

Memorandum



Date: August 3, 2026

To: Buchanan City Commission

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Consideration of an Amendment - Unified Development Code – Table 71- J Use Matrix – Residential and Article V Definitions – First Reading of Draft Adopting Ordinance**

Background

While reviewing the Unified Development Code (UDC), staff had concern regarding Table 71-J Use Matrix as it relates to different types of residential uses allowed and drafted language for the Planning Commission to review. During the May 12th Planning Commission meeting, draft language was discussed, and support was given to move forward with a public hearing at the July 14th Planning Commission meeting.

Planning Commission Recommendation

The Planning Commission conducted a public hearing on the request to amend Table 71-J Use Matrix – Residential and Article V Definitions. One audience member spoke in favor of the request. After deliberating the proposed amendment, the Planning Commission unanimously recommended approval of the amendment with the condition that the proposed new definition of Accessory Dwelling Unit read “principal use” rather than “principal dwelling” to decrease confusion where the accessory dwelling unit could be located in the D Downtown District.

Attached is the Text Amendment application with draft red-line changes to Table 71-J Use Matrix – Residential and Article V Definitions. Below is a summary of the draft changes:

- Includes reference to Accessory Dwelling Units as established.
- Would allow a single dwelling units above the ground floor in the Downtown District.
- Expands the number of attached dwelling units allowed in the NE Neighborhood District by right or a special use and aligns the language with the GN General Neighborhood and Neighborhood Center Districts.
- Consolidated the number of attached dwelling units allowed as 1-4, 5-7 and more than 8. Existing language found in Tables 71-C through H provides development regulations including location of required on-site parking for the different zoning districts and Table 71 I Façade Types provide additional language regarding the façade design.
- Allows dwellings in the SC Suburban Commercial District where building can be 3-stories tall.

- Requires any building with 8 more dwelling units to obtain a Special Use permit from the Planning Commission.
- Prohibits residential uses on the ground floor in the Downtown or Suburban Commercial districts and allows an accessory dwelling unit on the ground floor in the D Downtown District at the rear of a building when the front is occupied with an allowed use.

Article V Definitions added the following definitions: 1) dwelling unit; single-detached dwelling unit; single-attached dwelling unit; modular dwelling unit and modified accessory dwelling unit and mobile home. All definitions would be found under the term “dwellings” for easier review.

Recommendation

Please consider the first reading of the draft ordinance amending the Unified Development Code associated with Table 71-J Use Matrix – Residential and Article V Definitions related to dwellings which provides additional housing opportunities in several zoning districts and meets the standards found in Section 71-36.B.2 of the Unified Development Code and schedule the second public hearing for the September 14th City Commission. This would be the first reading of an adopting ordinance.

DRAFT PROPOSED ORDINANCE

8/10/2026 and 9/14/2026

CITY OF BUCHANAN

**ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE (ZONING
ORDINANCE OF THE CITY OF BUCHANAN TO ARTICLE III. ZONING SECTION
71-18.B USE - TABLE 71-J USE MATRIX – RESIDENTIAL AND
ARTICLE V. DEFINITIONS, RELATED TO RESIDENTIAL USES AND DEFINITIONS
ORDINANCE NO. 2026.09/___**

**IT IS HEREBY ORDAINED BY THE CITY OF BUCHANAN, BERRIEN COUNTY,
MICHIGAN:**

**SECTION 1. Article III. Zoning – Section 71-18.B Use Table 71-J Residential
is hereby amended to read in its entirety as follows:**

TABLE 71-J USE MATRIX							
	N	NE	GN	NC	D	SC	I
Residential							
Home occupation – See Sec. 71-23		A	A	A	A		
Accessory Dwelling Unit (ADU) See Sec. 71-24		A	A	A			
Accessory Dwelling Unit on the ground floor in the rear 50% of a building when there is an existing and active permitted principal use in the front of the building					A		
1 detached dwelling unit per lot		■	■	■			
1-4 attached dwelling units per lot ¹		■	■	■	■	■	
5-11 attached dwelling units per lot ¹		S	S	■	■	■	
More than 12 attached dwelling units per lot ¹		S	S	S	S	S	

¹Residential dwelling units located on the ground floor/first floor/street level in the D Downtown and SC Suburban Commercial Districts are prohibited.

Permitted use ☐
Temporary use T
Accessory use A
Special use permit S
Prohibited use blank space

SECTION 2. Article V. Definitions is partially amended as follows:

Dwelling Unit: a building or portion thereof occupied wholly for residential living purposes by one family that is physically separated from another dwelling which may be in the same structure or on a separate parcel. A Dwelling Unit contains at a minimum an independent cooking/kitchen, sleeping area, and full bathroom facilities, but is not a hotel, motel, or boarding house.

Accessory Dwelling Unit (ADU): a dwelling unit not greater than 600 square feet, that is incidental and subordinate to the principal use, as separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities from the principal dwelling, and located on the same parcel as the principal dwelling. An ADU can be an expansion or retrofitting of an existing dwelling or a new or retrofitted space within a portion of an accessory building.

Single Detached Dwelling Unit: a dwelling unit that is not within the same structure as another dwelling unit, often referred to as a Single-Family Home.

Single Attached Dwelling Unit: a dwelling unit within the same structure as a commercial use or uses, but with no other dwelling units in the building. An example is a single dwelling located above a commercial use, often referred to as a mixed-use building.

Two to Four Attached Dwelling Units: two to four dwelling units that are all principal uses owned individually or by one entity and leased individually. An example is a multifamily building or attached duplex, triplex or townhomes on the same property. They can share a common entrance and hallway or have private ground floor entrances from the outside into the building. Individual dwelling units can be located on separate floors and can be located above a commercial use.

Five to Eleven Attached Dwelling Units: when there are five to eleven dwelling units that are all principal uses in one building, owned individually or by one entity and leased individually. An example is a multifamily building or townhomes on the same property. They can share a common entrance and hallway or have private entrances from the outside. Individual dwelling units can be located on separate floors and can be located above a commercial use.

Twelve or more Attached Dwelling Units: when there are more than twelve dwelling units in a single building or multiple buildings on the same property, owned individually or by one entity and leased individually and can be located above a commercial use.

Mobile Home or Manufactured Home: a structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling without permanent foundation and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. Mobile home does not include recreational vehicles/campers.

Modular Dwelling Unit: a dwelling unit constructed solely within a factory, as a single dwelling unit, or in various sized modules or components, which are then transported by truck or other means to a site where they are assembled on a permanent foundation to form a single-dwelling unit, and meeting all codes and regulations applicable to conventional single-dwelling construction.

SECTION 3. Effective Date.

This ordinance shall become effective fifteen (15) days after its adoption and publication as required by Section 7.4 of the City Charter.

MADE, PASSED, AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN ON THE __ DAY OF SEPTEMBER 2026 AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD NEWSPAPER ON DAY__ OF SEPTEMBER 2026 BY

MARK WEEDON, MAYOR _____

KALLA LANGSTON, CITY CLERK _____

CERTIFICATION, I herby certify that the above is a true and complete copy of an ordinance adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on the ____ day of September 2026, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 as required by said act.

Kalla Langston, City Clerk



302 Redbud Trail North
Buchanan, MI 49107
Tel: (269) 695-3844
Fax: (269) 695-4330

Text Amendment (Changing Language in Unified Development Code – zoning ordinance) Application

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

Property Information

Applicable Section of Zoning Ordinance that amendment is requested: _____
Section 71-18 Use - Table 71-J Use Matrix- Residential and Article V Definitions

Briefly Explain Request: The existing regulations limit the types of housing options in some districts and would require use variances from ZBA. There are no definitions associated with dwelling units.

Are there other requests associated with application?: If yes, explain: No.

Applicant Information

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: City of Buchanan, Kristen Gundersen

Relationship to Property Owner: Planning and Community Development Director for City

Mailing Address: 302 N Redbud Trail

City: Buchanan State: MI Zip Code: 49107

Telephone Number: 269.695.3844 Emergency Number: _____

E-mail Address: kgundersen@cityofbuchanan.com

Attorney: Butzel

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Engineer or Architect: N/A

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Proposed Language Change (please use additional paper if needed)

Existing section and language from Zoning Ordinance: See attached redline document

Proposed new language for the Zoning Ordinance: See attached redline document

Explain how the proposed new language supports the goals and objectives of the adopted Master Plan: Under the Goal of Housing there is reference to "establish a wide spectrum of appropriate housing opportunities to meet the needs of residents in any social or income group at every stage of life."

Objectives include housing which includes creating and implementing a housing plan that identifies the communities existing housing, its housing needs, and best practices to achieve unmet goals.

The 2025 UDC included some options for additional housing opportunities, however it is unclear why some residential districts were left out and why the Suburban Center district was not included as it allows for 3-story buildings. It is not believed the Neighborhood plan would be able to provide attach housing in all areas.

Text Amendment Standards

If needed use additional sheets of paper to respond to Standards.

Section 71-35.B.2 Standards. The advisability of amending the text of this chapter or making an amendment to the zoning map is a matter committed to the legislative discretion of the City Commission. In determining whether to adopt or disapprove d the proposed amendment, the City Commission must consider the following factors:

- a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan.

2021 Master Plan references the need to provide housing opportunities to meet the needs of residents in any social or income group at every stage of life.

- b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment.

Cornerstone Alliance recently completed a housing study which further supports the need for additional housing types throughout Berrien County. Allowing additional housing options within the city will provide opportunities for new housing that complies with the adopted rules and regulations.

- c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.

Based on the 2026 Cornerstone Alliance housing study, there is a need for additional housing options in the city. This will provide opportunities for new housing to be constructed that may not be allowed otherwise unless a use variance was obtained which requires additional time and cost for development.

- d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or improve compatibility among uses and will ensure efficient development within the City.

The 2025 UDC incorporated regulations to regulate facade types which include residential uses and placement of surface parking on parcels.

- e. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

Allowing attached housing in residential districts is appropriate as there are existing dwellings that have been converted to two or more units. Allowing residential uses above the ground floor in the D and SC districts is appropriate. Large scale projects with more than 12 dwelling units would require a special use permit.

TEXT AMENDMENT APPLICATION CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten (10) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the 11th, day of June, 20 20, I/We have read the above certification, understand it, and agree to abide by its conditions.

Kurt Gler, city of Buchanan
Signature of Applicant or Authorized Agent

Kristen Gundersen, City of Buchanan
Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this 11 day of
June, 20 20

Kalla Langston

Notary Public KALLA LANGSTON
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF BERRIEN
My Commission Expires June 09, 2032
Acting in the County of Berrien

Excerpt – Table 71-J Use Matrix – Redline of Residential

Strike-through is to be deleted and underline in red is new language

TABLE 71-J USE MATRIX

	N	NE	GN	NC	D	SC	I
Residential							
Home occupation		A	A	A	A		
1 dwelling unit per lot		■	■	■			
1 dwelling unit per lot (zero lot line)			■	■			
2 dwelling units per lot			■	■	■		
4 dwelling units per lot			■	■	■		
8 dwelling units per lot				■	■		
More than 8 dwelling units per lot				S	■		

Residential							
Home occupation – See Sec. 71-23		A	A	A	A		
<u>Accessory Dwelling Unit (ADU) See Sec. 71-24</u>		<u>A</u>	<u>A</u>	<u>A</u>			
<u>Accessory Dwelling Unit on the ground floor in the rear 50% of a building when there is an existing and active permitted principal use in the front of the building</u>					A		
1 <u>detached</u> dwelling unit per lot		■	■	■			
1-4 <u>attached</u> dwelling units per lot ¹		■	■	■	■	■	
5-11 <u>attached</u> dwelling units per lot ¹		<u>S</u>	<u>S</u>	■	■	■	
More than 12 <u>attached</u> dwelling units per lot ¹		<u>S</u>	<u>S</u>	S	S	<u>S</u>	

¹Residential dwelling units located on the ground floor/first floor/street level in the D Downtown and SC Suburban Commercial Districts are prohibited.

Permitted use ■
 Temporary use T
 Accessory use A
 Special use permit S
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Article V Definitions

Dwelling Unit: a building or portion thereof occupied wholly for residential living purposes by one family that is physically separated from another dwelling which may be in the same structure or on a separate parcel. A Dwelling Unit contains at a minimum an independent cooking/kitchen, sleeping area, and full bathroom facilities, but is not a hotel, motel, boarding house.

Accessory Dwelling Unit (ADU): an accessory dwelling unit not greater than 600 square feet, sharing ownership; and utility connections with a principal building; it may within an outbuilding or within the principal building.

Accessory Dwelling Unit (ADU): a dwelling unit not greater than 600 square feet, that is incidental and subordinate to the principal dwelling unit, as separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities from the principal dwelling, and located on the same parcel as the principal dwelling. An ADU can be an expansion or retrofitting of an existing dwelling or a new or retrofitted space within a portion of an accessory building.

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Modular Dwelling Unit: a dwelling unit constructed solely within a factory, as a single dwelling unit, or in various sized modules or components, which are then transported by truck or other means to a site where they are assembled on a permanent foundation to form a single-dwelling unit, and meeting all codes and regulations applicable to conventional single-dwelling construction.

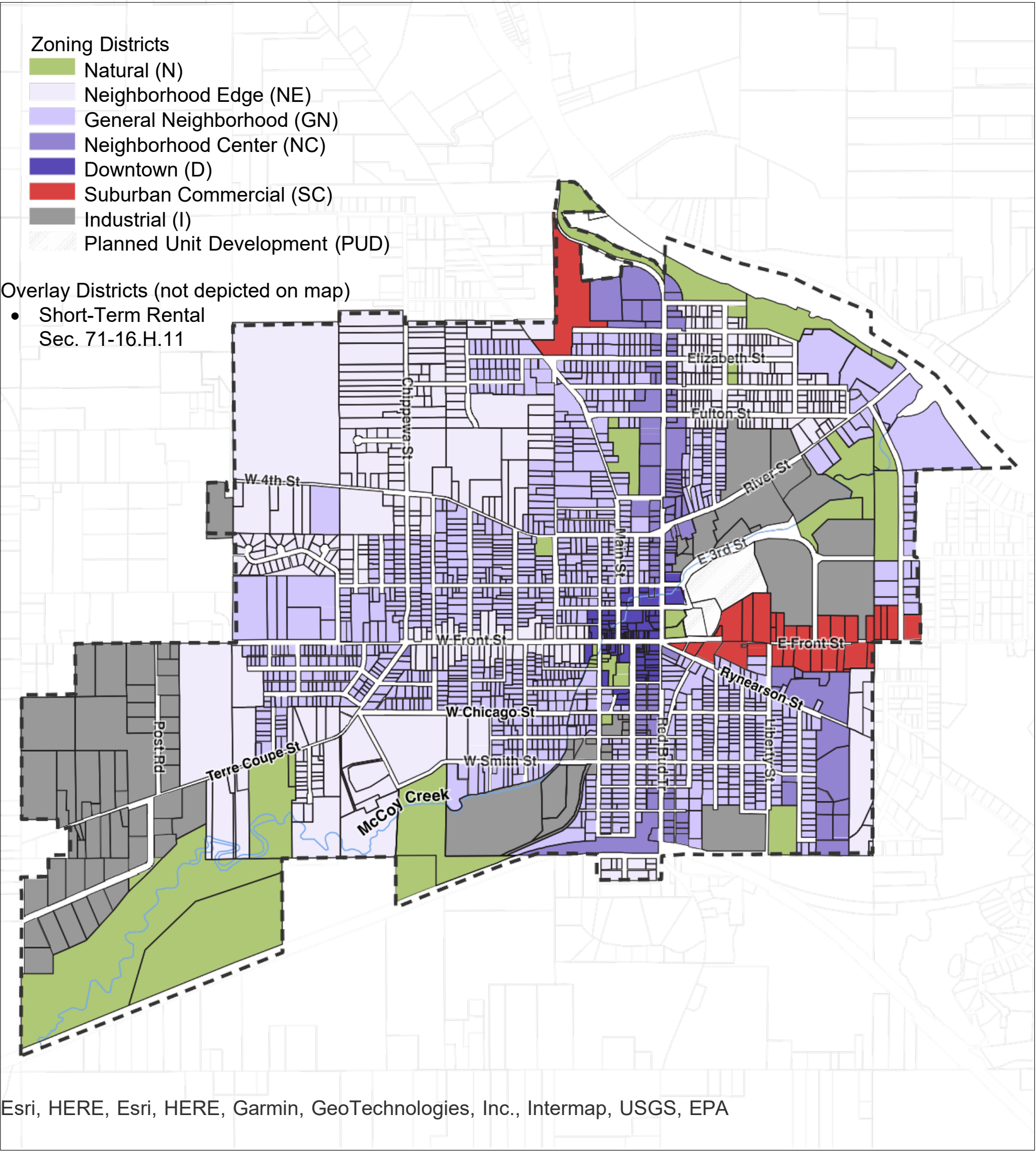


Figure 71-A Buchanan Zoning Map (Ord 2026.04/448)