

Agenda St Ignace Planning Commission 4/11/23 7 PM City Hall and on Zoom

**(1) Call to Order**

**(2) Roll Call**

**(3) Approval of Minutes**

**(4) Approval of Agenda**

**(5) Public Comments (limited to 2 minutes per person) and Communications Concerning Items Not on the Agenda**

**(6) Scheduled Public Hearings**

**(7) Unfinished Business**

Redevelopment Ready Community Progress- notes from a brief discussion with Pablo Majano

1. Pablo is taking a leave of absence beginning June. His temporary replacement will be announced in the near future
2. What we need to do to be RRC Essentials credentialed:

Zoning update topics:

From last month:

water/sewer- there are only a few city properties that do not have one or the other. If the property CAN connect, to add a new dwelling, it MUST connect. For those properties that can not connect to sewer, the county will determine whether there is adequate percolation for an additional septic system, so we do not have to do more than refer to that.

MUST we have the language about square footage requirements for lot sizes then?

So far, no one I have asked - elected officials and people interested in local development- no one disagrees with the concept of requirements for buried services for all new construction.

I also asked some sources about the requirement for an on-site archeologist for excavations on private property for residential purposes- it is not required in St. Ignace. However, if permissions are needed from MDOT, it may be required, and if bones, human remains or other sensitive artifacts are found during an excavation, then the work stops until all the proper consultations and researches have been completed.

**Tiny Home** -define. Note State of MI requirements for tiny homes (see notes below). Our definition should include that a tiny home is a permanent dwelling unit. \*

Our code- would this work? - 450 square feet or less, permanent, meets applicable MI code requirements, refer to appendix Q. suggestion by John Kling:

for tiny home villages and bungalow courts, 35% lot coverage is not enough to make it worthwhile for a developer to create that kind of housing. John suggests 50%, and make whatever regulations you need to make in the zoning ordinance so that it is allowed by right for those 2 kinds of housing development.

Discuss

Additional question: would the PC recommend that no ADU, tiny home or bungalow could be rented for fewer than 30 days? That no more than 20% of a housing development could be rented for fewer than 30 days at a time? Would the PC be prepared to add that allowance under any circumstances, ever?

## ADUs

Some elected officials are concerned that the only people who will build ADUs are those who intend to make the ADU a short term rental. (we are not up to the 50 permits allowed in residential neighborhoods)

possible solutions- please discuss

1. deny that use of ADUs That is pretty restrictive, but you could do it. You will likely have to defend it, maybe in a lawsuit.
2. allow that use ONLY if the ADU is on the property of the owners primary residence and if the owner is present when the ADU is occupied. We know how to determine if property is the owner's primary residence. That one could be enforced.
3. you could also require that all ADUs could only be listed for rent, and rented, for periods of 30 days or more
4. what other conditions would help to alleviate that concern- about an ADU being used only for the purpose of being an STR, or being a nuisance to neighboring residents?

Similarly **Home Businesses and Occupations-** *Please bring the Adams, Schindler et al article with you to the meeting*

Broadly define them

1. Home business requires that the business owner be the occupant of the home in question (could be a renter, but must live there)
2. Business can utilize up to \_\_\_\_\_% of the home (see our current zoning requirements)- (50%? less? more? This rules out things like a home that is totally converted into an art gallery or an artists' studio, or a venue for a small live theater company or book store- is that what we want?)
3. If the business or occupation creates, prepares, packages (what else do we say here?) that are not SOLD on the premises, or
4. If the business or occupation will have one or more customers or clients at a time coming into the home- studio, gallery, therapy room, salon, etc.
5. table similar to the one designed by Adams, Schindler et al-

It is a long document. see page 25 about definitions. It starts with

"Definitions of Home Occupations

There are a wide variety of definitions of "home occupation" found in Michigan zoning ordinances although most address the following common elements:

1. allowing the occupant of a dwelling to engage in an occupation or profession (or sometimes other activity or other use),
2. within a dwelling and sometimes in an accessory structure (like a detached garage),
3. that are clearly incidental (or customary, secondary and/or subordinate) to the principal use of the dwelling as a residence,
4. that do not alter the exterior of the structure or change the character of the property, or negatively affect the residential character of the neighborhood, and

5. that meet all applicable provisions of the ordinance.”

For St. Ignace

- a) Those that are “invisible and undetectable” - no customers come to the home - zero to little regulation
- b) Those that can be seen from the exterior- where there is equipment stored on the premises, temporary or permanent display and storage of products outside the house
- c) If there is a sign- where, how large, what material
- d) prevention of nuisance-
  - noise: time of day allowed and maximum allowed decibels
  - odors- undetectable (does this mean that if you can smell cake or pie baking, it’s not allowed???)
  - exterior lighting- shielded, not on after 10 pm? 11 pm?
  - traffic and parking- maximum? time of day?

6. WHO ENFORCES AND WHAT IS THE COMPLAINT PROCESS? What is it right now?

**(8) New Business- If there is time: Multi-unit or connected housing: motel conversion into small apartments with shared/community spaces for meeting, fitness, laundry, etc.**

**(9) Other Matters to be Reviewed by the Commission**

**(10) Administrative Items**

**training attended**

**(11) Next meeting**

**12) Public Comments limited to 2 minutes per person**

**(13) Adjournment**

Notes

\*Tiny Homes

a Tiny Home is a permanent residential dwelling unit that has a floor area of 450 square feet or less meets State of Michigan code requirements.

Note the use of the term “permanent”.

definition 1.

per Michigan regulations:

The Tiny House law in Michigan allows **couples to build a home of about 250 square feet**, while houses for families of four must be at least 450 square feet.

**Rules and regulations for tiny houses in Michigan**

To be up to the Michigan building code, a tiny house must have a foundation at least 24" above the ground. The walls must be made of either solid wood or metal, and the roof must be metal.

The windows must be double-paned, and the doors must be insulated. Lastly, the house must have a smoke and carbon monoxide detector.

Definition 2. 2018 International Residential Code (IRC) is released. – For the first time, it includes **Appendix Q Tiny Houses**.

– [codes.iccsafe.org/public/document/IRC2018/appendix-q-tiny-houses](https://codes.iccsafe.org/public/document/IRC2018/appendix-q-tiny-houses)

appendix Q of the 2018 International Property Maintenance Code (I can not copy it here) defines tiny homes as “ a dwelling that is 400 square feet or less in floor area, excluding lofts.”

It goes on to describe allowances for ladders to lofts, landing areas for stairs to lofts, ceiling heights and fire egress that are different than in larger dwellings. These are more relaxed than requirements for larger dwellings.

FYI: Emmet County (not the city of Petoskey, the county) uses appendix Q to regulate tiny homes in the county.