

FOREST TOWNSHIP
ZONING ORDINANCE

ARTICLE 14: DESIGN STANDARDS

Section 14.01 - Accessory Building

In the RU-1 Zoning District, accessory buildings shall be subject to the following regulations:

- A. In the RU-1 Zoning District, no accessory buildings shall be constructed on a parcel of land unless a dwelling is also located on that parcel.
- B. In the RU-1 Zoning District, the combined floor area of all accessory buildings shall not exceed the first floor area of the dwelling.
- C. In the RU-1 Zoning District, 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.
- D. In the RA and the RU-1 Zoning Districts, 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.

Section 14.02 - Accessory Housing

Owners and occupants of single family residences in the RA, RU-1, RU-2 and MHP zoning districts may apply for a conditional use permit for accessory living quarters either by installation of a mobile home or other accessory unit on site or remodeling of a residence to create a separate self-contained dwelling for qualified related persons, subject to the following restrictions:

- A. All improvements and alterations must meet all codes applicable to construction work on residential structures.
- B. Adequate parking space to accommodate any additional residents projected to occupy the accessory unit shall be provided.
- C. Adequate septic and well-water facilities to accommodate the additional residents projected to occupy the accessory unit shall be provided.
- D. There shall be no visible change in the exterior design of the dwelling containing the accessory unit which would alter the single-family appearance.
- E. The Township Planning Commission may waive rear yard, side yard, and other dimensional requirements in approving an application to build an accessory unit.
- F. Qualified related persons shall be defined as persons who are parents, grandparents, children, uncles, aunts, nieces, or nephews to the occupants.
- G. The applicant must establish the existence of a hardship rendering the accessory unit reasonably necessary for the accommodation of the qualified related person. The following situations may qualify:
 - 1. The qualified related person is deemed by way of a written opinion from a licensed physician to be unable to safely reside without access to the benefits of an accessory unit living arrangement; or
 - 2. A court has determined that the qualified related person is unable to safely reside without access to the benefits of an accessory until living arrangement.

- H. With respect to existence of conditions defined as “hardship” herein, the Township shall require the occupant to provide continuing evidence of such hardship at least once (1) each calendar year.
- I. Economic hardship alone shall not constitute sufficient hardship under this section.
- J. The Township may require an affidavit signed by the property owners acknowledging the limitations on occupancy under any approval granted pursuant to this section. Any such affidavit may be recorded with the Register of Deeds.
- K. The Township shall have the right to inspect the accessory unit to determine if it is being occupied by persons having no demonstrated hardship or by persons not qualifying as related.
- L. When the Township determines that the hardship which justified the construction of the accessory unit no longer exists, then there shall be a notice of termination transmitted by the Township to the responsible property owner. Thereafter, the owner or occupant must remove any detached accessory housing within sixty (60) days. In the case of additions to existing structures, the added unit must be converted back to single-family use within sixty (60) days or the owner must certify that the accessory unit is vacant and submit a proposed timetable for conversion of the attached accessory unit back to single-family use. The Township may in its discretion either approve or disapprove the proposed timetable.
- M. In granting a permit, the Zoning Administrator shall require that a cash deposit, surety bond or letter of credit be provided to the Township in an amount not less than Two Thousand (\$2,000.00) Dollars to guarantee the removal of the mobile home from the premises upon the termination of the temporary permit and to reimburse the Township for any costs it may incur in enforcing the removal of the mobile home.
- N. The Planning Commission shall have the right to revoke a conditional use permit for an accessory unit when the following occurs:
 - 1. The accessory unit fails to conform to approved construction plans.
 - 2. The occupant fails to provide evidence of continuing hardship.
 - 3. Non-qualified persons are allowed to occupy the accessory unit.

Section 14.03 - Adult Entertainment Establishments.

Adult entertainment establishments are permitted by right in the GC zoning district provided:

No such establishment shall be approved if it is within:

- A. Five hundred (500) feet of any building containing a residential dwelling or rooming unit.
- B. Five hundred (500) feet of any public or private school.
- C. Five hundred (500) feet of any church or other religious facility or institution;
- D. Five hundred (500) feet of any public park.
- E. One thousand (1,000) feet of any other adult use.

Section 14.04 - Adult Foster Care Large Group Homes (13- 20 Persons) and Adult Foster Care Small Group Homes (7- 12 Persons)

Adult foster care large group homes with thirteen (13) to twenty (20) adults are permitted by right in the RU-2 zoning district and adult foster care small group homes with seven (7) to twelve

(12) adults are permitted by right in the RU-2 zoning districts and by conditional use permit in the RU-1 and MPH districts provided:

- A. The facility will meet the residential density requirements for the zoning district it is located in based on one dwelling unit per six household members.
- B. The facility shall maintain a valid state license to operate as an adult foster care small or large group home.

Section 14.05 - Apartment Buildings

Apartment buildings are permitted by right in the RU-2 zoning district provided:

- A. Permitted Density – Density shall be based on the provisions of Section 4.12 of this ordinance.
- B. Building Length - Multiple family buildings shall not exceed one hundred and fifty (150) feet in overall length, measured along the front line of connecting units, inclusive of any architectural features which are attached to or connect the parts of the building together (see illustration).
- C. Building Spacing - The minimum distance between any two (2) buildings shall be based on the following table:

Relationship Between Buildings	Minimum Distance Between Buildings
Front to Front	70 ft.
Front to Rear	70 ft.
Rear to Rear	70 ft.
Side to Side	30 ft.
Front to Side	50 ft.
Rear to Side	50 ft.

- D. Street Address - The address of each dwelling unit must be clearly posted so that the unit can be readily identified from the roadway or adjacent parking area.
- E. Access and Circulation - Multiple family developments shall comply with the following requirements for access and circulation:

1. Access to Roads

RU-2 developments shall have direct access to a paved collector or arterial road. However, alternate means of access may be permitted by the Planning Commission upon finding that, due to special circumstances, substantial improvements in traffic safety could be achieved by reducing the number of driveways. Furthermore, an alternate means of access shall be permitted only if one or more of the following conditions exist:

- a. The property directly across the street from the development under consideration is zoned for multiple family or non-residential use, or
- b. The property directly across the street is developed with permanent uses other than single family residences, or

- c. The proposed development is in an area which, based on study by the Planning Commission, will eventually be used for purposes other than single family use.

2. Emergency Access

All dwelling units, including those under construction, shall be readily accessible by fire and emergency vehicles from a paved public street, paved private access road, or other approved paved area. Private roads or driveways dedicated as fire lanes shall be posted with signs indicating "Fire Lane, No Parking." To facilitate emergency vehicle access, the following guidelines shall be complied with:

- a. All roadways shall be paved and bi-directional allowing for both ingress and egress. A boulevard may be utilized to provide bi-directional traffic movement, provided that the median strip is a minimum of twenty-five (25) feet in width, and the width of each paved moving lane in each direction is at least fifteen (15) feet.
- b. Streets with no outlet shall be terminated with a cul-de-sac, designed in accordance with standards established and periodically updated by the Township Engineer and kept on file in the Building Department. Such streets with no outlet shall not exceed one thousand (1,000) feet in length.
- c. Gatehouses and/or barricades at entrances to private roadways shall be designed so as not to impede fire and emergency vehicle access.

3. Street Dimensions

On-site streets and drives shall comply with the standards in Section 2.10, subsection C.

F. Sidewalks

Sidewalks shall be provided within the development, located no less than five (5) feet from and parallel to access drives. Such sidewalks shall provide convenient access to community buildings and between parking areas and dwelling units. The sidewalks shall be designed and constructed in accordance with the recommendations of the township engineer.

G. Parking

In addition to the requirements set forth in Article 5, multiple family developments shall comply with the following requirements:

1. Distance from Dwelling Units

Parking shall be located within one hundred and fifty (150) feet of the dwelling units the parking is intended to serve, measured along the sidewalk leading to the parking lot.

2. Parking for Community Building

Parking shall be provided for community buildings as specified in Article 4.00.

H. Lighting

All parking areas, building entrances, sidewalks, and ramps shall be illuminated to ensure the security of property and the safety of persons using such areas, in accordance with the requirements set forth in Section 6.07.

I. Landscaping

Multiple family developments shall be landscaped in accordance with Article 13.

J. Open Space

Open space shall be provided in any multiple family development containing eight (8) or more units. The open space shall comply with the following requirements:

1. Size

Total open space required shall be based on the number and size of units, as indicated in the following chart, provided that each development shall contain a minimum of ten thousand (10,000) square feet of open space.

Type of Unit	Open Space Required per Unit
Efficiency unit	170 sq. ft. per unit
1 bedroom unit	250 sq. ft. per unit
2 bedrooms or more	350 sq. ft. per unit

2. Location

Open space shall be located conveniently in relation to the majority of dwelling units intended to be served. Swamp areas, marshy areas, and similar limited-use areas shall not be included in the required open space.

3. Use of Open Space

Uses permitted within the required open space include picnic and sitting areas, playground and park space, play equipment, tennis courts, shuffleboard courts, and similar outdoor recreation facilities.

4. Phasing

Open space improvements shall be completed in proportion to the number of units constructed in each phase.

K. Garages

Garages shall be permitted for each unit, in accordance with the provisions of this ordinance.

L. Antennae

Each multiple family building shall be permitted to erect one (1) antenna, subject to the requirements in Section 6.03.

Section 14.06 - Bed and Breakfast

Bed and breakfast establishments are permitted by Conditional Use Permit in the RA, RU-1 and RU-2 zoning districts provided:

- A. The residence is the principal single family detached dwelling unit on the property and is owner-occupied at all times.
- B. The maximum stay for any occupants of Bed and Breakfast operations shall be fourteen (14) days.
- C. Paved parking shall be provided at a ratio as set by the Zoning Administrator.
- D. Bed and breakfast establishments may not have more than five (5) rental sleeping rooms.
- E. Each operator shall keep a list of names of all persons staying at the bed and breakfast operation. Such list shall be available for inspection by township officials at any time.

- F. Breakfast is the only meal that may be served to overnight bed and breakfast guests, and this meal shall comply with restrictions of the State and County Health Departments for nonresidential uses. There shall be no separate cooking facilities for the bed and breakfast stay.
- G. The rental sleeping rooms shall have a minimum size of one hundred twenty (120) square feet for each two (2) occupants, with an additional thirty (30) square feet for each additional occupant to a maximum of four (4) occupants per room. At no time shall a bed and breakfast operation utilize more than twenty-five percent (25%) of the total floor area of the dwelling, excluding garages, porches and basements. Each sleeping room used for the bed and breakfast operation shall have a separate smoke detector alarm.
- H. Signs for a bed and breakfast operation shall meet the requirements for a home occupation found in Article 16 of this ordinance.
- I. No premises shall be utilized for a bed and breakfast operation unless there are at least two (2) exits to the outdoors from such premises.
- J. A minimum lot width of one hundred (100) feet will be required for all bed and breakfast operations.

Section 14.07 - Cemeteries

Cemeteries are permitted by Conditional Use Permit in the RA and RU-1 zoning districts provided:

The following regulations shall apply to the establishment of new cemeteries or expansion of existing cemeteries:

- A. Location - No portion of any cemetery that is located in a wetland or within the 100-year flood boundary shall be developed or platted for grave sites.
- B. Accessory Buildings - A crematorium, mausoleum, columbarium, or other accessory building may be permitted within a cemetery provided that any such building shall be designed and located in accordance with a cemetery master plan, which shall be subject to Planning Commission approval.
- C. Setbacks - No building or structures containing bodies or remains, other than subterranean graves, shall be located closer than one hundred (100) feet to the boundary line of any residential or commercial district. A crematorium located within a cemetery shall be setback a minimum of four hundred (400) feet from the boundary line of any residential district.
- D. Location of Entrances - Entrances to cemeteries shall be off of a major or secondary thoroughfare, and shall be designed to minimize traffic congestion.
- E. Screening - Screening shall be provided along all property lines abutting a residential district or street in a residential district, in accordance with Article 13.

Section 14.08 - Churches

Churches are permitted by right in the GC district and by Conditional Use Permit in the RA, RU-1, RU-2 and MHP districts provided:

- A. The site shall have direct access to county primary road
- B. All structures shall be a minimum of 50' from a parcel in a residential zoning district. For structures that are exempt from the height requirements of this ordinance, the structure shall be setback from all lot lines a minimum of one-half (1-1/2) times the height of the structure.

Section 14.09 - Dog kennels and the raising of fur bearing animals.

Dog kennels and the raising of fur bearing animals are permitted by Conditional Use Permit in the RA zoning district provided:

- A. All animals shall be housed, fenced and maintained in a manner consistent with state law. Kennels shall be constructed with a drained concrete floor and approved septic system or other provision for safe, sanitary collection and disposal of waste.
- B. All pens and runways in dog kennels shall be screened from view from any residences or roads by buildings or greenbelt plantings.
- C. Dog kennels shall be set back a minimum of one hundred (100) feet from each property line and one hundred fifty (150) feet from the road.
- D. The property on which the dog kennel is located must have an occupied residence on the premises.
- E. There shall be a maximum of ten (10) animals per caretaker.
- F. In the case of commercial kennels, dogs shall be kept within an enclosed building during the normal sleeping hours of 9:00 p.m. to 7:00 a.m. The building shall be constructed of sound deadening walls and ceilings.
- G. The minimum lot size for a private kennel shall be ten (10) acres and for a commercial kennel shall be forty (40) acres.
- H. Commercial kennels shall be allowed in areas where due to the general low density of residences and large parcel sizes, nuisances from noise can be minimized.
- I. In order to avoid an over concentration of kennels, no commercial kennel may be within one (1) mile of an existing commercial kennel.

Section 14.10 - Golf Courses

Golf courses are permitted by Conditional Use Permit in the RA, RU-1 and RU-2 zoning district provided:

- A. Setbacks and Fairway Width - The principal and accessory buildings shall be set back at least seventy-five (75) feet from all property lines. Fairways and driving ranges shall have sufficient width and shall be oriented in such a manner and set back a sufficient distance to prevent golf balls from being hit outside the perimeter of the golf course. The minimum width for fairways shall be one hundred (100) yards subject to review by the Planning Commission. Fairways shall be designed so that existing or future dwelling units are located a minimum of two hundred (200) feet from the center of the fairway.
- B. Access - Golf courses and country clubs shall have direct access onto a public or approved private road.
- C. Shelter Buildings - At least one (1) shelter building with toilet facilities shall be provided per nine holes. The shelter shall meet all requirements of the Genesee County Health Department and the Township Building Code.
- D. Building Setbacks - Buildings shall be setback a minimum of 200 feet from any property line that abuts a residential district.
- E. Turf Maintenance Plan - The proposed turf maintenance plan and chemical application plan for the first year and for long term turf maintenance shall be submitted for review.

- F. Chemical Storage - Detailed plans for chemical storage shall be provided. Buildings in which chemicals are stored shall be designed to contain spills and shall not have floor drains that discharge into a septic system or other pathway to the groundwater. Plans for emergency containment and clean-up shall also be provided.
- G. The following regulations shall apply to Driving Ranges:
1. Minimum Dimensions and Setbacks - Driving ranges shall have sufficient width and length and shall be designed in such a manner as to prevent golf balls from being hit outside the perimeter of the driving range. The minimum length of the driving range shall be 300 yards, measured from the tee to the end of the range. Tees shall be set back at least 25 yards from each side property line, unless the applicant can demonstrate that golfers will be oriented toward the center of the range so that golf balls will not be hit beyond the side property lines.
 2. Screening or Slopes - The Planning Commission may require a landscaped buffer or fencing along the perimeter to screen the driving range from adjacent properties or to prevent balls from being hit outside of the driving range. Screening shall comply with the standards in Article 13. The Planning Commission may also require that the sides of the driving range slope upward and be rough mowed so as to intercept stray golf balls.

Section 14.11 - Group Day Care Homes are permitted in the RA, RU-1 and RU-2 zoning districts provided:

- A. Is located not closer than 1,500 feet to any of the following:
1. Another licensed group day-care home.
 2. Another adult foster care small group home or large group home licensed under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737.
 3. A facility offering substance abuse treatment and rehabilitation service to 7 or more people licensed under article 6 of the public health code, 1978 PA 368, MCL 333.6101 to 333.6523.
 4. A community correction center, resident home, halfway house, or other similar facility which houses an inmate population under the jurisdiction of the department of corrections.
- B. Has appropriate fencing for the safety of the children in the group day-care home as determined by the Planning Commission.
- C. Maintains the property consistent with the visible characteristics of the neighborhood.
- D. Does not exceed 16 hours of operation during a 24-hour period. The Planning Commission may impose conditions that limit but not prohibit the operation of a group day-care home between the hours of 10 p.m. and 6 a.m.
- E. Meets sign regulations for home occupations.
- F. Meets parking requirements for group day-care homes

Section 14.12 - Gun Ranges

Gun ranges are allowed by Conditional Use Permit in the GC zoning district provided:

- A. Location Requirements: Indoor or outdoor shooting ranges are permitted by Special Use Permit in the A-1, A-11/2, and A-2 Districts and indoor only by Special Use Permit in the B-2

and B-3 Districts. A site plan meeting the requirements of Article 14 and any additional requirements of this Section shall be submitted.

B. Site Requirements: Minimum lot area shall be twenty (20) acres for outdoor facilities and five (5) acres if the facility is located within a building or underground.

C. Buffering Requirements:

1. Minimum front, side and rear yard setbacks shall be two hundred fifty (250) feet in the agricultural districts and the same as the district in the B-2 and B-3 Districts.

D. Performance Standards:

1. All federal, state and county codes and ordinances in regard to firearms shall be strictly adhered to. In addition, the requirements of the Sport Shooting Ranges Act, Public Act 269 of 1989, as amended, shall be adhered to.

2. A site plan for the range, whether indoor or outdoor, shall be submitted clearly indicating all safety provisions to assure that any missile fired within the confines of a shooting range shall not carry into or over an adjacent district or area.

3. The operator shall have the County Sheriff and MDNR review and comment on the site plan prior to submitting it to the Zoning Administrator.

4. Rifle and pistol ranges shall have adequate backstops that meet the approval of the Planning Commission.

5. A six (6) foot high chain link fence shall be provided around any outdoor shooting area to assure that individuals will not unknowingly trespass on the property, particularly where firearms are being discharged. Signs designating the area as a shooting range shall be clearly posted.

6. Hours of operation shall be between 9:00 a.m. and 7:00 p.m.

7. The intensity level of sounds shall not exceed seventy-five (75) decibels (dBA) at the lot line of industrial uses; sixty-five (65) decibels at the lot line of commercial uses and fifty-five (55) decibels at the common lot line when adjacent to a dwelling or a residential districts. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.

8. The layout of the shooting range shall follow guidelines available from public and nonprofit organizations maintained in the office of the Zoning Administrator, which are designed to enhance public safety, minimize accidents, guarantee insurance coverage and minimize liability.

9. Section 2a of the Sport Shooting Range Act No 269 of 1989 mandates that facilities as defined in the Act that existed before the effective date of the Act (1989) be allowed to expand and replace existing facilities and the level of activity at the facility. The limitations on nonconformities in Article 7 of this Ordinance are superseded by the Sport Shooting Act.

10. The gun range shall have a range master on duty to ensure gun safety at all times.

Section 14.13 - Hobby Farms

Hobby farms are permitted by Conditional Use Permit in the RU-2 district provided:

1. The parcel shall be over ten (10) acres in size.

2. Not more than one (1) farm animal per two (2) acres is permitted.

3. The area provided for the farm animal including stable and pasture shall be a minimum of 100' from an adjacent residence or 85' from the lot line of an adjacent parcel. The Planning Commission may increase this setback based on the nature of the animals to be housed, surrounding land use, prevailing winds and existing natural features.

Section 14.14 - Home Occupations

Home occupations are permitted by right in the RA and RU-1 zoning districts and by Conditional Use Permit in the RU-2 zoning district provided:

- A. The home occupation must be conducted entirely within an existing building. No exterior alterations to buildings shall be made to accommodate the home occupation.
- B. The home occupation shall be clearly incidental and secondary to the use of the premises as a residence.
- C. No noise, odor, fire hazard, or traffic congestion shall be created beyond that which is normal in a residential area.
- D. No outdoor storage or display of merchandise, materials, or items to be repaired shall be allowed.
- E. Only one advertising sign shall be allowed as provided for in Section 16.04 of this ordinance.
- F. The home occupation shall not involve more than one (1) employee who does not reside on the premises.

Section 14.15 - Hunting Preserve/Sportsman Club

Hunting preserves and sportsman clubs are permitted by Conditional Use Permit in the RA district provided:

- A. Site Requirements: Minimum lot area shall be 80 acres.
- B. Buffering Requirements: Minimum front, side and rear yard setbacks within which no shooting is permitted shall be three hundred (300) feet.
- C. Performance Standards:
 1. All federal, state and county codes and ordinances in regard to firearms and the operation of a hunting preserve shall be strictly adhered to.
 2. A site plan for the hunting preserve showing the location of all proposed structures and uses shall be submitted to the Planning Commission. The site plan shall clearly indicate all safety zones to assure that any missile fired within the hunting preserve shall not carry into or over an adjacent district or area.
 3. The operator shall have the County Sheriff and MDNR review and comment on the site plan prior to its review by the Planning Commission.
 4. Rifle, shotgun and pistol ranges shall comply with the requirements for a shooting range in this Section 14.27.
 5. A six (6) foot high chain link fence shall be provided around the entire property to assure that individuals will not unknowingly trespass on the property, particularly where firearms are being discharged. Signs designating the area as a hunting area shall be clearly posted not more than fifty (50) feet apart and affixed to the fence.
 6. Hours of operation shall be between 1/2 hour before sunrise and 1/2 hour after sunset.

Section 14.16 - Indoor Commercial Recreation.

Indoor commercial recreation establishments are permitted in the GC zoning district provided:

- A. The site shall be located on, or shall take principal access from a state highway or county primary road.
- B. Minimum site area shall be one (1) acre.
- C. No building shall be located within fifty (50) feet of a lot line of adjoining residentially planned, zoned or used property.
- D. Whenever parking areas are adjacent to land in a residential district, a minimum of a five (5) foot high wall shall be provided along the side of the parking area adjacent to the residentially planned, zoned or used land.
- E. Based on the nature of the use and nuisance potential to adjoining property owners, the Planning Commission and Township Board may stipulate noise standards beyond those stipulated otherwise in this Ordinance.
- F. Operating hours for all uses shall be determined by the Planning Commission and Township Board based on the nature of the use and the nuisance potential to adjoining property owners. The maximum range of hours for all establishments is Monday through Sunday 7:00 a.m. to midnight.

Section 14.17 - Junk, Salvage, Recycling Yards

Junk, salvage and recycling yards are permitted by Conditional Use Permit in the LI zoning district provided:

In addition to other regulations set forth in this Ordinance, all junk, salvage and recycling yards shall conform to the following requirements:

- A. Direct ingress and egress from a paved road.
- B. A minimum lot size of 20 acres.
- C. The required site plan shall also contain a description of the location and nature of any materials processing operations to be conducted within the yard, and the location and nature of equipment for such operations.
- D. Yard materials shall be stored in organized rows with open intervals at least twenty (20) feet wide between rows for purposes of fire protection, emergency access and visitor safety.
- E. Yard materials shall not be stored in piles higher than the top of the fence surrounding the yard. Automobiles, trucks, and other vehicles shall not be stacked to a height or in a manner that prohibits fire protection, emergency access or does not protect the safety of visitors.
- F. The yard shall be maintained in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin.
- G. The yard, when established and located within one thousand (1,000) feet of any existing residential district or land being used for residential purposes, as measured on a straight line distance, shall not be open for business and shall not operate at any time other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays; between 7:00 a.m. and 12:00 noon on Saturdays
- H. All liquids contained in automobiles and other vehicles shall be drained from the same immediately after such vehicles are brought to the yard. Such liquids shall be temporarily

stored in containers approved by the local fire authority until properly disposed of according to law. The applicant shall provide a written procedure for draining, storage and disposal.

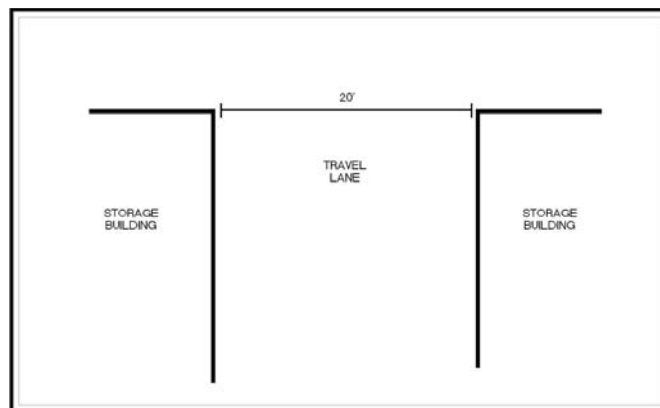
- I. All drives, parking areas, and loading/unloading areas shall be paved, watered, or treated so as to limit nuisances caused by dust on neighboring properties and public roads.
- J. No portion of the site shall project into the required front yard.
- K. There shall be not more than one (1) entranceway from each public street that adjoins the yard.
- L. The site shall be screened by a seven (7) foot high solid fence.
- M. Wrecking and processing operations are permitted in a yard but shall be described in the application for the special land use so that the Planning Commission and Board of Commissioners can implement standards and conditions to protect the health, safety and welfare of the community.

Section 14.18 - Mini-Storage Facilities

Mini-Storage Facilities are permitted by right in the GC district provided:

- A. No activity other than the rental of storage units and the rental of outside storage space for recreational vehicles, boats and watercraft shall be allowed. No commercial, wholesale, retail, industrial or other business use on, or operated from, the facility shall be allowed.
- B. Only the sale of incidental supplies and similar material related to the self-storage business shall be allowed from the facilities office.
- C. The storage of any toxic, explosive, corrosive, flammable or hazardous material is prohibited inside the storage units. Fuel stored in motor vehicle tanks of cars, boats or other motorized devices may be subject to separate regulation by the proprietor.
- D. All batteries shall be disconnected from motor vehicles, boats, lawn mowers or similar property to be stored inside a storage unit.
- E. Other than the storage of recreational vehicles, boats and watercraft, all storage shall be contained within a building. All outdoor vehicle storage shall be screened from the view of neighboring properties and public roads in accordance with Article 13 of this ordinance, or by an obscuring fence, if one is determined necessary by the Planning Commission.
- F. Storage units shall be separated by driveways a minimum of twenty (20) feet in width (see Figure 14-1).

Figure 14-1



- G. The local fire authority or designated representative is to review the site plan for all issues related to vehicle access and fire safety.
- H. A residence for a caretaker or watchman is permissible and is subject to reasonable conditions that may be imposed by the Planning Commission and Board of Commissioners as well as the following:
 - 1. The caretaker or watchman's residence must have at least the minimum square footage of living space to meet the zoning ordinance's requirements for a unit in a multiple-family dwelling, not including the office space for the self storage facility.
 - 2. Exterior design of the caretaker or watchman's residence is subject to the review and approval of the Planning Commission and Township Board.
 - 3. The caretaker or watchman's residence is subject to all area and setback requirements of the district that it is located in.
 - 4. The maximum height of the caretaker or watchman's residence shall be twenty-four (24) feet or two (2) stories.
- I. Parking Requirements: One (1) space for every one hundred fifty (150) self-storage units with a minimum of three (3) spaces to be provided adjacent to the office.
- J. Direct ingress and egress shall be from a paved road.

Section 14.19 - Motels or Hotels

Motels and hotels are permitted by right in the GC zoning district provided:

- A. A site shall contain no less than two (2) acres of land and no less than one thousand (1,000) square feet of lot area shall be available per guest unit.
- B. Each unit shall contain not less than two hundred and fifty (250) square feet of heated/air-conditioned floor area per guest unit.
- C. All buildings shall be setback no less than fifty (50) feet from all perimeter parcel lines, while one hundred (100) feet is required when adjacent to residentially zoned, planned or occupied land.
- D. Accessory uses may include, but not be limited to meeting rooms, ballrooms, restaurants, bars, recreational uses, and gift shops.
- E. Cooking and/or kitchen facilities may be provided in new hotels/motels upon demonstration by the applicant that the provisions of all applicable fire prevention and building codes have been complied with.
- F. All parking areas of greater than five (5) spaces shall be set back from residentially planned, zoned or occupied parcel by no less than twenty-five (25) feet for rear and side yards.
- G. Ingress and egress shall be from a County primary or a State highway road.

Section 14.20 - Occupancy of Campers and Temporary Mobile Homes

Occupancy of a camper and temporary mobile homes as an accessory use is permitted in the RA, RU-1, RU-2 and MHP districts provided:

- 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. Use of Campers and Temporary Mobile Homes as a Residence While Constructing a Single-Family Dwelling

1. A permit may be issued by the Zoning Administrator for a camper or a mobile home to be occupied as a temporary dwelling for a period up to six (6) months while a single-family dwelling is being constructed. Additional six-month extensions of the permit may be granted by the Zoning Administrator providing that reasonable progress is being made on construction of the single-family dwelling. No more than three (3) such six-month extensions may be permitted.
2. In granting a permit, the Zoning Administrator shall require that a cash deposit, surety bond or letter of credit be provided to the Township in an amount not less than Two Thousand (\$2,000.00) Dollars to guarantee the removal of the mobile home from the premises upon the termination of the temporary permit and to reimburse the Township for any costs it may incur in enforcing the removal of the mobile home. In the case of a camper, a minimum of Five Hundred (\$500.00) Dollars shall be required.
3. Prior to placing a temporary mobile home on a premises, the applicant must have installed an adequate well, septic system, and electrical power source for the single-family home being constructed. The temporary mobile home must be connected to the well, septic system, and electric power.
4. A camper may be placed on premises prior to the installation of the well, septic system, and electrical power but must be removed from the premises if the well, septic system, and electric power source are not connected to the camper within six (6) months of the date the camper is placed on the property.
5. Prior to placing either a camper or temporary mobile home on a premises, all necessary building permits must have been acquired for the construction of the single-family dwelling.
6. Prior to placing a temporary mobile home on premises, the basement, foundation, or footings for the single-family dwelling must have been completed.
7. A camper or mobile home permitted for temporary use pursuant to this section need not comply with the single-family dwelling requirements of this Ordinance.
8. The temporary mobile home must be removed from the property before the expiration of the temporary mobile home permit.
9. The applicant must execute and record an affidavit guaranteeing that the temporary mobile home will be removed from the premises at the expiration of the permit period.

Section 14.21 - Open Air Business

Open-Air Businesses, whether operated year round or on an intermittent basis are permitted by Conditional Use Permit in the GC district provided:

- A. Lot Area - The minimum lot size for open-air businesses shall be one (1) acre.
- B. Driveway Location - The nearest edge of any driveway serving an open-air business shall be located at least sixty (60) feet from any street or road intersection (as measured from the nearest intersection right-of-way) and at least twenty (20) feet from any side property line.
- C. Parking Setback - Parking shall be setback a minimum of ten (10) feet from any road right-of-way line.
- D. Lot Width - The minimum lot width for open-air businesses shall be two hundred (200) feet.

- E. Loading and Parking - All loading and parking areas for open-air businesses shall be confined within the boundaries of the site, and shall not be permitted to spill over onto adjacent roads.
- F. Outdoor Display of Vehicles - The outdoor display of new or used automobiles, boats, mobile homes, recreational vehicles, trailers, trucks, or tractors which are for sale, rent, or lease shall comply with the requirements in Section 8.02, sub-section C.
- G. Plant Material Nursery - Nurseries which deal with plant materials shall comply with the following:
 - 1. Plant storage and display areas shall comply with the minimum setback requirements for the district in which the nursery is located.
 - 2. The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.

Section 14.22 - Private Airstrips

Private Airstrips are permitted by conditional use permit in the RA zoning district provided:

- A. Site Requirements: Lodges, schools, churches, or other public meeting places shall not be within five hundred (500) feet of said strip or hanger. No concentrated animal feeding operation shall be within one thousand (1,000) feet of the landing strip or hanger, or within the flight path of planes landing or taking off.

Section 14.23 - Public or private recreation facilities, campgrounds, and golf courses.

Public or private recreation facilities and campgrounds are allowed by Conditional Use Permit in the RA zoning district and golf courses are allowed by Conditional Use Permit in the RA, RU-1 and RU-2 zoning districts provided:

- A. The site shall be located on a public or approved private road.
- B. Minimum site size shall be forty (40) acres.
- C. All development features shall be located so as to minimize the possibility of any adverse affect upon adjacent property. This shall include a minimum setback of one hundred (100) feet from property lines for all development features.
- D. Activities shall be adequately screened from abutting property.
- E. Related accessory commercial uses may be permitted in conjunction with the recreation use when it is clearly incidental to the main recreational character of the property.

Section 14.24 - Quarrying of soil, sand, clay, gravel or similar materials.

The quarrying of soil, sand, clay, gravel or similar materials is permitted in the RA zoning district by Conditional Use Permit provided:

- A. Each application for special approval shall contain the following:
 - 1. Names and addresses of property owners and proposed operators of the premises.
 - 2. Legal description of the premises.
 - 3. Detailed statement as to method of operation, type of machinery or equipment to be used and estimated period of time that the operation will continue.
 - 4. Detailed statement as to the type of deposit proposed for extraction.

5. Reclamation plan and detailed statement as to the proposed use of the land after quarrying or fill operations are complete.

B. Site Requirements

1. Each site shall be a minimum of 40 acres in size.
2. A hydrogeological report of the proposed excavation site shall be provided unless waived by the Planning Commission. The report shall include at a minimum:
 - a. General description of the subsurface conditions, including general soil types and depths.
 - b. Depth of water table throughout the planned excavation area, and if applicable, the name of the aquifer impact.
 - c. A statement of the environmental impacts of the proposed excavations, including but not limited to the impact of the proposed excavation upon existing area wells.
 - d. A statement of the necessity to install monitoring wells.

C. Operational Requirements.

1. In operations involving deep excavations, the operator shall provide adequate safeguards to protect the public safety. These safeguards may include fencing, locked gates, and warning signs.
2. The Planning Commission may require that any gravel or dirt roads used for the purpose of ingress and egress to said excavation site be kept dust free by hardtopping or chemical treatment.
3. The completed slopes of the banks of any excavation shall in no event exceed a minimum of three (3) feet to one (1) foot (three foot horizontal to one foot vertical).
4. No cut or excavation shall be made closer than two Hundred (200) feet from the centerline of the nearest road right-of-way nor nearer than fifty (50) feet to the nearest property line. The Planning Commission may prescribe more strict requirements in order to give sublater support to surrounding property where soil or geologic conditions warrant it.

- D. The Planning Commission shall, to insure reclamation of the site or completion of other site improvements, require the permittee to furnish a bond in an amount necessary to cover the cost of those improvements, unless the Planning Commission determines the nature of the improvements do not necessitate a bond.

Section 14.25 - Radio Controlled Airplane Fields

Radio controlled airplane fields are permitted by Conditional Use Permit in the RA district provided:

- A. The airfield must be under the control of an incorporated Remote Control (RC) airplane club, which will be the holder of the conditional use permit and will be responsible for enforcement of the conditional use permit rules.
- B. RC MODEL AIRCRAFT - Both fixed wing aircraft and helicopters must weigh less than twenty pounds. Helicopters must have a six and one half-foot rotor span or less.
- C. RC MODEL AIRCRAFT ENGINES - The following categories of aircraft engines are allowed; Glow, Ignition, Diesel, Compressed Gas, Two and Four Stroke Internal Combustion,

Electric, Elastic, Gravity. The following categories of aircraft engines are not allowed; Ram Jets, Turbines, Solid and Liquid Fuel Rockets.

- D. RC MODEL ENGINE MUFFLER/SILENCERS/PROPELLERS - All model engines must have an adequate muffler/silencer/propeller combination to meet the sound limit of 89 decibels at 25 feet.
- E. RC MODEL AIRCRAFT RADIOS - In order to prevent radio dysfunction causing equipment damage and possible injury, all remote control aircraft radios must meet the Federal Communications Commission Code of Federal Regulations part 95 sub-part C and E dealing with personal radio service bands and part 97 dealing with amateur radio service bands, and CFR 47 part 15 dealing with 2.4 GHz spread spectrum bands.
- F. Model Requirements - All models must comply with the AMA safety requirements, (rounded spinners or prop nuts, no metal props, no knife edge wings, etc.).
- G. Setbacks - Flying areas shall be a minimum of 200' from a residence. Areas for spectators and parking are to be a minimum of 65 feet from the edge of the runway

Section 14.26 - Repair, Service, Storage of Automobiles and similar equipment

Facilities for the repair, service, storage of automobiles and similar equipment are permitted by Conditional Use Permit in the GC zoning district provided:

In addition to other regulations set forth in this Ordinance, all automobile repair, service or storage facilities shall conform to the following requirements:

- A. The portion of the property used for vehicular traffic, including parking, shall be separated from landscaped areas and sidewalks by a curb.
- B. The entire area used for vehicle service shall be paved. Areas utilized for temporary storage of vehicles awaiting repair may be graveled at the discretion of the Planning Commission.
- C. Hydraulic hoist, service pits, lubricating, greasing, washing and repair equipment and operations shall be located within a completely enclosed structure.
- D. The maximum widths of all driveways at the right-of-way line shall be no more than thirty (30) feet.
- E. The angle of a driveway intersection with the street from the curb line to lot line shall be not less than ninety (90) degrees.
- F. The distance of any driveway from any property line shall be at least twenty (20) feet, measured at the tangent points of the drive edge and the street curb return.
- G. The distance between curb cuts shall be no less than forty (40) feet, measured between the tangent points of the drive edges and the street curb returns.
- H. Outdoor storage of trash, including new or discarded vehicle parts, shall be contained within a solid, unpierced enclosure.
- I. Storage of vehicles rendered inoperative, either through damage or disrepair or any other cause, and vehicles without current license plates, shall be prohibited.
- J. Sales of used cars and other motorized vehicles on the premise shall be prohibited except with approval of the Planning Commission and issuance of the required state license.
- K. Temporarily stored vehicles awaiting repair shall be stored in such a manner as not to be visible during non-business hours. In addition, vehicles awaiting repair or service are not

permitted to be stored in required parking spaces for a period of more than one business day.

- L. Used oil and other hazardous waste shall be disposed of in accordance with state law.

Section 14.27 - Sewage treatment plants and similar facilities.

Sewage treatment plants and similar facilities are permitted by Conditional Use Permit in the LI zoning district provided:

- A. Must comply with all regulations of the State of Michigan.
- B. Must be completely enclosed by an obscuring wall, fence, or greenbelt.

Section 14.28 - Single-Family Dwelling Requirements

Single family dwellings are permitted by right in the RA, RU-1, RU-2 and MHP zoning districts. All single- family dwellings located outside mobile home parks shall comply with the following minimum standards:

- A. Minimum Size - Each dwelling shall contain the minimum number of square feet specified in Section 4.12 prior to any alterations or additions.
- B. Minimum Width - Each dwelling shall be no less than twenty-four (24) feet in width for at least forty feet (40) of its length.
- C. Foundation - Each dwelling shall be provided with adequate foundation support. At a minimum, this shall include an approved foundation which extends at least 42 inches below grade and extends around the complete outside perimeter of the dwelling. A crawl space of not less than 24 inches shall be provided under at least fifty (50%) percent of the ground floor area. Adequate additional support in the form of columns or beams shall be provided as required by the building inspector. Each dwelling shall be securely anchored to the foundation.
- D. Storage Facilities - Each dwelling shall have either a basement, garage or storage building containing at least one hundred (100) square feet of storage area constructed at the same time a the dwelling.
- E. Roof - Each dwelling shall have a roof with at least a 3-12 pitch.
- F. Construction Code - Each dwelling and dwelling addition shall comply with current building code requirements.

Section 14.29 - Townhouses

Townhouses consisting of 3 or 4 units per building are permitted by right in the RU-2 district provided:

- A. Minimum land area per unit

The following lot area regulations are applicable to apartment buildings three stories and less in height and to townhouses:

Size of Dwelling Unit					
Height	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
Townhouse	3,600 sq. ft.	2,600 sq. ft.	4,000 sq. ft.	4,400 sq. ft.	4,800 sq. ft.

B. Minimum floor area

Dwelling units shall comply with the following floor area regulations:

Size of Dwelling	Minimum Floor Area
Efficiency	360 sq. ft.
1 Bedroom	500 sq. ft.
2 Bedroom	620 sq. ft.
3 Bedroom	760 sq. ft.
4+ Bedroom	840 sq. ft., plus 80 sq. ft. for each additional bedroom

C. Spacing between buildings

The minimum spacing between multiple-family or townhouse building shall be in accordance with the following regulations:

Orientation	Minimum Spacing
Front to Front	50 ft.
Front to Rear	50 ft.
Rear to Rear	50 ft.
Side ot Side	20 ft.
Front to Side	35 ft.

The setback from a side street lot line on the side facing a street shall not be less than 50 percent of the required front yard setback if dwellings on the same side of the block fronting on the side street. If there are no dwellings fronting on the side street, the minimum side yard setback shall be 10 feet. See Section 14.01 for regulations applicable to detached accessory buildings.

Michigan Department of Environmental Quality (MDEQ) flood plain regulations, Genesee County Health Department regulations for on-site sewage disposal and water supply and other state and federal regulations may require greater setbacks or lot areas than required under above. In such cases, those agencies' regulations and standards shall apply.

Section 14.30 - Truck Terminals

Truck terminals are permitted by right in the LI zoning district provided:

- A. A two hundred (200) foot setback line shall be required along any boundary line which separates the site from a zoning district that permits residential development or from an existing residential property.
- B. To the maximum extent possible, loading and unloading docks shall be located on the side of the building furthest removed from the closest residential structure.
- C. Truck terminals shall be accessed from an all-weather road.

Section 14.31 - Wireless Telecommunication Towers.

Wireless telecommunication towers are permitted by Conditional Use Permit in the RA and GC zoning districts provided:

- A. The parcel of land shall be sufficiently large to contain the full length of the tower in all directions in the event it comes down. This setback from lot lines may be reduced by the Planning Commission if the applicant provides certification by a structural engineer that the tower is "self-collapsing".
- B. The tower shall be dismantled if not actively utilized for a period of one year.
- C. All towers shall be fenced with chain link at least six feet in height.