

**Charter Township of Alpena
Ordinance No. 145 of 2021**

An ordinance to amend the Charter Township of Alpena Zoning Ordinance Section 201 (Definitions) and Section 305 (Accessory Buildings), Section 416 (Full Table of Permitted & Special Land Uses), Section 411 (B-1 Restricted Business District), Section 412 (B-2 General Business District), Section 413 (B-3 Community Business District), Section 407 (R-1 District), Section 408 (R-2 District), Section 409 (R-3 District), and Section 500 (Purpose & Approval Summary Table).

Charter Township of Alpena, Alpena County, Michigan ordains:

Section 1: Amendment to the Charter Township of Alpena Zoning Ordinance

That the Charter Township of Alpena Zoning Ordinance, Section 201 (Definitions) is hereby amended to read as follows:

Add the following definition:

Shipping Container. A container fabricated for the purpose of transporting freight or goods on a truck, railroad, or ship. Shipping containers include cargo containers, storage units, or other portable structures that are used for storage of items, including, but not limited to, clothing, equipment, goods, household or office fixtures or furnishings, materials, and merchandise.

That the Charter Township of Alpena Zoning Ordinance, Section 305 (Accessory Buildings), subsection F (Nontraditional Storage Facilities) is hereby amended to read as follows:

A. Nontraditional Storage Facilities.

1. Truck bodies, school bus bodies, manufactured homes, travel trailers, or other items built and intended for other uses shall not be used as permanent accessory buildings. Semi-trailers and shipping containers may be used as temporary storage for commercial and industrial uses in the rear or side yard only. Shipping containers used for storage on commercial and industrial property may be required to be painted or screened from view from the public right-of-way or neighboring property.
2. **Shipping Containers for Storage Purposes on Residential Parcels.** Shipping containers shall be allowed to be used as accessory buildings for storage purposes for a maximum of three (3) years. Shipping containers shall be either painted to blend in with the natural landscape or sided with a material typically used for residences. There shall be a limit of two (2) shipping containers per parcel. Shipping containers shall be subject to standards in subsections B, C, and D (above) and shall be located in the rear yard only. Shipping containers shall not be permitted on a lot without a main building and shall not be permitted on waterfront lots.

That the Charter Township of Alpena Zoning Ordinance, Section 416 (Full Table of Permitted & Special Land Uses) is hereby amended to read as follows:

(Add the uses highlighted in yellow as permitted in B-1, B-2, and B-3)

Table of Permitted Uses & Special Land Uses													
<i>* supplemental development regulations</i>													
<i>P = Permitted by right S = Permitted with a Special Use Permit</i>	WR	R-1	R-2	R-3	OS	B-1	B-2	B-3	A	FR	C	M-1	M-2
Educational Services & Religion													
<i>Colleges/Universities/Institutions of Higher/Specialized Learning (i.e. business sch.) - §715</i>				S*	P		P	P	P	P			
<i>Public, Charter or Private Schools (elementary-Pre-K through High School)</i>		P	P	P		P	P	P					
<i>Religious Institutions & Customary Accessory Uses - §713</i>		S*	P*	P*		P	P	P	P	P			
<i>Trade Schools</i>							P	P				P	
Human Care & Social Assistance													
<i>Adult Day Care Facility (6 or less adults) - in home</i>		P	P	P					P	P			
<i>Adult Day Care Facility (greater than 6 adults) - In home</i>		S	S	S					S	S			
<i>Adult Day Care Facility - NOT In home</i>						P	P	P					
<i>Adult Foster Care Family Homes (6 or less adults)</i>	P	P	P	P					P	P	P		
<i>Adult Foster Care Small Group Home (7-12 adults)</i>	S	S	S	S		P	P	P	S	S	S		
<i>Adult Foster Care Large Group Home (13-20 adults)</i>		S	S	S		P	P	P	S	S	S		
<i>Adult Foster Care Congregate Facilities (over 20 adults)</i>				S		P	P	P					
<i>Assisted Living Home/Nursing Home/Convalescent Home</i>				S	S		S						
<i>Child Care Home, Family (6 or less)</i>	P	P	P	P					P	P	P		
<i>Child Care Home, Group (7-12)</i>	S	S	S	S					S	S	S		
<i>Child Care Center/Nursery School (not in home)</i>		S	S	S	P	P	P	P					
<i>Child Caring Institution</i>				S	S		S						

That the Charter Township of Alpena Zoning Ordinance, Section 411 (B-1 Restricted Business District) is hereby amended to read as follows:

B. Uses Allowed. *Add the following uses as permitted by right in the B-1 District: (Under the category of “Educational Services & Religion”)*

Public, Charter or Private Schools (elementary Pre-K through High School)

(Under the category of “Human Care & Social Assistance”)

- Adult Foster Care Small Group Home (7-12 adults)
- Adult Foster Care Large Group Home (13-20 adults)
- Adult Foster Care Congregate Facilities (over 20 adults)

Child Care Center/Nursery School (not in home)

That the Charter Township of Alpena Zoning Ordinance, Section 412 (B-2 General Business District) is hereby amended to read as follows:

B. Uses Allowed. *Add the following uses as permitted by right in the B-2 District:*

(Under the category of "Educational Services & Religion")

Public, Charter or Private Schools (elementary Pre-K through High School)

(Under the category of "Human Care & Social Assistance")

Adult Foster Care Small Group Home (7-12 adults)

Adult Foster Care Large Group Home (13-20 adults)

Adult Foster Care Congregate Facilities (over 20 adults)

Child Care Center/Nursery School (not in home)

That the Charter Township of Alpena Zoning Ordinance, Section 413 (B-3 Community Business District) is hereby amended to read as follows:

B. Uses Allowed. *Add the following uses as permitted by right in the B-3 District:*

(Under the category of "Educational Services & Religion")

Public, Charter or Private Schools (elementary Pre-K through High School)

(Under the category of "Human Care & Social Assistance")

Adult Foster Care Small Group Home (7-12 adults)

Adult Foster Care Large Group Home (13-20 adults)

Adult Foster Care Congregate Facilities (over 20 adults)

Child Care Center/Nursery School (not in home)

That the Charter Township of Alpena Zoning Ordinance, Section 407 (R-1 One-Family District) is hereby amended to read as follows:

B. Uses Allowed. *Change the following:*

(Under the category of "Educational Services & Religion")

Public, Charter or Private Schools (elementary Pre-K through High School)

That the Charter Township of Alpena Zoning Ordinance, Section 408 (R-2 Rural Residential District) is hereby amended to read as follows:

B. Uses Allowed. *Change the following:*

(Under the category of "Educational Services & Religion")

Public, Charter or Private Schools (elementary Pre-K through High School)

That the Charter Township of Alpena Zoning Ordinance, Section 409 (R-3 Mixed Residential District) is hereby amended to read as follows:

B. Uses Allowed. *Change the following:*

(Under the category of "Educational Services & Religion")

Public, Charter or Private Schools (elementary Pre-K through High School)

That the Charter Township of Alpena Zoning Ordinance, Section 500 (Purpose & Approval Summary Table) is hereby amended to add the following:

Table 500: Approval Summary Table

Type of Use	Required	Approving Body
26. Adult and Child Care Facilities including the following: Adult Foster Care Small Group Home (7-12 adults) Adult Foster Care Large Group Home (13-20 adults) Adult Foster Care Congregate Facilities (over 20 adults) Child Care Center/Nursery School (not in home)	Site Plan	Reviewed & approved by ZA (ZA may request review and approval by the PC)
27. Public, Charter or Private Schools (elementary through high school)	Site Plan	Reviewed & approved by ZA (ZA may request review and approval by the PC)
PC = Planning Commission ZA = Zoning Administrator *ZA determines level of plan needed based on proposed use.		
For all uses which are reviewed and approved by the Zoning Administrator, the Zoning Administrator may request review and approval by the Planning Commission.		

Section 2: Severability

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The Charter Township of Alpena Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

Charter Township of Alpena Supervisor

Charter Township of Alpena Clerk

I, _____, Clerk for the Charter Township of Alpena, hereby certify that the foregoing is a true and correct copy of Ordinance No. 145 of 2021 of Charter Township of Alpena, adopted by at a meeting of the Township Board of Trustees held on__.

A copy of the complete ordinance text may be inspected or purchased at the Charter Township of Alpena Offices, at 4385 US 23 North, Alpena MI 49707.

Adopted:_____ Published: _____ Effective: _____, subject to PA 110 of 2006 as amended.