

CHARTER TOWNSHIP OF SOUTH HAVEN

ORDINANCE NO. 131

**ORDINANCE AMENDING THE ZONING ORDINANCE OF SOUTH HAVEN
CHARTER TOWNSHIP**

SOUTH HAVEN CHARTER TOWNSHIP ORDAINS:

Section 1. Purpose.

The Township adopts the following amendments for the health, safety and welfare of Township residents.

Section 2. Amendment of Article IV. Article IV of the Township Zoning Ordinance entitled “Resource Development District” shall be amended to read in its entirety as follows:

SECTION 4.01 PURPOSE

The purpose of this District is to provide for the arrangement of land uses that are compatible with the conservation and preservation of large tracts of land presently having a most desirable natural environment that should not be disturbed, except minimally, for natural habitat for wildlife, native flora, natural water features including extensive wetlands and high water table soils, and other extensive land uses which retain the natural character of the area. Single family homes on exceptionally large lots will be provided for if the spacing of such homes is great enough to adequately handle on-site septic tanks and wells. This area will normally mean unserved by public sewer and water systems.

SECTION 4.02 USES PERMITTED BY RIGHT

- A. Existing types of farming and related agricultural operations may continue and the same types of farming may be established in new locations within the District on at least twenty (20) acres of contiguous land and developed in accordance with the relevant provisions of the “AR” District.
- B. **Non-farm single family and two-family dwellings.**
- C. Those uses permitted under the provisions of **Parts 301 and 303 of Public Act 451 of 1994 as amended (Inland Lakes and Streams, and, Wetland Protection)**
- D. **Public and private conservation areas.**

- E. Roadside stands for sale of agricultural produce and other commodities principally raised and produced on the same property. Such structures shall not exceed 400 square feet in gross floor area and 15 feet in building height.
- F. Accessory farm dwelling on parcels of 40 acres or more with no more than one such dwelling for every 40 acres.
- G. Home Occupations
- H. Man-made ponds for agricultural uses
- I. Guest house

SECTION 4.03 PERMITTED SPECIAL USES WITH CONDITIONS

The following special uses of land, buildings and structures are permitted, subject to the provisions of Article XV, "Special Uses":

A. PERMITTED SPECIAL USES

1. Public and private areas for nature preserves.
2. Parks, playgrounds and recreation areas.
3. Campgrounds, seasonal mobile home parks and recreational vehicle parks.
5. Sports facilities, public and private, including: golf courses, tennis courts and soccer fields.
6. Communications towers and other public utilities.
7. Extraction of natural resources.
8. Wind energy conversion systems or wind energy systems.
9. Bed & Breakfast Inn
10. Home Business
11. Agribusiness
12. Type I Planned Unit Development
13. Man-made ponds for non-agricultural uses

- 14. Fraternal Organizations
- 15. Race tracks (including midget auto, karting, horse and snowmobile)
- 16. Recreation and sports building
- 17. Temporary and transient amusement enterprises

SECTION 4.04 DIMENSIONAL REQUIREMENTS

Minimum Lot Area	Single family dwellings	1.1 acre excluding areas subject to flooding
	For all uses except single family	20 acres
Minimum Lot Width		200 feet within 35 feet of a public right-of-way and extending at least 100 feet from the right-of-way
Minimum Front Yard	From a state highway or C.R. 388	50 feet from the right-of-way line
	From Blue Star Hwy. or Ruggles	110 feet from centerline
	From any other county road	35 feet from the right-of-way line
	From any private road	35 feet or as approved by the Township Board
Minimum Side Yards		20 feet each side, except where the side yard abuts a road right-of-way, in which case the front yard setback is required. 15 feet for residential accessory buildings.
Minimum Rear Yard		50 feet for principle structures, 15 feet for residential accessory buildings. Corner lots do not have a rear yard.
Minimum Waterfront Yard		50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area		680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Maximum Height Limit All structures are subject to Article XIVA Airport Overlay Zone		Dwellings – 35 feet Residential Accessory Buildings – 25 feet Agricultural Buildings – 45 feet Grain elevators, Silos & Agricultural Windmills

	- 120 feet Wind Energy Generators – Subject to Article XV Special Uses
Maximum Lot Coverage	
All structures	20%
Except greenhouses & nurseries	50%

Section 3. Amendment of Article V. Article V of the Township Zoning Ordinance

entitled “Agricultural-Residential District” shall be amended to read in its entirety as follows:

SECTION 5.01 PURPOSE

The purpose of this district is to provide for the compatible arrangement and development of parcels of land for residential building purposes in a pastoral, agricultural, woodland or open land setting, which will remain unserved by public water distribution and wastewater disposal systems in the foreseeable future, but which are suitable for large lot residential purposes, which can accommodate healthful on-site water supply and wastewater disposal, but which reserves and conserves that land which is most adaptable for present and future agricultural, woodland, natural resource and other extensive land uses.

SECTION 5.02 USES PERMITTED BY RIGHT

- A. General farming
- B. Field crop, fruit, vegetable, horticultural, maple sugar production, lumber and worm farming, and similar types of specialized farming
- C. Greenhouses and nurseries for trees, shrubs and plants
- D. Generally Acceptable Animal Husbandry
- E. On-site production and consumption of feed for animals
- F. Apiaries
- G. Hatcheries
- H. Public and semi-public buildings for the housing of public facilities, utilities and services
- J. Public and private conservation areas
- K. Public and private sports facilities and recreation areas

- L. Public areas for forest preserves, game refuges and similar uses
- M. Cemeteries; public, private or pet
- N. Single and two-family dwellings.
- O. State licensed Residential Care Facilities (homes and centers)
- P. Roadside stands for sale of agricultural produce and other commodities principally raised and produced on the same property. Such structures shall not exceed 400 square feet in gross floor area and 15 feet in building height.
- Q. Migrant labor housing in compliance with Michigan Department of Agriculture rules and regulations.
- R. Man-made ponds for agricultural uses.
- S. Home occupations
- T. Public schools.

SECTION 5.03 PERMITTED SPECIAL USES WITH CONDITIONS

- A. Outdoor kennels for dogs
- B. Communication towers
- C. Agribusiness and uses permitted under Right-to-farm but regulated by the Michigan Department of Agriculture under the Generally Agreed Agricultural Management Practices (GAAMPs)
- D. Hospitals, clinics, sanitariums, convalescent homes, state licensed residential care facilities for more than 6 persons, and similar structures designed for human care.
- E. Extraction of natural resources
- F. Wind energy conversion systems or wind energy systems
- G. Transitional parole housing, halfway house, substance abuse treatment and rehabilitation service or similar social institution.
- H. Private schools and educational institutions
- I. Campgrounds, seasonal mobile home parks and recreational vehicle (RV) parks.
- J. Bed and Breakfast Inn
- K. Guest house on parcels of at least six acres.
- L. Home business
- M. Type I Planned Unit Developments
- N. Man-made ponds for non-agricultural uses
- O. Fraternal organizations
- P. Race tracks (including midget auto, karting, horse and snowmobile)
- Q. Recreation sports buildings
- R. Sports facilities, public and private, including golf courses, ball fields, courts and diamonds

S. Temporary and transient amusement enterprises

SECTION 5.04 DIMENSIONAL REQUIREMENTS

Minimum Lot	Area for all uses	20 acres
	Horticulture, floriculture	5 acres
	Single family dwellings	3 acres
Minimum Lot Width		300 feet within 35 feet of a public right-of-way
Minimum Front Yard	From a state highway or C.R. 388	50 feet from the right-of-way line
	From Blue Star Hwy or Ruggles Rd.	110 feet from centerline
	From any other county road	35 feet from the right-of-way line
	From any private road	35 feet or as approved by the Township Board
Minimum Side Yards		20 feet each side, except where the side yard abuts a road right-of-way, in which case the front yard setback is required. 15 feet for residential accessory buildings
Minimum Rear Yard		50 feet for principle structures 15 feet for residential accessory buildings. Corner lots do not have a rear yard.
Minimum Waterfront Yard		50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area		680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Maximum Height Limit All structures are subject to Article XIVA Airport Overlay Zone		Dwellings – 35 feet Residential Accessory Buildings – 25 feet Agricultural Buildings – 45 feet Grain elevators, Silos & Agricultural Windmills – 120 feet Wind Energy Generators – Subject to Article XV Special Uses

Maximum Lot Coverage	
All structures	20%
Except greenhouses & nurseries	50%

Section 4. Amendment of Article VI. Article VI of the Township Zoning Ordinance entitled “MDR Medium Density Residential District” shall be amended to read in its entirety as follows:

SECTION 6.01 PURPOSE

The primary purpose of this district is to provide for single and duplex housing in neighborhoods with lot areas measuring a minimum of 15,000 square feet where public sewer and water is available, or one (1) acre on parcels served by on-site well and septic systems. This district should be free of other property uses that are not accessory, supportive, compatible, or convenient to its residents. MDR areas should be designed to have sanitary sewer and public water systems available where possible.

SECTION 6.02 USES PERMITTED BY RIGHT

- A. Single and two family dwellings.
- B. Existing types of agriculture land and building uses provided they meet the AR District requirements.
- C. Accessory buildings as defined.
- D. Accessory uses as defined.
- E. State licensed residential foster care facilities housing six (6) or less persons.
- F. State licensed child care centers.
- G. Public school buildings and facilities.
- H. Home occupations as conditioned by Section 18.21
- I. Private residential swimming pools as conditioned by Section 18.20
- J. Guest Houses as conditioned by Section 18.45

SECTION 6.03 PERMITTED SPECIAL USES WITH CONDITIONS

- A. Permitted Special Uses subject to site plan and public hearing approval (Article XV).
 - 1. Hospitals, clinics, sanitariums, Convalescent homes, state licensed residential care facilities for 6 or more persons and similar structures designed for human care.
 - 2. Parks, playgrounds and recreation areas Public, private non-profit.
 - 3. Bed and Breakfast Inn/Resort
 - 4. Private schools & educational institutions
 - 5. Type I Planned Unit Developments subject to Article XVI and Article XVII.
 - 6. Churches, Religious institutions, private schools, libraries, museums & community halls

7. Sports facilities, public & private, including Golf Courses, ball fields, courts and diamonds.
8. Cemeteries, public, private or pet
9. On-site Wind Energy Conversion Systems (WECS) 65 feet in height or more, subject to Section 15.26
10. Public buildings and facilities
11. Extraction of natural resources
12. Campgrounds, seasonal mobile home parks, and RV parks subject to Section 15.18.
13. Man-made ponds (non-agricultural)

B. The above special uses are all subject to the following requirements:

1. The proposed site will have at least one (1) line abutting on an impervious hard surface paved road, and the site will be planned to provide all access directly to the road.
2. Front, waterfront, side and rear yards will be set back at least one hundred (100) feet, and be landscaped in trees, shrubs, and grass. All such landscaping will be maintained in a healthy condition. There will be no parking or structures permitted in these yards, except the required entrance drive and any wall, fences or plantings used to screen the use from abutting residential lots and parcels.
3. Shall meet off-street parking and all other applicable requirements of this Zoning Ordinance.

SECTION 6.04 DIMENSIONAL REQUIREMENTS

Minimum Lot Area: (single and duplex housing)	15,000 square feet with public or common sewer and water.	
	1 acre on lots not served by public or common water and sewer.	
Minimum Lot Width:	90 feet on lots with water and sewer.	
	150 feet on lots without public water and sewer availability.	
	Parcels fronting on M-43, M-140, and CR-388 (Phoenix Road): 330 feet minimum width.	
Minimum Front Yard:	For state hwy. and CR 388	50 feet minimum from right-of-way line.
	For Blue Star Hwy or Ruggles	110 feet from the center line

	All other county roads	35 feet from the right of way line
	Private roads	35 feet from right of way line or as approved by Township Board
Minimum Side Yard		10 feet minimum for each side yard. 15 feet for residential accessory buildings . Parcels with side-yards fronting any street or road are subject to the front yard setback for that side
Minimum Waterfront setback		50 feet minimum from established shorelines for lakes and ponds, and from centerline of streams
Minimum Rear Yard (corner lots have no rear yard)		50 Feet minimum for principle building. 15 feet for residential accessory buildings
Minimum Dwelling Floor Area		Minimum floor area of 680 square feet for each dwelling unit.
Height Limitations:		35 feet maximum for all residential structures. 25 feet maximum for all residential related structures.
Maximum Lot Coverage:		30 percent maximum.

Section 5. Amendment of Article VII. Article VII of the Township Zoning Ordinance entitled “LDR Low Density Residential District” shall be amended to read in its entirety as follows:

SECTION 7.01 PURPOSE

The primary purpose of this district is to provide for single and duplex housing in neighborhoods with lot areas measuring a minimum of 20,000 square feet where public sewer and water is available, or one (1) acre on parcels served by on-site well and septic systems. This district should be free of other property uses that are not accessory, supportive, compatible, or convenient to its residents. LDR areas should be planned to be of such area to sustain on-site water supply and wastewater disposal.

SECTION 7.02 USES PERMITTED BY RIGHT

- A. Single and two family dwellings.
- B. Existing types of agriculture land and building uses provided they meet the AR District requirements.
- C. Accessory buildings as defined.
- D. Accessory uses as defined.

- E. State licensed residential foster care facilities housing six (6) or less persons.
- F. State licensed child care centers.
- G. County government buildings and facilities.
- H. Home occupations as conditioned by Section 18.21
- I. Private residential swimming pools as conditioned by Section 18.20
- J. Guest Houses as conditioned by Section 18.45
- K. Public schools

SECTION 7.03 PERMITTED SPECIAL USES WITH CONDITIONS

- A. Permitted Special Uses subject to site plan and public hearing approval (Article XV).
 - 1. Hospitals, clinics, sanitariums, Convalescent homes, state licensed residential care facilities for more than 6 persons, and similar structures designed for human care.
 - 2. Parks, playgrounds and recreation areas Public, private non- profit
 - 3. Bed and Breakfast Inn/Resort
 - 4. Private schools & educational institutions
 - 5. Type I Planned Unit Developments subject to Article XVI and Article XVII.
 - 6. Churches, Religious institutions, Private Schools, Libraries, Museums & Community Halls
 - 7. Sports facilities, public & private, including Golf Courses, ball fields, courts and diamonds.
 - 8. Cemeteries
 - 9. Communications towers
 - 10. Public government buildings and facilities
 - 11. Extraction of natural resources
 - 12. Public & private nature preserves
 - 13. Wind Energy Conversion Systems (WECS) or Wind Energy Systems

- B. The above special uses are all subject to the following requirements:
 - 1. The proposed site will have at least one (1) property line abutting on an impervious hard surface paved road, and the site will be planned to provide all access directly to this road.
 - 2. Front, waterfront, side and rear yards will be set back at least one hundred (100) feet, and be landscaped in trees, shrubs and grass. All such landscaping will be maintained in a healthy condition. There will be no parking or structures permitted in these yards, except the required entrance drive and any walls, fences or plantings used to screen the use from abutting residential lots and parcels.
 - 3. Shall meet off-street parking and all other applicable requirements of this Zoning Ordinance.

SECTION 7.04 DIMENSIONAL REQUIREMENTS

Minimum Lot Area: (single and duplex housing)	20,000 square feet with public or common sewer and water. 1 acre on lots not served by public or common water and sewer.
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Minimum Lot Width:		100 feet on lots with water and sewer. 150 feet on lots without public water and sewer availability. Parcels fronting on M-43, M-140, and CR-388 (Phoenix Road): 330 feet minimum width.
Minimum Front Yard:	Parcels fronting state hwy. or CR-388	50 feet minimum from the right of way line.
	Parcels fronting on Blue Star or Ruggles Rd.	110 feet from the center line
	On all other county roads	35 feet from the right of way line:
	On private roads	35 feet or as approved by the Township Board
Waterfront yard		50 feet minimum from established shorelines for surface water bodies or centerline of streams
Minimum Side Yard		15 feet minimum for each side yard. Parcels with side-yards fronting on a street or road are subject to the front yard setback for that side
Minimum Rear Yard (corner lots have no rear yard)		50 Feet minimum for the principle building 15 feet for accessory buildings
Minimum Dwelling Floor Area		Minimum floor area of 680 square feet for each dwelling unit.
Height Limitations:		35 feet maximum for all residential structures. 25 feet maximum for all residential related structures.
Maximum Lot Coverage:		30 percent maximum.

Section 6. Amendment of Article VIII. Article VIII of the Township Zoning Ordinance entitled “HDR High Density Residential District” shall be amended to read in its entirety as follows:

SECTION 8.01

PURPOSE

The primary purpose of this district is to provide for single and duplex housing in neighborhoods with lot areas measuring a minimum of 10,000 square feet where public sewer and water is available, or one (1) acre on parcels served by on-site well and septic systems. This district should be free of other property uses that are not accessory, supportive, compatible, or convenient to its residents. HDR areas should be designed to have on-site sanitary sewer and public water systems available and installed.

SECTION 8.02 USES PERMITTED BY RIGHT

- A. Single and two family dwellings.
- B. Existing types of agriculture land and building uses provided they meet the AR District requirements.
- C. Accessory buildings as defined.
- D. Accessory uses as defined.
- E. State licensed residential foster care facilities housing six (6) or less persons.
- F. State licensed child care centers.
- G. Public school buildings and facilities.
- H. Home occupations as conditioned by Section 18.21
- I. Private residential swimming pools as conditioned by Section 18.20
- J. Guest Houses as conditioned by Section 18.45

SECTION 8.03 PERMITTED SPECIAL USES WITH CONDITIONS

- A. Permitted Special Uses subject to site plan and public hearing approval (Article XV).
 - 1. Nursing, Convalescent, or Assisted Living facilities.
 - 2. Public, private and non-profit recreation areas.
 - 3. Bed and Breakfast Inn/Resort
 - 4. Private schools & educational institutions
 - 5. Type I & Type II Residential Planned Unit Developments subject to Article XVI and Article XVII.
 - 6. Churches, Religious institutions, libraries, museums and community halls
 - 7. Golf Courses and country clubs.
 - 8. Cemeteries
 - 9. Parks, playgrounds & recreation areas (public & non-profit)
 - 10. Public buildings and facilities
 - 11. Extraction of natural resources
 - 12. Sports facilities, public & private including golf courses, ball fields, courts & diamonds
- B. The above special uses are all subject to the following requirements:
 - 1. The proposed site will have at least one (1) property line abutting on an impervious hard surface paved road, and the site will be planned to provide all access directly to this road.

2. Front, waterfront, side and rear yards will be set back at least **one hundred (100) feet**, and be landscaped in trees, shrubs and grass. All such landscaping will be maintained in a healthy condition. There will be no parking or structures permitted in these yards, except the required entrance drive and any walls, fences or plantings used to screen the use from abutting residential lots and parcels.
3. Shall meet off-street parking and all other applicable requirements of this Zoning Ordinance.

SECTION 8.04 DIMENSIONAL REQUIREMENTS

Minimum Lot Area: (single and duplex housing)	10,000 square feet with public or common sewer and water. 1 acre on lots not served by public or common water and sewer.	
Minimum Lot Width:	66 feet on lots with water and sewer. 150 feet on lots without public water and sewer availability. Parcels fronting on M-43, M-140, and CR-388 (Phoenix Road): 330 feet minimum width.	
Minimum Front Yard:	On state hwy's or CR 388	50 feet minimum from the right of way line.
	On Blue Star or Ruggles	110 feet from the center line
	On other county roads	35 feet from the right of way line
	On private roads	35 feet from the right of way line or as approved by the Township Board
Water front setback	50 feet minimum from established shorelines for lakes and ponds, and from the centerline of streams but not within a flood hazard area.	
Minimum Side Yard	10 feet minimum for each side yard. Parcels with side-yards on M-43, M-140, and Cr-388 (Phoenix Road): 50 feet minimum from the right of way line. Parcels with side yards on Blue Star Highway: 110 feet from the center line of Blue Star Memorial Highway.	
Minimum Rear Yard: (corner lots have no rear yard)	25 Feet minimum for the principle building 15 feet for accessory buildings	
Minimum Dwelling Floor Area	Minimum floor area of 680 square feet for each dwelling unit.	
Height Limitations:	35 feet maximum for all residential structures. 25 feet maximum for all residential related structures.	
Maximum Lot	30 percent maximum.	

Coverage:	
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Section 7. Amendment of Article IX. Article IX of the Township Zoning Ordinance entitled “MFR Multiple Family Residential District” shall be amended to read in its entirety as follows:

SECTION 9.01 PURPOSE

The primary purpose of this district is to provide for more intensive use of land for structures such as attached single family houses, townhouses, condominiums, or garden style apartments on parcels with a minimum size of at least one half acre. MFR areas should have sanitary sewer and public water systems available and installed.

SECTION 9.02 PERMITTED PRINCIPAL USES

- A. Multiple family dwellings including attached single-family houses, townhouses, condominiums, garden apartments and similar multi-family dwelling unit buildings.
- B. Existing single-family dwellings.
- C. State licensed residential care homes housing six (6) or fewer persons.
- D. State licensed childcare centers.
- E. Normally accepted accessory uses provided there is a principle use on the property.
- F. Public schools

SECTION 9.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS

Subject to approval by the Planning Commission and Township Board and in compliance with Article XXII Site Plan Review, and Article XV Special Uses.

- A. Public buildings.
- B. Parks, playgrounds, and recreational areas, public and non-profit.
- C. Churches, religious institutions, private schools, libraries, museums and community halls.
- D. Sports facilities, public and private, including golf courses, ball fields, courts, diamonds, etc.
- E. Type I Planned Unit Development projects.
- F. Mobile Home Parks licensed by the Michigan Mobile Home Commission.
- G. Private schools & educational institutions
- H. Bed and Breakfast Inn
- I. Dormitories or boarding house.

SECTION 9.04 PERMITTED ACCESSORY USES WITH CONDITIONS

- A. Customary home occupations in existing single-family homes as condition by Section 18.21.
- B. Private swimming pools for the use by the residents in conformance with Section 18.21.
- C. Common space for by the residents of the development.
- D. Drives and off-street parking as required by this ordinance.
- E. Recreation or meeting space for the common use by the residents of the development.
- F. Within Mobile Home Parks of at least 15 acres that have been established by Special Use, a public or private campground that is limited to use by recreational vehicles.

SECTION 9.05 DIMENSIONAL REQUIREMENTS

Minimum Lot Area	½ Acre for first dwelling unit plus for each additional unit:	
	1. Efficiency feet	2000 square feet 2. 1 BR 2500 square feet
	3. 2 BR feet	3500 square feet 4. 3 BR 5000 square feet
	5. 4 BR feet per unit	6500 square feet 6. Over 4 BR 1500 square feet
Minimum Lot Width	Lots fronting M-43, M-140 or CR 388	330 feet
	Lots fronting all other roads or lots with shared drive	200 feet at the building setback line
Minimum Front Yard	From M43/M140/CR 388	50 feet from right-of-way line
	From Blue Star Highway and Ruggles Road	110 feet from centerline
	From any other County Road	50 feet from right-of-way line
	From any private road	35 feet from or as approved by Township Board

	For all Special Uses	75 feet from the right-of-way line
Minimum Side Yards		Equal to height of structure, each side, except where the side yard abuts a road right-of-way
	For all Special Uses	75 feet for all structures
Minimum Rear Yard		50 feet for principle structures, 15 feet for residential accessory building
	For all Special Uses	75 feet for all structures
Minimum Waterfront Yard		50 feet from the shore of a lake or pond, or centerline of a stream, but no within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area		680 square feet excluding garage and unfinished spaces with at least 500 square feet on the first floor.
Maximum Height Limit*		*(Subject to Article XIVA Airport Overlay Zone)
Dwelling		35 feet
Residential Accessory Building		20 feet
Wind Energy Generators		Subject to Article XV Special Uses
Maximum Lot Coverage		30%
Minimum Building Separation		Equal to the height of the highest abutting building
Minimum Floor Area per unit		1. Efficiency 450 square feet 2. 1 BR 600 square feet 3. 2 BR 750 square feet 3. 3 BR 900 square feet 5. Each additional BR over three add 150 square feet
Maximum Dwelling Unit Density		8 dwelling units per gross acre 12 dwelling units per structure

Section 8. Amendment of Article IXA. Article IXA of the Township Zoning Ordinance

entitled “RCO Residential Commercial Overlay” shall be amended to read in its entirety as follows:

SECTION 9A.01 INTENT

This overlay district is intended as a transitional buffer area between residential areas and high volume traffic routes. It is principally intended for daytime business activities limited to small, professional type, general office/health care professional offices. This district can overlay both residential and commercial zoning districts to allow existing uses to continue as conforming uses while allowing new uses, of a compatible nature to be added.

It is intended that this district is to apply to all properties with frontage on: Phoenix Road (CR 388), Blue Star Highway; M-43; M-140; Alyworth Avenue/8th Avenue west of I-196; 73rd Street (Service Road) between Phoenix Road and 8th Avenue; 73 ½ Street between the city limit and 6th Avenue; 14th Avenue between M-140 and Blue Star Highway; and Ruggles Road.

SECTION 9A.02 USES PERMITTED BY RIGHT

Including normally accepted accessory uses so long as there is a principle use on the property.

- A. Single and two-family dwellings.
- B. State licensed residential care homes housing six (6) or fewer persons.
- C. Child day care centers licensed by the state of Michigan
- D. Conversion of existing dwelling to office use without additions, subject to Article XXII Site Plan Review, and Article XX Parking Requirements.
Office use in converted dwelling is limited to one (1) professional office of the following types only: Medical, dental, sociological, psychological, finance, insurance, real estate, or other licensed professional plus administrative support staff.
- E. Mixed Use: Office/dwelling in an existing structure without additions, subject to Article XXII Site Plan Review, and Article XX Parking Requirements.
The non-residential use in such structures shall be limited to one (1) professional including: Medical, dental sociological, psychological, finance, insurance, real estate or other licensed professional plus administrative support staff.
- F. Religious, educational, seminary living & social institutions on at least three (3) acres.
- G. Offices for finance, insurance, real estate and licensed professional, where a new building or addition is constructed.
- H. Medical, dental, and sociological/psychological professional offices, limited to no more than one (1) professional plus support staff, where a new building or addition is constructed.
- I. Business management consultant (1 only)
- J. Customary home occupations

SECTION 9A.03 PERMITTED SPECIAL USES WITH CONDITIONS

All the following uses are subject to review by the Planning Commission and approval by the Township Board and shall be in compliance with the conditions listed in this chapter, Section 9A.02, B, and in Article XXII Site Plan Review, if the underlying district is residential then the use shall be subject to Article XV Special Uses as well.

A. Permitted Uses with Conditions (all subject to B. below)

1. Auto repair with limited outside storage, no fuel sales, limited auto sales, and a maximum of 5,000 square feet gross floor area.
2. Grocery or convenience store less than 5,000 square feet gross floor area
3. Bakery or coffee shop
4. Barber and beauty shop
5. Butcher shop without on-site processing of animals
6. Book and stationary store
7. Delicatessen
8. Drug store
9. Dry goods & notions stores
10. Dry cleaning & laundry stores
11. Gift shops & specialty shops
12. Hardware & paint stores
13. Home Businesses (see definition)
14. Medical and dental offices in complexes which may include: clinics & emergency care
15. Music store
16. Novelty store
17. Office supply store
18. Professional Offices for: Finance, Insurance, Real estate, Licensed professionals
19. Public parks & recreation areas
20. Public buildings
21. Public service installations and utilities
22. Recreational uses (commercial such as: water sports parks, mini-golf & etc.)
23. Restaurant, without drive-in/through service (may have outdoor seating/service area)
24. Shoe repair shop
25. Sporting goods and bait shop
26. Tailor and dressmaker shop
27. Variety store
28. Ice cream stand
29. Veterinary clinic without kennel or outside animal runs
30. Miscellaneous: Business management consultant, Business service store, Consumer credit reporting agency, Mailing and stenographic services, Public transportation passenger station,
31. Animal welfare organizations for small animals with outside dog runs with incidental and related uses including operation of a retail store.
(added January 2015)

B. Conditions for all Special Uses permitted in Section 9A.03.

The Planning Commission, after a finding of fact that determines that one or more of the following conditions does not serve any useful purpose in protecting public health, safety or welfare, may recommend waiver of such condition(s). Such waiver shall be subject to review and approval by the Township Board.

1. At least one (1) property line shall abut a hard surface road to which the site shall have direct access.
2. All vehicular ingress and egress shall be from either:
 - a. An acceleration and deceleration lane to an access road in accordance with County Road Commission or Department of Transportation, or
 - b. An approved private road connecting to a major road or highway arterial.
3. Outdoor storage of goods, materials, trash or garbage is prohibited except in conformance with Sections 18.23 and 18.30.
4. Where an existing dwelling is converted to professional use and an addition is constructed, the minimum front, side and rear setbacks for all structures and parking areas shall be 25 feet. This 25-foot wide strip shall be landscaped to screen adjacent properties.
5. Where a new structure is proposed for a commercial use, such structure shall conform to the requirements of the NSC Neighborhood Service Commercial zoning district. No such commercial use structure shall exceed 5,000 square feet in gross floor area nor shall such structure exceed 25 feet in height. All such commercial use structures shall have a gable roof and shall resemble in general appearance the architectural character of residential buildings within 300 feet.

SECTION 9A.04 DIMENSIONAL REQUIREMENTS

Minimum Lot Area With public or common sanitary sewer and water ----- With on-site water supply and/or waste water disposal as permitted by the County Health Department -	--10,000 square feet excluding areas subject to easements --One (1) acre excluding areas subject to easements
Minimum Lot Width 1 For lots fronting on M-43, M-140, Blue Star or Phoenix----- 2 For lots fronting all other roads ----- 3 For lots with shared driveways fronting on M-43, M-140, Blue Star or Phoenix-----	--330 feet --150 feet at the building setback line for lots not served by public/common sanitary sewer and/or water --66 feet at The building setback line for lots served by public/common sanitary sewer and water
Minimum Front Yard From a state highway or CR 388 From Blue Star Highway or	--50 fee from the right-of-way line

Ruggles Road----- From any other county road---- From any private road-----	--110 feet from centerline --35 feet from the right-of-way line --35 feet or as approved by the Township Board
Minimum Side Yards	-10 feet for the principle building, each side, except where the side yard abuts a road right-of-way, in which case the front yard setback is required. -15 feet for all accessory buildings except abutting road right-of-way
Minimum Rear Yard	-40 feet for principle structures, -15 feet for residential accessory buildings. Corner lots do not have a rear yard.
Minimum Waterfront Yard	-50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	--680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Maximum Height Limit All structures are subject to Article XIVA Airport Overlay Zone	--Dwellings – 35 feet --Residential Accessory Buildings – 25 feet --Wind Energy Generators – Subject to Article XV Special Uses
Maximum Lot Coverage	30%

Section 9. Amendment of Article X. Article X of the Township Zoning Ordinance entitled “NSC Neighborhood Service Commercial District” shall be amended to read in its entirety as follows:

SECTION 10.01 PURPOSE

This district has the intent of providing areas wherein retail trade and service outlets can be located in order to satisfy the day to day needs of the residents in the immediate neighborhood.

SECTION 10.02 PERMITTED PRINCIPAL USES

The following uses are permitted as long as the use is conducted completely within an enclosed building:

- A. Bakeries
- B. Barber and beauty shops
- C. Book and stationery stores
- D. Clothing stores
- E. Delicatessens

- F. Drug stores
- G. Dry cleaning and laundry and dry cleaning stores
- H. Dry goods and notion stores
- I. Gift shops
- J. Hardware and paint stores
- K. Medical and dental offices in complexes which may include:
 - Garment and prosthetic appliance stores
 - Medical, Dental, Optical Laboratories
 - Pharmacies
- L. Music stores
- M. Novelty shops
- N. Office supply stores
- O. Offices for:
 - finance
 - insurance
 - professionals
 - real estate
- P. Professional health care services
- Q. Public buildings
- R. Public service installations
- S. Religious institutions
- T. Restaurants
- U. Self-service laundry and dry cleaning stores
- V. Shoe repair shops
- W. Sporting goods store
- X. Tailor and dressmaker shops
- Y. Variety stores
- Z. Veterinary clinics
- AA. Miscellaneous:
 - Business management consultants
 - Business service stores
 - Consumer credit reporting agencies
 - Mailing and stenographic services

SECTION 10.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS

- A. Automotive gasoline and service stations in accordance with the provisions of Article XV, "Special Uses" for this use.
- B. Drive-in retail and service establishments in accordance with the provisions of Article XV, "Special Uses" for these uses.
- C. Customary home occupations in existing single family homes, as conditioned by Section 18.21.
- D. Fraternal Organizations

E. Home Business

F Home Occupations – type II

G Retail including on-site manufacturing

H Vehicle fueling stations

SECTION 10.04 PERMITTED ACCESSORY USES

- A. Normal accessory uses to all “Permitted Principal Uses.”
- B. Normal accessory uses to all “Permitted Principal Special Uses.”
- C. Customary home occupations in existing single family homes, as conditioned by Section 18.21.

SECTION 10.05 DIMENSIONAL REQUIREMENTS, EXCEPT AS OTHERWISE SPECIFIED IN THIS ORDINANCE

Minimum Lot Area: (single and duplex housing)	on lots not served by public or common water and sewer.	1 acre
	feet with public or common sewer and water.	10,000 square
Minimum Lot Width:	Parcels fronting on M-43, M-140, and CR-388 (Phoenix Road):	330 feet.
	All other roads on lots without public water and sewer availability.	150 feet
	All other roads on lots with water and sewer.	80 feet
Minimum Front Yard:	Parcels fronting state hwy. or CR-388	50 feet minimum from the right of way line.
	Parcels fronting on Blue Star or Ruggles Rd.	110 feet from the center line
	On all other county roads	35 feet from the right of way line:

	On private roads	35 feet or as approved by the Township Board
Waterfront yard		50 feet minimum from established shorelines for surface water bodies or centerline of streams
Minimum Side Yard		10 feet minimum for one side yard and at total of 25 feet for both side yards. Parcels with side-yards fronting on a street or road are subject to the front yard setback for that side
Minimum Rear Yard (corner lots have no rear yard)		50 Feet minimum for the principle building 15 feet for accessory buildings
Minimum Dwelling Floor Area		Minimum floor area of 680 square feet for each dwelling unit.
Height Limitations:		35 feet maximum for all residential structures. 20 feet maximum for all residential related structures.
Maximum Lot Coverage:		75 percent maximum.

SECTION 10.06 LOCATION AND SITE DEVELOPMENT REQUIREMENTS

- A. The site shall have at least one (1) property line abutting either: (1) a major road or highway arterial, as defined in the Master Plan, upon which it fronts and from which it has its most direct vehicular access by means of a frontage access road/drive in accordance with Section 18.26 or (2) an approved private road connecting directly to a major road or highway arterial. *[amended 2000]*
- B. All vehicular ingress and egress shall be from an acceleration and deceleration lane to a frontage access road in accordance with Section 18.26, or an approved private road connecting directly to a major road or highway arterial as defined in the Master Plan. *[amended 2000]*
- C. The outdoor storage of goods, materials, trash and garbage is not permitted, except as provided in Section 18.23 and 18.30.

Section 10. Amendment of Article XI. Article XI of the Township Zoning Ordinance entitled “CSC Community Service District” shall be amended to read in its entirety as follows:

SECTION 11.01 PURPOSE

This district is intended to provide areas where retail trades and service outlets can be located that are convenient to the residents of several neighborhoods and where the owners, employees, guests and customers of office, other commercial, industrial and agricultural uses and activities in the Township and adjacent communities.

SECTION 11.02 USES PERMITTED BY RIGHT

Including normally accepted accessory uses so long as there is a principle use on the property.

- A. Art and merchandise studio
- B. Auto parts store
- C. Automobile service station
- D. Bakery
- E. Barber and beauty shop
- F. Bicycle store
- G. Book and stationary store
- H. Bowling alley, pool hall, and mechanical amusement center
- I. Brew-pub
- J. Building material store
- K. Car wash
- L. Clothing store
- M. Commercial garage
- N. Commercial, private business school
- O. Delicatessen
- P. Drive-in business
- Q. Drive-in restaurant
- R. Drug store
- S. Dry cleaning and laundry
- T. Educational and social institutions
- U. Farm implement and supply store
- V. Fast food restaurant
- W. Funeral home
- X. Furniture store
- Y. Garden store
- Z. Gift shop
- AA. Golf driving range
- BB. Greenhouse and nursery, retail only
- CC. Hardware and paint
- DD. Household appliance store
- EE. Ice cream store
- FF. Indoor kennel
- GG. Interior decorating shop
- HH. Jewelry store
- II. Medical and dental offices in complexes which may include:
 - Garment and prosthetic appliance stores
 - Medical, dental and optical laboratories
 - Pharmacies

- JJ. Micro-brewery
- KK. Miniature golf course
- LL. Mini-warehouses/mini-storage
- MM. Mortuary
- NN. Motel and hotel
- OO. Music store
- PP. New and used automobiles, motorcycles, boats, campers, recreational vehicles and trailers
- QQ. New and used mobile homes
- RR. Novelty store
- SS. Office supply store
- TT. Offices for:
 - Finance
 - Insurance
 - Real estate
 - Licensed professionals
- UU. Pet shop
- VV. Photographic studio
- WW. Printing and publishing establishment
- XX. Professional health care services
- YY. Public buildings
- ZZ. Public schools
- AAA. Public service installations and utilities
- BBB. Religious institutions
- CCC. Restaurant
- DDD. Second-hand store with no outside storage
- EEE. Service and repair shop
- FFF. Shoe repair shop
- GGG. Sporting goods store
- HHH. Tailor and dressmaker shop
- III. Temporary buildings
- JJJ. Temporary and transient amusements
- KKK. Theater, indoor and outdoor
- LLL. Toy store
- MMM. Variety store
- NNN. Veterinary clinic and hospital
- OOO. Warehouses
- PPP. Miscellaneous:
 - Business management consultant
 - Business service store
 - Consumer credit reporting agency
 - Mailing and stenographic services
- QQQ. Normal accessory uses to the above uses and buildings provided a principle permitted building is present.

SECTION 11.03 PERMITTED SPECIAL USES WITH CONDITIONS

All the following uses are subject to review by the Planning Commission and approval by the Township Board and shall be in compliance with the conditions listed in this chapter and in Article XXII Site Plan Review, as well as Article XV Special Uses.

- A. Planning Shopping Centers for collective grouping of two (2) or more principal permitted uses.
- B. Retail store including the on-site manufacture of product(s)
- C. Private schools & educational institutions
- D. Parks & recreation areas
- E. Single family dwelling on the same parcel as a business
- F. Boarding House, Dormitory
- G. Communications towers
- H. Accessory Impound Yards
- I. Fraternal organizations
- J. Home business
- K. Parks, playgrounds & recreation areas (public & non-profit)
- L. Race tracks (including midget auto, karting, horse, and snow mobile)
- M. Recreation & sports buildings
- N. Sports facilities, public & private, including golf courses, ball fields, courts & diamonds
- O. Temporary transient amusement enterprises
- P. Transitional parole housing, halfway house, substance abuse treatment & rehabilitation service or similar social institution.
- Q. Hospitals, clinics, sanitariums, convalescent homes, state licensed residential care facilities for more than 6 persons, and similar structures designed for human care.

SECTION 11.04 DIMENSIONAL REQUIREMENTS

Minimum Lot Area (non-agricultural)	With public or common sanitary sewer and water	10,000 square feet excluding areas subject to easements
	With on-site water supply and/or waster water disposal as permitted by the County Health Department	One (1) acre excluding areas subject to easements
Minimum Lot Width	For lots fronting on M-43, M-140, Blue Star or Phoenix	330 feet
	For lots fronting all other roads or for lots with shared driveways	150 feet at the building setback line for lots not served by public/common sanitary sewer and/or water

	For lots fronting all other roads or for lots with shared driveways	80 feet at the building setback line for lots served by public/common sanitary sewer and water
Minimum Front Yard	From a state highway or C.R. 388	50 feet from the right-of-way line
	From Blue Star Highway	110 feet from centerline
	From any other county road	35 feet from the right-of-way line
	From any private road	35 feet or as approved by the Township Board
Minimum Side Yards	10 feet on one side, but a minimum total of 25 feet for both sides, except where a side yard abuts a road right-of-way, in which case the front yard setback is required.	
Minimum Rear Yard	50 feet for principle structures, 15 feet for accessory buildings. Corner lots do not have a rear yard.	
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.	
Maximum Height Limit All structures are subject to Article XIVA Airport Overlay Zone	35 feet Wind Energy Generators – Subject to Article XV Special Uses	
Maximum Lot Coverage	75%	

SECTION 11.05 LOCATION AND SITE DEVELOPMENT REQUIREMENTS

- A. All sites shall have at least one property line abutting either:
 1. a major road or highway arterial as defined in the Master Plan and from which the site has vehicular access via a driveway or an access road, or
 2. an approved private road connecting to a major road or highway arterial.

- B. All vehicular ingress and egress shall be from either:
 1. an acceleration and deceleration land to an access road in accordance with Section 18.26, or
 2. an approved private road connecting to a major road or highway arterial.

- C. Storage of goods, materials, trash or garbage is not permitted outside of a building, except as provided in Section 18.23 and 18.30.

Section 11. Amendment of Article XII. Sections 12.03 and 12.07 only of Article XII of the Township Zoning Ordinance entitled “HSC Highway Service Commercial District” shall be amended to read in their entirety as follows:

SECTION 12.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS

The following uses are permitted as long as they are conducted completely within a building, except as otherwise provided for specific uses, and located in the District so as not to interfere with or interrupt the pattern of development of the “Permitted Principal Uses” in Section 12.02 and shall further meet the requirements of Article XV, “Special Uses”:

- A. Recreation and sports buildings.
- B. Recreation and sports areas, if areas are completely enclosed with fences, walls or berms with controlled entrances and exits.
- C. Shopping Centers
- D. Communications towers
- E. Race tracks (including midget auto, karting, horse, and snow mobile)
- F. Sports facilities, public & private, including golf courses, ball fields, courts & diamonds
- G. Temporary transient amusement enterprises
- H. Public buildings

SECTION 12.07 DIMENSIONAL REQUIREMENTS, EXCEPT AS OTHERWISE SPECIFIED IN THIS ORDINANCE

Minimum Lot Area:	For lots not served by public or common water and sewer.	1 acre
	For lots served by public or common sewer and water.	10,000 square
Minimum Lot Width:	Parcels fronting on M-43, M-140, and CR-388 (Phoenix Road):	330 feet.
	All other roads on lots without public water and sewer availability.	150 feet
	All other roads on lots with water and sewer.	80 feet

Minimum Front Yard:	Parcels fronting state hwy. or CR-388	50 feet minimum from the right of way line.
	Parcels fronting on Blue Star or Ruggles Rd.	110 feet from the center line
	On all other county roads	35 feet from the right of way line:
	On private roads	35 feet or as approved by the Township Board
Waterfront yard		50 feet minimum from established shorelines for surface water bodies or centerline of streams
Minimum Side Yard		10 feet minimum for one side yard and at total of 25 feet for both side yards. Parcels with side-yards fronting on a street or road are subject to the front yard setback for that side
Minimum Rear Yard (corner lots have no rear yard)		50 Feet minimum for the principle building 15 feet for accessory buildings
Minimum Dwelling Floor Area		Minimum floor area of 680 square feet for each dwelling unit.
Height Limitations:		35 feet maximum for all residential structures. 20 feet maximum for all residential related structures.
Maximum Lot Coverage:		75 percent maximum.

Section 12. Amendment of Article XIII. Sections 13.02, 13.03, 13.04 and 13.05 only of Article XIII of the Township Zoning Ordinance entitled “HC Heavy Commercial District” shall be amended to read in their entirety as follows:

SECTION 13.02 PERMITTED PRINCIPAL USES

- A. Facilities necessary to the operation of all existing methods of transportation, including those for highway, rail and air, including truck terminals and railroad sidings.
- B. Warehousing and related bulk handling facilities, equipment and support services.
- C. Bulk handling of commercial and industrial services and related facilities, equipment and support services.
- D. Contractor buildings, structures and equipment and materials; storage yards for building and other types of construction materials.

E. Building material supply establishments.

F. Vehicle fueling stations

G. Brewery

SECTION 13.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS

A. Bulk storage and distribution facilities for petroleum and gas products, paints and chemicals.

B. Sanitary septic waste hauling and servicing facilities in accordance with the provisions of Article XV, Special Uses. *[amended February 2007]*

C. Communications towers

D. Fraternal organizations

D. Junk yards and inoperable vehicle yards

E. Public buildings

SECTION 13.04 PERMITTED ACCESSORY USES

A. Accessory buildings and uses customarily incidental to above named principal permitted uses.

B. Signs in accordance with the relevant requirements detailed in Article XXI, "Sign Regulations," herein.

C. Towers in accordance with the relevant requirements detailed in Article XVIII, "Supplemental Regulations," herein. *[amended 1999]*

E. Outdoor storage of goods or materials when directly related to on-site businesses and when properly screened.

F. Accessory Impound Yards

SECTION 13.05 DIMENSIONAL REQUIREMENTS

Minimum Lot Area:	For lots not served by public or common water and sewer.	80,000 square feet
	For lots with public	40,000 square feet

	or common sewer and water.	
Minimum Lot Width:	Parcels fronting on M-43, M-140, and CR-388 (Phoenix Road):	330 feet.
	All other roads on lots without public water and sewer availability.	200 feet
	All other roads on lots with water and sewer.	120 feet
Minimum Front Yard:	Parcels fronting state hwy. or CR-388	50 feet minimum from the right of way line.
	Parcels fronting on Blue Star or Ruggles Rd.	110 feet from the center line
	On all other county roads	35 feet from the right of way line:
	On private roads	35 feet or as approved by the Township Board
Waterfront yard		50 feet minimum from established shorelines for surface water bodies or centerline of streams
Minimum Side Yard		25 feet minimum both side yards. 50 feet minimum for yards abutting residential uses. Parcels with side-yards fronting on a street or road are subject to the front yard setback for that side
Minimum Rear Yard (corner lots have no rear yard)		50 Feet minimum for the principle building 15 feet for accessory buildings
Height Limitations:		35 feet maximum for all structures.
Maximum Lot Coverage:		75 percent maximum.

Section 13. Amendment of Article XIV. Sections 14.02, 14.03, 14.04 and 14.06 only of Article XIV of the Township Zoning Ordinance entitled “I Industrial District” shall be amended to read in their entirety as follows:

SECTION 14.02 PERMITTED PRINCIPAL USES

The following uses are permitted as long as they are conducted completely within a building, structure or an area enclosed and screened from external visibility beyond the lot lines of the parcel upon which the use is located, except as otherwise provided in this Ordinance:

- A. Dry bulk blending plants
- B. Electrical and electronic equipment manufacturers
- C. Fabricated metal products
- D. Jobbing and machine shops
- E. Laboratories *[added 1999]*
- F. Metal plating and finishing
- G. Mini storage facilities *[added 1999]*
- H. Monument and cut stone manufacturers
- I. Plastic products forming and molding
- J. Printing and publishing
- K. Processing of machine parts
- L. Public service and utility facilities, but only during construction of:
 Permanent buildings and structures, and provided that they are removed
 immediately upon completion.
- M. Research and development establishments
- N. Trade and industrial schools
- O. Wood industries, except wood distillation
- P. Brewery, distillery, winery or similar

SECTION 14.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS

- A. Planned Industrial Parks in accordance with the provisions of Article XV, “Special Uses,” for the collective grouping of two (2) or more of the principal uses permitted in this district.
- B. Sanitary septic waste hauling and servicing facilities in accordance with the provisions of Article XV, Special Uses. *[amended Feb. 2007]*
- C. Communications towers
- D. Vehicle fueling stations
- E. Junk yards and inoperable vehicle yards
- F. Public buildings

SECTION 14.04 PERMITTED ACCESSORY USES

The following uses are permitted when they are an integral part of the building or structure or are included as a part of the site development upon which the principal use is located:

- A. Banking
- B. Caretakers quarters
- C. Customary home occupations in existing single family homes, as conditioned by Section 18.21.
- D. Education, library and training facilities
- E. Medical and health care facilities
- F. Normal accessory uses to all Permitted Principal Uses
- G. Office facilities
- H. Recreation and physical fitness facilities
- I. Research and experimentation facilities

- J. Restaurants
- K. Sales display facilities and areas
- L. Truck and equipment service, maintenance, repair and storage facilities
- M. Warehouse and storage facilities
- N. Work clothing sales and service facilities
- O. Accessory Impound Yards

SECTION 14.06 DIMENSIONAL REQUIREMENTS, EXCEPT AS OTHERWISE SPECIFIED IN THIS ORDINANCE

Minimum Lot Area:	For lots not served by public or common water and sewer.	2 acres
	For lots with public or common sewer and water.	40,000 square
Minimum Lot Width:	Parcels fronting on M-43, M-140, and CR-388 (Phoenix Road):	330 feet.
	All other roads on lots without public water and sewer availability.	200 feet
	All other roads on lots with water and sewer.	120 feet
Minimum Front Yard:	Parcels fronting state hwy. or CR-388	50 feet minimum from the right of way line.
	Parcels fronting on Blue Star or Ruggles Rd.	110 feet from the center line
	On all other county roads	35 feet from the right of way line:
	On private roads	35 feet or as approved by the Township Board
Waterfront yard	50 feet minimum from established shorelines for surface water bodies or centerline of streams	
Minimum Side Yard	25 feet minimum for both side yards. Parcels with side-yards fronting on a street or road are subject to the front yard setback for that side	
Minimum Rear Yard (corner lots have no rear yard)	50 Feet minimum for the principle building 15 feet for accessory buildings	
Height Limitations:	40 feet maximum for all residential structures. 20 feet maximum for all residential related	

	structures.
Maximum Lot Coverage:	75 percent maximum.

Section 14. Amendment of Article XVIII. Sections 18.06, 18.26, and 18.45 only of Article XVIII of the Township Zoning Ordinance entitled “Supplemental Regulations” shall be amended to read in their entirety as follows:

SECTION 18.06 ACCESSORY BUILDING PROVISIONS

Accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- A. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this Ordinance applicable to the main building.
- B. Accessory buildings shall not be erected in any required yard, except a rear yard.
- C. An accessory building not exceeding one (1) story or twenty (20) feet in height may occupy not more than twenty-five (25) percent of a required rear yard, plus forty (40) percent of any non-required rear yard, provided that in no instance shall the accessory building exceed the ground floor area of the main building.
- D. No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than fifteen (15) feet to any side or rear lot line. In those instances where the rear lot line is in common with an alley right-of-way the accessory building shall not be closer than five (5) feet to such rear lot line. In no instance shall an accessory building be located within a dedicated easement or right-of-way.
- E. No detached accessory building in the MDR, LDR, HDR, MFR, OSC and NSC districts shall exceed one (1) story or twenty (20) feet in height. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts.
- F. When an accessory building is located on a corner lot, the side lot line which is substantially a continuation of the front lot line of the lot to its rear, said building shall not project beyond the front yard line required on the lot in the rear of such corner lot. When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the side lot line of the lot to its rear, said building shall not project beyond the side yard line of the lot in the rear of such corner lot.
- G. An accessory building shall not be placed on any lot or parcel unless there is a principal building on the same lot or parcel. The following situations are exempt from this provision:
 - 1. An accessory building may be constructed on a parcel prior to the construction of a principal building so long as a permit has been obtained for the principal

building and so long as construction on the principal building commences within six months of the issuance of the permit for the accessory building.

2. Where a principal building is located on a lot smaller than 10,000 square feet in a platted subdivision, an accessory building may be constructed on a vacant lot within 300 feet of the lot on which the principal building is located so long as the two lots are placed in the same tax bill and an instrument is recorded prohibiting the separate sale of the accessory lot.
3. An accessory building may remain on a parcel where the principal building has been removed so long as it remains in good repair, is used solely for residential storage and is not used for commercial any purpose.
4. An agricultural use building as defined by the state building code is not an accessory building when located in a zoning district where agriculture is a permitted use. Such buildings can be considered a principal use.

SECTION 18.26 FRONTAGE ACCESS ROADS OR SERVICE DRIVES

Ingress and egress from frontage access, shared driveways, private roads, or service roads for all uses permitted in all zoning districts fronting on **M-43, M-140, Blue Star Highway and Phoenix Road (CR388)** shall be required in order to promote efficient use of thoroughfares and to decrease hazardous traffic conditions, the following regulations shall apply to the use of all land fronting upon these major thoroughfares, except for existing uses located upon existing lots and parcels. If there are limited prospects for immediate development of adjacent lots or parcels, the Township Board may upon request from an applicant require the posting of an acceptable financial guarantee from the applicant equal to the amount of the estimated cost of the frontage access road. However, upon the application for development and use of an adjacent lot or parcel having the same or connecting frontage, the applicant will be required to build the frontage access road.

A. Connecting service roads shall be required between parking areas on adjacent land uses.

B. Owners of all property shall submit to the Township a properly executed and witnessed license agreement which gives the Township Board the authority to open and close service roads and driveways whenever necessary in order to guarantee to the satisfaction of the Township Board a safe and efficient movement to traffic. The said license shall be recorded in the office of the County Register of Deeds. Acceptance of the said license shall, in no way, obligate the Township to build, repair, maintain or clear the said service roads or parking areas and no public funds may be spent by the Township Board to build, repair, maintain, or close the said service roads and/or parking areas. The intent of this subsection is to allow the Township to enforce its traffic ordinance or promote traffic safety on the said service roads and parking areas, and otherwise facilitate the safe and efficient movement of traffic thereon.

C. No less than two (2) driveways at least 20 feet in width shall be available to such coordinated parking areas and service road systems; provided that said driveways shall be at least 300 feet apart and have appropriate designated acceleration and deceleration lanes; provided further, this requirement may be waived by the Township Planning Commission where the needs of a particular use do not require it and when traffic hazards will not be increased by such a waiver.

D. All requirements shall apply only to the full width of the developed portion of a lot or parcel or when developed adjacent to an existing use. The purpose of this subsection is to minimize the length of service roads in relation to the actual developed area of a lot or parcel and the number of parking spaces, and to promote their construction as they are needed.

E. Parking lots, driveways and service roads shall at least be surfaced with processed road gravel and maintained in a usable dust free condition.

F. Parking area layout shall follow standards prescribed in this Ordinance.

G. Service roads and driveways shall be at least paved with processed road gravel and have a width of twenty (20) feet.

H. At its discretion, the Planning Commission may recommend to the Township Board that, if a lot or parcel is not in need of a Frontage Access Road because it is the only lot or parcel developed or under development in a Zoning District which requires such access roads or the development of the lot or parcel can function in relation to adjoining lots or parcels until such time as two (2) contiguous lots or parcels need to provide such an access road, the owners/developers of such parcels need not construct such access roads, but will be required to reserve in a sufficient setback from all roads an area capable of constructing such an access road at a later date; providing that the owner/developer provides the Township Board with an adequate financial guarantee to cover the total estimated cost of constructing such an access road at a later date, e.g. when the frontage access road in the judgment of the Planning Commission and Township Board the access road is needed.

Temporary ingress/egress with direct access to a major road or highway arterial may be approved by the Planning Commission for individual parcels where the adjacent properties have not been developed, provided that:

- (1) The approved plan clearly notes that the access points are temporary and that they are to be removed upon development of an adjacent parcel, and that an access drive across the site's frontage will be built at the time the adjacent parcel is developed.
- (2) The developer submits in writing to the Township a document fully acknowledging the fact that the direct access points are temporary and agrees to their removal in accordance with (1) above.
- (3) The developer provides an adequate financial guarantee to the Township to assure the removal of all temporary access points on the parcel. Occupancy permits shall not be issued by the Township until or unless the above conditions are met.

SECTION 18.45 GUEST HOUSES.

One single-family guest house may be located on any parcel in the AR, LDR, MDR and HDR districts provided that the parcel shall contain no less than 1.5 times the minimum width and area. Each guest house shall be located at least thirty (30) feet from the principal structure, be

built at least to the same construction code standards as the principal structure, and additionally shall meet the following provisions:

- A. A guest house shall be used only by members of the family occupying the principal residential structure located on a lot or parcel, including the following:
 - 1. Blood related members of the family occupying the principal dwelling;
 - 2. Legally adopted members of the family occupying the principal dwelling;
 - 3. Other family members as included in the definition family contained within this ordinance.
- B. Household servants, property caretakers and nursing and other professionals and paraprofessionals retained to assist members of the family occupying the principal dwelling.
- C. High school and college exchange students for the period of time they qualify as exchange students.
- D. Occasional and temporary guests of the family occupying the principal dwelling, whose stays shall not exceed thirty (30) days out of each calendar year unless a Temporary Transient Use permit is granted in accordance with Section 18.28 of this Ordinance. The site plan review provision of Section 18.28 does not apply.
- E. At no time shall a guest house be considered a separate dwelling unit. A guest house shall not be used for income purposes, and no monthly or other time period rental or lease agreement or monetary charge for occupancy shall be permitted, except as provided by definition of family contained in this Ordinance.
- F. The construction of a guest house shall meet all applicable requirements for accessory buildings. Additionally, a guest house shall have a minimum floor area of at least six hundred eighty (680) square feet, but not more than fifty (50) percent of the floor area of the principal dwelling.
- G. Each guest house shall be provided with emergency vehicle access which has been reviewed and approved by the authorized fire code official.

Section 15. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. 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 16. Repealer Clause.

Any 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 17. Effective Date.

This Ordinance shall take effect seven days after publication as provided by law.

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