

CITY OF CRYSTAL FALLS
ZONING ORDINANCE
NO. 4.00-A

AN ORDINANCE TO AMEND SECTION 3 OF THE CITY OF CRYSTAL FALLS ZONING ORDINANCE, ORDINANCE NO. 4, TO PERMIT ARCHERY AND/OR PNEUMATIC GUN RANGES IN THE B-1 DISTRICT

THE CITY OF CRYSTAL FALLS HEREBY ORDAINS:

Section 1. Amendment. Section 3 of Ordinance 4 of the City of Crystal Falls is amended to read in its entirety as follows:

Section 3 – Zoning Districts

3.1 Establishment:

For the purpose of this Zoning Ordinance, the City of Crystal Falls, Iron County, State of Michigan, is hereby divided into the following zoned districts:

R-1 Residential One District
R-2 Residential Two District
R-3 Residential Three District
R-4 Residential Four District
B-1 Central Business District
B-2 General Business District
M-1 Mixed Use District
I-1 Industrial One District
I-2 Industrial Two District

3.2 Zoning District Map:

1. The boundaries of the respective districts enumerated in 3.1 are established as depicted on the map entitled "City of Crystal Falls Official Zoning Map," which is an integral part of this Ordinance. This map, along with all notations and explanatory matter, shall become as much a part of this Ordinance as if fully described herein.
2. The City of Crystal Falls Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries, such changes shall be incorporated on the City of Crystal Falls Official Zoning Map and approved by the City Council of the City of Crystal Falls together with an entry on the City of Crystal Falls Official Zoning Map showing the date and official action taken.
3. One copy of the City of Crystal Falls Official Zoning Map is to be maintained and kept up-to-date by the Zoning Administrator, accessible to the public and shall be the final authority as to the current zoning status of properties in the City of Crystal Falls.

3.3 Areas Not Included Within A District

In every case where property has not been specifically included within a district including all cases of property becoming a part of the City subsequent to this Ordinance, such property shall be in the R-1 Residential District, unless and until it is re-designated into a different district by proper action of the City Planning Commission and the City Council.

3.4 Interpretation of the Zoning Map

1. Where due to the scale, lack of detail or illegibility of the zoning maps, there is any uncertainty, contradiction or conflict as to the intended location of any zoning district boundary as shown thereon, the Zoning Board of Appeals shall make an interpretation of said map upon request of any person. The Zoning Board of Appeals shall apply the following standards in interpreting the zoning map:
 - a. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;
 - b. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
 - c. Boundaries indicated as approximately following City boundaries shall be construed as following City boundaries;
 - d. Boundaries indicated as following shorelines shall be construed as following such shoreline, and in the event of change in shoreline shall be construed as moving with said shoreline;
 - e. Boundaries indicated as approximately following property lines or section lines or other lines of the government survey shall be construed as following such property lines as of the effective date of this Ordinance, (or applicable amendment), section lines or other lines of government survey.
 - f. Where a zoning district boundary line divides a lot, the location of any such zoning district boundary lines, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.
2. If, after the application of the foregoing rules, uncertainty still exists as to the exact location of a zoning district boundary line, the boundary line shall be determined in a reasonable manner, considering the history of uses of property and the history of zoning ordinances and amendments in the City of Crystal Falls as well as all other relevant facts.

3.5 Replacement of Official Zoning Map

In the event the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made by the City Council may adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The Official Zoning Map shall bear the current City officers' signatures and certification as required in Section 3.2. Unless the Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

3.6 Application of District Regulations

The regulations established for each zoning district shall be the minimum regulations for promoting and protecting the public health, safety and general welfare, and shall be uniform for each class of land or buildings and structures throughout each district. Where there are practical difficulties in the way of carrying out the strict letter of this Ordinance, the Zoning Board of Appeals shall have power in passing upon appeals, in accordance with Section 12.3, to vary or modify regulations and provisions of this Ordinance so that the intent and purposes of this Ordinance shall be observed, public safety secured and substantial justice done.

3.7 Scope of Provisions

1. Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of or addition to an existing use, building or structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the zoning district in which such use, building, or structure shall be located.
2. Uses are permitted by right only if specifically listed as uses permitted by right in the various zoning districts. Where not specifically permitted, either by right or conditionally, uses are prohibited unless construed to be similar to an expressly permitted use. The Zoning Board of Appeals shall determine if a use is similar to a use specifically permitted by right or by conditions. The Zoning Board of Appeals may grant a variance to allow a use not permissible under the terms of this Ordinance in any district, in accordance with the standards in Section 12.4.1.c.
3. Accessory uses are permitted as indicated for the various zoning districts and when clearly incidental to the permitted principal uses.
4. The uses permitted as special or conditional uses are recognized as possessing characteristics of such unique and special nature (relative to location, design, size, etc.) as necessitating individual standards and conditions in order to safeguard the general health, safety and welfare of the community.
5. Any structure, use of a structure or land use and any lot, the size, width, or other characteristic of which fails to meet the requirements of the land use district in which it is located and which was lawfully established in accordance with state and local statutes ("of record") prior to the effective date of this amendment shall be considered a legal nonconforming use.
6. Structures or uses which were lawful prior to the adoption of this Ordinance existing on non-conforming lots may be used for any of the permitted uses in the districts in which they are located providing all other requirements of this Ordinance are met.
7. No vested right shall arise to the property owner for any parcel or use created in violation of any preceding City of Crystal Falls Zoning Ordinance.

3.8 Conflicting Regulations

Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than those imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.

3.9 Exemptions

1. The location of pipes, wires, poles, and generating and transmission equipment of public utilities or railroad tracks regulated by the State of Michigan or by the United States are exempt from regulation under this Ordinance.
2. The provisions of this Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

3.10 R-1 Residential One District

1. Intent: The R-1 Residential One District is established and maintained for medium-to high-density residential and related uses, typically in older residential neighborhoods with small lots. These areas will be provided with municipal water. Wastewater services will be provided in areas where infrastructure currently exists.
2. Permitted Principal Uses:
 - a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Elementary or secondary school
 - e. Library and other public building
 - f. Church
3. Special Uses Authorized by Permit:
 - a. Adult foster care large group home
 - b. Bed and breakfast establishment
 - c. Day care facility, group
 - d. Funeral home
 - e. Home occupation
 - f. Multiple-family dwelling
 - g. Parks and recreational facilities for day use
 - h. Two-family dwelling
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed, or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.11 R-2 Residential Two District

1. Intent: The R-2 Residential Two District is established and maintained for low to medium density residential and related uses. Water and wastewater services will be provided in areas where infrastructure currently exists unless cost prohibitive.
2. Permitted Principal Uses:
 - a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Elementary or secondary school
 - e. Libraries and other public building
 - f. Church
3. Special Uses Authorized by Permit:
 - a. Adult foster care large group home
 - b. Bed and breakfast establishment
 - c. Day care facility, group
 - d. Funeral home
 - e. Home occupation
 - f. Multiple-family dwelling
 - g. Nursing home, assisted living facility or similar use
 - h. Parks and recreational facility for day use
 - i. Planned unit development
 - j. Two-family dwelling
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed, or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.12 R-3 Residential Three District

1. Intent: The R-3 Residential Three District is established and maintained for medium- to high-density residential and related uses, typically in older residential neighborhoods with small lots. Water and wastewater services will be provided in areas where infrastructure currently exists unless cost prohibitive.
2. Permitted Principal Uses:
 - a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Church
 - e. Two-family dwelling
3. Special Uses Authorized by Permit:
 - a. Adult foster care large group home
 - b. Day care facility, group
 - c. Home occupation
 - d. Mobile Home Park
 - e. Multiple-family dwelling

- f. Parks and recreational facilities for day use
- g. Planned unit development (PUD)

- 4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.13 R-4 Residential Four District

- 1. Intent: The R-4 Residential Four District is established and maintained for low-to-medium residential and related uses, typically in areas which have not previously been developed. Water and wastewater services will be provided in areas where infrastructure currently exists unless cost prohibitive. Clustered development, conservation subdivisions, and similar types of development which protect and maintain open space are encouraged in this district.
- 2. Permitted Principal Uses:
 - a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Church
- 3. Special Uses Authorized by Permit:
 - a. Adult foster care large group home
 - b. Day care facility, group
 - c. Home occupation
 - d. Parks and recreational facilities for day use
 - e. Planned unit development (PUD)
 - f. Two-family dwelling
- 4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.14 B-1 Central Business District

- 1. Intent: The B-1 Central Business District is established and maintained for business uses within the Central Business District, in those areas which are served by municipal water and sewer, and where small lots, zero lot line development and minimal or no side setbacks are common.
- 2. Permitted Principal Uses:
 - a. Dwelling unit in the upper floors of commercial establishment, provided that such dwelling unit have a separate entrance and separate off-street parking in addition to the entrance and parking required for the commercial use

- b. Financial institution
 - c. Laundromat
 - d. Medical offices, including clinic
 - e. Off-street parking lot
 - f. Personal service establishments, such as barber or beauty shops, health and fitness facilities, etc.
 - g. Private club, fraternal organization and lodge hall
 - h. Professional office building
 - i. Retail store
 - j. Service business, such as photo studio, shoe repair, etc.
 - k. Tavern or restaurant not having drive-through service
 - l. Theater, concert hall, art gallery, museum, or similar place of assembly
 - m. Church
 - n. Automobile dealership
3. Special Uses Authorized by Permit:
- a. Automobile repair facility
 - b. Bowling alley
 - c. Car wash
 - d. Convenience Retail
 - e. Gasoline station
 - f. Plumber, decorator, electricians, etc. showroom and office
 - g. Retail and Service Establishments with Drive-through service
 - h. Sexually-Oriented Businesses provided that such use is located at least 1,000 feet from any church, school or day-care facility.
 - i. Indoor archery and/ or pneumatic gun (.177 caliber or lower) ranges.
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

3.15 B-2 General Business District

1. Intent: The B-2 General Business District is established and maintained for diverse business uses outside the Central Business District, in those areas which are served by municipal water and sewer, or where such service could be easily extended. This district provides for business development at a low density, typically along state trunklines.
2. Permitted Principal Uses:
 - a. Single –family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Two-family dwelling
 - e. Financial institution
 - f. Greenhouses, florists, and plant material sale
 - g. Laundromat
 - h. Long term care facilities, such as hospital, convalescent or nursing home
 - i. Medical office, including clinic
 - j. Off-street parking lot

- k. Personal service establishment, such as barber or beauty shop, health and fitness facility
- l. Plumber, decorator, electricians, etc. showroom and office
- m. Private club, fraternal organization and lodge hall
- n. Professional office building
- o. Church
- p. Retail store
- q. Service business, such as photo studio, shoe repair, etc.
- r. Tavern or restaurant not having drive-through service
- s. Theater, concert hall, art gallery, museum, or similar place of assembly

3. Special Uses Authorized by Permit:

- a. Amusement park and similar outdoor recreational facility
- b. Automobile repair establishment
- c. Bottling works and food packaging
- d. Bowling alley, indoor archery range, indoor skating rink, or similar forms of indoor recreation
- e. Car wash
- f. Convenience mart on lots of 10,000 square feet or greater
- g. Dwelling unit in the upper floors of commercial establishment, provided that such dwelling unit have a separate entrance and separate off-street parking in addition to the entrance and parking required for the commercial use
- h. Funeral home
- i. Gasoline service station on lots of 10,000 square feet or greater
- j. Hotel and motel
- k. Outdoor retail sales of merchandise when associated with a permitted use in this district
- l. Publicly-owned building, publicly-owned or regulated utility buildings and facility
- m. Planned unit development
- n. Restaurant with drive-through
- o. Retail and Service Establishments with Drive-through service
- p. Sales and showrooms for new and/or used motor vehicles, recreational vehicles, boats, etc. repair establishment
- q. Shopping center/mini mall
- r. Veterinary hospital or animal clinic, provided that all activities are conducted within a completely enclosed building
- s. Wholesale and warehousing, locker plant, mini-storage warehouse

4. Accessory Uses Permitted: Structural or mechanical buildings normally associated with permitted uses and signs subject to the regulations established in Section 6 Signs are permitted.

3.16 M-1 Mixed Use District

- 1. Intent: The M-1 Mixed Use District is established and maintained as an area where residential and compatible commercial uses can co-exist. Conversion of dwelling units to commercial uses and establishment of new commercial enterprises is allowed to the extent that they are compatible with existing and new residential uses.
- 2. Permitted Principal Uses:

- a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Church
 - e. Two-family dwelling
 - f. Elementary or secondary school
3. Special Uses Authorized by Permit:
- a. Adult foster care large group home
 - b. Bed and breakfast establishment
 - c. Day care facility, group
 - d. Financial institution
 - e. Home occupation
 - f. Medical office
 - g. Multiple-family dwelling
 - h. Personal service establishment, such as barber or beauty shop, health and fitness facility
 - i. Parks and recreational facilities for day use
 - j. Planned unit development (PUD)
 - k. Professional office building
 - l. Retail store
 - m. Service business, such as photo studio, shoe repair, etc.
 - n. Restaurant not serving alcohol
 - o. Restaurant not having drive-through service
 - p. Restaurant with drive-through service
 - q. Restaurant serving alcohol
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.17 I-1 Industrial One District

1. Intent: The I-1 Industrial One District is established and maintained for wholesale, warehousing, manufacturing and assembly and similar light industrial uses within completely enclosed buildings in areas which are served by municipal water and sewer where such service currently exists. Uses in the I-1 District generally do not produce noise, odors, light, smoke or other impacts which extend beyond the boundary of the district.
2. Permitted Principal Uses:
 - a. Automobile repair garage
 - b. Automobile parts and tire sales
 - c. Bottling works
 - d. Building materials sales and storage
 - e. Commercial printing and publishing
 - f. Drop forging, punching and plating operation
 - g. Freight handling facility

- h. Jobbing and machine shop
- i. Manufacturing and assembly
- j. Public utility building
- k. Research and development establishment
- l. Retail warehouse outlet
- m. Warehouse, self storage
- n. Wholesale and warehousing
- o. Professional buildings

3. Special Uses Authorized by Permit:

- a. Painting, varnishing and undercoating shop
- b. Planned unit development
- c. Storage of flammable liquids
- d. Trade and technical school
- e. Truck stop
- f. Truck terminal
- g. Utility substation
- h. Wireless communication facility

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

3.18 I-2 Industrial Two District

1. Intent: The I-2 Industrial Two District is established and maintained for manufacturing and other light or heavy industrial uses, including those which may involve outdoor storage of materials or equipment in areas which are served by municipal water and sewer where such service currently exists. Uses in the I-2 District may produce noise, odors, light, smoke or other impacts which extend beyond the boundary of the district.
2. Permitted Principal Uses:
 - a. Bottling works
 - b. Building materials sales and storage
 - c. Commercial printing and publishing
 - d. Drop forging, punching and plating operation
 - e. Freight handling facility
 - f. Jobbing and machine shop
 - g. Manufacturing and assembly
 - h. Research and development establishment
 - i. Wholesale and warehousing
3. Special Uses Authorized by Permit:
 - a. Asphalt plant
 - b. Contractor yard
 - c. Food processing establishment
 - d. Gravel or rock crusher
 - e. Junkyards or salvage yard
 - f. Painting, varnishing and undercoating shop

- g. Planned unit development
 - h. Recycling collection center
 - i. Sawmill
 - j. Storage of flammable liquids
 - k. Trade and technical school
 - l. Truck stop
 - m. Truck terminal
 - n. Utility substation
 - o. Wireless communication facility
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

Section 2. Effective Date. This ordinance shall take immediate effect 30 days after publication, as provided in Section 2.12(c) of the City Charter. Further, this is an amendment to an ordinance previously adopted.

YEAS: Mayor Sommers, Councilors Sherby, Schiavo, McCarthy, and Hagglund

NAYS: None

ABSTAIN: None

ABSENT: None

CERTIFICATION

I certify this true and complete copy of Ordinance No. 4.00-A, adopted at a Regular Meeting of the Crystal Falls City Council held on December 22, 2016.

Tara Peltoma, City Clerk/Treasurer

ADOPTION HISTORY OR ORDINANCE 4.00

Original Adoption Date: 01/08/1974

Amended : 11/08/1993

Amended: 10/23/1996

Amended: 12/22/2016

CITY OF CRYSTAL FALLS
ZONING ORDINANCE
NO. 4.00-A

AN ORDINANCE TO AMEND SECTION 3 OF THE CITY OF CRYSTAL FALLS ZONING
ORDINANCE, ORDINANCE NO. 4, TO PERMIT ARCHERY AND/OR PNEUMATIC GUN
RANGES IN THE B-1 DISTRICT

THE CITY OF CRYSTAL FALLS HEREBY ORDAINS:

Section 1. Amendment. Section 3 of Ordinance 4 of the City of Crystal Falls is amended to read in its entirety as follows:

Section 3 – Zoning Districts

3.1 Establishment:

For the purpose of this Zoning Ordinance, the City of Crystal Falls, Iron County, State of Michigan, is hereby divided into the following zoned districts:

R-1 Residential One District
R-2 Residential Two District
R-3 Residential Three District
R-4 Residential Four District
B-1 Central Business District
B-2 General Business District
M-1 Mixed Use District
I-1 Industrial One District
I-2 Industrial Two District

3.2 Zoning District Map:

1. The boundaries of the respective districts enumerated in 3.1 are established as depicted on the map entitled "City of Crystal Falls Official Zoning Map," which is an integral part of this Ordinance. This map, along with all notations and explanatory matter, shall become as much a part of this Ordinance as if fully described herein.
2. The City of Crystal Falls Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries, such changes shall be incorporated on the City of Crystal Falls Official Zoning Map and approved by the City Council of the City of Crystal Falls together with an entry on the City of Crystal Falls Official Zoning Map showing the date and official action taken.
3. One copy of the City of Crystal Falls Official Zoning Map is to be maintained and kept up-to-date by the Zoning Administrator, accessible to the public and shall be the final authority as to the current zoning status of properties in the City of Crystal Falls.

3.3 Areas Not Included Within A District

In every case where property has not been specifically included within a district including all cases of property becoming a part of the City subsequent to this Ordinance, such property shall be in the R-1 Residential District, unless and until it is re-designated into a different district by proper action of the City Planning Commission and the City Council.

3.4 Interpretation of the Zoning Map

1. Where due to the scale, lack of detail or illegibility of the zoning maps, there is any uncertainty, contradiction or conflict as to the intended location of any zoning district boundary as shown thereon, the Zoning Board of Appeals shall make an interpretation of said map upon request of any person. The Zoning Board of Appeals shall apply the following standards in interpreting the zoning map:
 - a. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;
 - b. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
 - c. Boundaries indicated as approximately following City boundaries shall be construed as following City boundaries;
 - d. Boundaries indicated as following shorelines shall be construed as following such shoreline, and in the event of change in shoreline shall be construed as moving with said shoreline;
 - e. Boundaries indicated as approximately following property lines or section lines or other lines of the government survey shall be construed as following such property lines as of the effective date of this Ordinance, (or applicable amendment), section lines or other lines of government survey.
 - f. Where a zoning district boundary line divides a lot, the location of any such zoning district boundary lines, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.
2. If, after the application of the foregoing rules, uncertainty still exists as to the exact location of a zoning district boundary line, the boundary line shall be determined in a reasonable manner, considering the history of uses of property and the history of zoning ordinances and amendments in the City of Crystal Falls as well as all other relevant facts.

3.5 Replacement of Official Zoning Map

In the event the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made by the City Council may adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The Official Zoning Map shall bear the current City officers' signatures and certification as required in Section 3.2. Unless the Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

3.6 Application of District Regulations

The regulations established for each zoning district shall be the minimum regulations for promoting and protecting the public health, safety and general welfare, and shall be uniform for each class of land or buildings and structures throughout each district. Where there are practical difficulties in the way of carrying out the strict letter of this Ordinance, the Zoning Board of Appeals shall have power in passing upon appeals, in accordance with Section 12.3, to vary or modify regulations and provisions of this Ordinance so that the intent and purposes of this Ordinance shall be observed, public safety secured and substantial justice done.

3.7 Scope of Provisions

1. Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of or addition to an existing use, building or structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the zoning district in which such use, building, or structure shall be located.
2. Uses are permitted by right only if specifically listed as uses permitted by right in the various zoning districts. Where not specifically permitted, either by right or conditionally, uses are prohibited unless construed to be similar to an expressly permitted use. The Zoning Board of Appeals shall determine if a use is similar to a use specifically permitted by right or by conditions. The Zoning Board of Appeals may grant a variance to allow a use not permissible under the terms of this Ordinance in any district, in accordance with the standards in Section 12.4.1.c.
3. Accessory uses are permitted as indicated for the various zoning districts and when clearly incidental to the permitted principal uses.
4. The uses permitted as special or conditional uses are recognized as possessing characteristics of such unique and special nature (relative to location, design, size, etc.) as necessitating individual standards and conditions in order to safeguard the general health, safety and welfare of the community.
5. Any structure, use of a structure or land use and any lot, the size, width, or other characteristic of which fails to meet the requirements of the land use district in which it is located and which was lawfully established in accordance with state and local statutes ("of record") prior to the effective date of this amendment shall be considered a legal nonconforming use.
6. Structures or uses which were lawful prior to the adoption of this Ordinance existing on non-conforming lots may be used for any of the permitted uses in the districts in which they are located providing all other requirements of this Ordinance are met.
7. No vested right shall arise to the property owner for any parcel or use created in violation of any preceding City of Crystal Falls Zoning Ordinance.

3.8 Conflicting Regulations

Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than those imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.

3.9 Exemptions

1. The location of pipes, wires, poles, and generating and transmission equipment of public utilities or railroad tracks regulated by the State of Michigan or by the United States are exempt from regulation under this Ordinance.
2. The provisions of this Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

3.10 R-1 Residential One District

1. Intent: The R-1 Residential One District is established and maintained for medium- to high-density residential and related uses, typically in older residential neighborhoods with small lots. These areas will be provided with municipal water. Wastewater services will be provided in areas where infrastructure currently exists.
2. Permitted Principal Uses:
 - a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Elementary or secondary school
 - e. Library and other public building
 - f. Church
3. Special Uses Authorized by Permit:
 - a. Adult foster care large group home
 - b. Bed and breakfast establishment
 - c. Day care facility, group
 - d. Funeral home
 - e. Home occupation
 - f. Multiple-family dwelling
 - g. Parks and recreational facilities for day use
 - h. Two-family dwelling
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed, or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.11 R-2 Residential Two District

1. Intent: The R-2 Residential Two District is established and maintained for low to medium density residential and related uses. Water and wastewater services will be provided in areas where infrastructure currently exists unless cost prohibitive.
2. Permitted Principal Uses:
 - a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Elementary or secondary school
 - e. Libraries and other public building
 - f. Church
3. Special Uses Authorized by Permit:
 - a. Adult foster care large group home
 - b. Bed and breakfast establishment
 - c. Day care facility, group
 - d. Funeral home
 - e. Home occupation
 - f. Multiple-family dwelling
 - g. Nursing home, assisted living facility or similar use
 - h. Parks and recreational facility for day use
 - i. Planned unit development
 - j. Two-family dwelling
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed, or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.12 R-3 Residential Three District

1. Intent: The R-3 Residential Three District is established and maintained for medium- to high-density residential and related uses, typically in older residential neighborhoods with small lots. Water and wastewater services will be provided in areas where infrastructure currently exists unless cost prohibitive.
2. Permitted Principal Uses:
 - a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Church
 - e. Two-family dwelling
3. Special Uses Authorized by Permit:
 - a. Adult foster care large group home
 - b. Day care facility, group
 - c. Home occupation
 - d. Mobile Home Park
 - e. Multiple-family dwelling

- f. Parks and recreational facilities for day use
- g. Planned unit development (PUD)

- 4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.13 R-4 Residential Four District

- 1. Intent: The R-4 Residential Four District is established and maintained for low-to-medium residential and related uses, typically in areas which have not previously been developed. Water and wastewater services will be provided in areas where infrastructure currently exists unless cost prohibitive. Clustered development, conservation subdivisions, and similar types of development which protect and maintain open space are encouraged in this district.
- 2. Permitted Principal Uses:
 - a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Church
- 3. Special Uses Authorized by Permit:
 - a. Adult foster care large group home
 - b. Day care facility, group
 - c. Home occupation
 - d. Parks and recreational facilities for day use
 - e. Planned unit development (PUD)
 - f. Two-family dwelling
- 4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.14 B-1 Central Business District

- 1. Intent: The B-1 Central Business District is established and maintained for business uses within the Central Business District, in those areas which are served by municipal water and sewer, and where small lots, zero lot line development and minimal or no side setbacks are common.
- 2. Permitted Principal Uses:
 - a. Dwelling unit in the upper floors of commercial establishment, provided that such dwelling unit have a separate entrance and separate off-street parking in addition to the entrance and parking required for the commercial use

- b. Financial institution
- c. Laundromat
- d. Medical offices, including clinic
- e. Off-street parking lot
- f. Personal service establishments, such as barber or beauty shops, health and fitness facilities, etc.
- g. Private club, fraternal organization and lodge hall
- h. Professional office building
- i. Retail store
- j. Service business, such as photo studio, shoe repair, etc.
- k. Tavern or restaurant not having drive-through service
- l. Theater, concert hall, art gallery, museum, or similar place of assembly
- m. Church
- n. Automobile dealership

3. Special Uses Authorized by Permit:

- a. Automobile repair facility
- b. Bowling alley
- c. Car wash
- d. Convenience Retail
- e. Gasoline station
- f. Plumber, decorator, electricians, etc. showroom and office
- g. Retail and Service Establishments with Drive-through service
- h. Sexually-Oriented Businesses provided that such use is located at least 1,000 feet from any church, school or day-care facility.
- i. Indoor archery and/ or pneumatic gun (.177 caliber or lower) ranges.

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

3.15 B-2 General Business District

- 1. Intent: The B-2 General Business District is established and maintained for diverse business uses outside the Central Business District, in those areas which are served by municipal water and sewer, or where such service could be easily extended. This district provides for business development at a low density, typically along state trunklines.
- 2. Permitted Principal Uses:
 - a. Single –family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Two-family dwelling
 - e. Financial institution
 - f. Greenhouses, florists, and plant material sale
 - g. Laundromat
 - h. Long term care facilities, such as hospital, convalescent or nursing home
 - i. Medical office, including clinic
 - j. Off-street parking lot

- k. Personal service establishment, such as barber or beauty shop, health and fitness facility
 - l. Plumber, decorator, electricians, etc. showroom and office
 - m. Private club, fraternal organization and lodge hall
 - n. Professional office building
 - o. Church
 - p. Retail store
 - q. Service business, such as photo studio, shoe repair, etc.
 - r. Tavern or restaurant not having drive-through service
 - s. Theater, concert hall, art gallery, museum, or similar place of assembly
3. Special Uses Authorized by Permit:
- a. Amusement park and similar outdoor recreational facility
 - b. Automobile repair establishment
 - c. Bottling works and food packaging
 - d. Bowling alley, indoor archery range, indoor skating rink, or similar forms of indoor recreation
 - e. Car wash
 - f. Convenience mart on lots of 10,000 square feet or greater
 - g. Dwelling unit in the upper floors of commercial establishment, provided that such dwelling unit have a separate entrance and separate off-street parking in addition to the entrance and parking required for the commercial use
 - h. Funeral home
 - i. Gasoline service station on lots of 10,000 square feet or greater
 - j. Hotel and motel
 - k. Outdoor retail sales of merchandise when associated with a permitted use in this district
 - l. Publicly-owned building, publicly-owned or regulated utility buildings and facility
 - m. Planned unit development
 - n. Restaurant with drive-through
 - o. Retail and Service Establishments with Drive-through service
 - p. Sales and showrooms for new and/or used motor vehicles, recreational vehicles, boats, etc. repair establishment
 - q. Shopping center/mini mall
 - r. Veterinary hospital or animal clinic, provided that all activities are conducted within a completely enclosed building
 - s. Wholesale and warehousing, locker plant, mini-storage warehouse
4. Accessory Uses Permitted: Structural or mechanical buildings normally associated with permitted uses and signs subject to the regulations established in Section 6 Signs are permitted.

3.16 M-1 Mixed Use District

- 1. Intent: The M-1 Mixed Use District is established and maintained as an area where residential and compatible commercial uses can co-exist. Conversion of dwelling units to commercial uses and establishment of new commercial enterprises is allowed to the extent that they are compatible with existing and new residential uses.
- 2. Permitted Principal Uses:

- a. Single-family dwelling
 - b. Adult foster care small group home
 - c. Day care facility, family
 - d. Church
 - e. Two-family dwelling
 - f. Elementary or secondary school
3. Special Uses Authorized by Permit:
- a. Adult foster care large group home
 - b. Bed and breakfast establishment
 - c. Day care facility, group
 - d. Financial institution
 - e. Home occupation
 - f. Medical office
 - g. Multiple-family dwelling
 - h. Personal service establishment, such as barber or beauty shop, health and fitness facility
 - i. Parks and recreational facilities for day use
 - j. Planned unit development (PUD)
 - k. Professional office building
 - l. Retail store
 - m. Service business, such as photo studio, shoe repair, etc.
 - n. Restaurant not serving alcohol
 - o. Restaurant not having drive-through service
 - p. Restaurant with drive-through service
 - q. Restaurant serving alcohol
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.17 I-1 Industrial One District

- 1. Intent: The I-1 Industrial One District is established and maintained for wholesale, warehousing, manufacturing and assembly and similar light industrial uses within completely enclosed buildings in areas which are served by municipal water and sewer where such service currently exists. Uses in the I-1 District generally do not produce noise, odors, light, smoke or other impacts which extend beyond the boundary of the district.
- 2. Permitted Principal Uses:
 - a. Automobile repair garage
 - b. Automobile parts and tire sales
 - c. Bottling works
 - d. Building materials sales and storage
 - e. Commercial printing and publishing
 - f. Drop forging, punching and plating operation
 - g. Freight handling facility

- h. Jobbing and machine shop
- i. Manufacturing and assembly
- j. Public utility building
- k. Research and development establishment
- l. Retail warehouse outlet
- m. Warehouse, self storage
- n. Wholesale and warehousing
- o. Professional buildings

3. Special Uses Authorized by Permit:

- a. Painting, varnishing and undercoating shop
- b. Planned unit development
- c. Storage of flammable liquids
- d. Trade and technical school
- e. Truck stop
- f. Truck terminal
- g. Utility substation
- h. Wireless communication facility

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

3.18 I-2 Industrial Two District

1. Intent: The I-2 Industrial Two District is established and maintained for manufacturing and other light or heavy industrial uses, including those which may involve outdoor storage of materials or equipment in areas which are served by municipal water and sewer where such service currently exists. Uses in the I-2 District may produce noise, odors, light, smoke or other impacts which extend beyond the boundary of the district.
2. Permitted Principal Uses:
 - a. Bottling works
 - b. Building materials sales and storage
 - c. Commercial printing and publishing
 - d. Drop forging, punching and plating operation
 - e. Freight handling facility
 - f. Jobbing and machine shop
 - g. Manufacturing and assembly
 - h. Research and development establishment
 - i. Wholesale and warehousing
3. Special Uses Authorized by Permit:
 - a. Asphalt plant
 - b. Contractor yard
 - c. Food processing establishment
 - d. Gravel or rock crusher
 - e. Junkyards or salvage yard
 - f. Painting, varnishing and undercoating shop

- g. Planned unit development
 - h. Recycling collection center
 - i. Sawmill
 - j. Storage of flammable liquids
 - k. Trade and technical school
 - l. Truck stop
 - m. Truck terminal
 - n. Utility substation
 - o. Wireless communication facility
4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

Section 2. Effective Date. This ordinance shall take immediate effect 30 days after publication, as provided in Section 2.12(c) of the City Charter. Further, this is an amendment to an ordinance previously adopted.

YEAS: Mayor Sommers, Councilors Sherby, Schiavo, McCarthy, and Hagglund

NAYS: None

ABSTAIN: None

ABSENT: None

CERTIFICATION

I certify this true and complete copy of Ordinance No. 4.00-A, adopted at a Regular Meeting of the Crystal Falls City Council held on December 22, 2016.


Tara Peltoma, City Clerk/Treasurer

ADOPTION HISTORY OR ORDINANCE 4.00

Original Adoption Date: 01/08/1974

Amended : 11/08/1993

Amended: 10/23/1996

Amended: 12/22/2016