

**SUMMARY OF DRAFT
VILLAGE OF BANCROFT ZONING ORDINANCE
January 5, 2010**

The Village of Bancroft Planning Commission will be holding a public hearing on January 27, 2011 on a proposed new zoning ordinance. The current village zoning ordinance was adopted in the 1960's and is out of date and inconsistent with the requirements of the recently adopted Michigan Zoning Enabling Act. This report is intended to give a brief summary of the some of the key elements of the ordinance for those members of the public that don't want to wade through the whole ordinance.

Basic Concepts

Under zoning, a community is divided into **zoning districts** which regulate how property is used and developed. Some of the regulations (**district regulations**) are specific to a particular district, while others (**general or supplementary regulations**) apply to uses regardless of which district they are in. Generally zoning ordinances include one or more districts for residential, commercial and industrial uses. Public and semi-public uses such as churches and government uses are often allowed in several types of districts.

Within each district there a uses that are allowed "**by right**" and others that allowed "**by special use permit**". Uses permitted by right may still require administrative review such as a zoning permit or site plan approval, but as long as the use meets those requirements, they are permitted. A use permitted by special use permit is normally a use that is more intensive than the uses allowed by right in the same district and are only allowed after review and approval from the Planning Commission. The Planning Commission may deny a specific proposal for a use by special use permit if they determine it is not appropriate for the location. Attached is a copy of Table 6-1 which lists the uses allowed by district.

Each district also has regulations that require new lots created to be a minimum width and size, require buildings to be built a minimum distance from the lot lines and limit the maximum height of buildings. In preparing the regulations for the current ordinance the Planning Commission looked at the size of current lots and tried to establish standards that minimized the number of lots that would not conform to the regulations. Attached is a copy of Table 6-3 which lists the **dimensional requirements** by district.

Under state law uses, buildings and lots that exist at the time of adoption of a zoning ordinance that do not comply with the requirements of that new ordinance are "grandfathered" in as legal nonconformities provided they were legal when they were established, but communities are allowed to adopt regulations that limit the ability of these **nonconformities** to change. The draft ordinance is relatively liberal in its treatment of nonconformities, allowing nonconforming structures to be expanded provided they do not increase the nonconformity, allowing nonconforming uses to change to other nonconforming uses with the approval of the Zoning Board of Appeals (ZBA) and allowing the Zoning Administrator to modify setback requirements for nonconforming lots by up to 15%. Section 7.11 of the zoning ordinance deals with nonconformities.

The **Zoning Administrator** is the person responsible for enforcing the zoning ordinance. Before a building is built or moved, or the use of a property is changed, the property owner must apply for a **zoning permit** to allow the Zoning Administrator the opportunity to verify that the building meets the dimensional requirements of the ordinance and the use is permitted in the district it is proposed.

The **Planning Commission** is a body composed of residents of the village appointed by the Village Council. Under the draft ordinance the Planning Commission would be responsible for holding **public**

hearings and making recommendations to the Village Council on amendments to the zoning ordinance as well as approving **site plans** and **special use permits**.

The **Zoning Board of Appeals (ZBA)** is also a body composed of residents of the village appointed by the Village Council. The ZBA acts as a “quasi-court” for issues related to the zoning ordinance. Under the draft ordinance the ZBA is responsible for hearing **appeals** on zoning decisions made by the Zoning Administrator and Planning Commission, considers requests for **variances** from the dimensional requirements of the zoning ordinance and **interpret** the zoning ordinance text or map if either is unclear. Article 5 outlines the powers and procedures of the ZBA.

Site plans are drawings required under the zoning ordinance that provides substantial detail on a proposed development to ensure the project meets the zoning ordinance requirements and to evaluate issues such as access, parking, outdoor storage and drainage. Under the draft ordinances site plans are required for large developments such as **apartments, businesses, industrial uses and public and semi-public uses** as well as substantial expansions of such structures. Single family and duplex homes, their accessory structures like garages, and small expansions of most structures do not require site plan approval, but may require a zoning permit. Article 11 deals with the site plan review process.

Signs are regulated through Article 12 of the zoning ordinance. The sign regulations were based on an inventory of existing signs with the intent of creating regulations that were generally consistent with the current signs. Because the signs are regulated through the zoning ordinances, any existing signs that do not conform to the zoning ordinance are protected by the nonconforming provisions of the zoning ordinance.

Master Plan/Zoning Map

State law requires that a zoning ordinance be based on a **Master Plan**. The Village adopted a Master Plan in 2005. The proposed zoning ordinance is consistent with that plan. The plan generally proposes the continuation of current land uses. Based on the plan, the zoning ordinance proposes two **single family zoning districts**, one to reflect the smaller lots in the older parts of the village and another to require larger lots on the outer areas (the larger area is to provide adequate area for septic fields). The ordinance allows for a **multi-family district** and a **mobile home district**, although the zoning map does not identify any areas for mobile home development. There are two proposed **business districts**, one for downtown and one for along Lansing Road. There is one **industrial zoning district**. Most of the vacant land is proposed for future single family residential or commercial development, with land in the northwest corner of the village zoned for future industrial development. A unique zone, “**Low Density Residential with B-2 Overlay**” was designed for residential and farm parcels near the Lansing Road/Grand River Road intersection, intended to keep the residential uses as conforming while allowing conversion to B-2 Business uses without requesting a rezoning. A copy of the draft **zoning map** is attached.

Section 6.2 DISTRICTS USES

TABLE 6-1: DISTRICT USES							
P = Uses Permitted By Right, SUP = Uses Permitted by Special Use Permit							
	R-1A	R-1B	R-1M	R-1A w/overlay*	B-1	B-2	M-1
RESIDENTIAL USES							
Adult Foster Care Family Home	P	P	P	P			
Adult Day Care (1-6)	P	P	P	P			
Adult Day Care (7-12)	P		P	P			
Adult Day Care (13+)			P				
Adult Foster Care Large Group Homes (7-12)	P	P	P	P			
Adult Foster Care Large Group Homes (13-20)	P		P	P			
Adult Foster Care Small Group Home	P	P	P	P			
Bed and Breakfast	SUP	SUP	SUP	SUP			
Conversion of One-Family Dwellings	SUP		SUP	SUP			
Family Day Care Home	P	P	P	P			
Foster Family Home	P	P	P	P			
Group Day Care Home	P	P	P	P			
Home Occupations, high intensity	SUP	SUP	SUP	SUP			
Home Occupations, low intensity	P	P	P	P			
One-Family Dwelling	P	P	P	P			
Multiple-family Dwellings			P				
Temporary Residence	P	P	P	P	P	P	
Two-family dwellings	P		P	P			
INSTITUTIONAL USES							
Business schools or private schools operated for profit	SUP	SUP	SUP	SUP/P*	P	P	
Cemeteries	SUP			SUP			
Educational	SUP	SUP	SUP	SUP	SUP	SUP	
Institutions for Human Care	SUP	SUP	SUP	SUP	SUP	SUP	
Private noncommercial recreation areas	SUP		SUP	SUP			
Public Assembly Buildings	SUP			SUP/P*	P	P	
Public Buildings	SUP	SUP	SUP	SUP/P*	P		
Public Service Installations	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Trade or industrial schools							P
Public Recreation	P	P	P	P			
Religious Institutions	SUP	SUP	SUP	SUP/P*	P	P	
COMMERCIAL AND OFFICE USES							
Automatic and Self Service Car Wash				SUP*		SUP	
Banks and other financial institutions				P*	P	P	
Building supply and equipment stores				P*	P	P	
Business Service Establishment				P*	P	P	
Bus passenger terminals and stations				P*	P	P	
Contractor's establishment engaging in retail activities on the site				P*	P	P	
Day nursery	SUP		SUP	SUP/P*	P	P	
Drive thru Business				SUP*		SUP	
Funeral Homes and Mortuaries			SUP	SUP*	SUP	SUP	
Gasoline service stations				SUP*	SUP	SUP	
Golf Course and Country Club	SUP			SUP			

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	R-1A	R-1B	R-1M	R-1A w/overlay*	B-1	B-2	M-1
Medical Clinics	SUP			SUP/P*	P	P	
Miniature golf, trampoline, or similar public amusement				SUP*		SUP	
Motel						SUP	
Offices, Administrative or Professional					P	P	
Open air business				SUP*	SUP	SUP	
Open industrial or storage uses							P
Personal Service Establishments				P*	P	P	
Planned shopping centers				SUP*		SUP	
Printing, publishing, photographic reproductions, blueprinting and related trades and art				P*	P	P	
Restaurants				P*	P	P	
Retail Establishments, regional				P*		P	
Retail Establishments, local				P*	P	P	
Secondhand stores					SUP		
Servicing and repair of motor vehicles, trailers and land, snow or water recreational vehicles as an accessory use to a principal retail use such as an automobile showroom				P*	SUP	P	
Sexually Oriented Businesses						SUP	
Taverns				P*	P	P	
Vehicle repair shop				SUP*	SUP	SUP	P
Veterinary clinics				SUP*	SUP	SUP	
Veterinary hospitals							P
INDUSTRIAL USES							
Contractor's establishment not engaging in retail activities on the site							P
Grain and seed elevators and sales, cold storage for cooperative and/or wholesale agricultural products							P
Junk Yard							SUP
Light Manufacturing and processing							P
Small manufacturing and processing establishments selling their entire output at retail on the premises					SUP		
Storage and repair of large trucking equipment							P
Storage facilities for building materials, and, gravel, stone, lumber and contractor's equipment							P
Truck or rail freight terminal							SUP
OTHER USES							
Accessory structures	P	P	P	P	P	P	P
Accessory uses	P	P	P	P	P	P	P
Commercial freestanding towers							SUP
Communication Antennae							
Essential Services	P	P	P	P	P	P	P
Field crop, fruit farming and tree nurseries	P						
Other uses of a similar and no more objectionable character	P/SU P	P/SU P	P/SU P	P/SUP	P/SU P	P/SU P	P

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	R-1A	R-1B	R-1M	R-1A w/overlay*	B-1	B-2	M-1
Planned Unit Development	SUP			SUP		SUP	SUP
Railroad right-of-way, including all necessary trackage, switches, operating devices, storage, marshaling yards, and freight yards or sidings							P
Temporary Buildings	P	P	P	P	P	P	P

PUBLIC HEARING DRAFT

Section 6.4 DISTRICT REGULATIONS

Section 6.4.1 Below are the dimensional requirements by zoning district

TABLE: 6-3: TABLE OF DISTRICT REGULATIONS

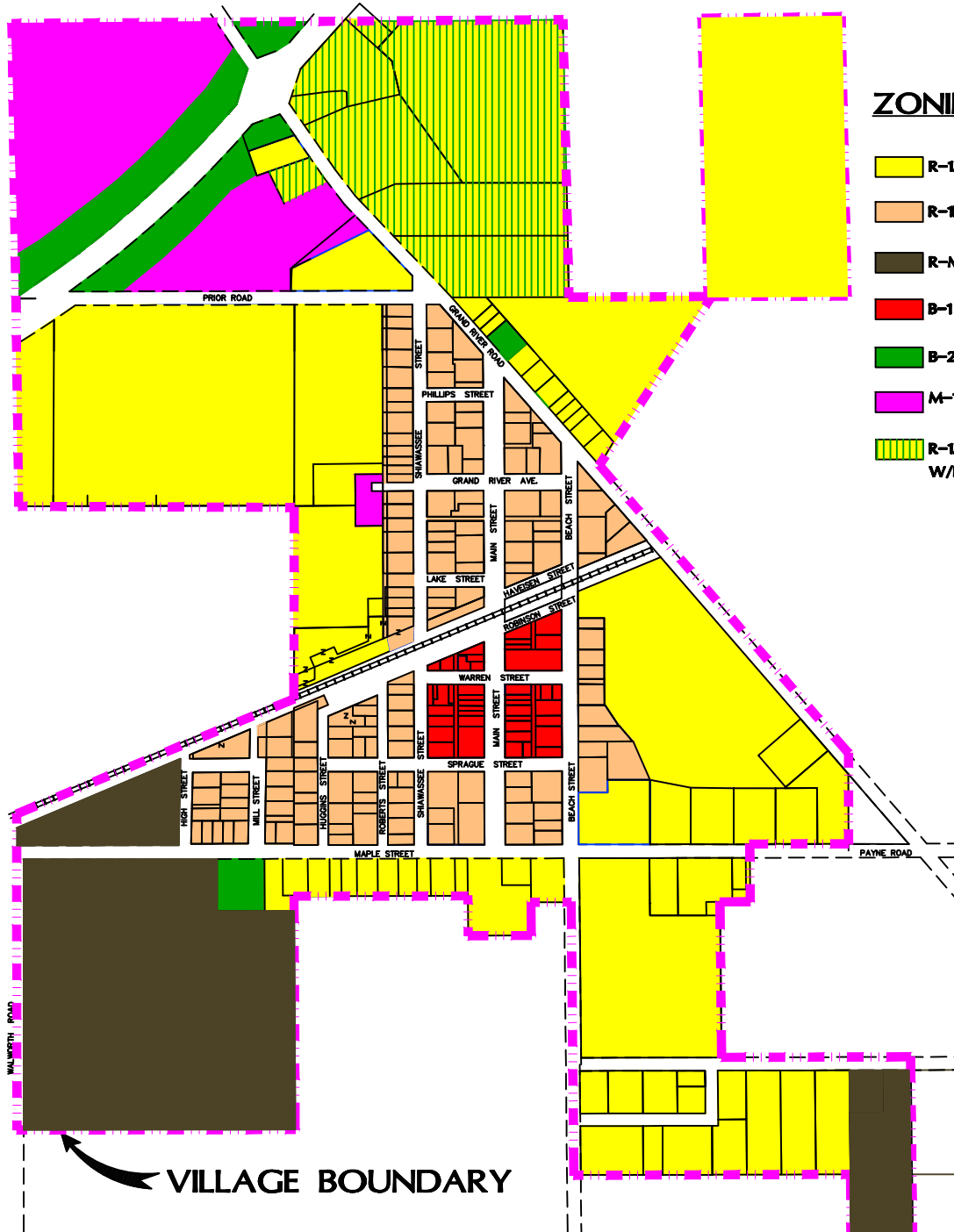
Zoning District	MINIMUM ZONING LOT SIZE PER UNIT		MAXIMUM HEIGHT OF STRUCTURES		MINIMUM YARD SETBACK PER LOT IN FEET FROM R.O.W. AND/OR LOT LINE			MINIMUM FLOOR AREA PER UNIT	MAX % LOT AREA COVERAGE
	Area in Sq. Ft./ Acres	Width in Feet	In Stories	In Feet.	Front	Each Side	Rear	In Sq.. Feet	By All Structures
R-1A Low Density Residential	13,000	88' (b)	2 ½	35'	35' (g)	15' (c)	40'	1,000	15%
R-1B Medium Density Residential	8,500(a)	66' (b)	2 ½	35'	25' (g)	10' (c)	30'	1,000	20%
R-M1 Multiple Family Residential <u>Unit Type</u>									
Single Family	8500(a)	66' (b)	2 ½	35'	25' (g)	10' (c)	30'	800'	35%
Duplex	8,000(a)	66' (b)	2 ½	35'	25' (g)	10' (c)	30'	750	35%
Multi-Family	3,500 (a)	66' (b)	2 ½	35'	40' (g)	10' (c)	50'	(d)	35%
B-1 General Business	5,000	40'	2 ½	35'	--	--	--	--	--
B-2 Highway Service	10,000	100'	2 ½	35'	50'	20' (c)	40'	--	--
M-1 Industrial	NONE	NONE	3	40' (e)	50'	(f)	(f)	--	--

Section 6.4.2 Footnotes to the Table of District Regulations:








- a) Development permitted only on existing lots of record or on lots served by public sewer or approved community sewer system.
- b) In the case where a curvilinear street pattern produces irregularly shaped lots with nonparallel side lot lines, a lesser frontage width at the street line may be permitted, provided that the lot width at the building line is equal to the specified lot width for that district.
- c) Except in the case of a corner lot where the side yard on the street side shall not be less than the front yard requirement.
- d) For each dwelling unit in a multiple-family dwelling: Three hundred fifty (350) square feet for one room; five hundred fifty (550) square feet for two rooms; seven hundred fifty (750) square feet for three rooms, and an average of two hundred (200) square feet for each room in excess of three rooms.
- e) Except that any building within one hundred (100) feet of a residential district shall not exceed fifteen (15) feet in height.
- f) Side and rear yards shall be ten percent (10%) of the lot width and depth respectively, but need not exceed forty (40) feet each, except where a lot in this district abuts a lot in any residential district, no building in the M-1 District shall be closer than one hundred (100) feet to the property line of such residential district lot.
- g) front yard setbacks may be modified per section 7.12.4

VILLAGE OF BANCROFT ZONING MAP

DRAFT 11-10



ZONING DISTRICTS

-  R-1A LOW DENSITY RESIDENTIAL
-  R-1B MEDIUM DENSITY RESIDENTIAL
-  R-1M MULTI-FAMILY RESIDENTIAL
-  B-1 DOWNTOWN COMMERCIAL
-  B-2 HIGHWAY COMMERCIAL
-  M-1 INDUSTRIAL
-  R-1A+B-2 LOW DENSITY RESIDENTIAL
W/HIGHWAY COMMERCIAL OVERLAY

VILLAGE BOUNDARY



ROWE INCORPORATED
6211 TAYLOR DRIVE, FLINT, MI 48507

BASE MAP PROVIDED BY WOLVERINE ENGINEERS AND SURVEYORS,

