2019



CITY OF ISHPEMING ZONING ORDINANCE #8-100

RECOMMENDED: CITY OF ISHPEMING PLANNING COMMISSION ON 3/4/19

ADOPTED: ISHPEMING CITY COUNCIL ON 4/2/19

EFFECTIVE DATE: 4/24/2019

AMENDED: 12/7/2022; 10/18/2023; 1/10/2024; 5/8/2024; 5/20/2026; 9/23/2026

CITY OF ISHPEMING ZONING ORDINANCE

MARQUETTE COUNTY, MICHIGAN

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RESERVED FOR FUTURE USE.

CITY OF ISHPEMING ZONING ORDINANCE NO. 8-100

AN ORDINANCE to repeal the February 08, 1984 Zoning Ordinance (Ordinance No. 8-100 and all amendments thereto) and to adopt a new Zoning Ordinance to establish zoning districts and provisions governing the incorporated portion of city limits of Ishpeming, P.A. 192 Marquette County, Michigan; enacted to promote the public health, safety and general welfare in accordance with the provisions of Act No. 110 (2006) of the Public Acts of Michigan, as amended [M.C.L.A. §125.3101 et. seq.]; to provide for classes of and regulations governing non-conforming uses and structures; to provide for a Zoning Administrator; to provide for a Zoning Board of Appeals and its powers and duties; to provide for the powers and duties of the City Planning Commission concerning zoning; to provide for permits and the collection of fees; to provide penalties for the violation of this Ordinance; and to provide for coordination with other ordinances of the City of Ishpeming.

See also: Ishpeming Ordinances: 8-300 Regulating Lot Splits; **8-400 Sign Ordinance**;
8-500 Protection of Groundwater Resources; and 8-600 Fence Ordinance.

THE CITY OF ISHPEMING, MARQUETTE COUNTY, STATE OF MICHIGAN, HEREBY ORDAINS:

1.0 SECTION 1: PURPOSE

The primary purpose of this Ordinance is to promote the public health, safety, and general welfare of the inhabitants of the City, and this Ordinance is enacted in compliance with all of the requirements of Act No. 110, P.A. 2006, as amended, of the State of Michigan.

2.0 SECTION 2.0: SHORT TITLE

This Ordinance shall be known and may be cited as the City of Ishpeming Zoning Ordinance.

3.0 SECTION 3.0: DEFINITIONS

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows: all words used in the present tense shall include the future; all words in the singular number include the plural number and all words in the plural number include the singular number. The word "building" includes the word "structure" and "dwelling" includes "residence", the word "person" includes "corporation", "co-partnership", as well as an "individual"; the word "shall" is mandatory and not merely directory and the word "may" is permissive. Terms not herein defined shall have the meaning customarily assigned to them or as defined in Act No. 110, P.A. 2006, as amended.

Abutting: Having a property line or district line in common.

Access: A way or means of approach to provide vehicular or pedestrian entrance or exit to a property from an abutting property or a public roadway.

Access Management: The process of providing and managing reasonable access to land development while preserving the flow of traffic in terms of safety, capacity and speed on the abutting roadway system.

Accessory Building: See Building, Accessory.

Accessory Use: (Customary) A use naturally and normally incidental and subordinate to the permitted use of the premises.

Adult Foster Care Family Home: A private residence licensed under P.A. 218 of 1979, as amended, with the approved capacity to receive six or fewer adults who are provided with foster care for five or more days a week, and for two or more consecutive weeks, for compensation. The adult foster care home licensee must be a member of the household and an occupant of the residence.

Adult Foster Care Small Group Home: A facility licensed under P.A. 218 of 1979, as amended, with the approved capacity to receive 12 or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, five or more days a week, and for two or more consecutive weeks, for compensation.

Adult Foster Care Large Group Home: A facility licensed under P.A. 218 of 1979, as amended, with the approved capacity to receive at least 13 but not more than 20 adults who are provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, five or more days a week, and for two or more consecutive weeks, for compensation.

Agriculture: The production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities.

Alley: Any dedicated public way, which is not a street, affording a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.

Alterations: Any change, addition or modification to a structure or to the type of occupancy or use of a structure or land, or any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed" or "changed".

Apartment: A dwelling unit in a "Dwelling, Multiple Family" as defined herein.

Assisted Living Facility: A residence for individuals that provides rooms, meals, and personal care. Other services, such as recreational activities, financial services, and transportation, may also be provided.

Auction Facility: A facility which conducts a public sale or sales of goods, property, or merchandise, typically with the item(s) being sold to the highest bidder.

Automobile: A self-propelled, free-moving vehicle, with four wheels, usually used to transport not more than six passengers and licensed by the appropriate state agency as a passenger vehicle.

Automotive Repair Garage: A premise where one or more of the following services may be carried out in a completely enclosed building: general repairs, engine rebuilding, rebuilding or reconditioning of automobiles; auto glass work, collision service such as body, frame or fender straightening and repair; painting and undercoating of automobiles. Retail sale of motor fuels, lubricants and accessories may also occur on these premises, as permitted by the Zoning District.

Automobile Wash Facility: A structure containing facilities for washing automobiles, including automatic or self-service applications of cleaning solutions, water, wax and/or heat for drying.

Basement: That portion of a building which is partly or wholly below grade, but so located that the vertical distance from average grade to the floor is greater than the vertical distance from the average grade to the ceiling. If the vertical distance from the grade to the ceiling is over five feet, such basement shall be rated as a first story.

Bed and Breakfast: A single-family detached dwelling, containing four or fewer sleeping rooms available for rental to transient tenants for less than 15 consecutive nights. Guest accommodations shall be subordinate to the principal use of the dwelling as a single-family residence. Breakfast shall be served to guests at no additional cost; other meals may be served in accordance with P.A. 112 of 1987, as amended.

Billboard: **(See Ishpeming Ordinance No. 8-400, Sign Ordinance.)**

Boarding House: A dwelling occupied in such a manner that certain rooms in excess of those used by the members of the immediate family are leased or rented to persons outside of the family, without any provision for cooking or kitchen accommodations for individuals leasing or renting rooms.

Buildable Area: The area of a lot remaining after the minimum yard and open space requirements of the zoning ordinance have been met.

Building: A structure, a mobile home or mobile structure, a pre-manufactured or pre-cut structure, above or below ground, designed primarily for the shelter, support or enclosure of persons, animals or property.

Building, Accessory: A building or structure customarily incidental and subordinate to the principal structure or to the use of the land and located on the same ownership as the principal building or use, that may be used for a permitted use or a customary accessory use. Except as otherwise permitted by this Ordinance, an accessory building shall not be used for human habitation. Shipping containers, cargo containers, PODS, and semi-trailers are prohibited in all zoning districts except the Industrial and Mining Districts.

Building, Height Of: The elevation measured from the average finished lot grade at the front of the building to the highest point of the structure. (See illustration next page.)

Building Line: A line parallel to the street touching that part of a building closest to the street.

Building(s), Main: (a) Any individual structure which contains one or more principal or conditional uses. (b) The separate structures on a single site, in which one or more principal or conditional uses are located.

Building - Non-conforming: See Non-conforming Building or Structure.

BUILDING HEIGHTS
Illustrated



MANSARD ROOF



HIP ROOF



GAMBREL ROOF



GABLE ROOF

H = HEIGHT OF BUILDING

Business Services: Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; management and consulting services; protective services; equipment rental and leasing; commercial research; development and testing; photo finishing; and personal supply services.

Campground: A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes.

Change of Use: Any use that substantially differs from the previous use of a building or land.

Child Care Center: (Also known as a Day Care Facility): A facility, other than a private residence, receiving one (1) or more preschool or school age children for care for periods of less than twenty-four (24) hours a day, and where parents or guardians are not immediately available to the child. Child care center or day care center includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. Child care centers are licensed by the State of Michigan under Public Act 116 of 1973, as amended. Child care center or day care center does not include:

a. A Sunday School, a vacation bible school, or a religious instruction class that is conducted by a religious organization where children are in attendance for not more than three (3) hours per day for an indefinite period, or not more than eight (8) hours per day for a period not to exceed four (4) weeks during any twelve (12) month period.
b. A facility operated by a religious organization where children are cared for not more than three (3) hours while parents or guardians attend religious worship services.

Church: (See Religious Institution)

Clinic, Animal: A building where animal patients, which may or may not be lodged overnight, are admitted for examination and treatment by a veterinarian or similar professionals.

Clinic, Medical: An establishment where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel, psychologists, or social workers and where patients are not usually lodged overnight.

Club: An organization catering exclusively to members and their guests on premises and buildings for recreational, artistic, political, or social purposes which are not conducted primarily for financial gain and which do not provide merchandise, vending, or commercial activities, except as required incidentally for the membership and purpose of such club.

Co-location: The use by two or more wireless communication providers and/or two or more antennas on a common structure, tower, or building.

Common Open Space: Land within or related to a development, not individually owned, that is designed and intended for the common use or enjoyment of the residents and their guests of the development or the public at large if dedicated to and accepted by the public, and may include such complementary structures and improvements as are necessary, appropriate and approved as part of the development according to the requirements of this Ordinance.

Common Use Riparian Lot: Property which abuts a lake or a navigable tributary which provides lake access to owners or occupants of nearby property, which does not abut the lake.

Communication Tower**:** A structure including but not limited to monopole, skeleton framework, or other design which is attached directly to the ground or to another structure which supports one or more antennae, used for the transmission or reception of radio, television, microwave, or any other form of telecommunications signals.

Condominium: A building or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the common areas, facilities, and in some cases structures are owned by all the owners on a proportional, undivided basis.

a. Common elements means the portions of the condominium other than the condominium units.
b. Condominium Act means Public Act No. 59 of 1978 (MCL 559.101 et seq.) and includes all addressed definitions and terms.
c. Condominium subdivision means a subdivision as defined by the State of Michigan.

Condominium, Site: Means for the purposes of this ordinance, a site condominium is a subdivision of land created and recorded pursuant to the Condominium Act (P.A. 59 of 1978, as amended), and the provisions of this ordinance, containing two or more units of land designed and intended for separate ownership and use, and which may or may not contain general and limited common elements. Except as otherwise specifically provided, a condominium unit is not a "lot" or "parcel" as those terms are used in this ordinance.

Condominium Unit: That portion of the condominium project designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational time-share, or any other type of use.

Conservation Easement: The grant of a property right requiring that the described land will remain in its existing natural state in perpetuity. Also means that term as defined in Section 2140 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994 when applied to a cluster development or open space development.

Contractor Yard: An area intended for the storage of materials and equipment used for construction, road building and forestry operations.

Convenience Mart: A retail establishment offering for sale prepackaged food products, household items, newspapers and magazines, alcoholic and non-alcoholic beverages and sandwiches and other freshly prepared foods, for both off-site or on-site consumption with limited indoor/outdoor seating, along with the retail sale of fuel and other operating commodities for motor vehicles.

Cultural Facilities: Establishments that document the social, intellectual and artistic manifestations that characterize a society, and include museums, art galleries, and similar facilities of historical, educational or cultural interest.

Deed Restriction (Also Restrictive Covenant): A restriction on the use of a lot or parcel of land that is set forth in the deed and recorded with the County Register of Deeds. It is binding on subsequent owners and is sometimes also known as a restrictive covenant. Unless the City, Township or County has an ownership interest in the property, a deed restriction is enforced by only the private parties to the agreement, not by the City, Township or the County.

District: A portion of the City within which certain regulations and requirements or various combinations thereof apply uniformly under the provisions of this ordinance.

Driveway: A passage for vehicles which provides access to a parcel or premises which is built in accordance with generally accepted construction practices sufficient to provide all-season passage for emergency vehicles and fire trucks. This passageway is to be of 14' minimum width, primarily for use by motor vehicles, over private property, loading from a street, other public way, or private road to a garage or parking area. A horseshoe shape drive or a "T" shape drive located within a front yard is included within this definition. ***In the event the passageway is more than one hundred fifty (150') feet in throat length from a public Right-of-Way to the dwelling, a perpetual Hold-Harmless agreement protecting the City of Ishpeming is to be recorded prior to home occupancy in the event that weather events prevent access by emergency service providers (fire, police, EMS).***

Duplex: A two family residential structure containing two separate dwelling units.

Duplex, Conversion: A single family home that has been remodeled or divided into a two family dwelling containing two separate units.

Duplex, Stacked/Up-and-Down: A two family dwelling containing two units located directly above and below the other separated by a shared floor and ceiling.

Duplex, Side-by-Side: A two family dwelling containing two units placed adjacent to the other separated by a shared vertical wall.

Dwelling, Multiple Family: A building containing three or more dwelling units designed for residential use and conforming in all other respects to the standards set forth in Section 22.6.

Dwelling, Single Family: A building containing not more than one dwelling unit designed for residential use, complying with the standards set forth in Section 22.6.

Dwelling, Stacked Flats: means a type of attached dwelling unit building occupied by three (3) or more families, where dwellings are divided by party walls in the horizontal plane and floor-ceiling assemblies in the vertical plan in an appropriate manner for multiple-family use. Each dwelling unit is capable of individual use and maintenance without trespassing upon adjoining properties, and utilities and service facilities are independent for each property.

Dwelling, Townhouse: means a one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is

separated from any other unit by one or more vertical common fire-resistant walls.

Dwelling, Two Family: A building containing not more than two separate dwelling units designed for residential use, complying with the standards set forth in Section 22.6.

Dwelling, Upper Floor Commercial: A dwelling unit located in the upper floors of a commercial establishment, with an outside entrance allowing the occupants to come and go without entering the commercial establishment. The separate outside entrance shall not be necessary for approved live-work land uses. There may be more than one dwelling unit associated with a single commercial establishment.

Easement: A right-of-way granted, but not dedicated, for limited use of private land for private, public or quasi-public purpose, such as for franchised utilities, a conservation easement or an access easement for a private road or service drive, and within which the owner of the property shall not erect any permanent structures.

Essential Services: Means the erection, construction, alteration or maintenance by public utilities or municipal departments, authorities of overhead, surface, or underground gas, electrical, telephone, cable, steam, fuel, T.V. cable, or water transmission or distribution systems; collection, communication, supply or disposal systems, including towers, poles, wires, mains, drains, hydrants, and similar accessories in connection therewith, but not including buildings over 250 square feet in area necessary for the furnishing of such services.

Excavation: Removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances, or organic substances, other than vegetation, from water or land, on or beneath the surface thereof, whether exposed or submerged.

Family: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over four persons, but further provided that domestic servants employed and housed on the premises shall not be counted as a family or families.

Family Day Care Home: A private home in which more than one but less than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year, or a home licensed by the Michigan Department of Social Services as a Family Day Care Home.

Farm: A farm is an establishment engaged in growing and harvesting crops, sod, plants, trees, shrubs, nursery stock; an establishment engaged in dairying, the maintaining or the raising of livestock or poultry, the keeping of horses, small livestock, as well as other similar enterprises or uses.

A farm includes farm buildings such as barns, greenhouses, apiaries and/or other similar structures.

A farm's land area includes all of the contiguous neighboring or associated land operated as a single unit on which bona fide farming is carried on directly by the owner-operator, manager or tenant farmer, by his own labor or with the assistance of members of his household or hired employees.

Fast Food Restaurant: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption within the

restaurant building, in cars on the premises, and/or off the premises. Often includes drive-through service.

Fence, Screening: A structure of definite height and location, maintained to allow 20% passage of light and to screen and separate a use from adjacent property. A screening fence shall be an obscuring fence not less than four feet (4') nor more than six feet (6') in height. See Ishpeming Fence Ordinance 8-600.

Floodplain: Means those areas of land adjacent to the rivers, and other water courses of the City, subject to seasonal or periodic flooding.

More particular definitions of floodplain are the 100 year or 500 year floodplains as defined and mapped, delineating the respective flood elevations and geographic areas of flooding under the U.S. Federal Emergency Management Agency's national flood insurance program.

Floor Area: The total gross area of all floors, as measured to the exterior surfaces of exterior walls.

Floor Area, Usable: Measurement of usable floor area shall be the sum of the horizontal areas of all floors occupied by a single occupant or shared by a distinct group of occupants measured from the interior faces of the exterior walls. Such floor area, which is used or intended to be used for the storage or processing of merchandise, for hallways, stairways and elevator shafts, or for utilities or sanitary facilities shall be excluded from this computation of "usable floor area." For the purposes of computing parking

for those uses not enclosed within a building, the area used for the sale of merchandise, display of merchandise, and/or area used to serve patrons or clients shall be measured to determine necessary parking spaces.

Foster Family Home (private home): A private residence (dwelling) in which the licensee or registrant permanently resides as a member of the household, which residency is not contingent upon caring for children or employment by a licensed or approved child placing agency. Private home includes a full-time foster family home, a full-time foster family group home, or a family day care home, as follows:

a. "Foster family home" is a private home (dwelling) in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood, marriage, or who are not placed in the household pursuant to the adoption code (MCL 710.21-710.70) are given care and supervision for 24 hours a day, for 4 or more days a week, for 2 or more consecutive weeks, unattended by a parent or legal guardian.
b. "Foster family group home" means a private home in which more than four (4) but fewer than seven (7) minor children, who are not related to an adult member of the household by blood, marriage, or who are not related to an adult member of the household by blood, marriage, or who are not placed in the household pursuant to the adoption code (MCL 710.21-710.70) are provided care for 24 hours a day, for 4 or more days a week, for 2 or more consecutive weeks, unattended by a parent or legal guardian.

Frontage: The total continuous length of the front lot line.

Frontage Road or Front Service Drive: A local street/road or private road typically located in front of principal buildings and parallel to an arterial for service to abutting properties for the purpose of controlling access to the arterial.

Garage: A detached accessory building or portion of the main building used for parking or storage of not more than three (3) automobiles in connection with the permitted use of the main building.

Garden, Community: A collective activity by a group of people conducted on parcels of more than 56,644 square feet (1.3 acres) in size to grow plants for personal or institutional use, but not for commercial production, which may include garden maintenance facilities (potting work area, greenhouse, hoophouse, etc.), sanitary facilities and educational buildings which comply with required setbacks, height and other pertinent zoning district regulations.

Garden, Demonstration: An individual or collective activity by a group of people, using a parcel of up to 56,644 square feet (1.3 acres) in size to grow plants for personal or institutional use, but not for commercial production, which may include garden maintenance facilities (potting work area, greenhouse, hoophouse, etc.) which comply with required setbacks, height and other pertinent zoning district regulations.

Garden, Personal: An activity by an individual or household using a parcel of up to 2500 square feet (.6 acre) in size to grow plants for personal use, but not for commercial production, which may include garden maintenance facilities (potting work area, greenhouse, hoophouse, etc.), which comply with required setbacks, height and other pertinent zoning district regulations.

Grade Level: A reference plane representing the average or finished ground level adjoining the building at all exterior walls.

Greenbelt: An open area that may be cultivated and/or maintained in a natural state surrounding development and used as a buffer and/or screen between land uses or to mark the edge of an urban or developed area.

Group (child) Day Care Home: A private home (dwelling) in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year. Group day care homes are licensed by the State of Michigan under Public Act 116 of 1973, as amended.

Home Occupation: An occupation or profession, carried on in a dwelling unit by members of the immediate family residing on the premises, which is clearly incidental or secondary to the principal use of the dwelling. (See Section 25.4, A-3.)

Junk: Any scrap, waste, reclaimable material, or debris for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or otherwise used or disposed of.

Junkyard (Recyclable Material Merchant Wholesalers – NAICS): An open area greater than 200 feet square in size, where junk or second hand materials are bought and sold, exchanged, stored, baled, packed, disassembled, handled or abandoned, including, but not limited to, scrap iron and other metals, paper, rags, and bottles. Junkyards include automobile wrecking yards, but do not include uses established entirely within enclosed buildings.

Kennel: Any lot or premises on which three or more dogs and/or three or more cats which are more than six months of age and which are either permanently or temporarily kept.

Kennel, Commercial: An establishment in which three or more dogs and/or cats more than six months of age are housed, groomed, bred, boarded, trained, and/or sold, primarily for financial gain.

Land Use: A description of how land is occupied or utilized.

Landscaping: The treatment of the ground surface with live, organic, or synthetic materials such as, but not limited to, grass, ground cover, crushed stone, trees, shrubs, vines and other growing or synthetic horticultural material. Structural features such as fountains, shadow pools, statues, garden walls, pathways, benches and the like shall also be considered elements of landscaping, but such structural features alone shall not meet the spirit and intent of landscaping requirements.

Live/work unit or live/work space: A structure or portion of a structure that combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household.

Living Fence: A fence of living hedges, bushes or shrubs, which shall not exceed the eave height of the dwelling roof between the front line of the dwelling and the rear property line as defined in the Zoning Ordinance. Dead or diseased hedges, bushes or shrubs shall be removed. (See Ishpeming Ordinance No. 8-600, Fence Ordinance.)

Loading Space: An off-street space or designated on-street space on the same lot with a building, or group of buildings, for temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

Long-Term Care Facility: An institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for 24 or more consecutive hours to two or more patients who are not related to the governing body or its members by marriage, blood or adoption. Such facilities include nursing homes, hospices, etc.

Lot: The word "lot" shall include a plot or parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area to provide such yards and other open spaces as are herein required. Such a lot shall have its front line abutting a public or private street, and may consist of (1) a single lot of record; (2) a portion of a lot of record; (3) a combination of complete lots of record, complete lots of record and portions of lots of record, or of portions of lots of record; or (4) a parcel of land described by metes and bounds.

Lot, Corner: Any lot having frontage on two intersecting streets or upon two portions of a turning street where the angle of intersection is less than 145 degrees.

Lot, Depth: The horizontal distance between the front lot line and the rear lot line, with the measurement taken along a line that is equal distance between the two side lot lines.

Lot, Interior: Any lot other than a corner lot.

Lot Lines: The line bounding a lot as defined herein: (1) Lot Line, Front: That line separating the lot from

the right-of-way; in the case of a through lot, the lines separating the lot from each right-of-way; in the case of a corner lot, one such front line may be designated as a side lot line. (2) Lot Line, Rear: A lot line which is opposite the front lot line. In the case of a corner lot, the rear lot line shall be opposite either front lot line, but there shall only be one rear lot line. (3) Lot Line, Side: Any lot line not a front lot line or not a rear lot line.

Lot, Non-conforming: (See Non-conforming Lot.)

Lot of Record: A lot which is part of a recorded plat or a lot or parcel described by metes and bounds, the deed to which is recorded in the office of the County Register of Deeds at the time of adoption of this ordinance.

Lot Width: For a common rectangular lot □, lot width is the straight-line horizontal distance between the side lot lines measured at the two (2) points where the minimum required front setback line intersects with the side lot lines (measure side to side at the front setback).

If the side lot lines are not parallel **\ /**, then;

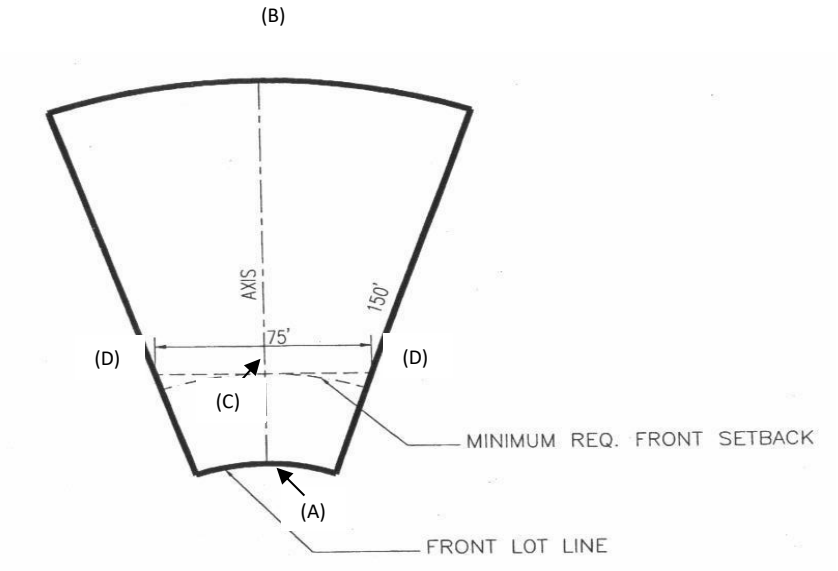
Step 1. Start with the axis line of the lot, measuring from the midpoint of the front lot line (A), to the midpoint of the rear lot line (B).

Step 2. Measure the required front setback distance along the axis line, to point (C).

Step 3. Draw a line at a right angle (90°) from the axis line at point (C).

(LOT WIDTH CONTINUED ON NEXT PAGE)

Step 4. Lot width is measured along the line in Step 3 where it intersects the side lot lines at points (D). (See illustration below)



Main Building: A building in which is conducted the principal use of the lot upon which it is situated.

Manufactured Home: A dwelling unit which is designed for long-term residential occupancy and is wholly or largely fabricated at an off-site location.

Manufactured Home Condominium Projects: A parcel of land under joint ownership which has been planned and improved for the placement of manufactured or mobile homes for non-transient use, upon individual, separate Condominium Unit envelopes which meets the minimum lot width and area requirements for the zoning district in which it is located.

Manufactured Home Lot or Site: A parcel of land for the placement of a single manufactured or mobile home and exclusive use of its occupants within a licensed manufactured or mobile home community (previous term "park"), a condominium project or subdivision project or development which meets the minimum lot width and area requirements for the zoning district in which it is located.

Manufactured Home Stand: That part of an individual lot which has been reserved for the placement of the manufactured or mobile home, appurtenant structures or additions.

Manufactured Home Subdivision: A parcel of land under single ownership which has been planned and improved for the placement of manufactured or mobile homes for non-transient use on individual lots and for the purpose of selling the lots which meets the minimum lot width and area requirements for the zoning district in which it is located.

Manufactured Housing: A structure prefabricated in part or total which meet the HUD Code (42 USC Sec 5401), transportable in one or more sections, which is built on a chassis and designed to be used with or without a permanent foundation as a dwelling unit when connected to required utilities, and the plumbing, heating/air conditioning and electrical systems contained within the structure.

Manufactured Housing Community: A parcel or tract of land under the control of a person upon which three (3) or more manufactured homes are located on a continual non-recreational basis and which are offered to the public for that purpose. A recreational vehicle park or campground is not a manufactured home community which meets the minimum lot width and area requirements for the zoning district in which it is located. The older term "mobile home park" is often used by individuals as an equivalent term.

Manufactured Housing Community License: A written license issued by the Manufactured Housing Commission allowing a person to operate and maintain a manufactured housing community under the provisions of Michigan Public Acts 96 of 1987, as amended, and this Ordinance and regulations issued hereunder.

Marijuana or Marihuana: means that term as defined in the Public Health Code, MCL 333.1101 et seq.; the MMA, MCL 333.26421 et seq.; the MFLA, MCL 333.27101 et seq.; the MTA, MCL 333.27901 et seq. and the MRTMA, MCL 333.27901 et seq. Marijuana means all *parts of the plant of the genus Cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marijuana concentrate and marijuana-infused products. Marijuana does not include any of the following: (i) The mature stalks of the plant, fiber produced from the mature stalks, oil or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of*

the mature stalks; (ii) Industrial hemp; (iii) Any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

Marijuana provisioning center: means a licensee that is a commercial entity located in Michigan that purchases marijuana from a grower or processor and sells, supplies, or provides marijuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marijuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver in accordance with the MMA, MCL 333.26421 et seq., is not a provisioning center for purposes of this article.

Marijuana Retailer: means a person licensed to obtain marijuana from marijuana establishments and to sell or otherwise transfer marijuana to marijuana establishments and to individuals who are 21 years of age or older.

Master Plan: The comprehensive plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and all physical development of the City of Ishpeming and includes any unit or part of such plan, and any amendment to such plan or parts thereof.

Membership Organizations: Membership Organizations include community service clubs, lodges, church halls, catering or rental halls, fraternal organizations, and the like.

Membrane Storage Structure: An accessory structure consisting of a frame that is covered with a plastic, fabric, canvas, aluminum or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles or other personal property. The term shall also apply to structures commonly known as hoop houses, canopy covered carports and tent garages, but shall not apply to boat lifts and canopies that are placed in public waters and temporary tents or canopies used for special events such as weddings or graduations, and shall not apply to greenhouse structures used to shelter the growing of crops, flowers, and/or other plants or vegetation.

Mining - Abandonment: Termination of mining operations, or cessation of use of the mining area or any portion thereof, with intent not to resume.

Mining Area: An area of land from which material is hereafter removed in connection with the production or extraction of minerals by mining methods, the lands on which material from such mining is hereafter deposited, the lands on which beneficiating or treatment plants in auxiliary facilities are hereafter located, lands in which the water reservoirs used in the mining process are hereinafter located, and auxiliary lands which are hereafter used in connection with all of the foregoing.

Mining - Lean Ore: A mineral which is not recoverable under existing economic conditions or technology.
Mining - Overburden Slopes: Earth materials, including sand, gravel, and clay, lying above the bedrock.

Mining - Reclamation: The reconditioning or rehabilitation of the mining area or portions thereof for useful purposes and the protection of the natural resources, including the control of erosion and the prevention of land or rock slides and air and water pollution.

Mining - Rock Stockpiles: Material including, but not limited to, surface overburden, or rock or lean ore, which in the process of mining or beneficiation or treatment has been removed from the earth and stored

on the surface thereof, but excluding therefrom materials which are in the course of being treated in the production of mineral products and the mineral product which has been produced by such operation.

Modular (Pre-Manufactured) Housing Unit: A dwelling unit constructed solely within a factory, as a single unit, or in various sized modules or components, which are then transported by truck or other means to a site where they are assembled on a permanent foundation to form a single-family dwelling unit, and meeting all codes and regulations applicable to conventional single-family home construction.

Motel: A series of rental units, each containing at least a bedroom and bathroom, provided for compensation to the traveling public for overnight lodging.

Motor Home: A self-propelled, vehicle licensed to be operated on public roads, which vehicle is built upon a chassis (or equivalent), and is intended for recreation activities and only temporary occupancy.

NAICS Code: North American Industrial Classification System (NAICS) is used by business and government to classify business establishments according to type of economic activity (process of production) in Canada, Mexico, and the United States of America. The code system uses from two (2) to six (6) digits with attached descriptions. Two (2) digits and the attached description identify a general industrial sector (e.g. eleven (11) is used for "Agriculture, Forestry, Fishing and Hunting". Six (6) digits and the attached description identify a much more specific industry (e.g. 111219 is used for "Other Vegetable (except Potato) and Melon Farming". All industries within North America are broken down into one of twenty major sectors.

Noise: Sound vibrations, which either annoys, injures, or endangers the comfort, repose, health, or safety of a person(s), unless the making and continuing of the noise is necessary for the protection or preservation of property or the health, safety, life or limb of a person(s).

Non-conforming: A lot, (area, dimensions or location of which) was lawful prior to the adoption, revision or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district. (See Section 24.0)

Non-conforming Building or Structure: A building or structure, the size, dimensions or location of which was lawful prior to the adoption, revision or amendment to a zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district. (See Section 23.0)

Non-conforming Lot: A lot, the size, width or other characteristic of which fails to meet requirements of the Zoning District in which it is located and which was conforming ("of record") prior to enactment of this ordinance.

Non-conforming Sign: **(See Section 13.0 Non-conforming Signs and Abandoned Signs – Ordinance No. 8-400 Sign Ordinance.)**

Non-conforming Use: A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district. (See Section 23.0)

Nuisance: Any act, thing, condition, land, building or premises which annoys, injures or endangers the public health, safety, comfort, offends public decency, or in any way renders the public insecure in life or property.

Nursery: An establishment where flowers, shrubs, trees or other plants are raised and/or offered for sale. A nursery may include a greenhouse, but also includes unenclosed areas used for growing and/or displaying plants for sale. Sales of related items, such as fertilizers, landscaping materials, etc. may be included when clearly related to the principal use of growing and/or selling plants.

Nursing Home, Convalescent Home, or Home for the Aged: A home for the care of children, or the aged, or infirm, or a place of rest for those suffering bodily disorders, and licensed or required to be licensed by the State of Michigan, but not including housing for the elderly where such persons live independently in individual apartment units, and not including a hospital or mental health center.

Occupancy: The residing of an individual or individuals overnight in a dwelling unit, or the installation, storage, or use of equipment, merchandise or machinery in any public, commercial or industrial building.

Open Space: Any area of a site which is not covered by a structure, is not included in required parking area, and is available for use by residents and visitors. (See Section 20.5 for Open Space Requirements for PUD.)

Ordinary High Water Mark: The line between upland and bottomland that persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation. On an inland lake that has a level established by law, it means the high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high-water mark.

Outdoor Wood Furnace: means a fuel-burning device that is designed to burn clean wood or other approved solid fuels and is not located in a building intended for habitation by humans or domestic animals; and heats building space and/or water through the distribution, typically through pipes, of a fluid heated in the device.

Parking Lot: A hard surfaced, dust free area with well-defined entrances and exits and lanes for unencumbered access to vehicle parking spaces.

Parking Spaces: A defined area of at least 9' x 18' for the storage or parking of a single permitted vehicle. This area is to be exclusive of drives, driveways, aisles or entrances giving access to the space from the public right-of-way.

Performance Guarantee: Cash, completion bond, certified check, irrevocable bank letter of credit or other financial security acceptable to the City as assurance that required improvements or conditions associated with project approval are properly built or conformed with.

Permitted Use: Any use allowed in a zoning district and subject to the regulations applicable to that zoning district.

Permit, Building: Authorization granted by the County building official to erect, alter, enlarge, or relocate a structure.

Person: An individual, partnership, association, trust, or corporation, or any other legal entity or combination of legal entities.

Personal Use Landing Field: Any location, either on land or water, which shall be used for landing or take-off of aircraft with safety, solely for the use of the owner of the property, and which is not equipped with commercial facilities for the shelter, supply or repair of aircraft.

Planned Unit Development (PUD): A form of development usually characterized by a unified site design for a number of housing units, clustering buildings and providing common open space, density increases and a mix of building types and land uses. This development must meet all requirements of the Planned Unit Development District, and any additional requirements placed upon it by the Planning Commission.

Planning Commission: The City of Ishpeming Planning Commission.

Plat: A map of a subdivision of land recorded with the County Register of Deeds pursuant to Public Act 288 of 1967, or a prior statute.

Porch, Open: Roofed open area, which may be screened, usually attached to or part of and with direct access to or from a building. A porch becomes a room (and no longer a porch) when the enclosed space is heated or air conditioned and when the percentage of window area to wall area is less than fifty (50%) percent.

Premises: A lot, parcel, tract or plot of land together with the buildings and structures thereon.

Rear Service Drive: A local street/road or private road typically located behind principal buildings and parallel to an arterial for service to abutting properties for the purpose of controlling access to the arterial.

Recovery House: A residence providing a structured treatment program for up to four (4) adult individuals voluntarily recovering from addiction to alcohol and/or drugs.

Recreation Facility: A place designed and equipped for the conduct of sports and leisure-time activities.

Recreational Vehicle: A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreational, camping and travel use and including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

Recreational Vehicle Park: Any lot or parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Religious Institution: A building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

Resort: A place of typically seasonal entertainment, recreation and/or lodging. Resort lodging, if provided, may include hotels, motels, single or multiple-family residential, dwelling units, cottages, cabins, campgrounds, bed and breakfasts, or some combination, as regulated by appropriate sections of this Ordinance.

Right-of-Way (R.O.W.): A street, alley, or other thoroughfare or easement permanently established for passage of persons, vehicles, or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

Riparian Lot: Lake front property or other property on a navigable tributary of a lake which is used to access a lake exclusively by the owner or occupant of the property.

Riparian Owner: A person whose property adjoins a lake or who has rights of access to a lake because of a recorded instrument granting such rights.

Riparian Rights: Those rights which are associated with the ownership of the bank or shore of an inland lake or stream.

River's Bank: The edge or crest of the elevated segment of shoreline above the river, which inclines steeply on the water side.

Road, Private: A privately owned road, lane, trail serving more than two lots not used as a through fare, but used to access private residences. (See Section 22.15)

Road, Public**:** A road dedicated to the public, such dedication having been accepted by the City of Ishpeming, the Marquette County Road Commission or the Michigan Department of Transportation, and which meets the minimum construction standards of said City, County or State entity.

Run-off: Water from rain or melting snow that flows over the surface of the ground and eventually draws into nearby water bodies.

Salvage Yard: A location where new or used materials, including waste, surplus, or discarded or salvaged parts thereof, are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, also including house wrecking and structural steel materials and equipment.

Same Ownership: Properties owned by the same individual, corporation, partnership, or other entity, or if one property is owned by any corporation that controls, is controlled by, or is under common control with the owner of the other property, or is owned by any corporation resulting from a merger or consolidation with the other property owner, or is owned by any subsidiary or affiliate of the other property owner, or is owned by any joint venture of which the other property owner is a partner.

Setback, Required: The minimum horizontal distance between a front, rear or side lot line and a building line required to comply with required yard provisions of this Ordinance.

Sexually Oriented Business (SOBS): Any adult arcade, adult body painting studio, adult bookstore, adult cabaret, adult carwash, adult hotel or motel, adult motion-picture theater, adult mini-motion picture theater, adult massage parlor, adult health/sport club, adult sauna/steam room/bathhouse, adult companionship establishment, adult novelty business, adult modeling studio, sexual encounter center

and other premises, establishments, businesses, or places open to some or all members of the public in which there is an emphasis on the presentation or display, depiction or description of "specified anatomical areas" or "specified sexual activities" which the public could see. This definition does not apply to the practice of medicine, surgery, osteopathy, chiropractic, physical therapy, or podiatry by state-licensed or -registered persons. Activities defined as obscene by Michigan 1984 PA 343 are not lawful and are not included in the definitions of adult uses. See Section 25.4 C.2.b.

Sight Distance: The distance of unobstructed view for the driver of a vehicle, as measured along the normal travel path of a roadway to a specified height above the roadway.

Sign: Means a name, identification, image, description, display or illustration which is affixed to, printed, or represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to an object, product, event or attraction, person, institution, organization, or business and which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays or merchandise or objects and material placed behind a store window are not signs or parts of signs. **(See Ordinance No. 8-400, Sign Ordinance)**.

Site Plan: A plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this Ordinance.

Ski Resort: (See Resort).

Spot Zoning: Rezoning of a lot or parcel of land to benefit an owner, resulting in a use incompatible with surrounding land uses and which is inconsistent with local plans and policies.

State Licensed Residential Facility: A structure constructed for residential purposes that is licensed by the state pursuant to Act No. 287 of the Public Acts of 1972, as amended, which provides resident services for six (6) or less persons under 24-hour supervision or care for persons in need of that supervision or care.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use.

Street: A public thoroughfare, other than an alley, which affords the principal means of vehicular access to abutting property and which has been officially accepted as a public street or thoroughfare. A street includes the entire road right-of-way and any improvements constructed thereon.

In the case of a "site condominium," as defined and as regulated by this ordinance, the principal means of access to abutting "units of ownership" may be provided by a public street.

Structural Alterations: Means any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders, or any substantial change in the roof, or any additional floor space added to the building.

Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, including commercial advertising signs.

Structure Height: For all structures other than buildings, the vertical distance measured from the finished grade to the highest point of the structure. For buildings, see "Building, Height of" and illustrations on pages 3 and 4.

Subdivision: The division of a lot, tract, or parcel of land into one or more lots for the purpose of sale or development, and subject to the requirements of the Land Division Act, Public Act 288 of 1967, as amended, this Ordinance and the requirements of any adopted subdivision control or land division ordinance in the City of Ishpeming.

Swimming Pool: Any structure, container, or pool, portable or non-portable, having a depth of one foot or more at any point and designed or used for swimming, wading, or bathing.

Temporary Outdoor Activity: Events or happenings that are carried out primarily out-of-doors for a fixed period of time, not to exceed five consecutive days, and including but not limited to fireworks, displays, speeches, seasonal sales, swap and shop markets, racing meets, circuses, carnivals, concerts and parades. Tents or other temporary structures may be used, but permanent structures are not permitted.

Temporary Structure: A structure without any foundation or footings and that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Temporary Use: A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

Throat Length (of driveway): The distance between the road serving a site and the parcel's internal end of a driveway, or the distance between the road and the site's internal circulation drive or the site's parking lot. Driveway throat length is used to measure the vehicle stacking required to be available for exiting or entering a site. In general this distance shall be measured along the centerline of a driveway, or along a line parallel to the centerline of a driveway. At the roadway end of the driveway, the measurement shall be taken from either;

a. A point in the driveway where a driver exiting the site can first safely see to make a right-turn or a left-turn completing their exit,
b. A line parallel with the face of the curb, if present, or
c. A line parallel with the edge of the road's paved shoulder, if present.

Throat Width (of driveway): The distance edge-to-edge of a driveway measured at the right-of-way line.

Transitional Yard: A yard that must be provided on a lot where a more intensive land use is located adjacent to either an existing or planned use of a less intensive nature. Its intent is to act as a buffer zone, enabling adjacent uses to be developed so that they are compatible with one another.

Trip Generation: The estimated total number of vehicle trip ends produced by a specific land use or activity. A trip end is the total number of trips entering or leaving a specific land use or site over a designated period of time. Trip generation is estimated through the use of trip rates that are based upon the type and intensity of development.

Use, Change of: A modification or deviation from the original purpose, occupancy, utilization or classification of a building, structure or parcel or tract of land. The term is inclusive of (a) a discernible increase in the intensity of use, which by Ordinance imposes more restrictive parking requirements or

other more restrictive characteristics of use or (b) an alteration by change of use in a building heretofore existing to a new use group, as defined in the Michigan Building Code, which imposes other special provisions of law governing building construction, equipment or means of ingress/egress. (See Section 23.0 Non-conforming Uses and structures).

Use, Increase in the Intensity of: A discernible increase in the level or volume of activity generated by a change in use or an increase in floor area or an increase in land area configurations.

Use, Permitted: A use by right which is specifically authorized in a particular zoning district.

Use, Principal: The main use of land or structures as distinguished from a secondary or accessory use.

Variance: Is a modification of the literal provisions of the Zoning Ordinance granted by the Zoning Board of Appeals when in its judgment the strict enforcement of the Zoning Ordinance would cause undue practical difficulty owing to circumstances unique to the individual property on which the variance is granted. The crucial points of a variance are undue practical difficulties and unique circumstances.

Waterbody: Any body of water, including any creek, stream, canal, river, lake or bay, or any other body of water, natural or artificial, except a swimming pool or ornamental pool located on a single lot.

Wetland**:** Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life, and, that is commonly referred to as a bog, swamp, or marsh.

Wind Turbine: Any of the various machines used to produce electricity by converting kinetic energy of wind to rotational, mechanical, and electrical energy. Wind turbines consist of the turbine apparatus (motor, nacelle and tower) and any other buildings, support structures, or other related improvements for the generation of electrical power.

Wireless Communication Facility: Any combination of one or more antennas, accessory structures, and/or equipment together with a single tower. This may include, but shall not be limited to, radio and television broadcasting or relay towers, wireless or cellular telephone communication receivers and transmitters, telephone devices and exchanges, microwave relay facilities and towers, telephone transmission equipment buildings and public and private and commercial mobile radio service facilities. Not included in this definition are: citizen band radio facilities, short wave facilities, ham or amateur radio facilities, satellite dishes and government facilities which are subject to state or federal laws or regulations which preempt local regulatory authority.

Yard: Required open space, on the same lot as a main building, unoccupied and unobstructed from the ground upward.

Yard, Front: The minimum open space extending across the full width of the lot, the depth of which is the distance between the front lot line and the nearest point of the building.

Yard, Rear: The minimum open space extending across the full width of the lot, the depth of which is the distance between the rear lot line and the permissible location for the rear wall of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage, but there shall only be one rear yard.

Yard, Required: That portion of a front, side, or rear yard lying between the front, side or rear lot line and the corresponding front, side or rear minimum setback line. Within this typically open space, no structure is allowed except as may be provided in the zoning ordinance.

Yard, Side: The minimum open space between the main building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured from the nearest point of the side lot line to the nearest part of the main building.

Zone: Refer to district.

Zoning Administrator: The City of Ishpeming Zoning Administrator is responsible for the purposes of carrying out certain duties and responsibilities as defined in this Ordinance.

Zoning Board of Appeals**:** The body appointed to hear appeals by any aggrieved party by a decision or order of the Zoning Administrator, or where it is alleged that the literal enforcement of this Ordinance would involve practical difficulties.

Zoning Compliance Permit: A document signed by the zoning administrator, as required in the zoning ordinance, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, that acknowledges that such use, structure, or building complies with the provisions of this Ordinance or authorized variance.

Zoning Envelope: The three-dimensional space within which a structure is permitted to be built on a lot and that is defined by maximum height regulations, minimum yard setbacks and sky exposure plane regulations when applicable.

Zoning Variance: (See Variance).

RESERVED FOR FUTURE USE

RESERVED FOR FUTURE USE

4.0 SECTION 4.0: SEVERABILITY

This Ordinance and the various parts, sections, subsections, and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, subsection, section, or clause is adjudged unconstitutional or invalid as applied to a particular property, building, or other structure, it is hereby provided that the application of such portion of the Ordinance to other property, buildings, or structures shall not be affected thereby. Whenever any condition or limitation is included in an order authorizing a conditional use permit, planned unit development, variance, zoning compliance permit, site plan approval or designation of Class A non-conformance, it shall be conclusively presumed that the authorizing officer or body considered such condition or limitation necessary to carry out the spirit and purpose of this Ordinance or the requirement of some provision thereof, and to protect the public health, safety, and welfare, and that the officer or the body would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation was lawful.

5.0 SECTION 5.0: EFFECTIVE DATE AND REPEAL OF PRIOR ORDINANCE

This Ordinance shall take effect on April 24, 2019, said date being seven (7) days after a notice of adoption was published. The Zoning Ordinance adopted by the City Council on the 8th day of February, 1984, and all amendments thereto are hereby repealed as of the effective date of this Ordinance. The repeal of the above Ordinance does not affect or impair any act done, offense committed, or right occurring, accrued or acquired, or liability, penalty, forfeiture, or punishment incurred prior to the time enforced, prosecuted, or inflicted.

6.0 SECTION 6.0: RELATIONSHIP TO OTHER LAWS

Whenever regulations or restrictions imposed by this Ordinance are either more or less restrictive than regulations or restrictions imposed by any governmental authority through legislation, rule, or regulations, the regulations, restrictions, or rules which are most restrictive or which impose higher standards or requirements shall govern regardless of any other provisions of this Ordinance, no land shall be used and no structure erected or maintained in violation of any state or federal pollution control or environmental protection or regulation.

7.0 SECTION 7.0: AMENDMENT PROCEDURE

7.1 Authorization. Amendments to this Ordinance may be made as necessary, and shall be made in accordance with the procedures in this Ordinance and the Michigan Zoning Enabling Act of 2006, as amended.

7.2 Rezoning. For the purposes of this Section and other applicable Sections of this Ordinance, the term "rezoning" shall be considered an amendment to the Zoning District Map. The procedure for rezoning shall follow the procedure set forth in this section for Amendments and Rezonings.

7.3 Initiation of Amendments. Proposals for text amendments may be initiated by the City Council, Planning Commission, Zoning Administrator, or any person or persons. Proposals for a zoning district amendment (i.e. a rezoning) may be initiated by the City Council, Planning Commission, Zoning Administrator, or any person or persons having a property interest in the land sought to be rezoned.

7.4 General Procedure. The procedure for proposals is set forth in this subsection 7.4.

A. Each petition by one (1) or more owners or interested persons or their agents, to amend the text or map (rezoning) of this Ordinance shall be submitted upon an application of standard form to the Zoning Administrator. A fee as established by the City Council shall be paid at the time of application, except

those originated by the Planning Commission, City Council or Zoning Administrator. The Zoning Administrator shall set a time and date for a public hearing(s), publish a legal notice, furnish a mailed notice in accordance with statutory requirements, and transmit the application and other information to the Planning Commission for its consideration and recommendation after the scheduled public hearing.

B. The Planning Commission shall consider each proposed amendment in terms of the likely effect of such proposal upon the development plans for the community as set forth in the City Master Plan, as well as in terms of the merits of the individual proposal. The Planning Commission may recommend any additions or modifications to the amendment petition. Any person may appear or be represented by duly authorized agent or attorney. Following the legally required notice(s) and public hearing requirements of this section, the Planning Commission shall forward a recommendation on the proposed amendment along with a copy of the public hearing minutes to the City Council.

C. The Planning Commission or Zoning Administrator may refuse to schedule a hearing on a petition for an amendment or rezoning, which is the same as a petition considered in the previous six months.

D. Before making a recommendation on any proposed amendments to this Ordinance, the Planning Commission shall conduct a public hearing, with public notice being given by the Zoning Administrator as specified below, in subsections 7.4 E. Published Notice and 7.4 F. Mailed/Delivered Notices. Said notice shall contain the time, place, date and purpose of the hearing, the name of the applicant, a description of the property to be rezoned and the requested zoning change or, if a text change, an outline of the proposed amendment and where and when the text of the proposed amendment may be examined.

E. Published Notice. Notice shall be given by publication in a newspaper of general circulation in the City not less than fifteen (15) days before the date of the hearing.

F. Mailed/Delivered Notices. Mailed or delivered notice shall be made in accordance with the following:

1. To each railroad, electric, gas, pipeline, and telephone company that registers its name and mailing address with the City for the purpose of receiving such notice. Said notice shall be made at least fifteen (15) days in advance of the hearing.
2. To each owner of property as listed on the most recent tax roll of all real property located within three hundred (300') feet of the area proposed for a map amendment. An affidavit of the delivery shall be filed by the Zoning Administrator with the Planning Commission. Said notice shall be given not less than fifteen (15) days before the date the request will be considered.
3. To each manager or owner of all structures with multiple dwelling units within three hundred (300') feet of the area proposed for a map amendment. An affidavit of the delivery shall be filed by the Zoning Administrator with the Planning Commission. Said notice shall be given not less than fifteen (15) days before the date the request will be considered.
4. To the applicant and/or owner of the property in question.

G. Following the Planning Commission's public hearing, the proposed zoning amendment(s), including zoning map(s), shall be submitted by the Zoning Administrator to the City Council. Upon receipt of the Planning Commission's recommendation, the City Council shall review the Planning Commissions' recommendations.

1. The City Council may hold its own public hearing if it considers it necessary. The City Council shall also grant a hearing on the proposed amendment(s) to any interested property owner who has filed a written request for such a hearing with the City Clerk. Said request shall be delivered by certified mail. The Planning Commission may be requested to attend the hearing. Notice of the hearing shall be published in a newspaper of general circulation within the City. The notice shall be published not less than fifteen (15) days prior to the hearing.
2. If the City Council deems advisable any changes or additions to the amendment(s) recommended by the Planning Commission, it shall refer the changes or additions back to the Planning Commission for a report thereon within thirty (30) days. After receiving the report, the City Council shall grant a public hearing on the proposed amendment(s) as is specified in subsection 7.4 General Procedure, F. 1., above.

H. Following a public hearing or review of the Planning Commission's report, the City Council by majority vote of its membership may adopt or reject the proposed amendment(s) with or without changes. Any proposed added, significant element of regulation or proposed added land area to be changed in zoning classification, which did not proceed through the required public hearing process, shall be submitted through the required public hearing process before being considered for further action. A lessor portion (either regulations or land area) of a proposed amendment, which has received full public hearing consideration, may be considered for further action, including deletion without a new public hearing process.

I. If no effective date is specified, the amendment(s) will take effect seven (7) days after publication of the notice of adoption (Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, Section 401).

J. The amendment(s) shall be filed with the City Clerk and one (1) notice of adoption shall be published in a newspaper of general circulation within fifteen (15) days after adoption. The notice shall contain:

1. Either a summary of the regulatory effect of the amendment(s), including the geographic area affected, or the text of the amendment(s);
2. The effective date of the amendment(s); and
3. The time and place where a copy of the amendment(s) may be examined.

K. An amendment for the purpose of conforming a provision of the Zoning Ordinance to the decree of a court of competent jurisdiction as to any specific land may be adopted by the City Council and the notice of the adopted amendment published without a hearing or referring the amendments to any other board or agency provided for in this Ordinance.

8.0 SECTION 8.0: APPLICATION OF THIS ORDINANCE

No structure, or part thereof, shall be constructed, erected, placed, altered, or maintained, and no land use commenced or continued within the City of Ishpeming, except as specifically, or by necessary implication, authorized by this ordinance. Within each zoning district no structure or use of any structure or land shall be lawful except the Principal Uses and Conditional Uses provided for in this ordinance. Conditional Uses are allowed on permit granted by the City Planning Commission. Where a lot is devoted to a Principal Use, customary accessory uses and structures are authorized except as prohibited specifically or by necessary implication.

8.1 Similar Uses: Where not specifically permitted, either by right or conditionally, uses are thereby prohibited unless construed to be similar to an expressly permitted use. The Zoning Administrator shall determine if a use is similar to an expressly permitted use, and may consult the North American Industrial Classification System (NAICS) 2012, in making this determination. Any appeals of the Zoning Administrator's interpretation shall be to the Zoning Board of Appeals pursuant to the provisions of Section 30.3B, et seq., of this Zoning Ordinance.

9.0 SECTION 9.0: CLASSIFICATION OF DISTRICTS

To achieve the purpose set forth in the preamble, the incorporated City limits of Ishpeming, Marquette County, Michigan, is hereby divided into the following zoning districts as named and described in Sections 10.0 through 18.0 and Section 20.0:

a. Single Family Residential Districts, (SR)
b. General Residential Districts, (GR)
c. Multiple Residential District, (MR)
d. Neighborhood Commercial District (NC)
e. General Commercial Districts, (GC)
f. Central Business District (CBD)
g. Industrial District, (I)
h. Deferred Development District (DD)
i. Mining District, (MI)
j. Planned Unit Development (PUD)

9.1 Boundaries:

The boundaries of said districts are hereby established as shown on the Official Zoning Map, initially adopted by the City Council on June 7, 2017, subject to amendments.

9.2 Official Zoning Map:

A. The location of the areas included in each said district are depicted upon the Zoning Map of the City of Ishpeming, Marquette County, Michigan, which accompany this Ordinance, and which maps with all notations, references, and other information shown thereon, is incorporated herein, and is as much a part of the Ordinance as if fully described and set forth herein.
   1. The Official Zoning Map shall be identified by the signatures of the Mayor and City Clerk.
   2. The Official Zoning Map shall be kept in the office of the Zoning Administrator, whose responsibility it shall be to enter on the map all amendments adopted by the City Council.

B. Unless otherwise shown, the boundaries of said districts shall be interpreted as follows:
   1. Boundaries approximately following public, railroad, utility, or other rights-of-way, streams, rivers, or canals, shall be construed to follow the center lines of such features.
   2. Boundaries approximating platted lot lines, or the City limits, shall be construed as following these lines.

C. Projections from the shoreline into unzoned water areas shall be subject to the regulations of the zoning district of the land at the shoreline.

10.0 SECTION 10.0: (SR) SINGLE RESIDENTIAL DISTRICT

10.1 Intent: To establish and preserve quiet neighborhoods of detached single family dwellings with a low to medium density. This district shall be free from other uses except those which are both compatible with and convenient to the residents of the Single Residential District.

10.2 Permitted Principal Uses

A. Detached single-family dwelling unit. (See Section 19)
B. Customary accessory detached uses and structures. (See Section 19.1G)
C. State licensed residential facility as defined at M.C.L.A. §125.3102(t), except adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.
D. Foster facility home (1-4 children) and Foster group homes (5-6 children). (See definitions)
E. Family day care homes (1-6 children). (See definition)
F. Garage sales, yard sales, or similar types of sales, provided such sale shall take place for a period not to exceed seven (7) days per sale and no residence shall be permitted more than three (3) such sales per year.
G. Limited Animal Keeping (See Section 22.13).
H. Uses similar to the above uses as determined in accordance with Section 8.1.
I. Personal Garden
J. Demonstration Garden

10.3 Requirements for Principal Use: No more than one single-family dwelling unit may be located on a lot.

10.4 Conditional Uses: (Requires Planning Commission approval, (See Section 25.0).

A. Places of public assembly, education and instruction, including schools, religious institutions, service clubs, community centers, and membership organizations.
B. Group child care home (7-12 children). (See definition).
C. Instruction in a craft or fine art within the residence, subject to the conditions outlined in M.C.L.A. §125.3204.
D. Home occupations.
E. Recovery house. (See definition)
F. Small Wind Turbine (See Section 22.11).
G. Recreational facilities compatible with the intent of this district.
H. Bed and breakfast establishments (721191)
I. Customary accessory uses and structures.
J. Cemetery; Public utility substations (221121), See Section 25.3 D.

11.0 SECTION 11.0: (GR) GENERAL RESIDENTIAL DISTRICT

11.1 Intent: To establish and preserve medium density residential neighborhoods, free from other uses except those which are both compatible with and convenient to the residents of the district.

11.2 Permitted Principal Uses:

A. Detached single-family dwelling unit. (See Section 19)
B. Customary accessory detached uses and structures. (See Section 19.1.G)
C. State licensed residential facility as defined at M.C.L.A. §125.3102(t), except adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.
D. Foster facility home (1-4 children) and Foster group homes (5-6 children). (See definitions)
E. Family day care homes (1-6 children). (See definition)
F. Garage sales, yard sales, or similar types of sales, provided such sale shall take place for a period not to exceed seven (7) days per sale and no residence shall be permitted more than three (3) such sales per year.
G. Limited Animal Keeping (See Section 22.13).
H. Uses similar to the above uses as determined in accordance with Section 8.1.
I. Personal Garden
J. Demonstration Garden
K. Duplex dwelling unit (2-family unit).

11.3 Requirements for Principal Uses: No more than one main structure which contains one (1) single-family unit or one two (2)-family unit may be located on a lot.

11.4 Conditional Uses: (Requires Planning Commission approval, (See Section 25.0)

A. Places of public assembly, education and instruction, including schools, religious institutions, service clubs, community centers, libraries and membership organizations; parks and playgrounds.
B. Group child care home (7-12 children). (See definition)
C. Instruction in a craft or fine art in a single family residence, subject to the conditions outlined in M.C.L.A. §125.3204.
D. Home occupations.
E. Recovery house. (See definition)
F. Small Wind Turbine (See Section 22.11).
G. Off-premises parking for residential purposes, serving property within the General Residential District.
H. Bed and breakfast establishments (721191)
I. Customary accessory uses and structures.
J. Public utility substations (221121), See Section 25.3 D.
K. Multiple-family residential structures (Stacked Flats Dwelling) (Townhouse Dwelling).

12.0 SECTION 12.0: (MR) MULTIPLE RESIDENTIAL DISTRICT

12.1 Intent: To establish and preserve high density residential neighborhoods.

12.2 Permitted Principal Uses:

A. Detached single-family dwellings located on a platted lot prior to the adoption of this ordinance. (See Section 19).
B. Duplex Dwelling Unit (2-family unit).
C. Multiple-family residential structures (Stacked Flats Dwelling) (Townhouse Dwelling)
D. A State Licensed Residential Facility as defined at M.C.L.A. §125.3102(t), except adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.
E. Family (1-6 children) or Group (7-12 children) Day Care Home. (See definition).
F. Limited Animal Keeping (See Section 22.13).
G. Customary accessory detached uses and structures. (See Section 19.1G).

12.3 Conditional Uses: (Requires Planning Commission approval, (See Section 25.0)

A. Detached single-family units.
B. Child care center (see definition).
C. Boarding houses.
D. Places of public assembly, education, and instruction, including schools, religious institutions, service clubs, community centers, libraries and membership organizations.
E. Instruction in a craft or fine art in a single-family residence, subject to the conditions outlined in M.C.L.A. §125.3204.
F. Neighborhood grocery store (selling no alcoholic beverages).
G. Parks and playgrounds.
H. Home occupations.
I. Recovery house. (See definition)
J. Small Wind Turbine (See Section 22.11).
K. Bed and breakfast establishments (721191)
L. Public utility substations (221121), See Section 25.3 D.
M. Manufactured Housing Communities

13.0 SECTION 13.0: (NC) NEIGHBORHOOD COMMERCIAL DISTRICT

13.1 Intent: The Neighborhood Commercial District is intended to encompass businesses which cater to the retail and service needs of the surrounding neighborhood, but which do not require large areas of land. These districts are encouraged to develop in clusters with common parking areas. In NC, Neighborhood Commercial District the parenthetical number (00000) listed by each use is taken from the North American Industry Classification System (NAICS), 2012 published by the U.S. Office of Management and Budget and is intended to provide a general guide of uses intended under each heading. Refer to Appendix "A" for detailed NAICS information.

13.2 Permitted Principal Uses: (See Section 19.0 and also Section 21.0)

A. Retail business and service establishments catering primarily to the local market, i.e. Convenience Stores (44512), Hobby Toy & Game Stores (45112), Sewing, Needlework & Piece Goods Stores (45113), Florists (45311), Art Dealers (45392), Photographic services (54192), Independent Artists etc. (71151).
B. Detached Single Family dwelling unit and customary accessory detached uses and structures.
C. Foster facility home (1-4 children) and Foster group homes (5-6 children). (See definitions.)
D. Family day care homes (1-6 children). (See definition.)
E. A State Licensed Residential Facility as defined at M.C.L.A. §125.3102(t), except adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.
F. Personal Garden

13.3 Requirements for Principal Uses:

A. No more than one main structure may be located on a lot.
B. All establishments shall deal directly with retail consumers, retail business and service.
C. All goods produced on a premises shall be sold on the premises where produced.
D. All business, servicing, storage, or processing except for off-street parking or loading shall be conducted within a completely enclosed building.

13.4 Conditional Uses: (See Section 25.0)

A. Duplex dwelling unit (2 family).
B. Home occupations.
C. Gasoline stations (4471) and Gasoline Stations with Convenience Store (44711).
D. Child day care services (62441) (See definition Child Care Center).
E. Bed and breakfast establishments (721191).

14.0 SECTION 14.0: (GC) GENERAL COMMERCIAL DISTRICT

14.1 Intent: To establish and preserve a general commercial business district containing uses which include the retail sale or combination retail/wholesale of commodities catering to the local community and/or the need of highway tourist traffic. In GC, General Commercial District the parenthetical number (00000) listed by each use is taken from the North American Industry Classification System (NAICS), 2012 published by the U.S. Office of Management and Budget and is intended to provide a general guide of uses intended under each heading. Refer to Appendix "A" for detailed NAICS information.

14.2 Permitted Principal Uses: (See Section 19.0 and also Section 21.0). Wholesale trade (42), General commercial retail trade (44-45) as itemized below and personal care service establishments (8121).

A. All wholesale trade establishments (42) except (423930).

B. Motor vehicle and parts dealers (441), Furniture and home furnishings (442), Electronics and appliance (443), Building material and garden equipment/supplies (444), Food and beverage stores (445), Health and personal care (446), Clothing and clothing accessories (448).

C. Sporting goods, hobby, musical instrument and book stores (451), General merchandise (452), Miscellaneous store retailers (453), Nonstore retailers (454) except Fuel dealers.

D. Package delivery service retail stores (couriers: UPS, FedEx, etc.)(492110) that serve persons living in adjacent residential areas.

E. Other information services (5191), Depository credit intermediation (5221), i.e. Commercial Banks, Savings Institutions, and Credit Unions.

F. Professional, Scientific, and Technical Services (541).

G. Ambulatory Health Care Services (621).

H. Independent artists, writers and performers (71151).

I. Health spas, fitness and recreational sports centers (71394) without overnight accommodations, Bowling centers (71395).

J. Motels and hotels (72111), Restaurants and other eating places (7225).

K. Repair and Maintenance (811) except Commercial and Industrial Machinery and Equipment (8113), Personal care services (8121).

L. Civic and Social Organizations (8134).

M. Governmental offices (9211, 9221 except 922140 & 922150; and 92216, 9231, 9241, 9251, 9261).

N. Demonstration Garden

14.3 Conditional Uses: (Requires Planning Commission approval, See Section 25.0)

A. Owner or rental residential units.

B. Public utility substations (221121), See Section 25.3 D.

C. Gas (vehicle service) stations (447).

D. Libraries and archives (51912), Mini-warehouses and Self-storage Units (53113), General medical and surgical hospitals (6221), Child day care services (62441) (See definition Child Care Center).

E. Drinking Places (Alcoholic Beverages) i.e. pubs, taverns, bars, including brew pubs (72241).

F. Commercial and Industrial machinery and equipment repair and maintenance (81131) and religious institutions (8131).

G. Marijuana retailer/Marijuana provisioning center. See Section 25.5

H. Community Garden

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15.0 SECTION 15.0: (CBD) CENTRAL BUSINESS DISTRICT

15.1 Intent: To establish and provide flexible regulations that apply to businesses serving a local or regional market and located in the core area of the City, where intensive commercial development occurs. A pedestrian orientation and a pedestrian connectedness will be encouraged. In the CBD, Central Business District the parenthetical number (00000) listed by each use is taken from the North American Industrial Classification System (NAICS), 2012 published by the US. Office of Management and Budget and is intended to provide a general guide of uses intended under each heading. Refer to Appendix "A" for detailed NAICS information.

15.2 Permitted Principal Uses: (See Section 19.0 and also Section 21.0)

A. Retail, office and service functions conducted within completely enclosed buildings.
B. Owner or Rental residentially occupied units located above the first floor.
C. Motor vehicle and parts dealers (441), Furniture and home furnishings (442), Electronics and appliance (443), Building material and garden equipment/supplies (444), Food and beverage stores (445), Health and personal care (446), Clothing and clothing accessories (448).
D. Sporting goods, hobby, musical instrument and book stores (451), General merchandise (452), Miscellaneous store retailers (453), Vending Machine Operators (454210).
E. Post office (49111) which among other things provides for direct customer services, not including rural route distribution centers or regional collection, sorting, and distribution.
F. Other information services (5191), Depository credit intermediation (5221), i.e. Commercial Banks, Savings Institutions, Credit Unions.
G. Professional, Scientific, and Technical Services (541).
H. Educational services (611), including (61151) provided no vehicles or heavy machinery are used on site, except 6111, 6112, & 6113.
I. Ambulatory Health Care Services (621), Social Assistance (624).
J. Performing Arts Companies (7111), Independent artists, writers and performers (71151) Museums, Historical Sites (712).
K. Restaurants and Other Eating Places (7225).
   Outside seating, assembly, and activity areas for restaurants and other eating places may be permitted by the Zoning Administrator. Such outside areas shall be designed as part of the building mass to which they are accessory in the sense that they shall be enclosed by masonry walls and/or decorative fencing elements extended from the main building, or shall otherwise be physically delineated and limited in a manner acceptable to the Zoning Administrator; subject further to the following conditions:
   1. Setbacks for such outside areas shall be not less than those required for conventional buildings within the district.
   2. Outside areas provide for adequate emergency egress by patrons, and shall not occupy required sidewalk areas nor impair emergency vehicle access.
L. Personal Care Services (8121).
M. Civic and Social Organizations (813410), including community service clubs, fraternal organizations, and lodge halls.
N. Governmental offices (9211, 9221, except 922140, 922150, 92216, 9231, 9241, 9251, 9261).
O. Outdoor entertainment and community events.
P. Temporary outdoor sales and display of merchandise in conjunction with City of Ishpeming approved events.
Q. Personal Garden

15.3 Parking for Principal Uses:

A. On-street and off-street parking for Principal Uses is available in this zoning district. Accordingly, parking requirements for Principal Uses in this district are eliminated with the exception of Owner or Rental residentially occupied units which must have One (1) off-street parking space per unit. Conditional Uses, except for establishments selling alcoholic beverages for consumption on the premises, must meet parking requirements.

15.4 Conditional Uses: (Requires Planning Commission approval, see Section 25.0)

A. Used automobile and truck sales (441120), Taxi and Limousine service (4853).
B. Veterinary services (54194).
C. Community housing services with overnight accommodations (62422) including temporary shelters (624221), Child day care services (62441) (See definition Child Day Care Center).
D. Fitness and Recreational Sports Centers (71394), and Hotels and motels (72111),.
E. Drinking Places (Alcoholic Beverages) i.e. pubs, taverns, bars, including brew pubs (72241).
F. Religious institutions (8131)
G. Public utility substations (221121), See Section 25.3 D.
H. Marijuana retailer/Marijuana provisioning center. See Section 25.5
I. Owner or rental residentially occupied units located on the First Floor which must have One (1) Off Street Parking Space Per Unit.

15.5 Façade Standards for New Construction or Redevelopment

Background: Because the CBD is a unique historic place with great intrinsic value and many one-of-a-kind historic buildings, it is important that new buildings or redevelopment of existing buildings be done in a manner that is consistent with the best character of the CBD. In addition to existing adopted commercial building codes, to preserve the unique character of the downtown and to prevent devaluation of the existing stock of historical buildings, the City of Ishpeming establishes the following requirements for new buildings or redeveloped existing buildings:

A. Exterior finishes will be constructed to provide an appearance similar to existing historical buildings. Specifically, exterior finishes will be constructed in high quality building materials such as stone, brick, natural wood, and synthetic products that closely resemble these materials but are lower in maintenance cost and have longer durability. The use of composite-wood siding must be approved by a Conditional Use Public Hearing (Requires Planning Commission approval, see Section 25.0). Sheet-metal siding, or ordinary vinyl siding is expressly prohibited.

B. Windows should be modernized with high energy efficiency thermal pane windows, but these windows shall be made in a manner that closely matches the original architectural design of existing buildings. For example, a four-pane window should be replaced with a four-pane window. If the window has an arched glass pane, the replacement window should also maintain that design, or at a minimum, the window pane may be squared within the arched silhouette of the window frame.

C. Side lot-line-to-lot-line construction is required between existing buildings. There should be no new spaces (gaps) between adjacent buildings. Construction techniques must be used to avoid gaps between buildings which become harborage for weeds, trash, pests, and misconduct.

D. The front lot line must be built to the edge of the public right-of-way. This practice provides for a uniform façade line along the sidewalk. Entryways should be rebuilt to provide ADA accessibility whenever possible.

E. All front facades shall be a minimum of two stories. The building may be a single story; however, the front façade must maintain the appearance of a two-story structure. This is necessary to provide for the "sense of space" that currently exists in the many parts of the historic CBD.

F. Architectural details shall be used to make the buildings have character and interest. Extremely plain or ornate designs should be avoided. Use of canvas awnings is encouraged. Use of wood-framed overhangs is prohibited.

G. Projecting signage is encouraged. Pole signs are prohibited.

16.0 SECTION 16.0: (I) INDUSTRIAL DISTRICT

16.1 Intent: To establish and preserve a zone for industrial and related uses to serve the general industrial needs of the community provided that the industry will be isolated from other types of land uses and will not cause undesirable emissions and/or offensive odors. In the (I) Industrial District the parenthetical number (00000) listed by each use is taken from the North American Industry Classification System (NAICS) 2012 published by the U.S. Office of Management and Budget and is intended to provide a general guide of uses intended under each heading. Refer to Appendix "A" for detailed NAICS information.

16.2 Permitted Principal Uses (includes similar unspecified uses (See Section 8.1): (See Section 19.0)

A. Logging (113310) and Specialized Freight Trucking (484220), Municipal uses such as water treatment plants (22131) and reservoirs, sewage treatment plants (22132), and all other municipal buildings and uses, including outdoor storage. Regulated Utility (Electric, Gas, Telecommunication, etc.) support facilities, including outdoor storage.
B. Construction of Buildings (236), Heavy and Civil Engineering Construction (237) and Specialty Trade Contractors (238), including storage facilities for vehicles, equipment, building materials, sand, gravel, stone, and lumber provided such items are enclosed within a building or within an obscuring wall or fence on those sides abutting all residential districts, and on any yard abutting a public thoroughfare.
C. Breweries (31212), wineries (31213) and distilleries (31214).
D. Wood Product Manufacturing (321), Printing and related support activities (323) and publishing industries (511) including newspaper, periodical, book, database and directory, and other publishing.
E. Cement and Concrete Product Manufacturing (3273) and Machine Shops (3327).
F. Rail transportation (482) including railroad transfer and storage tracks; and freight terminals.
G. Trucking facilities (484), Courier's service with office, package handling facilities, truck and other vehicle docks and receiving and shipping facilities (e.g. UPS, FedEx, etc.) (492110).
H. Interurban and Rural Bus Transportation and maintenance facilities (4852), School and Employee Bus Transportation and maintenance facilities (4854), Charter Bus Industry Facilities (4855).
I. Warehousing and Storage (493) and Lessors of Mini-warehouses and Self-storage Units (531130).
J. Accounting, Tax Preparation, Bookkeeping, and Payroll Services (5412), any use charged with the principal function of basic research, design, and pilot or experimental product development when conducted within a completely enclosed building, i.e. Scientific research and development services (5417) and test laboratories (541380)).
K. Veterinary services (54194) and Pet care [except veterinary services] (81291).
L. Offices of other Health Practitioners (6213).
M. Auto repair and maintenance (8111).
N. Accessory buildings and uses customarily incidental to any of the permitted uses listed in this section.
O. Demonstration Garden

16.3 Requirements for Principal Uses:

A. Uses other than for storage within this district shall be conducted within a completely enclosed building.
B. Exterior storage in the (I) Industrial District must occur inside of a fence, which meets the requirements of the City of Ishpeming Fence Ordinance No. 8-600.

16.4 Conditional Uses: (Requires Planning Commission approval, See Section 25.0)

A. Bulk storage of raw materials.
B. Industrial uses that are conducted outside of an enclosed facility.
C. Public utility substations (221122), See Section 25.3 D.
D. Glass and glass product manufacturing (3272), coating, engraving, heat treating, and allied activities (3328), other fabricated metal product manufacturing (3329).
E. Furniture and related product manufacturing (337).
F. Communication tower construction (237130) (see Section 25.4 C.2.a.).
G. Commercial and industrial machinery and equipment rental and leasing (5324).
H. Solid waste management services including; waste collection facilities (562111), material recovery facilities (562920), and septic tank and related services (562991).
I. Commercial composting facilities (325311) (562219), provided that the location, design, and operation of such facilities comply with all application conditions and regulations.
J. Child day care services (62441) (See definition Child Care Center).
K. Recyclable Material Merchant Wholesalers [Junkyard] (423930) subject to the following:
    a. All abutting or adjacent property shall be zoned (I) Industrial District, and in no instance shall the junkyard be closer than 400 feet to any residential district (SR, GR, or MR) or closer than 200 feet to any road, street, or public right-of-way.
    b. The junkyard shall be entirely enclosed within a building or entirely enclosed within an eight-foot high decorative obscuring wall of sufficient strength to serve as a retaining wall.
    c. The junkyard shall have access only to a paved major thoroughfare of not less than 66 feet of right-of-way width.
    d. There shall be no outdoor stacking of material above the height of the wall, except that movable equipment used on the site may exceed the wall height.
L. Religious Institutions (8131).
M. Power and Communication Line and Related Structures Construction (237130) [Utility grid wind energy system] See Section 25.
N. Sexually Oriented Business (SOBS) [See Definitions Section 3.0 and Conditional Use Permit Section 25.4 C.2.b].
O. Community Garden

16.5 Requirements for Conditional Uses:

A. Exterior storage in the (I) (Industrial District) must occur inside of a fence, which meets the requirements of the City of Ishpeming Fence Ordinance No. 8-600.

17.0 SECTION 17.0: (CR) CONSERVATION/ RECREATION DISTRICT

17.1 Intent: The intent of the CR district is to preserve the character of the land in the City which have outstanding scenic and/or recreational qualities by restricting development not suited to this goal; to prevent development of land which has great ecological value or where there are natural hazards to development; and to control the construction of structures nearing hills and trail systems used for recreation. One of the purposes of the CR district is to have an appropriate zoning district for the conservation of open spaces, water supply sources, woodland areas, wildlife, and other natural resources. This district may include extensively steeply sloped areas, stream valleys, water supply sources and wooded areas adjacent thereto.

17.2 Principal Uses: (See Section 19.0)

A. Forest, woodland, natural, wetland, and wildlife preserves and areas.
B. Forestry management. Restricted to selective cutting only.
C. Nature parks and other similar institutions (71219).
D. Personal garden.
E. Public and outdoor recreation areas.
F. Public building/pavilion.
G. Riding academies.
H. Riding trails.

17.3 Conditional Uses: (Requires Planning Commission approval, See Section 25.0)

A. Accessory building(s).
B. Campgrounds (7212).
C. Community garden.
D. Demonstration garden.
E. Docks, piers or water access structures for recreational purposes.
F. Cemetery.
G. Flood control or watershed protections works.
H. Mineral extraction.
I. Non-Industrial agriculture.
J. Public utility workstations (221121), See Section 25.3 D.
K. Shooting ranges, gun clubs, archery ranges.
L. Single family dwelling unit.
M. Skiing facilities (713920).
N. Solar electric power generation (221114).
O. Telecommunications towers.
P. Wind electric power generation (221115).

17.4 Exclusions

A. Uses in this district to not include:
   a. Fish and/or game hatcheries.
   b. Golf courses and country clubs (71391).

c. Industrial agriculture (111).

d. Water supply works.

18.0 SECTION 18.0. (MI) MINING DISTRICT

18.1 Intent: To establish and preserve tracts of mineral lands within the City which have a potential for development into mining projects. It is also the intent to:

A. Provide for proper environmental management during the planning, operational and reclamation states of the mining/beneficiation process and other permitted land uses.

B. Permit freedom of action during the exploration phase necessary to the definition of an economic ore deposit.

C. Provide freedom of access for essential repair of safety fencing and other items installed to protect the populace against the dangers associated with old and abandoned mine workings and other permitted land uses.

In the MI (Mining District) the parenthetical number (00000) listed by each use is taken from the North American Industry Classification System (NAICS) 2012 published by the U.S. Office of Management and Budget and is intended to provide a general guide of uses intended under each heading. Refer to Appendix "A" for detailed NAICS information.

18.2 Permitted Principal Uses:

A. Mining beneficiation i.e. Iron Ore Mining (21221).

B. Timber Tract Operations (1131) and Logging (1133). Restricted to selective cutting only.

C. Agriculture. This includes production of plants and animals for sale or personal use.

D. Customary and accessory detached uses and structures.

18.3 Requirements for Principal Uses:

A. An Environmental Impact Assessment or other document may be submitted for mining beneficiation in place of a site plan (See Section 28.0), but only if it contains or is supplemented with the following required information:

1. The proposed location, areal extent, estimated depth of excavation, and an estimate of the duration and starting date of the project.

2. The proposed location of waste dumps, tailing ponds, sediment basins, stockpiles, and other permanent or temporary facilities used in mining beneficiation.

3. Certification that noise, vibration, and dust levels at adjoining zoning district boundaries will be within levels that do not create harm, nuisance or irreversible environmental damage.

B. Timber production is limited to the selective cutting required for good management, except that more extensive cutting (to include "clear cutting") will be allowed on any lands receiving a zoning permit for mining immediately prior to such mining.

C. The use of gates or other measures to minimize public vehicular travel on roads used for repairing fences is encouraged.

18.4 Conditional Uses: (Requires Planning Commission approval, See Section 25.0)

A. Mineral exploration and mining operations, i.e. Stone Mining and Quarrying (21231), Construction Sand and Gravel Mining (212321).

1. Conformance to the Michigan Zoning Enabling Act, PA 110 of 2006, as amended: the City shall not prevent the extraction, by mining, of valuable natural resources from any property unless **very serious consequences** would result from the extraction of those natural resources.

a. Natural resources shall be considered valuable if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit.

b. In determining whether very serious consequences would result from the extraction, by mining, of natural resources, the standards set forth in Silva v Ada Township, 416 Mich. 153 (1982), shall be applied and all of the following factors may be considered, if applicable:

(1.) The relationship of extraction and associated activities with existing land uses.
(2.) The impact on existing land uses in the vicinity of the property.
(3.) The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence.
(4.) The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.
(5.) The impact on other identifiable health, safety, and welfare interests in the local unit of government.
(6.) The overall public interest in the extraction of the specific natural resources on the property.

2. The Planning Commission may regulate hours of operation, blasting hours, noise levels, dust control measures, and traffic, not preempted by Part 632 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.63201 to 324.63223. However, such regulation shall be reasonable in accommodating customary mining operations.

B. Recreational activities compatible with the intent of the lease for the land.

C. Public utility substations (221121), See Section 25.3D.

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SECTION 19.0: SCHEDULE OF GENERAL REGULATIONS

A. SIZE, HEIGHT & PLACEMENT REGULATIONS

(*See Section 19.1 for Footnotes*)

	Minimum	Minimum	Minimum Yard Required			Maximum
DISTRICTS	**Lot Size**	**Lot Width**	**Front**	**Side**	**Rear**	**Height** (F)
SR: Single Family Residential *(Footnotes* A, B, C, D, G, H, & I *)*	7,500 sq. ft.	75 ft.	25 ft.	10 ft.	30 ft.	35 ft.
GR: General Residential *(Footnotes* A, B, C, D, G, H, & I *)*	6,000 sq. ft.	75 ft.	20 ft.	6 & 8 ft.	25 ft.	35 ft.
MR: Multiple Residential *(Footnotes* A, B, C, D, G, H, I, & J)	15,000 sq. ft.	100 ft.	30 ft.	15 ft.	20 ft.	48 ft.
NC: Neighborhood Commercial *(Footnotes* B, D,G,H, I & J*)*	- - -	- - -	20 ft.	6 & 8 ft.	25 ft.	35 ft.
CBD: Central Business District *(Footnotes B,* E, I & J*)*	_ _ _ _ _	_ _ _ _ _	_ _ _	_ _ _ _	10 ft.	48 ft./4 stories
GC: General Commercial *(Foot.* A, B, D, H, I, & J)	- - -	- - -	20 ft.	10 ft.	10 ft.	48 ft./4 stories
I: Industrial *(Footnotes* D, H, I & J*)*	- - -	- - -	30 ft.	15 ft.	15 ft.	40 ft.
CR: Conservation/ Recreation *(Footnotes* D, H, & I*)*	- - -	100 ft.	50 ft.	50 ft.	50 ft.	35 ft.
MI: Mining District *(Footnote* I*)*	- - -	- - -	- - -	- - -	- - -	- - -

B. SCOPE OF REGULATIONS TO LIMIT HEIGHTS, BULK, DENSITY, AREA AND PLACEMENT BY DISTRICT.

1. Except as otherwise specifically provided in this ordinance, no building or structure or part thereof shall hereafter be erected, constructed, altered or maintained, and no new use or change in use shall be made or maintained of any building, structure or land, in part, thereof, except in conformity with the provisions of this ordinance.

SECTION 19.1: FOOTNOTES TO THE SCHEDULE OF GENERAL REGULATIONS (A thru J)

A. Where a side yard abuts a street, and where there is a common rear yard, the minimum side yard requirement shall be:

- 25 feet for SR/Single Residential
- 25 feet for GR/General Residential
- 30 feet for MR/Multiple Residential
- 20 feet for GC/General Commercial

In the case of a rear yard abutting the side yard of an adjacent lot, the side yard abutting the street shall not be less than the required front yard of that district.

Lots which are fifty (50') feet or less in width and platted prior to enactment of this Ordinance shall be required to comply with Sections 19.0 and 19.1 to the greatest extent possible.

B. Prior Platted Lots. For lots platted prior to the adoption of this ordinance, the requirements shall be:

1. Platted lots with a frontage of up to fifty (50') feet and a lot depth of up to seventy-five (75') feet, the minimum front yard shall be determined by taking the average front setback of the nearest adjoining permitted principal structures. The minimum side yard setback shall be equal to the pre-existing setback of principal permitted structures and in no circumstances shall be less than three (3') feet. The minimum rear yard setback shall be twenty (20') feet.
2. For lots platted prior to the adoption of this ordinance the requirements for side-by-side duplexes shall be a minimum lot area of 7,500 square feet with a minimum frontage of seventy-five (75') feet and a minimum lot depth of one-hundred (100') feet. Stacked/up-and-down or conversion duplex use shall be required to comply with Sections 19.0 and 19.1 to the greatest extent possible.

C. Lot Depth. The depth of any lot in the Single Residential, General Residential, and Multiple Residential Districts (SR, GR and MR) shall not exceed three (3) times the width of the lot.

D. Transition Yards.

1. To provide suitable transition yards for the purpose of reducing the impact of the conflicts between incompatible land uses abutting non-residential district boundaries, boundary transitional yards are required.
2. No structure, building, or part thereof located in any (GC) and (I) Districts abutting the district boundaries and land uses of (SR)(GR)(MR)(DD) shall hereafter be erected, constructed, altered or maintained closer to the district boundary line than specified in the following table:

BOUNDARY TRANSITIONAL YARD REQUIREMETS				
District in Which Trans. Yd. is Required	Abutting District			
	SR	GR	MR	DD
- NC/Neighborhood Commercial	30 ft.	30 ft.	30 ft.	30 ft.
- GC/General Commercial	30 ft.	30 ft.	30 ft.	30 ft.
- I/Industrial	50 ft.	50 ft.	50 ft.	50 ft.

3. Exceptions.

a. Where the district boundary is the centerline of a right-of-way, the transitional yard requirements shall be measured from the lot line.

b. In all cases where transitional yards are not indicated, the required yard is the same as the minimum yard requirements in Section 19.0.A.

c. See Section 20.16 for PUD transitional yard requirements.

E. The side yard requirements for the CBD District are eliminated and require that the side walls are of fireproof construction. The rear yard requirements of the CBD may be eliminated if the zoning of the adjacent property is also the CBD District.

F. The Planning Commission may permit conditional uses of greater height than the maximum allowed in the Schedule of General Regulations, provided that Section 25.3.C. is enforced.

G. Accessory buildings in the Single, General, Multiple Residential (SR, GR, MR) and Neighborhood Commercial (NC) Districts shall be subject to the following regulations:

1. Where the accessory building is structurally attached to a main building, it shall be subject to, and conform to, all yard requirements (area, setback, etc.) applicable to the main building.

2. In no instance shall more than two (2) accessory buildings be located on a lot.

3. An accessory building shall only be erected in the rear yard, except for a private garage which may be erected in the side yard.

4. No accessory building(s) may occupy more than thirty (30%) per cent of a required rear yard plus twenty-five (25%) per cent of any non-required rear yard. Further provided, that in no instance shall the ground floor area of the accessory building(s) exceed the ground floor area of the main building.

5. No detached accessory building(s) shall be located closer than five (5') feet to any main building. No accessory building shall be located within three (3') feet of any side or rear lot line, except corner lots where the minimum side yard setback is equal to the setbacks described in Section 19.1.A.

6. No detached accessory building shall exceed fifteen (15') feet in height, except a private garage which in no case shall exceed eighteen (18') feet in height.

H. Fabric or membrane storage structures as defined in this ordinance may be permitted on any residentially utilized lot as an accessory structure, subject to the following (below) requirements for approval. Said structures shall also abide by the requirements of Subsection 19.1 G. (above).

1. A zoning permit is required to allow the erection of a fabric storage structure.

2. The maximum size of a fabric storage structure is one-hundred ninety- six (196) square feet.

3. One fabric storage structure per zoning lot is permitted.

4. A fabric storage structure shall comply with setback requirements for accessory structures.

5. The fabric structure shall be sufficiently anchored to withstand overturning, uplifting or sliding from a 50 mile per hour wind.

6. The fabric structure shall designed and installed in compliance with the Michigan 2009 Residential Code, as amended or the Michigan 2012 Building Code, as amended.

7. The fabric structure shall be properly maintained, and if in poor condition, shall be removed by order of the Zoning Administrator.

I. Tall structure setbacks; in no case shall the height of flag poles, public monuments, church spires, or reception towers exceed the horizontal distance from the placement of such structure to the property line.

J. A Knox Box is required for all new or existing uses in the following zoning districts which require the issuance of a Zoning Compliance Permit for construction. The location, type, and size of the Knox Box must be approved by the City of Ishpeming Fire Chief.

1. Multiple-family Residential (MR) structures (more than 2-family units);
2. Neighborhood Commercial (NC) businesses;
3. General Commercial (GC) businesses and structures;
4. Central Business District Businesses; or
5. Industrial District Businesses or structures;

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20.0 SECTION 20.0: PLANNED UNIT DEVELOPMENT (PUD)

20.1 Intent: To permit more flexibility and consequently encourage a greater imaginative and creative use and design of structures and land than is allowable under the other districts of this ordinance, where such modifications will not be contrary to the intent of this ordinance or significantly inconsistent with the Master Plan upon which it is based. It is further intended to promote more efficient and economical use of the land, while providing a harmonious variety of housing choices, a higher level of urban amenities, the preservation of natural scenic qualities of open space and to give the developer reasonable assurances of ultimate approval before expending complete design monies while providing City officials with assurances that the project will retain the character envisioned at the time of project approval.

20.2 Regulations Establishing Permitted Uses:

A. Permitted uses are restricted to the following standards:

1. Residential Uses. Dwelling units in detached, semi-detached, attached, or multiple family dwellings or any combination thereof complying with the standards set forth in Section 22.5, Schedule of General Regulations, along with customary accessory detached uses and structures, are permitted in a PUD.

2. Non-Residential Development Combined with PUD Residential: Commercial uses, limited to those set forth in the Neighborhood Commercial (NC) Districts of the Ishpeming Zoning Ordinance and specifically approved by the Planning Commission are permitted in the PUD, provided that such uses are designed to serve primarily the residents of the PUD and are compatible and harmoniously incorporated into the unitary design of the PUD. Commercial floor space in a PUD shall be limited to three (3%) per cent of the total gross acreage of the tract.

3. Other non-residential uses. Non-residential uses of a religious, cultural, or recreational character are permitted in a PUD, provided that such uses are designed to serve primarily the residents of the PUD and are compatibly and harmoniously incorporated into the unitary design of the PUD.

4. Development not associated with residential uses. A PUD may exclude residential development and allow other uses if the applicant can demonstrate that the proposed PUD is of such a scale, and is sufficiently well designed to accomplish the intent of this ordinance with respect to adjoining land uses both existing and anticipated.

5. Permitted uses shall be in conformance with a specific and precise final development plan pursuant to the procedural and regulatory provisions hereinafter set forth.

20.3 Parcel Size: The provisions of this district may be applied, upon application of the owner, to any parcel two (2) acres in size, or greater.

20.4 Lot and Yard Regulations:

A. Minimum requirements set forth by the original district in which the proposed PUD is located shall act as general guidelines for the lot and yard regulations. Consideration shall be given to lot and yard regulations in the following manner:

1. Front yard - Where the applicant provides privacy by reducing traffic flow through street layout such as cul-de-sacs, or by screening or planting, or by facing the structure toward open space or a pedestrian way, or through the room layout of front elevation, it is possible to reduce the front yard requirements. At a minimum, all buildings and structures shall be set back fifty (50') feet from the centerline or twenty-five (25') feet from the property line (whichever is greater) from any street within the PUD.

2. Lot width and side yard - Where the design is such that light, air, and privacy can be provided, especially for living spaces and bedrooms, a narrower lot width and side yard regulations may be permitted.

3. Rear yard - Except where it can be demonstrated to the Planning Commission that a lesser rear yard requirement is justified, the rear yard shall be equal to or greater than the rear yard requirement of the original district.

4. Building spacing - Building spacing may be reduced when adequate privacy, light, and air is provided to each unit. At a minimum, spacing between the sides of buildings shall be at least fifteen (15') feet.

20.5 Open Space Requirements (See Section 22.1 Landscaping Requirements):

A. Required open space shall comprise at least forty (40%) per cent of the total gross area.

B. Open space shall be devoted to flower, shrub, and tree planting, patios, walkways, lawns, and recreational areas.

C. At least twenty (20%) per cent of the total area devoted to open space shall be used for environmental amenity and the collective enjoyment by occupants of the development.

D. Recreation facilities or structures and their accessory uses located in common recreation areas shall be considered open spaces as long as total impervious surface (paving, roofs, etc.) constitute no more than twenty-five (25%) per cent of the total open space.

20.6 Insuring Open Space Integrity: Title to all land shown on the final development plan as common open space must be conveyed under one of the following options:

A. It may be conveyed to a public agency which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it.

B. It may be conveyed to trustees provided in an indenture establishing an association or similar organization for the maintenance of the planned development. The common open space must be conveyed to the trustees subject to covenants to be approved by the Planning Commission which restricts the common open space to the uses specified on the final development plan, and which provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purposes.

20.7 Open Space Restriction: No common open space may be put to any use not specified in the Final Development Plan unless the Final Development Plan has been amended to permit that use under amendment procedures of this ordinance. However, no authorized change of use may be considered as a waiver of any of the covenants limiting the use of common open space areas.

20.8 Open Space Enforcement: If the common open space is not conveyed to a public agency, either one of the following methods of enforcement shall be provided:

A. The legal right to develop the common open space for the uses not specified in the Final Development Plan must be conveyed to appropriate public agencies.

B. The restrictions governing the use, improvement, and maintenance of the common open space must be stated as conditions to the conveyance of the common open space, the fee title to the common open space is to vest in a public agency in the event of a substantial default in the stated conditions.

20.9 Private Covenants Enforcement: If the common open space is not conveyed to a public agency, the covenants governing the use, improvement, and maintenance of the common open space may authorize a public agency to enforce their provisions.

20.10 Homeowners' Association: If the Common Open Space is deeded to a Homeowners' Association, the applicant shall file a declaration of covenants and restrictions that will govern the association, to be submitted with the application for the pre-application conference. The provisions shall include, but not be limited to, the following:

A. The Homeowners' Association must be established before the units are sold.

B. Membership must be mandatory for each home buyer and any successive buyer.

C. The open space restrictions must be permanent, not just for a period of years.

D. The Association must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.

E. Homeowners must pay their pro rata share of the cost; the assessment levied by the association can become a lien on the property.

F. The Association must be able to adjust the assessment to meet changed needs.

20.11 Failure to Maintain Open Space:

A. In the event that the organization to own and maintain common open space, or any successor organization, shall at any time after establishment of the planned unit development fail to maintain the common open space in reasonable order and condition in accordance with the plan, the Planning Commission may serve written notice upon such organization or upon the residents of the planned unit development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be remedied within thirty (30) days thereof, and shall state the date and place of a hearing thereon, which shall be held within fourteen (14) days of the notice. At such a hearing the Planning Commission may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be remedied. If the deficiencies set forth in the original notice or in the modifications thereof shall not be remedied within said thirty (30) days or any extension thereof, the City, in order to preserve the taxable values of the properties within the planned unit development and to prevent the common open space from becoming a public nuisance, may enter upon said common open space and maintain the same for a period of one (1) year. Said entry and maintenance shall not vest in the public any right to use the common open space except when the same is voluntarily dedicated to the public by the owners. Before the expiration of the organization theretofore responsible for the maintenance of the common open space, a public hearing shall be scheduled upon notice to such organization or to the residents of the planned unit development, to be held by the Planning Commission, at which hearing such organization or the residents of the planned unit development shall show cause why such maintenance by the City shall not, at the election of the Planning Commission, continue for a succeeding year. If the Planning Commission shall determine that such organization is not ready or willing or able to maintain the common open space in a good, clean, and safe condition, the City Council, in its discretion, may continue to maintain said space, subject to a similar hearing and determination in the next succeeding year thereafter.

B. The cost of such maintenance by the City shall be assessed pro rata against the properties within the planned unit development that have a right of enjoyment of the common open space and shall become a tax lien on said properties. The City, at the time of entering upon said common open space for the purposes of maintenance, shall file a notice of such lien in the office of the County Register of Deeds upon the properties affected by such lien within the planned unit development.

20.12 Environmental Standards:

A. Environmental design criteria in PUD District shall include the following:

1. the preservation of trees, groves, waterways, scenic points, historic spots, and other community assets and landmarks, and

2. A "grading plan" is required which will define excavation, earth moving procedures, and other changes to the landscape, in order to insure preservation and prevent despoliation of the character of the area to be retained as common open space. All manufactured slopes, other than those constructed in rock, shall be of a character so as to cause the slope to blend with the surrounding terrain and development. The developer shall provide for maintenance of the planting until growth is established.

20.13 Traffic Circulation:

A. Principal vehicular access points shall be designed to permit smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Local streets within PUD's shall not be connected to streets outside the development in such a way as to encourage their use by through traffic.

B. A part of every residential building shall not be farther than sixty (60') feet from an access roadway or drive providing vehicular access from a public street, and not farther than five hundred (500') feet, measured along the route of vehicular access, from a public street.

C. All non-residential land uses within a PUD shall have direct access to a collector or primary street, especially where large parking areas are included.

D. The pedestrian circulation system and its related walkways shall be insulated completely and as reasonably as possible from the vehicular street system in order to provide separation of pedestrian and vehicular movement. This shall include pedestrian underpass or overpass, when deemed to be necessary by the Planning Commission.

20.14 Streets:

A. Standards of design and construction for roadways, both public and private, within planned unit developments shall be in accordance with the Subdivision Control Act of 1967.

B. The name of the PUD and new street names shall not duplicate or closely approximate phonetically the name of any other subdivision or street in the City of Ishpeming.

C. Streets with no outlet shall be terminated with a cul-de-sac. Streets built in phases shall also terminate in a cul-de-sac designed in accordance with established standards.

20.15 Parking Standards: The following are the parking criteria for PUD's (See Section 22.1F Parking Lot Landscaping Requirements):

A. For each dwelling unit, there shall be two (2) off-street parking spaces consisting of not less than one hundred sixty-two (162) square feet each.

B. Parking areas shall be arranged so as to prevent through traffic.

C. Parking areas shall be environmentally screened from adjacent structures, roads, and traffic arteries with hedges, dense planting, earth berms, changes in grade or walls.

D. No more than thirty (30) parking spaces shall be accommodated in any single residential parking area.

E. All streets and any off-street loading area shall be paved and the design thereof approved by the City Engineer. All areas shall be marked so as to provide for orderly and safe loading, parking, and storage.

F. Parking for non-residential purposes shall be provided appropriate to the type of non-residential use and shall follow the guidelines for parking set forth by the commercial and industrial districts, with changes made as deemed necessary by the Planning Commission.

G. All parking areas shall be adequately lighted. All such lighting shall be so arranged as to direct the light away from adjoining residences.

H. All parking areas and off-street loading areas shall be graded and drained so as to dispose of all surface water without erosion, flooding or other inconveniences.

20.16 PUD Transitional Yard Regulations: To ensure that there is an appropriate relationship to the surrounding area, there must be a minimum thirty (30') foot transitional yard along the perimeter of the PUD District. This buffer zone must be kept free of buildings or structures and must be landscaped, screened, or protected by natural features.

20.17 PUD Application Procedure:

A. Ownership Requirements.

1. An application for approval of a PUD may be filed by a person having an interest in the property to be included in the planned unit. The PUD application shall be filed in the name or names of the recorded owner or owners of property included in the development. However, the applications may be filed by holder(s) of an equitable interest in such property. Full ownership interest in the land legal title or the execution of a binding sales agreement must be in evidence before the final approval of the plan. The PUD shall be in single ownership by the time the Final Development Plan is approved.

B. Pre-Application Conference.

1. The applicant shall meet informally with the Zoning Administrator, the City Manager and the Chairperson of the Planning Commission in connection with the preparation of the planned unit development application. It shall be the responsibility of the Zoning Administrator to contact and invite these City officials. The general outlines of the proposal and sketch plans are to be offered by the applicant at this pre-application conference. Thereafter, the Zoning Administrator shall furnish the applicant with written comments regarding such conference, including appropriate recommendations to inform and assist the applicant prior to the preparation of the planned unit development application.

2. The applicant shall submit to the Zoning Administrator a Preliminary Development Plan with a petition for rezoning to PUD District. The following written and graphic documents shall be submitted:

   a. A legal description of the total site proposed for development, including the present and proposed ownership of all or parts of the development.

   b. A written statement of the nature and character of the proposed development, and the methods to be used in achieving these goals.

   c. A written schedule of the approximate date, or dates, if the development is to be divided into stages, when construction will begin and be completed.

   d. Quantitative data for the following: total number and type of dwelling and non-residential units, the proposed floor area, ground coverage, outdoor livability and open space ratios, the proposed gross residential density of any separate stages, the number of parking spaces for each use proposed, and any feasibility studies the applicant wishes to submit in support of the plan.

   e. A graphic plan at scale 1:1200 (1 inch = 100 feet) showing the existing site conditions, including contours at an interval no greater than five (5') feet, waterways or bodies, unique natural features, rock outcroppings and vegetative cover.

   f. A preliminary plat meeting the requirements of the Subdivision Control Act of 1967 if the land is to be platted.

   g. A site plan or plans at a scale of 1:1200 showing the location and floor area and use of all existing and proposed buildings, structures, and improvements, including maximum heights, the location and size of all areas to be conveyed, dedicated, or reserved as outdoor livability space, recreational areas, school sites, and similar public or semi-public uses, the proposed circulation system, including

private and public streets, parking and loading areas, pedestrian ways, and access to existing and planned streets outside of the development, the existing and proposed utilities including sanitary and storm systems, and water, gas, electric, telephone, and television cable lines, and a preliminary landscape plan.

h. A plan at an appropriate scale showing land areas adjacent to the proposed development, their uses, zoning, and general character, and the effects of the proposed development on such land including the treatment of the perimeter areas of the PUD.

i. Such additional material as may be required by the Planning Commission.

3. Within sixty (60) days following the submission of a Preliminary Development Plan, the Planning Commission shall hold a public hearing on the Plan, and the Planning Commission shall vote to recommend, recommend with modifications or disapprove the Plan. Notification of the public hearing shall be given in the same manner as required under Section 33.2. If the Planning Commission action is for to recommend or to recommend subject to modifications, a recommendation for similar action shall be made to the City Council which shall then act within 30 days. Failure of either the Planning Commission or the City Council to act within the specified times shall constitute disapproval of the Plan.

4. If the Preliminary Development Plan is approved, with or without modifications, by the City Council, the official zoning map shall be changed to so signify. Such a change shall not constitute final approval of a plat, or authorization to issue building permits. The City Council may approve the preliminary development plan, with or without modifications, notwithstanding the nature of approval given by the Planning Commission.

C. Final Development Plan.

1. Within nine (9) months following approval of the preliminary development plan, the applicant shall submit to the Planning Commission a final development plan containing in a final detailed form the information required in Section 28.0, Site Plan Review. At its discretion and for good cause the Planning Commission may extend for six (6) months the period for filing the final development plan.

2. If the developer fails to submit a final development plan for any reason, within the time allowed, the tentative rezoning shall be revoked and all the area within the development for which final approval has not been given shall be subject to the original zoning.

3. If the Final Development Plan is in substantial compliance with the Preliminary Development Plan, it shall be recommended for approval by the Planning Commission within thirty (30) days. Notice of such recommendation shall then be given to the City Council which shall approve the final development plan, and the plat or plats involved, if any, within thirty (30) days; provided, that such approval shall not be given until a

performance bond in an amount equal to one-half (1/2) the cost of the entire implementation and construction costs of the PUD shall be provided to the City. The City Council may waive this performance bond requirement.

4. If compliance with the preliminary development plan is not established, submission of the final development plan shall follow the procedure for approval of a preliminary development plan as specified in Section 20.17B. before final approval may be given.

   a. If, subsequent to the start of construction, it becomes necessary to modify the final development plan, the Zoning Administrator may do so at his or her discretion to the limits established in the PUD guidelines. If greater modifications are requested by the developer, they shall be subject to the approval by the Planning Commission, which shall act within thirty (30) days. In granting such modifications, the Planning Commission shall not act so as to substantially change the character or nature of the final development plan.

   b. If construction has not started within eighteen (18) months of approval of the final development plan, said approval shall lapse. The Planning Commission may extend this period by six (6) months upon showing of good cause by the applicant. If construction of the entire development or established stages is not significantly complete within the time limits imposed by the construction schedule, the Planning Commission shall review the PUD and may recommend to the City Council that the time for completion be extended, that the final approval of the PUD be revoked, or that the final development plan be amended. If final approval of all or portions of the development plan is withdrawn, that area of the PUD shall be subject to the original zoning.

21.0 SECTION 21: OFF-STREET PARKING AND LOADING ZONE REQUIREMENTS

21.1 Intent: It is the purpose of this section to provide adequate provisions for off-street parking, so as to reduce traffic hazards and congestion of streets.

21.2 Parking:

A. Required Parking: In all districts off-street parking spaces shall be provided and maintained on the same lot or adjacent lot(s) under the same ownership, as the principal structure at the time of erection or expansion of any structure, for the parking of vehicles in proportions no less than shown in the following table:

PARKING REQUIREMENTS

Land Uses		Minimum Number of Spaces Per Unit
1. Residential		
a.	Single Family	2 spaces per dwelling unit.
b.	Two Family and Multiple Family Units	2 spaces per dwelling unit.
c.	Hotels, Motels	2 spaces per principal structure 1.25 spaces per dwelling unit in addition to spaces required for restaurant facility.
d.	Housing for the elderly	0.4 times maximum lawful number of occupants.
e.	Boarding Houses	2 spaces per the principal structure and 1 space per each bed rental.
2. Educational and Recreational		
a.	Public and Private Schools	1 for each employee plus 1 for every 10 driving age students.
b.	Religious Institutions	1 for each three seats in the room where religious services are conducted.

3.	Cultural and Recreational		
	a.	Places of public gatherings Recreational facilities	1 for every 120 square feet of usable floor area
	b.	Private clubs and/or lodges	1 for every 120 square feet of usable floor area.
4.	Health Facilities		
	a.	Medical and dental clinics, physicians' and dentists' offices.	1 for each 100 square feet of waiting room area and two per physician or dentist.
	b.	Convalescent and nursing Homes for the aged and hospitals	0.4 times maximum lawful number of occupants.
	c.	Hospitals	1 for each bed and employee.
5.	Industrial		
	a.	Production or processing of materials, goods, or products	1 for every 2 employees.
	b.	Testing, repairing, cleaning or servicing of materials, goods or products	3 spaces plus 1 for every 2 employees.
	c.	Warehousing and wholesaling	1 for every 500 square feet of floor area.
6.	Professional Services		
	a.	Banks, Savings and Loans, Credit Unions.	1 for each 150 square feet of floor area or eight spaces, whichever is greater.
	b.	Business offices of Architects, Engineers, Lawyers, and similar professionals	1 for each 300 square feet of floor area

7.	Personal Services		
	a.	Barber and beauty shops	2 spaces plus 1.5 per chair.
	b.	Laundromats	1 for every 100 square feet of laundry area.
	c.	Restaurants and similar (except drive-ins)	1.2 per 100 square feet of floor area. Fast food takeout, and drive-in restaurants 0.10 times floor area in square feet.
8.	Retail and Commercial		
	a.	Stores, selling retail goods	1 for each 200 square feet of floor space related to the display and selling of retail goods.

B. Parking Regulations:

1. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the Zoning Administrator considers as similar in type.

2. Where calculation of parking requirements with the foregoing list results in a fraction of a space, a full space shall be provided.

3. Two or more buildings or uses may collectively provide the required off-street parking, in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately. In the instance of dual function of off-street parking spaces where operating hours of the buildings or uses do not overlap, the Zoning Administrator may grant exception to the number of parking spaces required, upon written request.

4. Any area once designated as a required off-street parking lot shall not be changed to another use unless and until equal facilities are provided elsewhere subject to the Zoning Administration approval.

5. For residential uses, off-street parking shall be provided and maintained by one of the following means;

   a. By documenting that the required parking is on the same lot with the principal structure,
   b. By documenting that the required parking is within two (2) blocks of the principal structure,
   c. By documenting the approved use of a city operated and maintained parking facility within three (3) blocks of the principal structure,
   d. By documenting payment into a city parking system (when system available) to provide current and/or future parking within the city.

6. For non-residential uses, off-street parking space with adequate access to all such spaces shall be provided and maintained on the same lot or adjacent to the principal structure at the time of erection or enlargement or use of any structure for the parking, loading and unloading of vehicles.

7. Bicycle Racks Required. For non-residential uses which are required to provide twenty (20) or more parking spaces, at least one (1) bicycle rack with a capacity for at least five (5) bicycles shall be provided.

8. These above parking and bicycle storage requirements must be met:

    a. At the time of construction of any new building or structure or at the time of commencement of use of any land; or

    b. If any alterations are made in a building or structure which would require additional parking.

C. Parking layout, design, construction and maintenance (See Section 22.1F Parking Lot Landscaping Requirements):

All off-street parking lots shall be laid out, constructed and maintained according to the following standards and regulations. No off-street parking lot shall be constructed unless and until a permit therefore is issued by the City Engineer. Applications for a permit shall be submitted to the City Engineer in such form as may be determined by the City Engineer and shall be accompanied with two (2) sets of plans for the development and construction of the parking lot showing that the provisions of this section will be fully complied with.

1. Required parking spaces for one and two family residential uses shall be in the dimensions of nine (9) feet by eighteen (18) feet (9' x 18'), shall be on a hard-surfaced driveway or in a garage, shall not be located in the required front yard, and shall not be closer than three (3') feet from a side lot line, and shall be adequately drained to eliminate water accumulation and to prohibit run-off on adjacent or abutting property. Residential spaces serving single residential units shall be required to comply with these regulations to the extent possible, and parking may be permitted in the required front yard, if approved by the Zoning Administrator. All single and two family residential spaces shall be exempt from the following standards and regulations stated in this section (C 2 through C 14).

2. All spaces shall be laid out in the dimension of nine feet by 18 feet (9' x 18'), exclusive of maneuvering lanes.

3. An area equivalent to 10% of the required parking stall area shall be provided for snow storage. The snow storage area shall be landscaped and shall be located within any fence bounding the parking lot.

4. Plans for the layout of the parking lot shall show the dimensions of the total lot, the location and dimension of all parking spaces, maneuvering lanes, entrances, exits, and yards. One of the following various patterns shall be used:

PARKING ANGLE	STALL WIDTH	MANEUVER-ING LANES	PARKING STALL LENGTH
0 to 37	9 Ft.	16 Ft.	20 Ft.
16 to 74	9 Ft.	16 Ft.	18 Ft.
75 to 90	9 Ft.	20 Ft.	18 Ft.

5. All spaces shall be provided adequate access by means of a maneuvering lane. Backing directly onto a street or alley is prohibited.

6. All maneuvering lane widths, with the exception of the 75 to 90 degree pattern, shall be for one-way traffic movement. These widths shall be increased to twenty (20') feet to permit two-way movement of traffic.

7. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles. The location of the ingress and the egress shall be a minimum distance of forty (40') feet measured from the spring point of any intersection to the beginning of the curb cut established for the ingress or egress.

8. Each exit and entrance to and from any off-street parking lot located in an area zoned for other than Single Family, General and Multiple Residential (SR, GR, MR) shall be at least twenty-five (25') feet distant from any adjacent property located in a Single Family, General Residential, or Multiple Residential district.

9. The entire parking lot, including parking spaces and maneuvering lanes required under this section, shall be provided with the following:
    a. The pavement cross-section shall consist of a bituminous aggregate pavement or Portland cement concrete pavement with an aggregate base course. Concrete curb and gutter and/or concrete curb is optional.

    b. The bituminous pavement thickness shall be a minimum of two inches.

    c. The concrete pavement thickness shall be a minimum of five inches.

    d. For parking lots having more than 12 spaces. An additional requirement shall be an underground drainage system consisting of catch basins and concrete storm sewer pipe, which shall be designed to provide adequate drainage of the parking lot. The underground drainage system shall be connected to the City's storm sewer system. The connection shall be as approved by the City Engineer. The City Engineer may also consider and approve an alternative onsite method for the management of storm water.

10. All parking spaces shall be clearly defined by use of car wheel or bumper stops and/or painted lines.

11. An off-street parking lot abutting an SR, GR, MR, or DD district shall be provided with a continuous screening fence. This screening fence shall be provided on all sides where the abutting zoning district is designated as a residential district.

12. All lighting used to illuminate any off-street parking area shall be confined within and directed onto the parking lot only. In no case may the source of light exceed 20' in overall height above ground level.

13. Maintenance. The off-street parking lot, required borders and landscaped areas shall be maintained in a litter free condition. All plantings shall be in a healthy growing condition, neat and orderly in appearance. Snow shall be removed as necessary to permit use of all required parking spaces.

14. A three (3') foot border shall be created between a parking lot and the adjacent buildings and/or property lines. This border shall be landscaped or paved, and may be included in the required snow storage area.

D. Limitations on use of all parking lots except for residential uses:

1. The repair of vehicles, and the storage of merchandise, motor vehicles, or trucks is prohibited.

2. No signs of any kind other than signs designating entrances, exits and conditions of use shall be erected within the parking lot.

21.3 Off-street Loading Zones:

A. On the same site with every building or structure in the General Commercial and Industrial Districts (GC and I) there shall be provided and maintained a minimum of one space for standing, loading and unloading of delivery vehicles in order to prevent interference with public use of a public right-of-way.

1. Two or more adjacent buildings or structures may jointly share off-street loading facilities provided that adequate access to the individual buildings is provided.

2. Loading dock approaches shall be provided with a pavement having an asphaltic or cement binder so as to provide a permanent, durable and dirt-free surface.

3. The off-street loading space shall have the following minimum dimensions;
53' length X 10' width X 14' height.

22.0 SECTION 22.0: GENERAL PROVISIONS

The following general provisions may apply to all potential land uses within the City of Ishpeming. The application shall be determined as required by each Section, or as may otherwise be required by this Ordinance.

22.1 Landscaping Requirements:

In any case where an open area is created or a site plan review, greenbelt, or planting is required, all site landscaping improvements shall conform to the following standards:

A. Landscape Plan. A detailed landscape plan for all yard areas shall be submitted showing common names, location, spacing, starting size and planting and staking details of plantings to be installed, and the location and types of all materials proposed to be included in the landscape treatment of the yard areas. This provision shall apply to all landscape yards including those expanded beyond the minimum setback requirements of this article.

B. General Requirements. Existing significant trees, tree stands, natural vegetation, and wildlife habitat shall be integrated into this site landscape plan to the maximum extent possible. Whenever any yard, (front, side, or rear) is not designated for a building, off-street parking, loading and unloading, storage or other purpose within the terms and requirements of a given zoning district, it shall be landscaped with approved materials or living plant materials which shall be maintained in an aesthetically pleasing condition. All landscaped areas shall be protected from the encroachment of vehicles or pedestrians by curbing or other suitable device. The Zoning Administrator may approve constructed features of other material, such as masonry walls or brick, stone and cobblestone pavement, as a supplement or substitute, upon a showing by the applicant that general plantings will not prosper at the intended location.

C. Construction. Landscaping shall be planted, landscaping elements shall be installed, and earth moving or grading performed in a sound workmanlike manner and according to accepted good planting and grading procedures, with plant materials as described in this chapter.

D. Time Limits. All landscaping shall be completed within six (6) months from the date of occupancy and shall thereafter be reasonably maintained with permanent plant materials to provide a screen to abutting properties. Subsequent phases of the site shall be seeded, mowed and maintained.

E. Design Objectives. The following general design objectives and criteria shall be considered in the evaluation of landscape plans. Ample variety and quantity of ornamental plants, trees, and shrubs should be provided. A few dominant types are usually chosen with subordinate types interspersed for accent. Landscaping should be encouraged that will serve the functions of enhancing the visual environment, ensuring public safety, moderating the microclimate and minimizing nuisances. Landscaping should serve to integrate the project with the site, with a particular sensitivity to the natural topography, drainage, and existing native vegetation. Visual variety would be the aim of landscaping treatment. Landscaping should be used to break up large expanses of pavement and parking lots for more than 14 vehicles. Local climatic conditions should be considered when choosing landscape materials to create optimum conditions for their survival. Raised planting surfaces and use of curbs may be used to achieve this objective. Species that are a public nuisance or that cause litter should be avoided.

F. Parking lot landscaping requirements.

1. Interior parking lot landscaping. The interior portion of parking lots shall incorporate and provide curbed tree planting spaces providing not less than 100 square feet of land area per each tree planted. Trees shall be placed somewhat evenly, either symmetrically or asymmetrically, throughout the parking area. The number of trees required shall be based on a ratio of one tree for each seven parking spaces, or fraction thereof, for the first 14 spaces. Beyond the first 14 spaces, the ratio shall be 1 tree for every 14 parking spaces, or fraction thereof. Small parking areas of less than 14 spaces may have the required trees placed next to the parking area, rather than within the lot proper. The minimum size of all parking lot trees shall be one (1) inch caliper at the time of planting.

2. Frontage landscaping. Street landscaping shall be required along any public right-of-way line of any street, road, or highway in the required front yard setback of districts where parking is not permitted. One tree shall be planted for each 30 linear feet of the landscaping strip and shall be located within said required front yard setback.

3. Vision clearance. To ensure that landscape materials do not constitute a driving hazard, clear vision site triangles shall be established at all street intersections and at the intersection of site driveways and streets. Internal parking lot landscaping improvements should be located to avoid blocking the vision of drivers within the parking lot.

G. Plants and materials. All plant materials used shall be placed in fertile soil with suitable drainage and shall be given reasonable maintenance necessary to ensure their healthy existence and survival. All materials shall be maintained or refurbished as necessary to ensure a positive aesthetic quality.

	Heights	Caliper
Evergreens	5’	6” (at 12” above ground)
Narrow Evergreens	3’	4” (at 12” above ground)
Large Deciduous	8’	2 ½” (at 6” above ground)
Small Deciduous		2” (at 6” above ground)
Large Deciduous Shrubs	6’	
Tree-like Shrubs	4’	

H. Approved Plant Materials

1. Evergreen trees: Juniper, Fir, Spruce, Hemlock, Pine, Douglas-Fir.
2. Tree-like Shrubs: Flowering Crabs, Mountain Ash, Redbud, Hornbeam, Magnolia, Russian Olives, Dogwood, Rose of Sharon, Hawthorn.
3. Large Deciduous Shrubs: Honeysuckle, Mock-Orange, Lilac, Cotoneaster, Euonymus, Buckthorn, Viburnum, Forsythia, Ninebark, Hazelnuts, Privet, Sumac.
4. Large Deciduous Trees: Oaks, Hackberry, Planetree (Sycamore), Sweet-gum, Hard maples, Birch, Beech, Honeylocust, Hop Hornbeam.

I. Trees Recommended for Parking Lots

1. Small Trees: (<30 ft) Appropriate for narrow spaces (less than 4 feet wide), planting squares or circles surrounded by concrete, large raised planting containers or other places where underground space for roots will not support large trees. Trident Maple, Hedge Maple, Amur Maple, Serviceberry, Ironwood, American Hornbeam, Eastern redbud, Washington Hawthorn, Winter King Hawthorn, Flowering Crabapple, and Canada Red Chockecherry.
2. Medium Trees: (30-45 ft) Appropriate for medians 4-8 feet wide, large planting squares, and other open areas of at least 50 square feet where the above and below ground growing space will allow

mature trees 30-45 ft. tall. European or Black Alder, Black Tupelo, Black Gum, American Hophornbeam, Korean Mountainash.

3. Large Trees: (>45 ft) Recommended for streets without overhead restrictions where planting lawns or medians greater than 8 feet wide will allow for a large root system, trunk diameter, and root flare. Also appropriate for parks or other large open areas. Red Maple, Sugar Maple, Common Hackberry, Thornless Common Honeylocust, Kentucky Coffeetree, European Larch, American Large, Tamarack, Swamp White Oak, Bur Oak, Yellow Chestnut Oak, English Oak, Northern Red Oak, Basswood, American Linden, Littleleaf Linden, and Silver Linden.

J. Prohibited Plant Materials.

Where a landscape plan is required, the following plant materials are specifically prohibited:

1. Box Elder
2. Silver Maple
3. Elm
4. Poplar/Aspen/Popple
5. Tree Heaven
6. Catalpa
7. Willow
8. Horse Chestnut (nut bearing)
9. Norway Maple and similar cultivar.

K. Maintenance

The owner of property required to be landscaped by this section shall maintain such landscaping in good condition so as to present a healthy, neat, and orderly appearance, free from refuse and debris. All plant materials shall be continuously maintained in a sound, weed-free, healthy and vigorous growing condition, and shall be kept free of plant diseases, weeds, and inspect pests. All unhealthy and dead material shall be replaced within one year or the next appropriate planting period whichever comes first.

22.2 Fuel Storage, Telephone Wire / Other Cables:

A. The storage of natural gas, liquid propane, gasoline, diesel fuel, and similar hydrocarbon fuels shall comply with the Michigan State Police Fire Marshall Division's Flammable Liquids regulations.

B. Telephone wire and other electronic communications distribution networks shall be located underground whenever possible, unless it can be demonstrated to the Public Works Director and Zoning Administrator by the company that such action is not feasible.

22.3 Wood Storage:

The following requirements shall apply to the delivery and storage of wood intended for home heating:

A. In the interest of public safety, the storage of wood shall be adequately secured against rolling or falling and may not be stacked nor placed higher than six (6') feet. Wood shall not be stored or stacked on public lands.

B. The storage of wood may not occur in the required front yard and shall not be stacked on the sidewalk.

22.4 Outdoor Wood Furnaces:

A. No person shall install an outdoor wood furnace in the City of Ishpeming on or after the effective date of this ordinance, 4-24-19.

B. The following provisions apply to outdoor wood furnaces installed before 4-24-19.

1. The outdoor wood furnace shall have a permanently attached stack with a minimum stack height of 15 feet above the ground that also extends at least two feet above the highest peak of any residence not served by the outdoor wood furnace located less than one hundred fifty (150) feet from the outdoor wood furnace.

2. Fuel burned in the outdoor wood furnace shall be only clean wood, wood pellets made from clean wood, or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas, or propane backup.

3. The following items are strictly prohibited in outdoor wood furnaces:

- Any material not listed in #2 above.
- Wood that has been painted, varnished, or coated with similar material and/or has been pressure treated with preservatives and contains resins or glues as in plywood or other composite wood products.
- Rubbish or garbage, including but not limited to food wastes, food packaging, food wraps.
- Any plastic materials including but not limited to nylon, PVC,ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- Rubber, including tires or other synthetic rubber-like products.
- Newspaper, cardboard, or any paper with ink or dye products.
- Any other items not specifically allowed by the manufacturer or this provision.

C. The owner of the outdoor wood furnace shall obtain an annual permit from the City of Ishpeming Fire Chief if the furnace is located within one hundred fifty (150) feet from the property line of the nearest neighbor.

22.5 Outdoor Lighting Directed / Shielded:

All outdoor lighting shall be directed downward and shall be shielded from shining into roadways or residential uses.

22.6 Dwelling, One-Family Standards:

Dwelling, one-family, means a detached building occupied by one family and so designed and arranged as to provide living, cooking and kitchen accommodations for one family only. Also known as a single-family dwelling. Reference below to the "single state construction code" means the Stille-DeRossett-Hale Single State Construction Code, Act 230 of 1972, as amended. The dwelling unit shall be designed for residential use, complying with the following standards:

A. It has a minimum width across any front, side or rear elevation of twenty (20) feet and complies in all respects with the single state construction code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the single state construction code, such federal or state standard or regulation shall apply.

B. It is firmly attached to a permanent foundation constructed on site in accordance with the single state construction code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required by the applicable building code for single-family dwellings. If the dwelling is a manufactured home, as defined in this section, such dwelling 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 state mobile home commission and shall have a perimeter wall as required in this subsection.

C. If a dwelling is a manufactured home, as defined in this section, each manufactured home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage, chassis, or anchoring mechanisms.

D. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the Marquette County Health Department and City Engineer.

E. The dwelling contains a storage capability area in a basement located under the dwelling or in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to fifteen (15%) percent of the square footage of the dwelling or 200 square feet, whichever shall be less.

F. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six inches on all sides or, alternatively, with windowsills and roof drainage systems concentrating roof drainage along the side of the dwelling; with not less than two functioning exterior doors, with one being in the front of the dwelling and the other being either in the rear or side of the dwelling; contains permanently attached steps connected to the exterior door areas or to porches connected to such door areas, where a difference in elevation requires the steps.

The compatibility of design and appearance shall be determined in the first instance by the Zoning Administrator upon review of the plans submitted for a particular dwelling subject to appeal by an aggrieved party to the Zoning Board of Appeals (ZBA) within a period of 15 days from the receipt of notice of the Zoning Administrator's decision. Any determination of compatibility shall be based upon the standards set forth within the definition of the term "dwelling," as well as the character of residential development outside of licensed manufactured home communities within 2,000 feet of the subject dwelling where such area is developed with dwellings to the extent of not less than twenty (20%) percent of such area; or, where the area is not so developed, by the character of residential development outside of manufactured home communities throughout the city. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour or relief from the common or standard-designed home.

G. The dwelling contains no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.

H. The dwelling complies with all pertinent building and fire codes. For a manufactured home, all construction and all plumbing, electrical apparatus and installation with and connected to the manufactured home shall be of a similar type and quality conforming to the Mobile Home Construction and Safety Standards, as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.

I. The longest side of the dwelling, being the natural front, shall be as closely parallel as possible to the street.

J. All construction required herein shall commence only after a building permit has been obtained in accordance with the applicable Marquette County Building Code provisions and requirements.

The standards of subsections A. through J. of this set of regulations shall not apply to a manufactured home located in a licensed manufactured home community, except to the extent required by State or Federal law or otherwise specifically required in City ordinances pertaining to such communities. Manufactured homes which do not conform to the standards of this Section 22.6 of this Ordinance shall not be used for dwelling purposes within the City, unless located within a licensed manufactured home community, a manufactured home plat or a manufactured home condominium project.

22.7 Compliance:

No building, structure or part thereof shall hereafter be erected, constructed or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of this Ordinance.

22.8 One Principal Use Per Lot:

No more than one principal use may be permitted on a lot, unless specifically provided for elsewhere in this Ordinance. For example, a home occupation (which is conditionally provided for in some districts within this Ordinance) might be considered to be two (2) principal uses on one lot.

22.9 Garage Sales:

Garage sales, as an accessory use at residences, are allowed a maximum of three (3) occurrences per calendar year in all zoning districts; each occurrence shall not exceed seven (7) consecutive days. Garage sales are not considered to be a Home Occupation.

22.10 Fees In Escrow for Professional Reviews:

A. Any application for rezoning, site plan approval, a Conditional Land Use Permit, Planned Unit Development, Variance, or other use or activity requiring a permit under this Ordinance above the following threshold, may also require the deposit of fees to be held in escrow in the name of the applicant. An escrow fee may be required by either the Zoning Administrator or the Planning Commission for any project which;

1. has more than twenty (20) dwelling units, or
2. more than twenty-thousand (20,000) square feet of enclosed space, or
3. which requires more than twenty (20) parking spaces, or
4. which involves surface or below surface mining or disposal of mine materials.

B. An escrow fee may be required to obtain a professional review of any other project which may, in the discretion of the Zoning Administrator or Planning Commission create an identifiable and potentially negative impact on public roads, other infrastructure or services, or on adjacent properties and because of which, professional input is desired before a decision to approve, deny or approve with conditions is made.

C. The escrow shall be used to pay professional review expenses of engineers, community planners, and any other professionals whose expertise the City of Ishpeming values to review the proposed application and/or site plan of an applicant. The professional review shall result in a report to the Zoning Administrator and/or the Planning Commission indicating the extent of conformance or nonconformance with this Ordinance and identify any problems which may create a threat to public health, safety or the general welfare. Mitigation measures or alterations to a proposed design may be identified where they would serve to lessen or eliminate identified impacts. The applicant will receive a copy of any professional review hired by the City of Ishpeming and a copy of the statement of expenses for the professional services rendered, if requested.

D. No application for which an escrow fee is required will be processed until the escrow fee is deposited with the City Treasurer. The amount of the escrow fee shall be established based on an estimate of the cost of the services to be rendered by the professionals contacted by the Zoning Administrator and/or the Planning Commission. The applicant is entitled to a refund of any unused escrow fees at the time a permit is either issued or denied in response to the applicant's request.

E. If actual professional review costs exceed the amount of an escrow, the applicant shall pay the balance due prior to receipt of any Land Use or other permit issued by the City of Ishpeming in response to the applicant's request. Any unused fee collected in escrow shall be promptly returned to the applicant, without interest, once a final determination on an application has been made or the applicant withdraws the request and expenses have not yet been incurred.

F. Disputes on the costs of professional reviews may be resolved by an arbitrator mutually satisfactory to both parties.

22.11 Small On-Site Use Wind Energy System (Wind Turbine):

A. Intent. A small on-site use wind energy system (see Section 3.0 for definition) is intended to first serve the needs of the applicant. A utility grid wind energy system (a wind farm) is not a permitted use under this Section. An anemometer tower shall abide by the same regulations below for a small on-site wind system and shall be removed before an on-site use wind system is installed.

B. Small On-site Wind Energy System (Wind Turbine). In the SR (Single Family Residential), GR (General Residential), MR (Multiple Residential), GC (General Commercial), I (Industrial) or DD (Deferred Development) districts one (1) small wind energy system per lot with a power generation capacity of 5 kilowatts (or equivalent) or less is a conditionally permitted use, subject to the following requirements.

1. Setbacks. The base of tower shall be setback a distance of not less than 1.1 times the structure height from the nearest property line. In addition, no part of the wind energy system structure, including any guy wire anchors, may extend closer than ten (10') feet to the nearest property line.
2. Height. There is no fixed height limit in this case beyond that caused by the requirements of paragraphs 1. and 8. herein.
3. Noise. Sound pressure levels shall not exceed 55 dB(A) at the property line closest to the wind energy system. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe wind storms. If the ambient sound pressure level exceeds 55 dB(A), the standard shall be ambient dB(A) standard plus 5 dB(A).
4. Safety.
    a. Vertical Clearance. The minimum vertical blade tip clearance from grade shall be fifteen (15) feet for a wind energy system employing a horizontal axis rotor. Blade or rotor arc must be demonstrated to be a safe and reasonable distance from any separate building, structure, utility wire, or tree.
    b. Guy Wire Visibility. If a wind energy system tower is supported by guy wires, the wires shall be clearly visible to a height of at least six (6') feet above the guy wire anchors.
    c. Rotor or Blade Integrity Protection. An on-site use wind energy system shall have automatic braking, governing, or a feathering system to prevent uncontrolled rotation or over speeding.
    d. Lightning. All wind energy system towers shall have lightning protection.
5. Shadow Flicker. If shadow flicker appears to be a problem for one or more neighboring dwelling(s), the applicant must demonstrate a successful resolution.
6. Construction Codes, Towers, and Interconnection Standards. On-site use wind energy systems, including towers, shall comply with all applicable state construction and electrical codes and local building permit requirements. On-site use wind energy systems, including towers, shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act, the Michigan Tall Structures Act, and any local jurisdiction airport overlay zone regulations.
7. Wiring. All wiring between the tower and the main building shall be either underground or at least eight (8') feet above grade.
8. Decommissioning. The on-site use wind energy system (Wind Turbine) and all appurtenances thereto shall be removed from the site within one (1) year after the Wind Turbine is no longer in use (not generating any electricity for over 12 continuous months). The owner of the land upon which the small on-site use wind energy system (Wind Turbine) is located shall be responsible for

such removal and unless removed a tax lien in an amount sufficient for its removal will be levied on the parcel.

9. A Wind Turbine which is not so removed shall constitute a public nuisance per se.

22.12 Solar Structures and Easements:

A. Permitted. Active and passive solar energy devices, systems or structures shall be permitted in all zoning classifications by right, subject to administrative approval, except when such solar devices or architectural features project into required front or side yards, or are free-standing elements in a required front or side yard, in which case a Variance granted by the Zoning Board of Appeals is required.

B. Maximum Height of Structures. Passive solar energy structures, such as flat plate collectors, photovoltaic cells, etc., which are roof-mounted or integrated otherwise into the roof structure shall not be included in the calculation of maximum height. Active solar energy structures, when mounted on either freestanding structural elements or integrated architecturally with a principal or accessory building shall not exceed the district maximum height limit.

C. Easements. A landowner may enter into an easement, covenant, condition or other property interest in any deed or other instrument, to protect the solar skyspace of an actual, proposed or designated solar energy structure at a described location by forbidding or limiting activities, land uses, structures and/or trees that interfere with access to solar energy. The solar skyspace must be described as the three (3) dimensional space in which obstruction is prohibited or limited. Any property owner may give or sell his right to access to sunlight. Such Solar Access Easements shall be recorded and a copy shall be furnished to the City of Ishpeming Zoning Department.

D. Removal. If a solar energy system ceases to perform its intended function for more than twelve (12) consecutive months, the property owner shall remove the collector, mount, and associated equipment and facilities no later than 90 days after the end of the twelve (12) month period and, unless removed, a tax lien in an amount sufficient for its removal will be levied on the parcel.

22.13 Residential Limited Animal Keeping:

Intent Language. This accessory use is allowed upon application for a non-transferable Residential Animal Keeping Permit approved by the Zoning Administrator and, upon approval, is intended to be for the benefit of the occupants of the dwelling on-site, and not for commercial use. This use allows the limited keeping of animals in the SR (Single Residential), GR (General Residential) and MR (Multiple Residential) zoning districts as an accessory use, where there is a separate occupied dwelling. That means the limited animal keeping can only be accessory. Animals being kept in a residential environment need to be cared for and monitored daily to maintain animal health and to prevent nuisance problems with neighbors and the community.

- A plot plan needs to be provided in accordance with Section 28.3.
- One or more of the following types of animals (**chickens, rabbits, and bees**) are permitted in accordance with this Section on the same property and shall be located in the backyard.
- All seed, fertilizer, and animal feed shall be stored in a secured, rodent-and- raccoon-proof containers and housed within an enclosed structure.
- Signage shall not be permitted. Sale of eggs, honey, hens or rabbits is not permitted.

- All animal structures and roaming areas shall be kept sanitary and free from accumulations of animal excrement and objectionable odors. Waste can be composted or disposed of properly as required by the current Residential Garbage Refuse Collection Agreement. Piling of waste materials on the property is not permitted.
- Butchering and dressing of animals raised on the premises shall be permitted if conducted entirely within an enclosed building.
- Chickens, rabbits, or bees currently existing in the city shall not be "grandfathered" or permitted to remain after the effective date of this ordinance; however, owners of chickens, rabbits or bees will have ninety (90) days from April 24, 2019 to comply with this ordinance.

A. Limited Residential Keeping of **Chickens**: Required Conditions

1. Roosters (male adult chickens) are not permitted.
2. A maximum of up to six (6) chickens per single or duplex dwelling unit(s) are allowed per site and no chickens are permitted in residences, porches or attached garages.
3. Enclosed housing for chickens (hen house or coop) shall be located in the backyard, be fully enclosed, roofed and be at least six (6) square feet in size to start for the first three (3) chickens, with an additional minimum of two (2) sq. ft. for each additional chicken.
4. All structures related to the housing of chickens shall be set back at least ten (10') feet from any property line and a minimum of twenty feet (20') from any neighboring residences.
5. An outdoor enclosed run is allowed, is limited to sixty (60) sq. ft. in size, eight (8) feet in height, must be attached to the coop and screened from the street and neighboring properties to protect them from vehicular traffic, and to minimize external impacts of the outdoor roaming areas.

B. Limited Residential Keeping of **Rabbits**: Required Conditions

1. Rabbits shall only be kept within an enclosed structure, cage, or hutch, except for monitored exercise periods.
2. An average area of approximately five (5) sq. ft. per rabbit is required for a maximum of up to two (2) rabbit hutches. The maximum number of rabbits permitted is twenty (20).
3. All structures related to the housing of rabbits shall be set back at least ten (10') feet from any property line and a minimum of fifteen feet (15') from any neighboring residences.

C. Limited Residential Keeping of **Bees**: Required Conditions

1. A minimum area of five thousand five hundred (5,500) sq. ft. dedicated exclusively for bees, is required per hive for a maximum of up to two (2) beehives. For every additional five thousand five hundred (5,500) sq. ft. of area dedicated exclusively for bees, two (2) additional beehives are permitted.
2. All structures necessary for and related to the housing of honeybees shall be set back at least twenty (20') feet from any property line.
3. Ground mounted beehives shall be located no higher than six (6') feet from grade and have a maximum size of twenty (20) cubic feet.
4. A constant supply of water shall be provided for all hives.

5. A flyway of at least six (6) feet in height comprising of a lattice fence, dense hedge or similar barrier must be established in front of the opening of the hive such that the Honey Bees fly upward and away from neighboring properties. The flyway shall be located within three (3) feet of the entrance to the hive and shall extend at least two (2) feet in width on either side of the hive opening.

22.14 Building(s) to be Moved:

Any building or structure which has been wholly or partially erected on any premise located within the city shall not be moved to and placed upon any other premise in this city until a Zoning Compliance Permit for such removal and relocation shall have been secured from the Zoning Administrator and until other approvals are obtained from such other inspectors and/or authorities as may be required under existing law. Any such proposed relocated building or structure shall fully conform to all the provisions of this Ordinance in the same manner as a newly constructed building or structure.

22.15 Private Roads:

A. Fee and Application

1. The application fee for a Private Road Permit will be established by the Ishpeming City Council and must be paid at the time of the application.

B. Application Requirements – The following information shall be submitted to the Zoning Administrator as part of the application for a Private Road Permit.

1. Name of Applicant(s)
2. Name of the owner(s) of record of the land.
3. Any legal encumbrances on the land upon which the proposed road is located.
4. Statement of whom will own the road following construction, by what legal instrument, and who will be responsible for road maintenance.
5. The estimated volume and type of traffic to use the road.
6. The anticipated starting and completion dates of each phase of road construction.
7. A description of erosion, sedimentation, and dust control measures to be employed during and following construction.
8. A description of storm water management and drainage provisions, together with supporting assumptions and calculations.
9. An illustrated plan prepared by a Professional Engineer complying with current City of Ishpeming "Engineering Standards for Design and Construction of Streets, Storm Drainage Systems, and Road-side Appurtenances" specifications which depict;
    a. The scale; the direction of magnetic North; the starting and ending point of the proposed road with relation to established roads and any planned or anticipated future extensions of the boundary lines of all properties abutting the proposed road, including any new lots to be created.
    b. Proposed locations of driveways off the private road.
    c. All natural waterways, the location and profile (including size and capacity) of all existing and proposed water management and drainage structures, including sewer or septic systems, water lines or private wells.

d. The design and profile of the 75 feet of the proposed road closest to any public or private road intersection; and, if proposed to be over 300 feet in length, the design of the emergency vehicle turnaround to permit a forty-two (42) foot turning radius.

e. The location of all existing and proposed structures.

f. A cross section of the proposed road, showing the types and depths of material to be used in the road base and surface.

C. Standards for Approval

The proposed private road shall meet the following standards:

1. The minimum right-of-way width shall be sixty-six (66) feet. The applicant can request a reduction in right-of-way width in order to protect natural features provided that in no case may the right-of-way be less than 50' as a result of space saving features such as curb and gutter.
2. Adequate sight distance of 10 times speed limit in feet (e.g., 45 mph zone requires 450 feet) visibility in each direction. This shall be measured from where the driver's seat of a vehicle would be situated fifteen (15) feet from the edge of the shoulder, with the height of eye at 3-1/2 feet, to the top of an object at 4 ½ feet above the pavement.
3. Drainage will neither erode the proposed road nor wash directly onto the public road or other private property.
4. Roads and right-of-way over 300 feet long must have an adequate place for emergency vehicles with a forty-two (42) foot turning radius, school buses, garbage trucks, etc. to turn around.
5. No fence, wall, sign, screen or any planting shall be erected or maintained in such a way as to obstruct vision between a height of three (3) and ten (10) feet within the triangular area formed by the intersection of a road right-of-way line and a private road right-of-way line and a line connecting two (2) points which are located on those intersecting right-of-way lines, thirty (30) feet from the point of intersection.
6. Parcels fronting on private roads shall meet the required front yard setback and minimum lot width for their district as set forth in Section 19.0 Schedule of General Regulations.
7. The angle of intersection with the public road must be as close to 90 degrees as possible, but never less than 60 degrees.
8. For roads servicing any permanent, year-round structure, it is required that driveways, private roads and rights-of-ways that are over 300 feet long meet current specifications to facilitate emergency vehicle access with a forty-two (42) foot turning radius and turn around (Cul-De-Sac, T-turnaround, etc.) Minimum cleared passage for a private road is to be thirty (30) feet in width and sixteen (16) feet of clear height throughout the passageway.
9. Private roads serving five (5) residential lots or less must meet sub-base (18" sand) and subgrade (8" aggregate base course) requirements of the current City of Ishpeming "Engineering Standards for Design and Construction of Streets, Storm Drainage Systems, and Road-side Appurtenances" for Local Streets.

D. Private Road Paving

Private roads must be paved to meet current City of Ishpeming "Engineering Standards for Design and Construction of Streets, Storm Drainage Systems, and Road-side Appurtenances" for Local Streets if any of the following occur:

1. The road serves more than five (5) residential lots;
2. The road provides access to any multiple family development (s);
3. The road provides connection between any two public roads;

4. The road provides access to Industrial or Commercial property;
5. The private road is more than 500' in length from a public road.

E. Road Permit Denial / Right to Appeal

If any of the applicable conditions as outlined above are not met or there is information missing from the application, the Ishpeming City Zoning Staff may deny the Road Permit application. If the applicant feels that the Ishpeming City Zoning Staff has erred in their interpretation of this Ordinance, the applicant may file an administrative appeal with the Ishpeming City Zoning Board of Appeals within thirty (30) days of the denial.

If the applicant feels that the denial of the Road Permit creates a practical difficulty, the applicant may request a variance from the Ishpeming City Zoning Board of Appeals pursuant to standards for a variance as set forth in the Ishpeming City Zoning Ordinance. If these standards are not met, the applicant must acknowledge added risk and sign a Hold Harmless Agreement, to be registered with the land at the Marquette County Register of Deeds.

F. Consequences of Non-Compliance with this Ordinance

Any parcel accessed by a private road created in non-compliance with the Ordinance shall not be eligible for any zoning approvals, such as land splits, conditional land use approval or site plan approval. In addition, violation shall subject the violator to the fines and enforcement actions set forth, and as may otherwise be provided by law.

G. Existing Private Roads

Private roads that were created prior to the adoption of this ordinance shall be subject to all the conditions specified in the ordinance for any extension to the existing private road. Any parcel accessed by an extension of an existing private road, created in noncompliance with this ordinance shall not be eligible for any zoning approvals, such as zoning compliance, land splits, conditional land use approval or site plan approval.

22.16 Condominium Developments:

The following regulations shall apply to all condominium developments within the City:

A. Initial information. Concurrently with the notice required to be given the city pursuant to Section 71 of the Condominium Act, Public Act No. 59 of 1978 (MCL 559.171), a person intending to develop a condominium development shall provide the following information:

1. The name, address, telephone number and email address of:

    a. All persons with an ownership interest in the land on which the condominium development will be located together with a description of the nature of each entity's interest (for example, fee owner, optionee, or land contract vendee).
    b. All engineers, attorneys, architects, or registered land surveyors associated with the project.
    c. The developer or proprietor of the condominium development.

2. The legal description of the land on which the condominium development will be developed together with appropriate tax identification numbers.

3. The acreage content of the land on which the condominium development will be developed.

4. The purpose of the development (for example, residential, commercial, industrial, etc.).

5. Approximate number of condominium units to be developed on the subject parcel.

6. Whether or not a community water system is contemplated.

7. Whether or not a community septic system is contemplated.

B. Information to be kept current. The information shall be furnished to the City Zoning Administrator and shall be kept updated until such time as a zoning compliance permit has been issued pursuant to Section 29.2B.

C. Site plans for new projects. Prior to recording of the master deed required by Section 72 of Public Act No. 59 of 1978 (MCL 559.172), the condominium development shall undergo site plan review and approval pursuant to Section 28.4. In addition, the City shall require appropriate engineering plans and inspections prior to the issuance of any certificates of occupancy.

D. Site plans for expandable or convertible projects. Prior to expansion or conversion of a condominium development to additional land, the new phase of the project shall undergo site plan review and approval pursuant to Section 28.4.

E. Master deed, restrictive covenants and as-built survey. The condominium development developer or proprietor shall furnish the building official with the following: one copy of the recorded master deed, one copy of all restrictive covenants, and two copies of an as-built survey. The as-built survey shall be reviewed by an engineer consultant (city engineer) for compliance with City ordinances. Fees for this review shall be established by resolution of the City Council.

F. Monuments. All condominium developments which consist in whole or in part of condominium units which are building sites, mobile home sites, or recreational sites shall be marked with monuments as provided in this subsection.

1. All monuments used shall be made of solid iron or steel bars at least one-half inch in diameter and 36 inches long and completely encased in concrete at least four inches in diameter.

2. Monuments shall be located in the ground at all angles in the boundaries of the condominium development, at the intersection lines of streets and at the intersection of the lines of streets with the boundaries of the condominium development and at the intersection of alleys with the boundaries of the condominium development, at all points of curvature, points of tangency, points of compound curvature, points of reverse curvature and angle points in the side lines of streets and alleys and at all angles of an intermediate traverse line. It is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the condominium development if the angle points can be readily re-established by reference to monuments along the side lines of the streets.

3. If the required location of a monument is in an inaccessible place, or where the locating of a monument would be clearly impracticable, it is sufficient to place a reference monument nearby,

and the precise location thereof shall be clearly indicated on the plans and referenced to the true point.

4. If a point required to be monumented is on a bedrock outcropping, a steel rod, at least one-half inch in diameter, shall be drilled and grouted into solid rock to a depth of at least eight inches.

5. All required monuments shall be placed flush with the ground where practicable.

6. All unit corners and the intersection of all limited common elements and all common elements shall be monumented in the field by iron or steel bars or iron pipe at least 18 inches long and one-half inch in diameter, or other approved markers.

7. The City Council may waive the placing of any of the required monuments and markers for a reasonable time, not to exceed one year, on the condition that the proprietor deposits with the City clerk cash or a certified check, or an irrevocable bank letter of credit to the City, whichever the proprietor selects, in an amount to be established by the City Council by resolution. Such cash, certified check, or irrevocable bank letter of credit shall be returned to the proprietor upon receipt of a certificate by a surveyor that the monuments and markers have been placed as required within the time specified.

G. Compliance with federal, state and local law. All condominium developments shall comply with federal and state statutes and local ordinances.

H. Occupancy before installation of improvements. The Zoning Administrator may allow occupancy of the condominium development before all improvements required by this section are installed, provided that cash, a certified check, or an irrevocable bank letter of credit is submitted sufficient in amount and type to provide for the installation of improvements before the expiration of the temporary occupancy permit without expense to the city.

I. Single-family detached condominiums.

1. Pursuant to authority conferred by Section 141 of the Condominium Act, Public Act No. 59 of 1978 (MCL 559.241), all condominium subdivision plans must be approved by the City Council following review and recommendation for approval by the Planning Commission. In determining whether to recommend a condominium subdivision plan for approval to the City Council, the Planning Commission shall consult with the Zoning Administrator, city's attorney, engineer consultant (city engineer), and planning consultant (city planner) regarding the adequacy of the master deed, deed restrictions, utility systems and streets, development layout, and design and compliance with all requirements of the Condominium Act, Public Act No. 59 of 1978 (MCL 559.101 et seq.), and this zoning ordinance.

2. A single-family detached condominium development shall be subject to all of the requirements and standards of the applicable single- or multiple-family residential district or an approved planned unit development (PUD) plan.

3. The design of a single-family detached condominium project shall be subject to the following design layout and engineering standards, except as may otherwise be provided by this section. Streets shall conform to at least all minimum requirements of the general specifications and

typical cross sections as set forth in the design layout standards in conditions set forth by the City Council.

a. Location, arrangement and design of streets.

(1) The street layout shall provide for continuation of collector streets in the adjoining subdivisions or of the proper projection of streets when adjoining property is not subdivided, or conform to a plan for a neighborhood unit drawn up and adopted by the Planning Commission.

(2) The street layout shall include minor streets so laid out that their use by through traffic shall be discouraged.

(3) Should a proposed condominium development border on or contain an existing or proposed major thoroughfare, the Planning Commission may require marginal access streets, reverse frontage, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation and reduction of traffic hazards.

(4) Should a proposed condominium development border on or contain a railroad, expressway, or other limited access highway right-of-way, the Planning Commission may require the location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for the development of an appropriate use of the intervening land such as for public parks in residential districts. Such distances shall be determined with due consideration of the minimum distance required for approach grades to future grade separation.

(5) Half streets shall be prohibited, except where absolutely essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the Planning Commission finds it will be practicable to require the dedication of the other half when the adjoining property is developed. Wherever there exists, adjacent to the tract to be subdivided, a dedicated or platted and recorded half street, the other half shall be platted or otherwise included in the condominium subdivision.

(6) Should a proposed condominium development border upon or contain an existing or proposed canal, channel, or drainage way, the Planning Commission may require the location of a bridge facility suitable to permit the unimpeded flow of water and the passage of waterborne vehicles.

b. Right-of-way and pavement widths.

(1) Street right-of-way and pavement widths shall conform to at least the following minimum requirements:

Street Type	Right-of-Way Width	Pavement Width
All types of streets	66 feet	24 feet
Cul-de-sac	75-foot radius	45-foot radius

(2) No on-street parking shall be allowed.

(3) Minimum length for residential cul-de-sac streets shall be 140 feet. Maximum length for residential cul-de-sac streets shall be 500 feet.

(4) Access to streets across all ditches shall be provided by the proprietor with the city's specifications and procedures for driveway installation.

c. Easements.

(1) Location of utility line easements shall be provided as necessary for utility lines. Such easements shall be a total of not less than 12 feet wide, six feet from each parcel.

(2) Recommendations on the proposed layout of telephone and electric company easements should be sought from all of the utility companies serving the area. It shall be the responsibility of the proprietor to submit copies of the proposed condominium development plan to all appropriate public utility agencies.

(3) Easements six feet in width, three feet from each parcel, shall be provided where needed, alongside condominium unit boundary lines so as to provide for streetlight dropouts. Prior to the approval of the condominium subdivision plan, a statement shall be obtained from the appropriate public utility indicating that easements have been provided along specific condominium unit boundaries. A notation shall be made on the condominium subdivision plan indicating: "The side boundary lines between condominium units (indicating building envelope numbers) are subject to streetlight dropout rights granted to the (name of utility company)."

4. Condominium units. Condominium units within detached condominium developments shall conform to the following standards:

a. Condominium units situated on corners in residential subdivisions shall be at least ten (10') feet wider than the minimum width permitted by this zoning ordinance.

b. Excessive condominium unit depth in relation to width shall be avoided. A depth-to-width ratio of 3:1 shall be considered a maximum.

c. Every condominium unit shall front or abut on a street.

d. Side condominium unit lines shall be at right angles or radial to the street lines.

e. Condominium units abutting major thoroughfares or collector streets, where marginal access streets are not desirable or possible to attain, shall be situated with reverse frontage condominium units, or with side condominium unit lines parallel to the major traffic streets.

f. Condominium units shall have a front-to-front relationship across all streets where possible.

g. Where condominium units border upon bodies of water, the front yard may be designated as the waterfront side of such condominium unit provided the building envelope has sufficient depth to provide adequate setback on the street side to maintain a setback for all structures equal to the front setback on the street side as well as on the waterfront side.

5. Blocks.

a. Maximum length for blocks shall not exceed 1,300 feet in length, except where, in the opinion of the Planning Commission, conditions may justify a greater distance.

b. Widths of blocks shall be determined by the condition of the layout and shall be suited to the intended layout.

6. Natural features. The natural features and character of lands must be preserved wherever possible. Due regard must be shown for all natural features such as large trees, natural groves, watercourses, and similar community assets that will add attractiveness and value to the property, if preserved. The preservation of drainage and natural stream channels must be considered by the proprietor and the dedication and provision of adequate barriers, where appropriate, shall be required.

7. Walkways. Walkways shall be installed in all single-family detached condominium developments. Such walkways shall be a minimum of five (5') feet in width along both sides of collector and minor streets and six (6') feet in width along all major thoroughfares. Access to all general common areas shall be provided. Upon review of the site plan, the Planning Commission may approve alternate locations for the walkways or may waive the walkway requirement if it would not serve the purpose of providing adequate pedestrian circulation.

8. Utilities.

a. An adequate storm drainage system including necessary storm sewers, catch basins, manholes, culverts, bridges, and other appurtenances shall be required in all developments.

b. A sewage disposal system shall be required as regulated by the City of Ishpeming.

c. A water supply system shall be required as regulated by the City of Ishpeming.

d. The proprietor shall make arrangements for all lines for telephone, electric, television, and other similar services distributed by wire or cable to be placed underground entirely throughout the development area, and such conduits or cables shall be placed within private easements provided to such service companies by the developer or within dedicated public ways; provided that overhead lines may be permitted upon written recommendation of an engineer consultant (city engineer) and the approval of the Planning Commission at the time of site plan approval where it is determined that overhead lines will not constitute a detriment to the health, safety, general welfare, design, and character of the development. All such facilities placed in dedicated public ways shall be planned so as not to conflict with other underground utilities. All such facilities shall be constructed in accordance with standards of construction approved by

the state public service commission. All drainage and underground utility installations which traverse privately held property shall be protected by easements granted by the proprietor.

9. Final documents to be provided. After submittal of the condominium plan and bylaws as part of the master deed, the proprietor shall furnish to the City a copy of the site plan on a Mylar sheet of at least 13 inches by 16 inches with an image not to exceed 10½ inches by 14 inches. A digital copy shall also be provided.

22.17 Open Space Preservation (with residential clustering example):
[Developer's option under Mich. Enabling Act]

A. Statement of purpose. The purpose of this section is to provide an optional mechanism for development of single-family residences, where permitted, which assists in meeting the following goals: Maintain the character of the area, maintain an image of open space, permanently preserve open space and natural resources, protect a portion of lands for agriculture and farming, and achieve a balance between farming, open space and residential growth. Specifically, the City recognizes:

1. That the preservation of wetlands, woodlands, open space and agricultural land in the City is necessary to the conservation of local, state, and national economic resources and is necessary, not only to the maintenance of the economy of the state, but also for the assurance of desirable living conditions for present and future residents of the City;

2. That the discouragement of unnecessary conversion of open space and agricultural land to urban uses is a matter of public interest and will be of benefit to the City residents overall in that it will discourage noncontiguous urban development patterns, which unnecessarily increase the costs of services to community residents;

3. That development under the open space preservation development option provisions of this section is a primary goal of the City. Development under the provisions of this option is intended to provide the preferred alternative to lot splitting or conventional subdivision or site condominium development in many areas of the City;

4. That single-family residential developments approved through this development method shall:

    a. Maintain the City's open space and rural or semi-rural settings;

    b. Allow greater flexibility and encourage a more creative approach to residential development;

    c. Preserve the City's natural resources, including woodlands, wetlands, floodplains, prime agricultural land, and similar natural assets;

    d. Create a more desirable living environment through the preservation and conservation of the natural character of open fields, stands of trees, wetlands, brooks and streams, farmland and other similar assets;

e. Provide open space that directly benefits the residents of the development and the City; and

f. Protect the character of the district, retain scenic vistas by requiring optimum setbacks of residential development from highways and improve traffic safety by prohibiting direct access from individual home sites to such highways.

B. Eligibility under the Michigan Zoning Enabling Act (MCL 125.3506 et seq.). To utilize this development option, a site without public sewer service shall be located within a zoning district that has a one-half (½) acre (21,280 sq. ft.) or larger minimum lot size or a site with public sewer service shall be located within a zoning district that has a one-third acre (14,420 sq. ft.) or larger minimum lot size. The open space preservation development (residential clustering) option shall be a principal use permitted in the 12.0 MR and 17.0 DD districts.

C. Method of land division. Home sites may be developed under this option as a subdivision, a site condominium, or land division.

D. Open space retained. To the greatest extent possible, all the natural features of the property such as large trees, natural groves, wetlands, floodplains, watercourses, natural drains and stream channels and similar assets that will add attractiveness and value to the property and will promote the health and welfare of the community shall be preserved. Retained open space and other protected resource areas shall be reasonably contiguous (not fragmented).

1. Primary conservation areas. This category consists of:

a. Wetlands, lands that are generally inundated (under ponds, lakes, creeks, etc.), land within the 100-year floodplain, slopes exceeding 25 percent, and soils subject to slumping. These sensitive lands are deducted from the total parcel acreage to produce the "adjusted tract acreage," on which density shall be based (for both conventional and conservation subdivisions). (These areas are deducted because as a rule they would not be buildable lands under traditional development.)

b. Land that would be required for street rights-of-way (a minimum 10% of the net tract area) and land under permanent easement prohibiting future development (county drain easements, existing and planned public road ROWs, utility easements, etc.) shall also be deducted.

2. Secondary conservation areas. In addition to the primary conservation areas, at least 50 percent of the remaining land shall be designated and permanently protected. Full density credit shall be allowed for land in this category that would otherwise be buildable under local, state, and federal regulations, so that their development potential is not reduced by this designation. Such density credit may be applied to other unconstrained parts of the site. This category typically includes all or part of the following kinds of resources: mature woodlands, significant wildlife habitat areas,

prime farmland, historic, archaeological, scenic views into the site from public roads. At least 25 percent of the total of the minimum required secondary conservation areas may be suitable for active recreation purposes, but no more than 50 percent shall be utilized for that purpose, in order to preserve a reasonable proportion of natural areas on the site. The purposes for which open space areas are proposed shall be documented by the applicant.

3. Lots. Protected areas shall be outside the boundaries of the proposed lots.

E. Method of preservation. The areas in open space, recreation, agriculture, or commons shall be perpetually protected from development. The open space shall be preserved using one or a combination of the following methods, subject to the review and approval of the City's attorney and the City Planning Commission:

1. Home owners association (HOA). Title to the open space lands and other protected resource areas may be held by a homeowner's association with required participation of all residents within the development. If an HOA is to hold title, a recognized independent conservation organization shall be granted a conservation easement covering all land areas to be protected.

2. Protective covenants. The covenants of the subdivision may include the preservation of lands within them. The exact locations of the open space and other protected resource areas shall be defined within this document. These covenants shall also state the types of uses that would be allowed in such open spaces and other protected areas. Covenants may be used with a home owners association but a recognized independent conservation organization shall be granted a conservation easement covering all land areas to be protected.

3. Condominium association. All elements that are reserved for open space and other protected resource areas shall be preserved as common elements as shown on the site plan, except those areas that may be dedicated to a unit of government. Any alteration to the open space and other protected areas under common element status shall require the submittal of a new site plan and approval by the appropriate bodies. If a condominium association is to hold title to any open space and/or other protected areas, a recognized independent conservation organization shall be granted a conservation easement covering all land areas to be protected.

4. Fee simple dedication to a unit of government. The open space lands are dedicated to a unit of government (City, village, township, school district, county, state, or federal, etc.). This dedication may have provisions within it that state that in no way shall the unit of government be obligated to any cost due to the acquisition, and that the municipality has ample access to all areas of the open space for adequate maintenance purposes should they ever be needed. There shall also be deed restrictions preventing the unit of government from selling the property or using it for development purposes. If dedication to the City or another governmental body is to be used, a recognized independent conservation organization shall be granted a conservation easement covering all land areas to be protected.

5. Conservation easements. The easement over the open space lands and other protected resource areas shall be held by a legal owner/holder, such as a conservation agency, and that owner shall have the right to enforce any aspect of the easement. The easement shall state the uses that are allowed within the open space areas and other protected resource areas and which uses are disallowed. The agreement shall be as specific as possible as to what is allowed and where it is allowed to take place. If the easement is granted to any party other than a recognized independent conservation organization, the easement shall be co-signed by a recognized independent conservation organization to ensure a checks and balance system. Whichever organization holds the legal rights to the easement, they shall visit the site a minimum of once per year to inspect and record any violations that may be occurring within the open space areas and other protected resource areas and create and file a report of what is observed.

6. Public trust. The open space lands and other protected resource areas may be dedicated to a public trust. This shall include the accompaniment of money with it to provide funds for the trust to conduct annual surveys on the land to turn into state agencies which may require these reports. The two entities shall enter into an agreement which states that the trust, whose only purpose is to protect open lands and other protected resource areas, shall protect these spaces within the development.

7. Conveyance of any unused development rights. Any unused development rights of the subject property may be conveyed to a unit of government or a conservation agency while allowing present and future owners of the open space lands to continue to maintain farming activities or open lands for their own use but permanently giving up the right to ever develop it.

F. Density limit (yield plan). The number of dwellings permitted to be constructed shall not exceed the number that would be permitted under conventional zoning regulations as determined by gross parcel area less primary conservation areas as defined in the paragraphs under subsection D.1., divided by the minimum lot area set forth in the schedule of regulations for the district involved. The permitted density may be modified if a density bonus is approved by the Planning Commission.

G. Density bonus.

1. Generally. To encourage developers to utilize this development option where a large amount of open space is permanently preserved instead of conventional forms of land division where little or no usable open space remains, the Planning Commission may permit the number of dwelling units to be increased by up to 30 percent depending upon the physical characteristics of the site and upon a determination by the commission that the plan is well designed and that proposed development complies in all respects with the intent and purpose of this section, provided all other requirements of this section are met. Proceeds from the sale of bonus lots are to be used to provide a conservation endowment (50%) and to provide an incentive (50%) to the developer. Spending from this conservation endowment fund shall be restricted to interest from such fund and shall be used to offset continuing open space monitoring and maintenance costs.

2. Public access. To encourage appropriate and desirable lands to be set aside for public access to a portion of the site, a bonus of one additional potential lot may be granted to the developer in exchange for a written and recorded easement to a unit of government for each five (5) acres of public access land provided. (Note: Land for connecting public paths or trails and adjoining buffer areas are one type of public access that may be desired. Public access to or along water bodies may be desired. Historic, archaeological, or cultural features, rare or unusual plants, or habitats are examples of other potential candidate resources for public access.) Fifty (50%) percent of the proceeds from the sale of the bonus lots shall be set aside for a public access endowment. The interest from the endowment shall be used to cover the additional public liability insurance requirements and cover other protection, maintenance, and inspection costs.

H. Minimum lot size. The conventional minimum lot area and width requirements set forth in the schedule of regulations shall not apply. The minimum lot area and width shall be large enough for anticipated rural or very low density suburban household activities and shall also be determined by land area and distances required to comply with yard and setback requirements.

I. Frontage on internal road. All lots shall front only upon a road which is internal to the development. No lots may be created which front upon existing public streets.

J. Street standards. All internal public streets shall be designed and constructed to meet all requirements of the City and as may be set forth in the City subdivision regulations or the City site condominium requirements. All internal public streets shall be dedicated to the City, must be found acceptable to the City, and be incorporated into the City street system.

K. Clustered home sites.

1. General evaluation criteria.

a. Protects and preserves all floodplains, wetlands, and steep slopes.

b. Preserves and maintains mature woodlands, existing fields, pastures, meadows, orchards, and creates sufficient buffer areas.

c. If development must be located on open fields or pastures because of greater constraints in all other parts of the site, dwellings should be sited on the least prime agricultural soils, or in locations at the far edge of a field, as seen from existing public roads.

d. Maintains or creates an upland buffer of natural native species vegetation adjacent to wetlands and surface waters.

e. Designs around existing tree lines and hedgerows between fields or meadows, and minimizes impacts on large woodlands (greater than five acres).

f. Leaves scenic views and vistas unblocked or uninterrupted, particularly as seen from public thoroughfares.

g. Avoids siting new construction on prominent hilltops or ridges, by taking advantage of lower topographic features.

h. Protects wildlife habitat areas of species listed as endangered, threatened, or of special concern.

i. Designs around and preserves sites of historic, archaeological, or cultural value, their environs, and their related features (e.g. stones walls, earth-works, and burial grounds.

j. Protects any rural roadside or other unique character.

k. Landscapes common areas (such as community greens), cul-de-sac islands, and both sides of new streets with native species shade trees and flowering shrubs with high wildlife conservation value.

l. Provides active recreational areas in suitable locations that offer convenient access by residents and adequate screening from nearby house lots.

m. Includes a safe internal pedestrian circulation system, ideally connected to community pedestrian/bicycle system. The system must be integrated with open space, recreation, preservation areas, and provide convenient access from home sites.

n. Provides open space that is reasonably contiguous. (Design and Management Handbook for Preservation Areas, by the Natural Land Trust is a good reference resource.)

2. Specific criteria.

a. Location of house sites. House sites should generally be located not closer than 100 feet from primary conservation areas, but may be situated within 50 feet of secondary conservation areas to provide buffering distances and afford enjoyable views. The building "footprint" of proposed residences may be changed in any direction by less than 50 feet without approval. Changes involving 50 feet or more may be changed with approval from the Planning Commission.

b. Street and lot layout. When lots and access streets are laid out, they shall be located in a way that avoids or at least minimizes adverse impacts on both the primary and secondary conservation areas. To the greatest extent practicable, wetland crossings and streets traversing existing slopes over 15 percent shall be strongly discouraged. Street connections shall generally be encouraged to minimize the number of new cul-de-sac to be maintained by the City and to facilitate easy access throughout the development. Single-loaded residential access streets may maximize the number of homes with enjoyment of open space views, but may require more land to be disturbed.

c. Lot lines. These are generally drawn midway between adjacent house locations. Lots may be irregularly shaped, including L-shaped "flag-lots".

L. Setbacks. Dwellings shall be located in compliance with all yard and setback requirements of the district in which they are located. Dwelling units and structures shall be set back a minimum of 50 feet from any perimeter lot line of the parent parcel, except that they shall be set back at least 250 feet from any existing public street right-of-way which borders the perimeter of the project site. Dwelling unit clusters shall be spaced an appropriate distance apart from another cluster, as determined by the Planning Commission, compatible with the surrounding community character and to discourage a suburban subdivision appearance.

M. Landscaping. To maintain a rural or very low density suburban character of the district, the frontage along the perimeter public street shall be heavily landscaped to screen clustered home sites from view of the public to the greatest extent feasible. Scenic vistas from the perimeter public street shall be maintained (and perhaps enhanced) to the greatest extent feasible. A landscape plan for such areas shall be reviewed and approved by the Planning Commission. Existing natural screens, or new screens may be used. The Planning Commission may require the installation of a landscaped berm where necessary to meet the intent of this section.

N. Sewage disposal and water supply. On-site wells and septic systems may be used where determined to be appropriate within the City. Community septic systems or package treatment plants and community wells in lieu of individual wells and septic fields may be permitted if approved by the City and state health department. Public water and sewage disposal systems shall not be extended to serve projects developed under this section if the site lies beyond an urban services area boundary, as may be set forth within the master plan, except in such instances where such utilities already are located at the perimeter of the site. Portions of the open space may be used, if approved by the Planning Commission and the health department for individual or community wells, for underground drainage fields for individual or community septic systems and for "spray fields" for spray irrigation purposes in a "land treatment" sewage disposal system. However, "mound" systems protruding above grade and aerated sewage treatment ponds shall be limited to no more than ten percent of the required minimum open space.

O. Pedestrian linkages to open space. To the greatest extent feasible, the open spaces should be located and interwoven with the dwelling unit clusters so as to be easily accessible to residents of the development, except in cases where the open space to be preserved is not intended for the use of the residents (as in the case of active farming or protection of endangered species). Linking pedestrian trails shall be provided within the open space.

P. Site plan. Approval under this section requires that a site plan meeting the requirements of Section 28.7 be reviewed and approved by the Planning Commission. In addition to a site plan, the Planning Commission may require the submittal of additional documents as specified or called for herein.

Q. Site condominium, subdivision approval, or land division. A project approved under this section shall also comply with all requirements of the City, county, and state for a site condominium, subdivision, or land division as may be applicable, and shall follow all such steps and procedures for approval required therein. If clustering under land division is intended, documentation of the potential number of new parcels out of the parent parcel must be submitted. Notwithstanding other provisions of this section, if developed

under the land division method, the number of parcels or lots to be created shall not exceed the maximum number permitted under the State Land Division Act (MCL 560.101 et seq.).

R. Application and approval process.

1. The applicant shall prepare and present the following exhibits to the Planning Commission for review and approval. The Planning Commission shall submit the applicant's exhibits to the planning consultant (City planner) for a recommendation. As may be necessary or advisable, a recommendation from an engineer consultant (City engineer) may also be sought during the preliminary approval process.

   a. Applicant prepares and presents a "yield plan" for review and approval of the Planning Commission. The "yield plan" shall identify all primary conservation areas as defined in the paragraphs under subsection D.1., and shall accurately demonstrate the maximum number of lots or parcels which could be created if the property was developed conventionally.

   b. Applicant submits conceptual preliminary plan with all basic existing and proposed land features and structures shown separately. Aerial photos and simple transparencies may be used.

   c. Applicant submits conceptual landscape plan with all basic existing and proposed topography and vegetation features shown separately. Photos and simple transparencies may be used.

   d. A site walkabout may be scheduled for the applicant, Planning Commissioners, and the local government's staff and/or consultants.

2. Planning Commission site plan review procedures (see Section 28.7.) are required in all eligible districts (12.0 MR and 17.0 DD districts) for this principal permitted use. All required steps shall be scheduled with a determination of approval, approval with conditions, or disapproval to follow accordingly.

3. Any legal instruments (easements, covenants, etc.) pertinent to the effectuating of the proposed open space preservation development must be reviewed and approved by the City's attorney. Any approved easements, covenants, or other legal instruments which run with the land are to be recorded with the county Register of Deeds. No zoning compliance permit or building permit shall be issued until this has been accomplished.

Residential Clustering Example

Parcel Size: 40 acres (A site like this with various natural limitations can be made more buildable under this development option.)

An example of normal zoning—(RR-2.5) Rural Residential District 2.5: 2.5 acre minimum lot size

Calculation of allowable number of lots:

40 acres = gross area
Less 15 percent for internal roadways (6.0 acres).
Less one (1.0) acres for planned county road ROW (parcel legal description running to the center of the road).
Less 1.5 acres for a county drain easement.
Less 6.5 acres of regulated wetland, also 100-year floodplain, adjacent to county drain (a primary conservation area).
40 - 6.0 acres - 1.0 acres - 1.5 acres - 6.5 acres = 25 acres [adjusted tract acreage]
25 net acres/2.5 acre minimum lot size = 10.0.
Therefore, 10 lots allowed [result of lot "yield plan"].

Adjusted tract acreage eligible for development minus 50% preservation = Net amount of land to be developed.

25 acres	-	12.5 acres	=	12.5 net acres	[12.5 acres of secondary conservation areas to be permanently conserved:
					- 5.0 acres on north side of parcel to be retained by original farm owner for farming together with adjacent 160 acre cropland.
					- 2.5 acres of upland woods and stream to be held in common by resident owners.
					- 5.0 acres on east side to be dedicated for public access. See bonus below.]

12.5 acres = net developable area
less 10% for roadway (reduced need)
12.5 × 0.90 = 11.25 net acres

Area per buildable home site:
11.25 net acres/10 allowable units.
Typical home site = 1.125 acre.*

Potential Bonus Lots (Density Bonus).
Allowable units × (maximum 30% bonus) = Potential Bonus Lots
10 × 0.30 = + 3.0 (fractions 1.5 and over rounded up) Potential Total: 10 + 3 = 13 Lots*
Potential Bonus Lots (Public Access Bonus)

	3 acres for 50 ft. buffer area surrounding portions of wetlands
+	1.5 acres for county trail way.
+	*0.5 acre for wetland observation site and interpretative displays*
	5.0 acres open to the general public (out of 15 acres of site conservation area.)

5 Acres Public Access = 1 Additional Bonus Lots

Potential Total 10 + 3 + 1 = 14 lots*
12.5 net acres/14 allowable units
Typical home site = 0.89 acre*

* *Note:* Actual typical home site size may vary due to on-site conditions.

RESERVED FOR FUTURE USE

RESERVED FOR FUTURE USE

23.0 SECTION 23.0: NON-CONFORMING USES AND STRUCTURES

23.1 Definitions and Classification of Non-Conforming Uses and Structures:

A. Non-conforming uses and structures are those which do not conform to a provision or requirement of this ordinance, but which were lawfully established prior to the time of the adoption of this ordinance.

Class A non-conforming uses or structures are those which have been so designated by the Planning Commission after application by an interested person or the Zoning Administrator, upon finding that:

1. Continuance thereof would not be contrary to the public health, the safety, or welfare, or to the intent of this ordinance.
2. The use or structure does not and is not likely to significantly depress the value of nearby properties.
3. The use or structure was lawful at the time of inception.
4. No useful purpose would be served by strict application of the provisions or requirement set forth by this ordinance with which the use or structure does not conform.

B. All non-conforming uses and structures which have not been designated as Class A, are automatically Class B non-conforming uses or structures.

23.2 Procedure for Obtaining Class A Designation, Conditions:

A written application shall be filed setting forth the name and address of the applicant, giving a legal description of the property to which the application pertains, and including such other information as may be necessary to enable the Planning Commission to make a determination of the matter. The Planning Commission may require the furnishing of such additional information as it considers necessary. The notice and hearing procedure before the Planning Commission shall be the same as in the case of application for a Variance. The decision shall be in writing and shall set forth the findings and reasons on which it is based. Conditions shall be attached, including any time limit, where necessary, to assure that the use or structure does not become contrary to the public health, safety, or welfare or the intent and purpose of this ordinance. No vested interest shall arise out of a Class A designation.

23.3 Revocation of Class A Designation:

A. Any Class A designation shall be revoked, following the same procedure required for designation, upon a finding that as a result of any change or conditions or circumstances, the use or structure no longer qualifies for Class A designation.

B. No Class A non-conforming use shall be resumed if it has been discontinued for a continuous period of at least eighteen (18) months or if it has been changed to a conforming use for any period. No Class A structure shall be used, altered, or enlarged in violation of any condition imposed in its designation.

23.4 Regulations Pertaining to Class B Non-Conforming Uses and Structures:

A. It is a purpose of this ordinance to eliminate Class B non-conforming uses and structures as rapidly as is permitted by law without payment of compensation.

Exceptions: One and two family structures which are non-conforming on the basis of yard or height requirements may be maintained, repaired, altered, or added to as long as they remain otherwise conforming. Additions or alterations to the exterior of the structure shall conform to all requirements of this ordinance.

B. No Class B non-conforming structure shall be enlarged or structurally altered, nor shall it be repaired or reconstructed if damaged by fire or other casualty to the extent that the cost of reconstruction or repair exceed the assessed value (50% of true cash value) of the structure as indicated on the current tax roll. Any such repair or reconstruction shall conform to all requirements of this ordinance.

C. No Class B non-conforming use shall be changed to a substantially different non-conforming use nor enlarged so as to make use of more land area than used at the time of becoming non-conforming.

D. No Class B non-conforming structure shall be resumed if it has been discontinued for a continuous period of at least six (6) months or if it has been changed to conforming use for any period or if the structure in which such use is conducted is damaged by fire or other casualty to the extent that the cost of reconstruction or repair exceeds the assessed value of the structure as indicated on the current tax roll.

E. For the purposes of maintaining health and safety, Class B non-conforming structures and buildings may be repaired and maintained. Such repair and maintenance shall not increase the non-conformity of the structure, building, or uses therein, nor shall such repair and maintenance total more than fifty (50%) per cent of the current assessed value (25% true cash value) of the structure and/or building in any twelve (12) month period.

F. In the case of mineral removal operation, existing holes or shafts may be worked and enlarged on the land which constituted the site on which operations were conducted at the time of becoming non-conforming, but no new holes or shafts shall be established.

G. No Class B non-conforming use or structure shall be permitted to continue in existence if it was unlawful at the time of its inception.

24.0 SECTION 24.0: NON-CONFORMING LOTS

24.1 Zoning Ordinance Conformity:

A. All lots or parcels of land created through division and/or combination with other lots or parcels of land shall conform to the requirements of this ordinance and the district in which they are located.

B. A non-conforming lot may not be used except as permitted in Section 24.2.

C. Contiguous, non-conforming lots simultaneously under the same ownership are considered, under the terms of this ordinance, to have been combined as necessary to eliminate the non-conformity. If all non-conformity cannot be eliminated, the non-conformity shall be reduced as much as possible.

24.2 Exceptions to Sections 24.1:

Structures or uses which were lawful prior to the adoption of this ordinance and which were existing on non-conforming lots may be used for any of the permitted uses in the districts in which they are located, providing all other requirements of this ordinance are met.

24.3 Exceptions and Exemptions:

The location of railroad tracks and yards and the location of essential services (as defined in this ordinance) are exempt from regulations under Section 24.0.

25.0 SECTION 25.0: CONDITIONAL USE PERMIT

25.1 Intent:

This section of the ordinance shall govern the permitting of Conditional Uses which may be located in specific districts when particular or unique problems and all objectionable facets of the use have been overcome and eliminated by consideration of proper planning techniques. It is the purpose of this section to maintain adequate provision for the security of the health, safety, and general welfare of the inhabitants and uses of the zoning district and adjoining districts.

25.2 Procedure:

No Conditional Use shall be established in any zoning district except upon permit issued by the Planning Commission. The Commission shall be guided in making a decision by the standards set forth in this ordinance in Sections 25.3 and 25.4. The Commission shall hear and decide only such Conditional Uses as specifically authorized by district and by the terms of this ordinance.

A. Any application for a Conditional Use permit shall be submitted to the Zoning Administrator and shall be accompanied by such fees as set by the City Council.

B. Any person seeking a Conditional Use permit shall provide the Zoning Administrator with all information required for this section (Section 25.0) and for site review (Section 28.0) and additional information as the

Commission may reasonably require to determine whether the granting of the permit is consistent with the intent of this ordinance. An administratively complete application shall be noted as such by the Zoning Administrator, and the applicant shall be advised of this determination and its date in writing.

C. A public hearing shall be held on all requests for a Conditional Use permit. Notice of the public hearing shall be given by publication and by personal service, or mail, in accordance with the provisions of Section 30.5 of this Ordinance.

D. The Commission shall hold the public hearing and consider all requests for a Conditional Use permit within five (5) weeks of receipt of the application and all required materials. The Commission shall take final action within three (3) months of the receipt of the required materials. Notice of the Planning Commission's decision shall be mailed to the applicant. The decision on a Conditional Use permit shall be incorporated in a statement of findings and conclusions relative to the Conditional Use, which decision shall specify the basis for the decision and any conditions imposed.

E. In permitting a Conditional Use, the Commission shall make a finding that the Conditional Use will be in compliance with the general purpose of the ordinance and the intent of the district in which it is located and will not be injurious to the spirit of this ordinance and intent of district, and will not be injurious to the neighborhood, or otherwise detrimental to the public health and welfare. Requirements for principal uses must be met when granting a Conditional Use Permit.

F. In permitting any Conditional Use, the Planning Commission may prescribe appropriate conditions and safeguards. Violation of any requirements, conditions or safeguards, made a part of the terms of the permit, shall be deemed a violation of this ordinance, and shall be punishable under Section 31.0 of this ordinance. Permits issued on the basis of false information shall be void and continuance of the use shall be deemed a violation of this ordinance.

G. No Conditional Use may be commenced until all conditions have been met. A performance bond acceptable to the Zoning Administrator may be required by the Planning Commission.

H. The owner or occupant of an approved Conditional Use may only change the conditions of their Conditional Use by seeking an amendment. Such an amendment shall only be considered by the same means as an original Conditional Use proposal as required under this Section.

I. Voiding of special approval use permit. Any Conditional Use permit granted under this Section shall become null and void and fees forfeited unless construction or use is commenced within 18 months of or if the authorized construction or use is suspended or abandoned for a period of six months after the time commencing the construction or use.

J. Appeal to circuit court. Decisions of the Planning Commission on a Conditional Use permit shall be final. A person having an interest affected by a Conditional Use permit decision of the Planning Commission may appeal to circuit court.

25.3 General Guidelines:

A. The Planning Commission shall be guided by administrative standards in Section 26.0.

B. The Planning Commission shall require sufficient site area to prevent nuisance to neighboring uses and to allow for reasonable anticipated expansion of the use.

C. If residential and non-residential buildings are erected exceeding the maximum height limit, as permitted in a Conditional Use permit granted by the Planning Commission, each side yard shall be increased one (1) foot in width for each (1) foot of added height, and the front yard shall also be so increased in an amount equal to the added height.

D. The following requirements apply to Public Utility Substations in any zoning district:

Substations shall be located with all due regard to yard requirements established for the specific zoning district and must be adequately fenced with a fence at least eight (8') feet high, set back from the property line ten (10') feet along any public way.

25.4 Required Conditions for Zoning Districts:

A. Residential Districts (SR, GR, MR)

1. Conditional Uses in the (SR, GR, and MR) residential districts shall be permitted only on lots fronting on and with principal driveway access to a street, and so located and designed as to avoid undue traffic, noise, or other nuisances or dangers.

2. Customary accessory uses and structures for Conditional Uses in the (SR, GR, MR) districts shall meet all the requirements of Section 19.1G & H.

3. Home Occupations. The purpose of the Home Occupation Conditional Use provision is to permit the conduct of a part-time business for supplemental income purposes in the residential districts. Home occupations are limited to those uses which may be conducted within a residential dwelling without in any way changing the appearance or condition of the residence.

   The following criteria shall be employed by the Planning Commission to determine a valid home occupation:

   a. Shall not employ more than one person who is not a member of the household.

   b. The structures on the property shall show no external indication of such home occupation, nor any change in the appearance of the building or premises from a dwelling, except that a non-illuminated sign not exceeding three-hundred (300) square inches in area may be attached to the dwelling to advertise the activity.

   c. May be conducted in an accessory building.

   d. Shall not constitute a retail store such as those permitted in the (GC) and/or (CBD) districts.

e. Shall not necessitate the use of heavy commercial vehicles.

f. The use shall not generate pedestrian or vehicular traffic beyond that normal to the residential district.

g. No outdoor storage permitted.

h. In addition to an accessory structure, no more than one room in the dwelling shall be employed for the home occupation.

i. In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or the emission of sounds, noises, vibrations, or otherwise.

j. There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential purposes.

k. The display of goods produced or services performed on the premises shall not be evident from outside the premises.

4. Group day care homes shall be licensed as either a group day care home or a day care center by the Michigan Department of Social Services prior to commencement of the use.

5. Adult foster homes shall be licensed by the State of Michigan or a state authorized agency prior to commencement of the use.

6. Outdoor swimming pools shall not be closer than ten (10') feet to any building or lot line and must be enclosed by a six foot (6') high fence with a gate.

7. Religious institutions, cemeteries, convalescent homes and extended care facilities.
   a. Shall be located so that the site has direct ingress from and egress to a major street or a minor street no more than two-hundred (200') feet from its intersection with a major street.
   b. For each district where a religious institutions or cemetery is identified as a Conditional Use, no building shall be located closer than the setback established for the principal use.

8. Schools:
   a. A required front, side and rear yard of thirty (30') feet shall be required for all buildings.

   b. Off-street passenger loading zones shall be provided for school buses and private vehicles.

   c. Parking shall not occupy more than sixty (60%) per cent of the required side and rear yard.

d. Parking shall not occupy any portion of the required front yard.

B. General Commercial District (GC)

The following Conditional Uses may be permitted in the General Commercial (GC) district.

1. Office building dwelling units may be conditionally permitted subject to the following requirements.

   a. No more than four (4) dwelling units, which meet state and local code, may be permitted in an office building.

   b. Two (2) parking places for each such dwelling unit with direct access shall be provided.

   c. The storage or use of flammable or hazardous material shall not be permitted in the building.

2. Establishments Selling Alcoholic Beverages

   Establishments selling alcoholic beverages for consumption on the premises shall maintain a transitional yard as stipulated in subsection 19.1.D.2., and provide one (1) parking space for every one-hundred-twenty (120) square feet of usable floor area and may be located no closer than one-thousand (1,000') feet to a school or religious institution. Establishments selling alcoholic beverages must be separated by at least four-hundred (400') feet.

C. Industrial District (I)

The Commission may require additional safeguards to meet the intent of the Industrial District and to assure opportunity for additional industrial uses and for growth within each area of the City which is zoned industrial.

1. All Conditional Uses.

   a. Notice of intent to build or expand must be given to the Zoning Administrator at the same time application is made to any federal or state agencies which may require permits.

   b. Prior to final approval of a Conditional Use permit, each applicant shall obtain the necessary state and federal permits, including permits or waiver of permits from the Michigan Air Pollution Control Commission and the Water Resources Commission. The applicant shall, upon Commission request, forward all reports and findings from the state and federal agencies to the Zoning Administrator, along with site plans as described in Section 28.0.

2. The following Conditional Uses may be permitted in the Industrial (I) district.

a. Except as provided under subsection (30.) iii. of this section, communication towers shall be allowed only in the I, Industrial District subject to the following conditional approval requirements:

(1.) The tower must be setback from all property lines and from the edge of the planned road right-of-way a distance equal to its height for reasons of safety and aesthetics. Except that the setback may be reduced by the planning commission with due consideration of aesthetic circumstances, if the developer submits evidence that the tower is designed in the event of failure, to collapse within a more confined distance. Land included within such minimum required setbacks shall remain undivided and undeveloped with other structures not accessory to the tower.

(2.) Towers shall be of the freestanding type without guy wires.

(3.) Accessory structures are limited to uses associated with the maintenance and operation of the tower and may not be located any closer to any property line than 30 feet.

(4.) Accessory structures shall not exceed 600 square feet of gross building area.

(5.) A transitional yard(s) as stipulated in subsection 19.1.D.2. shall be met.

(6.) All towers shall be equipped with an anticlimbing device to prevent unauthorized access.

(7.) The plans of the tower construction shall be certified by a registered structural engineer.

(8.) The applicant shall provide verification that the antenna mount and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes.

(9.) All towers must meet the standards of the Federal Aviation Administration and the Federal Communications Commission.

(10.) Communication towers in excess of 100 feet in height above grade level shall be prohibited within a two-mile radius of a public or private airport or one-half mile radius of a helipad.

(11.) All facility components accessory to a tower or antenna shall comply with all regular setback requirements for the district in which located. However, in no case shall said accessory components be located within 30 feet of a property line.

(12.) Metal towers shall be constructed of, or treated with, corrosive-resistant material.

(13.) Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards.

(14.) Towers with antennae shall be designed to withstand a uniform wind loading as prescribed in the Michigan 2012 Building Code, as amended.

(15.) All signals and remote control conductors of low energy which extend substantially horizontally above the ground between a tower or antenna and a structure, or between towers, shall be at least eight (8') feet above the ground at all points, unless buried underground.

(16.) Towers shall be located so that they do not interfere with reception in nearby areas. If problems occur after construction, the tower owner or lessee shall provide a remedy.

(17.) Towers shall be located so there is room for vehicles doing maintenance to maneuver on the property owned and or leased by the applicant.

(18.) The base of the tower shall occupy no more than 500 square feet.

(19.) Minimum spacing between tower locations shall be two miles (without respect to municipal boundaries) in order to prevent a concentration of towers in one area.

(20.) Height of the tower, including antennae, shall not exceed 180 feet from grade. The planning commission may allow towers of greater height in the interior of industrial districts in such cases where the planning commission determines that such height will not negatively impact upon adjacent properties in non-industrial districts.

(21.) Towers shall not be artificially lighted, it being the intent of the City to encourage the use of towers of such height that they do not require lighting which may adversely affect nearby properties. However, if required by the FAA in the future, lighting shall be of the dual mode day/night type (red at night, strobe during the day) and be designed to refract upward so as to limit ground scatter to a maximum of 75 candela at the site property or leasehold line.

(22.) Existing on-site vegetation shall be preserved to the maximum extent practicable.

(23.) There shall not be displayed any advertising or identification intended to be visible from the ground or other structures, except as required for emergency purposes.

(24.) The antenna shall be painted to match the exterior treatment of the tower. The chosen paint scheme should be designed to minimize off-site visibility of the antenna.

(25.) Structures shall be subject to any state and federal regulations concerning non-ionizing electromagnetic radiation. If more restrictive state or federal standards are adopted in the future, the antenna shall be made to conform to the extent required by such standard or the Conditional Use approval shall be subject to revocation by the planning commission. Cost for testing and verification of compliance shall be borne by the operator of the antenna.

(26.) There shall be no employees located on the site on a permanent basis to service or maintain the antenna. Occasional or temporary repair and service activities are excluded from this restriction.

(27.) All parking and drive areas must be paved as provided in this ordinance. All driveway entrances shall meet the requirements of the City and a permit shall be obtained from the City for each driveway entrance.

(28.) Except for the driveway opening, along the entire perimeter of the tower, including its related structures and fencing, and within the area leased or owned by the applicant, the developer shall plant a landscaping buffer, which the lessee or owner shall subsequently maintain. The buffer, at a minimum, shall consist of two staggered rows of trees that are a minimum of six feet tall when planted with a height at maturity of at least 20 feet. Trees shall be planted on 20-foot centers. Trees shall be 80 percent evergreens and 20 percent deciduous, mixed in species, using only species approved by the American Nurserymen's Association or a similar organization which may be specified elsewhere by City ordinance.

(29.) All towers that cease to be used for a period of six continuous months shall be removed at the owner's expense, including all equipment and structures, and the owner shall restore the site to its original condition within three months of written notice and request by the City. If a tower is scheduled to be back in use within six months of the date of the City's notice, as provided herein, the owner may apply to the planning commission for an extension. Upon proof that use of the tower will recommence within six months of the notice to remove, the planning commission may grant an extension, not to exceed six months.

(30.) The policy of the community is to minimize the number of communication towers in the City. Therefore, the City shall require the co-location of communication

towers. Pursuant to this policy, the following standards apply to communication towers:

i. All new and modified communication towers shall be designed and constructed so as to accommodate co-location.

ii. A Conditional Use permit for the construction and use of a new communication tower shall not be granted unless and until the applicant demonstrates that a feasible co-location opportunity is not already available for the coverage area and capacity needs.

iii. An antenna with supporting accessory ground equipment and structures (no additional tower) may be co-located on an existing high structure (i.e. smokestacks, water towers, or tall buildings, etc.) in any zoning district, subject to all requirements of this section.

(31.) The following communication facilities are exempt from the above provisions, provided that they meet the requirements of the zoning district in which they are located and provided that the maximum height of these facilities shall be 60 feet:

i. Citizen band radio facilities,
ii. Short wave facilities,
iii. Ham and amateur radio facilities,
iv. Television reception antennae,
v. Satellite dishes,
vi. A trucking company's or farmer's communication system or other similar private communication systems,

(32.) Government facilities which are subject to state and/or federal law or regulations that preempt municipal regulatory authority are exempt from the above provisions only to the extent or degree preempted.

b. Sexually Oriented Businesses may be conditionally permitted subject to the following requirements.

(1.) Intent and Purpose:

The City Council of Ishpeming acknowledges that there are some uses of land which because of their sexually oriented nature are recognized as having serious unique objectionable characteristics and deleterious and adverse effects and consequences on surrounding properties. Conditional regulation of these sexually oriented businesses is needed to fulfill the goals of the City's Master Plan to prevent the adverse effects, i.e. blight and urban deterioration, reductions in value of surrounding property, social disorder and crime, the negative effects on community standards for aesthetic values and the City's tax base associated with the location and operation of sexually oriented businesses. The City Council believes that the purpose and intent of this section will best be accomplished by

requiring that sexually oriented businesses may be located only in those areas of the City which are zoned I, Industrial and then only upon the Planning Commission holding a public hearing and issuing a Conditional Use permit after having determined that the proposed use meets the requirements of Section 25.0 of this Ordinance.

(2.) Definitions:

i. Sexually Oriented Business Use – Any use of land, whether vacant or combined with structures or vehicles thereon, by which said property is devoted to displaying or exhibiting material for entertainment, a significant portion of which includes matter, actions depicting, describing or presenting "Specified Sexual Activities" or "Specified Anatomical Areas". See definition "Sexually Oriented Business" in Section 3.0.

ii. Specified Sexual Activities – as used above, the phrase "Specified Sexual Activities" shall mean and include:

(a.) Human genitals in a state of sexual stimulation or arousal;

(b.) Acts of human masturbation, sexual intercourse or sodomy;

(c.) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast; and

(d.) Appearing in a state of nudity.

iii. Specified Anatomical Areas – as used in the above definitions, the phrase "Specified Anatomical Areas" shall mean and include:

(a.) Less than completely and opaquely covered: (a) human genitals, pubic region (b) buttocks, and (c) female breast below a point immediately above the top of the areola; and

(b.) Human genitals in a discernibly turgid state, even if completely and opaquely covered.

(3.) Dispersal Regulations:

i. No sexually oriented business shall be located within eight-hundred (800) feet of any other sexually oriented business or within eight-hundred (800) feet of any of the following uses:

(a.) Any Class "C" establishment licensed by the Michigan Liquor Control Commission;

(b.) Indoor movie theaters;

(c.) Any public park;

(d.) Any religious institution (or other religions site or structure where a person or persons worship or gather);

(e.) Any public or private school having a curriculum including kindergarten or any one or more of the grades one through twelve (1-12);

(f.) Any child care center or nursery;
(g.) Any adult foster care facility;
(h.) Any senior citizen's center;
(i.) Any residentially zoned district and/or any residentially used structure; and
(j.) Any other regulated uses as defined herein.

(4.) Age/Visibility Restrictions:

i. No person under eighteen (18) years of age shall be permitted to enter any portion of the premises of a sexually oriented business where sexually oriented business products are displayed.

ii. A sexually oriented business which sells or displays videotapes, discs or cassettes of general interest but also has a section or segment of the establishment devoted to the sale or display of sexually oriented business merchandise/products which distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Anatomical Areas" or "Specified Sexual Activities": as both are defined herein, shall provide for the display of such materials in a fully enclosed room with solid walls and doors separate from the common area of the premises and which totally obstructs viewing from the outside. The door shall have self-closing mechanism and shall be clearly marked "Adults Only".

iii. All entries, windows and other building openings for a sexually oriented business shall be located, covered, screened in such a manner as to prevent anyone from being able to view or otherwise observe the interior of the sexually oriented business from any vantage point outside of the business.

(5.) Advertising/Signage Limitations:

i. Signs advertising sexually oriented businesses and sexually oriented business merchandise/products shall be permitted, subject to the following limitations and restrictions:

(a.) Any signs advertising the existence of any sexually oriented business shall not exceed a total aggregate area of twenty (20) square feet;

(b.) Any signs, advertisements, displays or any other material promoting sexually oriented business merchandise/ products shall not be displayed, shown or exhibited in any manner that allows them to be viewed by the public from any vantage point outside of the business;

(c.) Any signs advertising the existence of any sexually oriented business shall not be illuminated by any type of flashing, blinking or strobe lights;

(d.) Any signs advertising the existence of any sexually oriented business shall not be located within the public right of way;

(e.) Any signs advertising the existence of any sexually oriented business shall not be illuminated or located in any manner which causes it to be a traffic hazard or have a negative or detrimental effect on any surrounding land use; and

(f.) Any signs advertising the existence of a sexually oriented business shall only be located on the property for which a Conditional Use permit to operate a sexually oriented business has been granted.

SECTION 25.5: MARIJUANA FACILITY CONDITIONAL USE REQUIREMENTS

This section addresses specific requirements for a **Marijuana retailer** and/or a **Marijuana provisioning center**. Ordinance No. 2-1600 authorizes and regulates Marijuana facilities in the City of Ishpeming. Two (2) **Marijuana retailer/ Marijuana provisioning centers** may be located within the CBD (Central Business District) or Two (2) **Marijuana retailer/ Marijuana provisioning centers** may be located within the GC (General Commercial) zoning district, or One (1) **Marijuana retailer/ Marijuana provisioning center** may be located in each of the said zoning Districts, but not more than two (2) establishments licensed as Marijuana retailers or Marijuana Provisioning Centers, whether operating as combined retailer/provisioning centers or as stand-alone establishments, may be located within the City.

The definitions for the bolded text are located in the Zoning Ordinance.

Marijuana Facility Requirements:

A. At the time of application for a Conditional Use Permit, the Marijuana Facility must have a provisional license from the State of Michigan and also follow the Michigan Regulation and Taxation of Marijuana Act, MCL 333.27951 et seq.

B. Marijuana facilities may not be permitted as a home business or an accessory use.

C. All county, state and federal laws pertaining to the emission of odor, smoke, noise, vibration etc. shall be met at all times during operation.

D. Odor from Marijuana retail or provisioning shall be addressed with an activated carbon filtration system to ensure that air leaving the building through an exhaust vent passes through an activated carbon filter. The filtration system shall consist of one or more fans and activated carbon filters sized for the Cubic Feet per Minute (CFM) equivalent of the volume of the building divided by three. The filters shall be rated for the applicable CFM, and be in use and maintained in working order.

E. Negative air pressure shall be maintained inside the building. Doors and windows shall remain closed except for the minimum time required for ingress and egress.

F. No trash, garbage or waste material shall be stored outdoors unless effectively screened from view.

G. Marijuana retailer / Marijuana provisioning center facilities shall have a minimum of 1 parking space per 1,000 square feet of floor area, and a minimum of two (2) spaces, *when located within the GC (General Commercial) zoning district.*

26.0 SECTION 26.0: ADMINISTRATIVE STANDARDS

For the purpose of administering this ordinance, the Zoning Administrator, the Planning Commission, the Zoning Board of Appeals and any other reviewing body or official shall consider each case as an individual case. Consideration shall be given to the location, size, and character of a use to determine if the use will be in harmony with the intent and appropriate orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts. Consideration shall also be given to the following:

A. Intent of the Zoning District.

B. Current use of adjacent lands and neighborhood.

C. Physical appearance of existing or proposed structures (location, height, bulk of building as well as construction materials).

D. The suitability of the proposed landscaping in providing ground cover, screening and decoration on the site.

E. The nature and intensity of operations involved in or conducted in connection with the proposed use.

F. The time of day of the use, the physical and economic relationship of one type of use to another.

G. The assembly of persons or employees, which may be hazardous to the neighborhood or incongruous or conflict with normal traffic in the vicinity.

H. Vehicular and pedestrian traffic volumes and patterns, particularly of children, as well as vehicular turning movements in relation to traffic flows, intersections and site distances.

I. The physical characteristics of the site such as: area, drainage, topography, open space, landscaping, and access to minor and/or major streets.

J. Demands upon public services such as electricity, police, and fire protection, schools, and refuse disposal.

K. The type and amount of litter, waste, noise, dust, traffic, fumes, glare and vibration which may be generated by such use.

L. Area requirements for the proposed use and the potential for the use or its area requirements to expand.

M. Other factors necessary to maintain property values in the neighborhood and guarantee safety, light, air and privacy to the principal uses in the district.

27.0 SECTION 27.0: FEES

Fees for any appeal to the Zoning Board of Appeals or petitions for Planning Commission consideration of Zoning Ordinance Amendments (rezonings), Conditional Use Permits or Planned Unit Development/ Site Plan Review, Non–conforming Lots or Structures, Condominium/ Subdivision Developments, Land Division, Open Space Preservation (Residential Clustering), Zoning Compliance, Sign, or Fence Permits shall be established by resolution of the City Council. No activity on such request or appeal shall commence until said fee has been paid. Said fees are waived for actions initiated by the City Council, the Planning Commission or the Zoning Administrator.

28.0 SECTION 28.0: SITE PLAN REVIEW

28.1 Intent:

It is the purpose of this Section to require site plan review approval for all buildings, structures and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels and the character of future development. The regulations contained herein are intended to provide and promote the orderly development of the City of Ishpeming; safe and convenient traffic movement, both within a site and in relation to access streets; the stability of land values and investments by preventing the impairment or depreciation of land values and development, by the erection of structures or additions or alterations thereto, without proper attention to setting or to unsightly or undesirable appearances; harmonious relationship to buildings, other structures and uses, both within a site and/or adjacent sites; and the conservation of natural amenities and resources.

28.2 Plot or Site Plan Required:

A plot or site plan is required for and shall accompany the applications for:

A. Zoning Compliance Permits for:
    1. Any proposed construction
    2. Any commencement of a new use
    3. Any proposed change in use
B. Conditional Use Permit
C. Variances
D. Class A Non-Conforming Use designation or Continued Use of a Non-Conforming Structure or Use
E. Any other request for zoning status where the Zoning Administrator determines a site plan is necessary for accurate review or documentation of the existing development.

28.3 Plot Plans for Residential Dwelling, Accessory Uses, Structures and Agricultural Buildings:

A. Plot Plans for Single and Two-family dwellings, residential accessory uses and structures and agricultural buildings are required to be submitted to the Zoning Administrator.

B. A plot plan for single and two-family dwellings, residential accessory uses and structures, and agricultural buildings shall show the following information:

    1. A legal description of the site.

2. All lot lines and dimensions of the lot.
3. All roads and easements.
4. All existing and proposed buildings shall be shown and labeled.
5. Proposed use of each building.
6. Distances between buildings and all lot lines.
7. Building dimensions.
8. Natural features affecting development (rock, water, etc.).
9. Well and septic locations, as required.
10. A north arrow and scale.
11. The actual dimensions of the proposed developed area (as shown by a licensed surveyor, engineer, architect, or registered landscape architect) showing the relationship of the subject property to abutting properties. This requirement is at the discretion of the Zoning Administrator.

C. The plot plan may be drawn on the application form or on a separate sheet of paper.

28.4 Site Plans for Commercial, Industrial, Multiple-Family and Other Developments:

A. Site plans for commercial and industrial uses, multiple-family residential developments, parking lots, and all other developments shall show the following:

1. A scale adequate to illustrate the proposed activity and all information required by this Section.
2. A legal description and street address of the property; the name, address, email, and telephone number of the owner, developer and/or designer.
3. North arrow and date the site plan was prepared.
4. The actual dimensions of the proposed developed area (as shown by a licensed surveyor, engineer, architect, or registered landscape architect) showing the relationship of the subject property to abutting properties.
5. The location of all existing and proposed structures, including signs, on the subject property and all existing structures on land immediately adjacent to the site within 100 feet of the site's parcel lines.
6. The dimensions of all existing and proposed structures, including height.
7. Distances between all existing and proposed structures and all lot lines.
8. Use(s) of all existing or proposed structures on the property.
9. The location and dimensions of all existing and proposed ingress/egress points, sidewalks, driveways and parking areas on the subject property.
10. The location and all road right-of-way widths of all abutting streets, alleys, and private easements located within or abutting the property. Named streets and roads shall be labeled.
11. The location of existing ingress/egress points, driveways, streets, roads and/or alleys within 250 feet of the boundary of the property.
12. The location of the proposed planting and screening, fencing, signs and advertising features.
13. The size and location of all existing and proposed public and private utilities and required landscaping.
14. The location of natural features affecting development, such as rock outcrops, water, wetland, etc.
15. Location of all existing and proposed surface water impoundments and surface water drainage pattern.
16. The location and extent of any planned earth movement. Indicate status of any necessary permits, such as soil erosion and sedimentation permits, wetlands permit, etc.

17. Provisions for the maintenance and responsibility of common areas.
18. Requisites for future maintenance, repair and snow removal on streets, roads, parking areas and sidewalks.
19. Any other information necessary, in the opinion of the Zoning Administrator, to establish compliance with this Ordinance or any other applicable ordinance.

B. Site plans for Section 28.4 shall be drawn on a sheet of paper measuring not more than 24 inches by 36 inches, drawn to a scale not smaller than 40 feet to the inch and certified by a registered land surveyor, professional engineer or architect.

28.5 Procedure for Plot/Site Plan Submission and Review:

A. The applicant shall be required to submit as many copies as are needed for review directly to the Zoning Administrator, who will transmit them to responsible City departments. At a minimum, four copies of the site plan shall be provided to the Zoning Administrator. If the site plan has been prepared in digital format (.dwg, .dxf, etc.), a digital copy shall also be provided.

B. Upon receipt of a Section 28.3 plot plan, the Zoning Administrator shall within 10 working days determine whether it is in proper form and contains all of the required information. The Zoning Administrator shall review the Site Plan to determine compliance with this Ordinance and other ordinances of the City of Ishpeming. Adequacy of municipal utility services will be assessed by the Ishpeming Department of Public Works and Fire Department, as required. If found to be satisfactory, the Zoning Administrator shall issue a zoning compliance permit within ten (10) working days.

C. For Section 28.4 site plans the Zoning Administrator shall determine whether it is in proper form and contains all of the required information for zoning review. An administratively complete application, for zoning review purposes, shall be noted as such by the Zoning Administrator, and the applicant shall be advised of this determination and its date in writing. Prior to final site plan approval, the applicant shall receive approval of all relevant City departments.

The Zoning Administrator shall review the site plan and shall act on all site plans within thirty (30) days of the date of determination that the application is administratively complete provided that all other City departments, have furnished the results of their respective reviews.

D. The Zoning Administrator will consider all site plans submitted to him/her for approval, revision or disapproval administratively:

1. When the Zoning Administrator determines the site plan is in compliance with the Zoning Ordinance and other regulations, he/she shall so indicate on the site plan and in a memo to the applicant, with a copy provided to the Planning Commission.

2. When the Zoning Administrator determines the site plan is in compliance, except with minor revisions, the noted changes shall be so indicated on the plan. When these changes have been adequately addressed, the applicant shall resubmit a revised site plan to the Zoning Administrator for final approval.

3. When the Zoning Administrator determines extensive revisions to the site plan are necessary to meet the Zoning Ordinance and other applicable regulations, the site plan shall be disapproved

and the applicant requested to prepare an alternative site plan. In this case the word "disapproval" shall be written on the plan and reasons for disapproval indicated in the Zoning Administrator's memo.

E. The Zoning Administrator, Planning Commission, and Zoning Board of Appeals shall use the standards of Section 28.7 in their review.

F. Either the Zoning Administrator or the applicant may request in writing that a site plan be considered and reviewed by the Planning Commission. In this case, the Zoning Administrator shall first determine whether the application is administratively complete and the applicant shall be advised of this determination and its date in writing. The Planning Commission shall review the site plan at their next regularly scheduled meeting, provided the Zoning Administrator and city staff, as may be appropriate to the case, have had time to prepare comments. The Planning Commission shall act on all site plans referred to it within sixty (60) days of the date of determination that the application is administratively complete.

G. The proposer may appeal any denial to the Zoning Board of Appeals in accordance with the current fee schedule.

H. Upon completion of any building or interior structural improvements, a digital copy of the final or as-constructed structures' floor plans are to be electronically delivered to the City of Ishpeming Fire Department. Additionally upon completion of a development, at the discretion of the Zoning Administrator, an as-built site plan may be required.

28.6 Amendments to Approved Site Plans:

A. Proposed amendments to an approved site plan may be made by the Zoning Administrator provided such changes conform to this Ordinance and the applicant agrees.

B. Proposed minor changes to an approved site plan may be made by the Zoning Administrator after construction has begun provided that:

1. There is no significant change in the use or character of the development.

2. There is no increase in the overall lot coverage of the structures.

3. There is no significant increase in the intensity of use.

4. There is no reduction in the required open space.

5. There are no reductions in the required off-street parking and loading.

6. There is no reduction in pavement widths or utility pipe sizes.

7. There is no significant increase in traffic on public streets or an increase in the burden on public utilities or services.

C. Significant changes which will affect and cause a change in the use, character, or intent of the development, an increase in the intensity of use, changes in the overall coverage of the structures, or problems of traffic circulation, utility services, or similar services, or a reduction in the approved open space, off-street parking and loading space, or pavement width requirements must be authorized by the Zoning Administrator. Review of the changes must be made in the same manner as the original site plan.

28.7 Standards for the Review of Site Plans:

A. The site plan shall be reviewed by the Zoning Administrator and/or the Planning Commission for compliance with the following standards:

1. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of buildings. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

2. The landscaping shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.

3. Special attention shall be given to proper site surface drainage so that removal of storm waters will not adversely affect neighboring properties.

4. The site plan shall provide reasonable visual and auditory privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

5. All buildings or groups of buildings shall be arranged to permit emergency vehicle access to all sides of each building, which may include a designated fire lane as required by the Ishpeming Fire Chief upon review.

6. All buildings or groups of buildings shall be arranged to permit the efficient movement of traffic on the site.

7. Parking on the site shall be located so as not to impede traffic flow or create an unsafe dangerous situation for motorists or pedestrians. Parking spaces shall be conveniently located near the entrances to the building.

8. Every structure or dwelling shall have access to a street, walkway or other area for common use.

9. In areas of residential and all commercial developments and anticipated pedestrian use, streets and roadways shall have a sidewalk at least four (4') feet in width on each side of the street or roadway. A planting strip of at least two (2') feet shall separate the sidewalk from the roadway. This standard may be modified by the Zoning Administrator based on site specifics.

10. As an alternative to sidewalks, a pathway/walkway may be constructed to accommodate pedestrian/non-motorized use. The pathway/walkway shall be at least four (4') feet in width and convenient for pedestrian use. Depending on the expected traffic volume, the pathway/walkway

could be on the side of the road, striped to separate vehicle traffic from pedestrian/non-motorized use. See Section 21.2.C.5.

11. All loading or unloading and outside storage areas, including areas for storage of trash, which face or are visible from residential properties, abut a residential zone or public thoroughfares, shall be screened, at a minimum, by a vertical fence consisting of structural (fence) or plant materials no less than six (6') feet in height with an opacity of at least 75%. See Ishpeming Ordinance 8-600 (Fence Ordinance) for details and a permitting form.

12. Exterior lighting shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.

13. The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets, sidewalks and non-motorized pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall be in compliance with the requirements of the Michigan Department of Transportation and the City of Ishpeming. Driveways and ingress/egress points shall be planned and arranged so as to provide for the safe and efficient movement of traffic.

14. Site plans shall conform to all applicable requirements of state and federal statutes and approval may be conditioned upon the applicant receiving necessary state and/or federal permits before final site plan approval or a zoning compliance permit is granted.

B. For any site which has historically, archeologically, or native culturally significant features, the site plan must discuss and address how these features are intended to be historically preserved.

28.8 Site Plan Financial Completion Guarantee:

A. Prior to the issuance of any Zoning permit for any building other than a single-family home or duplex, and prior to the signing of the final plat by the City Clerk in a platted subdivision, or prior to the issuance of any Zoning permit for any building in a site condominium project, the applicant for same shall, upon request, provide to the City the following:

1. A financial completion guarantee. Said deposit shall guarantee completion of all site improvements shown on the approved final site plan, final preliminary plat construction plans or site condominium project plans. For the purpose of this Section, completion shall mean inspection by the appropriate City officials and/or other government agencies for compliance with the final approved site plan or preliminary plat finally approved by the City Council, not less than six (6) months after all site plan or plat improvements have been installed.

B. Site improvements shall mean, but not be limited to, drives and streets, curbs and gutters, sidewalks, water and sanitary sewer systems, drainage facilities and retention/detention basins, final grading and swales, retaining walls, landscaping and parking lots.

C. The minimum amount of the guarantee may be as follows:

1. Residential projects, except single family homes and duplexes: Five hundred ($500.00) dollars per dwelling unit.

2. Non-residential projects: One (1) % of the estimated cost of construction.

D. In the event that the applicant fails to correct any deficiencies within thirty (30) days of written notice from the City, the City shall have the authority to use the guarantee to complete the site improvements, or repairs to said improvements, within a period of nine (9) months following the issuance of the last certificate of occupancy unless good cause can be shown by the applicant for the delay in completion. The City may, at its sole discretion, agree in writing to a specific extension of the nine (9) month period. The City may use the completion guarantee to hire subcontractors to complete work, fund inspections and for the administration of the required work, including legal fees.

E. The guarantee, or portion thereof, shall be promptly released, without interest, upon the inspection and approval of all improvements in compliance with the approved final site plan and all applicable City standards and specifications. Portions of the guarantee may be released in not more than three (3) installments, provided:

1. The project or approved phase of a project has been completed for six (6) months and the improvements for which the release is requested have been inspected and approved in accordance with the above standards, and the remaining balance is sufficient to cover the remaining improvements, including administrative and contingency expenses.

2. This guarantee shall not be reduced below the minimum amount required in paragraph C. above.

F. Types of Completion Guarantees - The applicant may provide a guarantee in the form of a cash deposit or certified check, or in the form of a surety bond or letter or credit in a form acceptable to the City. Surety bonds and letters of credit shall be valid for a period of one (1) year past the anticipated request for the last certificate of occupancy for the entire project and shall contain language acceptable to the City that states that unless the bond or letter of credit is released by the City, that thirty (30) days prior to its expiration the bond or letter of credit shall automatically renew for one (1) year periods unless the issuer of the security sends by certified mail to the City a notice of its intention to not renew the financial security, not less than sixty (60) days prior to the expiration of security.

29.0 SECTION 29: ZONING ADMINISTRATOR

29.1 Establishment:

A. The office of Zoning Administrator is hereby established. The Zoning Administrator shall be appointed by the City Manager with the approval of the City Council. The Zoning Administrator may be provided with assistance of such other persons as the City Manager may direct.

29.2 Duties:

A. Administration of Zoning Ordinance. The Zoning Administrator shall administer the provisions of this ordinance and shall have all administrative powers in connection therewith which are not specifically assigned to some other office or body. The Zoning Administrator shall be guided by the standards set forth in Section 26.0

B. Zoning Compliance Certificate. The Zoning Administrator shall review all zoning permits and site plans for compliance with the provisions of this ordinance, or any written order from the Zoning Board of Appeals or Planning Commission.

1. The Zoning Administrator shall have no power to vary or waive ordinance requirements, other than specifically defined herein.

2. The Zoning Administrator shall not issue a statement of Zoning Compliance where it appears that any land area required to conform to any provision of this ordinance is also required as a part of any adjoining property to keep the development or use thereof in conformity with this ordinance, or to keep it from becoming more non-conforming if such land area was, at any time, subsequent to the commencement of development or use of such adjoining property, in common ownership with such adjoining property.

C. Special Zoning Orders Book and Map. The Zoning Administrator shall keep a book to be known as the Special Zoning Orders Book, in which the Zoning Administrator shall list, with brief description, all Variances, Conditional Use Permits, authorization for developments, designations of Class A non-conformance and terminations of any of them. Each item shall be assigned a number when entered. The Zoning Administrator shall also keep a map of the City, to be known as the Special Zoning Orders Map, on which the Zoning Administrator shall record the numbers in the special Zoning Orders Book to indicate the locations affected by the items in the book. The Special Zoning Orders Book and Map shall be open to public inspection.

D. The Zoning Administrator shall keep records of all official actions, all of which shall be a public record.

E. The Zoning Administrator shall maintain and make available, for public inspection, the official zoning map.

F. The Zoning Administrator shall have the power to make inspections of buildings and premises necessary to carry out duties in the enforcement of this ordinance.

G. If the Zoning Administrator shall find that any of the provisions of this ordinance are being violated, he/she shall notify, in writing, the person responsible for such violation, indicating the nature and location of the violation, and ordering the action necessary to correct it. The Zoning Administrator shall order discontinuance of illegal additions, alterations, or structural changes; discontinuance of any illegal use; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of the provision of this ordinance.

H. Reports and Recommendations. The Zoning Administrator shall review all requests for administrative or legislative action. He/she shall forward an analysis of site factors and other information pertaining to the request to the appropriate body upon request. The analysis may include a recommendation for action.

30.0 SECTION 30.0: ZONING BOARD OF APPEALS (ZBA)

30.1 Intent:

It is the intent of this ordinance that all questions of interpretation and enforcement of this ordinance shall be first presented to the Zoning Administrator. Such questions shall be presented to the Zoning Board of Appeals only on appeal from the decision of the Administrator. Recourse from decision of the Zoning Board of Appeals shall be to the courts as provided by law and particularly by Section 125.3605, Act 110 of 2006 as amended, except as otherwise provided herein.

30.2 Membership:

A. Establishment. A Zoning Board of Appeals (hereinafter referred to as Board) is hereby established, which shall consist of five (5) members to be appointed by a majority vote of the City Council, each for a term of three (3) years. Members of the Board must meet eligibility requirements established by the City Council. Members of the present Board shall continue in office until the expiration of their terms. The City Council shall by majority vote appoint, as necessary, persons to fill vacant positions for varying terms so that not more than three (3) terms expire in any given year. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. Vacancies for unexpired terms shall be filled within one (1) month after the vacancy becomes effective, for the remainder of the term. One member of the Board shall be a member of the Planning Commission. No more than one member of the Board may be a member of the City Council; provided, however, that this member may not serve as Chairperson of the Zoning Board of Appeals.

B. The City Council may appoint not more than two (2) alternate members for the same term as regular members to the Board. The alternate member(s) has the same voting rights as a regular member of the Board when serving. The alternative member appointed to a case shall serve in the case until a final decision is made. An alternate member may be called to serve as a regular member of the Board if;

1. The regular member is absent from or will be unable to attend two (2) or more consecutive meetings of the Board, or
2. The regular member will be unable to attend meetings for a period of more than thirty (30) consecutive days, or
3. A regular member needs to abstain for reasons of conflict of interest.

C. Removal of Members. A member of the Zoning Board of Appeals may be removed by the City Council for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

30.3 Procedure:

A. Proceedings. The Board shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the Zoning Administrator or chairperson and at such other times as the Board may determine. The chairperson or, in his/her absence, the acting chairperson may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The Board shall arrange for the keeping of minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its submissions, all of which shall be public records and shall be immediately filed in the office of the Zoning Administrator.

B. Appeals to the ZBA. Appeals to the Board may be filed by any person aggrieved or adversely affected by any decision of the Zoning Administrator, or by an officer, department, board, or bureau of the State of Michigan, or by the City of Ishpeming. Such appeals shall be filed within twenty-one (21) days after the decision or action of the Zoning Administrator by filing with the Zoning Administrator and with the Board a written notice of appeal specifying the grounds thereof. The Zoning Administrator shall transmit to the Board all papers and records regarding the appeal. The Board shall fix a reasonable time for the hearing of the appeal as specified in Section 30.5.B.

C. Stay of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board after the notice of appeal is filed with him/her that by reason of facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board or by a court of record on application, on notice to the Zoning Administrator and for good cause shown.

30.4 Powers and Duties:

The Zoning Board of Appeals shall have the following powers and duties:

A. Administrative Review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this ordinance. A decision shall state the grounds of any determination made by the Board.

B. Non-use Variances. The Board shall have the power to grant non-use variances upon written application. Non-use variances relate to the construction, structural changes, or alteration of buildings or structures related to dimensional requirements of this Zoning Ordinance or any other non-use related standard in this Zoning Ordinance.

C. Conditions Governing Non-use Variance Applications, Procedures. The Board may authorize in specific cases such non-use variance from the terms of this ordinance as will not be contrary to the public interest or public safety, where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in practical difficulties. A non-use variance from the terms of this ordinance shall not be granted by the Zoning Board of Appeals unless and until:

1. A written application for a variance is submitted demonstrating:

    a. That special conditions and circumstances exist which are not applicable to other lands, structures, or buildings in the same district;
    b. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
    c. That the special conditions and circumstances do not result from the actions of the applicant;
    d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district;
    e. That no non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

2. All fees set by the City Council to cover the administrative costs of such application have been paid.
3. Notice of public hearing shall be given as required in Section 30.5.B.
4. The public hearing shall be held not more than sixty (60) days after receipt of a written request for a non-use variance. Any party may appear in person or be represented by a duly authorized agent or attorney.
5. The Board shall make findings that the requirements of Section 30.4.C. have been met by the applicant for a variance.
6. The Board shall make a finding that the reasons set forth in the application justify the granting of the variance, that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure, and that there are practical difficulties involved in the literal enforcement of this Ordinance.

7. The Board shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise be detrimental to the public welfare.
8. In granting any variance, the Board shall be guided by the Administrative Standard in Section 26.0. The Board may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance, punishable under Section 31.2 of this ordinance.
9. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

D. Reversing Decision of Administrative Official. In exercising the above-mentioned powers, the Board may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the administrative official from whom the appeal is taken.

E. The concurring vote of a majority of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant any matter upon which they are required to pass under this ordinance, or to effect any variation in the application of this ordinance. A decision of the Board shall take immediate effect.

F. Dual Membership, Non-participation. A member of the Zoning Board of Appeals who is also a member of the Planning Commission or the City Council shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the Planning Commission or City Council. However, the member may consider and vote on other unrelated matters involving the same property.

30.5 Public Hearings:

A. A public hearing shall be held on each action which is brought before the Board.

B. If the Zoning Board of Appeals receives a written request seeking a non-use variance or an interpretation of this Zoning Ordinance, or an appeal of an administrative decision, the Zoning Board of Appeals shall conduct a public hearing on the request. The public hearing shall be held not more than sixty (60) days after receipt of the written request. Notice shall be given as required under Section 33.1; however, if the request does not involve a specific parcel of property, notice need only be published as provided in Section 33.2.C.1.a.

C. Any party may appear in person or by duly authorized agent or attorney to comment on any variance or administrative review. Written comments may be submitted prior to the scheduled hearing.

30.6 Appeals:

An appeal from any decision of the Board is governed by the provisions of M.C.L.A. §125.3606, as amended.

SECTION 31.0: ENFORCEMENT

31.1 False Statements:

Any zoning compliance permit based on any false statement in the application or supporting documents is absolutely void ab initio and shall be revoked. No zoning compliance permit shall remain valid if the use or structure it authorizes becomes non-conforming. The Zoning Administrator shall not refuse to issue a zoning compliance permit when conditions imposed by this and other City ordinances are complied with by the applicant despite violations of contracts, such as covenants or private agreements which may occur upon the granting of said permits.

31.2 Violations and Penalties:

Violation of any of the provisions of this ordinance, including the failure to perform any act required hereunder, or the commission of any act prohibited hereunder, shall constitute a Municipal Civil Infraction. A person, firm, or corporation determined to be responsible or responsible "with explanation" for a Municipal Civil Infraction shall be subject to a civil fine of not more than One-Hundred ($100.00) Dollars plus costs ***per day***, and if applicable, damages and expenses as provided by law. A Municipal Civil Infraction action brought for any violation of this ordinance shall follow the procedures set forth in Act. No. 12, P.A. 1994, as amended, and a Defendant charged with a Municipal Civil Infraction violation shall have all of the rights, duties, responsibilities, and obligations set forth therein. Each and every day on which any violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. Buildings erected, altered, razed, or converted, or uses carried on in violation of this ordinance are declared to be a nuisance per se.

31.3 Procedures for Reporting Violations:

Apparent zoning violations may be reported by any citizen to the Planning Commission or the Zoning Administrator, who is exclusively responsible for addressing reported violations.

32.0: VESTED RIGHTS

Vested Rights. Nothing in this ordinance shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein, and they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety, and welfare.

33.0: PUBLIC NOTICE.

33.1 Public Notification:

All applications for development approval requiring a public hearing shall comply with the Michigan Zoning Enabling Act, P.A. 110 of 2006 and the other provisions of this Section with regard to public notification.

33.2 Procedures and Content:

A. Responsibility: When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the Zoning Administrator shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in the City of Ishpeming, and mailed or delivered as provided in this section.

B. Content: All mail, personal and newspaper notices for public hearings shall:

1. Describe Nature of the Request or Hearing: Identify whether the request or hearing is for a rezoning, text amendment, conditional land use, planned unit development, variance, appeal, ordinance interpretation, or other purpose.

2. Location: Indicate the property that is the subject of the request or hearing. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property. No street addresses must be listed when eleven (11) or more adjacent properties are proposed for rezoning, or when the request is for an ordinance interpretation or amendment not involving a specific property.

3. Schedule: Indicate the date, time and location of the public hearing(s).

4. Written comments: Include a statement describing when and where written comments will be received concerning the request or hearing. Include a statement that the public may appear at the public hearing in person or by counsel.

5. Handicap Access: Information concerning how handicap access will be accommodated if the meeting facility is not handicap accessible.

C. Personal and Mailed Notice:

1. General: When the provisions of this Ordinance or state law require that personal or mailed notice be provided, notice shall be provided to:

a. The owners of property that is the subject of the request and the applicant, if different than the owner(s) of the property.

b. Except for rezoning requests involving eleven (11) or more adjacent properties or an ordinance interpretation request that does not involve a specific property; to all persons to whom real property is assessed within three-hundred (300) feet of the boundary of the property subject to the request, regardless of whether the property or occupant is located within the boundaries of the City of Ishpeming. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall be given notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

c. All neighborhood organizations, public utility companies, railroads, and other persons who have requested to receive notice pursuant to Section 33.3, Registration to Receive Notice by Mail.

d. Other governmental units or infrastructure agencies within one (1) mile of the property involved in the application.

e. If eleven (11) or more adjacent properties are proposed for rezoning, the Zoning Administrator shall give a notice of the proposed rezoning in the same manner as required under Section 33.2, except for the requirement of Section 33.2.C.1.b., and except that no individual addresses of properties are required to be listed under Section 33.2.B.2. for that group of adjacent properties.

2. Notice by Mail/Affidavit: Notice shall be deemed mailed by its deposit in the United States mail, first class, properly addressed, postage paid. The Zoning Administrator shall prepare a list of property owners and registrants to whom notice was mailed, as well as anyone to whom personal notice was delivered.

D. Published Notice: For a public hearing on a request or application for a Rezoning, Ordinance Text or Map Amendment, Special Land Use, Conditional Land Use, Planned Unit Development, Variance, Appeal, or Ordinance Interpretation, the notice shall be published one time in a newspaper of general circulation in the City of Ishpeming.

E. Timing of Notice: Unless otherwise provided in the Michigan Zoning Enabling Act, P. A. 110 of 2006, or this Ordinance, notice of a public hearing shall be provided as follows:

1. For a public hearing on an application for a Rezoning, Text Amendment, Conditional Land Use, Planned Unit Development, Variance, Appeal, or Ordinance Interpretation, notice shall be given not less than fifteen (15) days before the date the request will be considered.

2. For any other public hearing required by this Ordinance: at least fifteen (15) days before the date the request will be considered.

33.3 Registration to Receive Notice by Mail:

A. General: Any neighborhood organization, public utility company, railroad, or any other person may register with the Zoning Administrator to receive written notice of all applications for development approval pursuant to Section 33.2.C.1.c., Personal and Mailed Notice, or written notice of all applications for development approval within the zoning district in which they are located. The Zoning Administrator shall be responsible for providing this notification. Fees may be assessed for the provision of this notice, as established by the City Council.

B. Requirements: The requesting party must provide the Zoning Administrator with information on an official form to ensure notification can be made. All registered persons must re-register annually to continue to receive notification pursuant to this Section.

34.0 SECTION 34.0. - ACCESS MANAGEMENT

THE FOLLOWING DEFINITIONS ARE FOR SECTION 34 EXCLUSIVELY:

Access Point: a) The connection of a driveway at the right-of-way line to a road or;
b) A new road, driveway, shared access or service drive.

County Primary shall include the following under the jurisdiction of the Marquette County Road Commission: County Road 587 (Cooper Lake Cut-across); County Road GP, (Cooper Lake Road).

Driveway Offset: The distance between the centerline of two driveways on opposite sides of an undivided roadway.

Driveway, Shared: A driveway connecting two or more contiguous properties to the public road system.

Overlay Zone or Overlay District: A zoning district that encompasses one or more underlying zones and that imposes additional requirements beyond those required for the underlying zone.

Throat Length: The distance parallel to the centerline of a driveway to the first on-site location at which a driver can make a right-turn or a left-turn. On roadways with curb and gutter, the throat length shall be measured from the face of the curb. On roadways without a curb and gutter, the throat length shall be measured from the edge of the paved shoulder.

Underlying District: The base zone below an overlay zone, which establishes the fundamental permitted uses, densities and dimensional regulations applicable to lands subject to a zoning ordinance.

34.1 Findings and Intent

Conditions along the major highways in Marquette County are changing with increasing development and traffic. Continued development along US-41/M-28 will further increase traffic volumes and introduce additional conflict points which will erode traffic operations and increase potential for traffic crashes. Numerous published

studies document the positive relationship between well-designed access management systems and traffic operations and safety. Those studies and the experiences of many other communities demonstrate that implementing standards on the number, placement and design of access points (driveways and side street intersections) can preserve the capacity of the roadway and reduce the potential for crashes while preserving a good business environment and the existing investment in the highway. The conditions along US-41/M-28 and a series of access management recommendations are embodied in the US-41/M-28 Access Management Action Plan. Among those recommendations are the creation of an overlay zone along these highways within Marquette County and the adoption of uniform access management standards by all the jurisdictions along the US-41/M-28 corridor which are based on the Michigan Department of Transportation access management standards and the Michigan Access Management Guidebook, provided to local governments by the Michigan Department of Transportation.

The provisions of this section are intended to promote safe and efficient travel on state highways within Marquette County; improve safety and reduce the potential for crashes; minimize disruptive and potentially hazardous traffic conflicts; ensure safe access by emergency vehicles; protect the substantial public investment in the highway and street system by preserving capacity and avoiding the need for unnecessary and costly reconstruction which disrupts business and traffic flow; separate traffic conflict areas by reducing the number of driveways; provide safe spacing standards between driveways, and between driveways and intersections; provide for shared access between abutting properties; implement the Comprehensive Use Plan and the US-41/M-28 Access Management Action Plan recommendations; ensure reasonable access to properties, although not always by the most direct access; and to coordinate access decisions with the Michigan Department of Transportation, the Marquette County Road Commission, and adjoining jurisdictions, as applicable.

To these ends, the following provisions:

1. Establish a highway overlay zone to regulate access points along the highway.
2. Identify additional submittal information and review procedures required for parcels that front along US-41/M-28.
3. Require demonstration that new parcels are accessible and in compliance with the access standards of this article to ensure safe accessibility as required by the Land Division Act.
4. Restrict lots and parcels to a single access point except under certain circumstances.
5. Require longer frontages or wider minimum lot widths than are required in underlying zoning districts to help achieve access management spacing standards.
6. Require coordinated access among adjacent lands wherever feasible.
7. Improve situations where existing development along the highways does not conform to the standards and intent of this article.
8. Establish uniform standards to ensure fair and equal application.

34.2 Applicability

The standards of this section apply to all lots and parcels that abut the highway right-of-way of US-41/M-28 and such other lands that front on intersecting streets within 250 feet of the right-of-way of US-41/M-28 within the City of Ishpeming. This area is referred to as the highway overlay zone.

The standards of this section shall be applied by the Zoning Administrator during site plan review and by the Planning Commission during site plan review, as is appropriate to the application. The Planning Commission shall make written findings of nonconformance, conformance, or conformance if certain conditions are met with the standards of this section prior to disapproving or approving a site plan per the requirements of Section 34.6. The City shall coordinate its review of the access elements of a plot plan or site plan with the appropriate road authority prior to making a decision on an application (see Section 34.4). The approval of a plot plan or site plan does not negate the responsibility of an applicant to subsequently secure driveway permits from the appropriate road authority, either the City of Ishpeming, the Marquette County Road Commission, or the Michigan Department of Transportation (depending on the roadway). Any driveway permit obtained by an applicant prior to review and approval of a plot plan or site plan as required under this article will be ignored, unless it is conditioned upon approval under this article.

These regulations apply in addition to, and simultaneously with, the other applicable regulations of the zoning ordinance. Permitted and special land uses within the highway overlay zone shall be as regulated in the underlying zoning district (as designated on the zoning map), and shall meet all the applicable requirements for that district, with the following additional provisions:

1. The number of access points is the fewest needed to allow motorists reasonable access to the site.
2. Access spacing from intersections and other driveways shall meet the standards within the highway overlay zone, and the guidelines of the applicable road agency (MDOT and/or Marquette County Road Commission) and the recommendations of the US-41/M-28 Access Management Access Plan as appropriate.
3. Where an applicant shares access with adjacent uses, either now or in the future, any shared access and maintenance agreements must be recorded with the County Register of Deeds.
4. No building or structure, nor the enlargement of any building or structure, shall be erected unless the highway overlay zone regulations applicable to the site are met and maintained in connection with such building, structure, or enlargement.
5. No land division, subdivision or site condominium project for land within this highway overlay zone shall be approved unless compliance with the access spacing standards in this section is demonstrated.
6. Any change in use on a site that does not meet the access standards of this highway overlay zone, shall be required to submit an application for approval by the Planning Commission and submit information to the MDOT, and/or County Road Commission as appropriate, to determine if a new access permit is required. See Section 34.11 below.
7. For building or parking lot expansions, or changes in use, or site redevelopment that cannot meet the standards of this article due to parcel size or configuration, the Planning Commission shall determine the extent of upgrades to bring the site into greater compliance with the access standards of this highway overlay zone. In making its decision, the Planning Commission shall consider the existing and projected traffic conditions, any sight distance limitations, site topography or natural features, impacts on internal site circulation, characteristics of the affected land uses, recommendations within the US-41/M-28 Access Management Action Plan, and any recommendations from the MDOT, and/or Marquette County Road Commission as appropriate. Required improvements may include removal, rearrangement or redesign of driveways or other access.
8. Where conflict occurs between the standards of this article and other applicable ordinances, the more restrictive regulations shall apply.

34.3 One Access Per Parcel

A. All land in a parcel or lot having a single tax code number, as of the effective date of the amendment adding this provision to the article (hereafter referred to as "the parent parcel"), that shares a lot line for less than 600 feet with right-of-way on US-41/M-28 shall be entitled to one driveway or road access per parcel from said public road or highway, unless hereafter shared access or alternative access is provided to that parcel.

1. All subsequent land divisions of a parent parcel, shall not increase the number of driveways or road accesses beyond those entitled to the parent parcel on the effective date of this amendment.

2. Parcels subsequently divided from the parent parcel, either by metes and bounds descriptions, or as a plat under the applicable provisions of the Land Division Act, Public Act 288 of 1967, as amended, or developed as a condominium project in accord with the Condominium Act, Public Act 59 of 1978, as amended, shall have access by a platted subdivision road, by another public road, by an approved private road, frontage road or rear service drive.

B. Parent parcels with more than 600 feet of frontage on a public road or highway shall also meet the requirements of Sec. 34.3 A. 1. and Sec. 34.3 A. 2. above, except that whether subsequently divided or not, they are entitled to not more than one driveway for each 600 feet of public road frontage thereafter, unless a registered traffic engineer determines to the satisfaction of the Planning Commission that topographic conditions, curvature on the road, or sight distance limitations demonstrate an additional driveway within a lesser distance is safer or the nature of the land use to be served requires an additional driveway for improved safety. See also Section 34.18 2.a.

34.4 Applications

A. Applications for driveway or access approval shall be made on a form prescribed by and available at the Michigan Department of Transportation and Marquette County Road Commission as applicable. A copy of the completed form submitted to the applicable road authority shall be submitted to the Zoning Administrator as well.

B. Applications for all uses requiring site plan review shall meet the submittal, review and approval requirements of Section 28.4 Site Plans of the City zoning ordinance in addition to those of this article. In addition:

1. Applications are strongly encouraged to rely on the following sources for access designs, the National Access Management Manual, TRB, 2003; National Cooperative Highway Research Program (NCHRP), "Access Management Guidelines to Activity Centers" Report 348, "Impacts of Access Management Techniques" Report 420; and the AASHTO (American Association of State Highway and Transportation Officials) "Green Book" A Policy on Geometric Design of Highways and Streets. The following techniques are addressed in these guidebooks and are strongly encouraged to be used when designing access:

   a. Not more than one driveway access per abutting road.

   b. Shared driveways.

   c. Service drives: front and/or rear.

   d. Parking lot connections with adjacent property.

   e. Other appropriate designs to limit access points on an arterial or collector.

2. As applicable, applications shall be accompanied by an escrow fee for professional review per the requirements of Section 28.8.

3. In addition to the information required in Section 28.4 Site Plans the information listed below shall also be submitted for any lot or parcel within the highway overlay zone accompanied by clear, scaled drawings (minimum of 1"=20') showing the following items:

   a. Property lines.

   b. Right-of-way lines and width, and location and width of existing road surface.

   c. Dumpsters or other garbage containers.

   d. Existing access points. Existing access points within 200 feet on either side of the US-41/M-28 frontage, and along both sides of any adjoining roads, shall be shown on the site plan, aerial photographs or on a plan sheet.

   e. Surface type and dimensions shall be provided for all existing and proposed driveways (width, radii, throat length, length of any deceleration lanes or tapers, pavement markings and signs), intersecting streets, and all curb radii within the site.

   f. The site plan shall illustrate the route and dimensioned turning movements of any passenger vehicles as well as expected truck traffic, tankers, delivery vehicles, waste receptacle vehicles and similar vehicles. The plan should confirm that routing of vehicles will not disrupt operations at the access points nor impede maneuvering or parking within the site.

   g. The applicant shall submit evidence indicating that the sight distance, driveway spacing and drainage requirements of the Michigan Department of Transportation or Marquette County Road Commission are met.

   h. Dimensions between proposed and existing access points on both sides of the highway or road (and median cross-overs if applicable now or known in the future).

   i. Design dimensions and justification for any alternative or innovative access design such as frontage roads, rear access or service drives, or parking lot cross-access.

   j. Where shared access is proposed or required, a shared access and maintenance agreement shall be submitted for approval. Once approved, this agreement shall be recorded with the county register of deeds.

   k. Show all existing and proposed landscaping, signs, and other structures or treatments within and adjacent to the right-of-way.

   l. The location of all proposed snow storage from parking lots which must not interfere with clear sight distance when turning into or out of a site, or safely moving within a site.

   m. Traffic impact study meeting the requirements of Section 34.21 where applicable.

34.5 Review and Approval Process

The following process shall be completed to obtain access approval:

1. An access application meeting the requirements of this article above shall be submitted to the Zoning Administrator on the same day it was submitted to the Michigan Department of Transportation and/or the Marquette County Road Commission, as applicable.

2. The completed application must be received by the Zoning Administrator at least 14 days prior to the Planning Commission meeting where the application will be reviewed.

3. The applicant, the Zoning Administrator and representatives of the Marquette County Road Commission, the Michigan Department of Transportation and the Planning Commission may meet prior to the Planning Commission meeting to review the application and proposed access design. Such a meeting shall occur for all projects where a traffic impact study is required.

4. If the Planning Commission considers the application first, it shall recommend approval conditioned upon approval of the applicable road authority, or it shall recommend denial based on nonconformance with this article, or if necessary, table action and request additional information. The action of the Planning Commission shall be immediately transmitted to the applicable road authority.

5. It is expected that if the Michigan Department of Transportation and/or the Marquette County Road Commission, as applicable, review the application first, each entity will immediately send its decision on the application to the Planning Commission for their consideration. One of three actions may result;

   a. If the Planning Commission and the Michigan Department of Transportation, and the road commission, as applicable, approve the application as submitted, the access application shall be approved.

   b. If both the Planning Commission and the Michigan Department of Transportation and the road commission, as applicable, deny the application, the application shall not be approved.

   c. If either the Planning Commission, Michigan Department of Transportation, or road commission, as applicable, requests additional information, approval with conditions, or does not concur in approval or denial, there shall be a joint meeting of the Zoning Administrator, a representative of the Planning Commission and staff of the Michigan Department of Transportation and/or the Marquette County Road Commission, as applicable, and the applicants. The purpose of this meeting will be to review the application to obtain concurrence between the Planning Commission and the applicable road authorities regarding approval or denial and the terms and conditions of any permit approval.

6. No application will be considered approved, nor will any permit be considered valid unless all the above-mentioned agencies, as applicable, have indicated approval unless approval by any of the above-mentioned agencies would clearly violate adopted regulations of the agency. In this case the application shall be denied by that agency and the requested driveway(s) shall not be constructed. Conditions may be imposed by the Planning Commission to ensure conformance with the terms of any driveway permit approved by a road authority.

34.6 Record of Application

The Zoning Administrator shall keep a record of each application that has been submitted, including the disposition of each one. This record shall be a public record.

34.7 Period of Approval

Approval of an application remains valid for a period of one year from the date it was authorized. If authorized construction, including any required rear service road or frontage road is not initiated by the end of one year, the authorization is automatically null and void. Any additional approvals that have been granted by the Planning Commission or the Zoning Board of Appeals, such as special land use permits, or variances, also expire at the end of one year.

34.8 Renewal

An approval may be extended for a period not to exceed one-year. The extension must be requested, in writing by the applicant before the expiration of the initial approval. The Zoning Administrator may approve extension of an authorization provided there are no deviations from the original approval present on the site or planned, and there are no violations of applicable ordinances and no development on abutting property has occurred with a driveway location that creates an unsafe condition. If there is any deviation or cause for question, the Zoning Administrator shall consult a representative of the Michigan Department of Transportation and/or the Marquette County Road Commission, as applicable, for input.

34.9 Re-Issuance Requires New Application

Re-issuance of an authorization that has expired requires a new access application form to be filled out, fee paid, and processed independently of previous action. See subsection 34.5 (1).

34.10 Maintenance

The applicant shall assume all responsibility for all maintenance of driveway approaches from the right-of-way line to the edge of the traveled roadway.

34.11 Change of Use Also May Require New Driveway

When a building permit is sought for the reconstruction, rehabilitation or expansion of an existing site or a zoning or occupancy certificate is sought for use or change of use for any land, buildings, or structures, all of the existing, as well as proposed driveway approaches and parking facilities shall comply, or be brought into compliance, with all design standards as required by the Michigan Department of Transportation and/or the Marquette County Road Commission and/or the City of Ishpeming Engineering Standards for Design and Construction as applicable, and as set forth in this article prior to the issuance of a zoning permit, and pursuant to the procedures of this section.

34.12 Changes Require New Application

Where authorization has been granted for entrances to a parking facility, said facility shall not be altered or the plan of operation changed until a revised access application has been submitted and approved as specified in this section.

34.13 Closing of Driveways

Application to construct or reconstruct any driveway entrance and approach to a site shall also cover the reconstruction or closing of all nonconforming or unused entrances and approaches to the same site at the expense of the property owner, unless some other arrangement is agreed to by the road authority responsible for the road in question.

34.14 Inspection

The City Engineer shall inspect the driveway and any other required access elements during construction and following construction for conformance with the approved application prior to allowing occupancy. The City Engineer may consult with MDOT and/or the County Road Commission as applicable, prior to making a determination of conformance or nonconformance with an approved application.

34.15 Performance Bond

The community may require a performance bond or cash deposit in any sum not to exceed $5,000.00 for each such driveway approach or entrance to insure compliance with an approved application. Such bond shall terminate and the deposit be returned to the applicant when the terms of the approval have been met or when the authorization is cancelled or terminated.

34.16 Reserved for Future Use

34.17 Lot Width and Setbacks

A. Minimum Lot Width - Except for existing lots of record, all lots fronting on US-41/M-28 subject to this section, shall not be less than 300 feet in width, unless served by shared access or a service drive that meets the requirements of Section 34.18 (9), (10), or (11), in which case minimum lot width may be reduced to not less than 100 feet in width if a deed restriction is approved and recorded with the County Register of Deeds demonstrating an effective method for long term maintenance of the shared access, service drive and/or parking lot cross-access.

B. Structure Setback - No structure other than signs, as allowed in the **Ishpeming Sign Ordinance 8-400**, telephone poles and other utility structures that are not buildings, transfer stations or substations, shall be permitted within the applicable front yard setback as specified in Section 19.0 A. Size, Height & Placement Regulations.

C. Parking Setback and Landscaped Area - No parking or display of vehicles, goods or other materials for sale, shall be located within 25 feet of the roadway right-of-way. This setback shall be planted in grass and landscaped with small clusters of salt tolerant trees and shrubs suitable to the underlying soils unless another design is approved under the landscape provisions of Section 22.1 Landscaping Requirements of the City zoning ordinance.

34.18 Access Management Standards

No road, driveway, shared access, parking lot cross-access, service road, or other access arrangement to all lots and parcels within the highway overlay zone shall be established, reconstructed or removed without first meeting the requirements of this section.

1. Development of Access Points. Each lot/parcel with highway frontage on US-41/M-28 shall be permitted one access point. This access point may consist of an individual driveway, a shared access with an adjacent use, or access via a service drive or frontage road. As noted in Sections 34.2 and 34.3, land divisions shall not be permitted that may prevent compliance with the access location standards of this highway overlay zone.

2. Driveway Access Alternatives. When alternatives to a single, two-way driveway are necessary to provide reasonable driveway access to property fronting on US-41/M-28, and shared access or a service drive are not a viable option, the following progression of alternatives should be used:

   a. One standard, two-way driveway;

   b. Additional ingress/egress lanes on one standard, two-way driveway;

   c. Two, one-way driveways;

   d. Additional ingress/egress lanes on two, one-way driveways;

e. Additional driveway(s) on an abutting street with a lower functional classification;

f. Additional driveway on arterial street.

Note: Restricted turns and roadway modifications will be considered in conjunction with alternative driveway designs.

3. Spacing Requirements of Driveways and Intersecting Streets alongside Public Streets. Driveways and new intersecting streets shall provide the following spacing from other access points along the same side of the public street (measured from centerline to centerline of each access point), based on the posted speed limit along the public street segment, unless the appropriate road authority approves less based on the land use characteristics, lot size, and/or restricted turns in the driveway design.

Posted Speed Limit	Along US-41/M-28*	Along Other Intersecting Major Arterials	Along all Other Intersecting Streets (not major arterials)
35 mph or less	245 ft.	245 ft.	150 ft.
40 mph	300 ft.	300 ft.	185 ft.
45 mph	350 ft.	350 ft.	230 ft.
50 mph	455 ft.	455 ft.	275 ft.
55 mph	455 ft.	455 ft.	350 ft.

* Unless greater spacing is required by MDOT.

4. Adjacent Sites. Where the subject site adjoins land that may be developed or redeveloped in the future, including adjacent lands or potential outlots, the access shall be located to ensure the adjacent site(s) can also meet the access location standards in the future.

5. Driveways or Intersecting Streets with Existing/Planned Medians. Driveways or new intersecting streets along sections of US-41/M-28 with an existing or planned median shall be located in consideration of existing or approved median crossovers. A sufficient length for weaving across travel lanes and storage within the median shall be provided, consistent with MDOT published standards.

6. Driveways and Intersecting Streets Aligned With Driveways on Opposite Side of Street. Driveways and new intersecting streets shall be aligned with driveways on the opposite side of the street or offset a minimum of 250 feet, centerline to centerline wherever feasible. The Planning Commission may reduce this to not less than 150 feet where each of the opposing access points generates less than 50 trips (inbound and outbound) during the peak hour of the public street or where sight distance limitations exist, or shall rely on the best option identified by MDOT.

7. Minimum Spacing of Driveways from Intersections. Minimum spacing of driveways from intersections shall be in accordance with the table below (measured from pavement edge to pavement edge) unless MDOT authorizes a lesser spacing:

Signalized Locations*	Distance in Feet	Unsignalized Locations	Distance in Feet
Along US-41/M-28	300	Along US-41/M-28	300
Along other public streets	200	Intersections with US-41/M-28	300
		Other intersections	150

* Spacing for signalized intersections shall also be applied at intersections where MDOT indicates spacing and approach volumes may warrant a signal in the future.

8. Direct Access. Where direct access consistent with the various standards above cannot be achieved, access should be via a shared driveway or service drive. In particular, the Planning Commission may require development of frontage roads, or rear service drives where such facilities can provide access to signalized locations, where service drives may minimize the number of driveways, and as a means to ensure that traffic is able to more efficiently and safely ingress and egress.

9. Shared or Joint Use.

   a. Sharing or joint use of a driveway by two or more property owners shall be encouraged. In cases where access is restricted by the spacing requirements of subsection (3) above a shared driveway may be the only access design allowed. The shared driveway shall be constructed along the midpoint between the two properties unless a written easement is provided which allows traffic to travel across one parcel to access another, and/or access the public street.

   b. In cases where a shared access facility is recommended, but is not yet available, temporary direct access may be permitted, provided the site plan is designed to accommodate the future service drive, and a written agreement is submitted that the temporary access will be removed by the applicant, when the alternative access system becomes available. This may require posting of a performance guarantee to cover the cost of removing the temporary driveway if the applicant or then owner does not remove the temporary driveway once a permanent driveway is established.

10. Frontage Roads or Service Drives. Frontage roads or service drives (see Figure 1, Page 137) shall be designed, constructed and maintained in accordance with the following standards:

    a. Location. Frontage roads or service drives shall generally be parallel to the front property line and may be located either in front of, or behind, principal buildings and may be placed in required yards. In considering the most appropriate alignment for a service road, the Planning Commission shall consider the setbacks of existing and/or proposed buildings and anticipated traffic flow for the site.

    b. Alignment. The alignment of the service drive can be refined to meet the needs of the site and anticipated traffic conditions, provided the resulting terminus allows the drive to be extended through the adjacent site(s). This determination may require use of aerial photographs, property line maps, topographic information and other supporting documentation.

    c. Setback. Service drives and frontage roads shall be set back as far as reasonably possible from the intersection of the access driveway with the public street. A minimum of 30 feet shall be maintained between the public street right-of-way and the pavement of the frontage road, with a minimum 60 feet of throat depth provided at the access point. The access point location shall conform with all the applicable standards of this article.

    d. Access Easement. A frontage road or service drive shall be within an access easement permitting traffic circulation between properties. The easement shall be recorded with the County Register of Deeds. This easement shall be at least 40 feet wide. A frontage road or service drive shall have a minimum pavement width of 26 feet, measured face to face of curb with an approach width of 36 feet at intersections. The frontage road or service drive shall be constructed of a paved surface material that is resistant to erosion and shall meet City of Ishpeming, Marquette County Road Commission or MDOT (depending on what road the service drive parallels) standards for base and thickness of asphalt or concrete, unless the community has more restrictive standards.

e. Snow Storage. A minimum of 15 feet of snow storage/landscaping area shall be reserved along both sides of the frontage road or service drive.

f. Service Drive Maintenance. No service drive shall be established on existing public right-of-way. The service drive shall be a public street (if dedicated to and accepted by the public), or a private road maintained by the adjoining property owners it serves who shall enter into a formal agreement for the joint maintenance of the service drive. The agreement shall also specify who is responsible for enforcing speed limits, parking and related vehicular activity on the service drive. This agreement shall be approved by the City Attorney and recorded with the deed for each property it serves by the County Register of Deeds. If the service drive is a private road, the City of Ishpeming shall reserve the right to make repairs or improvements to the service drive and charge back the costs directly or by special assessment to the benefiting landowners if they fail to properly maintain a service drive.

g. Landscaping. Landscaping along the service drive shall conform with the requirements of Section 22.1. Installation and maintenance of landscaping shall be the responsibility of the developer or a property owners association.

h. Parking Areas. All separate parking areas (i.e. those that do not use joint parking cross-access) shall have no more than one access point or driveway to the service drive.

i. Parking. The service road is intended to be used exclusively for circulation, not as a parking, loading or unloading aisle. Parking shall be prohibited along two-way frontage roads and service drives that are constructed at the minimum width (see subsection 34.2 (4)). One-way roads or two-way roads designed with additional width for parallel parking may be allowed if it can be demonstrated through traffic studies that on-street parking will not significantly affect the capacity, safety or operation of the frontage road or service drive. Perpendicular or angle parking along either side of a designated frontage road or service drive is prohibited. The Planning Commission may require the posting of "no parking" signs along the service road. As a condition to site plan approval, the Planning Commission may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout allows removal of the parking in the future to allow extension of the service road. Temporary parking spaces permitted within the service drive shall be in excess of the minimum required under Article VI of this chapter, Parking and Loading Standard).

j. Directional Signs and Pavement Markings. Pavement markings may be required to help promote safety and efficient circulation. The property owner shall be required to maintain all pavement markings. All directional signs and pavement markings along the service drive shall conform with the current Michigan Manual of Uniform Traffic Control Devices.

k. Assumed Width of Pre-Existing Service Drives. Where a service drive in existence prior to the effective date of this provision has no recorded width, the width will be considered to be 40 feet for the purposes of establishing setbacks and measured an equal distance from the midpoint of the road surface.

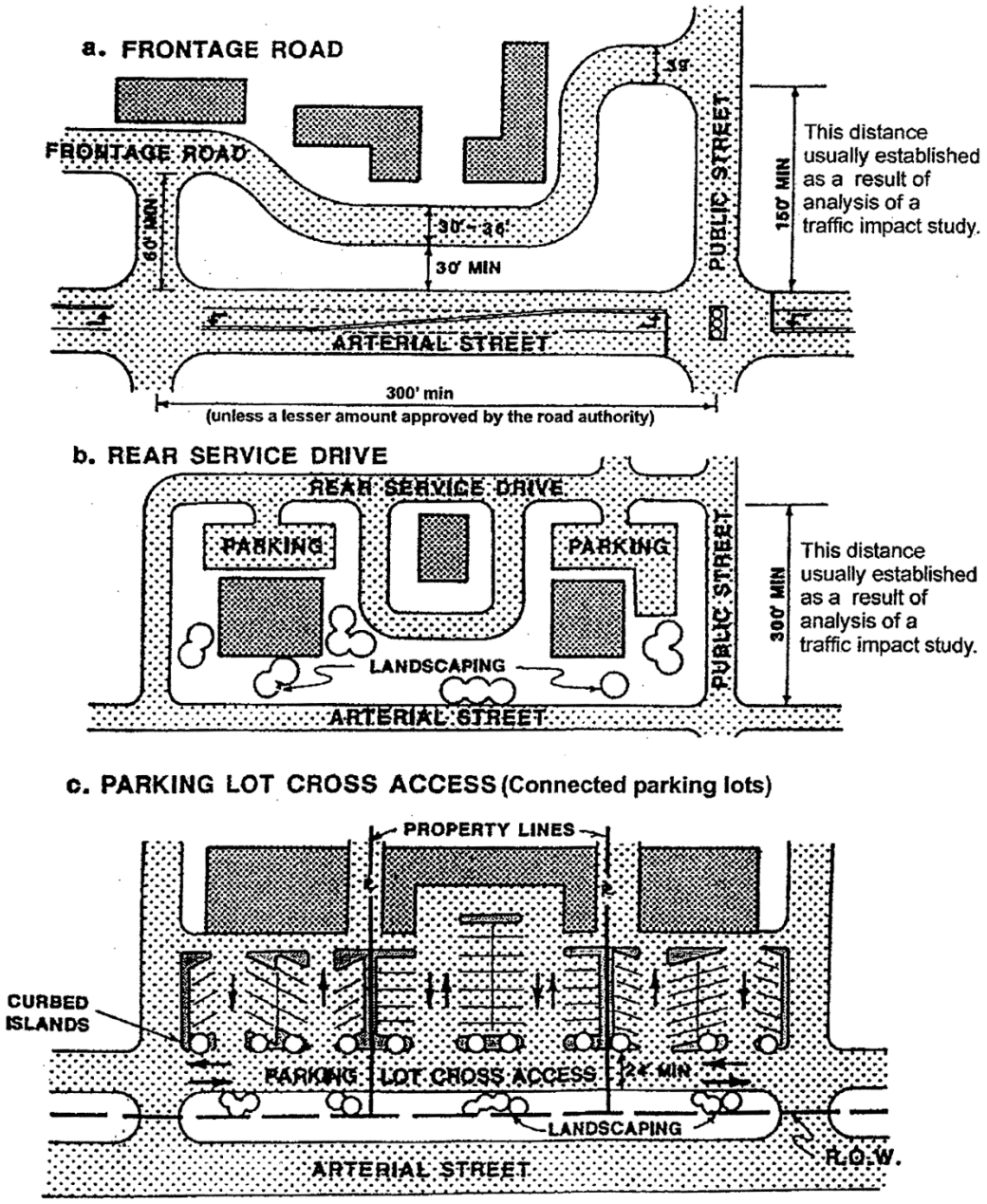
l. Pedestrian and Bicycle Access. Separate, safe access for pedestrians and bicycles shall be provided on a sidewalk or paved path that generally parallels the service drive unless alternate and comparable facilities are approved by the Planning Commission.

m. Number of Lots or Dwellings Served. No more than 25 lots or dwelling units may gain access from a service drive to a single public street.

n. Service Drive Signs. All new public and private service drives shall have a designated name on a sign meeting the standards on file in the City of Ishpeming.

o. Pre-Existing Conditions. In the case of expansion, alteration or redesign of existing development where it can be demonstrated that pre-existing conditions prohibit installation of a frontage road or service drive in accordance with the aforementioned standards, the Planning Commission shall have the authority to allow and/or require alternative cross access between adjacent parking areas through the interconnection of main circulation aisles. Under these conditions, the aisles serving the parking stalls shall be aligned perpendicularly to the access aisle, as shown in Figure 1c., with islands, curbing and/or signage to further delineate the edges of the route to be used by through traffic.

Figure 1: Frontage Road, Rear Service Drive and Parking Lot Cross Access



11. Parking Lot Connections or Parking Lot Cross-Access. Where a proposed parking lot is adjacent to an existing parking lot of a similar use, there shall be a vehicular connection between the two parking lots where physically feasible, as determined by the Planning Commission. For developments adjacent to vacant properties, the site shall be designed to provide for a future connection. A written access easement signed by both landowners shall be presented as evidence of the parking lot connection prior to the issuance of any final zoning approval.

12. Access Easements. Shared driveways, cross access driveways, connected parking lots, and service drives shall be recorded as an access easement and shall constitute a covenant running with the land. Operating and maintenance agreements for these facilities should be recorded with the deed. (Examples of access easements are found in Appendix B of the Michigan Access Management Guidebook.)

13. Site Distance of Access Points. Access points shall be located to provide safe sight distance, as determined by the applicable road agency.

14. Clear Vision Maintenance. All access points shall maintain clear vision as illustrated in Figures 2 and 3.

Figure 2

CLEAR VISION AT DRIVEWAYS

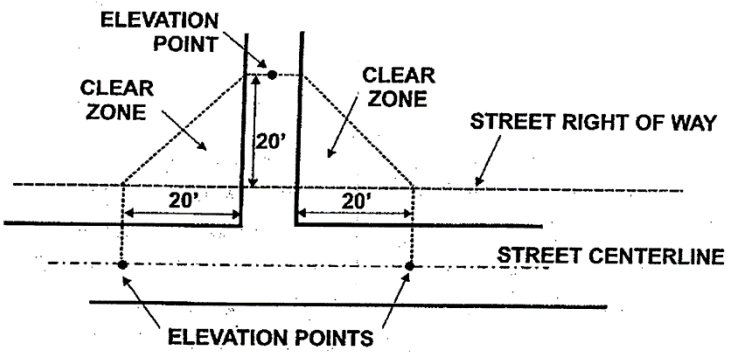
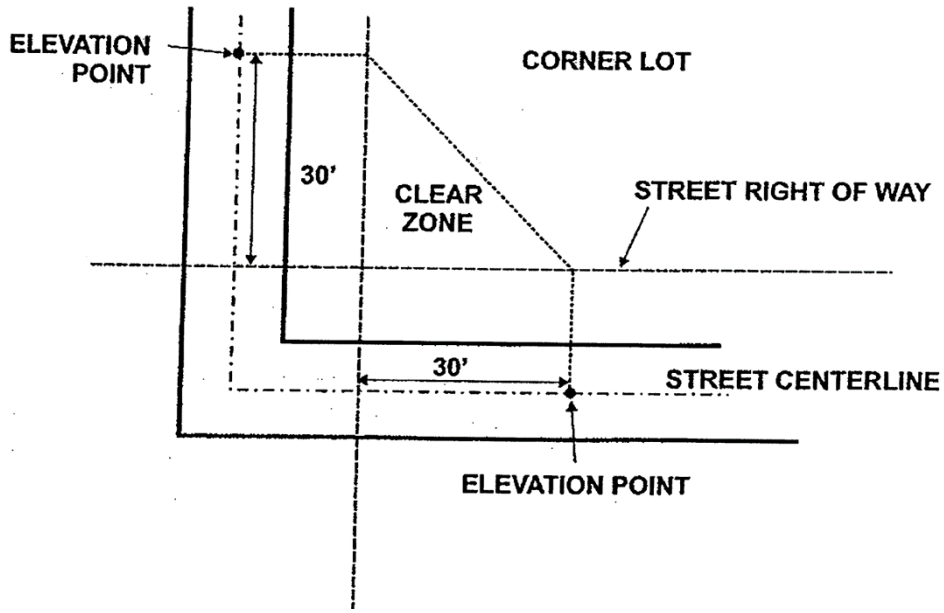


Figure 3

CLEAR VISION ON CORNER



15. Throat Width and Length of Driveway. Throat width and throat length of driveways shall be as required by the road authority and this article. The driveway design shall safely accommodate the needs of pedestrians and bicyclists.

16. Grades and Drainage:

    a. Driveways shall be constructed such that the grade for the 25 feet nearest the pavement edge or shoulder does not exceed 1.5 percent (one and one-half foot vertical rise in 100 feet of horizontal distance) wherever feasible. Where not feasible, grades shall conform with requirements of the applicable road authority.

    b. Driveways shall be constructed such that drainage from impervious areas located outside of the public right-of-way, which are determined to be in excess of existing drainage from these areas shall not be discharged into the roadway drainage system without the approval of the responsible agency. Storm drains, or culverts, if required shall be of a size adequate to carry the anticipated storm flow and be constructed and installed pursuant to the specifications of the responsible road authority.

17. Directional Signs and Pavement Markings. In order to ensure smooth traffic circulation on the site, direction signs and pavement markings shall be installed at the driveway(s) in a clearly visible location as required by the City of Ishpeming as part of the site plan review process and approved by the Michigan Department of Transportation and Marquette County Road Commission (as appropriate), and shall be maintained on a permanent basis by the property owner. Directional signs and pavement markings shall conform to the standards in the Michigan Manual of Uniform Traffic Control Devices.

18. Traffic Signals. Access points on US-41/M-28 may be required to be signalized in order to provide safe and efficient traffic flow. Any signal shall meet the spacing requirements of the applicable road authority. A development may be responsible for all or part of any right-of-way, design, hardware, and construction costs of a traffic signal if it is determined by the road authority that the signal is warranted by the traffic generated from the development. The procedures for signal installation and the percent of financial participation required of the development in the installation of the signal shall be in accordance with criteria of the road authority with jurisdiction.

19. Interference with Municipal Facilities. No driveway shall interfere with municipal facilities such as street lights or traffic signal poles, signs, fire hydrants, cross walks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures. The Zoning Administrator is authorized to order and effect the removal or reconstruction of any driveway which is constructed in conflict with street structures. The cost of reconstructing or relocating any new or proposed such driveways shall be at the expense of the property owner with the problem driveway.

34.19 Nonconforming Driveways

A. Driveways that do not conform to the regulations in this section, and were constructed before the effective date of this section, shall be considered legal nonconforming driveways. Existing driveways previously granted a temporary access permit by MDOT or the County Road Commission are legal nonconforming driveways until such time as the temporary access permit expires.

B. Loss of legal nonconforming status results when a nonconforming driveway ceases to be used for its intended purpose, as shown on the approved site plan, or a plot plan, for a period of 12 months or more. Any reuse of the driveway may only take place after the driveway conforms to all aspects of this article.

C. Legal nonconforming driveways may remain in use until such time as the use of the driveway or property is changed or expanded in number of vehicle trips per day or in the type of vehicles using the driveway (such as many more trucks) in such a way that impact the design of the driveway. At this time, the driveway shall be required to conform to all aspects of the Ordinance.

D. Driveways that do not conform to the regulations in this article and have been constructed after adoption of this article, shall be considered illegal nonconforming driveways.

E. Illegal nonconforming driveways are a violation of this article. The property owner shall be issued a violation notice which may include closing off the driveway until any nonconforming aspects of the driveway are corrected. Driveways constructed in illegal locations shall be immediately closed upon detection and all evidence of the driveway removed from the right-of-way and site on which it is located. The costs of such removal shall be borne by the property owner.

F. Nothing in this article shall prohibit the repair, improvement, or modernization of lawful nonconforming driveways, provided it is done consistent with the requirements of this section.

34.20 Waivers and Variances of Requirements

A. Waiver of standards. Any applicant for access approval under the provisions of this section may apply for a waiver of standards in Section 34.18 if the applicant cannot meet one or more of the standards according to the procedures provided below:

1. For waivers on properties involving land uses with less than 500 vehicle trips per day based on rates published in the Trip Generation Manual of the Institute of Transportation Engineers: Where the standards in this section cannot be met, suitable alternatives, documented by a registered traffic engineer and substantially achieving the intent of the section may be accepted by the Zoning Administrator, provided that all of the following apply:

    a. The use has insufficient size to meet the dimensional standards.

    b. Adjacent development renders adherence to these standards economically unfeasible.

    c. There is no other reasonable access due to topographic or other considerations.

    d. The standards in this section shall be applied to the maximum extent feasible.

    e. The responsible road authority agrees a waiver is warranted.

2. For waivers on properties involving land uses with more than 500 vehicle trips per day based on rates published in the Trip Generation Manual of the Institute of Transportation Engineers: During site plan review the Planning Commission shall have the authority to waive or otherwise modify the standards of Section 34.18 following an analysis of suitable alternatives documented by a registered traffic engineer and substantially achieving the intent of this section, provided all of the following apply:

    a. Access via a shared driveway or front or rear service drive is not possible due to the presence of existing buildings or topographic conditions.

    b. Roadway improvements (such as the addition of a traffic signal, a center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.

    c. The use involves the redesign of an existing development or a new use which will generate less traffic than the previous use.

d. The proposed location and design is supported by the County Road Commission and/or the Michigan Department of Transportation, as applicable, as an acceptable design under the circumstances.

B. Variance standards. The following standards shall apply when the Zoning Board of Appeals considers a request for a variance from the standards of this section.

1. The granting of a variance shall not be considered until a waiver under subsection (1) or (2) above has been considered and rejected.

2. Applicants for a variance must provide proof of practical difficulties unique to the parcel (such as wetlands, steep slopes, an odd parcel shape or narrow frontage, or location relative to other buildings, driveways or an intersection or interchange) that make strict application of the provisions of this section impractical. This shall include proof that:

a. Indirect or restricted access cannot be obtained; and,

b. No reasonable engineering or construction solution can be applied to mitigate the condition; and,

c. No reasonable alternative access is available from a road with a lower functional classification than the primary road; and,

d. Without the variance, there is no reasonable access to the site and the responsible road authority agrees.

3. The Zoning Board of Appeals shall make a finding that the applicant for a variance met their burden of proof above, that a variance is consistent with the intent and purpose of this section, and is the minimum necessary to provide reasonable access.

4. Under no circumstances shall a variance be granted unless not granting the variance would deny all reasonable access, endanger public health, welfare or safety, or cause an unnecessary hardship on the applicant. No variance shall be granted where such hardship is self-created.

34.21 Traffic Impact Study

A. If the proposed land use exceeds the traffic generation thresholds below, then the Zoning Administrator shall require submittal of a traffic impact study at the expense of the applicant, as described below prior to consideration of the application or site plan by either the Zoning Administrator or the Planning Commission. At their discretion, the Planning Commission may accept a traffic impact study prepared for another public agency. A traffic impact study shall be provided for the following developments unless waived by the Planning Commission following consultation with the Michigan Department of Transportation or Marquette County Road Commission, as applicable:

1. For any residential development of more than 20 dwelling units, or any office, commercial, industrial or mixed use development, with a building over 50,000 square feet, or

2. When permitted uses could generate either a 30 percent increase in average daily traffic, or at least 100 directional trips during the peak hour of the traffic generator or the peak hour on the adjacent streets, or over 750 trips in an average day, or

3. Such other development that may pose traffic problems in the opinion of the Planning Commission.

B. At a minimum the traffic impact study shall be in accordance with accepted principles as described in the handbook Evaluating Traffic Impact Studies, a Recommended Practice for Michigan, developed by the MDOT and other Michigan transportation agencies and contain the following:

1. A narrative summary including the applicant and all project owners, the project name, a location map, size and type of development, project phasing, analysis of existing traffic conditions and/or site restrictions using current data transportation system inventory, peak hour volumes at present and projected, number of lanes, roadway cross section, intersection traffic, signal progression, and related information on present and future conditions. The capacity analysis software should be the same for each project, such as using HCS 2000 or a later version.

2. Projected trip generation at the subject site or along the subject service drive, if any, based on the most recent edition of the Institute of Transportation Engineers Trip Generation manual. The City may approve use of other trip generation data if based on recent studies of at least three similar uses within similar locations in Michigan.

3. Illustrations of current and projected turning movements at access points. Include identification of the impact of the development and its proposed access on the operation of the abutting streets. Capacity analysis shall be completed based on the most recent version of the Highway Capacity Manual published by the Transportation Research Board, and shall be provided in an appendix to the traffic impact study.

4. Description of the internal vehicular circulation and parking system for passenger vehicles and delivery trucks, as well as the circulation system for pedestrians, bicycles and transit users.

5. Justification of need, including statements describing how any additional access (more than one driveway location) will improve safety on the site and will be consistent with the US-41/M-28 Access Management Action Plan and the City of Ishpeming Master Plan, and will not reduce capacity or traffic operations along the roadway.

6. Qualifications and documented experience of the author of the traffic impact study, describing experience in preparing traffic impact studies in Michigan. The preparer shall be either a registered traffic engineer (P.E.) or transportation planner with at least five years of experience preparing traffic impact studies in Michigan. If the traffic impact study involves geometric design, the study shall be prepared or supervised by a registered engineer with a strong background in traffic engineering.

C. The City may utilize its own traffic consultant to review the applicant's traffic impact study, with the cost of the review being borne by the applicant per Section 22.10.

SECTION 35.0: REZONED-AREAS

35.1 From February 1984 thru April 2019

A. Land bordered on the south by U. S. Highway 4l, on the west by County Road GP (Cooper Lake Road), on the north by the City boundary, and on the east by Second Street and the Ishpeming Cemetery, which is zoned Mining.

1. The following land descriptions are changed from Mining to Deferred Development:
NW l/4 of NW l/4 of Section 4; SW l/4 of NW l/4 of Section 4;
SE l/4 of NW l/4 of Section 4; NW l/4 of NE l/4 of Section 4;
NE l/4 of NE l/4 of Section 4 northwest of the Carp River;
Northern l/2 of SW l/4 of SW l/4 of Section 34;
Southern l/2 of SW l/4 of SW l/4 of Section 34 west of the Carp River.

2. The following land descriptions are changed from Mining to General Commercial:

Southern l/2 of SW l/4 of SW l/4 of Section 34 east of the Carp River;

NW l/4 of NW l/4 of Section 3, east and south of the Carp River, which is not currently zoned General Commercial;

NE l/4 of NW l/4 of Section 3, north of U. S. Highway 4l, which is not currently zoned General Commercial;

SW l/4 of NW l/4 of Section 3, north of U. S. Highway 4l, which is not currently zoned General Commercial;

NE l/4 of NE l/4 of Section 4, southeast of the Carp River;

SE l/4 of NE l/4 of Section 4, north of U. S. Highway 4l, which is not currently zoned General Commercial;

SW l/4 of NE l/4 of Section 4, which is not currently zoned General Commercial;

NW l/4 of SE l/4 of Section 4, north of U. S. Highway 4l, which is not currently zoned General Commercial;

NE l/4 of SW l/4 of Section 4, north of U. S. Highway 4l, which is not currently zoned General Commercial;

NW l/4 of SW l/4 of Section 4;

SW l/4 of SW l/4 of Section 4, north of U. S. Highway 4l, which is not currently zoned General Commercial.

B. Lots ll5 to l20, inclusive, of the Assessor's Plat of the Hard Ore Extension are rezoned from General Residential to General Commercial.

C. The following land description is rezoned from Single Family to Multiple Residential.

Commencing at the W l/4 Corner of Said Section 9; thence N 89°3l'50"E l,3l8.96 feet, to the NW Corner of said NE l/4 SW l/4; thence N 89°30'22"E 8l6.86 feet (along the North line of said NE l/4 SW l/4, to a river traverse point on the East bank of the Carp River and the Point of Beginning); thence on the following river traverse S 3l°32'09"W 279.85feet; thence S35°05'03"E ll9.92 feet; thence S 82°43'24"W l90.89 feet; thence S 40°56'l6"E 94.46 feet; thence S 43°02'5l"W 200.35 feet; thence N 6l°0l'53"W 73.l6 feet; thence S 24°48'56"E l59.04 feet; thence S 66°55'22"W l44.97 feet; thence S 39°56'5l"W 280.20 feet; thence S 84°59'46"W l53.0l feet (to the end of river traverse, and on the West line of said NE l/4 SW l/4); thence S 0°43'29"W 345.57 feet (to the SW Corner of said NE l/4 SW l/4); thence N 89°43'42"E 837.l9 feet (along the l/l6 line); thence N 0°l9'02"W l84.95 feet; thence S 89°43'27"W l00.00 feet; thence N 0°l9'02"W ll5.00 feet; thence S 89°43'27"E l00.00 feet; thence N 0°l9'02"W 50.00 feet; thence N 89°43'27"E 50.00 feet; thence N 0°l9'l2"W 300.00 feet; thence N 0°l9'02"W l35.00 feet; thence N 89°43'27"E 52.94 feet (to the West R/W of Washington Street); thence N 0°52'28"W 53l.l4 feet (along said R/W to the North line of said NE l/4 SW l/4); thence S 89°30'22"W 477.43 feet, to the Point of Beginning. Said parcel contains 2l.03 (+/-) acres, extends to the thread of the Carp River, and is bordered on the East by the L.S.I. Co. Subdivision to the City of Ishpeming.

D. Land bordered on the north by U. S. 4l, on the south by Bessemer Street, on the east by Third Street, and on the west by Second Street is rezoned from Deferred Development to General Commercial.

E. From General Commercial to Single Family Residential:
That part of the SW l/4 of Section 4, T47N, R27W, lying North of a line 300 feet North of U. S. 4l.

F. From Deferred Development to Single Family Residential:
The S l/2 of the NW l/4 of Section 4, T47N, R27W.

G. From Industrial to Residential:
The Southerly 200 feet of that part of the NW l/4 of NW l/4 of Section 10, T47N R27W, and the NE l/4 of NE l/4 of Section 9, T47N R27W, lying west of Lakeshore Drive and east of abandoned railroad right-of-way.

H. NW l/4 of NW l/4 of Section 9, T47N, R27W (Holli woodlot), that portion lying South of Wisconsin Central railroad right of way is rezoned from Deferred Development to Industrial.

I. NW l/4 of SW l/4 of Section 9, T47N, R27W, that portion south of Riverview Drive is rezoned from Multiple Family to Single Family Residence.

J. River Ridge and Apple Ridge Drive area is rezoned as follows:
The SW l/4 of SW l/4 of Section 9, the W l/2 of NW l/4, the NW l/4 of SW l/4, and that part of the E l/2 of the SW l/4 lying north of Saginaw Street and west of Pepin-Ireco railroad right of way of Section 16, T47N, R27W, from Deferred Development to Single Family Residence

Also the SE l/4 of SW l/4 of Section 9, that part of the NE l/4 of NW l/4 of Section 16 lying north and west of Pepin-Ireco railroad right of way from Deferred Development to General Residential

K. From Single Residential (SR) to Multiple Residential (MR):
Part of Section 4, T47N, R27W, beginning at the intersection of South ROW of Highland Drive and East ROW of County Road GP (Cooper Lake Road); thence N88ºE 212.52'; thence N1ºE 174.52'; thence S88ºE 138'; thence S1ºW 150'; thence S88ºE 40'; thence S3ºE 734.34'; thence S55ºE 107.59'; thence S15ºE 177.59'; thence S11ºW 172.01'; thence S48ºE 180.07'; thence S63ºW 710.04'; thence N1ºW 1533.88' along County Road GP to Point of Beginning. (16.15 acres)

L. From Multiple Residential (MR) to General Commercial (GC):
Part of the Southwest Quarter of the Northwest Quarter (SW l/4-NW l/4) of Section Ten (10), T47N-R27W, City of Ishpeming, Marquette County, Michigan, being more particularly described as:

Commencing at the West Quarter corner of said Section 10; thence N01º20'48"W along the West line of said Section 619.44 feet to the Point of Beginning.

Thence N60º25'00"E 554.14 feet to a point on the Westerly boundary line of U. S. Steel Corporation's Assessor's Plat Number One of the Hard Ore Extension; thence S43º01'10"E along said plat line 22.31 feet; thence S72º44'45"E along said plat line 90.52 feet; thence S03º55'30"W along said plat line 39.25 feet; thence S82º38'41"W 243.37 feet; thence S64º45'14"W 375.36 feet to the Point of Beginning.

The above described parcel contains 0.48 acres, more or less.

M. From Multiple Residential (MR) to Industrial (I):
Part of the Southwest Quarter of the Northwest Quarter (SW l/4-NW l/4) of Section Ten (10), T47N-R27W, City of Ishpeming, Marquette County, Michigan, being more particularly described as:

Commencing at the West Quarter corner of said Section 10; thence N01º20'48"W along the West line of said Section 126.63 feet to the Point of Beginning;

Thence continuing N01º20'48"W along said section line 200.00 feet; thence N77º39'12"E 289.84 feet; thence S78º13'02"E 323.95 feet; thence N00º06'26"W 66.81 feet to the southwesterly corner of U. S. Steel Corporation's Assessor's Plat Number One of the Hard Ore Extension; thence N89º16'00"E along the Southerly boundary line of said plat 216.61 feet; thence S61º43'20"E along said plat line 105.48 feet; thence S89º37'00"E along said plat line 89.42 feet; thence N02º47'00"W along said plat line 37.32 feet; thence S86º17'30"E along said plat line 82.78 feet; thence S01º29'12"W 178.30 feet to a point on the centerline of Incinerator Road; thence S87º15'45"W along said centerline 482.56 feet; thence N80º56'05"W along said centerline 336.02 feet; thence S69º01'55"W along said centerline 274.87 feet to the Point of Beginning.

The above described parcel contains 4.40 acres, more or less.

N. From Mining (M) to Industrial (I):
Part of the Southwest Quarter of the Northwest Quarter (SW l/4-NW l/4) of Section Ten (10), T47N-R27W, City of Ishpeming, Marquette County, Michigan, being more particularly described as:

Beginning at the West Quarter corner of said Section 10; thence N01º20'48"W along the West line of said section 126.63 feet to a point on the centerline of Incinerator Road; thence N69º01'55"E along said centerline 274.87 feet; thence S80º56'05"E along said centerline 336.02 feet; thence N87º15'45"E along said centerline 482.56 feet; thence S01º29'12"W 222.69 feet to a point on the East-West Quarter line of said section; thence N88º30'48"W along said quarter line 1062.10 feet to the Point of Beginning.

The above described parcel contains 4.90 acres, more or less.

O. From Mining (M) to Single Family Residential (SFR):
Part of Section 2, T47N, R27W, beginning 300 feet south and 225 feet east of NW corner of NE l/4 of SW l/4; thence north 750 feet; thence west 225 feet; thence north 160 feet; thence west 575 feet; thence south 910 feet; thence west 800 feet to the Point of Beginning.

The above described parcel contains 15.92 acres, more or less.

P. From Single Family Residential (SFR) to Multiple Residential (MR):
Part of the SE 1/4 of NW 1/4 of Section 4, T47N R27W, beginning 773.34' N of SE corner; thence N01º E328.73'; thence N88º W747.86'; thence S01º W675'; thence S88º E566.97'; thence N339.11'; thence N88º E204.43' to POB.

The above described parcel contains 10.18 acres, more or less.

Q. From Single Family Residential to General Commercial:
Lots 15 and 16 of the Palms-Book Addition to the City of Ishpeming.

R. From Mining to Deferred Development:
That part of Section 2 and the N 1/2 of NE 1/4 of Section 11, T47N R27W currently in the Mining Zoning District.

S. From Industrial to Deferred Development:
That part of the NE 1/4 of NW 1/4 of Section 11, T47N R27W currently in the Industrial Zoning District.

T. From General Residential to Multiple Residential:
Excelsior Iron Company's Second Addition to the City of Ishpeming, entire Blocks 10 and 11 and abandoned Fourth Street between Blocks 10 and 11 (Phelps School site).

U. From General Commercial to Central Business District:
The North 165' of Block 1, Excelsior Iron Company's Addition.

V. From General Residential to Central Business District:
Lots 1-5, the N 80 feet of the E 8 feet of Lot 10 and Lots 11 and 12 of Block 2, Excelsior Iron Company's Addition.

W. From Single Residential to Deferred Development:
The S 1/2 of the NW 1/4 of Section 4, T47N-R27W, except the W 300 feet thereof and except a parcel beginning at the center ¼ Corner, thence north 936 feet M/L, thence west 470 feet M/L, thence south 509 feet M/L, thence west 491 feet M/L, thence south 426 feet M/L, thence east 1,000 feet M/L to point of beginning.

X. From General Residential to General Commercial:
Lot 1, The Assessor's Plat of Bessemer Street.

Y. From Deferred Development to General Commercial
Part of the SW ¼ NW ¼ of Section 3, T47N-R27W: Beginning at NW corner of Lot 1 of The Assessors Plat of Bessemer Street; Thence N'ly along the East ROW of Third St. 520', more or less, to the S'ly R.R. Row; Thence NE 'ly along said R.R. R.O.W. 105' M/L; Thence S'ly Parallel with said East ROW of Third St. 530' M/L to the North line of said Assessors Plat of Bessemer Street; Thence W'ly along said North line 100' to the P.O.B.

Z. RZ 2019-01: From Deferred Development to General Commercial
The NW ¼ NE ¼ of Section 4, T47N-R27W except the West 150' thereof.

35.2: From May 2019 thru Present:

1) RZ 2019-02: From Mining to General Residential
   Lot 63 and Part of S. Salisbury St. of The Assessor's Plat of the Salisbury Location located in the NW ¼ SW ¼ of Section 15, T47N-R27W.

2) RZ 2019-03: From Deferred Development to General Residential
   Lot 1 Thru Lot 7 and East New York St. of The Assessor's Plat of East New York St. located in the W ½ SW ¼ of Section 2, T47N-R27W.

3) RZ 2019-04: From Industrial to General Residential
   Lots 19–27 of The Assessor's Plat of the Nebraska Location and East Bank Street, located in the NE ¼ of Section 10, T47N-R27W.

4) RZ 2019-05: From Deferred Development to Multiple Residential
   Parts of SE ¼ of SE ¼ of Section 3, T47N-R27W

5) RZ 2019-06: From Industrial and Mining to General Residential and Multiple Residential
   Barnum Addn. Lots 56-60 & Lots 62-65, also Assr. Plat of Barnum Loc'n. Lots 1-6, & Assr. Plat of Barnum Loc'n. No. 2 Lots 7-9 & 14-15, also an unplatted parcel in SE ¼ NE ¼ all located in the E ¼ of Sec. 9, T47N R27W

6) RZ 2020-01: From General Residential to General Commercial
   Lots 63 & 64, CCIC's 5th Addn.

7) RZ 2021-01 From General Commercial and General Residential to Central Business District
   Between Euclid, First, Canda, & Maple Streets also Nelson's Addition Lots 45 & 46 & W ½ of Vacated Alley between Lots 46 & 47.

8) RZ 2022-01: From General Residential to General Commercial
   Lot 1 of Block 13 of Excelsior Iron Co.'s Second Addition.

9) RZ 2023-01: From Mining to General Residential
   The North 225' of the NW ¼ NE ¼ of Section 16 T47N R27W Lying East of Washington Street and West of the Centerline of the Wisconsin Central Railroad.

10) RZ 2023-02: From General Commercial to Multiple Residential
    Lots 56, 57, & 58 of U.S. Steel Corporation Assessor's Plat No. 1 of the Hard Ore Extension. This was revised by RZ 2024-02 to be GR (error correction).

11) RZ 2023-03: From General Commercial to Deferred Development
    Public Hearing for Partridge Creek Farms was advertised but a Public Hearing was never conducted by the Planning Commission or a recommendation made to the City Council – no decision was made. The Zoning Ordinance was amended instead to provide for gardens of 3 sizes.

12) RZ 2024-01: From Industrial to General Residential
    Lots 4, 5, 6, and the Easterly 74' of Lot 8 of the Assessor's Plat of the Nebraska Location; The abandoned

railroad grade between the extended Easterly R.O.W. of Fourth Street in Cleveland Iron Co's Addition to the Westerly R.O.W. of Jasper Street in the Hard Ore Addition; Lot 31 of the Hard Ore Addition and that part of the abandoned railroad grades lying Southerly of Division Street, lying Northwesterly of Lots 32 and 33 of the Hard Ore Addition, Lying Northerly of Davis Street and Easterly of Jasper Street of said Hard Ore Addition.

13) RZ 2024-02 From Multiple Residential to General Residential
U.S. Steel Corp. Assessor's Plat No.1 of the Hard Ore Extension: Lots 39-66 & Lots 68-72 and that part of the SW 1/4 of NW 1/4 of Section 10 T47N-R27W Beg. at the SE Cor. of Lot 68 of the US Steel Corp Assessor Plat No.1 of the Hard Ore Extension: Th. S. 50'; Th. W. 149.29'; Th. S. 16.8'; Th. N. 76 Deg. W. 72.11'; Th N. 124.72'; Th S. 73 Deg E 74.51'; Th S. 49.82'; Th E. 216.61' to POB.

RESERVED FOR FUTURE USE

APPENDIX "A"

North American Industrial Classification System 2012 (NAICS)

This classification system is used in all of Ishpeming's Commercial Zoning Districts (listed below), with each use identified by a unique number along with titles of commercial categories / uses. All uses permitted in Ishpeming's Zoning Ordinance are highlighted in yellow.
Please check the specific commercial Zoning District to determine if the use is permitted by right or conditionally, as it may vary with the District.
Neighborhood Commercial (NC) General Commercial (GC)
Central Business District (CBD) Industrial (I) Mining (MI)

Information with text descriptions of each category / use are available in the office of the Zoning Administrator during normal business hours or are available on line at:

www.census.gov/cgi-bin/sssd/naics/naicsrch?chart=2012

11	**Agriculture, Forestry, Fishing and Hunting**
111	Crop Production
1111	Oilseed and Grain Farming
11111	Soybean Farming
111110	Soybean Farming
11112	Oilseed (except Soybean) Farming
111120	Oilseed (except Soybean) Farming
11113	Dry Pea and Bean Farming
111130	Dry Pea and Bean Farming
11114	Wheat Farming
111140	Wheat Farming
11115	Corn Farming
111150	Corn Farming
11116	Rice Farming
111160	Rice Farming
11119	Other Grain Farming
111191	Oilseed and Grain Combination Farming
111199	All Other Grain Farming
1112	Vegetable and Melon Farming
11121	Vegetable and Melon Farming
111211	Potato Farming
111219	Other Vegetable (except Potato) and Melon Farming
1113	Fruit and Tree Nut Farming
11131	Orange Groves
111310	Orange Groves
11132	Citrus (except Orange) Groves
111320	Citrus (except Orange) Groves
11133	Noncitrus Fruit and Tree Nut Farming
111331	Apple Orchards
111332	Grape Vineyards
111333	Strawberry Farming
44121	Recreational Vehicle Dealers
441210	Recreational Vehicle Dealers
44122	Motorcycle, Boat, and Other Motor Vehicle Dealers
441222	Boat Dealers
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers
4413	Automotive Parts, Accessories, and Tire Stores
44131	Automotive Parts and Accessories Stores
441310	Automotive Parts and Accessories Stores
44132	Tire Dealers
441320	Tire Dealers
442	Furniture and Home Furnishings Stores
4421	Furniture Stores
44211	Furniture Stores
442110	Furniture Stores
4422	Home Furnishings Stores
44221	Floor Covering Stores
442210	Floor Covering Stores
44229	Other Home Furnishings Stores
442291	Window Treatment Stores
442299	All Other Home Furnishings Stores
443	Electronics and Appliance Stores
4431	Electronics and Appliance Stores
44314	Electronics and Appliance Stores
443141	Household Appliance Stores
443142	Electronics Stores
444	Building Material and Garden Equipment and Supplies Dealers
4441	Building Material and Supplies Dealers
44411	Home Centers
444110	Home Centers
44412	Paint and Wallpaper Stores
444120	Paint and Wallpaper Stores

111334	Berry (except Strawberry) Farming
111335	Tree Nut Farming
111336	Fruit and Tree Nut Combination Farming
111339	Other Noncitrus Fruit Farming
1114	Greenhouse, Nursery, and Floriculture Production
11141	Food Crops Grown Under Cover
111411	Mushroom Production
111419	Other Food Crops Grown Under Cover
11142	Nursery and Floriculture Production
111421	Nursery and Tree Production
111422	Floriculture Production
1119	Other Crop Farming
11191	Tobacco Farming
111910	Tobacco Farming
11192	Cotton Farming
111920	Cotton Farming
11193	Sugarcane Farming
111930	Sugarcane Farming
11194	Hay Farming
111940	Hay Farming
11199	All Other Crop Farming
111991	Sugar Beet Farming
111992	Peanut Farming
111998	All Other Miscellaneous Crop Farming
112	Animal Production and Aquaculture
1121	Cattle Ranching and Farming
11211	Beef Cattle Ranching and Farming, including Feedlots
112111	Beef Cattle Ranching and Farming
112112	Cattle Feedlots
11212	Dairy Cattle and Milk Production
112120	Dairy Cattle and Milk Production
11213	Dual-Purpose Cattle Ranching and Farming
112130	Dual-Purpose Cattle Ranching and Farming
1122	Hog and Pig Farming
11221	Hog and Pig Farming
112210	Hog and Pig Farming
1123	Poultry and Egg Production
11231	Chicken Egg Production
112310	Chicken Egg Production
11232	Broilers and Other Meat Type Chicken Production
112320	Broilers and Other Meat Type Chicken Production
11233	Turkey Production
112330	Turkey Production
11234	Poultry Hatcheries
112340	Poultry Hatcheries
11239	Other Poultry Production
112390	Other Poultry Production
1124	Sheep and Goat Farming
44413	Hardware Stores
444130	Hardware Stores
44419	Other Building Material Dealers
444190	Other Building Material Dealers
4442	Lawn and Garden Equipment and Supplies Stores
44421	Outdoor Power Equipment Stores
444210	Outdoor Power Equipment Stores
44422	Nursery, Garden Center, and Farm Supply Stores
444220	Nursery, Garden Center, and Farm Supply Stores
445	Food and Beverage Stores
4451	Grocery Stores
44511	Supermarkets and Other Grocery (except Convenience) Stores
445110	Supermarkets and Other Grocery (except Convenience) Stores
44512	Convenience Stores
445120	Convenience Stores
4452	Specialty Food Stores
44521	Meat Markets
445210	Meat Markets
44522	Fish and Seafood Markets
445220	Fish and Seafood Markets
44523	Fruit and Vegetable Markets
445230	Fruit and Vegetable Markets
44529	Other Specialty Food Stores
445291	Baked Goods Stores
445292	Confectionery and Nut Stores
445299	All Other Specialty Food Stores
4453	Beer, Wine, and Liquor Stores
44531	Beer, Wine, and Liquor Stores
445310	Beer, Wine, and Liquor Stores
446	Health and Personal Care Stores
4461	Health and Personal Care Stores
44611	Pharmacies and Drug Stores
446110	Pharmacies and Drug Stores
44612	Cosmetics, Beauty Supplies, and Perfume Stores
446120	Cosmetics, Beauty Supplies, and Perfume Stores
44613	Optical Goods Stores
446130	Optical Goods Stores
44619	Other Health and Personal Care Stores
446191	Food (Health) Supplement Stores
446199	All Other Health and Personal Care Stores
447	Gasoline Stations
4471	Gasoline Stations
44711	Gasoline Stations with Convenience Stores
447110	Gasoline Stations with Convenience Stores
44719	Other Gasoline Stations
447190	Other Gasoline Stations
448	Clothing and Clothing Accessories Stores
4481	Clothing Stores

11241	Sheep Farming
112410	Sheep Farming
11242	Goat Farming
112420	Goat Farming
1125	Aquaculture
11251	Aquaculture
112511	Finfish Farming and Fish Hatcheries
112512	Shellfish Farming
112519	Other Aquaculture
1129	Other Animal Production
11291	Apiculture
112910	Apiculture
11292	Horses and Other Equine Production
112920	Horses and Other Equine Production
11293	Fur-Bearing Animal and Rabbit Production
112930	Fur-Bearing Animal and Rabbit Production
11299	All Other Animal Production
112990	All Other Animal Production
113	Forestry and Logging
1131	Timber Tract Operations
11311	Timber Tract Operations
113110	Timber Tract Operations
1132	Forest Nurseries and Gathering of Forest Products
11321	Forest Nurseries and Gathering of Forest Products
113210	Forest Nurseries and Gathering of Forest Products
1133	Logging
11331	Logging
113310	Logging
114	Fishing, Hunting and Trapping
1141	Fishing
11411	Fishing
114111	Finfish Fishing
114112	Shellfish Fishing
114119	Other Marine Fishing
1142	Hunting and Trapping
11421	Hunting and Trapping
114210	Hunting and Trapping
115	Support Activities for Agriculture and Forestry
1151	Support Activities for Crop Production
11511	Support Activities for Crop Production
115111	Cotton Ginning
115112	Soil Preparation, Planting, and Cultivating
115113	Crop Harvesting, Primarily by Machine
115114	Postharvest Crop Activities (except Cotton Ginning)
115115	Farm Labor Contractors and Crew Leaders
115116	Farm Management Services
1152	Support Activities for Animal Production

44811	Men's Clothing Stores
448110	Men's Clothing Stores
44812	Women's Clothing Stores
448120	Women's Clothing Stores
44813	Children's and Infants' Clothing Stores
448130	Children's and Infants' Clothing Stores
44814	Family Clothing Stores
448140	Family Clothing Stores
44815	Clothing Accessories Stores
448150	Clothing Accessories Stores
44819	Other Clothing Stores
448190	Other Clothing Stores
4482	Shoe Stores
44821	Shoe Stores
448210	Shoe Stores
4483	Jewelry, Luggage, and Leather Goods Stores
44831	Jewelry Stores
448310	Jewelry Stores
44832	Luggage and Leather Goods Stores
448320	Luggage and Leather Goods Stores
451	Sporting Goods, Hobby, Musical Instrument, and Book Stores
4511	Sporting Goods, Hobby, and Musical Instrument Stores
45111	Sporting Goods Stores
451110	Sporting Goods Stores
45112	Hobby, Toy, and Game Stores
451120	Hobby, Toy, and Game Stores
45113	Sewing, Needlework, and Piece Goods Stores
451130	Sewing, Needlework, and Piece Goods Stores
45114	Musical Instrument and Supplies Stores
451140	Musical Instrument and Supplies Stores
4512	Book Stores and News Dealers
45121	Book Stores and News Dealers
451211	Book Stores
451212	News Dealers and Newsstands
452	General Merchandise Stores
4521	Department Stores
45211	Department Stores
452111	Department Stores (except Discount Department Stores)
452112	Discount Department Stores
4529	Other General Merchandise Stores
45291	Warehouse Clubs and Supercenters
452910	Warehouse Clubs and Supercenters
45299	All Other General Merchandise Stores
452990	All Other General Merchandise Stores
453	Miscellaneous Store Retailers
4531	Florists
45311	Florists

11521	Support Activities for Animal Production
115210	Support Activities for Animal Production
1153	Support Activities for Forestry
11531	Support Activities for Forestry
115310	Support Activities for Forestry
21	**Mining, Quarrying, and Oil and Gas Extraction**
211	Oil and Gas Extraction
2111	Oil and Gas Extraction
21111	Oil and Gas Extraction
211111	Crude Petroleum and Natural Gas Extraction
211112	Natural Gas Liquid Extraction
212	Mining (except Oil and Gas)
2121	Coal Mining
21211	Coal Mining
212111	Bituminous Coal and Lignite Surface Mining
212112	Bituminous Coal Underground Mining
212113	Anthracite Mining
2122	Metal Ore Mining
21221	Iron Ore Mining
212210	Iron Ore Mining
21222	Gold Ore and Silver Ore Mining
212221	Gold Ore Mining
212222	Silver Ore Mining
21223	Copper, Nickel, Lead, and Zinc Mining
212231	Lead Ore and Zinc Ore Mining
212234	Copper Ore and Nickel Ore Mining
21229	Other Metal Ore Mining
212291	Uranium-Radium-Vanadium Ore Mining
212299	All Other Metal Ore Mining
2123	Nonmetallic Mineral Mining and Quarrying
21231	Stone Mining and Quarrying
212311	Dimension Stone Mining and Quarrying
212312	Crushed and Broken Limestone Mining and Quarrying
212313	Crushed and Broken Granite Mining and Quarrying
212319	Other Crushed and Broken Stone Mining and Quarrying
21232	Sand, Gravel, Clay, and Ceramic and Refractory Minerals Mining and Quarrying
212321	Construction Sand and Gravel Mining
212322	Industrial Sand Mining
212324	Kaolin and Ball Clay Mining
212325	Clay and Ceramic and Refractory Minerals Mining
21239	Other Nonmetallic Mineral Mining and Quarrying
212391	Potash, Soda, and Borate Mineral Mining
212392	Phosphate Rock Mining
212393	Other Chemical and Fertilizer Mineral Mining
212399	All Other Nonmetallic Mineral Mining
213	Support Activities for Mining
2131	Support Activities for Mining
453110	Florists
4532	Office Supplies, Stationery, and Gift Stores
45321	Office Supplies and Stationery Stores
453210	Office Supplies and Stationery Stores
45322	Gift, Novelty, and Souvenir Stores
453220	Gift, Novelty, and Souvenir Stores
4533	Used Merchandise Stores
45331	Used Merchandise Stores
453310	Used Merchandise Stores
4539	Other Miscellaneous Store Retailers
45391	Pet and Pet Supplies Stores
453910	Pet and Pet Supplies Stores
45392	Art Dealers
453920	Art Dealers
45393	Manufactured (Mobile) Home Dealers
453930	Manufactured (Mobile) Home Dealers
45399	All Other Miscellaneous Store Retailers
453991	Tobacco Stores
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)
454	Nonstore Retailers
4541	Electronic Shopping and Mail-Order Houses
45411	Electronic Shopping and Mail-Order Houses
454111	Electronic Shopping
454112	Electronic Auctions
454113	Mail-Order Houses
4542	Vending Machine Operators
45421	Vending Machine Operators
454210	Vending Machine Operators
4543	Direct Selling Establishments
45431	Fuel Dealers
454310	Fuel Dealers
45439	Other Direct Selling Establishments
454390	Other Direct Selling Establishments
48-49	**Transportation and Warehousing**
481	Air Transportation
4811	Scheduled Air Transportation
48111	Scheduled Air Transportation
481111	Scheduled Passenger Air Transportation
481112	Scheduled Freight Air Transportation
4812	Nonscheduled Air Transportation
48121	Nonscheduled Air Transportation
481211	Nonscheduled Chartered Passenger Air Transportation
481212	Nonscheduled Chartered Freight Air Transportation
481219	Other Nonscheduled Air Transportation
482	Rail Transportation
4821	Rail Transportation
48211	Rail Transportation

21311	Support Activities for Mining
213111	Drilling Oil and Gas Wells
213112	Support Activities for Oil and Gas Operations
213113	Support Activities for Coal Mining
213114	Support Activities for Metal Mining
213115	Support Activities for Nonmetallic Minerals (except Fuels) Mining
22	**Utilities**
221	Utilities
2211	Electric Power Generation, Transmission and Distribution
22111	Electric Power Generation
221111	Hydroelectric Power Generation
221112	Fossil Fuel Electric Power Generation
221113	Nuclear Electric Power Generation
221114	Solar Electric Power Generation
221115	Wind Electric Power Generation
221116	Geothermal Electric Power Generation
221117	Biomass Electric Power Generation
221118	Other Electric Power Generation
22112	Electric Power Transmission, Control, and Distribution
221121	Electric Bulk Power Transmission and Control
221122	Electric Power Distribution
2212	Natural Gas Distribution
22121	Natural Gas Distribution
221210	Natural Gas Distribution
2213	Water, Sewage and Other Systems
22131	Water Supply and Irrigation Systems
221310	Water Supply and Irrigation Systems
22132	Sewage Treatment Facilities
221320	Sewage Treatment Facilities
22133	Steam and Air-Conditioning Supply
221330	Steam and Air-Conditioning Supply
23	Construction
236	Construction of Buildings
2361	Residential Building Construction
23611	Residential Building Construction
236115	New Single-Family Housing Construction (except For-Sale Builders)
236116	New Multifamily Housing Construction (except For-Sale Builders)
236117	New Housing For-Sale Builders
236118	Residential Remodelers
2362	Nonresidential Building Construction
23621	Industrial Building Construction
236210	Industrial Building Construction
23622	Commercial and Institutional Building Construction
236220	Commercial and Institutional Building Construction
237	Heavy and Civil Engineering Construction
482111	Line-Haul Railroads
482112	Short Line Railroads
483	Water Transportation
4831	Deep Sea, Coastal, and Great Lakes Water Transportation
48311	Deep Sea, Coastal, and Great Lakes Water Transportation
483111	Deep Sea Freight Transportation
483112	Deep Sea Passenger Transportation
483113	Coastal and Great Lakes Freight Transportation
483114	Coastal and Great Lakes Passenger Transportation
4832	Inland Water Transportation
48321	Inland Water Transportation
483211	Inland Water Freight Transportation
483212	Inland Water Passenger Transportation
484	Truck Transportation
4841	General Freight Trucking
48411	General Freight Trucking, Local
484110	General Freight Trucking, Local
48412	General Freight Trucking, Long-Distance
484121	General Freight Trucking, Long-Distance, Truckload
484122	General Freight Trucking, Long-Distance, Less Than Truckload
4842	Specialized Freight Trucking
48421	Used Household and Office Goods Moving
484210	Used Household and Office Goods Moving
48422	Specialized Freight (except Used Goods) Trucking, Local
484220	Specialized Freight (except Used Goods) Trucking, Local
48423	Specialized Freight (except Used Goods) Trucking, Long-Distance
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance
485	Transit and Ground Passenger Transportation
4851	Urban Transit Systems
48511	Urban Transit Systems
485111	Mixed Mode Transit Systems
485112	Commuter Rail Systems
485113	Bus and Other Motor Vehicle Transit Systems
485119	Other Urban Transit Systems
4852	Interurban and Rural Bus Transportation
48521	Interurban and Rural Bus Transportation
485210	Interurban and Rural Bus Transportation
4853	Taxi and Limousine Service
48531	Taxi Service
485310	Taxi Service
48532	Limousine Service
485320	Limousine Service
4854	School and Employee Bus Transportation
48541	School and Employee Bus Transportation
485410	School and Employee Bus Transportation

2371	Utility System Construction
23711	Water and Sewer Line and Related Structures Construction
237110	Water and Sewer Line and Related Structures Construction
23712	Oil and Gas Pipeline and Related Structures Construction
237120	Oil and Gas Pipeline and Related Structures Construction
23713	Power and Communication Line and Related Structures Construction
237130	Power and Communication Line and Related Structures Construction
2372	Land Subdivision
23721	Land Subdivision
237210	Land Subdivision
2373	Highway, Street, and Bridge Construction
23731	Highway, Street, and Bridge Construction
237310	Highway, Street, and Bridge Construction
2379	Other Heavy and Civil Engineering Construction
23799	Other Heavy and Civil Engineering Construction
237990	Other Heavy and Civil Engineering Construction
238	Specialty Trade Contractors
2381	Foundation, Structure, and Building Exterior Contractors
23811	Poured Concrete Foundation and Structure Contractors
238110	Poured Concrete Foundation and Structure Contractors
23812	Structural Steel and Precast Concrete Contractors
238120	Structural Steel and Precast Concrete Contractors
23813	Framing Contractors
238130	Framing Contractors
23814	Masonry Contractors
238140	Masonry Contractors
23815	Glass and Glazing Contractors
238150	Glass and Glazing Contractors
23816	Roofing Contractors
238160	Roofing Contractors
23817	Siding Contractors
238170	Siding Contractors
23819	Other Foundation, Structure, and Building Exterior Contractors
238190	Other Foundation, Structure, and Building Exterior Contractors
2382	Building Equipment Contractors
23821	Electrical Contractors and Other Wiring Installation Contractors
238210	Electrical Contractors and Other Wiring Installation Contractors
23822	Plumbing, Heating, and Air-Conditioning Contractors
238220	Plumbing, Heating, and Air-Conditioning Contractors
4855	Charter Bus Industry
48551	Charter Bus Industry
485510	Charter Bus Industry
4859	Other Transit and Ground Passenger Transportation
48599	Other Transit and Ground Passenger Transportation
485991	Special Needs Transportation
485999	All Other Transit and Ground Passenger Transportation
486	Pipeline Transportation
4861	Pipeline Transportation of Crude Oil
48611	Pipeline Transportation of Crude Oil
486110	Pipeline Transportation of Crude Oil
4862	Pipeline Transportation of Natural Gas
48621	Pipeline Transportation of Natural Gas
486210	Pipeline Transportation of Natural Gas
4869	Other Pipeline Transportation
48691	Pipeline Transportation of Refined Petroleum Products
486910	Pipeline Transportation of Refined Petroleum Products
48699	All Other Pipeline Transportation
486990	All Other Pipeline Transportation
487	Scenic and Sightseeing Transportation
4871	Scenic and Sightseeing Transportation, Land
48711	Scenic and Sightseeing Transportation, Land
487110	Scenic and Sightseeing Transportation, Land
4872	Scenic and Sightseeing Transportation, Water
48721	Scenic and Sightseeing Transportation, Water
487210	Scenic and Sightseeing Transportation, Water
4879	Scenic and Sightseeing Transportation, Other
48799	Scenic and Sightseeing Transportation, Other
487990	Scenic and Sightseeing Transportation, Other
488	Support Activities for Transportation
4881	Support Activities for Air Transportation
48811	Airport Operations
488111	Air Traffic Control
488119	Other Airport Operations
48819	Other Support Activities for Air Transportation
488190	Other Support Activities for Air Transportation
4882	Support Activities for Rail Transportation
48821	Support Activities for Rail Transportation
488210	Support Activities for Rail Transportation

23829	Other Building Equipment Contractors
238290	Other Building Equipment Contractors
2383	Building Finishing Contractors
23831	Drywall and Insulation Contractors
238310	Drywall and Insulation Contractors
23832	Painting and Wall Covering Contractors
238320	Painting and Wall Covering Contractors
23833	Flooring Contractors
238330	Flooring Contractors
23834	Tile and Terrazzo Contractors
238340	Tile and Terrazzo Contractors
23835	Finish Carpentry Contractors
238350	Finish Carpentry Contractors
23839	Other Building Finishing Contractors
238390	Other Building Finishing Contractors
2389	Other Specialty Trade Contractors
23891	Site Preparation Contractors
238910	Site Preparation Contractors
23899	All Other Specialty Trade Contractors
238990	All Other Specialty Trade Contractors
31-33	**Manufacturing**
311	Food Manufacturing
3111	Animal Food Manufacturing
31111	Animal Food Manufacturing
311111	Dog and Cat Food Manufacturing
311119	Other Animal Food Manufacturing
3112	Grain and Oilseed Milling
31121	Flour Milling and Malt Manufacturing
311211	Flour Milling
311212	Rice Milling
311213	Malt Manufacturing
31122	Starch and Vegetable Fats and Oils Manufacturing
311221	Wet Corn Milling
311224	Soybean and Other Oilseed Processing
311225	Fats and Oils Refining and Blending
31123	Breakfast Cereal Manufacturing
311230	Breakfast Cereal Manufacturing
3113	Sugar and Confectionery Product Manufacturing
31131	Sugar Manufacturing
311313	Beet Sugar Manufacturing
311314	Cane Sugar Manufacturing
31134	Nonchocolate Confectionery Manufacturing
311340	Nonchocolate Confectionery Manufacturing
31135	Chocolate and Confectionery Manufacturing
311351	Chocolate and Confectionery Manufacturing from Cacao Beans
311352	Confectionery Manufacturing from Purchased Chocolate
3114	Fruit and Vegetable Preserving and Specialty Food Manufacturing
31141	Frozen Food Manufacturing
4883	Support Activities for Water Transportation
48831	Port and Harbor Operations
488310	Port and Harbor Operations
48832	Marine Cargo Handling
488320	Marine Cargo Handling
48833	Navigational Services to Shipping
488330	Navigational Services to Shipping
48839	Other Support Activities for Water Transportation
488390	Other Support Activities for Water Transportation
4884	Support Activities for Road Transportation
48841	Motor Vehicle Towing
488410	Motor Vehicle Towing
48849	Other Support Activities for Road Transportation
488490	Other Support Activities for Road Transportation
4885	Freight Transportation Arrangement
48851	Freight Transportation Arrangement
488510	Freight Transportation Arrangement
4889	Other Support Activities for Transportation
48899	Other Support Activities for Transportation
488991	Packing and Crating
488999	All Other Support Activities for Transportation
491	Postal Service
4911	Postal Service
49111	Postal Service
491110	Postal Service
492	Couriers and Messengers
4921	Couriers and Express Delivery Services
49211	Couriers and Express Delivery Services
492110	Couriers and Express Delivery Services
4922	Local Messengers and Local Delivery
49221	Local Messengers and Local Delivery
492210	Local Messengers and Local Delivery
493	Warehousing and Storage
4931	Warehousing and Storage
49311	General Warehousing and Storage
493110	General Warehousing and Storage
49312	Refrigerated Warehousing and Storage
493120	Refrigerated Warehousing and Storage
49313	Farm Product Warehousing and Storage
493130	Farm Product Warehousing and Storage
49319	Other Warehousing and Storage
493190	Other Warehousing and Storage
51	**Information**
511	Publishing Industries (except Internet)
5111	Newspaper, Periodical, Book, and Directory Publishers
51111	Newspaper Publishers
511110	Newspaper Publishers
51112	Periodical Publishers

311411	Frozen Fruit, Juice, and Vegetable Manufacturing	511120	Periodical Publishers
311412	Frozen Specialty Food Manufacturing	51113	Book Publishers
31142	Fruit and Vegetable Canning, Pickling, and Drying	511130	Book Publishers
311421	Fruit and Vegetable Canning	51114	Directory and Mailing List Publishers
311422	Specialty Canning	511140	Directory and Mailing List Publishers
311423	Dried and Dehydrated Food Manufacturing	51119	Other Publishers
3115	Dairy Product Manufacturing	511191	Greeting Card Publishers
31151	Dairy Product (except Frozen) Manufacturing	511199	All Other Publishers
311511	Fluid Milk Manufacturing	5112	Software Publishers
311512	Creamery Butter Manufacturing	51121	Software Publishers
311513	Cheese Manufacturing	511210	Software Publishers
311514	Dry, Condensed, and Evaporated Dairy Product Manufacturing	512	Motion Picture and Sound Recording Industries
31152	Ice Cream and Frozen Dessert Manufacturing	5121	Motion Picture and Video Industries
311520	Ice Cream and Frozen Dessert Manufacturing	51211	Motion Picture and Video Production
3116	Animal Slaughtering and Processing	512110	Motion Picture and Video Production
31161	Animal Slaughtering and Processing	51212	Motion Picture and Video Distribution
311611	Animal (except Poultry) Slaughtering	512120	Motion Picture and Video Distribution
311612	Meat Processed from Carcasses	51213	Motion Picture and Video Exhibition
311613	Rendering and Meat Byproduct Processing	512131	Motion Picture Theaters (except Drive-Ins)
311615	Poultry Processing	512132	Drive-In Motion Picture Theaters
3117	Seafood Product Preparation and Packaging	51219	Postproduction Services and Other Motion Picture and Video Industries
31171	Seafood Product Preparation and Packaging	512191	Teleproduction and Other Postproduction Services
311710	Seafood Product Preparation and Packaging	512199	Other Motion Picture and Video Industries
3118	Bakeries and Tortilla Manufacturing	5122	Sound Recording Industries
31181	Bread and Bakery Product Manufacturing	51221	Record Production
311811	Retail Bakeries	512210	Record Production
311812	Commercial Bakeries	51222	Integrated Record Production/Distribution
311813	Frozen Cakes, Pies, and Other Pastries Manufacturing	512220	Integrated Record Production/Distribution
31182	Cookie, Cracker, and Pasta Manufacturing	51223	Music Publishers
311821	Cookie and Cracker Manufacturing	512230	Music Publishers
311824	Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour	51224	Sound Recording Studios
31183	Tortilla Manufacturing	512240	Sound Recording Studios
311830	Tortilla Manufacturing	51229	Other Sound Recording Industries
3119	Other Food Manufacturing	512290	Other Sound Recording Industries
31191	Snack Food Manufacturing	515	Broadcasting (except Internet)
311911	Roasted Nuts and Peanut Butter Manufacturing	5151	Radio and Television Broadcasting
311919	Other Snack Food Manufacturing	51511	Radio Broadcasting
31192	Coffee and Tea Manufacturing	515111	Radio Networks
311920	Coffee and Tea Manufacturing	515112	Radio Stations
31193	Flavoring Syrup and Concentrate Manufacturing	51512	Television Broadcasting
311930	Flavoring Syrup and Concentrate Manufacturing	515120	Television Broadcasting
31194	Seasoning and Dressing Manufacturing	5152	Cable and Other Subscription Programming
311941	Mayonnaise, Dressing, and Other Prepared Sauce Manufacturing	51521	Cable and Other Subscription Programming
311942	Spice and Extract Manufacturing	515210	Cable and Other Subscription Programming
31199	All Other Food Manufacturing	517	Telecommunications
311991	Perishable Prepared Food Manufacturing	5171	Wired Telecommunications Carriers
311999	All Other Miscellaneous Food Manufacturing	51711	Wired Telecommunications Carriers

312	Beverage and Tobacco Product Manufacturing
3121	Beverage Manufacturing
31211	Soft Drink and Ice Manufacturing
312111	Soft Drink Manufacturing
312112	Bottled Water Manufacturing
312113	Ice Manufacturing
31212	Breweries
312120	Breweries
31213	Wineries
312130	Wineries
31214	Distilleries
312140	Distilleries
3122	Tobacco Manufacturing
31223	Tobacco Manufacturing
312230	Tobacco Manufacturing
313	Textile Mills
3131	Fiber, Yarn, and Thread Mills
31311	Fiber, Yarn, and Thread Mills
313110	Fiber, Yarn, and Thread Mills
3132	Fabric Mills
31321	Broadwoven Fabric Mills
313210	Broadwoven Fabric Mills
31322	Narrow Fabric Mills and Schiffli Machine Embroidery
313220	Narrow Fabric Mills and Schiffli Machine Embroidery
31323	Nonwoven Fabric Mills
313230	Nonwoven Fabric Mills
31324	Knit Fabric Mills
313240	Knit Fabric Mills
3133	Textile and Fabric Finishing and Fabric Coating Mills
31331	Textile and Fabric Finishing Mills
313310	Textile and Fabric Finishing Mills
31332	Fabric Coating Mills
313320	Fabric Coating Mills
314	Textile Product Mills
3141	Textile Furnishings Mills
31411	Carpet and Rug Mills
314110	Carpet and Rug Mills
31412	Curtain and Linen Mills
314120	Curtain and Linen Mills
3149	Other Textile Product Mills
31491	Textile Bag and Canvas Mills
314910	Textile Bag and Canvas Mills
31499	All Other Textile Product Mills
314994	Rope, Cordage, Twine, Tire Cord, and Tire Fabric Mills
314999	All Other Miscellaneous Textile Product Mills
315	Apparel Manufacturing
3151	Apparel Knitting Mills
517110	Wired Telecommunications Carriers
5172	Wireless Telecommunications Carriers (except Satellite)
51721	Wireless Telecommunications Carriers (except Satellite)
517210	Wireless Telecommunications Carriers (except Satellite)
5174	Satellite Telecommunications
51741	Satellite Telecommunications
517410	Satellite Telecommunications
5179	Other Telecommunications
51791	Other Telecommunications
517911	Telecommunications Resellers
517919	All Other Telecommunications
518	Data Processing, Hosting, and Related Services
5182	Data Processing, Hosting, and Related Services
51821	Data Processing, Hosting, and Related Services
518210	Data Processing, Hosting, and Related Services
519	Other Information Services
5191	Other Information Services
51911	News Syndicates
519110	News Syndicates
51912	Libraries and Archives
519120	Libraries and Archives
51913	Internet Publishing and Broadcasting and Web Search Portals
519130	Internet Publishing and Broadcasting and Web Search Portals
51919	All Other Information Services
519190	All Other Information Services
52	**Finance and Insurance**
521	Monetary Authorities-Central Bank
5211	Monetary Authorities-Central Bank
52111	Monetary Authorities-Central Bank
521110	Monetary Authorities-Central Bank
522	Credit Intermediation and Related Activities
5221	Depository Credit Intermediation
52211	Commercial Banking
522110	Commercial Banking
52212	Savings Institutions
522120	Savings Institutions
52213	Credit Unions
522130	Credit Unions
52219	Other Depository Credit Intermediation
522190	Other Depository Credit Intermediation
5222	Nondepository Credit Intermediation
52221	Credit Card Issuing
522210	Credit Card Issuing
52222	Sales Financing
522220	Sales Financing
52229	Other Nondepository Credit Intermediation
522291	Consumer Lending

31511	Hosiery and Sock Mills
315110	Hosiery and Sock Mills
31519	Other Apparel Knitting Mills
315190	Other Apparel Knitting Mills
3152	Cut and Sew Apparel Manufacturing
31521	Cut and Sew Apparel Contractors
315210	Cut and Sew Apparel Contractors
31522	Men's and Boys' Cut and Sew Apparel Manufacturing
315220	Men's and Boys' Cut and Sew Apparel Manufacturing
31524	Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing
315240	Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing
31528	Other Cut and Sew Apparel Manufacturing
315280	Other Cut and Sew Apparel Manufacturing
3159	Apparel Accessories and Other Apparel Manufacturing
31599	Apparel Accessories and Other Apparel Manufacturing
315990	Apparel Accessories and Other Apparel Manufacturing
316	Leather and Allied Product Manufacturing
3161	Leather and Hide Tanning and Finishing
31611	Leather and Hide Tanning and Finishing
316110	Leather and Hide Tanning and Finishing
3162	Footwear Manufacturing
31621	Footwear Manufacturing
316210	Footwear Manufacturing
3169	Other Leather and Allied Product Manufacturing
31699	Other Leather and Allied Product Manufacturing
316992	Women's Handbag and Purse Manufacturing
316998	All Other Leather Good and Allied Product Manufacturing
321	Wood Product Manufacturing
3211	Sawmills and Wood Preservation
32111	Sawmills and Wood Preservation
321113	Sawmills
321114	Wood Preservation
3212	Veneer, Plywood, and Engineered Wood Product Manufacturing
32121	Veneer, Plywood, and Engineered Wood Product Manufacturing
321211	Hardwood Veneer and Plywood Manufacturing
321212	Softwood Veneer and Plywood Manufacturing
321213	Engineered Wood Member (except Truss) Manufacturing
321214	Truss Manufacturing
321219	Reconstituted Wood Product Manufacturing
3219	Other Wood Product Manufacturing
32191	Millwork
522292	Real Estate Credit
522293	International Trade Financing
522294	Secondary Market Financing
522298	All Other Nondepository Credit Intermediation
5223	Activities Related to Credit Intermediation
52231	Mortgage and Nonmortgage Loan Brokers
522310	Mortgage and Nonmortgage Loan Brokers
52232	Financial Transactions Processing, Reserve, and Clearinghouse Activities
522320	Financial Transactions Processing, Reserve, and Clearinghouse Activities
52239	Other Activities Related to Credit Intermediation
522390	Other Activities Related to Credit Intermediation
523	Securities, Commodity Contracts, and Other Financial Investments and Related Activities
5231	Securities and Commodity Contracts Intermediation and Brokerage
52311	Investment Banking and Securities Dealing
523110	Investment Banking and Securities Dealing
52312	Securities Brokerage
523120	Securities Brokerage
52313	Commodity Contracts Dealing
523130	Commodity Contracts Dealing
52314	Commodity Contracts Brokerage
523140	Commodity Contracts Brokerage
5232	Securities and Commodity Exchanges
52321	Securities and Commodity Exchanges
523210	Securities and Commodity Exchanges
5239	Other Financial Investment Activities
52391	Miscellaneous Intermediation
523910	Miscellaneous Intermediation
52392	Portfolio Management
523920	Portfolio Management
52393	Investment Advice
523930	Investment Advice
52399	All Other Financial Investment Activities
523991	Trust, Fiduciary, and Custody Activities
523999	Miscellaneous Financial Investment Activities
524	Insurance Carriers and Related Activities
5241	Insurance Carriers
52411	Direct Life, Health, and Medical Insurance Carriers
524113	Direct Life Insurance Carriers
524114	Direct Health and Medical Insurance Carriers
52412	Direct Insurance (except Life, Health, and Medical) Carriers
524126	Direct Property and Casualty Insurance Carriers

321911	Wood Window and Door Manufacturing
321912	Cut Stock, Resawing Lumber, and Planing
321918	Other Millwork (including Flooring)
32192	Wood Container and Pallet Manufacturing
321920	Wood Container and Pallet Manufacturing
32199	All Other Wood Product Manufacturing
321991	Manufactured Home (Mobile Home) Manufacturing
321992	Prefabricated Wood Building Manufacturing
321999	All Other Miscellaneous Wood Product Manufacturing
322	Paper Manufacturing
3221	Pulp, Paper, and Paperboard Mills
32211	Pulp Mills
322110	Pulp Mills
32212	Paper Mills
322121	Paper (except Newsprint) Mills
322122	Newsprint Mills
32213	Paperboard Mills
322130	Paperboard Mills
3222	Converted Paper Product Manufacturing
32221	Paperboard Container Manufacturing
322211	Corrugated and Solid Fiber Box Manufacturing
322212	Folding Paperboard Box Manufacturing
322219	Other Paperboard Container Manufacturing
32222	Paper Bag and Coated and Treated Paper Manufacturing
322220	Paper Bag and Coated and Treated Paper Manufacturing
32223	Stationery Product Manufacturing
322230	Stationery Product Manufacturing
32229	Other Converted Paper Product Manufacturing
322291	Sanitary Paper Product Manufacturing
322299	All Other Converted Paper Product Manufacturing
323	Printing and Related Support Activities
3231	Printing and Related Support Activities
32311	Printing
323111	Commercial Printing (except Screen and Books)
323113	Commercial Screen Printing
323117	Books Printing
32312	Support Activities for Printing
323120	Support Activities for Printing
324	Petroleum and Coal Products Manufacturing
3241	Petroleum and Coal Products Manufacturing
32411	Petroleum Refineries
324110	Petroleum Refineries
32412	Asphalt Paving, Roofing, and Saturated Materials Manufacturing
324121	Asphalt Paving Mixture and Block Manufacturing
524127	Direct Title Insurance Carriers
524128	Other Direct Insurance (except Life, Health, and Medical) Carriers
52413	Reinsurance Carriers
524130	Reinsurance Carriers
5242	Agencies, Brokerages, and Other Insurance Related Activities
52421	Insurance Agencies and Brokerages
524210	Insurance Agencies and Brokerages
52429	Other Insurance Related Activities
524291	Claims Adjusting
524292	Third Party Administration of Insurance and Pension Funds
524298	All Other Insurance Related Activities
525	Funds, Trusts, and Other Financial Vehicles
5251	Insurance and Employee Benefit Funds
52511	Pension Funds
525110	Pension Funds
52512	Health and Welfare Funds
525120	Health and Welfare Funds
52519	Other Insurance Funds
525190	Other Insurance Funds
5259	Other Investment Pools and Funds
52591	Open-End Investment Funds
525910	Open-End Investment Funds
52592	Trusts, Estates, and Agency Accounts
525920	Trusts, Estates, and Agency Accounts
52599	Other Financial Vehicles
525990	Other Financial Vehicles
53	**Real Estate and Rental and Leasing**
531	Real Estate
5311	Lessors of Real Estate
53111	Lessors of Residential Buildings and Dwellings
531110	Lessors of Residential Buildings and Dwellings
53112	Lessors of Nonresidential Buildings (except Miniwarehouses)
531120	Lessors of Nonresidential Buildings (except Miniwarehouses)
53113	Lessors of Miniwarehouses and Self-Storage Units
531130	Lessors of Miniwarehouses and Self-Storage Units
53119	Lessors of Other Real Estate Property
531190	Lessors of Other Real Estate Property
5312	Offices of Real Estate Agents and Brokers
53121	Offices of Real Estate Agents and Brokers
531210	Offices of Real Estate Agents and Brokers
5313	Activities Related to Real Estate
53131	Real Estate Property Managers
531311	Residential Property Managers
531312	Nonresidential Property Managers

324122	Asphalt Shingle and Coating Materials Manufacturing
32419	Other Petroleum and Coal Products Manufacturing
324191	Petroleum Lubricating Oil and Grease Manufacturing
324199	All Other Petroleum and Coal Products Manufacturing
325	Chemical Manufacturing
3251	Basic Chemical Manufacturing
32511	Petrochemical Manufacturing
325110	Petrochemical Manufacturing
32512	Industrial Gas Manufacturing
325120	Industrial Gas Manufacturing
32513	Synthetic Dye and Pigment Manufacturing
325130	Synthetic Dye and Pigment Manufacturing
32518	Other Basic Inorganic Chemical Manufacturing
325180	Other Basic Inorganic Chemical Manufacturing
32519	Other Basic Organic Chemical Manufacturing
325193	Ethyl Alcohol Manufacturing
325194	Cyclic Crude, Intermediate, and Gum and Wood Chemical Manufacturing
325199	All Other Basic Organic Chemical Manufacturing
3252	Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing
32521	Resin and Synthetic Rubber Manufacturing
325211	Plastics Material and Resin Manufacturing
325212	Synthetic Rubber Manufacturing
32522	Artificial and Synthetic Fibers and Filaments Manufacturing
325220	Artificial and Synthetic Fibers and Filaments Manufacturing
3253	Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing
32531	Fertilizer Manufacturing
325311	Nitrogenous Fertilizer Manufacturing
325312	Phosphatic Fertilizer Manufacturing
325314	Fertilizer (Mixing Only) Manufacturing
32532	Pesticide and Other Agricultural Chemical Manufacturing
325320	Pesticide and Other Agricultural Chemical Manufacturing
3254	Pharmaceutical and Medicine Manufacturing
32541	Pharmaceutical and Medicine Manufacturing
325411	Medicinal and Botanical Manufacturing
325412	Pharmaceutical Preparation Manufacturing
53132	Offices of Real Estate Appraisers
531320	Offices of Real Estate Appraisers
53139	Other Activities Related to Real Estate
531390	Other Activities Related to Real Estate
532	Rental and Leasing Services
5321	Automotive Equipment Rental and Leasing
53211	Passenger Car Rental and Leasing
532111	Passenger Car Rental
532112	Passenger Car Leasing
53212	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing
5322	Consumer Goods Rental
53221	Consumer Electronics and Appliances Rental
532210	Consumer Electronics and Appliances Rental
53222	Formal Wear and Costume Rental
532220	Formal Wear and Costume Rental
53223	Video Tape and Disc Rental
532230	Video Tape and Disc Rental
53229	Other Consumer Goods Rental
532291	Home Health Equipment Rental
532292	Recreational Goods Rental
532299	All Other Consumer Goods Rental
5323	General Rental Centers
53231	General Rental Centers
532310	General Rental Centers
5324	Commercial and Industrial Machinery and Equipment Rental and Leasing
53241	Construction, Transportation, Mining, and Forestry Machinery and Equipment Rental and Leasing
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing
53242	Office Machinery and Equipment Rental and Leasing
532420	Office Machinery and Equipment Rental and Leasing
53249	Other Commercial and Industrial Machinery and Equipment Rental and Leasing
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing
533	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)
5331	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)

325413	In-Vitro Diagnostic Substance Manufacturing
325414	Biological Product (except Diagnostic) Manufacturing
3255	Paint, Coating, and Adhesive Manufacturing
32551	Paint and Coating Manufacturing
325510	Paint and Coating Manufacturing
32552	Adhesive Manufacturing
325520	Adhesive Manufacturing
3256	Soap, Cleaning Compound, and Toilet Preparation Manufacturing
32561	Soap and Cleaning Compound Manufacturing
325611	Soap and Other Detergent Manufacturing
325612	Polish and Other Sanitation Good Manufacturing
325613	Surface Active Agent Manufacturing
32562	Toilet Preparation Manufacturing
325620	Toilet Preparation Manufacturing
3259	Other Chemical Product and Preparation Manufacturing
32591	Printing Ink Manufacturing
325910	Printing Ink Manufacturing
32592	Explosives Manufacturing
325920	Explosives Manufacturing
32599	All Other Chemical Product and Preparation Manufacturing
325991	Custom Compounding of Purchased Resins
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing
326	Plastics and Rubber Products Manufacturing
3261	Plastics Product Manufacturing
32611	Plastics Packaging Materials and Unlaminated Film and Sheet Manufacturing
326111	Plastics Bag and Pouch Manufacturing
326112	Plastics Packaging Film and Sheet (including Laminated) Manufacturing
326113	Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing
32612	Plastics Pipe, Pipe Fitting, and Unlaminated Profile Shape Manufacturing
326121	Unlaminated Plastics Profile Shape Manufacturing
326122	Plastics Pipe and Pipe Fitting Manufacturing
32613	Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing
326130	Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing
32614	Polystyrene Foam Product Manufacturing
326140	Polystyrene Foam Product Manufacturing
32615	Urethane and Other Foam Product (except Polystyrene) Manufacturing
326150	Urethane and Other Foam Product (except Polystyrene) Manufacturing
53311	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)
533110	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)
54	**Professional, Scientific, and Technical Services**
541	Professional, Scientific, and Technical Services
5411	Legal Services
54111	Offices of Lawyers
541110	Offices of Lawyers
54112	Offices of Notaries
541120	Offices of Notaries
54119	Other Legal Services
541191	Title Abstract and Settlement Offices
541199	All Other Legal Services
5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services
54121	Accounting, Tax Preparation, Bookkeeping, and Payroll Services
541211	Offices of Certified Public Accountants
541213	Tax Preparation Services
541214	Payroll Services
541219	Other Accounting Services
5413	Architectural, Engineering, and Related Services
54131	Architectural Services
541310	Architectural Services
54132	Landscape Architectural Services
541320	Landscape Architectural Services
54133	Engineering Services
541330	Engineering Services
54134	Drafting Services
541340	Drafting Services
54135	Building Inspection Services
541350	Building Inspection Services
54136	Geophysical Surveying and Mapping Services
541360	Geophysical Surveying and Mapping Services
54137	Surveying and Mapping (except Geophysical) Services
541370	Surveying and Mapping (except Geophysical) Services
54138	Testing Laboratories
541380	Testing Laboratories
5414	Specialized Design Services
54141	Interior Design Services
541410	Interior Design Services

32616	Plastics Bottle Manufacturing
326160	Plastics Bottle Manufacturing
32619	Other Plastics Product Manufacturing
326191	Plastics Plumbing Fixture Manufacturing
326199	All Other Plastics Product Manufacturing
3262	Rubber Product Manufacturing
32621	Tire Manufacturing
326211	Tire Manufacturing (except Retreading)
326212	Tire Retreading
32622	Rubber and Plastics Hoses and Belting Manufacturing
326220	Rubber and Plastics Hoses and Belting Manufacturing
32629	Other Rubber Product Manufacturing
326291	Rubber Product Manufacturing for Mechanical Use
326299	All Other Rubber Product Manufacturing
327	Nonmetallic Mineral Product Manufacturing
3271	Clay Product and Refractory Manufacturing
32711	Pottery, Ceramics, and Plumbing Fixture Manufacturing
327110	Pottery, Ceramics, and Plumbing Fixture Manufacturing
32712	Clay Building Material and Refractories Manufacturing
327120	Clay Building Material and Refractories Manufacturing
3272	Glass and Glass Product Manufacturing
32721	Glass and Glass Product Manufacturing
327211	Flat Glass Manufacturing
327212	Other Pressed and Blown Glass and Glassware Manufacturing
327213	Glass Container Manufacturing
327215	Glass Product Manufacturing Made of Purchased Glass
3273	Cement and Concrete Product Manufacturing
32731	Cement Manufacturing
327310	Cement Manufacturing
32732	Ready-Mix Concrete Manufacturing
327320	Ready-Mix Concrete Manufacturing
32733	Concrete Pipe, Brick, and Block Manufacturing
327331	Concrete Block and Brick Manufacturing
327332	Concrete Pipe Manufacturing
32739	Other Concrete Product Manufacturing
327390	Other Concrete Product Manufacturing
3274	Lime and Gypsum Product Manufacturing
32741	Lime Manufacturing
327410	Lime Manufacturing
32742	Gypsum Product Manufacturing
327420	Gypsum Product Manufacturing
54142	Industrial Design Services
541420	Industrial Design Services
54143	Graphic Design Services
541430	Graphic Design Services
54149	Other Specialized Design Services
541490	Other Specialized Design Services
5415	Computer Systems Design and Related Services
54151	Computer Systems Design and Related Services
541511	Custom Computer Programming Services
541512	Computer Systems Design Services
541513	Computer Facilities Management Services
541519	Other Computer Related Services
5416	Management, Scientific, and Technical Consulting Services
54161	Management Consulting Services
541611	Administrative Management and General Management Consulting Services
541612	Human Resources Consulting Services
541613	Marketing Consulting Services
541614	Process, Physical Distribution, and Logistics Consulting Services
541618	Other Management Consulting Services
54162	Environmental Consulting Services
541620	Environmental Consulting Services
54169	Other Scientific and Technical Consulting Services
541690	Other Scientific and Technical Consulting Services
5417	Scientific Research and Development Services
54171	Research and Development in the Physical, Engineering, and Life Sciences
541711	Research and Development in Biotechnology
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)
54172	Research and Development in the Social Sciences and Humanities
541720	Research and Development in the Social Sciences and Humanities
5418	Advertising, Public Relations, and Related Services
54181	Advertising Agencies
541810	Advertising Agencies
54182	Public Relations Agencies
541820	Public Relations Agencies
54183	Media Buying Agencies
541830	Media Buying Agencies
54184	Media Representatives
541840	Media Representatives
54185	Outdoor Advertising
541850	Outdoor Advertising
54186	Direct Mail Advertising

3279	Other Nonmetallic Mineral Product Manufacturing
32791	Abrasive Product Manufacturing
327910	Abrasive Product Manufacturing
32799	All Other Nonmetallic Mineral Product Manufacturing
327991	Cut Stone and Stone Product Manufacturing
327992	Ground or Treated Mineral and Earth Manufacturing
327993	Mineral Wool Manufacturing
327999	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing
331	Primary Metal Manufacturing
3311	Iron and Steel Mills and Ferroalloy Manufacturing
33111	Iron and Steel Mills and Ferroalloy Manufacturing
331110	Iron and Steel Mills and Ferroalloy Manufacturing
3312	Steel Product Manufacturing from Purchased Steel
33121	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
33122	Rolling and Drawing of Purchased Steel
331221	Rolled Steel Shape Manufacturing
331222	Steel Wire Drawing
3313	Alumina and Aluminum Production and Processing
33131	Alumina and Aluminum Production and Processing
331313	Alumina Refining and Primary Aluminum Production
331314	Secondary Smelting and Alloying of Aluminum
331315	Aluminum Sheet, Plate, and Foil Manufacturing
331318	Other Aluminum Rolling, Drawing, and Extruding
3314	Nonferrous Metal (except Aluminum) Production and Processing
33141	Nonferrous Metal (except Aluminum) Smelting and Refining
331410	Nonferrous Metal (except Aluminum) Smelting and Refining
33142	Copper Rolling, Drawing, Extruding, and Alloying
331420	Copper Rolling, Drawing, Extruding, and Alloying
33149	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, Extruding, and Alloying
331491	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
3315	Foundries
33151	Ferrous Metal Foundries
331511	Iron Foundries
331512	Steel Investment Foundries
331513	Steel Foundries (except Investment)
33152	Nonferrous Metal Foundries
331523	Nonferrous Metal Die-Casting Foundries
331524	Aluminum Foundries (except Die-Casting)
331529	Other Nonferrous Metal Foundries (except Die-Casting)
541860	Direct Mail Advertising
54187	Advertising Material Distribution Services
541870	Advertising Material Distribution Services
54189	Other Services Related to Advertising
541890	Other Services Related to Advertising
5419	Other Professional, Scientific, and Technical Services
54191	Marketing Research and Public Opinion Polling
541910	Marketing Research and Public Opinion Polling
54192	Photographic Services
541921	Photography Studios, Portrait
541922	Commercial Photography
54193	Translation and Interpretation Services
541930	Translation and Interpretation Services
54194	Veterinary Services
541940	Veterinary Services
54199	All Other Professional, Scientific, and Technical Services
541990	All Other Professional, Scientific, and Technical Services
55	**Management of Companies and Enterprises**
551	Management of Companies and Enterprises
5511	Management of Companies and Enterprises
55111	Management of Companies and Enterprises
551111	Offices of Bank Holding Companies
551112	Offices of Other Holding Companies
551114	Corporate, Subsidiary, and Regional Managing Offices
56	**Administrative and Support and Waste Management and Remediation Services**
561	Administrative and Support Services
5611	Office Administrative Services
56111	Office Administrative Services
561110	Office Administrative Services
5612	Facilities Support Services
56121	Facilities Support Services
561210	Facilities Support Services
5613	Employment Services
56131	Employment Placement Agencies and Executive Search Services
561311	Employment Placement Agencies
561312	Executive Search Services
56132	Temporary Help Services
561320	Temporary Help Services
56133	Professional Employer Organizations
561330	Professional Employer Organizations
5614	Business Support Services

332	Fabricated Metal Product Manufacturing
3321	Forging and Stamping
33211	Forging and Stamping
332111	Iron and Steel Forging
332112	Nonferrous Forging
332114	Custom Roll Forming
332117	Powder Metallurgy Part Manufacturing
332119	Metal Crown, Closure, and Other Metal Stamping (except Automotive)
3322	Cutlery and Handtool Manufacturing
33221	Cutlery and Handtool Manufacturing
332215	Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing
332216	Saw Blade and Handtool Manufacturing
3323	Architectural and Structural Metals Manufacturing
33231	Plate Work and Fabricated Structural Product Manufacturing
332311	Prefabricated Metal Building and Component Manufacturing
332312	Fabricated Structural Metal Manufacturing
332313	Plate Work Manufacturing
33232	Ornamental and Architectural Metal Products Manufacturing
332321	Metal Window and Door Manufacturing
332322	Sheet Metal Work Manufacturing
332323	Ornamental and Architectural Metal Work Manufacturing
3324	Boiler, Tank, and Shipping Container Manufacturing
33241	Power Boiler and Heat Exchanger Manufacturing
332410	Power Boiler and Heat Exchanger Manufacturing
33242	Metal Tank (Heavy Gauge) Manufacturing
332420	Metal Tank (Heavy Gauge) Manufacturing
33243	Metal Can, Box, and Other Metal Container (Light Gauge) Manufacturing
332431	Metal Can Manufacturing
332439	Other Metal Container Manufacturing
3325	Hardware Manufacturing
33251	Hardware Manufacturing
332510	Hardware Manufacturing
3326	Spring and Wire Product Manufacturing
33261	Spring and Wire Product Manufacturing
332613	Spring Manufacturing
332618	Other Fabricated Wire Product Manufacturing
3327	Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing
33271	Machine Shops
332710	Machine Shops
33272	Turned Product and Screw, Nut, and Bolt Manufacturing
332721	Precision Turned Product Manufacturing
332722	Bolt, Nut, Screw, Rivet, and Washer Manufacturing

56141	Document Preparation Services
561410	Document Preparation Services
56142	Telephone Call Centers
561421	Telephone Answering Services
561422	Telemarketing Bureaus and Other Contact Centers
56143	Business Service Centers
561431	Private Mail Centers
561439	Other Business Service Centers (including Copy Shops)
56144	Collection Agencies
561440	Collection Agencies
56145	Credit Bureaus
561450	Credit Bureaus
56149	Other Business Support Services
561491	Repossession Services
561492	Court Reporting and Stenotype Services
561499	All Other Business Support Services
5615	Travel Arrangement and Reservation Services
56151	Travel Agencies
561510	Travel Agencies
56152	Tour Operators
561520	Tour Operators
56159	Other Travel Arrangement and Reservation Services
561591	Convention and Visitors Bureaus
561599	All Other Travel Arrangement and Reservation Services
5616	Investigation and Security Services
56161	Investigation, Guard, and Armored Car Services
561611	Investigation Services
561612	Security Guards and Patrol Services
561613	Armored Car Services
56162	Security Systems Services
561621	Security Systems Services (except Locksmiths)
561622	Locksmiths
5617	Services to Buildings and Dwellings
56171	Exterminating and Pest Control Services
561710	Exterminating and Pest Control Services
56172	Janitorial Services
561720	Janitorial Services
56173	Landscaping Services
561730	Landscaping Services
56174	Carpet and Upholstery Cleaning Services
561740	Carpet and Upholstery Cleaning Services
56179	Other Services to Buildings and Dwellings

3328	Coating, Engraving, Heat Treating, and Allied Activities
33281	Coating, Engraving, Heat Treating, and Allied Activities
332811	Metal Heat Treating
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
3329	Other Fabricated Metal Product Manufacturing
33291	Metal Valve Manufacturing
332911	Industrial Valve Manufacturing
332912	Fluid Power Valve and Hose Fitting Manufacturing
332913	Plumbing Fixture Fitting and Trim Manufacturing
332919	Other Metal Valve and Pipe Fitting Manufacturing
33299	All Other Fabricated Metal Product Manufacturing
332991	Ball and Roller Bearing Manufacturing
332992	Small Arms Ammunition Manufacturing
332993	Ammunition (except Small Arms) Manufacturing
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing
332996	Fabricated Pipe and Pipe Fitting Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
333	Machinery Manufacturing
3331	Agriculture, Construction, and Mining Machinery Manufacturing
33311	Agricultural Implement Manufacturing
333111	Farm Machinery and Equipment Manufacturing
333112	Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing
33312	Construction Machinery Manufacturing
333120	Construction Machinery Manufacturing
33313	Mining and Oil and Gas Field Machinery Manufacturing
333131	Mining Machinery and Equipment Manufacturing
333132	Oil and Gas Field Machinery and Equipment Manufacturing
3332	Industrial Machinery Manufacturing
33324	Industrial Machinery Manufacturing
333241	Food Product Machinery Manufacturing
333242	Semiconductor Machinery Manufacturing
333243	Sawmill, Woodworking, and Paper Machinery Manufacturing
333244	Printing Machinery and Equipment Manufacturing
333249	Other Industrial Machinery Manufacturing
3333	Commercial and Service Industry Machinery Manufacturing
33331	Commercial and Service Industry Machinery Manufacturing
333314	Optical Instrument and Lens Manufacturing
333316	Photographic and Photocopying Equipment Manufacturing
561790	Other Services to Buildings and Dwellings
5619	Other Support Services
56191	Packaging and Labeling Services
561910	Packaging and Labeling Services
56192	Convention and Trade Show Organizers
561920	Convention and Trade Show Organizers
56199	All Other Support Services
561990	All Other Support Services
562	Waste Management and Remediation Services
5621	Waste Collection
56211	Waste Collection
562111	Solid Waste Collection
562112	Hazardous Waste Collection
562119	Other Waste Collection
5622	Waste Treatment and Disposal
56221	Waste Treatment and Disposal
562211	Hazardous Waste Treatment and Disposal
562212	Solid Waste Landfill
562213	Solid Waste Combustors and Incinerators
562219	Other Nonhazardous Waste Treatment and Disposal
5629	Remediation and Other Waste Management Services
56291	Remediation Services
562910	Remediation Services
56292	Materials Recovery Facilities
562920	Materials Recovery Facilities
56299	All Other Waste Management Services
562991	Septic Tank and Related Services
562998	All Other Miscellaneous Waste Management Services
61	**Educational Services**
611	Educational Services
6111	Elementary and Secondary Schools
61111	Elementary and Secondary Schools
611110	Elementary and Secondary Schools
6112	Junior Colleges
61121	Junior Colleges
611210	Junior Colleges
6113	Colleges, Universities, and Professional Schools
61131	Colleges, Universities, and Professional Schools
611310	Colleges, Universities, and Professional Schools

333318	Other Commercial and Service Industry Machinery Manufacturing
3334	Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing
33341	Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing
333414	Heating Equipment (except Warm Air Furnaces) Manufacturing
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing
3335	Metalworking Machinery Manufacturing
33351	Metalworking Machinery Manufacturing
333511	Industrial Mold Manufacturing
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing
333515	Cutting Tool and Machine Tool Accessory Manufacturing
333517	Machine Tool Manufacturing
333519	Rolling Mill and Other Metalworking Machinery Manufacturing
3336	Engine, Turbine, and Power Transmission Equipment Manufacturing
33361	Engine, Turbine, and Power Transmission Equipment Manufacturing
333611	Turbine and Turbine Generator Set Units Manufacturing
333612	Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing
333613	Mechanical Power Transmission Equipment Manufacturing
333618	Other Engine Equipment Manufacturing
3339	Other General Purpose Machinery Manufacturing
33391	Pump and Compressor Manufacturing
333911	Pump and Pumping Equipment Manufacturing
333912	Air and Gas Compressor Manufacturing
333913	Measuring and Dispensing Pump Manufacturing
33392	Material Handling Equipment Manufacturing
333921	Elevator and Moving Stairway Manufacturing
333922	Conveyor and Conveying Equipment Manufacturing
333923	Overhead Traveling Crane, Hoist, and Monorail System Manufacturing
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing
33399	All Other General Purpose Machinery Manufacturing
333991	Power-Driven Handtool Manufacturing
333992	Welding and Soldering Equipment Manufacturing
333993	Packaging Machinery Manufacturing
333994	Industrial Process Furnace and Oven Manufacturing

6114	Business Schools and Computer and Management Training
61141	Business and Secretarial Schools
611410	Business and Secretarial Schools
61142	Computer Training
611420	Computer Training
61143	Professional and Management Development Training
611430	Professional and Management Development Training
6115	Technical and Trade Schools
61151	Technical and Trade Schools
611511	Cosmetology and Barber Schools
611512	Flight Training
611513	Apprenticeship Training
611519	Other Technical and Trade Schools
6116	Other Schools and Instruction
61161	Fine Arts Schools
611610	Fine Arts Schools
61162	Sports and Recreation Instruction
611620	Sports and Recreation Instruction
61163	Language Schools
611630	Language Schools
61169	All Other Schools and Instruction
611691	Exam Preparation and Tutoring
611692	Automobile Driving Schools
611699	All Other Miscellaneous Schools and Instruction
6117	Educational Support Services
61171	Educational Support Services
611710	Educational Support Services
62	**Health Care and Social Assistance**
621	Ambulatory Health Care Services
6211	Offices of Physicians
62111	Offices of Physicians
621111	Offices of Physicians (except Mental Health Specialists)
621112	Offices of Physicians, Mental Health Specialists
6212	Offices of Dentists

333995	Fluid Power Cylinder and Actuator Manufacturing	62121	Offices of Dentists
333996	Fluid Power Pump and Motor Manufacturing	621210	Offices of Dentists
333997	Scale and Balance Manufacturing	6213	Offices of Other Health Practitioners
333999	All Other Miscellaneous General Purpose Machinery Manufacturing	62131	Offices of Chiropractors
334	Computer and Electronic Product Manufacturing	621310	Offices of Chiropractors
3341	Computer and Peripheral Equipment Manufacturing	62132	Offices of Optometrists
33411	Computer and Peripheral Equipment Manufacturing	621320	Offices of Optometrists
334111	Electronic Computer Manufacturing	62133	Offices of Mental Health Practitioners (except Physicians)
334112	Computer Storage Device Manufacturing	621330	Offices of Mental Health Practitioners (except Physicians)
334118	Computer Terminal and Other Computer Peripheral Equipment Manufacturing	62134	Offices of Physical, Occupational and Speech Therapists, and Audiologists
3342	Communications Equipment Manufacturing	621340	Offices of Physical, Occupational and Speech Therapists, and Audiologists
33421	Telephone Apparatus Manufacturing	62139	Offices of All Other Health Practitioners
334210	Telephone Apparatus Manufacturing	621391	Offices of Podiatrists
33422	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	621399	Offices of All Other Miscellaneous Health Practitioners
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	6214	Outpatient Care Centers
33429	Other Communications Equipment Manufacturing	62141	Family Planning Centers
334290	Other Communications Equipment Manufacturing	621410	Family Planning Centers
3343	Audio and Video Equipment Manufacturing	62142	Outpatient Mental Health and Substance Abuse Centers
33431	Audio and Video Equipment Manufacturing	621420	Outpatient Mental Health and Substance Abuse Centers
334310	Audio and Video Equipment Manufacturing	62149	Other Outpatient Care Centers
3344	Semiconductor and Other Electronic Component Manufacturing	621491	HMO Medical Centers
33441	Semiconductor and Other Electronic Component Manufacturing	621492	Kidney Dialysis Centers
334412	Bare Printed Circuit Board Manufacturing	621493	Freestanding Ambulatory Surgical and Emergency Centers
334413	Semiconductor and Related Device Manufacturing	621498	All Other Outpatient Care Centers
334416	Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing	6215	Medical and Diagnostic Laboratories
334417	Electronic Connector Manufacturing	62151	Medical and Diagnostic Laboratories
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing	621511	Medical Laboratories
334419	Other Electronic Component Manufacturing	621512	Diagnostic Imaging Centers
3345	Navigational, Measuring, Electromedical, and Control Instruments Manufacturing	6216	Home Health Care Services
33451	Navigational, Measuring, Electromedical, and Control Instruments Manufacturing	62161	Home Health Care Services
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing	621610	Home Health Care Services
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	6219	Other Ambulatory Health Care Services
334512	Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use	62191	Ambulance Services
334513	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	621910	Ambulance Services
334514	Totalizing Fluid Meter and Counting Device Manufacturing	62199	All Other Ambulatory Health Care Services
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	621991	Blood and Organ Banks

334516	Analytical Laboratory Instrument Manufacturing
334517	Irradiation Apparatus Manufacturing
334519	Other Measuring and Controlling Device Manufacturing
3346	Manufacturing and Reproducing Magnetic and Optical Media
33461	Manufacturing and Reproducing Magnetic and Optical Media
334613	Blank Magnetic and Optical Recording Media Manufacturing
334614	Software and Other Prerecorded Compact Disc, Tape, and Record Reproducing
335	Electrical Equipment, Appliance, and Component Manufacturing
3351	Electric Lighting Equipment Manufacturing
33511	Electric Lamp Bulb and Part Manufacturing
335110	Electric Lamp Bulb and Part Manufacturing
33512	Lighting Fixture Manufacturing
335121	Residential Electric Lighting Fixture Manufacturing
335122	Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing
335129	Other Lighting Equipment Manufacturing
3352	Household Appliance Manufacturing
33521	Small Electrical Appliance Manufacturing
335210	Small Electrical Appliance Manufacturing
33522	Major Appliance Manufacturing
335221	Household Cooking Appliance Manufacturing
335222	Household Refrigerator and Home Freezer Manufacturing
335224	Household Laundry Equipment Manufacturing
335228	Other Major Household Appliance Manufacturing
3353	Electrical Equipment Manufacturing
33531	Electrical Equipment Manufacturing
335311	Power, Distribution, and Specialty Transformer Manufacturing
335312	Motor and Generator Manufacturing
335313	Switchgear and Switchboard Apparatus Manufacturing
335314	Relay and Industrial Control Manufacturing
3359	Other Electrical Equipment and Component Manufacturing
33591	Battery Manufacturing
335911	Storage Battery Manufacturing
335912	Primary Battery Manufacturing
33592	Communication and Energy Wire and Cable Manufacturing
335921	Fiber Optic Cable Manufacturing
335929	Other Communication and Energy Wire Manufacturing
33593	Wiring Device Manufacturing
621999	All Other Miscellaneous Ambulatory Health Care Services
622	Hospitals
6221	General Medical and Surgical Hospitals
62211	General Medical and Surgical Hospitals
622110	General Medical and Surgical Hospitals
6222	Psychiatric and Substance Abuse Hospitals
62221	Psychiatric and Substance Abuse Hospitals
622210	Psychiatric and Substance Abuse Hospitals
6223	Specialty (except Psychiatric and Substance Abuse) Hospitals
62231	Specialty (except Psychiatric and Substance Abuse) Hospitals
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals
623	Nursing and Residential Care Facilities
6231	Nursing Care Facilities (Skilled Nursing Facilities)
62311	Nursing Care Facilities (Skilled Nursing Facilities)
623110	Nursing Care Facilities (Skilled Nursing Facilities)
6232	Residential Intellectual and Developmental Disability, Mental Health, and Substance Abuse Facilities
62321	Residential Intellectual and Developmental Disability Facilities
623210	Residential Intellectual and Developmental Disability Facilities
62322	Residential Mental Health and Substance Abuse Facilities
623220	Residential Mental Health and Substance Abuse Facilities
6233	Continuing Care Retirement Communities and Assisted Living Facilities for the Elderly
62331	Continuing Care Retirement Communities and Assisted Living Facilities for the Elderly
623311	Continuing Care Retirement Communities
623312	Assisted Living Facilities for the Elderly
6239	Other Residential Care Facilities
62399	Other Residential Care Facilities
623990	Other Residential Care Facilities
624	Social Assistance
6241	Individual and Family Services
62411	Child and Youth Services
624110	Child and Youth Services
62412	Services for the Elderly and Persons with Disabilities
624120	Services for the Elderly and Persons with Disabilities
62419	Other Individual and Family Services
624190	Other Individual and Family Services
6242	Community Food and Housing, and Emergency and Other Relief Services
62421	Community Food Services

335931	Current-Carrying Wiring Device Manufacturing
335932	Noncurrent-Carrying Wiring Device Manufacturing
33599	All Other Electrical Equipment and Component Manufacturing
335991	Carbon and Graphite Product Manufacturing
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing
336	Transportation Equipment Manufacturing
3361	Motor Vehicle Manufacturing
33611	Automobile and Light Duty Motor Vehicle Manufacturing
336111	Automobile Manufacturing
336112	Light Truck and Utility Vehicle Manufacturing
33612	Heavy Duty Truck Manufacturing
336120	Heavy Duty Truck Manufacturing
3362	Motor Vehicle Body and Trailer Manufacturing
33621	Motor Vehicle Body and Trailer Manufacturing
336211	Motor Vehicle Body Manufacturing
336212	Truck Trailer Manufacturing
336213	Motor Home Manufacturing
336214	Travel Trailer and Camper Manufacturing
3363	Motor Vehicle Parts Manufacturing
33631	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing
336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing
33632	Motor Vehicle Electrical and Electronic Equipment Manufacturing
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing
33633	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
336330	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
33634	Motor Vehicle Brake System Manufacturing
336340	Motor Vehicle Brake System Manufacturing
33635	Motor Vehicle Transmission and Power Train Parts Manufacturing
336350	Motor Vehicle Transmission and Power Train Parts Manufacturing
33636	Motor Vehicle Seating and Interior Trim Manufacturing
336360	Motor Vehicle Seating and Interior Trim Manufacturing
33637	Motor Vehicle Metal Stamping
336370	Motor Vehicle Metal Stamping
33639	Other Motor Vehicle Parts Manufacturing
336390	Other Motor Vehicle Parts Manufacturing
3364	Aerospace Product and Parts Manufacturing
33641	Aerospace Product and Parts Manufacturing
624210	Community Food Services
62422	Community Housing Services
624221	Temporary Shelters
624229	Other Community Housing Services
62423	Emergency and Other Relief Services
624230	Emergency and Other Relief Services
6243	Vocational Rehabilitation Services
62431	Vocational Rehabilitation Services
624310	Vocational Rehabilitation Services
6244	Child Day Care Services
62441	Child Day Care Services
624410	Child Day Care Services
71	**Arts, Entertainment, and Recreation**
711	Performing Arts, Spectator Sports, and Related Industries
7111	Performing Arts Companies
71111	Theater Companies and Dinner Theaters
711110	Theater Companies and Dinner Theaters
71112	Dance Companies
711120	Dance Companies
71113	Musical Groups and Artists
711130	Musical Groups and Artists
71119	Other Performing Arts Companies
711190	Other Performing Arts Companies
7112	Spectator Sports
71121	Spectator Sports
711211	Sports Teams and Clubs
711212	Racetracks
711219	Other Spectator Sports
7113	Promoters of Performing Arts, Sports, and Similar Events
71131	Promoters of Performing Arts, Sports, and Similar Events with Facilities
711310	Promoters of Performing Arts, Sports, and Similar Events with Facilities
71132	Promoters of Performing Arts, Sports, and Similar Events without Facilities
711320	Promoters of Performing Arts, Sports, and Similar Events without Facilities
7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
71141	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
711410	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
7115	Independent Artists, Writers, and Performers

336411	Aircraft Manufacturing
336412	Aircraft Engine and Engine Parts Manufacturing
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing
336414	Guided Missile and Space Vehicle Manufacturing
336415	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing
336419	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing
3365	Railroad Rolling Stock Manufacturing
33651	Railroad Rolling Stock Manufacturing
336510	Railroad Rolling Stock Manufacturing
3366	Ship and Boat Building
33661	Ship and Boat Building
336611	Ship Building and Repairing
336612	Boat Building
3369	Other Transportation Equipment Manufacturing
33699	Other Transportation Equipment Manufacturing
336991	Motorcycle, Bicycle, and Parts Manufacturing
336992	Military Armored Vehicle, Tank, and Tank Component Manufacturing
336999	All Other Transportation Equipment Manufacturing
337	Furniture and Related Product Manufacturing
3371	Household and Institutional Furniture and Kitchen Cabinet Manufacturing
33711	Wood Kitchen Cabinet and Countertop Manufacturing
337110	Wood Kitchen Cabinet and Countertop Manufacturing
33712	Household and Institutional Furniture Manufacturing
337121	Upholstered Household Furniture Manufacturing
337122	Nonupholstered Wood Household Furniture Manufacturing
337124	Metal Household Furniture Manufacturing
337125	Household Furniture (except Wood and Metal) Manufacturing
337127	Institutional Furniture Manufacturing
3372	Office Furniture (including Fixtures) Manufacturing
33721	Office Furniture (including Fixtures) Manufacturing
337211	Wood Office Furniture Manufacturing
337212	Custom Architectural Woodwork and Millwork Manufacturing
337214	Office Furniture (except Wood) Manufacturing
337215	Showcase, Partition, Shelving, and Locker Manufacturing
3379	Other Furniture Related Product Manufacturing
33791	Mattress Manufacturing
337910	Mattress Manufacturing
33792	Blind and Shade Manufacturing
337920	Blind and Shade Manufacturing
339	Miscellaneous Manufacturing
3391	Medical Equipment and Supplies Manufacturing
33911	Medical Equipment and Supplies Manufacturing
71151	Independent Artists, Writers, and Performers
711510	Independent Artists, Writers, and Performers
712	Museums, Historical Sites, and Similar Institutions
7121	Museums, Historical Sites, and Similar Institutions
71211	Museums
712110	Museums
71212	Historical Sites
712120	Historical Sites
71213	Zoos and Botanical Gardens
712130	Zoos and Botanical Gardens
71219	Nature Parks and Other Similar Institutions
712190	Nature Parks and Other Similar Institutions
713	Amusement, Gambling, and Recreation Industries
7131	Amusement Parks and Arcades
71311	Amusement and Theme Parks
713110	Amusement and Theme Parks
71312	Amusement Arcades
713120	Amusement Arcades
7132	Gambling Industries
71321	Casinos (except Casino Hotels)
713210	Casinos (except Casino Hotels)
71329	Other Gambling Industries
713290	Other Gambling Industries
7139	Other Amusement and Recreation Industries
71391	Golf Courses and Country Clubs
713910	Golf Courses and Country Clubs
71392	Skiing Facilities
713920	Skiing Facilities
71393	Marinas
713930	Marinas
71394	Fitness and Recreational Sports Centers
713940	Fitness and Recreational Sports Centers
71395	Bowling Centers
713950	Bowling Centers
71399	All Other Amusement and Recreation Industries
713990	All Other Amusement and Recreation Industries
72	**Accommodation and Food Services**
721	Accommodation
7211	Traveler Accommodation
72111	Hotels (except Casino Hotels) and Motels
721110	Hotels (except Casino Hotels) and Motels
72112	Casino Hotels

339112	Surgical and Medical Instrument Manufacturing
339113	Surgical Appliance and Supplies Manufacturing
339114	Dental Equipment and Supplies Manufacturing
339115	Ophthalmic Goods Manufacturing
339116	Dental Laboratories
3399	Other Miscellaneous Manufacturing
33991	Jewelry and Silverware Manufacturing
339910	Jewelry and Silverware Manufacturing
33992	Sporting and Athletic Goods Manufacturing
339920	Sporting and Athletic Goods Manufacturing
33993	Doll, Toy, and Game Manufacturing
339930	Doll, Toy, and Game Manufacturing
33994	Office Supplies (except Paper) Manufacturing
339940	Office Supplies (except Paper) Manufacturing
33995	Sign Manufacturing
339950	Sign Manufacturing
33999	All Other Miscellaneous Manufacturing
339991	Gasket, Packing, and Sealing Device Manufacturing
339992	Musical Instrument Manufacturing
339993	Fastener, Button, Needle, and Pin Manufacturing
339994	Broom, Brush, and Mop Manufacturing
339995	Burial Casket Manufacturing
339999	All Other Miscellaneous Manufacturing
42	**Wholesale Trade**
423	Merchant Wholesalers, Durable Goods
4231	Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers
42311	Automobile and Other Motor Vehicle Merchant Wholesalers
423110	Automobile and Other Motor Vehicle Merchant Wholesalers
42312	Motor Vehicle Supplies and New Parts Merchant Wholesalers
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers
42313	Tire and Tube Merchant Wholesalers
423130	Tire and Tube Merchant Wholesalers
42314	Motor Vehicle Parts (Used) Merchant Wholesalers
423140	Motor Vehicle Parts (Used) Merchant Wholesalers
4232	Furniture and Home Furnishing Merchant Wholesalers
42321	Furniture Merchant Wholesalers
423210	Furniture Merchant Wholesalers
42322	Home Furnishing Merchant Wholesalers
423220	Home Furnishing Merchant Wholesalers
4233	Lumber and Other Construction Materials Merchant Wholesalers
42331	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers
721120	Casino Hotels
72119	Other Traveler Accommodation
721191	Bed-and-Breakfast Inns
721199	All Other Traveler Accommodation
7212	RV (Recreational Vehicle) Parks and Recreational Camps
72121	RV (Recreational Vehicle) Parks and Recreational Camps
721211	RV (Recreational Vehicle) Parks and Campgrounds
721214	Recreational and Vacation Camps (except Campgrounds)
7213	Rooming and Boarding Houses
72131	Rooming and Boarding Houses
721310	Rooming and Boarding Houses
722	Food Services and Drinking Places
7223	Special Food Services
72231	Food Service Contractors
722310	Food Service Contractors
72232	Caterers
722320	Caterers
72233	Mobile Food Services
722330	Mobile Food Services
7224	Drinking Places (Alcoholic Beverages)
72241	Drinking Places (Alcoholic Beverages)
722410	Drinking Places (Alcoholic Beverages)
7225	Restaurants and Other Eating Places
72251	Restaurants and Other Eating Places
722511	Full-Service Restaurants
722513	Limited-Service Restaurants
722514	Cafeterias, Grill Buffets, and Buffets
722515	Snack and Nonalcoholic Beverage Bars
81	**Other Services (except Public Administration)**
811	Repair and Maintenance
8111	Automotive Repair and Maintenance
81111	Automotive Mechanical and Electrical Repair and Maintenance
811111	General Automotive Repair
811112	Automotive Exhaust System Repair
811113	Automotive Transmission Repair
811118	Other Automotive Mechanical and Electrical Repair and Maintenance
81112	Automotive Body, Paint, Interior, and Glass Repair
811121	Automotive Body, Paint, and Interior Repair and Maintenance
811122	Automotive Glass Replacement Shops
81119	Other Automotive Repair and Maintenance
811191	Automotive Oil Change and Lubrication Shops
811192	Car Washes

42332	Brick, Stone, and Related Construction Material Merchant Wholesalers
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers
42333	Roofing, Siding, and Insulation Material Merchant Wholesalers
423330	Roofing, Siding, and Insulation Material Merchant Wholesalers
42339	Other Construction Material Merchant Wholesalers
423390	Other Construction Material Merchant Wholesalers
4234	Professional and Commercial Equipment and Supplies Merchant Wholesalers
42341	Photographic Equipment and Supplies Merchant Wholesalers
423410	Photographic Equipment and Supplies Merchant Wholesalers
42342	Office Equipment Merchant Wholesalers
423420	Office Equipment Merchant Wholesalers
42343	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers
42344	Other Commercial Equipment Merchant Wholesalers
423440	Other Commercial Equipment Merchant Wholesalers
42345	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers
42346	Ophthalmic Goods Merchant Wholesalers
423460	Ophthalmic Goods Merchant Wholesalers
42349	Other Professional Equipment and Supplies Merchant Wholesalers
423490	Other Professional Equipment and Supplies Merchant Wholesalers
4235	Metal and Mineral (except Petroleum) Merchant Wholesalers
42351	Metal Service Centers and Other Metal Merchant Wholesalers
423510	Metal Service Centers and Other Metal Merchant Wholesalers
42352	Coal and Other Mineral and Ore Merchant Wholesalers
423520	Coal and Other Mineral and Ore Merchant Wholesalers
4236	Household Appliances and Electrical and Electronic Goods Merchant Wholesalers
42361	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers

811198	All Other Automotive Repair and Maintenance
8112	Electronic and Precision Equipment Repair and Maintenance
81121	Electronic and Precision Equipment Repair and Maintenance
811211	Consumer Electronics Repair and Maintenance
811212	Computer and Office Machine Repair and Maintenance
811213	Communication Equipment Repair and Maintenance
811219	Other Electronic and Precision Equipment Repair and Maintenance
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
81131	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
8114	Personal and Household Goods Repair and Maintenance
81141	Home and Garden Equipment and Appliance Repair and Maintenance
811411	Home and Garden Equipment Repair and Maintenance
811412	Appliance Repair and Maintenance
81142	Reupholstery and Furniture Repair
811420	Reupholstery and Furniture Repair
81143	Footwear and Leather Goods Repair
811430	Footwear and Leather Goods Repair
81149	Other Personal and Household Goods Repair and Maintenance
811490	Other Personal and Household Goods Repair and Maintenance
812	Personal and Laundry Services
8121	Personal Care Services
81211	Hair, Nail, and Skin Care Services
812111	Barber Shops
812112	Beauty Salons
812113	Nail Salons
81219	Other Personal Care Services
812191	Diet and Weight Reducing Centers
812199	Other Personal Care Services

42362	Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers
423620	Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers
42369	Other Electronic Parts and Equipment Merchant Wholesalers
423690	Other Electronic Parts and Equipment Merchant Wholesalers
4237	Hardware, and Plumbing and Heating Equipment and Supplies Merchant Wholesalers
42371	Hardware Merchant Wholesalers
423710	Hardware Merchant Wholesalers
42372	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers
42373	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers
42374	Refrigeration Equipment and Supplies Merchant Wholesalers
423740	Refrigeration Equipment and Supplies Merchant Wholesalers
4238	Machinery, Equipment, and Supplies Merchant Wholesalers
42381	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers
423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers
42382	Farm and Garden Machinery and Equipment Merchant Wholesalers
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers
42383	Industrial Machinery and Equipment Merchant Wholesalers
423830	Industrial Machinery and Equipment Merchant Wholesalers
42384	Industrial Supplies Merchant Wholesalers
423840	Industrial Supplies Merchant Wholesalers
42385	Service Establishment Equipment and Supplies Merchant Wholesalers
423850	Service Establishment Equipment and Supplies Merchant Wholesalers
42386	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
4239	Miscellaneous Durable Goods Merchant Wholesalers
42391	Sporting and Recreational Goods and Supplies Merchant Wholesalers
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers
42392	Toy and Hobby Goods and Supplies Merchant Wholesalers
8122	Death Care Services
81221	Funeral Homes and Funeral Services
812210	Funeral Homes and Funeral Services
81222	Cemeteries and Crematories
812220	Cemeteries and Crematories
8123	Drycleaning and Laundry Services
81231	Coin-Operated Laundries and Drycleaners
812310	Coin-Operated Laundries and Drycleaners
81232	Drycleaning and Laundry Services (except Coin-Operated)
812320	Drycleaning and Laundry Services (except Coin-Operated)
81233	Linen and Uniform Supply
812331	Linen Supply
812332	Industrial Launderers
8129	Other Personal Services
81291	Pet Care (except Veterinary) Services
812910	Pet Care (except Veterinary) Services
81292	Photofinishing
812921	Photofinishing Laboratories (except One-Hour)
812922	One-Hour Photofinishing
81293	Parking Lots and Garages
812930	Parking Lots and Garages
81299	All Other Personal Services
812990	All Other Personal Services
813	Religious, Grantmaking, Civic, Professional, and Similar Organizations
8131	Religious Organizations
81311	Religious Organizations
813110	Religious Organizations
8132	Grantmaking and Giving Services
81321	Grantmaking and Giving Services
813211	Grantmaking Foundations

423920	Toy and Hobby Goods and Supplies Merchant Wholesalers
42393	Recyclable Material Merchant Wholesalers
423930	Recyclable Material Merchant Wholesalers
42394	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers
42399	Other Miscellaneous Durable Goods Merchant Wholesalers
423990	Other Miscellaneous Durable Goods Merchant Wholesalers
424	Merchant Wholesalers, Nondurable Goods
4241	Paper and Paper Product Merchant Wholesalers
42411	Printing and Writing Paper Merchant Wholesalers
424110	Printing and Writing Paper Merchant Wholesalers
42412	Stationery and Office Supplies Merchant Wholesalers
424120	Stationery and Office Supplies Merchant Wholesalers
42413	Industrial and Personal Service Paper Merchant Wholesalers
424130	Industrial and Personal Service Paper Merchant Wholesalers
4242	Drugs and Druggists' Sundries Merchant Wholesalers
42421	Drugs and Druggists' Sundries Merchant Wholesalers
424210	Drugs and Druggists' Sundries Merchant Wholesalers
4243	Apparel, Piece Goods, and Notions Merchant Wholesalers
42431	Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers
424310	Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers
42432	Men's and Boys' Clothing and Furnishings Merchant Wholesalers
424320	Men's and Boys' Clothing and Furnishings Merchant Wholesalers
42433	Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers
424330	Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers
42434	Footwear Merchant Wholesalers
424340	Footwear Merchant Wholesalers
4244	Grocery and Related Product Merchant Wholesalers
42441	General Line Grocery Merchant Wholesalers
424410	General Line Grocery Merchant Wholesalers
42442	Packaged Frozen Food Merchant Wholesalers
424420	Packaged Frozen Food Merchant Wholesalers
42443	Dairy Product (except Dried or Canned) Merchant Wholesalers

813212	Voluntary Health Organizations
813219	Other Grantmaking and Giving Services
8133	Social Advocacy Organizations
81331	Social Advocacy Organizations
813311	Human Rights Organizations
813312	Environment, Conservation and Wildlife Organizations
813319	Other Social Advocacy Organizations
8134	Civic and Social Organizations
81341	Civic and Social Organizations
813410	Civic and Social Organizations
8139	Business, Professional, Labor, Political, and Similar Organizations
81391	Business Associations
813910	Business Associations
81392	Professional Organizations
813920	Professional Organizations
81393	Labor Unions and Similar Labor Organizations
813930	Labor Unions and Similar Labor Organizations
81394	Political Organizations
813940	Political Organizations
81399	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)
814	Private Households
8141	Private Households
81411	Private Households
814110	Private Households
92	**Public Administration**
921	Executive, Legislative, and Other General Government Support
9211	Executive, Legislative, and Other General Government Support
92111	Executive Offices
921110	Executive Offices
92112	Legislative Bodies
921120	Legislative Bodies
92113	Public Finance Activities

424430	Dairy Product (except Dried or Canned) Merchant Wholesalers
42444	Poultry and Poultry Product Merchant Wholesalers
424440	Poultry and Poultry Product Merchant Wholesalers
42445	Confectionery Merchant Wholesalers
424450	Confectionery Merchant Wholesalers
42446	Fish and Seafood Merchant Wholesalers
424460	Fish and Seafood Merchant Wholesalers
42447	Meat and Meat Product Merchant Wholesalers
424470	Meat and Meat Product Merchant Wholesalers
42448	Fresh Fruit and Vegetable Merchant Wholesalers
424480	Fresh Fruit and Vegetable Merchant Wholesalers
42449	Other Grocery and Related Products Merchant Wholesalers
424490	Other Grocery and Related Products Merchant Wholesalers
4245	Farm Product Raw Material Merchant Wholesalers
42451	Grain and Field Bean Merchant Wholesalers
424510	Grain and Field Bean Merchant Wholesalers
42452	Livestock Merchant Wholesalers
424520	Livestock Merchant Wholesalers
42459	Other Farm Product Raw Material Merchant Wholesalers
424590	Other Farm Product Raw Material Merchant Wholesalers
4246	Chemical and Allied Products Merchant Wholesalers
42461	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers
42469	Other Chemical and Allied Products Merchant Wholesalers
424690	Other Chemical and Allied Products Merchant Wholesalers
4247	Petroleum and Petroleum Products Merchant Wholesalers
42471	Petroleum Bulk Stations and Terminals
424710	Petroleum Bulk Stations and Terminals
42472	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)
4248	Beer, Wine, and Distilled Alcoholic Beverage Merchant Wholesalers
42481	Beer and Ale Merchant Wholesalers
424810	Beer and Ale Merchant Wholesalers
42482	Wine and Distilled Alcoholic Beverage Merchant Wholesalers
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers
4249	Miscellaneous Nondurable Goods Merchant Wholesalers
42491	Farm Supplies Merchant Wholesalers

921130	Public Finance Activities
92114	Executive and Legislative Offices, Combined
921140	Executive and Legislative Offices, Combined
92115	American Indian and Alaska Native Tribal Governments
921150	American Indian and Alaska Native Tribal Governments
92119	Other General Government Support
921190	Other General Government Support
922	Justice, Public Order, and Safety Activities
9221	Justice, Public Order, and Safety Activities
92211	Courts
922110	Courts
92212	Police Protection
922120	Police Protection
92213	Legal Counsel and Prosecution
922130	Legal Counsel and Prosecution
92214	Correctional Institutions
922140	Correctional Institutions
92215	Parole Offices and Probation Offices
922150	Parole Offices and Probation Offices
92216	Fire Protection
922160	Fire Protection
92219	Other Justice, Public Order, and Safety Activities
922190	Other Justice, Public Order, and Safety Activities
923	Administration of Human Resource Programs
9231	Administration of Human Resource Programs
92311	Administration of Education Programs
923110	Administration of Education Programs
92312	Administration of Public Health Programs
923120	Administration of Public Health Programs
92313	Administration of Human Resource Programs (except Education, Public Health, and Veterans' Affairs Programs)
923130	Administration of Human Resource Programs (except Education, Public Health, and Veterans' Affairs Programs)
92314	Administration of Veterans' Affairs
923140	Administration of Veterans' Affairs
924	Administration of Environmental Quality Programs
9241	Administration of Environmental Quality Programs
92411	Administration of Air and Water Resource and Solid Waste Management Programs
924110	Administration of Air and Water Resource and Solid Waste Management Programs

424910	Farm Supplies Merchant Wholesalers
42492	Book, Periodical, and Newspaper Merchant Wholesalers
424920	Book, Periodical, and Newspaper Merchant Wholesalers
42493	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers
424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers
42494	Tobacco and Tobacco Product Merchant Wholesalers
424940	Tobacco and Tobacco Product Merchant Wholesalers
42495	Paint, Varnish, and Supplies Merchant Wholesalers
424950	Paint, Varnish, and Supplies Merchant Wholesalers
42499	Other Miscellaneous Nondurable Goods Merchant Wholesalers
424990	Other Miscellaneous Nondurable Goods Merchant Wholesalers
425	Wholesale Electronic Markets and Agents and Brokers
4251	Wholesale Electronic Markets and Agents and Brokers
42511	Business to Business Electronic Markets
425110	Business to Business Electronic Markets
42512	Wholesale Trade Agents and Brokers
425120	Wholesale Trade Agents and Brokers
44-45	**Retail Trade**
441	Motor Vehicle and Parts Dealers
4411	Automobile Dealers
44111	New Car Dealers
441110	New Car Dealers
44112	Used Car Dealers
441120	Used Car Dealers
4412	Other Motor Vehicle Dealers

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92412	Administration of Conservation Programs
924120	Administration of Conservation Programs
925	Administration of Housing Programs, Urban Planning, and Community Development
9251	Administration of Housing Programs, Urban Planning, and Community Development
92511	Administration of Housing Programs
925110	Administration of Housing Programs
92512	Administration of Urban Planning and Community and Rural Development
925120	Administration of Urban Planning and Community and Rural Development
926	Administration of Economic Programs
9261	Administration of Economic Programs
92611	Administration of General Economic Programs
926110	Administration of General Economic Programs
92612	Regulation and Administration of Transportation Programs
926120	Regulation and Administration of Transportation Programs
92613	Regulation and Administration of Communications, Electric, Gas, and Other Utilities
926130	Regulation and Administration of Communications, Electric, Gas, and Other Utilities
92614	Regulation of Agricultural Marketing and Commodities
926140	Regulation of Agricultural Marketing and Commodities
92615	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors
927	Space Research and Technology
9271	Space Research and Technology
92711	Space Research and Technology
927110	Space Research and Technology
928	National Security and International Affairs
9281	National Security and International Affairs
92811	National Security
928110	National Security
92812	International Affairs
928120	International Affairs