

PENINSULA TOWNSHIP

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PENINSULA TOWNSHIP PLANNING COMMISSION – BUILDING HEIGHT STUDY GROUP AGENDA

November 29, 2023

Township Hall

9:00 a.m.

This meeting will not be recorded, and no minutes will be taken.

1. **Call to Order**
2. **Attendance**
3. **9:00 am - Business**
 - a. What is the Purpose of Regulating Building Height
 - i. Protection from Fire Hazards
 - ii. Protection from Aviation Hazards
 - iii. Protection of Views
 - iv. Protection of Character of Neighborhoods
 - v. Protection of Light and Air
 - b. Existing Peninsula Township Zoning Ordinance Regulations and Definitions
 - c. Regional Zoning Ordinance Regulations and Definitions Related to Building Height
 - d. Process for Amending Zoning Ordinance
 - e. Policy Recommendations
 - i. Where to Measure Height From (natural grade, finished grade, mean between the two)
 - ii. Where to Measure Height To (eave, peak of roof, mean between the two)
 - iii. Is the Number of Stories Relevant
4. **Public Comments**
5. **11:00 am – Adjournment**

Exhibits:

1. APA Report No. 237 – Height Regulation in Residential Districts
2. Existing Peninsula Township Zoning Ordinance Regulations and Definitions
3. Regional Zoning Ordinance Regulations and Definitions Related to Building Height

Exhibit 1

aspo planning advisory service

AMERICAN SOCIETY OF PLANNING OFFICIALS

1313 EAST 60th STREET — CHICAGO 37, ILLINOIS

Report No. 237

August 1968

HEIGHT REGULATION IN RESIDENTIAL DISTRICTS

This report suggests a system of height regulations more closely related to public purposes than are many current limitations. Application of this system on hillsides, to which urban development is increasingly driven, may be particularly helpful. Emphasis is on residential uses, but elements of the approach could be used elsewhere.

Every zoning ordinance regulates height. Many do it very simply and very badly. Common practice starts from a definition like this:

Height of a building. The vertical distance to a flat roof, or in the case of a pitched roof to the mean level between the eaves and the highest point of the roof, measured from the average graded ground level at all sides of the building.

Starting from this definition, which runs into trouble on slopes as will be seen later, limitations usually cover height and number of stories.

Why number of stories? Height sets a relatively close limit on this. Why the lily-gilding, with its embroidering definitions of story, half-story, attic, basement, cellar, and so on? Enabling legislation usually authorizes regulation of number of stories, but this is not a requirement. In residential districts, it is sometimes suggested that limiting number of stories is a way to regulate population density. But there are far more effective means.

In single-family districts, maximum potential number of families is controlled by number of lots, not number of stories in residences. In multiple-family districts, requirements on lot area per dwelling unit or control of floor area

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ratio establish maximum potential for each lot which can be translated into total potential for the district if anyone wants to engage in this relatively meaningless exercise.

(Even in single-family districts, population rarely approaches the maximum limits allowable under zoning, and in multifamily districts, usually liberally sprinkled with one- and two-family dwellings, neither existing nor probable future population is likely to come to half the total allowed.)

Unless some useful purpose can be found for the control, why not scrap regulation of number of stories and all the involved definitions which go with it?

Next consider what height regulations as such do (or don't do) as generally now written. Usual practice is to set a 35-foot ceiling over vast areas of single-family detached housing. The height envelope is a rectangular box 35 feet high fitting the buildable area of the lot. Its maximum vertical dimension was set (apparently) by mansions still fairly widely extant when zoning was gestating, and in a substantial number of ordinances this prenatal influence still shows its effect, regardless of lot size or side yard requirements. The height limit is the same on a 50-foot lot with 5-foot side yards as on two-acre lots with 25-foot side yards, apparently on the theory that the well-to-do require more light and air than the rest of the population.

The 35-foot height box causes little administrative difficulty because practically no one now wants to build a one- or two-family house higher than that. But it doesn't do what regulations are intended to do on small lots, and it gets ridiculous on large lots in hilly country.

The man with two acres in the hills may be able to go to one part of his lot and build a house 35 feet high "measured from the average graded ground level at all sides of the building" which may be out of sight of the neighbors. Or he may be able to go to a ridge or knoll on the same lot and make the same house loom over the neighbors, with its foundation above the maximum elevation permitted for the roof if the house is built in the lower part of the same lot.

In multifamily height controls we have shown the same regulatory ineptitude, using arbitrarily selected figures without any clear relation to specific purpose. But where one- and two-family height limits give little trouble because the ceiling was so high no one was likely to want to build through it, the situation is different with multifamily. Growing interest in high-rise means that height limits with no demonstrable relation to purpose are likely to be challenged.

Take this situation. District regulations permit 100 feet maximum height. An applicant has 10 acres. Height is the only issue. Number of units is set by lot area per unit, maximum ground coverage by per cent of lot that may be occupied by buildings. The tract, 435 feet wide, slopes down from a highway at a grade of about one foot drop in four to a river 1,000 feet away. A required 50-foot front yard is to be provided next to the highway.

The applicant wants to build a structure 100 feet high "from the average graded ground level at all sides of the building" and 60 feet in width, with its long axis parallel to the highway and set back from it the required 50 feet. On this there is no problem. But he also wants to build a much higher building down near the river. This is denied, and after the board of adjustment finds

there is no way it can permit a variance, he goes to court, claiming that as applied to his land, the ordinance is arbitrary and unreasonable. In support, he states that what he proposes to do is in line with the public purposes of zoning, and that ordinance provisions prohibiting what he proposes to do defeat such purposes.

His major reasons for seeking greater height at the river site are to reduce ground coverage in order to preserve established forest, to improve the view of building occupants, and to avoid impeding view from other structures on his own and adjoining properties by making the building slender and tall rather than massive.

Ignoring his other persuasive reasons, consider height alone. Using 0 as the elevation at the buildable area boundary by the river, the upper buildable area boundary is at 225 feet. At the upper boundary, the roof of the highest building permitted would be at elevation 325, the base 125 feet above the roof of the highest building permissible at the river boundary.

How would the court be likely to decide on his plea that the lower building be allowed to go to 175 feet (still 50 feet below the base of the upper building)?

With this as background, what can be done to make height regulations more meaningful?

Some Basic Assumptions

Height regulations have these principal purposes:

- (1) Protection from fire hazards. Height above capability of normal fire fighting equipment should require certification by fire officials that specialized construction and facilities in the building will be an adequate supplement.
- (2) Protection against aviation accidents. Proposed buildings with location or height constituting potential hazards to aviation should be controlled by special zoning or cleared by the FAA.
- (3) Protection of view. This is a sticky problem, partly because it is a matter of degree. Public interest is not considered involved where a low building cuts off a major part of the view of the neighbors. How much of what kind of view must be blocked for how many people before public action is justified? Some special techniques will be suggested later. (Also, see View Protection Regulations, PAS Report No. 213, August 1966.)
- (4) Protection of the character of the neighborhood. This subjective matter is likely to involve heated emotions and extensive nonlogical reasoning. In one case, large-lot, single-family detached types from an area three miles away rose in embattled ranks to fight a proposed high rise -- which none of them could have seen -- because it would be out of character in their neighborhood -- or, to dig a little deeper, because people who live in high-rise buildings might be different. Never mind the logic -- the argument prevailed. "Character of the neighborhood" is likely to be an important issue where high buildings are proposed in locations surrounded by low buildings, and regulation requires very careful handling.

(5) Protection of light and air is familiar ground. Present regulatory patterns are not only crude but almost dishonest if protection of light and air is of equal importance for everyone, and if this is a principal purpose of height and yard combinations. Only if character of the neighborhood is added into the combination does it make sense to say that a 35-foot height requires a 15-foot side yard in one district, but only five feet in another.

Beginning with the Lot

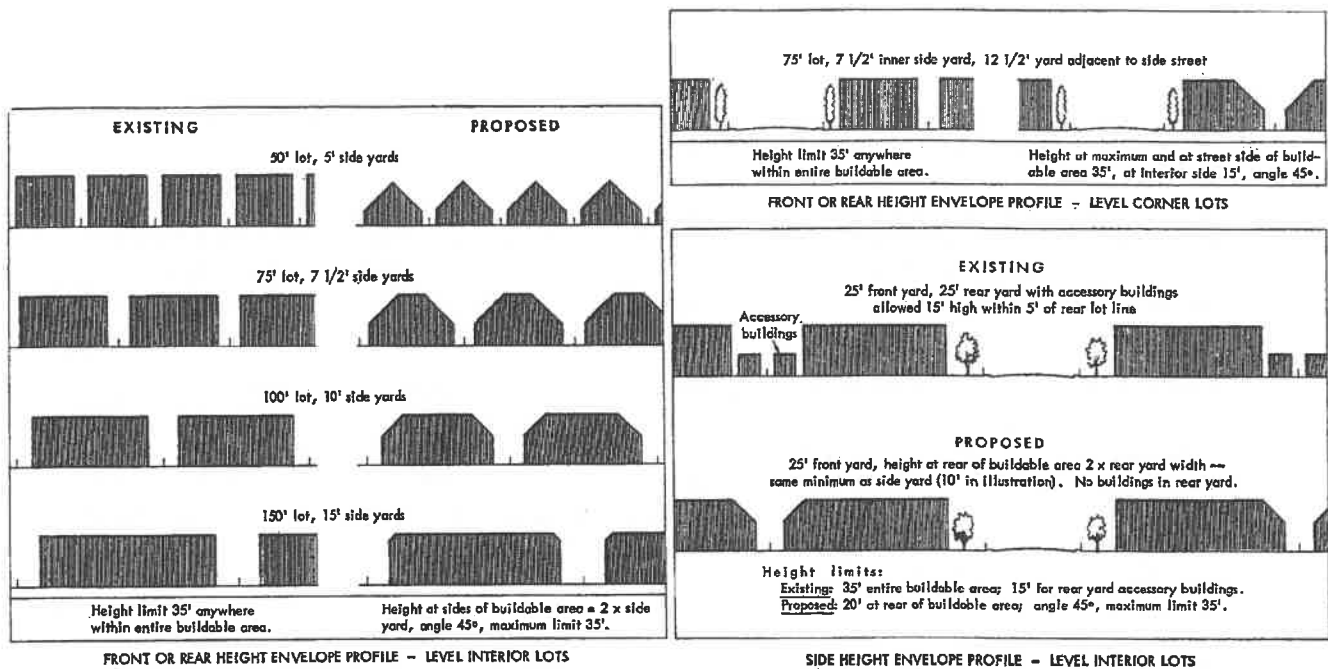
Starting with the lot, principal public concern is with parts of residential buildings closest to those on adjacent lots. This is usually at the inner edges of side yards, which becomes one critical point in providing light and air between buildings. Height here should be kept low.

If an approach now gaining wide acceptance is used, the rear yard dimension will be the same as that of the side yard and subject to the same limitations as to structures. This gives a larger buildable area, allowing flexibility in design. Lot coverage limitations prevent overbuilding. Thus the inner edge of the rear yard may also be a critical area in providing light and air, and again height should be kept low.

At the front, light and air for relatively low buildings is adequately provided by the front yard and the street. Except as influenced by limitations at the sides, it seems logical that full height should be allowed at the buildable area boundary adjacent to the front yard. For very high buildings, as the street and front yard dimensions become inadequate to provide sufficient light and air in lower stories, further adjustments may be necessary.

Emerging from this is a height envelope different in form from the rectangular box now commonly used, and better adapted to public purposes. The proposed approach includes three variables, heights at outer edges of the buildable area, height limiting planes leaning inward over the lot from the upper edges of the buildable area planes, and maximum height (if set) over portions of the lot not otherwise enclosed. On level lots, planes leaning inward from lot boundaries could be used, but because it is desirable in many places to have regulations adaptable to either level or sloping land, the buildable area limits are preferable, for reasons which will appear later.

At side and rear edges of the buildable area, height limits in areas with low detached residential structures should probably be considerably lower than general limits now in use, and should be directly related to the minimum dimension of side and rear yards. Using twice the required minimum width of these yards (as an example), and allowing this for height at the inner edges of the yards (outer edges of the buildable area boundary), the result would be a height limiting plane, or light plane, at a 45 degree angle. If this makes sense in terms of light and air, it would be used to run inward over the buildable area. Given a 5-foot yard requirement, then, the first element in the control would be a 10-foot limit at buildable area boundaries near side and rear lot lines. The second element would be the 45 degree plane leaning inward from the 10-foot height thus established. And if an absolute ceiling is established for the district, it would take effect when it intersects the light planes as they slope inward over the lot.



The diagrams above compare conventional height limits and their effects with the suggested method. It should be noted that the outlines indicated are merely envelopes within which portions of buildings could be erected, and are not proposed building forms.

To vary the pattern, height at edges of buildable areas, light plane, or maximum height over any portion of the lot could be changed. As an added refinement, length of building might be considered in setting side-yard requirements. This is a technique used by FHA in controlling yard width requirements for multifamily structures. Where a building is very long, the effect on light and air in adjacent yards is such that FHA suggests adding one foot to the yard for each 15 feet of run of the wall.

Lots Which Are Not Level

Having established certain principles for height regulations on level lots, the next problem is to adapt them to lots which aren't level. In hill country, lots can have a bewildering variety of cross sections, particularly when large lots are required. The larger the lot, the greater the variation between its high and low points, and the greater the probability that it will not be a simple sloping plane.

In the hills, application of regulations intended for level lots leads to complications, as indicated by the examples given earlier. Slopes, high spots, and low spots blindly impose penalties and award bonuses with total disregard of public purposes, and larger lots in rough country multiply possibilities for too much or too little limitation. Potentials of natural topography may be magnified or reduced if height regulations are based on "the average graded ground level at all sides of the building." The average may be difficult to determine with irregularly shaped buildings or irregularly graded sites, and in any event has no fixed or determinable relation to what may be built on adjacent lots.

The problem is to come as close as possible to equating regulations for lots which aren't level with those for lots which are.

On level land, the light plane seems to be a central feature in the kind of height regulations applying to most residential areas. There is no practical way to protect many distant views in the flatlands -- a one- or two-story building blocks off views of the distance from other one- and two-story buildings or from ground level just as effectively as a 10-story building.

In hill country, in addition to protecting light and air, it is possible to give some protection to view and at the same time add flexibility in building form which may be helpful in overcoming terrain problems. In locations where development costs are high (as they are likely to be in rough terrain), this by-product is likely to be of considerable importance. The same regulatory devices are used as on level lots, and the same specific heights and angles may be used, but they are applied in a manner adapted to hilly locations.

From the front or rear, the diagrams on the next page indicate the elements in regulation and how they apply on sloping lots. In the illustration marked "Detail," Plane I is the ground level, shown here as conveniently regular. What to do about irregular ground is discussed later. To establish principles, this is a smooth plane with a 15 per cent slope. At the edges of the buildable area, the lines D-F and E-G represent heights of 20 feet, twice the width of the required side yard.

Plane II, the dashed line running from D-E, is not a height-limiting element, but is used to construct the 45 degree light planes 1 and 2. On level ground, Plane II would be horizontal. Here it is parallel to the slope.

Plane III, establishing ceiling height over the part of the lot between B and C (where the ceiling plane intersects the light planes) is constructed as a horizontal line from point A, 35 feet above F. The "view line" running through A-C is the level at which a building built to Plane III would obstruct horizontal view from an uphill building.

Why set the 35-foot height plateau on the basis of the highest buildable area boundary? With the slope indicated, this places actual height above ground at B at about 38 feet, at C at 44 feet. On a level lot, the ceiling is a flat 35 feet. Aren't the greater heights inequitable? To some extent yes, but not in the way which might be anticipated. Height limitation is a means for relating heights on adjoining lots as well as for controlling height on one lot. To be "equitable" in the sense of permitting the same absolute heights on adjoining lots, either the height limit on the down-slope lot would have to be raised or that on the up-slope lot would have to be lowered.

As the diagrams on relationships indicate, the ceiling heights down-slope will always be lower than those up-slope. This is important in preserving at least residual views, since principal views from hillsides are generally downhill, and greater height of structures uphill is not a substantially adverse influence.

The proposal checks out as reasonable in another way. Under the "average graded ground level at all sides of the building" approach, there would be nothing to prevent terracing to allow at least as great a height as is allowed here. If height were sought by this means (as it might be where view is in-

volved) the effect would be major disturbance of terrain, which should be avoided, not encouraged.

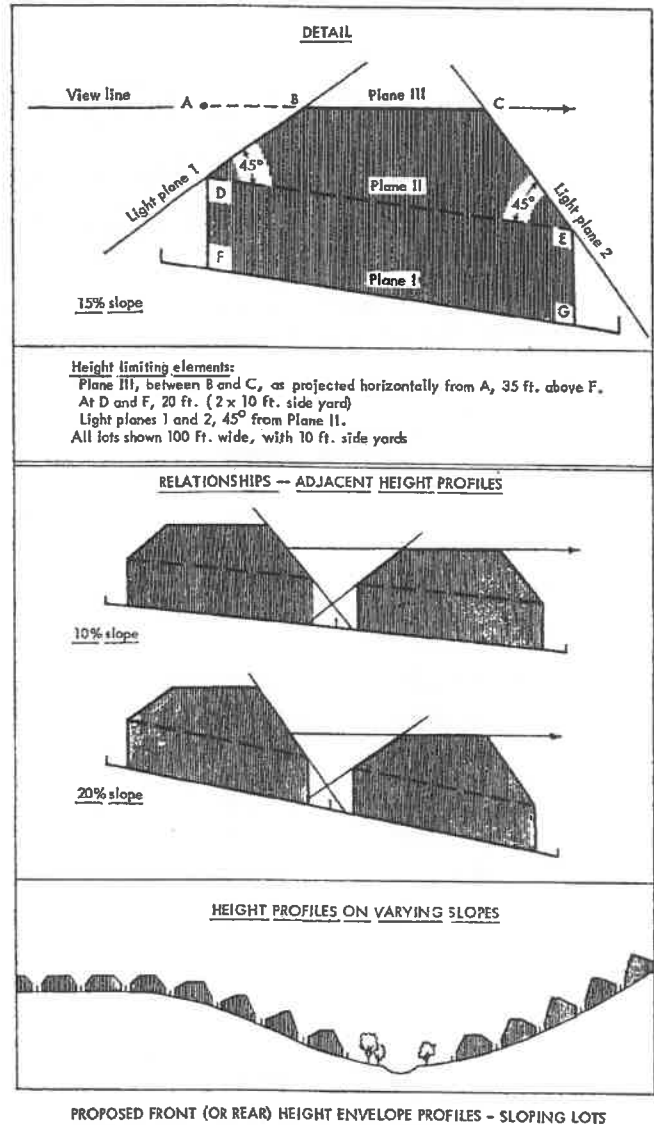
Making the light plane run 45 degrees from Plane II instead of 45 degrees from the horizontal moves the higher parts of the building farther from the uphill line, nearer to the downhill, and doesn't have substantial adverse effect on light at ground level. Considering the probable location of the most important views, the effect of perspective, and the difficulties in achieving the unattainable, this seems the best way to handle the detail. The farther a high point is from the observer, the less horizon it blocks; hence, moving B farther from the uphill buildable area line is desirable. Lowering height at C, or moving C back toward the center of the lot, will not improve the view uphill, which will remain a view of a building, not a landscape, even if the building is only 20 feet high.

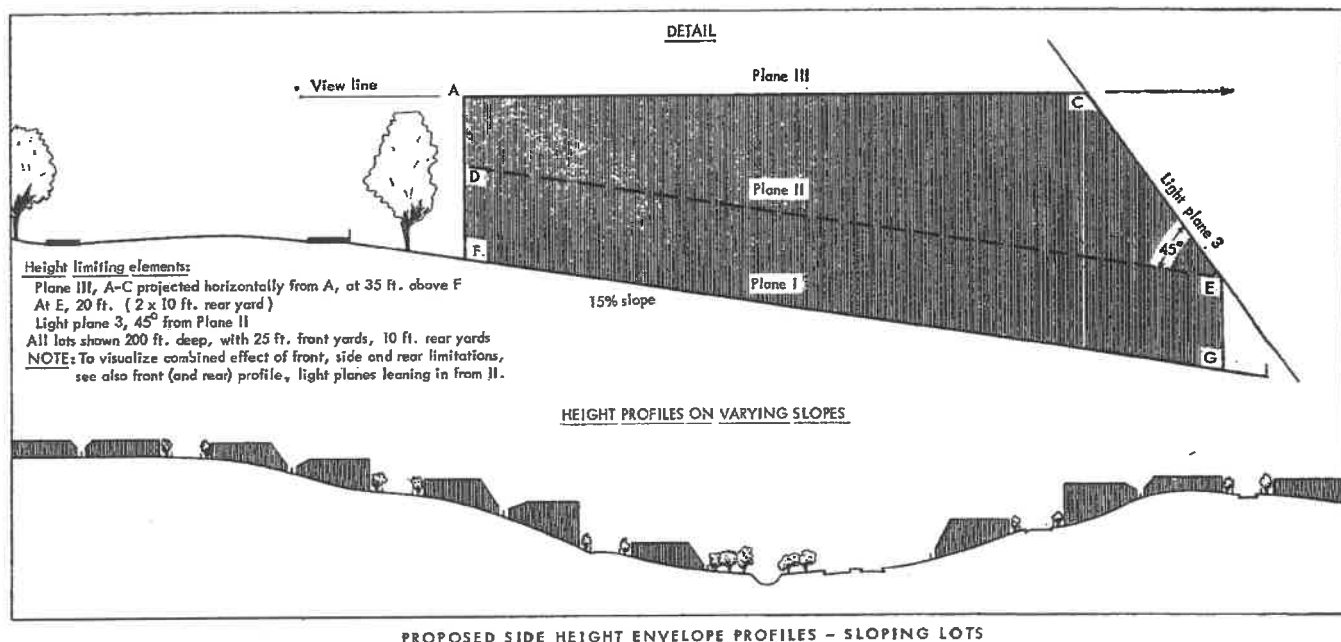
As indicated in the upper diagram on relationships, the light plane for the lower building intersects a wall for an upper building a short distance above its base -- but not high enough to affect light at window level. The gain in view protection seems to off-set the minor difference in light.

The bottom sketch in the diagram shows front or rear height envelope profiles on a variety of slopes (without implying endorsement of streets at the grades indicated). Even across the short dimensions of the lots, buildings on most could be shaped so that portions might take advantage of views. Since buildings would not occupy the entire envelopes outlined, actual views would be better than those indicated here.

From the side. On the lengthwise exposure of lots, with streets and front yards making the light plane unnecessary at the front of buildings, the rear applies the plane because relationship to adjoining sites is potentially the same as at the sides. Because of the length of run involved, the difference between height at the upper and lower buildable area boundaries is considerably greater when the slope runs down the lot than when the slope runs across it.

In the diagram on side height envelope profiles, the detail illustration at the top indicates a 20-foot difference between the 35-foot height limit at A





PROPOSED SIDE HEIGHT ENVELOPE PROFILES - SLOPING LOTS

over F and the 55-foot height which would be allowed at C. Height profiles on varying slopes as diagrammed indicate some of the possibilities for retaining views. The uphill end of the profile from the front or rear is a truncated pyramid on a relatively low base. There are spacings between buildings as set by yard requirements. Few buildings will fill the entire height envelope. With good site planning related to important vistas and to the kind of height regulation proposed, it should be possible to design for view.

One interesting effect of the application of the proposed techniques appears at the top of the hills. Buildings on hilltops are kept low, so that they do not protrude against the skyline.

Application in Districts with Mixed Housing Types

These techniques are well adapted for districts permitting mixtures of residential types, both in conventional lot-by-lot zoning and planned developments. According to terrain potential and lot shapes and sizes, there will be areas suitable for single-family detached residences, town houses, and garden and other apartments even where the height at the top end of the buildable area is kept at 35 feet. On long lots, maximum height allowed at the lower end might rise to 55-60 feet or more because of the way the envelope is constructed. Design of hillside apartments would permit walk-in, walk-up, or walk-down apartments in multistoried structures without entrances at various levels.

If high-rise buildings which could not be built within these limits are to be permitted, special regulations will be necessary, trading extra height for reduced land coverage and increased control of impediment of principal views. This can be a very good bargain for the public. Added setback from property lines reduces the arc of total view obstructed, and the extra open space is a bonus if properly landscaped and protected against sea-of-cars appearance.

REGULATORY LANGUAGE

Moving from theory to practice, here is some regulatory language along the lines indicated by the previous discussion, taken from a zoning ordinance proposed for the City and County of Honolulu:

410. Height of buildings and other structures.

410.1. Intent. It is the intent of these height regulations to secure safety, to provide adequate light and air, and to protect the character of districts and the interests of the general public in important views. To accomplish these purposes:

410.2. Fire and safety requirements.

410.2.1. Fire protection. No building exceeding 40 feet in height above grade shall be erected without certification from the Fire Chief that such building, as proposed to be located, constructed and equipped, and particularly occupants of upper stories, can be properly protected in case of fire. In the case of structures other than buildings exceeding 40 feet in height, the Planning Director may require such certification where he finds that there is substantial fire danger to surrounding property.

410.2.2. Aviation hazards. No building or other structure shall be located in a manner or built to a height which constitutes a hazard to aerial navigation. Where a structure is proposed in a location or to be built to a height which the Planning Director believes may be hazardous to air traffic, such structure shall not be erected without certification from the Federal Aviation Agency that as proposed to be located, constructed and equipped, it will not constitute a hazard to air traffic.

These provisions go directly to the point on the elements covered. The 40-foot figure in the fire protection section is lower than might be used in many jurisdictions. "Height above grade" is appropriate here because it relates to use of fire equipment. On both fire and aviation details, the planning director (who is administrative official in charge of zoning also) is charged with making referrals to appropriate experts in the circumstances indicated.

410.3. Height limits for buildings and other structures are hereby established generally by height envelopes, for which formulas in the schedule of district regulations prescribe maximum height at outer limits of buildable areas, inclination of light planes leaning inward over the lot, and in some districts maximum height over the central portion of the lot. No portion of any building or other structure shall extend through any portion of such height envelopes except residential chimneys, residential radio or television antennas, spires, flagpoles, or monuments otherwise approved

for erection, provided however that smokestacks, water tanks, radio and television transmitting towers, relay towers and the like may protrude through such height envelopes if they do not exceed in height the distance to the nearest lot line, except where property borders permanent open space other than streets and such space is not likely to be occupied by substantial numbers of persons.

The next provision includes a method for computing a base plane for height measurement. The base plane can be readily determined and applied, with a little practice, and works equitably on level land and on minor or steep slopes with or without irregularities. It encourages use of natural terrain without excessive grading, allowing greater heights in low areas and holding height down on natural high points within the buildable area. Thus if height permitted at a particular point is 45 feet above the base plane and the actual level of the ground is five feet below it, actual permitted height of a portion of a building at that point would be 50 feet.

On large tracts, application of the technique sometimes doesn't work out as well as might be hoped. Hence provision is made here for construction of envelopes on lots with one acre or less, and at 410.5 for breaking down larger tracts into workable components.

410.4. Construction of height envelopes for lots containing one acre or less shall be as follows:

410.4.1. Base plane. Establish a base plane (Plane I) for the buildable area. Where the ground surface is a regular plane, it shall be considered the base plane. Where the ground surface is irregular, the base plane shall be constructed as follows:

- (a) Establish a straight base line from the highest existing point to the lowest existing point on the buildable area boundaries. If such points are abrupt irregularities, such as sharp ridges or ravines, average elevations along buildable area boundaries within 50 feet of actual highs or lows shall be used, and the Planning Director shall select point of beginning or termination of the base line within the portion of the buildable area boundary used for averaging.
- (b) To locate elevations of the base plane at any point within buildable area boundaries, extend horizontal lines at right angles to the base line (projected as necessary beyond buildable area limits to permit computations for the entire buildable area).

The computation involved in step (b) is a simple matter of proportion. If the base line is 400 feet long and drops 40 feet from the highest to the lowest point, a right-angle line intersecting it 100 feet from the top would be considered to intersect points 10 feet below the point of beginning elevation on the upper buildable area boundary, or 30 feet above the lower point of beginning.

410.4.2. Establish a second plane (Plane II) parallel to Plane I and at such distance above it (measured 90° from the horizontal) as is indicated in the schedule of district regulations for maximum height at outer lines of buildable areas. For some districts, this height is stated directly as the Plane II height. In others, height is related to width of the adjoining street.

410.4.3. Light planes. Establish light planes leaning inward over the buildable area at angles specified in the schedule of district regulations, beginning from lines established by vertical projection of buildable area boundaries to intersect with Plane II. Base lines from which the angles of such planes shall be computed shall lie within Plane II and extend at right angles from the vertical projection of the buildable area boundaries. Such light planes shall extend inward only from buildable area boundaries as specified below:

- (a) In P-1, AG, R, A, and H districts, from Plane II above side and rear buildable area boundaries other than those adjacent to streets or permanent open space 50 feet or more in width.
- (b) In B-1 districts, no light plane is established and full height is permitted over the entire buildable area.
- (c) In B-2, B-3, B-4 and I districts, the light plane is established for portions of lots adjacent to streets at angles established from center lines of adjacent streets.
- (d) In all B or I districts, lots at the edges of such districts are affected by light planes established for certain adjoining districts as specified in the schedule of district regulations.

Light planes so required shall extend inward over the lot until they meet over the lot, extend through vertical projections of buildable area boundaries not involving light planes of their own, or reach Plane III, described below, with height within the envelope controlled by the lowest of the heights enclosed by such planes.

Detailed provisions above indicate a wide range of possibilities. In preservation, agricultural, residential, apartment, and hotel districts, light planes start from above side and rear buildable area boundaries, in B-1 districts there is no light plane limit, in B-2, B-3, and B-4 the only light plane involved starts from the center line of the street, and in B and I districts, a combination of the provision here and others in the schedule provide for transitional height control along certain district boundaries. As another variable which might escape notice without comment, in some districts there is no maximum height limit except that established by the light planes as they intersect over the buildable area, allowing height to be related to lot dimensions.

410.4.4. Establish Plane III (in districts in which a maximum height limit is set) running horizontally over the lot and beginning from such elevation above the high point used in establishing the base line as is specified in the schedule of district regulations for Plane III, or for maximum height in the district.

410.5. Construction of height envelopes for lots containing more than one acre shall be as above, provided, however, that where by reason of extent or terrain it is impracticable to apply the rules above to the lot or tract as a whole, the Planning Director, for administrative purposes, may divide the total area of the lot or tract into portions adaptable to the rules above. In so doing, lines other than property lines bounding portions into which the lot or tract is administratively divided shall be treated as boundaries of buildable areas in establishing Planes I and III for each of such portions of the lot or tract, but Plane II and the inclined portion of the height envelope shall not be established with respect to the administrative boundaries unless the Planning Director shall find that public purposes like those prevailing at buildable area boundaries along the perimeter of the lot or tract, and particularly maintenance of principal views, require the application of such height limitations.

Lot Coverage as Related to Slope

As a miscellaneous detail related to height control on hillsides -- and useful for other purposes -- the Honolulu ordinance relates per cent of the lot which may be covered by buildings to the slope of the base line. Thus in the very low density agricultural areas, maximum lot coverage on slopes less than 20 per cent is 20 per cent, with a declining scale dropping to 2 per cent lot coverage on slopes of 40 per cent and over. Ranges for residential and hotel districts are from 30 per cent to 50 per cent lot coverage on base line slopes under 20 per cent with coverage on slopes of 40 per cent or over held to 5 per cent in any such district.

The effect here is to push for reduction of land occupancy (and disturbance of natural terrain and vegetation) on steep slopes. The limitation dovetails with height controls allowing higher buildings in portions of steep-slope lots.

(As a concluding note, with regulations like those suggested here, the applicant who wanted to build the 175-foot high rise in the riverfront portion of his sloping lot would be able to do so without going to court about it.)

Exhibit 2

SECTION 6.8 SCHEDULE OF REGULATIONS (REVISED BY AMENDMENT 91) (AMENDMENT 107D)

The Regulations contained herein shall govern the Height, Bulk, and Density of Structures and Land Area by Zoning Dist.

Zoning District	Minimum Zoning			Maximum			Normal			Maximum %	
	Area	Width in Feet	Dwelling Unit	Height of Structures	Stories Feet	Minimum Yard Setback	Per Lot in Feet from Each	High Water Mark	Water	Covered by All Structures	Elevational Width of a Principal Structure
R-1A, Rural & Hillside	1 Acre	150(b)		2 ½(c)	35	30(j)	15(j)	30(j)	60(d)	15	24'
R-1A,PUD; R-1B PUD	(e)	(e)		2 ½(c)	35	30(e)	15(e)	30(e)	60(d)	15	24'
R-1C,PUD; R-1D PUD	(e)	(e)		2 ½(c)	35	30(e)	15(e)	30(e)	60(d)	15	24'
R-1B, Coastal Zone											
Single and Two-Family	25,000	100(b)		2 ½(c)	35	30(j)	15(j)	30(j)	60(d)	15	24'
R-1C, Suburban Residential											
Single and Two-Family	20,000	100(b)		2 ½(c)	35	25(j)	15(j)	30(j)	60(d)	25	24'
R-1D, Community Residential											
Single and Two-Family	15,000	100(b)		2 ½(c)	35	25(j)	15(j)	30(j)	60(d)	30	24'
C-1 Commercial	25,000	150		2 ½(c)	35	35	10	30	60(d)	35	
A-1, Agricultural	5 A.	330(g,h,i)		2 ½(c)	35	35(j)	50(f,j)	50(f,j)	60(d)		

Section 6.8.1 Schedule Limiting Height, Bulk, Density, and Area by Zoning District. Footnotes -- Additional Requirements

(b) In the case where curvilinear street pattern produces irregularly-shaped lots with nonparallel side lot lines, a lessor frontage width at the street line may be permitted provided that the lot width at the building line is equal to the lot width for that district.

(c) Allowable height variations are subject to the provisions of Article VII, Section 7.3

(d) Does not include fishing, boating or swimming docks, open decks, and boat hoists as provided in Section 6.2.2(2) (c) and 6.2.2(2) (d).

(e) As approved under Section 8.3.

(f) The minimum setback for other than residential structures shall be fifteen (15) feet. PROVIDED, HOWEVER, the minimum side yard setbacks for residences shall be fifteen (15) feet on lots of record with lot widths of one hundred ninety-nine (199) feet or less that were recorded prior to the adoption of Amendment No. 91 by the Township Board on June 9, 1992. (REVISED BY AMENDMENT 108)

(g) Where a lot in the Agricultural District has its access on a public road, the lot shall have a minimum lot width and frontage width of 330 feet. Where a lot in the Agricultural District has as its access a frontage road, that lot shall have a minimum lot width and frontage width of 100 feet and if the lot also abuts a public road, the lot shall also have a width of not less than 330 feet on the public road side of the lot. Where a lot has been created by Planned Unit Development, the minimum frontage width shall be that which is approved by the Township Board.

(h) REQUIRED LOT SHAPE A lot in the Agricultural District shall be of such shape that a square measuring 210 feet on a side can be located within the parcel. The square has no relevance to structure location or setbacks. (REVISED BY 107D)

(i) Access to residential building sites on farmland subject to a recorded Conservation Easement consistent with the intent of Ordinance No. 23 shall be regulated by the provisions of Section 6.7.5. (ADDED BY AMENDMENT 117B)

(j) See Section 7.7.1.1 for required setbacks of residences adjacent to agricultural lands. (ADDED BY AMENDMENT 138A)

Section 7.3 Supplementary Height and Area Regulations:

Section 7.3.1 Permitted Exceptions: When a given use is permitted in any District, the following kinds of structural appurtenances shall be permitted to exceed the otherwise required height limitations for authorized uses, provided that they shall not be used for human occupancy:

- (1) Ornamental church steeples and cupolas.
 - (2) Functional chimneys, ventilators, television aerials and ham radio antenna.
- (REVISED BY AMENDMENT 159)**

Section 7.3.2 Permitted Exceptions, Agricultural Districts: In the agricultural district, traditional agriculture related buildings, such as barns and silos, may be constructed to heights in excess of that specified for the district, provided they are first granted a special use permit for such exception under the procedures and requirements of Section 8.1 of this Ordinance.

Section 7.3.3 Individual lot areas in plats abutting certain agricultural lands described in Section 4.7.10 of the Township Subdivision Control Act recorded subsequent to the date of this amendment may be less than the required minimum PROVIDED the average lot size in the recorded plat is not less than the required minimum and PROVIDED FURTHER that any reduced lot size is not less than Seventy (70) percent of the required lot area. Provision for reduced lots shall be stated on the recorded plat so that minimum average lot sizes will be maintained in the event of any subsequent amendments to the plat. No more than twenty (20) percent of the total lots in the plat shall contain less than the required minimum lot area.

Section 7.3.4 Any lot existing and of record on the effective date of this original Ordinance may be used for any permitted use specified for the District in which such lot is located whether or not such lot complies with the lot area and width requirements of this Ordinance, PROVIDED that all other requirements of this Ordinance are complied with, and PROVIDED FURTHER that not more than one (1) dwelling unit shall occupy any lot except in conformance with the required lot area for each dwelling unit.

Section 7.4 Supplemental Great Lake Shoreland Regulations:

Section 7.4.1 Intent and Purpose: It is the intent and purpose of this Ordinance to protect water quality and land resources related to the Great Lakes Shoreland for the future health, safety and welfare of Township residents.

Section 7.4.2 Shared Waterfront Ownership: Any waterfront land that is to be used by more than one family shall meet the following requirements:

- (1) Intent It is the intent of this section to reduce the conflicts that occur between residential single family use and shared waterfront use, such as a number of families using the beach, making noise, trespassing, temporarily storing boats, boat hoists and other equipment.

Current Definitions

Adjacent - Adjoining Area: That area of the Township bounded by major thoroughfares as described in the Township Major Thoroughfare Plan requiring the same land use designation in the Comprehensive Land Use Plan of Peninsula Township.

Adult Foster Care Facility: A governmental or nongovernmental establishment having as its principal function the receiving of adults for foster care. It includes facilities and foster care family homes for adults who are aged, emotionally disturbed, developmentally disabled, or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care. Adult foster care facility shall include homes for the aged.

Agricultural Labor Camp: An agricultural labor camp means a tract of land and all buildings or other structures pertaining thereto, all or part of which is established, occupied, or used as living quarters for less than five (5) migrant farm laborers engaged in agricultural activities, including related food processing. **(ADDED BY AMENDMENT 90) (REVISED BY AMENDMENT 166B)**

Licensed Agricultural Labor Camp: An agricultural labor camp for migrant farm laborers licensed by the State of Michigan. **(ADDED BY AMENDMENT 90)(REVISED BY AMENDMENT 166B)**

Alterations: Any modification, additions, or change in construction or type of occupancy, any change or rearrangement in the structural parts of a building; any enlargement of a building, whether by extending a side or by increasing in height; or the moving from one location to another.

Bed and Breakfast Establishment: Means a private residence that offers sleeping accommodations to transient tenants in 3 or fewer rooms for rent, is the owner's residence in which the owner resides while renting the rooms to transient tenants, and serves breakfasts at no extra cost to its transient tenants. **(REVISED BY AMENDMENT 136)**

Basement: A story having part, but not more than one-half (1/2) of its height below finished grade. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if used for business or dwelling purposes.

Board of Appeals: Peninsula Township Board of Appeals.

Boarding of livestock: Providing care, custody and control of livestock for others, with or without remuneration, on agricultural land or in buildings incidental to the use for agricultural purposes but not for hourly rental of animals and not a petting farm. **(ADDED BY AMENDMENT 155A)**

Boat Hoist: A device to raise and/or store boats above or out of the water. Included are shore stations, hoists, inclined ramps with carts on rails or similar devices. **(REVISED BY AMENDMENT 109A)**

Boat House: An enclosed structure designed for the use and storage of private boats and marine equipment having a maximum height of eleven (11) feet and a maximum area of 300 square feet.

Boat Livery: A boat livery is hereby defined and declared to be any structure, site or tract of land utilized for the storage, servicing or rental of boats and for the sale of hunting and/or fishing tackle, equipment, boats and etc.

Building: Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels or property of any kind. This shall include tents, awnings and vehicles situated on private property and used for purposes of a building, whether or not mounted on wheels.

Building Area: The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.

Building Envelope - An area identified on a site plan within which a building or structure may be located. **(ADDED BY AMENDMENT 151)**

Building, Front line of: The line that coincides with the face of the building nearest the front line of the lot. This face includes sun parlors and enclosed porches, but does not include steps.

Building, Height of: The vertical distance measured from the mean elevation of the finished grade line of the ground about the front of the building to the highest point of the roof.

Building Lines: A line defining the minimum front, side and rear yard requirement outside of which no building or structure may be located.

Building, Principal: A building in which is conducted the main or principal use of the lot on which it is located.

Campground: Means any parcel or tract of land under the control of any person wherein sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for five (5) or more recreational units.

Cellar: A story having more than one-half (1/2) of its height below the average finished level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement in stories.

Child Care Organization: A facility for the care of children under 18 years of age, as licensed and regulated by the State under Act 116 of the Public Acts of 1973 and the associated rules promulgated by the State Department of Social Services. Such organizations shall be further defined as follows:

- (1) "Child care center" or "day care center" means a facility, other than a private residence, receiving more than 6 pre-school or school age children for group care for period of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day.

Sign-Yard/Garage Sale/Personal Event: A temporary sign which is placed on the premises of a yard sale, garage sale or events such as family reunions or weddings.

Site, Area: (includes the terms: Site, Site Area, Lot, Parcel Size and Parcel Area) - the total area within the property lines excluding road and street right-of-ways except as follows: Site Area, Parcel Area, and Parcel Size shall include road or street rights-of-way, provided both of the following are documented:

- a. The property legal description includes such right-of-way; and
- b. The property is being developed as a Planned Unit Development. **(REVISED BY AMENDMENT 158)**

Story, Height of: The vertical distance from the top surface of one floor to the top surface of the next above. The height of the top-most story is the distance from the top surface of the floor to the top surface of the ceiling joists.

Street: Provides direct access to individual abutting properties.

Street Line: The legal line of demarcation between a street and abutting land.

Structure: A structure is any production or piece of material artificially built up or composed of parts joined together in some definite manner; any construction, including dwellings, garages, building, mobile homes, signs and sign boards, towers, poles, antennae, landfill, sea walls, weirs, jetties, swimming pools, stand pipes; fences over four feet in height above final grade and earth sheltering for earth-sheltered structures or other like objects, but not including: (a) a temporary fence; (b) agricultural fences that are used for general farming and horticultural uses, field crop and fruit farming, raising and keeping of small animals, and raising and keeping of livestock; (c) access steps required to negotiate changes in site elevation; (d) landscape mounds; and (e) sidewalks, drives, and paved areas which do not protrude above the finished site grade. **(REVISED BY AMENDMENT 152)**

Tasting Room: A room in conjunction with a licensed winery premises, including a remote wine tasting room, where the following takes place; a) tasting of fresh and/or processed agricultural produce such as wine, fruit wines, and non-alcoholic fruit juices; b) retail sales of winery products by the bottle for off-premises consumption; and c) sales of wine by the glass for on-premises consumption. **(ADDED BY AMENDMENT NO 139A)(REVISED BY AMENDMENT NO 181)**

Township Board: Peninsula Township Board.

Trailer Coach: Mobile Home as defined herein.

Use: The purpose for which land or a building is arranged, designed, or intended, or for which land or a building may be occupied.

Wall: A structure, including gates when closed which has openings of fifty (50%) percent or less of each one square yard of surface area.

WECS: Shall be the approved form of abbreviation of "wind energy conversion system".

Exhibit 3

Grand Traverse County

Acme Township

ARTICLE 4 Overlay Districts

- C. Facade Massing: Front façades sixty (60) feet wide or more shall incorporate wall offsets of at least two (2) feet in depth (projections or recesses) a minimum of every forty (40) feet. Each required offset shall have a minimum width of twenty (20) feet. Such offsets, along with other architectural components, shall be allowed to deviate from the established built-to-line.
- D. Roofs:
1. When flat roofs are used, parapet walls with three-dimensional cornice treatments shall be used to conceal the roof and mechanical equipment.
 2. Asymmetric or dynamic roof forms allude to motion, provide variety and flexibility in nonresidential building design, and allow for unique buildings. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings as an alternative to flat roofs.
 3. All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (with the exception of chimneys), shall be located on the rear elevations or screened with a parapet wall having a three dimensional cornice treatment so as to have a minimal visual impact as seen from public street, existing single family uses, and land zoned for residential and agricultural uses.
- E. Customer Entrances:
1. Each side of a building facing a public street shall include at least one (1) customer entrance, except that no building shall be required to provide entrances on more than two (2) sides of the structure that face public streets. Buildings fronting two (2) streets on a corner lot may satisfy this requirement by having one (1) customer entrance located at the corner of the building placed at a forty five (45) degree angle to the street intersection.
 2. Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features:
 - a. Canopies/porticos above the entrance;
 - b. Roof overhangs above the entrance;
 - c. Entry recesses/projections;
 - d. Arcades that are physically integrated with the entrance;
 - e. Raised corniced parapets above the entrance;
 - f. Gabled roof forms or arches above the entrance;
 - g. Outdoor plaza adjacent to the entrance having seating and a minimum depth of twenty (20) feet;
 - h. Display windows that are directly adjacent to the entrance; or
 - i. Architectural details, such as tile work and moldings, that is integrated into the building structure and design and is above and/or directly adjacent to the entrance.

BEDROOM: A room designed or used in whole or part for sleeping purposes and has a closet and window.

BERM: An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other such purposes.

BREWER: A person as defined and licensed by the Michigan Liquor Control Code

BREWERY: A facility or facilities owned or controlled by a licensed Brewer.

BUILDING: A structure enclosed within exterior walls, built, erected and framed of a combination of materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, or property.

BUILDING, PRINCIPAL (MAIN): A building or, where the context so indicates, a group of buildings that are permanently affixed to the land and that are built, used, designed or intended for the shelter or enclosure of the principal use of the parcel.

BUILDING, ACCESSORY: See **ACCESSORY BUILDING** or **STRUCTURE**

BUILDING, TEMPORARY: A building that is not of a permanent construction that is not affixed to the property, and is permitted to exist for a specific reason for a specific time.

BUILDING ELEVATION: The entire view of any building or other structure from one of four sides showing features, such as construction materials, design, height, dimensions, windows, doors, other architectural features, and the relationship of grade to floor level.

BUILDING ENVELOPE: The area of a lot that is defined by the minimum setback requirements

within which building construction is permitted by the terms of this Ordinance.

BUILDING HEIGHT, FEET: The vertical distance measured from the finished grade to:

- The highest point of the roof surface for flat roofs;
- To the deck line of mansard roofs; and
- To the average height between eaves and ridge for the highest gable, hip studio, and gambrel roofs.
- Seventy five (75) percent of the height of an A-frame.
- The number of habitable stories when maximum height is defined by stories, which shall not include attics or basements.

Where a building is located on sloping terrain, the height shall be measured from the average ground level grade at the building wall.

BUILDING HEIGHT, STORIES: The vertical distance measured as the number of individual floors in a building that can be occupied. Stories does not include basements or attics as defined in this Ordinance, permitted rooftop patios, or architectural features such as cupulas, steeple, etc.

BUILDING LINE: A line parallel to the front lot line at the minimum required front setback line.

FOSTER FAMILY HOME: A private home in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood or marriage, or who are not placed in a household under the Michigan adoption code, chapter X, of the probate code of 1939 (1939 PA 288, MCL 710.21 to 710.70) are provided care for 24 hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent, legal guardian, or legal custodian.

FOSTER FAMILY GROUP HOME: A private home in which more than four (4) but fewer than seven (7) minor children, who are not related to an adult member of the household by blood or marriage, or who are not placed in a household under the Michigan adoption code, chapter X, of the probate code of 1939 (1939 PA 288, MCL 710.21 to 710.70) are provided care for 24 hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent, legal guardian, or legal custodian.

FOSTER CHILD: A child unrelated to a family by blood or adoption with which he or she lives for the purposes of care and/or education.

FRATERNAL ORGANIZATION: See **CLUB**

FREIGHT TERMINAL: A heavy distribution transfer facility for pick-up and distribution utilizing railroad or trucking modes of transit.

FRONTAGE: The portion of any property that abuts a private or public street or a waterway. A corner lot and a through lot have frontage on both abutting private or public streets or a waterway and a street.

FUNERAL HOME: An establishment where the dead are prepared for burial or cremation and where wakes or funerals may be held. May also be referred to as a mortuary.

14.8 "G" TERMS

GARAGE: An accessory building designed or used for the storage or parking of motor driven vehicles, boats, and similar vehicles owned and used by the occupants of the building to which it is accessory. Private garages do not have public repair facilities. A private garage may be either attached to or detached from the principal structures, but shall be located on the same lot as the principal structure.

GRADE: The ground elevation established for regulating the number of stories and the height of a buildings or structures. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the dwelling.

GRADE, AVERAGE: The average ground elevation on each of the four (4) sides of a building, measured within six (6) feet of the building's exterior walls.

GRADE, FINISHED: The completed surfaces of lawns, walks, and roads, brought to grades as shown official plans or designs related hereto.

GREENHOUSE: A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

nearest point on the side lot line to the nearest point of the principal building.

- **Rear Yard:** An open space extending the full width of the lot the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage, but each lot shall only have one (1) rear yard.

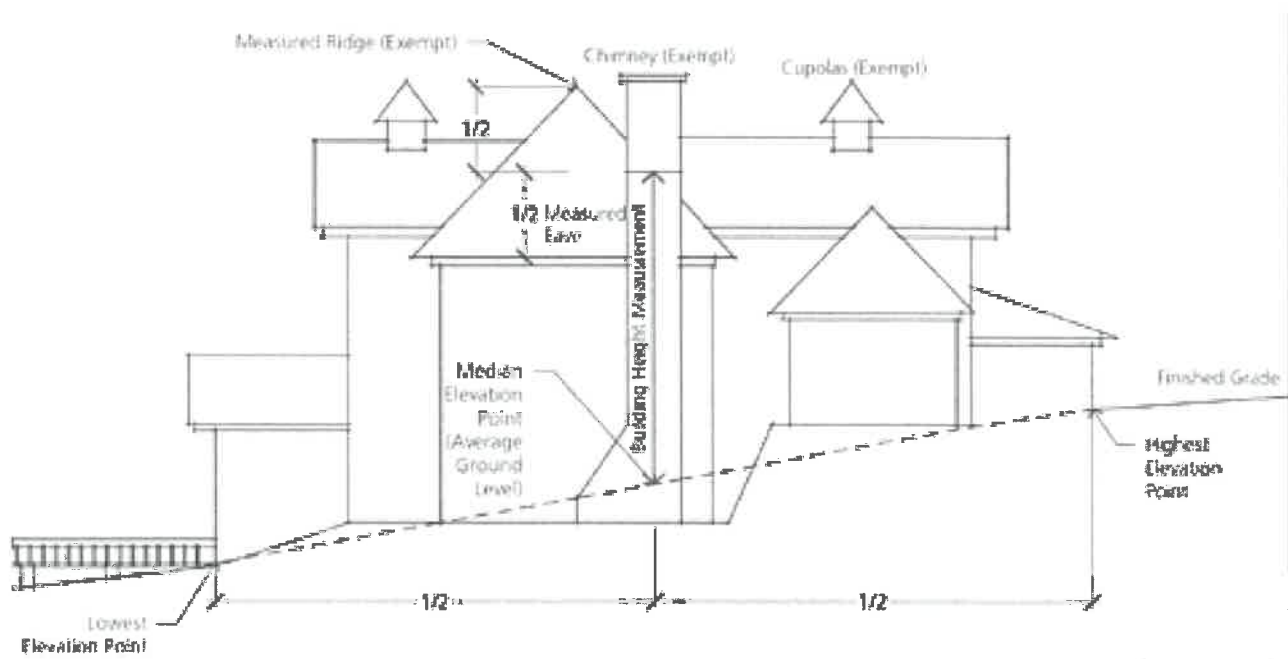
14.25 "Z" TERMS

ZONING DISTRICT: A portion of the incorporated area of the Township within which on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established under the provisions of this Ordinance.

ZONING BOARD OF APPEALS: The Body appointed pursuant to the provisions of Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, to serve as the Zoning Board of Appeals for Acme Township.

ZONING ADMINISTRATOR: The Township official(s) authorized to administer the Zoning Ordinance on a day-to-day basis, including but not limited to processing applications, granting ministerial approvals, maintaining the records of Planning Commission actions, sending notices of public hearings, and similar work.

14.26 GRAPHIC - HEIGHT and GRADE



3.4.1 AG - Agricultural District

A. Dimensional Requirements:

AG - AGRICULTURAL DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	330 feet
Minimum Lot Area	5 acres
Maximum Lot Coverage	---
Maximum Impervious Surface	---
Base Density	0.2 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Setback	50 feet
Side Setback	25 feet
Rear Setback	40 feet
Maximum Height	2.5 stories - not to exceed 38 feet
Minimum Ground Floor Livable Floor Area	500 square feet
Minimum Floor Area / Unit	---
ACCESSORY BUILDING	STANDARD
Permitted Location	Front, side or rear yard
Front Setback	50 feet
Side Setback	25 feet
Rear Setback	40 feet
Principal Building Setback	10 feet
Maximum Height	≤ principal building, except as allowed
Maximum Ground Floor Area (cumulative)	---
PARKING	STANDARD
Permitted Location	Front, side or rear yard
Front Setback	50 feet
Side Setback	25 feet
Rear Setback	40 feet

B. Additional Requirements:

1. Structures for agricultural uses, such as barns and silos, may be permitted up to one hundred (100) feet in height.
2. Waterfront parcels in the AG - Agricultural District shall meet the requirements of waterfront properties in Article 4.

3.4.2 SFR - Single Family Rural District

A. Dimensional Requirements:

SFR - SINGLE FAMILY RURAL DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	150 feet
Minimum Lot Area	1 acre
Maximum Lot Coverage	25%
Maximum Impervious Surface	30%
Base Density	1.0 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Setback	30 feet
Side Setback	20 feet
Rear Setback	35 feet
Maximum Height	2.5 stories - not to exceed 38 feet
Minimum Ground Floor Livable Floor Area	500 square feet
Minimum Floor Area / Unit	---
ACCESSORY BUILDING	STANDARD
Permitted Location	Side or rear yard
Front Setback	15 feet for waterfront properties
Side Setback	20 feet
Rear Setback	10 feet
Principal Building Setback	10 feet
Maximum Height	24 feet
Maximum Ground Floor Area (cumulative)	≤ principal building
PARKING	STANDARD
Permitted Location	Front, side or rear yard
Front Setback	30 feet
Side Setback	20 feet
Rear Setback	10 feet

B. Additional Requirements:

1. Waterfront parcels in the SFR - Single Family Rural District shall meet the requirements of waterfront properties in Article 4.

3.4.3 SFN - Single Family Neighborhood District

A. Dimensional Requirements:

SFN - SINGLE FAMILY NEIGHBORHOOD DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	100 feet
Minimum Lot Area	10,000 square feet
Maximum Lot Coverage	30%
Maximum Impervious Surface	35%
Base Density	2.9 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Setback	30 feet
Side Setback	10 feet
Rear Setback	20 feet
Maximum Height	2.5 stories - not to exceed 38 feet
Minimum Ground Floor Livable Floor Area	500 square feet
Minimum Floor Area / Unit	---
ACCESSORY BUILDING	STANDARD
Permitted Location	Side or rear yard for non-waterfront properties; Front or side yard for waterfront properties
Front Setback	15 feet for waterfront properties
Side Setback	10 feet
Rear Setback	10 feet
Principal Building Setback	10 feet
Maximum Height	24 feet
Maximum Ground Floor Area (cumulative)	≤ principal building
PARKING	STANDARD
Permitted Location	Front, side or rear yard
Front Setback	30 feet
Side Setback	10 feet
Rear Setback	10 feet

B. Additional Requirements:

1. Waterfront parcels in the SFN - Single Family Neighborhood District shall meet the requirements of waterfront properties in Article 4.

3.4.4 MHN - Mixed Housing Neighborhood District

A. Dimensional Standards:

MHN - MIXED HOUSING NEIGHBORHOOD DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	50 feet
Minimum Lot Area	3,630 square feet
Maximum Lot Coverage	60%
Maximum Impervious Surface	65%
Base Density	12 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Built-To-Line	25 feet
Side Street, Corner Lot Built-To-Line	25 feet
Side Setback	8 feet
Rear Setback	20 feet
Maximum Height	4 stories - not to exceed 60 feet
Minimum Ground Floor Livable Floor Area	400 square feet
Minimum Floor Area / Unit	400 square feet
ACCESSORY BUILDING	STANDARD
Permitted Location	Rear yard only
Front Setback	10 feet behind built-to-line
Side Setback	8 feet
Rear Setback	5 feet
Principal Building Setback	10 feet
Maximum Height	24 feet
Maximum Ground Floor Area (cumulative)	≤ principal building
PARKING	STANDARD
Permitted Location	Side or rear yard
Front Setback	---
Side Setback	5 feet
Rear Setback	10 feet

B. Additional Requirements:

1. The Mixed Housing Neighborhood District shall be subject to the US-31/M-72 Mixed Use Overlay District standards in Article 4, along with all other applicable standards of this Ordinance.
2. Waterfront parcels in the MHN - Mixed Housing Neighborhood District shall meet the requirements of waterfront properties in Article 4.
3. Attached garages shall be a minimum of ten (10) feet behind the built-to-line.

3.4.5 RMH - Residential Manufactured Housing District

A. Dimensional Standards:

RMH - RESIDENTIAL MANUFACTURED HOUSING DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	100 feet
Minimum Lot Area	10,000 square feet
Maximum Lot Coverage	30%
Maximum Impervious Surface	35%
Base Density	2.9 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Setback	30 feet
Side Setback	10 feet
Rear Setback	20 feet
Maximum Height	2.5 stories - not to exceed 38 feet
Minimum Ground Floor Livable Floor Area	500 square feet
Minimum Floor Area / Unit	---
ACCESSORY BUILDING	STANDARD
Permitted Location	Side or rear yard only
Front Setback	---
Side Setback	10 feet
Rear Setback	10 feet
Principal Building Setback	10 feet
Maximum Height	24 feet
Maximum Ground Floor Area (cumulative)	≤ principal building
PARKING	STANDARD
Permitted Location	Front, side or rear yard
Front Setback	30 feet
Side Setback	10 feet
Rear Setback	10 feet

B. Additional Requirements:

1. The requirements for manufactured home communities are prescribed under the land development options in Article 10.

3.4.6 CS - Corridor Shoreline District

A. Dimensional Standards:

CS - CORRIDOR SHORELINE DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	100 feet
Minimum Lot Area	10,890 square feet
Maximum Lot Coverage	20%
Maximum Impervious Surface	25%
Base Density	4 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Built-To-Line	30 feet
Side Street, Corner Lot Built-To-Line	25 feet
Side Setback	10 feet
Rear Setback	35 feet
Maximum Height	1 story - not to exceed 20 feet
Minimum Ground Floor Livable Floor Area	400 square feet
Minimum Floor Area / Unit	400 square feet
ACCESSORY BUILDING	STANDARD
Permitted Location	Side or rear yard for non-waterfront properties; Front or side yard for waterfront properties
Front Setback	10 feet behind built-to-line
Side Setback	8 feet
Rear Setback	---
Principal Building Setback	10 feet from built-to-line
Maximum Height	20 feet
Maximum Ground Floor Area (cumulative)	≤ principal building
PARKING	STANDARD
Permitted Location	Side yard only for waterfront parcels; Side or rear yard for non-waterfront parcels.
Front Setback	---
Side Setback	5 feet
Rear Setback	10 feet

B. Additional Requirements:

1. The Corridor Shoreline District shall be subject to the US-31/M-72 Mixed Use Overlay District standards in Article 4, along with all other applicable standards of this Ordinance.
2. Waterfront parcels in the CS - Corridor Shoreline District shall meet the requirements of waterfront properties in Article 4.
3. Attached garages shall be a minimum of ten (10) feet behind the built-to-line.
4. Accessory structures shall be allowed in the front yard of non-waterfront parcels.

3.4.7 C - Corridor Commercial District

A. Dimensional Standards:

C - CORRIDOR COMMERCIAL DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	40 feet
Minimum Lot Area	3,500 square feet
Maximum Lot Coverage	70%
Maximum Impervious Surface	85%
Base Density	14 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Built-To-Line	20 - 35 feet
Side Street, Corner Lot Built-To-Line	20 - 35 feet
Side Setback	3 feet
Rear Setback	25 feet
Maximum Height	3 stories - not to exceed 45 feet
Minimum Ground Floor Area	400 square feet
Minimum Floor Area / Unit	400 square feet
ACCESSORY BUILDING	STANDARD
Permitted Location	Rear yard only
Front Setback	---
Side Setback	3 feet
Rear Setback	10 feet
Principal Building Setback	10 feet
Maximum Height	≤ principal building
Maximum Ground Floor Area (cumulative)	≤ principal building or 2,500 square feet, whichever is less
PARKING	STANDARD
Permitted Location	Side or rear yard only
Front Setback	---
Side Setback	5 feet
Rear Setback	10 feet

B. Additional Requirements:

1. The Corridor Commercial District shall be subject to the US-31/M-72 Mixed Use Overlay District standards in Article 4, along with all other applicable standards of this Ordinance.
2. Waterfront parcels in the C - Corridor Commercial District shall meet the requirements of waterfront properties in Article 4.

3.4.8 CF - Corridor Flex District

A. Dimensional Standards:

CF - CORRIDOR FLEX DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	40 feet
Minimum Lot Area	3,000 square feet
Maximum Lot Coverage	70%
Maximum Impervious Surface	85%
Base Density	18 dwelling units / acre
PRINCIPAL BUILDING	STANDARD
Front Built-To-Line	20 feet
Side Street, Corner Lot Built-To-Line	20 feet
Side Setback	5 feet
Rear Setback	5 feet
Maximum Height	4 stories - not to exceed 60 feet
Minimum Ground Floor Area	400 square feet
Minimum Floor Area / Unit	400 square feet
ACCESSORY BUILDING	STANDARD
Permitted Location	Rear yard only
Front Setback	---
Side Setback	5 feet
Rear Setback	5 feet
Principal Building Setback	10 feet
Maximum Height	≤ principal building
Maximum Ground Floor Area (cumulative)	≤ principal building or 2,500 square feet, whichever is less
PARKING	STANDARD
Permitted Location	Side or rear yard only
Front Setback	---
Side Setback	5 feet
Rear Setback	5 feet

B. Additional Requirements:

1. The Corridor Flex District shall be subject to the US-31/M-72 Mixed Use Overlay District standards in Article 4, along with all other applicable standards of this Ordinance.
2. Waterfront parcels in the CF - Corridor Flex District shall meet the requirements of waterfront properties in Article 4.

3.4.9 LIW - Light Industrial and Warehousing District

A. Dimensional Standards:

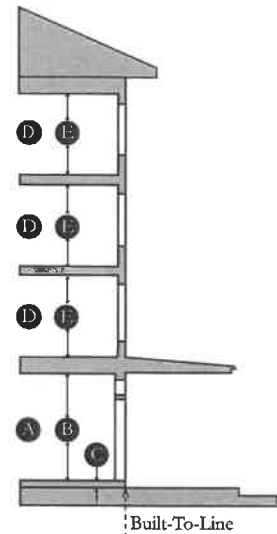
LIW - LIGHT INDUSTRIAL & WAREHOUSING DISTRICT	
LOT OCCUPATION	STANDARD
Minimum Lot Width	150 feet
Minimum Lot Area	---
Maximum Lot Coverage	70%
Maximum Impervious Coverage	85%
Base Density	---
PRINCIPAL BUILDING	STANDARD
Front Setback	40 feet
Side Setback	10 feet
Rear Setback	40 feet
Maximum Height	45 feet / 4 stories
Minimum Ground Floor Area	---
Minimum Floor Area / Unit	---
ACCESSORY BUILDING	STANDARD
Permitted Location	Rear or side yard
Front Setback	---
Side Setback	10 feet
Rear Setback	20 feet
Principal Building Setback	10 feet
Maximum Height	4 stories - not to exceed 60 feet
Maximum Ground Floor Area (cumulative)	---
PARKING	STANDARD
Permitted Location	Side or rear yard only
Front Setback	---
Side Setback	10 feet
Rear Setback	10 feet

B. Additional Requirements:

1. Except for landscape improvements and necessary drives and walks, the front yard shall remain clear and shall not be used for storage, parking, loading, unloading or necessary structures.
2. Loading space is permitted in the rear and side yard.
3. Waterfront parcels in the LIW - Light Industrial & Warehousing District shall meet the requirements of waterfront properties in Article 4.

4.2.7 Land Use Development By Floor

LAND USE	MHN	CS	C	CF
Ground Floor ^A				
Residential Use	Yes	Yes	No*	No*
Public / Private Uses	Yes	Yes	Yes	Yes
Transportation / Utility Uses	Yes	Yes	Yes	Yes
Office Uses	No	Yes	Yes	Yes
Commercial Uses	No	Yes	Yes	Yes
Lodging Uses	No	No	Yes	Yes
Ceiling Height (min.) ^B	9'	---	14'	14'
Finish Level Above Grade (max.) ^C	4'	4'	1'	1'
Upper Floors ^D				
Residential Uses	Yes	Yes	Yes	Yes
Public / Private Uses	Yes	No	Yes	Yes
Transportation / Utility Uses	No	No	No	No
Office Uses	No	Yes	Yes	Yes
Commercial Uses	No	No	Yes	Yes
Lodging Uses	No	No	Yes	Yes
Ceiling Height (min.) ^E	9'	---	9'	9'



* Customary accessory uses may occupy the rear ground floor in the C and CF districts provided a minimum depth of fifty (50) feet along the front of the ground floor is provided for non-residential uses. Residential may be located on the entire ground floor as a part of a multiple family residential project.

4.2.8 Canopies and Awnings

Canopies and awnings may be required and may encroach over the built-to-line and/or setbacks to the maximum extent indicated below, but shall not exceed over the property line:

- A. Front: 10 feet
- B. Side: 10 feet
- C. Rear: 5 feet

4.2.9 Facade Components and Materials (All Buildings Except Residential-Only)

A. Windows and Transparency:

1. A minimum of seventy five (75%) percent of the ground floor story front facade between two (2) feet and eight (8) feet above the sidewalk must be comprised of transparent, non-reflective windows into the nonresidential space.
2. A minimum of thirty (30%) percent of the upper story front facade measured floor to floor shall have transparent, non-reflective, vertically oriented windows.

- B. Facade Ornamentation: All visible elevations shall include decorative features such as cornices, pilasters, and friezes. Building recesses and protrusions will be required on larger buildings to break long uninterrupted building walls.

East Bay Township

ARTICLE IV DISTRICT USES

SECTION 400 RESIDENTIAL DISTRICT USES

Buildings and/or lots within Residential districts shall be used as follows;

SECTION 401 LOW DENSITY RESIDENTIAL DISTRICT, LDR (Revised 5/14/18)

1. **INTENT.** The LDR Low Density Residential District is intended to provide for an environment of predominantly moderate-density, one-family detached dwellings along with other residentially-related facilities which serve the residents in the district.

PERMITTED USES

- ◆ Accessory buildings with floor area less than or equal to the footprint of the principal building, and up to 150% of such footprint on parcels of at least 40,000 square feet.* **(Revised 5/5/12)**
- ◆ Accessory dwelling units subject to section 234 **(Revised 2/12/18)**
- ◆ Dwelling, detached single family *
- ◆ Dwelling, Two-Family in Windcrest Hills, Earlington Hills and Chateau Heights Platted subdivisions only.
- ◆ Essential Service Facility, Routine
- ◆ Golf courses and related accessory uses
- ◆ Subdivisions, and condominium subdivisions, clustered or traditional subject to Sections 226, 222 and the Subdivision Control Ordinance.
- ◆ Home occupations subject to Section 217*
- ◆ Public parks
- ◆ Bed and Breakfast* three or less guest rooms, subject to Section 234 **(Revised 2/10/2020)**

* **Denotes uses that do not require site plan review. All such uses shall, however, be subject to the requirements for the issuance of a Land Use Permit.**

SPECIAL LAND USES

- ◆ Accessory buildings with floor area greater than the footprint of the principal building on parcels of up to 40,000 square feet, and with floor area greater than 150% of such footprint on all other parcels. **(Revised 5/5/12)**
- ◆ Cemeteries
- ◆ Dwelling, Two-Family, subject to Section 644 **(Revised 7/9/12)**
- ◆ Essential Service Facility, Major
- ◆ Group Day Care (7-12 children)
- ◆ Education Facilities
- ◆ Places of public assembly, large and small, subject to Section 636
- ◆ Planned Unit Developments, subject to Section 637
- ◆ Township Uses
- ◆ Bed and Breakfast* four to ten guest rooms, subject to Section 234 **(Revised 2/10/20)**

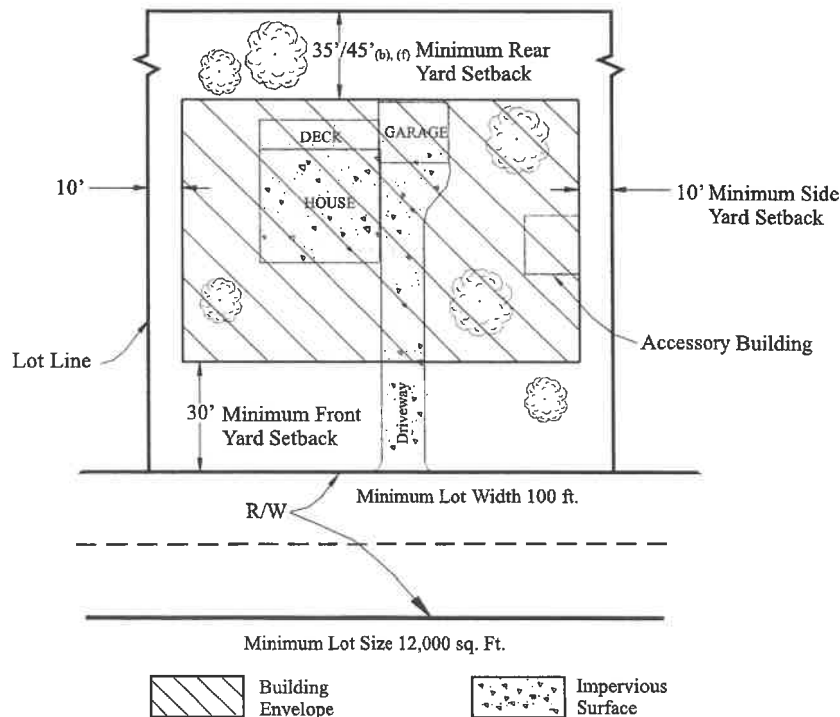
ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 820 for all uses other than accessory buildings with floor area less than or equal to the footprint of the principal structure, detached single family dwellings and home occupations
- ◆ Parking and Loading requirements subject to Article VII
- ◆ Signage requirements subject to Section 215
- ◆ Lighting requirements, subject to Section 210
- ◆ Landscaping and Buffering requirements, subject to Section 229

DISTRICT REGULATIONS

- ◆ **Minimum Lot Area:** 12,000 sq. ft
 - ◆ **Minimum Lot Area w/o Community Water and Sewer:** 40,000 sq. feet
 - ◆ **Minimum Lot Width:** 100 ft.
 - ◆ **Minimum Lot Width w/o Community Water and Sewer:** 150 ft.
 - ◆ **Maximum Dwelling Units/Acre:** 3 (plus one accessory dwelling unit) (Revised 2/12/18)
 - ◆ **Maximum Dwelling Units/Acre w/o Community Water and Sewer:** 1
 - ◆ **Maximum Building Height:** 2½ stories, or 35'
 - ◆ **Minimum Building Setbacks:** (a)
 - Front: 30 ft.
 - Side: 10 ft. (each side)
 - Rear: 35 ft. (b)
 - ◆ **Maximum Lot Coverage:** N/A
 - ◆ **Minimum Floor Area:** 768 sq. ft.
 - ◆ **Minimum Living Space Dimensions:** 24' x 24'
- (a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- (b) The rear yard setback shall be 45 feet from elevation 581' USGS datum for properties located on Grand Traverse Bay.

LDR DISTRICT



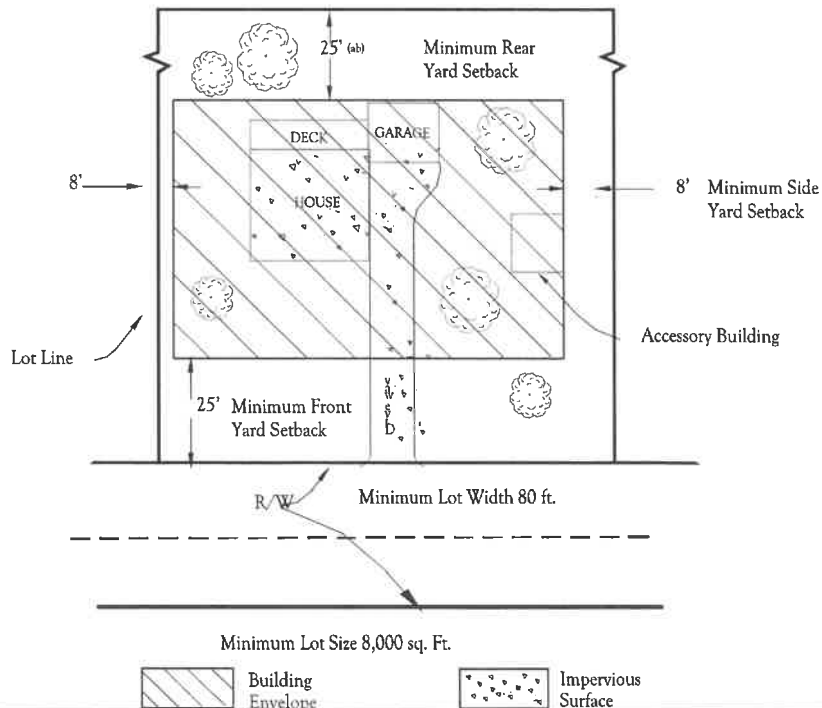
DISTRICT REGULATIONS (Revised 12/31/08 and 5/23/2022)

- ◆ **Minimum Lot Area:** 8,000 sq. ft. (plus 7,500 sq. ft. for each additional unit on the same parcel)
- ◆ **Minimum Lot Area w/o Community Water and Sewer:** 40,000 sq. ft
- ◆ **Minimum Lot Width:** 80 ft.
- ◆ **Minimum Lot Width w/o Community Water and Sewer:** 150 ft.
- ◆ **Maximum Dwelling Units/Acre:** 5 (plus one accessory dwelling units) (Revised 2/12/18)
- ◆ **Maximum Dwelling Units/Acre w/o Community Water and Sewer:** 1
- ◆ **Maximum Building Height:** 2½ stories, or 35'
- ◆ **Maximum Building Height w/o Community Water and Sewer:** 1
- ◆ **Minimum Building Setbacks** ^(a)
 - Front: 25 ft.
 - Side: 8 ft. (each side)
 - Rear: 25 ft. ^(b)
- ◆ **Maximum Lot Coverage:** N/A
- ◆ **Minimum Floor Area (One Family):** 768 sq. ft.
- ◆ **Minimum Floor Area (Two Family):** 576 sq. ft.
- ◆ **Minimum Floor Area (Multi-Family):** 400 sq. ft.
- ◆ **Minimum Living Space Dimensions:** 24' x 24'

(a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.

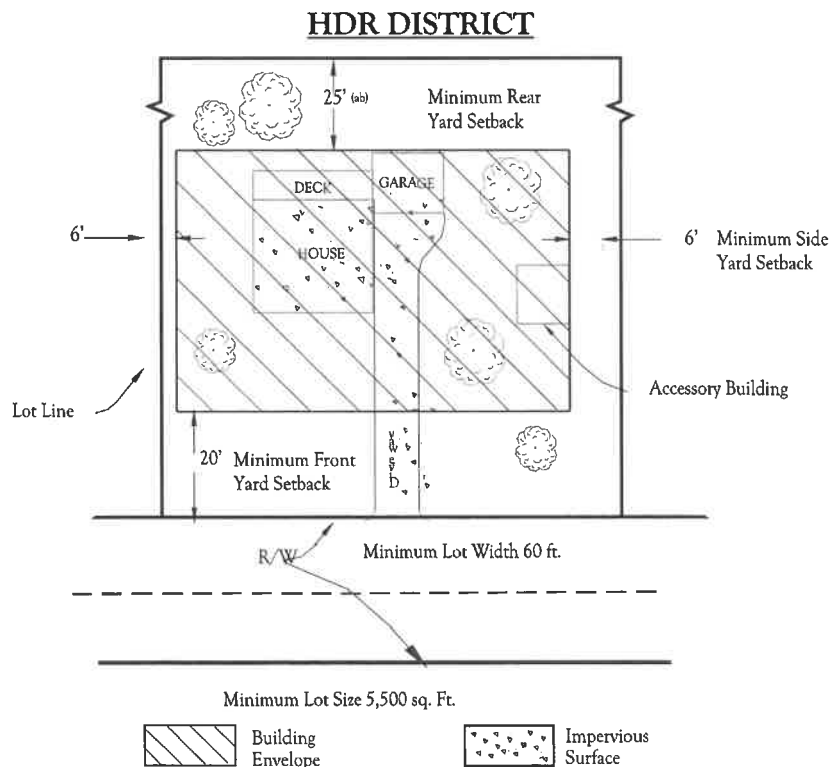
(b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.

MDR DISTRICT



DISTRICT REGULATIONS (Revised 12/31/08, 7/13/2020, and 5/23/22)

- ◆ **Minimum Lot Area, 1st unit:** 5,500 sq. ft. (Plus 4,800 sq. ft. for each additional unit on the same parcel)
 - ◆ **Minimum Lot Area w/o Community Water and Sewer:** 40,000 sq. ft.
 - ◆ **Minimum Lot Width:** 60 ft.
 - ◆ **Minimum Lot Width w/o Central Water and Sewer:** 150 ft.
 - ◆ **Maximum Dwelling Units/Acre:** 8 (Plus one accessory dwelling unit) **(Revised 2/12/18)**
 - ◆ **Maximum Dwelling Units/Acre w/o Central Water and Sewer:** 1
 - ◆ **Maximum Building Height:** 3 stories, or 40' **(Revised 07/24/20)**
 - ◆ **Minimum Building Setbacks:** ^(a)
 - Front: 20 ft.
 - Side: 6 ft. (each side)
 - Rear: 25 ft. ^(b)
 - ◆ **Maximum Lot Coverage:** N/A
 - ◆ **Minimum Floor Area (One Family):** 768 sq. ft.
 - ◆ **Minimum Floor Area (Multi-Family):** 400 sq. ft.
 - ◆ **Minimum Living Space Dimensions:** 12' width
- ^(a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- ^(b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.



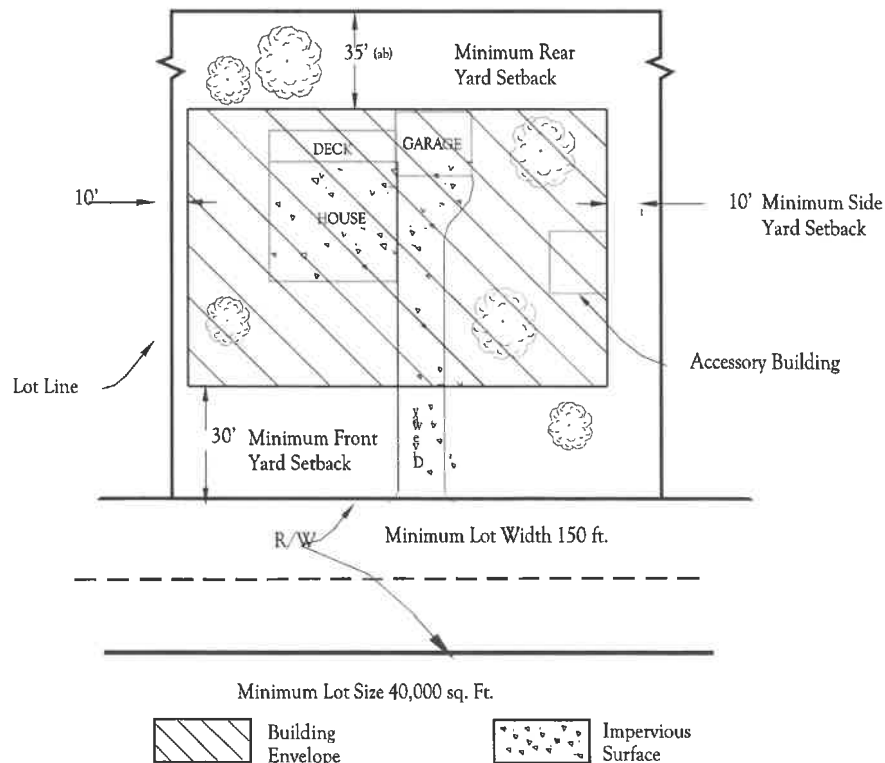
DISTRICT REGULATIONS

- ◆ **Minimum Lot Area:** 40,000 sq. ft.
- ◆ **Minimum Lot Width:** 150 ft.
- ◆ **Maximum Dwelling Units/Acre:** 1
- ◆ **Maximum Building Height:** 2½ stories, or 35'
- ◆ **Minimum Building Setbacks:** ^(a)
 - Front: 30 ft.
 - Side: 10 ft. (each side)
 - Rear: 35 ft. ^(b)
- ◆ **Maximum Lot Coverage:** N/A
- ◆ **Minimum Living Space Dimensions:** 24' x 24'
- ◆ **Minimum Floor Area (One Family):** 768 sq. ft.

Minimum Floor Area (Two-Family): 576 sq. ft.

- ^(a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- ^(b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.

RR DISTRICT



DISTRICT REGULATIONS

- ◆ **Minimum Lot Area:** 40,000 sq. ft.
- ◆ **Minimum Lot Width:** 150 ft.
- ◆ **Maximum Dwelling Units/Acre:** 1
- ◆ **Maximum Building Height:** 2½ stories, or 35'
- ◆ **Minimum Building Setbacks** ^(a)

Front: 30 ft.

Side: 10 ft. (each side)

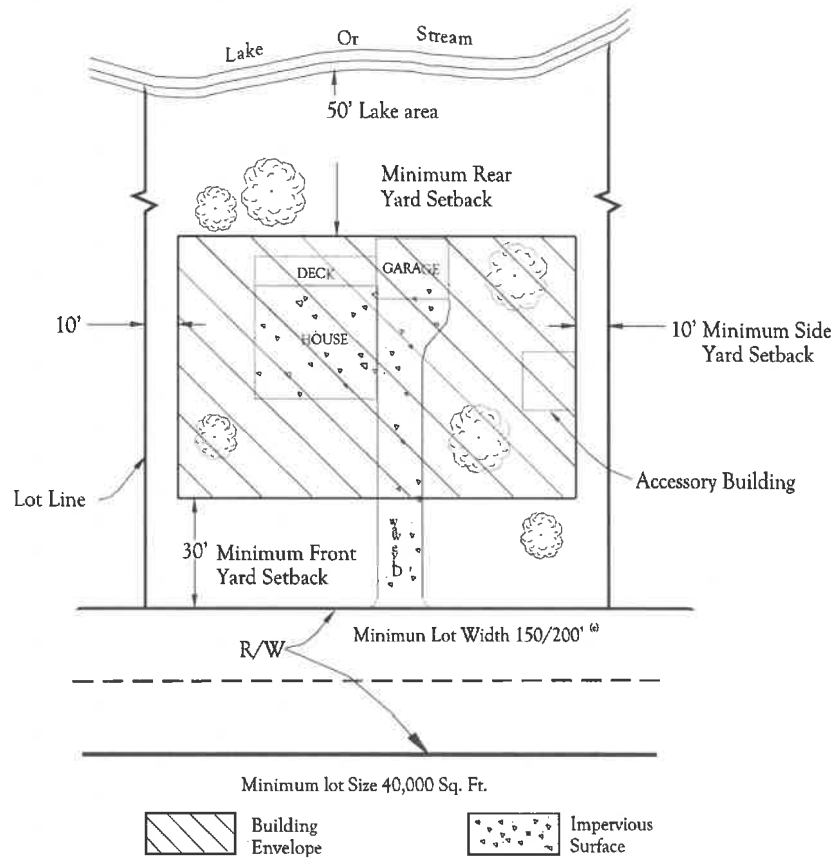
Rear: 35 ft. ^(b)

- ◆ **Maximum Lot Coverage:** N/A
- ◆ **Minimum Living Space Dimensions:** 24' x 24'
- ◆ **Minimum Floor Area (One Family):** 768 sq. ft.

(a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.

(b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.

LA DISTRICT



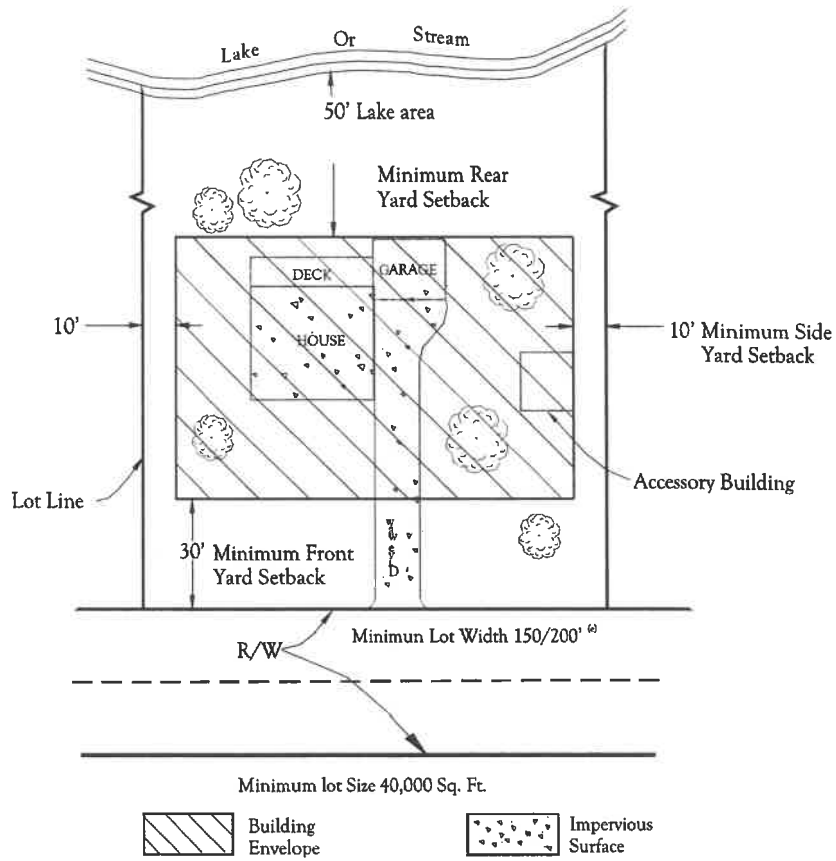
DISTRICT REGULATIONS

- ◆ **Minimum Lot Area:** 40,000 sq. ft.
- ◆ **Minimum Lot Width:** 150 ft.
- ◆ **Maximum Dwelling Units/Acre:** 1
- ◆ **Maximum Building Height:** 2½ stories, or 35'
- ◆ **Minimum Building Setbacks** ^(a)
 - Front: 30 ft.,
 - Side: 10 ft. (each side)
 - Rear: 35 ft. ^(b)

- ◆ **Maximum Lot Coverage:** N/A
- ◆ **Minimum Living Space Dimensions:** 24' x 24'
- ◆ **Minimum Floor Area (One Family):** 768 sq. ft.

- ^(a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- ^(b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.

LA DISTRICT

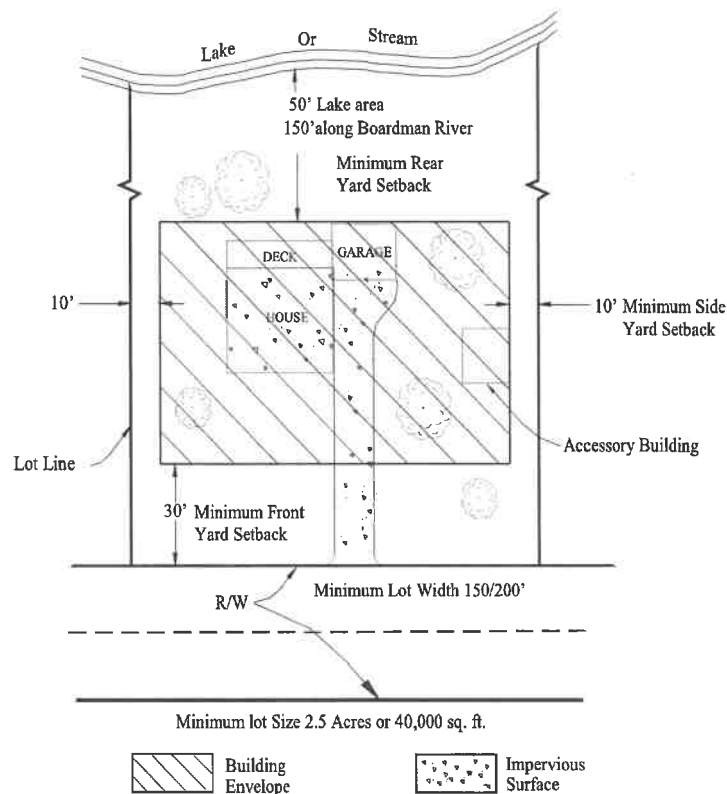


DISTRICT REGULATIONS

- ◆ **Minimum Lot Area:** 40,000 sq. ft.
- ◆ **Minimum Lot Area Within 400' of the Boardman River:** 2½ acres
- ◆ **Minimum Lot Width:** 150 ft.
- ◆ **Minimum Lot Width Within 400' of the Boardman River:** 200 ft.
- ◆ **Maximum Dwelling Units/Acre:** 1
- ◆ **Maximum Building Height:** 2½ stories, or 35'
- ◆ **Minimum Building Setbacks:** ^(a)
 - Front: 30 ft.
 - Side: 10 ft. (each side)
 - Rear: 35 ft.
- ◆ **Maximum Lot Coverage:** N/A
- ◆ **Minimum Living Space Dimensions:** 24' x 24'
- ◆ **Minimum Floor Area (One Family):** 768 sq. ft.

(a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.

BR DISTRICT

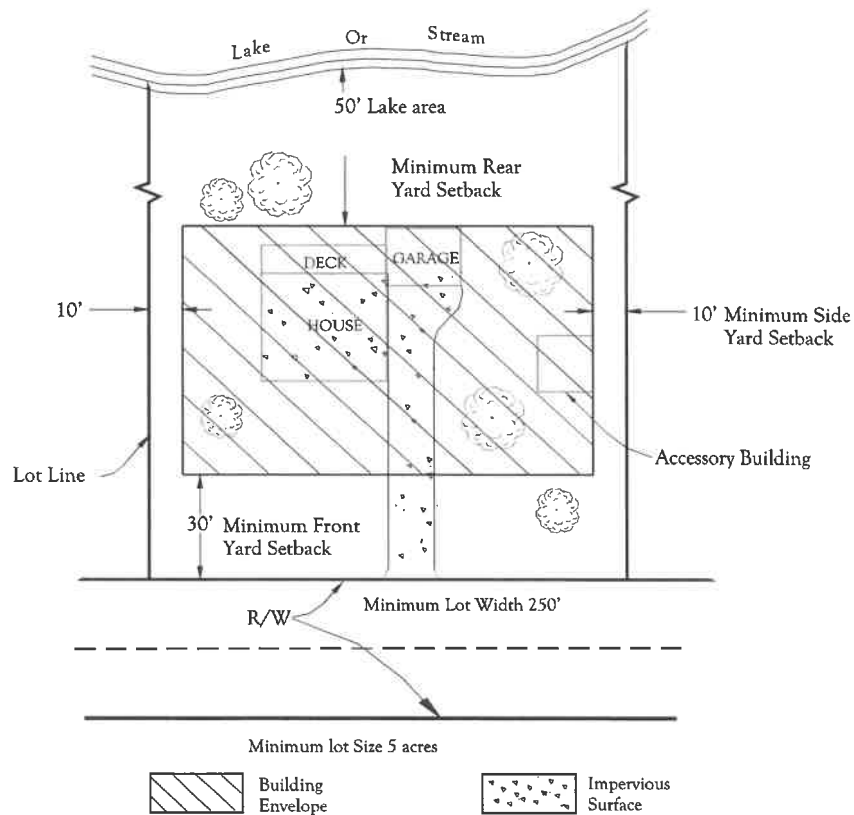


DISTRICT REGULATIONS

- ◆ **Minimum Lot Area:** 5 acres
- ◆ **Minimum Lot Width:** 250 ft
- ◆ **Maximum Dwelling Units/Acre:** 0.2
- ◆ **Maximum Building Height:** 2½ stories, or 35'
- ◆ **Minimum Building Setbacks:** ^(a)
 - Front: 30 ft.
 - Side: 10 ft. (each side)
 - Rear: 35 ft. ^(b)
- ◆ **Maximum Lot Coverage:** N/A
- ◆ **Minimum Living Space Dimensions:** 24' x 24'
- ◆ **Minimum Floor Area (One Family):** 768 sq. ft.

- (a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- (b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.

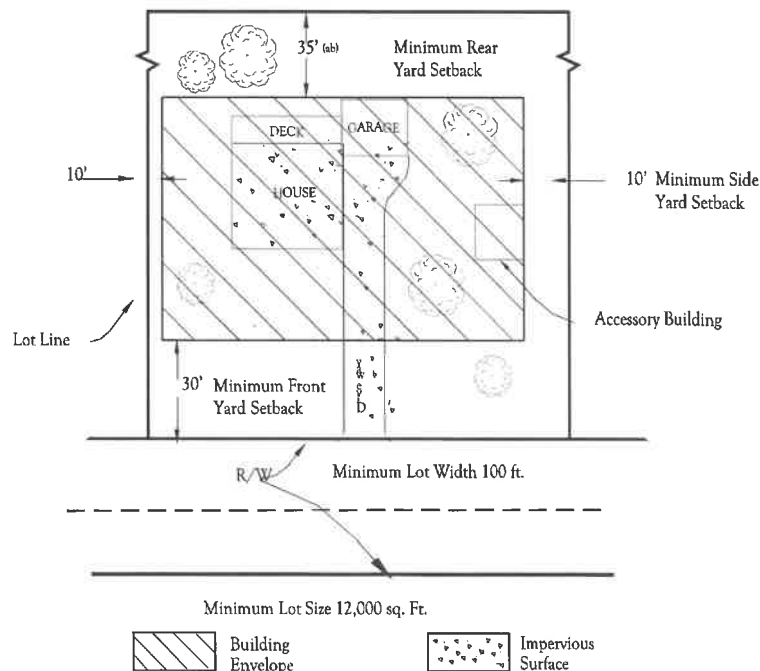
NA DISTRICT



DISTRICT REGULATIONS (Revised 10/25/16 and 5/23/22)

- ◆ **Minimum Lot Area:** 12,000 sq. ft.
 - ◆ **Minimum Lot Area w/o Community Water and Sewer:** 40,000 sq. ft.
 - ◆ **Minimum Lot Width:** 100 ft.
 - ◆ **Minimum Lot Width w/o Community Water and Sewer:** 150 ft.
 - ◆ **Maximum Dwelling Units/Acre:** 12
 - ◆ **Maximum Dwelling Units/Acre w/o Community Water and Sewer:** 1
 - ◆ **Maximum Building Height:** 2½ stories, or 40'
 - ◆ **Minimum Building Setbacks ^(a)**
 - Front: 30 ft.
 - Side: 10 ft. (each side)
 - Rear: 35 ft. ^(b)
 - ◆ **Maximum Lot Coverage:** N/A
 - ◆ **Minimum Living Space Dimensions:** 12' width
 - ◆ **Minimum Floor Area (One Family):** 768 sq. ft.
 - ◆ **Minimum Floor Area (Multi-Family):** 400 sq. ft.
- (a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- (b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.

MHC DISTRICT



ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 820.
- ◆ Parking and Loading requirements subject to Article VII; in addition, parking will be required to be well buffered using aesthetic fencing, landscaping or other screening. Parking will be positioned to the rear of the primary use where possible.
- ◆ Lighting requirements, subject to Section 210.
- ◆ Landscaping and Buffering requirements, subject to Section 229.

DISTRICT REGULATIONS (Revised 12/28/15, 2/28/19, and 5/23/22)

- ◆ **Minimum Lot Area:** 20,000 sq. ft.
 - ◆ **Minimum Lot Width:** 100 ft.
 - ◆ **Maximum Dwelling Units/Acre:** 8 (Plus one accessory dwelling unit) (Revised 2/12/18)
 - ◆ **Minimum Floor Area (Single Family):** 768 sq ft
 - ◆ **Minimum Floor Area (Two-Family):** 576 sq ft
 - ◆ **Minimum Floor Area (Multi-Family):** 400 sq ft
 - ◆ **Max. Height:** 2½ stories, or 35'
 - ◆ **Minimum Building Setbacks:**
 - Front: 30 ft. ^(a)
 - Side: 10 feet each side
 - Rear: 20 ft.
 - ◆ **Maximum Building Footprint:** 30,000 sq. ft. ^(b)
- ^(a) Buildings shall be setback 100'; from the centerline of Hammond Road and Three Mile Road and 53' from the centerline of Carlisle Road (Revised 3/8/19)
- ^(b) The Planning Commission may approve exceptions to allow a larger building footprint pursuant to Section 504, 3 and Section 624
- Minimum Floor Area (Two Family):** 576 sq ft

2. **USES PERMITTED BY RIGHT:** The following uses are permitted, subject to the requirements of Site Plan Review as set forth in Article VIII, Section 820 of the Zoning Ordinance.
- a. Accessory buildings with floor area less than or equal to the foot print of the principal structure.
 - b. Accessory uses related to uses permitted by right. Such uses shall not require site plan review.
 - c. Antique Store
 - d. Appliance Sales and Repair
 - e. Bakery and Confectionery Shop
 - f. Banks

ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 820 for all uses other than accessory uses related to uses permitted by right.
- ◆ Parking and Loading requirements subject to Article VII
- ◆ Signage requirements subject to Section 215
- ◆ Lighting requirements, subject to Section 210
- ◆ Landscaping and Buffering requirements, subject to Section 229

DISTRICT REGULATIONS (Revised 12/28/15 and 5/23/22)

- ◆ **Minimum Lot Area:** 25,000 sq. ft.
 - ◆ **Minimum Lot Area w/o Community Water or Sewer:** 40,000 sq. ft.
 - ◆ **Minimum Lot Width:** 125 ft.
 - ◆ **Minimum Lot Width w/o Public Water or Sewer:** 150 ft.
 - ◆ **Maximum Dwelling Units/Acre:** 8
 - ◆ **Maximum Dwelling Units/Acres w/o Central Water and Sewer:** 1
 - ◆ **Maximum Building Height:** 2½ stories, or 35'
 - ◆ **Minimum Building Setbacks:** ^(a)
 - Front: 30 ft.
 - Side: 10 ft. (each side)
 - Rear: 20 ft. ^(b)
 - ◆ **Maximum Lot Coverage:** N/A
 - ◆ **Minimum Floor Area (Single family):** 768 sq. ft.
 - ◆ **Minimum Floor Area (Two Family):** 576 sq. ft.
 - ◆ **Minimum Floor Area (Multi-Family):** 400 sq. ft.
 - ◆ **Maximum Building Footprint:** 30,000 sq. ft. ^(c)
- ^(a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- ^(b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.
- ^(c) The Planning Commission may approve exceptions to allow a larger building footprint pursuant to Section 504, 3 and Section 624

2. **USES PERMITTED BY RIGHT:** The following uses are permitted, subject to the requirements of Site Plan Review as set forth in Article VIII, Section 820 of the Zoning Ordinance.
- a. Accessory buildings with floor area less than or equal to the footprint of the principal building, and up to 150% of such footprint on parcels of at least 40,000 square feet. Such uses shall not require site plan review by the Planning Commission. **(Revised 5/5/12)**

SPECIAL LAND USES

- ◆ Accessory buildings with floor area greater than the footprint of the principal structure
- ◆ Billboards
- ◆ Commercial establishments with drive-through facilities
- ◆ Fitness Centers
- ◆ Laundry and dry cleaning establishment
- ◆ Planned Unit Developments, subject to Section 637
- ◆ Adult Businesses
- ◆ Car wash, if connected to public sewer
- ◆ Dwelling, multiple
- ◆ Essential Service Facility, Major
- ◆ Personal wireless communication facilities
- ◆ Combinations of uses permitted by right or as special land uses, subject to Section 412.6.

ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 820 for all uses other than accessory uses related to uses permitted by right
- ◆ Parking and Loading requirements subject to Article VII
- ◆ Signage requirements subject to Section 215
- ◆ Lighting requirements, subject to Section 210
- ◆ Landscaping and Buffering requirements, subject to Section 229.
- ◆ Regional Business site development standards, subject to Section 412,6

DISTRICT REGULATIONS (Revised 12/28/15)

- ◆ **Minimum Lot Area:** 20,000 sq. ft.
- ◆ **Minimum Lot Width:** 100 ft.
- ◆ **Maximum Dwelling Units/Acre:** N/A
- ◆ **Maximum Building Height:** 35'/50^(a)
- ◆ **Minimum Building Setbacks:**
 - Front 30 ft.
 - Side 10 ft.^(b) / 15 ft.^(c)
 - Rear 20 ft. ^(d)
- ◆ **Maximum Lot Coverage:** N/A
- ◆ **Maximum Building Footprint:** 30,000 sq. ft.^(e)
- ^(a) For parcels south of US-31
- ^(b) Adjoining another commercial use
- ^(c) Adjacent to a detached single family dwelling
- ^(d) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay and 100' for properties located on Mitchell and Baker Creeks.
- ^(e) The Planning Commission may approve exceptions to allow a larger building footprint pursuant to Section 504, 3 and Section 624

2. **USES PERMITTED BY RIGHT:** The following uses are permitted, subject to the requirements of Site Plan Review as set forth in Article VIII, Section 820 of the Zoning Ordinance.

a. Accessory buildings with floor area less than or equal to the foot print of the

DISTRICT REGULATIONS (Revised 12/28/15 and 3/26/16)

- ◆ **Minimum Lot Area:** 20,000 sq. ft.
 - ◆ **Minimum Lot Width:** N/A
 - ◆ **Maximum Dwelling Units/Acre:** N/A
 - ◆ **Maximum Building Height:** 35 ft.
 - ◆ **Minimum Building Setbacks:**
 - Front: 20 ft.
 - Side: 10 ft.
 - Rear ^(a): 20 ft.
 - ◆ **Maximum Lot Coverage:** N/A
 - ◆ **Minimum Floor Area:** N/A
 - ◆ **Maximum Building Footprint:** 30,000 sq. ft.^(b)
- (a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- (b) The Planning Commission may approve exceptions to allow a larger building footprint pursuant to Section 504, 3 and Section 624.

2. **USES PERMITTED BY RIGHT:** The following uses shall be permitted, subject to the requirements of Site Plan Review by the Township Planning Commission as set forth in Article VIII, Section 820.
- a. Accessory buildings with floor area less than or equal to the footprint of the principal structure.
 - b. Accessory uses related to uses permitted by right.
 - c. Banks, credit unions, savings and loan associations and similar uses.
 - d. Combinations of the uses permitted by right in the PO district, subject to Section 413.6.
 - e. Essential Service Facility, Routine.
 - f. Mobile Food Vehicle
 - g. Professional Offices, including offices for any of the following: executive, administrative, professional, accounting, writing, clerical, stenographic, drafting, sales, and related occupations; subject to the following limitations:
 - 1) No interior display shall be visible from the exterior of the building.
 - 2) No outdoor storage of goods or materials shall be permitted.
 - 3) No warehousing or indoor storage of goods or material, beyond that normally incident to the above uses shall be permitted.
 - h. Medical or dental clinics and offices, provided that no patients are accommodated overnight.
 - i. Publicly owned buildings, exchanges and public utility offices, but not including storage yards, transformer stations, substations or gas regulator stations.

SECTION 414 AIRPORT SERVICES DISTRICT, AS (Revised 11/5/16 and 12/24/16)

1. **INTENT.** The Airport Services District is intended to encourage a mix of uses which primarily, but not exclusively, cater to the aviation industry and/or air travelers. It is intended that this district would serve the needs of Cherry Capital Airport and those businesses and individuals who rely on air transportation; be compatible with the Airport Zoning Act, Act 23 of 1950, as amended; and provide a pleasing and well-designed transitional buffer between the airport and nearby residential districts. The AS District is also intended that access will be limited to as few curb cuts as possible, landscaping will be plentiful, natural buffers will be maintained, and uses within this district will be oriented and designed in manner which provides a welcoming gateway to the region.

BUILDING TYPES PERMITTED

- ◆ Single or multi-story structures which encourage a mix of uses.

PERMITTED USES

- ◆ Retail, lodging, offices, personal/business service uses, and multiple-family residential. (Sexually-oriented businesses, outdoor storage and sales, and drive-through facilities are specifically excluded.)
- ◆ Mobile Food Vehicle, subject to Section 236 **(Revised 2/20/21)**
- ◆ Mobile Food Court, subject to Section 236 **(Revised 2/20/21)**

DIMENSIONAL AND BULK STANDARDS

- ◆ All buildings shall meet all of the following dimensional and bulk standards:
 - A. Parcel Depth: 150' minimum
 - B. Parcel Width: 75' minimum
 - C. Street/Front Setback: 25' maximum on South Airport Road and 20' maximum on Townline Road.
 - D. Side Setbacks: 0', except when adjacent to a single-family dwelling, then 25' minimum on the side setback adjacent to a single-family dwelling.
 - E. Rear Setback: 100' minimum from Mitchell Creek or 15' minimum otherwise.
 - F. Building Height: 20' minimum height to a 40' maximum height. Maximum of three (3) stories.
 - G. Maximum Impervious Surface Coverage: 70 percent of gross area of the parcel. (Impervious Surfaces include all areas which prevent the free infiltration of water).
 - H. Maximum Building Footprint: 30,000 square feet.
 - I. Off-Street Parking: All off-street parking shall be located to the side or rear of the parcel and shall not front on South Airport Road or Townline Road with the exception of an access driveway. One (1) space per employee and one (1) space per apartment or hotel room. For all other uses and parking lot design requirements, please refer to Article VII. Parking areas consisting of more than 30 parking spaces shall incorporate viable planting islands of not less than 400 square feet for each 30 parking spaces or fraction thereof. Within parking lots exceeding 50 spaces, pedestrian walkways shall be

SPECIAL LAND USES

- ◆ Accessory buildings with floor area greater than the footprint of the principal building on parcels of up to 40,000 square feet, and with floor area greater than 150% of such footprint on all other parcels. (Rev. 5/5/12)
- ◆ Combination of uses permitted by right or as special land uses, subject to Section 415.5 (**Revised 5/23/22**)
- ◆ Essential Service Facility, Major
- ◆ Fitness Centers, subject to the provisions of Section 623
- ◆ Limited Retail Sales, subject to the provisions of Section 639
- ◆ Personal wireless communication facilities, subject to the provisions of Section 634
- ◆ Planned Unit Developments, subject to Section 637
- ◆ Vehicle Repair Facilities, subject to Section 638

ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 820 for all uses other than accessory buildings with floor area less than or equal to the footprint of the principal structure, detached single family dwellings in other than a cluster sub-division and permitted commercial or industrial development within an approved planned. (**Revised 4/21/07**)
- ◆ Parking and Loading requirements subject to Article VII
- ◆ Signage requirements subject to Section 215
- ◆ Lighting requirements, subject to Section 210
- ◆ Landscaping and Buffering requirements, subject to Section 229

DISTRICT REGULATIONS (Revised 12/28/15)

- ◆ **Minimum Lot Area:** 40,000 sq. ft.
 - ◆ **Minimum Industrial Area:** 10 acres
 - ◆ **Minimum Lot Width:** 150 feet
 - ◆ **Maximum Dwelling Units/Acre:** N/A
 - ◆ **Maximum Building Height:** 50 feet
 - ◆ **Minimum Building Setbacks:**
 - Front: 40 ft.
 - Side: 20 ft.
 - Rear ^(a): 40 ft.
 - ◆ **Maximum Lot Coverage:** 50%
 - ◆ **Minimum Floor Area:** N/A
 - ◆ **Maximum Building Footprint:** 50,000 sq. ft.^(b)
- (a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- (b) The Planning Commission may approve exceptions to allow a larger building footprint pursuant to Section 504, 3 and Section 624.

ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 820 for all uses other than accessory buildings with floor area less than or equal to the footprint of the principal structure, keeping of animals, detached single family dwellings, farm operations and farm buildings, home occupations, outdoor storage of up to 4 recreational vehicles (R.V.s), commercial agriculture, accessory uses related to uses permitted by right and forestry and wildlife management.
- ◆ Parking and Loading requirements subject to Article VII
- ◆ Signage requirements subject to Section 215
- ◆ Lighting requirements, subject to Section 210
- ◆ Landscaping and Buffering requirements, subject to Section 229.

DISTRICT REGULATIONS

- ◆ **Minimum Lot Area:** 40,000 sq. ft.
- ◆ **Minimum Lot Width:** 150 ft.
- ◆ **Maximum Dwelling Units/Acre:** 1
- ◆ **Maximum Building Height:** 2½ stories, or 35'
- ◆ **Minimum Building Setbacks:** ^(a)
 - Front 30 ft.
 - Side 10 ft. (each side)
 - Rear 35 ft.
- ◆ **Maximum Lot Coverage:** N/A
- ◆ **Minimum Living Space Dimensions:** 24' x 24'
- ◆ **Minimum Floor Area (One family):** 768 sq. ft.

^(a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on Mitchell and Baker Creeks where the setback shall be 100 feet.

2. **USES PERMITTED BY RIGHT.** A building or parcel within the AG district shall be used for the following purposes only:
- a. Accessory buildings with floor area less than or equal to the footprint of the principal building, and up to 150% of such footprint on parcels of at least 40,000 square feet. Such uses shall not require site plan review by the Planning Commission. (Revised 5/5/12)
 - b. Accessory uses related to uses permitted by right. Such uses shall not require site plan review unless required for the principal use.
 - c. Animals; raising, grazing, feeding or training, boarding and/or stabling. This includes the keeping of horses. No enclosure or space for the disposing of pelt producing animals, pelts, carcasses or waste products shall be located less than 1,000 feet from any adjoining property and/or highway right-of-way. Such uses shall not require site plan review.
 - d. Commercial agriculture. Such uses shall not require site plan review.
 - e. Dwelling, detached single family. Such uses shall not require site plan review.

SECTION 423 Pocket Neighborhood Residential District, PNR (Revised 6/12/17)

1. **INTENT.** The PNR, Pocket Neighborhood Residential (PNR) district is intended to provide appropriate locations for well-designed, affordable, smaller footprint owner-occupied and renter-occupied one-family and two-family detached dwellings, such as bungalow courts and cottage clusters. Pocket neighborhoods should be aesthetically pleasing and of sound construction which is well-maintained throughout the project's intended lifespan. The PNR district is meant to be a transitional zoning district between more intensive and less intensive zoning classifications. Pocket residential neighborhoods must be served by public utilities and should be situated in close proximity to community services such as schools, parks, trails, local businesses, and similar uses.

PERMITTED USES

- ◆ Bungalow courts and cottage clusters, subject to Section 647
- ◆ Minor accessory buildings, carports, and garages*
- ◆ Essential Service Facility, Routine
- ◆ Home occupations subject to Section 217, but only permitted within the dwelling*
- ◆ Public parks, particularly pocket parks
- * **Denotes uses that do not require site plan review. All such uses shall, however, be subject to the requirements for the issuance of a Land Use Permit.**

ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 820 for all uses, other than minor accessory buildings, garages, carports, detached single-family dwellings, two-family dwellings, and home occupations.
- ◆ Parking and Loading requirements, subject to Article VII.
- ◆ Bungalow courts and cottage clusters, subject to Section 647.
- ◆ Signage requirements, subject to Section 215.
- ◆ Lighting requirements, subject to Section 210.
- ◆ Landscaping and Buffering requirements, subject to Section 229.

DISTRICT REGULATIONS ^(a)

- ◆ **Minimum Lot Area:** 3,000 sq. ft.
 - ◆ **Maximum Number of Units:** 40
 - ◆ **Maximum Dwelling Units/Acre:** 12
 - ◆ **Maximum Building Height:** 26 feet
 - ◆ **Minimum Building Setbacks:** ^(b)
 - Front 25 ft.
 - Side 7 ft. (each side)
 - Rear 20 ft. ^(b)
 - ◆ **Maximum Lot Coverage:** N/A
 - ◆ **Minimum Floor Area:** 400 sq. ft.
 - ◆ **Maximum Floor Area:** 1,200 sq. ft.
- ^(a) For regulations pertaining to bungalow courts and cottage clusters, see Section 647.
- ^(b) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- ^(c) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.

SECTION 505

1. Required minimum front, side and rear yards, (dimensions in feet and measured from the appropriate property line or street right-of-way, provided; however, that accessory buildings may be constructed not closer than 20 feet from the front or rear property line or street right-of-way), and maximum structure height. Provided that within the Mitchell Creek and Baker Creek Overlay District, setback requirements may be modified to protect sensitive natural features.

TABLE NUMBER 1 - YARD SETBACKS and STRUCTURE HEIGHTS

(Rev. 1/27/14, 10/25/16, 6/12/2017 and 7/24/20)

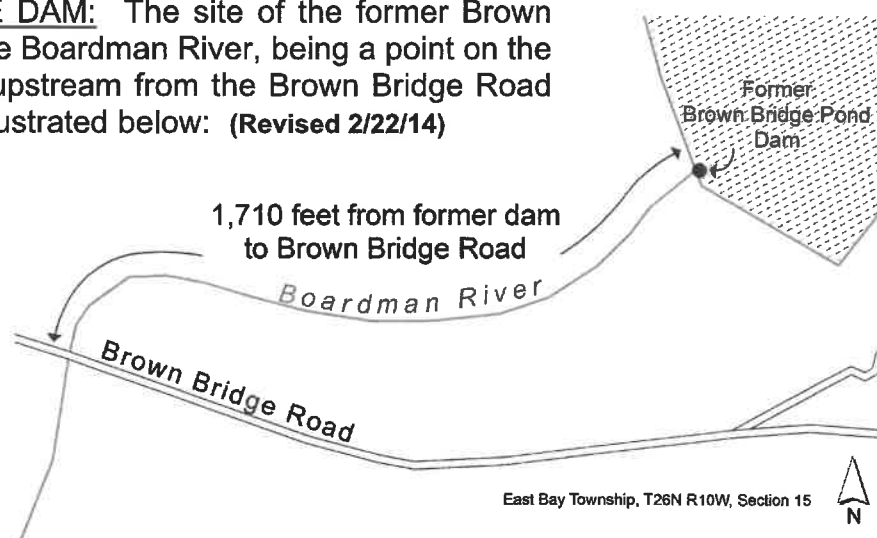
Zoning District	Front ^(j) (Street)	Each Side ^(j)	Rear ^(j)	Maximum Height Stories ^(g)	Maximum Height Feet ^(g)
LDR	30	10	35/45 ^{(b) (f)}	2-1/2	35
MDR	25	8	25 ^(f)	2-1/2	35
HDR	20	6	25 ^(f)	3	40
MHC	30	10	35 ^(f)	3	40
RR	30	10	35 ^(f)	2-1/2	35
LB	30	10	20	2-1/2	35
RB	30	10 ^(a) /15 ^(c)	20/45 ^(b)		35/50 ^(e)
EBC	30 ^(h)	10	20	2½	35
PO	20	10	20		35
IND	40	20	40		50
AG	30	10	35 ^(f)	2-1/2	35
LA	30	10 ^(d)	35 ^(f)	2-1/2	35
PNR	25	7	20 ^(b)		26
BR	30	10 ^(d)	50 ^(f)	2-1/2	35
NA	30	10 ^(d)	35 ^(f)	2-1/2	35
AS	25/20 (k)	0/25 (l)	15/100 (m)	3	40

Table 1 Notes

- (a) Adjoining Commercial Use.
- (b) From the Bluffline on Grand Traverse Bay.
- (c) Adjacent to a detached single family dwelling.
- (d) 20% width of Lot. (For lots less than 50 feet in width)
- (e) For parcels south of US-31 North
- (f) Except as provided in Section 501, b, where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam. **(Revised 8/21/15)**

BED AND BREAKFAST: A Bed and Breakfast means a single-family residential structure

BROWN BRIDGE DAM: The site of the former Brown Bridge Dam on the Boardman River, being a point on the River 1,710 feet upstream from the Brown Bridge Road right-of-way, as illustrated below: (Revised 2/22/14)



which includes sleeping quarter occupied by the innkeeper and has 10 or fewer guest rooms, one or more guest rooms which are available for rent to transient tenants, and may serve meals at no extra cost to its transient tenants. The innkeeper or his or her spouse must be the property owner(s) and innkeeper must be living onsite when rooms are to be let to transient tenants. (Revised 2/10/20)

BUILDING: A structure having a roof supported by columns or walls for shelter, support, or enclosure of persons, animals, or chattels. (Revised 4/24/11)

BUILDING FOOTPRINT The area enclosed by the exterior perimeter of a building where it meets the earth together with the area located beneath any building projections.

(Revised 12/28/15)

BUILDING HEIGHT OF: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

BUNGALO COURT/COTTAGE CLUSTER: A group of detached or semi-detached, one or two-family dwelling situated around a shared central courtyard or garden and which are used for non-transient housing (Revised 6/12/17)

SECTION 1404 C (Revised 11/20/21)

CAMPS AND CAMPGROUNDS: An area or establishment intended to contain temporary or permanent buildings, tents, recreational vehicles such as motor homes or camper trailers, or other structures established or maintained as temporary living quarters, usually operated during the summer for recreation, religious, education, or vacation purposes. (Revised 10/13/08)

CAR WASH. A building and equipment used for the commercial washing, waxing, detailed cleaning of the interior and exterior of automobiles and trucks for the general public. Such

FLOOR AREA: The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six (6) feet.

FLORAL SHOP: See Neighborhood Local Business. (Revised 4/24/11)

SECTION 1408 G

GASOLINE STATION: Any building, structure or land used for the dispensing, servicing, sale or offering for sale at retail, of any automobile fuels, oils, or accessories. When such dispensing, sale or offering for sale is incidental to the conduct of a public garage, the use shall be classified as an Automobile Repair Facility.

GARAGE, PRIVATE: An accessory building or an accessory portion of a principal building designed or used primarily for the storage of noncommercial motor vehicles and residential tools and equipment owned and used by the occupants of the building to which it is accessory.

GIFT AND SOUVENIR SHOP: See Neighborhood Local Business. (Revised 4/24/11)

GOLF COURSES AND RELATED ACCESSORY USES: A tract of land laid out for at least nine holes for playing the game of golf, improved with tees, greens, fairways, and hazards such as water and sand traps, and which may include such accessory uses as a pro shop, clubhouse, driving range, practice greens and service buildings. (Revised 4/24/11)

GRADE: The median level of the finished surface of the ground adjacent to the exterior walls of the building, determined by subtracting the lowest elevation point from the highest, dividing the result by 2 and adding the resulting quotient to the lowest point.

GRAVEL PITS AND OTHER MINERAL EXTRACTION. A parcel of land utilized for the removal or extraction of natural mineral deposits, soil, and organic soils by open pit mining methods.

GREENHOUSE: A building or structure constructed chiefly of glass, glasslike or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers, trees, shrubbery or other vegetation and kept for personal enjoyment or sold at wholesale. (Revised 1/8/08)

GROCERY STORE, WITHOUT GAS PUMP: See Neighborhood Local Business.
(Revised 4/24/11)

SECTION 1409 H

HARDWARE STORE: A facility primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies, and cutlery.
(Revised 4/24/11)

HAZARDOUS SUBSTANCES AND POLLUTING MATERIALS: Shall mean hazardous chemicals as defined by the Michigan Department of Public Health and the Michigan

Garfield Township

Table 3-3 Dimensional Standards		Minimum Lot or Land Use Dimensions per Dwelling Unit		Maximum Height of Structures		Minimum Yard Setbacks (per lot in feet) Waterfront see "L" Highway Setback see "K"			Maximum Lot Coverage (All Structures)	Minimum Building Cross Section
Zoning District	Area (in square feet)	Width (in feet)	In stories	In feet	Front	Side	Rear	Percent	Width (in feet)	
R-1 (with public sewer)	15,000 (A)	100	2 ½	35	30	10	30	30%	24	
R-1 (w/o public sewer)	20,000	100	2 ½	35	30	10	30	30%	24	
R-2 (one family with public sewer)	12,000 (A)	80	2 ½	35	30	10	25	30%	24	
R-2 (one family w/o public sewer)	15,000	100	2 ½	35	30	10	30	30%	24	
R-2 (two family with public sewer)	10,000 (A)	75	2 ½	35	25	10	25	30%	24	
R-2 (two family w/o public sewer)	13,500	80	2 ½	35	30	10	30	30%	24	
R-3	(B)	70 (C)	3	40	25	(N)	20	35%	24	
R-R	43,560	110	2 ½	35	30	15	35	20%	24	
R-M	(D)									
C-L	10,000	70	2	28	25 (E)	(F)	30	-	24	
C-O	10,000	70	2	22	25 (E)	20	30	-	24	
C-G	15,000	100	-	35 (M)	40 (G)	(F)	(F)	-	24	
C-H	10,000	100	-	35 (M)	50 (H)	20 (H)	30 (H)	-	24	
C-P	(I)									
I-G	-	150	-	35 (M)	40 (E)	15	20	-	24	
I-L	-	150	-	35 (M)	40 (E)	15	20	-	24	
A	43,560 (J)	110	2 ½	35	30	20	35	20%	24	
P-R	43,560	110	2 ½	35	30	20	35	20%	24	

Bond: Any form of a surety bond in an amount and form satisfactory to the reviewing authority. Bonds may require review and approval by the Garfield Township attorney whenever a bond is required by these regulations.

Brew Pub: A facility as defined by the State of Michigan Liquor Control Code (Act 58 of 1998, MCL 436.1101 et seq.)

Buffer Yard: A greenbelt area that is long and parallel to a property line within which no structures, driveways, parking, signs, or other such uses may be located unless specifically permitted by this Ordinance. A yard area occupied by plant materials, fences, or other landscape devices designed to effectively mitigate to a substantial degree the negative impact which occurs between conflicting land uses and major thoroughfares.

Building: Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents, awnings and vehicles situated on private property and used for purposes of a building, whether mounted on wheels or not.

Building, Accessory: A subordinate building or structure on the same lot with a principal or main building, or the part of the main building occupied by or devoted exclusively to an accessory use.

Building Area: The buildable area of a lot or designated building envelope and other areas of a project site which have not been designated as permanent open space, areas to be used for project infrastructure, or other site improvements, etc.

Building Elevation: The entire view of any building or other structure from any one of four sides showing features, such as construction materials, design, height, dimensions, windows, doors, other architectural features, and the relationship of grade to floor level.

Building Footprint: The horizontal area measured within the outside of the exterior walls of the ground floor of the main structure.

Building, Height of: The vertical distance measured from the mean elevation of the finished grade line of the ground about the front of the building to the highest point of the roof or parapet for flat roofs; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.

Building Line: That portion of a site defined by the minimum front, side, and rear yard setbacks within which no building or structure may be located.

Building, Principal: A building in which is conducted the main or principal use of the lot on which it is located.

Building, Semi-Detached: See "Dwelling, Two-Family (Duplex)"

Bus Shelter: A roofed structure with at least three walls located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the protection and convenience of bus passengers.

Flood Plain: The land area subject to inundation by the overflow of water resulting from a 100-year flood, which is a flood with a one percent (1%) chance of occurring in any given year.

Food Truck: A kitchen in a licensed and operable motor vehicle or trailer and with a temporary location on a site involving the preparation and sale of food to be consumed either on or off the premises, but not within the motor vehicle and/or trailer.

Full cut-off (Lighting Fixture): A fixture that allows no light emission above a horizontal plane through the fixture.

Game or Hunting Preserve, Commercial: A site which allows for-profit hunting operations.

Garage, Private: An accessory building or an accessory portion of a principal building designed or used solely for the storage of noncommercial motor vehicles owned and used by the occupants of the building to which it is accessory.

Gasoline Service Station: Any area of land, including any structures thereon, that is used or designed for the supply of gasoline, oil, or other fuel for the propulsion of vehicles. Permitted accessory uses may include any area or structure used or designed for polishing, greasing, washing, cleaning, or servicing such motor vehicles.

Glare: The sensation produced within the visual field by luminance that is sufficiently greater than the luminance to which the eyes are adapted, causing annoyance, discomfort or loss in visual performance and visibility.

Golf Course or Country Club: An outdoor recreation facility designed for enjoyment of golf, but not including stand-alone golf-driving ranges and miniature golf courses.

Grade, Finished: The completed surfaces of lawns, walks, and roads, brought to grades as shown on official plans or designs related thereto.

Greenbelt: A strip of land of definite width and location reserved for the planting of shrubs or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.

Greenhouse, Residential: An accessory building or structure to the principal residential use constructed chiefly of glass, glasslike or translucent material, which is devoted to the protection or cultivation of flowers, trees, shrubbery, or other vegetation and kept for personal enjoyment.

Greenhouse, Commercial: An accessory use to an approved commercial nursery or agricultural use of the property constructed chiefly of glass, glasslike or translucent material, which is devoted to the protection or cultivation of flowers, trees, shrubbery or other vegetation and kept for personal enjoyment or subsequent sale. (See Nursery, Retail)

Ground Cover: Low-growing, woody shrubs, deciduous or evergreen plants, perennial plants and/or vines, turf, shredded bark, wood chips or other similar mulch and landscaping stone.

Hazardous Substances and Polluting Material: Any substance or material in which the use, treatment, storage, and/or disposal of such material is regulated by State or Federal law, based on the capability of

Bond: Any form of a surety bond in an amount and form satisfactory to the reviewing authority. Bonds may require review and approval by the Garfield Township attorney whenever a bond is required by these regulations.

Brew Pub: A facility as defined by the State of Michigan Liquor Control Code (Act 58 of 1998, MCL 436.1101 et seq.)

Buffer Yard: A greenbelt area that is long and parallel to a property line within which no structures, driveways, parking, signs, or other such uses may be located unless specifically permitted by this Ordinance. A yard area occupied by plant materials, fences, or other landscape devices designed to effectively mitigate to a substantial degree the negative impact which occurs between conflicting land uses and major thoroughfares.

Building: Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents, awnings and vehicles situated on private property and used for purposes of a building, whether mounted on wheels or not.

Building, Accessory: A subordinate building or structure on the same lot with a principal or main building, or the part of the main building occupied by or devoted exclusively to an accessory use.

Building Area: The buildable area of a lot or designated building envelope and other areas of a project site which have not been designated as permanent open space, areas to be used for project infrastructure, or other site improvements, etc.

Building Elevation: The entire view of any building or other structure from any one of four sides showing features, such as construction materials, design, height, dimensions, windows, doors, other architectural features, and the relationship of grade to floor level.

Building Footprint: The horizontal area measured within the outside of the exterior walls of the ground floor of the main structure.

Building, Height of: The vertical distance measured from the mean elevation of the finished grade line of the ground about the front of the building to the highest point of the roof or parapet for flat roofs; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.

Building Line: That portion of a site defined by the minimum front, side, and rear yard setbacks within which no building or structure may be located.

Building, Principal: A building in which is conducted the main or principal use of the lot on which it is located.

Building, Semi-Detached: See "Dwelling, Two-Family (Duplex)"

Bus Shelter: A roofed structure with at least three walls located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the protection and convenience of bus passengers.

SECTION 313 R-1 (ONE FAMILY RESIDENTIAL)

PURPOSE – The R-1 (One Family Residential) districts provide areas for low to medium density one family residential dwelling units. The districts include areas of existing one family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township with less intensive development moving outward towards the more rural and remote areas of the township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Family Home
- (2) Cemetery
- (3) Dwelling, Single Family
- (4) Essential Service Facility, Minor – § 737.A
- (5) Home Occupation
- (6) Park, Mini
- (7) Park, Neighborhood
- (8) Solar Energy System, Accessory – § 773.A

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Child Care, Family Home (<7) – § 718
- (2) Child Care, Small Group Home (7-12) – § 719
- (3) Golf Course or Country Club – § 749
- (4) Keeping of Chickens, Personal – § 754.A
- (5) Medical Marijuana Residential Cultivation – § 758
- (6) Open Space Preservation – § 428
- (7) Outdoor Storage, Accessory Use – § 613.A (4)
- (8) Recreational Field Complex – § 766
- (9) Swimming Pool, Private – § 776
- (10) Waterfront Stairways and Landings – § 778

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Essential Service Facility, Major – § 737.B
- (3) Institutional Uses and Structures – § 752
- (4) Solar Energy System, Primary – § 773.B
- (5) Wind Energy Conversion System, Personal – § 781

D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

SECTION 314 R-2 (ONE AND TWO FAMILY RESIDENTIAL)

PURPOSE – The R-2 (One and Two Family Residential) districts provide areas for medium density one- and two-family residential dwelling units in and near to the developed core areas of the township. The districts include areas of existing one- and two-family developments as well as areas within which such development appears likely and desirable. The R-2 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks. They provide a range of housing choices and promote a sense of community, urban vitality, and the efficient provision of infrastructure.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Family Home
- (2) Cemetery
- (3) Dwelling, Single Family
- (4) Dwelling, Two-Family
- (5) Essential Service Facility, Minor – § 737.A
- (6) Home Occupation
- (7) Park, Mini
- (8) Park, Neighborhood
- (9) Solar Energy System, Accessory – § 773.A

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Child Care, Family Home (<7) – § 718
- (2) Child Care, Small Group Home (7-12) – § 719
- (3) Golf Course or Country Club – § 749
- (4) Keeping of Chickens, Personal – § 754.A
- (5) Medical Marihuana Residential Cultivation – § 758
- (6) Open Space Preservation – § 428
- (7) Outdoor Storage, Accessory Use – § 613.A (4)
- (8) Recreational Field Complex – § 766
- (9) Swimming Pool, Private – § 776
- (10) Waterfront Stairways and Landings – § 778

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Essential Service Facility, Major – § 737.B
- (3) Institutional Uses and Structures – § 752
- (4) Solar Energy System, Primary – § 773.B
- (5) Wind Energy Conversion System, Personal – § 781

D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

E. DIMENSIONAL STANDARDS:

Minimum Lot Area:

- One-Family: 10,000 sq. ft.
- Two-Family: 10,000 sq. ft.
- Multi-Family: 4,000 sq. ft. per dwelling unit

Minimum Lot Width:

- 1- Family w/ Public Sewer 65 feet
- 1- Family w/o Public Sewer 100 feet
- 2-Family w/ Public Sewer 70 feet
- 2-Family w/o Public Sewer 100 feet
- Multi-Family 100 feet

Maximum Building Height:

- In Stories: 3 stories
- In Feet: 40 feet (See section 341)

Minimum Yard Setbacks (A):

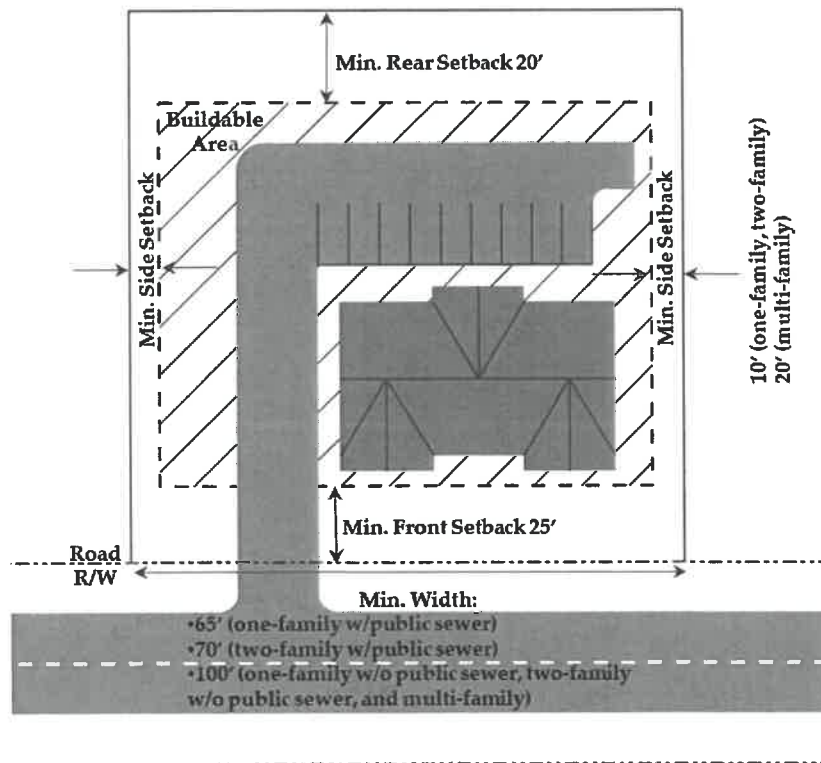
- Front: 25 feet
- Each Side (One-Family): 10 feet
- Each Side (Two-Family): 10 feet
- Each Side (Multi-Family): 20 feet
- Rear: 20 feet

Maximum Lot Coverage: 35 %

Minimum Bldg. Cross Section: 24 feet

Notes to Dimensional Standards:

(A) Setbacks shall be measured from the furthest protruding point of structure.



Not to scale. To be used for illustrative purposes only

SECTION 316 R-R (RURAL RESIDENTIAL)

PURPOSE – The R-R (Rural Residential) districts provide areas for predominantly low density one family residential dwelling units that will harmonize with the natural resource capabilities of the Township. The districts are intended to be semi-rural in character and include areas of the Township where: (1) public water and sewer facilities are not now available and are likely to remain without services indefinitely; and (2) natural resources and environmental conditions, such as hillsides, scenic areas, wetlands and shorelands, tend to make more intensive types of urbanized development destructive to environmental values.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Family Home
- (2) Cemetery
- (3) Dwelling, Single Family
- (4) Essential Service Facility, Minor – § 737.A
- (5) Home Occupation
- (6) Park, Mini
- (7) Park, Neighborhood
- (8) Solar Energy System, Accessory – § 773.A

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Child Care, Family Home (<7) – § 718
- (2) Child Care, Small Group Home (7-12) – § 719
- (3) Golf Course or Country Club – § 749
- (4) Keeping of Chickens, Personal – § 754.A
- (5) Keeping of Horses, Personal – § 754.B
- (6) Medical Marihuana Residential Cultivation – § 758
- (7) Open Space Preservation – § 428
- (8) Outdoor Storage, Accessory Use – § 613.A (4)
- (9) Recreational Field Complex – § 766
- (10) Swimming Pool, Private – § 776
- (11) Waterfront Stairways and Landings – § 778

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Bed and Breakfast – § 713
- (3) Essential Service Facility, Major – § 737.B
- (4) Institutional Uses and Structures – § 752
- (5) Solar Energy System, Primary – § 773.B
- (6) Wind Energy Conversion System, Personal – § 781

D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

E. DIMENSIONAL STANDARDS (Per Dwelling Unit):

Minimum Lot Area (A): 43,560 sq. ft.

Minimum Lot Width: 110 feet

Maximum Building Height:

- In Stories: 2 ½ stories
- In Feet: 35 feet

Minimum Yard Setbacks (B):

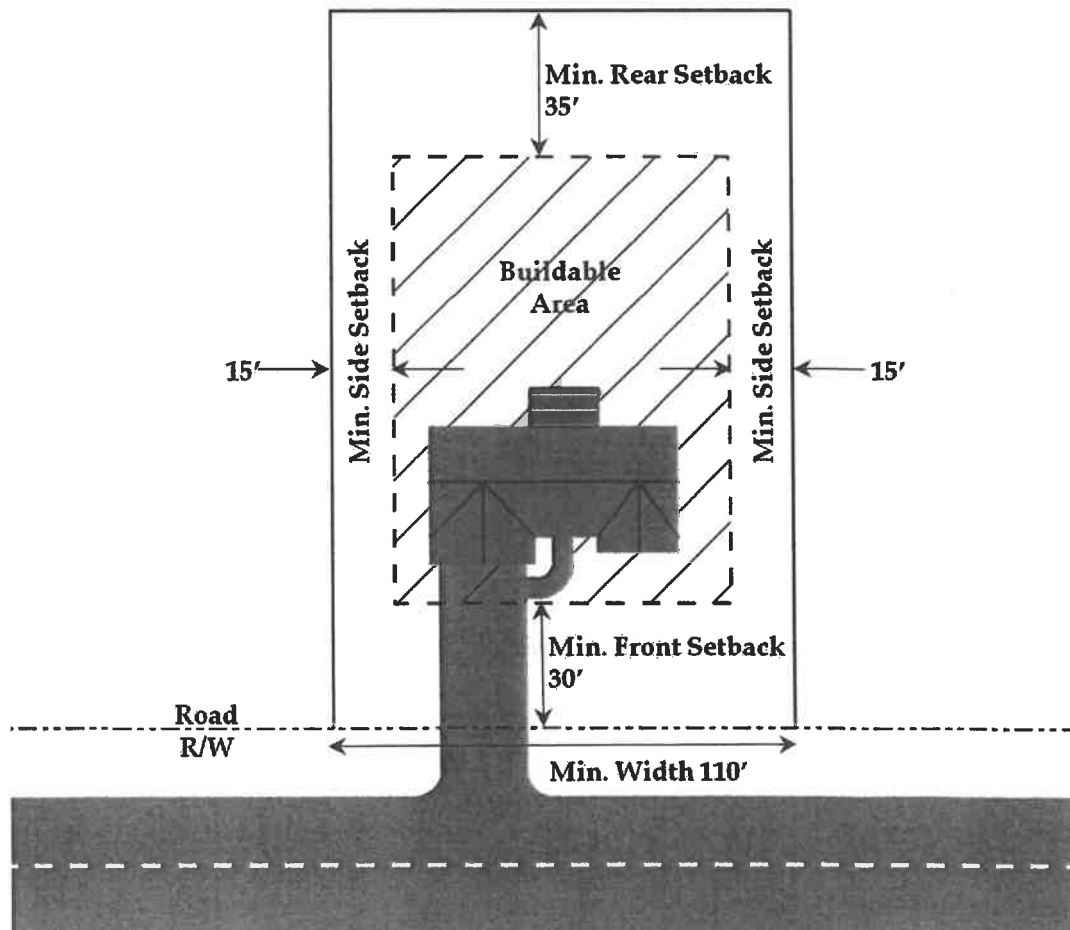
- Front: 30 feet
- Each Side: 15 feet
- Rear: 35 feet

Maximum Lot Coverage: 20 percent

Minimum Bldg. Cross Section: 24 feet

Notes to Dimensional Standards:

- (A) Lots in subdivisions having stubbed sewers shall be considered as having public sewer.
- (B) Setbacks shall be measured from the furthest protruding point of structure.



Not to scale. To be used for illustrative purposes only

SECTION 318 C-L LOCAL COMMERCIAL

PURPOSE – The C-L (Local Commercial) districts provide nodal areas for convenient, day-to-day retail shopping and service facilities, servicing persons in the adjacent residential areas and designed in scale with surrounding residential uses. The districts include areas of existing commercial use as well as areas proposed and approved for such development. Due to their local service nature, C-L districts are likely to be stand alone, or small collective sites located to minimize impact upon the surrounding residential areas. C-L district regulations are designed to protect abutting and surrounding residential areas by requiring certain minimum yard and area standards which are compatible to those called for in the residential districts. These districts are also intended to reduce automobile trips by permitting a limited group of commercial uses to be located near residential areas.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Essential Service Facility, Minor – § 737.A
- (3) Financial Institution, without Drive-Through
- (4) Marina
- (5) Medical Office, Clinic
- (6) Off-Site Parking
- (7) Office
- (8) Park, Mini
- (9) Retail, Low Volume
- (10) Service Establishment, Personal
- (11) Solar Energy System, Accessory – § 773.A

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Outdoor Sales, Temporary – § 762.C
- (2) Pet Shop – § 765
- (3) Restaurant, without Drive-Through – § 768
- (4) Service Establishment, Business – § 772
- (5) Veterinary Hospital

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care Facility – § 710
- (2) Child Care Center – § 720
- (3) Essential Service Facility, Major – § 737.B
- (4) Financial Institution, with Drive-Through – § 730
- (5) Gasoline Service Station – § 748
- (6) Institutional Uses and Structures – § 752
- (7) Mortuary or Funeral Home – § 760
- (8) Shopping Center, Local
- (9) Solar Energy System, Primary – § 773.B
- (10) Wind Energy Conversion System – § 780

D. DIMENSIONAL STANDARDS:

Minimum Lot Area: 10,000 sq. ft.

Minimum Lot Width: 70 feet

Maximum Building Height:

- In Stories: 2 stories
- In Feet: 28 feet

Minimum Yard Setbacks (C):

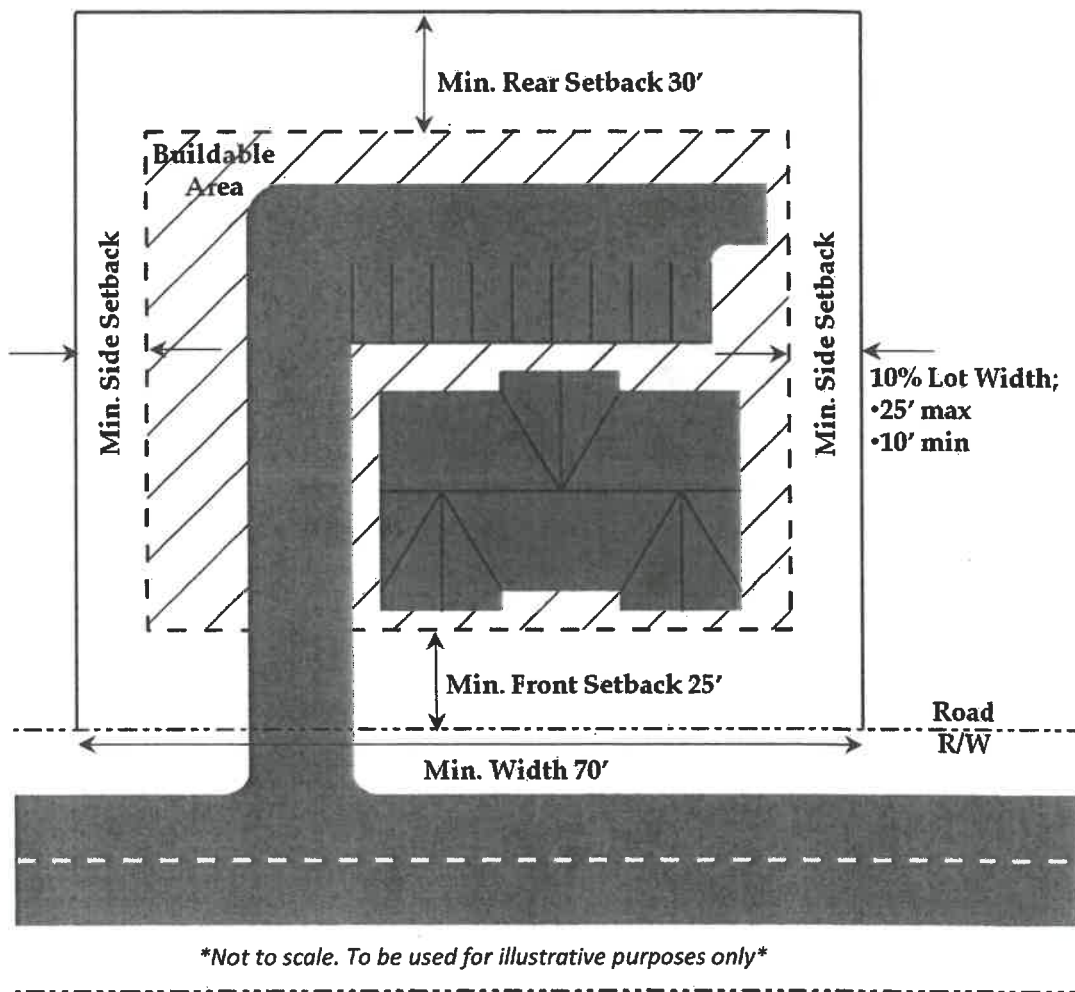
- Front: 25 feet (A)
- Each Side: (B)
- Rear: 30 feet

Maximum Lot Coverage: -

Minimum Bldg. Cross Section: 24 feet

Notes to Dimensional Standards:

- (A) Front yards shall be appropriately landscaped and maintained, and, except for necessary drives and walks, shall remain clear and not be used for storage, parking, loading or accessory structures.
- (B) Side yards in the C-L District shall be ten percent (10%) of the lot width but need not exceed twenty-five (25) feet each, provided that no setback shall be less than ten (10) feet.
- (C) Setbacks shall be measured from the furthest protruding point of structure.



SECTION 319 C-O OFFICE COMMERCIAL

PURPOSE – C-O (Office Commercial) districts provide areas for service-oriented enterprises and institutions having relatively low traffic generation. The districts include areas of existing office developments as well as areas within which such development appears likely and desirable. They are intended to facilitate the support and expansion of local business, while serving as a buffer between residential areas and more intensive commercial areas. The C-O districts are primarily restricted to office and ancillary uses that do not have peak weeknight or weekend usage to provide an orderly transition and buffers between uses.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Essential Service Facility, Minor – § 737.A
- (3) Financial Institution, without Drive-Through
- (4) Live-Work Unit
- (5) Medical Office, Clinic
- (6) Medical Office, Surgical Center
- (7) Office
- (8) Park, Mini
- (9) Pet Grooming Establishment
- (10) Professional Showroom
- (11) Professional Studio
- (12) Rehabilitation Center
- (13) Service Establishment, Personal
- (14) Solar Energy System, Accessory – § 773.A

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Off-Site Parking
- (2) Research and Design Facility – § 767
- (3) Veterinary Hospital

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care Facility – § 710
- (2) Child Care Center – § 720
- (3) Essential Service Facility, Major – § 737.B
- (4) Financial Institution, with Drive-Through – § 730
- (5) Institutional Uses and Structures – § 752
- (6) Solar Energy System, Primary – § 773.B

D. DIMENSIONAL STANDARDS:

Minimum Lot Area: 10,000 sq. ft.

Minimum Lot Width: 70 feet

Maximum Building Height:

- In Stories: 2 stories
- In Feet: 22 feet

Minimum Yard Setbacks (B):

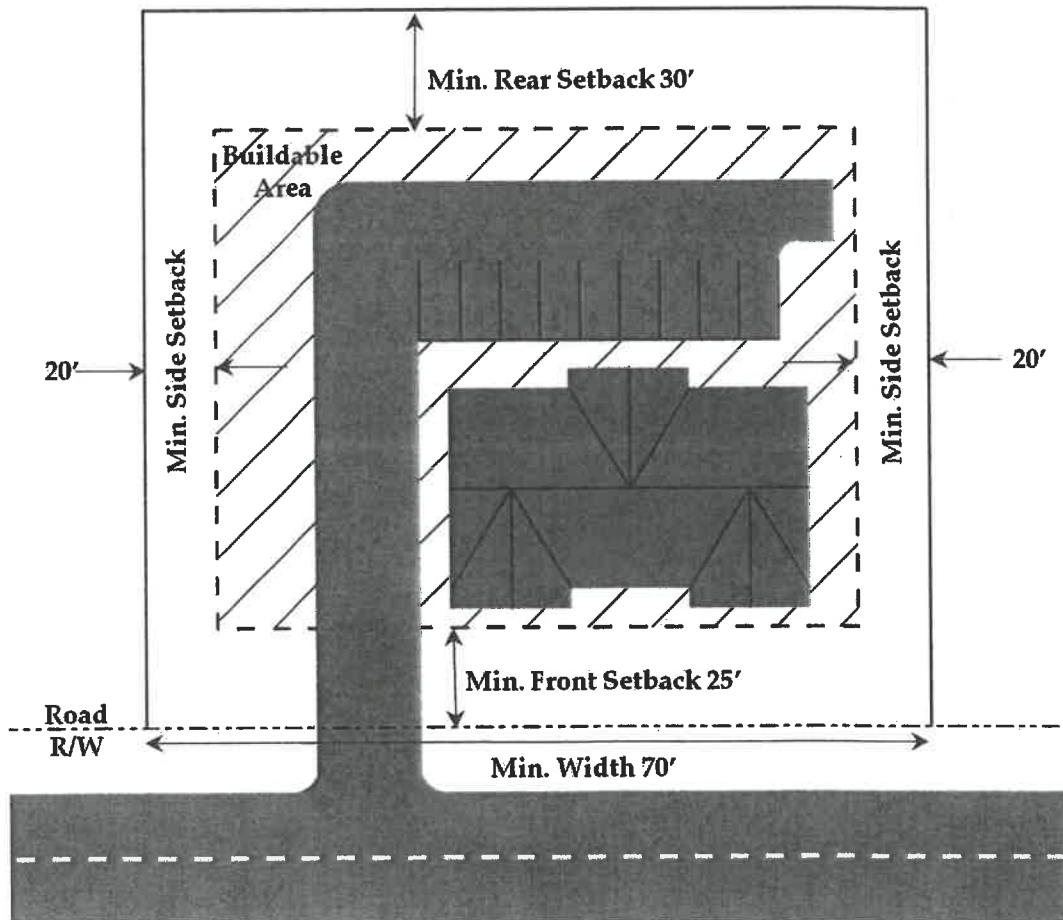
- Front: 25 feet (A)
- Each Side: 20
- Rear: 30 feet

Maximum Lot Coverage: -

Minimum Bldg. Cross Section: 24 feet

Notes to Dimensional Standards:

- (A) Front yards shall be appropriately landscaped and maintained, and, except for necessary drives and walks, shall remain clear and not be used for storage, parking, loading or accessory structures.
- (B) Setbacks shall be measured from the furthest protruding point of structure.



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SECTION 320 C-G GENERAL COMMERCIAL

PURPOSE – The C-G (General Commercial) districts provide areas for a broad range of commercial activities and services designed to cater to the needs of a large consumer base. The districts include areas of existing commercial developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive commercial development in and near the core areas of the township. The C-G districts are designed to support diversification of the economic base that is compatible in use, character, and size to the site and the surrounding areas. The C-G districts generally allow for the same uses as the C-L Local Commercial districts as well as permitting several additional uses.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Auditorium or Assembly Hall
- (3) Bar, Tavern, or Night Club
- (4) Business College or Trade School
- (5) Essential Service Facility, Minor – § 737.A
- (6) Financial Institution, without Drive-Through
- (7) Hospital
- (8) Indoor Entertainment Center – § 751
- (9) Kennel – § 755
- (10) Marina
- (11) Mechanical Amusement Arcade
- (12) Medical Office, Clinic
- (13) Medical Office, Surgical Center
- (14) Off-Site Parking
- (15) Office
- (16) Outdoor Entertainment Center, Minor
- (17) Park, Mini
- (18) Passenger Terminal – § 764
- (19) Pet Grooming Establishment
- (20) Professional Studio
- (21) Recreational Facility – § 766
- (22) Restaurant, without Drive-Through – § 768
- (23) Retail, Low Volume
- (24) Retail, Medium Volume
- (25) Service Establishment, Business – § 772
- (26) Service Establishment, Personal
- (27) Solar Energy System, Accessory – § 773.A
- (28) Vehicle Dealership, without Outdoor Sales
- (29) Vehicle Service Center, Major
- (30) Vehicle Service Center, Minor

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care Facility – § 710
- (2) Child Care Center – § 720
- (3) Financial Institution, with Drive-Through – § 730
- (4) Gasoline Service Station – § 748
- (5) Hotel or Motel – § 750
- (6) Institutional Uses and Structures – § 752
- (7) Mortuary or Funeral Home – § 760
- (8) Outdoor Sales, Major – § 762.A
- (9) Outdoor Sales, Minor – § 762.B
- (10) Outdoor Sales, Temporary – § 762.C
- (11) Pet Shop – § 765
- (12) Sexually Oriented Businesses – § 640
- (13) Shopping Center, Local
- (14) Vehicle Dealership, with Outdoor Sales – § 762
- (15) Veterinary Hospital
- (16) Wholesaler – § 779

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Car Wash – § 717
- (2) Commercial District Housing Development – § 725
- (3) Drive-In Business – § 730
- (4) Drive-Through Business – § 730
- (5) Essential Service Facility, Major – § 737.B
- (6) Restaurant, with Drive-Through – § 768 & § 730
- (7) Retail Fabricator – § 769
- (8) Retail, High Volume
- (9) Sale of Prefabricated Structures
- (10) Shopping Center, General
- (11) Solar Energy System, Primary – § 773.B
- (12) Wind Energy Conversion System – § 780
- (13) Wireless Communication Facilities – § 792

D. DIMENSIONAL STANDARDS:

Minimum Lot Area: 15,000 sq. ft.

Minimum Lot Width: 100 feet

Maximum Building Height:

- In Stories: -
- In Feet: 35 feet

Minimum Yard Setbacks (C):

- Front: 40 feet (A)
- Each Side: (B)
- Rear: (B)

Maximum Lot Coverage: -

Minimum Bldg. Cross Section: 24 feet

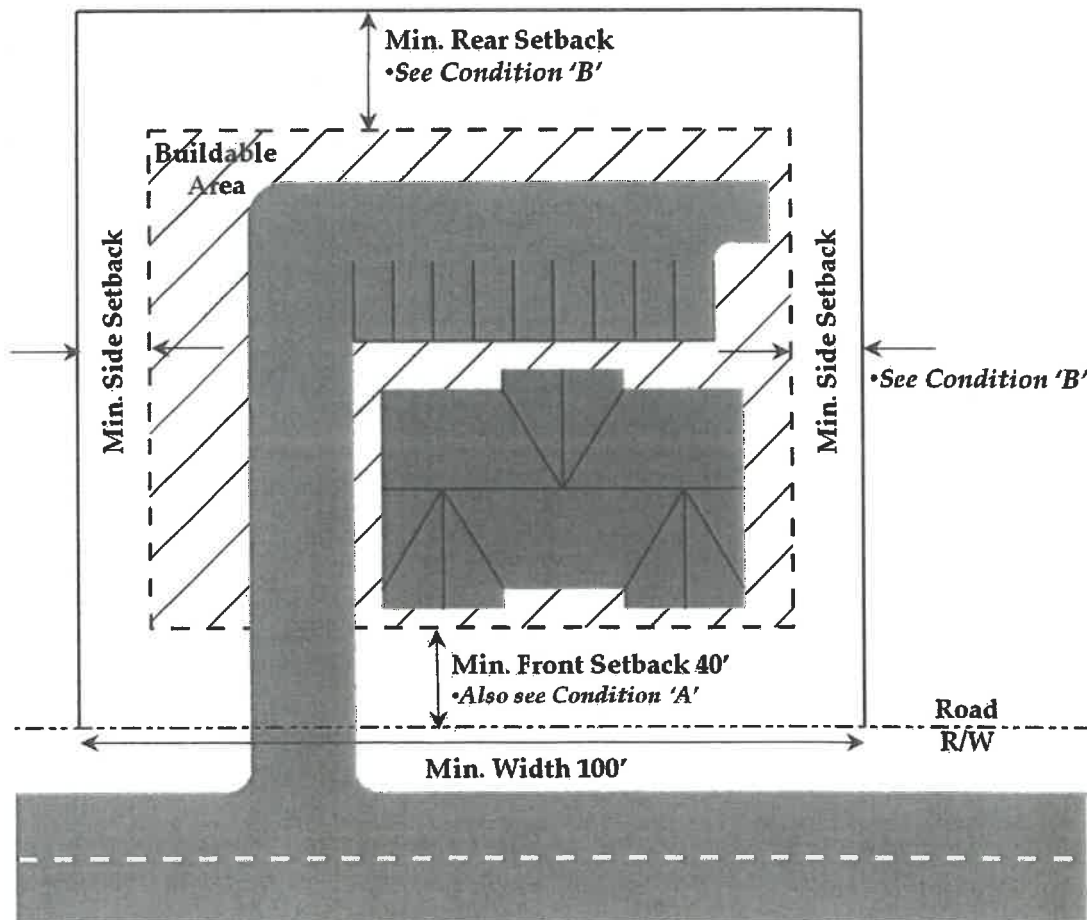
Notes to Dimensional Standards:

(A) Front setbacks in the C-G District:

- i. Front yards shall be forty (40) feet, except when all frontage on one side of a street within a block is zoned C-G and when forty percent (40%) or more of a block has been developed with buildings, the average setback of said existing buildings shall apply.
- ii. Setbacks along South Airport Road, north of South Airport Road between Barlow Road and the Cherryland Mall, shall be as required in the C-L District.

(B) Side and rear yards in the C-G District shall be ten percent (10%) of the lot width and depth, respectively, but need not exceed twenty-five (25) feet each, provided that no setback shall be less than ten (10) feet.

(C) Setbacks shall be measured from the furthest protruding point of structure.



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SECTION 325 A: AGRICULTURAL

PURPOSE – The A (Agricultural) districts provide areas for agricultural operations and low intensity land uses. These districts are composed primarily of unsubdivided lands that are vacant or are in agricultural use with some dwellings and accessory uses. The A districts are suitable for large tracts of open space, agricultural areas, woodlands, and fields. They are designed to promote the protection of the existing natural environment and to preserve, enhance and stabilize the essential characteristics and economical value of these areas as agricultural lands. The A districts may be used to encourage development in and near the core areas of the township by limiting the development densities of parcels less suited for intensive development. The A districts may also be used to protect natural resources and environmentally sensitive areas by preserving these areas for low intensity land uses.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Family Home
- (2) Cemetery
- (3) Dwelling, Single Family
- (4) Essential Service Facility, Minor – § 737.A
- (5) Farm Market
- (6) Farm Operation
- (7) Home Industry
- (8) Home Occupation
- (9) Keeping of Farm Animals
- (10) Park, Mini
- (11) Park, Neighborhood
- (12) Pet Grooming Establishment
- (13) Roadside Stand
- (14) Solar Energy System, Accessory – § 773.A

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Child Care, Family Home (<7) – § 718
- (2) Child Care, Small Group Home (7-12) – § 719
- (3) Farm Employees House
- (4) Keeping of Horses, Personal – § 754.B
- (5) Medical Marihuana Residential Cultivation – § 758
- (6) Stormwater Containment, Non-Agricultural – § 774
- (7) Wind Energy Conversion System, Personal – § 781

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Adult Foster Care, Large Group Home – § 709
- (3) Airport or Airfield
- (4) Bed and Breakfast – § 713
- (5) Campground or Travel Trailer Park – § 716
- (6) Child Care Center – § 720
- (7) Essential Service Facility, Major – § 737.B
- (8) Game or Hunting Preserve, Commercial
- (9) Golf Course or Country Club – § 749
- (10) Greenhouse, Commercial
- (11) Incinerator
- (12) Institutional Uses and Structures – § 752
- (13) Kennel – § 755
- (14) Livestock Auction Yard
- (15) Lumber Processing and Sawmill – § 756
- (16) Outdoor Entertainment Center, Major – § 761
- (17) Recreational Field Complex – § 766
- (18) Sand or Gravel Pit, Quarry – § 771
- (19) Solar Energy System, Primary – § 773.B
- (20) Veterinary Hospital
- (21) Wind Energy Conversion System – § 780
- (22) Wireless Communication Facilities – § 792

D. DIMENSIONAL STANDARDS (Per Dwelling Unit):

Minimum Lot Area (A): 43,560 sq. ft.

Minimum Lot Width: 110 feet

Maximum Building Height:

- In Stories: 2 ½ stories
- In Feet: 35 feet

Minimum Yard Setbacks (B):

- Front: 30 feet
- Each Side: 20 feet
- Rear: 35 feet

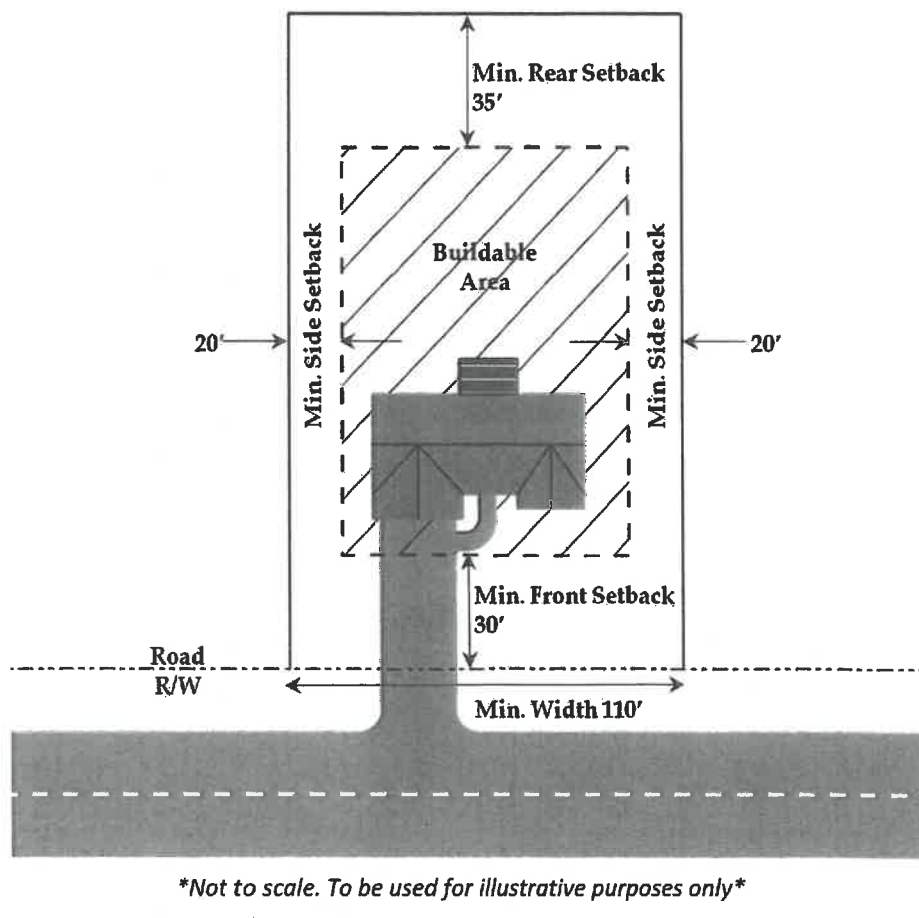
Maximum Lot Coverage: 20 percent

Minimum Bldg. Cross Section: 24 feet

Notes to Dimensional Standards:

(A) An agricultural operation which includes the raising and keeping of livestock for profit shall have a minimum lot area of ten (10) acres. Individual lot areas in recorded plats may be less than the required minimum provided the average lot size in the recorded plat is not less than the required minimum lot area of the A District and provided further that no individual lot size shall be less than seventy percent (70%) of the minimum required lot area. Provisions for reduced lot shall be stated on the recorded plat such that minimum average lot sizes shall be maintained in the event of any subsequent amendment(s) to the plat. Not more than ten percent (10%) of the total lots in a plat shall contain less than the required minimum lot area.

(B) Setbacks shall be measured from the furthest protruding point of structure.



Long Lake Township

Table 2.6 Table of District Regulations for Primary Structures

Zoning District		Minimum Parcel Size		Minimum Yard Setback Dimensions (feet)			Maximum Height* (feet)	Minimum Livable Floor Area (square feet)*	Maximum Lot Coverage [amended by Ordinance #119, adopted 8/9/11, effective 8/24/11]
		Area	Width (feet)	Front	Side*	Rear			
CR	Conservation & Recreation	5 acres	300	50	15	50	35	960	Determined by setbacks
AG	Agricultural	2 acres	200	50	15	Waterside: 50 Other: 40	35	960	Determined by setbacks
NL	Natural Lakefront	2 acre	At road: 200 At water: 200	50	15	Waterside: 100 Other: 40	35	960	Determined by setbacks
LDR	Low Density Residential (w/o community wastewater)	1 acre	150	50	15	Waterside: 50 Other: 40	35	960	Determined by setbacks
	Low Density Residential (with community wastewater)	15,000 sq. ft	100	30	10	Waterside: 50 Other: 30	35	960	Determined by setbacks
LR	Lake Residential	1 acre	At water: 100 At road: 150	50	15	Waterside: 50 Other: 40	35	960	Determined by setbacks
MDR	Moderate Density Residential	10,000 ^b	80				35	1 & 2 unit 700	Determined by Setbacks
	With community wastewater	20,000 ^b	100	30	10	25		Multi-unit: 700	
	Without community wastewater Parcel size of 10 acres or less	10,000 ^b							
HDR	1&2 Unit, w/ community wastewater	8,500 ^c	60					1&2 unit: 700	Determined by Setbacks
	Without community wastewater	20,000 ^c	100						
	Multiple Unit, area per dwelling	4,000 ^c	60	25	6	25	35		
	With community wastewater	10,000 ^c	100					Multiple: 700	
LB	Local Business	See Article 15 for Local Business Standards							
GB	General Business	1 acre	150	40 ^d	20 ^d	20	40	n/a	Determined by setbacks

Notes to Table 2.6 *This table applies to primary structures, also see Section 4.6 Accessory Buildings*

[This Section has been amended by Ordinance #123, adopted December 10, 2013, effective December 25, 2013]

- a. Except for agricultural buildings. Also see Section 4.6.
- b. For two-unit and multiple unit dwellings, densities shall not exceed two units per acre unless community wastewater is provided, in which case densities shall not exceed four units per acre.
- c. For two-unit and multiple unit dwellings, densities shall not exceed two units per acre unless community wastewater is provided, in which case densities shall not exceed eight units per acre.
- d. Except for parcels abutting M-72, where the front or side setback along M-72 shall be 100 feet.
- e. Side yards shall be equal to the minimum required front yard on corner lots abutting side streets.
- f. All single family residential dwellings shall have a minimum ground floor area of 700 square feet.
- g. All single family residential dwellings shall also meet the requirements of Section 4.10 including a living area with minimum exterior dimensions of 24 feet by 24 feet; or 20 feet by 20 feet in the Lake Residential District.
- h. Applies only to parcels of 10 or less acres in net lot area existing on the date of adoption of this Ordinance, with or without a community wastewater system.

Table 2.7 – Table of Uses

Use and Type of Review	CR	AG	NL	LDR	LR	MDR	HDR	LB	GB
	R=Use by Right; C=Conditional Uses; * =Use by Right subject to additional requirements; (P) = requires plot plan review per to Article 20; (S) = requires site plan review by Planning Commission per Article 24								
Aboveground Storage Flammable Liquids (S)									C
Accessory Building (P)	R	R	R	R	R	R	R	R	R
Accessory Dwelling to a Commercial Use (S)								R	
Accessory Use* (P)	R	R	R	R	R	R	R	R	R
Adult Care Facility (P)	R	R	R	R	R	R	R	R	R
Agricultural Building (P)	R	R	R	R	R	R	R	R	R
Agri-Tourism or Agri-Business (S)	R	R		R					
Banking Establishment (S)								R	R
Billboard (S)								C	C
Building Material Supplier (S)									C
Building with excess floor area (S)								C	C
Car Wash (S)									C
Child Care Center (S)	C	C		C		C	C	C	
Commercial Forestry/Timber Operation (P)	R	R							
Contractor Facility, Minor (S)								R	R
Contractor Facility, Major (P)									R
Convenience Commercial Establishment (S)								R	R
Drive through business (S)								C	C
Dwelling, multiple unit (S)						C	R	C	
Dwelling, single family, detached* (P)	R	R	R	R	R	R	R	R	

Use and Type of Review	CR	AG	NL	LDR	LR	MDR	HDR	LB	GB
	R=Use by Right; C=Conditional Uses; * =Use by Right subject to additional requirements; (P) = requires plot plan review per to Article 20; (S) = requires site plan review by Planning Commission per Article 24								
Dwelling, two-unit [(P) if permitted by right]						R	R	C	
Easement to Water (S)					C				
Educational Facility (S)		C		C				C	C
Extraction (S)	C	C		C					C
Family Child Care Home (P)	R	R	R	R	R	R	R	R	
Funeral Home/Mortuary (S)								C	C
General Farming and Agriculture [(P) if permitted by right]	C/R	R	C/R	C/R	C/R	C/R	C/R	C/R	C/R
General Retail Sales Establishment (S)								R	R
Kennel (S)		C							C
Manufactured Housing Community (S)							R		
Mini-Warehouse (S)								C	C
Motor Vehicle Fuel Service w/ Repair (S)								C	C
Motor Vehicle Fuel Service w/o Repair (S)								C	R
Motor Vehicle Salvage/Scrapping Yard (S)									C
Office Building or Clinic (S)								R	R
Open Air Business and Storage (S)								C	C
Parking Garage (S)									C
Personal Service Establishment (S)								R	R
Place of Public Assembly (S)				C	C	C	C	C	C
Private or Institutional Recreational Area (S)	R		R						
Processing, assembly and manufacturing (S)								C	R
Propane Service Facility (S)									C

Use and Type of Review	CR	AG	NL	LDR	LR	MDR	HDR	LB	GB
	R=Use by Right; C=Conditional Uses; * = Use by Right subject to additional requirements; (P) = requires plot plan review per to Article 20; (S) = requires site plan review by Planning Commission per Article 24								
Public Utility Structure (S)				C		C	C	C	C
Research and Development Establishment (S)									R
Restaurant w/o Drive-thru (S)								R	R
Roadside Stand for Agricultural Products (P)	R	R	R	R	R	R	R	R	R
Second Hand Store/Pawn Shop (S)								C	C
Sexually Oriented Business (S)									C
Tavern (P)								C	C
Truck Freight Terminal (S)									C
Vehicle Repair Service (S)								C	C
Veterinary Establishment (S) [amended by Ordinance #116, adopted February 8, 2011, effective February 22, 2011]		C						C	C
Warehouse (S)									C
Wholesale Trade Business (S)									C
Wind Energy Conversion System, Large (S)		C		C		C	C		C
Wind Energy Conversion System, Small (P)	R	R	R	R	R	R	R	R	R
Wireless Communication Facility (S)	C	C		C		C	C	C	C
Development Options	See Article 18 Development Options								

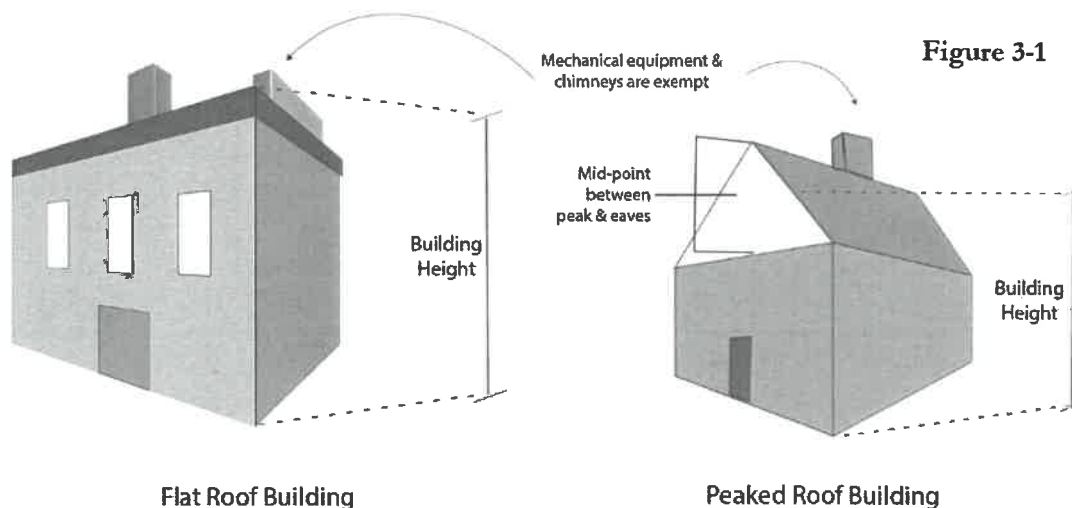
Buffer Strip: Natural, landscaped, and open space areas or any combination thereof used to physically separate or screen one use, property, or land feature from another in order to visually shield or block noise, lights, or other nuisances or filter storm water runoff.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building Envelope: A portion of a parcel remaining after excluding setbacks required by this Ordinance.

Building Footprint: The total area contained within the exterior foundation or framing area taken on a horizontal plane at the largest floor level of a building or an accessory building exclusive of unroofed porches, terraces, patios, decks, steps, awnings and nonpermanent canopies.

Building Height: The vertical distance from the median finished grade of the footprint of the building to the top of the highest roof beams on a flat roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level of a gable, hip and gambrel roofs. Mechanical equipment, chimneys, air conditioners, church spires and steeples, water towers, and similar appurtenances shall not be included in this measurement.



Building Material Supplier: A business primarily engaged in the sale of materials, tools and equipment for the building construction industry and/or the general public; including such materials as lumber and hardware, roofing material, pre-fabricated building components, yard and landscape materials other than plantings, fencing and related materials.

Business Park, General: A group of structures housed on a single access, road, or drive with a mixture of retail business, office or commercial ventures, and intended to serve both residents of the immediate area and the larger population of the region.

SECTION 3.4 DEFINITIONS – C [This Section has been amended by Ordinance #154, adopted April 12, 2016, effective April 27, 2016]

Car Wash: Any structure or premises containing facilities for washing automobiles including any or all of the following: automatic or semi-automatic application of cleaner, brushes, rinse water, polishes and similar materials and heat or forced air for drying.

Building Height: The vertical distance from the median finished grade of the footprint of the building to the top of the highest roof beams on a flat roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level of a gable, hip and gambrel roofs. Mechanical equipment, chimneys, air conditioners, church spires and steeples, water towers, and similar appurtenances shall not be included in this measurement.

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Figure 3-1

Flat Roof Building
Building Height

Peaked Roof Building
Building Height

Mechanical equipment & chimneys are exempt.

Mid-point between peak & eaves

Building Material Supplier: A business primarily engaged in the sale of materials, tools and equipment for the building construction industry and/or the general public; including such materials as lumber and hardware, roofing material, pre-fabricated building components, yard and landscape materials other than plantings, fencing and related materials.

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Table 2.6 Table of District Regulations for Primary Structures

Zoning District		Minimum Parcel Size		Minimum Yard Setback Dimensions (feet)			Maximum Height ^a (feet)	Minimum Livable Floor Area (square feet) ^g	Maximum Lot Coverage [amended by Ordinance #119, adopted 8/9/11, effective 8/24/11]
		Area	Width (feet)	Front	Side ^e	Rear			
CR	Conservation & Recreation	5 acres	300	50	15	50	35	960	Determined by setbacks
AG	Agricultural	2 acres	200	50	15	Waterside: 50 Other: 40	35	960	Determined by setbacks
NL	Natural Lakefront	2 acre	At road: 200 At water: 200	50	15	Waterside: 100 Other: 40	35	960	Determined by setbacks
LDR	Low Density Residential (w/o community wastewater)	1 acre	150	50	15	Waterside: 50 Other: 40	35	960	Determined by setbacks
	Low Density Residential (with community wastewater)	15,000 sq. ft	100	30	10	Waterside: 50 Other: 30	35	960	Determined by setbacks
LR	Lake Residential	1 acre	At water: 100 At road: 150	50	15	Waterside: 50 Other: 40	35	960	Determined by setbacks
MDR	Moderate Density Residential With community wastewater	10,000 ^b	80	30	10	25	35	1 & 2 unit 700 Multi-unit: 700	Determined by Setbacks
	Without community wastewater Parcel size of 10 acres or less	20,000 ^b 10,000 ^b	100						
HDR	1&2 Unit, w/ community wastewater	8,500 ^c	60	25	6	25	35	1&2 unit: 700 Multiple: 700	Determined by Setbacks
	Without community wastewater	20,000 ^c	100						
	Multiple Unit, area per dwelling	4,000 ^c	60						
	With community wastewater Without community wastewater	10,000 ^c 10,000 ^c	100 100						
LB	Local Business	See Article 15 for Local Business Standards							
GB	General Business	1 acre	150	40 ^d	20 ^d	20	40	n/a	Determined by setbacks

Notes to Table 2.6 *This table applies to primary structures, also see Section 4.6 Accessory Buildings*

[This Section has been amended by Ordinance #123, adopted December 10, 2013, effective December 25, 2013]

- a. Except for agricultural buildings. Also see Section 4.6.
- b. For two-unit and multiple unit dwellings, densities shall not exceed two units per acre unless community wastewater is provided, in which case densities shall not exceed four units per acre.
- c. For two-unit and multiple unit dwellings, densities shall not exceed two units per acre unless community wastewater is provided, in which case densities shall not exceed eight units per acre.
- d. Except for parcels abutting M-72, where the front or side setback along M-72 shall be 100 feet.
- e. Side yards shall be equal to the minimum required front yard on corner lots abutting side streets.
- f. All single family residential dwellings shall have a minimum ground floor area of 700 square feet.
- g. All single family residential dwellings shall also meet the requirements of Section 4.10 including a living area with minimum exterior dimensions of 24 feet by 24 feet; or 20 feet by 20 feet in the Lake Residential District.
- h. Applies only to parcels of 10 or less acres in net lot area existing on the date of adoption of this Ordinance, with or without a community wastewater system.

Table 2.7 – Table of Uses

Use and Type of Review	CR	AG	NL	LDR	LR	MDR	HDR	LB	GB
	R=Use by Right; C=Conditional Uses; *=Use by Right subject to additional requirements; (P) = requires plot plan review per to Article 20; (S) = requires site plan review by Planning Commission per Article 24								
Aboveground Storage Flammable Liquids (S)									C
Accessory Building (P)	R	R	R	R	R	R	R	R	R
Accessory Dwelling to a Commercial Use (S)								R	
Accessory Use* (P)	R	R	R	R	R	R	R	R	R
Adult Care Facility (P)	R	R	R	R	R	R	R	R	R
Agricultural Building (P)	R	R	R	R	R	R	R	R	R
Agri-Tourism or Agri-Business (S)	R	R		R					
Banking Establishment (S)								R	R
Billboard (S)								C	C
Building Material Supplier (S)									C
Building with excess floor area (S)								C	C
Car Wash (S)									C
Child Care Center (S)	C	C		C		C	C	C	
Commercial Forestry/Timber Operation (P)	R	R							
Contractor Facility, Minor (S)								R	R
Contractor Facility, Major (P)									R
Convenience Commercial Establishment (S)								R	R
Drive through business (S)								C	C
Dwelling, multiple unit (S)						C	R	C	
Dwelling, single family, detached* (P)	R	R	R	R	R	R	R	R	

Use and Type of Review	CR	AG	NL	LDR	LR	MDR	HDR	LB	GB
	R=Use by Right; C=Conditional Uses; *=Use by Right subject to additional requirements; (P) = requires plot plan review per to Article 20; (S) = requires site plan review by Planning Commission per Article 24								
Dwelling, two-unit [(P) if permitted by right]						R	R	C	
Easement to Water (S)					C				
Educational Facility (S)		C		C				C	C
Extraction (S)	C	C		C					C
Family Child Care Home (P)	R	R	R	R	R	R	R	R	
Funeral Home/Mortuary (S)								C	C
General Farming and Agriculture [(P) if permitted by right]	C/R	R	C/R	C/R	C/R	C/R	C/R	C/R	C/R
General Retail Sales Establishment (S)								R	R
Kennel (S)		C							C
Manufactured Housing Community (S)							R		
Mini-Warehouse (S)								C	C
Motor Vehicle Fuel Service w/ Repair (S)								C	C
Motor Vehicle Fuel Service w/o Repair (S)								C	R
Motor Vehicle Salvage/Scraping Yard (S)									C
Office Building or Clinic (S)								R	R
Open Air Business and Storage (S)								C	C
Parking Garage (S)									C
Personal Service Establishment (S)								R	R
Place of Public Assembly (S)				C	C	C	C	C	C
Private or Institutional Recreational Area (S)	R		R						
Processing, assembly and manufacturing (S)								C	R
Propane Service Facility (S)									C

Use and Type of Review	CR	AG	NL	LDR	LR	MDR	HDR	LB	GB
	R=Use by Right; C=Conditional Uses; *=Use by Right subject to additional requirements; (P) = requires plot plan review per to Article 20; (S) = requires site plan review by Planning Commission per Article 24								
Public Utility Structure (S)				C		C	C	C	C
Research and Development Establishment (S)									R
Restaurant w/o Drive-thru (S)								R	R
Roadside Stand for Agricultural Products (P)	R	R	R	R	R	R	R	R	R
Second Hand Store/Pawn Shop (S)								C	C
Sexually Oriented Business (S)									C
Tavern (P)								C	C
Truck Freight Terminal (S)									C
Vehicle Repair Service (S)								C	C
Veterinary Establishment (S) [amended by Ordinance #116, adopted February 8, 2011, effective February 22, 2011]		C						C	C
Warehouse (S)									C
Wholesale Trade Business (S)									C
Wind Energy Conversion System, Large (S)		C		C		C	C		C
Wind Energy Conversion System, Small (P)	R	R	R	R	R	R	R	R	R
Wireless Communication Facility (S)	C	C		C		C	C	C	C
Development Options	See Article 18 Development Options								

Major Accessory Building Standards Associated with Residential Uses (D)					
Parcel Size (in net acres)	Zoning Districts				
	Agricultural (AG)	Conservation/ Recreation & Natural Lake (CR & NL)	Low & Moderate Density Residential ^(B) (LDR MDR & LB)	Lake Residential (LR)	High Density (HDR) ^(B)
1 Acre or less	Number: 1 Floor Area: (A) Height: 18'/1 story (C)	Number: 1 Floor Area: (A) Height: 18'/1 story (C)	Number: 1 Floor Area: (A) Height: 18'/1 story (C)	Number: 1 Floor Area: (A) Height: 18'/1 story (C)	Number: 1 Floor Area: (A) Height: 18'/1 story (C)
1.01 – 2 Acres	Number: 2 Floor Area: (A) Height: 18'/1 story (C)	Number: 2 Floor Area: (A) Height: 18'/1 story (C)	Number: 1 Floor Area: (A) Height: 18'/1 story (C)	Number: 1 Floor Area: (A) Height: 18'/1 story (C)	Number: 1 Floor Area: (A) Height: 18'/1 story (C)
2.01 – 5 Acres	Number: 2 Floor Area: (A) Height: 18'/1 story (C)	Number: 2 Floor Area: (A) 2,000 s.f. Height: 18'/1 story (C)	Number: 2 Floor Area: (A) Height: 18'/1 story (C)	Number: 2 Floor Area: (A) Height: 18'/1 story (C)	Number: 2 Floor Area: (A) Height: 18'/1 story (C)
5.01 – 11 Acres	Number: 3 Floor Area: 3,000 s.f. Height: 18'/1 story (C)	Number: 3 Floor Area: 3,000 s.f. Height: 18'/1 story (C)	Number: 2 Floor Area: 2,000 s.f. Height: 18'/1 story (C)	Number: 2 Floor Area: (A) Height: 18'/1 story (C)	Number: 2 Floor Area: (A) Height: 18'/1 story (C)
More than 11.01 Acres	Number: 4 Floor Area: 3,000 s.f. Height: 18'/1 story (C)	Number: 4 Floor Area: 3,000 s.f. Height: 18'/1 story (C)	Number: 3 Floor Area: 2,000 s.f. Height: 18'/1 story (C)	Number: 2 Floor Area: 2,000 s.f. Height: 18'/1 story (C)	Number: 3 Floor Area: (A) Height: 18'/1 story (C)

(A) Maximum area for each accessory building permitted shall be the greater of up to 1,200 square feet or the area of the ground floor of the principal building, but no more than 2,000 square feet.

(B) For multiple family developments in the HD, MD, or LB districts, one (1) accessory building of up to 500 square feet is permitted for each dwelling unit. In addition, such multiple family developments of between 10 and 25 units are permitted one (1) additional major accessory building up to 2,000 square feet in ground floor area; for such multiple family developments of 26 units or more, two additional major accessory buildings each up to 2,000 square feet in ground floor area are permitted.

(C) Maximum height of all accessory buildings shall be eighteen (18) feet or one (1) story whichever is less. See definition of Building Height in Section 3.3.

(D) For any Open Space Conservation Development Option, Subdivision without Significant Open Space Option, or Agricultural Conservation Development Option approved under Ordinance #109, this table shall apply corresponding to the underlying zoning district. For any Planned Unit Development approved under Ordinance #109, the size, number, and locations of major accessory buildings shall be as specifically approved by the Planning Commission.

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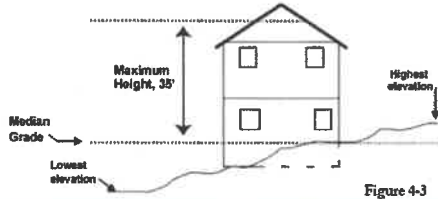
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SECTION 4.8 DISTRICT HEIGHT LIMITATION

Determining Median Grade.
Building height shall be measured from median finished grade. See the definitions for Median Grade in Section 3.6 and Building Height in Section 3.3.



The diagram shows a two-story house with a gabled roof. A horizontal dashed line represents the 'Median Grade'. A vertical double-headed arrow indicates the 'Maximum Height, 35'' from the median grade to the peak of the roof. The ground is shown as a wavy line with 'Lowest elevation' at the front and 'Highest elevation' at the back.

Figure 4-3

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Fit Width



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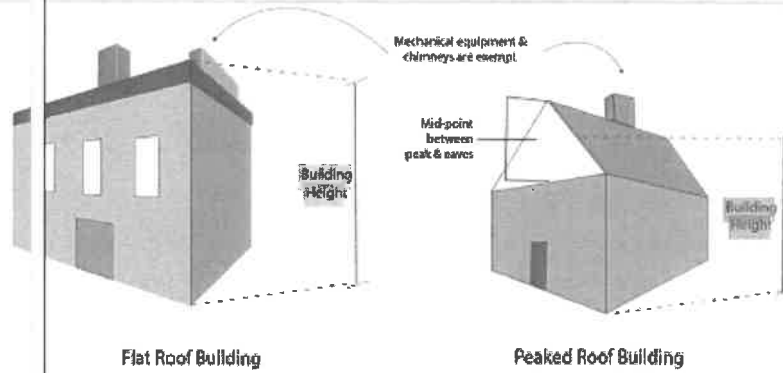
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Definitions:

Accessory Building: A building detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use.

Accessory Building, Attached: An accessory building that is structurally attached (see definition of Structurally Attached, Section 3.20) to a principal building and is an integrated part of (by location, materials, and architectural design) a principal building.

**Figure 3-1**

CR District

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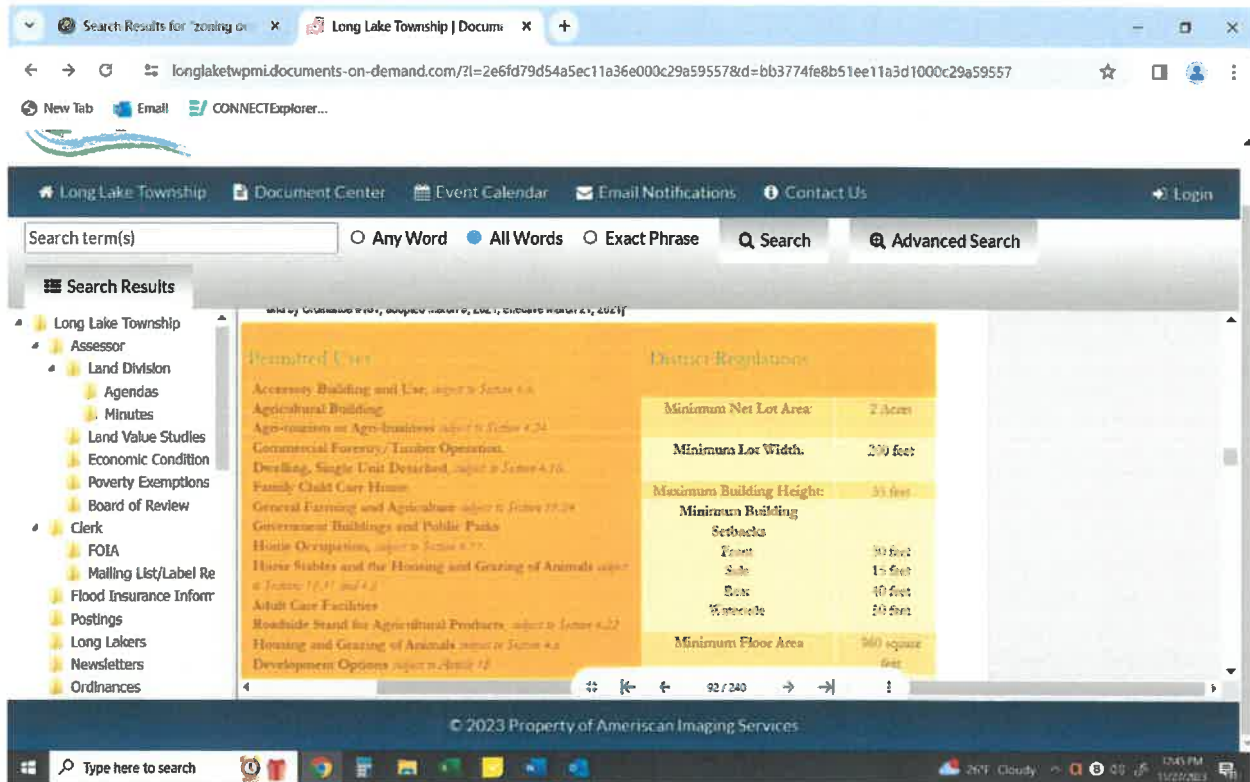
- Accessory Buildings and Uses, subject to Section 4.6
- Commercial Forestry/Timber Operation
- Dwelling, Single Family Detached, subject to Section 4.10
- Family Child Care Home
- Government Buildings and Public Parks
- Home Occupations, subject to Section 4.11
- Horse Stables and the Housing and Gearing of Animals, subject to Section 4.13 and 4.13.2
- Private or Institutional Recreational Areas
- Adult Care Facilities
- Agriculture or Agri-business, subject to Section 4.24
- General Farming and Agriculture, subject to Section 4.24
- Roadside Stand for Agricultural Products, subject to Section 4.27
- Development Options, subject to Article 11
- Agricultural Buildings, subject to Section 4.8
- Wind Energy Conversion Systems, Small, subject to Section

District Regulations

Minimum Net Lot Area	3 Acres
Minimum Lot Width	300 feet
Maximum Building Height	35 feet
Minimum Building Setbacks	
Front	50 feet
Side	15 feet
Rear	50 feet
Water-side	50 feet
Minimum Floor Area	900 square feet

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Maximum Building Height. No dwellings, buildings, or structures, or parts thereof shall be hereafter erected, altered or moved on any land or premises in this district which shall exceed a of thirty-five (35) feet, except that buildings and structures permitted in this district under this Ordinance for non-dwelling purposes may be erected, altered or moved on any land or premises in this district to a height of not exceeding fifty (50) feet if first approved by the Planning Commission.



AG District

Maximum Building Height. No dwellings, buildings, or structures, or parts thereof shall be hereafter erected, altered or moved on any land or premises in this district which shall exceed a of thirty-five (35) feet, except that buildings and structures permitted in this district under this Ordinance for non-dwelling purposes may be erected, altered or moved on any land or premises in this district to a height of not exceeding fifty (50) feet if first approved by the Planning Commission.

Maximum Building Height. No dwellings, buildings, or structures, or parts thereof shall be hereafter erected, altered or moved on any land or premises in this district which shall exceed a height of thirty-five (35) feet; except that buildings and structures permitted in this district under this Ordinance for agricultural purposes may be erected, altered or moved on any land or premises in this district at any height.

Natural Lakefront District

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Permitted Uses	District Regulations
Accessory Buildings and Uses, subject to Section 4.6.	Minimum Net Lot Area: 2 Acres
Dwelling, Single Unit Detached, subject to Section 4.10.	Minimum Lot Width: 200 feet
Family Child Care Home.	Maximum Building Height: 35 feet
Government Buildings and Public Parks.	
Home Occupation, subject to Section 4.11.	
Private or Institutional Recreational Areas.	
Adult Care Facilities.	
Roadside Stand for Agricultural Products, subject to Section 4.12.	Minimum Building Setbacks
Housing and Keeping of Animals, subject to Section 4.6.	Front: 50 feet
General Farming and Agriculture, subject to Section 4.13.	Side: 15 feet
Development Options, subject to Article 12.	Rear: 40 feet
Wind Energy Conversion Systems, Small, subject to Section 4.13.	Waterfront: 50 feet

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Maximum Building Height. The maximum building height of principal structures in the NL Natural Lakefront District is thirty-five (35) feet.

LDR District

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Permitted Uses

Accessory Building and Use, subject to Section 4.18
 General Farming and Agriculture, subject to Section 18.24
 Dwelling, Single Unit Detached, meeting the requirements of Section 4.15
 Family Child Care Home
 General Farming and Agriculture, subject to Section 18.24
 Government Buildings and Public Parks
 Home Occupation, subject to Section 4.21
 Roadside Stands for Agricultural Products, subject to Section 4.22
 Adult Care Facilities
 Agri-tourism or Agri-business, subject to Section 4.19
 Small WECS, subject to Section 4.22
 Housing and Grazing of Animals, subject to Section 4.4

District Regulations

Minimum Net Lot Area	
Without Community Wastewater	3 Acres
With Community Wastewater	15,000 square feet

Minimum Lot Width	
Without Community Wastewater	150 feet
With Community Wastewater	100 feet

Maximum Building Height	
	35 feet

Minimum Building Setbacks		
	With Community Wastewater	Without Community Wastewater
Front	25 feet	30 feet

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Maximum Building Height. The maximum building height of principal structures in the NL Natural Lakefront District is thirty-five (35) feet.

Maximum Building Height. No dwellings, buildings, or structures, or parts thereof shall be hereafter erected, altered or moved on any land or premises in this district which shall exceed a height of thirty-five (35) feet.

Lake Residential

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Permitted Uses	District Regulations
Accessory Buildings and Uses, subject to Section 4.6	Minimum Net Lot Area
Dwelling, Single Unit Detached, subject to Section 4.10	1 Acres
Family Child Care Home	Minimum Lot Width
Government Buildings and Public Parks	At the Water
Home Occupation, subject to Section 4.11	At the Right of Way
Adult Care Facilities	Maximum Building Height
Small WECS, subject to Section 4.23	35 Feet
Roadside Stand for Agricultural Products, subject to Section 4.22	Minimum Building
Hunting and Grazing of Animals, subject to Section 4.8	Setbacks
General Farming and Agriculture, subject to Section 4.7a	Front
Development Options, subject to Article 1.2	Side
	Rear
	Water-side
	50 feet
	Minimum Floor Area
	800 square

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Maximum Building Height. The maximum building height of principal structures in the LR-Lake Residential District is thirty-five (35) feet.

Moderate Density

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Permitted Uses

Accessory Building and Use, subject to Section 4.6
 Dwelling, Single Unit Detached, subject to Section 4.7
 Dwelling, Two Family
 Family Child Care Home
 Government Buildings and Public Parks
 Home Occupations, subject to Section 4.11
 Adult Care Facilities
 Small WDCS, subject to Section 4.23
 Roadside Stand for Agricultural Products, subject to Section 4.22
 Housing and Grooming of Animals, subject to Section 4.8
 General Farming and Agriculture, subject to Section 13.24
 Development Options, subject to Article 12

District Regulations

Minimum Net Lot Area:	10,000 s.f. With community wastewater
Without community wastewater	20,000 s.f.
Minimum Lot Width:	80 feet With community wastewater
Without community wastewater	100 feet
Maximum Building Height:	35 feet
Minimum Building Setbacks:	Front: 30 feet Side: 10 feet Rear: 25 feet
Minimum Floor Area:	

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Maximum Building Height. The maximum building height of principal structures in the MDR Moderate Density Residential District is the lesser of thirty-five (35) feet.

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Permitted Uses

Accessory Building and Use, subject to Section 4.6
 Dwelling, Multiple-Unit
 Dwelling, Single Unit Detached, subject to Section 4.7
 Dwelling, Two Family
 Family Child Care Home
 Government Buildings and Public Parks
 Home Occupations, subject to Section 4.11
 Manufactured Housing Community, subject to Section 14.2
 Adult Care Facilities
 Small WDCS, subject to Section 4.23
 Roadside Stand for Agricultural Products, subject to

District Regulations

	1 & 2 Units	Multi-Unit
Minimum Net Lot Area:		
With Community Wastewater	8,500 sf	20,000 sf
Without Community Wastewater	4,000 sf/unit	10,000 sf/unit
Minimum Lot Width:		
With Community Wastewater	60 feet	
Without Community Wastewater	100 feet	
Maximum Building Height:	35 feet	
Minimum Building Setbacks:		

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Maximum Building Height. The maximum building height of principal structures in the HDR Residential District is thirty-five (35) feet.

Local Business District

The screenshot shows the Long Lake Township website with search results for 'zoning'. The results page displays a table of permitted uses and their corresponding regulations for the Local Business District.

Permitted Use	Minimum Net Lot Area	Minimum Lot Width	Maximum Building Height	Minimum Building Setbacks	Building Floor Area Limits
Accessory Buildings and Uses, subject to Section 4.2	1 Acre	120 feet	40 feet	30 feet	7,500 square feet total floor area or smaller shall be a
Accessory Dwelling to a Commercial use, subject to Section 4.3					
Banking Establishment					
Canteen Facility, Minor					
Convenience Commercial Establishment					
Dwelling, single unit detached					
Family Day Care Home					
General Retail Sales Establishment					
Government Buildings and Public Parks					
Home Occupation					
Office Building/Clinic					
Personal Service Establishment					
Restaurant, without drive-thru					
Adult Care Facilities					
Small WECS subject to Section 4.2.1					

Maximum Building Height. Forty (40) feet.

General Business District

Search Results for 'zoning' x Long Lake Township | Document x

longlaketwp.mt.documents-on-demand.com/?l=2e6fd79d54a5ec11a36e000c29e59557&d=bb3774fe8b51ee11a3d1000c29a59557

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Long Lake CHARTER TOWNSHIP

Long Lake Township Document Center Event Calendar Email Notifications Contact Us Login

Search term(s) Any Word All Words Exact Phrase Search Advanced Search

Search Results

- Long Lake Township
 - Assessor
 - Land Division
 - Agendas
 - Minutes
 - Land Value Studies
 - Economic Condition
 - Poverty Exemptions
 - Board of Review
 - Clerk
 - FOIA
 - Mailing List/Label Re
 - Flood Insurance Inform
 - Postings

Banking Establishment	Minimum Net Lot Area:	1 Acre
Contractor Establishment, Minor and Major	Minimum Lot Width:	150 feet
Convenience Commercial Establishment	Maximum Building Height:	40 feet
General Retail Sales Establishment	Minimum Building Setbacks	
Governmental Building/Public Park	Front	40 feet
Motor Vehicle Fuel Service w/o Repair	Side	20 feet
Office Building/Class	Rear	20 feet
Personal Service Establishment	Building Floor Area Limits:	
Processing, Assembly, and Manufacturing	7,500 square feet total floor area or smaller shall be a permitted use, buildings greater than 7,500 square feet total floor area shall be a conditional use, subject to Section 19.11	
Research and Development Establishment		
Restaurant, without drive-thru		
Adult Care Facilities		
Small WECS subject to Section 4.23		
General Farming and Agriculture subject to Section 19.24		
Development Options subject to Section 19		
Roadside Stand for Agricultural Products, subject to Section 4.23		

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Type here to search 26°F Cloudy 11/27/2023 12:57 PM

Max height 40 feet

Traverse City

1330.06 - Building height.

(a) *Building height*: Maximum 45 feet

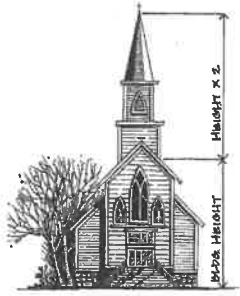
(b) *Exceptions*:

Steeple and clock towers may be erected to a height not exceeding twice the height of the attached building.

Parapet walls may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 476, Passed 7 6 99. Ord 725, Passed 3-19-07.)

1332.06 - Building height.



(a) *Building height (both districts):*

Maximum 35 feet.

(b) *Exceptions:*

Steeple and clock towers may be erected to a height not exceeding twice the height of the attached building.

Parapet walls may be used to screen existing equipment may be erected if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 476. Passed 7-6-99. Ord. 726. Passed 3-19-07.)

FIGURE 1-1 BASEMENT AND STORY

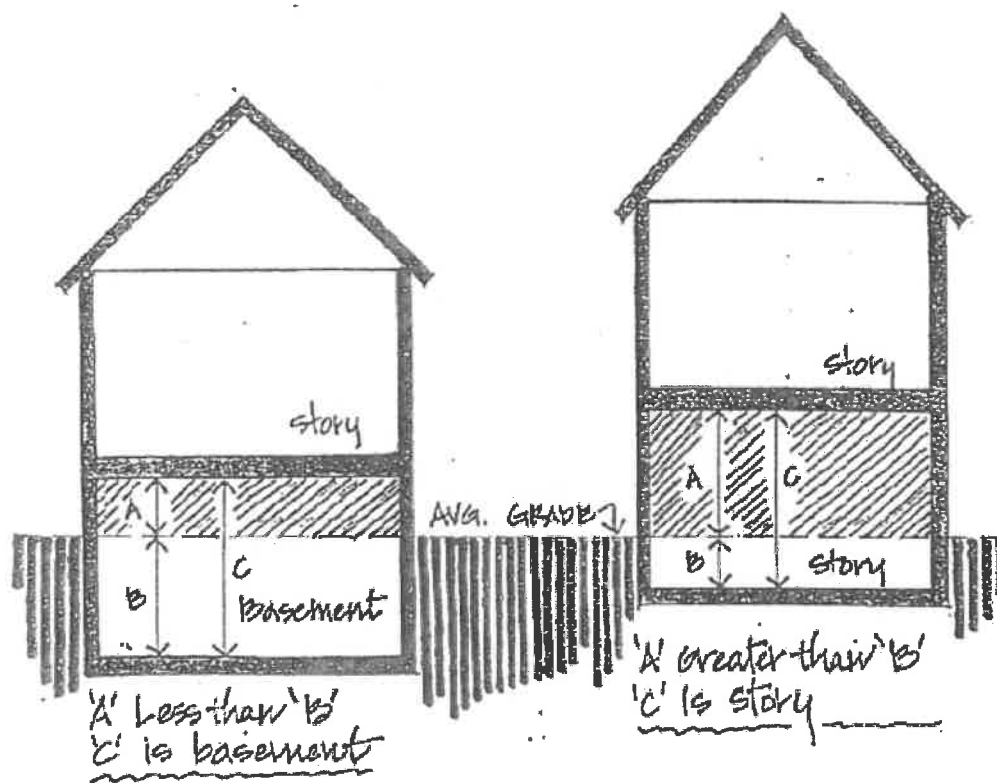


FIGURE 1-3 BUILDING HEIGHTS

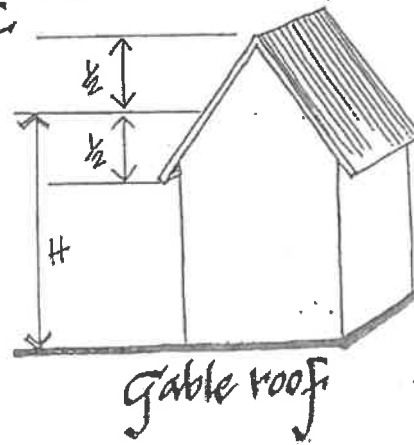
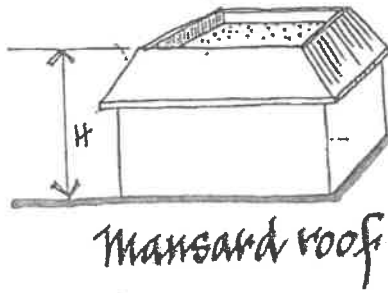
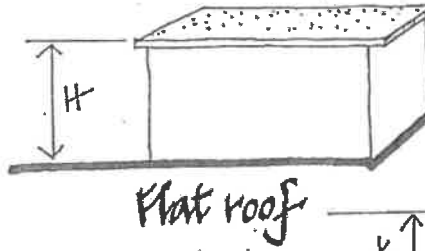
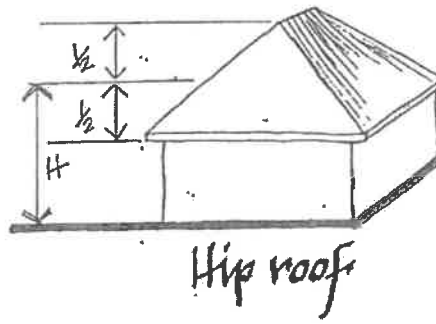


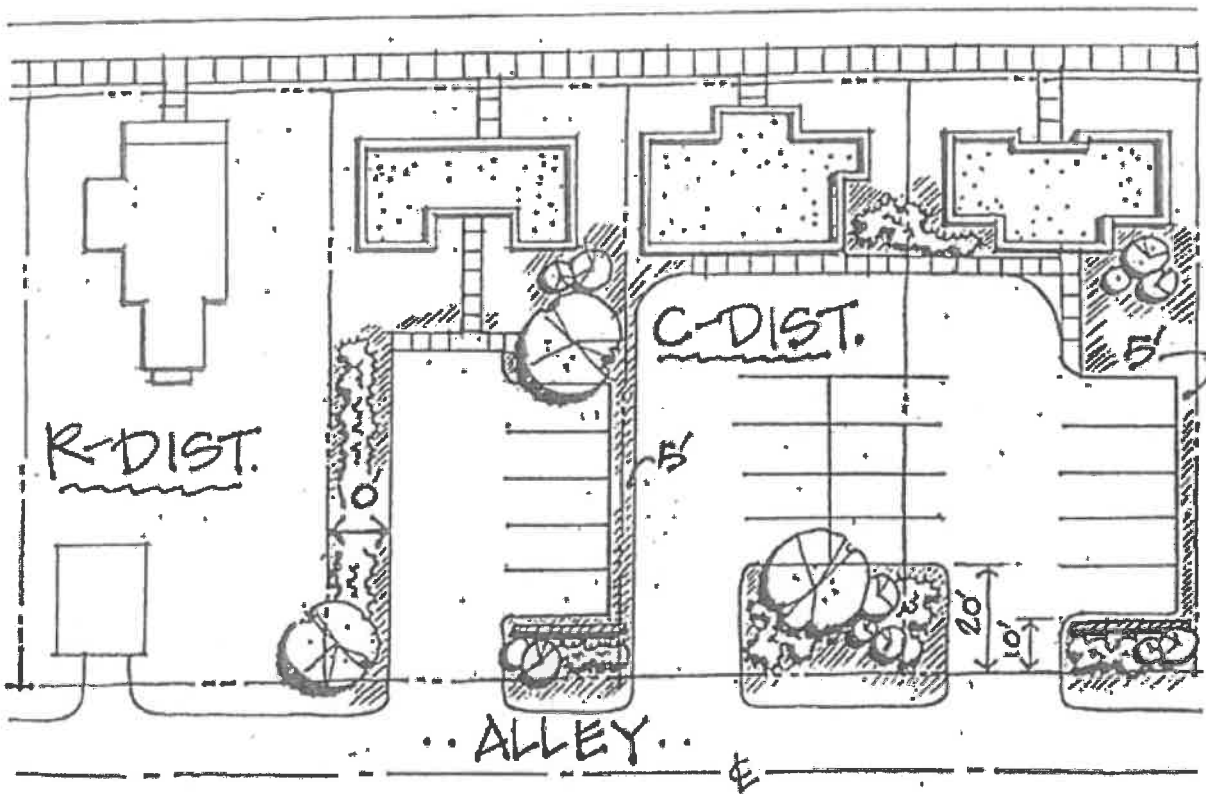
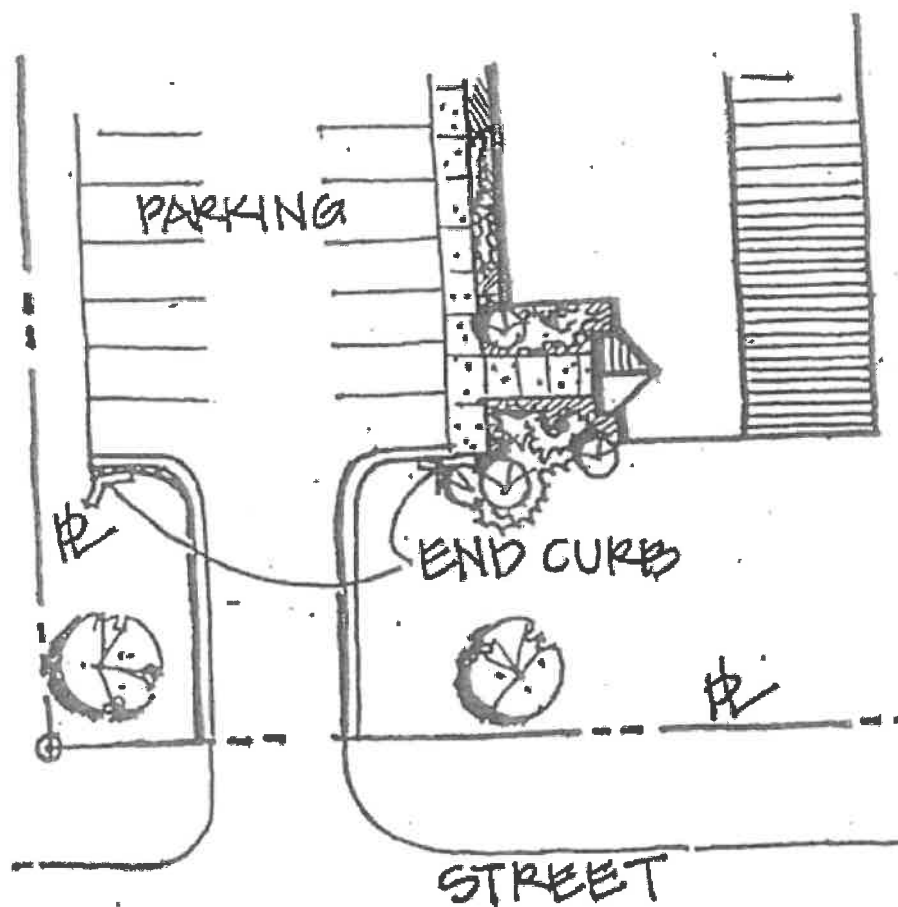
FIGURE 1-5 SIDE SETBACK REQUIRED AND REAR SETBACK REDUCTION WHEN SCREEN WALL IS PROVIDED

FIGURE 1-7 INDUSTRIAL DISTRICT CURBING

Leelanau County

Bingham Township

include tents, awnings, and mobile homes whether or not mounted on wheels.

BUILDING, ACCESSORY: A subordinate building, *not to be confused with an accessory apartment*, which may or may not be attached to a principal building, occupied by or devoted exclusively to a use which is accessory and clearly incidental to the principal permitted use.

BUILDING, NONCONFORMING: See NONCONFORMING BUILDING OR STRUCTURE.

BUILDING HEIGHT: The vertical distance measured from the average of the highest and lowest finished grade surrounding the structure to the highest point of the roof.

(Definition amended by Amendment 06-004 effective date August 2006)

BUILDING, PRINCIPAL: A building or group of buildings in which is conducted the main or principal use or activity permitted on the lot where the building is located.

CHICKEN: domestic fowl (*Gallus gallus domesticus*) kept for its eggs or meat.

(Annotation: Definition added by Amendment 15-001 effective May 8, 2015)

CHILD CARE: (Annotation: Definitions amended by Amendment 13-005, effective April 4, 2014)

FAMILY CHILD CARE HOME: A private home registered with the State Department of Social Services, where one (1) to six (6) children are received for care and supervision for periods less than twenty-four (24) hours.

GROUP CHILD CARE HOME: A private home, licensed by the Department of Social Services, where from seven (7) to twelve (12) children are received for care and supervision for periods of less than twenty-four (24) hours.

DAY CARE CENTER: A facility other than a private home, licensed by the Department of Social Services, where one or more children are received for care and supervision for periods less than twenty-four (24) hours. This includes preschools.

CIDERY: See WINERY (Annotation: Definition added by Amendment 14-001 effective June 6, 2014)

CLERK - The clerk of Bingham Township. Added by amendment BTPC4-19-95

CLUSTERED HOUSING: Clustered housing is an innovative land use device for grouping or "clustering" buildings in order to achieve densities on some portions of the development area while leaving the remaining land open for recreational or other purposes.

COMMERCIAL FARM: A Farm which has produced agricultural or horticultural products worth \$2,500.00 or more annually for at least three of the past five years.

(Annotation: Definition added by amendment 2008-001 effective on 11-07-08)

COMMERCIAL STORAGE: A space, or a place, for the safekeeping of goods for profit.

FENCE: A structure or barrier enclosing a field, yard, or other space, or separating it from an adjoining area; especially a structure of rails, pickets, or wooden or metal openwork. Compare SCREEN.

FLOOD PLAIN: Land adjoining or connected to a water body or watercourse which has a once in one hundred years chance of being inundated, as determined by the U.S. Army Corps of Engineers or other applicable Federal Agency. Compare WETLANDS.

FLOOR AREA: The sum of the horizontal areas of the several floors of a building, measured from the interior face of the exterior walls.

FLOOR AREA, USABLE: Usable floor area shall be calculated by taking the floor area minus hallways and entrance halls which are not used for the display or storage of merchandise, and minus mechanical areas involved solely with building and grounds maintenance.

FOOD PROCESSING: A procedure which processes, packages, grades, sorts, or changes the form of fruit or other farm products.

FOOD PROCESSING PLANT: An establishment which processes, packages, grades, sorts, or changes the form of fruit, vegetables, or other farm products.

FRUIT AND VEGETABLE RECEIVING STATION: A business which receives raw fruit and/or vegetables from area farms for shipment to market, and may include the process of brining.
(Annotation: Definition amended by amendment 2008-001 effective on 11-07-08)

GOLF COURSE: An area of land laid out for the game of golf with a series of nine (9) or eighteen (18) holes including tees, greens, fairways, and often one or more natural or artificial hazards, practice driving ranges, and a clubhouse. This definition does not include mini-golf or similar amusement park types of games.

GRADE: The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building and a line five feet from the building.

GREENBELT: A landscaped area, using grasses, trees and/or shrubs, with or without berms, to achieve the goals of this Ordinance. It is not intended to screen, and there is no minimum height requirement. Compare BUFFER and SCREEN.

GREENHOUSE: A structure, all or some of whose roof and side walls are of glass or similar material, which is used for the cultivation of plants and flowers. Compare CONSERVATORY.

GROUP DAY CARE HOME: See CHILD CARE.

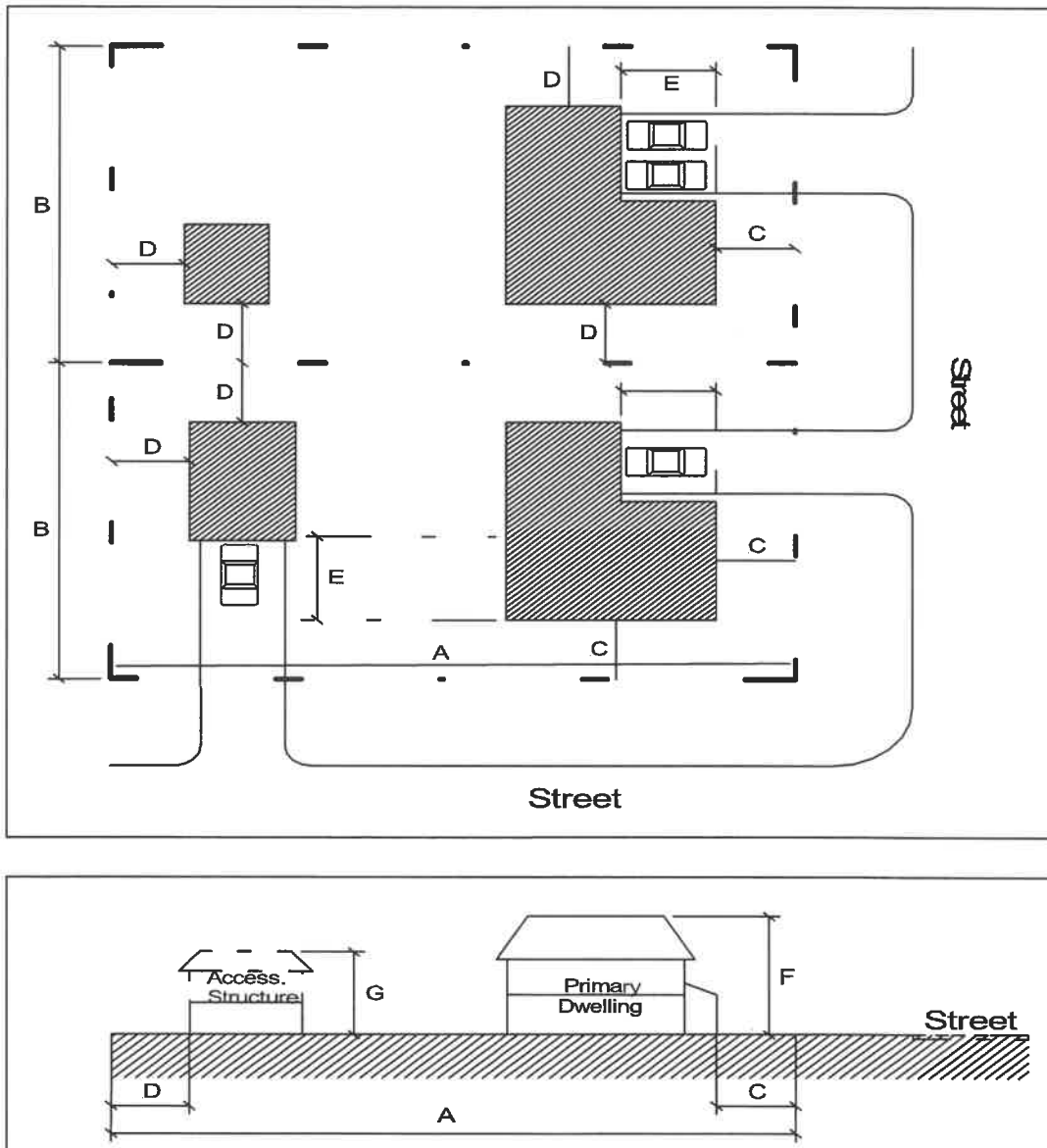
SECTION 3.6**SCHEDULE OF AREA, HEIGHT AND PLACEMENT REGULATIONS**

(Annotation: Section amended by Amendment 13-007, effective April 4, 2014)

Zoning District

		Agricultural	Rural Residential	Residential	Commercial	Industrial
Minimum Lot Area	acres	2	2	1	None (a)	5
Minimum Lot Width, Road Frontage	feet	200	150	150	None (a)	350
Maximum Height of Structure (b)	feet	35 (c)	35	35	35	35
Maximum Building Footprint	square feet				10,000	
Minimum Area Covered by Dwelling (d)	square feet	500	500	500	500	500
Maximum Lot Area Covered by Structures(e)		25%	25%	25%	25%	25%
Minimum Setback (f)	feet					
Front		40 (g)	40	40 (g)	40 (h)	100
Side		35 (i)(j)	35 (i)	10	10	(k)
Rear		50 (i)	35 (i)	30	30	30

- (a) Minimum lot area and lot width is that needed for the building(s) and the required space needed for the permitted well(s) and septic field(s).
- (b) Structure shall not exceed two and one-half (2 ½) exposed stories above ground.
Added by amendment #06-004. Effective August 2006
- (c) Farm buildings other than dwellings may be allowed by the Zoning Administrator to exceed the height limitation if the Administrator determines that the height is usual for that type of building, and the building is to be used for farm purposes only.
- (d) In duplexes and multiple family dwellings, the average floor area per dwelling in each structure shall be a minimum of five hundred (500) square feet.

SECTION 5.6**AREA, HEIGHT AND PLACEMENT REGULATIONS**

- A. Parcel Depth (A) – No greater than four (4) times the Parcel Width
- B. Parcel Width (B) – One hundred fifty (150) feet minimum
- C. Front (Street) Setback (C) – Forty (40) minimum from the front Parcel line.
- D. Side and Rear Parcel Line Setbacks (D)
1. Primary dwelling and attached garage: Thirty five (35) minimum from the Parcel

4

line.

2. Agricultural and accessory buildings larger than one hundred (100) square feet:
Twenty (20) feet.
 3. Agricultural and accessory buildings smaller than one hundred (100) square feet:
Ten (10) feet
- E. Garage setback eighteen (18) feet from façade line of primary structure (residential developments only)
- F. Primary Dwelling Height (F) – Thirty five (35) maximum with a maximum of two and one half (2 ½) stories
- G. Accessory Building Height (G) - Thirty five (35) feet. (Twenty five (25) feet for primary storage buildings)
- H. Maximum Building Coverage - Twenty five (25) percent of the net Parcel Area.
- I. Parcel Size: Two (2) acres minimum net acreage

NOTE:

The above dimensional standards may be waived or altered for clustered housing developments when approved by the Planning Commission (See Article 15).

SECTION 5.6

ADDITIONAL DEVELOPMENTAL STANDARDS

(Annotation: Section deleted by Amendment 14-007, effective March 6, 2015)
See Section 3.6.1 Standards for Residential Developments

Elmwood Township

Attached Wireless Communications Facilities. Wireless communication facilities that are affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A wireless communication support structure proposed to be newly constructed shall not be included within this definition.

Auditorium. An amphitheater, assembly hall, theater, and other similar facilities where patrons are primarily spectators to activities.

Bank. Financial institutions including banks, credit unions, savings and loan associations and similar uses.

Banquet Facility. See Conference Center/Banquet Facility.

Base Flood. The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Basement. Any area of a building having its floor subgrade (below ground level) on all sides.

Bed and Breakfast. A single family residential structure that has no more than four (4) sleeping rooms, including sleeping rooms occupied by the owner, one (1) or more of which are available for rent to transient tenants, and where one (1) or more meals may be provided daily to its transient tenants.

Bed and Breakfast Inn. A single family residential structure that has five (5) or more sleeping rooms, including sleeping rooms occupied by the innkeeper, one (1) or more of which are available for rent to transient tenants, and where one (1) or more meals may be provided daily to its transient tenants.

Billboard. An outdoor sign, display, painting, drawing, message, placard, poster, or other device used to advertise, promote, direct, or provide information or identification for a service, business, entertainment, industrial use, or product located on another site.

Buffer. An area of land including plantings and/or structures that may be required in order to lessen the visual, noise, or other impacts between neighboring properties.

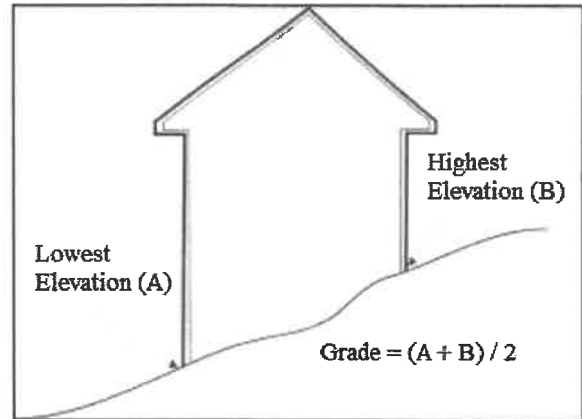
Building. Any structure designed or built for the support, enclosure, shelter or protection of persons, animals or personal property of any kind.

Building Area. The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces, steps, decks, patios, and paved areas.

Building, Existing. A building existing or for which the foundations are in place or upon which there has been substantial work done prior to the effective date of this Ordinance or any amendment thereto.

Building, Principal. A building in which is conducted the main or principal use of the lot on which it is located.

Building Height. The vertical distance measured from the grade adjacent to the wall of the building to the highest point of the roof. For substantially uneven ground (see Grade definition), building height shall be determined based on the average elevation of the ground/grade adjacent to each wall of the building.



Business Center. Any three (3) or more businesses, which meet at least one (1) of the following:

- A. Are connected by common walls, partitions, canopies, or other structural members to form a continuous building or group of buildings.
- B. Are located on a single parcel of property.
- C. Share a common parking area.
- D. Otherwise present the appearance of a single, contiguous business area.

Campground. A parcel or tract of land under the control of a person in which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for 5 or more recreational units (as defined by Michigan's Public Health Code, 1978 PA 368, as amended and its administrative rules). Campground does not include a seasonal mobile home park licensed under the mobile home commission act, 1987 PA 96, MCL 125.2301 to 125.2349.

Cemetery. An area of land for containing graves, tombs, or funeral urns.

Child Care Center. A state licensed facility other than a private residence, which receives 1 or more children under 13 years of age for care for periods of less than 24 hours a day, and at which the parents or guardians are not immediately available to the children which meets or exceeds the State of Michigan licensing rules for child care centers. (*Ref: Licensing Rules for Child Care Centers; State of Michigan Department of Human Services*)

Clinic. A professional office where human patients are admitted for examination and treatment by one (1) or more physicians, dentists, psychiatrists or other licensed health practitioners, but excluding overnight treatment such as that commonly found in a hospital.

Clinic/Hospital, Veterinary. An establishment in which animals are examined and treated for medical problems by one (1) or more veterinarians, which may include the keeping of animals overnight for medical purposes.

Club. An organization catering exclusively to members and their guests, or premises and buildings for recreation, artistic, or social purposes, which are not conducted primarily for gain and which do not provide merchandising, vending, or commercial activities except as required incidentally for the membership and purposes of such club.

Cluster Residential Development. A development project whereby dwellings are confined to portions of the development parcel, and open space tracts are preserved with the intent to lessen impacts on the visual and natural environment and more efficiently use land.

Garage. A building designed and used primarily for the parking and storage of passenger vehicles that are for the primary use of the residents of the dwelling in which they live. The building may be attached to or detached from the dwelling.

Gasoline Service Station. A property where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity and may also include a freestanding automatic car wash.

Generally Accepted Agricultural and Management Practices (GAAMPs). Those practices as defined by the Michigan Department of Agriculture and Rural Development. The commission shall give due consideration to available Michigan Department of Agriculture and Rural Development information and written recommendations from the Michigan State University College of Agriculture and Natural Resources Extension and the agricultural experiment station in cooperation with the United States Department of Agriculture natural resources conservation service and the consolidated farm service agency, the Michigan Department of Natural Resources, and other professional and industry organizations. (*ref: Act 93 of 1981*)

Golf Course. An area of land laid out for the game of golf, including tees, greens, fairways, practice/driving ranges, and clubhouse and other related uses such as pro shops and restaurants.

Grade. The grade shall be, in the case of level ground conditions, the level of the ground adjacent to the walls of the building. For substantially uneven ground conditions, the grade shall be the average elevation of the ground adjacent to each wall of the building.

Greenbelt. A naturalized landscaped area with shrubs and/or other plantings along a stream, ravine or shoreline.

Group Child Care Home. A private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods less than 24 hours a day unattended by parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Group child care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year. (*ref: Public Act 116 of 1973; Section 1*)

Group Housing. A residential development involving construction of a group of dwelling units, including a combination of one-family, two-family, or multiple-family dwellings on a lot, parcel, or tract of land, and containing common services or facilities.

Guest House. A room or group of rooms occupied, arranged or designed for occupancy by one (1) or more guests without charge by the residents of the primary dwelling unit.

Home Business. A lawful economic enterprise conducted by the occupants of a single-family residence which is subordinate and incidental to the residential use and which is observable or noticeable from neighboring or adjoining land or structures because of activities on the site of the Home Business. Traffic, signage, noise, patrons, outdoor storage, modifications to structures or grounds and similar conditions that are incidental to the operation of a business.

Home Occupation. A lawful economic enterprise conducted by the occupants of a single-family dwelling and operated as a subordinate and incidental use of the residence.

SECTION 5.6 TABLE OF DIMENSIONAL REQUIREMENTS

District		Minimum Lot Requirements (See Note A)		Minimum Setback (ft.) (See Notes A, B, C, G)					Max. Height (ft.) (See Notes D, E)
		Minimum Area	Minimum Width, Road Frontage (ft.)	Wetlands	Water's Edge	Front	Sides	Rear	
A-R		1 acre	125	30	30	50	10	25	35
R1		12,500 sq. ft.	100	30	30	30	10	25	35
R-2		12,500 sq. ft.	100	30	30	30	10	25	35
R-3		6,250 sq. ft.	100	30	30	30	10	25	35
MHP				See Note F					
NC	W/public water or sewer***	20,000 sq. ft.	100	30	30	30	10	25	3 Stories
	W/out public water or sewer***	40,000 sq. ft. minimum	100	30	30	30	10	25	3 Stories
GC		12,500 sq. ft.	100	30	30*	30*	10	20	3 Stories
LI		20,000 sq. ft.	100	30	30*	30*	10**	20	3 Stories
SC		12,500 sq. ft.	100	30	30*	30*	10	30	35
RR	Single Family Dwelling	5 acre	235	30	30	50	10	25	35
MC		12,500 sq ft	100	30	30	30	10	20	35

* 15 feet if parking on side or rear of structure.

** 20 feet if abuts residential district.

*** public water and sewer means municipally-provided services.

FOOTNOTES TO THE TABLE OF DIMENSIONAL REQUIREMENTS

The following footnotes apply to the Table of Dimensional Requirements (Section 5.6)

Note A: *Existing Parcels.* Nonconforming parcels may be developed for uses permitted in the zoning district. Unless otherwise stated in this Ordinance, setbacks of the district shall apply to all parcels.

Note B: *Corner Lots.* The following setbacks shall be observed on corner lots:

1. **NC and GC Zoning Districts.** The shortest side of the lot along the street right-of-way shall be considered the front lot line. Side yard setbacks shall apply to the exterior and interior side lot lines; if a rear yard exists, rear yard setbacks shall apply to the remaining lot line.

2. *All other zoning districts. The required front yard setback shall apply to lot lines that are adjacent to the street. For all other lot lines, side yard setbacks apply.*

Note C: *Through Lots. For through lots, front yard setbacks apply to any property line adjacent to a street.*

Note D: *Height Exemptions. The following appurtenances shall be allowed to exceed height limits as long as they do not project into a utility easement; however, they cannot be used for human occupancy.*

1. *Special elements, such as church steeples, belfries, cupolas, domes, and ornamental towers may exceed maximum height limits in each zoning district, but in no case shall exceed seventy-five (75) feet in height.*
2. *Appurtenances to mechanical or structural functions such as chimney and smoke stacks, penthouses, water tanks, elevators and stairwells, ventilators, bulkheads, radio aerials, fire and hose towers, cooling towers, and HVAC units.*
3. *Appurtenances to agricultural functions such as silos, barns, water towers, and outbuildings, including other such agricultural structures not specifically delineated.*

Note E: *Residential Height. Height exemptions shall not be permitted for residential buildings or structures.*

Note F: *Manufactured Home Park District. All dimensional standards and requirements under the Michigan Department of Labor and Economic Growth's Manufactured Housing Commission rules (adopted February 12, 1998 or as amended or as replaced with alternative rules) shall be observed.*

Note G: *Wetlands. Section 324.30305 of NREPA lists exemptions not subject to wetlands protection regulations. Elmwood Township shall not impose wetland setbacks on said exemptions. The applicant has the burden of proof for providing evidence of any exemption(s).*

Note H: *Building Projections. Every part of a required yard shall be open to the sky, unobstructed by a building, except for accessory buildings in a rear yard, and except for ordinary projections of sills, belt courses, cornices, and ornamental features not to exceed twelve (12) inches. Eaves may project into a required side yard not more than eighteen (18) inches.*

SECTION 5.7 ACCESSORY BUILDINGS AND DECKS

A. Accessory Buildings

1. *Accessory buildings less than one hundred (100) square feet in area may be located within the rear yard setback. No accessory building shall be closer than ten (10) feet from any side lot line.*
2. *An accessory building shall occupy no more than thirty (30) percent of a rear yard.*
3. *In the R-1, R-2 and R-3 zoning districts, and for residential uses in the NC zoning district, a maximum of three (3) accessory buildings are permitted on a single parcel. Furthermore, within these zoning districts the square footage of the combined area of all accessory structures on a single parcel shall not exceed three (3) times the area of the footprint of the principal building.*

Suttons Bay Township

Suttons Bay Township Zoning Ordinance

type of land use from another, or to minimize or eliminate conflicts between them. Compare GREENBELT and SCREEN.

BUFFER YARD: An open space, landscaped area, fence, wall, berm, retention/detention pond or any combination thereof used to physically separate potentially incompatible uses on adjoining lots.

BUILD: See ERECT.

BUILDABLE AREA: The portion of a lot, parcel or site, exclusive of required setbacks, landscaping or open space, within which buildings may be built.

BUILDING: Any structure, whether temporary or permanent, having a roof, and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents, awnings, mobile homes and vehicles whether or not mounted on wheels.

BUILDING, ACCESSORY: A subordinate building, which may or may not be attached to a principal building, occupied by or devoted exclusively to a use which is accessory and clearly incidental to the principal permitted use.

BUILDING, DETACHED: A building having no structural connection with another building.

BUILDING, NONCONFORMING: See NONCONFORMING BUILDING OR STRUCTURE.

BUILDING HEIGHT: The vertical distance from the average elevation of the proposed finished grade along the wall of a building or structure to the highest point of the roof. Chimneys, spires, cupolas and similar minor projections not intended for human occupancy shall not be included in the total building height.

BUILDING, PRINCIPAL: A building or group of buildings in which is conducted the main or principal use or activity permitted on the lot where the building is located.

BUSINESS OFFICE: A room, suite of rooms, or building in which a person transacts the affairs of a business, profession, service, industry or government.

BUSINESS SERVICE: Establishment that renders professional services rather than provides goods.

CAMPGROUND: A parcel of land upon which two or more commercial campground sites are located, established, or maintained for occupancy by recreational vehicles, tents, or other individual camping units by the general public as temporary living quarters for recreational purposes. (Annotation: Definition changed by Amendment 01-001 effective on March 1, 2001)

CAMPGROUND SITE: A plot of ground within a campground intended for the accommodation of either a recreational vehicle, tent, or other individual camping unit on a temporary basis. (Annotation: Definition added by Amendment 01-001 effective on March 1, 2001)

Suttons Bay Township Zoning Ordinance**E. Single-Family Dwelling:**

1. Only one (1) building of this type is allowed per parcel.
2. This is a primary structure.

F. Accessory Dwelling Unit:

1. There may be one (1) accessory dwelling unit per parcel.
2. It shall be a maximum of six-hundred (600) square feet.
3. It may be located either within the primary structure or in a Type 2 Outbuilding.
4. The owner of the parcel must reside in one of the units.
5. Accessory dwelling units are an accessory structure to a single-family dwelling.

G. Duplex Dwelling:

1. A building type which contains two (2) dwelling units.
2. This is a primary structure.

H. Multi-family Dwelling:

1. A building type which contains three (3) or more dwelling units.
2. This is a primary structure.

Section 4.5 Dimensional Standards

A. **For multi-family developments** see Section 14.15 for applicable dimensional standards.

B. **Lot Area:** There is no minimum lot area for this district; however, there may be a minimum lot area for specific uses.

C. **Road Frontage Width:** Two-hundred (200) feet minimum for all newly created lots or other road frontage widths as noted in Section 14.4 Special Land Uses.

D. **Front Setback:** Forty (40) feet minimum from the road right-of-way. The front setback on private roads is thirty (30) feet minimum from the road right-of-way.

E. Side Setback:

1. Single-family dwelling, accessory dwelling unit, singular duplex dwelling, or Type 2 Outbuilding: Thirty (30) feet minimum.
2. Type 3 or Type 4 Outbuilding: Fifty (50) feet minimum.

F. Rear Setback:

1. Single-family dwelling, accessory dwelling unit, singular duplex dwelling, or Type 2 Outbuilding: Thirty (30) feet minimum.
2. Type 3 Outbuilding, or Type 4 Outbuilding: Fifty (50) feet minimum.

G. **Primary Building Height:** Thirty-five (35) feet maximum.

H. **Accessory Building Height:** Thirty-five (35) feet maximum.

I. **Lot Coverage:** Twenty-five (25) percent maximum.

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1. There may be one (1) accessory dwelling unit per parcel where allowed.
2. It shall be a maximum of six-hundred (600) square feet.
3. It may be located either within the primary structure or in a Type 2 Outbuilding.
4. The owner of the parcel must reside in one (1) of the units.
5. Accessory dwelling units are an accessory structure to a single-family dwelling.

C. Duplex Dwelling:

1. A building type which contains two (2) dwelling units.
2. This is a primary structure.
3. With this building type an accessory dwelling unit is not allowed on the parcel.
4. The owner of the parcel must reside in one (1) of the units.

D. Type 1 Outbuilding:

1. This is a non-occupied accessory structure.
2. One (1) building of this type is allowed per parcel.
3. Side and rear setbacks for Type 1 Outbuildings are a minimum of two (2) feet.

E. Type 2 Outbuilding:

1. This building may be used as an accessory dwelling unit, for storage of personal items and vehicles, or a combination of allowable uses.
2. One (1) building of this type is allowed per five (5) acres of parcel size.
3. This is an accessory structure.

Section 6.5 Dimensional Standards**A. Lot Area:**

1. Single-family dwelling: Minimum for lots created after [[date this amendment is adopted]]: twenty-thousand (20,000) square feet.
2. Duplex dwelling: Minimum twenty-thousand (20,000) square feet.

B. Road Frontage Width: one-hundred (100) feet minimum for all lots created after September 14, 1994.**C. Road-side Setback:**

1. Forty (40) feet minimum from the road right-of-way.
2. See Section 6.6 for additional provisions.

D. Side Setback:

1. Single-family dwelling, accessory dwelling unit, duplex dwelling, or Type 2 Outbuilding: Ten (10) feet minimum.
2. Park: Thirty (30) feet minimum.
3. Shorelines: See Section 6.6 for additional provisions.

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- E. **Shoreline Setback:**
 - 1. Fifty (50) feet minimum from the Ordinary High Water Mark (IGLD).
 - 2. See Section 6.6 for additional provisions.
- F. **Rear Setback:** for inland portions of parcels that are divided by a road is thirty (30) feet minimum.
- G. **Primary Building Height:** Thirty-five (35) feet maximum.
- H. **Accessory Building Height:** Twenty-five (25) feet maximum or the height of the Primary Structure, whichever is less.
- I. **Lot Coverage:** Twenty-five (25) percent maximum. Any portion of a public road traversing a lot will not be included as part of the lot coverage for calculation purposes.
- J. **Maximum Impervious Surface Coverage:** Fifty (50) percent maximum.
- K. **Building Siting Limitations:** In those situations where adjacent lots are under one ownership, all buildings shall not straddle the lot lines, and each shall be sited on a single lot based upon the dimensional requirements above.

Section 6.6 Additional Provisions

In addition to the requirements of this Article the provisions of Article 3 General Provisions shall also apply.

- A. **Shoreline Setbacks**
 - 1. Setbacks for structures on lots of record on or before September 14, 1994 may be reduced to the average setback from the shoreline of primary structures on the two (2) closest developed lots on both sides of the subject parcel property lines.
 - a. The applicant shall be required to provide an accurate measured drawing of these lots to determine the required setbacks.
 - b. The minimum shoreline setback shall be no less than thirty (30) feet.
 - c. If the average shoreline setback option is used, then the minimum side yard setback requirement shall be increased to an average of fifteen (15) feet. For example, if one side yard setback is ten (10) feet, the other side must be twenty (20) feet. No side yard setback shall be less than ten (10) feet.
 - 2. Lots of record created after [[date this amendment is adopted]] shall conform to the fifty (50) foot shoreline setback.
 - 3. A survey of adjoining properties will not be required for any parcel or lot of record that meets the fifty (50) foot shoreline setback.
- B. **Roadside Setbacks for Shoreline Property**
 - 1. Road-side setbacks for structures on lots of record on or before [[date this amendment is adopted]] may be reduced to the average setback from the property

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Planning Commission, may develop the remainder of the parcel per the provisions of the Rural Residential or Agricultural District.

Section 7.4 Allowable Building Types**A. Single-Family Dwelling:**

1. Only one (1) building of this type is allowed per parcel.
2. This is a primary structure.

B. Accessory Dwelling Unit:

1. There may be one (1) accessory dwelling unit per parcel where allowed.
2. It shall be a maximum of six-hundred (600) square feet.
3. It may be located either within the primary structure or in a Type 2 Outbuilding.
4. The owner of the parcel must reside in one of the units.
5. Accessory dwelling units are an accessory structure to a single-family dwelling.

C. Duplex Dwelling:

1. A building type which contains two (2) dwelling units.
2. This is a primary structure.
3. With this building type an accessory dwelling unit is not allowed on the parcel.

D. Multi-family Dwelling:

1. A building type which contains three (3) or more dwelling units.
2. This is a primary structure.

E. Type 1 Outbuilding:

1. This is an accessory structure.
2. One (1) building of this type is allowed per parcel.
3. Side and rear setbacks for Type 1 Outbuildings are a minimum of two (2) feet.

F. Type 2 Outbuilding:

1. This building may be used as an accessory dwelling unit, for storage of personal items and vehicles, or a combination of allowable uses.
2. One (1) building of this type is allowed per five (5) acres of parcel size.
3. This is an accessory structure.

G. Type 3 Outbuilding(s):

1. This building may be used for storage, agriculture, agriculture-based or agritourism uses.
2. One (1) building of this type is allowed per five (5) acres of parcel size.
3. This is an accessory structure.