

**ORDINANCE NO. 2021 - 05**

**CITY OF ST. CLAIR**

**COUNTY OF ST. CLAIR, MICHIGAN**

**AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND APPENDIX B OF THE CODE OF ORDINANCES, "ZONING;" ARTICLE 4, "ZONING DISTRICT REGULATIONS;" SECTION 4.5, "SCHEDULE OF USE REGULATIONS;" SUBSECTION 1 "R-1 and R-1A SINGLE FAMILY RESIDENTIAL DISTRICTS;" BY AMENDING SUBPARAGRAPH 7 TO THE SECTION ENTITLED "SPECIAL USES."**

**THE CITY OF ST. CLAIR ORDAINS:**

**SECTION 1. AMENDMENT.**

Appendix B, Article 4, Section 4.5.1 of the City's Code of Ordinances, the Zoning Ordinance, is hereby amended by amending subparagraph 7 to the section entitled "Special Uses" to read as follows:

**ARTICLE 4. – ZONING DISTRICT REGULATIONS.**

**SECTION 4.5.1 – R-1 and R-1A Single Family Residential Districts.**

*Special Uses:*

7. Family and group day care homes, provided the following conditions are met:
  - a. *Licensing.* In accordance with applicable state laws, all child day care homes shall be registered with or licensed by the State of Michigan, and shall comply with the standards outlined for such facilities.
  - b. *Outdoor play area.* There shall be sufficient outdoor play area to meet State regulations in the rear yard area of the day care home premises.
  - c. *Pick-up and drop-off.* Adequate areas shall be provided for employee and resident parking, and pick-up and drop-off of in a manner that allows maneuvers without affecting traffic flow on the public street.
  - d. *Separation Requirements.* New family or group day care homes shall be located a minimum of one thousand five hundred (1,500) feet from another family or group day care home, as measured between the nearest points on the property lines of the lots in question. The Planning Commission may permit a smaller separation between such facilities upon determining that such action will not result in an excessive concentration of such facilities in a single neighborhood, or the city overall.

**SECTION 2. SEVERABILITY.**

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

**SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.**

Any and all Ordinances of the City of St. Clair or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

**SECTION 4. RATIFICATION.**

All other provisions of the code of Ordinances of the City of St. Clair, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

**SECTION 5. PUBLICATION.**

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the city of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

**SECITON 6. EFFECTIVE DATE.**

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair.

**ORDINANCE DECLARED ADOPTED.**

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William Cedar, Jr., Mayor  
City of St. Clair, Michigan

## CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, at a regular meeting of the City Council held on the 6th day of July, 2021, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: Cedar, Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz  
Members Absent: None

It was moved by Member Kindsvater and supported by Member Volz to adopt the Ordinance.

Members voting yes: Kuffa, LaPorte, Paul, Volz, Kindsvater, Klieman, Cedar  
Members voting no: None

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of St. Clair.

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Annette Sturdy, City Clerk  
City of St. Clair, Michigan

INTRODUCED: June 21, 2021  
ADOPTED: July 6, 2021  
PUBLISHED: July 9, 2021  
EFFECTIVE: July 9, 2021

