

# CITY OF KEEGO HARBOR

2025 Beechmont, Keego Harbor, Michigan 48320 (248) 682-1930

## ORDINANCE NO. 2024-07

### AN ORDINANCE TO AMEND THE CITY OF KEEGO HARBOR ZONING ORDINANCE, CHAPTER 26 OF THE CITY MUNICIPAL CODE OF ORDINANCES

PART 1. Amend Chapter 26, Article III to add Section 3.08 – Table of Land Uses by Zoning District to read as follows:

### ARTICLE 3 – ZONING DISTRICTS AND MAP; CONFORMITY TO ORDINANCE REGULATIONS

#### Sec. 3.08 – Table of Land Uses by Zoning District.

- (a) **Table of Land Uses, Legend.** Throughout the Table of Land Uses by Zoning District, “P” means “Permitted Use”, “S” means permitted by “Special Land Use”, and “\*\*” denotes that the use requires additional use standards. See the designated Zoning District Article for specific additional use standards.
- (b) **Village Overlay District.** The Village Overlay District use prescription takes precedence over all other districts. For example, if a use is listed as permitted in C-2 but SLU in VOD, then it needs to seek a special land use.
- (c) **Uses Not Listed.** The Planning Commission has the authority to determine that a use (including a temporary use) not listed within this Zoning Ordinance is similar in character and intensity to the uses permitted in each district, and therefore permit that use by special land use approval. In determining the “character and intensity” of a use, the Planning Commission must determine that the use is consistent with the uses permitted in the district per the following:
- (1) Noise, odor, dust, and vibration.
  - (2) Traffic generation and the number of people likely to gather onsite.
  - (3) The scale and massing of buildings.
  - (4) Impact on natural features and the environment.
  - (5) Views from adjacent properties.
  - (6) Duration of uses (if not permanent).
  - (7) Any other criteria deemed applicable by the Planning Commission.

#### (d) Table of Land Uses by Zoning District.

Land Use	NR	R-T	R-M	R-MH	P-1	C-1	C-2	VOD	M-1
<b>Accessory Uses</b>									
Accessory buildings and uses customarily incidental to the principal permitted uses within each zoning district are permitted	P	P	P	P		P	P		

Land Use	NR	R-T	R-M	R-MH	P-1	C-1	C-2	VOD	M-1
**									
Community Building **				P					
Home Occupations **	P	P	P	P		P	P		
<b>Dwelling Units</b>									
Accessory Dwelling Unit (ADU)									
Boarding House			P						
Courtyard Home			P						
Duplex (Side-By-Side or Stacked)			P			P	P	P	
Economy Efficiency Dwelling (EED)			P			P	P	P	
Fourplex			P			P	P	P	
Live-Work			P			P	P	P	
Mobile Home Park **				P					
Multiple-Family Dwelling			P			P	P	P	
Single-Family Dwelling, Detached	P								
Single-Family Dwelling, Manufactured	P								
Townhome **		P	P			P	P	P	
Triplex (Side-By-Side or Stacked)			P			P	P	P	
Upper-Level Residential Dwelling			P			P	P	P	
<b>Group Homes</b>									
Adult Foster Care, Family Home (1-6 persons)	P	P	P	P		P	P		
Adult Foster Care, Small Group Home (7-12 persons)	S	S	P	P		P	S		
Adult Foster Care, Large Group Home (13-20 persons)		S	P	P		S			
Adult Foster Care, Congregate Facility (20 or more adults)						S	S		
Child Care Home, Family (1-6 children)	P	P	P	P		P	P		
Child Care Home, Group (7-12 children) **	S	S	P	P		P	S		
Foster Care, Family Home (1-6 children)	P	P	P	P		P	P		
Foster Care, Group Home (7+ children)			S	S		S			
Transitional Housing / Shelters						S	S		
Nursing Home **			S	S		S	S		
Senior Living (Assisted / Independent)			P	P		S	P	S	
<b>Public / Quasi Public Uses</b>									
Bus Passenger Stations							S	S	
Cemetery									
Community Center						P	P	P	
Parks	P	P	P	P	P	P	P	P	P
Parking Garage **					P	S	S	S	
Parking Lot (Surface) **					P	P	P	P	
Public Building / Utility Office	S	S	P			P	P		

Land Use	NR	R-T	R-M	R-MH	P-1	C-1	C-2	VOD	M-1
Place of Worship **	P	P	P	P		P	P		
Recreation, Public	P	P				P	P		
Recreation, Private **			S			P	P		
School, Elementary **	P	P	P	P		P	P		
School, Middle and High **	P	P	P	P		P	P		
School, College and University **			S			P	P	S	
Schools, Trade and Vocational **			S			P	P	S	
Storage Lot, Boats and Recreational Vehicles **	S		S						
Utility and public service facilities and uses needed to serve the immediate vicinity, including transformer stations and switchboards, but excluding storage yards	S	S	S	S		S	P		
Wireless Communication Facility **	S	S	P	P	P	P	P		P
Wireless Communications Support Structures **	S	S	S	S	S	S	S		S
<b>Commercial Uses</b>									
Artisan Manufacturing						P	P	P	P
Art Gallery						P	P	P	
Automobile sales offices and showrooms, provided that any outdoor sales area for used vehicle sales shall be permitted only as an adjunct to a new vehicle sales establishment **							S		
Automobile service centers and quick oil change shops **							S		S
Automobile wash or car wash establishments **							S		
Bar						P	P	P	P
Bed and Breakfast Inns and Tourist Homes **	S	S	S			S	S	S	
Boat Facilities: Facilities for the sales, servicing, and protection of small recreation, boats, along with retail facilities that supply commodities related to boating **							S		
Business Service Establishment						P	P	P	
Childcare Center						P	P	P	
Commercial establishments with hours of operation between 11:00 p.m. and 6:00 a.m. (excluding bars and lounges) **						S	S	S	
Drive-Thru Facility **							S		
Event Hall: Private service clubs, fraternal organizations, banquet halls, and meeting halls **						S	P	S	



Land Use	NR	R-T	R-M	R-MH	P-1	C-1	C-2	VOD	M-1
Printing / Publishing / Allied industry									P
Public Utilities									P
Trade / Industrial Schools									P
Testing / Experimental / Research Facility									P
Truck Terminal Facility									S
Warehouse and Wholesale Establishment									P
Water Supply / Sewage Disposal Plant									S

**PART 2. Amend Chapter 26, Article VIII, Section 8.01 to add subsection (g) to read as follows:**

## **ARTICLE 8 – C-1 LOCAL BUSINESS DISTRICT**

### **Sec. 8.01 – Additional Use Standards**

#### **(g) Outdoor Dining.**

- (1) The outdoor seating area shall be buffered from streets, with an aesthetically appealing screening device that is aligned with the vision of the Cass Lake Road Corridor Plan.
- (2) Such eating areas shall be separated from all vehicular parking and maneuvering areas by means of an approved protective landscaped buffer, wall, architectural feature, or some other similar means of separation.
- (3) Outdoor seating shall be subject to applicable Oakland County Health Department requirements.
- (4) The application shall specify the plans for storage of tables, chairs, and equipment during the months when the outdoor seating is not in use.
- (5) The outdoor eating area shall be always kept clean and void of litter. Mobile vending outdoor dining applications must demonstrate a waste management plan.
- (6) All vending machines and arcades shall be located within a completely enclosed building.
- (7) The capacity of the outdoor seating area shall be provided by the applicant and verified by the Building Official.
- (8) If the eating area is elevated above a parking area, pedestrian walkway, or waterway objects shall not be placed on a ledge or railing which may dislodge and endanger vehicles or pedestrians below.
- (9) Additional signs shall not be permitted, beyond what is permitted for the existing restaurant.
- (10) Entertainment, music, speakers, or similar devices shall be prohibited in this outdoor area within one hundred (100) feet of any residential use.
- (11) Outdoor storage of food and preparation of food and beverages shall be prohibited in this outdoor area.
- (12) The sale and consumption of alcohol are governed by the Michigan Liquor Control Act and local ordinance.
- (13) In addition to the standards listed above, outdoor sidewalk cafes shall also be subject to the following standards:

- i. To allow for pedestrian circulation, a minimum five (5) feet wide pedestrian passage clearance must be maintained anywhere on the sidewalk in front of all buildings.
  - ii. All entrances and walkways must be barrier-free and accessible, in accordance with the provisions in the national Americans with Disabilities Act (ADA) and Michigan barrier-free requirements.
- (14) Tables, chairs, planters, trash receptacles, and other elements of street furniture should be maintained and meet the standards in accordance with the zoning ordinance.
- (15) Liability issues for use of the public sidewalk should be addressed and reviewed by the City Attorney.
- (16) The city encourages the installation of bike racks next to outdoor dining set-ups.

**PART 3. Amend Chapter 26, Article XIV, Section 13.00 – Parking requirements to add subsection (n) read as follows:**

## **ARTICLE 13 – OFF-STREET PARKING REQUIREMENTS**

### **Sec. 13.00 – Parking requirements.**

- (n) **When Required.** Any new structure and / or use shall provide the minimum number of off-street parking spaces based upon the following schedule, unless waived by Planning Commission.
- (1) *Exempt.* Projects that involve re-occupying existing units within a plaza or strip mall do not need to meet the off-street parking requirements.

**PART 4. Amend Chapter 26, Article XIV, Section 14.07 (c) (6) to read as follows:**

## **ARTICLE 14 – SIGNS**

### **Sec. 14.07 – District regulations.**

- (6) **Window signs.** Temporary and permanent window signs shall be permitted on the inside in commercial and office districts provided that the total combined area of such signs does not exceed one-third ( $\frac{1}{3}$ ) of the total window area. The area of permanent window signs shall be counted in determining compliance with standards for total area of wall signs on the parcels. Temporary window signs that are faded, yellowed, ripped or otherwise damaged shall be removed immediately.

Window signs on glass in the Village Overlay District (VOD) is limited to the ground floor, maximum twenty-five (25) percent of glass area and twelve (12) square feet per storefront (space between each set of exterior columns and/or pilasters). Flyers taped to storefronts or storefront glass are prohibited. Maximum three (3) decals per business on exterior glass, maximum six-inch square each.

## **ZONING COMPARATIVE TABLE - ORDINANCES**

<b>Ordinance No.</b>	<b>Date</b>	<b>Section</b>	<b>Section this Code</b>
2024-07	8-14-2024	Pt. 1 Add	Add 3.08
		Pt. 2	8.01

		Pt. 3	13.00
		Pt. 4	14.07