

## **Ordinance #253**

### **Proposed Amendments to the Port Huron Township Zoning Ordinance Home Occupations; Prohibited Uses & Permitted Uses and Structures**

#### **Section 40-698 Home Occupations; Prohibited Uses**

Home occupations shall be subject to the requirements of the zoning district in which they are located, as well as the following standards unless otherwise specified elsewhere in this chapter:

- (1) Home occupations must be clearly incidental to the use of the dwelling as a residence.
- (2) No outdoor display or storage of materials, goods, supplies, or equipment used in the home occupation shall be permitted on the premises.
- (3) The appearance of the principal structure shall not be altered, nor shall the home occupation be conducted in a manner that would cause the premises to differ from its residential character either using colors, materials, construction, lighting, signs, or the emission of sounds, noises, or vibrations.
- (4) Only the residents of the dwelling unit may be engaged in the home occupation.
- (5) The home occupation may increase vehicular traffic flow and parking by no more than one additional vehicle at a time. No more than 10 customers or clients shall come to the dwelling unit for services or products during any one day. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in the required front yard.
- (6) No home occupation shall require internal or external alterations or involve construction features or the use of electrical or mechanical equipment that would change the fire rating of the structure, or the implementation or installation of equipment normally required for the operation of commercial or industrial businesses, not normally provided for one- or two-family residential homes. All electrical and mechanical installations are required to comply with or be limited as follows:
  - a. The installation of not more than one electric service for one- and two-family dwellings, including all related accessory structures.
  - b. Electric services are limited to services that do not exceed 200 amps and any services exceeding 200 amps must be accompanied by an electric load informational sheet supplied by a licensed electrician demonstrating the actual need for the system.
  - c. All requests must be in writing and must be accompanied by the issuance of a permit approved by the Building Official. It must contain a list of the proposed specific equipment and/or uses and the additional electrical and/or mechanical equipment and their purposes in compliance with all additional ordinances of the township.

- (7) One nonilluminated nameplate, not more than one square foot in area, shall be permitted. Said sign shall be attached flat to the building wall and shall display only the name and occupation of the resident on the premises.
- (8) A home occupation shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater extent or frequency than would normally be generated in a similarly zoned residential district.
- (9) The following uses, by the nature of their operation, have a pronounced tendency to increase in intensity beyond the limits permitted for home occupations, thereby impairing the reasonable use and value of surrounding residential properties. Therefore, the following uses are specifically prohibited as home occupations (unless otherwise permitted subject to special approval):
  - a. Medical clinics and hospitals.
  - b. Facilities for the Cultivation of medical Marihuana by a registered primary caregiver as defined under the MMMA.
  - c. Offices maintained for the general practice of a veterinarian, doctor, lawyer, accountant, insurance agent, or real estate agent. The private offices of these professionals shall be permitted, provided that the residence is used only for consultation, emergency treatment, or business matters that can be carried on by the professional alone.
  - d. Millinery shops.
  - e. Animal hospitals or commercial kennels.
  - f. Vehicle and engine repair businesses.
  - g. Antique shops.
  - h. Barbershops and beauty parlors
  - i. Private clubs.
  - j. Landscape installation and maintenance businesses, including lawn mowing businesses.
  - k. Snow plowing and/or removal businesses.
  - l. Concrete, excavation, or similar contractors.
  - m. Trailer rental.
  - n. Restaurants.
  - o. Repair shops and service establishments.

This list does not include every use that may be prohibited as a home occupation.

**Section 40-527, Permitted Uses and Structures; (b) Special Land Uses. (Amendment of this section to provide for the addition of the following, highlighted in red)**

(21) Facilities for the Cultivation of Medical Marihuana by a registered primary caregiver as defined under the MMMA, and subject to all applicable requirements of this Zoning Ordinance, and the Port Huron Township Medical Marihuana Caregiver's Ordinance.

This ordinance was adopted on December 19, 2022, at a regular meeting of the Charter Township of Port Huron Township Board of Trustees in a motion by Livingston and seconded by Reno, the vote as follows:

YEAS: Livingston, Reno, Dudas, Riehl, Davis, Lewandowski

NAYS: None

ABSTAIN/ABSENT: None

ORDINANCE DECLARED ADOPTED:

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By: Benita Davis, Clerk  
Charter Township of Port Huron

**CERTIFICATION**

The foregoing is a true and complete copy of an Ordinance adopted by the Township Board of Port Huron Township, County of St. Clair, State of Michigan, at a regular meeting held on the 19th day of December, 2022, and public notice of the said meeting was given pursuant to and in accordance with the requirement of Act No. 110 of the Public Act of 1976, as amended being the Open Meeting Act, and the Minutes of the said meeting have or will be made available as required by said Act.

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BENITA E. DAVIS  
PORT HURON TOWNSHIP CLERK