
City of Manistee Zoning Ordinance

Article Nine
R-2 Medium Density
Residential

As Updated thru
January 17, 2020

ARTICLE NINE R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

SECTION 900 PURPOSE AND INTENT

It is the intent of this District to establish and protect residential areas consisting primarily of medium density, single-family neighborhoods and multi-family communities designed and maintained promote an attractive, walkable, healthy and stable living environment for families, singles and the elderly. The R-2 District, while primarily residential in character, will incorporate some retail and personal service land uses to enhance and strengthen neighborhood life and promote a cohesive and complete community. All portions of the R-2 District shall be served with public water and wastewater services.

PERMITTED USES*
<ul style="list-style-type: none"> ◆ Accessory building with footprint less than or equal to the footprint of the principal structure ◆ Accessory use to uses permitted by right. ◆ Community Garden, subject to Section 534 ◆ Dwelling, Single Unit ◆ Home Occupation, Minor subject to Section 1847, B, 1 ◆ Outdoor Recreation, Park ◆ Subdivision, and condominium subdivision consisting of permitted uses, clustered or traditional subject to the Subdivision Control Ordinance. ◆ Use similar to uses permitted by right, subject to Section 530 ◆ Wind Energy Conversion System, Accessory, subject to Section 515.G <p style="font-size: small;">*If located outside the Wellhead Protection Overlay</p>

[Annotation: Community Garden was added as a Permitted Use by Amendment Z11-06, effective 9/25/11]

[Annotation: Wind Energy Conversion System, Accessory was added as a Permitted Use by Amendment Z11-08, effective 12/28/11]

SPECIAL USES
<ul style="list-style-type: none"> ◆ Accessory building with footprint greater than the footprint of the principal structure ◆ Accessory use to permitted special use ◆ Adaptive Reuse ◆ Adult Foster Care Facility ◆ Bed & Breakfast ◆ Day Care, Group (7-12 children) ◆ Duplex ◆ Dwelling, Accessory

SPECIAL USES Cont'd
<ul style="list-style-type: none"> ◆ Dwelling, Multiple Unit ◆ Home Based Business ◆ Home Occupation, Major ◆ Marina ◆ Mixed-Use Development ◆ Personal Service Establishment ◆ Planned Unit Development ◆ Use similar to permitted special use

[Annotation: Duplex changed from Permitted use to Special Use by Amendment Z10-01, effective 10/30/10]

SPECIAL USES Requires Key Street Frontage
<ul style="list-style-type: none"> ◆ Assembly Operation* ◆ Convenience Store ◆ Eating and Drinking Establishment ◆ Education Facility ◆ Gallery or Museum ◆ Hotel ◆ Medical or Dental Office ◆ Mortuary ◆ Nursing Home or Convalescent Home ◆ Parking Facility ◆ Places of Public Assembly, Large & Small ◆ Professional Office ◆ Professional Service Establishment ◆ Retail Business ◆ Studio for Performing and Graphic Arts

*Location of this use on Key Street Frontage Letter H in Section 532 of City of Manistee Zoning Ordinance.

[Annotation: Convenience Store without fuel pumps was changed to Convenience Store by Amendment Z17-04, effective 6/16/17]

[Annotation: Assembly Operation requiring Key Street Frontage was added as a special use in the R-2 District by Amendment Z19-25, effective 01/17/20]

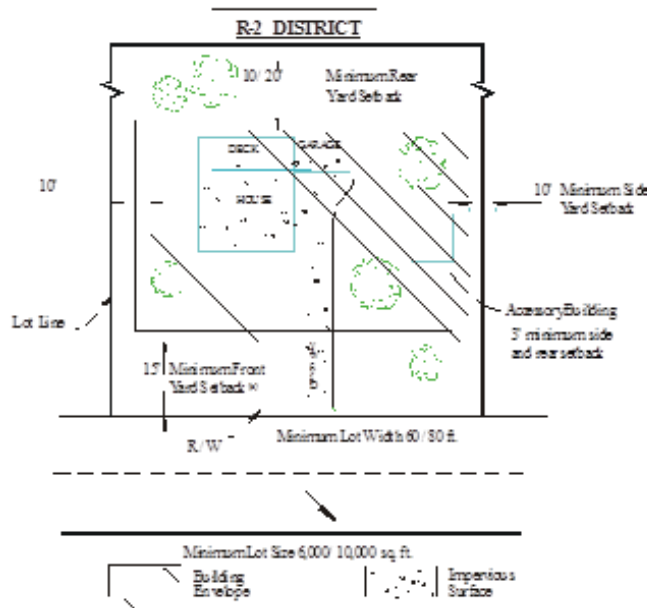
ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to [Section 2203](#)
- ◆ Vehicular Parking Space, Access and Lighting requirements subject to [Section 514](#)
- ◆ Landscaping requirements subject to [Section 531](#)
- ◆ Signage requirements subject to [Article 21](#)
- ◆ Dumpsters and Enclosures subject to [Section 506](#)
- ◆ Outdoor Lighting requirements, subject to [Section 525](#)
- ◆ U.S. 31 Corridor Overlay District requirements, subject to [Article 19](#)

DISTRICT REGULATIONS ^(d)

Minimum Lot Area:		Minimum Lot Width:	
Single Unit	6,000 sq. ft.		60 ft.
Duplex, or Commercial Use	10,000 sq. ft.		80 ft.
Multiple Unit ^(b)	10,000 sq. ft. min.		80 ft.
Maximum Dwelling Units/Acre	8	Maximum Building Height	2½ stories, or 35'
Minimum Building Setbacks		Maximum Lot Coverage	40%
Front ^(a)	15 ft.	Minimum Living Area	960 sq. ft.
Side	10 ft. (each side)	Minimum Dwelling Width	20 ft.
Rear	10 ft.	Accessory Building Minimum Setbacks:	
Waterfront	20 feet	Side	3 ft.
		Rear	3 ft. ^(c)

- (a) Subject to [Section 502, G](#)
- (b) For multiple unit buildings in the R-2 district, a minimum of 10,000 square feet shall be provided for the first two units, plus 5,500 square feet for each additional dwelling unit.
- (c) Provided that garages fronting on platted alleys shall be set back the greater of 3 feet from the rear property line or 20 feet from property line on the opposite side of the alley.
- (d) Except as may be permitted pursuant to [Section 1870](#), Planned Unit Development.



SECTION 901 USES PERMITTED BY RIGHT

The following uses of buildings and land shall be permitted within the R-2 District subject to the provisions of [Article 22](#), Site Plan Approval.

- A. Accessory building with footprint less than or equal to the footprint of the principal structure
- B. Accessory use to uses permitted by right, subject to [Section 516](#)
- C. Community Garden, subject to [Section 534](#)
- D. Dwelling, Single Unit
- E. Home Occupation, Minor subject to [Section 1847, B, 1](#)
- F. Outdoor Recreation, Park
- G. Subdivision, and condominium subdivision consisting of permitted uses, clustered or traditional subject to the **Subdivision Control Ordinance**
- H. Use similar to uses permitted by right, subject to [Section 530](#)
- I. Wind Energy Conversion System, Accessory, subject to [Section 515.G](#)

[Annotation: Duplex changed from Use by Right to Special Use by Amendment Z10-01, effective 10/30/10]

[Annotation: Community Garden was added as a Permitted Use by Amendment Z11-06, effective 9/25/11]

[Annotation: Wind Energy Conversion System Accessory was added as a Permitted Use by Amendment Z11-08, effective 12/28/11]

SECTION 902 USES PERMITTED BY SPECIAL LAND USE PERMIT

The following uses of buildings and land may be permitted within the R-2 District, as special land uses subject to the provisions of [Article 18](#), special land use approval.

- A. Accessory building with footprint greater than the footprint of the principal structure, subject to [Section 1804](#)
- B. Accessory use to permitted special use, subject to [Section 1805](#)
- C. Adaptive Reuse, subject to [Section 1807](#)
- D. Adult Foster Care Facility, subject to [Section 1808](#)
- E. Bed & Breakfast, subject to [Section 1813](#)
- F. Convenience Store subject to [Section 1823](#) – *Requires Key Street Frontage*
- G. Day Care, Group (7-12 children), subject to [Section 1826](#)
- H. Duplex, subject to [Section 1829](#)
- I. Dwelling, Accessory, subject to [Section 1831](#)
- J. Dwelling, Multiple Unit, subject to [Section 1832](#)
- K. Eating and Drinking Establishment, subject to [Section 1835](#) – *Requires Key Street Frontage*
- L. Education Facility, subject to [Section 1837](#) – *Requires Key Street Frontage*
- M. Gallery or Museum, subject to [Section 1840](#) – *Requires Key Street Frontage*
- N. Home Based Business, subject to [Section 1846](#)
- O. Home Occupation, Major subject to [Section 1847](#)
- P. Hotel, subject to [Section 1849](#) – *Requires Key Street Frontage*

- Q. Marina, subject to [Section 1852](#)
- R. Medical or Dental Office, subject to [Section 1853](#) – [Requires Key Street Frontage](#)
- S. Mixed-Use Development, subject to [Section 1858](#)
- T. Mortuary, subject to [Section 1859](#) – [Requires Key Street Frontage](#)
- U. Nursing Home or Convalescent Home, subject to [Section 1862](#) – [Requires Key Street Frontage](#)
- V. Parking Facility, subject to [Section 1865](#) – [Requires Key Street Frontage](#)
- W. Personal Service Establishment, subject to [Section 1867](#)
- X. Places of Public Assembly, Large and Small, subject to [Section 1868](#) – [Requires Key Street Frontage](#)
- Y. Planned Unit Development, subject to [Section 1870](#)
- Z. Professional Office, subject to [Section 1874](#) – [Requires Key Street Frontage](#)
- AA. Professional Service Establishment, subject to [Section 1876](#) – [Requires Key Street Frontage](#)
- BB. Retail Business, subject to [Section 1877](#) – [Requires Key Street Frontage](#)
- CC. Studio for Performing and Graphic Arts, subject to [Section 1882](#) – [Requires Key Street Frontage](#)
- DD. Use similar to permitted special use, subject to [Section 1886](#)

[Annotation: Parking Facility added to Uses Permitted by Special Use Permit by amendment 08-02, effective 2/29/08]

[Annotation: Duplex changed from Use by Right to Special Use by Amendment Z10-01, effective 10/30/10]

[Annotation: Convenience Store without fuel pumps was changed to Convenience Store by Amendment Z17-04, effective 6/16/17]

SECTION 903 DIMENSIONAL STANDARDS.

Within the R-2 District, the following dimensional standards shall apply:

- A. Parcel Area – No single family dwelling building or structure shall be established on any parcel less than six thousand (6,000) square feet in area. No duplex, multiple unit or commercial structure shall be established on any parcel less than ten thousand (10,000) square feet in area. For multiple unit buildings in the R-2 district, a minimum of 10,000 square feet shall be provided for the first two units, plus 5,500 square feet for each additional dwelling unit.
- B. Parcel Width – For a single family detached dwelling, the minimum parcel width shall be sixty (60) feet and for all other uses the minimum parcel width shall be eighty (80) feet.
- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.
 - 1. Front Yard: The minimum setback shall not be less than fifteen (15) feet from front property line. In established neighborhoods, where a majority of the buildings do not meet the required front yard setback, the Administrator may establish an alternate setback, pursuant to [Section 502, G](#).
 - 2. Side Yards: The minimum width of either yard shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setback shall be three (3) feet;
 - 3. Rear Yard: The minimum setback shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setbacks shall be three (3) feet, excepting garages which front on a platted alley. Such garages shall be set back a

minimum of twenty (20) feet from the property line on the opposite side of the alley, to provide a minimal turning radius for vehicles, but at no time shall the structure be closer than three (3) feet to the rear property line. The side yard for such garage shall be the same as for other accessory structures, as outlined above.

4. Waterfront Yard: The minimum setback shall be not less than twenty (20) feet, provided such setback shall not apply to walkways, boat docks, boat slips, boat launches and boat houses. [Annotation: Section 903.C.4 changed by amendment 07-07, effective 5/29/07]
5. Dwelling Width: No dwelling shall be constructed in the R-2 District which is less than twenty (20) feet wide.
6. Living Area: No dwelling unit shall be constructed in the R-2 District which has less than nine hundred sixty (960) square feet of living area.
7. Lot Coverage: Not more than forty percent (40%) of the parcel area shall be covered by buildings.
8. Height: The maximum height of principal buildings in the R-2 district shall be the lesser of thirty-five (35) feet or two and one-half (2½) stories. The maximum height of accessory buildings shall be eighteen (18) feet with side walls not to exceed twelve (12) feet in height.

SECTION 904 WELLHEAD PROTECTION OVERLAY

- A. Applicability. Every parcel of land which lies in whole or in part within Wellhead Protection Overlay as depicted on the Official Zoning Map around public Type I water wells is subject to the regulations of this Section. The regulations of this Section are in addition to any regulations in the underlying zoning district, provided that in the event of a conflict between the regulations of this section and those of the underlying zoning district, the requirements of this Section shall prevail.
- B. Land Use Restrictions.
 1. Special Land Uses. Except as provided in Subparagraph 2 of this section, and the provisions of **Section 901** notwithstanding, all uses permitted in the R-2 Zoning District and located within the Wellhead Protection Overlay shall be treated as Special Land Uses with review and approval subject to the provisions of [Article 18](#) and [Section 520](#), hereof.
 2. Prohibited Uses. Within the Wellhead Protection Overlay, any land use that uses, generates or stores a minimum threshold quantity of any hazardous substance as defined herein and which has not received and maintained in good standing a bona fide permit for the use, generation and/or storage of such substance, shall be prohibited. For the purpose of this subparagraph, a minimum threshold quantity of hazardous substances shall mean
 - a. For the use or generation of hazardous substances: Quantities of at least one hundred (100) kilograms (approximately two hundred twenty (220) pounds), or ninety-five (95) liters (approximately 25.1 gallons), whichever is less, per month; or

- b. For the storage of hazardous substances: Quantities of at least one hundred (100) kilograms (approximately two hundred twenty (220) pounds) or ninety-five (95) liters (approximately 25.1 gallons), whichever is less, routinely stored on site.
- C. Conflicting Federal or State Regulations. The regulations of this Overlay Zone are not intended to conflict with any law or administrative regulation, on groundwater protection, of the United States, the State of Michigan or any agencies thereof.
- D. Nonconforming Land Uses. If a land use prohibited pursuant to Paragraph B, 2 of this **Section 904** legally existed within this Wellhead Protection Overlay on January 31, 1997, and has continued in use since that date, then;
 - 1. Such nonconforming use of land shall not be moved in whole or in part to any other portion of such land, added to, extended, reconstructed, structurally altered or expanded during its life, [Article 4 Nonconformities](#) notwithstanding.
 - 2. Nothing herein shall prevent the completion of structures for a land use which shall have been diligently prosecuted prior to the passage of this section.
 - 3. Nothing herein shall prevent the normal repair, reinforcement, rehabilitation of a structure.