

When You Make a Choice, You Change the Future WLHS Newsletter on Substack April 27, 2025

Index:

- Nine Zoning Suggestions by WLHS – Suggestions from our Readers;
- Three Zoning District Priorities to Preserve and Protect;
- State of Michigan Rules for Carriage Houses (ADUs);
- Housing & Community Goals taken from the 2021 Master Plan;
- April 17 Planning Commission Meeting Notes: Examples of Neighbor Input to Proposed ADU/Carriage House – What we all learned;
- To Code or Not to Code – A Short History of Zoning;
- All Upcoming Scheduled Meetings with Links to Participate;
- Links to City of Harbor Springs Resources

THE ZONING SUGGESTIONS BY WLHS - SUGGESTIONS FROM OUR READERS:

1. A Call for Civic Engagement

We encourage residents, community boards, and local officials to remain actively engaged in the upcoming zoning discussions. Responsible change requires transparency, broad consensus, and respect for the values that have long defined Harbor Springs.

2. District-Level Engagement

Before making any changes to well-established districts, it is essential to consult directly with the property owners who will be affected. The Master Plan should honor the unique characteristics of the city's neighborhoods—residential lakefront, uptown, school area, and the central business district—by offering tailored strategies for each.

3. Zoning Simplification and Unintended Consequences

Any effort to simplify zoning rules must be carefully examined to avoid promoting developments that do not suit the city's scale and character. For example, proposals for an Agricultural District west of Bluff Gardens raise questions about their fit with traditional zoning goals.

4. Gaps in Historic Preservation

The current zoning code lacks provisions to safeguard the historical character of Harbor Springs, within the Central Business District and residential neighborhoods. A new local group, Preservation 49740, intends to propose the formation of and participation in a Historical Commission for protective measures. For more information or to express interest in participation, you are invited to contact: <mailto:Preservation49740>

5. Architectural Design Standards

The 2005 zoning ordinance lacks clear guidelines for architectural styles. Harbor Springs needs to decide if new developments should embrace traditional, residential, cottage, or modern commercial styles. Input from the community is crucial in forming this vision and preventing mismatched construction.

6. Affordable Housing Considerations

There are presently no formal plans for affordable housing to serve singles, retirees, or working families. The City could initiate partnerships with builders and neighboring townships. Establishing architectural and design standards in advance will help ensure that new housing blends with the existing community fabric.

7. Rejecting Generic Models

Harbor Springs must rely on locally tailored planning, rather than adopting generalized state or national planning templates. Demographic data from broader regions—such as Michigan's median age—should inform but not dictate Harbor Springs' policies. **Local identity must remain the driving force behind development decisions.**

8. Avoiding “By-Right” Zoning and Administrative Review

These approaches were previously proposed and decisively rejected by the community during the review

of Zoning Code #439. While discussions may continue, the community's position should be respected. In a town of this size, a detailed, neighborhood-by-neighborhood approach is preferred over the faster administrative review model. Administrative review does not fit our town.

9. Preserving the Role of the Planning Commission

The Planning Commission plays a critical role in maintaining building standards. This oversight has been a success for decades. Providing clear and timely notifications to property owners and neighbors before any proposals are submitted can greatly enhance early community engagement.

THREE ZONING DISTRICT PRIORITIES TO PROTECT AND PRESERVE

Agricultural Zoning

The area west of town currently zoned for agriculture should remain that way. In the region between Arbor and Ottawa, where several zoning districts coexist, future decisions should involve the property owners.

Overlay District Purposes

Overlay zones should address specific, narrowly defined needs, not be used to replace or redefine entire districts. Overlay districts are important in small towns because they provide a flexible tool for implementing targeted regulations to address specific needs, such as protecting sensitive environmental areas, preserving historic buildings, or encouraging specific types of development. They allow for zoning flexibility while ensuring that certain goals are met within specific areas.

Single Family Housing

Changing the district zoning in single-family neighborhoods will be detrimental to the culture and nature of the neighborhoods. As an example: the Glenn Drive and South Traverse Association remains very concerned that a plan to include any provision for duplexes or triplexes on either side of Glenn Drive will dramatically impact housing values. So does the 2nd, 3rd and 4th Street neighborhood. Allowing duplexes and triplexes into all single-family neighborhoods will not preserve and protect the charm of Harbor Springs. We advocate for **district-by-district** planning.

STATE OF MICHIGAN RULES FOR CARRIAGE HOUSES (ADUS)

Michigan State has Certain ADU Regulations - Important to Understand

The State of Michigan has regulations for Accessory Dwelling Units (ADUs), with specifics for both permitted and non-allowable uses, including size, location, setback, design, and utility limitations. Anything outside of the required sandbox rules set by the state is up to us. Let's get creative.

State of Michigan regulations for Carriage Houses (ADUs):

Accessory Dwelling Units (ADUs) are permitted on single-family residential lots, but specific rules apply regarding size, location, and other aspects. Generally, an ADU must be smaller than the primary dwelling, have its own entrances, kitchen, and bathroom, and be connected to utilities. Additionally, ADUs cannot be used for short-term rentals, or be larger than 900 square feet.

Key aspects of Michigan ADU laws:

1. Permitted Uses:

Only on properties with a single-family dwelling.

Not allowed on properties with 2-4 unit dwellings (multi-family).

Must have separate living unit, including entrances, kitchens, sleeping areas, and full bathroom facilities.

2. Size and Location:

Size limits: The minimum size is 300 square feet, and the maximum is 900 square feet, or the size of the principal dwelling, whichever is less.

Attached or detached: ADUs can be attached to the main house (basement, first floor, or second floor), or Be a detached building in the rear of the principal dwelling. Setbacks and lot coverage: Detached ADUs are subject to the same setbacks and lot coverage requirements as other structures.

3. Design and Materials: Similar style: The design of an ADU (attached or detached) should be compatible with the style of the main dwelling.

Manufactured or mobile homes cannot be used as ADUs

4. Utilities and Septic Systems: Utilities must have separate meters. ADUs on properties with public water and sewer should be separately metered. If the property uses a septic system, the system must be inspected and approved to handle the ADU's additional load.

5. Restrictions:

ADUs cannot be used for short-term rentals.

A property with an ADU cannot also have a short-term rental, or bed and breakfast on the same property.

A certificate of occupancy is required for ADUs.

6. Other Considerations:

Parking: Some municipalities may require an additional off-street parking space for the ADU.

Neighborhood character: To preserve neighborhood character, entry doors may need to be screened.

Financing: ADUs can be financed through various loan types, including FHA loans and Fannie Mae ADU products.

THE HOUSING & COMMUNITY GOALS OF 2021 MASTER PLAN OF HARBOR SPRINGS

Goal 3. New housing development and redevelopment will need to address the full economic spectrum of people who live, work, and recreate in the City.

- a. Review existing regulations, and amend, if necessary, to help manage short-term rentals throughout the City.
- b. Develop a housing strategy in which residential parcels will be developed in a manner consistent with existing neighborhoods and will promote housing across the income spectrum. Elements to consider include lot size, lot coverage, building massing, and other features.
- c. Explore the idea of a housing code to include but not limited to outside maintenance, yard quality, landscaping, roofing, parking, trash disposal, and other elements associated with a quality neighborhood.
- d. Research and explore alternative housing types that will provide housing opportunity to the broad spectrum of persons seeking housing in the City. (Tiny houses, granny flats for long term renters, use of accessory guest quarters for long term renters, etc.)

PLANNING COMMISSION MEETING APRIL 17, 2025

One of the public comments to the Planning Commissioners on April 17th and to City Council a few days later, highlighted two conflicting interests between the rights of the property owners and the rights of the neighbors. Each has a say in this zoning discussion.

The certainty is that every property is so individual in our town, this gives us the THIRD consideration and say in the zoning discussion. The town itself.

What kind of town do you want to live in? A town where the emphasis is on the rights of the property owner to build what he wants - a tall, big, bulky and wide building OR do we want to protect and preserve the rights of Harbor Springs that additions, homes, accessory buildings fit in - and are in scale - for neighborly protection of back yards and not "so much" and not "so big"? Or longer one story buildings?

Bringing up again these two important viewpoints, the comments highlight the rights of the Property Owner AND the rights of the Neighbor. Our THIRD viewpoint is that we want, to protect and preserve Harbor Springs.

We ask the question - how are we doing so far?

At this last Planning Commission meeting, we watched this take place. The Planning Commission struggled to make comments in the face of the two conflicting interests. The property owner who wished to exercise his right to develop his property as he saw fit, following the guidelines of the zoning code, and one of his several neighbors who wished to limit his building by claiming that they would be negatively impacted by that development.

Another neighbor, a few houses away had this to say. 'Another thing is that our summers are very precious to us in Harbor Springs, they're very, very short, and people like to be outside. When you live in a tourist town your only refuge from all the hubbub is your home. What I am objecting to is allowing a second house to be built right in someone's backyard, as it does affect people's privacy. It can become a long-term rental home for a family in town. Should this house be approved, and when someone ever lives upstairs, they will look right down into and onto their neighbor's property.'

"The reason we bought our lot was because of the privacy we had in our backyard."

"So, Planning Commission, please consider privacy when you're thinking about approving any ADUs. And think about if this was in your neighbor's backyard, would you enjoy your own yard just as much?"

In the last ten years, decisions by the Planning Commission and the City Council have allowed the Short-Term Rental business to bring tourism into our own neighborhoods. You can now see that neither neighbors nor owners have total control on outcomes. How are we then to follow the guidance of the Master Plan if we do not sort this out very very carefully?

We believe and endorse that while the code itself will always leave room for interpretation, the process of asking for neighbors input brings zoning back to the grass-roots level and enlists everyone in the changes that will affect their future.

A SHORT HISTORY OF ZONING – TO CODE OR NOT TO CODE?

Yes, that sentence is confusing. Does it mean that a building is up to code, zoning code, that is? Or does it mean the building should even have a zoning code that dictates its past, present and future? Even after a year of deep diving into the Harbor Springs zoning code, while no one is saying, “Throw out the code and let’s wing it,” there are plenty of different ideas on just where to go, and how to get there.

The history of zoning codes exists far longer than you might imagine. The origin of land-use codes can be traced back some 4,500 years ago to ancient city-states in modern-day Pakistan and India where street widths and building heights were regulated. Many European cities have been coded since the 11-th or 12-th centuries. In 15th-century Germany, zoning codes mandated the number of windows and even ornamentation on buildings, stressing a priority on unification and conformity still seen today in many European cities.

While there are plenty of cases of zoning codes being very specific, there are also those who advocate for minimal coding --- code only the essentials, counting on planners, developers and builders to come up with imaginative and place-tailored proposals. However, decades of living with zoning codes have conditioned many Americans to assume if something is not coded, the worst will and could happen, and their town will or can devolve into something unrecognizable.

In trying to explain how “common sense and local logic” were often left out of modern land-use, urban planner Emily Talen explains in her book, *City Rules*, how regulations were stripped of “spatial logic.” Two examples of spatial logic are Navigation: Using a map to find your way, or navigating a city without a map; and Packing and Organization: Efficiently packing a suitcase or arranging items on a shelf. Also missing is overview of how communities should look. Instead, cities and towns are largely ruled by abstract formulas based on parking ratios, lot sizes, building heights, setbacks, and other criteria. That’s where we are today.

“Communities seem to pay little attention today to the random and disorganized patterns that their zoning rules are creating. Compared to the simplicity and clarity of earlier zoning codes, zoning ordinances now seem indecipherable. In order to satisfy the increasingly paranoid need to control, sort and exclude, rules became more and more complex over the course of the 20th Century,” she writes.

As the newsletter title says, *“When You Make a Choice, You Change the Future.”*

Every choice we make, both individually and collectively, sets into motion a chain of outcomes that shape our future. Choices give us agency, or the power and means, to create. Collective choice carries even more responsibility as those outcomes affect even a greater portion of community life. This quote reminds us of our interconnectedness.

It reminds us to make decisions with intention and careful consideration, and that each choice shapes our future. And helps us to understand as we look back on the past year just how important all the meetings, discussions, and sometimes just crazy attention to detail have been in coming together to create our collective future. And to understand that even after 4,500 years, some civic responsibilities never change.