

**PRELIMINARY DRAFT ZONING ORDINANCE FOR PUBLIC FORUM
TUESDAY, JUNE 13, 2023**

**CHAPTER 7
SPECIAL LAND USES**

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Special Land Uses – Public Hearing and Support Documentation

In addition to compliance with the General Site Plan Standards of this Ordinance, special land uses shall be subject to the following additional requirements and standards:

Public Hearing – Special Land Uses - The City Planning Commission shall hold a public hearing on the application for a special land use permit, subject to the following publication and notification procedures: At least 15 days before the date of the public hearing a notice shall be:

Publication and Notification - Published in a newspaper of general circulation in the city and provided by mail or personal delivery to: The owners of the subject property, all persons to whom real property is assessed within 300 feet of the boundary of the subject property and occupants of all structures within 300 feet of the subject property. Each notice shall:

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Describe the Request - Describe the nature of the special land use request.

Location - Indicate the location of the property which is the subject of the request. Where possible, this shall be done by the common property address and legal description.

Hearing Timing and Location - State when and where the request will be considered.

Written Comments - Indicate when and where written comments will be received concerning the request and the timing at which said written comments must be received in order to be considered at the public hearing of the special land use.

Additional Site Plan Information and Support Documentation – Due to the characteristics and potential impacts of special land uses, the following information may be required as part of the public hearing and site plan review process. The information and support documentation are in addition to the basic site plan review and approval standards identified in this Ordinance. The information shall be prepared by qualified individuals and verification of same shall be provided including the names, addresses, registration numbers (if applicable), and resumes of the parties responsible for completion of the documentation. In presenting the analysis of the planning implications and other impacts the applicant shall provide information which describes the methodology used.

Market Need and Implications - An analysis of the need for the proposed development, the ability of the city and/or regional area to support the development, and the economic impact of the development on existing competing uses found within the city.

Traffic Study - Traffic impacts including analysis of trip generation, impact on existing and projected traffic capacities, and impact on surrounding traffic patterns.

Environmental - Environmental impacts regarding noise, odor, vibration, heat, emissions, water quality, and other potential impacts of the use on the environment and neighborhood.

Public Facilities and Services - Impacts on public facilities and services including, but not limited to, sanitary sewers, water, storm drainage, police and fire protection, schools, and recreational facilities. Said impacts shall include detail on the additional demand for public facilities and services resulting from the development and the ability/capacity of public facilities and services to meet the demand.

Neighborhood and Area Impacts - Potential for adverse economic impacts on the neighborhood, surrounding area, and/or city as a whole and the measures proposed to mitigate such impacts.

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Additional Standards by Type of Special Land Use – In addition to compliance with the basic site plan review and approval standards of this Ordinance and the submission of all required additional site plan information and support documentation as referenced above, special land uses shall comply with the following additional standards as noted:

Accessory Dwelling Units – Internal and External (Detached)

Existing Principal Use Requirement – Accessory dwelling units shall only be authorized within, attached to, or on the site of a conforming principal land use. In the event of the new construction of a principal use, the principal use shall be constructed prior to the construction of an external (detached) accessory dwelling unit.

Single-Site Requirement – The land upon which an external accessory building is located shall be included within the legal description of the lot upon which the principal permitted use is located. An accessory dwelling unit and the underlying land upon which the accessory dwelling is located shall not be sold separately from the associated principal permitted land use.

One Accessory Building Per Lot or Parcel - No more than one (1) accessory dwelling unit is permitted per lot or parcel. A dwelling unit shall not possess both an Internal and External Dwelling Unit.

Dimensions and Design - The accessory dwelling unit shall be subject to all dimensional and design requirements applicable to principal buildings within the applicable zoning district.

Required Parking – See Chapter 12, OFF-STREET PARKING-DRIVEWAYS. **Will additional parking be required?**

Size Limitation - The square footage of the accessory dwelling unit shall not exceed the square footage of the principal use to which it is accessory.

Metering – External accessory dwelling units shall possess separate metering for public utilities such as electric, water, communications, and gas services and shall have separate street and mailing addresses. Separate metering and mailing addresses are optional for internal accessory dwelling units. All utilities shall meet the design and metering requirements of the public body or agency responsible for the administration of said utilities.

Floor Height Limit - Detached accessory dwelling units shall be limited to one (1) floor. **What about a unit above a detached garage?**

Exterior Appearance - The exterior appearance of an accessory dwelling unit shall be of a compatible architectural character of the principal building exterior, including similar siding, windows, architectural features, and building materials. Pursuant to review of this standard, the applicant shall provide architectural drawings or renderings depicting the design character and façade treatment of a proposed external accessory dwelling.

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Adult Entertainment Uses

Separation - No adult entertainment use shall be permitted in a location in which any main building or accessory structure, including signs, is within one thousand (1,000) feet of any main building or accessory structure of another sexually oriented business.

Proximity to Select Public Uses - No adult entertainment use shall be established on a parcel within five hundred (500) feet of any Residential District, or any parcel used for a single or multiple family residence, public park, school, child care facility, church or similar place of worship, public library, city hall, police department or fire department, youth center, or commercially operated school attended by children such as, for example, dance schools, gymnastic centers, etc. The distance between a proposed sexually oriented business and any such zoned area or existing use shall be measured in a straight line from the nearest property line upon which the proposed sexually oriented business is to be located to the nearest property line of that zoned area or existing use.

Signs - Any sign or advertising for the adult entertainment use must comply with the provisions of this Ordinance.

Entrances - The entrances to the proposed adult entertainment use at both the exterior and interior walls, in a location visible to those entering and exiting the business, must be clearly marked with lettering at least two (2) inches in height stating: a. "Persons under the age of eighteen (18) are not permitted to enter the premises;" and b. "No alcoholic beverages of any type are permitted within the premises;" unless specifically allowed pursuant to a license duly issued by the Liquor Control Commission.

Products and Services - No product or service for sale or gift, or any picture or other representation of any product or service for sale or gift, shall be displayed so as to be visible by a person of normal visual acuity from the nearest adjoining roadway or a neighboring property.

Hours of Operation - Hours of operation shall be limited to 9:00 a.m. to 11:00 p.m., Monday through Saturday.

Parking - All off street and on-site parking areas shall comply with this Ordinance, based on the primary use (i.e., retail, assembly, etc.). [See Chapter 12, OFF-STREET PARKING-DRIVEWAYS.](#)

Viewing Areas - Any booth, room or cubical available in any adult entertainment use that is used by patrons for the viewing of any entertainment shall:

Be unobstructed by any door, lock or other entrance and exit control device.

Have at least one (1) side totally open to a public, lighted, aisle so that there is always an unobstructed view from the adjoining aisle of any occupant.

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Be illuminated such that a person of normal visual acuity looking into the booth, room, or cubical from its entrance adjoining the public lighted aisle can clearly determine the number of people within.

Have no holes or openings in any side or rear wall not relating to utility, ventilation or temperature control services or otherwise required by any governmental code or authority.

Conditions of Approval - Prior to the granting of approval for the establishment of any adult entertainment use, the Planning Commission may impose any conditions or limitations upon the establishment, location, construction, maintenance, or operation of the adult entertainment regulated use which is necessary for the protection of the public interest. Any evidence, bond, or other performance and guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.

Age Restriction - No person operating an adult entertainment use shall permit any person under the age of eighteen (18) to be on the premises of the business as an employee, customer, or otherwise.

Child and Adult Foster Care Family Group Homes

Parking – See Chapter 12, OFF-STREET PARKING-DRIVEWAYS.

Passenger Loading/Unloading - A designated passenger loading/unloading area of adequate dimensions shall be provided near a barrier-free entrance to the home.

Landscape Buffer - A landscaped buffer shall be provided along all property lines that abut a less intense use and around the visible perimeters of all parking and loading/unloading areas.

Lighting - All exterior lighting of entryways, parking spaces, or loading/unloading areas shall not reflect onto adjacent properties and, preferably, shall be motion activated.

Automobile Service Stations Including Minor Vehicle Repair, With or Without Convenience Goods

Enclosed Building - All maintenance and repair work shall be conducted completely within an enclosed building.

Driveways - Only one (1) driveway shall be permitted from each street unless the Planning Commission determines additional driveways will be necessary to ensure safe and efficient site ingress and egress.

Pump Islands - Pump islands shall be a minimum of forty (40) feet from any public right-of-way or lot line. Tanks, propane, and petroleum products shall be set back at least fifteen (15) feet from any lot line.

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Vehicle Stacking (Queuing) - Sufficient stacking capacity shall be provided to ensure that traffic at the pump islands fueling or awaiting fueling does not extend into the public right-of-way nor interfere with the circulation of pedestrians and vehicles not utilizing the pump islands of the facility. In addition to the space required to accommodate vehicles while undergoing fueling, a minimum of one (1) additional stacking space shall be provided for each fueling station.

Overhead Canopies - Overhead canopies shall be setback at least twenty (20) feet from the right-of-way of a public street and shall be constructed of materials consistent with the principal building. The proposed clearance of any canopy shall be noted on the site plan. Any signs, logo, or identifying paint scheme shall be in accordance with **Chapter ____ Signs**. The canopy shall be no higher than the principal building.

Lighting - The intensity of lighting within a site shall not exceed twenty (20) footcandles or one (1) footcandle at the property line, except where it abuts a residentially used or zoned property, at which a maximum of 0.5 footcandles is permitted. Lighting within a pump island canopy shall be recessed, fully shielded, and directed downward to prevent off-site glare.

Outdoor Displays - There shall be no outdoor storage or display of vehicle components and parts, materials, commodities for sale, supplies, or equipment.

Signs – See Chapter ____.

Parking and Loading and Unloading – See Chapter __, **OFF-STREET PARKING DRIVEWAYS**.

Vehicle Storage and Screening - Storage of wrecked or partially dismantled vehicles shall be prohibited. The parking of vehicles to undergo minor repairs and tow trucks associated with the operation shall be permitted in a designated area. Such area shall be appropriately screened from public view as determined by the Planning Commission.

Financial Institutions, Offices, and Other Non-Food Establishments with Drive-Through Service - Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. The minimum number of stacking spaces for each vehicular oriented service station, including window stations, pneumatic tube or similar type stations, and ATM stations, shall be provided as follows:

Vehicle Interference - Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property by vehicles not using the drive-through portion of the facility.

Access - Public access to the site shall be located at least one hundred (100) feet from any intersection or other driveway on the same side of the street, as measured from the nearest right-of-way line to the nearest edge of said access.

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Internal Circulation - Internal circulation and access to and egress from the site shall not substantially impair the movement of other modes of transportation, such as bicycles and pedestrians, to and through the site.

Fencing and Screening - The parking and maneuvering areas of the site shall be fenced and screened from the view of any abutting Residential District or use by a decorative fence or wall, or a landscaped equivalent.

Audio Devices - Devices for the transmission or broadcasting of voices or music shall be so directed or muffled as to prevent said sound or music from being audible beyond the boundaries of the site.

Bed and Breakfast Operations

Bedroom Limits - The total number of bedrooms rented to guests shall not exceed seventy-five (75) percent of the total number of bedrooms located in the residence.

Room Occupancy - Rooms utilized for guest sleeping shall not exceed four (4) occupants per room.

Breakfast and Breakfast Fees - The guest room charge shall include the preparation and serving of breakfast to overnight guests. No additional breakfast fees shall be charged.

Cooking Facilities - No separate or individual cooking facilities shall be provided for the use of guests, including existing cooking facilities.

Signs – See Chapter ____.

Length of Stay - No transient guest shall reside on the premises for more than fourteen (14) consecutive days and not more than a total of thirty (30) days per any one (1) year period.

Parking and Loading and Unloading – See Chapter 12, OFF-STREET PARKING-DRIVEWAYS.

Use of Outdoor Space - The use of outdoor yard areas, open decks, pools, and the like shall not result in the production of excessive off-site noise, odor, and other external disturbances. Approval of a Bed and Breakfast operation may be conditioned upon the installation of screening, fencing, plantings, and/or other installations and conditions to help ensure compatibility of the Bed and Breakfast operation with the surrounding area.

Office and Commercial District Exclusion - Bed and Breakfast facilities proposed for Office and Commercial Districts shall be limited to the placement of such operations within dwellings existing on the effective date of this Ordinance.

Day Care Group Homes

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Neighborhood Compatibility - The property and residence exterior shall be maintained in a manner compatible with the surrounding neighborhood.

Play Areas - All playground equipment and areas for play and exercise shall be in the rear yard of the property. This area shall be at least two thousand five hundred (2,500) square feet in size.

Fencing - Fencing at least four (4) feet in height shall be provided around all designated outdoor areas accessible to children. Secure gating shall be provided allowing for emergency interior access to fenced areas. Fencing shall have the finished side facing adjoining properties.

Proximity to Other Day Care Group Homes - The facility shall not be located closer than one thousand five hundred (1,500) feet to another licensed group day care home, an adult foster care group home, a facility offering substance abuse treatment and rehabilitation services to seven (7) or more persons licensed by the State of Michigan, or a community correction center, resident home, halfway house or other similar facility which houses inmates under the jurisdiction of the Michigan Department of Corrections.

Hours of Operation - Hours of operation shall not exceed 16 hours during a 24-hour period.

Signs – See Section _____.

Passenger Loading/Unloading - A designated passenger loading/unloading area of adequate dimensions shall be provided near a barrier-free entrance to the home.

Delivery Loading/Unloading - A loading/unloading area of adequate dimensions shall be provided for delivery vehicles servicing the home.

Helipad (Heliport)

Federal Aviation Administration Approval – Pursuant to placement and design, evidence of approval of the helipad from the Federal Aviation Administration shall be provided.

Approach and Take Off Area - The approach and take off area shall be located and designed to offer minimum disruption to neighboring residential properties pursuant to factors such as noise, vibration, wind, windblown dust, and other potentially objectional issues.

Hotel or Motel

Public Street Access - All parking areas shall have direct access to an arterial or collector street.

Accessory Uses - Any accessory use, such as a restaurant, pub, meeting facilities, retail facilities, offices, spa services, and others shall be subject to the specific standards for such uses regarding parking, pedestrian access, signage, and other standards applicable to such uses.

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Portable Cooking Devices - The exterior placement or use of portable cooking devices, such as gas, wood, and charcoal grills, adjacent to rooms used by guests for overnight accommodations shall be prohibited.

Residential Dwelling Standards – Rooms used, or designated for use, for consecutive periods exceeding thirty (days) shall meet the residential dwelling standards of the City Building Code.

Outdoor Display and Sales

Circulation and Access Requirements - Outdoor storage and display areas shall be arranged to provide safe pedestrian and vehicular circulation and safe emergency access. Maneuvering aisles shall be kept free of all obstructions.

Required Yards - Unless otherwise permitted by this Ordinance, no outdoor display or sales shall be permitted in any required yard.

Parking Impacts - Outdoor display and sales areas approved for location on parking lots shall not reduce the available parking spaces to fewer than those required by this Ordinance.

Residential District Restriction - No outdoor display and sales area or parking serving such areas shall be located within fifty (50) feet of any property line located in a residential district.

Storage of Loose Materials - The storage of soil, sand, mulch, and similar loosely packaged materials shall be positioned and secured to prevent movement onto adjacent properties.

Screening - The Planning Commission may require an obscuring screen around any storage or display area. Stored materials including loosely packaged materials shall not be piled or stacked higher than the height of the obscuring screen.

Display Area Surface - All outdoor display and sales areas shall be paved with a permanent, durable, and dustless surface and shall be graded and drained to dispose of all surface water.

Loading and Vehicle Maneuvering - All loading and truck maneuvering shall be accommodated on-site or on a dedicated easement.

Fencing and Lighting - Fencing and lighting for security purposes may be required as determined by the Planning Commission.

Restaurants, Cafes, Ice Cream Shops, Retail Bakeries with Drive-Through Service

Access - Public access to the site shall be located at least one hundred (100) feet from any intersection or other driveway on the same side of the street, as measured from the nearest right-of-way line to the nearest edge of said access.

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Internal Circulation - Internal circulation and access to and egress from the site shall not substantially impair the movement of other modes of transportation, such as bicycles and pedestrians, moving to and through the site.

Fencing and Screening - The parking and maneuvering areas of the site shall be fenced and screened from the view of any abutting Residential District or use by a decorative fence or wall, or a landscaped equivalent.

Environmental Impacts - Waste receptacles shall be placed within fifty (50) feet of all areas used for the parking of vehicles and within twenty-five (25) feet of exterior seating areas used for food consumption.

Audio Devices - Devices for the transmission or broadcasting of voices or music shall be so directed or muffled as to prevent said sound or music from being audible beyond the boundaries of the site.

Short-Term Rentals

Introduction - Dwelling units rented for intervals of ninety (90) days or less shall be classified as short-term rentals. Such rentals are commonly identified as Airbnb, HomeAway rentals, VRBO rentals, FlipKey rentals, and the like. In providing for short-term rentals, the city recognizes the need for such housing for purposes of accommodating tourists and other guests desiring a unique alternative to hotel stays, meeting temporary housing demands, and providing financial benefits to property owners. Concurrently, the city also recognizes the importance of ensuring that short-term rental housing is compatible with surrounding development and area development trends, does not negatively impact the tranquility of the neighborhoods in which said housing may be located, and is maintained in a safe and orderly fashion. All short-term rentals shall meet the requirements of this Ordinance.

Ninety Day Occupancy Limit Provision - Dwelling units that are rented for continuous periods of more than ninety days to the same party, or any members thereof as recorded under the requirements of this Ordinance, shall not be classified as short-term rentals and shall be subject to the registration, inspection, and other requirements of units rented for more than ninety days as provided for by Article IV, Section 8 of the Cadillac City Code.

Standards - Short-term rentals shall adhere to the standards and Management Availability and Responsibilities detailed as follows:

Table ____

Short-Term Rental Standards (Refer also to Management Availability and Responsibilities following this table.)

Standard	Requirements
Permitted zone districts with site plan approval. [1]	C-T, C-DT, C-DTC & C-G Districts
Required Inspection Period – all units shall be subject to the registration and inspection of rental units as provided for	Every two years

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by Article IV, Section 8 of the Cadillac City Code.	
Maximum number of bedrooms that may be used for short-term rental purposes.	All bedrooms containing windows capable of permitting egress by room occupants in the event of an emergency
Maximum number of renter occupants.	2 per bedroom
Maximum days in which a home or unit may be rented per year.	365 days provided no rental period to a party shall exceed 90 continuous days per year
Barrier-free access required.	Yes
Required off-street (on-site) parking.[2] a) One and two-bedroom rental. b) Three or four-bedroom rental. c) Five or more-bedroom rental.	a) 2 spaces b) 3 spaces c) 4 spaces
Exterior signage and advertising.	Not permitted
Use of the premises for holding special events or gatherings.[3]	Not permitted
Pets (If permitted by the property owner).	Permitted
Property owner must reside on the premises.	Not required
Management responsibility.	Property owner of record or property management firm
Notes: [1] Site Plan Approval – all short-term rentals shall be subject to site plan approval as required by this Ordinance. [2] Parking – all on-site parking shall be confined to locations specifically identified on an approved site plan for parking. The use of lawns and other undesignated areas shall be expressly prohibited. [3] Special Events or Gatherings – In order to help assure that the use of short-term rentals does not upset the peace and tranquility of the neighborhoods in which they are located, special events and gatherings drawing non-registered occupants to the site of a short-term rental is prohibited.	

Management Availability and Responsibilities

The sound management of short-term rentals is critical to maintaining the efficiency and integrity of short-term rental programs. Paramount is the ability to contact a property manager for a short-term rental property in a timely manner for purposes of responding to needs or issues that may surface, whether that manager is an on-site property owner or an owner’s management agent located off-site. Moreover, it is important that rental occupants are made aware of basic rules and regulations governing their stay as required by the city. For this reason, the following management requirements shall be in effect:

1. **Responsible Party and Contact Information** - Every short-term rental shall have either an on-site owner or a management agent assigned to the rental property. The responsible party’s name, address, management status, telephone number, and email address shall be provided. Notification and any change in ownership and management shall be delivered to the city, in writing, within 7 days of said change.
2. **Twenty-Four Hour Availability** - The owner or management agent must be able to accept telephone calls on a 24-hour basis at all times the short-term rental unit is rented.
3. **Access and Timing of Access by Management Agent** - The management agent must have a key to the rental unit and be able to respond to (arrive at) the short-term rental within sixty (60) minutes of a contact to address issues or must have arranged for another party to address issues within this timeframe.
4. **Management Responsibilities** - Management responsibilities at a minimum, whether managed by the owner or managing agent, shall include:
 - a. **Permit Compliance** - Compliance with the city’s short-term rental permitting and inspection requirements and payment of permit fees.

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b. **House Rules** – House rules shall be provided to short-term rental occupants detailing the rules and regulations governing their stay, emergency contacts, use of property, pet care, abatement of nuisances such as noise, and the like. A copy of the House Rules shall be provided to the city as part of the rental permitting requirements.

c. **Rental Log** – Maintain an ongoing, regularly updated, log of the dates for which the rental unit has been rented and the names, addresses, telephone numbers, and email addresses of the rental occupants.

d. **Tenant Issues** - Address tenant concerns and rental violations.

e. **Neighborhood Issues** – Address neighborhood concerns such as excessive tenant noise, improper parking, trespass, and the like.

f. **Property Maintenance and Repairs** - The regular inspection of properties, property maintenance, and arranging for repairs in a timely fashion.

g. **Trash Removal** – Maintain proper facilities for the securing and disposal of trash and the regular removal thereof. At a minimum, removal shall be on a weekly basis.

h. **Pets** – If permitted, the number of pets shall not exceed one (1) per short-term rental unit. Pets shall be restrained at all times.

i. **Postings** – In a fully conspicuous location, the following shall be posted:

- 1) Copy of the city of Cadillac Noise Ordinance.
- 2) Copy of the city of Cadillac Fireworks Ordinance.
- 3) Other postings as required provided for by Article IV, Section 8 of the Cadillac City Code.

Short-Term Rental Permit Revocation - A short-term rental permit shall remain in effect until the occurrence of one or more of the following events:

1. **Code Compliance** - The dwelling unit does not meet compliance with the building, fire, and safety codes for rental units as provided for by Article IV, Section 8 of the Cadillac City Code.

2. **Alteration of Dwelling** - The dwelling unit is physically altered in such a way that the habitable space within the unit is increased, decreased, or re-distributed among living, sleeping, eating, or cooking areas.

3. **Change in Ownership and Management** – Failure of the property owner to deliver to the city, in writing, notification of a change in ownership and management. Said notice shall be delivered within 7 days of said change.

4. **Non-Compliance with Ordinance Standards** – Failure of the property owner to comply with the standards of this Ordinance.

Reapplication of Permit and Conditions of the Permit - A short-term rental permit that has been revoked or is no longer in effect may be reapplied for subject to the provisions of this Ordinance. The owner of a short-term rental permit that has been revoked due to non-compliance with the provisions of this Ordinance shall demonstrate to the satisfaction of the city that compliance with the requirements of this Ordinance shall be met. In reapproving a permit previously revoked due to non-compliance, the city may impose conditions as a requisite of said reapproval. Conditions may include, but are not limited to, reductions in allowable days in which a home may be rented, requirement of an on-site owner or on-site

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management party, building and site improvements, prohibition of pets, occupancy limits, and other conditions determined necessary to achieve compliance with the provisions of this Ordinance.

Assignment - A short-term rental permit may not be transferred or assigned to any third party except heirs and assigns, and the permit shall be void upon transfer of ownership of the property where the short-term rental is located. Upon change of ownership, the new owner must apply for a new short-term rental use permit for any short-term rental use activity to be authorized.

Vehicle Repair, Major

Residential District Setback - All main and accessory structures shall be set back a minimum of one hundred (100) feet from a single-family residential district.

Paved Street Frontage - There shall be a minimum lot frontage on a paved street of one hundred (100) feet.

Drive and Curb Openings - No drive or curb opening shall be located nearer than seventy-five (75) feet to any intersection nor more than twenty-five (25) feet to any adjacent Residential District property line. No drive shall be located nearer than fifty (50) feet, as measured along the property line, to any other driveway. A driveway shall not be permitted where, in the opinion of the Planning Commission, it may produce a safety hazard to adjacent pedestrian or vehicular traffic.

Raised Curb - A raised curb of six (6) inches in height shall be constructed along the perimeter of all paved and landscaped areas.

Overhead Door Provision - Overhead doors shall not face a public street or Residential District. The Planning Commission may modify this requirement upon a determination that there is no reasonable alternative, and the poor visual impact will be diminished through use of building materials, architectural features, and landscaping.

Vehicle Stacking - Where applicable, vehicle stacking (queuing) space shall be provided in front of each service bay for at least one (1) vehicle.

Decorative Screening for Residential Districts - Where adjoining a Residential District, a solid decorative masonry wall, six (6) feet in height shall be erected along any common lot line. The wall shall be continuously maintained in good condition. The Planning Commission may approve a fence, landscaped berm, or landscaping as an alternative.

Repair Work - All maintenance and repair work shall be conducted completely within an enclosed building.

Outdoor Storage and Displays - There shall be no outdoor storage or display of vehicle components and parts, materials, commodities for sale, supplies or equipment, provided, however,

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vehicles undergoing repair shall be permitted in a designated area. Such area shall be appropriately screened from public view as determined by the Planning Commission.

Vehicle Repair, Minor

See Automobile Service Station

Vehicle Sales and Service (Automobiles, Light Trucks and Recreational Vehicles, With or Without Minor Vehicle Repair)

Outdoor Display and Storage – The outdoor display and storage of automobiles or other vehicles and equipment for sale shall not be permitted in any required front or side yard.

Repair Work - All maintenance and repair work shall be conducted completely within an enclosed building.

Required Paving - All parking and outdoor storage areas shall be paved with a permanent and durable surface.

Lighting - Exterior lighting shall be fully shielded and directed downward to prevent off-site glare. The intensity within a site shall not exceed twenty (20) footcandles within the site or one (1) footcandle at the property line, except where it abuts a residentially used or zoned site, whereby a maximum of 0.5 footcandles is permitted.

Fuel Sales - Sales of automotive fuel is not permitted.

Outdoor Storage and Displays - There shall be no outdoor storage or display of vehicle components and parts, materials, commodities for sale, supplies or equipment, provided, however, vehicles undergoing repair shall be permitted in a designated area. Such area shall be appropriately screened from public view as determined by the Planning Commission.

Vehicle Wash, Automatic or Manual

Lot Size - Minimum lot size shall be 10,000 square feet or the minimum required lot area for the zoning district, whichever is greater.

Washing of Vehicles - All washing activities must be carried on within a building.

Vacuumping - Vacuumping activities shall be at least 100 feet from any adjoining residential district. All vacuumping stations shall include trash receptacles for the depositing of litter. Receptacles may be included as part of the vacuum station design or as separate containers. Separate containers shall be a minimum of forty-two (42) gallons with affixed lids and shall be stationed to restrain movement by natural forces.

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Ingress and Egress - The entrances and exits of the wash facility shall be from within the lot and not directly to or from an adjoining street. A street shall not be used as maneuvering or parking spaces for vehicles to be serviced by the subject facility.

Site Drainage - All off-street parking areas and maneuvering lanes shall be drained so as to preclude drainage of water onto adjacent property and public rights-of-way.

Noise Impacts - Measures to minimize noise impacts on adjoining properties shall be employed. All drying equipment shall be located within the wash building and shall be positioned not less than two hundred (200) feet from a residential district.

City Utility Requirements – The site plan shall incorporate the requirements of the City Utilities Department pursuant to the use and processing of water used in the operation of a vehicle wash.

Marihuana Retailers (Retailers Authorized Under the Michigan Regulation and Taxation of Marihuana Act)

Retailers authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, subject to section 10-2 of the City Code and _____ of this Ordinance, and subject to the following locational requirements:

Site Location - A retailer in the **B-2** district must be located on a parcel that has frontage on Mitchell Street, except that no retailers may be located on the section of Mitchell Street between Bremer Street and South Street unless the following two requirements are met:

Building Location - The retailer must be located on an upper level or subgrade level of the building and not on the ground level (with "grade" and "ground level" measured at Mitchell Street); and the entrance for the retailer must face the alley located behind the building and not Mitchell Street.

The map in Table 1 identifies the areas within the **B-2** district in which retailers may be located, subject to the other locational and distance requirements in this Ordinance, including section 46-752.

Marihuana Provisioning Centers (Provisioning Centers Authorized Under the Michigan Medical Marihuana Facilities Licensing Act)

Provisioning centers authorized under the Michigan Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27102 et seq., subject to section 10-3 of the City Code and _____ of this Ordinance, and subject to the following locational requirements:

Site Location - A provisioning center in the **B-2** district must be located on a parcel that has frontage on Mitchell Street, except that no provisioning centers may be located on the section of Mitchell Street between Bremer Street and South Street unless the following two requirements are met: (1) the provisioning center must be located on an upper level or subgrade level of the building and not on the ground level (with "grade" and "ground level" measured at Mitchell Street); and (2) the entrance for the provisioning center must face the alley located behind the building and not Mitchell Street.

b.

**PRELIMINARY DRAFT ZONING ORDINANCE FOR PUBLIC FORUM
TUESDAY, JUNE 13, 2023**

The map in Table 1 identifies the areas within the B-2 district in which provisioning centers may be located, subject to the other locational and distance requirements in this Ordinance, including section 46-753.