



NEWSLETTER - SPECIAL EDITION

CITY OF CRYSTAL FALLS

JUNE 2007

NEW ZONING ORDINANCE FOR CITY

The Crystal Falls Planning Commission has been working for over three (3) years on a re-write of the City's antiquated 1959 zoning ordinance. A draft of their efforts is now available for review and a public hearing has been scheduled in order to gather public input.

Following the Public Hearing the proposed ordinance will be forwarded to the City Council for consideration and possible adoption. The ordinance will become effective immediately upon adoption and publication.

This special edition of the City Newsletter is meant to highlight *some* of the major changes between the old and the new ordinance to prepare the public for the upcoming public hearing. Please keep in mind that as of this writing the ordinance has yet to be adopted and may even be amended prior to adoption. That having been said, please refer to the final adopted ordinance for the actual regulations regarding zoning. Until that time the current ordinance remains in effect.

Inside this issue:

Zoning Districts	2
Home Occupations	2
Garage Sales	3
Temporary Sales	3
Recreation Vehicle Storage	3
Signs & Billboards	3
Accessory Buildings	3
Fences	4
Planning Commission	4
Zoning Administration	4

Public Hearing Set

A Public Hearing for the newly re-written zoning ordinance for the City of Crystal Falls will be held on **Tuesday, June 19, 2007 at 6:30 pm** in the City Council Chambers at City Hall.

This hearing is an opportunity for everyone to have a voice regarding the content of the ordinance that will govern land use in the City of Crystal Falls. The public may appear in person or submit a written comment to the City Clerk's office prior to the hearing in order that it may be read at the hearing.

Copies of the proposed ordinance are available at the City Clerk's office for purchase, the fee is \$20.00 (to cover the cost of copying). The document is also posted on the City's website at www.crystalfalls.org and can be downloaded and printed from your home computer free of charge. To find the ordinance on the website click on Ordinances and then on the button at the top of that page that says New Zoning 2007. This document is in a pdf format.

PURPOSE OF ZONING

The purpose of zoning is for various reasons including, but not limited to: to insure that use of land shall be situated in appropriate locations and relationships; to avoid overcrowding and congestion of population; to promote public health, safety, and welfare, to regulate the location, erection, construction, alteration, and use of buildings, struc-

tures, and land for residential, business, industrial, manufacturing, recreational, and other uses; to prohibit uses, buildings and structures otherwise incompatible with the character of development or intended uses within specified districts; and to encourage the preservation of property values and resources throughout the City. (Section 1 of ord.)

ZONING DISTRICTS

The old zoning ordinance had only 4 districts where the new ordinance has established 9 different districts. They are:

R1—Residential One (Medium to High density residential and related uses, typically in older neighborhoods with small lots and including schools and libraries).

R2—Residential Two (Low to Medium density residential and related uses)

R3- Residential Three (Medium to high density residential and related uses, typically in older residential neighborhoods with small lots)

R4—Residential Four (low to medium den-

sity residential and related uses in areas which have not previously been developed. Encourages clustered development, conservation subdivisions, and similar types of development).

B -1 Central Business District (established and maintained for business uses within the Central business district).

B—2 General Business District (maintained for diverse business uses outside the Central Business District in a low density area, typically along state trunklines).

M-1 Mixed Use District (established as an area where residential and compatible

commercial uses can co-exist).

I—1 Industrial One District (established for wholesale , warehousing, manufacturing and assembly and similar light industrial uses within completely enclosed buildings).

I—2 Industrial Two District (established for manufacturing and other light or heavy industrial uses, including those which may involve outdoor storage of materials or equipment).

For more in depth descriptions of each district please see the text in the ordinance. (Section 3 of the ordinance)

Schedule of Regulations for the above Districts

District	Minimum Lot Size (Sq. Feet)	Minimum Lot Width (feet) (A)	Minimum Setback (feet) (B)			Maximum Height (feet) (E)	Lot Coverage Ratio
			Front (C) (D)	Side	Rear		
R-1	5,000	50	20	5	15	35	50%
R-2	10,000	75	20	5	20	35	40%
R-3	10,000	75	20	5	20	35	40%
R-4	20,000	100	40	10	25	35	30%
B-1	None	30	0	0	0	50	100%
B-2	5,000	50	20	5	20	35	60%
M-1	7,000	50	20	5	30	35	40%
I-1	35,000	100	(F)	(G)	(G)	50	40%
I-2	1 acre	150	(F)	(G)	(G)	50	40%

HOME OCCUPATIONS REQUIRE A SPECIAL USE PERMIT

Home occupations shall be permitted in all districts where residential uses are permitted by application. Applications for permits are made to the Zoning Administrator who will then refer it to the Planning Commission for review.

The following uses shall not be permitted as a home occupation: animal boarding establishments, commercial garages, bump and paint shops, light manufacturing and commercial production, and the direct

selling of goods.

Home occupations shall: Employ only those residing on the premises and not more than one non-occupant employee; be conducted within the principal dwelling or an enclosed accessory building and not use more than 25% of the usable floor space; not generate great volumes of traffic; provide for parking per the requirements of the ordinance; have no outdoor storage or exterior evidence of the home occupa-

tion; utilize only stock vehicles such as passenger cars and light utility pickups or vans.; and other various restrictions.

Home occupations shall not permit equipment or processes to be used which creates noise, vibration, glare, fumes, odors, or electrical interferences that create an unreasonable interference with the enjoyment and use of adjoining properties and which are detectable by normal senses off the lot. (Section 4 of the ordinance)



Garage Sales

Garage sales at residences are allowed a maximum of three (3) times per calendar year in all zoning districts with each occurrence not exceeding four (4) consecutive days. Garage sales are not considered to be a Home Occupation. (Section 4 of the ordinance)



TEMPORARY SALES PRODUCTS STAND

A temporary sales products stand is permitted in any district subject to the following regulations: one stand per parcel, written permission from the property owner is clearly posted on the stand, operated from sunrise to 9:000 pm, maximum total floor area is 320 square feet, off-street parking to be provided for a minimum of four

vehicles, and are located a minimum of five feet from the road right-of-way. Temporary sales stands are permitted on the parcel for a maximum of 90 days. The stand must be removed within 14 days of ceasing operations. (Section 4 of the ordinance)

Recreation Vehicle Storage

Parking and/or storage of recreational vehicles, snowmobiles, motorcycles, scooters, ATVs, boats, and other similar vehicles is permitted in the *side and rear yards* provided the setbacks are met as they pertain to an accessory building. Storage in the front yard is prohibited unless they are in a driveway and on a trailer and only one trailer may be located in the front yard setback area, however, no more than three (3) trailers shall be permitted on a lot. (Section 4 of ordinance)



Accessory Buildings & Uses

An Accessory building is defined as: A structure subordinate to the principal use and located on the same premises serving a purpose customarily incidental to the principal use.



Some of the special rules that apply to accessory buildings are:

- *Unless attached to the principal building, shall not be closer than 10' to any other structure on the lot.
- *Mobile Homes, containerized boxes, trailer units, and the like are NOT to be used as an accessory building.
- *Must be sided with material designed to serve as a permanent exterior covering. Tarps, tarpaper, TyVek and similar materials are not permitted to be visible on the exterior of accessory buildings.
- *14' is the maximum height allowed for an accessory building in the R-1, R-2 R-3, R-4, and M1 districts. (Section 4 of ordinance)

SIGNS & BILLBOARDS

It is the general intent of the ordinance to prohibit signs of commercial nature from districts in which commercial activities are barred; to limit subject matter on signs in business or commercial districts to

products, accommodations, services, or activities on the premises and to control the number, type, and area of all signs in business areas and certain other districts. Signs used for traffic control shall be exempt from this ordinance. Portable signs with removable lettering now have

extensive restrictions such as: can be used to advertise special events no more than 2 weeks prior to the first day of the event; can not be illuminated; not used more than three (3) times in a 12 month period on any lot or parcel; must be located on the premises where the special event will take place. Due to the extent of the

restrictions imposed on signs and billboards, please refer to the ordinance prior to the placement of any new signs in the City of Crystal Falls. (Section 6 of the ordinance.)

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FENCES

Fences, hedges, or clumps of shrubs within 15' of the front lot line, or other lot line adjoining a public street, higher than 30" above the average sidewalk grade are prohibited! No other fence shall exceed a height of 6' above the lot grade or 8' above the lot grade in compliance with the setbacks in Section 4.1 of the ordinance.

All fences shall be placed at least one (1) foot within the property line to allow the owner to maintain the fence without leaving his property. (Section 2 of ordinance -visibility restrictions)



PLANNING COMMISSION

The Crystal Falls Planning Commission is a group appointed by the City Council and governed by the Municipal Planning Act. The commission is a 9 person panel that includes the Mayor, a City Councilor, the City Manager, and 6 appointed citizens. Over the years many people have served on the Planning Commission. Those who have been involved in the Zoning Ordinance re-write include the following current members of the commission: Ben Feldhausen, Chairperson; Michael Divine, Vice-Chairperson; Richard Paul Kranz, Carol Azan, Marlene Bicigo, Constance

Sherry, Mayor Janet Hendrickson, City Councilor Jack Bicigo, and City Manager Charles Nordeman. Past members who assisted in the zoning re-write include: Fr. Dino Silvestrini, Scott Thrasher, Lee Siler, and Mike Koszyk, City Clerk/Treasurer Dorothea Olson has served as the recording secretary for the Planning Commission since the re-activation of the group in 2001. Each and every one of these individuals has served tirelessly on this commission, without compensation, meeting monthly and more, and the City of Crystal Falls extends a huge

THANK YOU to them all!

ZONING ADMINISTRATION & PROCEDURES

The provisions of the Zoning Ordinance shall be administered by the City Planning Commission and the City Council in accordance with the State of Michigan Zoning Enableing Act, Public Act 110 of 2006, as amended.

The City Council shall designate a Zoning Administrator to act as the City Officer to insure and effect the proper administration of the ordinance.

The Zoning Administrator (ZA) reviews all applications for zoning permits and certificates of occupancy and approve or disapprove such application based on the provisions of Ordinance. The ZA will receive all application for special use permits, conduct field inspections, investigations, prepare maps, charts, and other

materials when necessary to formulate recommendations, report to the Planning Commission with recommendations and notify the applicant in writing of any decision of the Planning Commission. The ZA will also receive all applications for appeals, variances, or other matters which the Zoning Board of Appeals (the City Council) is required to decide under this Ordinance.

The City Council will establish a schedule of fees for administering this ordinance. No activity shall commence nor shall any permit be issued unless the fee has been paid.

Zoning permits are required for excavation for any building, the erection of, addition to, alteration of, repair of, or mov-

ing of any building or structure, and special land uses.

Zoning permits are not required for routine maintenance or repair of buildings, structures, or equipment such as repainting or re-roofing a building, or siding a building; or alterations of existing buildings having a replacement value of less than \$2,000 in any one twelve (12) month period; or for the construction of a service connection to a municipally owned and operated utility.

Zoning permits shall become null and void unless the proposed development shall have its first building inspection within one (1) year from the date of granting of the permit. (Section 13 of the ordinance)