

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION AGENDA  
Wednesday, August 23, 2017 – 7:30 PM, Board of Trustees Room**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**MINUTES:**

**ITEM #1:** Approval of minutes from the regular meeting of August 9, 2017.

**CORRESPONDENCE:**

**PUBLIC HEARING:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**GENERAL DISCUSSION:**

**ITEM #1:** POTENTIAL ACCESSORY DWELLING UNIT ZONING REGULATIONS

**ITEM #2:** POTENTIAL TOWNSHIP MASTER PLAN UPDATE

**ADJOURNMENT:**

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
AUGUST 9, 2017  
MINUTES - DRAFT**

Chairperson Thompson called the meeting to order at 7:35 p.m.

**ROLL CALL:**

**Present:** Boynton, Kelley, Atchinson, Budd and Thompson.

**Excused:** Franzoi.

**Staff:** Director Akers, Planning Intern Madigan and Secretary Harman.

**Planning Representatives:** None.

**Audience:** Five (5).

**APPROVAL OF AGENDA:**

**Motion Boynton, Atchinson second to approve the agenda of August 9, 2017 as presented.  
Motion Carried.**

**APPROVAL OF MINUTES:**

**Motion Kelley, Boynton second to approve the regular meeting minutes of July 26, 2017 as presented. Motion Carried.**

**NEW BUSINESS:**

**ITEM # 1                    17-027 – ALLEN EDWIN HOMES ELEVATION MODIFICATION**

**TITLE:                    THE APPLICANT, ALLEN EDWIN HOMES, IS REQUESTING A SITE PLAN AMENDMENT TO MAKE MODIFICATIONS TO THEIR PREVIOUSLY APPROVED HOME PLANS FOR THE COUNTRY WALK DEVELOPMENT.**

**LOCATION:                THE COUNTRY WALK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF MARTINSVILLE ROAD, NORTH OF SAVAGE ROAD.**

The applicant was not present for the discussion. Commissioners discussed moving the item to general discussion to allow time for the applicant to arrive.

**Motion Kelley, Atchinson second to move Item #1 under General Business Discussion. Motion Carried.**

**GENERAL DISCUSSION:**

- 1. POTENTIAL SHORT TERM RENTAL ZONING REGULATIONS:** Director Akers introduced the Planning Department Intern, Chris Madigan who is a graduate student at Eastern Michigan University. Mr. Madigan presented his staff memo dated 7-20-17 in which he discussed short-term rentals, the potential noise and parking issues that may arise, two (2) pieces of State legislation that may affect municipalities' authority to regulate the rentals and regulations that some municipalities are implementing such as requiring registration and licensing to assist with these issues.

Commissioners discussed state legislation and how it affects municipalities' regulating authority, how homeowners associations enforce regulations, potential parking issues, the need for public input and the desire to send out a survey to residents.

2. **PLANNING COMMISSION ORIENTATION PACKETS:** Intern Madigan presented Planning Commission Orientation Packets that he created to the Commission members. The packets will be given to new members and include: the Zoning Ordinance, the Master Plan and Master Plan updates, By-laws, Commission member contact information, Michigan Attorney General booklet, the Open Meetings Act, zoning maps and future land use maps. The Commission commended Mr. Madigan on a great job. The book will be available in PDF form as well.
3. **ALLEN EDWIN HOMES ELEVATION MODIFICATION:** Director Akers recommended the Commission postpone the discussion until the applicant resubmits the home elevations.

**Motion Boynton, Kelley second to postpone the discussion until the applicant submits revised home elevations. Motion Carried.**

**Motion Boynton, Atchinson second to adjourn at 8:15 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary



# Memo

**TO:** Planning Commission

**FROM:** Chris Madigan  
Planning and Economic Development Intern

**RE:** Accessory Dwelling Units

**DATE:** 8/7/17

---

Referred to as ADUs accessory dwelling units can be described as incidental and subordinate dwelling units which provide living quarters for an individual a family that is on the same lot, but is separate from the primary unit. ADUs can provide a multitude of benefits to a community. They provide additional housing options that may be more affordable. They provide opportunities for owners to rent out rooms to supplement income, allow multigenerational families to stay closer together, including allowing seniors to age in place. If designed appropriately, ADUs should create minimal impacts on neighborhoods, while providing additional affordable housing.

## **Types of ADUs**

Depending on their location relative to the primary dwelling unit, ADUs can be classified into three categories: interior, attached, and detached. Interior ADUs are located within the primary dwelling unit, typically constructed through the conversion of an existing basement or attic. Attached ADUs are living spaces that are added to the primary dwelling unit. The attached ADUs are typically located on the rear or side of the Primary dwelling unit, but can be constructed on top of an existing attached garage. Detached ADUs are separate structures from the primary dwelling unit. They can be constructed over existing accessory structures, such as a detached garage, or they can be built as units that are separate from accessory and residential structures. Some communities have allowed "tiny homes" as legal detached ADUs. The tiny homes must be placed on a permanent foundation, and meet the varying square footage requirements for the community in which they are located.

## **Lot Types and sizes**

ADUs are typically permitted on lots zoned for residential use. Most often located on single-family lots, some communities permit their construction on lots zoned for multi-family dwelling

units. Additionally, several Michigan townships including Pittsfield and Briley (located in Northwest Michigan) permit ADUs on land zoned as AG.

Many communities that permit ADUs, preclude construction of the units on lots that fall below the minimum square footage set forth in the ordinance. The minimum square footage requirements range from as low as 4,000 sq. ft. in more urban environments to as high as an acre in Pittsfield. Selecting an appropriate minimum lot size helping restrict the number of ADUs that can be built should help to alleviate concerns about overcrowding, that may arise from the addition of new housing.

Permitting ADUs in certain districts does not exclude those structure from meeting the zoning requirements, all dimension regulations must still be met in order to be approved.

### **Size of ADUs**

Because ADUs are incidental and subordinate dwelling units, they often have strict square footage requirements limiting their size. Some ordinances permit ADUs to be as small as 250 sq. ft., while others are permitted to be as large as 1,000 sq. ft. Most often ADUs are permitted to be between 400 and 800 sq. ft. Some communities forgo listing exact square footage requirements, instead opting to limit the size of the ADUs to a certain percentage of the size of the primary dwelling unit. As an example, Pittsfield's ordinance states "The unit shall not exceed 50% of the floor area of the principal residence."

### **Parking**

Currently, single- and two-family units within Van Buren Township require two parking spaces per unit. Because many ADUs are small in size, they often house no more than 1-2 individuals. Communities typically require one additional parking space per ADU. The additional parking spaces requirement can be met by creating more space in a driveway, parking bay, or garage.

### **Occupancy Requirements**

Typically, the primary dwelling unit property owner is required to maintain residence either within the primary dwelling unit, or the ADU at minimum six months of the year. An ADU ordinance may require the property owner to maintain residence within the primary dwelling unit. Other ordinances grant more flexibility allowing the property owner to choose which of the units they wish to reside in, should they choose to rent the other unit out.

In order to prevent ADUs being constructed in order to serve as short term rentals, communities may place minimum number of months per year that an ADU must be rented to the same tenant. Allowing ADUs is typically intended to increase the amount and variety of housing stock

available in a community, ADUs constructed in order to serve as a short-term rental would not serve that purpose. Some ordinances require a minimum length of as little 30 days, while others require a minimum of three, six and up to twelve months.

### **Permitted vs. Special Use**

Communities seeking to aggressively add affordable housing, may allow ADUs as a permitted use in residential areas. Doing so may encourage more construction of ADUs because of the easier permitting process. Alternatively, communities may allow ADUs as a special use, ensuring more levels of review before approval.

Finally, Communities have the option to approve certain types of ADUs, while excluding others. They may for instance draft an ADU ordinance that only allows interior and attached ADUs. An example, comes from the town of Farmington. "An attached accessory dwelling unit shall be permitted in all zoning districts that permit single family dwellings."

### **Benefits for Seniors**

For communities seeking housing solutions for an increasing number of senior citizens, ADUs potentially help address two issues seniors face when seeking adequate and affordable housing. By permitting a dwelling unit that is separate from, but on the same property as the primary residence, families are able to build a space specifically for a senior family member and keep them nearby. ADUs intended for this use, are sometimes referred to as granny-flats and allow seniors to "age in place" as they get older. The separate unit ensures that seniors who might need extra care or help getting around can stay out of retirement communities or similar facilities for a longer period of time. For seniors who <sup>①</sup>May not need help from family members, but are unable to afford their homes once they reach retirement, the long-term rental of an ADU on their property may help supplement their income and allow them to stay in their home.

SEMCOG estimates that by 2040 Van Buren Will see an increase in its senior population, from the 2010 census of 153%. This increase would mean the addition of over 4,000 new seniors to the township. Though there are numerous obstacles to ensuring adequate housing to the senior population, ADUs can serve as an effective first step in addressing at least a couple of those obstacles.

### **Financing Homes with ADU's**

Because permitted detached ADUs are still a rare occurrence, lenders remain hesitant to finance these properties, usually requiring a recently sold comparable property in the area. According to Fannie Mae, properties with ADUs are eligible for financing under the following conditions:

- The appraisal report demonstrates that the improvements are typical for the market through an analysis of at least one comparable property with the same use.
- The borrower qualifies for the mortgage without considering any rental income from the accessory unit.

ADUs that are attached to the home, occupy space above a detached garage, or a converted basement/attic are more likely to be financed by lenders. Despite possessing the same attributes as a detached ADU, these units are more likely to be considered as additional square footage in the home.

### **Assessing Homes with ADU's**

Homes with ADUs may lose all, or a portion of their Principle Residence Exemption. Detached ADUs with a separate entrance that do not have an adjoining entrance to the home's living area, are not part of the principal residence and are not eligible for this exemption. Homes with attached ADUs or ADUs in a converted basement/attic may lose a portion of their Primary Residence Exemption based on the size of the ADU relative to total size of the home.



SECTION 11.10 ACCESSORY DWELLING UNITS

A. **Purpose and Intent.** Accessory dwelling units are dwelling units which are accessory a principal dwelling unit located on the same lot or parcel. The intent of those regulations is to:

1. Provide older homeowners with a means to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
2. Add moderately-priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income household who might otherwise have difficulty finding housing;
3. Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle;
4. Provide housing units for persons with disabilities; and
5. Protect stability, property values, and the residential character of a neighborhood.

B. **Application of Regulations.** Accessory dwelling units shall be a conditional use in the R1-A, R1-B, and AG districts.

C. **Standards of Approval.**

1. The units shall be a separate housekeeping unit, and shall not exceed fifty percent (50%) of the floor area of the principal residence.
2. Only one (1) accessory dwelling shall be permitted on each lot or parcel.
3. The owners of the principal residence shall continue to occupy the principal residence.
4. The accessory dwelling unit shall not be occupied by more than two (2) persons meeting the definition of family.
5. All setback and lot coverage requirements of the district shall be met.
6. A minimum of one (1) additional off-street parking space shall be provided for the accessory dwelling.

SECTION 11.11 LODGING FACILITIES

Lodging that includes a restaurant, bar/lounge, auditorium, exhibition, or public meeting space shall provide parking to accommodate all uses on the site, in accordance with the standards set forth in Section 12.05.

BACK

Table of Contents

Zoning Map

Definitions



# Memo

**TO: Planning Commission**  
**FROM: Ron Akers, AICP**  
**Director of Planning and Economic Development**  
**RE: Potential Update of the Township's Master Plan**  
**DATE: August 19, 2017**

---

Van Buren Township's current base Master Plan was originally adopted in 1989. We have since adopted several sub area plans which have evaluated different areas/topics in the community. These sub-area plans include:

- 1999: Single Family Residential Plan
- 2000: The Ecorse-Haggerty Corridor Plan
- 2001: Grace Lake Area Plan
- 2007: Southside Master Plan
- 2010: Belleville Road Area Plan

The Michigan Planning Enabling Act requires that "at least once every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan." It is my understanding that this item was last reviewed in 2013 where the Planning Commission determined that it would be appropriate to update the Township's Master Plan, but due to several circumstances this process has not occurred.

The Township Board has approved funds in the budget for the revision of the Township's Master Plan. If the Planning Commission feels that an update or rewrite is still warranted, then there are funds available to complete this task.

There are several reasons why I believe that a Master Plan update is warranted. These include:

- The Master Plan is the justification for our land use policy in the Township. Having the document in several "pieces" lends to confusion and make the document less user friendly.
- Many things have changed since the 2007 which impacts multiple areas in the Township. This includes commercial/industrial development as well as residential development trends. Looking at our current land use strategy will ensure we are up to date with these new trends and prepared to address opportunities in the future.
- It provides an opportunity to engage the public on their preferences and align our guiding document and goals with what the residents and business owners of the community want to see.
- It provides an opportunity to engage our neighboring communities in dialogue and discuss common issues and opportunities.

If the Planning Commission feels that an update to the Master Plan is warranted I think we should discuss the format and scope of the Master Plan update. There are several options to consider. These include looking at the northern half of the Township in greater detail, consolidating the relevant parts of the existing subarea plans and look at specific areas of the Township in greater detail, or focusing on a single area and add another sub area plan. It is my recommendation that regardless of the direction we end up with a single comprehensive document at the end of the process.

I look forward to further discussion by the Planning Commission on this matter.