

**City Council**

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**Mayor**  
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**Mayor Pro-Tem**  
Tiyi Schippers

**Councilmembers**  
Stephen King  
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**ORDINANCE NO. 2021-04**

**AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE REGARDING USES  
PERMITTED IN BUSINESS DISTRICTS**

**THE CITY OF CADILLAC ORDAINS:**

**Section 1.**

The City hereby amends sections 46-372 and 46-374 of the City's Zoning Ordinance regarding permitted and special land uses in the B-1 Auxilliary Business District as follows:

Sec. 46-372. – Principal use permitted

The following principal uses are permitted in the B-1 auxilliary businesses districts:

- (1) Offices of a personal service professional or administrative nature and offices of communication media.
- (2) Restaurants or other establishments serving food or beverage, except those having the character of a drive-in.
- (3) Indoor commercial recreational facilities
- (4) Establishments providing overnight lodging accommodations.
- (5) Assembly establishments which provide entertainment or social activities.
- (6) Public or private educational facilities
- (7) Residential dwelling units, except on the primary floor at grade level
- (8) Incidental accessory uses customarily related to the principal use.

Sec. 46-374. – Special land uses permitted.

The following uses of land and structures will be allowed as stipulated in Article VI of this chapter, special land use:

- (1) Marine and boat livery facilities including boat rental sales and service facilities.
- (2) Off-street parking areas or structures, either public or private, to afford necessary parking for nearby concerns.

**Section 2.**

The City hereby amends section 46-397 of the City's Zoning Ordinance regarding special land uses in the B-2 Central Business District as follows:

Sec. 46-397. – Special land uses permitted.

The following uses of land and structure will be permitted as stipulated in Article VI of this chapter, special land use:

- (1) Open air businesses such as outdoor vendors. Open air markets, outdoor cafes, outdoor accommodations for patron use, but not including sidewalk cafes as defined by this chapter.
- (2) Off-street parking areas or structures, either public or private, to afford necessary parking for nearby concerns.
- (3) Establishments providing overnight lodging accommodations.
- (4) Drive-through financial institutions or drive-through components of financial institutions.
- (5) Retailers authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, subject to section 10-2 of the city code and section 46-752 of this zoning ordinance, and subject to the following locational requirements:
  - a. A retailer in the B-2 district must be located on a parcel that has frontage on Mitchell Street, except that no retailers may be located on the section of Mitchell Street between Bremer Street and South Street unless the following two requirements are met: (1) the retailer must be located on an upper level or subgrade level of the building and not on the ground level (with "grade" and "ground level" measured at Mitchell Street); and (2) the entrance for the retailer must face the alley located behind the building and not Mitchell Street.
  - b. The map in Table 1 identifies the areas within the B-2 district in which retailers may be located, subject to the other locational and distance requirements in this zoning ordinance, including section 46-752.
- (6) Provisioning centers authorized under the Michigan Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27102 et seq., subject to section 10-3 of the city code and section 46-753 of this zoning ordinance, and subject to the following locational requirements:
  - a. A provisioning center in the B-2 district must be located on a parcel that has frontage on Mitchell Street, except that no provisioning centers may be located on the section of Mitchell Street between Bremer Street and South Street unless the following two requirements are met: (1) the provisioning center must be located on an upper level or subgrade level of the building and not on the ground

level (with "grade" and "ground level" measured at Mitchell Street); and (2) the entrance for the provisioning center must face the alley located behind the building and not Mitchell Street.

b. The map in Table 1 identifies the areas within the B-2 district in which provisioning centers may be located, subject to the other locational and distance requirements in this zoning ordinance, including section 46-753.

### **Section 3.**

The City hereby amends section 46-426 of the City's Zoning Ordinance regarding uses permitted in the B-3 General Business District as follows:

Sec. 46-426 – Uses permitted.

In a general business district, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this chapter:

- (1) Any retail business or service establishment permitted in OS-1, OS-2, TS, B-1 and B-2 districts as principal uses permitted and uses permitted subject to special conditions.
- (2) Residential dwelling units, except units on the primary floor at grade level if the unit or units are located within the Downtown Development Authority District.
- (3) Auto washes when completely enclosed in a building.
- (4) Bus passenger stations
- (5) New and used car salesroom, showroom or office.
- (6) Other uses similar to the uses in this section.
- (7) Other structures and uses customarily incidental to the permitted uses in this section.

### **Section 4.**

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

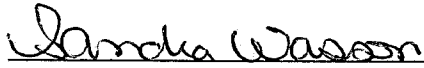
### **Section 5.**

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

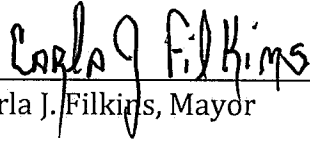
### **Section 6.**

This Ordinance shall take effect twenty (20) days after its adoption.

Approved this 1st day of March, 2021.



Sandra Wasson, Clerk



Carla J. Filkins, Mayor