive should be rezoned to R-29 District to reflect the current land use as well as meet the core principle of higher residential density in the TC-4 Neighborhood. ***Long term recommendation***
- The R-15 District on the west side of Woodmere Avenue between Centre and Carver should be rezoned to C-2 District. The Woodmere corridor primarily includes I District uses (which includes C-2 uses) and C-2 District uses and this change would be consistent with the core principles of the TC-4 Neighborhood as well as eliminate existing nonconforming uses. ***Long term recommendation***
- Garfield Avenue is a corridor of significance and should be developed as an overlay district or in conjunction with any future corridor studies. Unless an overlay district or future corridor study states differently, the C-1 District along Garfield Avenue should be rezoned to C-3 District. Regulations that reduce intensity levels at the boundaries of Conventional or Traditional neighborhoods should be developed (i.e. larger setback, limited hours of operation). ***Long term recommendation***
- The C-1 Districts along Eighth Street, On the east side of Cass Street and the south side of East Sixteenth should be rezoned to C-2. ***Long term recommendation***
- 14th Street is a corridor of significance and should be developed as an overlay district or in conjunction with any future corridor studies. Unless an overlay district or future corridor study states differently, the C-1 District along the north side of 14th Street should be rezoned to C-2 District to unify the zoning along this corridor. ***Short term recommendation***
- Munson Avenue is a corridor that should be developed as an overlay district or in conjunction with any future corridor studies. Unless an overlay district or future corridor study states differently, the C-1 District along Munson Avenue should be rezoned to C-2 District to allow for more uses which is consistent with the core principles of the TC-4 Neighborhood. Additional uses should be added to the HR District, or eliminate the HR District, rezone to C-2 and incorporate those HR District uses that are not currently in the C-2 District. Regulations that reduce intensity levels at the boundaries of Conventional and Traditional neighborhoods should be developed (i.e. larger setback, limited hours of operation). ***Short term recommendation***
- Larger buildings (offices, retail shops, restaurants and drinking places) in the HR District and the C-2 along arterial or collector streets should be allowed by an Administrative Special Land Use Permit or a City Commission Special Land Use Permit. ***Long term recommendation***
- The C-1 District along East Traverse Highway and M-22 should be rezoned to C-3 with additional regulations that reduce intensity levels at the boundaries of Conventional and Traditional neighborhoods. Additional amendments that address vehicular access drives along this state highway should accompany any rezoning. ***Long term recommendation***
- Additional uses that residents and employees would find useful on a regular basis should be added to the H-1 District uses. ***Short term recommendation***

Zoning Element TC-5, Downtown Neighborhood



ZONING DISTRICTS IN THE TC-5 NEIGHBORHOOD

OS	Open Space District	C-4b	Regional Center District
R-15	Multiple Family Dwelling District	C-4c	Regional Center District
R-29	Multiple Family Dwelling District	D-1	Development District
C-1	Office Service District	D-2	Development District
C-2	Neighborhood Center District	D-3	Development District
C-3	Community Center District	GP	Government/ Public District
C-4a	Regional Center District	I	Industrial District
		HR	Hotel Resort District

ZONING DISTRICTS CONSISTENT WITH THE TC-5 NEIGHBORHOOD

- The OS District in the TC-5 Neighborhood represents city parks, recreational trails and the Farmers Market and is consistent with the core principles of the TC-5 Neighborhood.
- The GP District, C-2 District, C-4 Districts and the D Districts are consistent with the core principles of the TC-5 Neighborhood.
- The I District along Woodmere Avenue includes C-2 District uses and is consistent with the core principles of the TC-5 Neighborhood.

POTENTIAL CHANGES TO ZONING

- The R-29 District on the south side of Washington Street between Cass Street and Boardman Avenue should be rezoned to C-4a District. The change will allow for higher intensities and more opportunities for mixed-use which is consistent with the core principles of the TC-5 Neighborhood. ***Long term recommendation***

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Zoning Element TC-5, Downtown Neighborhood

- The R-15 District on the east side of Boardman Lake should be rezoned to R-29 to allow for higher residential density. ***Long term recommendation***
- East Front Street from Railroad Avenue, east to Milliken Drive is a corridor of significance and should be developed as an overlay district or in conjunction with any future corridor studies. Additional regulations that reduce the intensity levels at the boundaries of Conventional and Traditional Neighborhoods should be developed. Unless an overlay district or future corridor study states differently, the C-1 District in this corridor should be rezoned to C-2. Additional uses should be added to the HR District in this corridor, or eliminate the HR District, rezone to C-2 District and incorporate those HR District uses that are not currently in the C-2 District. The R-15 District in this corridor should be rezoned to R-29. These changes will allow for additional uses and higher residential densities which is consistent with the core principles of the TC-5 Neighborhood. ***Short term recommendation***
- The C-3 District uses should be modified to more adequately reflect the core principles of the TC-5 neighborhood (i.e. elimination auto oriented uses such as drive-throughs and car lots). ***Long term recommendation***
- Larger building footprints in the HR and C-2 Districts along arterial and collector streets should be allowed by an Administrative Special Land Use Permit or a City Commission Special Land Use Permit. ***Short term recommendation***
- Eighth Street from Boardman Avenue to Barlow Street is a corridor of significance and should be developed as an overlay district or in conjunction with any future corridor studies. Unless an overlay district or future corridor study states differently, the C-1 District along this corridor should be rezoned to C-2 to more closely reflect the core principles of the TC-5 Neighborhood. ***Long term recommendation***
- Unless an overlay district or future corridor study states differently, the D-1 District north of Eighth Street to the alley right-of-way and to the Old Town Parking Deck Parcel should be rezoned to C-4a. ***Long term recommendation***
- Unless an overlay district or future corridor study states differently, he D-1 District south of Lake Street, west of Cass Street, north of the alley right-of-way and the D-1 District north of Lake Street to the Boardman River and east of Cass Street should be rezoned to C-4b. ***Long term recommendation***
- Unless an overlay district or future corridor study states differently, the D-1 District north of Lake Street and west of Cass Street should be rezoned to C-4c. ***Long term recommendation***
- Unless an overlay district or future corridor study states differently, the D-1 District adjacent to Lay Park should be rezoned to C-4a. ***Long term recommendation***
- The C-1 District south of Eighth Street and east of Union Street should be rezoned to C-2. ***Long term recommendation***
- The D-3 District should be rezoned to C-4b once a public parking deck is constructed within 500 feet. ***Long term recommendation***
- Amend Chapter 1374, Circulation and Parking to not require on site parking within 500 feet of a transit center. ***Short term recommendation***

Approved by the City Commission on 9/17/12