

CITY OF MUSKEGON

PLANNING COMMISSION MEETING

May 15, 2025 @ 4:00 PM
MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440
MINUTES

CALL TO ORDER

The Regular Planning Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 4:00 PM, Thursday, May 15, 2025. L. Willet-Leroi opened the meeting.

ROLL CALL

Present: Commissioners Montgomery-Keast, L. Willet-Leroi, L. Simmons II, S. Blake, J. Seyferth, S. Gawron, and B. Mazade

Members Excused: Commissioners K. Johnson and D. Keener

Staff Present: M. Franzak and S. Romine

APPROVAL OF MINUTES

A motion to approve the Minutes of the special Planning Commission meeting on March 27, 2025, was made by J. Montgomery-Keast, supported by L. Simmons II, and unanimously approved.

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

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

This item was removed from the agenda until further information can be provided by the applicant.

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

Staff-initiated request to rezone the property at 236 Monroe Ave from B-2, Convenience & Comparison Business to Form-Based Code, Urban Residential.

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.

STAFF RECOMMENDATION: 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.

PUBLIC HEARING COMMENCED:

No public comments were received.

A motion to close the public hearing was made by Commissioner Montgomery-Keast, seconded by Commissioner Seyferth, and unanimously approved.

MOTION PASSES

STAFF RECOMMENDATION: 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.

Motion by Commissioner Montgomery-Keast, seconded by Commissioner Seyferth, to 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..

ROLL VOTE: Ayes: Montgomery-Keast, Willet-Leroi, Blake, Gawron, Seyferth, Mazade, and Simmons II
Nays: None

MOTION PASSES

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

Staff-initiated request to amend Article II of the zoning ordinance to amend the

definition of "family."

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.

PUBLIC HEARING COMMENCED:

No public comments were received.

A motion to close the public hearing was made by Commissioner Montgomery-Keast, seconded by Commissioner Seyferth, and unanimously approved.

MOTION PASSES

STAFF RECOMMENDATION: 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.

Motion by Commissioner Montgomery-Keast, seconded by Commissioner Seyferth, 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.

ROLL VOTE: Ayes: Montgomery-Keast, Willet-Leroi, Blake, Seyferth, Gawron, Mazade, and Simmons II
Nays: None

MOTION PASSES

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

Staff-initiated request to amend the zoning ordinance to create a section that allows for single-room occupancy homes and rooming house uses.

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 square feet of space for a single tenant and at least 200 square feet 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-bedroom units 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 the 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.

PUBLIC HEARING COMMENCED:

No public comments were received.

A motion to close the public hearing was made by Commissioner Montgomery-Keast, seconded by Commissioner Seyferth, and unanimously approved.

MOTION PASSES

STAFF RECOMMENDATION: 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.

Motion by Commissioner Montgomery-Keast, seconded by Commissioner Seyferth, 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..

ROLL VOTE: Ayes: Montgomery-Keast, Willet-Leroi, Blake, Mazade, Seyferth, Gawron, and Simmons II
Nays: None

MOTION PASSES

UNFINISHED BUSINESS

NONE

NEW BUSINESS

NONE

ANY OTHER BUSINESS

GENERAL PUBLIC COMMENT

No public comments were received

ADJOURNMENT

The City Commission meeting adjourned at 4:46 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC City Clerk