

**TRAVERSE CITY CODE OF ORDINANCES**

**ORDINANCE AMENDMENT NO. 1171**

Effective date: November 5, 2021

TITLE:           MULTIPLE FAMILY DWELLING DISTRICTS

THE CITY OF TRAVERSE CITY ORDAINS:

That Section 1326.01: *Designation of Districts* in Chapter 1326: *Districts, Boundaries and Zoning Map*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

**1326.01 Designation of districts.**

The City is divided into the following zoning districts:

- OS - Open Space District
- RC - Residential Conservation District
- R-1a & R-1b - Single-Family Dwelling Districts
- R-2 - Two-Family Dwelling District
- R-3 - Multiple Family Dwelling Districts
- HR - Hotel Resort District
- C-1 - Office Service District
- C-2 - Neighborhood Center District
- C-3 - Community Center District
- C-4 - Regional Center District
- D - Development Districts
- T - Transportation District
- GP - Government/Public District
- PR - Planned Redevelopment District
- I - Industrial District
- NMC-1 & NMC-2 - Northwestern Michigan College Districts
- H-1 & H-2 - Hospital Districts

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### **1326.02 Zoning map.**

The boundaries of the districts are shown upon the map adopted by the City Commission designated as the Zoning Map. Such Map is filed in the office of the City Clerk. The Zoning Map and all notations, references and other information shown thereon are hereby declared to be a part of this Zoning Code and shall have the same force and effect as if the Zoning Map and all notations, references and other information shown thereon were fully set forth and described herein.

### **1326.03 Interpretation of district boundaries.**

Where uncertainty exists with respect to the boundaries of the various districts, as shown on the Zoning Map, the following rules apply:

- (1) If districts are bounded approximately by street, private street or alley lines, the centerline of the street, private street or alley shall be construed to be the boundary of the district.
- (2) If the district boundaries are not indicated and if the property is now or later divided into blocks and lots, the district boundaries shall be construed to be the nearest lot lines.
- (3) In unsubdivided property, the district boundary lines shall be determined by use of the scale appearing on the Zoning Map.

### **1326.04 Zoning of streets, alleys and railroad corridors.**

Streets, alleys and railroad corridors shall be zoned the same as the adjacent land is zoned to the centerline. In addition, they may be used for customary and incidental transportation purposes including commercial transportation such as taxicabs.

### **1326.05 Zoning of vacated streets.**

Whenever any street, alley or other public way is vacated by official action, the zoning district adjoining the side of such street, alley or public way shall be automatically extended to the new property line resulting from such vacation. All area included in the vacation shall thereafter be subject to all appropriate regulations of the extended district.

### **1326.06 Zoning of water areas.**

All areas in the City which are under water and not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water area. If the water area adjoins 2 or more districts, the boundaries of each district shall be construed to extend to the center of the water area.

### **1326.07 Zoning of annexed land.**

The zoning of annexed land is governed by state statute. MCL 117.4(i)(3); MSA 5.2082.

### **1326.08 Categories within zoning districts.**

Any building or structure built, rebuilt, converted, enlarged, moved or structurally altered shall be used only for a use allowed in the district in which the building or structure is located. In order to insure all possible benefits and protection for the zoning districts in this Code, the land uses have been classified into 3 categories:

- (1) *Uses permitted by right.* The primary uses and structures specified for which the zoning district has been established.
- (2) *Uses permitted by special use permit.* Uses and structures which have been generally accepted as reasonably compatible with the primary uses and structures within the zoning district, but could present potential injurious effects upon the primary uses and structures within the zoning district and therefore require special consideration in relation to the welfare of adjacent properties and to the community as a whole.
- (3) *Uses permitted by planned unit development.* Uses and structures, compatible with the primary uses and structures within the zoning district, and which are provided a heightened degree of flexibility in site development standards to encourage mixed uses, open space preservation, and preservation of natural resources or energy conservation.

### **1326.09 Incorporating uses allowed.**

When the regulations of a zoning district incorporate the uses allowed in a different zoning district, only those uses listed in the section entitled "Uses Allowed" are incorporated and not any of those uses allowed by special land use permit or any other special zoning permission.

(Ord. 476. Passed 7-6-99)

The effective date of this Ordinance is the 5th day of November, 2021.

I hereby certify the above ordinance amendment was introduced on October 4, 2021, at a regular meeting of the City Commission and was enacted on October 18, 2021, at a regular meeting of the City Commission by a vote of Yes: 6 No: 1 at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

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James Carruthers, Mayor

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Benjamin C. Marentette, City Clerk

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I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on October 28, 2021.

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Benjamin C. Marentette, City Clerk