

Village of Lake Isabella - Codified Ordinances

Article XII – Planning & Zoning

Chapter 1256 – Accessory Structures in Non-Residential Districts

Adopted January 22, 2013 – Ordinance 2012-09

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1256.01 GENERAL REQUIREMENTS

1. An accessory structure shall not be constructed, altered, continued, maintained or otherwise located on a parcel of property until after the associated primary structure has been completed. An accessory structure shall not remain, and must be removed, if the primary structure is removed, destroyed, or otherwise eliminated to which it was subordinate.
2. Unless otherwise provided for, accessory structures shall be subject to the same use regulations as the primary structure that it is subordinate to.
3. An accessory use shall always exist in conjunction with, and never without, a legally established primary use. Said primary use and structure shall be located on the same parcel, and be of the same owner, as the accessory use or structure.
4. No mobile home or trailer, truck trailer, railroad car, or storage pod shall be utilized as an accessory structure.
5. All accessory structures of any size shall be constructed of durable, finished materials and shall be compatible in color to the primary structure.
6. Free standing carports and portable garages shall not be permitted.
7. All accessory structures permitted under this Chapter with a footprint of 200 square feet or more shall be firmly attached to a foundation, with the exception of pole construction structures.
8. All pole construction structures located outside of Agricultural or Open Space districts shall have a concrete floor.
9. Accessory structures shall comply with all setback and built-to lines.

1256.03 DISTRICT REGULATIONS

1. AGRICULTURAL DISTRICT

Number Allowed: No Limit

Pole Construction Permitted: Yes

Allowed Size:

Parcel Size (acres)	Maximum Footprint (square feet)	Maximum Sidewall (feet above grade)
Less than 5 acres	80% of Primary Structure up to a maximum of 1,600.	12
5.00 – 9.99	2,200	14
10.00 – 19.99	2,800	14
20.00 or greater	2,800 + 100 feet for every full acre in excess of the first 20.	16

Authority to Approve: The Zoning Administrator may approve a permit application for an agricultural accessory structure that is equal to, or less than, 2,200 square feet which had side walls of 14 feet or less. For all other approvals, the applicant is required to obtain Site Plan approval from the Planning Commission.

2. COMMERCIAL DISTRICT

Number Allowed: A minimum of 2 on parcels that are less than 1.5 acres in size, provided one of the accessory structures has a footprint of 400 square feet or less. For parcels that are equal to or greater than 1.5 acres in size, 1 additional accessory structure over 400 square feet may be permitted by the Planning Commission for each full acre over the original 1.5 acres.

Pole Construction Permitted: No, unless approved by the Planning Commission during the Site Plan approval process.

Allowed Size: 80% of the footprint of the primary structure.

Maximum Height: Equal to the height of the primary structure, to a maximum of 20 feet above grade.

Authority to Approve: Unless otherwise stated, the Zoning Administrator may approve all permit applications for accessory structures in this district.

3. AIRPORT COMMERCIAL DISTRICT

Number Allowed: 2, provided one of them has a footprint of 400 feet or less.

Pole Construction Permitted: Yes

Allowed Size: 80% of the footprint of the primary structure.

Maximum Height: Equal to the height of the primary structure, to a maximum of 20 feet above grade.

Authority to Approve: The Zoning Administrator may approve all permit applications for accessory structures in this district.

4. **EAST COLDWATER BUSINESS DISTRICT**

Number Allowed: A maximum of 3 on parcels that are less than 5 acres in size, provided that one of the accessory structures has a footprint of 400 square feet or less. For parcels that are equal to or greater than 5 acres in size, 1 additional accessory structure may be permitted by the Planning Commission via an approved Site Plan for each full additional 2 acres of the parcel in excessive of the first 5 acres. This is illustrated below as an example:

Parcel Size	Number Allowed in excess of 400 square feet.	Total Number Allowed
> 5 Acres	2	3
5.00 to 6.99	2	3
7.00 to 9.99	3	4
10.00 to 11.99	4	5
<i>The allowed numbers increase as shown for each additional full 2 acres</i>		

Pole Construction Permitted: No

Allowed Size:

Parcel Size (acres)	Maximum Footprint (square feet)	Maximum Height (feet above grade)
Less than 5 acres	75 % of Primary Structure Footprint up to a maximum of 1,000.	Equal to the height of the Primary Structure up to a maximum of 16 feet above grade.
5 acres or greater	75% of Primary Structure Footprint up to a maximum of 2,000.	Equal to the height of the Primary Structure up to a maximum of 22 feet above grade.

Authority to Approve: Unless otherwise stated, the Zoning Administrator may approve a permit application for an accessory structure in this district that is equal to, or less than, 600 square feet with a total height of 14 feet or less. For all other approvals, the applicant is required to obtain Site Plan approval from the Planning Commission.

5. **WEST COLDWATER BUSINESS DISTRICT**

Number Allowed: 2, provided one of them has a footprint of 400 feet or less.

Pole Construction Permitted: No

Allowed Size: 80% of the footprint of the primary structure.

Maximum Height: Equal to the height of the primary structure, to a maximum of 20 feet above grade.

Authority to Approve: The Zoning Administrator may approve all permit applications for accessory structures in this district.

6. INDUSTRIAL DISTRICT

Number Allowed: No Limit

Pole Construction Permitted: Yes

Allowed Size:

Parcel Size (acres)	Maximum Footprint (square feet)	Maximum Height (feet above grade)
Less than 5 acres	80% of Primary Structure up to a maximum of 1,600.	75% of Primary Structure Height to a max of 20 feet.
5.00 – 9.99	2,200	75% of Primary Structure Height to a max of 25 feet.
10.00 or greater	2,800	75% of Primary Structure Height to a max of 30 feet.

Authority to Approve: The Zoning Administrator may approve a permit application for an accessory structure that is equal to, or less than, 2,200 square feet with a total height of 20 feet or less. For all other approvals, the applicant is required to obtain Site Plan approval from the Planning Commission.

7. OPEN SPACE RECREATIONAL DISTRICT

Number Allowed: No Limit

Pole Construction Permitted: Yes

Allowed Size: Equal to the footprint of the primary structure on the parcel.

Maximum Height: Equal to the height of the primary structure.

Authority to Approve: The Zoning Administrator may approve all permit applications for accessory structures in this district.

1256.05 LANDSCAPING REQUIREMENTS

Additional landscaping and/or privacy fencing may be added by the Zoning Administrator or Planning Commission during the approval process if such is needed to properly screen structures from adjacent parcels. As a

minimum, the following standards shall be applicable to all accessory structures in non-residential districts erected or modified after the effective date of this section:

1. General Landscaping Standards

- A. All areas not covered by structures, parking areas, drives, sidewalks, plazas, decks, or other impervious surfaces shall be planted with living vegetation.
- B. All landscape planting areas shall be stabilized and maintained with seed, sod, mulches, or other approved materials to prevent soil erosion.
- C. All required planting is to occur within 9 months of the date of development approval. In the event that the project is completed during a time of year when planting is impractical, a performance bond or surety shall be provided to the Village if so required by the Planning Commission.
- D. Tree wraps, wires, and stakes shall be removed after the first growing season. Nothing contained herein shall prevent the seasonal wrapping of trees and shrubs after the first growing season.

2. Maintenance

- A. The property owner shall be responsible for the maintenance of all landscaped areas, including those within any public right-of-way.
- B. Lawns and landscaped areas shall be maintained in a substantially weed free manner.
- C. Plants shall be controlled by pruning, trimming, or other suitable methods so that they do not interfere with public utilities, restrict pedestrian or vehicular access, or cause a traffic hazard.

3. Plant Requirements

- A. All plant material shall be hardy to the Lake Isabella area. As defined in the LR-3 Section of the zoning code.
- B. All plant material shall be free from disease and insects.
- C. Landscaping shall not include more than 33% of any single plant species. At least 75% of new plantings shall be native to Michigan.

4. Plant size requirements

- A. Canopy/Shade trees shall have a trunk caliper of at least 2 ½ inches at 48 inches above finished grade at the time of planting
- B. Ornamental trees shall have a trunk caliper of at least 2 inches at 48 inches above finished grade at the time of planting.

- C. Evergreen trees shall be at least 60 inches in height above finish grade at the time of planting.
 - D. Shrubs shall be at least 30 inches in height above finished grade at the time of planting
5. Appeal Process: For landscaping requirements imposed by the Zoning Administrator for accessory structures not requiring site plan review, the owner of the proposed accessory structure may appeal such conditions to the Planning Commission for their consideration. All landscaping decisions of the Planning Commission, either in the Site Plan review process, or appeal of the determination of the Zoning Administrator; are appealable to the Zoning Board of Appeals.

1256.07 DESIGN REQUIREMENTS

- 1. All accessory structures greater than 200 square feet shall be constructed so that the appearance of its exterior is uniform and resembles the color and materials of the primary structure to which it is subordinate to as follows:
 - A. Appearance is measured when viewed from adjacent property, or from water bodies, streams, rivers, roads, parks, or other facilities open and accessible to the public.
 - B. Identical material is not required, but the following characteristics shall be the same or similar.
 - 1. Orientation of boards, grooves, grains, shingles and other exterior characteristics.
 - 2. A finished design and color scheme that is coordinated and compatible with the color and design of the primary structure to which it is subordinate to.
 - 3. Color of roofing.
 - 4. Style of siding (Including, but not limited to, the apparent length and width of boards, shakes or panels and the texture, reflectivity, or gloss of the materials.).
 - 5. Style of roofing (Including, but not limited to, the apparent length and width of shingles, shakes, boards, or panels and the texture, reflectivity, or gloss of the materials as well as the type of roof i.e. hip, mansard, gambrel, gable...).
 - 6. Roof pitch shall be equal to that of the primary structure to which it is subordinate to unless otherwise approved by the Planning Commission.

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- C. Notwithstanding this Chapter, an accessory structure is not required to match granite, brick, stone, concrete masonry or other stone-like materials used on the primary structure. However, the material used must resemble the color and style used with the primary structure to which it is subordinate to.
2. All accessory structures greater than 200 square feet in ground coverage shall include a minimum of two (2) different architectural features on the front façade; architectural features may include items such as windows, doors, gable entry, or faux louver window, and other similar design features.
 3. All accessory structures greater than 200 square feet in ground coverage shall include as a minimum the combination of at least two (2) architectural and/or landscape features along any sidewall with a height equal to or greater than 10 feet, and along any sidewall directly adjacent to or visible from a public right-of-way. Landscaping features shall include shrubs or trees of at least four (4) feet in height at the time of planting.
 4. Unpainted, uncolored or unfinished material is prohibited for use on the exterior of all accessory structures, unless such material is specifically designed and marketed for exterior use and is weather-resistant in its natural or unfinished state.