

CITY OF MT. MORRIS
ORDINANCE NO. 15-05

An ordinance to amend the Code of Ordinances, City of Mt. Morris, Michigan, specifically, the Zoning Ordinance as set forth in Appendix D of the Code by the Ordinance in the following respects: (a) By amending and restating Sec. 6.05 Residential "R-1" District by causing certain conditional uses to be re-designated as permitted uses; (b) by amending and re-stating Sec. 6.08 Residential (RB) District by designating large apartment complexes with over 5 or more family units as conditional uses; and, (c) By amending and re-stating Sec. 6.11 Commercial "C-R" (Commercial - Retail) Districts by adding certain permitted uses as set forth in subparagraph 1 e under the designation amusements, Commercial, etc., by including the uses thereafter set forth.

THE CITY OF MT. MORRIS ORDAINS:

Section 1.

Section 6.05 entitled Residential "R-1" District as set forth in Appendix D of the Code entitled Zoning is hereby amended and restated as follows:

Sec. 6.05. Residential "R-1" district.

1. *Uses permitted.* No structure or part thereof shall be erected, altered, or used and no land may be used except for one or more of the following purposes:
 - a. One detached single-family dwelling per lot.
 - b. Adult foster care family homes and small group homes subject to the provisions of section 9.01.
 - c. Family day care and group day care homes, subject to the provisions of section 9.06.
 - d. Accessory structures.
 - e. Churches, synagogues, temples, public, parochial, private and trade schools and colleges, public libraries, museums, art galleries and community center buildings.
 - f. Public parks, golf courses, country clubs, tennis courts, and similar recreational uses, including restaurants when accessory to the principal use, subject to the provisions of section 9.15.
 - g. Hospitals, sanitariums, clinics, nursing and rest homes and charitable institutions for human care, subject to the provisions of section 9.10.
 - h. Planned unit developments subject to the provisions of section 9.14

2. *Conditional uses permitted.* Structures and parts thereof may be erected, altered, or used and land may be used for one or more of the following purposes subject to the approval of the city planning commission and subject to the conditional use provisions of Article 8.

- a. Municipal, county and state and federal administration buildings.
- b. Fire stations and water towers subject to the provisions of section 9.07.
- c. Municipal, denominational and private cemeteries subject to the provisions of section 9.04.
- d. Cluster subdivision subject to the provisions of section 9.05.
- e. Reserved.
- f. Home occupations subject to the provisions of section 9.09.
- g. Telecommunication towers and antennas subject to the provisions of section 9.19.

Section 2.

Sec. 6.08. Residential multiple (RB) district as set forth in Appendix D of the Code entitled Zoning is hereby amended and restated as follows:

The following regulations shall apply to all residential "RB" districts:

1. *Uses permitted.* No structure or part thereof shall be erected, altered, or used, and no land may be used except for one or more of the following purposes:

- a. One detached single-family dwelling per lot.
- b. Adult foster care family homes and small group homes, subject to the provisions of section 9.01.
- c. Family day care and group day care homes, subject to the provisions of section 9.06.
- d. Accessory structures.
- e. Two-, three- and four-family residential structures.
- f. Garden apartment and/or townhouse structures, subject to the provisions of section 9.08.

2. *Conditional uses permitted.* Structures and parts thereof may be erected, altered, or used, and land may be used for one or more of the following purposes subject to the approval of the city planning commission and subject to the conditional use provisions of Article 8.

- a. Churches, synagogues, temples, public, parochial, private and trade

- schools and colleges, public libraries, museums and art galleries.
- b. Municipal, county, state and federal administration buildings and community center buildings.
- c. Fire stations and water towers, subject to the provisions of section 9.07.
- d. Municipal, denominational and private cemeteries subject to the provisions of section 9.04.
- e. Public parks, golf courses, country clubs, tennis courts, and similar recreational uses including restaurants when accessory to the principal use, subject to the provisions of section 9.15.
- f. Cluster subdivision subject to the provisions of section 9.05.
- g. Hospitals, sanitariums, clinics, nursing and rest homes and charitable institutions for human care, subject to the provisions of section 9.10.
- h. Planned unit developments subject to the provisions of section 9.14.
- i. Medical or dental clinics.
- j. Business and professional offices.
- k. Adult foster care medium and large group homes, subject to the provisions of section 9.02.
- l. Telecommunication towers and antennas subject to the provisions of section 9.19.
- m. Large apartment complexes with over 5 or more family units.

Section 3.

Sec. 6.11. Commercial "C-R" (commercial-retail) district as set forth in Appendix D of the Code is hereby amended and restated as follows:

The following regulations shall apply to all commercial "C-R" (retail) districts:

1. *Uses permitted.* No structure or part thereof shall be erected, altered, or used, and no land shall be used except for one or more of the following purposes:
 - a. One detached single-family dwelling per lot.
 - b. Accessory structures.
 - c. Two-, three- and four-family residential structures.
 - d. Garden apartment and/or townhouse structures, subject to the provisions of section 9.08.
 - e. Other uses:
 - Amusements, commercial, etc., including:
 - Dance halls;

Bowling alleys;
Billiard or Pool halls;
Skating rinks and shooting galleries;
Games of skill and science; and
Miniature golf courses

- Antique shops
- Bakeries, retail sales
- Banking and loan institutions
- Barber and beauty shops
- Beer, wine and liquor, retail sales
- Bicycle shops, sales and service
- Book and stationery stores
- Carpeting and rugs, retail sales
- Clothing and accessories, retail sales
- Confectionery and delicatessen stores
- Department stores
- Drugstores
- Dry cleaning and laundry pick-up stations
- Dry goods stores
- Electric and electronic appliances, retail sales and service
- Elevator maintenance and repair shops
- Fruit and vegetable stores, retail sales (when enclosed within a building)
- Florist, retail sales
- Food markets and supermarkets
- Furniture stores, retail sales, repair and re-upholstering
- Hardware stores
- Laundromats and self-service dry cleaning
- Meat markets (no slaughtering)
- Musical instruments, sales and service
- Novelty shops
- Nursery stock, retail sales
- Offices, professional and business (including sample rooms but no warehouse)
- Optical goods, retail sales
- Paint stores, retail sales
- Photographic supplies, retail sales
- Plumbing shops, retail sales and service
- Radio and television, retail sales and service
- Restaurants, without drive through or drive-in service (service entirely within building)
- Shoe repair shops

- Sporting goods stores, retail sales
- Sports cards and collectibles shops
- Tailor shops
- Tanning centers
- Tattoo parlors
- Theaters (indoor)
- Video rental stores
- Wall paper stores, retail sales

2. *Conditional uses permitted.* Structures and parts thereof may be erected, altered, or used, and land may be used for one or more of the following purposes subject to the conditional use provisions of Article 8.

a. Any use of the same general character as permitted in section 6.04.F.1 provided that no trade or business which in the judgment of the planning commission would be harmful to the health, safety or welfare of the city shall be permitted.

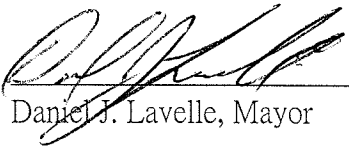
b. Other uses:

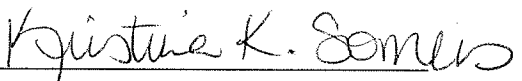
- Bars, cocktail lounges and taverns
- Churches, synagogues, temples, public, parochial, private and trade schools, and colleges, public libraries, museums and art galleries.
- Clubs
- Cluster subdivisions, subject to the provisions of section 9.05.
- Dance studios
- Day nurseries
- Fire stations and water towers subject to the provisions of section 9.07.
- Funeral homes and mortuaries
- Hospitals, sanitariums, clinics, nursing and rest homes and charitable institutions for human care, subject to the provisions of section 9.10.
- Hotels
- Medical and dental clinics
- Motels and motor courts
- Municipal, county, state and federal administration buildings and community center buildings.
- Municipal, denominational and private cemeteries subject to the provisions of section 9.04.
- Music studios
- Open air fruit and vegetable markets

- Pet shops, retail sales (when enclosed within a building)
- Planned unit developments, subject to the provisions of section 9.14.
- Public parks, golf courses, country clubs, tennis courts, and similar recreational uses including restaurants when accessory to the principal use, subject to the provisions of section 9.15.
- Public utility buildings, telephone exchange buildings, electric, transformer stations and substations and gas regulator stations with service yards, but without storage yards.
- Radio and television stations (including transmitters, aerials and masts), subject to the provisions of section 9.16.

- c. Mixed uses, subject to the provisions of section 9.12.
- d. Drive-thru facilities, provided they are accessory to a permitted use and subject to the provisions of section 9.18.
- e. Telecommunication towers and antennas subject to the provisions of section 9.19.

We, the undersigned Mayor and Clerk of the City of Mt. Morris, do hereby certify that the above ordinance was adopted by the City Council at a regular meeting on the 14th day of December, 2015.


Daniel J. Lavelle, Mayor


Kristina K. Somers, City Clerk

APPROVED AS TO FORM AND LEGALITY
Charles A. Forrest, Jr.

ADOPTED: DEC 14, 2015
PUBLISHED: DEC 23, 2015
EFFECTIVE: DEC 30, 2015