

**VILLAGE OF PINCKNEY**  
**ORDINANCE NO. 161**

**ORDINANCE AMENDING THE VILLAGE OF PINCKNEY CODE OF ORDINANCES  
BY AMENDING TITLE XV, LAND USAGE, CHAPTER 152, ZONING;  
§ 152.061, PERMITTED USES (R1 District); § 152.081, PERMITTED USES (R2 District);  
§ 152.101, PERMITTED USES (R3 District); § 152.121, PERMITTED USES (R4 District);  
§ 152.267, DEFINITIONS; AND ADDING NEW SECTION § 152.269,  
ACCESSORY DWELLING UNITS (ADU).**

**THE VILLAGE OF PINCKNEY ORDAINS:**

**Section 1.** Section 152.061, *Permitted Uses* (R1 District); Chapter 152, *Zoning*; Title XV, *Land Usage*, of the Village of Pinckney Code of Ordinances, is hereby amended to read as follows:

**§ 152.061 PERMITTED USES.**

- (A) One single-family dwelling per lot.
- (B) Public parks.
- (C) Family day care homes (one to six children).
- (D) Adult foster care family homes (one to six adults).
- (E) Accessory uses customarily incidental and subordinate to permitted uses, including Accessory Dwelling Units (ADU's).

**Section 2.** Section 152.081, *Permitted Uses* (R2 District); Chapter 152, *Zoning*; Title XV, *Land Usage*, of the Village of Pinckney Code of Ordinances, is hereby amended to read as follows:

**§ 152.081 PERMITTED USES.**

- (A) One single-family dwelling per lot.
- (B) Public parks.
- (C) Family day care homes (one to six children).
- (D) Adult foster care family homes (one to six adults).
- (E) Accessory uses customarily incidental and subordinate to permitted uses, including Accessory Dwelling Units (ADU's).

**Section 3.** Section 152.101, *Permitted Uses* (R3 District); Chapter 152, *Zoning*; Title XV, *Land Usage*, of the Village of Pinckney Code of Ordinances, is hereby amended to read as follows:

**§ 152.101 PERMITTED USES.**

- (A) One single-family dwelling per lot.
- (B) Public parks.

- (C) Family day care homes (one to six children).
- (D) Adult foster care family homes (one to six adults).
- (E) Accessory uses customarily incidental and subordinate to permitted uses, including Accessory Dwelling Units (ADU's).

**Section 4.** Section 152.121, *Permitted Uses* (R4 District); Chapter 152, *Zoning*; Title XV, *Land Usage*, of the Village of Pinckney Code of Ordinances, is hereby amended to read as follows:

**§ 152.101 PERMITTED USES.**

- (A) One single-family dwelling per lot.
- (B) Two-family dwellings.
- (C) Multiple-family dwellings.
- (D) Rooming houses.
- (E) Public parks.
- (F) Family day care homes (one to six children).
- (G) Adult foster care family homes (one to six adults).
- (H) Accessory uses customarily incidental and subordinate to permitted uses, including Accessory Dwelling Units (ADU's).

**Section 5.** Section 152.267, *Definitions*, Chapter 152, *Zoning*; Title XV, *Land Usage*, of the Village of Pinckney Code of Ordinances, is hereby amended to add *ACCESSORY DWELLING UNIT (ADU)* and *ATTACHED*, as follows:

***ACCESSORY DWELLING UNIT (ADU).*** A second dwelling unit on the same lot as an existing single-family dwelling, where the physical character of such second dwelling unit is clearly subordinate to the existing single-family dwelling and the second dwelling unit functions in an accessory manner to the existing single-family dwelling. The existing dwelling on the lot is commonly referred to as the principal dwelling.

***ATTACHED.*** The sharing of a common wall between an ADU and the principal dwelling for a minimum length of ten (10) feet, or a fully enclosed corridor between an ADU and principal dwelling that does not exceed ten (10) feet in length.

**Section 6.** Chapter 152, *Zoning*; Title XV, *Land Usage*, *General Conditions*, of the Village of Pinckney Code of Ordinances, is hereby amended to add new Section 152.269, *ACCESSORY DWELLING UNITS (ADU)*, to read as follows:

**§ 152.269 ACCESSORY DWELLING UNITS (ADU).**

- (A) *Intent.* It is the intent of the Village of Pinckney to address the need to provide and preserve affordable and secure housing for all the population, while preserving the appearance and character of the Village's residential areas by permitting, as an accessory use, the creation of a separate self-contained dwelling unit within, incidental and

subordinate to, an existing single-family residence. The creation of such accessory dwelling units will promote the general welfare of the Village, without increasing the number of residential buildings.

(1) *General Requirements.* No ADU shall be established prior to the issuance of a land use permit for the ADU. The Zoning Administrator shall be the approving body for all ADUs.

The following regulations shall apply to all accessory dwelling units whether on conforming or non-conforming lots:

(a) An ADU shall be established only on a lot on which a principal dwelling exists. The splitting of a lot that results in an ADU on a different lot than the principal dwelling to which it is accessory is prohibited.

(b) The accessory dwelling unit shall be a maximum of forty (40) percent of the gross floor area of the principal structure, not to exceed 600 square feet.

(c) An ADU shall be established only on a lot owned by the occupant of the principal dwelling though upon construction of the ADU, the lot owner shall reside in the principal dwelling or the ADU.

(d) The accessory dwelling unit shall have a maximum of two (2) bedrooms.

(e) The occupancy of the accessory dwelling unit shall be no more than four (4) persons.

(f) Access to an attached accessory dwelling unit shall be limited to a common entrance foyer or exterior entrance to be located on the side or rear of the building.

(g) The principal residence and the accessory dwelling unit shall share the same vehicular access to the property.

(h) The number of off-street parking spaces for the accessory dwelling unit shall be not less than one (1) and shall not block the required parking for the main residence.

(i) All zoning district bulk and setback requirements shall apply to the site (Section 152.044).

(j) In the case of an ADU that is not attached to the principal dwelling, the ADU shall be located in the rear yard only.

(k) An ADU shall not be comprised of a mobile home or any device designed for regular or periodic movement including vehicles and cargo containers.

(l) No lot shall have more than one (1) ADU on such lot and the lot shall maintain one (1) mailing address that shall service the ADU and principal dwelling.

(m) An ADU, and modifications to the principal dwelling to accommodate an ADU shall be of similar or better workmanship as the principal dwelling, shall not detract from the appearance of the lot as a place of one (1) residence and shall be aesthetically compatible in appearance with other single-family dwellings in the immediate area based on architectural design and exterior materials.

(n) A deed restriction that runs with the land shall be filed with the Register of Deeds prior to occupancy, and it shall incorporate the following restrictions:

- The ADU may not be sold separately from the Single-Family dwelling.
- The owner occupancy requirement shall be maintained.
- The deed restriction will be in effect until the ADU is removed.

**Section 7. Repealer Clause.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 8. Savings Clause.** This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

**Section 9. Validity and Severability.** Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

**Section 10. Effective Date.** This Ordinance shall be effective twenty (20) days from and after its publication.

  
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Rebecca Foster, Village President

  
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Jill Chapman, Village Clerk

Village Council Member Lavey offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Village Council Member Kinczkowski and upon being put to a vote, the vote was as follows:

Rebecca Foster, President	<u>y</u>	
Justin Bierman, Trustee	<u>y</u>	<u>y</u>
Ted Kinczkowski, Trustee	<u>y</u>	
Linda E. Lavey, Trustee		<u>y</u>
Brian Matson, Trustee	<u>y</u>	
Justin McInnes, Trustee		<u>Abs</u>
Scott Smith, Trustee	<u>Abs</u>	

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Pinckney this 8th day of August, 2022.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 161 adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a regular meeting held on August 8, 2022.

  
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Jill Chapman, Village Clerk