



Suttons Bay



Traverse City



Detroit

Flexible Zoning for Desired Development

Michigan Economic Developers Association – Economic Summit & Annual Meeting 2026

giffels
webster

1. Zoning regulates the use of land in a community, and therefore, the activity that can occur there.
2. It is the primary tool for implementing the master plan.
3. Also regulates how people get approved to do things.



Royal Oak



Knoxville, TN

Economic development occurs in the places we build.

Zoning ordinances are not carved in stone.

- Amendments can be made to enable the types of development we want

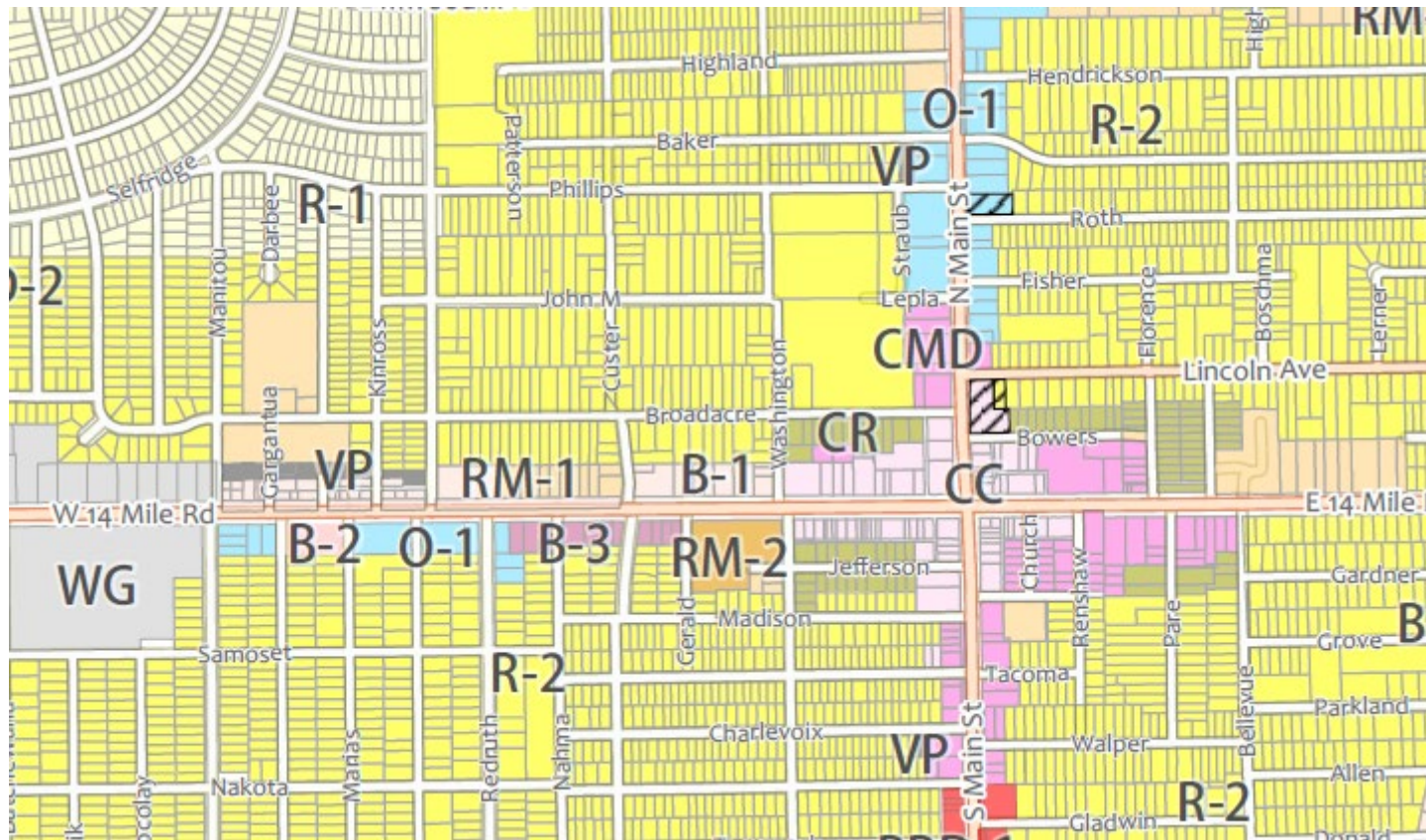
A community's master plan sets the table for those amendments.

- Insist on being at the table
- Master plan review should occur every five years at a minimum



1. Where can economic activity occur?
2. What kind of economic activity are we enabling?
3. Opportunities for commerce and employment are typically relegated to certain districts.





Use Matrix

Non-residential districts

Below is a reference table that summarizes the uses in non-residential districts listed in the Ordinance.

P = Principal Permitted Use

S = Special Land Use

USE	O-1	O-2	B-1	B-2	B-3	I-1	I-2	VP	CC	CMD	GR	WG	BRD-1	BRD-2
Fitness centers over 5,000 sq ft									S	S				
Greenhouses						P	P							
Health and fitness salons			P											
Home businesses ⁽¹⁾ §4.27									P		S			
Home occupations ⁽²⁾ §4.28									P	P	P			
Hospital, general ⁽³⁾ §4.24	P	P	S											
Hotel ⁽⁴⁾ §4.48						P								S
Kennels ⁽⁵⁾ §4.30						P	P							
Laundry and dry cleaning ⁽⁶⁾ customer outlets, coin-operated laundromats, self-service dry cleaning establishments and similar operations provided that all services performed on the premises shall be sold at retail on those premises			P		P									
Media production facilities and printing facilities														P
Medical clinics and urgent care facilities														P
Messenger, mailing, and delivery services														S
Mortuary establishments ⁽⁷⁾ §4.26	S		S											
Motels and motel courts ⁽⁸⁾ §4.15					S	S								
Newspaper offices and printing shops §4.35			P	P	P									
Outdoor retail sales of plant materials and lawn equipment §4.12											S			

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Outdoor retail sales of plant materials not grown on the site, lawn furniture, playground equipment and home garden supplies §4.12					S									
Parking garages ⁽¹⁾ §4.16				S	S				S	S				
Parking lots ⁽²⁾									S	S				
Parking, accessory to and for use in connection with one or more business or industrial establishments, or professional or institutional office buildings or institutions								P						
Personal service establishments ⁽³⁾			P	P	P				P	P		P	P	
Photography §4.35		S												
Photostating, printing §4.35		S												
Primary caregiver facilities §4.51						P	P							P
Recreation, commercial indoor §4.39									S	S		P		
Recreation, indoor §4.39			S	S										
Restaurants, sit down, with or without alcohol ⁽⁴⁾ §4.6			P	P	P				P	P		P		
Restaurants, sit down, with or without alcohol, north of Anderson Court only														P
Restaurants, carryout ⁽⁵⁾ §4.6					P				P	P		P	P	
Restaurants, carryout, north of Anderson Court only														P

Zoning is often too rigid. Building flexibility into codes is important to support economic change over time.

Housing = People

People = capital

- Human capital
- Investment capital
- Consumer spending

Low concentrations of people provide less support for commercial activity than high concentrations.



This sounds obvious, but
we've zoned for very low
density for decades.



Reno, NV

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1. How many people can live in the community to support that activity directly?
2. How do people get around? Are we building a place where they can walk or bike, or will they need to drive? Access and mobility is important!
3. Are there places to park in car-oriented places?



Transportation and zoning are intimately linked. Zoning affects accessibility and mobility within a community:

Directly:

- Requiring sidewalks
- Controlling driveways and other access points
- Requiring parking (for cars *and* bikes)

Indirectly:

- Controls residential density and site design
- This can make a community walkable or unwalkable.

Ask:

What kind of community is this? Is transit available? Is it walkable?



Lathrup Village

Planned Unit Development (PUD)

- Can permit development that isn't anticipated
- Should bring a public benefit
- Can enable innovation
- Offers a chance to guide development to a desired outcome
- Not just a way to avoid the ordinance



PUD under construction, Clawson, MI

Processes for Dealing with Unlisted Uses

- People are creative—permitted use lists can't predict everything
- Build an ordinance that can work with that creativity
- The less burdensome the process is, the more creativity you can support



Sunflower Cat Café, Manhattan, KS

Artisan Manufacturing

- A creator's studio may involve both retail space and an area for making things
- May host classes or tours
- Retail component could include sales of others' goods
- Creators with their own studios may want live/work arrangements

ARTISAN MANUFACTURING

means the preparation, display, and/or sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven article, baked or prepared food and drink, watercraft, and similar items by one or more artisans.



Creative Arts Studio, Royal Oak

Think broadly about uses

- Define the terms you use in your use lists
- Be broad and inclusive—many businesses can be classed as retail. Use “retail” as your term to allow all of it
- Hyper-granular use lists limit possibility and can create confusion
 - Consider the camera shop



This is a real excerpt of a use list from a zoning ordinance.

1. Camera and Photographic Supply Stores (44313).
2. Carry-out Restaurants (not utilizing drive-thru facilities) (722211).
3. Eating and Drinking Establishments under 5,000 square feet. If such use has a drive thru or curbside service, such use shall be reviewed as a special land use.
4. Food and Beverage Stores (445) except Grocery Stores (44511).
5. Hardware Stores (444130).
6. Health and Personal Care Stores (446).
7. Hobby, Book, and Music Stores (451).
8. Miscellaneous Store Retailers (453) such as gift, novelty, souvenir, stationary shops and florists.

Waivers

- Build reasonable waiver ability into the approval process
- Avoids the need for appeals for variations that make sense
- Potential standards that could be modified for good cause include:
 - Landscaping
 - Parking
 - Screening
 - Materials standards
- Can be written to support adaptive reuse of existing building stock, including nonconforming buildings, which can lower costs



East Bay Township

SECTION 702 PARKING SPACE REQUIREMENTS

The number of required off-street parking spaces in all districts shall be provided in accordance with the following minimum requirements:

1. RESIDENTIAL

Use

Number of Parking Spaces Per Unit of Measure

- | | |
|---|---|
| a. One family, two family, multiple family, mobile home | Two for each dwelling unit for one and two family and mobile home, 1½ per dwelling unit for multiple family |
| b. Housing for elderly | One for each two units, and one for each employee. |
| c. Mobile home park | Two for each mobile home site and one for each employee. |
| d. Accessory dwelling unit | One for attached and two for detached. (Revised 2/12/18) |

2. INSTITUTIONAL

Use

Number of Parking Spaces Per Unit of Measure

- | | |
|---|--|
| a. Churches or temples | One for each three seats in the main unit for worship. |
| b. Hospitals | One for each bed. |
| c. Nursing, convalescent homes | One for each four beds. |
| d. Clinics | Four for each doctor, plus one for each employee. |
| e. Elementary and junior high schools | One for each teacher, administrator or other employee, in addition to the requirements of the auditorium. |
| f. Senior High Schools | One for each teacher, administrator or other employee, and one for each ten students, in addition to the requirements of the auditorium. |
| g. Auditoriums and theaters | One for three seats, plus one for each two employees. |
| h. Private clubs, swimming pool clubs, or other similar uses | One for each two members' families or individuals plus as required spaces for each accessory use, such as a restaurant or bar. |
| i. Golf courses open to the general public, except miniature or "par-3" courses | Four for each one golf hole, plus one for each two employees. |
| j. Fraternity or sorority | One for each two beds. |
| k. Stadiums or sports arenas | One for each three seats |

East Bay Township

<u>Use</u>	<u>Number of Parking Spaces Per Unit of Measure</u>
i. Nursery or child care centers	One for each 350 square feet of floor area.
m. Libraries, post offices	One for each 800 square feet of floor area, plus one for every four employees.
3. BUSINESS and COMMERCIAL (Revised 4/9/18)	
<u>Use</u>	<u>Number of Parking Spaces Per Unit of Measure</u>
a. Planned shopping center	One for each 100 square feet of floor area
b. Miniature or "par-3" golf	Three for each one golf hold courses plus one for each employee.
c. Beauty parlor or barber shop	Two for each beauty and/or barber shop chair.
d. Bowling alleys	Four for each alley, plus one for each employee, plus accessory uses.
e. Dance halls, pool and billiard parlors, roller rinks, exhibition halls without fixed seats	One for each two persons allowed within the maximum occupancy as established by fire, building or health codes.
f. Restaurants, cafeterias, taverns, bars	One for each 75 square feet of floor area.
g. Furniture and appliance, household equipment, hardware, repair shops, shoe repair, and other similar uses.	One for each 800 square feet of floor area.
h. Gasoline service station and Vehicle Repair Facilities	One for each service and repair stall, plus one for each worker on each shift.
i. Laundromats and coin operated dry cleaners	One for each two washing or dry-cleaning machines
k. Mortuary establishments	One for each 50 square feet of floor area.
l. Motel, hotel, tourist home	One for each sleeping unit, plus one for each one employee during the largest shift, plus restaurant requirements, if applicable. (Revised 4/9/18)
m. Retail stores, except as otherwise specified herein	One for each 300 square feet of floor area.
n. Motor vehicle sales and service establishments	One for each 200 square feet of floor area of sales room and one for each auto service stall in the service room.
4. OFFICES	
<u>Use</u>	<u>Number of Parking Spaces Per Unit of Measure</u>
a. Banks, except drive ins	One for each 200 square feet of floor area.
b. Business or professional office, except doctors, dentists, or similar professionals	One for each 200 square feet of floor area.
c. Professional offices of doctors, dentists, or similar professionals	One for each 200 square feet of floor area.

East Bay Township

5. DRIVE-INS

Use

- a. Drive-in banks, cleaners, car laundries, and similar businesses
- b. Drive-in restaurants

Number of Parking Spaces Per Unit of Measure

Storage space for five cars between the street right-of-way and the customer service area.

One for each 100 square feet of floor area.

6. INDUSTRIAL

Use

- a. Industrial or manufacturing establishments, research and testing laboratories, and related accessory offices
- b. Warehouses or wholesale establishments, and related accessory offices

Number of Parking Spaces Per Unit of Measure

Five, plus one for each one employee in the largest working shift.

Five, plus one for every one employee in the largest working shift or one for each 1,000 square feet of floor area, whichever is greater.

East Bay Township

Market-driven approach to required parking

- Sets a range of required parking for broad use categories
- Process for uses not listed
- Multiple waiver avenues to reduce parking requirement
- They can have more if they demonstrate need
- Will never need a variance for parking

It costs tens of thousands of dollars per space to build parking.

Table 5.1(L) Minimum and Maximum Parking by Use Category		
Use Category	Minimum Guideline	Maximum Guideline
Single-family dwelling units and duplexes	1 space per unit	-
Multi-family dwelling units (3+ units)	0.75 spaces per unit	2 spaces per unit
Lodging uses (hotels, etc)	0.5 spaces per guest unit bedroom	1.25 spaces per guest unit bedroom
Medical uses	1 space per 500 sq. ft.	1 space per 220 sq. ft.
Office uses	1 space per 750 sq. ft.	1 space per 250 sq. ft.
Residential care uses	1 space per 4 beds	1 space per bed
Retail and personal service uses	1 space per 1,000 sq. ft.	1 space per 250 sq. ft.
Restaurant uses	1 space per 1,000 sq. ft.	1 space per 150 sq. ft.
Theaters, arenas, and other uses with fixed seating or bench/bleacher seating	1 space per 5 seats or 6 feet of bench	1 space per 3 seats or 4 feet of bench
Industrial uses	1 space per 2,000 sq. ft.	1 space per 750 sq. ft.
Auto repair	1 space per three bays	1 space per bay
Other uses	No minimum	1 space per three people at maximum occupancy

- Building materials
- Architectural elements
- Landscaping
- Outdoor display and/or storage
- Signage (might not be in zoning)

Are design standards right for your community?



Hospitality Uses and Public Art

- Build art into PUD requirements
- Enable art—make sure your sign ordinance doesn't inadvertently prevent murals
- Many ordinances severely limit the locations of hotels or don't accommodate b'n'bs
- Short-term rentals can both help and hurt a local economy
 - A few provide places to stay
 - Too many can hollow out neighborhoods, eroding economic base—makes already tough off season even tougher
 - The right balance is important



City of Clawson

- 2016 Master Plan established a framework for new downtown zoning districts
- 2018 zoning ordinance amendments translated that framework to regulation
- New rules allowed mixing of uses, by-right residential, and additional height
- Enabled three redevelopment projects on underutilized parcels, one planned unit development also under construction



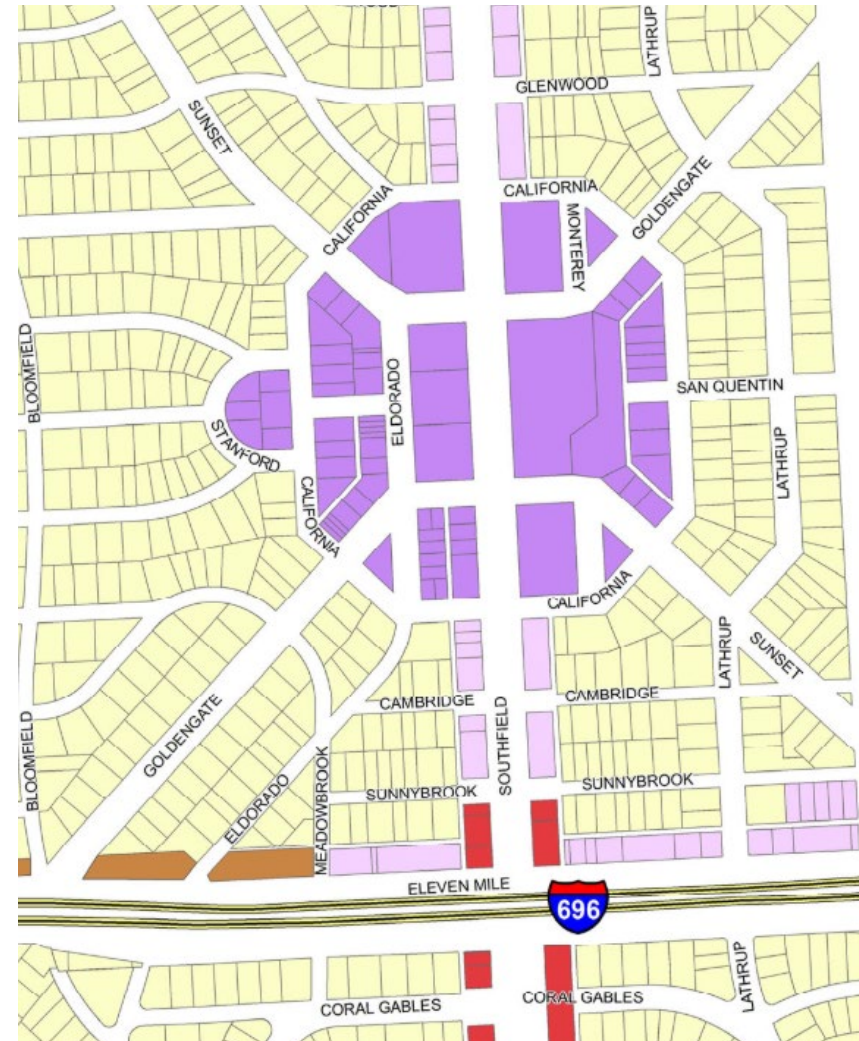
The Clawsonian

Mixed use redevelopment built by-right. Directly enabled by zoning amendments—the hardware store never closed.



Lathrup Village

- 15 years of a Village Center District
- Greater densities for increased vibrancy
- Emphasis on walkability & accessibility
- Parking reductions and flexibility
- Enhanced design standards for visual appeal and traffic calming

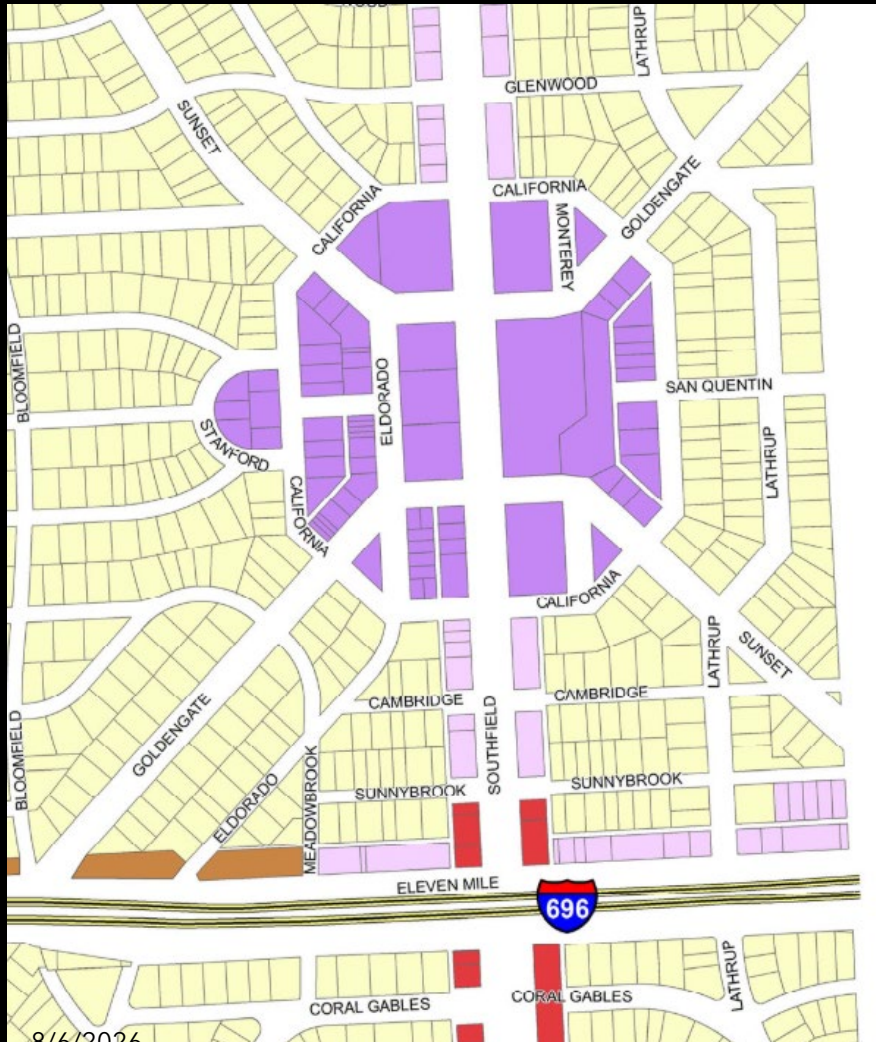


**VILLAGE
CENTER
DISTRICT**
(purple area)

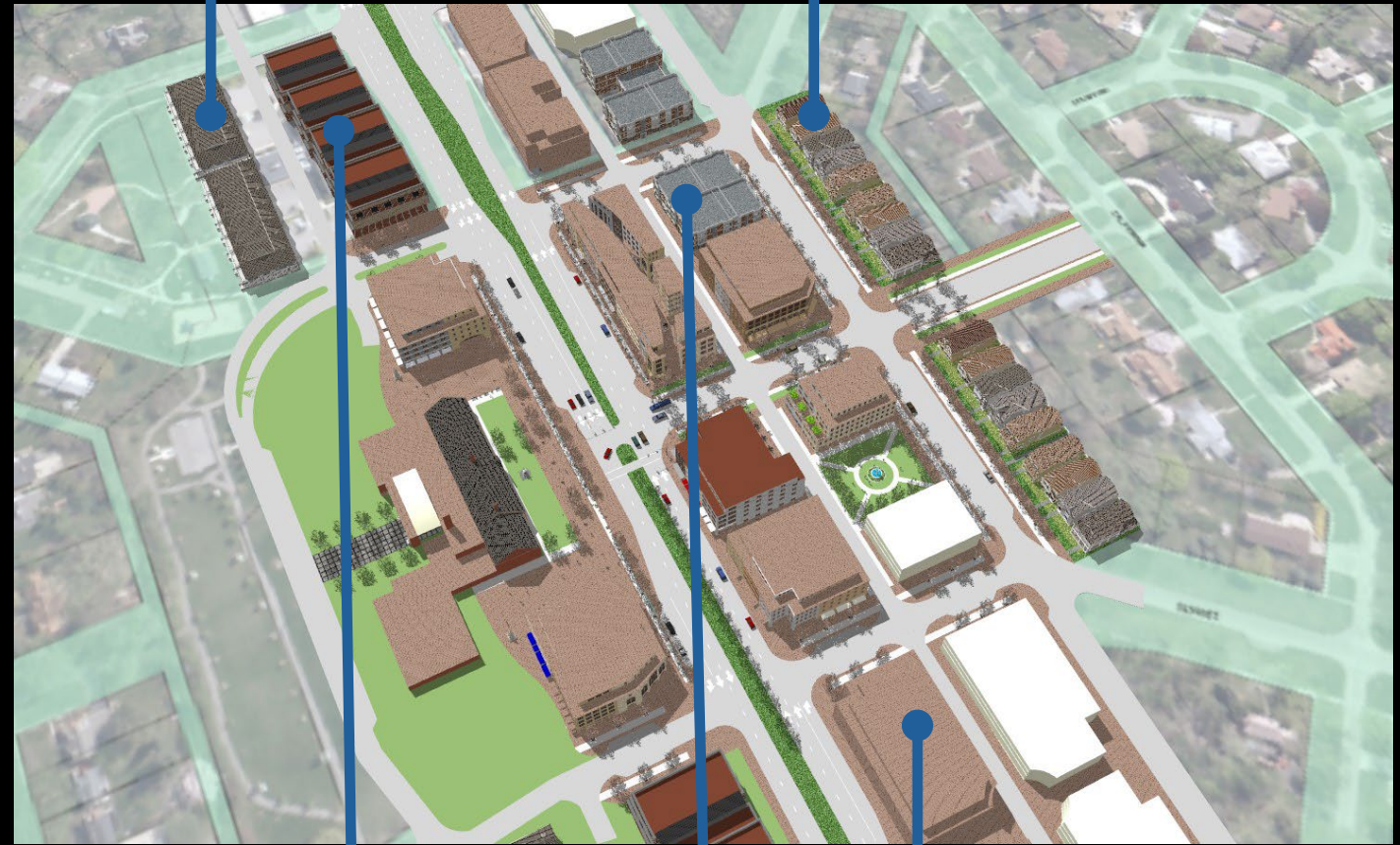
Flexible Zoning for Desired Development: Real World Zoning Considerations

Lathrup Village

VILLAGE CENTER DISTRICT



Townhomes as transitional uses between Southfield Rd. & existing neighborhoods.



LIVE-WORK units: ground floor office, retail, & service --- living space above. Minimal parking impacts.

Lower building heights in this concept reduce overall floor area & parking demands.

Concept Sketch for Parking in the R-1 District

Lathrup Village



10 ft. setback

125 ft. : 4 rows of parking & drive aisles = 132 spaces

Sample development option:

- Ground floor retail/office uses: 4 sp / 1,000 sf. = 102 spaces
- 20 upper floor residential units: 1.5 sp / unit = 30 spaces

30 ft. alley & buffer

80 ft. deep building (standard for retail space)

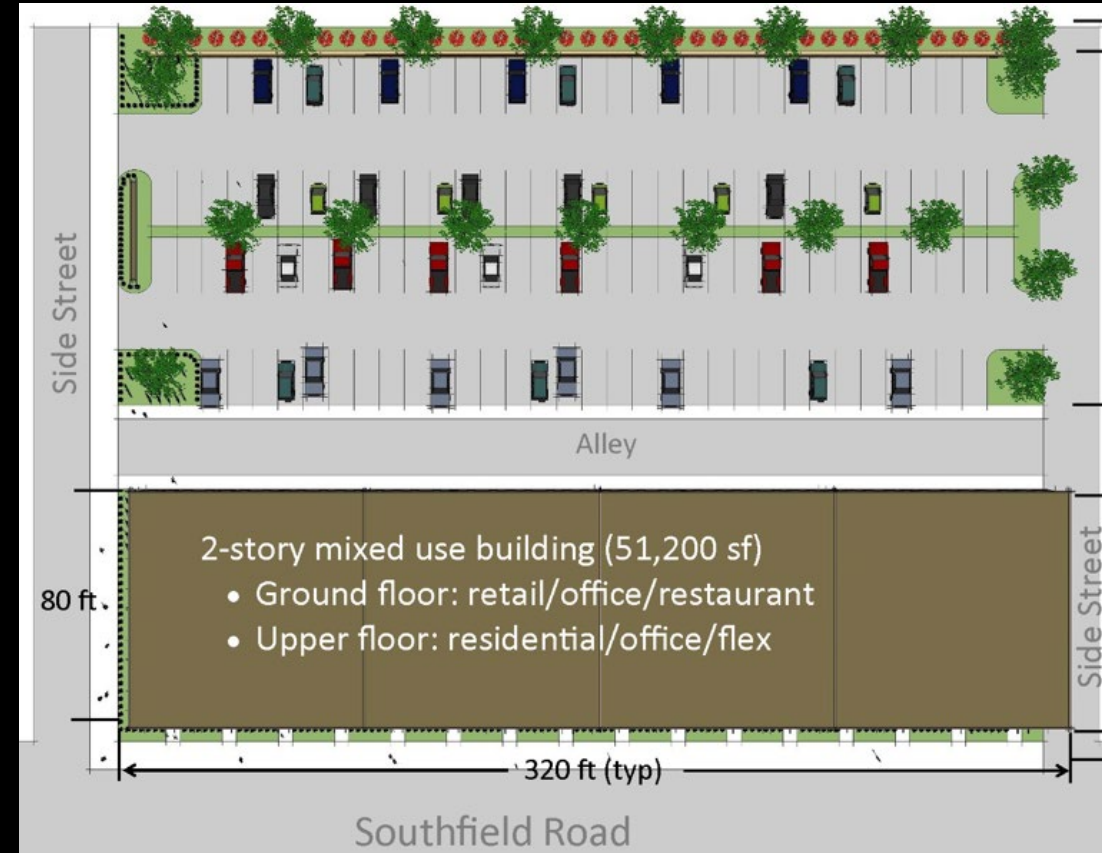
10 ft. front setback



Parking in the R-1 District

- Allowed in the R-1 District as an approved Special Land Use.
- R-1 parcel must abut the mixed-use district or public alley;
Or share a lot line with an existing parking lot to north or south & be within 150 ft. of Southfield Rd.
- The development along Southfield Rd. must include retail, restaurant, or residential uses on the ground floor.
- Design standards of the Village Center District apply.
- Parking Setbacks:
 - 10 ft. from residential
 - 8 ft. from rights-of-way
- Only one driveway access point to the parking lot allowed.
- Must maintain the public alley.
- 6' ht. masonry wall 10' from residential.
- Evergreen landscaping req. between wall & property line.

Lathrup Village



Economic Development Might Look Like This



Walloon Lake



Rochester Hills



Auburn Hills

But It Could Also Look Like This



Washington, DC



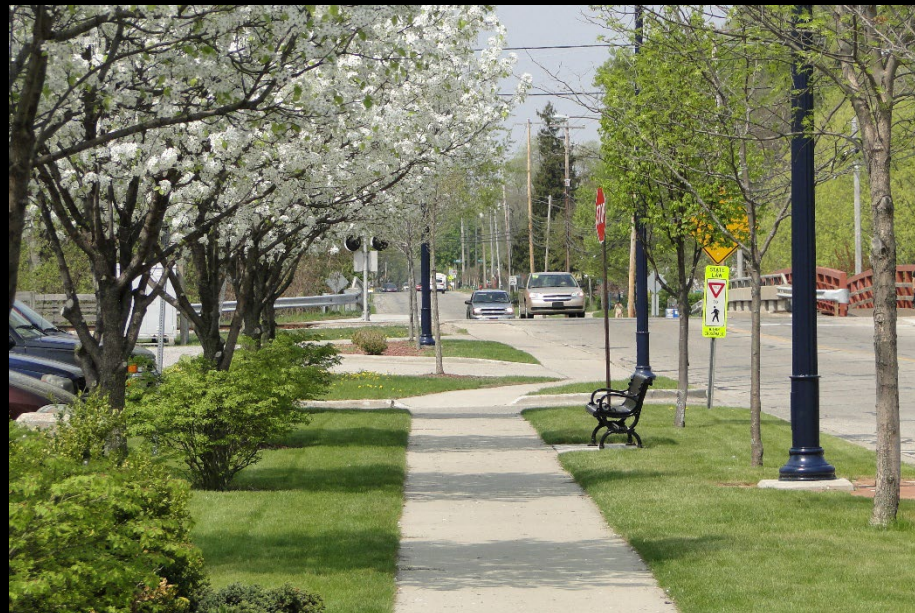
Royal Oak



Oscoda



San Francisco



Berkley

Lengthy, complicated, or confusing development processes can be a drag on development.

01 **CLEAR PROCESSES**

The zoning ordinance includes clear steps for major development review processes.

02 **ESTABLISH ROLES**

The community has clearly identified a point of contact for development review activities.

03 **TIMELY ASSISTANCE**

The community defines and offers conceptual review meetings for applicants.

04 **STAFF REVIEW**

The community has a clearly documented internal staff review policy.

05 **DEVELOPMENT PROCESS**

The community streamlines the approval process by using administrative and planning commission approval authority.

06 **FEES & PAYMENT**

The community maintains a fee schedule. The community offers clear methods of payment.

07 **FORMS AND MANUALS**

The community makes development review information and forms readily available online.

08 **TRACKING SYSTEM**

The community has a method to track development projects.

Zoning

- Ordinances should be evaluated periodically, **typically following a master plan update.**
- A Zoning Ordinance Health Check-up
 - ✓ Evaluates and identifies outdated language, conflicting provisions, confusing text.
 - ✓ Identifies opportunities for improvement, based on established guiding principles.
- Will follow best practices while drafting language for text amendments.



CITY OF LATHRUP VILLAGE
2021 Comprehensive Plan

July 2021

Continuity as staff changes over time is important to keep everything running smoothly.

Procedures

It should be clearly documented who is responsible for each part of development review

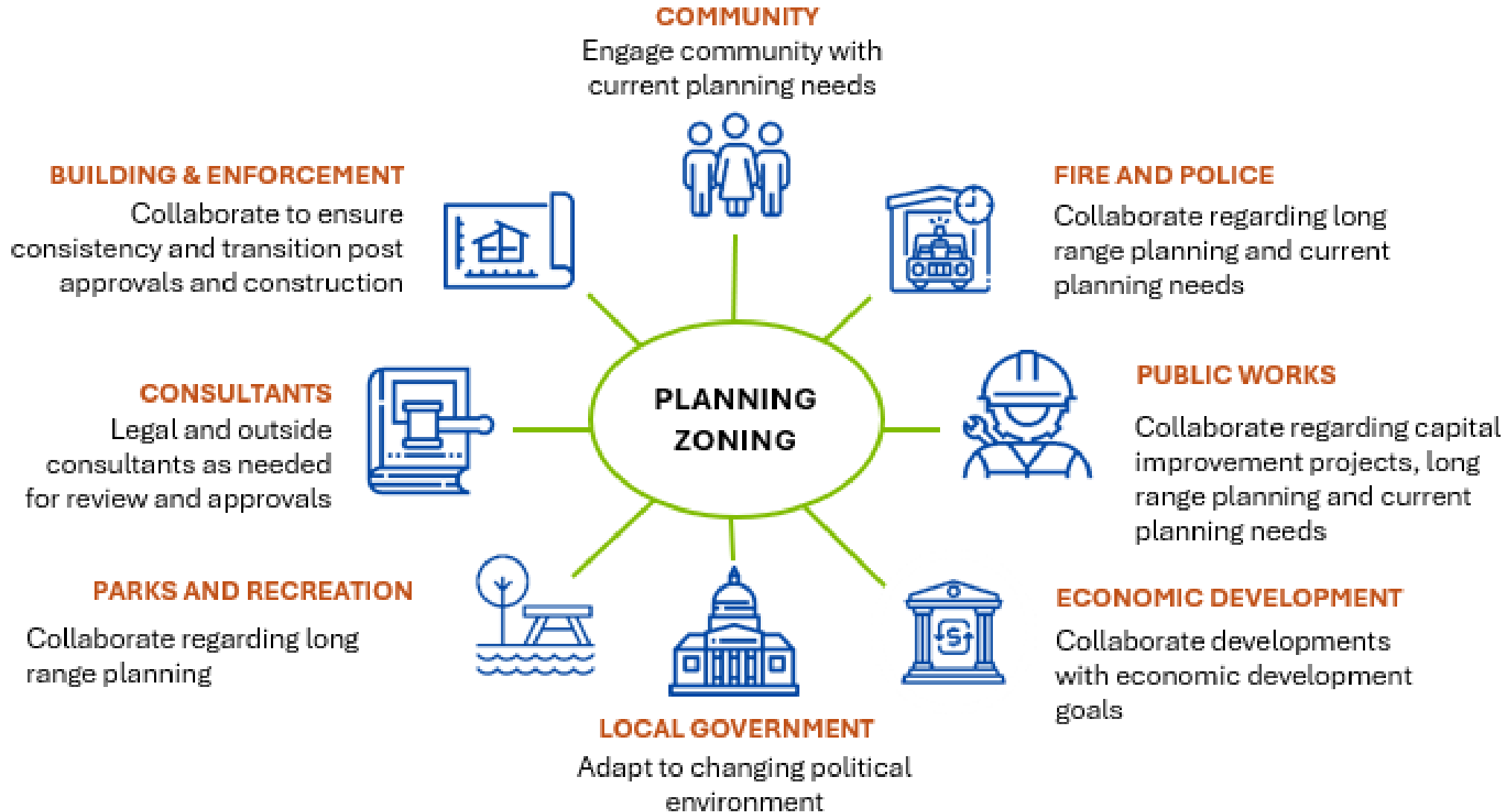
- ✓ Intake
- ✓ Distribution/communication with consultants, agencies, etc.
- ✓ Review
- ✓ Noticing
- ✓ Follow-up
- ✓ Communicating information/expectations to applicants
- ✓ Etc.

Procedures

- ✓ Development procedures should be clearly outlined in the ordinances.
- ✓ The development procedures outlined in ordinances should be easily followed.
- ✓ Application deadlines and approval timeframes should be published and attainable.
- ✓ Application fees should be clear, and the allocation of funds understood.
- ✓ The method for tracking the progress of applications should be manageable.

Policies

- ✓ Has the community articulated its goals for development?
- ✓ Is it clear who to ask for help if an issue arises regarding interpretation?
- ✓ Do internal deadlines allow adequate time for quality control?
- ✓ Does the community have a public participation plan?
- ✓ Does the community have a written training policy in place?
 - Staff
 - Elected officials
 - Appointed officials
- ✓ Are time-sensitive policy items on a widely-accessible calendar?



Redevelopment Ready Communities

RRC provides an economic development framework that all communities can model

Developed by public and private sector experts, the RRC Best Practices are the standard for evaluation

- ✓ provide a predictable development experience
- ✓ meet local planning and zoning responsibilities under Michigan law.
- ✓ proactively seek out community development opportunities

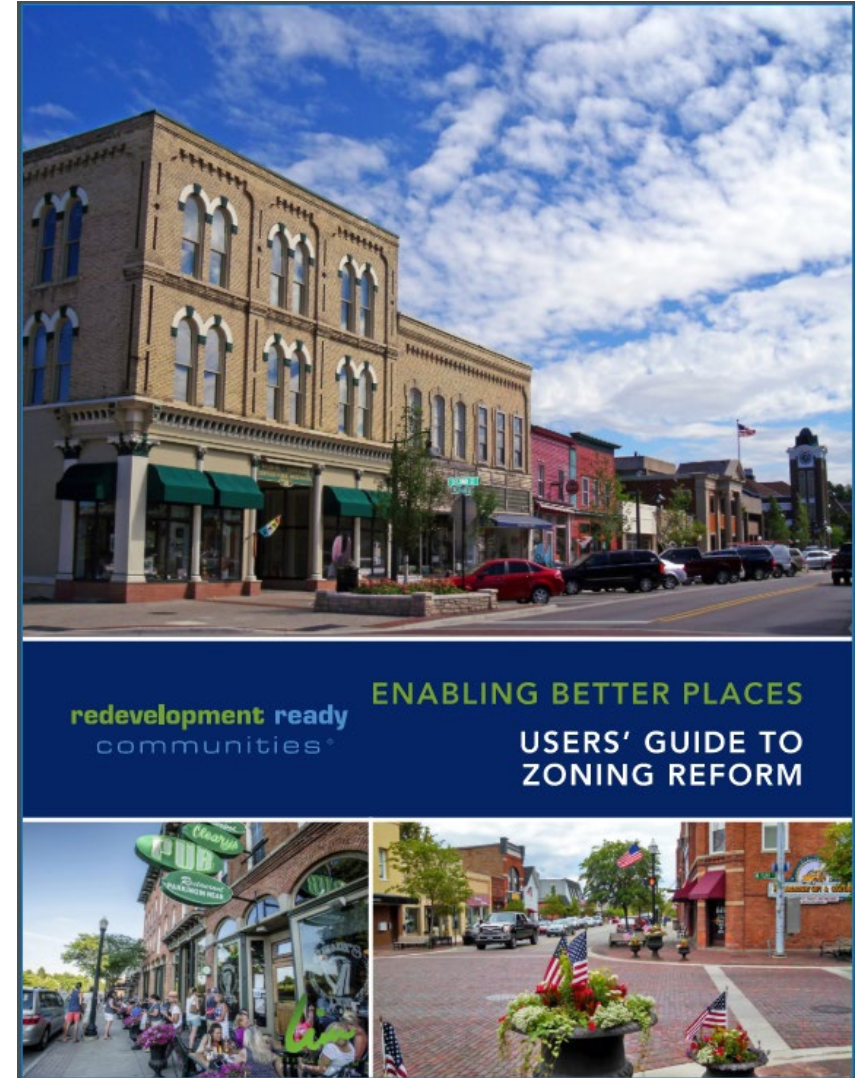
TWO TYPES:

ESSENTIALS Communities

- ✓ All the key documents and practices in place

CERTIFIED RRC Certified communities

- ✓ Integrated all the Best Practices into their local processes



Redevelopment Ready Communities

RRC provides an economic development framework that all communities can model

Best Practice 1: Plans & Engagement

- ✓ How development is envisioned in the Master Plan, Capital Improvement Plan, Downtown Plan, etc. Also emphasizes stakeholder involvement in the planning process.

Best Practice 2: Zoning

- ✓ Zoning Ordinance is a key tool for implementing the goals of the Master Plan. Should be streamlined & positioned to encourage the types of developments that are desired by the community.

Best Practice 3: Development Review

- ✓ The process should be well documented, with easy-to-understand policies, and an efficient checklist that keeps projects on track, on time, & on budget. This stage has the ability to set the tone for a development friendly community.



Redevelopment Ready Communities

RRC provides an economic development framework that all communities can model

Best Practice 4: Boards & Commissions

- ✓ Diversity of members is key to cultivating a wide range of perspectives when boards are considering development approvals. Education & training of officials proves to be effective when deliberating.

Best Practice 5: Economic Development

- ✓ Identify strategies that diversify the economic base & tap into development opportunities to expand & sustain the economic footprint. Highlight consistent messaging through marketing the unique assets of the community.

Best Practice 6: Priority Development Sites

- ✓ The community takes the lead in promoting strategic sites to be marketed to developers in a targeted, purposeful way. Reserving a “seat at the table” for the public allows for a wide range of participation & a predictable development environment.



Moving Toward Administrative Review

- Development review is necessary, but can add time and cost to the process of establishing a business.
- Consider making most projects approvable by staff, and sending only larger-scale or discretionary items to a planning commission.
- Legislative body rarely needs to be involved in individual applications other than rezonings.
- Build flexibility into standards to avoid the need for variances.

Public boards, including planning commissions, zoning boards of appeals, and legislative bodies, should be well-informed about planning issues and understand the ordinances they are charged with upholding.

- Provide regular training opportunities for members
- Support boards with strong, to-the-point analysis of proposals



Zoning doesn't have to hinder development and can even be a catalyst.

Five Keys

- Flexible regulations
- Streamlined processes
- Strong planning foundation
- Training and Continuity
- Predictability



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