

CITY OF MUSKEGON

PLANNING COMMISSION MEETING

May 15, 2025 @ 4:00 PM

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

☐ **CALL TO ORDER:**

☐ **ROLL CALL:**

☐ **APPROVAL OF MINUTES:**

☐ **PUBLIC HEARINGS:**

A. Hearing, Case 2025-17: Request for a special use permit to operate an urban commercial farm at 2407 Barclay St, by Coty Sloan. Planning

B. Hearing, Case 2025-18: Staff-initiated request to rezone the property at 236 Monroe Ave from B-2, Convenience & Comparison Business to Form Based Code, Urban Residential (FBC, UR). Planning

C. Hearing, Case 2025-19: Staff-initiated request to amend Article II of the zoning ordinance to amend the definition of "family". Planning

D. Hearing, Case 2025-20: Staff-initiated request to amend the zoning ordinance to create a section that allows for single-room occupancy homes and rooming house uses. Planning

☐ **UNFINISHED BUSINESS:**

☐ **NEW BUSINESS:**

☐ **ANY OTHER BUSINESS:**

☐ **GENERAL PUBLIC COMMENT:**

► Reminder: Individuals who would like to address the City Commission shall do the following: ► Fill out a request to speak form attached to the agenda or located in the back of the room. ► Submit the form to the City Clerk. ► Be recognized by the Chair. ► Step forward to the microphone. ► State name. ► Limit of 3 minutes to address the Commission.

☐ **ADJOURNMENT:**

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY OF MUSKEGON AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

To give comment on a live-streamed meeting the city will provide a call-in telephone number to the public to be able to call and give comment. For a public meeting that is not live-streamed, and which a citizen would like to watch and give comment, they must contact the City Clerk's Office with at least a two-business day notice. The participant will then receive a zoom link which will allow them to watch live and give comment. Contact information is below. For more details, please visit:

www.shorelinecity.com

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting with twenty-four (24) hours' notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or by calling the following:

Ann Marie Meisch, MMC. City Clerk. 933 Terrace St. Muskegon, MI 49440. (231)724-6705.
clerk@shorelinecity.com



Agenda Item Review Form

Muskegon Planning Commission

Commission Meeting Date: May 15, 2025	Title: Hearing, Case 2025-17: Request for a special use permit to operate an urban commercial farm at 2407 Barclay St, by Coty Sloan.
Submitted by: Mike Franzak, Planning Director	Department: Planning

Brief Summary:
Request for a special use permit to operate an urban commercial farm at 2407 Barclay St, by Coty Sloan, owner of Restoring Eden.

Detailed Summary & Background:
SUMMARY
The applicant is an urban flower farmer and is moving his business, Restoring Eden, from Georgia to Michigan. He is requesting a special use permit to operate an urban commercial farm at 2407 Barclay St. He would grow flowers on site and supply them to florists, event planners, and customers.

The property is zoned R, Neighborhood Residential and there is a single-family house on site. The ordinance allows for urban commercial farms in this zoning district with the issuance of a special use permit, but it does not allow for retail sales on site. The parcel is fairly secluded, with no residential neighbors in the back or south side yard.

Please see the enclosed site plan document that shows the layout of the farm. Please also see the copy of the Community Gardens, Private Gardens, and Urban Commercial Farms ordinance.

EXERCISE
Planning Commissioners, please be prepared to answer and discuss the following questions as they relate to Section 2332.4 of the zoning ordinance:

1. Do you believe this use is consistent with all adjacent uses and structures?
2. Do you believe the proposed use would be considered offensive or a nuisance because any of the following reasons?
 - a. Increased traffic
 - b. Noise
 - c. Vibration
 - d. Light
3. Do you find that adequate water and sewer infrastructure exists or will be constructed to service the use?

STAFF RECOMMENDATION
Staff recommends approval of the special use permit for the urban commercial farm. Furthermore, staff believe this would be a great location for on-site sales, although the ordinance does not allow for it. It may be worth exploring an amendment to the accessory commercial unit (ACU) ordinance to provide an opportunity for urban farms to have sales carts/booths on-site, and also designating this

area, which is fairly commercial, as an allowed ACU designation.

Goal/Focus Area/Action Item Addressed:

Key Focus Areas:

Goal/Action Item:

Amount Requested:

N/A

Budgeted Item:

Yes		No		N/A	X	
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Fund(s) or Account(s):

N/A

Budget Amendment Needed:

Yes		No		N/A	X	
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Recommended Motion:

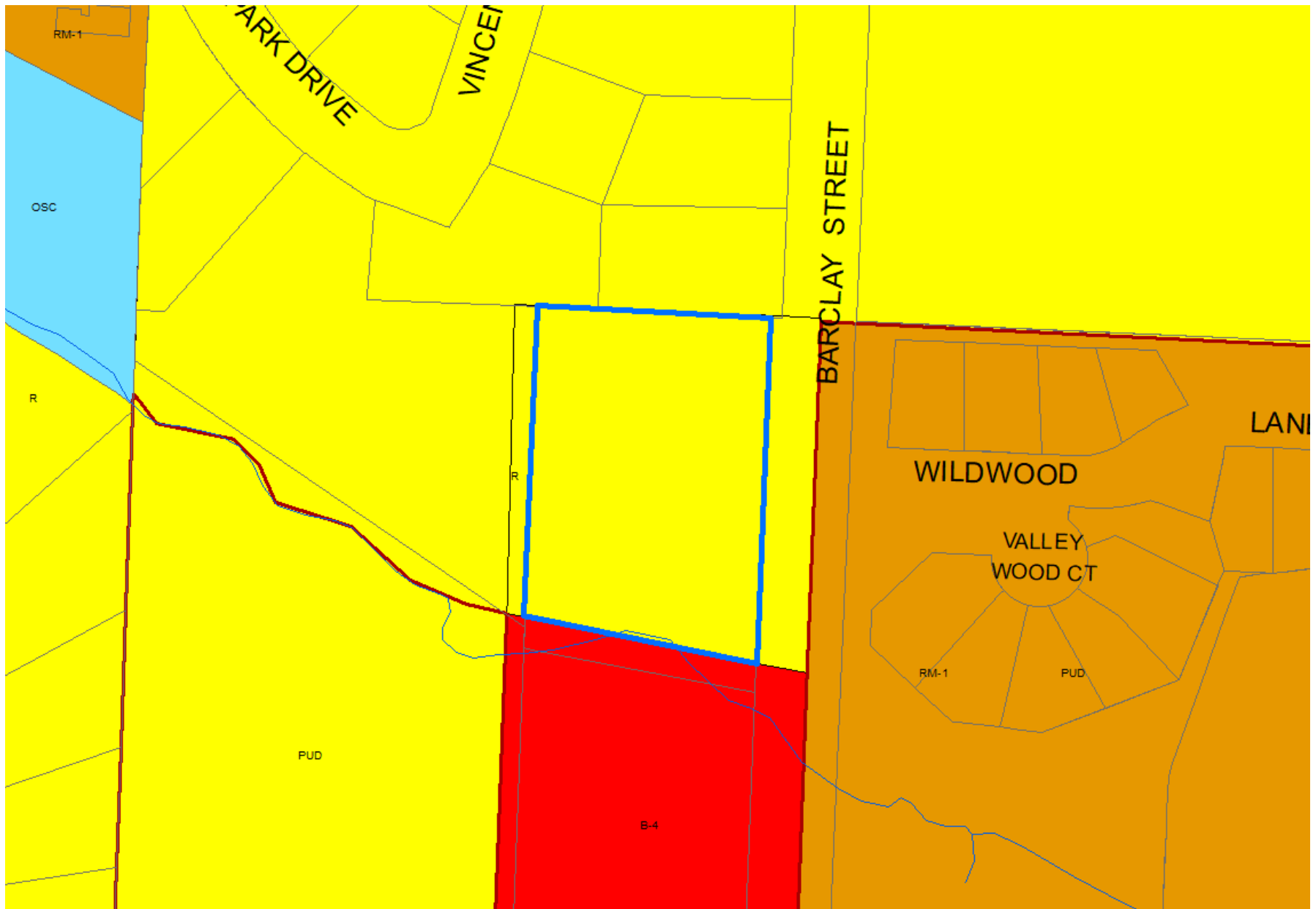
I move to approve the request for a special use permit to operate an urban commercial farm at 2407 Barclay St based on the finding of facts in the exercise in the staff report.

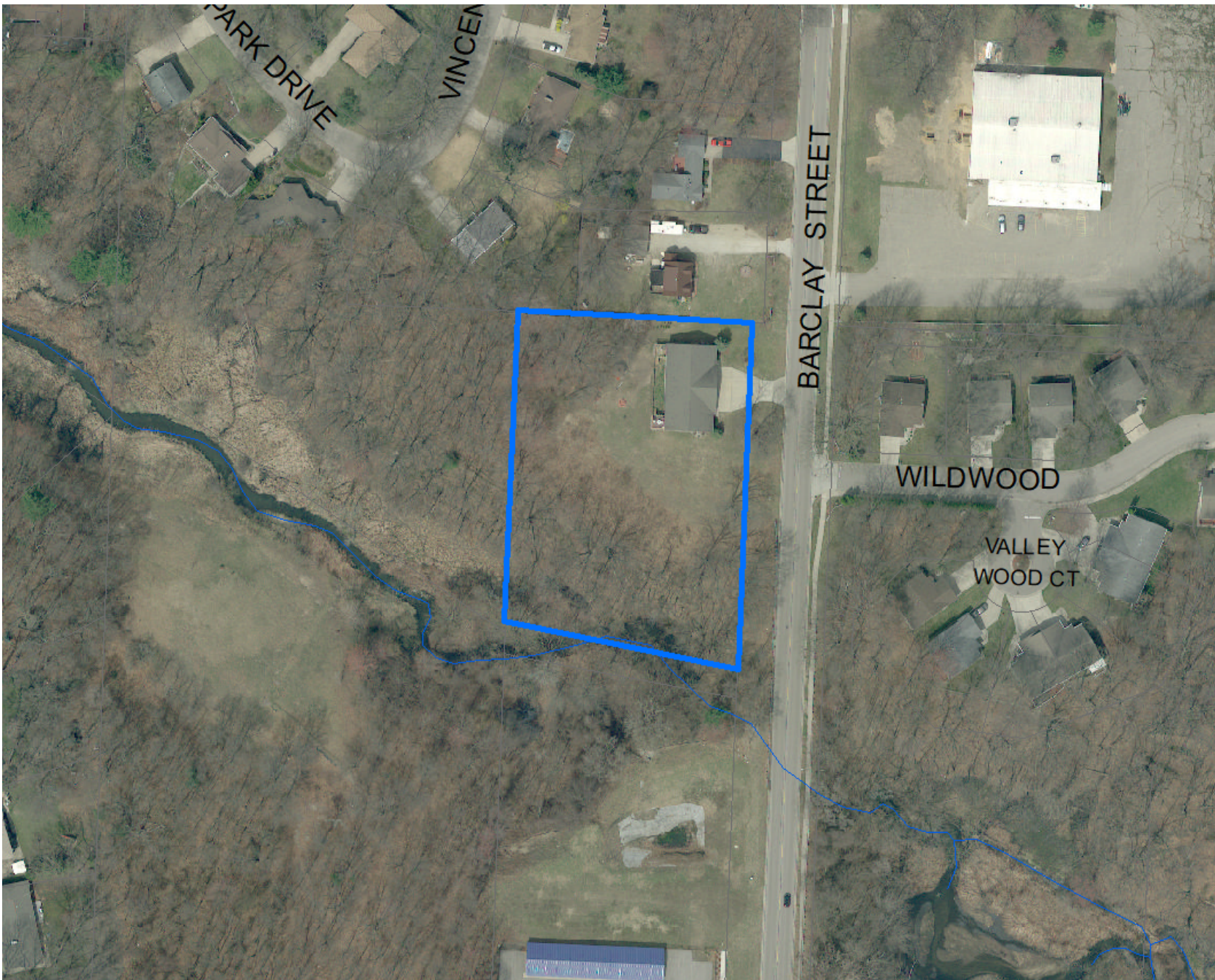
Approvals:

Immediate Division Head		
Information Technology		
Other Division Heads		
Communication		
Legal Review		

Guest(s) Invited / Presenting:

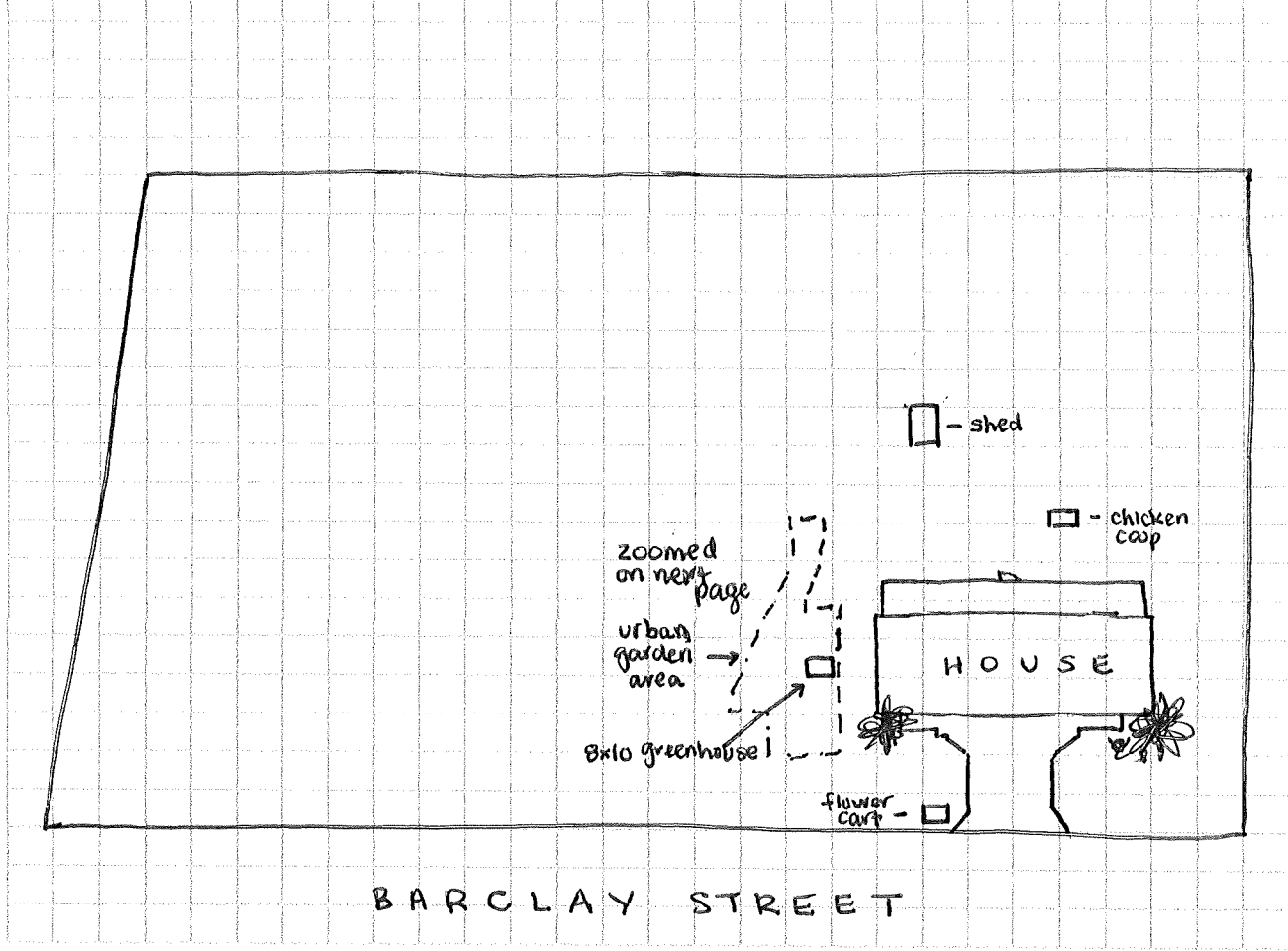
No





Site Plan

Start by drawing an outline of your property (rectangle, square, etc). Add the house and any outbuildings. Draw where the proposed fence, shed, parking pad, etc. will be located. For structures other than fences, note the setback measurements from the property line(s). Make sure to show street name(s) & location. A sample drawing is located below.



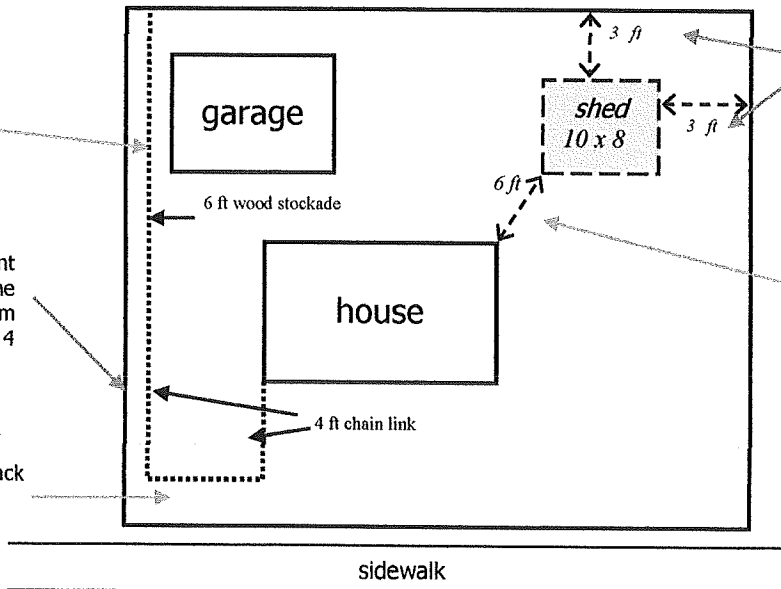
SAMPLE SITE PLAN DRAWING:

FOR FENCES:

Draw a line to show where your fence will be.

Area in front of the front building line of the home (shaded area) – Maximum height for open fence is 4 feet; privacy fence, 3 feet

Fence must be 18 inches back from the sidewalk



FOR SHEDS & POOLS:

Note how many feet from the property line(s) the shed or pool will be (setback must be at least 3 feet from property lines). Pools cannot be located under any overhead utility lines.

Note how many feet from the house the shed or pool will be (must be at least 6 feet from the house)

For a house on a corner lot, contact Planning Dept. staff for assistance, due to additional regulations

- c. Cold Frame means transparent-roofed enclosure, built low to the ground, used to protect plants from adverse weather. The transparent top admits sunlight and prevents heat escape via convection that would otherwise occur, particularly at night. Essentially, a cold frame functions as a miniature greenhouse to extend the growing season.
- d. Compost means relatively stable decomposed organic matter for use in agricultural and other growing practices, usually consisting of materials such as grass, leaves, yard waste, worms, and also including raw and uncooked kitchen food wastes, but specifically excluding bones, meat, fat grease, oil, raw manure and milk products.
- e. Farm Animals means all animals traditionally found or used on an operating farm, including but not limited to, horses, sheep, goats, cows, chickens, donkeys, turkeys and alpaca.
- f. Farm Coordinator means an Urban Commercial Farm or Community Garden’s designated liaison to the city.
- g. Farm Equipment and Tools means those pieces of machinery and tools used to prepare the soil, cultivate produce, fertilize, harvest, etc., including but not limited to, tractors, rototillers, rakes, shovels, hoes, fertilizer, pesticide and herbicide spreaders and sprayers, etc.
- h. Greenhouse means a building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants.
- i. Hoop house means an unheated structure whose roof and sides are made largely of transparent or translucent material (not glass) for the purpose of the cultivation of plants inside.
- j. Orchard means the establishment, care, harvesting of a group of more than ten (10) fruit or nut bearing trees.
- k. Private Garden means an accessory or principal use where the owner or tenant grows and harvests food crops and/or non-food crops for personal use by the owner or tenant of the land.
- l. Rainwater Catchment System means a method of catching rainwater runoff from the roof of a structure into rain gutters that channel into a rain barrel, drum or cistern.
- m. Urban Commercial Farm means land used for the cultivation of fruits and vegetables, plants, flowers or herbs for sale or profit. It is an accessory use on a residential or commercial property requiring a special use permit and business license.

2. Agricultural Uses

The agricultural uses of Community Gardens, Private Gardens and Urban Commercial Farms are limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing and harvesting of any agricultural, floricultural, or horticultural produce. Farm animals, including livestock, are prohibited.

The agricultural uses of Community Gardens, Private Gardens and Urban Commercial Farms shall not be detrimental to the physical environment or to the public health and general welfare by reason of excessive production of noise, smoke, fumes, vibrations, odors, chemical or biological pollutants.

3. Property Maintenance

- a. Property used for Community Gardens, Private Gardens and Urban Commercial Farms shall be maintained in an orderly and neat condition, free of high grass (with the exception of purposely cultivated native species, which shall be allowed), noxious weeds, or debris. Dead garden plants shall be removed regularly, and in any instance, no later than November 30th of each year.
- b. Plants from cultivated areas shall be prevented from encroaching onto adjacent properties or onto the public right-of-way.
- c. Seeds and harvested crops on site shall be stored so as not to attract animals.
- d. Compost must be maintained and stored to avoid any odor reaching neighboring property.
- e. Fencing is permitted, but requires a development permit from the city, and must comply with existing fencing rules and regulations.

4. Applicable Laws

Community Gardens, Private Gardens and Urban Commercial Farms shall comply with all applicable local, state and federal regulations.

5. Site Plan Requirements

A Site Plan is required for all Urban Commercial Farms and Community Gardens.

The Farm Coordinator shall submit a site plan to the Zoning Administrator for approval prior to beginning a Community Garden or Urban Commercial Farm. The site plan must include the following:

- a. The name of the Farm Coordinator.
- b. The project address.
- c. The project name (if any).
- d. The legal owner of the parcel(s). If the Community Garden or Urban Commercial Farm is a tenant, include the length of the current lease.
- e. Gross site area of parcel(s) to be used, including dimensions.
- f. Location of the following: principal and accessory structures, crop areas, fencing and walls, ingress and egress, loading areas, compost piles, trash containers and dumpsters, signage, restroom facilities (if any), and all bodies of water and wetlands adjacent to or in the immediate vicinity of the parcel(s).

- g. A narrative description generally describing the following, as applicable:
 - i. The types, methods of application, storage of proposed pesticides, herbicides, fertilizers, and any other chemicals that will be used.
 - ii. The type of machinery and equipment proposed and description of the noise, vibration, smoke, odor, dust, dirt that may be a nuisance to surrounding properties.
 - iii. Evaluation of existing soil conditions and plans to mitigate soil issues, as necessary.

6. Community Gardens and Urban Commercial Farms

Community Gardens are intended to bring citizens together to work collaboratively in growing food for their personal use or donation, or sales to generate income for garden activities that benefit the community; to promote education with regard to agriculture, provide a positive communal environment for children and adults living nearby and an opportunity for volunteer work among participants. Community Gardens are not intended to be for-profit commercial farming operations. Urban Commercial Farms, on the other hand, are intended to be for-profit commercial farming operations, operated by an individual or a single group.

Community Gardens are a principal use permitted in B-1, Limited Business; B-5, Governmental Business; MC, Medical Care; and all Residential (R-1, R-2, R-3, RT, RM-1, RM-2, RM-3) zoning districts.

Urban Commercial Farms are a Special Land Use permitted in B-1, Limited Business; B-5, Governmental Business; MC, Medical Care; and all Residential (R-1, R-2, R-3, RT, RM-1, RM-2, RM-3) zoning districts.

Community Gardens and Urban Commercial Farms are permitted in their respective Zoning Districts subject to the following conditions:

- a. Each Community Garden and Urban Commercial Farm shall have a Farm Coordinator designated as its liaison to the City. The Coordinator's name and contact information shall be given to the Zoning Administrator.
- b. No on-site sales shall be permitted, unless the produce is grown on a site where sales of produce are already permitted under the zoning laws, such as a grocery store or restaurant.
- c. The Community Garden or Urban Commercial Farm must be designed and maintained so that water, chemicals, dirt, mud or fertilizer will not drain into the streets, alleys or adjacent properties. Any use of pesticides or fertilizers must comply with applicable state or federal regulations.
- d. Setback Requirements must be met:
 - i. Buildings and accessory structures must comply with the setback, height and size requirements of the zoning district in which the garden or farm is located.

- ii. Rain barrel systems, crop areas, and planting beds must be set back at least five (5) feet from all property lines. This may be reduced to three (3) feet within the presence of a fence.
- iii. Orchards and all crops reaching a height of five (5) feet at maturity shall be set back at least fifteen (15) feet from all property lines. The side and back setbacks may be reduced to five (5) feet within the presence of a fence.
- iv. The required setback areas must be covered with ground plants, which may include native or ornamental grasses and low ornamental plantings. Mulch may also be used as an appropriate ground covering except in the first five (5) feet of the front setback.
- v. Compost areas or waste bins must be less than sixteen (16) square feet in size and must be set back at least ten (10) feet from all property lines and at least twenty (20) feet from the nearest principal residential structure.
- e. On-site amenities like picnic tables, garden art, benches, and bike racks are permitted as long as they meet setbacks requirements, do not obstruct the clear vision at drives or intersections, and do not create a nuisance for neighboring properties.
- f. Community Gardens on vacant parcels may erect a hoop house or greenhouse as a primary structure.
- g. No water or irrigation wells may be installed unless by a state-licensed well-drilling firm, and with approval and necessary permit from the city and county. All groundwater wells located on city property must be removed by the responsible group, at their expense, when the garden is no longer in use.
- h. Oats, wheat and rye may be used as a winter cover crop, but not grown to full maturity in any season.
- i. Trash receptacles shall be located to the rear of the property unless the Department of Public Works determines that another location creates less impact on the adjacent properties.
- j. Lighting, if provided, shall be shielded so that all directly emitted light falls within the property.
- k. Farm equipment, tools, supplies, and machinery shall be stored in an enclosed structure or removed from the property daily. All chemicals and fuels shall be stored off of the ground, in an enclosed, locked structure when the site is unattended.
- l. Tractors and other diesel generated motorized vehicles within a residential zoning district shall be restricted to hours beginning at 8:00am and ending at 8:00pm.
- m. Temporary restroom facilities are permitted only during the growing season from April 15th through October 15th. The facilities shall be screened on at least three (3) sides from public view by fencing, structures or plantings of sufficient height.

7. Business License for Commercial Farming

All Urban Commercial Farms and those Community Gardens wishing to engage in Commercial Farming through the sale of any agricultural products must first obtain a business license through the City. Community Gardens that do not engage in Commercial Farming are not required to obtain a business license.

8. Private Gardens

- a. Private Gardens are permitted uses in all zoning districts.
- b. Commercial Farming, i.e., the sale of any agricultural products yielded, from a Private Garden is prohibited.
- c. No Site Plan is required for a Private Garden.
- d. The requirements outlined above in Section 6 for Urban Commercial Farms and Community Gardens do not apply to Private Gardens.

SECTION 2314: SHORT-TERM RENTAL OVERLAY DISTRICT

A Short-Term Rental Overlay District is hereby created as outlined in Figure 23-3. Within said overlay district, a certain number of short-term rentals are licensed in each zone pursuant to City Code Sections 10-353 through 10-379. The zones were created using census tract information and will be periodically reviewed to ensure that this ordinance reflects the appropriate balance of short-term rentals among other use types.

1. Overlay District:

- a. Location: See Figure 23-3 for the location of the overlay district, which is separated into 11 different zones, each allowing their own maximum number of short-term rentals.
- b. Number of short-term rentals allowed per zone: A short-term rental must be located in a unit designated for residential use. The number of short-term rentals allowed in each zone is as follows:

Zone 1 – 34
Zone 2 – 68
Zone 3 – 60
Zone 4 – 70
Zone 5 – 79
Zone 6 – 25
Zone 7 – 80
Zone 8 – 50
Zone 9 – 95
Zone 10 – 77
Zone 11 – 13

- c. Exemptions: Properties located within the Downtown Development Authority, Lakeside Business Improvement District, and Lakeside Corridor Improvement Authority boundaries are exempt



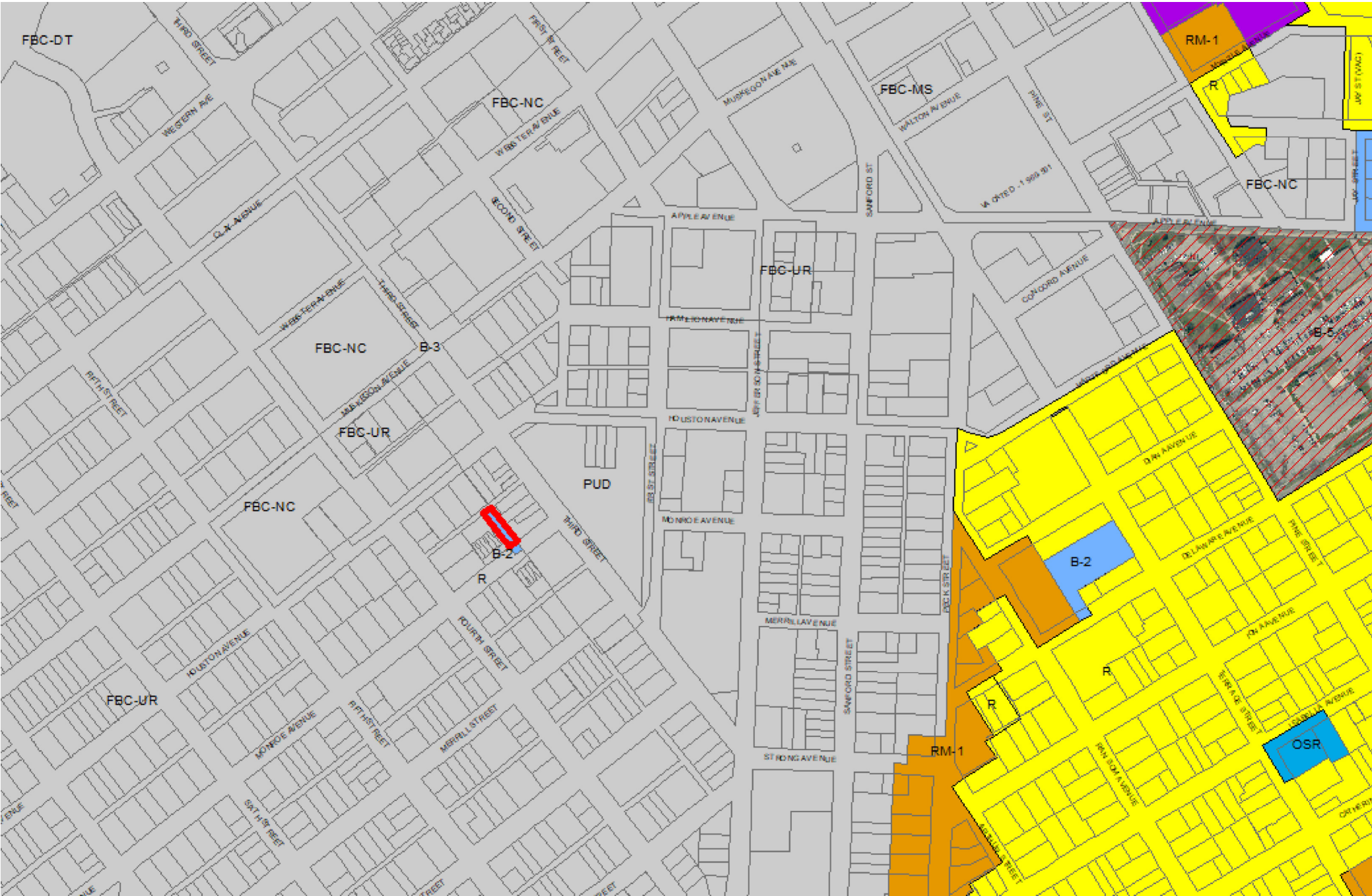
Agenda Item Review Form

Muskegon Planning Commission

Commission Meeting Date: May 15, 2025	Title: Hearing, Case 2025-18: Staff-initiated request to rezone the property at 236 Monroe Ave from B-2, Convenience & Comparison Business to Form Based Code, Urban Residential (FBC, UR).							
Submitted by: Mike Franzak, Planning Director	Department: Planning							
Brief Summary: Staff-initiated request to rezone the property at 236 Monroe Ave from B-2, Convenience & Comparison Business to Form Based Code, Urban Residential.								
Detailed Summary & Background: At the April Planning Commission meeting, this property was recommended to be rezoned to FBC-MS along with the property to the east. However, a neighbor at the Public Hearing noted that this designation would allow for a parking lot to be built next to their townhouse. After further examination, staff recommended that this property be rezoned to FBC-UR, which would allow for a narrow housing unit, but not a parking lot.								
Goal/Focus Area/Action Item Addressed: <u>Key Focus Areas:</u> <u>Goal/Action Item:</u>								
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 12.5%;">Yes</td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;">No</td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;">N/A</td> <td style="width: 12.5%;">X</td> <td style="width: 12.5%;"></td> </tr> </table>	Yes		No		N/A	X	
Yes		No		N/A	X			
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 12.5%;">Yes</td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;">No</td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;">N/A</td> <td style="width: 12.5%;">X</td> <td style="width: 12.5%;"></td> </tr> </table>	Yes		No		N/A	X	
Yes		No		N/A	X			
Recommended Motion: I move that the request to rezone the property at 236 Monroe Ave from B-2, Convenience & Comparison Business to Form Based Code, Urban Residential be recommended to the City Commission for approval.								
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 5px;"> Immediate Division Head </td> <td style="width: 10%;"></td> <td style="width: 30%;"></td> </tr> </table>	Immediate Division Head			Guest(s) Invited / Presenting: No				
Immediate Division Head								

Information Technology			
Other Division Heads			
Communication			
Legal Review			







CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. _____

An ordinance to amend the zoning map of the City to provide for a zone change for 236 Monroe Ave from B-2 to Form Based Code, UR.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

The zoning map of the City of Muskegon is hereby amended to change the zoning from B-2 to FBC, UR.

This ordinance adopted:

Ayes: _____

Nayes: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____

Ann Meisch, MMC

City Clerk

CERTIFICATE

(Rezoning of 236 Monroe to FBC, UR)

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 27th day of May, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2025 _____

Ann Meisch, MMC

Clerk, City of Muskegon

Publish Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

Please take notice that on May 27, 2025, the City Commission of the City of Muskegon adopted an ordinance amending the zoning map to provide for the change of zoning for 236 Monroe Ave to FBC, UR.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2025

By _____

Ann Meisch, MMC

City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354



Agenda Item Review Form

Muskegon Planning Commission

Commission Meeting Date: May 15, 2025	Title: Hearing, Case 2025-19: Staff-initiated request to amend Article II of the zoning ordinance to amend the definition of "family".
Submitted by: Mike Franzak, Planning Director	Department: Planning

Brief Summary:
Staff-initiated request to amend Article II of the zoning ordinance to amend the definition of "family."

Detailed Summary & Background:
Staff is proposing to amend the definition of "family" in the zoning ordinance to better reflect the current living situations of many homes in the community. There are many homes throughout the city that exceed the number of people allowed under the current definition of family, although it is rarely enforced - mostly because there are not any complaints that would warrant investigation. Increasing the number of unrelated people allowed in a house would better reflect many living situations already present in the community. However, staff from various city departments have noted issues with too many adults living within the same dwelling unit. These issues include stress on aging houses, overcrowding, over-use of amenities/utilities, potential for emergency service calls, and storage of materials. Staff agree that a couple more adults allowed in a housing unit should not warrant too much concern on these issues, but any household larger than that should be situated in a group home or single room-occupancy type building, which are better equipped to host these types of living situations.

Please see the existing definition of Family in the zoning ordinance:

Family: means one of the following:
Family, Domestic: One or more persons living together and related by the bonds of blood, marriage, guardianship, foster relation, or adoption, and not more than two additional unrelated persons, with all such individuals being domiciled together as a single, domestic, housekeeping unit in the dwelling.
Functional Family: The following persons shall be considered a functional family: Persons living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family, with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. All persons of the functional family must be cooking and otherwise housekeeping as a single, nonprofit unit. At least one person in the functional family must be the record or equitable owner of the property or dwelling unit, or the primary tenant under a written lease having a least one year's duration. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, rooming house, rooming units, or group where the common living arrangement and/or the basis for the establishment of the functional equivalency of the domestic family is likely or contemplated to exist for a limited or temporary duration. The definition of functional family shall not include a living arrangement where there exists less than 225 square feet of living space in the dwelling unit per person residing therein, or insufficient off-street parking located entirely on the

property for all vehicles used by the said residents.

Applicability: Living arrangements which would otherwise comply with the description of a family shall not constitute a family if the said arrangements have occurred as a result of commercial or other advertising, or the offering of rooms for rent. Any financial arrangement, except a true sharing of the expenses of all the facilities in the single household unit shall be presumed to constitute renting a room or rooms, and to have resulted from the offering of rooms for rent or commercial or other advertising. Where rooms have been rented, or persons live in the house in response to commercial advertising or the offering of rooms for rent, the living arrangement shall be presumed to constitute a rooming house and not a family. A person claiming the status of family shall have the burden of proof of each of the elements set forth in the relevant definitions of this ordinance.

The current definition of domestic family would allow up to three unrelated adults to live in a single housing unit.

The current definition of a functional family would allow an unlimited amount of unrelated people to share a home (as long as they function as a family as described by the ordinance and its not commercially advertised), with the only restriction being a minimum of 225 sf of space per person. A 4,000 sf house would allow up to 17 people.

Staff is proposing to amend the definition of family to the following:

Family: One or more persons living together and related by the bonds of blood, marriage, guardianship, foster relation, or adoption, and not more than four additional unrelated persons, with all such individuals being domiciled together as a single, domestic, housekeeping unit in the dwelling.

This definition would increase the number of unrelated people allowed in a house from three to five.

Looking forward to the following case, rooming houses would allow opportunities for households between 6-8 unrelated people and single-room occupancy homes would allow up to 25 unrelated people.

Goal/Focus Area/Action Item Addressed:

Key Focus Areas:

Goal/Action Item:

Amount Requested:

N/A

Budgeted Item:

Yes	☐	No	☐	N/A	X	☐
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Fund(s) or Account(s):

N/A

Budget Amendment Needed:

Yes	☐	No	☐	N/A	X	☐
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Recommended Motion:

I move that the request to amend Section II of the zoning ordinance to amend the definition of family be recommended to the City Commission for approval as presented.

Approvals:

Immediate Division	☐	☐
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Guest(s) Invited / Presenting:

No

Head			
Information Technology			
Other Division Heads			
Communication			
Legal Review			



Agenda Item Review Form

Muskegon Planning Commission

Commission Meeting Date: May 15, 2025	Title: Hearing, Case 2025-20: Staff-initiated request to amend the zoning ordinance to create a section that allows for single-room occupancy homes and rooming house uses.
Submitted by: Mike Franzak, Planning Director	Department: Planning
Brief Summary: Staff-initiated request to amend the zoning ordinance to create a section that allows for single-room occupancy homes and rooming house uses.	
Detailed Summary & Background: Staff had been asked by the City Commission to explore the option of allowing Single-Room Occupancy homes in the City. A Single-Room Occupancy is a dwelling unit within a housing structure that does not have its own kitchen, or usually even a bathroom, where the tenants share common amenities like kitchens, bathrooms, laundry facilities, etc. This type of use actually happens under the radar quite often, with inspectors finding them periodically in the City. Sometimes these non-permitted uses have the owner living on-site, sometimes they do not. Through research, staff have discovered that the term "boarding house" is often associated with a use where the owner or manager lives on-site and rents out rooms with common amenities. The term "single-room occupancy" is often associated with a use where neither the owner nor a manager resides on site and rents out rooms with common amenities. Our current zoning ordinance does not have a definition for single-room occupancy, but it does have a definition for "rooming house", although they are only allowed in RM-2 and RM-3 zoning districts and only up to five people are allowed in the house. It also does not require the owner or manager to live on site. See definition below. Rooming House: A dwelling structure having single rooms for rent and having no common areas except common places for the taking of meals, or baths, or laundry facilities, and not defined as a tourist home, or state-licensed residential facility. Staff recommend amending this definition to require the owner or manager to reside on-site, to distinguish it from the proposed single-occupancy ordinance. Staff also recommend creating a new section in the ordinance that regulates both "rooming houses" and "SRO's." Most requests for SRO buildings will likely be for former assembly buildings, such as schools and churches, or potentially commercial/office buildings. Most schools and churches have an R, Neighborhood Residential zoning. The master plan recommends allowing higher density for adaptive reuse of these types of buildings. Staff recommend that SRO's be allowed in RM-1, Low Density Multi-Family districts. This would require rezoning most of these types of buildings, but would be supported by the master plan because it allows different types of residential uses, so they would not be considered spot zones. The density requirement proposed for these SRO's also closely resembles that of the RM-1 districts. Staff also recommend that we amend the ordinance at a later date to allow "rooming houses," where the owner lives on site, in the R, Neighborhood Residential and FBC, Urban Residential districts, with stricter guidelines on spacing and fewer allowed roomers, so that traditional houses do not become overcrowded and	

stressed. A "rooming house" would be for fewer people and be allowed in more traditional houses while an "SRO" would be for more people and be required to be in larger buildings more equipped for density.

Proposed definitions:

Rooming House: A dwelling structure having single rooms for rent and having no common areas except common places for the taking of meals, or baths, or laundry facilities, and not defined as a tourist home, or state-licensed residential facility. The owner or manager of the property must live on-site.

Single Room Occupancy (SRO) Home: A dwelling structure having single bedrooms for rent by tenants and having common areas such as kitchens, bathrooms, or laundry facilities available to all tenants. The owner of the property or manager may or may not live on-site. This does not include uses defined as a tourist home, or state-licensed residential facility.

Proposed ordinance:

Section 2318: Single-Use Occupancies & Rooming Houses

Rooming Houses are allowed as a principal use permitted in R, Neighborhood Residential, FBC, Urban Residential and RM-1 districts under the following conditions:

1. The owner or property manager must live on site.
2. There may be up to two people per bedroom. A bedroom must have at least 100 sf of space for a single tenant and at least 200 sf of space for two tenants.
3. Houses at least 2,000 sf in size may allow up to six people to live on-site. Houses at least 2,500 sf may allow up to eight people to live on-site.
4. Parking requirements of the zoning district must be followed.

Single-Room Occupancy Homes are allowed as a special use permitted in RM-1 districts under the following conditions:

1. The property owner or manager may or may not live on site.
2. There may be up to two people per bedroom. A bedroom must have at least 100 sf of space for a single tenant and at least 200 sf of space for two tenants.
3. There shall not be more than 20 bedrooms per building.
4. There shall not be more than 25 people per building, regardless of the number of two-bedrooms available.
5. There shall only be one building that houses people per parcel.
4. All bedroom occupants shall have access to common areas and amenities such as kitchen, bathrooms, laundry, etc.
5. At least 90% of the SRO units shall be occupied by the same tenants for a continuous period of at least 90 days.
6. One parking space is required for every 3 bedrooms.

Goal/Focus Area/Action Item Addressed:

Key Focus Areas:

Goal/Action Item:

Amount Requested:

Budgeted Item:

Yes		No		N/A	X	
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Fund(s) or Account(s): N/A			Budget Amendment Needed: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td>X</td> <td></td> </tr> </table>						Yes		No		N/A	X									
Yes		No		N/A	X																		
Recommended Motion: I move that the request to amend Section 2318 of the zoning ordinance to create regulations for single-room occupancy and rooming houses be recommended to the City Commission for approval.																							
Approvals: <table border="1"> <tr> <td>Immediate Division Head</td> <td></td> <td></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>			Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			Guest(s) Invited / Presenting: No					
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