

Memorandum



Date: May 4, 2026

To: Planning Commission

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Amendment Unified Development Code (zoning ordinance)– Table 71-J Use Matrix - Residential**

Background

During the May 12th meeting, staff provided proposed changes to Table 71-J Use Matrix for Residential to address some concerns regarding housing options in the NE Neighborhood Edge, GN General Neighborhood and NC Neighborhood Center Districts along with D Downtown and SC Suburban Commercial. To help make the residential section of the matrix more complete, reference to Accessory Dwelling Units (ADU) was added to the NE, GN and NC districts and the existing regulations did not change.

The Planning Commission supported the proposed change to allow two attached dwelling units (duplex) in the NE district and concluded that up to four attached dwelling units per lot should be allowed in the NE Neighborhood Edge district which is in keeping with the GN General Neighborhood and NC Neighborhood Center districts. A four-unit dwelling is not considered a commercial loan and required parking would limit the number of dwellings on most properties and there are established façade requirements to address street view concerns. This change further alters Table 71J which incorporated 5-11 attached units and 12 or more units with a special use being necessary in some zoning districts.

There was also discussion regarding accessory dwellings on the ground floor in the D District. The Planning Commission was supportive of the draft language and discussed if any building owners would utilize the option.

While staff were updating Table 71-J based on the May discussion, two new areas were addressed.

1. New definitions were drafted and definitions for Accessory Dwelling Unit and Mobile Home were modified. If approved, the terms associated with housing would be found under “dwelling”. This will help those looking at the different definitions rather than having the terms in alphabetical order throughout Article V Definitions.
2. Within Table 71-J, the SC Suburban Commercial district does not allow any residential uses. This district is located on E. Front Street east of Redbud Trail and the AEP building near the north end of town. The SC district also allows a maximum height of 3-stories. Based on current trends, it is unlikely a three-story office building would be constructed in these areas.

Allowing residential uses above the ground floor may help promote redevelopment opportunities.

When making the changes, it was realized that residential uses are not allowed in the SC Suburban Commercial District where three-story building are allowed. Due to decreased need for office space, it is not believed an office building or mixed-use commercial/office building would be constructed. There is a larger likelihood of a mixed-use building with dwelling units on the second and third floors if residential uses were allowed. Staff updated the proposed changes to include the SC district when not located on the ground/first floor of the building.

As many of you know, there is a housing shortage throughout the country, which does not exclude the city of Buchanan or surrounding communities. To help provide opportunities to create additional housing, many organizations have been creating tools to help increase opportunities for additional housing. There has also been state legislation introduced that would allow more than one dwelling unit per parcel and communities in Michigan and other states have been changing zoning regulations to allow additional dwelling units by right on parcels.

Recommendation

The required public hearing took place earlier in the meeting. The Planning Commission should discuss any comments received, deliberate and review the draft changes before a motion is made. Minor changes can be incorporated into the motion. The recommendation will be forwarded to the City Commission. Following are options for motions:

1. Recommending approval. Move to recommend approval of an amendment to Table 71-J Use Matrix – Residential and Article V Definitions relating types of dwelling units and the number of dwelling units allowed in different zoning districts as the request is consistent with the 2021 Master Plan Goals and Objects and Section 71-36.B.2 standards for text amendments.
2. Recommending approval with conditions. The draft motion above may be used with the proposed changes called out at the end of the motion.
3. Recommending denial. Move to recommend denial of an amendment to Table 71-J Use Matrix – Residential and Article V Definitions relating to types of dwelling units and the number of dwelling units allowed in different zoning districts as the request does not meet the standards found in Section 71-36.B.2 of the Unified Development Code for text amendments for the following reasons...



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, 2020, 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, 2020

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
 Prohibited use blank space

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.

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. (move existing language to this area under "Dwelling")

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.

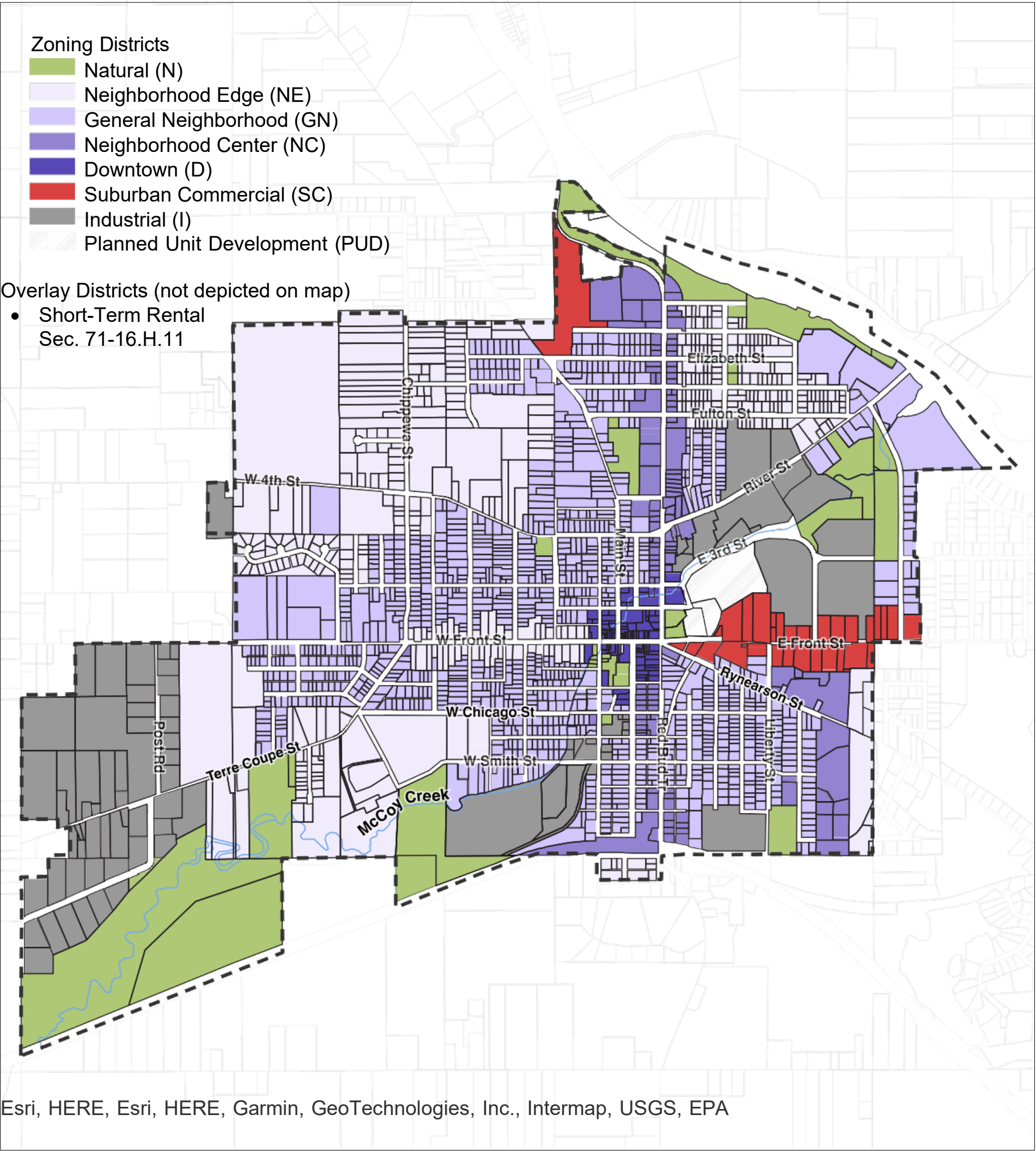


Figure 71-A Buchanan Zoning Map (Ord 2026.04/448)