



**EAST BAY CHARTER TOWNSHIP
Zoning Ordinance Subcommittee
Wednesday, March 15, 2023
8:30 AM - East Bay Charter Township Hall
1965 N Three Mile Road, Traverse City, MI 49696**

1. Call to Order
2. Agenda
 - a. Review for Conflict of Interest
 - b. Approval of Agenda
3. Approval of the Minutes: March 1, 2023
4. Public Comment
5. Business before the Subcommittee:
 - a. Parking Standards
 - b. Site Development Policy – General Site Standards
6. Public Comment
7. Upcoming Meeting: March 29 at 8:30 AM
8. Adjournment

Information regarding meeting agendas, minutes, and packets are located at eastbaytwp.org.

If you are planning to attend this public meeting and are disabled requiring any special assistance, please notify the Township Clerk by calling at (231) 947-8647 as soon as possible.

EAST BAY CHARTER TOWNSHIP
Minutes of the Zoning Ordinance Subcommittee
Wednesday March 1, 2023, at 8:30AM
East Bay Township Hall

Call Meeting to Order: Paul Gonzalez called the meeting to order at 8:32 am at the East Bay Charter Township Hall.

Committee Members: Paul Gonzalez, Matt Courtade, Preston Taylor, Claire Karner,
Absent Excused: Lindsey Wolf
Consultants: Attending by zoom: Joe Tangari, Andy Aamodt, Bryan Graham,
Recording Secretary: Leslie Couturier

Approval of the Agenda:

Courtade moved and Karner seconded to adopt the agenda as presented. The motion carried upon a unanimous voice vote.

Approval of the Minutes:

Gonzalez moved and Courtade seconded to approve the minutes of the February 15, 2023, as presented. The motion carried upon a unanimous voice vote.

Public Comment:

- Judy Nemitz – Encouraged the committee to review setbacks and the permitting process for accessory structures. Questioned if neighbors will have to deal with minor sheds and placement? Also spoke to benefits of green infrastructure for stormwater management, such as rain gardens and bio-swales. Also, requested a review of refuse bin provisions, especially in lakes area; too many totes left out all week, totes are not kept in a tidy order. Nemitz suggested review of Section 803 regarding Land Use Permit issuance. Nemitz also discussed agenda items regarding general site standards.

Business before the Subcommittee:

1. Accessory Buildings (Sections 205 and 502)

- As Accessory Buildings exist in a number of sections (with some of them conflicting), it is recommended that they be combined. Recommended changing the setback for waterside sheds 100' square feet or less and 16' from the Ordinary High Water Mark, to a 50' setback.
- Recommend making minor accessory buildings a maximum of 200 square feet, to be in line with the County Construction Code Office.
- Discussed having size of accessory structures be related to the size of the parcel, as well as screening requirements.
- Must remember that all sheds are to be counted as part of impervious surface.

2. Sanitary Standards (211)

- These issues are already enacted in other jurisdictions; County and State.
- A reference to the Sewer and Water Ordinance will be placed in the zoning ordinance.

3. Airport Hazard Zone (213)

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- Consensus was to create a new map depicting the Airport Hazzard Zone (showing the underlying zoning).
- 4. Storm Water Detention (214)**
 - It was agreed upon that the zoning ordinance reference the sewer and water ordinance.
- 5. Dumpster Enclosures (216)**
 - A list of acceptable material should be listed.
 - Discussed adding additional screening to soften the effect on neighboring properties, especially residential abutting commercial.
 - Look at the setback regulation from residential properties.
- 6. Protection of Fire Hydrants (218)**
 - Not a zoning issue – remove.
- 7. Groundwater Protection Standards (220)**
 - Is this covered by the EPA, and should an overlay be added to site plan reviews?
 - Residential standards are needed, and general performance standards should apply to all.
- 8. Private Road Standards (223)**
 - Grand Traverse County is no longer accepting roads, thus a section for private roads is necessary.
 - All standards should be combined, blend county standards with the Township standards.
- 9. Access Control Measures (224)**
 - Strengthen language to require mandatory connection, stub and paved to property line.
 - Add non-motorized pathways, interior crosswalks, and sidewalk standards.
 - Depiction of access management should be updated.
- 10. Traffic Impact Study (227)**
 - Change language to Township Planning & Zoning Staff.
 - Township engineer included in process.
 - Refer to the updated traffic study manual to see if the study is warranted.
- 11. Access to Platted and Condominium Subdivisions and Multi-Family Developments (228)**
 - Add non-motorized standards.
- 12. Landscaping and Buffering (229)**
 - Establish more detailed landscape standards.
 - Add incentives for saving heritage and other trees.
 - Add the list of native species.
 - Incentivize the planting of native species.
 - Add planting guideline for future protection.
 - Is requiring irrigation necessary? Waivers could be allowed for some sites.
 - Street tree standards should be added.
 - Screening requirement standards should be updated.
 - Buffering requirements should be based on adjacent uses.
 - Minor landscape plans need standards.
 - Add Industrial to chart.
- 13. Setback Standards in Multiple Unit Developments (230)**
 - Add setback standards to multi-family.
 - Establish setback minimum and maximums.
- 14. Zoning Lots or Parcels (237)**

- Adopted in 2021, this section is new and sufficient.

15. Loading (704)

- Build in more flexibility on size and design.
- Provide language for loading on non-conforming lots.
- Rewrite loading standards.

16. Clear Vision Standards (not currently a section)

- Clear vision or unobstructed view explanation and new illustration should be added.

17. Does the Township wish to consider any other site-related standards?

- Add fence standards including allowed materials.
- More restrictive fence heights throughout township.
- Add a wetland district (overlay?) with setbacks etc.

Public Comment:

- Judy Nemitz – spoke about wellhead protection and inquired of oil and gas wells will be included. Should look at Section 627 regarding screening standards.
- Karen Smith – Asked about new studies for private roads and also questioned how the ordinance would address trees removed in the lakes buffer area due to oak wilt (which must be removed).

Upcoming Meeting Date(s): March 15, 2023, at 8:30 a.m.

Adjournment:

Gonzalez adjourned the meeting at 10:48 a.m.

memorandum

DATE: March 8, 2023

TO: East Bay Township Zoning Ordinance Steering Committee

FROM: Joe Tangari, AICP, Jill Bahm, AICP, and Andy Aamodt, Giffels Webster

SUBJECT: March 15, 2023 Steering Committee Meeting – Parking Standards

Past Discussion on Parking

The Steering Committee discussed parking standards and policy in February. This memo presents new parking standards for discussion.

Proposed Language

A. Parking Requirements.

1. Intent. In order to ensure the safe, orderly, and efficient flow of vehicles and people on developed properties, the Township sets forth the following regulations for parking, loading, and circulation.
2. Off-Street Parking Required for All Uses. At the time of the construction or enlargement of any principal building or structure, automobile parking spaces shall be provided in all districts, prior to the issuance of a certificate of occupancy, as set forth in this section.
3. Single-Family Parking Spaces. Off-street parking spaces for single-family residential uses, whether attached or detached, shall consist of a parking strip, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve and subject to the requirements of the Schedule of Parking Regulations ([subsection 10](#)).
4. Change of Use. When there is a change of use within a previously approved site plan, or a modification to a previously approved parking area, the Planning & Zoning Department may review and administratively approve the alterations, provided that the resulting changes meet code requirements. Changes of tenant or use may be approved administratively if the change satisfies all requirements of the Zoning Ordinance, and the change of use does not otherwise warrant additional review or an increase in on-site parking.
5. Storage of Vehicles. The storage of merchandise, motor vehicles for sale, trucks, or the repair of vehicles in required parking spaces is prohibited.
6. Uses Not Included in Schedule of Parking Requirements. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with the requirement for the most similar use or uses, as determined by the Planning & Zoning Department.
7. Fractional Requirements. When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, the fractional space shall be disregarded.
8. Basis for Calculations. Where a parking requirement is based on building floor area, the definition “[Floor Area, Usable](#)” in [Section 2.2 Definitions](#) shall control. Where true usable floor area, based on a floor plan, cannot be established at the time of approval (such as with

- a shopping center where tenants are not yet determined or a speculative building), usable floor area shall be determined as follows:
- a. Commercial: 80% of gross floor area
 - b. Office: 80% of gross floor area
 - c. Industrial: 70% of gross floor area
9. Parking Setbacks. Off-street parking lots shall be set back as specified in the district standards of [Article 3 - Zoning Districts](#).
10. Reduction of Off-Street Parking Requirements. For all uses except single-family dwellings and mobile home sites, the number of required off-street parking spaces may be reduced by the approving body based on any of the following criteria:
- a. The applicant has demonstrated through a parking study by a parking expert with demonstrated experience in parking studies or other means deemed sufficient by the approving body that the required off-street parking is excessive.
 - i. Dual function nature of off-street parking spaces where operating hours for parking needs of individual buildings or uses occur at distinctly different times.
 - ii. Number and frequency of walk-up (foot traffic) customers.
 - iii. Availability of shuttle service and/or transit.
 - iv. Seasonal nature of operations.
 - b. The most recently published Institute of Transportation Engineers' Parking Generation Manual or Urban Land Institute Shared Parking Guide recommends a lower quantity of parking than that required in this code.
 - c. The applicant proposes to share parking with an adjacent site. Shared parking shall be governed by an agreement in writing, approved by the Township Attorney and kept on file at the Township. Shared parking locations shall be accessible via safe walking, transit, or shuttle service, or vehicular access connections. Shared parking agreements shall have a lease agreement of not less than 5 years including any renewals at the option of the lessee. Shared parking requirements shall be computed as follows:
 - i. Multiply the minimum parking required for each individual use, as set forth in the specific off-street parking provisions by the appropriate percentage indicated in [Table 4-5.2.A.c.i Shared Parking Calculations](#) (below) for each of the six (6) designated time periods.
 - ii. Add the resulting sums for each of the six (6) columns.
 - iii. The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.
 - iv. Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

TABLE 4-5.2.A.C.I SHARED PARKING CALCULATIONS

General Land Use Classification	Weekdays			Weekends		
	2:00 a.m. -	7:00 a.m. -	6:00 p.m. -	2:00 a.m. -	7:00 a.m. -	6:00 p.m. -
	7:00 a.m.	6:00 p.m.	2:00 a.m.	7:00 a.m.	6:00 p.m.	2:00 a.m.
Office	5%	100%	5%	0%	10%	0%
Retail sales and services	0%	90%	80%	0%	100%	60%
Restaurant	10%	70%	100%	20%	70%	100%

Residential	100%	60%	100%	100%	75%	90%
Theater	0%	40%	90%	0%	80%	100%
Hotel						
Guest rooms	100%	55%	100%	100%	55%	100%
Restaurant/lounge	40%	60%	100%	50%	45%	100%
Conference rooms	0%	100%	100%	0%	100%	100%
Religious institution	0%	25%	50%	0%	100%	50%
Reception or meeting hall	0%	70%	90%	0%	70%	100%
Museum	0%	100%	80%	0%	100%	80%
School, grades K—12	0%	100%	25%	0%	30%	10%

- d. The applicant proposes to landbank a portion of the required parking spaces. Landbanked parking shall meet the following requirements:
 - i. The number of off-street parking spaces required for the use or uses shall be more than ten (10).
 - ii. Area of sufficient size to meet the parking space requirements of this section shall be retained as open space. The site plan shall note the area where parking is being deferred, including dimensions and dotted parking lot layout.
 - iii. The applicant shall provide a written legal agreement, approved by the Township Attorney and recorded at Grand Traverse County, to construct the deferred parking at the direction of the approving body, based on observed usage, within six (6) months of being informed of such request in writing by the Planning & Zoning Department; the applicant may also inform the Township of the need to construct the parking, whereupon its construction may be approved administratively, subject to any necessary engineering approvals based on conditions at the time.
11. The site is proximal to transit service, a multi-use trail, or within 500 feet of a hotel where a connecting sidewalk exists. In each of these circumstances, the applicant may present support for a requested reduction, and the Planning Commission may approve the reduction if it finds it to be sufficiently justified.
12. For each 4 bicycles accommodated by dedicated bicycle parking on the site, one (1) vehicle space may be removed.
13. Schedule of Parking Requirements. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule and the following standards:
 - a. Where this table refers to square footage, the standard applied is usable floor area, unless otherwise stated.
 - b. When a use includes accessory uses, such as a hotel with a restaurant open to the public, requirements for the accessory uses shall be calculated independently.
 - c. When a use is required by statute to provide barrier-free parking spaces, the total number of off-street parking spaces required by this section shall be increased by one (1) for non-single family uses requiring ten (10) parking spaces or less.
 - d. Maximum Permitted Parking. Parking shall not be provided in a quantity greater than one hundred percent (100%) of the minimum requirement of this section, except that the approving body may approve a greater increase where an applicant can

demonstrate that a greater number of spaces is required via a parking study or other means deemed sufficient by the approving body.

Table 5.XX.A.12 Minimum Parking Requirements		
Use		Requirement
i. Residential Uses		
a.	One family, two family, multiple family, mobile home	Two for each dwelling unit for one and two family and mobile home, 1½ per dwelling unit for multiple family
b.	Housing for elderly	One for each two units, and one for each employee.
c.	Mobile home park	Two for each mobile home site and one for each employee.
d.	Accessory dwelling unit	One for attached and two for detached. (Revised 2/12/18)
ii. Institutional Uses		
a.	Churches or temples	One for each three seats in the main unit for worship.
b.	Hospitals	One for each bed.
c.	Nursing, convalescent homes	One for each four beds.
d.	Clinics	Four for each doctor, plus one for each employee.
e.	Elementary and junior high schools	One for each teacher, administrator or other employee, in addition to the requirements of the auditorium.
f.	Senior High Schools	One for each teacher, administrator or other employee, and one for each ten students, in addition to the requirements of the auditorium.
g.	Auditoriums and theaters	One for three seats, plus one for each two employees.
h.	Private clubs, swimming pool clubs, or other similar uses	One for each two members' families or individuals plus as required spaces for each accessory use, such as a restaurant or bar.
i.	Golf courses open to the general public, except miniature or "par-3" courses	Four for each one golf hole, plus one for each two employees.
j.	Fraternity or sorority	One for each two beds.
k.	Stadiums or sports arenas	One for each three seats
l.	Nursery or child care centers	One for each 350 square feet of floor area.
m.	Libraries, post offices	One for each 800 square feet of floor area, plus one for every four employees.
iii. Commercial Uses		
a.	Planned shopping center	One for each 100 square feet of floor area
b.	Miniature or "par-3" golf	Three for each one golf hold courses plus one for each employee.
c.	Beauty parlor or barber shop	Two for each beauty and/or barber shop chair.

d.	Bowling alleys	Four for each alley, plus one for each employee, plus accessory uses.
e.	Dance halls, pool and billiard parlors, roller rinks, exhibition halls without fixed seats	One for each two persons allowed within the maximum occupancy as established by fire, building or health codes.
f.	Restaurants, cafeterias, taverns, bars	One for each 75 square feet of floor area.
g.	Furniture and appliance, household equipment, hardware, repair shops, shoe repair, and other similar uses.	One for each 800 square feet of floor area.
h.	Gasoline service station and Vehicle Repair Facilities	One for each service and repair stall, plus one for each worker on each shift.
i.	Laundromats and coin operated dry cleaners	One for each two washing or dry-cleaning machines
k.	Mortuary establishments	One for each 50 square feet of floor area.
l.	Motel, hotel, tourist home	Four (4) for each five (5) units
m.	Retail stores, except as otherwise specified herein	One for each 300 square feet of floor area.
n.	Motor vehicle sales and service establishments	One for each 200 square feet of floor area of sales room and one for each auto service stall in the service room.
iv. Office Uses		
a.	Banks, except drive ins	One for each 200 square feet of floor area.
b.	Business or professional office, except doctors, dentists, or similar professionals	One for each 200 square feet of floor area.
c.	Professional offices of doctors, dentists, or similar professionals	One for each 200 square feet of floor area.
v. Industrial Uses		
a.	Industrial or manufacturing establishments, research and testing laboratories, and related accessory offices	One (1) per 700 square feet of floor area
b.	Warehouses or wholesale establishments, and related accessory offices	Five, plus one for every one employee in the largest working shift or one for each 1,000 square feet of floor area, whichever is greater.

14. Drive-Through Stacking. Wherever a drive-through is provided, drive-through stacking spaces shall be provided in addition to required parking spaces in accordance with [Section 4-5.2, subsection B](#) (Drive-Through Design and Stacking), below, at the following rates:

TABLE 5.XX.A.13 DRIVE-THROUGH STACKING		
Activity Type	Minimum Spaces	Measured From (does not include space being served)
Bank teller lane	4	Teller or window
Automated teller machine	3	Teller machine
Restaurant drive-through	10	6 before order box, 4 between order box and window
Car wash stall, automatic	10	Entrance

Car wash stall, self-service	3	Entrance
Gasoline pump island	1	Fueling station
Pharmacy	3	Window
Other	Determined by Township Engineer based on Traffic Study	

B. Drive-Through Design and Stacking. A lane, aisle, drive, or path in which vehicles are directed expressly for the purposes of receiving or dispensing persons, goods, or services without the driver leaving the vehicle (referred to as a drive-through lane) shall comply with the following requirements:

1. Drive-through lanes shall be separate from the circulation roads and lanes necessary for ingress to and egress from the property.
2. Drive-through lanes shall not use any space that is necessary for adequate access to parking spaces.
3. Drive-through lanes where vehicle stacking and waiting occur shall not be permitted in the front yard.
4. Drive-through lanes and associated by-pass lanes shall be set back at least ten (10) feet from the side and rear lot lines.
5. Drive-through lanes located adjacent to a street shall be buffered by a minimum ten (10) foot wide landscaped planting adjacent to the right-of-way as specified in [Section 4-5.3 Landscape and Natural Features, subsection A.9](#).
6. When the direction of traffic in an adjacent lane or aisle is opposite the direction of the drive-through lane or when the adjacent aisle is used to access parking spaces, drive-through lanes shall be separated from other aisles and lanes using a landscaped island, sidewalk, or any other similar raised barrier, as approved by the approving body. In no case shall this barrier be less than five (5) feet.
7. Drive-through lanes shall provide one (1) means of exit prior to the pick-up window.
8. Designated pedestrian areas which pass through a stacking space/by-pass lane area shall be clearly marked through pavement striping, alternative paving material, or a stamped pattern or texture in the pavement.
9. Drive-through lanes shall have a minimum width of nine (9) feet.
 - a. Drive-through lanes shall have a minimum length of twenty (20) feet per vehicle.
 - b. Drive-through lanes shall have a minimum centerline turning radius of twenty-five (25) feet.
 - c. Drive-through lanes shall be striped, marked, or otherwise distinctly delineated.

C. Parking Lot Design. Wherever the off-street parking requirements in [Section 4-5.2, subsection A](#) require the construction of an off-street parking facility, such off-street parking lot shall be laid out, constructed, and maintained in accordance with the following standards and regulations:

1. Parking lots shall not be constructed unless and until a permit for such parking lot is issued by the Planning & Zoning Department.
2. Plans for the layout of an off-street parking lot shall have dimensions consistent with the following standards:

TABLE 5.XX.C.2 PARKING SPACE DIMENSIONS

Space And Maneuvering Alternatives				
Angle of Spaces	Space Width	Space Length	Maneuvering Width	Two Tiers of Parking and One Maneuvering Lane
90 degrees	9 ft.	20 ft.	24 ft. (two-way)	64 ft.
60 degrees	9 ft.	20 ft.	16 ft. (one-way)	56 ft.
45 degrees	9 ft.	20 ft.	14 ft. (one-way)	52 ft.
Parallel	8 ft.	24 ft.	12 ft. (one-way)	20 ft.

3. The space length of ninety-degree (90°) parking stalls may be reduced by two (2) feet, to eighteen (18) feet, when an acceptable unobstructed overhang is provided. Examples include a four (4) inch high sidewalk that is at least seven (7) feet wide and a landscaped area with no vertical obstructions where the curb height is 4 inches.
 4. Other drives or maneuvering lanes. Other drives or maneuvering lanes not indicated above shall have a minimum width of twenty-four (24) feet. This may be reduced by the approving body to twenty-two (22) feet where there are no adjacent parking spaces.
 5. Parking spaces to accommodate vehicles with trailers (boats and recreational vehicles) shall be at least ten (10) feet by forty (40) feet.
 6. Parking lot stalls shall be striped and maintained.
 7. Barrier-free parking spaces shall be furnished as required by statute.
 8. Lighting used to illuminate off-street parking areas shall be installed in accordance with [Section 5.XX Lighting](#).
 9. In order to delineate on-site circulation, improve sight distance and safety at the intersection of parking aisles, protect the vehicle(s) at the end of a parking bay, and define the geometry of internal intersections, end islands (landscaped with raised concrete curb) shall be required at the end of all parking bays that abut traffic circulation aisles in off-street parking lots. End islands with raised curbs and landscaping shall not be required in parking structures. The approving body may waive the requirement for raised end islands and may allow for painted islands only or no islands for surface lots, in locations where internal traffic circulation is forecast to be low (e.g., remote parking spaces away from building entrances) or where the raised islands would not be appropriate. The end islands, whether raised or painted, shall be at least ten (10) feet wide, have an outside radius of fifteen (15) feet, and be constructed two (2) feet shorter than the adjacent parking stall.
 10. Parking lots shall be landscaped in accordance with the standards of [Section 5.XX Landscaping](#).
- D. Parking Space Construction and Maintenance.
1. Parking lots shall not be constructed or reconstructed unless and until a permit therefor is issued by the Planning & Zoning Department. Applications for such a permit shall be submitted to the Planning & Zoning Department in such form as may be determined by the department.
 2. Plans must be submitted in accordance with the procedures set forth in the engineering site plan design standards.
 3. Spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited.

4. Adequate ingress and egress to the parking lot and to all parking spaces shall be provided by means of clearly limited and defined drives.
 5. Ingress or egress to a parking lot lying in an area zoned for other than single-family residential use shall not be across land zoned for single-family residential use.
 6. Maneuvering lanes serving angle parking shall permit one-way traffic movement only; lanes serving right angle parking may permit two-way traffic movement. The mixing of one- and two-way movements within a lot shall be permitted only in exceptional circumstances and with the approval of the approving body.
 7. When a parking setback is required, land between such setback line and the front property line or street right-of-way shall be kept free from refuse and debris and shall be landscaped with deciduous shrubs, ground cover, and ornamental trees. Ground cover shall include one (1) or more of the following: grass (planted as seed or sod), mulch, or ground cover plantings approved by the Township. Cobblestone, pavers, rocks, or a gathering space may also cover up to twenty-five percent (25%) of ground cover area.
 8. In all use districts, except single-family residential dwellings, the entire off-street parking lot including parking spaces and maneuvering lanes required under this section, shall be surfaced with asphaltic or concrete paving and shall be striped to delineate parking spaces and lanes prior to the issuance of an occupancy permit; if weather conditions preclude paving, a temporary occupancy permit may be issued for a period not to exceed six (6) months. The Planning & Zoning Department may waive this requirement if it is determined that the parking area otherwise meets the requirements of the East Bay Charter Township Storm Water Management Ordinance of 2013, as amended.
 9. Off-street parking lots shall be drained so as to dispose of all accumulated surface water in such a way as to preclude drainage onto adjacent property or toward buildings.
 10. Dead-end off-street parking aisles are discouraged, especially in connection with business uses. Such aisles should be no more than eight (8) spaces deep and should, in any case, be used only when there is no reasonable alternative. If more than eight (8) spaces deep, the layout shall provide a means for vehicles to turn around if all spaces are occupied.
- E. Electric Vehicle Charging Stations.
1. Intent. The intent of this section is to facilitate the use of electric vehicles and to expedite the establishment of a convenient electric vehicle infrastructure that such use necessitates. Electric vehicle charging stations should be provided in convenient and safe locations and maintained in good working order to promote electric vehicles and instill confidence in the reliability of the overall network in the Township.
 2. Any use may provide electric vehicle charging spaces.
 3. Commercial, institutional, office, and industrial uses may provide electric vehicle charging spaces as a portion of the overall number of spaces required for the site.
 4. Multi-family and multiplex developments over four (4) units shall provide charging infrastructure for a minimum of fifteen percent (15%) of required spaces. For the purposes of this subsection, "charging infrastructure" shall mean placing the conduit required for the future installation of electrical lines to serve charging stations. Charging outlets may be provided by the developer or tenant by agreement.
 5. All electrical service for charging spaces shall be underground, within building walls, or mounted within conduit on interior building walls, such as in a shared carport or parking garage.
 6. Electric vehicle charging spaces shall meet the following minimum requirements:
 - a. Electric vehicle charging spaces may be included in the overall parking requirement for a site.

- b. Where one (1) or two (2) electric vehicle charging spaces are provided, they shall be signed for electric vehicle parking only, and shall comply with ADA standards for barrier-free parking. Where three (3) or more electric vehicle charging spaces are provided, a minimum of two (2) electric vehicle parking spaces shall be signed for electric vehicle parking only and comply with ADA standards for barrier-free parking.
 - c. Site lighting shall be provided in compliance with [Section 5.XX Lighting](#), unless charging takes place during daytime hours only.
 - d. Chargers intended for use by the general public shall include signage identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station, as well as contact information for the entity responsible for maintaining and servicing the charger.
 - e. Charging equipment shall be protected by a curb, concrete-filled bollards, or a combination of thereof. Where a curb is the sole means of protection, a charging station shall be set back a minimum of twenty-four (24) inches from the back of the curb.
 - f. Equipment mounted on pedestals, lighting posts, bollards, walls, or other devices for on-street charging station shall be designed and located as to not impede pedestrian travel or create trip hazards within the right-of-way.
 - g. Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning, or other problems are encountered.
- F. Pedestrian Accommodations. Development sites shall provide for the safe and comfortable circulation of pedestrians as follows:
- 1. Pedestrian walkways shall be provided between building entrances/exits and parking areas, and within parking areas to provide a designated walking area, especially where there is a need to connect dispersed buildings with parking areas.
 - 2. Pedestrian walkways shall be provided between buildings and sidewalks or multi-use paths along adjacent streets, including marked crosswalks across parking maneuvering lanes, as necessary.
- G. Bicycle Parking.
- 1. Intent. As the Township works to create a well-connected community, expand its pathway system, and provide more opportunities for non-motorized transportation, it is important that new development accommodates bicyclists.
 - 2. Bicycle parking facilities general requirements. At the time of erection of any new principal building or new parking lot, the enlargement of any principal building by ten percent (10%) or more of the existing gross floor area, or the enlargement of any automobile parking lot by ten percent (10%) or more of the number of existing parking spaces, a bicycle parking facility shall be required and be provided as part of site plan review under this code in accordance with the following requirements:
 - a. Provide a minimum of two (2) bicycle parking spaces. Auto wash uses and single-family and two-family uses are exempt from this requirement. A use that requires bicycle parking and has more than forty (40) off-street vehicle parking spaces, shall provide one (1) additional bicycle parking space for each twenty (20) vehicle parking spaces.
 - b. Off-street bicycle parking facilities may be located in any yard subject to meeting the parking setback requirements of this code. Site plan approval may allow bicycle parking facilities in the required front yard parking setback when the location is between a public bicycle route and the principal building.
 - c. Bicycle parking facilities shall be located on the parcel that the bicycle parking serves.

- d. Bicycle parking facilities shall be located along the principal building entrance approach line and be clearly visible and easily accessible from the approach and building entrance being served.
- e. Bicycle parking facilities shall be no greater than one hundred fifty (150) feet from the entrance being served or the nearest automobile parking space to that entrance.
- f. Minimum required bicycle parking spaces shall not be replaced by any other use unless and until equal facilities are provided elsewhere.
- g. Covered bicycle parking spaces. Covered bicycle parking spaces are encouraged so that bicycles can be protected from the elements when parked.
- i. Bicycle parking facility layout, location, and design standards. Bicycle parking area(s) shall be laid out, constructed, and maintained in accordance with the following standards and regulations:
 - i. Bicycle parking spaces shall be paved and adjacent to a bicycle rack of the inverted “U” design or a similar design approved by the approving body, that is solid, cannot be easily removed with common tools, provides at least two (2) contact points for a bicycle, is at least three (3) feet in height, and permits the locking of a bicycle through the frame and one (1) wheel with a standard U-Lock or cable in an upright position. The rack shall be securely anchored in concrete or asphalt. Alternative installations and designs may be considered if the proposed rack design functions similar to the inverted “U” design.
 - ii. The minimum layout standards are shown in [Figure 5.XX.G Minimum Layout Standards for Bicycle Parking Facilities](#) below. [illustration pending approval of language]
 - iii. Bicycle parking facilities shall be accessible from adjacent street(s) and pathway(s) via a paved route that has a minimum width of six (6) feet.
 - iv. Bicycle parking facilities shall be separated from automobile parking spaces and access aisles by a raised curb, landscape area, sidewalk, or other method that complies with all Township ordinances when located in or near off-street parking areas. Upon the written request of an applicant, the approving body or administrative site plan approval for an activity requiring the provision of bicycle parking spaces may waive or modify the bicycle parking facility layout, location, and design requirements in this subsection upon a satisfactory showing by the applicant of a practical difficulty with complying with the requirement due to site constraints or other factors, and that the applicant’s proposed plan will adequately serve the needs of the site and the bicycling public.

memorandum

DATE: March 8, 2023

TO: East Bay Township Zoning Ordinance Steering Committee

FROM: Joe Tangari, AICP, Jill Bahm, AICP, and Andy Aamodt, Giffels Webster

SUBJECT: March 15, 2023, Steering Committee – Site Development Policy – General Site Standards

Summary From March 1, 2023 Steering Committee Meeting

The Zoning Audit offered the following comments and observations on the general site standards of accessory buildings, sanitary standards, storm water standards, dumpster enclosures, and fire hydrants. The zoning audit pointed out a few key points on these standards. At the March 1, 2023 Zoning Ordinance Steering Committee meeting, we discussed high-level policy preferences the Township has in regulating these general site standards.

We aim to present the remaining general site standards at the upcoming March 29th meeting.

Existing Ordinance Text: Accessory Buildings

SECTION 205 ACCESSORY BUILDINGS (Revised 1/22/18)

1. All accessory buildings as defined in Article XIV, shall meet the yard, setback and building height requirements of this Zoning Ordinance.
2. An accessory building may not be used for residential purposes, such as sleeping quarters, unless first approved as an accessory dwelling unit by the Zoning Administrator pursuant to the provisions of section 234.
3. Except in the Agriculture (AG) district, an accessory building shall not be constructed prior to the construction of the principal structure. Provided, however, that the Zoning Administrator shall be permitted to issue a temporary use permit for an Accessory Building to be used for up to one (1) year prior to the construction of the principal building. As a condition of issuing a temporary use permit for an accessory building, the Zoning Administrator shall be authorized to require a satisfactory surety in an amount of up to \$5,000 to be held by the Township and to be used to remove the accessory building in the event the applicant shall fail to complete the construction of the principal building or to remove the accessory building prior to the expiration of the permit. Such surety shall be in the form of cash, bank check, letter of credit, performance bond or other surety acceptable to the Township Attorney. Upon completion of the construction of the principal building or removal of the accessory building by the applicant in the event the principal building is not constructed, the surety will be returned to the applicant. In the event the surety is employed by the Township to remove the accessory building as set forth herein, any amount remaining after completion of such removal, shall be returned to the applicant along with an accounting of all amounts disbursed. **(Revised 1/22/16)**
4. If an Accessory Building is attached to a Principal Building by either a common foundation, common wall or common roof element, it shall be deemed to be a part of the Principal Structure and the entire structure shall comply with the terms of this Zoning Ordinance.

5. In residential areas, the storage of not more than one (1) commercial vehicle is permitted in an accessory building.
6. Application procedures and review and approval standards for Accessory Buildings shall be governed in accordance with the following Table: **(Revised 1/22/16)**

ACCESSORY BUILDING REVIEW AND APPROVAL AUTHORITY (*see Notes)

Zoning District	Parcel Area	Minor Accessory Buildings	Accessory Building Ground Floor Area		
			Less than or equal to principal bldg.	Up to 150% of principal bldg.	More than 150% of principal bldg.
LDR	Less than 40,000 sq. ft.	N.P.	Z.A.	P.C.	P.C.
	40,000 + sq. ft.			Z.A.	
MDR	Less than 40,000 sq. ft.	N.P.	Z.A.	P.C.	P.C.
	40,000 + sq. ft.			Z.A.	
HDR	Less than 40,000 sq. ft. 40,000 + sq. ft.	N.P.	Z.A.	P.C.	P.C.
MHC	Less than 40,000 sq. ft. 40,000 + sq. ft.	N.P.	Z.A.	P.C.	P.C.
RR	40,000 + sq. ft.	N.P.	Z.A.	Z.A.	P.C.
LA	Less than 40,000 sq. ft. 40,000 + sq. ft.	N.P.	Z.A.	P.C.	P.C.
BR	40,000 + sq. ft.	N.P.	Z.A.	Z.A.	P.C.
NA	5 acres	N.P.	Z.A.	Z.A.	P.C.
EBC	7,200 sq. ft.	N.P.	Z.A.	P.C.	P.C.
LB	Less than 40,000 sq. ft.	N.P.	Z.A.	P.C.	P.C.
	40,000 + sq. ft.			Z.A.	
RB	20,000 sq. ft.	N.P.	Z.A.	P.C.	P.C.
PO	20,000 sq. ft.	N.P.	Z.A.	P.C.	P.C.
IND	40,000 + sq. ft.	N.P.	Z.A.	Z.A.	P.C.
AG	40,000 + sq. ft.	N.P.	Z.A.	Z.A.	P.C.

***NOTES:**

N.P. No permit required. Minor accessory buildings as defined herein shall be allowed without permit, but subject to the requirements of Section 502.

Z. A. Review and Approval by Zoning Administrator. Accessory buildings with a ground floor area less than or equal to the ground floor area of the principal building on parcels of less than 40,000 square feet, or up to 150% of the ground floor area of the principal building on parcels of 40,000 square feet or more, shall be permitted by right, subject to approval by the Zoning Administrator in accord with Sections 502 and 803.

P.C. In all other situations not addressed above, accessory buildings shall be treated as special land uses, subject to review by the Planning Commission in accord with Section 603.

7. Where the provisions of this Section 205 authorize the Zoning Administrator to review applications for accessory buildings that will exceed the floor area of the principal building, in addition to the requirements of Sections 502 and 803, the Zoning Administrator shall find that the proposed accessory building shall be effectively screened by landscaping and/or native vegetation or isolated by distance such that it shall not be inordinately intrusive on neighboring properties. **(Revised 5/5/12)**

SECTION 502 ACCESSORY BUILDINGS (Revised 11/30/15)

1. Except as provided in subparagraph 2 of this section, no accessory building shall be located between the lot line and the side yard setback line. On properties that do not include water frontage, accessory buildings shall not be located closer than twenty (20) feet from the front or rear property line. In the Lakes Area (LA) and Boardman River (BR) Districts, no accessory buildings shall be permitted to be located within one hundred-fifty (150) feet of the Boardman River upstream from the Brown Bridge Dam or one hundred (100) feet downstream from the Brown Bridge Dam, or fifty (50) feet of any other lake or stream.
2. Minor Accessory Buildings. In all zoning districts, up to 2 Minor Accessory Buildings shall be permitted per lot. Minor Accessory Buildings may be located between the lot line and the side or rear yard setback line and Minor Accessory buildings shall not require a land use permit. In the Lakes Area (LA) and Boardman River (BR) Districts on waterfront properties, not more than one (1) of the Minor Accessory Buildings allowed per parcel may be located within the rear (waterfront) yard setback area, but not less than sixteen (16) feet from the ordinary high water mark nor less than ten (10) feet from any side lot line. Such Minor Accessory Building shall be located on a portion of the property without existing woody vegetation and on a permeable surface such as two (2) inch stone or an erosion mat extending at least twelve (12) inches beyond the dripline of the building roof to control runoff. Per Section 231, 6, f, such Minor Accessory Building shall have a non-reflective exterior finish. **(Revised 11/30/15)**
3. Minor accessory buildings may occupy not more than 30 percent of a required rear yard, and unenclosed parking spaces may occupy not more than 90 percent of a required rear yard.
4. Except as provided in this sub-paragraph, no accessory building or private garage shall be moved onto or constructed on a parcel before the principal building is moved onto or constructed on said parcel. Provided, however, a storage building used for greenhouses, storage of farm related equipment, nursery or wood lot may be permitted without a single family dwelling within the RR, AG, LA, BR and NA zoning districts.
5. No detached private garages shall be located closer than three (3) feet to the main/principal building.
6. No mobile home, manufactured housing unit, travel trailer, semi-trailer or similar temporary or transportable facility shall be used as an accessory building in any district in the Township.

SECTION 603 ACCESSORY BUILDINGS WITH FLOOR AREA GREATER THAN THE PRINCIPAL STRUCTURE (Revised 4/21/07)

1. DEFINITION: An accessory building as defined in Article XIV of this Zoning Ordinance with a ground floor area or building footprint greater than the ground floor area or building footprint of the principal building on the parcel.
2. REGULATIONS AND CONDITIONS.
 - a. On parcels of less than one (1) acre, the ground floor area of an accessory building as defined in this Section shall not exceed the ground floor area or building footprint of the principal building by more than fifty percent (50%).
 - b. On parcels of more than one (1) acre, but less than five (5) acres, the ground floor area of an accessory building as defined in this Section shall not exceed the ground floor area or building footprint of the principal building by more than one hundred percent (100%).
 - c. On parcels of five (5) acres, but less than 10 acres, the ground floor area of an accessory building as defined in this Section shall not exceed the ground floor area or building footprint of the principal building by more than two hundred percent (200%).
 - d. On parcels of ten (10) acres, or more, the floor area of an accessory building as defined in this Section shall not exceed the ground floor area or building footprint of the principle building by more than three hundred percent (300%).
 - e. The floor area limitations of this Section shall be applied cumulatively for all accessory buildings

- on a parcel.
- f. Accessory buildings as defined in this Section shall comply with all yard, setback and building height standards of this Zoning Ordinance.
 - g. As a condition for Special Land Use approval for an accessory building permitted under this section, the applicant shall provide to the Township a copy of an instrument as recorded with the Grand Traverse County Register of Deeds indicating that any future division of the subject parcel shall meet the above limits for lot area and accessory building ground floor area provided in this Section 603.

Proposed Ordinance Text: Accessory Buildings

Existing text in black (including moved text); proposed new text in green underline; references to be corrected in blue underline

2.XX Definitions

ACCESSORY BUILDING, MINOR: An Accessory Building as defined herein with a gross floor area of two hundred (200) square feet or less, as determined by factory or kit specifications or literature, or as measured pursuant to this ordinance, if such specifications are not available; and a height not to exceed twelve (12) feet. An accessory building that exceeds either two hundred (200) square feet in area or twelve (12) feet in height shall not be considered a minor accessory building.

5.XX Accessory Buildings

- A. Dimensional requirements. Accessory buildings as defined in Article XIV, shall meet the following dimensional requirements:
 - 1. Except as provided in subparagraph 2 of this section, no accessory building shall be located between the lot line and the side yard setback line. On properties that do not include water frontage, accessory buildings shall not be located closer than twenty (20) feet from the front or rear property line. In the Lakes Area (LA) and Boardman River (BR) Districts, no accessory buildings shall be permitted to be located within one hundred-fifty (150) feet of the Boardman River upstream from the Brown Bridge Dam or one hundred (100) feet downstream from the Brown Bridge Dam, or fifty (50) feet of any other lake or stream.
 - 2. Minor accessory buildings.
 - i. May be located between the lot line and the side or rear yard setback line except for on waterfront properties in the Lakes Area and Boardman River districts.
 - ii. In the Lakes Area (LA) and Boardman River (BR) Districts on waterfront properties, such minor accessory building shall be located on a portion of the property without existing woody vegetation and on a permeable surface such as two (2) inch stone or an erosion mat extending at least twelve (12) inches beyond the dripline of the building roof to control runoff.
 - iii. Minor accessory buildings shall not occupy not more than 30 percent of a required rear yard.
 - 3. Unenclosed parking spaces shall not occupy more than 90 percent of the required rear yard.
 - 4. Detached private garages shall not be located closer than three (3) feet to the main/principal building.
- B. General standards for minor accessory buildings.
 - 1. Minor accessory buildings not located within the Forest Lakes Overlay or Mitchell and Baker Creek Protection Overlay shall not require a land use permit.

2. In all zoning districts, up to two minor accessory buildings shall be permitted per lot.
 3. Per [Section 231, 6, f.](#), such Minor Accessory Building shall have a non-reflective exterior finish.
- C. No accessory building shall be constructed prior to the construction of the principal structure or moved to a parcel without a principal structure unless in the following circumstances:
1. The accessory building is in the Agriculture (AG) district.
 2. The accessory building is a storage building used for greenhouses, storage of farm related equipment, nursery or wood lot within the RR, AG, LA, BR and NA zoning districts.
 3. The accessory building is part of a temporary use permit issued by the Zoning Administrator. As a condition of issuing a temporary use permit for an accessory building, the Zoning Administrator shall be authorized to require a satisfactory surety in an amount of up to \$5,000 to be held by the Township and to be used to remove the accessory building in the event the applicant shall fail to complete the construction of the principal building or to remove the accessory building prior to the expiration of the permit. Such surety shall be in the form of cash, bank check, letter of credit, performance bond or other surety acceptable to the Township Attorney. Upon completion of the construction of the principal building or removal of the accessory building by the applicant in the event the principal building is not constructed, the surety will be returned to the applicant. In the event the surety is employed by the Township to remove the accessory building as set forth herein, any amount remaining after completion of such removal, shall be returned to the applicant along with an accounting of all amounts disbursed.
- D. Prohibited. The following accessory buildings and representations of accessory buildings are prohibited.
1. An accessory building used for residential purposes, such as sleeping quarters, unless first approved as an accessory dwelling unit by the Zoning Administrator pursuant to the provisions of [section 234.](#)
 2. In residential areas, the storage of more than one (1) commercial vehicle in an accessory building.
 3. Mobile homes, manufactured housing units, travel trailers, semi-trailers or similar temporary or transportable facilities in any district in the Township.
 4. Attached accessory building where the ground square footage exceeds the ground square footage of the attached single-family family dwelling unit.
- E. If an accessory building is attached to a principal building by either a common foundation, common wall or common roof element, it shall be deemed to be a part of the principal structure and the entire structure shall comply with the terms of this Zoning Ordinance.
- F. The floor area limitations of this Section shall be applied cumulatively for all accessory buildings on a parcel.
- G. Application procedures and review and approval standards for Accessory Buildings shall be governed in accordance with the following Table:

ACCESSORY BUILDING REVIEW AND APPROVAL AUTHORITY (*see Notes)

			Accessory Building Ground Floor Area		
Zoning District	Parcel Area	Minor Accessory Buildings	Less than or equal to principal bldg.	Up to 150% of principal bldg.	More than 150% of principal bldg.
LDR	Less than 40,000 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
	40,000 + sq. ft.			P.Z.D.	

Zoning District	Parcel Area	Minor Accessory Buildings	Accessory Building Ground Floor Area		
			Less than or equal to principal bldg.	Up to 150% of principal bldg.	More than 150% of principal bldg.
MDR	Less than 40,000 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
	40,000 + sq. ft.			P.Z.D.	
HDR	Less than 40,000 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
	40,000 + sq. ft.				
MHC	Less than 40,000 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
	40,000 + sq. ft.				
RR	40,000 + sq. ft.	N.P.	P.Z.D.	P.Z.D.	P.C.
LA	Less than 40,000 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
	40,000 + sq. ft.				
BR	40,000 + sq. ft.	N.P.	P.Z.D.	P.Z.D.	P.C.
NA	5 acres	N.P.	P.Z.D.	P.Z.D.	P.C.
EBC	7,200 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
LB	Less than 40,000 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
	40,000 + sq. ft.			P.Z.D.	
RB	20,000 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
PO	20,000 sq. ft.	N.P.	P.Z.D.	P.C.	P.C.
IND	40,000 + sq. ft.	N.P.	P.Z.D.	P.Z.D.	P.C.
AG	40,000 + sq. ft.	N.P.	P.Z.D.	P.Z.D.	P.C.

***NOTES:**

N.P. No permit required. Minor accessory buildings as defined herein shall be allowed without permit, but subject to the requirements of [this Section](#).

P.Z.D. Review and Approval by the [Planning & Zoning Department](#). Accessory buildings with a ground floor area less than or equal to the ground floor area of the principal building on parcels of less than 40,000 square feet, or up to 150% of the ground floor area of the principal building on parcels of 40,000 square feet or more, shall be permitted by right, subject to approval by the [Planning & Zoning Department](#) in accord with [Sections 5XX and 803](#).

P.C. In all other situations not addressed above, accessory buildings shall be treated as special land uses, subject to review by the Planning Commission in accord with [Section 603](#).

Attached Accessory Buildings to Single-Family Dwellings. [Subject to 5XX.E.4, the ground floor area of the attached accessory building shall not exceed the ground floor area of the single-family dwelling.](#)

- H. Where the provisions of subparagraph F (*Accessory Building Review and Approval Authority*) authorize the [Planning & Zoning Department or Planning Commission](#) to review applications for accessory buildings that will exceed the floor area of the principal building, in addition to [all other](#)

applicable requirements of Section 5XX, the Planning & Zoning Department or Planning Commission shall find that the proposed accessory building shall be effectively screened by landscaping and/or native vegetation or isolated by distance such that it shall not be inordinately intrusive on neighboring properties.

- I. As a condition for Special Land Use approval for an accessory building permitted under this section, the applicant shall provide to the Township a copy of an instrument as recorded with the Grand Traverse County Register of Deeds indicating that any future division of the subject parcel shall meet the above limits for lot area and accessory building ground floor area provided in this Section 5XX.B.

Existing and Proposed Ordinance Text: Sanitary Standards

SECTION 211 SANITARY STANDARDS

All structures and land uses shall comply with the sanitary standards as set by the Grand Traverse County Health Department or the Department of Public Works, as applicable.

[This section does not need revisions. Section references will be updated.]

Existing Ordinance Text: Storm Water Detention

SECTION 214 STORM WATER DETENTION

1. When any land in the township is developed or altered in any way which affects storm water runoff, the owner shall develop and submit to the Zoning Administrator a plan for detaining storm water runoff onto adjacent properties including roads and other rights-of-way which shall result in the maximum amount of storm water runoff not exceeding that which existed prior to the development or improvement of property. Approval of such plan shall be required by the Zoning Administrator before a land use permit is issued. The Zoning Administrator shall approve the plan if it meets the foregoing criteria. No contemplated development shall take place until such a plan is approved by the Zoning Administrator. No development shall take place except in conformity with an approved plan.
2. Supporting Evidence Required: In all instances in which the Zoning Administrator considers the ability of a proposed use to meet all the requirements of this Section to be reasonably doubtful, it will be incumbent upon the proponent to furnish adequate evidence in support of his application. If such evidence is not presented, the land use permit shall not be issued.
3. Clean Fill Required. It shall be unlawful to import onto a parcel of land in the Township any fill material other than clean sand, gravel or topsoil.

Proposed Ordinance Text: Storm Water Detention

Existing text in black (including moved text); proposed new text in green underline; references to be corrected in blue underline

5.XX Storm Water Detention

When any land in the township is developed or altered in any way which affects storm water runoff, the owner or developer shall submit to the Township Engineer a plan for detaining storm water runoff complying with Township Ordinance No. of 2013 (the Storm Water Ordinance). Approval of such plan shall be required by the Planning & Zoning Department before a land use permit is issued. No contemplated development shall take place until such a plan is approved by the Township Engineer. No development shall take place except in conformity with an approved plan.

Existing Ordinance Text: Dumpster Enclosures

SECTION 216 DUMPSTER ENCLOSURES (Revised 1/8/08)

Dumpsters or other refuse or recycling containers which serve multi-unit residential buildings, institutional, commercial, office or industrial establishments shall be enclosed and such enclosures shall comply with the following requirements:

1. Such enclosures shall be finished with the same materials and colors as the exterior finish of the principal structure.
2. The enclosure shall be four-sided with a lockable gate constructed of opaque materials; provided, the Zoning Administrator or Planning Commission may permit a three-sided where site configuration makes a four-sided enclosure impractical or where a three-sided enclosure will effectively screen the dumpster from view from the adjoining right-of-way.
3. Walls of the enclosure shall be 6 feet in height.
4. Interiors and exteriors of enclosures shall be kept clean and free of debris and clutter.
5. The Planning Commission may waive one or more of requirements of this subsection only where it is determined that adequate screening can be provided and maintained for the life of the use by natural vegetation or other means without negative impact on the aesthetics of the surrounding area.

Proposed Ordinance Text: Dumpster Enclosures

Existing text in black (including moved text); proposed new text in green underline; references to be corrected in blue underline

5.XX Dumpster Enclosures

Dumpsters or other refuse or recycling containers which serve multi-unit residential buildings, institutional, commercial, office or industrial establishments shall be enclosed and such enclosures shall comply with the following requirements:

- A. A decorative masonry wall of six feet in height shall enclose three sides of the storage area. Bollards and/or other protective devices shall be installed at the opening and to the rear of any storage area to prevent damage to the screening walls. The surface under any such storage area shall be constructed of concrete which complies with local building requirements. The concrete pad shall extend 20 feet in front of the enclosure.
- B. A lockable gate shall be installed, constructed of opaque materials; provided, the Planning & Zoning Department or Planning Commission may permit a three-sided where site configuration makes a four-sided enclosure impractical or where a three-sided enclosure will effectively screen the dumpster from view from the adjoining right-of-way.
- C. Interiors and exteriors of enclosures shall be kept clean and free of debris and clutter.
- D. The dumpster enclosure shall be located in a rear yard or be so located and arranged as to minimize its visibility from adjacent streets and use. The dumpster enclosure shall not be located within 25 feet of a residentially zoned district.
- E. The Planning Commission may waive one or more of requirements of this subsection only where it is determined that adequate screening can be provided and maintained for the life of the use by natural vegetation or other means without negative impact on the aesthetics of the surrounding area.

Existing Ordinance Text: Protection of Fire Hydrants

SECTION 218 PROTECTION OF FIRE HYDRANTS

To enable rapid access in emergency situations, plot plan and site plans shall include measures to protect existing and planned fire hydrants from obstruction by structures, landscaping, piled snow and ice, or other materials. An area ten (10) feet in diameter from the hydrant shall be maintained free of structural or

landscaping obstructions and such area shall be kept free of piled snow and ice and landscape debris.

Proposed Ordinance Text: Protection of Fire Hydrants

[Our recommendation is to delete this Section and text due to Fire Code compliance being required.]

Correspondence

1. Results for Riparian Zoning Workshop
2. Public email correspondence

RIPARIAN ZONING WORKSHOP

Summary of what is working well, opportunities for improvement, and ideas for solutions.

WORKING WELL	OPPORTUNITIES	SOLUTIONS (# Indicates Votes)
Cooperation within lake associations	Septic system ordinance	18 - Enforcement
Better enforcement of ordinances	More clarity as to ordinance regulations	14 – Septic inspection requirements
More environmentally sound resources	Remediate – poor usage of resources (transgression – TWP)	11 – Enhance zoning ordinance sections 231, 406, 407, 201, 505
More sensitive community to issues related to natural resources	Improve tree ordinance (i.e.; tree inventory for residential new builds (i.e.; permits) if not abided - fines i.e.; they are too low	8 – Flexibility in review standards with a goal = restore buffer
Tiered buffers – existing ordinance	Enforce rules existing and forthcoming	8 – Tax break for improvements
Forest Lakes Overlay has great protection for our area	Appeals of ordinances are too easily granted	7 – Coordination of permits Fed/State/Local.
Ability for public to provide input	Make it easier to ask permission and harder to ask forgiveness (incentives etc.)	6 – wetland ordinances more restrictive than State
Involving Riparian residents/owners	Wake boats	5 - Forest lakes watershed protection plan
Social Media – All	STR's, VRBO's, lack of stewardship, ownership. Cabin courts	5 – Education to foster a culture of protection and preservation
Look ahead seven generations – preserve not restore	“Disney Land” campgrounds	4 – Financing incentives/options for inspections/addressing septic issues/bioengineering
Water quality maintenance (Lks Assoc's)	Indian lake house on Hobbs	4 – tree ordinance for residential remodel
Discussion is possible recently	Options of permeable surfaces to meet zoning	3 - STR enforcement
Shoreline structures	Shoreline structure regulations	2 – educational workshops on natural shoreline
Actual Forest Lakes Overlay is robust	Improvements to enforcement	2 – Better define ordinary high water mark (OHWM)

WHAT'S WORKING WELL	OPPORTUNITIES	SOLUTIONS
Well intentioned plans/overlay	Current data inventory – photo shoreline from waterfront	2 – photo documentation of property before issuing permits
Community engagement	Septic system inspections to protect ground water, lakes, and streams	2 – New Resident notices
Presence of overlay	Education	1 – Groundwater standards
Meetings that encourage public participation	New resident notices	1 – invasive species leadership
FLO & Mitchell/Baker Creek overlays	Short term rentals	1 – Native Plantings
Zoning and ordinance in place	Review uses	1 – Township newsletter – bullets. Improve website usability
	Wetland ordinance on wetlands smaller than 5 acres	1 - Follow up on land use permits – site visit
	More restrictions on larger properties	
	Enforcement	
	Variances – Many Approved - exceptions	
	Inspections – follow up	
	Work w/Road Commission more	
	Regulate septic systems – point of sale	
	More engagement	
	Preserve land/conservation district	
	Owners preserve – visitors use resources	
	Value – rural concept – conservation concept	
	Not granting non-conforming variances	
	Water resources great	
	Build relationships with watershed, GTHD, soil erosion	

RIPARIAN ZONING WORKSHOP

2/21/2023

Questions posed to presenters, with answers provided by presenters as applicable:

1. **Question:** The Forest Lakes naturally will become wetlands overtime due to succession and eutrophication. Some of the lakes should be designated and protected to remain as lakes. We do not need every lake to turn into a wetland. The process is already being accelerated by climate changing, Eurasian Milfoil, non-point source pollution from road runoff, etc. our goal should be to slow down the natural conversion of the lakes to marches by controlling those unnatural processes. Just letting the shorelines go “natural” is ignoring all the other problems. Having more vegetation along the shoreline may actually hinder efforts to remove milfoil. Do you agree?

Response: While it is true that lake eutrophication occurs naturally as lakes receive nutrients and sediments, this aging process happens over centuries or millennium. Caring for lakes by implementing best management practices is not intended to stop or reverse natural lake eutrophication, but rather limit cultural eutrophication. Cultural eutrophication is caused by human-induced water pollution and impairment from point and nonpoint source discharges. Protecting and restoring natural shorelines help limit cultural eutrophication in a variety of ways and provides other benefits such as increased habitat complexity. This is one step in protecting lakes, but shoreline vegetation does not address all water quality and habitat issues. The Watershed Center does not agree with the statement that vegetation along a shoreline hinders milfoil removal. Milfoil removal, whether mechanical, manual, or chemical, occurs in the lake itself and is independent of shoreline vegetation.

2. **Question:** Can we get behind your proposals on CONDITION THAT the County and Township do more to control the things they can control (like discharges from road crews), using fertilizer on parks, removing trees or reducing vegetation in order to have ball fields. Also, the County/Township could and should take a leadership role in the controlling the Eurasian Milfoil in the lakes. The homeowners are left to suffer from the milfoil without help. Homeowners could support new regs if the township/county also addressed the things they are “guilty” of.

Response: The Grand Traverse County Road Commission handles their road crews and also do their own SESC permitting within their ROW. Eurasian milfoil has historically been under the purview of state though typically addressed (or not) by lake associations. I do not see the county becoming involved in this issue nor the Health Department as it is not regarded as a public health nuisance. Some local units of government have enacted Special Assessment Districts or boat washing ordinances to protect inland lakes and streams from AIS.

3. **Question:** Road crew in front of my house comes out and drains water from a low spot in the road, right into the small march section of Tibbetts Lake. It is terribly polluted. Who regulates that and whose crew is that and who should I call to protest? Soil service? They dig a small channel to drain the water into the lake, on private property. Does the Township have legal right to do that?

Response: This is an issue to be discussed with the Grand Traverse County Road Commission. SESC does not have jurisdiction over the Road Commission or stormwater. If said water was laden with sediment, then County Soil Erosion can get involved. Otherwise, if they are draining water into a regulated wetland, which any wetland adjacent to a lake is, it would be in the realm of EGLE's Josh Crane. Stormwater related activities on private property are regulated by the Township's stormwater ordinance and that would come into play based on the size of the earth movement and associated activities.

4. **Question:** Why is a 500' standard used in Section 231 rather than the Forest Lakes Watershed boundary? The same question about the Forest Lakes District boundary.

Response: Per the Master Plan's Map 1 Watersheds, the Forest Lakes are located within the Jaxon Creek area of the Boardman River sub watershed. This Jaxon Creek area of the sub watershed occupies a substantial portion of the overall Township's land, likely near 50% of it. The Township is aware of the importance of these watershed and sub watershed boundaries, as defined by EGLE. The intent statement of the overlay district draws particular attention to regulating properties with lake frontage and also speaks to maintaining water quality in the lakes. The 500' setback from the Ordinary High Water Mark (OHWM) appears to be an attempt to balance conservation of the lakes with the relative burden of regulation associated with the overlay by establishing a buffer within which properties are subject to the overlay. The distance of 500 is geared toward mitigating direct impacts, and can move over time as the watershed evolves and the OHWM changes. The Township can look at the buffer standard and the specific distance and consider changes if it appears that the overlay is not having the desired effect of conserving the lakes, and that properties outside the overlay are a factor in that. The Township is also considering new strategies and language to facilitate more consistent administration and enforcement in the overlays, such as making sure consistent benchmarks are used in surveys and more clearly defining the OHWM.

The Lakes Area District is a zoning district based on roads and property lines, and it was drawn to generally capture the area around the lakes east of 4 Mile Rd. A few lakes extend partially outside the district at the east end. To the west, the map seems intended to preserve land for agriculture; the Natural Area district to the north and east provides very large-lot, low-density development and applies the overlay standards to properties near the lakes.

5. **Question:** Is there a need for a Forest Lakes Watershed Protection Plan? the Boardman River property plan is not adequate to protect the headwater seepage lakes within the Forest Lakes District.

Response: The Watershed Center believes it would be difficult to obtain state funds to initiate the development of a watershed plan specific to the Forest Lakes area. The Boardman Prosperity Plan was adopted in 2018 and covers the lakes in East Bay Township that are in the Boardman-Ottaway subwatershed while the 2021-adopted Grand Traverse Bay Coastal Watershed Plan covers the smaller lakes in East Bay Township that are in the Mitchell Creek subwatershed. Both of these plans outline priority pollutants; include prioritized implementation tasks to address issues; and help organizations, agencies, and municipalities increase eligibility for state and federal implementation funds. While we are uncertain what an individual watershed protection plan may achieve beyond the aforementioned plans, action plans can be created for smaller watersheds and/or particular water bodies. This sort of specific assessment and planning tool can outline immediate concerns and identify steps forward on a hyper local scale.

WELCOME

RIPARIAN ZONING WORKSHOP

February 21, 2023



EBCT Zoning Ordinance Subcommittee



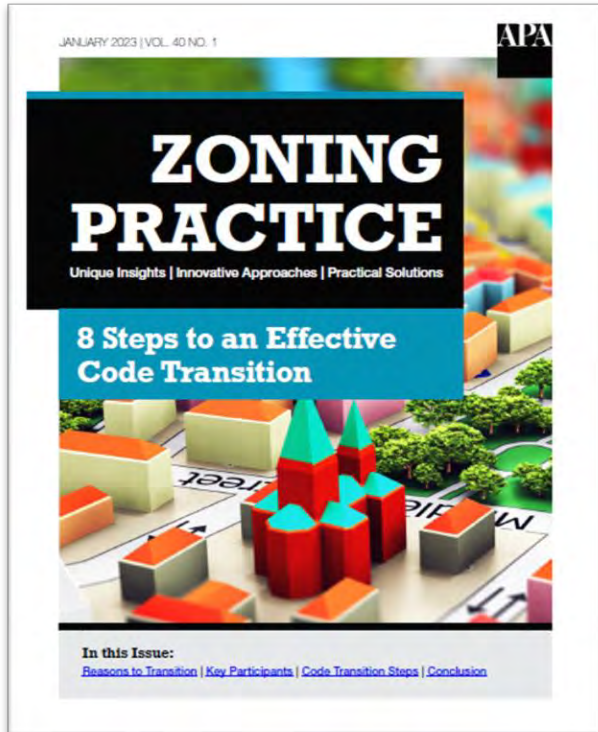
March 15, 2023

Page 29 of 91

TONIGHT'S AGENDA

- 6:15 PM Presentations
- 7:05 PM Small Group Discussion
- 7:40 PM Report Back
- 8:05 PM Prioritization Activity
- 8:20 PM Wrap-Up & Next Steps

HANDOUTS



Item#	Action	Priority	Time	Responsibility
1	The natural features of the Township are a vital resource to which what we have and develop benchmarks for preserving and enhancing the scenic quality, particularly within the U.S. 35 corridor, Hammond corridor, and Lakes Area.	1	1-3 years	Staff, grant
2	Update the landscaping standards in the Zoning Ordinance, protect and enhance the riparian habitat, protect large tree heritage, and ensure vegetative buffers separate land uses.	1	<1 year	Staff, PC, grant
3	Update the standards in the Forest Lakes Overlay District ordinance, staff standards, definitions, and enhance stream protections in the 30-foot setback area.	1	<1 year	Township – general fund, Lakes Association
4	Develop a riparian drinking water by adopting a wetland protection overlay district to protect the Township's drinking water supply.	2	1-3 years	Township Engineer/PLD department
5	Coordinate with groups including lakes associations, land property owners, residents, contractors, and landowners about the Forest Lakes Overlay District rules and regulations.	3	1-3 years	Township – general fund
6	Explore adoption of a wetland ordinance to protect wetlands that are not otherwise protected by the State. Wetlands should include water features, streams, buffers, wetlands, and protection of wetlands near their use areas in use.	2	4-6 years	Partnership with watershed center
7	Enhance consistency and predictability of environmental of existing ordinances to protect natural resources, particularly in the Lakes Area.	1	1-3 years	Township general fund
8	Work with partners and lakes associations to explore tools to combat invasive species in the Lakes Area and throughout the Township.	2	4-6 years	MCA – specialist assessment districts, staff, invasive species network
9	Effect an ordinance for specific inspections at certain frequency or at time of sale to protect water quality.	1	1-3 years	Health Department, staff, lakes associations

Zoning Plan:
FOREST LAKES OVERLAY DISTRICT As a part of ongoing development pressure in the Forest Lakes Area, the Township plans to reexamine a subcommittee of Lakes Area residents developed in 2008. The subcommittee would identify and formalize the process for documenting as ensure consistency in references to OHWM through

ENVIRONMENTAL & OPEN SPACE PROTECTIONS C and Beaver Creeks and their tributaries, inland lake development setbacks associated with them, as well as, however, opportunities to enhance environmental zoning ordinance, the Township should explore wet landscaping requirements, and a septic ordinance. focus on future utility scale solar development store protect private property, critical facilities, and natural

Questions for our Presenters?

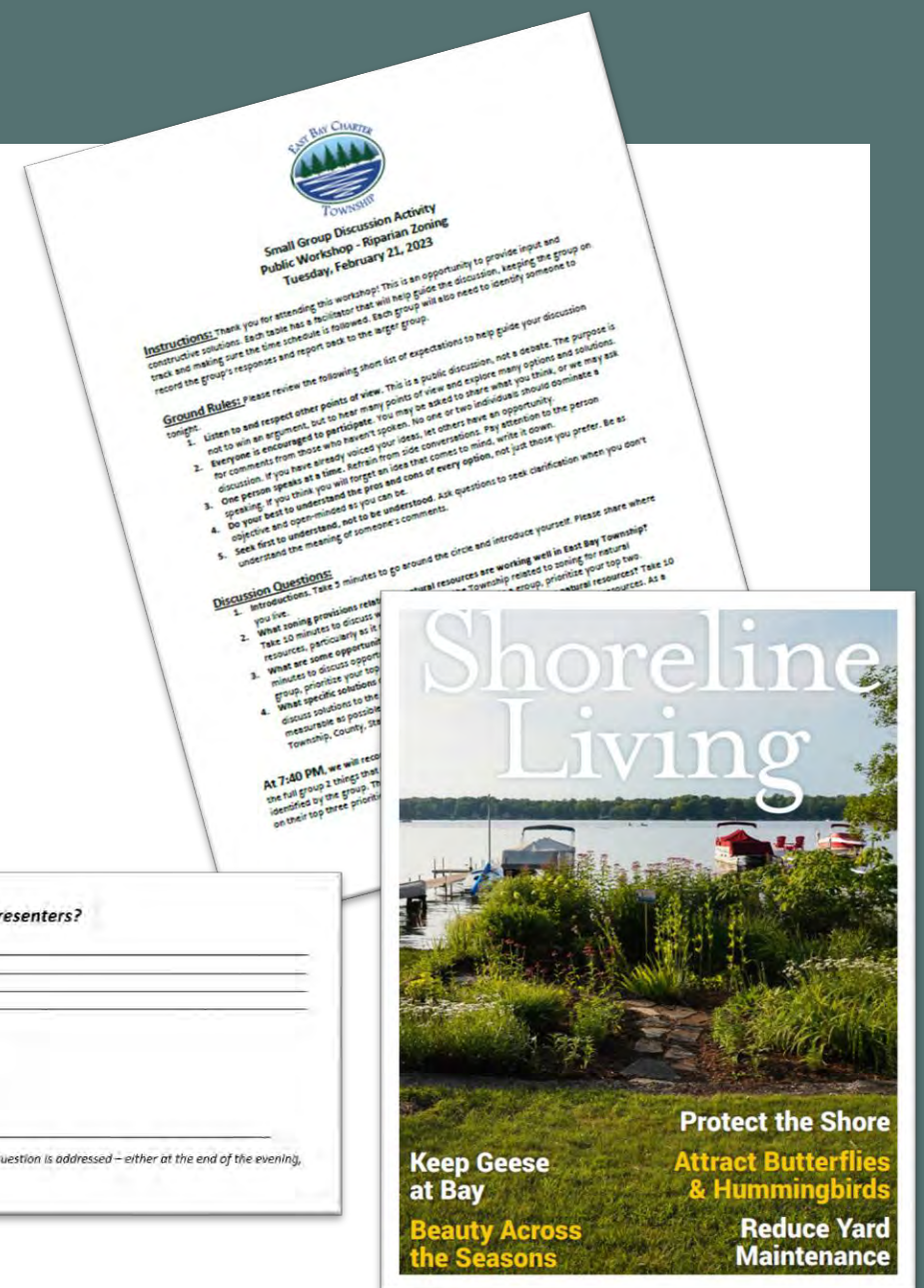
Question:

Which Presentation does this Relate to?

- ☐ Importance of the Riparian Zone & Tools for Protection
- ☐ State and County Policy Framework
- ☐ Overview of Current Township Zoning Standards

You name and email address (optional): _____

Please submit this form to workshop staff and we will make sure your question is addressed – either at the end of the evening, or in a follow-up email.



PRESENTERS

Heather Smith, BAYKEEPER, The Watershed Center Grand Traverse Bay

Faith Sousa, Environmental Health Coordinator, Grand Traverse County
Environmental Health Department

Andy Aamodt, Senior Planner, Giffels Webster

EAST BAY WATER RESOURCE PROTECTION

*February 21, 2023
East Bay Township Hall*

Heather Smith



AGENDA

The Watershed Center Grand Traverse Bay

Maps: Watershed & Subwatersheds

Water Resources in East Bay

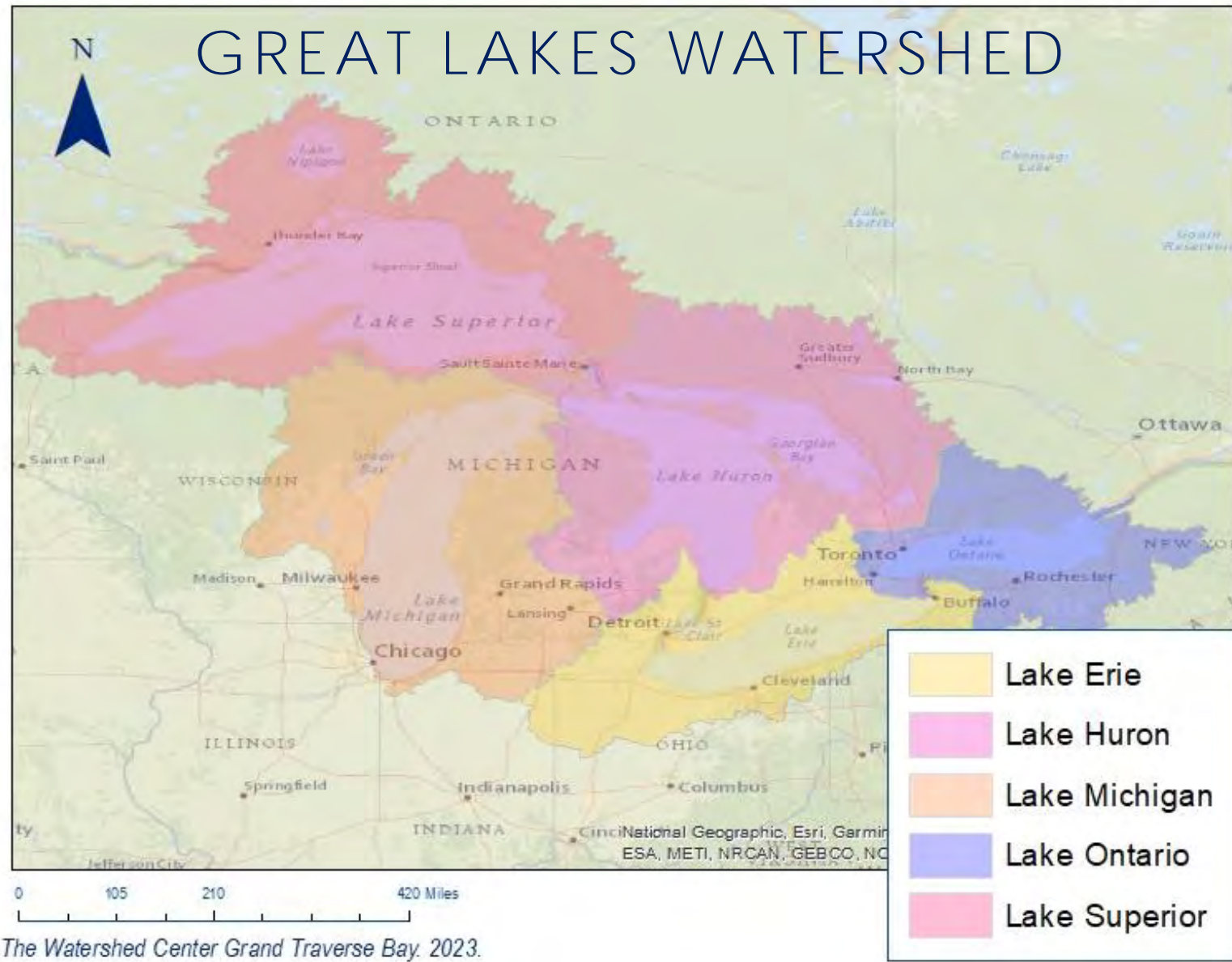
Healthy Watersheds & Ecosystem Services

Water Quality Threats

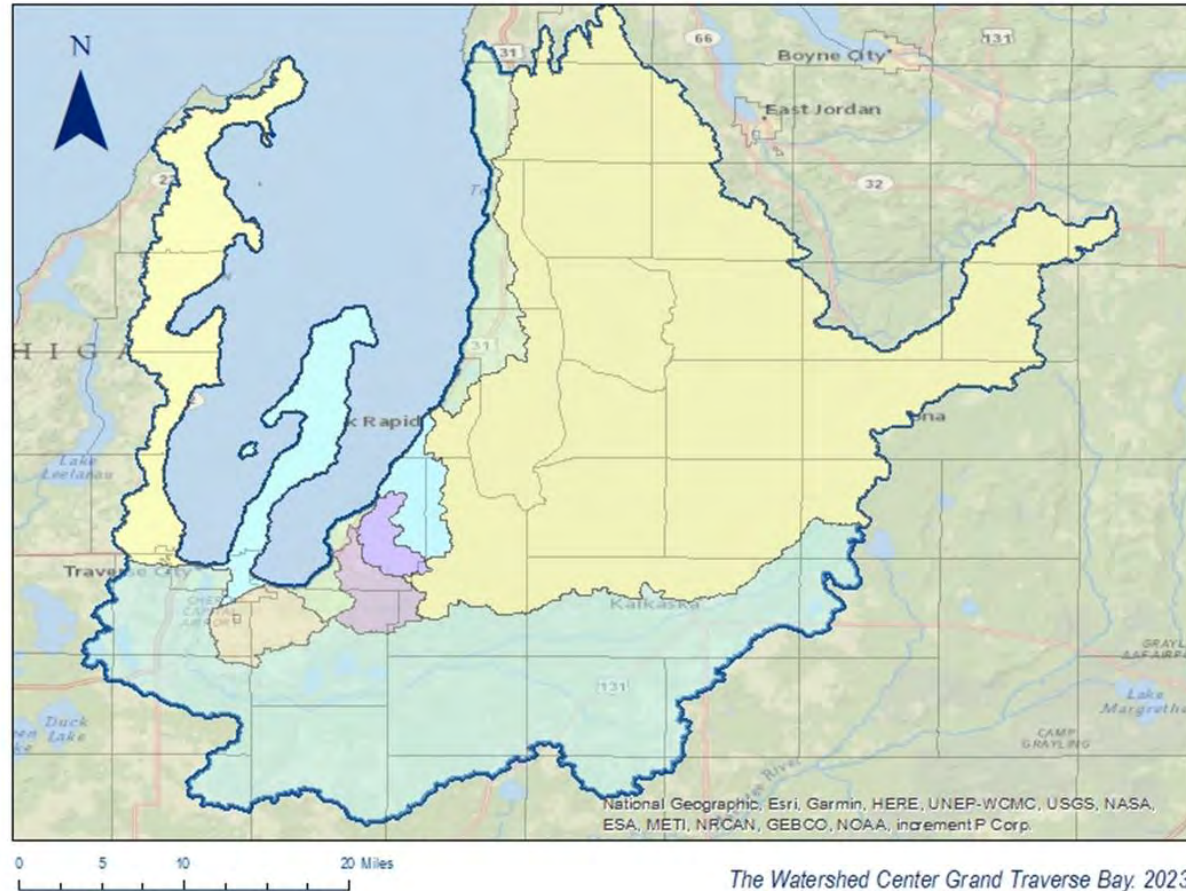
Community Considerations



Watershed Maps



GRAND TRAVERSE BAY WATERSHED





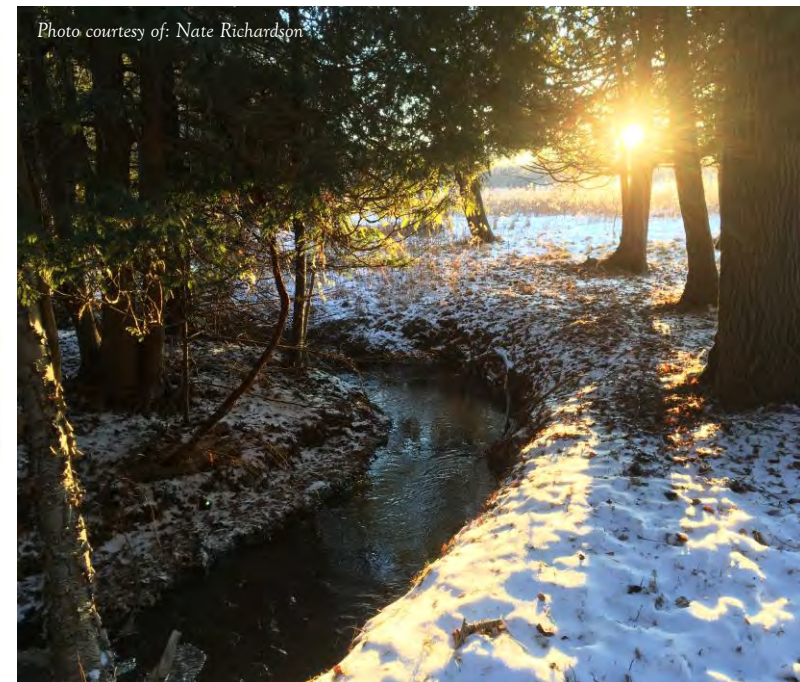
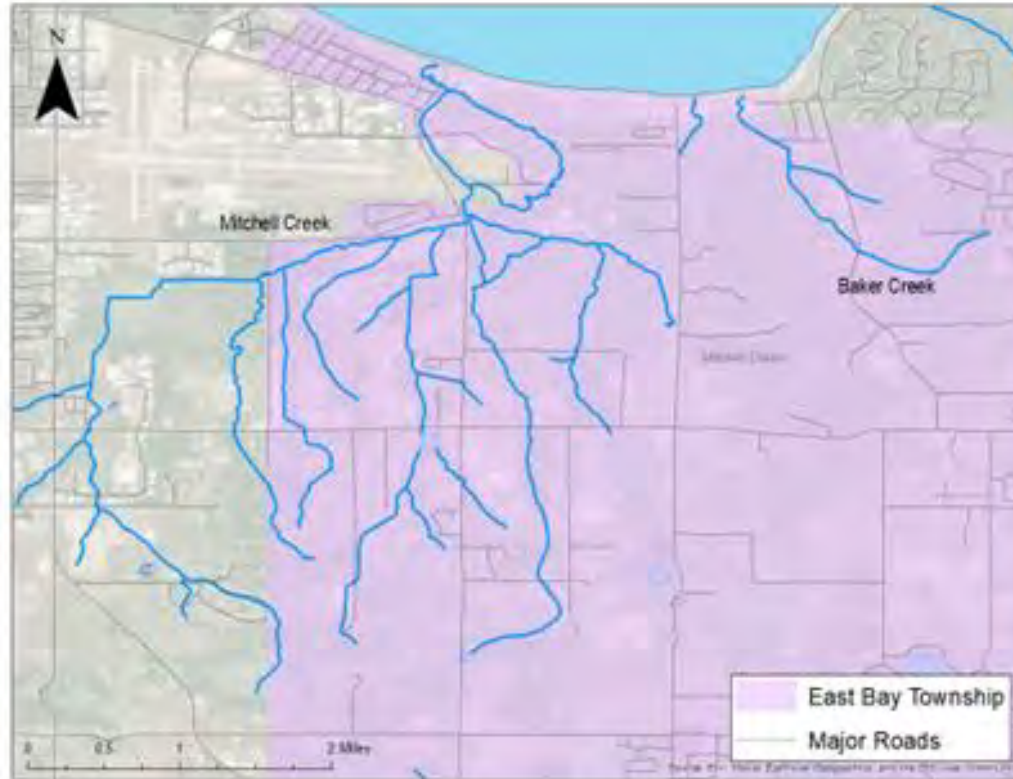
The Watershed Center Grand Traverse Bay. 2023.

WATER RESOURCES IN EAST BAY

EAST ARM OF GRAND TRAVERSE BAY



Mitchell & Baker Creeks



Forest Lakes



BOARDMAN - OTTAWA RIVER



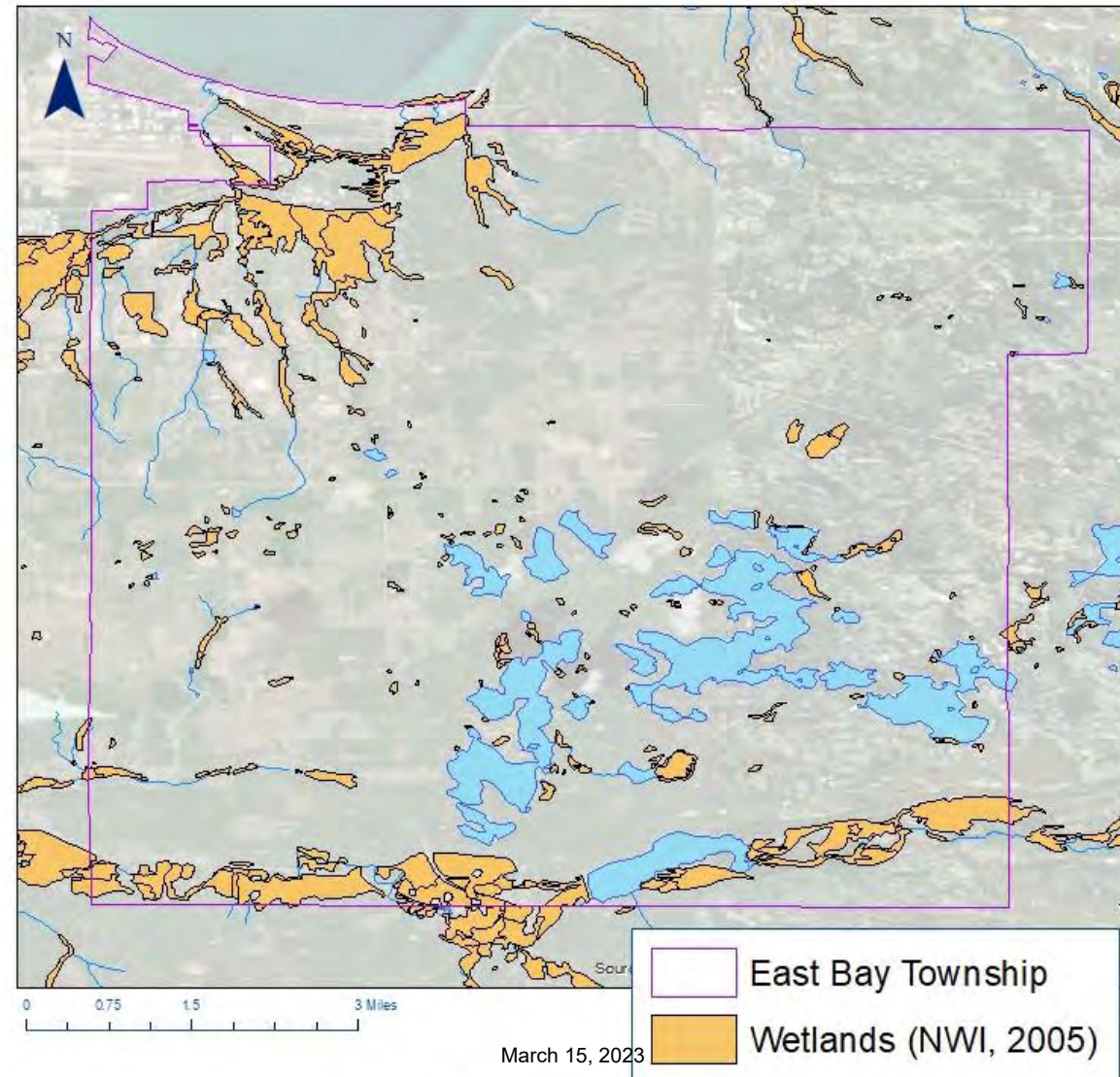
Immense spiritual, cultural,
recreational, ecological value

MDNR designated Natural
River

Blue Ribbon Trout Stream



WETLANDS



HEALTHY WATERSHEDS & ECOSYSTEM SERVICES

Healthy watersheds

perform 'free work' that communities do not have to do, or pay for, themselves. This work can be described as ecosystem services, which include environmental, economic, and health benefits.

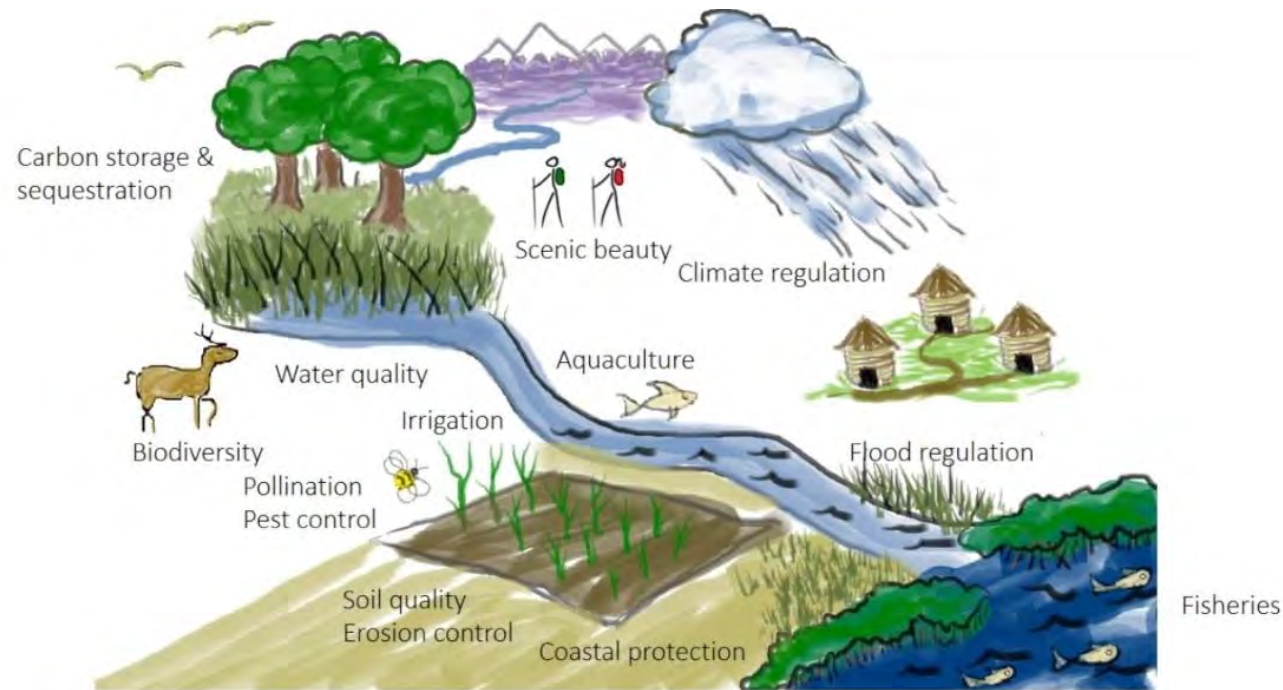


Image courtesy of Conservation Biology Institute

Nutrient cycling
Carbon storage
Air quality purification
Erosion control
Fish & wildlife habitat
Soil formation
Water storage
Water filtration
Flood control
Food
Timber
Recreation
Scenic beauty
Cultural/spiritual

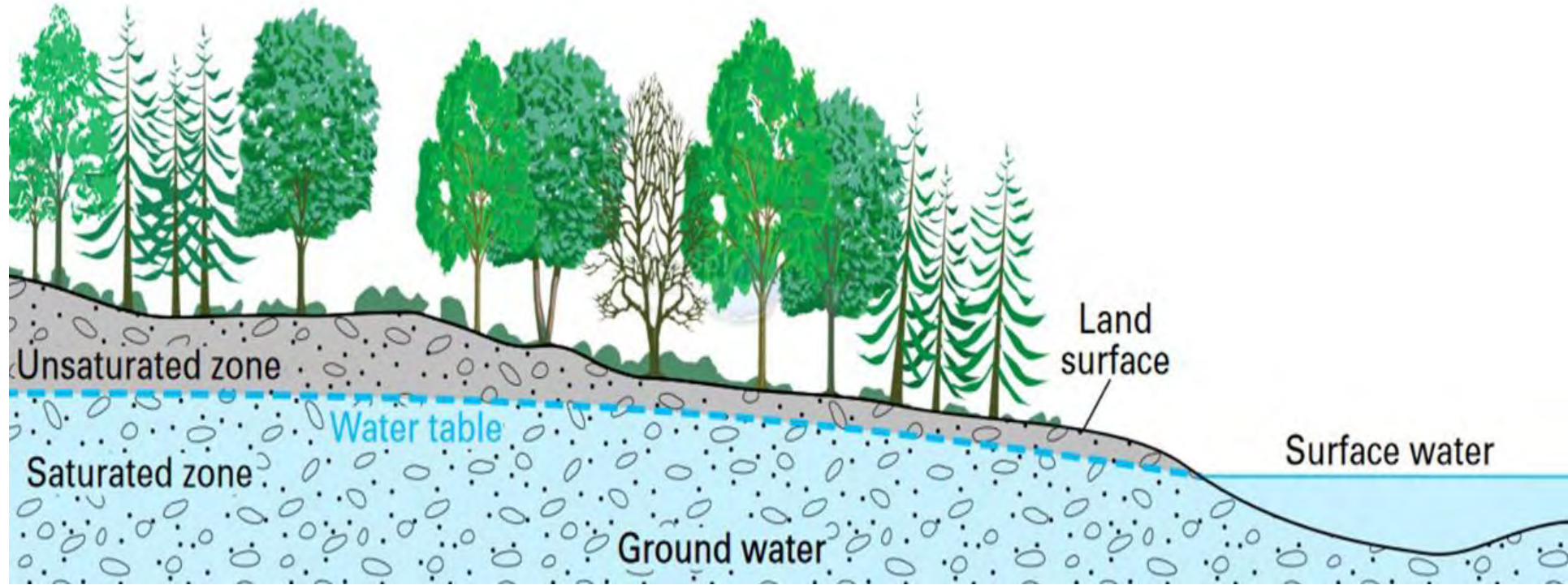
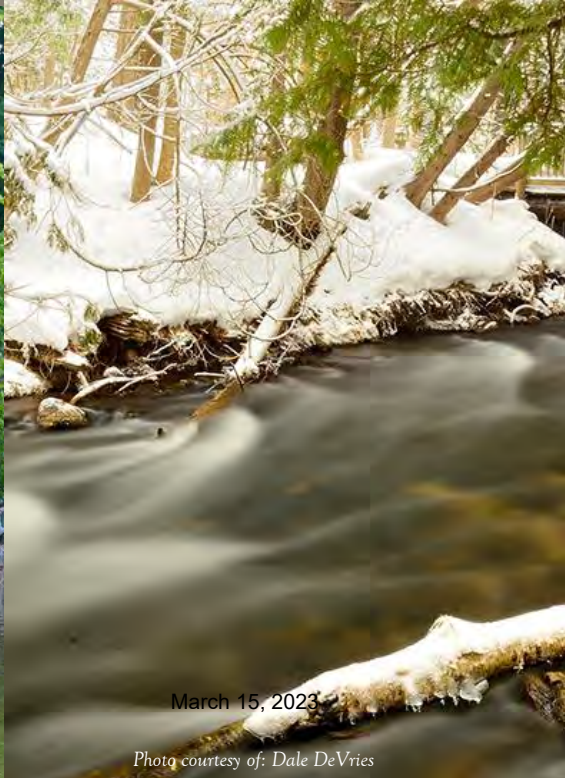
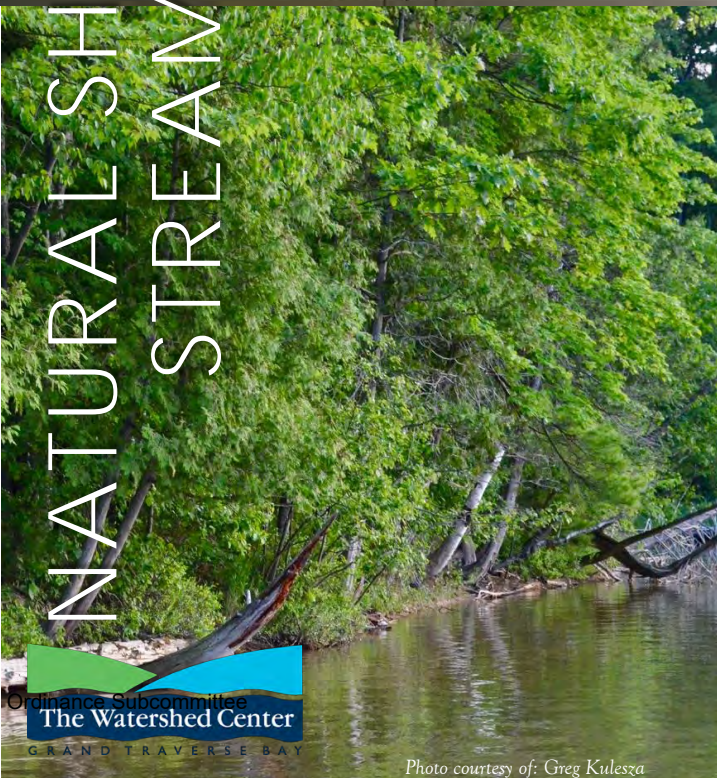


Photo courtesy of: Greg Kulesza



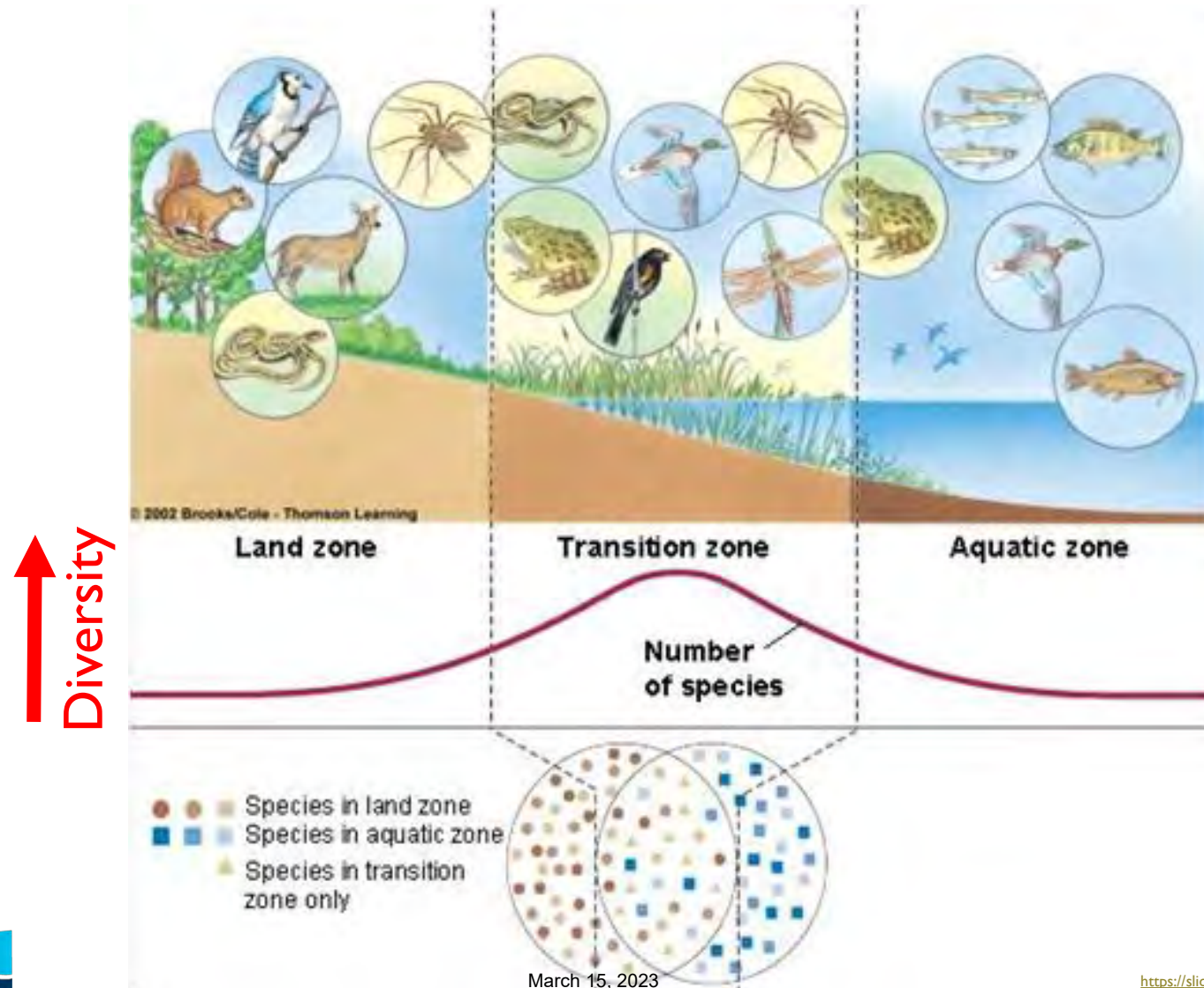
Photo courtesy of: Erick Elgin



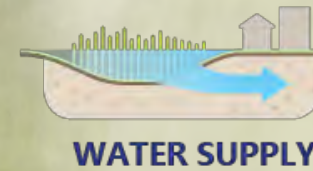
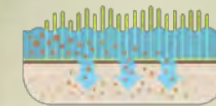
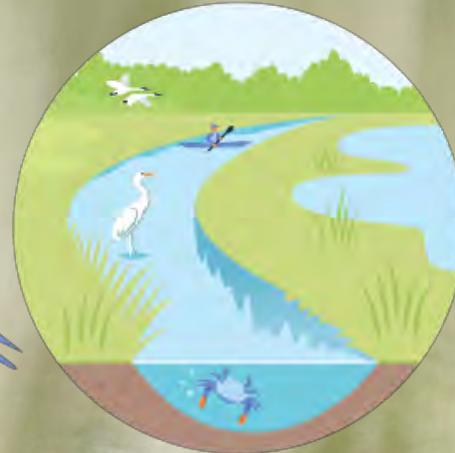
NATURAL SHORELINES & STREAM BANKS



Ecological Diversity



WETLANDS



Water Quality Threats

Top Threats to Water Quality

Habitat destruction

Wetland loss

Disappearing vegetation

Stormwater & ag runoff

Invasive species

Emerging contaminants
(microplastics, PFAS, etc.)

Aging infrastructure

Improperly functioning septic

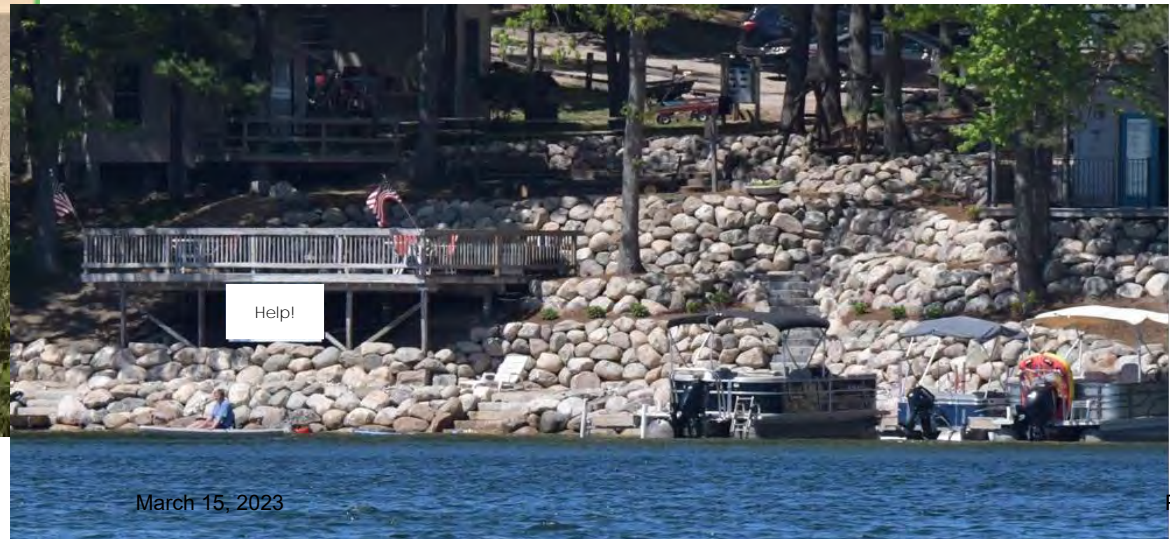
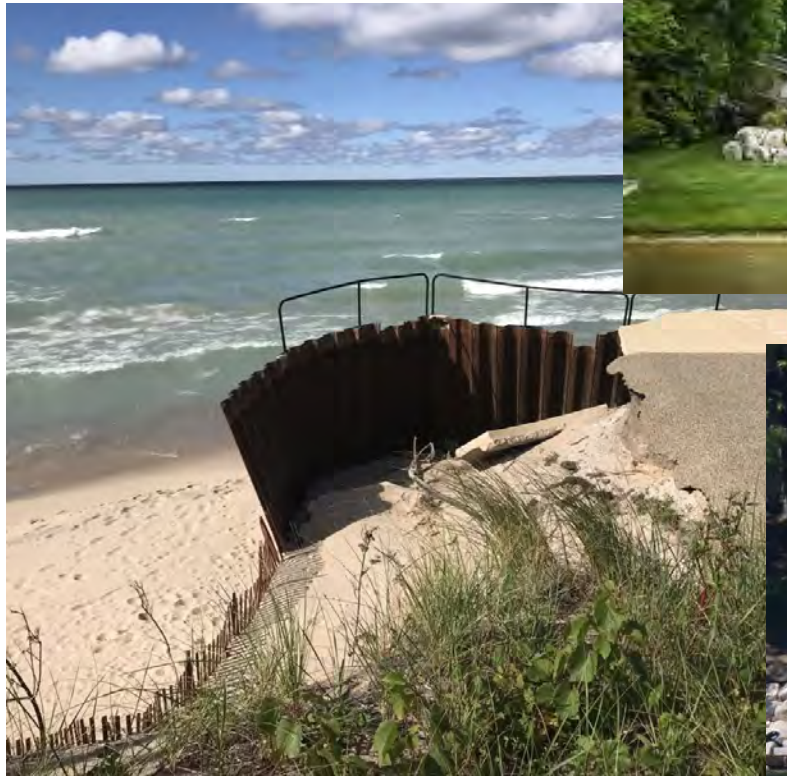


CHANGE

Impacts from WatersIDE DEVELOPMENT



ARMORING & VEGETATION REMOVAL



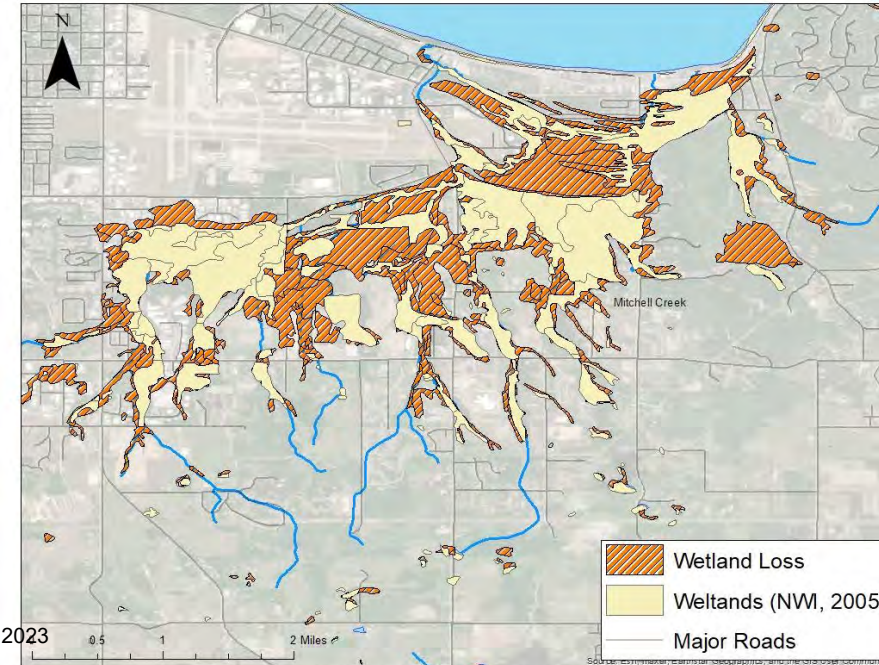
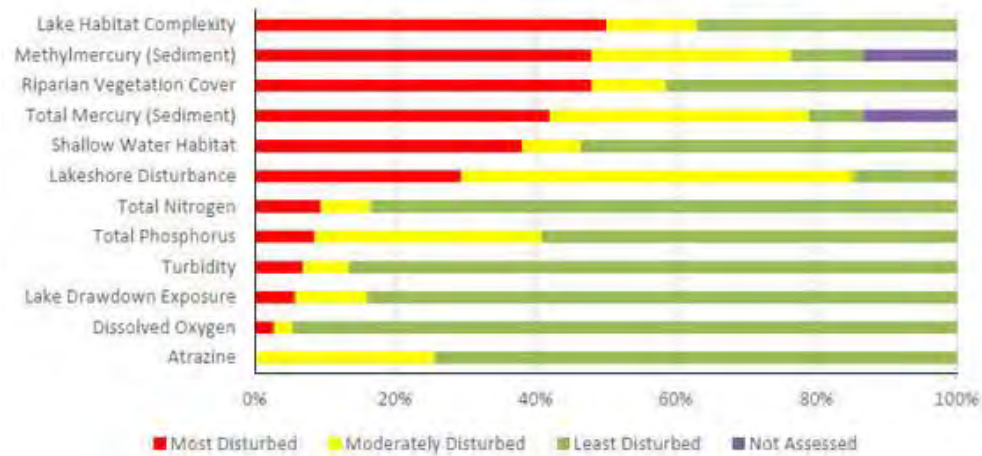
Changing Climate & Coastal Flooding



- High flows in streams & high lake levels
- Worse when structures built too close to water's edge
- Underground infrastructure
- Eroding banks and threatened structures
- Submerged septic systems
- Flooded basements
- Marina & boat launch issues
- Shrinking beaches
- Increased sediment transport in the nearshore
- Alterations to river/stream mouths

Development Threatens Habitat

2012 Michigan NLA Lake Condition and Stressors



Community Considerations

Local Tools

	Zoning and Land Use		Police Power Ordinances
	Management of Township Properties		Education
	Restoration		Hazard Mitigation Planning

Zoning: Buffers, Setbacks & Vegetation

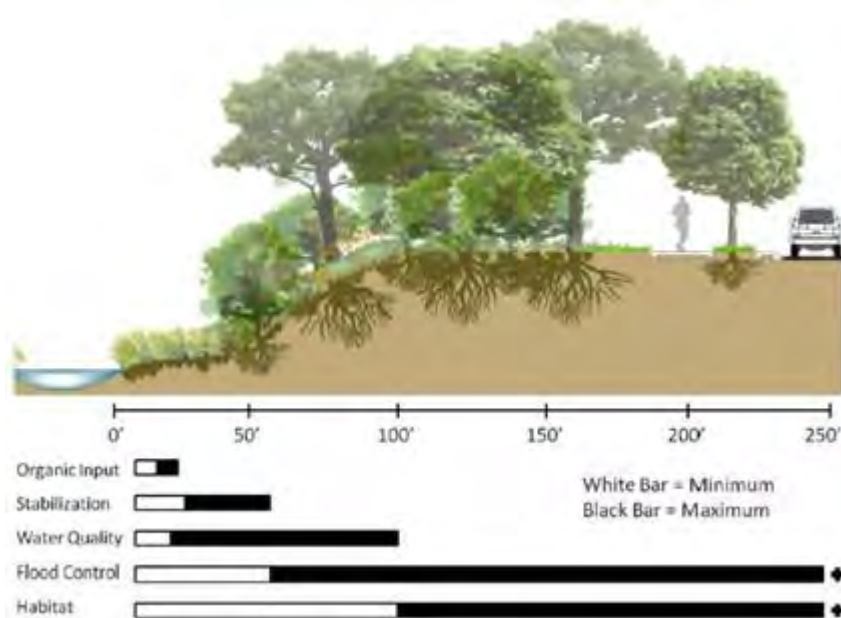


Image Courtesy of: Austintexas.gov

Buffer Width & Setback Distance

Allowed Uses & Structures in Buffers and Setbacks

Active Planting Requirements

Requirement to Preserve Vegetation

Landscaping Requirements

Define Applicability

What Districts/Waterbodies?

What Triggers Compliance?

March 15, 2023

Page 61 of 91

Wetland Protection OPTIONS



Wetland setback
for structures
and/or impervious
surfaces



Wetland standards
in Site Plan Review



Wetland Ordinance
to regulated small
or isolated
wetlands



Balancing human
& ecosystem
needs



Being cognizant
of conflicting
zoning provisions



Understanding and
accepting
nonconformities



Avoiding creating
ordinances for the
“exceptions”



Need to plan for
more community
resiliency due to
uncertain climate
future



Must be able to
enforce

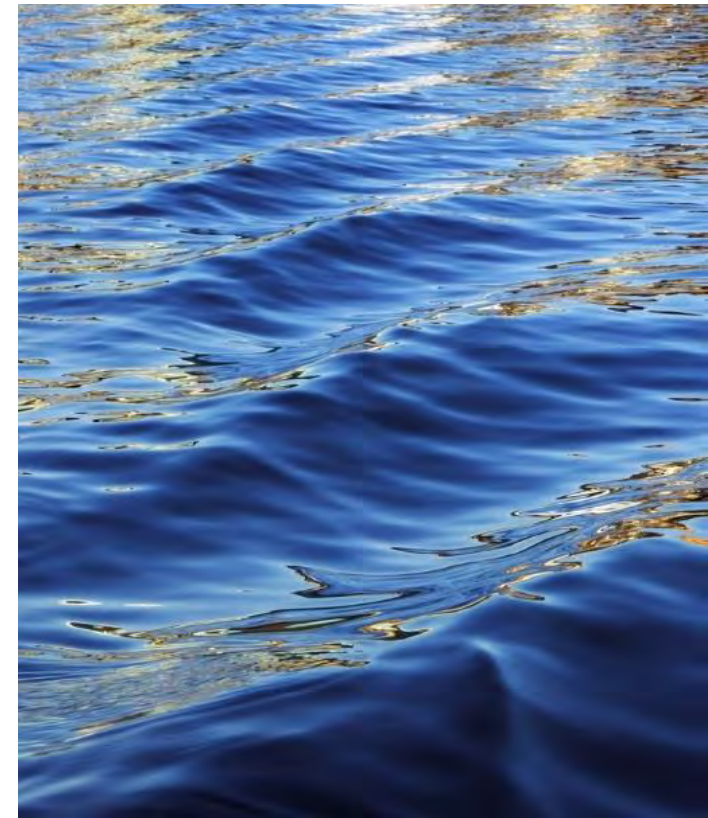
LEARN MORE

- The Watershed Center: www.gtbay.org
- Midwest Glacial Lake Partnership Shoreline Living Guidebook: http://midwestglaciallakes.org/wp-content/uploads/2020/02/VBCD_2020_ShorelineLiving_WEB.pdf
- EGLE's Shoreline Protection Story Map: [Bioengineered Shoreline Protection on Inland Lakes \(arcgis.com\)](https://arcgis.com)
- Michigan Natural Shoreline Partnership: www.mishorelinepartnership.org
- Resilient Michigan: [Building Resilient Communities - Resilient Michigan](#)
- EGLE Coastal Management: [Coastal Management \(michigan.gov\)](https://www.michigan.gov)
- Grand Traverse Bay Coastal Watershed Plan: [GRAND TRAVERSE BAY WATERSHED \(gtbay.org\)](http://www.gtbay.org)
- Boardman Prosperity Watershed Plan: [Prosperity-Plan-FINAL-APPROVED_Oct-1-2018.pdf \(gtbay.org\)](#)



Grand Traverse County Environmental Health Department

Faith Sousa, R.E.H.S.
Environmental Coordinator

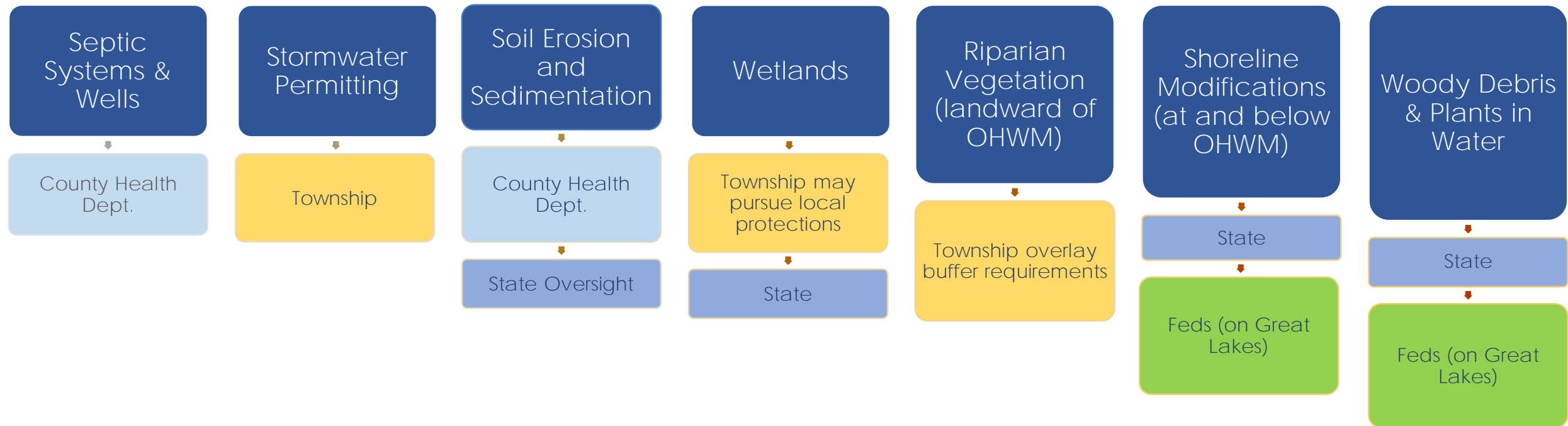




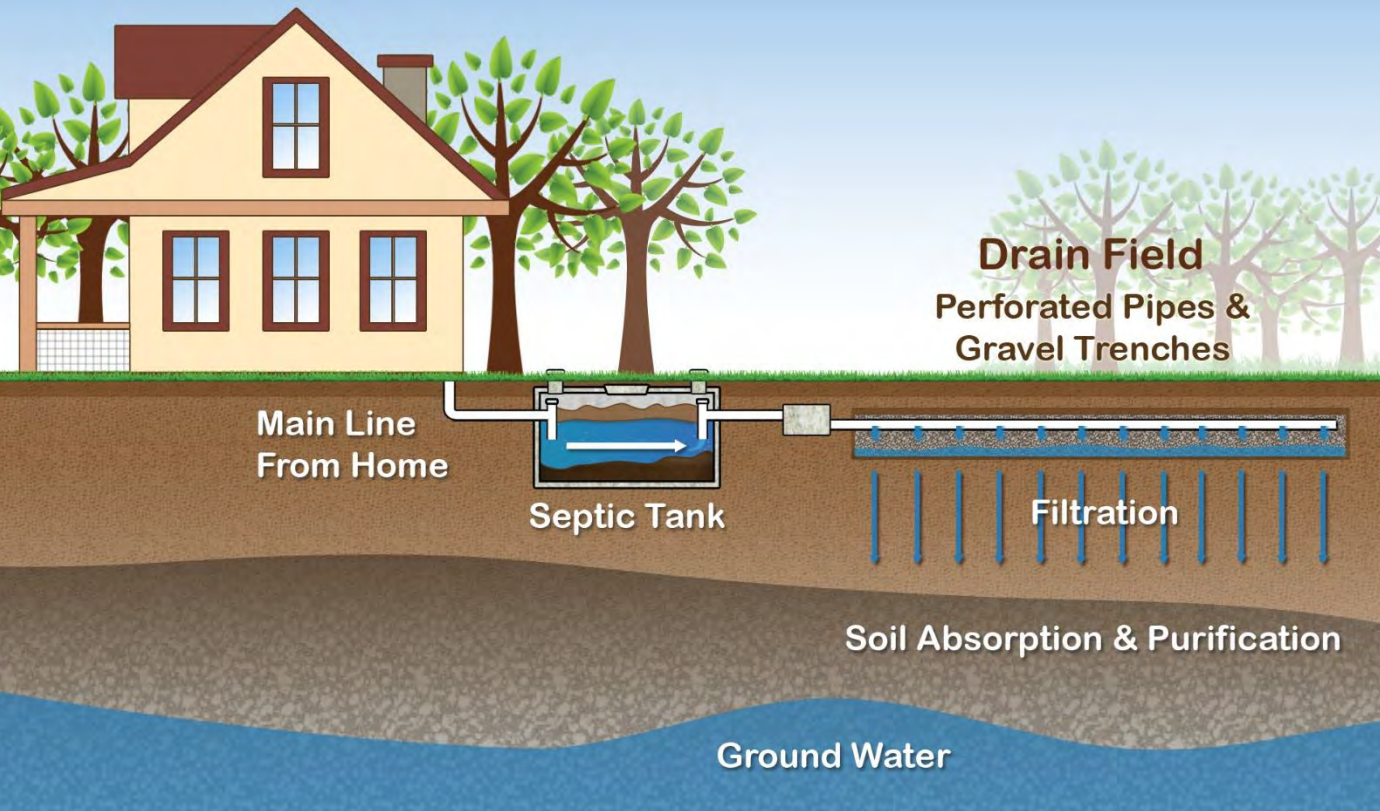
Ordinary High Water Mark (OHWM)

- Line between upland and bottomland
- Persists through successive changes in water levels
- Below OHWM the presence and action of the water is common or recurrent
- Character of the land is distinctly marked

Who are the Water Quality Regulators in East Bay Township?



Conventional Septic System



Septic System Permit Considerations

Septic system sizing is determined by the number of bedrooms, soil type, and presence of a garbage disposal.

Septic systems must be set back:

- 50 to 75 feet from wells
- 5 to 10 feet from buildings
- 10 feet from lot lines and banks
- 50 – 100 feet from surface water

Bottom of a traditional drain field must be a minimum of 4 feet above the High Water Table (HWT) or restrictive layer

Some advanced treatment systems allow for reduced separation

Sometimes holding tanks are the only option



Well Permit Considerations

Residential wells tend to be one of two types:

- Private well
- Type III (shared) well

Wells must be set back:

- 50 to 75 feet from septic systems, fuel oil tanks, and retention basins
- 10 feet from surface water
- 3 feet from building overhangs
- 300 feet from oil/gas wells and mud pits

- Away from snow removal/storage areas
- Minimum of 25 feet deep
- Some site condo developments require deeper wells

Soil Erosion and Sedimentation Control



When Do I Need a SESC Permit?

- Permits are required for most projects within these parameters:
 - Within 500 feet of surface water
 - Disturbing one acre or more of land
 - Within 500 feet of regulated wetlands
 - Slopes of 20% or greater
 - Within 500 feet of a county drain
 - Sites with Class D hydrologic soils

How Do I Apply for a Permit?

- Follow the links on our website to our online application portal—EPIC GT.
- Please submit the following documentation:
 - Designated agent letter
 - Detailed site plan
 - Site address for all projects including a structure



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Water Resources Division

JOSHUA CRANE | CRANEJ3@MICHIGAN.GOV
231-577-8112

Implements the statutes that regulate
areas where land meets water

Protects the beauty and health of Michigan's 11,000 lakes
and 36,000 miles of streams and rivers and
helps support Michigan's recreational economy

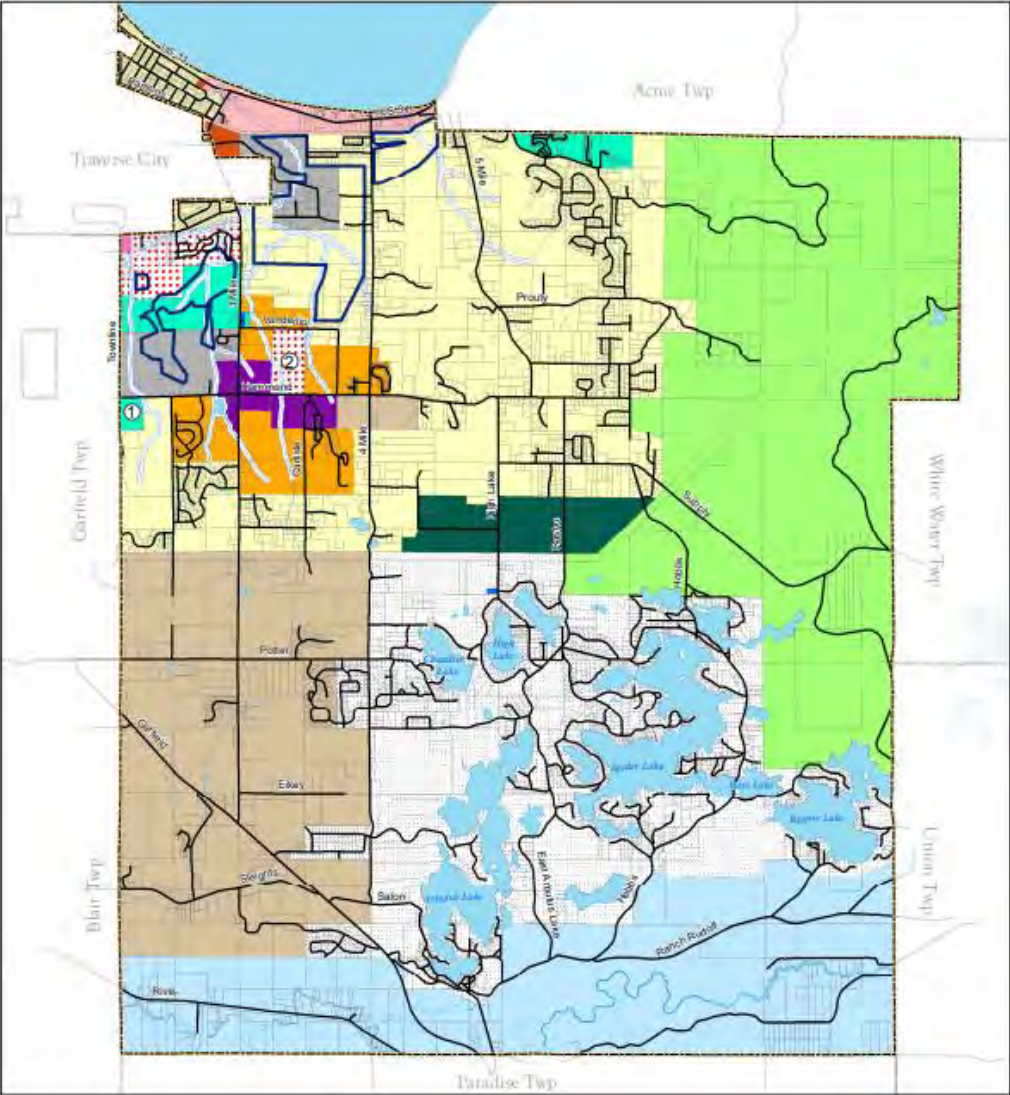


East Bay Township – Riparian Zoning Workshop

February 2023



Zoning Map



East Bay Charter Township

Grand Traverse County, Michigan

Zoning

Effective: May 22, 2003
as amended through December 31, 2019

Legend

- Mitchell and Baker Creek Overlay District
- 100' Stream Buffer
- AG, Agricultural
- RR, Rural Residential
- LDR, Low Density Residential
- MDR, Moderate Density Residential
- HDR, High Density Residential
- MHC, High Density Residential & Manufactured Housing
- LA, Lakes Area
- NA, Natural Area
- BR, Boardman River
- EBC, East Bay Corners
- LB, Local Business
- PO, Professional Office
- RB, Regional Business
- IND, Industrial

Conditional Rezoning:
1. Ord. #1-19, PPN 03-230-005-00 from IND to HDR
2. Ord. #3-18, PPN 03-220-039-00 & PPN 03-220-035-00 from MDR to MHC



Lakes Area Zoning District

- Low intensity residential uses mostly, with some recreational uses associated with the lakes.
- Some of the more intense special land uses involve campgrounds, cabin courts, boat and motor sales & repair, mini-warehouse, self storage (8,000 sq. ft. or less), and neighborhood local business.
- The district is fairly permissive in allowing for a wide variety of accessory structures and uses: accessory buildings in some instances exceeding the size of the house, various shore structures without a Township permit, and outdoor storage for up to four recreation vehicles.

Boardman River Zoning District

- Similar permitted and accessory uses as the Lakes Area District, with the big difference that Boardman River district permits forestry and wildlife management and purchase of development rights.
- Boardman River district does not allow for as many special land uses.
- Minimum lot size and minimum lot width are larger within 400' of the Boardman River.

Natural Area Zoning District

- Similar permitted, accessory, and special land uses to Boardman River District. Slightly different than Boardman River District in that it allows campgrounds as special land uses.
- Dimensionally, requires a five acre minimum lot size which is by far the largest of these three districts, which means the residential density is 0.2 units per acre.

Environmentally-Sensitive Zoning Districts

Land Use Comparisons of the Lakes Area District, Boardman River District, and Natural Area District

Lakes Area	Natural Area	Boardman River
<ul style="list-style-type: none"> •Neighborhood local business •Boat and motor sales & repair •Mini-warehouse, self storage •(8,000 sq. ft. or less) •Permanent docks •Cabin courts •Shore improvements and shore structures •Permanent docks •Bed & breakfasts 	(no uses exclusive to Natural Area relative to the other two districts)	(no uses exclusive to Boardman River relative to the other two districts)
Camps and campgrounds		
	<ul style="list-style-type: none"> • Forestry and wildlife management • Purchase of development rights 	
<ul style="list-style-type: none"> • Detached single-family • Accessory buildings, those exceeding the size of the principal building as SLU • Outdoor storage of up to four RV's • Temporary docks 		

Environmentally-Sensitive Zoning Districts

Dimensional Comparisons of the Lakes Area District, Boardman River District, and Natural Area District

Zoning Standard	Lakes Area	Boardman River	Natural Area
Min. Lot Size	40,000 sq ft		5 acres
Min. Lot Area Within 400' of Boardman River		2.5 acres	
Min. Lot Width	150'		250'
Min. Lot Width Within 400' of Boardman River		200'	
Max. Dwelling Units/Acre	1		0.2
Max. Building Height	2.5 stories, or 35'		
Min. Front Setback	30'		
Min. Side Setback	10'		
Min. Rear Setback	35'		
Max. Lot Coverage	N/A		
Min. Living Space Dimensions	24' x 24'		
Min. Floor Area (One Family)	768 sq ft		
Min. Water Setback Boardman River	150' upstream from Brown Bridge Dam, otherwise 100'		
Min. Water Setback Mitchell and Baker Creeks	100'		
Min. Water Setback Otherwise	50'		
Min. Grand Traverse Bay Rear Setback	45' from elevation 581' USGS datum properties		45' from elevation 581' USGS datum properties

Environmental Overlays – Forest Lakes

- Master Plan's zoning plan, through the formation of a resident and stakeholder subcommittee, aims to review the Forest Lakes Overlay district standards. The subcommittee may wish to further protect the Forest Lakes from development pressure, and may work to formalize a process for documenting the Ordinary High Water Mark (OHWM) elevation at the time of permitting as well as to ensure consistency throughout the ordinance.
- Based on a 500-foot distance from the OHWM of the Forest Lakes.
- Creates a list of residential development standards. For example:
 - Regulates slope activity/construction. Allows for very minimal construction such as stairs less than 5' in width and waterside docks.
 - Requires the retaining of natural vegetation and regulates tree removal.
 - Impervious surface coverage shall be no greater than 20% of site.

Environmental Overlays – Mitchell & Baker Creek

- Based on a physical overlay boundary within the Zoning Map.
- Prohibits structures or buildings within 100 feet of the Mitchell Creek or Baker Creek tributaries.
- This is an area where pedestrian and non-motorized infrastructure is becoming more common.
- All development, except for single-family residences, are PUDs.

Geography of Districts and Overlays

- The three environmentally-sensitive zoning districts fit outside the Future Land Use Map's recommended growth boundary. Therefore higher-density land uses should not, under most circumstances, be locating in these environmentally-sensitive districts.
- The Master Plan's zoning plan discusses the need to enhance environmental protections, such as exploring wetland protection provisions and natural features setbacks. This might warrant an analysis of the Mitchell and Baker Creek overlay boundaries.
- The Township may consider expanding the Forest Lakes Overlay to cover more of its inland lakes.

Zoning vs. General Law

- Zoning regulates land use and dimensions pertaining to it.
- General law (Police Power ordinance) deals with activities.
- Some common examples of general law include regulations pertaining to streets and sidewalks, licensing, boating, fishing, noise, junk, etc.
- Some items, such as docks or animal keeping are sometimes regulated through both.

Enforcement

- Enforcement action is not always conducted through Township zoning – sometimes other police power ordinances can be enforced and sometimes different jurisdictions such as the County or EGLE have responsibility.
- Dimensional items that can be located on the site plan of record can be enforced most easily.

A photograph of a park bench in a tree-lined path. The bench is in the foreground, and the path leads into the distance, lined with trees. The image is partially covered by a green overlay at the bottom.

THANK YOU

A: 1025 East Maple Birmingham, MI
T: 248.852.3100
W: www.giffelswebster.com

Facebook.com/giffelswebster
@giffelswebster

SMALL GROUP DISCUSSIONS

Introductions	5 Minutes
Working Well	10 Minutes
Opportunities	10 Minutes
Solutions	10 Minutes

Afterwards, each group will select a representative to report back to the larger group.

GROUND RULES

1. Listen to and respect other points of view.
2. Everyone is encouraged to participate.
3. One person speaks at a time.
4. Do your best to understand the pros and cons of every option, not just those you prefer.
5. Seek first to understand, not to be understood.

REPORTING OUT

Please share 2 things that are working well, 2 things that are not working well, and possible solutions identified by your group.

Next, each attendee will select their 3 top solutions using sticky dots provided.

THANK YOU

Please stay engaged

The Zoning Ordinance Subcommittee meets every other Wednesday morning at 8:30 AM

The Planning Commission meets the 1st Tuesday of the month, with Special meetings the 3rd Tuesday

Sign up for email meeting notifications on the Township website: www.eastbaytwp.org

under “Agendas & Minutes”

Claire Karner

From: Susan LaRose-Grover <ssnlar@chartermi.net>
Sent: Tuesday, February 21, 2023 5:22 PM
To: Claire Karner
Subject: Riparian meeting 2-21-23

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Claire:

I can not make tonight's Riparian meeting here are some points for Lakes Area.

- 1: I like the concept of mailings to all new lakes homeowners, contractors and add existing lake owners. Must have Assessing Dept(?) or a department within the township do the mailings and copies of sent articles kept at township level.
- 2: The last two homes on Rennie Lake totally cut EVERY tree down on the waterside. Need fines like \$5000 dollars than a \$100 dollar fine. BETTER follow up policing.
- 3: Every property owner adjoining to streams, lake or wetlands be on a mailing list to send information from the township educational articles relating to water preservation does and don'ts. It will take all of us including the township office to help keep East Bay waters safe.
- 4: STR's Lake rentals mandate water rules and articles about protecting wildlife, native plant life and proper Loon education. Money from the STR permits can help offset the print cost.
- 5: I realize township property doesn't have to adhere to the ordinances on lake property BUT I believe the township should set a better example than most residents and abide by the rules.
- 6: Possibly an incentive to preserve or reestablish the natural shorelines to lake property owners.

Thank you

Susan LaRose

Lake Property Owner of 39 (year-round)years and East Bay Park Commissioner

Sent from my iPhone

Claire Karner

From: nancymccullick@charter.net
Sent: Tuesday, February 28, 2023 5:47 PM
To: Claire Karner
Subject: FLO

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Hi Claire,

I wanted to be sure these thoughts are added to the rewrite of the Forest Lakes Overlay. There were some great ideas that evening! I would love to add these details to those ideas. We have been living this ordinance since we moved to the area seven years ago. Here are the things I see repeated on a regular basis:

1. The builder gets a soil and erosion permit and goes ahead with excavation, often into the buffer areas, because GTC/Soil and Erosion do not regulate or enforce the Overlay. I talked to Faith again after the meeting last week. I had met with her on this issue two years ago. At that time she told me there is a software in the works that will connect the two systems and it's close to working. It will alert EBT that someone is moving earth and preparing to build on a lot if it's in the FLO. Fast forward two years and the software is still not working so we continue with the same issue. EBT needs to know the day the Soil and Erosion permit is issued so they can apply the FLO. Faith is great and I really enjoy her and think she does a great job with what she is required to do. Educating and enforcing the FLO is not part of her job and I understand that.

2. You don't know what is gone if you don't know what was there. Speaking of residential builds, no tree survey is required. I know you mentioned to me that photos are now required and have been for over a year but when I was working with Preston on the build at the end of our road he didn't mention this was a new requirement -- maybe it wasn't in place yet? He said he just had to keep coming back and checking in with the builder -- and it was Hagan, the same builder that completely cleared and removed two stories worth of earth next door to me to bring that new build down level with the lake. If photos are required, that needs to be included in the ordinance so it's required and not a suggestion. --you probably already have this noted but just to be sure.

3. ALL residents and not just new residents or new builds need to know that the 50' buffer is not just "do not remove trees of a certain size" but they are to leave the natural vegetation in all but a 20% allowed area (and I like your idea of making this 20% less ambiguous such as a 10x10 area or something measurable). In current application, residents are leaving the larger trees as required but then removing all underbrush and natural native vegetation and saplings across the entire waterfront so their view is enhanced. I have two neighbors that removed every sapling and all native grasses and "weeds" in the buffer as well a trimmed all of the trees in the buffer that had to be left to a level above their windows so they can "see the lake". That is not the intent of the FLO as I understand it. It's to leave all of that natural vegetation so it can filter out the toxins and keep them out of the lake as well as for the trees to help shade the shores to create a cooler environment for aquatic life. Since this would apply to anyone living on a lake in the forest lakes area, it would be easier to enforce. Preston would not need to know if it was there before or not, just that it belongs there. Maybe this is where the tax break for replanting the shores would come into play. Give residents a tax break through 2024 with receipts and photo documentation of replanting native vegetation in the buffer and then anyone who did not take advantage of that by the deadline will be required to complete it by 2025 with no tax break and if not completed by then maybe it turns into a fine in 2026. This replanting effort would also help with the issue that is constantly coming up -- "well they removed the trees in front of their house, I can too". If the people that removed everything were required to restore it, that would certainly send a message. This may seem harsh to some but I mentioned before that I lived in an area and worked for a builder where these things were required and the fines were real -- thousands of dollars. Keeping the trees was not an issue there. People respected the ordinances and followed them and there wasn't even a lake involved. These were just forested lots.

4. All residents need to know the portion of the FLO that talks about the 20% removal for a view only applies when it's a new build. You cannot remove 20% on build, sell the house and then the new owners remove another 20% and so on. That is just not clear in the ordinance.

I hope some of this information is helpful. :-)

Thank you for listening,

Nancy