

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING ARTICLE 4 ZONING, OF
CHAPTER 42, LAND DEVELOPMENT REGULATIONS,**

THE CITY OF PORTAGE ORDAINS:

That Chapter 42 of the Codified Ordinances of Portage, Michigan shall be amended as follows:

ARTICLE 4. ZONING, DIVISION 3 GENERAL PROVISIONS.

Sec. 42-121. - Accessory Uses, Subsection 8 Accessory Buildings - Residential zoning districts, shall be amended as follows, to add new subsection 4:

4. Swimming Pool Location. Swimming pools shall meet the following setbacks:
 - a. Front yard setback of the applicable zoning district;
 - b. No closer than eight feet from the required rear or side property line;
and
 - c. No closer than ten feet from any structures as measured from the nearest vertical wall enclosure (not including support columns with dimensions of less than 12 inches) .

All other parts of Section 42-121 remain unchanged.

ARTICLE 4. ZONING, DIVISION 2 DEFINITIONS.

Sec. 42-112. - Definitions, shall be amended as follows:

Add the following new definitions to Section 42-112:

Indoor pool means any swimming pool which is totally contained within a residential structure and surrounded on all side by walls of the structure.

Swimming pool/pool mean any area capable of containing water and of being used for swimming, wading or bathing, having a depth of two feet or more at any point and which is not an indoor pool.

Dwelling unit, Subsection 3 shall be amended to read as follows, by striking subparagraph b:

Dwelling unit: A building, or portion thereof, designed for occupancy by one family for residential purposes and having cooking facilities.

3. Dwelling, one-family attached: A one-family dwelling erected side by side to another similar unit as a single building, each unit being separated from the adjoining unit by an uninterrupted wall extending from the basement floor to the roof. Units may be attached to each other only by one or more of the following methods.
 - a. Through a common party wall which does not have over 80 percent of its area in common with an abutting dwelling wall;
 - b. Reserved

- c. Through a common party wall in only the garage portion of an abutting structure.

ARTICLE 4. ZONING, DIVISION 4 ZONING DISTRICTS AND DISTRICT REGULATIONS, SUBDIVISION 11 PD PLANNED DEVELOPMENT DISTRICT.

Sec. 42-371. - Definitions, One-family attached residential dwelling *shall be amended to read as follows:*

One-family attached residential dwelling: a dwelling that is attached by means of one or more of the following:

- a. Through a common party wall which does not have over 50 percent of its area in common with an abutting dwelling wall;
- b. Reserved
- c. Through a common party wall in only the garage portion of an abutting structure. In this case, no other common party wall relationship is permitted, and not more than four units shall be attached in this manner.

ARTICLE 4. ZONING, DIVISION 3 GENERAL PROVISIONS, WORK/LIVE ACCOMMODATIONS

Sec. 42-137 - Section 42-137(C)(2) Work/live accommodations *shall be amended to read as follows .*

2. Live/work buildings. The work/live building must meet applicable building and fire code requirements. Any existing approved Live,Work locations may continue to be used as approved, but cannot be changed to a design in conflict with building, fire code requirements.

First reading 9/24/24; second reading and adoption 10/22/24; Effective 11/13/24