

CITY OF LUDINGTON
ORDINANCE NO. 475-22

ACCESSORY DWELLING UNITS

An ordinance to amend the City of Ludington Zoning Ordinance No. 23-00, as amended.

THE CITY OF LUDINGTON ORDAINS:

Section 1.

ARTICLE 200.2 DEFINITIONS

SECTION 200.2:1

(1) **ACCESSORY USE:** Any use customarily incidental to the principal use of the premises, located on the same zoning lot as the principal use to which it is related.

(2) **ACCESSORY DWELLING UNIT (ADU):** A residential living unit located on the same parcel as the primary single-family dwelling. ADUs are independently habitable and provide a kitchen, bathroom and sleeping area. ADUs are detached structures such as converted garages or new construction.

(3) **ALLEY:** A public way which affords only secondary access to abutting property, not a street as herein defined.

(4) **ADAPTIVE REUSE:** The development of vacant or obsolete buildings for a purpose other than that for which it was built or designed. Redevelopment of such buildings includes uses which might not otherwise be permitted in the Zoning District. These uses may include residential, retail, office and service uses.

(5) **ARTISAN ACTIVITIES:** A person skilled in an applied are; a craftsman; a person or company that makes a high-quality or distinctive product in small quantities, usually by hand or using traditional methods.

(6) **AUTOMOBILE/VEHICLE REPAIR (General):** The general mechanical repair, including overhaul and reconditioning of vehicle engines, transmissions and other mechanical repairs, but not including collision services such as body, frame, etc.

(7) **AUTOMOBILE/VEHICLE BODY REPAIR:** Collision services such as body, frame, painting or repair of damaged vehicles.

(8) **AUTOMOBILE/TRAILER SALES AREA:** Any space used for display, sale, or rental of motor vehicles or trailers, in new or used and operable condition.

(9) **AUTOMOBILE STORAGE, DAMAGED:** Any storage of inoperable vehicles not incidental to a service garage.

(10) **AWNINGS:** An architectural projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight, rigid skeleton structure over which a covering is attached.

Section 2.

ARTICLE 500.3 ACCESSORY DWELLING UNITS (ADU)

SECTION 500.3 Intent: To provide housing options while preserving the character of the residential neighborhoods.

SECTION 500.4 Allowed Zoning Districts: One Accessory Dwelling Unit may be added to a parcel with a single-family home in the R1A, R2A, R1B, LC, WM1 AND WM2 districts. An ADU may be created through new construction or converted garages and **must be owner occupied** with a recorded permit requiring owner occupancy.

SECTION 500.5 Requirements: All ADUs must meet the following requirements:

- (1) A structure that is added for the purpose of an ADU shall have a minimum of 375 sq. ft. and a maximum of 750 sq. ft. or 1/3 of the square footage of the principal dwelling, whichever is less. The total of the new structure and any existing accessory buildings shall not exceed 1,200 sq. ft.
- (2) A conversion of an existing accessory structure to an ADU shall have a minimum of 375 sq. ft. and a maximum of 900 sq. ft. The structure shall not exceed 25 ft. in height or residence height, whichever is less.
- (3) One off-street parking spot must be provided for an ADU.
- (4) An ADU shall not be rented for less than 28 days.
- (5) No ADU shall be in any required front yard. No ADU located in the rear yard shall be closer than 3 feet to any side lot line nor closer than 5 feet to any alley right-of-way or rear lot line.

Existing Structure Exception:

- a. If an existing accessory structure exists on the lot and is located closer than the allowable setbacks to the side or rear yard as noted in this ordinance, it may be converted to an ADU if approved through a Special Land Use process.

Corner Lot Exceptions:

- a. When the rear line of a corner lot abuts the side line of an adjoining lot in a residential district, no accessory building shall be within 7 ½ feet of such abutting lot line nor closer to the side street lot line than the front yard setback of the principal building on the adjoining lot, but in no case shall the setback be less than 25 feet.
- b. When the rear line of a corner lot abuts the rear line of any other lot or is directly across an alley there from, no accessory building shall be closer to the side street lot line of a corner lot than the side yard setback of the principal building on the corner lot.
- (6) An ADU may not be located closer than seven (7) feet from a principal structure.
- (7) Floor area in % of lot area regulations shall be governed by **Section 400.14** for each zoning district.
- (8) The design of an ADU must be compatible with the primary dwelling.

- (9) ADUs must comply with all Michigan Residential Building Codes and residential rental codes, if applicable, found in the Ludington City Code, Article VII and VIII.

Section 3.

**ARTICLE 400.1 R1A SHOREFRONT RESIDENTIAL AND
R1B SINGLE-FAMILY RESIDENTIAL DISTRICTS**

SECTION 400.1:2 Permitted Principal Uses

- (1) Single-family dwellings.
- (2) Neighborhood public parks, playgrounds, and elementary schools primarily for use of neighborhood residents.
- (3) Churches parish houses, and convents.
- (4) Other public/quasi-public uses such as public library, museum, utility building, and fire station.
- (5) Family Day Care.
- (6) Accessory Dwelling Units

Section 4.

ARTICLE 400.5 LC LIMITED COMMERCIAL DISTRICT

SECTION 400.5:2 Permitted Principal Uses

- (1) Offices for generally recognized professions such as doctors, dentists, optometrists, attorneys, architects, engineers, surveyors.
- (2) Offices of stockbrokers, insurance agents, real estate agents, interior decorators, advertising agents, purchasing agents, bookkeepers, and similar office uses.
- (3) Personal service establishment.
- (4) Funeral homes, banks, art galleries, and similar uses.
- (5) Single- and two-family dwellings.
- (6) Public/quasi-public uses allowed in R1A district.
- (7) Adult Day Care-Group
- (8) Accessory Dwelling Unit

Section 5.

ARTICLE 400.17 WM 1 AND 2 (WATERFRONT MARITIME)

SECTION 400..17:1 Intent This district is designed to provide a bridge between the established business areas and the developing waterfront area. The mixing of residential and non-residential uses on the same property is encouraged to promote an active waterfront area and prosperous downtown business environment. The use, improvement and preservation of existing streets and alleys to promote pedestrian traffic circulating in the waterfront area and the downtown area are viewed as an enhancement to the community. Existing public rights-of-way should only be altered

to enhance the overall objectives of the City. District regulations are designed to promote physical developments and reuse existing buildings where feasible which are aesthetically, visually, and functionally compatible with the surrounding area.

SECTION 400.17:2 Permitted Principal Uses

- (1) Libraries, museums, and other governmental facilities;
- (2) Multi-family residential;
- (3) General and professional offices;
- (4) Single-Family dwellings in **WM2 only**.
- (5) Accessory Dwelling Units

Section 6. Severability.

If any section, clause, or provision of this Section is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such declaration shall not affect the remainder of the Article. The City Council hereby declares that it would have adopted this Article and each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses is declared invalid.

Section 7. Repealer.

All ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 8. Effective Date.

This Ordinance shall become effective 20 days following its introduction, adoption and publication as required by law.

Adopted on _____, 2022.

Certification

I, Deborah L. Luskin, being the Clerk of the City of Ludington, certify that the above is a true and accurate copy of the Ordinance adopted by the City Council at their regular meeting on the ____ day of _____, 2022.

Deborah L. Luskin, City Clerk