

TOWNSHIP OF FOREST  
ZONING ORDINANCE

**ARTICLE 6: General Provisions**

Section 6.01 - Accessory Buildings

- A. In the RU-1 Zoning District, accessory buildings shall be subject to the following regulations:
1. No accessory buildings shall be constructed on a parcel of land unless a dwelling is also located on that parcel.
  2. The combined floor area of all accessory buildings shall not exceed the first floor area of the dwelling.
  3. The maximum side wall height of an accessory building shall be fourteen (14) feet and the maximum overall height of an accessory building shall be twenty-five (25) feet.
  4. No accessory building shall be constructed between the road and the front of any dwelling, except on lakefront properties or parcels containing twenty (20) or more acres.
- B. In the RA zoning district, no accessory building shall be constructed between the road and the front of any dwelling, except on lakefront properties or parcels containing twenty (20) or more acres.
- C. In all other districts, accessory buildings shall comply with the setbacks for principal buildings contained in Article 4.

Section 6.02 - Accessory Housing

Owners and occupants of residential structures zoned for single-family use may apply for special approval for accessory living quarters to qualified related persons, as outlined in Article 4 and Article 14. This accessory housing may take the form of an apartment within a single-family dwelling or a mobile home located on the lot with a single-family residence.

Section 6.03 - Accessory Structures

A. General Requirements

Accessory structures (for example, tennis courts, wind generators, antennae) shall be located in the rear yard and shall comply with height, setback, and lot coverage requirements for accessory buildings, unless otherwise permitted in this Ordinance.

B. Exceptions to Accessory Structure Standards

Antennae and wind generators shall comply with the height standards specified in Section 6.06

C. Solar Panels

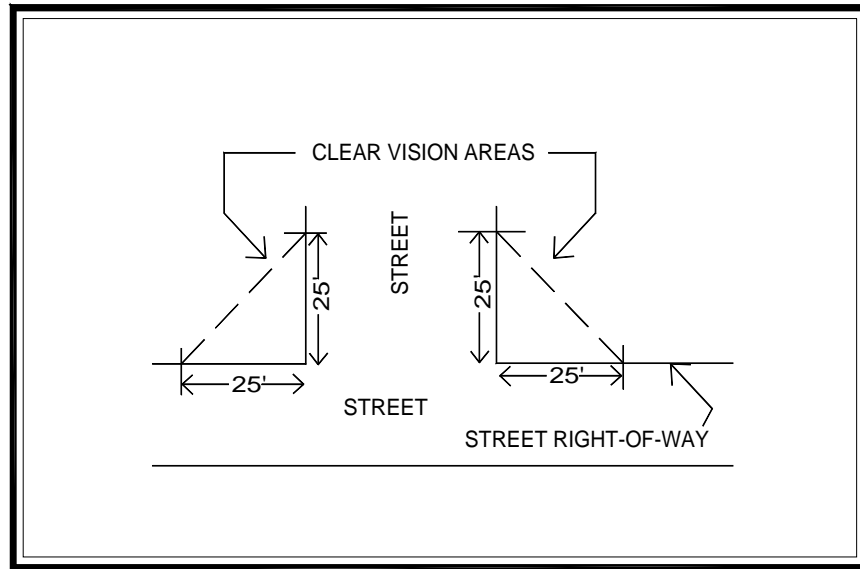
Freestanding solar panels shall be considered accessory structures and shall be located in the rear yard, subject to the setback requirements for accessory buildings.

Section 6.04 - Corner Clearance

No fence, wall, hedge, other protective barrier, or other planting of trees, shrubs, or flowers shall be erected, established or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection, excepting that shade trees would be permitted where all

branches are not less than eight (8) feet above the road level. The area which shall remain unobstructed shall be a triangular area formed by the street property lines and a line connecting them at points twenty five (25) feet from the intersection of the street property lines extended. This shall not prohibit the establishment of shrubbery or structures thirty (30) inches or less in height from ground level (see Figure 6-1).

Figure 6-1



Section 6.05 - Entranceway structures

Entranceway structures, such as walls, columns, gates, gatehouses or similar structures that mark the entrance to nonresidential and residential developments shall be permitted within required front, side and rear yard setbacks. Such structures shall not be located in the public right-of-way without an encroachment permit from the Genesee County Road Commission.

Section 6.06 - Exceptions

The following are exceptions to the general standards in this Ordinance dealing with building height, uses, setbacks and other standard requirements.

A. Permitted height exceptions

No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the zoning district in which the building is located, except that penthouses or roof structure for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts, and screens, flagpoles, chimneys, smoke stacks, individual domestic radio and television aerials and wireless masts, water tanks, or similar structures may be erected above the height limits herein prescribed. No such structure may be erected to exceed by more than fifteen (15) feet the height limits of the zoning district in which it is located; nor shall such structure have a total area greater than ten (10) percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the main use of the building. In cases

where the structure is authorized by issuance of a special use permit, the Planning Commission may permit structures that exceed these standards.

**B. Voting place**

The provisions of the ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a Township or other public election.

**Section 6.07 - Exterior lighting**

All outdoor lighting in all zoning districts other than residential shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts, adjacent residences, and public rights-of-ways.

A. Illumination guidelines shall generally be in accordance with the following standards:

1. Street Illumination

**Table 6-1 Street Illumination**

Street Hierarchy	Nonresidential Area	
	Lux	Footcandles
Major	15	1.4
Collector	10	1.0
Local	6	0.6

2. Parking Illumination

**Table 6-2 Parking Illumination**

Level of Activity	Active Vehicular Use Areas Only		General parking and Pedestrian Areas	
	Lux	Footcandles	Lux	Footcandles
Low activity	5	0.5	2	0.2
Medium Activity	10	1.0	6	0.6
High Activity	20	2.0	10	1.0

- a. High Activity. Examples include major athletic facilities, major cultural or civic events, regional shopping centers, and fast food facilities.
- b. Medium activity. Examples include community shopping centers, office parks, hospital parking areas, transportation parking (airports, etc.), cultural, civic or reception events, and residential complex parking.
- c. Low activity. Examples include neighborhood shopping, industrial employee parking, educational facility parking, and church parking.

3. Building Exteriors

**Table 6-3 Building Exteriors**

Component	Outdoor Areas	
	LUX	Footcandles
Entry/Active Use Area	50	5.0
Vital Locations	50	5.0
Building Surrounds	10	1.0
Gardens (General)	5	0.5
Walkways	5	0.5
Monuments (Flood Lighted)	150	15.0

4. Lighting shall be positioned in such a way or shielded from adjacent property and designed to reflect continuity with the pedestrian orientation of the area in question. Outdoor lighting shall not glare upon or interfere with persons and vehicles using public streets. Lighting fixtures are to be of the full cut-off design with horizontally aligned flush-mounted (non-protruding) lens, directing light on-site only. Light fixtures shall be no more than twenty (20) feet above average grade. All unshielded lights such as floodlights, wall pack units, and other types of unshielded lights, and lights where the lens or bulb is visible outside of the light fixture are not permitted except in service areas where the lights will not generally be visible by the public or adjacent residential properties. Lights underneath canopies must be fully recessed into the canopy to minimize glare from the light source. All lighting shall be focused on the property on which they are located and shall not extend to adjacent property owners.
5. The Planning Commission may permit taller or require shorter fixtures only when the Commission determines that unique conditions exist and where a waiver would reduce the number or size of light fixtures; not adversely impacting neighboring properties and permit fixtures in proportion to height and bulk of nearby buildings and other fixtures. Current recommended practices of the Illuminating Engineering Society of North America (IESNA) will be used as a guideline for all site lighting decisions of the Planning Commission.

Section 6.08 - Fences

A. Fences in the RA, RU-1 and RU-2 Districts shall conform to the following requirements:

1. No fence shall be erected in excess of six (6) feet above the grade of the surrounding land.
2. Fences are not permitted which contain barbed wire, sharp instruments of any kind, or electric current, except on parcels of land which contain at least two (2) acres in the RA district.

No fence, wall, structure or planting shall be erected or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection.

Section 6.09 - Garage Sales

No more than two (2) garage sales can be operated on the same property during any calendar year. A garage sale shall not continue longer than one (1) week. As used in this section, the term “garage sale” shall include any sale of personal property from premises which are not zoned for commercial use.

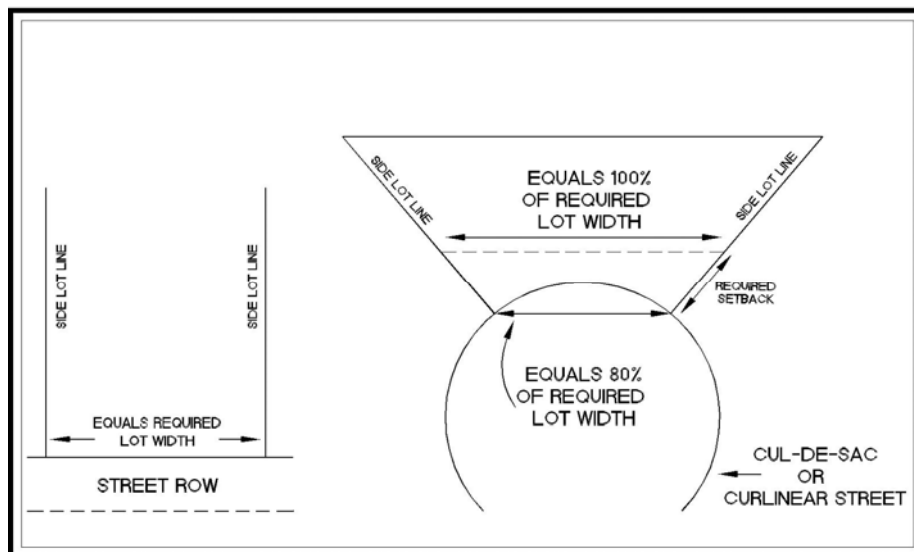
Section 6.10 - Grading and Filling of Property

The final grade surface of ground areas remaining after the construction of a building or structure, and any earth changes made in connection with use of land shall be designed and landscaped such that surface water flows away from the building or structure and, is collected or managed in a manner which avoids any increase in surface water discharge onto adjacent properties or public roads, the erosion of or public roads, the erosion of or filling of any road ditch, the blockage of any public watercourse, the creation of standing water over a private sewage disposal drainage field, and any unnecessary impoundment of surface water. The provision of this section shall be to administer and enforce pursuant to Article 8, Site Plan, when applicable. In all other cases, the Zoning Administrator shall determine whether the provisions of this section are met, provided that they first consult with the Genesee County Water and Waste and the manager of the Genesee County Road Commission (if County road right-of-way is involved) before taking any action to correct the situation. When it is determined by the Zoning Administrator after the aforementioned consultation that inadequate surface water control exists, no Certificate of Occupancy shall be issued until the situation is corrected and approved by the Zoning Administrator.

Section 6.11 - Minimum Road Frontage

All buildings shall be located on a parcel of land which has frontage on a public road or on a private road which complies with the Township Private Road Ordinance. The frontage shall be equal to the minimum lot width for the zoning district. When lots have non-parallel side lot lines due to frontage on a cul-de-sac or curvilinear street, the lot width shall be calculated at the required front yard setback. Two lots are allowed to share access off a private drive as outlined in the Private Road Ordinance, but each lot must have the required minimum frontage (see Figure 6-2).

Figure 6-2



Section 6.12 - Occupancy of Buildings Other Than Completed Dwellings

Garages, barns, accessory buildings, and basements shall not be occupied either temporarily or permanently as dwellings.

Section 6.13 - One Principle Building per Lot

No more than one principle building may be permanently established on a lot or parcel, unless specifically provided for elsewhere in this ordinance, such as a multiple-family development, site condominium or Planned Unit Development.

Section 6.14 - Performance standards

Any use established in any commercial or industrial zoning district or any commercial or industrial use operated in any zoning district shall not be permitted to carry on any activity or operation or use of land, building, equipment that produces irritants to the sensory perceptions greater than the measures listed below which are hereby determined to be the maximum permissible hazard to humans or human activity.

A. Noise

The emission of measurable noises from the premises shall not exceed sixty five (65) decibels as measured at the boundary property lines, except that where normal street traffic noises exceed sixty five (65) decibels during such periods, the measurable noise emanating from premises may equal, but not exceed such traffic noises. Sound levels in no case shall exceed seventy (70) decibels. In addition, objectionable sounds of an intermittent nature, or characterized by high frequencies even if falling below the aforementioned decibel reading shall be controlled so as not to become a nuisance to adjacent uses.

B. Vibration

Machines or operations which cause vibration shall be permitted, but no operation shall cause a displacement exceeding three thousandth (.003) of one inch as measured at the property line.

C. Odor:

The emission of noxious, odorous matter in such quantities as to be readily detectable at a point along any property line when diluted in the ratio of one volume of odorous air to four (4) or more volumes of clean air so as to produce a public nuisance or hazard beyond lot lines is prohibited.

D. Dust dirt and fly ash

Discharges into the air from furnaces, open burning, etc. shall be managed so that the quantity of gasborn or airborne solids generated shall not exceed two tenths (0.20) grains per cubic foot of the carrying medium at the temperature of five hundred (500) degrees Fahrenheit.

E. Method of measurement

For the purpose of determining the adequacy of such devices these conditions are to be conformed to when the percentage of excess air in the stack does not exceed fifty (50) percent at full load. The foregoing requirement shall be measured by the A.S.M.E. Test Code for dust-separating apparatus. All other forms of dust, dirt and fly ash shall be

completely eliminated insofar as escape or emission into the open air is concerned. The Zoning Administrator may require such additional data as is deemed necessary to show that adequate and approved provisions for the prevention and elimination of dust, dirt and fly ash have been made.

F. Smoke

It shall be unlawful to discharge into the atmosphere for any single source of emission whatsoever any smoke for any source for a period or periods aggregating more than four (4) minutes in any one-half (1/2) hour which is:

1. As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart. The Ringelmann Chart, as published by the United States Bureau of Mines, which is hereby made a part of this Ordinance, shall be the standard. However, the Unbrascopes readings of smoke densities may be used when correlated with the Ringelmann Chart.
2. Of such opacity as to obscure an observer's view to a degree equal to or greater than the smoke described in (1) above, except when the emission consists only of water vapor.

G. Glare and heat

Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot lines, except during the period of construction of the facilities to be used and occupied.

H. Fire and safety hazards

The storage and handling of flammable liquids, liquefied petroleum gases, and explosives shall comply with all regulations of the Forest Township, Genesee County, and with all State rules and regulations, and as established by the Fire Prevention Act, Act 207, P.A. of 1941, as amended. Further, all storage tanks for flammable liquid materials above ground shall be located not less than one hundred fifty (150) feet from all property lines, and shall be completely surrounded by earth embankments, dikes or other type of retaining wall which will contain the total capacity of all tanks so enclosed. Bulk storage tanks of flammable liquids below ground shall be located not closer to the property line than the greater depth to the bottom of the buried tank.

I. Light

Exterior lighting shall be so installed that the surface of the source of light shall not be visible from the nearest residential zoning district boundary and it shall be so arranged to reflect light away from any residential use or adjacent road or street. In no case shall more than one foot candle power of light cross a lot line five (5) feet above the ground into a residential zoning district. Lighting shall comply with Section 6.07.

J. Gases

The scope of or emission of any gas which is injurious or destructive or explosive shall be unlawful and may be summarily caused to be abated. SO<sub>2</sub> gas, as measured at the property line shall not exceed an average of three tenths (0.3) parts per million (ppm) over a twenty four (24) hour period; H<sub>2</sub>S shall not exceed one (1) ppm; fluorine shall not exceed on tenths (0.1) ppm; nitrous fumes shall not exceed five (5) ppm CO shall not exceed fifteen (15) ppm.

K. Electromagnetic radiation

Applicable rules and regulations of the Federal Communications Commission in regard to propagation of electromagnetic radiation are hereby made a part of this Ordinance.

L. Drifted and airborne matter

The drifting or airborne transmission beyond the lot line of dust, particles, or debris from any open stock pile shall be unlawful and shall be summarily caused to be abated.

Section 6.15 - Ponds

Ponds, whether created by excavation, damming of streams or otherwise for non-agricultural uses that exceed one hundred (100) square feet of surface area shall be permitted following issuance of a zoning permit as an accessory use subject to the following standards:

- A. The minimum setback distance for the pond shall be twenty five (25) feet from any property line.
- B. There shall be a minimum of twenty five (25) feet between the outside edge of the pond and any building.
- C. All areas disturbed during construction shall be seeded with grasses and maintained in good condition to prevent erosion.
- D. The Zoning Administrator may require the installation of a fence with a self locking gate no less than four (4) foot in height to protect the health, safety, and welfare of the property owners and/or tenants, neighboring uses, and Township residents. Such fence will be required for any pond in a platted subdivision.
- E. The applicant shall demonstrate that water can be continuously maintained in the pond once it is constructed.
- F. Evidence shall be presented at the time of application that the Genesee County Drain Commissioner and Michigan Department of Environmental Quality have granted the necessary permits and/or approvals to the applicant for the construction of the pond or have released the applicant from any obligation thereto.

Section 6.16 - Prohibited Structures

No bus, motor vehicle body or similar item shall be placed on any property for use as a storage structure or other building purpose. Semi-trailers maintained in good condition may be utilized for storage in the GC and LI Districts.

Section 6.17 - Property Divisions

No property shall be divided in such a manner that the length of any resulting parcel exceeds four (4) times the width of that parcel. No property shall be divided in such a manner that any parcel is created which does not comply with the minimum standards of the zoning district.

Section 6.18 - Public Services

Certain facilities provided by public utility companies regulated by the Michigan Public Service Commission or by the Township government shall be permitted in all zoning districts. Public utility facilities permitted by this Section shall include transmission lines, sewers, mains, pumping stations, sub-stations, poles, and related equipment. Any buildings erected shall be subject to the site plan review requirements. Any radio towers and any office, warehouse,





Minor Event means a special event that compared to a major event has less impact on the neighbors and adjacent public ways and which may include temporary structures and parking considerations.

Major Event means a special event that significantly impacts the community due to one or more of the following conditions: duration of event, attendance, number and type of temporary structures, impairment to vehicular or pedestrian traffic and/or parking, or hindrances in the public way.

C. Standards

Approvals for special events shall be granted if the following criteria are met:

1. Verification that adequate provisions have been made by the applicant or others for the protection of public and private health, safety, welfare and property.
2. The location, times and dates of the activity, event or use will not unreasonably affect the use or enjoyment of private or public property and will not cause unreasonable traffic hazards or delays.
3. The activity, event or use, its duration, its repetition or its location, will not adversely impact upon the value of private property in its vicinity.
4. The requirements specified in the adopted Special Event Policy are fully met.
5. The applicant currently meets and has not in the past failed to meet all of the requirements of all Township Ordinances.
6. The activity, event or use will not constitute a public nuisance.
7. Unless waived by resolution of the Township Board, the applicant has agreed to reimburse the Township all reasonable actual costs incurred by the Township as a result of the activity, event or use.
8. The activity, event or use does not exceed ten (10) days in duration in any calendar year.
9. The applicant and all past applications of the applicant are true, accurate and complete.

D. Review

No person, entity, corporation and/or organization shall hold and/or conduct a major event within the Township without first obtaining approval from the Planning Commission. Special event inquiries shall be made to the Township Zoning Administrator. When applicable, application forms shall be submitted that contain such information and be in such form as the Township Board may.

E. Fee

The Township shall establish the application fee by resolution. The fee shall not be refundable in the event a permit is not used.

F. Regulation

No special event shall be permitted until it has been reviewed, when applicable, by the Township Departments for compliance with all State Laws, such as the Michigan Vehicle Code and Michigan Liquor Control Commission, Township Ordinances, and adopted policies and procedures.

G. Other Requirements

1. For purposes of this Section, accessory structures, regulated by the Zoning Ordinance, will not require review by the Zoning Board of Appeals when such structures are an integral part of the special event.
2. During the term of the approved special event, an applicant shall comply with all reasonable requests made by the Township to protect the public health, safety, welfare or conveniences and to protect public or private property.

Section 6.22 - For purposes of this Section, the Planning Commission may, in its discretion, allow for deviations from the applicable setbacks, parking and loading, general provisions, and other requirements provided that the applicant clearly demonstrates that the full intent and purpose of the standards of this section.

Section 6.23 - Structure Completion

The construction of a structure shall be completed on the outside within one year after the date that the building permit is granted. An applicant may be granted a one-year extension by the zoning Administrator if it can be demonstrated that significant progress has been made on the exterior of the structure during the initial one-year period.

Section 6.24 - Temporary Construction Structure/Activities

- A. Temporary construction buildings and/or construction activities shall be allowed in any zone for a period of one (1) year, with application and approval for a zoning/land use permit is obtained. Extensions may be allowed, at the discretion of the Zoning Administrator, if the temporary structure & activity is considered a necessity for the ongoing development.
- B. Temporary construction activities with or without temporary buildings shall be defined as construction activities other than actual construction of buildings approved pursuant to a building and zoning/land use permit. They include, but not by way of limitation, a construction yard for the development of a subdivision or multiple family project, a cement or asphalt making operation for street and/or road construction, and other similar activities.
- C. The Zoning Administrator shall determine, before issuing a zoning permit, whether the proposed temporary construction building and/or construction activity is necessary and if it is necessary that it should be located at the proposed location. The Zoning Administrator shall also find that the proposed activity does not place excessive burden on the septic, sanitary sewer and/or water system, nor create a hazardous fire condition. In granting the approval, the Zoning Administrator may set such conditions as appear necessary to minimize disturbance to the area and the surrounding land uses. Compliance with this Ordinance and all other applicable County ordinances, standards, rules, and regulations, and proper clean-up of the site within a set period of time as indicated on the zoning permit are required.
- D. Temporary construction activities allowed pursuant to this section shall conform to the following requirements.
  1. All roads used for ingress or egress, on or off the site, shall be kept dust free by chemical or water treatment and/or by hard topping with cement or bituminous substance. Work within the right-of-way of a public road must be permitted through the Genesee County Road Commission.
  2. Work/storage areas shall be kept clean and clear.
  3. Work areas shall be posted with the owner and operator's name and phone numbers.

4. Work yards shall be fenced or otherwise made safe.
5. Truck crossings and other means of ingress and egress shall be posted two hundred (200) feet from access point in either direction to warn motorists if deemed appropriate and permitted by the Genesee County Road Commission.
6. Working hours shall be between 7 am and 8 pm, Monday through Friday and 8 am to 7 pm Saturday. No work shall be permitted on Sundays or holidays except by special permission of the Zoning Official upon demonstration of hardship or special circumstance.

#### Section 6.25 - Temporary Housing

##### A. Camper Occupancy

No camper, as defined in this Ordinance, shall be occupied for more than fifteen (15) days during any calendar year unless approval has been granted by the Township Board for a longer period of time.

- B. The use of a camper or mobile home as a residence while constructing or reconstructing a single-family dwelling may be permitted as an accessory use as outlined in Article 4 and Article 14 of this ordinance.

#### Section 6.26 - Traffic Impact Studies

Forest Township recognizes the direct correlation between land use decisions and traffic operations. The intent of this Section is to permit accurate evaluation of expected impacts of proposed projects to assist in decision-making.

##### A. Applicability

A traffic impact analysis, statement or assessment may be required for any petition for any zoning amendment, site plan, conditional use permit or subdivision plan filed under the provisions of this Ordinance. The type of study required shall be dependent upon the type and scale of the proposal and existing traffic conditions and initiated at the request of the Planning Commission if one of the following situations exist:

1. Zoning Amendment Traffic Impact Study.
  - a. A proposed zoning amendment consistent with the Township Land Use Plan, but when the timing of the change may not be appropriate due to traffic issues. This threshold applies when a zoning amendment would permit uses that could generate 100 or more directional trips during the peak hour, or at least 1000 more trips per day, than the majority of the uses that could be developed under current zoning.
  - b. A proposed zoning amendment which is inconsistent with the Township Land Use Plan when permitted uses could generate at least one hundred (100) directional trips during the peak hour of the traffic generator or the peak hour on the adjacent streets or over seven hundred fifty (750) trips in an average day.
  - c. A site along any corridor identified as a critical, congested, or safety management corridor by the metropolitan planning organization, long range transportation plan, or the Township Land Use Plan.

- d. Proposed amendments to the Township Land Use Plan which would contemplate or recommend uses, or change future land use categories that would generate higher traffic volumes.
  - e. The requirements of the Zoning Amendment Traffic Impact Study may be waived or modified by the Planning Commission.
2. Regional Traffic Impact Analysis. Regional Traffic Analysis: The type of study which is much more comprehensive, focusing on the impacts over a long period. In most cases, a regional traffic analysis will need to be prepared using a computer model which simulates daily traffic on the transportation network. The model projects traffic based on the expected future development pattern and roadway network. A regional traffic analysis may involve evaluation of a number of optional routes, including future roadways. Such a study may also involve a number of projects being developed separately in the same general area.
- a. A Regional Traffic Impact Analysis may be required for projects that generate over 500 peak-hour directional trips or significant traffic volumes impacting a wide geographic area.
  - b. A Regional Traffic Impact Analysis may be required for projects that are located along a "critical", safety management or "congested corridor" as defined by the metropolitan planning organization, or as identified in the Comprehensive Plan, or long range transportation plan.
  - c. The requirements of the Regional Traffic Impact Analysis may be waived or modified by the Planning Commission.
3. Development Proposal Traffic Impact Statement, or Assessment. Site plans, plats, mobile home parks and condominium projects. A traffic impact assessment is recommended for smaller scale projects which should not have a significant impact on the overall transportation system, but will have impacts at the site access. The analysis for this type of study focuses on site access points. The traffic impact statement evaluates impacts at site access points and appropriate nearby intersections.
- a. A Traffic Impact Statement may be required for any proposed development which would be expected to generate over one hundred (100) directional trips during the peak hour of the traffic generator or the peak hour on the adjacent streets, or over seven hundred fifty (750) trips in an average day
  - b. A Traffic Impact Assessment may be required for projects that could generate 50-99 directional trips during a peak hour.
  - c. A Traffic Impact Statement may be required for any proposed development along a corridor identified in the Comprehensive Plan, or long range transportation plan, or by the metropolitan planning organization as a critical, congested, or safety management corridor which would be expected to generate over fifty (50) directional trips during the peak hour of the traffic generator or the adjacent streets, or over five hundred (500) trips in an average day.
  - d. Traffic Impact Statement or Assessment, based on the thresholds in the first and second bullets above, may be required for new phases or changes to a development where a traffic study is more than two (2) years old and roadway conditions have changed significantly (volumes increasing more than 2 percent annually).

- e. A Traffic Impact Assessment may be required for a change or expansion at an existing site where the increased land use intensity is expected to increase traffic by at least fifty (50) directional trips in a peak hour or result in at least 750 vehicle trips per day for the entire project. A Traffic Impact Statement shall be required if the traffic is expected to increase by over 100 directional trips in the peak-hour.
4. Other Traffic Impact Assessment/Statement/Analysis.
    - a. Special (conditional) land uses, planned unit developments, and other uses that are specifically required to provide a traffic impact study in the zoning ordinance. The type of study shall be based on the thresholds listed subsections one (1), two (2) and three (3), above.
    - b. A change in a Planned Unit Development (PUD) to a more intense use, which is determined by the Planning Commission on a case-by case basis or using thresholds similar to those above.
    - c. Where required by the applicable road agency to evaluate access issues.
  5. The following table is utilized for determining informational requirements for assessment, statement and/or analysis.

#### Section 6.27 - Unsafe Buildings

Nothing in this Ordinance shall prevent compliance with an order by an appropriate authority to demolish, correct, improve, strengthen, or restore to a safe condition any building declared to be unsafe.

#### Section 6.28 - Open Space Preservation Provisions of the Zoning Ordinance

Based on the requirements of Sec. 506 of the Michigan Zoning Enabling Act (PA 110 of 2006) a property owner with property zoned RA or RU-1, may, at their option, submit a proposal to cluster residential development on 50% of a parcel's area with the same number of dwelling units as might be developed on the entire parcel. The dimensional requirements of Section 4.12 shall be reduced the minimum necessary to allow the clustering. The site shall be reviewed under the procedures otherwise required by state law and local ordinances for lot splits, condominiums or subdivisions as applicable. The undeveloped portion of the site shall be protected in perpetuity from future development by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land, as determined appropriate by the approving body.