

**Charter Township of Alpena
Ordinance No. 143**

**An ordinance to amend the Charter Township of Alpena Zoning Ordinance
Section 201 (Definitions) and Section 331 (General Exceptions).**

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:

Amend the following definitions:

Accessory Dwelling Unit. Also known as a “granny flat”. A secondary residential dwelling unit located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit, ~~or in a detached building,~~ **or as a freestanding, detached unit (where allowed).** Accessory dwelling units shall be developed in accordance with the standards set forth in **Section 737** and only in those zoning districts where the use is listed as allowed.

Add the following definition (under Wireless Communications):

H. *Small Cell Wireless Facility.* A wireless facility that meets both of the following requirements:

1. Each antenna is located inside an enclosure of not more than six (6 ft³) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements would fit within an imaginary enclosure of not more than six (6 ft³) cubic feet.
2. All other wireless equipment associated with the facility is cumulatively not more than twenty-five (25 ft³) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

That the Charter Township of Alpena Zoning Ordinance, Section 331 (General Exceptions), subsection A (Essential Services) is hereby amended to read as follows:

A. *Essential Services and Utility Facilities.*

Essential services shall be permitted as authorized and regulated by law and other ordinances of the Township, it being the intention hereof to exempt such essential services from the application of this Ordinance. **Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (“Utility Improvements”), shall be a permitted use in any district when the locating of such Utility Improvements are necessary for the furnishing of adequate service by such utilities**

or municipal departments for the general public health, safety, or welfare. When this is the case, this subsection 331.A shall supersede the Tables of Permitted and Special Land Uses in Article 4. Utility Improvements shall undergo site plan review pursuant to Article 5 and shall adhere to setback requirements of the district in which they are proposed to be located. Screening may be required pursuant to Section 320.C. This subsection 331.A shall not apply to storage yards and office buildings.

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. ____ of 2020 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.