

# PRELIMINARY DRAFT ZONING ORDINANCE FOR PUBLIC FORUM

## TUESDAY, JUNE 13, 2023

### CHAPTER 4 GENERAL PROVISIONS

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#### **Construction Begun Prior to Adoption of Ordinance**

The adoption of this Zoning Ordinance shall not require a change in the intended use of land where there has been work of a substantial nature in reliance upon prior approval by the city under the provisions of a former Ordinance.

#### **Design Compliance Prior to Adoption of Ordinance**

The adoption of this Zoning Ordinance shall not require compliance with the location and design requirements of this Ordinance to the extent that there has been actual material commencement of construction of a structure pursuant to a building permit issued by the city of Cadillac. Any conditions or other requirements imposed under the provisions of a prior Ordinance shall remain in effect, even though this Ordinance may not provide for same. However, a property owner subject to conditions or requirements not provided for by this Ordinance may request of the Planning Commission to remove or modify same by filing a site plan application and fee consistent with the site plan review requirements of

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this Ordinance. In the event the conditions or requirements were established by action of the City Council, the Council shall have the authority to remove or modify same, after receipt of a recommendation from the Planning Commission.

### **Building to be Moved**

Any building to be moved and any building or structure which has been wholly or partly erected on any premises shall not be moved to and be placed upon any premises in the city unless the Building Inspector shall have made an inspection of the building or structure to be moved and has found it structurally safe and the Zoning Administrator has made a positive determination of site suitability pursuant to compliance with the underlying zone district standards and impact on the character and use of surrounding buildings and structures. Any building or structure to be placed upon a lot in the city and to be used in connection with a special land use or planned unit development, whether existing or proposed, shall be subject to the Special Land Use or Planned Unit Development standards and associated Site Plan Review requirements of this Ordinance.

### **Excavation, Removal, and Filling of Land**

The use of land for the excavation, removal, filling, or depositing of any type of earth material, topsoil, sand, gravel, or similar material shall be accomplished in accordance with the following provisions whenever an excavation is proposed whether singularly or in combination:

**Zoning Administrator Review and Approval** - Excavation or fill operations not exceeding three hundred (300) cubic yards.

**Planning Commission Review and Approval** - Excavation or fill operations greater than three hundred (300) cubic yards and all excavation or earth movement projects designed to result in the creation of a pond, lake, or similar water retaining feature. The project shall be processed by the Planning Commission under the Site Plan Review requirements of this Ordinance.

**Soil Erosion and Sedimentation Control Act** - All operations shall adhere to the provisions of the Soil Erosion and Sedimentation Control Act, Public Act 347 of the Michigan Public Acts of 1972, including any amendment thereto.

**Hazard Materials** - In no case shall a fill product represent an environmental hazard or be classified by the state or federal government as environmentally unsafe. All fill materials shall meet or exceed the minimum clean levels identified by the Michigan Department of Environment, Great Lakes, and Energy or the United States Environmental Protection Agency (the more stringent levels thereof) necessary pursuant to the intended use of the site and the range of uses provided for by the underlying zone district. In no instance shall fill material represent a hazard to those properties adjacent to the site to be filled, nor to the groundwater and local surface waters. In all instances, the city may require written analysis and certification regarding the full composition and potential health hazard of any material regulated by this section, provided, however, this analysis and certification shall be required for the use of industrial by-products and cinders. All analysis and certification shall be completed by a

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testing laboratory meeting the certification requirements of the Michigan Department of Environment, Great Lakes, and Energy and the United States Environmental Protection Agency, as applicable.

**Excavation and Fill Standards** - The excavation and filling of land:

**Surface Water** - Shall not cause surface water to collect or to run off onto adjoining lands contrary to normal and natural drainage patterns.

**Emissions** - Shall not result in off-site fugitive dust, grime, fumes, or odors above the levels existing prior to the excavation or filling operation.

**Compaction** - All fill shall be properly compacted to ensure a stable surface and to prevent settling which may be disruptive to buildings and structures.

**Use** - Shall not result in a situation or condition such that the use of the land as designated by this Ordinance is no longer viable.

**Adjacent Land Use Impacts** - Shall not reduce the stability, nor bearing capacity, of soils on adjoining property. All fill and excavation operations, including the use and temporary parking of equipment, shall be conducted a minimum of fifty (50) feet from adjoining lot lines, provided, however, the Zoning Administrator may authorize a reduction in the required setback based on the determination that a reduction will not represent a harm to surrounding properties.

**Groundwater** - Shall not degrade groundwater quality.

**Light and Air Impacts** - Shall not result in a reduction of light and air to adjoining properties.

**Maintenance of Abutting Streets** - Shall not result in the spread of dirt, mud, or other debris on the public street system resulting from vehicles entering or leaving the site of the excavation or fill.

**Hours of Operation** - Shall only be accomplished between the hours of 8 a.m. and 8 p.m., unless it can be demonstrated that hours beyond these are necessary due to emergency purposes. Approval for extended hours of operation shall rest with the Zoning Administrator. Normal hours shall be resumed upon elimination of the emergency situation.

**Fire or Safety Hazard** - Shall not represent a fire or other safety hazard.

**Site Restoration** - Excavation projects shall require an approved restoration plan. The plan shall incorporate detail on final grades, surface water drainage, vehicular and pedestrian access, buildings and structures, proposed infrastructure, landscape, signage, lighting, sidewalks, and/or other

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such information as applicable to the proposed use, as required under normal site plan review standards.

**Conditions and Performance Guarantee** - In approving an excavation or filling operation, the approving party may establish conditions and/or require a performance guarantee which are determined necessary to protect the health, safety, and welfare of the citizens of Cadillac and to ensure compatibility of the operation with the surrounding neighborhood.

**Permit as Part of a Building Project** - Application for earth moving or filling operations to be completed as a component of a building project, such as the construction of a residential subdivision, may be submitted for review and approval concurrent with the application for the building project. Moreover, the applicant may file a comprehensive (combined) application containing the information necessary for review of all project elements.

**Permit Exemptions** - The following shall be exempt from the permit requirements of this section but shall be required to adhere to the standards of this section:

**Building Foundations** - The removal of soil (earth materials) necessary for the placement of a building foundation or basement which has received a city building permit.

**Normal lawn maintenance.**

**Site landscaping which does not circumvent the intent of this section as determined by the Zoning Administrator.**

**Stock Piling for Business Operations** - Permitted commercial and industrial uses which, by the nature of their business, temporarily stockpile non-hazardous material in excess of three hundred (300) cubic yards (singularly or combined), but not exceeding one thousand (1,000) cubic yards (singularly or combined). Such uses include, but are not limited to, landscape nurseries, lumber yards selling landscape products, industries which package for wholesale or retail soil and gardening products, and industries which stockpile materials for use in the onsite production of energy and products. The temporary stockpiling of material (singularly or in combination) in excess of one thousand (1,000) cubic yards shall require site plan approval by the Planning Commission.

### **Zoning Application Procedures in General**

The process for application and review by the city of Cadillac for site plan review, special use permits, planned unit development (PUD), amendments to this Ordinance and rezoning of land, request for variances, and other zoning actions are set forth in those sections of this Ordinance dealing with the specific action sought. Application submittal dates, application forms, and fee requirements are available from the office of the Zoning Administrator of the city of Cadillac. A fully executed application and payment of fees shall be submitted to the Zoning Administrator in order to initiate official consideration of any zoning matter.

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### Required Area or Space

**Required Area and Dimensions** - No lot, required yard area, required parking area, required lot width, or other required open space shall be created, divided or reduced in dimensions or area below the minimum requirements of this Ordinance. The minimum area for any new lot or parcel shall be no less than the minimum lot size of the underlying zone district in which the lot or parcel will be located. If already less than the minimum requirements of this Ordinance, a lot, required yard, parking area, lot width, or space shall not be divided or reduced in dimensions or area so as to increase noncompliance with the minimum requirements of this Ordinance.

**Double Counting of Designated Space Prohibited** - Unless otherwise permitted by this Ordinance, no space which for purpose of a use or building has been counted or calculated or included as part of a yard area or other space required by this Ordinance may be counted or calculated or included to satisfy the yard or other space requirements for any other use or building.

### Projection into Yards by Architectural Building Features, Stoops, Decks, Balconies, and Window Awnings

**Projection into Yards** - Provided they do not pose a threat to the public health, safety, welfare, or damage to adjoining properties, certain architectural features and structures may project into required yards. The most extreme (outward) point of the feature and/or structure shall be used when measuring the permitted yard encroachment. In all instances, projections shall be subject to review and approval by the Zoning Administrator. In making a determination of approval, the Zoning Administrator may consult with the Building Inspector, Fire Chief, or other individuals for purposes of determining potential impacts on the public health, safety, welfare, or damage to adjoining property.

**Cornices, Eaves, Gutters, Building Overhangs, Chimneys, Pilasters and Similar Features** - may project into required yards as follows:

- 1) Three (3) feet into a required front yard.
- 2) Five (5) feet into a required rear yard.
- 3) Two (2) feet into a required side yard.

**Unenclosed Stoop, Deck, Balcony, or Window Awning** - may project into required yards as follows:

- 1) Five (5) feet into a required front yard.
- 2) Ten (10) feet into a required rear yard.

**Stoop or Deck Enclosed by Privacy Fencing** - may project up to ten (10) feet into a required rear yard subject to the following restrictions: **Is all of the following detail really necessary?**

**Location** - The stoop or deck shall be attached to, or within twelve (12) inches of, the principal dwelling.

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**Design** - The enclosure shall be designed and constructed as privacy fencing, as opposed to an enclosed seasonal or year-round living space such as an enclosed porch, sunroom, family room, etc.

**Roof Coverage** - The privacy fencing may be covered by a roof type structure or covering, provided, a minimum gap of two (2) feet between the roof or covering and fence shall be maintained, except for the exterior wall of the home to which the roof structure or covering is attached or abuts. No more than twenty (20) percent of the required gap may be blocked by roof supports or other structural elements.

**Height** - The height of the privacy fence located on deck shall not exceed:

- a. Six (6) feet for a deck located off the first floor.
- b. Five (5) feet for a deck located off a second story.
- c. Four (4) feet for a deck located above a second story.

**Attachments** - The above projection distance shall include any eave, gutter, or similar device or feature which may be attached to the stoop, deck, roof, or covering.

**Steps and Landing Only** - Steps and an adjoining landing, the landing not to exceed four (4) by four (4) feet, may project into a required side yard if located directly off a main floor exterior door. The projection shall be at least three (3) feet from the side lot line.

**Low Level Rear Yard Decks and Patios** – Will this exceed John’s lot coverage standards?

Low level decks and patios shall be located in the rear yard subject to the following restrictions:

**Review Authority** - A deck or patio shall be subject to site plan review and approval by the following party: **Is this needed given your new lot coverage table?**

Zoning Administrator – Covering up to fifty (50) percent of the rear yard.

Planning Commission – Exceeding fifty (50) percent of the rear yard.

**Height** - The deck or patio surface shall not exceed twelve (12) inches above ground height.

**Setback** - The deck or patio shall be at least five (5) feet from any side lot line and twenty (20) feet from a rear lot line.

**Other Structures** - No portion of the deck or patio located in a required yard area may contain a roof, provided, however, a permitted accessory structure located on a deck or patio such as a pool shower area, changing room, sauna, utility building, and other permitted accessory building may possess a roof.

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**Surface Water Management** - Adequate provisions shall be made to ensure the proper handling of surface water. The deck or patio shall not result in damage to adjoining properties due to modifications to normal surface water drainage patterns.

**Conditions** - In granting approval, the Zoning Administrator or Planning Commission may require additional conditions including, but not limited to, perimeter landscaping; restrictions on the design, placement, and use of an accessory building; and reduction in deck height and/or yard area coverage.

### **Building Code Requirements for Yard Projections**

A yard projection permitted by this Ordinance shall not violate any provisions of the City Building Code.

### **Limits of Encroachment for Public Right-Of-Way or Easement**

A projection permitted by this Ordinance must be at least three (3) feet from any public right-of way or public easement, provided, however, a greater distance may be required by the city if determined necessary for the maintenance or protection of public facilities located in the right-of-way or easement.

### **Mechanical Equipment**

**Roof and Ground Mounted** - Except as noted under **Section \_\_\_\_**, mechanical equipment, including water and gas meters; elevator housing; stairways; tanks; heating, ventilation, and air conditioning equipment (HVAC); and other similar equipment shall comply with the following standards:

**General Provision** - All such equipment, roof or ground mounted, shall be screened by a solid wall, fence, landscaping or architectural feature that is compatible in appearance with the principal building.

**Roof Mounted** - Roof-mounted equipment shall not exceed a height of ten (10) feet above the surrounding roof surface and shall occupy no more than fifteen percent (15%) of the total roof area.

**Ground Mounted** - Shall be placed in a non-required side or non-required rear yard.

**Exemptions** - The following shall be exempt from the above provisions: Single and two-family dwellings and window air conditioning units.

**Outdoor Furnaces** - No outdoor furnaces, such as wood boilers and similar devices, shall be installed or operated anywhere in the city of Cadillac.

### **Essential Public Services**

The erection, construction, alteration or maintenance of essential public services shall be permitted in any zoning district subject to the following review and approval procedures:

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**Review and Approval by Zoning Administrator** - The Zoning Administrator shall have authority to review and approve essential public services buildings not exceeding a ground floor area of six hundred (600) square feet nor **fourteen (14) feet** in height, and which do not possess an outside storage area. A site plan shall be submitted to the Zoning Administrator for review and approval. The site plan shall include those elements required by of this Ordinance, provided, however, the Zoning Administrator may waive any required site plan element which he/she determines is unnecessary to make a determination of conformity of the essential public services building with the character of the surrounding neighborhood and this Ordinance.

**Review and Approval by Planning Commission** - Essential public services buildings having a ground floor area exceeding six hundred (600) square feet or **fourteen (14) feet** in height, all essential public services outdoor storage areas including any buildings associated therewith, and all sub-stations shall require site plan review and approval by the Planning Commission pursuant to the Site Plan Review and Approval Standards of this Ordinance.

**Design** - All buildings and storage areas used for essential public services shall be designed, erected, and landscaped to conform harmoniously with the character of the surrounding neighborhood.

**Communication Towers** - Communication towers shall comply with the provisions of **Section \_\_\_\_\_** of this Ordinance.

### **Principal Building, Structure and Use**

No lot may contain more than one principal building, structure, or use, provided, however, this provision shall not apply to groups of multiple family dwellings, commercial buildings, industrial buildings, other groups of buildings permitted by this Ordinance, or other groups of buildings which have been determined by the city, after review as based on the requirements of this Ordinance, to be a principal use collectively.

### **Repair and Storage of Vehicles in Residential Districts**

**Vehicle Repair, Restoration, and Maintenance** - The carrying out of repair, restoration, and maintenance procedures on vehicles in any residential zoning district shall be subject to the following requirements:

**Time Limit** - Procedures exceeding forty-eight (48) hours in duration or which require the vehicle to be immobile or inoperable in excess of forty-eight (48) hours shall be carried out within an enclosed building such that neither the vehicle nor any aspect of the repair shall be visible from off-site.

**Site Location** - No repair shall occur within any portion of a front yard, including driveways, in excess of twenty-four (24) hours.



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**Visibility** - Inoperable and unlicensed vehicles, vehicle parts, packaging material, equipment, and other materials shall be stored inside an enclosed building such that the vehicles, vehicle parts, materials, and equipment shall not be visible from off-site.

**Ownership** - The vehicular repair shall be of a non-commercial nature and shall be limited to vehicles owned by the occupant of the site upon which the vehicle is located.

**Parking and Storage of Trucks and Construction Equipment** - It shall be unlawful for the owner, tenant or lessee of any lot in any residential zoning district to permit the open storage or outdoor parking of semi-tractor trucks and semi-tractor trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery, unless parked thereon while in use for construction on the lot. This construction shall be based on issuance of a current building permit. All machinery and equipment shall be removed within one (1) week of the completion of construction, issuance of a certificate of occupancy, or expiration of the building permit, whichever occurs first.

**Parking and Storage of Commercial Vehicles in the Public Right-of-Way** - In any residential zoning district the use of the public right-of-way for the parking and storage of semi-tractor trucks and semi-tractor trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery is prohibited, except as noted:

**Delivery and Moving Operations** - The temporary parking of semi-tractor trucks and semi-tractor trailers and other commercial trucks and vans may occur when directly associated with the short-term delivery and/or pick-up of household goods and merchandise, mail delivery, moving of household goods, and similar operations associated with a use permitted in the underlying residential zone district. The temporary parking of vehicles shall be limited to the time necessary to complete the delivery and/or moving operation. Temporary parking in excess of forty-eight (48) hours shall be classified as vehicular storage and shall be prohibited unless authorization for a longer period of time as been obtained from the Zoning Administrator after consultation with the City Police Department.

**Construction Equipment** - Subject to approval of the Zoning Administrator, following consultation with the City Police Department, the temporary parking and storage of semi-tractor trucks and semi-tractor trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery may be parked in the public right-of-way while in use for construction on a lot or parcel directly adjacent to the public right-of-way on which vehicles and equipment are to be parked. Said construction shall be based on issuance of a current building permit. All machinery and equipment shall be removed immediately upon completion of construction, issuance of a certificate of occupancy, or expiration of the building permit, whichever occurs first. Parking in the right-of-way shall not result in a vehicular or pedestrian safety hazard, nor shall said parking disrupt normal traffic and pedestrian flow patterns.

**Traffic Safety and Parking Regulations** - The above exceptions shall not overrule traffic safety and/or parking regulations in force by the city of Cadillac pursuant to the use of public streets and public right-of-way.

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### **Use of Yard Spaces and Other Open Areas for the Storage of Machinery and Equipment, Wood and Compost Piles Impacting Residential Parcels**

On any residential parcel no machinery, equipment, lumber piles, crates, boxes, junk, debris, or other materials shall be stored in any yard or open area that is visible from the street, public right-of-way, or adjoining residential property, provided, however:

**Temporary Placement of Machinery and Equipment Used for Building Activities** - Machinery, equipment, and supplies being used for on-site construction activity for which a current building permit has been issued may be stored on-site. All machinery, equipment, and supplies shall be removed within one (1) week of the completion of construction, issuance of a certificate of occupancy, or expiration of the building permit, whichever occurs first.

**Wood Used for Home Heating** - Cut lumber and wood to be used for the heating of a home or accessory building may be stored outside in a rear yard, **and rear and non-required front yard of a lake front lot**, provided, the wood and lumber shall be neatly stacked, shall not harbor vermin or pests, shall be limited to no more than four full (4) cords, shall not exceed the maximum fence height for rear yards, and shall be a minimum of five (5) feet from an adjoining property line. **Cut lumber and wood stored in the front yard of a lakefront lot shall be screened by landscaping, including the use of natural vegetation.** The wood or lumber shall be for the sole purpose of heating a home or accessory building located on the site at which the wood or lumber is stored. This provision shall not include, nor permit, the commercial storage, commercial cutting, or sale of wood and lumber from a residential premises nor shall it permit the installation of an outside wood furnace (boiler).

**Non-Commercial Compost Piles** - Compost piles may be constructed subject to the following provisions:

**Placement** - The pile shall be confined to the rear yard and at least five (5) feet from any adjoining lot line.

**Prohibition of Garbage and Trash** - The pile shall not be used for the placement of household garbage and trash and shall be maintained free of odors and rodents.

**Secure Placement** - The pile shall be properly secured to prevent the off-site movement of leaves and other compost materials.

**Commercial Compost Operations** - shall be restricted to those districts permitting same.

### **Lakefront Lots – Application of Dimensional Standards**

**Due to historic development patterns, buildable lots with frontage on both a public or private street (roadway) or access easement and frontage on Lake Cadillac shall be treated as follows:**

**Lake Frontage – That portion of the lot between the lake frontage (shoreline) and the principal structure shall comply with the front yard standards of the underlying zone district.**

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Street Frontage – That portion of the lot between the street (roadway) frontage or access easement and the principal structure shall comply with the rear yard standards of the underlying zone district.

### Accessory Buildings, Structures and Uses

**Accessory to Principal Building, Structure, or Use** - Accessory buildings, structures, and uses are permitted only in connection with, incidental to, and on the same lot with a principal building, structure or use. Unless otherwise provided by this Ordinance, no accessory building, structure, or use may be placed on a lot without a permitted principal building, structure or use. Accessory buildings, structures, and uses shall:

**Zone District Requirement** - An accessory building, structure, or use must be in the same zoning district of the associated principal building, structure, or use.

**Use Requirement** - No accessory building, structure, or use shall be utilized unless the principal structure to which it is accessory is occupied or utilized.

**Yard Location** – Unless otherwise provided for by this Ordinance, an accessory building, structure, or use shall be located as follows:

**Front and Side Yard** - No detached accessory building, structure or use shall be erected or placed within any front yard or within a required side yard unless located behind the rear dwelling line or otherwise permitted by this Ordinance.

**Relationship to Principal Dwelling** - An accessory building, structure, or use with less than a one (1) hour fire rating along any wall facing a dwelling shall be a minimum of ten (10) feet from the principal dwelling, provided, however, a breezeway may be constructed in the required ten (10) feet isolation distance connecting an accessory building with the dwelling.

**Side and Rear Lot Lines** - An accessory building, structure, or use shall be at least five (5) feet from any side or rear lot line.

**Corner Lots** - On corner lots, no accessory building, structure, or use shall encroach on the required front yard setback of an adjoining property (as though the setback were extended onto the subject property).

**Attached Garage Beyond the Front Building Line** - An attached garage may be erected to extend beyond the front building line of the dwelling if the garage has been designed as an integral part of the dwelling and will be constructed of materials architecturally and aesthetically compatible with the dwelling. In no instance, however, shall the garage extend beyond the required front yard setback line. All other setbacks must be consistent with those required for the dwelling to which the garage is attached.

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**When Attached to a Principal Building or Structure** - Unless specifically provided for, accessory buildings or structures structurally attached to a principal building or structure including, but not limited to, porches enclosed by walls or garages and carports attached to a dwelling unit or other principal building in a substantial manner, such as a wall or roof, shall be deemed a part of the main building and shall be subject to all the regulations of this Ordinance applicable to principal buildings, structures, and uses.

**Construction Standards** - Accessory buildings shall be stick-built or of equivalent new building construction and shall be designed and constructed consistent with the character of the principal use. No mobile home, tank, junk object, salvage materials, trailer, vehicle, or similar item shall be utilized as an accessory building or storage structure; provided, however, the above requirements shall not be applicable to agricultural storage buildings or activities associated with a farm operating under the Michigan Right to Farm Act.

**Temporary Storage Structures** – See Temporary Buildings and Structures, Section \_\_\_\_.

**Number of Buildings** - No more than two (2) detached accessory buildings shall be permitted on any lot, provided, however, dog pens and similar animal enclosures, swimming pools, satellite dish antennas, towers and antennas, and decks shall not be counted when determining the maximum number of permitted buildings or structures.

**Height** - The maximum building height of any detached accessory building shall be fourteen (14) feet.

**John's Coverage Chart - Area** - Unless otherwise provided for by this Ordinance, the total square footage of all accessory buildings located on a lot shall not exceed forty (40) percent of the rear yard area or 40% the ground floor area on the largest floor in the principal building located on the lot. Pursuant to the above calculation, the following shall not be considered part of the ground floor area of the principal building:

Basement

Attached garage or carport

Unenclosed porch and decks

Features determined by the Zoning Administrator to be of a character similar to the above. John – how have you/Mike been treating garages, carports, etc.? If they are excluded as part of the floor area of a principal building, the potential size(s) of accessory buildings will be less.

### **Private Solar Energy Systems for Single-Family Homes (What about duplexes?)**

Private Solar Energy Systems designed with a capacity to serve one on-site single-family dwelling shall be permitted as an accessory use to single-family homes in all zoning districts, provided that:

**Building and Roof Mounted** - No part of a Private Solar Energy System erected on a roof shall extend beyond the peak of the roof. If the private solar energy system is mounted on a building in an

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area other than the roof, no part shall extend beyond the wall on which it is mounted. Building wall mountings shall be limited to the rear walls. Provided, however, the Zoning Administrator may consider placement in a front or side yard wall if the property owner can adequately demonstrate to the satisfaction of the Zoning Administrator that placement of the system on a rear yard wall will result in an average number of peak sun hours less than the average number of peak sun hours for Cadillac as a whole; and, the average number of peak sun hours available to a front or side yard wall location exceeds the average peak sun hours available to a rear yard wall location.

**Ground Mounted** – Ground mounted solar energy systems shall:

**Accessory Building Space** – The area (square feet) taken up by the solar panel array shall be counted as accessory building space. Said area shall be based on the total surface area of the solar panels or the exterior limits of the area of the frame to which the solar panels are affixed, if greater. In no instance shall the area exceed four hundred fifty (450) square feet.

**Site Plan Requirement** - Prior to the installation of a ground mounted Private Solar Energy System, the property owner shall submit a site plan to the Zoning Administrator. The site plan shall include the location of property lines, buildings, fences, greenbelts, and road right of ways, setbacks from the principal structure and all lot lines, panel type and size, location and size of support structures, and type and location of transmission lines, wires or conduits connecting the system with the home's power unit.

**Location** - A ground mounted Private Solar Energy System shall only be permitted in a rear yard and shall be setback a minimum of five (5) feet from any lot line and a minimum of ten (10) feet from the principal building on the lot or any other accessory building. Provided, however, the Zoning Administrator may consider placement in a front or side yard if the property owner can adequately demonstrate to the satisfaction of the Zoning Administrator that placement of the system in the rear yard will result in an average number of peak sun hours less than the average number of peak sun hours for Cadillac as a whole; and, the average number of peak sun hours available to a front or side yard location exceeds the average peak sun hours available to a rear yard location.

In approving a front or side yard location, the Zoning Administrator may require the installation of landscape materials to help mitigate the visual impacts of the system on surrounding properties. Landscaping shall be placed prior to the installation of the Solar Energy System.

**Maximum Height** - A ground mounted Private Solar Energy System shall not exceed the maximum building height for adjacent accessory buildings, but in no case shall the maximum height of any ground mounted system exceed 14 feet above the ground when oriented to maximum tilt.

**System Infrastructure** - All power transmission lines, wires or conduits from a ground mounted Private Solar Energy System to any building or other structure shall be located underground. If batteries are used as part of the ground mounted Private Solar Energy System, they must be placed in a secured container or enclosure. Visible signage must be provided with disconnection procedures for emergency first responders in case of fire or emergency.

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**Code Compliance** – All systems shall conform to applicable local, county, state, and federal regulations.

**Abandonment** - In the event that a Private Solar Energy System has been abandoned for a period of one (1) year or is no longer functional it shall be removed by the property owner within six (6) months from the date of abandonment or determination by the city that the system is no longer functional.

**Homeowners Association Regulations** – These regulations do not override the more stringent regulations of Homeowners Associations.

### **Satellite Dish Antennas and Antennas and Towers**

It is the intent of the following regulations to accommodate the changing communication needs of residents and businesses while protecting the public health, safety, and general welfare of the city. As such, these regulations recognize the need to provide opportunity for various forms of personal and business communication systems, many of which are experiencing change as a result of technological advances. The following standards governing satellite dish antennas and towers and antennas have been divided into two (2) sections. The first section deals with satellite dish antennas and towers and antennas of a non-commercial nature which may be found in residential settings. In most instances, these facilities are for the individual and personal needs of the residents or occupants located on the site at which the satellite dish antenna or other instrument is found. The second section deals with towers and antennas for commercial use.

**Satellite Dish Exemption** - A satellite dish having a diameter not exceeding one (1) meter (39.37 inches) shall be exempt from the provisions of this section, provided, however, the antenna shall not extend more than thirty-six (36) inches above the highest point of the roof of the building to which the antenna may be attached.

**Application Requirements** - Applicants shall submit an application and fee prior to consideration of a request. Application forms and fee schedules shall be available from the Office of the Zoning Administrator. In addition to the site plan and special land use information (as applicable) required elsewhere in this Ordinance, applications for combined towers and antennas one hundred (100) feet in height or greater shall include the following information, provided, however, the city may require this information for towers and antennas of less height if necessary to determine compliance with the provisions of this Ordinance:

**Engineer's Report** - A report from a qualified and licensed professional engineer registered in the State of Michigan which:

**Design** - Describes the tower height and design including a cross section and elevation.

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**Height** - Documents the height above grade for all potential mounting positions for co-located antennas and the minimum separation distances between antennas.

**Capacity** - Describes the tower's capacity, including the number and type of antennas it can accommodate.

**Interference** - Documents what steps the applicant will take to avoid interference with established public safety telecommunications.

**Code Requirements** - Documents that the tower will comply with City Electrical and Building Code requirements.

**Wexford County Airport and Federal Aviation Administration** - Proof that the tower complies with regulations administered by the Wexford County Airport and Federal Aviation Administration.

**Engineer Certification** - Includes the Engineer's professional seal and registration number.

**Other Placements** - For placement of wireless telecommunication antennas on roofs, walls, and existing towers, the Engineer's Report shall include detail on the existing structure or tower's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure or tower. Complete details of all fixtures and couplings, and the precise point of attachment shall be indicated.

**Other Information** - Other information necessary to evaluate the request.

**Letter of Intent to Shared Use of Tower** - For all commercial wireless telecommunication service towers in excess of one hundred (100) feet, a letter of intent committing the tower owner and his or her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.

**New Towers and Co-Location Requirements** - Any proposed commercial wireless telecommunication service tower shall be designed, structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least four (4) additional users. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.

**Tower Construction and Design Requirements** - All towers shall comply with the following construction and design requirements:

**Building Codes** - All towers erected, constructed, or located in the city, and all structural elements and wiring therefore, shall comply with the Building Codes of the city of Cadillac.

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**Color and Architectural Treatment** - Towers and antennas shall be designed to blend into the surrounding environment through use of color and camouflaging architectural treatment, except in instances where the color and treatment is dictated by federal or state authorities.

**Monopole Design** - Commercial wireless communication service towers shall be of monopole design unless the city determines that an alternative design would enhance the blending of the tower with the surrounding environment. Alternative designs may be approved provided the applicant provides written certification from a qualified and licensed professional engineer registered in the State of Michigan detailing the reasons (design, construction, and otherwise) for replacement of a monopole design with an alternate design.

**Lighting** - Towers shall not be illuminated by artificial means and shall not display strobe lights unless the lighting is specifically required by state or federal authority. When incorporated into the approved design of the tower, light fixtures used to illuminate parking lots or similar areas may be attached to the tower.

**Signs and Advertising** - The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.

**View Impact** - A proposed tower shall not unreasonably interfere with the view from any public park, natural scenic vista, **historic building or district**, or major view corridor.

**Accessory Utility Building** - All utility buildings and structures accessory to a tower shall be architecturally designed to blend with the surrounding environment and shall meet the minimum setback requirements of the underlying zone district.

### **Fencing and Landscaping (Commercial Towers):**

**Fencing** - Commercial towers shall be properly secured to prevent unauthorized access. The base of the tower shall be fenced and gated. The gate shall be locked at all times, except during those periods in which the tower site is occupied by individuals authorized to enter same. All guy wire and other supports shall be fenced or otherwise properly shielded to prevent injury to the public and local fauna. The city may require additional fencing along the perimeter of the tower site, or any portion thereof, if determined necessary for the public health, safety, or welfare. At the discretion of the city, the perimeter fencing may substitute for fencing to be located at the base of the tower. The fence and gate shall be six (6) feet in height and of cyclone design, or as approved by the city.

**Landscaping** - Landscaping shall be placed along the exterior side of the security fence. The landscaping shall consist of at least two (2) species of hardy evergreen trees which shall be no less than five (5) feet in height at time of planting and having the potential to reach a minimum height of twenty (20) feet at maturity. The trees shall be spaced at intervals no greater than twenty (20) feet on-center, provided, however, the city may require an increase in density in order to mitigate the visual



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impacts of the tower base and any ground mounted equipment and buildings. Where feasible, natural vegetation shall be maintained and integrated into the overall landscape design.

**Alternatives** - The City may consider alternatives to the above fence and/or landscape design criteria, including non-vegetative screening, provided, an alternative fence and/or landscape and/or non-vegetative screen shall equal or exceed the above standards. In all cases, the design shall reflect and compliment the architectural character of the surrounding neighborhood.

**Co-Location Requirements** - All commercial wireless telecommunication towers erected, constructed, or located within the city shall comply with the following co-location requirements:

**Search Radius** - A request for a new commercial wireless communication service tower shall not be approved unless the City Council finds that the telecommunication equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within the following search radius:

Tower Height	Search Radius Distance
Under 100 feet or greater than 20 feet if located on a building.	1,320 feet
100 feet to 200 feet.	2,640 feet
Greater than 200 feet.	5,280 feet

**Required Factors to Demonstrate Inability to Co-Locate** - An applicant must demonstrate that an available existing or approved tower or building within the above search radius is not capable of supporting the proposed tower due to one (1) or more of the following reasons:

**Structural Capacity** - The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and licensed professional engineer, and the existing or approved tower or building cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.

**Interference** - The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified and licensed professional engineer and the interference cannot be prevented at a reasonable cost.

**Proper Function** - Existing or approved towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer.

**Other** - Other unforeseen reasons that make it infeasible to locate the planned telecommunications equipment upon an existing or approved tower or building.

**Abandoned or Unused Towers or Portions of Towers** - Abandoned or unused towers or portions of towers shall be removed as follows:

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**Removal and Extension Periods** - All abandoned or unused towers and associated facilities shall be removed within twelve (12) months of the cessation of operations at the site, provided, however, an extension of twelve (12) months may be granted by the city, subject to receipt of a written request by the applicant outlining the reasons for the extension and detailing the proposed method for making the tower operational within the extended time frame. The request for extension and processing fee shall be submitted to the Zoning Administrator prior to the end of the twelve (12) month cessation period. The Zoning Administrator shall forward the application to the party responsible for the original approval. At their next regular meeting, the party may approve, approve with conditions, or deny the request. In the event original approval was authorized by the Zoning Administrator, the Administrator shall process the request within seven (7) working days after receipt of the written request for extension.

**Removal of Towers on Leased or Rented Sites** - For towers located on leased or rented sites, the signed lease shall include language requiring the applicant (the lessee) to remove the tower and associated facilities within a period no greater than twelve (12) months after cessation of operations at the site. The city shall be provided with the relevant portions of the signed lease which requires the applicant to remove the tower and associated facilities as required above. Nothing in this section, however, shall prevent the property owner (lessor) from requiring a more stringent removal time frame.

**City Removal of Tower** - In the event an abandoned or unused tower is not removed as provided for by this Ordinance, the tower and associated facilities may be removed by the city, with the cost of the removal assessed against the property.

**Removal of Portion of Tower Previously Holding an Antenna** - Unused portions of towers above a manufactured connection which previously held an antenna shall be removed within twelve (12) months of the time of antenna relocation.

**Interference with Public Safety Telecommunications** - No new or existing telecommunications service shall interfere with public safety telecommunications. The city may require applications for new service to be accompanied by an Intermodulation Study which provides a technical evaluation of existing and proposed transmission and indicates all potential interference problems. In the event this study is required, before the introduction of new service or changes to existing service, telecommunication providers shall notify the city at least thirty (30) days in advance of such changes and allow the city to monitor interference levels during the testing period.

**Zoning Board of Appeals Relief** - The Zoning Board of Appeals shall be authorized to permit the placement of an antenna, tower, or satellite dish antenna in those locations not expressly authorized by this Ordinance, provided, an applicant demonstrates thorough documentation that adequate reception may only be achieved through relocation and placement as requested. In approving a request, the Zoning Board of Appeals may establish reasonable conditions to mitigate potential impacts of the

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antenna, tower, or satellite dish location including conditions for screening, fencing, placement, color, height, and related pertinent items.

### **Temporary Buildings and Structures**

Temporary buildings and structures, including trailers, incidental to construction work on a lot, may be placed on the lot, subject to the following restrictions:

**Use** - Temporary buildings and structures may only be used for the storage of construction materials, tools, supplies and equipment, for construction management and supervision offices, and for temporary on-site sanitation, solid waste or fuel facilities, related to construction activity on the same lot.

**Dwelling Prohibition** - No temporary building or structure shall be used for dwelling purposes.

**Building Permit Required** - A building permit for the principal building or structure for which a temporary building or structure is required shall be obtained prior to the placement of the temporary building or structure.

**Placement** - The placement of a temporary building or structure shall be subject to review and approval by the Zoning Administrator.

**Removal** - Temporary buildings and structures shall be removed from the lot within thirty (30) days of the completion of construction, issuance of a certificate of occupancy, or expiration of the building permit, whichever occurs first.

### **Sidewalks and Activity Paths – [John, the sidewalk Ordinance approved by council needs to be considered here.](#)**

Sidewalks and paths are structures used for the conveyance of pedestrians, normally via a walking mode. However, in certain instances, a sidewalk or path may be designed and constructed to accommodate pedestrians in a running/jogging mode, for nonmotorized bicycling, or for other such purposes. Sidewalks and pathways shall comply with the following:

**Proximity to Lot Lines** - Except for public sidewalks and public paths located in a public right-of-way or other right-of-way or easement providing for public access, sidewalks and paths shall be at least three (3) feet from all public right-of-way and lot lines. Public sidewalks and paths may be located per the requirements of the City after Site Plan Review and approval.

**Design and Construction Standards** - Public Sidewalks and Paths shall meet the design and construction requirements of the City of Cadillac:

**Private Sidewalks and Paths** - Private sidewalks shall:

**Width** - Not exceed sixty (60) inches in width unless a greater width and/or height have been approved by the Planning Commission after Site Plan Review.

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**Material** - Be constructed of hard surfaced material, such as concrete, asphalt, or brick pavers, or may be constructed of treated wood. Pursuant to the approval of a private sidewalk or path, the City shall have the authority to specify the dimensions and material used for construction purposes.

**Non-Pedestrian Use** - Any sidewalk or path designed and constructed for use by other than strictly pedestrians walking shall be subject to Site Plan Review and approval by the Planning Commission.

### Yard (Garage) Sales

**Maximum Period of Operation** - No yard or garage sale shall be held on a lot or property for more than nine (9) days in total per calendar year nor for more than three (3) consecutive days during any one period of time.

**Hours** - In Residential Zone Districts, no yard or garage sale shall occur after 8 p.m.

**Daily Removal of Items** - In Residential Zone Districts, items placed outdoors during a daily sales period shall be removed and placed in-doors during the evening and overnight hours.

**Signs** - Should this be covered here or in the sign regulations?

### Sidewalk Cafes (Outdoor Cafes) Located on Public Property

Sidewalk cafés with and without alcohol service are subject to the following regulations:

**Site Plan** - A site plan shall be submitted with a sidewalk café permit application that identifies the proposed location of all sidewalk café furniture and equipment, including any lighting, relative to the public right-of-way.

**Permit** - A sidewalk café permit shall be issued by the city following a determination of compliance with the provisions of this Ordinance. **The permit shall automatically expire after 360 days.** Issuance of a new sidewalk café permit shall require compliance with the provisions of this Ordinance. The sidewalk café permit issued in accordance with this article shall be prominently displayed. **Why can't permits go beyond 360 days provided all conditions are complied with?**

**Location** - Sidewalk cafés may only be located adjacent to the restaurant or food service business with which they are associated. This requirement may be waived, however, to extend the sidewalk café to an adjacent property if deemed appropriate after city review and agreeable to the adjacent property owner.

**Pedestrian Circulation and Safety** - Sidewalk cafés shall not unduly obstruct pedestrian movement nor diminish the safety of the general public. A clear path of not less than 60 inches shall be maintained along the full length of the sidewalk for general pedestrian use.

**Equipment Design, Location and Daily Removal** - Tables, chairs and other facilities shall be compatible with the architectural character of adjacent buildings and shall be located near the

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building wall. Tables, chairs, portable signs and other equipment used in the operation of the café shall be removed daily at the close of business.

**Litter and Debris** - The immediate area of the café shall be maintained free of litter and debris.

**Hours of Operation** - Hours of operation of the sidewalk café shall not be later than 11:00 p.m.

**Period of Operation** - The sidewalk café shall not occur before April 1 or after November 30.

**Liability Insurance** - A certificate of general liability insurance that names the city and its officers and agents as additional insureds and provides for a least 15 days' notice of cancellation must be submitted prior to issuance of a sidewalk cafe permit. The minimum amount of coverage required is \$1,000,000.00 per occurrence and \$2,000,000.00 in aggregate.

**Suspension of the Sidewalk Cafe (Temporary and Permanent)** - The city shall have the right to suspend the operation of a sidewalk café because of anticipated or actual problems or conflicts in the use of the public sidewalk. Such problems may arise from, but are not limited to, festivals and similar events, parades, or repairs to the street, sidewalk or utilities within the public right-of-way. To the extent possible, the café owner will be given prior written notice of any time period during which the operation of the sidewalk café may be suspended.

**Revocation** - All permits issued under this section are subject to immediate suspension or revocation by the city manager or his or her designee for failure to comply with any or all provisions of this section. Revocation shall be reserved for third offense repeat violations and violations that present an egregious safety risk to the public. Persons who have had their permit revoked may request in writing a hearing on that revocation before the city council. Requests for a hearing or an appeal must be made within five business days of the revocation.

### **Sidewalk Cafés with Alcohol are Subject to the Following Additional Regulations:**

**State Licensing** - The operator of the sidewalk café shall take whatever steps are necessary to procure the appropriate license from the Michigan Liquor Control Commission if he or she intends to serve alcoholic beverages in the sidewalk café area and shall comply with all other laws and regulations concerning the serving of alcoholic beverages in the State of Michigan.

**Food Service Eligibility Requirement** - To be eligible to apply for a sidewalk café, the adjoining restaurant or food service business from which the sidewalk café extends must provide a full-service menu for the on-site consumption of food.

**Adjacent Property Owner Notification** - Notice to the adjacent property owners or occupants on both sides of the applicant's property shall be required before issuing a permit. Proof of this notice shall be provided to the city by the applicant seven days prior to the issuance of a permit.

**Pedestrian Barrier Separation** - The sidewalk café area shall be separated from pedestrian traffic by an approved barrier, which can consist of planters, railings and other similar materials. The

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barrier shall be removed daily at the close of business. All barriers used for sidewalk cafés serving alcoholic beverages shall also conform to Michigan Liquor Control Commission Regulations.

**Sign Requirement** - A sign reading "No Food or Beverage Allowed Beyond Railing" shall be posted at a conspicuous location within the sidewalk café.

**Service to Patrons** - All alcoholic beverages to be served at sidewalk cafés shall be prepared within the adjacent indoor restaurant or food service business, and alcoholic beverages shall only be served to patrons seated at tables. The drinking of alcoholic beverages by a member of the public while a patron at a sidewalk café within the confines of the sidewalk café area shall not be construed as a violation of any ordinance controlling open containers in a public area.

**Supervision** - Sidewalk cafés serving alcohol shall be continuously supervised by employees of the establishment.

### **Airport Safety Design Standards**

To reduce potential hazards and to enhance the safety of air travel, no use of land in the city shall conflict with the provisions of the Wexford County Airport Zoning Manual nor federal regulations governing airport safety.

### **Home Occupations – Need to Review**

A home occupation shall be permitted by right if it meets the below listed requirements. The home occupation:

**Maintenance of Residential Character** - The home in which the home occupation is proposed must be used principally for residential purposes. No more than twenty percent (20%) of the residential floor area may be dedicated to the home occupation.

**Noticeable Activity** - Shall not involve any activities that are discernible from the exterior and shall not result in the exterior of the home having other than a residential appearance, except for a wall sign as permitted by \_\_\_\_\_.

**Employees** - No persons other than those who reside within the residence may be employed in the home occupation.

**Dangerous Materials** - Shall not involve the storage or use of any materials for which there is high risk of flammability or explosion.

**Client Trips** - Shall not generate more than five (5) client trips to the home during the hours of 8:00 AM to 8:00 PM. Clients shall not be received during other hours.

**Deliveries** - Shall not involve deliveries by trucks greater than normal U.S. Postal or similar parcel delivery service step-type vans.

**Noise and Public Nuisance Ordinance Compliance** - Shall not emit noise in violation of the city of Cadillac Noise and Public Nuisance Ordinances.

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**Instruction in Crafts, Music or Fine Arts** - Instruction in a craft, music, or fine art within a dwelling, by a resident member of the family residing in the dwelling, shall be considered a home occupation and shall be subject to the requirements for a home occupation.

**Registered Caregiver Pursuant to the Michigan Medical Marihuana Act** - The occupation of a registered caregiver pursuant to the Michigan Medical Marihuana Act shall be considered a home occupation and shall be subject to the requirements of home occupations and shall also comply with the following:

**Compliance** - The medical use of marihuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the administrative rules of the Department of Community Health.

**Distance Stipulation** - A registered caregiver must be located outside of a 1,000-foot radius from any school or library as defined by the Michigan Public Health Code to insure compliance with the Federal Drug Free School Zone requirements.

**Security** - All medical marihuana shall be grown and contained within the main dwelling in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit access by the registered primary caregiver or registered qualifying patient. Marihuana plants may not be visible from the exterior of the building.

**Code Compliance** - All building, electrical, plumbing, and mechanical systems shall comply with applicable building and mechanical codes.

**Light Shielding** - If a room with windows is utilized as a growing location, any growing lights used in cultivation between sunset and sunrise shall employ shielding methods to prevent ambient light spillage that may intrude on adjacent residential properties.

**Sign Restriction** - Notwithstanding the above, no sign advertising the business of a registered caregiver may be erected on the premises or be visible outside the premises.

**Caregiver Limit** - Not more than one (1) primary caregiver shall be permitted to operate a home occupation in a single dwelling.

**Marihuana Consumption Visibility** - Marihuana may not be consumed in an area visible to the public or occupants of adjacent properties.

**Non-Resident Use** - Not more than one (1) qualifying patient who is not a resident in the home may consume medical marijuana in the home at any time.

**State and Federal Compliance** - Nothing in this section shall be construed to encourage or condone violations of state or federal law.

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The allowance of a home occupation by the city, subject to the regulations contained in this Ordinance, shall not in any way constitute an acceptance of, or give validity to, the introduction of non-residential uses into any residential zone district.

### **Withholding of Approval Pending Other Local, State, or Federal Approvals**

The Zoning Administrator, Planning Commission, City Council, or Zoning Board of Appeals may withhold granting of approval of any use, site plan, PUD Plan, appeal, or other approval authorized by this Ordinance pending approvals which may be required by local, state, or federal agencies. Except for a rezoning request, and if deemed appropriate, the Zoning Administrator, Planning Commission, City Council, or Zoning Board of Appeals may grant "conditional" approval of a request based on the applicant's successful receipt of necessary local, state, or federal agency approval. In the event local, state, or federal agency approval is not forthcoming, the "conditional" approval granted shall be automatically voided.

### **Standards Applicable to Single-Family Dwellings**

All single-family dwellings, other than those located in mobile home parks as regulated by the Michigan Mobile Home Commission, shall comply with the following standards:

**Mobile Home Certification Requirements** - If the dwelling is a mobile home, the mobile home must be:

**Certification (New and Used Homes)** - New and certified by the manufacturer and/or appropriate inspection agency as meeting the Mobile Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development, as amended, or any similar successor or replacement standards which may be promulgated; or, used and certified by the Building Official to be safe and fit for residential occupancy.

**Design Compatibility** - The mobile home shall be aesthetically compatible in design and appearance to conventional on-site constructed homes and other homes in the area.

**Code Compliance** - The dwelling unit shall comply with all applicable City building, electrical, plumbing, fire, mechanical, energy and other similar codes, provided, however, that where a dwelling unit is required by law to comply with any federal or state standards or regulations for construction, and where the standards or regulations for construction are different than those imposed by city codes, then the federal or state regulations shall apply. Appropriate evidence of compliance with these standards or regulations shall be provided to the Building Official. Notwithstanding compliance with federal or state regulations, the dwelling shall comply with the other standards of this Ordinance.

**Compliance with Zoning Standards** - The dwelling unit shall comply with all requirements of this Ordinance, including, without limitation, the minimum lot area, minimum lot width, minimum residential floor area, required yard and yard setbacks, and maximum building height limitation of the zoning district in which it is located.



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**Removal of Wheels and Tongue** - If the dwelling unit is a mobile home, the mobile home shall be installed with the wheels and tongue removed

**Required Building Elevation** - A dwelling unit shall have front, rear and side elevations of a minimum horizontal dimension of twenty-four (24) feet each.

**Foundation** - A dwelling unit shall be firmly attached to a permanent continuous foundation constructed on the building site, which shall have a wall of the same perimeter dimensions as the dwelling unit and to be constructed of those materials and type as required by the Building Code for on-site constructed single-family dwellings.

**Anchoring System** - If the dwelling unit is a mobile home, it shall be installed on the foundation secured to the building site by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission, or any similar or successor agency having regulatory responsibility for mobile home parks.

**Steps and Porch** - The dwelling shall have permanently attached steps or porch at least three (3) feet in width where there is an elevation difference greater than eight (8) inches between the first-floor entry of the dwelling unit and the adjacent grade. Railings shall be provided on the steps or porch in accordance with the City Building Code.

**Exterior Doors** - The dwelling unit shall have no less than two (2) exterior doors. One (1) door shall be located along a front elevation and one (1) door on a side or rear elevation.

**Roof Loading** - Roofs shall have a forty (40) pound snow load capacity.

**Prohibited Dwellings** - No garage, accessory structure, damaged or incomplete structure shall be used as a dwelling. The basement of an incomplete structure may not be used as a dwelling.