
City of Saginaw
Zoning Ordinance
Effective: MONTH DD, 2024

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Giffels Webster's Clearzoning® Ordinance : It's Your Code, Only Better™

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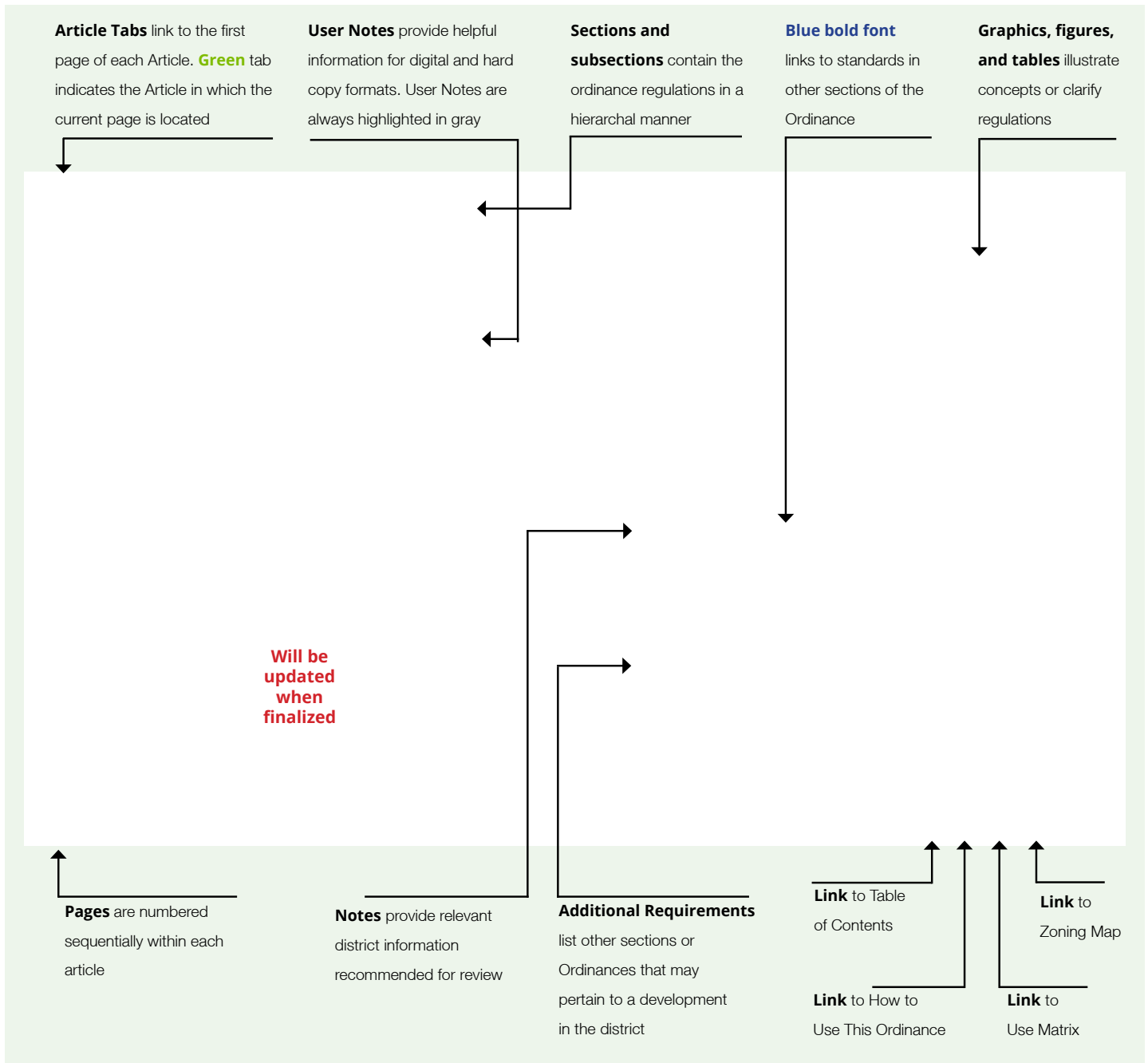
Preface How to Use This Ordinance



How to Use This Ordinance

1. Content Organization and Page Layout

The Ordinance is organized into seven Articles, which are further divided using standard outline hierarchy. The content and page layout are designed to promote a clear understanding of requirements, as well as quick retrieval of relevant standards, procedures and other information. The following key assists with navigating through this document.



How to Use This Ordinance

2. Symbols and User Notes

The following symbols are used throughout the Zoning Ordinance:

Symbol	Meaning and Purpose
	Indicates the term is defined in Article 153-2 Definitions . (Note: Not every defined term is designated with a  symbol. Consult Section 153-2.2 Definitions , for a list of all defined terms.)
	Indicates there is a graphic that illustrates the standard or requirement.
	Indicates there is a specific method for measuring that is described in Article 153-2 Definitions, Section 153-2.3 Measurements .
	Identifies a property line.
	Identifies the right-of-way centerline.
ROW	Identifies the right-of-way.
	Identifies a User Note that provides helpful information for all users.
	Identifies a Digital User Note that provides helpful information for users with a digital version of the Zoning Ordinance.

How to Use This Ordinance

3. Reading the Ordinance

Rules have been established to assist with interpreting the ordinance. Below are some rules to keep in mind when reading this document:

- Sometimes there may be general and specific regulations that pertain to one particular aspect of site design. In such instances, the specific regulations must be followed.
- Discrepancies between text and an illustration (including its caption) may occur. In the case of such discrepancies, the text is considered the accurate source of information.
- The use of the word SHALL carries significant meaning. SHALL regulations must be followed. Requirements that use the word MAY are discretionary, meaning that the requirement is at the discretion of the approving body.
- [Article 153-2 Definitions](#) contains over 100 terms. If a term is not listed in this article, it will carry the meaning customarily assigned to it.
- Conjunctions are often used and must be read accurately:
 - » AND indicates that all connected items, conditions, provisions or events shall apply.
 - » OR indicates that the connected items, conditions, provisions or events may apply singly or in any combination. (OR may also be read “and/or”)
 - » EITHER ... OR indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination.

For more rules, see [Section 2.1 Construction of Language](#).



How to Use This Ordinance



4. Digital User Note

What is a link?

A link allows for quick reference to a relevant section. By 'clicking' a link, the user is taken directly to a page in the Ordinance or another reference document. The user may return to the original page by clicking the 'previous view' button in Adobe Acrobat Reader.

If you do not see the 'previous view' button on your Adobe Acrobat Reader screen, you can add it by turning on your 'page navigation toolbar'. For assistance, refer to the 'Help' menu in your version of Acrobat Reader.

What information is linked?

All **blue text** is linked to either another page within the Zoning Ordinance, a separate City ordinance or document, or an external website.

In addition, several other features of the document are linked to allow users to navigate through the ordinance. Click on any of the following features to quickly locate another section:



Article tabs located on the side of each page are linked to the Contents page of each Article.



Icons located at the bottom of each page are linked to the 'How to Use This Ordinance' section, the main Table of Contents, the Use Matrix, and the Zoning Map.

Use Matrix district headings are linked to the corresponding district regulations page in [Article 153-3 Zoning Districts](#).

How do I calculate height?

'How do I calculate height' button located on each district regulations page is linked to the definition of building height in [Article 153-2 Definitions](#).

Zoning Map Legend headings are linked to the corresponding district regulations page in [Article 153-3 Zoning Districts](#).



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Use Matrices District Summary Table



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P = Principal permitted use
S = Special land use

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Use Matrix

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 153-3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in [Section 153-3.1](#), the latter will control.

P = Principal permitted use
S = Special land use

USE												
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USE												
(Continued on the next page)												



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Use Matrix

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- P = Principal permitted use
- S = Special land use
- * = Refer to the district

USE												



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District Summary Table

Below are reference tables that summarizes district regulations.

Consult [Article 153-3 Zoning Districts](#) for additional requirements and exceptions to the information below.

STANDARD												
Min. lot area (sq. ft.)												
Min. lot width (ft.)												
Min. front yard setback (ft.)												
Min. side yard setback (ft.)												
Min. rear yard setback (ft.)												
Max. building height (stories)												
Max. building height (ft.)												
Max. lot coverage (%)												
Max. impervious area lot coverage (%)												

* See respective district's development standards for requirements/restrictions.

Zoning Map

Click here for the
Interactive Zoning Map



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Article 1

Purpose and Intent



1. Purpose & Intent
2. Definitions
3. Zoning Districts
4. Use Standards
5. Site Standards
6. Development Procedures
7. Administration & Enforcement

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1. Purpose & Intent
2. Definitions
3. Zoning Districts
4. Use Standards
5. Site Standards
6. Development Procedures
7. Administration & Enforcement

Article 2

Definitions



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1. Purpose & Intent
2. Definitions
3. Zoning Districts
4. Use Standards
5. Site Standards
6. Development Procedures
7. Administration & Enforcement

Article 3

Zoning Districts

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1. Purpose & Intent
2. Definitions
3. Zoning Districts
4. Use Standards
5. Site Standards
6. Development Procedures
7. Administration & Enforcement

Article 4

Use Standards



Article 153-4 Use Standards

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1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

5. Site Standards

6. Development
Procedures

7. Administration &
Enforcement

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153-4.1 Accessory Dwellings

- A. Accessory dwellings are permitted to be located on the same lot as a single-family residential building, provided that the following conditions are met:
1. An accessory dwelling shall comply with the setback and height requirements for accessory structures. This height requirement may be increased to match the height of the principal structure when the accessory dwelling is located within the same setbacks required for the principal structure.
 2. A maximum of one accessory dwelling shall be permitted per single-family lot.
 3. The gross floor area of an accessory dwelling shall be a minimum of 400 square feet, but no greater than 864 square feet, and not more than 40% of the gross floor area of the principal structure.
 4. One additional off-street parking space shall be provided for the accessory dwelling.
 5. The property owner shall live in one of the dwelling units on the property as their principal residence. No accessory dwelling may be used as a short-term rental of less than 30 days or as a bed-and-breakfast operation.
 6. When accessory dwellings are attached to the principal structure, the exterior of the home shall not have the appearance of being divided into separate units.
 7. When accessory dwellings are detached, the accessory structure shall meet the following additional standards.
 - a. The detached dwelling shall be architecturally compatible with the primary dwelling.
 - b. The accessory dwelling may not be subdivided or otherwise segregated in ownership from the primary dwelling unit.



153-4.2 Adult Businesses

- A. Purpose. It is the purpose of this section to regulate adult businesses in order to promote the health, safety, and general welfare of the citizens of the City, and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of adult businesses within the City. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market.
- B. Adult businesses shall comply with the following requirements:
 - 1. No adult business may be located within 1,000 feet of an existing church, school, park or playground boundary, measured from the nearest building line of the proposed adult business to the property line of the use subject to this separation distance.
 - 2. No adult business may be located within 1,000 feet of an existing adult business, measured from the nearest building line of the proposed adult business to the property line of any existing adult business.
 - 3. No adult business may be located within 1,000 feet of any residential zoning district or lot used for single- or two-family residential purposes. This provision may be waived if the applicant files a petition with the Planning Commission demonstrating approval of the proposed adult business use by at least 51% of the persons owning property or residing within a radius of 1,000 feet of the location of the proposed use.

153-4.3 Adult Foster Care

- A. All adult foster care facilities shall comply with all requirements set forth in the Adult Foster Care Facility Licensing Act, 1979 PA 218, MCL 400.701 et seq.
- B. Any parking areas accessory to adult foster care facilities shall comply with all screening requirements in [Section 153-5.5 Landscaping and Screening](#) and outdoor lighting requirements in [Section 153-5.12 Lighting](#).



153-4.4 Cemeteries

- A. Cemeteries shall be subject to the following requirements:
1. The minimum lot area for all cemeteries shall be 20 acres.
 2. All buildings and structures within a cemetery, including headstones and monuments, shall be located a minimum of 100 feet from any lot line.
 3. A five-foot fence shall be required around the entire site except for gates at entrance and exit points.
 4. New cemeteries and sections added to existing cemeteries shall have no markers or monuments above grade.
 5. Cemeteries may only be located along a major thoroughfare or shall be accessed through a local street within a business or industrial district that connects to a major thoroughfare.
 6. The site must abut a major thoroughfare with all ingress and egress directly to the major thoroughfare.

153-4.5 Commercial Greenhouses

- A. Commercial greenhouses shall comply with the following requirements:
1. A minimum lot area of 1 acre is required to establish a commercial greenhouse.
 2. Greenhouses and accessory structures shall be setback no less than 40 feet from all lot lines.



153-4.6 Drive-In and Drive-Thru Eating and Drinking Establishments and Drive-Thru Service Establishments

- A. Drive-in and drive-thru eating and drinking establishments and drive-thru service establishments shall comply with the following requirements:
1. When a drive-in or drive-thru eating and drinking establishment or drive-thru service establishment adjoins property located in any residential district, a masonry wall, ornamental on both sides, and five feet in height, shall be erected and maintained along the interior line, or if separated from the residential zone by an alley, then along the alley lot line
 2. Trash storage areas meeting all requirements of [Section XXX](#) shall be provided on-site.
 3. The site must abut a major thoroughfare with the primary ingress and egress along the major thoroughfare. The Planning Commission may approve a secondary means of ingress and egress on an adjacent collector or arterial street upon a determination that the additional curb cut will improve overall circulation within the site and will have minimal impact on the general health, welfare, or safety of adjacent properties.
 4. Vehicle waiting areas shall be provided in accordance with [Section XXX](#).
 5. The noise and glare generated from menu and order stations shall comply with the performance standards in [Section XXX](#).
 6. Pedestrian circulation. The Planning Commission may require internal sidewalks, pedestrian markings or other pedestrian accommodations beyond what is required in this Chapter to ensure compatibility between pedestrian and vehicular traffic on the site.

153-4.7 Drive-In Theaters, Outdoor

- A. Outdoor drive-in theatres shall comply with the following requirements:
1. The minimum lot area for outdoor drive-in theaters shall be 20 acres
 2. All structures shall be located a minimum of 100 feet from any lot line.
 3. The entire property shall be fenced around the perimeter.
 4. The site must abut a major thoroughfare with all ingress and egress directly to said thoroughfare.



153-4.8 Dwellings, Multiple-Unit

- A. Multiple-unit dwellings with greater than 6 units, including apartments, townhouses, and row houses shall be subject to the following requirements:
 1. The site where such multiple-unit dwellings are located must have at least one property line abutting a major or secondary thoroughfare or have vehicular access to such a thoroughfare through property zoned.
 2. Permitted accessory uses.
 - a. All multiple-unit dwellings shall be permitted to include accessory uses customarily accessory to multiple-unit dwellings including recreational facilities, leasing offices, and garages for vehicles and storage.
 - b. Multiple-unit dwellings in the R-3 district and the MU districts may include accessory uses for the convenience of occupants such as newsstands, delicatessens, restaurants, personal service shops and similar uses, provided the following conditions are met:
 - i. At least 75 dwelling units shall be contained within the apartment building or apartment building group;
 - ii. A total of not more than 2% of the gross floor area of the building shall be used for such accessory uses. This maximum area does not include accessory uses under **subsection a** above;
 - iii. All such accessory uses shall be situated within the interior of the building so that no part thereof shall be directly accessible to the general public or to tenants from any street, or public or private way;
 - iv. No sign or window display shall be discernible or visible from a sidewalk, street, or public or private way; and
 - v. Such accessory uses shall not be provided on the same floor as dwelling units are situated, unless separated therefrom by a fireproof wall as provided in the Building Code in **Chapter XXX**.



153-4.9 Dwellings, Single- and Two-Family

- A. Single-family and two-family dwellings in all zoning districts shall comply with the following standards.
1. All new single-family and two-family dwellings shall comply with the minimum livable area requirements as established in [Section 153-3.1 Districts Established](#).
 2. No single- or two-family dwelling may be constructed with any building dimension across the front, side, or rear elevation which does not meet or exceed the minimum length of 26 feet.
 3. All single- and two-family dwellings and additions thereto must be firmly attached to a permanent foundation constructed on the site in accordance with the most recent Michigan Building Code as adopted by the City.
 4. All single- and two-family dwellings shall be connected to the public sewer and water supply when required by §§ 94.080 through 94.083, or to such private facilities approved by the local health department.
 5. All single-family and two-family dwelling units shall contain a storage area or areas within any principal or accessory structure comprising at least ten percent of the total area of the dwelling or 100 square feet, whichever is less.
 6. All exterior additions to existing single- and two-family dwellings shall be constructed with materials that match or complement the original structure.
 7. All single- and two-family dwellings must comply with all pertinent building and fire regulations.
 8. Not more than two non-transient persons may rent individual rooms within a single-family dwelling or within each dwelling unit in a two-family dwelling.
 9. All single-family dwellings shall be architecturally compatible with at least two other structures sharing the same block, as determined by the Zoning Administrator. If there are fewer than two structures on the same block, the dwelling shall be exempt from this requirement.



153-4.10 Eating and Drinking Establishments

- A. Eating and drinking establishments in all districts shall comply with the following requirements:
1. All businesses serving alcohol shall comply with all requirements of the Michigan Liquor Control Code, Public Act 58 of 1998.
 2. Outdoor seating areas may be permitted as a seasonal use by filing an application for such use with the Zoning Administrator. The application shall provide sufficient information indicating that each of the following conditions will be met:
 - a. The outdoor seating area must be immediately adjacent to the principal use and positioned in a manner to avoid interference with established loading/unloading zones, off-street parking areas and associated maneuvering lanes.
 - b. The occupation of an on-site sidewalk or other right-of-way may be permitted provided.
 - i. The permit for any outdoor seating area within a public right-of-way shall expire annually. A new permit may be obtained from the Zoning Administrator upon expiration.
 - ii. A minimum public right-of-way of five feet shall be maintained.
 - iii. No outdoor seating area shall limit pedestrian or vehicular visibility and must comply with [Section 153-5.9 Traffic Visibility](#).
 - iv. If alcohol is to be served in conjunction with the outdoor seating area, barriers designating the service area must be utilized, as required by the State Liquor Control Commission. If no alcohol is to be served, a barrier approved by the Zoning Administrator must be utilized between the service area and any pedestrian right-of-way, off street parking area, loading/unloading zone, or other outdoor use.
 - v. The number, size, and location of tables, chairs, and equipment shall be reviewed by the Zoning Administrator, as well as the proposed hours of operation. Planning commission approval shall be required when it is the opinion of the Zoning Administrator that the proposed number, size, and location of tables, chairs, and equipment will materially impede on site pedestrian or vehicular circulation.
- B. Eating and drinking establishments in the MU-1 district shall comply with the following additional requirements:
1. All parking areas shall be screened from adjacent residential areas in accordance with [Section XXX](#).
 2. Hours of operation shall be reviewed by the Planning Commission and documented as a part of the approval of any such use.



153-4.11 Home Occupations

- A. Home occupations may be permitted within any single-family dwelling unit, subject to the following:
1. All home occupations shall be conducted entirely within the dwelling unit on the lot and must be clearly incidental and secondary to the primary use of the dwelling unit for dwelling purposes. No home occupation shall require an area greater than 25% of the floor area used for dwelling purposes.
 2. The home occupation shall not generate sewage or water use in excess of what is normally generated from a single-family dwelling unit in a residential area.
 3. All home occupations shall only employ persons who reside at the property where the home occupation is located.
 4. No exterior alterations to the principal structure may be designed to accommodate the home occupation.
 5. With the exception of a sign, as permitted under [Section 153-5.4 Signs](#), there shall be no outside display of any kind, or other visible evidence of the conduct of a home occupation from the street or from neighboring properties.
 6. The home occupation shall not generate vehicular traffic in excess of that normally generated for a single-family dwelling unit, including customer traffic, shipments, and deliveries.
 7. Any mechanical equipment used at any time in connection with such use shall be the same or similar to such equipment as is usual and permissible for household purposes or hobbies.
 8. Any mechanical equipment used in connection with such use shall be designed and constructed so that the operation thereof does not adversely affect insurance rates or the use of radio and television on other properties.
 9. There shall be sufficient parking on the site to accommodate the home occupation.
- B. Yard Sales.
1. Yard sales may be permitted on lots with single- and two-family dwelling units provided they comply with the following:
 - a. The sale is confined to the property;
 - b. The sale is only for three days or less of duration;
 - c. Only one yard sale per property per year is permitted.



153-4.12 Homeless Shelters

- A. Homeless shelters shall comply with the following requirements:
 - 1. The minimum lot area requirements for homeless shelters shall be determined from floor area ratio, yard space, and off-street parking requirements or the minimum lot area requirements for the district, whichever is greater.
 - 2. All operational activities shall occur within the shelter building.

153-4.13 Hospitals

- A. Hospitals shall comply with the following requirements:
 - 1. The minimum lot area for any hospital located in the R-1, R-2, or R-3 zoning districts shall be five acres.
 - 2. The hospital shall be obscured from all residential property view with a masonry wall at least five feet in height.
 - 3. The site must abut a major thoroughfare with all ingress and egress directly to said thoroughfare.

153-4.14 Junkyards

- A. Junkyards shall comply with the following requirements:
 - 1. A minimum lot size of 10 acres is required
 - 2. A 20-foot-wide greenbelt shall be provided meeting the requirements for greenbelts in [Section XXX](#).
 - 3. A masonry wall not less than six feet in height shall be required at the interior boundaries of the greenbelt
 - 4. Junk may not be stacked higher than the height of the screening wall.



153-4.15 Marihuana Establishments

- A. This section shall be known as the Marihuana Establishments Zoning Ordinance.
- B. **Purpose.** Marihuana businesses have demonstrated a strong demand for storefront spaces and other business locations. It has been observed that without separation distances, this particular use will concentrate in clusters. In order to limit the intensity and density of this use, and to recognize that separation distances are desired from sensitive uses (e.g., schools, churches, parks, substance use disorder programs, etc.), special regulation of marihuana establishments has been deemed necessary. It is the intent of these provisions to ensure that quality of life is not impaired, neighborhood character is preserved, commercial retail viability and variety is enhanced and encouraged, and the stability of industrial areas is maintained.
- C. **Applicability.** Any land use that requires a license from the Michigan Department of Licensing and Regulatory Affairs (LARA) in the administration of the Michigan Regulation and Taxation of Marihuana Act, being Initiated Law 1 of 2018, M.C.L. §§ 333.27951 et seq., as amended, or its corresponding administrative rules, shall require review and approval as specified within this Code. Provisions of this section do not apply to the medical use of marihuana in compliance with the Michigan Medical Marihuana Act (MMMA), being Initiated Law 1 of 2018, M.C.L. § 333.26424, as amended.
- D. **Approval Procedures for Marihuana Establishments.**
1. Development of marihuana establishments shall be approved by either the Planning Commission or the Chief Inspector as set forth below. The type of marihuana establishments allowed within the city, and the zoning classification where such marihuana establishments are allowed to be located within the city, shall be as set forth as follows.

Table 153-4.27(D)(1) Approval Procedures for Marihuana Establishments			
License	Description	Criteria	Review Procedure
Grower - Any Class excluding Excess Growers	New or Major Expansion	More than 25% increase in square footage	Planning Commission Review and Approval
	Class change and/or license stacking for same use	Less than or equal to 25% increase in square footage	Chief Inspector Review and Approval
Excess Growers	New or Any Expansion	—	Planning Commission Review and Approval
Microbusinesses, designated consumption establishments, marihuana event organizers, and temporary marihuana events are prohibited in the city.			

Table 153-4.28(D)(1) Approval Procedures for Marihuana Establishments (Continued)

License	Description	Criteria	Review Procedure
Processor	New	—	Planning Commission Review and Approval
	Major expansion	More than 25% increase in square footage	Planning Commission Review and Approval
	Minor Expansion	Less than or equal to 25% increase in square footage	Chief Inspector Review and Approval
Retailer	New or Any Expansion	—	Planning Commission Review and Approval
Secure Transporter	New or Any Expansion	—	Planning Commission Review and Approval
Safety Compliance Facility	New or Major Expansion	More than 25% increase in square footage	Planning Commission Review and Approval
	Minor Expansion	Less than or equal to 25% increase in square footage	Chief Inspector Review and Approval
Microbusinesses, designated consumption establishments, marihuana event organizers, and temporary marihuana events are prohibited in the city.			

- The Planning Commission and Chief Inspector are prohibited from waiving any portion of this section.
- The Chief Inspector may submit any application subject to Chief Inspector review and approval to the Planning Commission for its review and approval.
- Planning Commission review shall be conducted in accordance with **Section XXX** and subject to applicable site standards in Article 5 of this Chapter. Chief Inspector review shall confirm the requested expansion of the use of the property conforms to the building and zoning requirements of this Code.
- Planning Commission or Chief Inspector approval under this section will lapse and be void 90 days from the date it was issued if applicant has not obtained a provisional license from the City Clerk in accordance with **Ch. 118** of this code within that time.



E. Authorized Marihuana Establishments.

1. A marihuana establishment is not eligible for a state license until the Planning Commission or the Chief Inspector, where the Chief Inspector is authorized to grant administrative approval through Chief Inspector review and approval, grants approval of the land use in accordance with this code and upon issuance of a municipal license as The distances described in this **division** shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this section (i.e. the sensitive use) to the nearest building line of the physical structure of the marihuana establishment. The following minimum-distancing regulations shall apply to all marihuana establishments. Marihuana establishments shall not be located within: provided in **Chapter 118** of the General Code.
2. The location and co-location of authorized marihuana establishments shall be determined as follows:
 - a. Separation Distances. The distances described in this **division** shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this section (i.e. the sensitive use) to the nearest building line of the physical structure of the marihuana establishment. The following minimum-distancing regulations shall apply to all marihuana establishments. Marihuana establishments shall not be located within:
 - i. One thousand (1,000) feet of a public or private K-12 school;
 - ii. Two hundred fifty (250) feet of a publicly owned park or playground;
 - iii. One hundred (100) feet of a church or other place of worship;
 - iv. Five hundred (500) feet of a hospital;
 - v. Two hundred fifty (250) feet of a halfway house or other transitional housing operated or licensed by the state or federal government; and
 - vi. Five hundred (500) feet of another marihuana establishment location.
3. Separation distance variance. The required separation distances between a proposed marihuana establishment location and the sensitive uses delineated in **division (B)** above, are subject to review pursuant to **§§ 153-586 through 153.591** and cannot be waived except as allowed in this **division**:
 - a. Evidence that all eligible sensitive uses within 1,000 feet of the proposed marihuana establishment location have been notified by the applicant of the intent to seek a waiver from the separation distance requirements has been provided to the Board of Appeals on Zoning with the application.
 - b. Consent by the owner of the sensitive use that is signed and notarized shall be provided with the application to the Board of Appeals on Zoning; however, the consent of the owner of another marihuana establishment located within the established separation distance shall not be required; and
 - c. The Board of Appeals on Zoning finds that the operation of the marihuana establishment within the requested minimum-distancing separation does not have any particularly detrimental effects on the sensitive use at issue.



4. Pre-existing establishments. A marihuana establishment shall not be in violation of the spacing requirements in this section in the event a school or other sensitive use was located less than the minimum spacing distance from the establishment at any time after a city license and a state license to operate the establishment were issued.
5. Co-location and stacked licenses. There may be only one state operating license per parcel, except co-location and stacked grower licenses are permitted in certain circumstances:
 - a. A marihuana establishment with a stacked grower license counts as a single grower for the purposes of marihuana establishment separation distance requirements.
 - b. Co-location on the same parcel for growers, processors, and retailers is allowed if each license is for a separate use (other than stacked grower licenses), subject to all applicable state laws, rules and regulations concerning co-location, including but not limited to, state requirements for the separation of establishments.
6. Application requirements. Each application shall be accompanied by a detailed site plan, in accordance with [§ 153.083](#), and any information necessary to describe the proposed use or change of use. Each request shall be considered a new application, including those for class change, stacking, expansion, transfers or other modifications that require Chief Inspector or Planning Commission review and approval. All items must be satisfactorily completed for an application to be considered eligible for review. The following shall be submitted as part of an application:
 - a. A signed statement by the applicant indicating the proposed marihuana establishment type, including if the proposed marihuana establishment type involves stacked licenses or co-location and the number of licenses to be maintained at that property.
 - b. A notarized statement by the property owner that acknowledges use of the property for a marihuana establishment and agreement to indemnify, defend and hold harmless the city, its officers, elected and appointed officials, employees and insurers, against all liability, claims or demands arising out of, or in connection to, the operation of a marihuana establishment on the property.
 - c. Written consent of the applicant for the city to inspect the marihuana establishment at any time during normal business hours to ensure compliance with this code.
 - d. A copy of official paperwork issued by the state indicating that the applicant has successfully completed the prequalification step of the application for a state license, as well as copies of all documents submitted to the state in connection with the initial license application, subsequent renewal applications, or investigations conducted by the state.
 - e. Existing and proposed building elevations, including building materials, window calculations, descriptions of glass to be used, and other pertinent information that describes building construction or structural alterations, in accordance with [§ 153.083](#).
 - f. Existing and proposed site changes.
 - g. A sign plan for the exterior of the building and any interior signs that will be visible to the general public from the public right-of-way in accordance with [§§ 153.145 through 153.169](#).
 - h. All lighting fixtures visible to the public shall be identified.



- i. A map, drawn to scale, depicting all sensitive uses as delineated in **division (B)** above, within 1,000 feet of the proposed marihuana establishment location.
 - j. A proposed security plan as required by the Act. Such plan shall be forwarded, reviewed and approved by the Chief of Police, or their designee, prior to any public hearing required to be held on the application.
 - k. A proposed marihuana establishment plan as required by the Act.
 - l. A proposed marihuana product destruction and waste management plan as required by the Act.
- 7. Operations. Marihuana establishments must be operated in compliance with the Act and all other applicable state laws, administrative rules, conditions of the marihuana establishment's state operating license, and this code. In addition, such establishments shall comply with the following regulations to the extent such regulations do not conflict with the Act:
 - a. The exterior appearance of a marihuana establishment must comply with the provisions of this code and the Act.
 - b. Except as allowed by the Act, no marihuana or equipment used in the growing, production, sale, processing or transport of marihuana can be placed or stored outside of an enclosed building.
 - c. Site and building lighting shall comply with the Act.
 - d. A video surveillance system will be maintained in accordance with the Act.
 - e. Drive-through establishments and mobile establishments are prohibited.
 - f. public nuisance.
 - g. Neither marihuana nor marihuana-infused products may be directly visible from the exterior of the marihuana establishment.
 - h. Security measures shall comply with the applicable provisions of the Act.
 - i. Retailers may not be open to customers between the hours of 9:00 p.m. and 9:00 a.m.
 - j. Marihuana establishments shall comply with the barrier-free design requirements of the Michigan Building Code.
 - k. The separation of plant resin by butane extraction or another method that utilizes a substance with a flashpoint below 100 degrees Fahrenheit shall only be allowed in the I-1 and I-2 industrial zoning districts.
 - l. Ventilation, by-product and waste disposal, and water management (supply and disposal) for the marihuana establishment will not produce contamination of air, water, or soil; or reduce the expected life of the building due to heat and mold; or create other hazards that may negatively impact the structure, surrounding properties, and/or public health.
 - m. Odors must be controlled and eliminated by the following methods:
 - i. The building must be equipped with an activated air scrubbing and carbon filtration system that eliminates all odors at the property line. Fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
 - ii. Air scrubbing and filtration systems must be maintained in working order and must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.



- iii. Negative air pressure must be maintained inside the building.
- iv. Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.
- v. The Chief Inspector may grant an exception for an alternative odor control system if a mechanical engineer licensed in the State of Michigan submits a report that sufficiently demonstrates the alternative system will be equal to or better than the air scrubbing and carbon filtration system otherwise required or such alternative will otherwise comply with the Act.

F. Consumption; Violations.

1. No consumption, use, or inhalation of a marihuana product shall take place on or within the premises of any marihuana establishment. It shall be a violation of this subchapter to engage in such behavior, or for a person to knowingly allow such behavior to occur. All of the following will give rise to the rebuttable presumption that a person allowed the consumption of marihuana on or within the premises:
 - a. The person had control over the premises or the portion of the premises where the marihuana was consumed;
 - b. The person knew or reasonably should have known that the marihuana was consumed; and
 - c. The person failed to take corrective action, such as requiring the individual consuming marihuana to cease such activity on the premises or removing such individual from the premises.
2. Failure to comply with the requirements of this subchapter shall be considered a violation and may jeopardize the applicant's approval under this subchapter and/or license issued under **Ch. 118**.
 - a. If at any time a licensed marihuana establishment violates this subchapter, the City Manager may request that the state revoke or refrain from renewing the marihuana establishment's state operating license.
 - b. Any approval granted for a marihuana establishment under this subchapter will be revoked or suspended automatically for either of the following reasons:
 - i. Revocation or suspension of the licensee's authorization to operate by the state.
 - ii. A finding by the state that a rule or regulation has been violated by the licensee.
 - c. After a revocation of an approval under this subchapter, a new application shall be required for a marihuana establishment to commence operation at the same location.
3. A marihuana establishment license may be revoked in accordance with **§ 118.11**.

- G. Marihuana-Related Penalties.** A person who violates any provision of this subchapter is responsible for a Class E municipal civil infraction, subject to payment of a civil fine as set forth in **Ch. 37**, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by **Ch. 37**. Each violation and each day of failure to comply with any provision of the subchapter shall constitute a separate violation.



H. Rights.

1. The operation of a licensed marihuana establishment is a revocable privilege and not a right, in conformance with applicable state law. Nothing in this subchapter is to be construed to grant a property right for an individual or business entity to engage in the use, distribution, cultivation, production, possession, transportation or sale of marihuana as a commercial enterprise. Any individual or business entity which purports to have engaged in such activities either prior to or after the enactment of this subchapter without obtaining the required authorization is deemed to be an illegally established use and is not entitled to legal nonconforming status. Nothing in this subchapter may be held or construed to grant a vested right, license, permit, or privilege to continued operations within the city.
2. Nothing in this subchapter shall be construed in such a manner as to conflict with the Act or other applicable state law or rules.
3. Nothing in this subchapter, or in any companion regulatory or licensing provision adopted in any other provision of this Code of Ordinances, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for the growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the Act or this Code. Also, since federal law is not affected by the Act or this Code, nothing in this subchapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under federal law.
4. This subchapter shall only take effect if the city's business licensing ordinance is simultaneously amended as needed to license for the activities contemplated herein. If amendments to the business licensing ordinance are not adopted by the City Council, marihuana establishments shall be deemed prohibited from developing within the city.



153-4.16 Mobile Homes and Mobile Home Parks

- A. The following regulations applying to Mobile Home Park developments are intended to permit flexibility in land area designs within the general pattern of existing land use and population density, while protecting public health, welfare and safety.
- B. Mobile homes shall only be permitted within a mobile home park. All mobile home parks shall comply with the following requirements.
 1. All mobile home parks must comply with the Mobile Home Commission Act, Public Act 96 of 1987, being M.C.L. §§ 125.2301 *et seq.* and general rules related thereto as adopted by the State Mobile Home Commission.
 2. A mobile home park shall be constructed and maintained on a lot or a parcel which can provide principal entrances and exits to a major thoroughfare or access via a local street through a business or industrial district connecting to major thoroughfare.
 3. The minimum lot size required for all mobile home parks shall be 5 acres.
 4. All mobile home parks shall maintain a minimum setback from all adjacent right-of-way lines of at least 50 feet. Any such setback area shall be landscaped with a 10' wide greenbelt meeting the requirements for greenbelts established in XXX.
 5. All mobile home parks shall maintain a minimum setback from all adjacent property lines of at least 25 feet. Any such setback area that is directly adjacent to a property line shall be screened with either a fence or landscaping, meeting the requirements of XXX for screening.
 6. Walkways shall be provided from each mobile home site to all service buildings, and must be constructed of either asphalt or concrete. Paved sidewalks shall also be installed on both sides of all internal roads (unless deemed by the City Planning Commission that a sidewalk on only one side of a road is necessary, or that none are needed along a particular road). Walkways and sidewalks where required shall not be less than three feet in width.
 7. Accessory uses customarily incidental to mobile home parks such as management offices, laundry facilities, indoor and outdoor recreation areas and facilities, meeting rooms, and similar uses and structures provided to serve only the residents of a mobile home park and their invited guests may be permitted.
 8. Individual mobile home sites within a mobile home park shall have a minimum lot size of 5,500 square feet per mobile home being served. This 5,500 square foot minimum may be reduced by 20 percent, provided that the individual site shall be equal to at least 4,400 square feet. For each square foot of land gained through this reduction of the site below 5,500 square feet, an equal amount of land shall be dedicated as open space. This open space shall be in addition to the open space required under the Mobile Housing Commission Rules in effect at the time the proposal is submitted.
 9. Mobile homes within a mobile home park shall comply with the minimum distance and setbacks required under the Mobile Housing Commission Rules in effect at the time the proposal is submitted.



10. The on-site storage of boat trailers, boats, camping units, horse trailers and similar recreational equipment shall be prohibited on mobile home sites and in designated open space areas. The mobile home park may provide, within the confines of the park, a common outdoor storage area for the storage of the above-mentioned equipment.
11. Each mobile home unit space shall be attached to a permanent foundation in a manner consistent with the Michigan Administrative Code.
12. All mobile homes shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.
13. Each mobile home shall be installed with the wheels removed. No mobile home shall have any exposed towing mechanism, undercarriage, or chassis.

1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

5. Site Standards

6. Development
Procedures

7. Administration &
Enforcement



153-4.17 Nursery Schools and Child Care Centers

- A. The following requirements apply to nursery schools and childcare centers:
1. The minimum lot area shall be 6,000 square feet.
 2. An outdoor play area of at least 1,200 square feet shall be provided in a side or rear yard, exclusive of buildings, parking, and driveways.
 3. The outdoor play area shall be enclosed by a four-foot-high fence.
 4. When located directly adjacent to residentially zoned or used property, the property line shall be screened in accordance with [Section 153-5.5 Landscaping and Screening](#).
 5. All nursery schools and child care centers shall comply with all requirements set forth in the Child Care Organizations Act, 1973 PA 116, MCL 722.111 et seq.



153-4.18 Outdoor Storage

- A. Purpose. The purpose of this section is to regulate outdoor storage, either associated with principal outdoor storage uses or accessory outdoor storage uses.
- B. Outdoor storage areas shall be screened in compliance with [Section 153-5.5 Landscaping and Screening, subsection M\(5\)](#) for major screening buffers, except such screening shall not be required along property lines which are directly adjacent to properties zoned I-1 or I-2.
- C. No outdoor storage area shall be located closer than 50 feet from any residentially zoned district.
- D. When a building serving a principal use is on site, all outdoor storage shall take place in the side or rear yard. However, in the I-2 district, outdoor storage on a site that does not include such building may take place in an area other than the side or rear yard, so long as all areas, including the street right-of way, are screened by a major buffer screen in compliance with [Section 153-5.5 Landscaping and Screening, subsection M\(5\)](#) for major screening buffers.
- E. Passenger and other vehicles may only be stored on properties with a minimum lot size of at least one acre or greater. A fence or wall at least five feet in height shall be provided, in addition to any required screening buffers.
- F. On lots used for only residential purposes, the following standards apply:
 1. For motor homes, travel trailers, folding-type trailers, pick-up campers, snowmobiles on trailers, boats, and similar and related type units, the regulations of outside storage on all lots used for only residential purposes are as follows.
 - a. A total of three but not more than one of each of the above units may be stored or parked outside on a lot which is used for only residential purposes, except that in regard to snowmobiles up to four such units may be stored or parked outside on a lot. The ownership of such units shall be in the name of a member of the immediate family of the lot's owner, tenant, or lessee.
 - b. The above units, when stored outside, shall be located a minimum of five feet to the rear of the front building line, except as provided in the case of vacant lots under [subsection F\(3\)](#) following.
 - c. The combined area covered by the dwelling, accessory buildings, other above-grade structures, swimming pool, and the area covered by the outside storage of the above units may not exceed the permitted lot coverage provided, however, that not more than the maximum number of units described in subsection a above may be stored or parked outside on any lot regardless of the restrictions of this subdivision.
 - d. All of the above-described units shall be locked or secured at all times while stored or parked so as to prevent injury to any person or property.
 - e. None of the above units or any recreational equipment parked or stored outside shall be connected to electricity, water, gas, or sanitary facilities for living, lodging, or housekeeping purposes and none of the same shall be used for living, lodging, or housekeeping purposes.
 - f. All recreation equipment and vehicles shall be maintained in good condition, shall be operable, and shall have a current license or registration.



2. The parking or storage of buses and converted buses in excess of 18 feet in length, and boats in excess of 22 feet in length, on residentially zoned lots, is prohibited. A suitable covering shall be placed over all boats whenever stored outside.
3. Not more than one recreational unit, motor home, travel trailer, pick-up camper, folding-type trailer, boat, or similar and related type units may be parked or stored on vacant residentially zoned lots. When stored on vacant lots, said units shall be located only on the rear half of said lots.
4. Commercial vehicles, as defined in [Section 153-2.2 Definitions](#), shall not be parked or stored at any time on property used or zoned residentially.
5. This section does not apply to temporary buildings or portable storage containers as defined in [Section 153-2.2 Definitions](#).

153-4.19 Parking Decks

- A. Where permitted as accessory or principal uses, parking decks shall meet the following standards to minimize the visual impact on the public realm, mitigate nuisances including noise and light, and design decks to be visually compatible with the surrounding character and development.
 1. Spandrel panels or opaque architectural wall systems, a minimum of 42 inches high, shall be required to screen the view of parking cars and car headlights from the opposite side of the street.
 2. For all exposed, above-grade parking structures on side streets and alleys, at least 50% of the ground floor level must be covered by an architectural screen.
 3. Parking decks shall meet all dimensional standards required for principal buildings by the zoning district where they are permitted.
 4. On primary streets, ground floor elevations shall be lined with non-parking uses that comply with the design standards of [Article XXX.xx](#). Parking must be located a distance of at least 30 feet from the primary street right-of-way.

153-4.20 Parking Lot, Principal Use

- A. Off-street parking facilities on a site that does not include a principal building shall be subject to the following requirements:
 1. Such off-street parking facilities may only be permitted in an R-1, R-2, R-3, or MU-1 zoning district when the parking facility is located on a lot that is directly abutting or across a public right-of-way from a nonresidential use, and the parking facility is designated solely for the use of patrons, employees, or visitors of that nonresidential use.
 2. Such off-street parking facilities shall only be located on lots that have a minimum lot width of 100 feet.
 3. No repair or service to vehicles and no display of vehicles for the purpose of sale shall be carried on or permitted upon such premises.



4. Such off-street parking facilities shall be setback a minimum of 10' from any property or right of way line.
5. Plans for the development of any parking facility must be submitted to the Department of Public Services and must be approved by the Chief Inspector and City Engineer prior to the start of construction. The construction shall be in accordance with the requirements of the most recent Michigan Building Code as adopted by the City and this chapter, and such construction shall be completed and approved before actual use of the property as a parking lot may begin.
6. During the time the facility is closed and not available for the parking thereon of motor vehicles, a suitable chain or gate shall be placed across every exit and entrance for motor vehicles; such chain or gate shall be securely locked and access to the lot effectively barred. The parking lot shall meet all requirements of **Section XXX** for off-street parking, **Section XXX** for parking lot landscaping, and **Section XXX** for exterior lighting.
7. All property lines that are directly adjacent to residentially zoned or used property shall be screened with a masonry wall of at least four feet in height, but no greater than 6 feet. Alternative screening may be approved by the Planning Commission upon a finding that the screening will sufficiently protect adjacent properties from the direct glare of headlights and the noise of motor vehicles.



153-4.21 Places of Worship

- A. Places of worship located in the R-1, R-2, R-3, or MU-1 districts shall be subject to the following requirements:
1. The minimum lot area for places of worship shall be two acres.
 2. The minimum lot width for places of worship shall be 150 feet.
 3. Places of worship shall provide a minimum side and rear setback of 25 feet.
 4. Places of worship may only be located along a major thoroughfare or shall be accessed through a local street within a business or industrial district that connects to a major thoroughfare.

153-4.22 Penal and Correctional Institutions and Detention Facilities

- A. Penal and correctional institutions and detention facilities shall comply with the following requirements:
1. The minimum lot area shall be four acres
 2. All structures shall be located a minimum of 75 feet from all property lines
 3. No such use may be permitted within 300 feet of any adjoining residence, as measured from the property line of the penal institution or detention facility to the property line of the residence.
 4. Security fencing meeting all requirements of the Michigan Department of Corrections or appropriate federal agencies shall be provided.
 5. Landscape screening meeting the requirements of **Section XXX** shall be provided between the facility and adjoining property.



153-4.23 Private Parks, Country Clubs, Golf Courses, and Golf Driving Ranges

- A. Private parks, country clubs, golf courses, and golf driving ranges shall comply with the following requirements:
1. The minimum lot area shall be five acres.
 2. All structures shall be located a minimum distance of 100 feet from any residential lot line.
 3. Accessory uses customarily associated with such uses, including clubhouse facilities, shall be permitted.

153-4.24 Public Recreation Areas

- A. Public recreation areas, including public parks and facilities, may include incidental refreshment and service uses and buildings on the site.

153-4.25 Public Utility Buildings, Telephone Exchange Buildings, Electric Transformer Stations and Substations, Gas Regulator Stations, Municipal Pumping Stations

- A. Public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations, and municipal pumping stations in an R-1, R-2, R-3, or MU-1 zoning district shall comply with the following requirements:
1. The proposed installation must be shown to be reasonably necessary to the orderly development of the surrounding residential area. In the case of electric overhead supply systems, it shall be shown that location and alignment being requested is the arrangement most compatible with the residential areas involved, necessary to the regional power network, and that it is extremely unreasonable to locate such facility entirely in business or industrial districts. Nothing in **this division** shall authorize overhead supply systems in conduit districts.

153-4.26 Radio and Television Towers, Freestanding

- A. A minimum lot size of 10,000 square feet is required for freestanding radio and television towers.

153-4.27 Solar Energy Systems

- A. **Intent and Purpose.** It is the intent of this section to regulate the safe, effective, and efficient use of solar energy systems (SES) as an alternative energy source and to provide for the land development, installation and construction regulations of solar energy systems subject to reasonable conditions that will protect the public health, safety and welfare within the City of Saginaw.
- B. **Applicability.** SES which were installed prior to the effective date of this subchapter shall not be required to meet the requirements of this section except for modifications to an existing SES that increases the SES area by more than 10% of the original footprint or a change to the solar panel type. All modifications or alterations are subject to the requirements and standards of this subchapter.
- C. **Roof-Mounted and Accessory Ground Mounted SES.** Roof-mounted and accessory ground solar energy systems are permitted in all zoning districts. The following regulations shall apply:
 1. **Roof-mounted solar energy systems.** Roof-mounted solar panels may be installed on the roof deck of the primary or accessory building or structure, or both. Solar panels mounted to the roof deck of a primary structure shall be subject to height, setbacks, and other applicable regulations for the district where the SES is located. All site improvements shall comply with Article 5 of this chapter. Any SES located in a historic district shall comply with [Section XXX](#) below.
 - a. Roof-mounted solar panels shall include solar panels integrated as the surface layer of the roof structure with no additional apparent change in relief or projection, or separate flush-mounted solar panels attached to the roof deck surface.
 - b. Solar panels integrated as the surface layer of the roof structure (solar panel shingles) may be located on any part of the roof.
 - c. Nonconformities. A roof-mounted SES or building-integrated SES installed on a nonconforming building, structure, or use shall not be considered an expansion of the nonconformity.
 - d. Application. Electrical and building permits are required for all installations or repowering of a roof-mounted SES. Applications must include horizontal and vertical elevation drawings that show the location and height of the SES on the building and dimensions of the SES. Applications for Roof-Mounted solar panels shall also be accompanied by a site plan, full electrical specifications, a structural roof evaluation and fastening schedule signed and stamped by a professional engineer currently licensed in the State of Michigan and/or in accordance with the manufacture's installation specifications.
 2. **Accessory Ground-Mounted SES.**
 - a. Height. Ground solar energy collectors shall not exceed the maximum allowable height of accessory structures or buildings as measured from ground level to the top of the solar collectors when oriented at maximum tilt.
 - b. Setbacks. A ground-mounted SES must be a minimum of two feet from the property line or the required setback that would apply to accessory structures in the side or rear yard in the respective zoning district, whichever is greater. Setback distance is measured from the property line to the closest point of the SES at minimum tilt.



- c. Lot coverage. The area of the solar array shall not exceed 50% of the square footage of the primary building of the property unless it is sited over required parking (i.e., solar carport), in which case there is no maximum lot coverage for the ground-mounted SES. A ground-mounted SES shall not count towards the maximum number or square footage of accessory structures allowed on site or maximum impervious surface area limits if the ground under the array is pervious.
 - d. Visibility (residential). A ground-mounted SES in residential districts (R-1, R-1, R-2, R-3, R-4) shall be located in the side or rear yard to minimize visual impacts from the public right(s)-of-way. (See [Section XXX](#) below for properties located within Local Historic Districts).
 - e. Exemptions. Low voltage SES used to power a single device or specific piece of equipment such as a lawn ornament, lights, weather station, thermometer, clock, well pump or other similar singular device is exempt from these requirements.
 - f. Nonconformities. A ground-mounted SES installed on a nonconforming lot or use shall not be considered an expansion of the nonconformity.
 - g. Guy wires. Poles requiring guy wires are not permitted in R-1, single-family residential and R-2 single and two-family residential districts.
 - h. Application. An electrical permit and building permit application is required for all ground-mounted SES installations. The application must also include a site plan that shows the location of the system on the property, height, tilt features (if applicable), the primary structure, accessory structures, and setbacks to property lines. Accessory use applications that meet the ordinance requirements shall be granted administrative approval.
3. Approval of solar systems located in regulated historic districts.
- a. Design review required. Solar systems located in regulated historic districts shall obtain approval from the City of Saginaw Historic District Commission, where applicable, before seeking any other required approvals. Procedures for design review shall be in accordance with [Sections XXX](#). In addition to the applicable standards and regulations found therein.
 - b. The following additional design standards apply:
 - i. Solar systems shall be installed in a manner which does not damage or obscure character-defining features of an historic resource. Solar panels should be located so as not to change an historic roofline or obscure the relationship of an historic roof to character-defining features such as dormers and chimneys.
 - ii. Pole-mounted solar systems shall be installed in locations that are not clearly visible from public streets.
 - iii. Roof-mounted solar systems that are not building integrated systems must comply with following:
 - (A) Solar systems on pitched roofs:
 - (1) Systems may only be attached to the side or peak of a roof that is clearly visible from public streets when such systems could not otherwise be located on sides and peaks of the roof that are not clearly visible from public streets.
 - (2) Systems shall be installed below the ridgeline of a pitched roof.
 - (3) Systems shall be mounted parallel to the plane of a pitched roof and have a low profile.



(B) Solar systems on flat roofs:

- (1) Systems shall not be attached to parapet walls that are clearly visible from public streets or any extension of a front wall of a building that is clearly visible from public streets.
- (2) Systems shall be set back from the edge of a flat roof, so as not to be visible from a public street.
- iv. Building integrated solar systems. The Historic District Commission, where applicable, shall review and approve the use of building integrated solar systems.
- v. The Historic District Commission, where applicable, may require that solar systems, excluding solar collector surfaces, be painted so as to be architecturally compatible with the building on which it is located or to blend in with the surrounding area.

D. Principal-Use Solar Power Systems.

1. Principal-use solar power systems are permitted in the following zoning districts:
 - a. Small scale principal-use SES is a permitted use by special use in R1-A, B-1, B1-A, B-2, I-1, and I-2 zoning districts.
 - b. Large scale principal-use SES is a permitted use by special use in I-1 and I-2 zoning districts.
2. Principal-use solar power systems are subject to site plan review and special use permit application. Site plans and supporting application materials for a principal-use SES shall include a detailed site plan including all applicable requirements found in [Section 153-6.1 Site Plan Review](#), plus the following site plan requirements:
 - a. Height. Total height shall not exceed 20 feet measured from the ground to the top of the system when oriented at maximum tilt.
 - b. Setbacks. Setback distance shall be measured from the property line to the closest point of the solar array at minimum tilt or any SES components and as follows:
 - i. Small scale ground-mounted SES shall follow the setback distance for primary buildings or structures for the district in which it is sited.
 - ii. Large scale ground-mounted SES setback distance are as follows:
 - (A) Fifty feet from the property line of a non-participating lot.
 - (B) One hundred feet from any existing dwelling unit on a non-participating lot.
 - c. A ground-mounted SES is not subject to property line setbacks for common property lines of two or more participating lots, except road right-of-way setbacks shall apply.
 - d. Fencing. Principal-use SES shall be secured with perimeter fencing to restrict unauthorized access. Fencing shall be subject to height, setbacks, and other applicable regulations contained in [Section 153-5.6 Fences](#) for the zone it is located in.
 - e. Screening/landscaping. Principal-use SES shall be designed to follow the screening and/or landscaping standards for the zoning district of the project site.
 - i. Any required screening and landscaping shall be placed outside the perimeter fencing. In districts that call for screening or landscaping along rear or side property lines, these shall only be required where an adjoining non-participating lot has an existing residential or public use.



- ii. When current zoning district screening and landscaping standards are determined to be inadequate based on a legitimate community purpose consistent with local government planning documents, the Chief Inspector [or Planning Commission where otherwise required by this Code] may require substitute screening consisting of native deciduous trees planted 30 feet on center, and native evergreen trees planted 15 feet on center along existing nonparticipating residential uses.
- iii. The Planning Commission may reduce or waive screening requirements provided that any such adjustment is in keeping with the intent of the ordinance and is appropriately documented (e.g., abutting participating lots; existing vegetation).
- iv. Screening/landscaping detail shall be submitted as part of the site plan that identifies the type and extent of screening for a small principal-use SES, which may include plantings, strategic use of berms, and/or fencing.
- f. Ground cover. Principal-use SES shall include the installation of perennial ground cover vegetation, i.e. Pennsylvania Sedge, Bearberry, Canada Anemone, etc., maintained for the duration of operation until the site is decommissioned. The applicant shall include a ground cover vegetation establishment and management plan as part of the site plan. Project sites with majority of existing impervious surface or those that are included in a brownfield plan adopted under the Brownfield Redevelopment Financing Act, PA 381 of 1996, as amended, are exempt from installing ground cover. These sites must however comply with the on-site storm water requirements of the ordinance and include a land management plan.
- g. Lot coverage. Principal-use SES shall not count towards the maximum lot coverage or impervious surface standards for the district.
- h. Land clearing. Land disturbance or clearing shall be limited to what is minimally necessary for the installation and operation of the system and to ensure sufficient all-season access to the solar resource given the topography of the land. Topsoil distributed during site preparation (grading) on the property shall be retained on site.
- i. Access drives. New access drives within the SES shall be designed to minimize the extent of soil disturbance, water runoff, and soil compaction on the premises. Access drives should consist of six inches of stone mix or gravel. The use of geotextile fabrics and gravel placed on the surface of the existing soil for temporary roadways during the construction of the SES is permitted, provided that the geotextile fabrics and gravel are removed once the SES is in operation.
- j. Wiring. SES wiring (including communication lines) may be buried underground. Any above-ground wiring within the footprint of the SES shall not exceed the height of the solar array at maximum tilt.
- k. Lighting. Lighting shall be limited to inverter and/or substation locations only. Light fixtures shall have down lit shielding and be placed to keep light on-site and glare away from adjacent properties, bodies of water, and adjacent roadways. Flashing or intermittent lights are prohibited.



- I. Decommissioning. A decommissioning plan is required at the time of application that is in recordable form to be recorded with the county register of deeds. The plan must include the following:
 - i. A description of which above-grade and below-grade improvements will be removed, retained, e.g., access drive, fencing, or restored for viable reuse of the property consistent with the zoning district.
 - ii. The anticipated life of the project, the estimated decommissioning costs net of salvage value in current dollars, the method of ensuring that funds shall be available for decommissioning and restoration and the anticipated manner in which the project shall be decommissioned and the site restored.
 - iii. The city may require that applicants provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the city must remove the solar system, of an amount and form determined to be reasonable by the city, but in no event to exceed more than 125% of the cost of removal and compliance with the additional requirements set forth herein.
 - iv. Such surety shall not be required for municipally or state-owned solar systems. If required, the applicant shall submit a fully inclusive estimate of the costs associated with removal prepared by a qualified engineer. The amount shall include a mechanism for cost-of-living adjustment.
 - v. A review of the amount of the performance guarantee based on inflation, salvage value, and current removal costs shall be completed every five years, for the life of the project, and approved by the city. An SES owner may at any time:
 - (A) Proceed with the decommissioning plan approved by the Chief Inspector or Planning Commission and remove the system as indicated in the most recent approved plan; or
 - (B) Amend the decommissioning plan with Chief Inspector or Planning Commission approval and proceed according to the revised plan.
 - vi. Decommissioning an SES must commence when the soil is dry to prevent soil compaction and must be complete within 18 months after abandonment. An SES that has not produced electrical energy for 12 consecutive months shall prompt an abandonment hearing.
 - m. Repowering. In addition to repairing or replacing SES components to maintain the system, a principal-use SES may at any time be repowered, without the need to apply for a new site plan, by reconfiguring, renovating, or replacing the SES to increase the power rating within the existing project footprint. Repowering may require an application for an electrical permit as determined by the Electrical Inspector or this Code.
 - n. A proposal to change the project footprint of an existing SES shall be considered a new application, subject to the ordinance standards at the time of the request. Expenses for legal services and other studies resulting from an application to modify an SES will be reimbursed to the City of Saginaw by the SES owner in compliance with established escrow policy.



153-4.28 Temporary Buildings for Construction

- A. All temporary buildings for use incidental to construction shall be located outside of the Public Right-of-Way and may only be permitted on public property if approved by the Zoning Administrator.
- B. Clear vision areas shall be maintained at all times in accordance with **Section XXX** of this chapter.
- C. Temporary buildings shall not obstruct the flow of pedestrian or vehicular traffic.
- D. Temporary buildings for construction shall be located at the greatest reasonable distance from adjoining residential property and view from the public Right-of-Way.
- E. A permit for a temporary building incidental to construction shall expire after one year. Permits may be re-issued throughout the duration of the construction period upon reapplication to the Zoning Administrator.

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153-4.29 Vehicle Repair and Service, Passenger and Other

- A. Purpose-effect. In order to regulate and control the problems of noise, odor, light, fumes, vibration, dust, danger of fire and explosion, and traffic congestion which result from the unrestricted and unregulated construction and operation of vehicle repair and service stations, and to regulate and control the incidental adverse effects which may impact adjacent and surrounding areas, the following regulations and requirements are provided for passenger and other vehicle repair or service stations located in any zone.
- B. Vehicle repair and service stations regulated under this section shall include both passenger and other vehicle repair and service uses, and shall comply with the following requirements:
 1. Minimum area and frontage. A vehicle repair or service station shall be located on a lot having a frontage along the principal street of not less than 120 feet, and having a minimum area of not less than 14,400 square feet
 2. Setbacks. A vehicle repair or service station building housing an office and/or facilities for servicing, greasing, and/or washing motor vehicles shall be located not less than 40 feet from any street lot line, and not less than 25 feet from any side or rear lot line adjoining a residentially zoned district.
 3. Driveways and curbs.
 - a. All driveways providing ingress to or egress from a vehicle repair or service station shall be not more than 30 feet wide at the property line. No more than one curb opening shall be permitted for each 50 feet of frontage or major fraction thereof along any street. No driveway or curb opening shall be located nearer than 20 feet to any corner or exterior lot line, as measured along the property line. No driveway shall be located nearer than 30 feet, as measured along the property line, to any other driveway giving access to or from the same vehicle repair or service station.
 - b. A raised curb six inches in height shall be erected along all street lot lines, except for driveway openings.
 4. Paved areas. The entire parking area shall be paved with a permanent surface of concrete or asphaltic concrete and shall be graded and drained in accordance with the requirements of § 153.125(B)(5). Any unpaved area of the site shall be landscaped with lawn or other horticultural materials, maintained in a neat and orderly fashion at all times, and separated from the paved area by a raised curb or other equivalent barrier.
 5. Pedestrian circulation. The Planning Commission may require internal sidewalks, pedestrian markings or other pedestrian accommodations beyond what is required in this Chapter to ensure compatibility between pedestrian and vehicular traffic on the site.
 6. Equipment location. All s equipment used for motor vehicle repairs shall be enclosed entirely within a building. All gasoline pumps shall be located not less than 15 feet from any lot line, and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or overhanging any public sidewalk, street, or right-of-way.



7. Number of pumps. A vehicle repair or service station located on a lot having an area of 14,400 square feet shall include not more than four double gasoline pumps or eight single gasoline pumps and not more than two enclosed stalls for servicing, lubricating, greasing, and/or washing motor vehicles. An additional two gasoline pumps and/or one enclosed stall may be included with the provision of each additional 2,000 square feet of lot area.
8. Walls. Where a vehicle repair or service station adjoins property located in any residential zone, a solid masonry wall five feet in height shall be erected and maintained along the interior lot line or if separated from the residential zone by an alley, then along the alley lot line. In addition, all trash areas for used tires, auto parts and other items shall be enclosed on all sides by a five-foot masonry wall except for access gates or doors. All masonry walls shall be protected by a fixed curb or barrier to prevent vehicles from contacting the wall. A masonry wall may additionally be required by the Planning Commission where the service station adjoins a nonresidential use such as a professional office building, clinic, day nursery, or landscaped area of other nonresidential uses. Walls may be gradually reduced in height (e.g., stepped down) within 25 feet of any street right-of-way line. No wall may exceed four feet in height in any yard abutting a street.
9. Location near certain premises prohibited. No vehicle repair or service station or public garage shall be located nearer than 100 feet as measured from any point on the property line to any school, playground, church, or hospital, measured from the nearest building line of the vehicle repair or service station to the property line of the use subject to this separation distance.
10. Outdoor storage and vehicle rentals. Outdoor storage or parking of vehicles or trailers other than private passenger automobiles shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m., except that equipment rental operations shall be permitted if incidental to the vehicle repair or service station and if restricted to travel trailers or campers of under 21 feet overall length, car-top carriers, and similar auto accessories and are within fenced enclosures observing the same setbacks as required for buildings in the zoning district wherein the vehicle repair or service station is located, and their storage area does not exceed 20% of the area of the site. Rentals shall be limited to trucks not exceeding 30 feet in length and trailers not larger than tandem axle utility trailers not intended to carry heavy construction equipment.



153-4.30 Vehicle Wash Establishments

- A. Vehicle wash establishments shall comply with the following requirements:
1. All structures within a vehicle wash establishment shall provide a minimum front yard setback of 40 feet.
 2. A five-foot high solid masonry wall, fence, or planting screen shall be provided along any interior lot line adjacent to a residential zone excepting the portion adjacent to the front or street side yards required therein.
 3. Vehicle waiting spaces shall be provided in accordance with [Section XXX Off Street Parking and Loading](#).
 4. Adequate provision shall be made to keep all water from washing operations on the premises. Where mechanical or manual drying is not done, a mechanical device shall be provided to ensure that each vehicle shall wait on the premises a minimum of 90 seconds following the end of the washing operation.
 5. Pedestrian circulation. The Planning Commission may require internal sidewalks, pedestrian markings or other pedestrian accommodations beyond what is required in this Chapter to ensure compatibility between pedestrian and vehicular traffic on the site.
 6. All vacuums shall be located in a side or rear yard only.



153-4.31 Wireless Communications Facilities

A. In General.

1. Wireless communication equipment (but not a wireless communication support structure) is a permitted use and allowed in all zoning districts. Wireless communication equipment does not have to be related to the principal use of the site. Wireless communication equipment is not subject to zoning review and approval if all of the following requirements are met:
 - a. The wireless communication equipment will be co-located on an existing wireless communication support structure or in an existing equipment compound.
 - b. The existing wireless communication support structure or existing equipment compound is in compliance with the City's zoning ordinance or was approved by the appropriate zoning body or official for the City.
 - c. The proposed co-location will not do any of the following:
 - i. Increase the overall height of the wireless communication support structure by more than 20 feet or ten percent of its original height, whichever is greater.
 - ii. Increase the width of the wireless communication support structure by more than the minimum necessary to permit co-location.
 - iii. Increase the area of the existing equipment compound to greater than 2,500 square feet.
 - d. The proposed co-location complies with the terms and conditions of any previous final approval of the wireless communication support structure or equipment compound by the appropriate zoning body or official of the city.
2. Notwithstanding the foregoing, wireless communication equipment otherwise exempt must still comply with all other applicable city codes including a requirement that the chief inspector determines that the co-location will not adversely impact the structure to which it is attached.
3. A co-location that meets the requirements of **subsections (A)(1) and (2)**, above, but which does not meet **subsections (A)(3) or (4)**, is subject to special land use review by the Planning Commission in accordance with the City's zoning ordinance and Sections 514(3) to (6) of Public Act 366 of 2018, as amended.
4. Any equipment placed in a residential district shall not be erected at a height that requires lighting. Any equipment placed adjacent to a residential district or use that requires lighting shall be a continuous red beacon at night.
5. Wireless communication equipment that is not attached to an existing structure (thus requiring the installation of a new wireless communication support structure), is subject to special land use review consistent with the city's zoning ordinance and consistent with the city's master plan.



B. Special Land Use Standards for Wireless Communication Facilities.

1. Wireless communication support structures must be installed on a lawful lot for the zoning district in which it is located, either as a principal use, or as an accessory use related to the principal use, and must meet all of the requirements established by this code for such zoning districts.
2. To the extent the other requirements of this code, including **Sections XXX and XXX**, do not conflict with this chapter, Public Act 365 of 2018, as amended, or Public Act 366 of 2018, as amended, such requirements shall still apply to the placement of wireless communication facilities and wireless communication support structures.

C. Special Land Use Standards for Non-Exempt Small Cell Wireless Facilities.

1. The modification of existing or installation of new small cell wireless facilities, or the modification of existing or installation of new wireless support structures used for such small cell wireless facilities, that are not exempt from zoning review in accordance with Public Act 365 of 2018, as amended, shall be subject to special land use review and approval in accordance with the following procedures and standards:
 - a. The processing of an application is subject to all of the following requirements:
 - i. Within 30 days after receiving an application under this subsection, the Chief Inspector shall notify the applicant in writing whether the application is complete. The notice tolls the running of the 30-day period
 - ii. The running of the time period tolled under **subdivision a(i)** resumes when the applicant makes a supplemental submission in response to the Chief Inspector's notice of incompleteness.
 - iii. A complete application shall be submitted to the Planning Commission for review.
 - iv. The Planning Commission shall approve or deny the application and notify the applicant in writing within 90 days after an application for a modification of a wireless support structure or installation of a small cell wireless facility is received or 150 days after an application for a new wireless support structure is received. The time period for approval may be extended by mutual agreement between the applicant and the Chief Inspector.
2. The Planning Commission shall base its review of the special land use request on the standards contained within the City's zoning ordinance; provided, however that a denial shall comply with all of the following:
 - a. The denial is supported by substantial evidence contained in a written record that is publicly released contemporaneously with the denial.
 - b. There is a reasonable basis for the denial.
 - c. The denial would not discriminate against the applicant with respect to the placement of the facilities of other wireless providers.



3. In addition to the provisions set forth above, in the Planning Commission's review:
 - a. An applicant's business decision on the type and location of small cell wireless facilities, wireless support structures, or technology to be used is presumed to be reasonable. This presumption does not apply with respect to the height of wireless facilities or wireless support structures.
 - b. An applicant shall not be required to submit information about its business decisions with respect to any of the following:
 - i. The need for a wireless support structure or small cell wireless facilities.
 - ii. The applicant's service, customer demand for the service, or the quality of service.
 - c. The Planning Commission may impose reasonable requirements regarding the appearance of facilities, including those relating to materials used or arranging, screening, or landscaping.
 - d. The Planning Commission may impose spacing, setback, and fall zone requirements substantially similar to spacing, setback, and fall zone requirements imposed on other types of commercial structures of a similar height in a similar location.
4. The fee for zoning review of a special land use and associated site plan shall be as established by the City Council and posted in the Office of the City Clerk.
5. Expiration/Termination.
 - a. Within one year after a zoning approval is granted, an applicant shall commence construction of the approved structure or facilities that are to be operational for use by it, unless the Chief Inspector and the applicant agree to extend this period or the delay is caused by a lack of commercial power or communications facilities at the site. If the applicant fails to commence the construction of the approved structure or facilities within the time required, the zoning approval is void.
 - b. An applicant may voluntarily request that a zoning approval be terminated.
6. The city shall not institute a moratorium on either of the following:
 - a. Filing, receiving, or processing applications for zoning approval under this section.
 - b. Issuing approvals for installations that are not a permitted use.
- D. The city may revoke a zoning approval, upon 30 days' notice and an opportunity to cure, if the small cell wireless facilities and any associated wireless support structure fail to meet the requirements of the approval, applicable codes, or applicable zoning requirements.



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153-5.1 Accessory Buildings

Accessory buildings, except as otherwise permitted in this section, shall be subject to the following regulations.

- A. Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations of this chapter applicable to main or principal buildings.
- B. **Building Placement.**
 - 1. Accessory buildings shall not be erected in any required yard except for the following:
 - a. An accessory structure may be erected in a rear yard, providing that in no instance shall such a building be nearer than two feet to any adjoining lot line.
 - b. An accessory structure may be erected in an interior side yard, providing that the structure is behind the rear building line of the principal structure and in no instance shall such building be nearer than two feet to any adjoining interior side lot line.
 - 2. Accessory buildings shall be placed behind the front building line of any street-facing frontage except for the following:
 - a. Attached garages of fireproof construction may be erected to extend beyond the front line of the house in those areas which are being developed according to a common plan that includes the construction of attached garages extending beyond the front line of the house, except that such garage shall not encroach in or upon the minimum front yard area as required by this chapter.
 - 3. On a corner lot the entrance to a garage shall not be less than eight feet from the lot line adjacent to the side street
 - 4. Separation Distance.
 - a. No detached accessory building shall be located closer than seven feet to any main or principal building
 - b. No accessory building may be closer than four feet to any other accessory building.
- C. **Number Permitted.** Not more than two garage/accessory buildings may be erected on any single lot, subject to setback, lot coverage and other standards of this chapter.
- D. **Area.** The total area of all accessory buildings on a lot housing a single-family use or a multiple-family residential use of up to four units, may not exceed the ground floor area of the main building(s) or 864 square feet, whichever allows the larger square footage.
- E. **Height.**
 - 1. On lots housing a single-family use or a multiple-family residential use of up to four units, a garage may not exceed one story or 15 feet in height; all other accessory buildings may not exceed ten feet in height.
 - 2. On lots housing multiple-family residential uses of more than four units, mixed use, or nonresidential uses, accessory buildings shall comply with the height requirements in the zoning district in which they are located.



- F. **Principal Structure Required.** No garage, utility, or accessory building shall be constructed upon or moved to any parcel of property until the principal building on, or intended to be placed thereon, is at least two-thirds completed, except that construction of an attached garage may proceed with the construction of a dwelling.
- G. No accessory building shall be used in any part for dwelling purposes except as an accessory dwelling in accordance with [Section 153-4.1 Accessory Dwellings](#) of this Chapter.



153-5.2 Off-Street Parking

- A. **Parking Requirements.** All off-street parking shall meet the following requirements:
1. **Intent.** In order to ensure the safe, orderly, and efficient flow of vehicles and people on developed properties, the City sets forth the following regulations for parking, loading, and circulation.
 2. **Off-Street Parking Required for All Uses.** At the time of the construction or enlargement of any principal building or structure, automobile parking spaces shall be provided in all districts, prior to the issuance of a certificate of occupancy, as set forth in this section. Parking spaces for single-family and multiple-unit buildings with less than four units shall comply with the following:
 - a. At a minimum, off-street parking spaces for single-family, and multiple-unit buildings with less than four units shall consist of a parking strip, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve and subject to the requirements of the [Schedule of Parking Requirements \(subsection 5.2.A.10\)](#).
 - b. A parking strip or driveway shall be located such that it leads to at least one parking area in a yard other than the required front or street side yard. A driveway or parking strip shall not exceed twenty-two (22) feet in width when located in the front or side yard.
 - c. In lieu of a parking strip, driveway, garage, or combination thereof, multiple-unit buildings with less than four units may construct a parking lot subject to the parking lot design and parking lot construction/maintenance standards in [5.2.C](#) and [5.2.D](#) below.
 3. **Change of Use.** When there is a change of use within a previously approved site plan, or a modification to a previously approved parking area, the Zoning Administrator may review and administratively approve the alterations, provided that the resulting changes meet code requirements. Changes of use may be approved administratively if the change satisfies all requirements of the Zoning Ordinance, and the change of use does not otherwise warrant additional review or an increase in on-site parking. Where the change of use occurs in a multi-tenant shopping center or mixed-use building, an increase in parking shall not be required.
 4. **Storage of Vehicles.** The storage of merchandise, motor vehicles for sale, or the repair of vehicles in required parking spaces is prohibited.
 5. **Parking Prohibited in Required Front and Street Side Yards.** In all districts, the required front and street side yard setbacks shall not be used for off-street parking, loading, or unloading, and shall remain as open space unoccupied and unobstructed from the ground upward except for landscaping, plant materials, or vehicle access drives, and except that for single-family detached dwellings, and multiple-unit dwellings with less than four units, one passenger motor vehicle may be parked on a paved driveway or garage apron in a required front yard.
 6. **Uses Not Included in Schedule of Parking Requirements.** For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with the requirement for the most similar use or uses, as determined by the Zoning Administrator.



7. **Collective Use of Spaces.** Nothing in this subchapter shall be construed to prevent collective provisions of off-street parking facilities for two or more buildings or uses; provided, that collectively, such facilities shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with § 153-5.2.A.10.d. Such shared facilities may take place on separate property, so long as the shared facility being reviewed is governed by an agreement in writing approved by the City and kept on file at the City.
8. **Fractional Requirements.** When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction less than one-half shall be disregarded and fractions of one-half and greater shall require one parking space.
9. **Reduction of Off-Street Parking Requirements.** The number of required off-street parking spaces may be reduced based on any of the following criteria:
 - a. Subject to approval of the Planning Commission. For all uses except for single-family dwellings, multiple-unit dwellings with less than four units, and mobile home sites, the following reductions may only be granted subject to the approval of the Planning Commission.
 - i. The applicant has demonstrated through a parking study or other means deemed sufficient that the required off-street parking is excessive. Elements to be considered include:
 - (A) Dual function nature of off-street parking spaces where operating hours and parking needs of individual buildings or uses occur at distinctly different times.
 - (B) Number and frequency of walk-up (foot traffic) customers.
 - (C) Availability of shuttle service and/or transit.
 - (D) Seasonal nature of operations.
 - (E) Availability of public parking elsewhere.
 - ii. Shared parking. The Planning Commission may allow shared parking between adjacent sites as a means to reduce the number of required off-street parking spaces.
 - (A) Parking spaces may only be double counted towards the parking requirements for both sites upon a finding that each use maintains different hours of operation.
 - (B) Shared parking locations shall be accessible via safe walking, transit, or shuttle service, or vehicular access connections.
 - (C) Shared parking shall be governed by an agreement in writing approved by the City and kept on file at the City.
 - (D) Shared parking agreements shall have a lease agreement of not less than 5 years including any renewals at the option of the lessee.



- b. Subject to the approval of any approving authority. For all uses except for single-family dwellings, multiple-unit dwellings with less than four units, and mobile home sites, the following reductions in required off-street parking may be granted by the zoning administrator in circumstances where plans are subject to administrative review only. In all other circumstances, reductions are subject to the approval of the public body authorized to approve such plans.
 - i. When the most recently published Institute of Transportation Engineers' Parking Generation Manual or Urban Land Institute Shared Parking Guide recommends a lower quantity of parking than that required in this code such amount may be permitted.
 - ii. Deferred Parking. The approving authority may grant relief when the applicant proposes to defer a portion of the required parking spaces. Deferred parking shall meet the following requirements:
 - (A) The number of off-street parking spaces required for the use or uses shall be more than ten (10).
 - (B) Area of sufficient size to meet the parking space requirements of this section shall be retained as open space. The site plan shall note the area where parking is being deferred, including dimensions and dotted parking lot layout.
 - (C) The applicant shall provide a written legal agreement, approved by the City and recorded at Saginaw County, to construct the deferred parking at the direction of the approving body, based on observed usage, within six (6) months of being informed of such request in writing by the Zoning Administrator; the applicant may also inform the City of the need to construct the parking, whereupon its construction may be approved administratively, subject to any necessary engineering approvals based on conditions at the time.
 - iii. Bicycle Parking. For each 2 bicycles accommodated by dedicated bicycle parking on the site, the requirement for vehicle spaces may be reduced by one (1); though the reduction shall not exceed ten percent (10%) of the total number of required vehicle spaces.
 - iv. Public Parking Access. When the subject property is located within 500 feet of a municipal parking lot, the requirement for vehicle spaces may be reduced by 10% of the total number of required vehicle spaces.
- c. Mixed-Use Zoning Districts. The required parking shall be halved for all uses in the MU-1, MU-2, MU-3E and MU-3W, and MU-4 zoning districts. In addition, parking is not required for the following uses in the MU-3E and MU-3W zoning districts:
 - i. Non-residential uses.
 - ii. Conversion of existing upper stories into any residential use of any number of units.



10. **Required Parking.** Parking for all uses shall be provided according to the following standards:
- All single-family dwellings and duplexes shall provide space for a minimum of two vehicles.
 - Where a parking requirement is based on building floor area, the definition “**Floor Area, Usable**” in **Section 153-2.2 Definitions** shall control. Where true usable floor area, based on a floor plan, cannot be established at the time of approval (such as with a shopping center where tenants are not yet determined or a speculative building), usable floor area shall be determined as follows:
 - Commercial: 80% of gross floor area
 - Office: 80% of gross floor area
 - Industrial: 70% of gross floor area
 - For all other uses, the applicant shall provide an estimate of parking demand based on the following:
 - The number of employees shall be based on the maximum number needed for the largest shift.
 - Requirements based on the number of seats shall use a measurement of twenty-four (24) inches of bench or pew space.
 - Occupancy shall mean legal occupancy as determined by the fire department or other authorized agency.
 - Minimum parking requirements. The following table provides requirements for minimum parking by use.

Table 153-5.2(A)(10)(d) Schedule of Parking Requirements

Land Use	Minimum Spaces Required
Residential Uses	
Adult foster care small and large group homes	1 space for every 3 beds
Bed and breakfast	1 for each occupancy unit plus 1 for each employee plus 2 for dwelling unit of owner/operator
Multiple-unit dwellings	1.5 for each dwelling unit
Senior housing (independent)	1.2 for each dwelling unit
One-family and two-family dwellings	2 spaces
Boarding house or group residence	1 space for each bedroom
Senior housing (dependent)	1 for every 3 dwelling units



Table 153-5.2(A)(10)(d) Schedule of Parking Requirements (Continued)	
Land Use	Minimum Spaces Required
Business and Commercial Uses	
Amusement arcades	1 per every 75 square feet of gross floor area
Vehicle wash establishment	1 for each employee; see § 5.2.A.11 for stacking requirements
Vehicle service stations	1 space per fueling position, plus room for one stacking space per fueling position. 50% of fueling positions may be counted toward the requirement for any use sharing the site, such as a convenience store or carry-out restaurant
Vehicle repair	3 per vehicle service stall, or 1 per 500 square feet of gross floor area devoted to repairs when service stalls are not present
Personal service	1.75 spaces per chair
Bowling alleys	4 for each bowling lane, plus required parking for any attached bar, restaurant, or assembly, or amusement space
Carry-out eating and drinking establishments	1 for every 150 square feet of floor area; see § 5.2.A.11 for drive-through stacking requirements
Full service eating and drinking establishments	1 for each 3 seats or persons at maximum capacity
Microbreweries, small distilleries, small wine-makers	1 space per 500 square feet of manufacturing space, plus one space per 3 people at maximum occupancy for tasting rooms, plus required spaces for any integrated restaurant
Household repair and service	4 for each establishment plus 1 space for every 800 square feet of floor area
Service establishment of an office, showroom, or workshop nature	4 for each establishment plus 1 space for every 800 square feet of floor area
Laundromats and coin-operated dry cleaners	1 for every 2 washing or dry cleaning machines
Golf course	1 for each hole, plus 1 for each employee; plus required spaces for other on-site uses such as clubhouses

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Table 153-5.2(A)(10)(d) Schedule of Parking Requirements (Continued)

Land Use	Minimum Spaces Required
Recreation, outdoor commercial	If maximum capacity/occupancy is required by Building or Fire Code: 1 per every 3 people at maximum capacity. If maximum capacity/occupancy is not required by Building or Fire Code: 5 spaces plus 1 space per every 1,000 feet of intentional outdoor recreation space (i.e. ice rinks, play equipment, play fields, pools) or 1 space per every mini-golf/disc golf hole, if applicable.
Funeral homes	1 for every 4 people at maximum capacity, plus one per facility vehicle
Motel, hotel, or other commercial lodging establishments	1 for each occupancy unit, plus 10% of that total, plus required spaces for restaurants, ballrooms, meeting rooms, or other accessory spaces
Passenger vehicle or other vehicle sales	1 for every 400 square feet of floor area of sales room, plus required spaces for service and repair stalls
Open air businesses	1 for every 500 square feet of lot area used for retail sales
Arts and craft studios, including photography studios	1 space for each 400 square feet of gross floor area
Quick oil change	1 for each employee; see § 5.2.A.11 for stacking requirements
Radio and television station	1 space for each employee on maximum shift plus 5
Retail stores, except as otherwise specified herein	1 for every 250 square feet of gross floor area
Self-storage facility, outdoor unit access	5 spaces for the complex
Self-storage facility, indoor unit access	1 space for every 20 storage units; minimum 5 spaces
Shopping center or clustered commercial	1 for every 200 square feet of gross leasable floor area
Studios; dance, health, music, and other similar places of instruction and recreation	1 for every 50 square feet of floor area
Assembly halls without fixed seats	1 for every 75 square feet of floor area
Commercial indoor recreation	1 for every 3 people at maximum occupancy



Table 153-5.2(A)(10)(d) Schedule of Parking Requirements (Continued)	
Land Use	Minimum Spaces Required
Industrial Uses	
Industrial establishments, including manufacturing, research, and testing laboratories, creameries, bottling works, printing, plumbing or electrical workshops	1 for every 500 square feet of usable floor area
Wholesale and warehousing establishments	1 for every 1,700 square feet of gross floor area
Junk yard	1 space for each employee plus one for each 10,000 square feet of storage area
Recycling center	1 space for each employee plus 12 vehicle waiting spaces for drop off of materials
Institutional Uses	
Campground - RV park	1 dust free 10-foot by 30-foot space for each campsite plus 1 parking space for each employee
Places of worship	1 for every 3 seats based on maximum seating capacity in the main place of assembly, or 1 per 75 square feet in the main place of assembly, whichever is less
Colleges, universities, vocational training facilities, and private schools	5 spaces for each classroom plus 1 for every 200 square feet of office area
Community center	1 for every 3 persons at maximum occupancy
Elementary and junior high schools	1 per employee, plus required spaces for the auditorium or assembly hall
High schools	1 per employee and 1 for each 10 students, in addition to the requirements of the auditorium or assembly hall
Hospitals	1 for every 3 beds, plus 1 space for every 3 staff members based upon total staff at the hospital
Libraries, museums, and noncommercial art galleries	1 for every 250 square feet of floor area
Marinas, public or private	1 per 5 boat berths, 1 per 20 spaces of dry boat storage, and 1 per employee
Commercial outdoor recreation and places of outdoor assembly	1 for every 3 seats, or 6 feet of benches; or 1 for every 4 people at maximum occupancy; whichever is greater

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Table 153-5.2(A)(10)(d) Schedule of Parking Requirements (Continued)

Land Use	Minimum Spaces Required
Pre-schools, nursery schools, day nurseries, child day care centers	1 for every 350 square feet of floor space, plus 1 space per employee, plus 3 passenger vehicle spaces for loading and unloading of children
Prison, detention facility	1 space for every 3 blocks
Private clubs or lodge halls	1 for every 3 persons at maximum occupancy
Stadium, sports arenas, or similar place of assembly	1 for every 3 seats or 6 feet of benches
Substance abuse treatment center	1 space for every 3 beds
Tennis and racquet clubs or other similar uses	6 spaces for each court, plus 1 for each employee; where spectator areas are provided, 1 space for every 3 seats or 6 feet of bench
Swimming facilities/natatoriums	1 per four people at maximum occupancy
Theaters and auditoriums (indoor)	1 for every 3 seats or 6 feet of benches
Office Uses	
Business offices	1 space per 333 square feet of floor area
Financial institutions (banks, savings and loan offices, credit unions)	1 for every 300 square feet of floor area; see § 5.2.A.11 for stacking requirements
Medical office and clinics	1 space per 200 square feet of floor area

- e. Maximum parking requirement. A parking lot shall not exceed 120% of the required minimum base number of parking spaces per the table in [A.10.d](#) above. However, the Planning Commission may grant an increase of over one-hundred twenty (120%) percent of the required minimum base number of parking spaces if:
- The applicant can demonstrate to the Planning Commission's satisfaction the additional parking is necessary based on documented evidence of actual use or anticipated demand.
 - The increase in parking will have no undue burden on neighboring property owners and/or natural features.
 - Pedestrian features and safety measures are sufficiently provided throughout the parking lot.



11. **Drive-Through Stacking.** Wherever a drive-through is provided, drive-through stacking spaces shall be provided in addition to required parking spaces at the following rates:

Table 153-5.2(A)(11) Drive-Through Stacking Requirements		
Activity Type	Minimum Spaces	Measured From (does not include space being served)
Bank teller lane	4	Teller or window
Automated teller machine	3	Teller machine
Restaurant drive-through	10	Where order box is present, 6 before order box, 4 between order box and window
Car wash stall, automatic	10	Entrance
Car wash stall, self-service	2	Entrance
Quick oil change	2 per stall	Entrance
Pharmacy	3	Window
Other	Determined by City Engineer based on Traffic Study	

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- B. **Drive-Through Design and Stacking.** A lane, aisle, drive, or path in which vehicles are directed expressly for the purposes of receiving or dispensing persons, goods, or services without the driver leaving the vehicle (referred to as a drive-through lane) shall comply with the following requirements:
1. Drive-through lanes shall be separate from the circulation roads and lanes necessary for ingress to and egress from the property.
 2. Drive-through lanes shall not use any space that is necessary for adequate access to parking spaces.
 3. Drive-through lanes where vehicle stacking and waiting occur shall not be permitted in the front yard.
 4. Drive-through lanes and associated bypass lanes shall be set back at least ten (10) feet from the side and rear lot lines.
 5. Drive-through lanes located adjacent to a street shall be buffered by a minimum ten (10) foot wide landscaped planting adjacent to the right-of-way as specified in [Section 153-5.5 Landscaping and Screening](#).
 6. When the direction of traffic in an adjacent lane or aisle is opposite the direction of the drive-through lane or when the adjacent aisle is used to access parking spaces, drive-through lanes shall be separated from other aisles and lanes using a landscaped island, sidewalk, or any other similar raised barrier, as approved by the approving authority. In no case shall this barrier be less than five (5) feet.
 7. Drive-through lanes shall provide one (1) means of exit prior to the pick-up window.
 8. Designated pedestrian areas which pass through a stacking space/by-pass lane area shall be clearly marked through pavement striping, alternative paving material, or a stamped pattern or texture in the pavement.
 9. Drive-through lanes shall have a minimum width of nine (9) feet.
 - a. Drive-through lanes shall have a minimum length of twenty (20) feet per vehicle.
 - b. Drive-through lanes shall have a minimum centerline turning radius of twenty-five (25) feet.
 - c. Drive-through lanes shall be striped, marked, or otherwise distinctly delineated.



- C. **Parking Lot Design.** Wherever the off-street parking requirements in [Section 5.2.A](#) require the construction of an off-street parking facility, such off-street parking lot shall be laid out, constructed, and maintained in accordance with the following standards and regulations:
1. Parking lots shall not be constructed unless and until a site plan for such parking lot is granted final site plan approval by the Zoning Administrator.
 2. Plans for the layout of an off-street parking lot shall have dimensions consistent with the following standards: ✍

Table 153-5.2(C)(2) Minimum Parking Space Dimension and Maneuvering Requirements			
Angle of Spaces	Space Width	Space Length	Maneuvering Width
90 degrees	9 ft.	18.5 ft.	26 ft. (two-way)
60 degrees	9 ft.	20 ft.	16 ft. (one-way)
45 degrees	9 ft.	20 ft.	14 ft. (one-way)
Parallel	8 ft.	24 ft.	12 ft. (one-way)

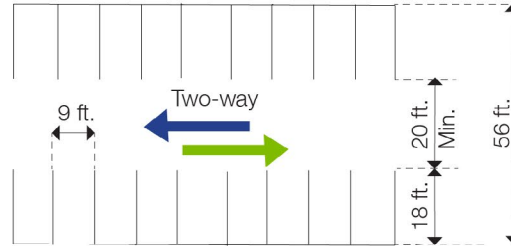
3. The space length of ninety-degree (90°) parking stalls may be reduced by two (2) feet, to eighteen (18) feet, when an acceptable unobstructed overhang is provided. Examples include a four (4) inch high sidewalk that is at least seven (7) feet wide and a landscaped area with no vertical obstructions within the first two feet where the curb height is four (4) inches.
4. Other drives or maneuvering lanes. Other drives or maneuvering lanes not indicated above shall have a minimum width of twenty-two (22) feet.
5. Parking spaces to accommodate vehicles with trailers (boats and recreational vehicles) shall be at least ten (10) feet by forty (40) feet.
6. Parking lot stalls shall be striped and maintained.
7. Barrier-free parking spaces shall be furnished as required by the Building Code.
8. Lighting used to illuminate off-street parking areas shall be installed in accordance with [Section 153-5.12 Lighting](#).
9. In order to delineate on-site circulation, improve sight distance and safety at the intersection of parking aisles, protect the vehicle(s) at the end of a parking bay, and define the geometry of internal intersections, curbed and landscaped end islands shall be required at the end of all parking bays that abut traffic circulation aisles in off-street parking lots. End islands with raised curbs and landscaping shall not be required in parking structures. The approving body may waive the requirement for raised end islands and may allow for painted islands only or no islands for surface lots, in locations where internal traffic circulation is forecast to be low (e.g., remote parking spaces away from building entrances) or where the raised islands would not be appropriate. The end islands, whether raised or painted, shall be at least ten (10) feet wide, have an outside radius of fifteen (15) feet, and be constructed two (2) feet shorter than the adjacent parking stall.
10. Parking lots shall be landscaped in accordance with the standards of [Section 153-5.5 Landscaping and Screening](#).



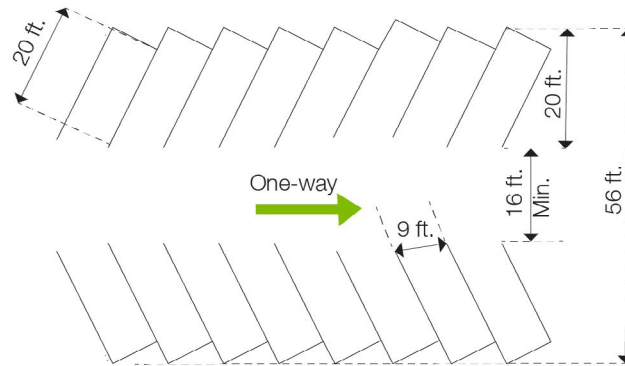
Figure 153-5.2(C)(2) Off-Street Parking Layout Dimensions

(GRAPHIC PENDING- Certain values to be edited to meet this drafted ordinance language)

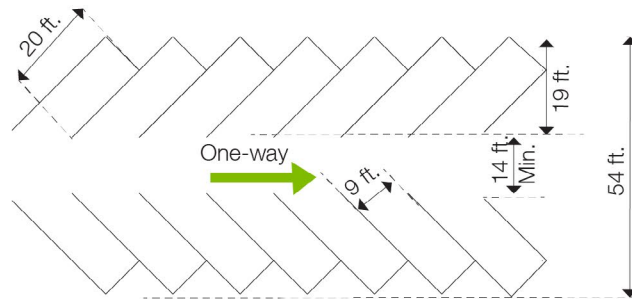
90 Degree



60 Degree



45 Degree



Parallel

giffels
webster

D. Parking Space Construction and Maintenance.

1. Parking lots shall not be constructed or reconstructed unless a site plan has been submitted and granted final site plan approval by the Zoning Administrator. Applications for a site plan shall be submitted to the Zoning Administrator on a form determined by the department.
2. Plans must be submitted in accordance with the procedures set forth in the engineering site plan design standards.
3. Spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited.
4. Adequate ingress and egress to the parking lot and to all parking spaces shall be provided by means of clearly limited and defined drives.
5. Maneuvering lanes serving angle parking shall permit one-way traffic movement only; lanes serving right angle parking may permit two-way traffic movement. The mixing of one- and two-way movements within a lot shall be permitted only in exceptional circumstances and with the approval of the approving body.
6. For all uses except single-family dwellings, the entire off-street parking lot including parking spaces and maneuvering lanes, shall be paved with asphalt, bricks, concrete, or interlocking cement pavers and shall be graded and drained to dispose of all collected surface water. All parking lots shall be striped to delineate parking spaces and lanes prior to the issuance of an occupancy permit. Single-family parking spaces, strips, or aprons shall be surfaced with asphalt, concrete, or six inches of stone mix or gravel.
 - a. Gravel and stone mix surfaces shall be maintained such that the parking space, strip, or apron is free from ruts or holes.
 - b. If stone mix or gravel is used the parking area must be clearly defined by use of side borders of landscape ties, treated wood, brick concrete, or other similar border materials.
7. Off-street parking lots shall be drained so as to dispose of all accumulated surface water in such a way as to preclude drainage onto adjacent property or toward buildings.
8. Dead-end off-street parking aisles are discouraged, especially in connection with business uses. Such aisles should be no more than eight (8) spaces deep and should, in any case, be used only when there is no reasonable alternative. If more than eight (8) spaces deep, the layout shall provide a means for vehicles to turn around if all spaces are occupied.



- E. **Electric Vehicle Charging Stations.** Electric vehicle charging spaces may be included in the overall parking requirement for a site so long as they comply with the following standards.
1. Where one (1) or two (2) electric vehicle charging spaces are provided, they shall be signed for electric vehicle parking only, and shall comply with ADA standards for barrier-free parking. Where three (3) or more electric vehicle charging spaces are provided, a minimum of two (2) electric vehicle parking spaces shall be signed for electric vehicle parking only and comply with ADA standards for barrier-free parking.
 2. Site lighting shall be provided in compliance with [Section 153-5.12 Lighting](#), unless charging takes place during daytime hours only.
 3. Chargers intended for use by the general public shall include signage identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station, as well as contact information for the entity responsible for maintaining and servicing the charger.
 4. Charging equipment shall be protected by a curb, concrete-filled bollards, or a combination of thereof. Where a curb is the sole means of protection, a charging station shall be set back a minimum of twenty-four (24) inches from the back of the curb.
 5. Equipment mounted on pedestals, lighting posts, bollards, walls, or other devices for on-street charging stations shall be designed and located as to not impede pedestrian travel or create trip hazards within the right of-way.
 6. Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning, or other problems are encountered.
- F. **Pedestrian Accommodations.** Development sites shall provide for the safe and comfortable circulation of pedestrians as follows:
1. Pedestrian walkways shall be provided between building entrances/exits and parking areas, and within parking areas to provide a designated walking area, especially where there is a need to connect dispersed buildings with parking areas.
 2. Pedestrian walkways shall be provided between buildings and sidewalks or multi-use paths along adjacent streets, including marked crosswalks across parking maneuvering lanes, as necessary.



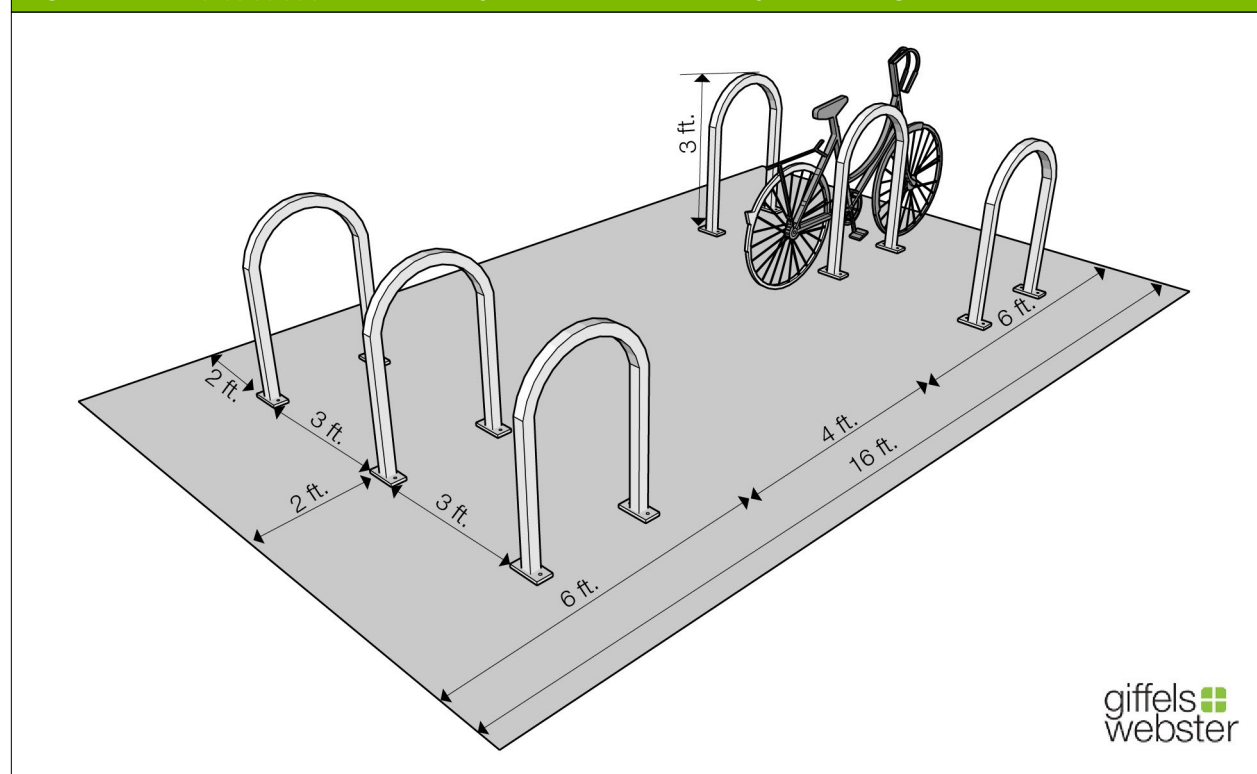
G. Bicycle Parking.

1. Intent. As the City works to create a well-connected community, expand its pathway system, and provide more opportunities for non-motorized transportation, it is important that new development accommodates bicyclists. The regulations and requirements are designed to promote and encourage the safety and general welfare of the community by:
 - a. Promoting an alternative and energy-efficient mode of transportation;
 - b. Encouraging a healthy lifestyle by promoting and accommodating the use of bicycles; and
 - c. Providing adequate and safe facilities for the temporary placement of bicycles.
2. Voluntary Installation of Bicycle Parking. This section does not prohibit the voluntary installation of bicycle parking that conforms to the requirements set forth in this section.
3. Bicycle Parking Facility General Requirements. Bicycle parking shall be provided for any new building constructed after the effective date of this section. After the effective date of this section, bicycle parking shall also be provided on all sites when an addition to an existing building is constructed that results in the need for additional motor vehicle parking spaces or for any change in the use of a building that results in the need for additional motor vehicle parking spaces. Such bicycle parking facility shall be provided in accordance with the following requirements:
 - a. Provide a minimum of two (2) bicycle parking spaces. Single-family and two-family uses are exempt from this requirement. One bicycle parking space shall be provided for every ten motor vehicle parking spaces required or fraction thereof. The number of required bicycle parking spaces shall not exceed fifty (50).
 - b. Off-street bicycle parking facilities may be located in any yard subject to meeting the parking setback requirements of this code. Site plan approval may allow bicycle parking facilities in the required front yard parking setback when the location is between a public bicycle route and the principal building.
 - c. Bicycle parking facilities shall be located on the parcel that the bicycle parking serves, or may be placed on an adjoining parcel with property owner permission.
 - d. Bicycle parking facilities shall be located along the principal building entrance approach line and be clearly visible and easily accessible from the approach and building entrance being served. When this space is not available, Planning Commission may approve an alternative so long as the alternative provides a logical means of access.
 - e. Minimum required bicycle parking spaces shall not be replaced by any other use unless and until equal facilities are provided elsewhere.
 - f. For sites containing multiple uses or tenants, a single bicycle parking area may be provided as long as the total number of bicycle parking spaces provided is not less than the sum of all of the separate uses combined.
 - g. A bicycle parking area shall not interfere with any designated pedestrian sidewalk or pathway, required vehicle parking spaces or vehicle maneuvering lanes, and shall not eliminate any required landscape area.



- h. Bicycle parking area(s) shall be laid out, constructed, and maintained in accordance with the following standards and regulations:
- Bicycle parking spaces shall be paved and adjacent to a bicycle rack that is solid, cannot be easily removed with common tools, provides at least two (2) contact points for a bicycle, is at least three (3) feet in height, and permits the locking of a bicycle through the frame and one (1) wheel with a standard U-Lock or cable in an upright position. The rack shall be securely anchored in concrete or asphalt. Alternative installations and designs may be considered if the proposed rack design functions similar to the inverted “U” design.
 - The minimum layout standards are shown in [Figure 153-5.2\(G\)\(3\)\(h\)\(ii\) Minimum Layout Standards for Bicycle Parking Facilities](#) below.

Figure 153-5.2(G)(3)(h)(ii) Minimum Layout Standards for Bicycle Parking Facilities



- iii. Bicycle parking facilities shall be accessible from adjacent street(s) and pathway(s) via a paved route that has a minimum width of six (6) feet.
- iv. Bicycle parking facilities shall be separated from automobile parking spaces and access aisles by a raised curb, landscape area, sidewalk, or other method that complies with all City ordinances when located in or near off-street parking areas. Upon the written request of an applicant, the approving authority may waive or modify the bicycle parking facility layout, location, and design requirements in this subsection upon a satisfactory showing by the applicant of a practical difficulty with complying with the requirement due to site constraints or other factors, and that the applicant's proposed plan will adequately serve the needs of the site and the bicycling public.
- v. The exterior surface of bicycle racks and bicycle lockers shall be non-abrasive, non-marring, and durable.
- vi. The bicycle rack and bicycle lockers shall be maintained in good condition.

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153-5.3 Off-Street Loading

- A. On the same premises with every building, structure, or part thereof erected and occupied for commercial or industrial uses involving the receipt or distribution of vehicles, materials, or merchandise, there shall be provided and maintained on the lot, or within such building or structure, adequate space for standing, loading, and unloading services in order to avoid undue interference with public use of the streets and alleys.
- B. Such loading and unloading space, unless otherwise adequately provided for, shall be an area 10 feet by 50 feet, and 15 feet height clearance, according to the following schedule:

Table 153-5.3(B) Off-Street Loading and Unloading Spaces Required in Terms of Square Feet of Gross Floor Area

Gross Floor Area (in square feet)	Commercial	Industrial
0 - 5,000	None	None
5,001 - 20,000	1	1 + 1/5,000 in excess of 5,000
20,001 - 50,000	1 + 1/20,000 in excess of 20,000	3 + 1/15,000 in excess of 20,000
50,001 - 100,000	1 + 1/20,000 in excess of 20,000	5 + 1/10,000 in excess of 20,000
100,001 - 300,000	5 + 1/100,000 in excess of 100,000	10 + 1/100,000 in excess of 100,000
300,001 - 500,000	10 + 1/100,000 in excess of 300,000	10 + 1/100,000 in excess of 300,000
Over 500,000	12 + 1/250,000 in excess of 500,000	14 + 1/150,000 in excess of 500,000
Stacking spaces shall have a minimum width of 8 feet and a minimum length of 20 feet.		

- C. Multiple-family residential uses with more than 15 units shall include one loading space for deliveries and moving vehicles.
- D. No loading space shall be located closer than 50 feet from any R-1, R-2, or R-3 district unless located within a completely enclosed building or enclosed on all sides facing the adjacent property line by a solid masonry wall or ornamental fence of a type approved by the City Planning Commission not less than six feet in height.
- E. The Planning Commission may modify the requirements of subsections **B**, **C**, and **D** above, based on finding that the applicant has presented sufficient evidence that the proposed land use does not necessitate the need for traditional loading/unloading activities and can demonstrate that smaller loading/unloading vehicles will be serving the site.



153-5.4 SIGNS - DEFINITIONS

Billboards

A sign erected, maintained, and used for the purpose of displaying messages intended to be seen from a long distance or read from a vehicle traveling at high speeds

Premises

Contiguous land under the same ownership or control which is not divided by a public street.

Sign

Any interior or exterior device, structure, or part of a building or structure which directs attention to an object, product, place, service, activity, person, institution, organization, or business which, except as otherwise provided, is visible from any public thoroughfare, sidewalk, alley, or public property. The definition does not include, unless otherwise indicated, signs primarily directed at persons within the premises of the sign owner. Neither does it include signs the total area of which is less than one square foot. The term "Sign" shall include, but not be limited to, any printed or written text, pictorial representation, numeral, emblem, banner, or pennant.

Sign Area

This term or other reference to square measure is the entire area within one or more circles, triangles, or quadrilaterals or combination thereof enclosing the extreme limits of the sign together with any frame, other material, or other color forming an integral part of the display or used to differentiate it from the background against which it is placed.

Sign, Canopy (Awning)

A sign that is painted on, attached to, and made an integral component of an awning or canopy that is otherwise permitted by ordinance.

Sign, Changeable Copy

A sign that is designed or used to display characters, letters, words, or illustrations that can be readily changed or rearranged by manual, mechanical, or electronic means without altering the face of the sign.

Sign, Entryway

A sign that commonly identifies a development, part, or all of which is served by a minor public or private street system such as subdivisions, industrial or office parks, or multiple-family developments, which serve more than two (2) zoning lots or by way of private streets or drives which serve more than two (2) separate and distinct principal uses.

Sign Face

Surface of a sign exposed to the view of the public carrying a sign message.

Sign, Freestanding

A sign attached to a permanent foundation, supported above the ground by no more than two poles, posts, or similar uprights with or without braces, upon which announcements, declarations, displays, etc., may be placed. This definition includes pole signs, but shall not include monument signs.

Sign, Marquee

A sign attached to a marquee, canopy, or other structure projecting from and supported by the building and extending beyond the building wall.

Sign, Monument

A sign extending upward from grade which is attached to a solid base complying with the requirements of §153-5.4.G.1 and which may be attached or dependent for support from any pole, posts, or similar uprights, provided that such supports are concealed within the sign structure.

Sign, Off-Site

A sign other than an on-site sign.

Sign, On-Site

A sign indicating the name, occupation, nature of activities conducted, services or goods offered, or the products manufactured on the premises where the sign is located.

Sign, Permanent

A sign that is designed, constructed, and installed for long-term display. It is made of durable, weather-resistant materials and is securely affixed to the ground, a building, or a structure. Examples include, but are not limited to, monument signs, wall signs, pole signs, illuminated signs, or directional signs.

Sign, Pole

A freestanding sign that is mounted on one or more freestanding poles or other support so that the bottom edge of the sign face is not in direct contact with a solid base or the ground.

Sign, Projecting

A sign which is affixed to any building or structure other than a marquee, any part of which extends beyond the building wall, and the horizontal sign surface is not parallel to the building wall.

Sign, Public

Signs of a noncommercial nature and in the public interest erected by or on the order of a public officer or public body. Examples include, but are not limited to, a governmental building identification sign, safety sign, danger sign, trespassing sign, traffic sign, memorial plaque, or a historical interest sign.

Sign, Roof

A sign which is mounted on the roof of a building, or which extends above the top edge of the wall or top parapet of a flat-roofed building, above the eave line of a building with a hip, gambrel, or gable roof or the deck line of a building with a mansard roof.



Sign, Temporary

A sign that is intended to be displayed for a limited period of time. It is often made of lightweight, non-durable materials and is not permanently affixed to the ground, a building, or any structure. Such can be physically lifted, pulled, or wheeled from one location to another. Examples include, but are not limited to, the following:

1. **Banner Sign.** A sign usually consisting of a larger square or rectangular piece of cloth, netting, etc., duly inscribed and suspended in public views, across a street, in front of a building, or from a light fixture or pole.
2. **Construction Sign.** A sign installed on a site being developed or improved. Such signs typically identify active or pending development projects at that location.
3. **Decorative Display Sign.** A temporary display designated for the entertainment or cultural enrichment of the public and has no direct or indirect sales or advertising.
4. **Inflatable Sign.** A sign consisting of a balloon or other gas-filled figure.
5. **Portable Sign.** A temporary sign designed to be easily movable. Portable signs are typically held in place during the period of a display by sandbags, blocks, or other easily movable anchors.
6. **Yard Sign.** A temporary sign placed independently of any other sign on the premises and is independent of support from any building, canopy, marquee, or awning; a consistent physical characteristic is its temporary and disposable nature.

Sign, Wall

A sign which is attached directly to a building wall with the horizontal sign surface parallel to the building wall, including signs painted on any building wall.

Sign, Window

A sign painted on or affixed to glass surfaces of windows or doors and pertaining to and identifying only the lawful business conducted therein, or the products or services offered on-site.



153-5.4 Signs

- A. **Findings.** The City finds that signs have an obvious impact on the character and quality of the city. Further, it finds that failure to regulate their size, location, and construction has in specific instances resulted in poor identification of individual businesses, deterioration of the business and residential areas of the city, intensification of the conflicts between different types of land use, reduction in the effectiveness of traffic control devices, and safety hazards to pedestrians and motorists.
- B. **Purpose.**
1. The purpose of this subchapter is to regulate signs and outdoor advertising in a manner which will minimize their harmful effects while permitting latitude for creative and effective advertising and identification. To achieve this purpose, this subchapter has the following objectives:
 - a. To ensure that the constitutionally guaranteed right of free speech is protected and to allow signs as a means of communication, subject to appropriate and legally permissible time, place, and manner restrictions.
 - b. To prevent the placement of on-site signs in a manner that will conceal or obscure signs of adjacent businesses;
 - c. To keep the number of on-site signs at a level reasonably necessary to identify a business and its products;
 - d. To keep on-site signs within a reasonable scale with respect to the building to which they relate;
 - e. To prevent off-site signs from conflicting with business, residential, and public land uses;
 - f. To keep an area adjacent to streets clear of signs which might obstruct the view of motorists;
 - g. To reduce the visual distractions for motorists on the streets and highways; and
 - h. To control the use of signs and of their motion, colors, illumination, and their insistent and distracting demand for attention which can be injurious to the mental and physical well being of the public and can be destructive to adjacent property values and to natural beauty.
 - i. In the case of residential land uses or districts: To prevent blight, prevent visual clutter, and protect the aesthetic quality of residential neighborhoods.
 2. Accordingly, it has become necessary in the public interest to regulate the sizes, location, character, and other pertinent features of all signs in the city.
- C. **Applicability.**
1. The regulations of this section shall apply to all signs visible from any road, public park, or a residentially zoned property.
 2. All signs erected or located or relocated or modified in any zoning district shall comply with the following regulations in this section whether they require a permit or not.



- D. **Exemptions.** The following type of signs shall be permitted, but are exempted from the provisions of this section.
1. Public signs.
 2. Traffic control signs that comply with Manual on Uniform Traffic Control Devices (MUTCD) standards.
 3. Directional signs not exceeding four feet in height and 3 square feet in total area located along internal lot driveways and intersections for traffic control and safety purposes. Such signs shall be placed within six feet of a driveway or sidewalk, and shall not be within 20 feet of one another.
 4. Signs erected by public or quasi-public utility providers.
 5. Temporary signs smaller than 12 square feet.
 6. Window signs not exceeding 25% of any individual window pane.
- E. **Prohibited Signs.** The following signs shall be prohibited, unless otherwise permitted elsewhere in this ordinance or the City Code:
1. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character such as will offend the public morals or decency.
 2. Signs that contain or are an imitation of an official traffic sign or signal. Traffic directional signs in a private parking area are exempted from this provision.
 3. Signs that are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or emergency vehicle.
 4. Signs that obstruct a motorist's view of any traffic signs, street sign, or traffic signal.
 5. Highway signs or billboards, unless otherwise permitted in industrial districts in this Ordinance.
 6. Signs that contain or consist of banners, pennants, pinwheels, ribbons, streamers, strings of light bulbs other than holiday decorations or similar devices, unless otherwise permitted elsewhere in this Ordinance.
 7. Signs that have a moving part.
 8. Roof signs.
- F. **General Standards for Signs in All Districts.** Except as otherwise provided, the following conditions shall apply in all districts:
1. No sign shall be located within, project into, or overhang any public right-of-way, except as otherwise permitted herein.
 2. No signs shall be located so as to impede pedestrian or automobile traffic.
 3. No sign shall interfere with the traffic visibility triangle at driveways and intersections, in accordance with [153-5.9 Traffic Visibility](#).
 4. Materials of construction for signs and sign structures shall be of the quality and grade as specified for structures in the state construction code.
 5. No sign displayed flatly against the surface of a building shall project above the roof line of the associated structure.



6. No other sign shall extend more than six feet above the normal grade at the base of the sign, unless otherwise listed.
7. All wall signs shall be attached flat against the front wall of the building. No sign attached to a building may project more than 14 inches from the building wall.
8. Projecting signs, canopy signs, or marquee signs that encroach a public right-of-way shall be subject to City hold harmless agreement and insurance requirements.
9. Illumination standards.
 - a. Signs in residential districts may be illuminated with not more than 3,000 lumens of non-flashing white light. Such lights must be shielded so that they illuminate only the surface of the sign.
 - b. No sign shall have blinking, flashing, rotating, or fluttering illumination.
 - c. No sign shall be illuminated in a manner which changes light intensity, brightness, or color.
 - d. No sign shall have colored lights which may be confused with or construed as traffic control devices or emergency vehicles. However, electronic message board signs shall not be prohibited from using illuminated colored text.
 - e. No sign shall be illuminated in such manner that the direct or reflected light from the sign creates a traffic hazard for motor vehicle operators on public thoroughfares.
10. Any electronic changeable copy signs are subject to the following:
 - a. The content of the electronic display area shall not feature video, motion or animation.
 - b. The images and messages displayed electronically on the sign must be static, and the transition from one (1) static display to another must be instantaneous without any special effects. All portions of the message shall remain static for a minimum of thirty (30) seconds. The change from message to message shall be instantaneous.
 - c. The electronic changeable copy sign area may not exceed 50% of the total area permitted for the sign type in the district where located.
 - d. In order to verify compliance with this Ordinance or other applicable law, the interface that programs an electronic message sign shall be made available to City for inspection upon request. If the interface is not or cannot be made available upon the City's request, the sign shall cease operation until the City has been provided proof of compliance with City Code.

G. General Standards for Monument and Freestanding Signs.

1. Monument signs. The sign base for a monument sign shall be no less than 75% of the width of the sign face it is supporting.
2. Freestanding signs.
 - a. There shall be no more than two (2) poles, posts, or similar supports supporting the freestanding sign. Such posts shall run vertical from grade to the structure of the sign face.
 - b. Any pole, post, column, or similar support supporting the freestanding sign shall not exceed two (2) feet in width.



H. Height and Area Measurements.

1. Height.
 - a. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.
 - b. The normal grade shall be construed to be the existing grade; or the newly established grade after construction, both exclusive of or not credited toward any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
 - c. In cases in which the normal grade cannot reasonably be determined, sign height shall be measured from a point that is 5 feet from the farthest edge of the solid base of the monument sign or the pole/post/supporting upright of the freestanding sign.
2. Area. Area of a sign shall include the entire area within one or more circles, triangles, or quadrilaterals or combination thereof enclosing the extreme limits of the sign together with any frame, other material, or other color forming an integral part of the display or used to differentiate it from the background against which it is placed. The following additional standards shall be considered while calculating the area of the sign.
 - a. Incidental text not exceeding six inches in height and a total of 2 square feet in size can be excluded from the maximum allowable area of a permanent wall or monument sign.
 - b. The area of a cylindrical sign shall be computed by measuring the total area of all signs on the cylinder.
 - c. The area does not include the supporting structure necessary for the erection or attachment of the sign.
 - d. Any single row of text shall be grouped into one continuous rectangle. The text shall be bounded by the extreme limits of the text.

Figure 153-5.4(H) Parking Lot Landscaping**(GRAPHIC(S) PENDING)**

All text and distinguishing figure
included in one rectangle

- I. **Signs in Residential Districts.** Signs in residential districts shall be permitted as follows.

Table 153-5.4(I) Signs Permitted in Residential Districts (R-1, R-2, and R-3)					
Sign Type	Use	Maximum Sign Area	Height	Placement	Number Permitted
1. Wall Signs	Residential uses containing up to (4) dwelling units, child care homes, and adult foster care homes	3 sf	Shall be below the building's roof line or top of façade.	N/A	One per principal building
2. Wall Signs	Multiple family dwellings of more than four (4) units, senior housing, non-residential uses	32 sf	Shall be below the roof line or top of façade.	N/A	One per principal building
3. Monument Signs	Multiple family dwellings of more than four (4) units, senior housing, non-residential uses	32 sf	6 feet maximum	Minimum 10 feet from all lot lines or right-of-way lines. Shall not be placed in a traffic visibility triangle per Section 153-5.9 .	One per lot
4. All other permanent sign types not permitted in this chart are prohibited.					



J. **Signs in Business Districts.** Signs in business districts shall be permitted as follows.

Table 153-5.4(l) Signs Permitted in Business Districts (B-1 and B-2)				
Sign Type	Maximum Sign Area	Height	Placement	Number Permitted
1. Wall signs	1.5 square feet for each lineal feet of building frontage, up to 200 sf maximum in B-1 and 350 sf maximum in B-2	Maximum: Shall be below the top of façade.	N/A	One per business façade. One additional sign permitted on a corner or double frontage lot.
2. Monument signs	64 sf	Maximum: 6 feet	Minimum 10 feet from all lot lines and right-of-way lines. Shall not be placed in a traffic visibility triangle per Section 153-5.9 .	One per lot. One additional sign is permitted on the secondary frontage of a corner lot or double frontage lot, provided there is minimum 200 feet of spacing between monument signs.
3. Freestanding signs	64 sf	Minimum: Sign face shall be located no less than 9 feet from normal grade Maximum: 35 feet	Minimum 10 feet from all lot lines and right-of-way lines. Shall not be placed in a traffic visibility triangle per Section 153-5.9 .	One per lot. One additional sign permitted on the secondary frontage of a corner lot or double frontage lot, provided there is minimum 200 feet of spacing between freestanding signs.
4. Projecting signs	12 sf	Minimum: 8 feet from normal grade, or sidewalk grade where applicable. Maximum: shall not exceed the top of façade.	Shall not project more than 4 feet from the wall of the building, and 3 feet into the right-of-way line.	One per business façade. One additional sign permitted on a corner or double frontage lot, but cumulative sign area shall not exceed the maximum sign area.

1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

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6. Development Procedures

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5. Awning and canopy signs	Not more than 25% of the awning or canopy area, or not more than the permitted maximum wall sign area, whichever is less.	Minimum: Not lower than the bottom of the awning or canopy Maximum: Not higher than the top of the awning or canopy	Awning/canopy must be secured to the building in a manner that complies with building code.	One per business façade. One additional sign permitted on a corner or double frontage lot.
6. Marquee signs; permitted for places of worship and places of assembly only	1.5 square feet for each lineal feet of building frontage, up to 200 sf maximum	Minimum: 8 feet from normal grade, or sidewalk grade where applicable. Maximum: shall not exceed building's roof line or top of façade	Shall not extend from façade to not more than 5 ft from back of road curb or, if no curb is present, from edge of street, aisle or drive.	One per business façade. One additional sign permitted on a corner or double frontage lot, but cumulative sign area shall not exceed the maximum sign area.
7. All other permanent sign types not permitted in this chart are prohibited.				



K. **Signs in Mixed-Use Districts.** Signs in mixed use districts shall be permitted as follows.

Table 153-5.4(K) Signs Permitted in Mixed Use Districts (MU-1, MU-2, MU-3, MU-4)				
Sign Type	Maximum Sign Area	Height	Placement	Number Permitted
1. Wall signs	1.5 square feet for each lineal feet of building frontage, up to 200 sf maximum.	Maximum: Shall not exceed building's top of façade	N/A	One per business façade. One additional sign permitted on a corner or double frontage lot, but cumulative sign area shall not exceed the maximum sign area.
2. Monument signs	64 sf	Maximum: 6 feet	Minimum 10 feet from all lot lines and right-of-way lines. Shall not be placed in a traffic visibility triangle per Section 5.9.	One per lot. One additional sign permitted on secondary frontage of a corner lot or double frontage lot, provided there is minimum 200 feet of spacing between monument signs.
3. Projecting signs	6 sf	Minimum: 9 feet from normal grade, or sidewalk grade where applicable. Maximum: shall not exceed building's roof line or top of façade	Shall not project more than 4 feet from the wall of the building, and 3 feet into the right-of-way line.	One per business façade. One additional sign permitted on a corner or double frontage lot, but cumulative sign area shall not exceed the maximum sign area.
4. Awning and canopy signs	Not more than 25% of the awning or canopy area, or not more than the permitted maximum wall sign area, whichever is less.	Minimum: not lower than the bottom of the awning or canopy Maximum: not higher than the top of the awning or canopy	Awning/canopy must be secured to the building in a manner that complies with building code.	One per business façade. One additional sign permitted on a corner or double frontage lot, but cumulative sign area shall not exceed the maximum sign area.

1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

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6. Development Procedures

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1. Purpose & Intent

2. Definitions

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4. Use Standards

5. Site Standards

6. Development Procedures

7. Administration & Enforcement

5. Marquee signs; permitted for places of worship and places of assembly only	1.5 square feet for each lineal feet of building frontage, up to 200 sf maximum	Minimum: 8 feet from normal grade, or sidewalk grade where applicable. Maximum: Shall not exceed building's roof line or top of façade	Shall not extend from façade to not more than 5 ft from back of road curb or, if no curb is present, from edge of street, aisle or drive.	One per business façade. One additional sign permitted on a corner or double frontage lot, but cumulative sign area shall not exceed the maximum sign area.
6. All other permanent sign types not permitted in this chart are prohibited				



- L. **Signs in Industrial Districts.** Signs in industrial districts shall be permitted as follows.

Table 153-5.4(L) Signs Permitted in Industrial Use Districts (I-1 and I-2)				
Sign Type	Maximum Sign Area	Height	Placement	Number Permitted
1. Wall signs	1.5 square feet for each lineal feet of building frontage, up to 350 sf maximum.	Maximum: Shall be below the building's roof line or top of façade.	N/A	One per business façade. One additional sign permitted on a corner or double frontage lot, but cumulative sign area shall not exceed the maximum sign area.
2. Monument signs	64 s.f.	Maximum: 6 feet	Minimum 10 feet from all lot lines and, if applicable, right-of-way lines. Shall not be placed in a traffic visibility triangle per Section 5.9.	One per lot. One additional sign permitted on secondary frontage of a corner lot or double frontage lot, provided there is minimum 200 feet of spacing between monument signs.
3. Freestanding signs	100 s.f.	Minimum: Sign face shall be located no less than 8 feet from normal grade Maximum: 35 feet	Minimum 10 feet from all lot lines and, if applicable, right-of-way lines. Shall not be placed in a traffic visibility triangle per Section 153-5.9 .	One per lot. One additional sign permitted on secondary frontage of a corner lot or double frontage lot, provided there is minimum 200 feet of spacing between freestanding signs.
4. Awning and canopy signs	Not more than 25% of the awning or canopy area, or not more than the permitted maximum wall sign area, whichever is less.	Minimum: Not lower than the bottom of the awning or canopy Maximum: Not higher than the top of the awning or canopy	Awning/canopy must be secured to the building in a manner that complies with building code.	One per business façade. One additional sign permitted on a corner or double frontage lot, but cumulative sign area shall not exceed the maximum sign area.

5. Billboard signs, including off-site billboards.	700 s.f.	Minimum: sign face shall be located no less than 8 feet from normal grade Maximum: 35 feet	Minimum 10 feet from all lot lines and shall not be placed in a traffic visibility triangle per Section 153-5.9 . No two billboards shall be closer than 300 feet from one another, as measured by nearest point of sign structure to nearest point of sign structure.	One per lot
6. All other permanent sign types not permitted in this chart are prohibited				

M. **Temporary Signs.** Temporary signs shall be permitted as follows:

Table 153-5.4(M) Maximum Size, Height, and Permitted Types of Temporary Signs				
Use	Permitted Types	Cumulative Maximum Area of all signs	Maximum area of any individual sign	Maximum height
Single-family residential	Freestanding	10 sf	6 sf	4 ft
	Wall	6 sf	6 sf	-
Multiple-family residential	Freestanding	24 sf	12 sf	6 ft
	Wall	24 sf	24 sf	-
Non-residential uses in an R-1, R-2, or R-3 district	Freestanding	24 sf	24 sf	6 ft
	Wall	-	-	-
Non-residential uses in all other district and sites under construction	Freestanding	32 sf	32 sf	6 ft
	Wall	-	-	-
Regulations for A-frame signs are provided in Section 5.4.M.11 and for temporary banners in Section 5.4.M.12 .				

1. All temporary signs larger than 12 square feet require a sign permit.
2. Temporary signs shall not be illuminated in any manner.
3. Temporary signs may be erected anywhere within the limits of the premises if compliant with [Section 153-5.9 Traffic Visibility](#) for visibility at intersections.
4. Display of temporary banners and temporary signs mounted on building walls (temporary wall signs) shall be limited to a total of twenty-eight (28) days per calendar year. Such signs shall not be displayed for any continuous period greater than 14 days.



5. Temporary signs shall be constructed of durable, all-weather materials and designed to remain in place and in good repair so long as they remain on display.
6. Except as otherwise provided in this section, the maximum display time of freestanding temporary signs is 64 days. After this time expires, the sign shall be removed. Once the temporary sign is removed, there shall be a gap of at least thirty (30) days before the display of any additional temporary sign on the same zoning lot.
7. When all or a portion of a building or land area on a zoning lot is listed for sale or lease, or is under construction, the maximum display time of freestanding temporary signs for all uses and temporary signs mounted on buildings for all uses except residential uses shall be the duration the building, building unit, or land is listed for sale or lease, or under construction. In all cases, the sign area limits in [Table 153-5.4\(M\) Maximum Size, Height, and Permitted Types of Temporary Signs](#) apply.
8. In recognition that there is a need for additional expression of speech prior to a scheduled election, for a period of sixty (60) days prior to until three (3) days after a city-designated election day on which there is at least one ballot item: the maximum allowable area of temporary signs shall be increased to sixty-four (64) square feet in all districts. The maximum area of an individual sign remains as stated in [Table 153-5.4\(M\) Maximum Size, Height, and Permitted Types of Temporary Signs](#) during this period.
9. Temporary signs shall not be attached to a tree, bush, or any other plant materials
10. Except for A-frame signs and special event banners associated with an approved special event application, temporary signs shall not be placed in a public right-of-way. Signs placed within a public right-of-way not otherwise permitted by this section shall be removed by the City.
11. Temporary A-frame signs shall comply with the following requirements:
 - a. The sign shall only be permitted in the Mixed-Use (MU) zoning districts.
 - b. The sign face shall not exceed 6 square feet.
 - c. When located within the right-of-way, the following standards shall apply:
 - i. A-frame sign placement shall be subject to approval by the applicable right-of-way authority.
 - ii. A minimum of five (5) feet wide clear passage shall be maintained on any public sidewalks or pathways at all times.
 - iii. The sign shall be removed at the end of business hours, or 9 pm, whichever is earlier, each day it is lawfully placed within the right-of-way.
12. Temporary event banners shall comply with the following requirements:
 - a. If located within a right-of-way, the event banner shall be approved by City Council and the applicable right-of-way authority.
 - b. All banners shall be removed immediately after the end of the event/ exhibition.



N. **Sign Permits.** Unless an exemption is granted under [Section 5.4.D](#), all signs regulated by this ordinance that are erected, altered, relocated or maintained are subject to a permit from the City's Building, Planning, and Economic Development Department in accordance with the following regulations:

- a. Application for sign permit. Application for sign permits shall be made upon forms provided for by the City and shall contain or have attached thereto the following information:
 - b. Name, address and telephone number of the applicant.
 - c. Location of building, structure, or lot to which the sign is to be attached or erected.
 - d. Location of the sign in relation to nearby buildings, structures and property lines.
 - e. Two drawings of the plans and specifications; method of construction and attachment to the building or in the ground.
 - f. If deemed necessary by the Zoning Administrator, copy of stress sheets and calculations showing the structure as designed for dead load and wind pressure in accordance with regulations adopted by the City.
 - g. Name and address of the person, firm, corporation or association erecting the structure.
 - h. Such other information as the City may require showing full compliance with this and all other applicable laws of the City of Saginaw and the State of Michigan.
 - i. When public safety requires it, the application containing the aforesaid material shall, in addition, bear the certificate or seal of registered architect or engineer as a condition to the issuance of a permit as determined by Building, Planning, and Economic Development Department requirements.
1. Permit applications for illuminated electronic signs shall include a copy of the manufacturer's specifications for luminance.
 2. Permit fee. The fees for sign permits shall be established by resolution of the City Council.
 3. No permit shall be required for ordinary servicing, repainting of existing sign message or cleaning of a sign. No permit is required for change of message of a sign designed for periodic message change without change of structure, including a bulletin board or billboard.

O. **Maintenance.**

1. Signs, including the face, framing, and all supports thereof, shall be kept, and maintained in a safe condition, shall be adequately protected against corrosion, and shall conform to all the provisions of this chapter.
2. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed.
3. A sign shall not have any snow accumulation upon it or obscuring the view of the lettering on the sign from the public right-of-way from which it is to be viewed.



P. Variances and Appeals.

1. Any party who has been refused a sign permit for a proposed sign may file an appeal with the Zoning Board of Appeals, in accordance with [Section 153-7.12 Zoning Board of Appeals](#) of this Ordinance. In addition to the standards of approval listed in [section 7.12.F.2](#) of this ordinance, the Board may also consider the following standards:
 - a. Permitted signage could not be easily seen by passing motorists due to the configuration of existing buildings, trees, or other obstructions, which cannot be legally and/or practically removed.
 - b. Permitted signage could not be seen by passing motorists in sufficient time to permit safe deceleration and exit. In determining whether such circumstances exist, the zoning board of appeals shall consider the width of the road, the number of moving lanes, the volume of traffic and speed limits.
 - c. Existing signs on nearby parcels would substantially reduce the visibility or advertising impact of a conforming sign on the subject parcel.
 - d. Variance from certain sign regulations would be offset by increased building setback, increased landscaping, or other such enhancements, so that the net effect is an improvement in appearance of the parcel, compared to the result that would be otherwise achieved with construction of a conforming sign.
 - e. A sign which exceeds the permitted height or area standards of the ordinance would be more appropriate in scale because of the large size or frontage of the parcel or building or within a building setback significantly greater than required by ordinance.

Q. Violations.

1. Any sign erected, altered, or converted subsequent to the passage of this subchapter and in violation of any of the provisions thereof is hereby declared to be a violation per [Section 153-7.3 Violations](#).



153-5.5 Landscaping and Screening

- A. **Intent.** The overall intent of the Zoning Ordinance is to preserve the health, safety, and welfare of the people who live and work in the City. Landscaping is a critical element of meeting this intent, contributing to the aesthetics, development quality, stability of property values, environmental resiliency, and overall character of the City. The intent of this section is to establish minimum standards for the design, installation, and maintenance of landscaping along public streets, as buffer areas between uses, on the interior of a site, within parking lots, and adjacent to buildings. The standards of this section are intended to:
1. Minimize negative impacts of stormwater runoff;
 2. Further the sustainability and resiliency goals of the City;
 3. Ensure that species selection is appropriate for the location of all plantings with regard to salt tolerances, obscuring effect, durability, and other important considerations;
 4. Prevent the spread of invasive, nuisance, and/or noxious species;
 5. Provide incentives to preserve quality mature trees;
 6. Screen headlights from rights-of-way and residences to reduce glare and driver distraction;
 7. Unify the elements of a site;
 8. Ensure compatibility between land uses;
 9. Break up large expanses of pavement, provide a substantial tree canopy and mitigate the urban heat island effect;
 10. Improve the overall aesthetic quality of the community; and
 11. Encourage an increase in landscaping during redevelopment of site.
- B. **Scope.** The standards of this section are considered the minimum necessary to achieve the intent above. Applicants are encouraged to provide additional landscaping to improve the function, appearance, value, and sustainability of their property. The standards of this section shall apply to all sites, uses, and projects requiring site plan approval.
- C. **Existing Sites.** Special provision shall be made for applying these standards to developed sites that existed prior to the City adopting landscaping requirements. When an existing site is undergoing improvement prompting site plan review, the objective of these standards shall be to gradually bring the site into compliance with the minimum standards of this section in proportion to the extent of the expansion or improvement. For example:
1. A parking lot's proposed reconstruction should involve compliance with the parking lot screening and parking lot landscaping standards.
 2. A building's proposed expansion on a site with a nonconforming number of trees/plantings should involve an addition in a proportional number of conforming trees/plantings.
- D. **Required Planting.** Whenever in this Code, landscaping is required, it shall be planted prior to the issuance of a certificate of occupancy or within six (6) months from the date of issuance of a temporary certificate of occupancy. In the instance where such completion is not possible, a cash bond, letter of credit, or corporate surety bond in an amount equal to the estimated cost of the landscape plan or its portion shall be deposited in accordance with [Section 153-7.2 Performance Guarantees](#).



- E. **Landscape Plan Required.** A landscape plan shall be submitted for uses requiring site plan approval, per the requirements of [Section 153-6.1 Site Plan Review](#).
- F. **Species.**
1. Plant materials shall be selected to ensure that the root system will not interfere with public utilities. Planting materials used shall be of good quality and meet American Standard for Nursery Stock standards for minimum acceptable form, quality, and size for species selected, and capable of withstanding the seasonal temperature variations of the Great Lakes Bay Region.
 2. Native tree species shall account for no less than ninety percent (90%) of all new tree plantings. Native shrub species shall account for no less than fifty percent (50%) of all new shrub plantings.
 3. Species diversity. No single new tree, shrub, or planting species shall occupy more than 33% of the total respective new tree, shrub, or plantings located on the site.
 4. Unless otherwise indicated in this Chapter, tree and shrub species shall comply with the City of Saginaw Tree and Shrub List, which is kept on file with the Building, Planning and Economic Department. The list identifies native species for compliance with this Chapter. To administer tree size, spacing, and other provisions in this Section, tree types are organized into the following categories:
 - a. Deciduous Canopy Trees
 - b. Deciduous Ornamental Trees
 - c. Evergreen Trees
 - d. Narrow Evergreens
 - e. Large Shrubs
 - f. Small Deciduous Shrubs
 - g. Small Evergreen Shrubs
 5. Alternative permitted trees. The Planning Commission may allow an alternative tree species not specified in the City's Tree and Shrub List nor prohibited in Subsection F.6 below with a finding that the tree species is recognized through the State of Michigan's Department of Natural Resources or a state research university as an appropriate tree in Michigan. The Planning Commission shall also determine the tree's tree type category (deciduous canopy, deciduous ornamental, evergreen, or narrow evergreen), and may find that the alternative tree is to be permitted only in certain circumstances or areas of the site, such as appropriate ecosystems or natural areas.
 6. Prohibited Species. No species shall be planted that is prohibited by Chapter 95 of the City Code.
 7. Size and density of plant material, both at the time of planting and at maturity, are additional criteria that shall be considered when selecting plant material.
 8. Where appropriate, the use of drought and salt tolerant plant material is preferred.



- G. **General Landscaping Standards.** Landscaping in the City shall meet the following standards:
1. Trees and shrubs shall be placed a minimum of four (4) feet from any fence line or property line.
 2. Trees meeting a minimum requirement of this Section shall be a minimum of 2.5 inches diameter at breast height (dbh) for deciduous trees, or a minimum of 6 feet in height for evergreen or conifer trees, at the time of planting.
 3. Growth from a tree or shrub that is under 8 feet must be pruned to no less than 6 inches from the right-of-way.
 4. Areas of lot coverage that are not paved or occupied by building footprint must be landscaped with grass lawn, ground covers, perennial/shrub beds or a combination thereof. Non-organic ground covers (such as stone chips or rock) must be arranged in a deliberate manner and may not exceed more than 25% of the site's total landscape area.
- H. **Existing Vegetation.** Requirements for greenbelt buffer trees and other plantings may be fulfilled or partially fulfilled by existing vegetation, when approved by the approving authority. In making their decision, the approving authority may require the applicant provide documentation, such as a tree survey or photographs.
- I. **Open Space Area.** All sites, other than those in the R-1, R-2, R-3, and Mixed Use districts, shall devote at least 25% of their required open space requirement to woody vegetation consisting of trees and shrubbery, unless indoor open space was provided in accordance with [Section XXXX](#). Landscaped open space shall not include driveways and parking areas. Areas of a site plan intended for stormwater detention or retention shall only be included in such required minimum landscaped area if formally landscaped with native species suited for a rain retention garden system and contoured such that no fencing shall be required.
- J. **Street Frontage Landscaping.** Street frontage landscaping shall be provided along all property lines abutting a street, as specified for each zoning district in [Article 153-3 Zoning Districts](#). Street frontage landscaping regulated by this chapter is required for all uses involving new construction of a principal building, or a principal building expansion for non single- or two-family (duplex) uses of a gross floor area of greater than 10% of the original building. The street frontage landscaping shall meet the following requirements, intended to promote attractive, high-quality development and to provide an appealing image of the City.
1. The minimum width of street frontage landscaping shall be ten (10) feet wide along any lot line abutting a street, except where a greater width is required (see applicable zoning regulations). The Planning Commission may approve a reduction of this minimum width or an alternative to street frontage landscaping wherever it makes a finding that reduced building setbacks in the applicable zoning district make a full ten (10) foot landscape area impractical, or that reducing the width of the landscape area will not adversely impact landscape health and longevity. If street frontage landscaping is waived by the Planning Commission may require street trees be placed within the adjacent street right-of-way, subject to the approval of the authority having jurisdiction over the street right-of-way.
 2. A minimum of one deciduous canopy tree shall be planted per every whole 30 feet of street frontage.

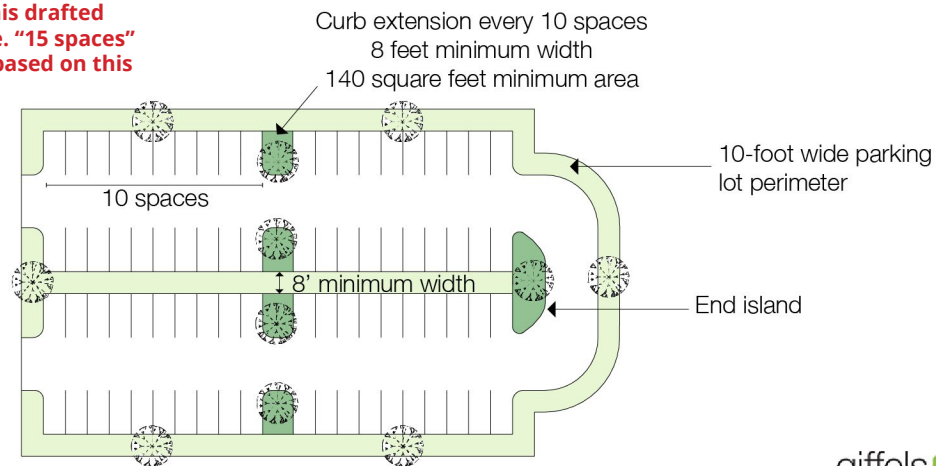


3. Evergreen trees shall not be used in street frontage landscaping areas, except when required as screening in Industrial zoning districts.
 4. Parking lot buffer required. A continuous evergreen hedge with a height of three-and-one-half (3 ½) to four (4) feet shall be required adjacent to vehicle parking spaces along the street-facing perimeters of an off-street parking lot in order to screen parking and prevent the intrusion of glare from headlights into the public right-of-way.
 - a. This hedge shall be reduced to a maximum three (3) feet high at the end of the hedge row or directly adjacent to a sidewalk or crosswalk.
 - b. Hedges, fences, or walls shall be placed so as to permit at least three (3) feet of overhang for parked vehicles.
 - c. A low masonry or stone wall, or combination of decorative metal fencing, landscaping, and ornamental brick or stone pillars may be substituted for this hedge with approving authority approval.
 - d. A three-and-one-half (3 ½) to four (4) feet high berm may be substituted as a parking lot buffer in the B-2, I-1, or I-2 districts.
 5. Any remaining ground surface area within a street frontage area shall be seeded, sodded, or planted with ground cover and shall be irrigated to maintain healthy growth.
 6. The Planning Commission may accept enhanced foundation plantings as a method of obtaining partial compliance where street frontage landscaping requirements cannot be met.
- K. **Parking Lot Landscaping.** The City finds that large continuous expanses of parking diminish the aesthetic quality of sites and increase the heat island effect. Parking lot landscaping shall be provided for all parking lots containing more than 20 parking spaces, as follows: ✍
1. A minimum of one (1) deciduous (canopy or ornamental) tree shall be provided per ten (10) parking spaces provided, rounded to the nearest whole number.
 2. A minimum of one (1) curb extension or landscaped island shall be provided per twenty (20) parking spaces, rounded to the nearest whole number.
 3. Required parking lot trees shall be planted within the landscaped curb extensions or landscaped islands. Required parking lot trees unable to be placed within landscaped curb extensions or landscaped islands shall be placed within ten (10) feet of the parking lot perimeter, provided they are spaced a minimum of twenty-five (25) feet apart, on average.
 4. Each landscaped curb extension or landscaped island shall be a minimum of eight (8) feet wide and one hundred fifty (150) square feet in area. However, the curb extension or landscaped island may be reduced to six (6) feet wide and one hundred (100) square feet in area when a sprinkled irrigation system is provided.



Figure 153-5.5(K) Parking Lot Landscaping

(GRAPHIC PENDING- Certain values to be edited to meet this drafted ordinance language, i.e. "15 spaces" should be "20 spaces" based on this drafted language)



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L. Right-of-Way Landscape Requirements.

1. Public rights-of-way shall be planted with grass. Trees, shrubs, or other ground covers may be planted within the right-of-way only as otherwise permitted by city ordinance or as otherwise provided by other appropriate authorities with jurisdiction over the street.

M. Screening Buffers. Screening shall take place in the form of a physical or vegetated buffer, and shall meet the following standards.

1. Scope. Screening in compliance with this Section shall be provided in the following instances:
 - a. Change of land use or establishment of a new land use for which screening is required, as established in [Article 153-4 Use Standards](#) or as otherwise established in this subsection M.
 - b. Physical site improvements prompting site plan review as required in [Section 153-6.1 Site Plan Review](#).
2. A detailed plan for the screening buffer shall be submitted for review as during site plan review. The plan shall include information as required in [Section 153-6.1 Site Plan Review](#).
3. Screening buffer requirements by zoning district and type of screening buffer shall be provided in accordance with the following table:

Table 153-5.5(M)(3) Greenbelt Requirements by Zoning or Use				
Zoning or Use of Subject Site Providing the Screening	Zoning or Use of Adjacent Site			
	Ground floor residential uses of the R-1, R-2, R-3, MU-1, and MU-2 zoning districts	Ground floor residential uses of all other zoning districts not noted in previous (left) column	Upper floor residential uses, or any floor commercial, and/or office uses in non-industrial zoning districts	Industrial zoning districts or uses
Single-family to four-unit residential uses in any zoning district	None	None	None	None
Non-residential uses in the R-1, R-2, R-3, MU-1, and MU-2 zoning districts	Minor	Minor	None	None
Multi-family housing (over four units) in any zoning district	Minor	Minor	None	None
B-1, B-2, MU-3, MU-4 zoning districts	Major	Minor	None	None
I-1 and I-2 zoning districts	Major	Major	Major	Minor
Parking lots in any zoning district	Major	Major	Minor	Minor
Public utility buildings in any zoning district	Major	Major	Minor	Minor
Outdoor storage or loading areas in any zoning district	Major	Major	Major	Major
Outdoor storage or loading areas in any district	Major	Major	Major	Major

1. Purpose & Intent

2. Definitions

3. Zoning Districts

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5. Site Standards

6. Development Procedures

7. Administration & Enforcement



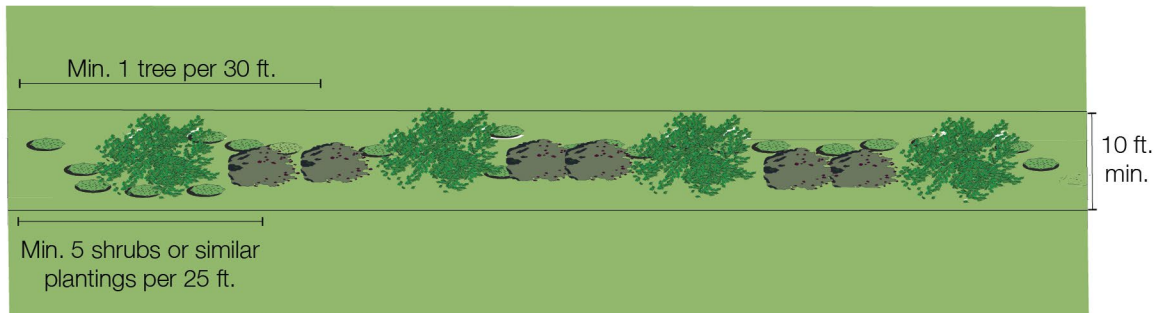
4. Minor screening buffers shall meet the following minimum standards:
 - a. The purpose of screening with minor screening buffers is to soften the impact of one land use on another. This presents an interrupted or open screen that creates an impression of space separation without necessarily eliminating visual contact.
 - b. The minimum width of a minor screening buffer shall be ten (10) feet.
 - c. The minor screening buffer shall contain at least one (1) deciduous canopy tree or evergreen tree for each thirty (30) linear feet of greenbelt. Where the approving authority agrees that deciduous canopy trees are impractical, it may approve the substitution of ornamental deciduous trees.
 - d. Evergreen or conifer trees shall be a minimum of six (6) feet in height at the time of planting and deciduous trees shall be a minimum two-and-one-half (2 ½) inch caliper at planting.
 - e. A minor screening buffer shall contain understory plantings, with a minimum of five shrubs or similar plantings per twenty-five (25) linear feet of buffer, with a minimum shrub height of three (3) feet.
 - f. The remaining ground surface area of the screening buffer shall be seeded, sodded, or planted with ground cover, shrubs, flower beds, or other vegetation.
 - g. The goal of a landscape plan for a screening buffer should be that branch and leaf canopy overlap by half the maximum predicted width of the adjacent tree at maturity. Shrubs shall be planted in such a manner that spacing between both shrub and trees will be filled at maturity.



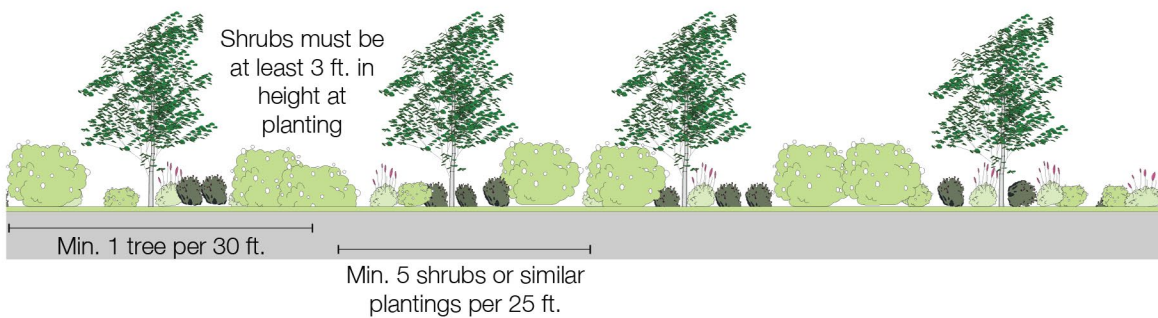
Figure 153-5.5(M)(4) Minor Buffer Greenbelts

Top View

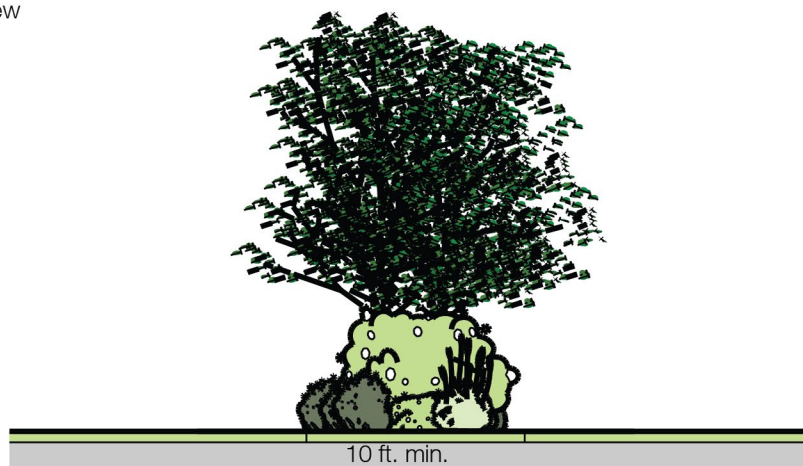
(GRAPHIC PENDING- minor updates as needed)



Side View



Cross Section View



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1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

5. Site Standards

6. Development Procedures

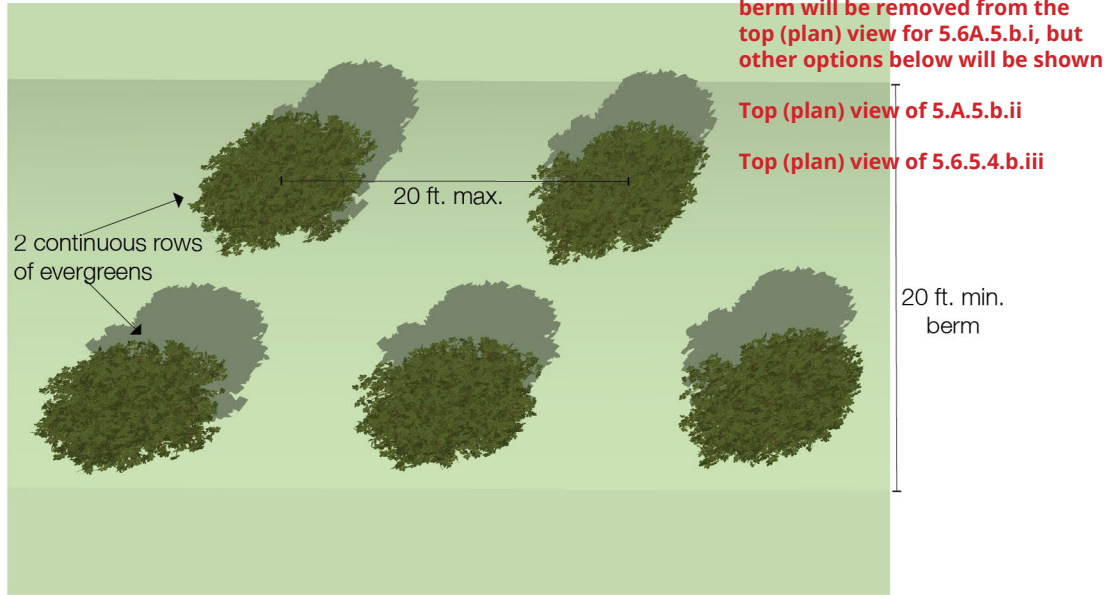
7. Administration & Enforcement

5. Major screening buffers shall meet the following minimum standards:
 - a. The intent of the major screening buffer is to provide screening where major impacts are anticipated and is intended to block the view of obtrusive or undesirable visual elements, exclude all contact between such uses, and create a strong impression of spatial separation.
 - b. The buffer zone shall be developed with one of the following:
 - i. Two (2) continuous rows of evergreen trees (spruce or pine), measuring at least eight (8) feet in height at the time of planting, evenly staggered, each row planted at intervals not exceeding twenty (20) feet on center; or
 - ii. A naturally rolling landscaped berm averaging three (3) feet in height with at least one row of evergreen trees measuring at least eight (8) feet in height at the time of planting and planted at intervals not exceeding twenty (20) feet on center; or
 - iii. An obscuring wall or privacy fence six (6) feet in height on the outside perimeter of the subject lot, containing at least one row of evergreen trees measuring at least eight (8) feet in height at the time of planting and planted at intervals not exceeding twenty (20) feet on center.
 - c. The minimum width of a major screening buffer shall be twenty (20) feet.
 - d. The remaining ground surface area of the screening buffer shall be seeded, sodded, or planted with ground cover, shrubs, flower beds, or other vegetation.
 - e. The mix and spacing of evergreen plant materials shall ensure that a maximum obscuring effect will be maintained throughout all season.
 - f. Where a berm is proposed, the following requirements shall be met:
 - i. Berms shall be constructed as landscaped earth mounds with a crest area of at least four (4) feet in width. The exterior face of the berm shall be constructed as an earthen slope. The interior face of the berm may be constructed as an earthen slope, which may be shorter than the exterior slope, or retained by means of a wall, terrace, or other means acceptable to the approving authority. Whenever an earthen slope is provided, it shall be constructed with an incline not to exceed one (1) foot of vertical rise to three (3) feet of horizontal distance.
 - ii. The berm shall be setback, graded, and designed in a manner where no unnatural runoff is conveyed onto the adjoining property.
6. Screening buffers shall be designed to avoid creating obstacles to proper sight distance between vehicles and pedestrians. (See [Section 153-5.9 Traffic Visibility](#))



Figure 153-5.5(M)(5)(b) Major Buffer Greenbelts

Top View



1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

5. Site Standards

6. Development Procedures

7. Administration & Enforcement

- N. **Landscape Maintenance and Requirements.** Landscaping maintenance shall comply with Chapter 95 of the City Code, along with the additional following requirements.
1. Landscape maintenance. The applicant, landowner, or successors in interest shall be responsible for the regular maintenance of all landscaping elements in good condition. Landscaping shall be maintained free from disease, pests, weeds, and litter, and landscape structures such as fences and walls shall be repaired and replaced periodically to maintain a structurally sound condition in order to maintain the required landscaping of the site.
 2. For site plans requiring a landscape plan, the applicant shall demonstrate on their landscape plan how they will be maintaining the trees in good health.
 3. If any required tree or plant dies or is removed, the Zoning Administrator shall provide the property owner written notice of dead or missing landscape material in violation of the landscaping requirements, and they shall allow at least ninety (90) days to provide for the replacement of materials.
 4. Tree limbs shall be trimmed to a height of no lower than thirteen (13) feet above the street surface, and no lower than eight (8) feet above a sidewalk surface or within a required clear vision area.
- O. **Waivers/Substitutions.** The Planning Commission may approve a reduction of the minimum requirements in this section wherever it makes a finding on all of the of criteria below:
1. That the characteristics of the site make full compliance with the standards impractical due to unique site conditions; and
 2. The waiver or reduction request is the minimum request necessary; and
 3. That reducing the amount of required landscaping will not adversely impact adjacent parcels and is in keeping with the spirit and intent of this chapter.



153-5.6 Fences

- A. **Residential Districts.** Fences shall be permitted in the R-1, R-2, R-3, MU-1, MU-2, MU-3, and MU-4 districts, subject to the following conditions.
1. Fences in front yard areas. Fences which are located in the front yard area between the front of the dwelling and the front property line shall not exceed a height of four feet and shall be of open construction.
 2. Fences in rear yard areas. Fences which are located in the rear yard shall not exceed a height of six feet and may be of open or closed construction.
 3. Fences on corner lots.
 - a. Fences constructed or installed on corner lots or parcels having a side yard abutting upon a street may be erected to a height of six feet above ground level along the side-street frontage, but such fences shall not extend beyond the building line in the side yard area adjacent to the street side of the building thereon.
 - b. Fences may be located in the street side yard area on corner lots, between the building and the street property line if such fences are of open construction and do not exceed a height of four feet, except that a fence six feet in height and of open or closed construction may be erected in the street side yard area where a corner lot shares a common rear lot line with the rear adjacent property owner.
 4. Fences located in interior side yard areas. Fences constructed or erected in the interior yard area may be erected to a height of six feet above ground level and may be of open or closed construction,
 5. Exceptions. The height restrictions of this chapter shall not apply to schools, public or private, or to public recreation areas, or to public utility installations where higher fences are required for the safety and protection of the public.
- B. **Industrial Districts and Business Districts.** Fences shall be permitted in the B-1, B-2, I-1, and I-2 districts subject to the following standards:
1. Height. Fences may not exceed eight feet in height, except that fences in a required front or street side yard areas shall be no more than four feet in height.
 2. Construction. Fences in rear or side yards may be of open or closed construction. Fences in required front or street side yards shall be of open construction.
 3. Exceptions. When associated with a permitted outdoor storage use and demonstrated with a site plan, fences in required front or street side yards may be constructed of a greater height than is permitted in this Section, and may be closed construction. In no case shall the fence height exceed the maximum building height of the zoning district where it is located.
- C. **Visual Clearance.**
1. Fences shall comply with all requirements for traffic visibility as established in [Section 153-5.9 Traffic Visibility](#).



- D. **Barbed Wire.** The placement of barbed wire is regulated as follows.
1. Industrial districts. For industrial properties, barbed wire must be at least six feet above grade. Barbed wire is not allowed on properties used for residential purposes in industrial districts.
 2. Business districts. When associated with a permitted outdoor storage use and demonstrated with a site plan, the use of barbed wire may be approved by the Planning Commission as a special exception when there are unique and exceptional circumstances. If approved by the Planning Commission, the barbed wire must be at least six feet above grade. Barbed wire is not allowed on properties used for residential purposes in business districts.
 3. Public utility installations. Barbed wire may be placed on fences surrounding a public utility installation in any zoning district, provided the barbed wire is placed not less than six feet above grade.
- E. **Electric Fences.** Electric fences may be approved in industrial zones by the Planning Commission in unique or exceptional circumstances, and in instances where, in the Planning Commission's opinion, the industrial use by its nature has a high degree of vandalism or theft. The approval may be upon terms and conditions the Planning Commission may require, and shall be guided by the following criteria:
1. The fence shall not exceed 12 feet in height;
 2. The electric charge shall not exceed 12 volts;
 3. The property shall be protected from unauthorized touch by a perimeter fence (open or closed construction), not less than six feet high and not closer than two feet to the electric fence;
 4. Liability insurance acceptable to the City Clerk shall be provided; and
 5. Warning signs approved by the Planning Commission are erected on all sides of the property.
- F. **Materials.** Fences shall consist of materials commonly used in conventional fence construction, such as wood, vinyl, composite panel, or metal. If, because of design or construction, one side of the fence has a more finished appearance than the other, the side of the fence with the more finished appearance shall face the exterior of the lot. Privacy slats or inserts for chain link fences shall only be permitted in I-1 or I-2 districts.
- G. **Maintenance.** All fences shall be maintained in a good structural condition at all times. All fences shall be kept neatly painted, stained, or preserved and such treatment shall be of the same contiguous color, stain, or other treatment.



153-5.7 Access Management

Driveway approaches and shared access between sites, excepting single-family uses through multiple-family uses with four or fewer units, shall comply with the following requirements.

- A. **Driveway Approaches.** Driveway approaches providing a connection from a public street or private road to a private off-street parking lot shall comply with the following requirements:
 1. The required width of a driveway approach shall be a minimum of 20 feet and a maximum of 30 feet. Driveway approaches may exceed 30 feet in any of the following circumstances:
 - a. When required by the authority (City of Saginaw, Saginaw County Road Commission, or Michigan Department of Transportation) having jurisdiction over the public street.
 - b. Driveway approaches serving a residential subdivision, residential site condominium, multi-tenant commercial center, business park, or industrial subdivision, provided a boulevard median with landscape plantings is provided and compliant with [Section 153-5.9 Traffic Visibility](#).
 - c. The Planning Commission may authorize a driveway approach containing a width of greater than 30 feet if demonstrated necessary by the applicant.
 2. A maximum of one driveway approach is permitted on sites containing street frontage of 100 feet or less. An additional driveway approach is permitted for every additional whole 100 feet of street frontage, but in no case shall more than four driveway approaches on the same street frontage be permitted on one site. In no case shall driveway approaches on the same site be closer than 100 feet from one another, measured from the nearest points where the driveway approaches meet the subject street's right-of-way line.
 3. No driveway approach shall be closer than 100 feet from a primary street intersection, as measured from the point where the driveway approach meets the subject street's right-of-way line to the intersecting primary street's right-of-way line extended. However, the Planning Commission may allow a driveway approach located no closer than 25 feet to the primary street intersection, upon finding that no other access points in compliance with this Chapter is possible due to the size of the lot and that traffic safety mitigation strategies such as "right turn only" signage is provided.
- B. **Shared Access Drives.** Shared access drives providing vehicular access from one property to the adjoining property are permitted. The shared access drive shall be arranged in a logical sequence from one property to another. The shared access drive shall be maintained by the property owners establishing a shared access drive, in a reasonably safe condition, including snow removal and storage. The easement agreement and applicable maintenance agreement shall be provided to the City.



153-5.8 Trash Enclosures

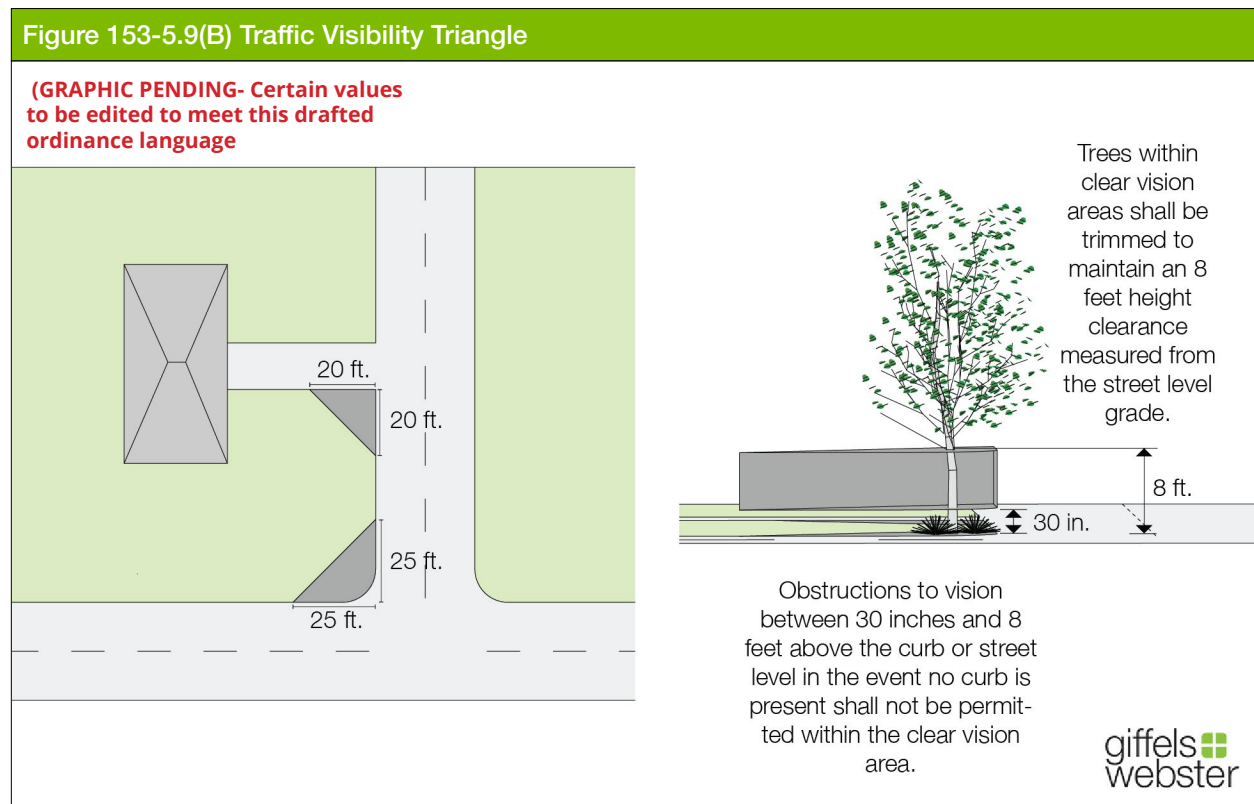
Dumpsters or other refuse or recycling containers which serve multiple-unit residential buildings containing more than four units, or commercial, office or industrial establishments shall be enclosed and such enclosures shall comply with the following requirements:

- A. A decorative masonry wall or solid fence of six feet in height shall enclose three sides of the storage area. Bollards and/or other protective devices shall be installed at the opening and to the rear of any storage area to prevent damage to the screening walls. The surface under any such storage area shall be constructed of concrete which complies with local building requirements. The concrete pad shall extend 20 feet in front of the enclosure.
- B. A lockable gate shall be installed, constructed of opaque materials; provided, the approval authority may permit a three-sided where site configuration makes a four-sided enclosure impractical or where a three-sided enclosure will effectively screen the dumpster from view from the adjoining right-of-way.
- C. Interiors and exteriors of enclosures shall be kept clean and free of debris and clutter.
- D. The dumpster enclosure shall be located in a rear or side yard or be so located and arranged as to minimize its visibility from adjacent streets and use. If located within 10 feet of a property line abutting a residential zoning district, the dumpster enclosure shall contain a row of evergreen trees between the enclosure and the property line.
- E. The Planning Commission may waive one or more of requirements of this subsection only where it is determined that adequate screening can be provided and maintained for the life of the use by natural vegetation or other means without negative impact on the aesthetics of the surrounding area



153-5.9 Traffic Visibility

- A. **Street Intersections.** There shall be no obstruction to visibility at street intersections, except as provided in City Code §94.008.
- B. **Driveway Intersections.** At any driveway's intersection with a public street, there shall be no structures or obstructions located in the traffic visibility triangle, formed by measuring a line along the edge of the right-of-way or street easement and the driveway back-of-curb or pavement edge 10 feet from their point of intersection, except as follows:
 1. Landscaping, fences, or walls 30 inches or shorter in height from grade. Deciduous trees may be located in the traffic visibility triangle so long as branches are maintained to keep a clear view from grade to eight (8) feet in height from grade.
 2. Buildings, when permitted within the traffic visibility triangle by district setbacks, shall maintain minimum traffic visibility triangle on the ground floor, formed by measuring a line along the edge of the right-of-way or street easement and the driveway edge 5 feet from their point of intersection.



153-5.10 Sidewalks

- A. For all sites, a new public sidewalk, or if necessary the reconstruction of the existing public sidewalk, must be provided in the right-of-way running alongside the entire street frontage of the lot subject to a permit by the Department of Public Services and the requirements of this chapter.

153-5.11 Design Standards

- A. The design standards below apply to all buildings for which a site plan is required. For redevelopment projects, existing design elements that do not comply with the standards below may be maintained in accordance with the most recent Michigan Building Code as adopted by the City. Any modifications thereafter shall comply with these standards.
1. Design standards for buildings in the MU-1, MU-2, MU-3, and MU-4 zoning districts.
 - a. Architectural scaling.
 - i. Architectural scaling elements should be integrated into the building facade.
 - ii. Façade articulation shall be more detailed at the ground floor.
 - iii. Architectural scaling elements shall be composed in a way that highlights a building's intrinsic architectural characteristics, including structural and use or ownership representation.
 - iv. Exterior walls shall have architectural delineation between the first and second stories.
 - v. Abutting facade. Where a principal building facade abuts a facade of secondary importance, such as along an alley or internal service area, architectural scaling elements should be integrated into that portion of the secondary facade exposed to public view.
 - vi. At least three of the following architectural scaling elements shall be included along all street-facing facades:
 - (A) A change in color
 - (B) A change in material or material module or pattern
 - (C) A system of horizontal and vertical scaling elements such as a belt course, string course, projecting fins, or projecting cornice or eye brow;
 - (D) Expression of the structural system and infill panels through a change in plane of at least three inches;
 - (E) Articulation of window and doorway surrounds, which may include sills, lintels, pilasters, and mullions through a change in plane of at least two inches;
 - (F) A system of horizontal and vertical articulating reveals of at least three-eighths inch width by three-eighths inch depth;
 - (G) A system of art or ornament integral to the building, such as an inset decorative panel or metal framework anchored to embed in the building façade.
 - b. Windows. Windows shall be constructed in accordance with the following:
 - i. Fenestration shall be provided in accordance with the district requirements.
 - ii. Ground floor windows may not be made opaque by window treatments (except operable sunscreen devices). Windows glazing shall be clear and shall transmit at least 65% of the visible daylight.



- c. Building Materials. Only high-quality, durable materials that complement existing materials and character of the District shall be used on facades visible from the street.
 - i. The following materials are approved for use in any quantity. Other materials of equal quality may be used.
 - (A) Brick, including glazed brick;
 - (B) Natural and architectural pre-cast stone;
 - (C) Architectural pre-cast concrete;
 - (D) Hard coat stucco;
 - (E) Glass and channel glass units;
 - (F) Wood lap siding;
 - (G) Architectural metal panel systems;
 - (H) Decorative metal framing systems with an exterior-grade finish system;
 - (I) Concrete masonry units with an architectural coloration or finish
 - (J) Engineered alternatives of sufficient durability and aesthetic appearance
 - ii. The following materials may only be permitted on facades that are not visible from a public street:
 - (A) Exterior insulation and finishing systems (EIFS)
 - (B) Plain concrete masonry units
 - (C) Materials of a structural or unfinished nature such as tilt-up concrete panels
- d. Additional standards for MU-3E and MU-3W districts. The following additional standards shall only apply to sites located in the MU-3E and MU-3W districts:
 - i. Entrances. There shall be a minimum of one functional entrance every full 50 feet of frontage of the primary street.
 - ii. Horizontal articulation. Horizontal articulation is the arrangement and proportion of facade materials and elements (windows, doors, columns, pilasters, and bays) into discreet bays or each block frontage, facades shall be divided into discreet horizontally articulated bays at no greater than 60 feet each.
 - (A) Adjacent facades shall contain different wall materials and rhythm of bays to distinguish each storefront in the horizontal plane.
 - iii. Ground floor articulation. MU-3 buildings shall be designed to create a distinct and separated ground floor area through the use of a horizontal expression line, such as a string course, change in material or textures, awnings or canopies, or a sign band between the first and second stories.
 - iv. Windows. A minimum of 80% of the window surface on the ground floor shall allow a view into the building interior for a depth of at least 12 feet.



- e. Waivers. Modifications to the design standards of this section may be approved by the Planning Commission. A waiver shall require an application that includes the concept or site plan and a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relationship of the proposed building to other buildings on the block. The application shall be reviewed by the Planning Commission based upon the following criteria:
- i. The design of the building shall be in keeping with the architectural character of the City. This shall not prevent innovation and creativity in design that is in keeping with the Master Plan, as determined by the Planning Commission.
 - ii. A modification shall not result in increasing the dominance of vehicular parking or garage doors along the front of the building.
 - iii. The exterior finish materials shall be of equal or better quality, in terms of durability and appearance/texture similar to brick, stone, or wood, as those permitted in the district. The intent is to accommodate new technologies and building material while maintaining the desired character.
 - iv. Ground floor windows shall be provided along the front sidewalk to maintain the pedestrian-orientation of the streetscape and upper story windows and shall not be incompatible with the rhythm and proportions of windows on other buildings along the block.



153-5.12 Lighting

- A. Exterior lighting shall be so installed that the surface of the source of light shall not be visible from the nearest residential district boundary or the nearest street right-of-way, and it shall be so arranged to reflect light away from any residential use or street right-of-way. Sites undergoing development or redevelopment shall be required to shield any light source not conforming to this provision, or install a new full cutoff light fixture to conform with this provision.
- B. Lighting fixtures in residential zoning districts, or fixtures sited within 100 feet of a residential zoning district, shall not exceed 15 feet in height.

153-5.13 Pedestrian Design

All sites in the R-3, MU-1, MU-2, MU-3, MU-4, B-1, and B-2 zoning districts shall comply with the following pedestrian design standards:

- A. There shall be a minimum of one public entrance from the front façade, facing the street which the building is addressed. The front door may not be required to face the street if part of a clearly articulated vestibule entrance connected to the front facade.
- B. A pedestrian sidewalk a minimum of six (6) feet in width shall connect the public right-of-way sidewalk to the front façade's public entrance. This connection shall be uninterrupted, except in the event of a vehicular driveway or shared access drive, a clearly defined and signed crosswalk of at least six (6) feet in width shall be provided.
- C. The address number shall be clearly visible from the public street.
- D. For the MU-1, MU-2, MU-3, and MU-4 districts, if standards of this Section conflict with applicable [Article 153-3 Zoning Districts](#) or [Section 153-5.14 Building Standards](#), [Article 153-3 Zoning Districts](#) or [Section 153-5.14 Building Standards](#) shall prevail.



153-5.14 Building Standards

A. Building Type Standards.

1. Intent. This section regulates different physical forms of buildings within each applicable zoning district, creating variation in the urban environment within an appropriate scale.
2. Applicability. Buildings in any MU zoning district shall comply with the requirements of this section in addition to the requirements of the underlying zoning district.
 - a. Flex spaces may not include any dwelling units. All other building types may house any use allowed in the underlying zoning district.
 - b. Maximum height is regulated by zoning district, unless further required in accordance with the building type as described in [Table 153-5.14\(A\)\(4\) Building Type Standards](#) below.
3. Exceptions.
 - a. Civic and Institutional uses are exempt from this section.
 - b. Parking decks shall comply with the standards described in ~~XXXX~~.e.
4. Building Type Standards.

Table 153-5.14(A)(4) Building Type Standards

Building Type	Dwelling Units Per Building	Maximum Height	Permitted Frontage Types	Permitted Active Spaces
Multiple-Story Building	No limit	Regulated by district	Terrace, Storefront, Gallery	Rooftop Patios, Balconies
Single-Story Building	No limit	One story	Terrace, Storefront, Gallery	None
Townhouse	3 min. / 10 max.	Four stories	Porch, Stoop	Balconies
Urban House	1 min. / 4 max.	Three stories	Porch, Stoop	Balconies
Flex Space	None permitted	Two stories	Does not apply	None



B. Building Entrance Standards.

1. Intent. Building entrance types define the design and functionality of entry points, balancing accessibility, security, and aesthetic appeal. These standards ensure entrances are clearly identifiable, complement the building's architecture, and integrate with the surrounding streetscape.
2. Applicability. Building entrance types shall be applied to the front façade of principal buildings located in an MU zoning district.
3. Multiple story buildings and single-story buildings shall be required to include at least one functional entrance for every 50 feet of frontage.
4. Exceptions.
 - a. Parking decks
5. The following requirements for entrance types shall apply.
 - a. Recessed. A recessed entry is setback from the primary façade, creating a shallow alcove. The depth of the recessed entry shall be at least one foot greater than the door swing and no more than 15 feet.
 - b. Framed. A framed entry is accentuated by a distinct architectural or decorative element that surrounds the doorway, visually emphasizing the entry point.
 - c. Vestibule. A vestibule is an entrance that extends towards the front lot line from the building frontage, serving as a transitional area between the outdoors and the interior. It typically consists of two sets of doors, one leading to the exterior and another to the interior.
 - d. Corner. An angled street-facing entrance located on the corner of a building at approximately 45° to the intersecting streets. Corner entrances shall be designed to comply with requirements for visual clearance at intersections.

C. Building Frontage Standards.

1. Intent. Building frontage types provide a transition and appropriate interface between the public realm (street and sidewalk) and the private realm (yard and building). The allowed frontage type standards supplement the standards for each building type.
2. Applicability. Building frontage types shall be applied to the front façade of principal buildings located in an MU zoning district in accordance with [Section XXX](#).
3. Exceptions.
 - a. Civic and Institutional uses.
 - b. Parking decks.
4. Standards for Building Frontages.
 - a. All building frontages shall be compliant with the applicable setback and setback zone requirements required by the underlying zoning district.
 - b. A landscaped front yard area may be provided when the building is setback more than 10' from the property line or road right-of-way.
 - c. All frontages must include a pedestrian pathway or access point from the public sidewalk.
 - d. The following standards for porches, stoops, terraces, storefronts, and galleries shall apply:



- i. Porch. A frontage where the façade is setback behind an attached front porch structure.
 - (A) Sides shall be at least 50% open except for any site abutting a building façade.
 - (B) Shall include a roof.
 - (C) May encroach into the required setback when unenclosed and permitted by the applicable zoning district.
- ii. Stoop. A frontage where the first floor is elevated from the sidewalk to provide privacy for first floor windows. The entrance is usually from an exterior stair and landing.
 - (A) A stoop shall be at least 18" above the sidewalk and shall directly connect to the sidewalk, walkway, or driveway.
 - (B) A stoop may have a railing or wall and may have a covering.
 - (C) If unenclosed and open on three sides, a stoop may encroach into the required setback as permitted by the applicable zoning district.
- iii. Terrace. A frontage that includes a flat, raised outdoor space that is designed as a part of the building's frontage. It is often elevated above ground level and can serve as a transition between the building and the public realm, such as a sidewalk or a street.
 - (A) A terrace shall follow the length of at least 75% of the frontage
 - (B) Frequent steps up to the terrace must be provided to maximize access and avoid blank walls along the sidewalk
 - (C) Low walls used as seating are encouraged.
- iv. Storefront. A frontage where the building façade is located at the sidewalk, front yard, or front lot line with the building entrance at sidewalk grade.
 - (A) Canopies and awnings are encouraged.
 - (B) Bi-fold glass windows and doors that allow the space to open to the sidewalk are encouraged.
 - (C) Residential-grade windows are not permitted.
 - (D) Window sills shall be no more than 3' above the ground unless aligned with existing adjacent storefronts.
- v. Gallery. A frontage characterized by a covered pedestrian walkway integrated into the façade, typically supported by a series of columns or piers.
 - (A) Galleries shall be no more than one story from the ground floor.
 - (B) Galleries shall be supported from below by a porch, arcade, or other structure; or visually supported by brackets, corbels, or beams along its full depth.
 - (C) A gallery may extend over the sidewalk with approval of the City's Engineering Department.



5. Building Active Space Standards.
 - a. Active spaces may be permitted in accordance with [Table 153-5.14\(A\)\(4\) Building Type Standards](#).
 - b. To protect the privacy of adjacent rear yards, rooftop patios and balconies are prohibited in the rear 35% of the zone lot depth.
 - c. The Zoning Administrator, or designee, may prohibit other similar structures in the rear 35% of the lot as measured from the rear lot line, when the Zoning Administrator, finds the structure would have similar adverse privacy impacts.
6. Setback Zone Exceptions.
 - a. The following uses may be permitted as alternatives to a required frontage within the setback zone, subject approval by the approving authority:
 - i. Ground floor seating in accordance with [Section XXX](#).
 - ii. Private open space when the following requirements are met:
 - (A) Shall be open to the sky, but may include open structures, such as pergolas
 - (B) May include tables, chairs, benches, sculptures, and similar elements
 - (C) Shall be fully visible from the street
 - (D) Shall not be permanently enclosed by railings, fences, gates, or walls that do not allow public access during business hours
 - iii. Garden walls when the following requirements are met:
 - (A) Garden walls must be between 30 inches and 42 inches in heights with the following exceptions:
 - (1) Decorative and/or structural piers may exceed 42 inches in height.
 - (2) Seating incorporated into the wall may be a minimum of 18 inches in height and may be accessed from both sides of the wall without an intervening division.
 - (B) Allowed materials are limited to masonry or an ornamental metal fence with masonry piers, spaced not more than 25 feet, with landscaping.
 - iv. Courtyards when the following requirements are met:
 - (A) The courtyard shall face the front street
 - (B) The courtyard shall have a width of at least 15 feet, measured as the distance between the two closest edges of the exterior walls facing each other across the courtyard;
 - (C) The courtyard shall have a depth of at least 30 feet measured as the horizontal distance between the primary street-facing exterior building wall nearest to the primary street zone lot line and the closest facade of the exterior building wall facing the primary street behind the courtyard, measured perpendicular to the lot line;



- (D) The courtyard is intended primarily for pedestrian use and shall include all of the following physical characteristics:
- (1) Shall be no more than one-half story above or below grade at the lot line adjoining the front street;
 - (2) Shall be physically accessible from the front street, but may be secured for private use;
 - (3) Shall be visible from the front street zone lot line;
 - (4) Shall be open to the sky; and
 - (5) Shall be bounded on not less than three sides with connected building facades.
- (E) The courtyard area may be used for any of the following:
- (1) Single or multiple entries to uses within the building;
 - (2) Public or private landscaped area; or
 - (3) Outdoor seating area.



153-5.15 Grading, Engineering, and Stormwater Management

- A. A minimum sloping grade sufficient for drainage to the sidewalk elevation shall be established for front yards by the Chief Inspector. In instances where there are existing structures on adjoining lots the Chief Inspector shall be guided by the existing grades on the adjoining developed properties to achieve a reasonably uniform transition grade between the lots involved. All rear yards shall be graded so as to provide a gradual sloping grade from the rear wall of the building to the rear lot line. The grade at the rear lot line may be established by the Chief Inspector.
- B. All grade changes, and changes to a site's impervious surface that results in greater impervious surface, shall be reviewed by the City Engineer.

1. Purpose & Intent

2. Definitions

3. Zoning Districts

4. Use Standards

5. Site Standards

6. Development Procedures

7. Administration & Enforcement



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Article 6

Development Procedures



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Article 7

Administration & Enforcement



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Appendix

Schedule of Amendments



Appendix - Schedule of Amendments

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