

FLUSHING CITY ORDINANCE
GENESEE COUNTY, MICHIGAN
ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 153 OF THE FLUSHING CITY CODE; GENERAL PROVISIONS; DEFINITIONS; SCHEDULE OF REGULATIONS; OFF-STREET PARKING AND LOADING.

THE CITY OF FLUSHING ORDAINS:

Section 1. Amendment of Article 1, General Provisions, Section 153.109. Paragraphs C.3 and I are hereby amended to read:

- (C) Storage.
 - (3) In all residential districts, open storage of recreational vehicles, trailers and equipment, including but not limited to motor homes, travel trailers, and watercraft, shall be prohibited in the front yard , with the exception of 72 hours before or after a trip when it may be parked in the driveway. Storage shall be in the side or rear yard only. No such vehicle shall be occupied while stored anywhere on the premises. The connection of utilities to the stored motor homes and travel trailers shall be allowed only for purposes of maintenance for the unit.

- (I) Required street frontage.

Any parcel of land which is to be occupied by a use or building, other than an accessory use or accessory building, shall have frontage on and direct access to a public street, or approved private street.

Section 2. Amendment of Article 1, General Provisions, by adding Section 153.122 Waste Receptacles which reads as follows:

153.122 WASTE RECEPTACLES.

- (A) Waste receptacles, including dumpsters and compactors, located on sites other than single family or duplex residences must be located within an enclosure meeting the following standards:
- (B) Waste receptacles shall be enclosed on three (3) sides with a gate on the fourth side. The enclosure shall be constructed of brick, decorative masonry block or metal, including sheet metal and the fence shall consist of a metal or wood. Chain link fencing with vinyl or wood strips is not acceptable screening material. The walls and fence shall be a maximum height of six (6) feet but in no cases less than (1) foot higher than the waste receptacle.
- (C) Waste receptacle enclosures shall be located in the rear yard or non-required side yard, at least ten (10) feet from any non-residential property line, combustible walls, or combustible roof eaves and in no case be less than twenty (20) feet from any residential district.

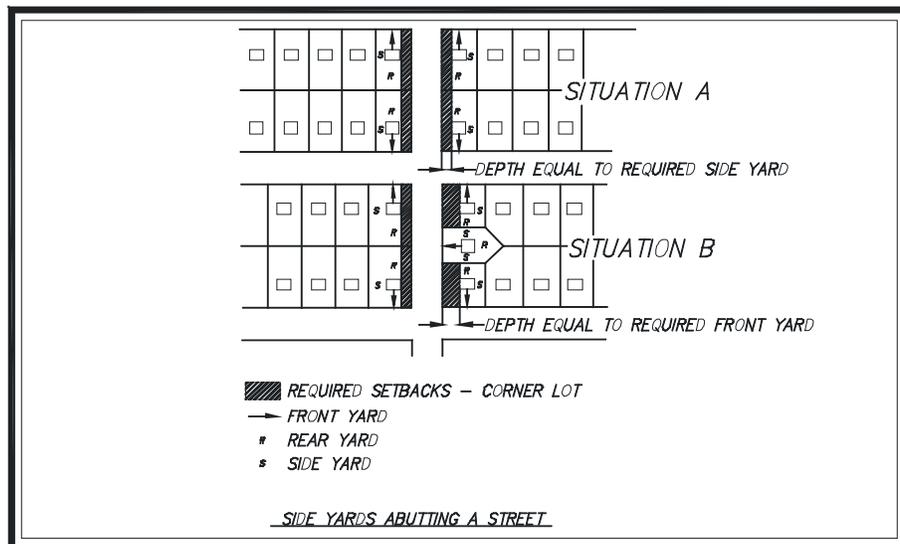
- (D) Waste receptacle enclosures shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces.
- (E) The waste receptacle enclosure base shall be constructed of six (6) inches of reinforced concrete pavement. The base shall extend six (6) feet beyond the waste receptacle pad or gate to support the front axle of a refuse vehicle.
- (F) No refuse or trash shall be permitted to be stored higher than the waste receptacle enclosure or outside the enclosure. Failure to address storage of trash over or outside the enclosure within three (3) days of notice of violation shall be a violation of this ordinance and subject to enforcement as a municipal civil infraction.
- (G) Bollards or similar protective devices shall be installed at the opening and at the rear of the enclosure to prevent damage during the emptying of the container.

Compliance with this provision will be required anytime there is a change in use or construction requiring a zoning permit or site plan approval.

Section 3. Amendment of Article 2, Definitions to replace the definition of “Yard” with the definition of “Yard, Actual” and to add “Yard, Required” so as to read as follows:

"YARD, ACTUAL." A space, open to the sky and unoccupied or unobstructed by any portion of a building or structure (except as hereinafter provided in specific use districts), including overhanging eaves on the building or structure. Yard measurements shall be the minimum horizontal distances.

- (1) "FRONT YARD." An open space extending the full width of the lot between the front lot line and the nearest point of the main building, excluding steps, handicap ramps and uncovered porches.
- (2) "REAR YARD." The depth of the rear yard shall be measured between the rear line of the lot, and the rear line of the building, excluding steps, uncovered porches and handicap ramps.



- (3) "SIDE YARD." An open unoccupied space on the same lot with the main building, situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear line, excluding steps, drives, uncovered porches, and the like. If there is no front yard, the front boundary of the side yard shall be the front line of the lot, and if there is no rear yard, the rear boundary of the side yard shall be the rear line of the lot.

"YARD, REQUIRED." A space defined by the required setback under the zoning ordinance from the lot lines inward toward the center of the lot. The actual yard may be less or more than the required yard.

Section 4. Amendment of Article 4, Schedule of Regulations, Section 153.401 is hereby amended to read as follows:

153.401 SCHEDULE OF REGULATIONS.

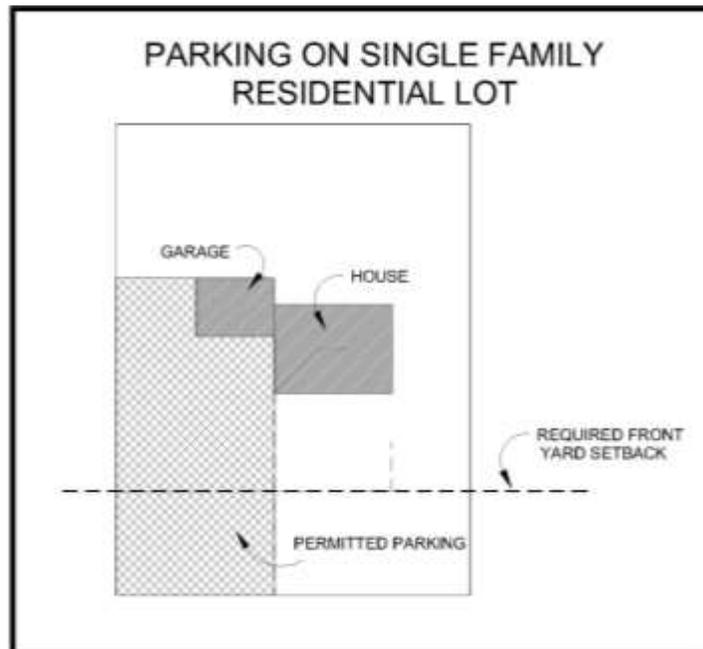
The following regulations regarding lot sizes, yards, setbacks, lot coverage, building size, and densities shall apply within the zoning districts as indicated, including the regulations contained in the footnotes. No building shall be erected, nor shall an existing building be altered, enlarged, or rebuilt nor shall any open spaces surrounding any buildings be encroached upon or reduced in any manner, except in conformity with the regulations hereby established for the district in which such building is located. No portion of a lot used in complying with provisions of this ordinance for yards, courts, lot area occupancy in connection with an existing or projected building or structure, shall again be used to qualify or justify any other building or structure existing or intended to exist at the same time.

Use Districts		Minimum Lot Area		Maximum Height of Building		Minimum Yard Setback (Per Lot in Feet)			Rear	Minimum Floor Area Per Unit (Sq. Ft.)	Maximum Percentage of Lot Coverage (Area of all Structures)	Minimum Open Space Ratio	Floor Area Ratio
		Area in Square Feet	Width in Feet	In Stories	In Feet	Front	Sides						
							Least One	Total Two					
R-1	Single-Family Residential	(a) (b) 9600	(b) 75	2 - ½	30	(c) 30	10 (d)	20 (d)	35 (e)	1000 (1 story) 1200 (2 story)	30		
R-2	Two-Family Residential	(a) (b) 10200	(b) 100	2 - ½	30	(c) 25	10 (d)	20 (d)	25 (e)	900	35		
R-3A	Medium Density Residential	(f) (b) 22500	(b) 150	2 - ½	30	30	15 (g)	30 (g)	(g)35(e)	(q)	35	20	
R-3B	High Density Residential	(b) (f) 10000	(b) (f) 75	2 - ½	30	30	15 (g)	30 (g)	(g)35(e)	(q)	35	25	

Use Districts	Minimum Lot Area		Maximum Height of Building		Minimum Yard Setback (Per Lot in Feet)				Minimum Floor Area Per Unit (Sq. Ft.)	Maximum Percentage of Lot Coverage (Area of all Structures)	Minimum Open Space Ratio	Floor Area Ratio
	Area in Square Feet	Width in Feet	In Stories	In Feet	Front	Sides		Rear				
						Least One	Total Two					
R-4	Mobile Home District	See Section 153.901.29										
B-1	Local Business District		66		35	(h) (i) 25	(j)	(j)	(k) 20			
CBD	Central Business District		66		45	(p)			(k)			
B-2	General Business District		66		35	(h) (i) 40	(j)	(j)	(k) (j) 20			
OS-1	Office Service District		66	(l)	(j) 30	(h) (j) 25	15 (j)	30 (j)	20 (k)			
I-1	Industrial District		66	(m)	(m)	(n)	20 (o)	40 (o)	50 (o)			

Section 5. Amendment of Article 5, Off-Street Parking and Loading, Section 153.501. Paragraphs C and M are hereby amended to read:

- (C) Residential off-street parking spaces shall consist of a parking strip, driveway, garage, or combination thereof with an asphalt or concrete surface and shall be located on the premises they are intended to serve and subject to other applicable provisions of this ordinance. The parking area may be located in front of or to the side of the garage as shown in figure below. The construction of a circular drives in front of the residence on parcels fronting on major streets may be permitted by approval of the Planning Commission.



- (M) Front yard parking. No part of any front yard shall be used for any accessory building, garage, or other structure, nor shall any motor vehicle be parked in any front yard except upon a regularly constructed driveway. In addition, on a corner lot no motor vehicle shall be parked in the side yard abutting a public street except upon a regularly constructed driveway. Recreational vehicles storage shall comply with the requirements of Section 153.109(C) (3).

Section 7. Severability This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

Section 8. Effective Date: This Ordinance shall take effect seven (7) days after publication..

Date Enacted: _____, 2016

Date Published: _____, 2016

The City of Flushing

Kevin J. Keane, Mayor

Michelle M. King, City Clerk