

State of Michigan
Arenac County
Township of Standish

Ordinance No.: 2014-11-01

Adopted: November 2014

Amended: August 12, 2019

An Ordinance to repeal and replace the current Township Zoning Ordinance and all other Township Ordinances in conflict herewith, Establishing new districts and regulations to govern land use in the Township of Standish, Arenac County, Michigan, in accordance with the provisions of PA 110 of 2006, the Michigan Zoning Enabling Act.

The Township of Standish, Arenac County, Michigan hereby ordains

TABLE OF CONTENTS

	<u>Page</u>
Township Zoning Map	iii
Lakeshore District Detail Map	iv

Article 1: Miscellaneous Provisions

1.1 Short Title	1-1
1.2 Legal Basis	1-1
1.3 Purpose	1-1
1.4 Interpretation	1-1
1.5 Repeal	1-1
1.6 Validity	1-1
1.7 Effective Date	1-1

Article 2: General Requirements

2.1 Scope of Regulations	2-1
2.2 Lot Area, Width, and Setback Requirements	2-1
2.3 Uses Not Listed	2-1
2.4 No More than One Principal Use Permitted Per Lot	2-1
2.5 Accessory Buildings	2-1
2.6 Home Occupations	2-2
2.7 Road Frontage Required	2-2
2.8 Private Roads and Easements	2-2
2.9 Residential Site Condominium, Residential Condominium, Subdivision and Residential Subdivision Developments	2-3
2.10 Use of Structures as Temporary Living Quarters during Construction of a Permanent Residence	2-3
2.11 Outdoor Swimming Pools, Spas, and Hot Tubs	2-4
2.12 Minimum Standards for Dwellings	2-4
2.13 Restoring Unsafe Buildings	2-4
2.14 Approval of Land Divisions	2-5
2.15 Fences	2-5
2.16 Clear Vision Area on Corner Lots	2-5
2.17 General Exceptions to Area, Heights, and Use Regulations	2-5
2.18 Health Department Approval Required	2-6
2.19 Screening Requirements	2-6
2.20 Garage or Yard Sales	2-6
2.21 Roadside Stands	2-6
2.22 Outdoor Storage and Waste Disposal	2-6
2.23 Site Rehabilitation	2-6
2.24 Short Term and Seasonal Use of Recreational Vehicles as Temporary Recreational Living Quarters	2-7

2.25 Amateur Radio and Dish Antennas	2-8
2.26 Review of Public Utility Projects Required	2-8
2.27 Nuisance Noises	2-8 – 2-9
2.28 Blight Control.....	2-9
2.29 Mobile Home Regulations.....	2-10
2.30 Multiple Family Dwellings.....	2-10
2.31 Proximity to Existing Feedlots	2-10
2.32 100 Year Floodplain Area	2-10
2.33 Wind Energy Conversion Facilities Less than 100 feet in Height or 100kW Capacity	2-10
2.34 Noxious Weeds.....	2-11
2.35 Outdoor Wood Furnace	2-11 – 2-14
2.36 Marijuana.....	2-14

Article 3: Non-Conforming Uses

3.1 Purpose	3-1
3.2 Non-Conforming Buildings and Structures.....	3-1
3.3 Non-Conforming Uses of Land	3-1
3.4 Non-Conforming Uses of Structures	3-2
3.5 Repair and Maintenance of Non-Conforming Use of Structure.....	3-2
3.6 Change in Tenancy or Ownership	3-3
3.7 Non-Conforming Lots of Record (Substandard Lots).....	3-3
3.8 Elimination of Non-Conforming Use.....	3-3

Article 4: Development Site Plan Review

4.1 Intent and Purpose	4-1
4.2 Scope	4-1
4.3 Application and Fee.....	4-1
4.4 Reviewing Authority	4-2
4.5 Major and Minor Development Projects Defined	4-2
4.6 Conceptual Development Site Plan Review	4-2
4.7 Site Plan Review Required Information.....	4-3 – 4-4
4.8 Site Plan Review Procedure	4-5
4.9 Development Site Plan Review Standards	4-6 – 4-7
4.10 Final Development Site Plan Approvals	4-8
4.11 Special Uses and Concurrent Approvals	4-9
4.12 Amendments to Approved Development Plans	4-9
4.13 Time Limit for Approved Site Plans	4-10

Article 5: Zoning Districts

5.1 Division of the Township	5-1
5.2 Official Zoning Map.....	5-1
5.3 Interpretation of Zoning District Boundary.....	5-1
5.4 District Regulations	5-1

Section 5.4.1	R - Residential Zoning District.....	5-2
Section 5.4.2	A - Agricultural Preservation Zoning District.....	5-3
Section 5.4.3	C-1 - Local Services Commercial Zoning District.....	5-4
Section 5.4.4	C-2 – General Commercial Zoning District	5-5 -5-6
Section 5.4.5	F-R – Forest and Recreation Zoning District	5-7
Section 5.4.6	L – Lakeshore Zoning District	5-8 -5-9
5.5	Review and Approval Procedures for Planned Unit Developments (PUD).....	5-10
Section 5.5.1	Purpose	5-10
Section 5.5.2	General Requirements, Restrictions, and Standards.....	5-10 – 5-12
Section 5.5.3	Approval Standards	5-13
Section 5.5.4	Application and Review Procedures	5-14
Section 5.5.5	Planning Commission Public Hearing, Review and Recommendation	5-15
Section 5.5.6	Performance Guarantee	5-16
Section 5.5.7	Statement of Compliance Required.....	5-16
Section 5.5.8	PUD District Regulations	5-17
Section 5.5.9	Recorded Affidavit Required	5-17
Section 5.5.10	Modifications of an Approved PUD.....	5-17
Section 5.5.11	Open Space Zoning Ordinance Provision	5-18 - 5-19

Article 6: Special Uses

6.1	Purpose	6-1
6.2	Application Procedures	6-1
6.3	Notice of Public Hearing	6-1
6.4	Public Hearing and Review Procedures	6-1
6.5	Township Board Action	6-2
6.6	Appeal of Decision	6-2
6.7	General Standards for Approval of Special Uses	6-2
6.8	Basis for Determination.....	6-3
6.9	Performance Guarantee	6-3
6.10	Compliance with Conditions of Special Use Permit Required	6-4
6.11	Term of Permit	6-4
6.12	Specific Standards	6-4
Section 6.12.1	Special Land Use Requirements.....	6-5 to 6-12

Article 7: Off-Street Parking and Loading Space Requirements

7.1	Purpose	7-1
7.2	General Requirements	7-1
7.3	Parking for Uses Not Specifically Mentioned.....	7-1
7.4	Mixed Uses in the Same Building.....	7-1
7.5	Reduction in Required Parking for Public Benefits	7-1
7.6	Driveway Spacing Requirements	7-2
7.7	Parking Space Dimensions	7-2
7.8	Table of Off-Street Parking Requirements.....	7-2
7.9	Off-Street Loading Spaces	7-2

Table 7.1	Off-Street Parking Requirements	7-3 – 7-4
-----------	---------------------------------------	-----------

Article 8: Signs and Billboards

8.1	Intent and Purpose	8-1
8.2	Sign Definitions.....	8-1
8.2.1	Sign Types	8-1 – 8-2
8.3	Land Use Permit Required	8-3
8.4	Prohibited Signs.....	8-3
8.5	General Sign Standards	8-3
8.6	Agricultural Zoning Districts	8-4
8.7	Residential Districts (R, PUD, Lakeshore and Forest/Recreation Districts).....	8-4
8.8	Commercial Zoning Districts	8-4 – 8-5
8.9	Non-Conforming Signs	8-6
8.10	Removal of Signs	8-6

Article 9: Zoning Ordinance Text and Map Amendments

9.1	Purpose	9-1
9.2	Procedures	9-1
9.2.1	Application	9-1
9.2.2	Planning Commission Recommendation	9-1
9.2.3	Public Hearing	9-1
9.2.4	Arenac County Planning Commission Recommendation	9-1
9.2.5	Township Board Action	9-1
9.2.6	Amendment to conform with Court Decree	9-2
9.2.7	Conditional Rezoning.....	9-2 – 9-3

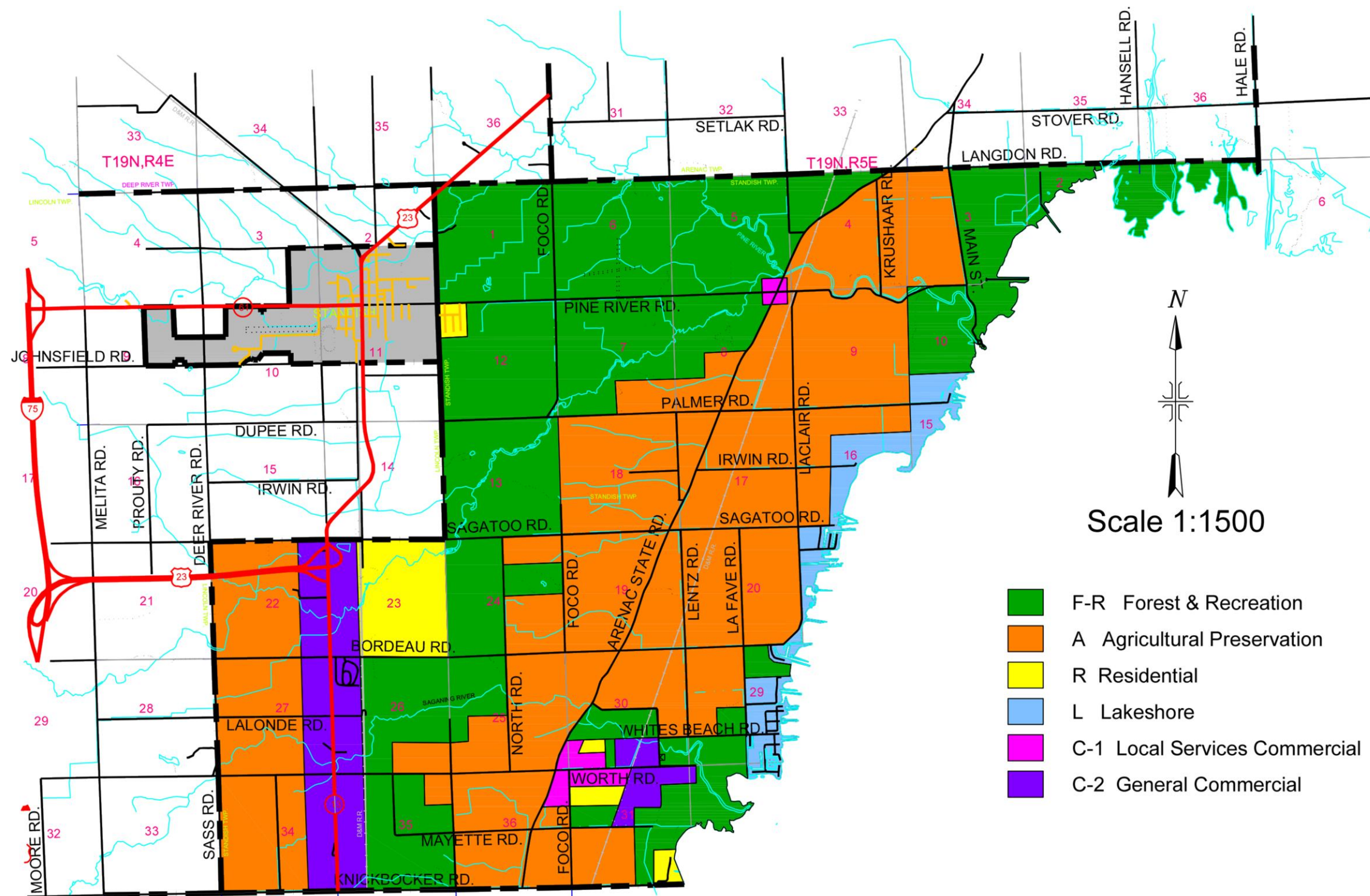
Article 10: Administration and Enforcement

10.1	Zoning Administrator	10-1
10.2	Land Use Permit Required	10-1
10.3	Application for Land Use Permit	10-1
10.4	Other Permits and Approvals Required.....	10-2
10.5	Land Use Permit Required to Obtain County Building Permit.....	10-2
10.6	Fees.....	10-2
10.7	Enforcement	10-2
10.7.1	Notification.....	10-2
10.7.2	Penalty	10-2
10.8	Planning Commission.....	10-3
10.9	Zoning Board of Appeals	10-3
10.9.1	Continuation of Current ZBA.....	10-4
10.9.2	Membership.....	10-4
10.9.3	Membership Terms.....	10-4

Section 10.9.4 Rules of Procedure	10-4
Section 10.9.5 Meetings	10-4
Section 10.9.6 Records	10-5
Section 10.9.7 Legal Counsel	10-5
Section 10.9.8 Hearings.....	10-5
Section 10.9.9 Decisions	10-5
Section 10.9.10 Majority Vote Required.....	10-5
10.10 Authority of the Zoning Board of Appeals.....	10-5
Section 10.10.1 Variance.....	10-5
Section 10.10.2 Appeals of Administrative Actions	10-6
Section 10.10.3 Interpretations.....	10-6
10.11 Rules for Variance	10-6
Section 10.11.1 Re-Application	10-7
10.12 Conditions.....	10-7
10.13 Filing Fee.....	10-7
10.14 Appeals of ZBA Decisions.....	10-7
10.15 Public Notice	10-8
10.16 Registration to Receive Notice by Mail	10-9

Article 11: Definitions

11.1 Rules of Use and Construction	11-1
11.2 Definitions	11-1 – 11-23
Figures	11-24 – 11-29
11-1 Basement and Story.....	11-24
11-2 Building Heights	11-25
11-3 Mean Grade	11-26
11-4 Corner Lot	11-27
11-5 Lot Depth	11-28
11-6 Lot Lines and Yards	11-29



- F-R Forest & Recreation
- A Agricultural Preservation
- R Residential
- L Lakeshore
- C-1 Local Services Commercial
- C-2 General Commercial

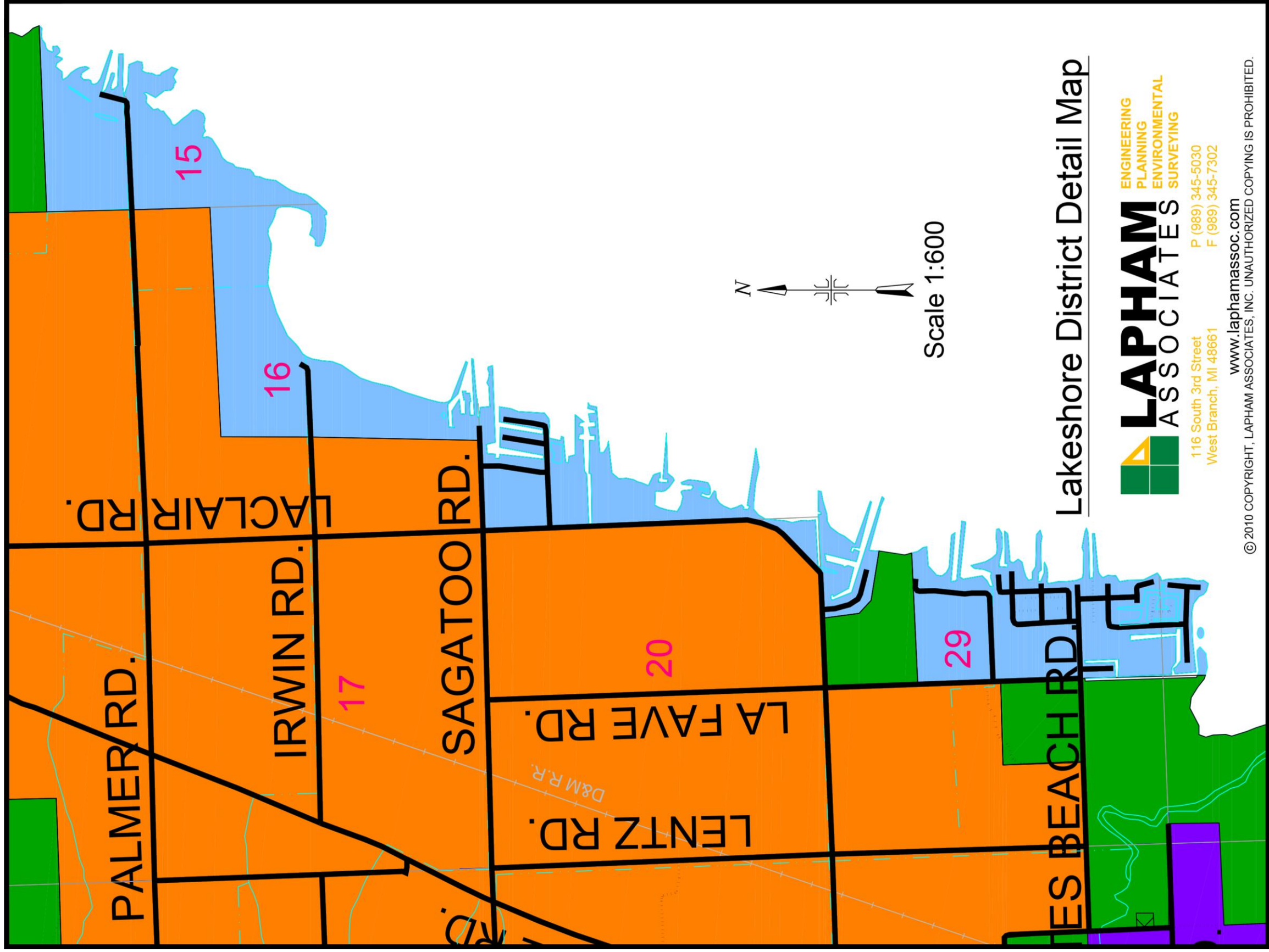
Standish Township Zoning District Map

LAPHAM ASSOCIATES ENGINEERING
 PLANNING
 ENVIRONMENTAL
 SURVEYING

116 South 3rd Street P (989) 345-5030
 West Branch, MI 48661 F (989) 345-7302

www.laphamassoc.com

© 2010 COPYRIGHT, LAPHAM ASSOCIATES, INC. UNAUTHORIZED COPYING IS PROHIBITED.



Lakeshore District Detail Map



116 South 3rd Street
West Branch, MI 48661
P (989) 345-5030
F (989) 345-7302

www.laphamassoc.com
© 2010 COPYRIGHT, LAPHAM ASSOCIATES, INC. UNAUTHORIZED COPYING IS PROHIBITED.

Article 1

Miscellaneous Provisions

1.1 Short Title

This Ordinance shall be known and may be cited as the Standish Township Zoning Ordinance.

1.2 Legal Basis

This Ordinance has been prepared and adopted under the authority of the Public Act 110 of 2006, The Michigan Zoning Enabling Act, as amended.

1.3 Purpose

This Ordinance has been prepared and adopted for the purpose of providing standards and regulations for land development, for the use of land and buildings, and for all other purposes described in Section 203 of the Michigan Zoning Enabling Act. Also, this Ordinance is based on the Standish Township Master Plan, and is intended to carry out the objectives of that Plan.

1.4 Interpretation

This Ordinance does not repeal other laws and Ordinances except as may be noted in the provisions that follow this section. This Ordinance has no effect on the applicability of private deed restrictions or restrictive covenants.

In cases where this Ordinance imposes greater restrictions on the use of land, buildings, structures, or on the commencement of land development

projects, or requires larger lots, setbacks, or parking areas than provided by other laws, Ordinances, or private deed restrictions or restrictive covenants, the provisions of this Ordinance shall prevail.

In cases where this Ordinance establishes lesser restrictions on the use of land, buildings, structure, or on the commencement of land development projects, or requires smaller lots, setbacks, or parking areas than provided by other laws, Ordinances, or private deed restrictions, or protective covenants, the provisions of those other laws, Ordinances, restrictions or covenants may prevail.

1.5 Repeal

This Ordinance repeals and replaces the previous Standish Township Zoning Ordinance in its entirety.

1.6 Validity

This Ordinance and the various sections, subsections, clauses, sentences, and provisions are severable. If any section, subsection, clause, sentence or provision is declared to be unconstitutional or invalid, the balance of the Ordinance shall not be affected by the declaration.

1.7 Effective Date

This Ordinance rescinds the 2000 Zoning Ordinance and will become effective: **2019.**

Article 2

General Requirements

2.1 Scope of Regulations

The standards and regulations contained in this Ordinance shall apply to all land, buildings, structures, land uses, and land development projects that are established or commenced after the effective date of this Ordinance. Accordingly, no lots or parcels may be created or altered, nor any land use is established or commenced, nor any building or structure constructed, altered, or extended, except in a manner that complies with the provisions of this Ordinance.

2.2 Lot or Parcel Area, Width, and Setback Requirements

a. Lot or Parcel Area, Frontage, and Width

No lot or parcel of land shall be divided, subdivided, or reduced in area, frontage, or width in any way that results in existing or newly created lots or parcels having area, frontage, or width that is less than is permitted in the zoning district in which the lot or parcel is located.

b. Setbacks

Existing uses, buildings, and structures may not be extended, expanded or added to in any way that results in a reduction of existing or required setbacks to a distance less than that permitted in the zoning district in which the use, building or structure is located.

2.3 Uses Not Listed

If a proposed use of land or use of a building or buildings is not specifically listed in this Ordinance either by right or by special use permit, then the Zoning Administrator shall request an interpretation by the Zoning Board of Appeals as to the appropriateness of locating the use in the zoning district in which it is proposed.

2.4 No More than One Principal Use Permitted Per Lot

Unless specified by other provisions of this Ordinance, no more than one (1) principal use may be established on any lot in any zoning district.

2.5 Accessory Buildings

Accessory buildings shall be subject to the following regulations:

- a. Where an accessory building is attached to a main building, it shall be subject to and must conform to all requirements of this Ordinance applicable to the main building.
- b. Detached accessory buildings are permitted primarily in side and rear yards only.
- c. Non-farm accessory buildings shall be located no closer than fifteen (15) feet to any principal building,

nor closer than ten (10) feet to any side or rear lot line.

- d. Accessory buildings in any Residential (R) Zoning District shall not exceed thirty (30) feet in height
- e. Accessory buildings in the Residential (R) Zoning District may occupy no more than twenty-five (25) percent of a required side or rear yard.
- f. Barns and other farm structures and other activities shall be allowed in accordance with generally accepted agricultural management practices as promulgated by the Michigan Department of Agriculture.
- g. Accessory buildings not more than eighty (80) square feet in area shall not require a permit. Compliance with rear and side yard setback regulations is required.
- h. If an accessory building is located on a corner lot where the side lot line is a continuation of the front lot line of the lot to its rear, then the accessory building shall not project beyond the front yard setback required for the lot in the rear of such a corner lot (See Figure 11-6).

2.6 Home Occupations

Home occupations are permitted, subject to the following standards:

- a. The home occupation must be conducted within the principal dwelling or within an associated accessory building.
- b. The home occupation must be clearly incidental and subordinate to the use of the dwelling for dwelling purposes.
- c. Home occupation shall not involve any activity or process that would constitute a nuisance to adjoining properties.
- d. Where home occupation proposes the use of an accessory structure, or is such that in the opinion of the Planning Commission, it may have a significant effect on the neighbors or neighborhood, the Planning Commission may require the submission of a site plan for review in accordance with Article 4 of this Ordinance.

2.7 Road Frontage Required

All lots shall have frontage on or access to either an improved and maintained public road, or to an improved and maintained private road.

2.8 Private Roads and Easements

Private roads and easements are permitted in all Zoning Districts subject to the following conditions:

- a. Private Roads and Easements shall have recorded sixty-six (66) feet permanent right-of-way and an ingress and egress easement.
- b. Driveways must be setback ten (10) feet from side or rear lot lines unless a joint driveway for commercial use.
- c. A private road or easement shall be assigned a name & street signs

shall be installed in accordance with the standards & approval of the County Road Commission.

- d. Applicants and/or owners of the private road or easements shall agree to indemnify and hold harmless the Township and its representatives from any and all claims for personal injury and property damage arising out of the use of the private road or easements.
- e. There shall be a private maintenance agreement or restrictive covenant agreement recorded that runs with the land and ensures that the road will be regularly maintained so that it is safe for travel at all times.
- f. A disclosure statement shall be placed in a deed restriction that is recorded for any parcels serviced by a private road or easement before each parcel is sold. The statement shall inform the purchaser that the road or easement abutting and/or servicing the parcel is private and is not required to be maintained by any government agency.

2.9 Residential Site Condominium, Residential Condominium, Subdivision and Residential Subdivision Developments

Residential Site Condominiums, Residential Condominium Subdivisions and Residential Subdivisions are permitted in R, F-R districts, subject to the standards

and regulations described in Article 5, Zoning Districts.

2.10 Use of Structures as Temporary Living Quarters During Construction of a Permanent Residence

This section establishes regulations which are intended to permit the temporary placement and occupancy of structures in all zoning districts when located on the same lot on which a lot owner's permanent dwelling is being constructed, or repaired following an event that temporarily renders the dwelling unfit for occupancy.

Structures may be placed and occupied as temporary living quarters, subject to the following conditions:

- a. No structure shall be placed or occupied under the provisions of this section unless authorized by the Zoning Administrator by the issuance of a Temporary Dwelling Permit.
- b. Temporary permits as required by this section shall not be issued unless and until a land use permit authorizing construction of the permanent dwelling, or repair or reconstruction of a damaged, dangerous, and unsafe existing dwelling has been secured by the lot owner.
- c. Temporary permits issued under the provisions of this section shall be valid for a period of six (6) months from the date of issue by the Zoning Administrator.

- d. Temporary permits issued under the provisions of this section may be renewed once by the Zoning Administrator for the six (6) month period, if substantial progress is being made on the permanent dwelling.

2.11 Outdoor Swimming Pools, Spas, and Hot Tubs

Swimming pools, spas, and hot tubs are permitted as an accessory use in all zoning districts subject to applicable setback regulations established for accessory uses, buildings, and structures.

Swimming pools located outdoors, whether constructed in, or above the ground, shall be provided with a fence that complies with all provisions of the State of Michigan Building Code applicable to swimming pools. Above ground spas and hot tubs must be covered and secured. In ground spas and hot tubs shall be provided with a fence that complies with all provisions of the State of Michigan Building Code applicable to swimming pools. Fences must be approved by the Building Inspector before a swimming pool, spa, or hot tub will be approved for use or occupancy.

2.12 Minimum Standards for Dwellings

The following standards and regulation shall apply to all dwellings that are erected in or moved into or within the Township, except those dwellings located within licensed mobile home parks:

- a. All dwellings shall comply with the dimensional requirements, including minimum floor area, of the zoning district in which they are located.
- b. All dwellings shall be constructed or place upon and anchored to a foundation that complies with the applicable provisions of the State of Michigan Building Code, as administered by Arenac County.
- c. All dwellings shall comply with all current Arenac County building, fire and safety codes.
- d. Permanent steps, porches, or decks are required where there is a difference of three (3) foot elevation between a doorway and grade level.
- e. Additions to existing dwellings shall meet all requirements of this Ordinance.
- f. All dwellings shall be connected to a public sewer system and water supply system, or a well and septic system approve by the local Health Department.

2.13 Restoring Unsafe Buildings

Nothing in this Ordinance shall prevent the strengthening or restoration to a safe condition of any part of any building or structure declared unsafe by the Building Official or required to comply with his or her lawful order, unless otherwise specified in Article 3, Non-Conforming Uses.

2.14 Approval of Land Divisions

All land divisions created after the effective date of this Ordinance shall comply with all requirements of the Michigan Land Division (Act 591 P.A. 1996, as amended). All land divisions created after the effective date of this Ordinance shall also comply with the lot area, width, setback, and all other dimensional requirements of the zoning district in which such land divisions are located.

2.15 Fences

All fences, walls, and similar enclosures shall conform to the following regulations and State requirements:

- a. Unless prohibited by zoning district regulations, fences, walls and similar enclosures are not subject to the setback provisions established by those regulations, except that fences may not be constructed within any public right-of-way.
- b. Fences located in front, side and rear yards shall be installed with the finished side facing toward adjacent properties.
- c. Barbed or electric wire fences are permitted in the A Zoning District only. Barbed wire cradles may be placed on top of fences enclosing public utility buildings or wherever deemed necessary by the Zoning Administrator in the interest of public safety.
- d. It shall be unlawful to erect a fence consisting or constructed of tires, vehicle parts, rotting lumber,

pallets, trash, or any materials capable of providing habitat for pests or vermin.

2.16 Clear Vision Area on Corner Lots

No fence, wall, structure, or planting more than thirty (30) inches in height shall be established or maintained within twenty-five (25) feet of the intersection of any road right-of-way lines, including railroad right-of-ways.

2.17 General Exceptions to Area, Height and Use Regulations

The regulations of this Ordinance shall be subject to the following general exceptions:

- a. **Voting Place.** The provisions of this Ordinance shall not be construed so as to interfere with the temporary use of any property as a voting place in connection with a Township or other public election.
- b. **Height Limit.** The height limitations of this Ordinance shall not apply to farm buildings, chimneys, church spires, flag poles, public monuments, or water towers. However, height limitations imposed by this Ordinance shall under no circumstances be less restrictive than those specified by an established Airport Zoning Ordinance.

2.18 Health Department Approval Required

Land Use Permit shall not be issued for the construction or establishment of buildings or uses requiring water or wastewater systems unless and until an applicant provides copies of the appropriate well and septic permits issued by the District Health Department.

2.19 Screening Requirements

Screening may be constructed and maintained whenever a commercial use is established on land sharing a boundary with any residence or residential zoning district, and whenever multi-family housing or any rental is established adjacent to a single family or two-family residential use. Screening shall be provided by one of the following:

Wall or Fence

A solid wall or fence, at least six (6) feet in height, with a finished surface fronting on the residential district or use.

2.20 Garage or Yard Sales

Sales of personal property from a residential dwelling may occur not more than four (4) times per year for a period not to exceed four (4) days for each occurrence. All signs advertising a sale must be removed within twenty-four (24) hours after the end of the sale.

2.21 Roadside Stands

Roadside stands are permitted in the Agricultural Preservation Zoning District, subject to the following requirements:

- a. One parking space off the road right-of-way shall be provided for each one hundred (100) square feet of space in the stand.
- b. Signs for the stand shall not exceed sixteen (16) square feet per sign.

2.22 Outdoor Storage and Waste Disposal

All uses established or place in operation in any zoning district after the effective date of this Ordinance shall comply with the following requirements.

- a. No materials or wastes shall be placed on the premises in such a form or manner that the materials may be carried off the property by natural causes or forces, such as by wind or water.
- b. All materials or equipment shall not be allowed to accumulate on any property in such a manner as to constitute a fire hazard or contribute to unsanitary conditions.

2.23 Site Rehabilitation

All excavated overburden or other materials extending above the natural grade shall be leveled or removed, and the surface of the entire tract shall be restored to usable conditions for development or agriculture. The excavated area shall be graded so that no gradient of the disturbed area has a slope greater than 1:3 (one (1)

foot rise in three (3) feet of horizontal distance). The graded area shall be seeded with an appropriate grass type and a vegetative cover shall be established to minimize soil erosion.

2.24 Short Term and Seasonal Use of Recreational Vehicles as Temporary Recreational Living Quarters

Definition: A “Recreational Vehicle”, as referred to in this section, is a motor home, travel trailer, truck camper, or camping trailer with or without motive power designed for human habitation for recreational or emergency occupancy.

General Standards

- a. Recreational vehicles placed under the provisions of this section shall be legally operable on the highways of the State of Michigan by virtue of having a current and valid registration and licensed plate as required by the Michigan Vehicle Code.
- b. Recreational vehicles placed on a parcel of land shall comply with all applicable setback and lot coverage regulations of the zoning district in which the parcel of land is located.

Seasonal Use

If a recreational vehicle is placed and occupied as temporary living quarters, for a period of more than seven (7) days on a parcel of land, or on a lot occupied by a single family dwelling, it must comply

with General Standards as well as the following conditions:

- a. A permit for placement of a recreational vehicle on a parcel must be obtained immediately from the Standish Township Zoning Administrator by the property owner within seven (7) days of placing the vehicle on the property. The permit shall be valid for one six (6) month period per year. The permit number along with the start date and ending date of the permit shall be accessible upon request and posted in full view.
- b. Recreational vehicles placed and occupied as temporary living quarters, under the provisions of this section, shall comply with all Arenac County Health Department regulations that apply to the use and occupancy of recreational vehicles outside of licensed campgrounds.
- c. Renewal may be denied, or an issued permit may be revoked if any of the following condition occurs; unsafe or objectionable sanitation conditions, litter, lack of maintenance, or any other site conditions determined by the Standish Township Zoning Administrator to constitute a safety hazard or public nuisance.

Storage

No more than two (2) recreational vehicles may be stored on any parcel of property at

any one time. No permit is required for storage of RV's. Storage of RV's must comply with General Standards above.

2.25 Amateur Radio and Dish Antennas

Amateur radio antennas and other structures similar in size, shape, and function are permitted in all zoning districts, subject to the following conditions:

- a. Any such structure that is four (4) feet or more in diameter or greater than 50 feet in height shall require a Land Use Permit prior to erection. The Zoning Administrator may require construction drawings showing the proposed method of installation, such as anchoring and screening.
- b. No antenna or similar structure shall be located nearer than ten (10) feet from any rear or side lot line and shall be set back one and one-half (1-1/2) times its height from any property line.

2.26 Review of Public Utility Projects Required

Public utility projects as defined in this Ordinance are not exempt from the requirements of the Zoning Ordinance. Instead, public utility projects are permitted as special uses in all zoning districts, subject to review and approval as specified in Article 6.

This requirement pertains to all public utility buildings, storage yards, and underground structures such as pipelines, cables, and the like.

2.27 Nuisance Noises

No repetitive, high frequency, or obnoxious noises that may be reasonably construed, as a nuisance shall be permitted. For the purpose of this Ordinance, nuisance is defined as noise that would cause annoyance or distress to a reasonable person. Repetitive is defined as noise that continues unabated for a period of thirty (30) minutes or more. Commercial or industrial type uses will be evaluated during site plan review. In addition, the following acts, without limitation, are considered nuisance noises:

- a. The racing or other operation in a competitive manner of any motorized vehicle in any public place or on any property in Standish Township.
- b. The sounding of any horn or signaling device for an unreasonable period of time, except as a danger warning.
- c. The discharge into the open air of any internal combustion engine, except through a muffler or other approved device that will effectively prevent loud or explosive noises.
- d. The creation or allowance of offensive noise from individual parties, gatherings or other events from radios, televisions, or other amplified equipment.

The following are exempt from the provisions of this section:

- a. Noises and vibrations created during emergencies by duly authorized emergency service vehicles, equipment, or personnel.
- b. Noises and vibrations created by normal railroad operations.
- c. Noises and vibrations created by builders, contractors, and services providers while engaging in routine repair, construction, or clearing operations.
- d. Noises and vibrations created by the operation of machinery and equipment necessary for a farm or farming operations.

2.28 Blight Control

- a. It shall be unlawful for any person to store or permit the storage or accumulation of trash, rubbish, junk, junk motor vehicles or abandoned vehicles on any property in the Township except within a completely enclosed building or on the premises of a properly permitted junk dealer, junk buyer, or dealer in used auto parts. All farm vehicles are exempt. No unlicensed vehicle shall be stored for a period greater than one hundred twenty (120) days except within a completely enclosed building or on the premises of a properly permitted commercial enterprise.

- b. It shall be unlawful for any person to keep or maintain any blighted structure unless the structure is kept securely locked, the windows kept glazed or neatly boarded up, and otherwise protected to prevent entrance by unauthorized persons, unless the structure is under construction in accordance with a valid building permit.
- c. It shall be unlawful for any person to store or permit the storage of building materials on any property in the Township, except within a completely enclosed building or except where the building materials are part of a properly permitted business located on the property, or except where such materials are being used in the construction of a structure in accordance with a valid building permit.
- d. Blight Control Form: to report a complaint of blight, a blight complaint form must be completed and turned into the zoning administrator. The name of the complainant will be kept confidential. The form can be obtained by contacting the zoning administrator or a copy can be found on the Standish Township website.
- e. Upon verifying that a blight condition exists, the Zoning Administrator will issue a Municipal Civil Infraction to the violator stating all alleged conditions. (See Ordinances 10.7, 10.7.1 and 10.7.2)

2.29 Mobile Home Regulations

- a. All mobile homes placed for occupancy after the effective date of this Ordinance shall carry the HUD seal and be of a type and quality conforming to the current “Mobile Home Construction and Safety Standards” as promulgated by the United States Department of Housing and Urban Development.
- b. All mobile homes shall be installed and anchored pursuant to the manufacturer’s setup instructions and the applicable Michigan Mobile Home Commission rules.
- c. All mobile homes shall be installed and anchored with its towing mechanism removed and none of the undercarriage shall be visible from outside the mobile home.
- d. Each mobile home shall be skirted so as to obscure the base of the mobile home. The skirting shall be of approved materials, which may consist of metal, blocks, vinyl, and wood and shall contact to the slab. One (1) access door is permitted and screen vents shall be installed along such skirting at intervals to provide ventilation as determined by the Building Administrator.
- e. Mobile homes must have a zoning permit and approval before installation.

2.30 Multiple Family Dwellings

- a. Site shall be at least one (1) acre in area.
- b. Main building must be set back at least fifty (50) feet from any property line or road right-of-way.
- c. Development must provide adequate on-site water and sewer system, as determined by the County Health Department.
- d. Development shall not exceed a density of ten (10) dwelling units per acre.

2.31 Proximity to Existing Feedlots

No Subdivision, Condominium, Multi-family, Mobile Home/Manufactured Housing, Campground, Marina, or Planned Unit Development project shall be located within nine hundred (900) feet of an existing livestock feedlot.

2.32 100 Year Floodplain Area

Any structure or use within a designated one hundred (100) year floodplain area shall meet all FEMA floodplain regulations. March 16, 2015

2.33 Wind Energy Conversion Facilities Less than 100 Feet in Height or 100 kW Capacity

- a. Minimum setback for each wind turbine shall be three (3) times the height of the tower from any other residence, public building or residential zoned district.
- b. Minimum setback for each wind turbine shall be 1.5 times the total height of the tower from lot lines,

public roads and telephone or electric power lines.

2.34 Noxious Weeds

- a. Whenever any dangerous, unsanitary or unsightly condition shall exist upon any premises or vacant lots or public right-of-way fronting and adjoining said premises or vacant lots within Standish Township platted subdivisions, whether the same be created by obnoxious growths and overgrowth or weeds or grasses in excess of 12 inches on premises or vacant lots, to such an extent as to constitute a public nuisance within the meaning of the common law or statutes of the State of Michigan. Bona fide farms and Preservation Wetlands shall be exempt from the provisions pertaining to overgrowth, weeds and grasses.
- b. All persons who own or manage, rent, lease or occupy any premises or vacant lots whatsoever shall be equally responsible for keeping said premises in a clean and inhabitable condition and shall take all necessary precautions to prevent any nuisance as described in Section 2.34 (a) of this ordinance or any other conditions detrimental to public health, safety, or comfort from arising thereon.
- c. It shall be the duty of the occupant or owner of every premises or vacant lots and the owner of unoccupied premises within the

Townships platted subdivisions, to cut and remove or destroy by lawful means all such weeds, grass or rank noxious or harmful vegetation as often as may be necessary to comply with the provisions of Section 2.34 (a) of this ordinance.

2.35 Outdoor Wood Furnace

A. Purpose

To establish and impose regulations and restrictions on the siting, installation, use and operation of outdoor wood burning furnaces.

B. Definition

An OWF means a boiler, stove or furnace that is fueled by natural wood and other approved fuels and that is located outside a principal dwelling.

C. Regulation

An OWF shall not be permitted unless it complies with each of the following regulations:

1. **Zoning District.** An OWF may be installed and used only in Districts where permitted. OWFs are not permitted in platted subdivisions.
2. **Lot Size** An OWF may be installed and used only on a lot that is two acres or more.
3. **Setbacks, Location:**
 - a. side setbacks as established in each District

- b. cannot be located on front of property.
 - c. Distance from principal dwelling per Mfg. recommendation
4. **Chimney Height** An OWF shall have a permanent attached chimney (or stack) that extends at least 15 feet above the ground surface including approved spark arresters. Must also comply with current building codes.
5. **Additional Requirements**
Although the chimney height of an OWF is in compliance at the time of installation, such chimney height shall continue to be subject to the above exception in the event of subsequent construction on an adjacent lot.

D. Fuels

Additional Permitted Fuels

- 1. Wood Pellets, without additives
- 2. Agricultural seeds in their natural form

Prohibited Fuels

- 1. Any wood varnished, painted or treated with preservatives, including plywood, composite and decayed wood products.
- 2. Waste petroleum products, paints, varnishes or other oily wastes.
- 3. Asphalt and products containing asphalt.

- 4. Any plastic, nylon, PVC, ABS, urethane foam and other synthetic materials.
- 5. Rubber products.
- 6. Paper products.
- 7. Grass clippings, brush trimmings, leaves and general yard waste.
- 8. Rubbish, garbage, construction or demolition debris or other household or business/animal waste.
- 9. Any materials containing asbestos, lead, mercury, heavy or toxic metals or chemicals.

E. Compliance with laws and Regulations

An OWF shall comply with all applicable Federal, State and local laws, regulations and ordinances and all applicable manufacturer's specifications.

F. Permit

Prior to the installation and operation of an OWF, a request for a LUP shall be made to the Zoning Administrator. Applicant must complete all information on LUP form including the following:

- 1. A drawing showing the proposed location of the OWF, the location of the building to be served, the lot lines of the subject lot, and the location of the principal buildings on any adjacent lot together with the

- measurement of the required setbacks.
 - 2. A drawing showing the dimensions of the OWF including the proposed chimney/stack height.
 - 3. The name of the manufacturer and the model of the OWF.
- After review of the application, the Zoning Administrator shall issue a permit upon determining that the OWF complies with this Ordinance and may conduct additional inspections during and/or at the end of the installation to confirm compliance with this Ordinance. After obtaining a permit from the township zoning administrator the applicant must also obtain appropriate permit from Arenac County Building Department.

G. Existing Outdoor Wood Burning Furnace

Any OWF erected and installed prior to the effective date of the Ordinance may continue to be operated providing the following criteria are met.

Within 45 days from the effective date of this Ordinance, the owner of the OWF must contact the Zoning Administrator that an OWF was constructed on the lot and provide the information required in item F above. The Zoning Administrator shall be entitled to inspect the property to confirm such information.

- 1. The OWF must pass, or already have passed all State construction codes and any environmental requirements.
- 2. The chimney height of the OWF must meet all requirements of Item C4 above. If not met, the owner shall have 45 days from the effective date of this Ordinance to bring the chimney into compliance.
- 3. The operation of the OWF must comply with Items D and E above.
- 4. An existing OWF shall not be replaced, reconstructed, enlarged, moved or substantially altered without conforming to the provisions of this Ordinance regarding new installation requirements.

H. Penalties

Any person or entity that violates any provision of this OWF ordinance, will be subject to a Municipal Civil Infraction. (See 10.7, 10.7.1 and 10.7.2)

I. Administrative Liability

No officer, agent or employee of the Township shall be liable for any damage that may occur to any persons or property arising out of the discharge of duties or responsibilities pursuant to this Ordinance.

J. Repeal

All other Ordinances, resolutions, orders or parts thereof in conflict with this OWF Ordinance, in whole or in part, are hereby repealed to the extent of any such conflict.

2.36 Marijuana

No commercial growing, transportation, or distribution of medical or recreational marijuana is permitted in Standish Township.

Article 3

Non-Conforming Uses

3.1 Purpose

Non-conforming uses are incompatible with permitted uses in the zoning districts in which they are located. Accordingly, non-conforming uses of land, structures and buildings, either singly or in combination, shall not be extended or enlarged after the effective date of this Ordinance, except in compliance with the provisions of this Article.

3.2 Non-Conforming Buildings and Structures

Existing buildings and structures that could not be built under the provisions of this Ordinance due to their noncompliance with floor area, height, setback, or other regulations may be added to extend reconstructed or altered subject to the following provisions:

- a. A non-conforming structure may be enlarged or altered so long as the alteration meets current requirements for the district in which it is located and complies with all applicable health standards and regulations.
- b. Should any such non-conforming structure or non-conforming portion of such structure be damaged by any means, it may be reconstructed only in accordance with the provisions of Section 3.4

- c. Should any such structure be moved for any reason, it shall thereafter conform to the regulations for the zoning district in which it is newly located.

3.3 Non-Conforming Uses of Land

Where at the time of passage of this Ordinance the lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, the use may be continued so long as it remains otherwise lawful, subject to the following provisions.

- a. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance
- b. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel other than that occupied by the use at the effective date of this Ordinance or its subsequent amendment.
- c. If any such non-conforming use of land ceases for any reason for a period of twelve (12) consecutive months or more, or if it is discontinued for a period of eighteen (18) accumulative months or more in any three (3) year period, the land shall be brought into conformance with the regulations specified by this Ordinance for the district in which the land is located.

- d. No additional structure, which does not conform to the requirements of this Ordinance, shall be erected in connection with a non-conforming use of land.

3.4 Non-Conforming Uses of Structures

The non-conforming use of a building or structure, and the land, on which it is located, which would not be permitted by the regulations imposed by this Ordinance, may be continued as long as it remains otherwise lawful, subject to the following provisions:

- a. A lawful non-conforming use of a structure devoted to a use not permitted by this Ordinance in the zoning district in which is located shall not be enlarged, extended, constructed, reconstructed, moved or structurally altered except to change the use of the structure to a use permitted in the district in which it is located.
- b. Any non-conforming use may be extended throughout any parts of a building, which were manifestly arranged or designed for the use at the time of adoption or amendment of this Ordinance, but no such non-conforming use shall be extended to occupy any land outside such a building.
- c. If no structural alterations are made, any non-conforming use of a structure, or structures, and land may be changed to another non-conforming use provided that the proposed use is equally or more

appropriate to the zoning district than the existing non-conforming use.

- d. Whenever a non-conforming use is changed to a conforming use, it shall not thereafter be changed to any non-conforming use.
- e. When a non-conforming use of a structure, or a structure and land in combination is discontinued or abandoned for twelve (12) consecutive months or more, or if it is discontinued or abandoned for eighteen (18) months or more in any three (3) year period, the structure, or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the zoning district in which it is located.

3.5 Repair and Maintenance of Non-Conforming Use of Structure

A non-conforming building, structure or use which has been damaged by fire, explosion, flood, an act of God, or by a public enemy may be reconstruction, subject to the following conditions.

- a. The owner may rebuild the damaged structure but may not expand it or its use. The cost of restoration and repair shall not exceed the appraised replacement cost of the building or use that was damaged. Persons aggrieved by the determination of estimated replacement cost may appeal such determination to the Zoning Board of Appeals.

- b. There shall be no change in the use, unless it is changed to a conforming use; reconstruction shall take place within the bounds of the original structure or to less non-conforming ones.
- c. The restoration shall be commenced within twelve (12) months of the date of the destruction and shall be diligently carried on to completion. If restoration is not commenced within twelve (12) months, the building may be restored only as a conforming use.
- d. Rebuilt structures or uses shall comply with all current health and building codes.

- a. The minimum lot width shall be sixty (60) feet.
- b. The front yard setback requirements shall not be reduced.
- c. No side yard setback shall be less than ten (10) feet.
- d. Two (2) or more lots of record that do not meet the requirements for lot width and area as established by this Ordinance shall be considered an undivided parcel for the purposes of this Ordinance provided that, (1) the lots are in single ownership and (2) the lots have continuous frontage.

3.6 Changes in Tenancy or Ownership

There may be a change in tenancy, ownership, or management of an existing non-conforming use provided that there is no change in the nature or character of the non-conforming use.

3.7 Non-Conforming Lots of Record (Substandard Lots)

Lots of record that existed before the effective date of this Ordinance that do not comply with the lot area, width, or other dimensional requirements established by the applicable zoning district regulations may be used, provided that:

3.8 Elimination of Non-Conforming Use

The Township may acquire private property by purchase, condemnation, or other means for the removal of non-conforming uses. The cost of acquiring the private property may be paid from general funds or assessed to a special district, as provided in the Michigan Zoning Enabling Act (Act 110 of 2006, as amended). The elimination of non-conforming uses and structures in a zoning district is declared to be for a public purpose and for a public use. The Township Board may institute proceedings for condemnation of non-conforming uses and structures under the power of eminent domain accordance with the applicable Michigan statutes.

Article 4

Development Site Plan Review

4.1 Intent and Purpose

Land development affects the character of the community and its public health, safety, and general welfare. This Article provides that land uses, as indicated in this Ordinance, shall be subject to development site plan review. The review and approval process described in this section is intended to ensure that all land uses comply with applicable zoning district and other zoning regulations, with site plan review standards contained in this article, and with other applicable county, state, and federal statutes.

4.2 Scope

All land developments, except improvements to non-commercial properties not requiring a special use permit or as otherwise indicated herein, including structures to be erected, moved, externally altered, added to, or to have any change in use which would affect their approved off-street parking, landscaping, site drainage, or any other requirements, shall be reviewed under this Article. Land divisions for any purpose other than Planned Developments shall be reviewed under this Article.

All the following uses require site plan approval by the Planning Commission and the Township Board:

- a. Special Uses
- b. Commercial Uses
- c. Multi-Family Housing Projects

- d. Mobile Home/Manufactured Housing Projects
- e. All Site Condominium and Condominium Subdivisions developed pursuant to Condominium Act P.A. 59 of 1978, as amended.
- f. Campground or Marina Projects
- g. Planned Unit Developments
- h. Parks and Recreational Areas
- i. Parking Areas containing twenty (20) or more parking spaces
- j. Breeding, Boarding, and/or Training Facilities
- k. Home occupations of significant affect
- l. Other uses as noted in specific zoning districts

No person shall undertake any activity or use, including any grading, clearing, cutting and filling, excavating, or tree removal associated therewith, for which development site plan approval is required by this Ordinance without first obtaining such approval, nor shall such activity proceed prior to obtaining necessary soil erosion and sedimentation control permits, wetlands permits, or flood plain permits.

4.3 Application and Fee

An application for site plan review shall be made by filing the application form, required information, and the required fee with the Township Zoning Administrator.

The application fee shall be set by resolution of the Township Board. Once accepted by the Zoning Administrator, no

portion of the fee shall be returned to the applicant unless authorized by an action of the Township Board.

4.4 Reviewing Authority

The Planning Commission, or its qualified designee, shall review development site applications in accordance with the standards presented in this Article and Ordinance. The Township may hire a qualified expert or experts to aid in reviewing site plans, the expense of which shall be born by the applicant. The Planning Commission shall review the site plan application and its designee's report, and shall thereafter send a recommendation to approve, approve with conditions, or to deny the request for development site plan approval to the Township Board.

The Township Board shall review the application in accordance with this article and shall make a final decision on the application.

4.5 Major and Minor Development Projects Defined

A minor project, for the purposes of this Article, is defined as follows:

- a. The remodeling, alterations, or additions to commercial and industrial buildings of less than twenty-five (25%) percent of the square footage of the existing structure.
- b. Improvements to, erection of, or reconstruction of accessory

buildings and structures, parking areas, and similar facilities.

- c. Site changes that do not exceed twenty-five (25%) percent of the existing developed site area.
- d. Any project deemed by the Planning Commission to have minimal effects upon the surrounding environment or the applicant's neighbors. The Planning Commission shall review an application for a proposed minor development and determine whether or not the proposal will require additional information or a full site plan as required for a major development project.

Major projects are all projects not listed above, including, but not limited to, site condominium projects, multi-family apartment project developments, commercial and industrial buildings and additions, alterations or redevelopment of buildings and sites greater than listed above.

4.6 Conceptual Development Site Plan Review

The applicant is encouraged to submit a conceptual plan for review by the Planning Commission. This procedure is intended to be informational only and shall not necessarily bear directly upon later reviews. Submissions for this review may consist of all those items listed in section 4.7 that shall present an adequate overview of the intended project.

4.7 Site Plan Review Required Information

All project applicants shall submit to the Zoning Administrator, the development site plan application provided by the Township and nine (9) copies of the detailed site plan. The detailed site plan shall consist of the following items for review:

a. Minor Projects Required

Submittals:

1. A site plan, drawn to scale with north arrow indicated showing the property boundaries, the proposed location of structures and other improvements including, where appropriate, roads, driveways, pedestrian walks, off-street parking areas, landscaped areas, fences and walls.
2. A conceptual landscape plan, including required buffers, existing vegetation, water courses, and other significant site features, and proposed new plantings.
3. Accurate scale drawings of all signs indicating their size, material, color and illumination, if any, and the method of installation of any free-standing sign.
4. Conceptual grading and drainage plans with existing and proposed elevations.
5. Such other data as may be required by the Planning Commission to ensure that the purposes of this Article are satisfied. The Commission shall state for the record its reasons for asking for additional information.

6. The Planning Commission may waive a requirement or requirements listed above if deemed unnecessary for a thorough review. The Commission shall state for the record its reasons for taking such action.

b. Major Project Required Submittals: The following are among the items to be included on the detailed plan for major projects. Development site plans should be accurately drawn at the scale of at least one (1) inch equals one hundred (100) feet showing the site and all lands and structures within five hundred (500) feet of the site. The Planning Commission may require details to be provided in a scale as great as one (1) inch equals twenty (20) feet and may require the development site plans to be signed and sealed by a qualified professional. If multiple sheets are used each must be labeled, dated, and the preparer identified.

1. The location of proposed or existing property lines, dimensions, legal descriptions, tax parcel numbers, setback lines, and monument locations.
2. A vicinity map drawn at a scale of a minimum of one (1) inch equals two thousand (2000) feet with a north arrow indicated.
3. Existing topographic elevations at two-foot intervals, proposed grades and directions of drainage flows.
4. The location and type of existing soils on the site and any certifications of borings.

5. Boundaries and elevations of existing and proposed water courses and water bodies, including county drains and man-made surface drainage ways, flood plains and wetlands within five hundred (500) feet of the project site and proposed erosion control measures.
6. Location of existing and proposed buildings and intended uses thereof.
7. Proposed location of accessory structures, buildings and other appurtenances, including, but not limited to, all flag poles, light poles, bulkheads, docks, storage sheds, transformers, air conditioners, generators, and similar equipment, and the method and details of screening, where applicable.
8. Location of existing public roads and streets that abut or cross the site, plus rights-of-way and private easements of record.
9. Location of and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration and passing lanes or tapers (if any) serving the development. Details of entryway and entryway sign locations should be separately depicted with elevation views.
10. Location, design, and dimensions of existing and proposed curbing, barrier-free access, carports, parking areas (including indication of all spaces, method of surfacing and striping), fire lanes and all lighting and signing thereof.
11. Location, size and characteristics of all loading and unloading areas.
12. Location and design of all trails, walkways, bicycle paths, and other areas for public use.
13. Location of water supply lines and/or wells, including fire hydrants and shut-off valves, and the location and design of storm sewers, retention or detention ponds, waste water lines, clean-out locations, connection points and treatment systems, including septic systems, if applicable.
14. Location and routing of all other utilities on the site, including, but not limited to, natural gas, electric, and data and telecommunication transmissions.
15. Proposed location, dimensions, and details of common open spaces and common facilities, such as community buildings, or swimming pools, if applicable.
16. Exterior lighting locations with areas of illumination illustrated, as well as the type of fixtures and shielding to be used.
17. Location and specifications for all fences, walls, and other screening features with cross sections.
18. General location and type of significant existing vegetation, including the location and size of all existing trees with a trunk of six (6") inches or more in diameter, four and one-half (4 ½') feet above the ground, if not located in a forest. Forests or large areas of vegetation to be

- preserved shall be demarcated and designated as such.
19. Locations and specifications for all proposed perimeter and internal landscaping and other buffering features.
 20. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
 21. Location and specifications for any existing, proposed, or required above or below ground storage facilities for any chemicals, salts, flammable or hazardous materials, as well as any containment structures or clear zones required by government regulations and a Pollution Incident Prevention Plan as required by the Act 245 Program.
 22. Identification of any significant or unique site features.
 23. Indication of any significant views onto or from the site.
 24. The zoning classifications of the site and adjacent properties.
 25. North arrow, scale and date of original submittal and all revisions.
 26. Such other data as may be required by the Planning Commission to ensure that the purposes of this Article are satisfied. The Commission shall state for the record its reasons for requiring such data.
 27. The Planning Commission may waive a requirement or requirements listed above if deemed unnecessary for a thorough review. The Commission shall state for the record its reasons for taking such actions.

4.8 Site Plan Review Procedure

- a. When all necessary information as provided by this Article is submitted to the Zoning Administrator, the Zoning Administrator shall notify the Planning Commission Chairman.
- b. The Chairman shall place the Site Plan Review on the next available meeting agenda for discussion by the Commission and shall notify the applicant of this action.
- c. Within a reasonable time and based upon the standards in section 4.9, the Planning Commission shall recommend to the Township Board either to approve or to deny the request for development site plan approval or shall provide information to the applicant by which he may amend his plans to conform to certain stipulated requirements to obtain approval. Upon re-submittal, the Planning Commission shall, within sixty (60) days, inform the applicant of the acceptance or rejection of the revised plans. This procedure may be repeated until an acceptable plan is presented or the plan is rejected. When the recommendation is made to the Township Board, the Planning Commission secretary shall forward to the board its decision along with the application and the supporting documents leading to the recommendation.

- d. The Planning Commission may place conditions upon its recommendation for approval.
- e. Upon receipt of the Planning Commission's recommendation, the Township Board shall review the Planning Commission's recommendation and any supporting information and shall approve or deny the application with or without additional conditions; or send the application back to the Planning Commission for further review. The Planning Commission shall then review the application and ask for further information of the applicant, if appropriate, and make its recommendation to the Township Board in accordance with the procedures in this section.
- f. If plans are denied at any time, the Planning Commission or Township Board shall submit in writing to the applicant the reasons for the action.

these structures and to renovate them in a manner which preserves that significance and places them appropriately among other like structures. Variances may be granted by the Zoning Board of Appeals when necessary to accomplish this purpose.

- a. **Relation of Proposed Buildings to Environment.** Proposed structures shall be related harmoniously to the terrain, the size and shape of a lot, the character of adjoining properties, and the existing buildings in the vicinity that have a visual and functional relationship to the proposed buildings. Such a relationship may include the enclosure of a space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain or other buildings. In all cases, open spaces should be created that are usable.
- b. **Other concerns** which shall be addressed include microclimate effects created by structure placement, solar exposure and shadow effects, wind and canyon effects, including snow build-up and drifting, and effects upon wetlands, drainage, and habitat systems. Views and privacy may be provided for by buffering and screening to preserve or create un-intrusive site lines wherever possible.
- c. **Landscape Preservation.** Except in urbanized areas, the landscape shall be preserved in as natural a state as possible by minimizing tree and soil removal. Areas such as steep slopes, wetlands, and littoral areas, as well as resource areas such as forests, wooded lots and farmlands shall be preserved wherever possible. Any

4.9 Development Site Plan Review Standards

The following standards shall be utilized in reviewing all development site plans. The standards are intended to provide guidance for the applicant in the production of plans as well as a method for the review of site plans by Township Officials.

Neighborhood and Community Elements:

Historical Preservation

Owners of existing structures of historical significance are encouraged to preserve

- grading changes shall be in keeping with the lay of neighboring lands.
- d. **Business Districts.** Design standards may be developed by particular business districts, and if promulgated, will be used to design the elements of structures and site improvements proposed within these districts.
 - e. **Traffic ways and Gateways.** Site plans shall address the effects of new structures or uses upon traffic at or near their sites. A major use may require a traffic study to determine potential effects and possible necessary mitigating actions. Proposed uses at entryways to the community shall provide appropriate design features to welcome travelers to the community.
 - f. **Security, Fire and Emergency Access.** Setbacks, access paths with adequate lane widths and sufficient areas for fire and emergency vehicle turnarounds, and fire hydrant locations (where applicable) shall be provided per existing statutes and Ordinances and in accordance with requirements of the appropriate reviewing authorities. All buildings or groups of buildings shall be arranged to permit emergency vehicle access by some practical means to all sides. Where applicable, security shall also be considered integral to the design. Sufficient illumination and ease of surveillance shall be addressed where appropriate.

Engineering Elements:

- a. **Drives, Parking and Circulation.** Parking spaces sufficient only for the intended use shall be allowed. Calculations and justification for spaces provided shall be noted on the

- plans. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, attention shall be given to the location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and do not detract from the design of proposed buildings and structures and neighboring properties. Parking areas shall be screened from roadways and from other adjacent uses by landscaped areas or by walls. Sufficient distance between drives, property lines and adjacent driveways shall be provided.
- b. **Surface Water Drainage.** Attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies and paved areas, and carried away in such a manner that it will not obstruct the flow of vehicular or pedestrian traffic, and will not puddle or freeze in paved areas. Run-off waters shall be detained or retained to remove sediments and to prevent erosion.
 - c. **Utility Service.** New utility service distribution lines shall be underground wherever feasible. Any existing utility installations remaining above ground shall be placed out of sight as much as possible and situated harmoniously in relation to neighboring properties and the site. The proposed method of sanitary sewage disposal from all buildings shall be indicated. All

utility installations shall be carried out in accordance with the current standards, rules and regulations of those entities having jurisdiction. No project shall be approved without permits or authorization from all appropriate governing agencies.

General and Necessary Conditions

All other standards and requirements of this Ordinance and other applicable Ordinances, regulations and statutes must be met by development plans presented for review under provisions of this Article. It is specifically intended that a use allowed in the Township will not be or become a nuisance within its neighborhood or to the Township as a whole. The Planning Commission may confer or consult with a qualified expert, e.g., a planner, engineer, or landscape architect, at the applicant's expense, to aid it in evaluating a difficult or complex project.

4.10 Final Development Site Plan Approvals

- a. Complete drawings, plus all certified final drawings and plans which are subject to development site plan review and contain all necessary modifications or additions required shall be submitted before final development site plan approval is granted.
- b. Conditions of Final Approval. Development Site Plans may be approved subject to the performance of certain conditions, including the provision of required

improvements as the Commission and Township Board shall deem to be reasonable and necessary, or advisable under the circumstances, so that the objectives of the Zoning Ordinance, the Master Plan, and any other Township policies and regulations shall be achieved. A development site plan may be approved conditionally upon the applicant acquiring all the necessary or required approvals by other local, county, state, or federal agencies.

1. Performance Guarantee for Required Conditions.

Security may be required to ensure performance of required conditions. The applicant may be required to furnish security in the form of a bond, certified check, or an irrevocable bank letter of credit, acceptable to the Township, in the amount fixed by the Township Board. If security is required, the Zoning Administrator shall not issue a zoning permit until the required performance guarantee is received and verified by the Township Clerk.

2. Provisions of Required Improvements.

Whenever a development site plan approval is granted or modified subject to the conditions that specified improvements are provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the Zoning Administrator.

3. *Non-performance of Required Conditions.* In the event the applicant defaults in making the improvements for which the performance guarantee was required, the Township Board shall have the right to enforce a letter of credit or to use the monies being held as security to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. If the performance guarantee is not sufficient to cover the costs incurred by the Township to complete the improvements, including attorney's fees and court costs, if any, the applicant shall be required to pay the Township the amount by which the costs of completing the improvements exceeded the amount of the performance guarantee. These costs shall be collected in the same manner as delinquent taxes or as allowed by law.

4. *Condition Declared Void.* Whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of conditions of a development review approval to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said development site plan approval shall cease to be valid and all rights or privileges granted thereby shall end.

5. *Violation of Required Condition or Conditions.*

Whenever a development site plan is approved or modified by the Township Board subject to a condition or conditions, the use or enjoyment of the development site plan in violation of, or without observance of, any such condition shall constitute a violation of the Zoning Ordinance, and development site plan approval may be revoked.

4.11 Special Uses and Concurrent Approvals

The Planning Commission may choose to review Special Use Permit and Site Plan Review submittals concurrently. In the event of concurrent review, the Planning Commission and Township Board shall make sure that both the site plan and special use submittals satisfy all requirements of this Ordinance.

4.12 Amendments to Approved Development Plans

- a. Amendments to an approved development site plan may be made by the Township upon written request by the landowner. Minor changes to an approved development site plan may be approved by the Zoning Administrator after construction has begun, provided no such change results in any of the following:

1. A significant change in use or character of the development.
 2. An increase in overall coverage of structures.
 3. An increase in the intensity of use.
 4. A reduction in the required open space.
 5. A change that may increase the storm water run-off to adjacent properties.
 6. A reduction in required off-street parking and loading.
 7. A reduction in required pavement widths or utility sizes.
 8. A significant increase in traffic on public streets or an increase in the burden on public utilities or services.
- b. If the Zoning Administrator finds that a proposed amendment to an approved development site plan does not qualify as a minor change, he/she shall notify the landowner that he must apply for a modification of the development site plan in accordance with the procedures of section 4.7; or if the developer or landowner has already effected the changes in question, the Zoning Administrator shall immediately notify the permit holder in writing that development site plan approval has been suspended pending approval by the Planning Commission of the proposed amendment. The permit holder's notice shall be delivered personally or by

certified mail. The permit holder shall then apply for a modification of the development site plan in accordance with the procedures in section 4.7 hereof.

4.13 Time Limit for Approved Site Plans

- a. A site plan approval granted pursuant to this Article shall be valid for one (1) year from the date of approval. If construction has not commenced by the end of this period, and if a written request for extension of the approval has not been submitted by the applicant, the site plan approval shall expire.
- b. The Township Board may grant one (1) extension of the site plan approval for a one (1) year period upon submittal in writing by the applicant of a request for an extension. The Township Board shall grant such an extension only upon presentation of written evidence indicating that construction of the project has been delayed by factors beyond the reasonable control of the applicant and that construction on the project is likely to proceed within one (1) year.

Article 5
Zoning Districts

5.1 Division of the Township

For the purpose of these Ordinances, Standish Township, Arenac County, Michigan is divided into the following zoning districts;

- R Residential
- A Agricultural Preservation
- C-1 Local Services Commercial
- C-2 General Commercial
- F-R Forest and Recreation
- L Lakeshore

5.2 Official Zoning Map

The boundaries of these zoning districts are hereby defined and established on a map entitled, “Zoning District Map of Standish Township.” This map, with all explanatory matter thereon, is hereby made a part of this Ordinance. The official Zoning District Map shall be kept and maintained by the Township Clerk.

5.3 Interpretation of Zoning District Boundaries

The following rules shall be used in interpreting the boundaries shown on the Official Zoning Map.

- a. Boundaries appearing to follow the centerline of a street or highway shall be interpreted to follow that centerline.

- b. Boundaries appearing to follow a Township boundary line shall be interpreted to follow that boundary line.
- c. Boundaries appearing to follow the exterior property lines of a platted subdivision shall be interpreted to follow those property lines.
- d. Boundaries appearing to follow platted property line shall be interpreted to follow those property lines.
- e. Boundaries appearing to follow the centerline of a stream or the ordinary high water mark of a lake shall be interpreted to follow the centerline or ordinary high water mark.
- f. Boundaries appearing to follow property lines, or interior or exterior section lines, shall be interpreted as following those property or section lines.

If the Zoning Administrator finds these standards to be inadequate for the purpose of interpreting the location of a zoning district boundary in any case, or if a property owner wishes to dispute the Zoning Administrator’s interpretation of the location of a district boundary, the Zoning Board of Appeals may interpret the Zoning Map under the provisions of Article 10.

5.4 District Regulations

The following charts identify the intent and purpose, uses permitted by right, uses permitted by special use permit, and the dimensional requirements for each zoning district of Standish Township as described in Section 5.1

Section 5.4.1

<p>R- Residential Zoning District Regulations Intent and Purpose:</p> <ol style="list-style-type: none"> To provide for the reasonable use of land areas for residential development. To permit residential development to occur in a controlled, orderly manner. 	
<p>Permitted Uses</p> <ol style="list-style-type: none"> Single family Two (2) family dwellings Public parks & recreation areas Home occupations Family child care homes State licensed residential facilities Accessory uses & structures Manufactured Housing Communities Subdivisions Site Condominium Subdivisions Condominiums (see section 2.31) Planned Unit Development (PUD) (in accordance with section 5.5) 	<p>Special Uses Subject to Review and Approval as Specified in Article 6</p> <ol style="list-style-type: none"> Public & private schools Libraries Private parks & recreation areas Hospitals Clinics Community center buildings Public (government) buildings Bed & breakfast establishment Group child care homes Child care centers Public utility business & public works projects including pipelines for water, sewer, gas, electric, power lines, cable for telephone & television, and similar uses. Cemeteries Grooming Facilities Religious Institutions / Places of Worship Multi-family projects (see section 2.31) Structures to be rented or leased: cottages, multi-family buildings, or other similar buildings Wind Energy Conversion Facilities
<p>Minimum Lot Size Area: 23,000 square feet</p> <p>Width: 100 feet</p>	<p>Minimum Setbacks Front: 40 feet Side: 10 feet each side Rear: 10 feet, 20 feet if rear yard faces road</p> <p>Maximum Height Two stories or thirty-five (35) feet</p>
<p>Minimum Floor Area 910 square feet for single family dwellings 1820 square feet for two family dwellings</p> <p>Screening/Buffering Requirements See Article 2, Section 2.19</p> <p>Other District Requirements For waterfront lots, front yard is the side facing the water. Structures and uses in floodplain must meet all FEMA floodplain regulations. No large farm animals; small farm animals allowed including rabbits, guinea pigs, other small domestic animals and up to six (6) domestic fowl; but roosters shall not be allowed. The keeping of animals shall be done such that it shall not become a nuisance because of noise, smell or other noxious conditions. See Article 4 for Site Plan review requirements.</p> <p>Off-Street Parking Requirements See Article 7</p> <p>Sign Regulations See Article 8</p> <p>50% of parcel shall be set aside to meet the requirements of Section 506 of P.A. 110 of 2006.</p>	

Section 5.4.2

<p>A-Agricultural Preservation Zoning District Regulations Intent and Purpose:</p> <ol style="list-style-type: none"> To conserve lands well suited for farming due to their physical characteristics for agriculture uses. To protect agricultural lands from premature urban development 	
<p>Permitted Uses:</p> <ol style="list-style-type: none"> Farms and general farming operations Agricultural labor housing Portable saw mills Home Occupations Family child care homes Truck gardens & plant nurseries Accessory uses & structures Agricultural service establishment Two (2) farm dwellings per farm All non-farm dwelling will be beyond the minimum setback indicated for any neighboring agricultural operation as specified in the Michigan Commission of Agriculture Generally Accepted Agricultural Management Practices (GAAMPS) Breeding facility Training facility Wind Energy Conversion facilities less than 100 feet in height or 100 KW capacities. 	<p>Special Uses Subject to Review and Approval as Specified in Article 6</p> <ol style="list-style-type: none"> Bed & Breakfast establishments Veterinary clinics& boarding kennels Boarding facility Natural resource extraction Group child care homes Child care centers Communication towers Public utility buildings & public works project, including pipelines for water, sewer, gas, electric power lines, cable for telephone & television, and similar use. Cemeteries Single-family dwellings will be on non-productive farmland or in woodlots. Construction contractor's equipment and supply yards. Wind Energy Conversion Facilities 100 feet or more in height and a rated capacity of 100 KW or more. Religious Institutions / Places of Worship Confined animal feeding facilities Structures to be rented or leased: cottages, multi-family buildings, or other similar buildings
<p>Minimum Lot Size Area; Minimum of (1) acre farming or non-farming</p> <p>Width: 100 feet</p> <p>Minimum Floor Area: 910 square feet for single family dwellings 1820 square feet for two family dwelling</p> <p>Screening/Buffering Requirements: See Article 2, Section 2.19</p>	<p>Minimum Setbacks Front: 40 feet Side: 10 feet each side Rear: 10 feet, 20 feet if rear yard faces road</p> <p>Maximum Height Two stories or thirty-five (35) feet (does not include farm structures)</p> <p>Off Street Parking Requirements See Article 7</p> <p>Sign Regulations See Article 8</p>
<p>Other District Requirements: For waterfront lots, front yard is the side facing the water. Feedlots and livestock containment areas shall be located a minimum of three hundred (300) feet from residential zoned property lines. Structures and uses in floodplain must meet all FEMA floodplain regulations. Minimum of 3 acres required for the keeping of horses, ponies, or other farm animals. The stable, barn, or other facilities for housing animals must be located at least 100 feet from any lot line. Small animals allowed. See Article 4 for site plan review requirements. 60% of parcel shall be set aside to meet the requirements Section 506 of P.A. 110 of 2006. A density of one dwelling unit per acre is allowed.</p>	

Section 5.4.3

<p>C-1 Local Services Commercial Zoning District Regulations Intent and Purpose:</p> <ol style="list-style-type: none"> To accommodate office, service businesses, and other limited commercial uses To minimize the impacts of commercial activities on surrounding residential areas. 	
<p>Permitted Uses:</p> <ol style="list-style-type: none"> Business services Personal services Financial services Offices Funeral homes Public (government) buildings Accessory uses & structures Medical clinics Community retail business Planned Unit Development (PUD) (in accordance with section 5.5) Farms and general farming operations Additions to existing single family dwellings Single-family dwellings. Family child care homes Home Occupations 	<p>Special Uses Subject to Review and Approval as Specified in Article 6:</p> <ol style="list-style-type: none"> Veterinary clinics Child care centers Group child care homes Communication towers Public utility buildings & public works, projects, including pipelines for water, sewer, gas, electric power lines, cable for telephone and television and similar uses. Motels and overnight cabins Public (government) buildings Restaurants: Sit down and take out only, not drive in or drive through. Convenience store with gas sales Marinas Religious Institutions / Places of worship
<p>Minimum Lot Size Area: 25,000 square feet</p> <p>Width: 150 feet</p>	<p>Minimum Setbacks Front: 40 feet Side: 25 feet on each side. No side required if attached to another business with an approved firewall in between. Rear: 25 feet</p> <p>Maximum Height Two stories or thirty-five (35) feet</p>
<p>Minimum Floor Area NO minimum</p>	<p>Off Street Parking Requirements See Article 7</p>
<p>Screening/Buffering Requirements See Article 2, Section 2.19</p>	<p>Sign Regulations See Article 8</p>
<p>Other District Requirements Structures and uses in floodplain must meet all FEMA floodplain regulations. Small animals may be kept on farms and on lots with single family dwellings in accordance with the restrictions for these animals in the R-Residential Zoning District. Site plan review is required for all uses in this district</p>	

Section 5.4.4

<p>C-2 General Commercial Zoning District Regulations Intent and Purpose:</p> <ol style="list-style-type: none"> 1. To accommodate general commercial activities. 2. To minimize the impacts of commercial activities on surrounding residential area. 3. To accommodate commercial uses of a more intensive nature. 	
<p>Permitted Uses</p> <ol style="list-style-type: none"> 1. General retail & wholesale establishment 2. Food service establishments, not including drive-ins, taverns, or night clubs 3. Financial services 4. Motel & overnight cabins 5. Hospitals and clinics 6. Machine repair shops 7. Accessory uses & structures 8. Veterinary clinics 9. Boating facilities 10. Grooming facilities 11. Training facilities 12. Lumber yards 13. Farms & general farming operations 14. Planned Unit Development (PUD) (in accordance with section 5.5) 	<p>Special Use Subject to Review and Approval as Specified in Article 6</p> <ol style="list-style-type: none"> 1. Storage & warehousing 2. Communication towers 3. Public utility buildings & public works projects, including pipelines for water, sewer, gas, electric power lines, cable for telephone & television, and similar uses. 4. Food service establishments: drive-ins, taverns, or nightclubs. 5. Single family dwellings 6. Two family dwellings 7. Public or private parks & recreation areas. 8. Home occupations 9. Family child care homes 10. State licensed residential facilities 11. Manufactured housing communities 12. Subdivisions 13. Multi-family projects (see section 2.31) 14. Site condominium subdivisions 15. Condominiums (see section 2.31) 16. Public or private schools 17. Libraries 18. Public government buildings 19. Community center buildings 20. Bed and breakfast establishments 21. Group child care homes 22. Child care centers 23. Cemeteries 24. Municipal buildings 25. Adult entertainment businesses 26. General assembly, fabrication, manufacture or treatment of products, goods & materials including research and development 27. Construction contractor's equipment & supply storage yards. 28. Truck terminals 29. Automobile, boat & recreational vehicle sales & service, including vehicle repair & gas stations 30. Wholesale establishments & warehouses 31. Junkyards and salvage yards 32. Religious Institutions / Places of worship

Continued Section 5.4.4

<p>Minimum Lot Size Area: 25,000 square feet Width: 150 feet</p>	<p>Minimum Setbacks Front: 40 feet Side: 25 feet on each side. No side yard required if attached to another business with an approved firewall in between. Rear: 25 feet Maximum Height Two stories or thirty five (35) feet</p>
<p>Minimum Floor Area: No Minimum</p>	<p>Off Street Parking Requirements See Article 7</p>
<p>Screening/Buffering Requirements: See Article 2, Section 2.19</p>	<p>Sign Regulations See Article 8</p>
<p>Other District Requirements: Structures and uses in floodplain must meet all FEMA floodplain regulations. No large farm animals; small farm animals allowed including rabbits, guinea pigs, other small domestic animals and up to six (6) domestic fowl; but roosters shall not be allowed. The keeping of animals shall be done such that it shall not become a nuisance because of noise, smell, or other noxious conditions. See Article 4 for site plan review regulations</p>	

Section 5.4.5

<p>F-R Forest and Recreation Zoning District Regulations Intent and Purpose:</p> <p>1. To permit the development and use of the wooded, non-agricultural portions of the Township in a careful and appropriate manner.</p> <p>2. To provide appropriate areas for forestry, forest products industries, and outdoor recreation uses</p>	
<p>Permitted Uses</p> <ol style="list-style-type: none"> 1. Forest products industries & tree nurseries. 2. Forest fire control structures, fire lanes, & fire truck trails. 3. Outdoor recreation areas, including parks, play areas, and picnic areas. 4. Single family dwellings 5. Family child care homes 6. Farming & general farming operations 7. Accessory uses & structures. 8. Wind Energy Conversion facilities less than 100 feet in height or 100 kW capacities. 9. Home occupations 10. Planned Unit Development (PUD) (in accordance with section 5.5) 	<p>Special Uses Subject to Review and Approval as Specified in Article 6</p> <ol style="list-style-type: none"> 1. Public & private recreation establishments. 2. Natural resource extraction 3. Public & private beaches. 4. Campgrounds. 5. Commercial recreation, but not including taverns or nightclubs. 6. Condominium projects. 7. Public utility buildings & public work projects including pipelines for water, sewer, gas, electric power lines, cable for telephone & television and similar uses. 8. Private clubs & fraternal organization. 9. Subdivisions. 10. Marinas 11. Golf Courses 12. Training facilities 13. Wind Energy Conversion Facilities 100 feet or more in height and rated capacity of 100 KW or more 14. Religious Institutions / Places of worship 15. State licenses residential facilities 16. Group Child care homes 17. Structures to be rented or leased: cottages, multi-family buildings, or other similar buildings
<p>Minimum Lot Size Area: 1 acre Width: 150 feet</p> <p>Minimum Floor Area: 910 square feet for single-family dwellings. 1820 square feet for two family dwellings</p> <p>Screening/Buffering Requirements See Article 2, Section 2.19</p>	<p>Minimum Setbacks Front: 40 feet Side: 10 feet each side Rear: 10 feet, 20 feet if rear yard faces the road</p> <p>Maximum Height: Two stories or thirty feet (35) feet</p> <p>Off Street Parking Requirements: See Article 7</p> <p>Sign Regulations: See Article 8</p>
<p>Additional District Requirement: For waterfront lots, front yard is the side facing the water</p>	
<p>Other District Requirements: Structures and uses in floodplain must meet all FEMA floodplain regulations. Small animals allowed on one (1) acre including rabbits, guinea pigs, or other small domestic animals and up to six (6) domestic fowl, but roosters are not allowed. Keeping of animals shall be done such that it shall not become a nuisance because of noise, smell or other noxious conditions. Minimum of 3 acres required for the keeping of horses, ponies, or other farm animals. The stable, barn, or other facilities for housing animals must be located at least 100 feet from any lot line. See Article 4 for site plan review requirements 50% of parcel shall be set aside to met the requirements of Section 506 of P.A. 110 of 2006</p>	

Section 5.4.6

<p>L Lakeshore Zoning District Regulations Intent and Purpose:</p> <ol style="list-style-type: none"> To permit the diversity of uses and parcel sizes that may be developed with a mix of uses, commercial and residential. To ensure that these uses may only be accomplished with proper regard for the conservation of the environmental attributes of the district and with proper regard for existing and future family residences. 																														
<p>Permitted Uses</p> <ol style="list-style-type: none"> Detached single-family residences Family child care homes Planned Unit Development (PUD) (in accordance with section 5.5) Home occupations Accessory uses and structures 	<p>Special Uses Subject to Review and Approval as Specified in Article 6</p> <ol style="list-style-type: none"> Attached single-family dwellings Bed and breakfast establishments Group child care homes Structures to be rented or leased: cottages, multi-family buildings, or other similar buildings Private clubs Food service establishments: sit-down restaurant, nightclubs, taverns Public or private parks and recreational facilities Wind energy conversion facilities Marinas Religious Institutions / Places of worship 																													
<p>Minimum Lot Size</p> <table border="0"> <tr> <td></td> <td><u>w/public sewer</u></td> <td><u>w/o public sewer</u></td> </tr> <tr> <td>Area:</td> <td>2,800 sf</td> <td>1 acre</td> </tr> <tr> <td>Width:</td> <td>40 feet</td> <td>150 feet</td> </tr> </table> <p>Minimum Floor Area: 910 square feet per dwelling unit.</p> <p>Screening/Buffering Requirements See Article 2, Section 2.19 or as required by the Planning Commission as a condition of a site plan review or special use permit.</p>		<u>w/public sewer</u>	<u>w/o public sewer</u>	Area:	2,800 sf	1 acre	Width:	40 feet	150 feet	<p>Minimum Setbacks</p> <table border="0"> <tr> <td></td> <td colspan="2"><u>w/public sewer</u></td> <td><u>w/o public sewer</u></td> </tr> <tr> <td></td> <td>non-waterfront</td> <td>waterfront</td> <td></td> </tr> <tr> <td>Front:</td> <td>14.5 feet</td> <td>25 feet</td> <td>40 feet</td> </tr> <tr> <td>Side:</td> <td>5 feet</td> <td>5 feet</td> <td>10 feet</td> </tr> <tr> <td>Rear:</td> <td>25 feet</td> <td>14.5 feet</td> <td>25 feet</td> </tr> </table> <p>Maximum Height: Two stories or thirty feet (35) feet</p> <p>Off Street Parking Requirements: See Article 7</p> <p>Sign Regulations: See Article 8</p>		<u>w/public sewer</u>		<u>w/o public sewer</u>		non-waterfront	waterfront		Front:	14.5 feet	25 feet	40 feet	Side:	5 feet	5 feet	10 feet	Rear:	25 feet	14.5 feet	25 feet
	<u>w/public sewer</u>	<u>w/o public sewer</u>																												
Area:	2,800 sf	1 acre																												
Width:	40 feet	150 feet																												
	<u>w/public sewer</u>		<u>w/o public sewer</u>																											
	non-waterfront	waterfront																												
Front:	14.5 feet	25 feet	40 feet																											
Side:	5 feet	5 feet	10 feet																											
Rear:	25 feet	14.5 feet	25 feet																											
<p>Additional District Requirements: For waterfront lots, front yard is the side facing the water. Single-family dwellings rented or leased for less than one month (month to month lease) shall be considered a commercial activity and therefore requires a special use permit. Structures and uses in floodplain must meet all FEMA floodplain regulations. Small farm animals allowed on parcels of one acre, or on existing non-conforming lots of 6000 square feet or larger, including rabbits, guinea pigs, other small domestic animals and up to six (6) domestic fowl; but roosters shall not be allowed. The keeping of animals shall be done such that it shall not become a nuisance because of noise, smell, or other noxious conditions. A minimum of three acres required for the keeping of horses, ponies, or other large animals. The stable, barn, or other facilities for housing animals must be located at least 100 feet from any lot line. No dwelling, structure, fence, hedge or the like shall be extended or constructed, located or allowed to exist in the front yard of any lot or parcel that does not meet the following requirements: a) Lakefront setbacks, b) DEQ requirements, c) Plat restrictions, d) existing alignment of homes, e) and all Lakefront properties. No structure, fence, hedge or the like shall exceed 30 inches in height in the Lakeshore District.</p> <p>See Article 4 for site plan review requirements No farm animals are allowed.</p>																														

Performance Standards:

1. In designing home sites and developments, proper sanitation and storm sewer measures shall be taken to ensure protection of lakes, streams, and other water bodies. Proposed development in high-risk erosion and flood prone areas will follow state and federal regulations.
2. Trees and other vegetation shall be retained to the greatest extent possible and all lot areas shall be landscaped to control erosion and run-off into lakes, streams and tributaries.
3. Based upon site conditions, specific setbacks, buffers and other requirements may be placed upon special uses to ensure safety and harmony between special uses and other uses within the district.

5.5 Review and Approval Procedures for Planned Unit Developments (PUD)

5.5.1 Purpose

The standards, regulations, and procedures described in this section are intended to permit the establishment of Planned Unit Developments (PUD's) that are consistent with the intent and purpose of the Standish Township Master Plan, Zoning Ordinance, the Michigan Zoning Enabling Act and that are compatible with permitted and special uses allowed in the zoning district in which the proposed PUD will be located.

The provisions of this section have been established for the following purposes:

- a. To encourage the use of land in ways consistent with its character and adaptability.
- b. To promote the conservation of natural features and natural resources.
- c. To encourage and accommodate innovation in the design, layout, and construction of land uses and land development projects.
- d. To promote the enhancement of housing opportunities for residents of the Township.
- e. To promote and ensure compatibility of design and use between neighboring properties.
- f. To provide for the regulation of land uses not otherwise specifically authorized within this Ordinance.

5.5.2 General Requirements, Restrictions, and Standards

In order to be eligible for consideration under the provisions of this section, a proposed PUD shall meet the following criteria:

a. Minimum Land Area

The minimum land area eligible for consideration under PUD zoning is five (5) acres.

b. Location

A proposed PUD land development project may be established only in the R, F-R, C-1, C-2, and L zoning districts.

c. Waiver of Zoning District Regulations

District regulations applicable to permitted and accessory uses, lot area, lot width, parking signs, setbacks, and building height for the zoning district in which a PUD is proposed shall apply to the uses established in a PUD. Applicants may request that district regulations be waived by the Township Board on the recommendation of the Planning Commission. Such waivers may be granted only if the applicant demonstrates to the Planning and Township Board Commission that a proposed PUD possesses design characteristics or other features that meet the objectives of those regulations subject to the waiver requested. Waivers that would permit the establishment of industrial uses in

residential zoning districts shall not be granted under any circumstances.

d. Design of Improvements and Functional Elements

All improvements and functional elements within a proposed PUD, such as parking areas, storm drainage systems, lighting, signs and the like shall be designed to be consistent with the criteria and standards presented below:

(1) Signs

All signs, whether attached to a building or free-standing, shall be of unified design and construction.

(2) Lighting

All exterior lighting fixtures, whether attached to a building or free-standing, shall be of unified design and shall be of a downward lighting type and quality that limits illumination to the PUD only. Lighting fixtures shall be located so as not to produce glare outside the boundaries of the PUD.

(3) Parking Areas

Parking areas shall be designed and constructed to adequately serve the needs of all buildings and uses within the PUD. Parking area shall be surfaced with compacted gravel, asphalt, or concrete. Parking areas shall be provided with a storm water detention system that effectively holds and filters storm

water to prevent off-site impacts associated with uncontrolled runoff.

Parking areas shall be screened from view from adjoining property as deemed appropriate by the Planning Commission. Screening can be accomplished by existing trees or other vegetation, by landscaped buffers, greenbelts, or by fences and walls.

(4) Driveways and Access

Access to a PUD from adjoining public roads shall be arranged to assure the safety of vehicles and pedestrians entering and leaving the PUD. Adequate clear vision areas shall be provided at adjoining public roads, and at public and private road rights-of-way, to assure the safety of vehicles and pedestrians traveling on adjoining public roads and sidewalks.

(5) Emergency Vehicle Access

Emergency vehicle access routes shall be provided to all buildings and uses in a PUD. These access routes must be maintained in a manner that assures emergency vehicle access to all buildings and uses in the PUD during all seasons of the year.

(6) Internal Roadways and Sidewalks

Internal roadways and sidewalks must be designed by a professional engineer. Streets and sidewalks shall be laid out in a manner that assures the safe and efficient movement of vehicles and pedestrians. Roadways shall be provided with a storm water detention system that effectively holds and filters storm water to prevent off-site impacts associated with uncontrolled runoff.

(7) Loading, Service, and Storage Areas

Areas to be used for the delivery or pickup of goods or materials, or for servicing vehicles or equipment, shall be screened from view of adjoining property as deemed appropriate by the Planning Commission.

Areas to be used for the outdoor storage of waste materials or for the storage of goods, equipment or other materials shall be screened from view from adjoining properties and public roadways.

(8) Storm Water Management

Storm water runoff shall be managed in a manner that prevents off-site or downstream impacts. A PUD shall be provided with an engineered storm drainage system that maintains stored water run-off at a predevelopment rate, or as

approved by the Arenac County Drain Commission.

(9) Integration of Natural Features

Existing natural features such as strands of trees, wetlands, watercourses, ponds, lakes, and topographic features shall be preserved to the fullest extent possible by integration into the design and layout of the PUD.

(10) Utility Service

Utility services and uses shall be installed underground wherever possible.

(11) Screening, Buffering, and Landscaping

Screening and buffering shall be provided for parking, loading, service, and storage areas as described above. Additional landscaping, if proposed for inclusion in the PUD, shall be designed with reference to purpose, type, proportion, dimension, and character.

(12) Yards and Open Space

Yards, common areas, and other open spaces shall be compatible with the uses to be established in the PUD and shall be consistent with the character of the area in which the proposed PUD is to be located.

Furthermore, a minimum of fifty percent (50%) of the project site shall be devoted to permanently preserve open space for use by residents of the PUD or by the public at large. A permanent easement for this open space shall be provided either in the deed or by other means acceptable to the township.

e. Uses Permitted

PUD's may be established to accommodate the uses outlined below:

1. All permitted uses specified in Section 11.2 Planned Unit Development (PUD).
2. Additional uses that can be demonstrated by the applicant to be compatible with the intent and purpose of the Township's Master Plan and the intent and purpose of the zoning district in which the PUD will be located. These additional uses must have a direct, functional relationship with other uses in the PUD.

5.5.3 Approval Standards

Prior to authorizing the establishment of a PUD, the Planning Commission and Township Board must find that a proposed PUD complies with the following approval standards:

- a. The use or uses established in the proposed PUD shall be consistent

with the intent and purpose of the Master Plan as well as the intent and purpose of the underlying zoning district in which the PUD is located.

- b. The proposed PUD will create a recognizable and substantial benefit. The granting of a PUD will result in recognizable benefits to the users of the PUD and the Township.
- c. The proposed PUD will not burden public roads, facilities, utilities, and services. The use or uses established in the PUD will not result in a material burden on police and fire services, nor on other public services or facilities. Local public safety agencies (police & fire) shall be given the opportunity to review and comment on the proposed PUD.
- d. The proposed PUD will not materially impact the use and development of surrounding property.
- e. A single person or entity has responsibility for completing the project in conformity with the approved site plan and any conditions of approval.
- f. Natural features and environmental amenities, including watercourses, natural and artificial drainage ways, wetlands, floodplains, lakes, and ponds, stands of trees, sand dune areas, and so forth shall be substantially incorporated into the design and construction of the PUD.

5.5.4 Application and Review Procedures

Applications for a PUD shall be processed in the same manner as an application for a zone change or rezoning. Applications for PUD shall be submitted to the Zoning Administrator, and shall consist of the following material and information:

- a. A completed application form.
- b. An application fee.
- c. A Site Plan which complies with the Site Plan Review provisions of this Ordinance (Article 4). If the PUD will be developed in phases, the site plan must also indicate the location and timing of the phased development.
- d. Roadway, sidewalk, landscaping, parking area, screening, and storm drainage plans, as applicable. Roadway, parking area, storm drainage, and sidewalk plans must be prepared by a professional engineer.
- e. A typewritten statement describing the following information and improvements:
 1. A legal description of the property subject to the application.
 2. The number of acres of land to be included in the PUD.
 3. The use of uses to be established in the proposed PUD and, as applicable, the number, type, and square footage of dwelling units, and

the number, type, and square footage of all non-residential structures and uses.

4. In the event that elements of the proposed PUD do not comply with the underlying zoning district regulations, a description of the nature and extent of such noncompliance must be provided. This information must be sufficiently detailed for a waiver to be considered. Also, the applicant must provide clear and convincing evidence that the PUD will have design characteristics or other features that will substitute for the district regulations from which the waiver is sought. This evidence must satisfactorily demonstrate that these “substitutes” are consistent with the objectives of the district regulations.
5. The location and extent of natural resources and environmental features including, but not limited to, watercourses, natural and man-made drainage ways, wetlands, floodplains, strands of trees, and ground covers.
6. The Township may hire a consultant at the applicant’s expense to aid in the reviewing of the application.

5.5.5 Planning Commission Public Hearing, Review, and Recommendation

- a. Published Notice of Public Hearing: The Township Planning Commission shall hold a public hearing on the application for the establishment of the PUD zoning district and shall provide notification of its deliberations in accordance with Section 10.15 of the Ordinance.
- b. The Planning Commission shall review the application for compliance with the requirements set forth in this section and shall recommend to the Township Board approval, approval with conditions, or rejection of the proposed PUD.
- c. Township Board Review and Approval.

1. The Township Board shall review the Planning Commission’s recommendation, the accompanying site plan, and other materials and information provided. The Board may hold additional public hearings if desired. If additional hearing is held, public notice must be published as prescribed by law. The Township Board shall approve, deny, or approve with conditions the PUD application and site plan in accordance with the criteria and standards outlined in Sections 5.5.2

and 5.5.3 of this Article. The Township Board shall make its decision on the application in writing and must make specific reference to the approval standards identified in Section 5.5.3.

2. The Township Board may require that all buildings and improvements within a PUD be constructed and completed prior to occupancy in accordance with the schedule provided by the applicant. In the event that buildings or improvements are partially completed, and if occupancy or use of those partially completed buildings or improvements will not impair the health, safety, and welfare of the users or occupants of the PUD then the Township Board may permit occupancy with reasonable conditions relating to completion of buildings and improvements.

In the event an application for PUD approval is approved with conditions, the basis for those conditions must be included in the decision. In the event the application is denied, the reasons for the denial must be included in the decision. A copy of the Township Board’s decision on the application must be provided to the applicant.

3. Three (3) copies of the approved site plan shall be dated as

of the date of approval, and shall be signed by the Secretary of the Planning Commission, the Township Clerk, the Standish Township Zoning Administrator and the applicant. A copy of the approved minutes of the meeting at which the Township Board approved the PUD shall be attached to the site plan. A copy of the approved minutes shall also be provided to the applicant.

One (1) signed and dated site plan shall be provided to the applicant. One (1) signed and dated site plan shall be provided to the Township Clerk for inclusion in the Township Board's record of proceedings on the PUD. One (1) copy of the site plan shall be provided to the Zoning Administrator and the Secretary of the Planning Commission for inclusion in his or her files of Township approval of the PUD. The Township Zoning map shall be changed to include the new PUD.

5.5.6 Performance Guarantee

The Township Board may require that a performance guarantee be deposited with the Township Clerk in the form of cash, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Township, covering the estimated cost of improvements associated with the PUD to assure that a PUD complies with approval as granted. For the purposes of this

subsection, the term "improvements" means features including roadways, lighting, utilities, sidewalks, storm drainage facilities, screening and the like deemed necessary by the Township Board to protect the health, safety, and welfare of Township residents, and future users or inhabitants of the proposed PUD.

If required, a performance guarantee shall be provided by the applicant at the time approval is granted by the Township Board. If the performance guarantee is a cash deposit, it may be rebated periodically by the Township Board on application by the depositor in reasonable proportion to the work completed on the required improvements.

5.5.7 Statement of Compliance Required

An approved PUD shall be developed and constructed in strict compliance with the approved site plan and any other conditions of approval. All improvements and other functional elements shall be constructed as proposed by the applicant and as approved by the Planning Commission and Township Board. Following completion of construction of a PUD, the applicant shall provide a statement, prepared by his or her engineer, certifying that all improvements have been constructed in compliance with Township approval as granted. The Township may hire an independent consultant to review and verify this certification.

5.5.8 PUD District Regulations

The site plan and other information approved by the Township Board, along with any conditions associated with the approval of a PUD, shall constitute the use and development regulations applicable to the construction and occupancy of uses and land areas within the PUD.

These PUD regulations shall have the effect of being added to the district regulations for the zoning district in which the PUD is located, unless specified district regulations have been waived by the Township Board as described in Section 5.5.2. In such cases where a waiver has been granted, the waived regulations shall not apply to the use or uses established in an approved PUD.

5.5.9 Recorded Affidavit Required

As a condition of PUD approval, the applicant shall record an affidavit with the Arenac County Register of Deeds that contains the following information:

- a. Date of approval of the PUD by the Township Board.
- b. Legal description of the property.
- c. A statement certifying that the property will be developed in accordance with the site plan and other information approved by the Township Board, as well as any conditions associated with approval of the PUD. This statement shall also specifically state that no major modifications shall be made to the PUD as approved, nor to the site

plan or other information provided by the applicant, nor to any conditions associated with approval of the PUD, unless such modifications are approved by the Township as provided under Section 5.5.10 below.

- d. The three (3) certified copies of the affidavit shall be provided to the Zoning Administrator. One (1) copy shall be attached to the Zoning Administrator's copy of the signed and dated site plan. One (1) copy shall be placed in the Planning Commission's record of proceedings on the PUD. One (1) copy shall be provided to the Township Clerk for inclusion in the Township Board's record of proceedings on the PUD.

5.5.10 Modification of an Approved PUD

a. Minor Modifications

Minor modifications to a PUD site plan may be approved by mutual agreement between the applicant or successor(s) in interest and the Township Board, provided the changes comply with all applicable requirements of this Ordinance and all other Township regulations.

Minor modifications include changes associated with the location of buildings, structures, roads, parking areas, signs, lighting, and driveways, provided

they are in the same general location as originally approved. Increasing the size of individual buildings not more than five (5) percent of the original gross floor area is also considered minor modifications.

b. Major Modifications

Major modifications to an approved PUD shall be subject to review and approval by the Planning Commission and Township Board in the same manner as required for an application for PUD zoning. Major modifications include, but are not limited to, increases in density or number of dwellings units, increases in land area or building size (except as noted in 5.5.9 a above), or the addition of other uses not authorized by the original PUD approval.

5.5.11 Open Space Zoning Ordinance Provision

Open Space Preservation: In order to comply with the Michigan Zoning Enabling Act, notwithstanding the generally applicable minimum lot frontage/lot width and minimum of lot area are per dwelling unit requirements of this Ordinance, land zoned for residential development may be developed at the option of the landowner, with the same number of dwelling units that could otherwise be developed on the land under existing Ordinances, laws, and rules, on

not more than 50% of the land if all of the following apply:

- a. The land is zoned at a density equivalent of two (2) or fewer dwelling units per acre, or, if the land is served by a public sewer system, three (3) or fewer dwelling units per acre.
- b. Not less than fifty (50%) percent of the land area will remain perpetually in an underdeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land.
- c. The development does not depend upon the extension of a public sewer or public water supply system, unless development of the land without the exercise of the development option provided by this provision would also depend upon such an extension.
- d. The development option provided pursuant to this section has not previously been exercised with respect to the subject property.

The development of land under this section is subject to all other applicable Ordinances, laws, and rules, including but not limited to:

- a. The provision of the Zoning Ordinance that is not in conflict with and preempted by the Michigan Zoning Enabling Act.
- b. The Land Division Act (formerly the Subdivision Control Act, MCL560.101, et seq).
- c. Any Ordinance regulating the division of land, the platting of land into subdivisions, or the creation of a site condominium.
- d. Rules relating to suitability of groundwater for on-site water supply for land not served by public water.
- e. Rules relating to suitability of soils for on-site sewage disposal for land not served by public sewers.

**Article 6
Special Uses**

6.1 Purpose

In addition to the uses permitted by right in each zoning district, this Ordinance allows the establishment of special land uses subject to the procedures, standards, and regulations described in this Article. Applications for special use permits may be filed by any person who owns or has a vested interest in the property subject to the application.

6.2 Application Procedures

Application for special use permits shall be submitted to the Zoning Administrator no less than twenty-one (21) days prior to the meeting at which the Planning Commission will consider the application. The review of applications submitted less than twenty-one (21) days prior to such meetings will be delayed until the next scheduled meeting.

Applications must be accompanied by the materials and information described below:

- a. A complete Special Use Permit application form and the application fee as set forth in the schedule of fees established by the Township Board to cover the costs of processing the special use permit. The application shall include a signed statement from the applicant indicating that the proposed special use is a permitted special use specifically referenced

in the Zoning District charts provided in Sections 5.4.1 through 5.4.6 and applicable to the Zoning District where the subject parcel is located.

- b. Nine (9) site plan copies prepared as specified in Article 4.7
- c. A written statement describing how the proposed special use will comply with the general standards for special use approval listed under Section 6.7.
- d. Detailed drawings, specifications, prints, and plans for the proposed special use.
- e. When a complete application is submitted, the Zoning Administrator shall confer with the Chairperson of the Planning Commission to schedule a public hearing on the application.

6.3 Notice of Public Hearing

Notice of the public hearing on the special use application shall meet the public notice requirements of Section 10.15 of this Ordinance.

6.4 Public Hearing and Review Procedures

The Planning Commission shall hold the public hearing on the proposed special use, and shall review the site plan and other materials submitted with the application.

Following the public hearing, the Planning Commission shall make a recommendation to the Township Board, based on whether or not the proposed special use is

consistent with the specific standards applicable to the special use, as well as the general standards described in Section 6.7. If it is found that the proposed special use is consistent with these standards, the Planning Commission shall recommend to the Township Board that the proposed special use be approved.

At any point during its review of an application, the Planning Commission may request that the applicant modify the site plan or present additional information deemed necessary before making a recommendation on the proposed special use. In such cases, the Planning Commission shall postpone consideration of the application until the applicant provides the amended site plan or additional information. The Township may hire a qualified expert or experts to aid in reviewing site plans, the expense of which shall be born by the applicant.

6.5 Township Board Action

After receipt of a report and recommendation from the Planning Commission, the Township Board shall approve, approve with conditions, or deny the special use application. If the Township Board finds that the proposed special use is consistent with the specific standards applicable to the use, as well as the general standards described in Section 6.7, the special use may be approved.

If the Township Board finds that the proposed special use is not consistent with the standards in Sections 6.7 and 6.12, then

it may recommend that the use be approved with conditions or denied altogether or it may send the application back to the Planning Commission for further deliberation and new recommendation.

6.6 Appeal of Decision

The Township Board's decision is final. Any party aggrieved by the Township Board's decision may appeal to the Circuit Court of Arenac County.

6.7 General Standards for Approval of Special Uses

Prior to approving, approving with conditions, or denying an application under the provisions of this Article, the Planning Commission must find that a proposed special use complies with the standards listed in this section:

- a. The property subject to the application is located in a zoning district in which the proposed special use may be established.
- b. The special use, as proposed, complies with the specific standards applicable to that special use as listed under the regulations for that zoning district.
- c. The proposed special use will be consistent with the intent and purpose of the Township Master Plan as well as the intent and purpose of the zoning district in which the proposed use will be located.

- d. The proposed special use will not result in a material burden on police and fire services, nor on other public services and facilities.
- e. The proposed special use will not diminish the opportunity for adjacent property owners to use and develop their properties as zoned. In the Agriculture Preservation Zoning District, each proposed special use will be evaluated to determine whether it may become a nuisance to existing or future farm operations. Also, a special use in the Agricultural Preservation Zoning District may be approved with the condition that it does not become a nuisance to neighboring agricultural operations.
- f. The proposed special use will be designed, constructed, operated, and maintained so as not to negatively impact the character of land uses in the surrounding area. Residences proposed to be constructed in the Agricultural Preservation Zoning District shall not be closer to existing farming operations than the setbacks indicated in the Michigan Commission of Agricultural Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Production Facilities.
- g. The proposed special use will not involve uses, activities, processes, materials or equipment that will create a nuisance for other

properties in the vicinity by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap or waste materials.

- h. The proposed special use will not increase liabilities, potential liabilities, and risk of liabilities, dangers, or hazards to Standish Township nor to other properties in the immediate vicinity.

6.8 Basis for Determination

In rendering its decision on a proposed special use, the Township Board shall make specific reference to the standards in Section 6.7, Section 6.12, and the basis in fact for any conditions attached to the approval of a special use.

6.9 Performance Guarantee

The Township Board may require a performance guarantee in the form of cash, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Township, covering the estimated cost of improvements associated with an approved special use to assure that the use complies with the approval as granted. If required as a condition of approval, a performance guarantee shall be provided at the time approval is granted by the Township Board. If the performance guarantee is a cash deposit, it may be rebated periodically by the Township Board upon application by the depositor for work completed on the required improvements.

6.10 Compliance with Conditions of Special Use Permit Required

An approved special use shall be developed, constructed, operated, and

maintained in strict compliance with the terms of the special use permit, including the approved site plan and any attached conditions of approval. All improvements and other functional elements shall be constructed as proposed by the applicant and approved by the Township Board.

If the functional elements or improvements associated with a special use were designed by an architect or engineer, the applicant shall, following completion of construction, provide a statement prepared by the architect or engineer certifying that all improvements have been constructed in compliance with the special use permit as granted. The Township may hire an independent consultant to review and verify this certification.

6.11 Term of Permit

If a use established under a Special Use Permit is discontinued for one (1) year or is not established at all within one year of approval, the Special Use Permit shall expire. For consideration of re-establishing the discontinued use, a new special use application is required.

6.12 Specific Standards

Requirements and Conditions for Special Land Use Permits

The following charts specify the standards, requirements, and conditions for various special land uses permitted by this Ordinance. The following items should also be noted.

- a. The granting of a Special Use Permit requires Site Plan Review and a public hearing.
- b. A Special Use Permit is a privilege granted by the Township when certain conditions are met. A special land use is not allowed “by right”.
- c. The Township will revoke a special Use Permit for Failure to maintain compliance with the terms of the permit.
- d. Each special use must meet the minimum requirements for the Zoning District in which it is located, except as specifically noted in this section.
- e. This section lists the standards and additional requirement for uses that may be authorized by Special Use Permit. These standards supersede the District Regulations.

Special Land Use	Minimum Lot Area and Other Dimensional Requirements	Other Requirements
Veterinary clinics Training facilities Grooming facilities	<ol style="list-style-type: none"> 1. Minimum site shall be 25,000 square feet if animals are entirely within an enclosed building; 3 acres required if an outdoor exercise area is included. 2. All building and outdoor pens or enclosures shall be no closer than 100 feet to any property or road right-of way line. 	<ol style="list-style-type: none"> 1. Operation shall include proper control of animal waste, odor, and noise. 2. Outdoor exercise areas shall be enclosed by a solid wall or chain link fence at least six (6) feet high.
Medical clinics	<ol style="list-style-type: none"> 1. Minimum area shall be 25,000 square feet. 2. Main building setbacks shall be 50 feet on all sides. 	<ol style="list-style-type: none"> 1. Township may require an obscuring fence six (6) feet high on all sides adjacent to parcels zoned R.
Clubs, lodges, & fraternal organizations	<ol style="list-style-type: none"> 1. Minimum site area shall be one acre. 2. Main building setbacks shall be 50 feet on all sides. 	<ol style="list-style-type: none"> 1. Township may require an obscuring fence six (6) feet high on all sides adjacent to parcels zoned R.
Public and private parks & recreational areas & campgrounds	<ol style="list-style-type: none"> 1. Minimum site area shall be 5 acres 	<ol style="list-style-type: none"> 1. The site shall include adequate vehicle access and parking facilities. 2. Township may require a fence up to six (6) feet in height around the perimeter of the site.
Public & private beaches	<ol style="list-style-type: none"> 1. Same as zoning district in which site is located. 	<ol style="list-style-type: none"> 1. Site shall include adequate vehicle access & parking area. 2. Township may require screening as specified in Section 2.19

Section 6.12.1, Continued

Special Land Use Requirements

Special Land Use	Minimum Lot Area and Other Dimensional Requirements	Other Requirements
Bed & Breakfast establishment	<ol style="list-style-type: none"> 1. Same as Zoning District in which site is located. 	<ol style="list-style-type: none"> 1. Must provide at least one (1) bathroom for each two (2) sleeping rooms provided for guest. 2. Must provide one (1) off-street parking space for the inn plus one (1) space for each sleeping room.
Group child care home	<ol style="list-style-type: none"> 1. Same as Zoning District in which site is located. 	<ol style="list-style-type: none"> 1. Must be licensed by Michigan Department of Human Services.
Child care center	<ol style="list-style-type: none"> 1. Same as Zoning District in which site is located. 	<ol style="list-style-type: none"> 1. Must be licensed by Michigan Department of Human Services. 2. Must provide adequate off-street parking for all employees. 3. All outdoor play areas shall be enclosed by a chain link or privacy fence.
Hotels, motels, and overnight rental cabins or cottages	<ol style="list-style-type: none"> 1. Minimum site area shall be one acre without public sewer and 12,000 square feet with public sewer. 2. All buildings shall be set back at least 50 feet from any property line or road right-of-way. 	<ol style="list-style-type: none"> 1. Each guest unit shall have a minimum floor area of two hundred - fifty (250) square feet. 2. Screening in accordance with Section 2.19. 3. Adequate sanitation facilities per District Health Department. 4. Adequate parking in accordance with Section 7. Including parking for recreational vehicles.

Section 6.12.1, Continued

Special Land Use Requirements

Special Land Use	Minimum Lot Area and Other Dimensional Requirements	Other Requirements
Motor vehicle sales & service facilities	<ol style="list-style-type: none"> 1. Site shall be a minimum area of 20,000 square feet. 2. Minimum building setback shall be 40 feet from road right-of-way. 	<ol style="list-style-type: none"> 1. Driveways shall be at least sixty (60) feet from the right-of-way line of the nearest intersecting road. 2. If there is more than one driveway there shall be at least sixty (60) feet from one another at the nearest edges. Joint access easements between adjoining uses may be required by the Planning Commission. 3. The site shall have its primary access from a county primary road as designated by the County Road Commission or a state highway. 4. If drive-through washing or oil change facilities are included, the site must provide a holding area for at least four (4) vehicles to wait off the public right-of-way.
Commercial recreation facilities	<ol style="list-style-type: none"> 1. Site shall be a minimum of one acre in size 2. Site shall be at least 100 feet from any residence or residential zoning district. 	<ol style="list-style-type: none"> 1. Planning Commission may determine the need for a fence or berm.
Public & private institutional uses for health care, education, and government purposes	<ol style="list-style-type: none"> 1. Site shall be a minimum of two acres in area. 2. All buildings shall be set back at least 50 feet from any property line or road right-of-way line. 	<ol style="list-style-type: none"> 1. Site shall have its main access from a county primary road as designated by the County Road Commission or a state highway.
Building supply establishments, warehouses and wholesale business	<ol style="list-style-type: none"> 1. Site shall be a minimum of two acres in size. 2. Site must be at least 100 feet from any residential zone or property. 	<ol style="list-style-type: none"> 1. Site must have direct access to county primary road as designated by the County Road Commission or a state highway. 2. Must have an obscuring fence at least eight (8) feet high on all sides abutting any R.

Section 6.12.1 (Continued)

Special Land Requirements

Special Land Use	Minimum Lot Area and Other Dimensional Requirements	Other Requirements
Junkyards & salvage yards	<ol style="list-style-type: none"> 1. Site shall have a minimum area of ten (10) acres 2. Active area shall be at least two hundred (200) feet from all property and road right-of-way lines. 	<ol style="list-style-type: none"> 1. Site shall have its main access from a county primary road as designated by the County Road Commission or a state highway. 2. The active area shall be surrounded by a solid fence or wall that is at least eight (8) feet high. 3. All storage, salvage, and other activities shall be confined to the enclosed area.
Adult entertainment business	<ol style="list-style-type: none"> 1. No adult entertainment business shall be established on a parcel that is within 1320 feet of any lot or parcel zoned R. 2. No adult entertainment business shall be established within 1320 feet of any parcel used for a residential dwelling. 3. No adult entertainment business shall be established on a parcel that is within 1320 feet of any parcel containing a church, school, public park, or PUD. 4. No adult entertainment business shall be established on a parcel that is 1320 feet of any parcel that contains another adult entertainment business. 	<ol style="list-style-type: none"> 1. Windows displays, signs, decorative, or structural elements shall not include or convey any specific examples of adult entertainment uses.
Outdoor assembly areas for concerts, entertainment events, and similar uses	<ol style="list-style-type: none"> 1. Minimum site shall be twenty-five (25) acres with minimum frontage of 600 feet on public road. 2. Perimeter of site shall not be closer than 800 feet to an existing residential dwelling. 	<ol style="list-style-type: none"> 1. Cyclone fence a minimum of six (6) feet in height shall be installed around the perimeter of the site. 2. Sound barrier of approved materials may be required for site within one thousand (1000) feet of a residence. 3. Adequate sanitary facilities shall be required as specified and approved by the District Health Department. 4. Township may specify additional measures as needed to ensure the traffic control site security, and other public safety issues are adequately addressed.

Section 6.12.1, (Continued)

Special Land Use Requirements

Special Land Use	Minimum Lot Area and Other Dimensional Requirements	Other Requirements
Communication Towers	<ol style="list-style-type: none"> 1. Any tower structure must be centrally located on a parcel having dimensions not less than the height of the tower, as measured from the base of the tower to all points on each property line. 2. A tower must meet the minimum yard setback requirements for the zoning district in which it is located, except that no tower shall be located closer than fifty (50) feet to any property line. 3. The minimum spacing between communications tower locations shall be one (1) mile to prevent a concentration of towers in any single area. 4. Tower height must comply with any applicable Airport Zoning regulations. 	<ol style="list-style-type: none"> 1. The base of any tower shall be enclosed with a security fence at least six (6) feet in height. 2. All towers shall meet the standards of the Federal Aviation Administration and Federal Communications Commission. 3. All towers shall be constructed in compliance with all applicable local statutes, regulations, and standards, including design requirements for withstanding wind loading and grounding for lightning strike protection. 4. Towers shall not be artificially lighted unless required by the Federal Aviation Administration. 5. Towers shall not display advertising or identification of any kind, except as required for emergency purposes. 6. Accessory structures associated with a tower shall not exceed six hundred (600) square feet in area. 7. The Township may require a performance bond to ensure the proper construction and maintenance of a tower. 8. All towers no longer utilize shall be dismantled and removed within one hundred eighty (180) days 9. Towers shall be on a described and delineated parcel.

Section 6.12.1, (Continued)

Special Land Use Requirements

Special Land Use	Minimum Lot Area and Other Dimensional Requirements	Other Requirements
<p>Natural Resources Extraction: Sand, gravel, clay and topsoil mining or removal</p>	<ol style="list-style-type: none"> 1. Minimum site area shall be 10 acres 2. Minimum width (frontage) shall be 250 feet. 3. No processing operations shall be conducted within 500 feet of a residence that existed at the time of application for a permit. 4. All fixed equipment and machinery shall be located at least 200 feet from any property or road right-of-way line. 5. No cut or excavation shall be made closer than 100 feet to any property or road right-of way-line, or body of water over one acre in size. 	<ol style="list-style-type: none"> 1. Owner or agent must obtain and maintain compliance with a Michigan Soil Erosion and Sedimentation Control Act Permit (Act 347). 2. Site plan shall include a Mining Operations Plan that shows a chronological plan for the extractive use and all other land disturbing activities, and the restoration of the site to a usable condition for agriculture or developments. 3. Excavated areas shall be restored so that no finished grade is greater than one foot of rise in three feet of horizontal distance except for lakes or ponds to remain as part of the a reclamation development. A vegetative cover shall be established on all graded areas to minimize soil erosion. All slopes shall be treated in conformance with the Michigan Soil Erosion and Sedimentation Control Act. 4. As part of Site Plan Review, Planning Commission may require fencing, berms, landscaping, or other means to adequately screen the use from adjacent properties, and to minimize public hazards. 5. Applicant shall provide a schedule for the mining operation, based on the volume of material to be extracted and the average expected annual extraction rates. The Special Use Permit shall reflect that schedule. The owner shall submit an annual report of operations and a revised schedule if indicated. 6. Owner or agent shall provide Township with a copy of a Certified Survey drawing, prepared in compliance with Public Act 132 of 1970, as amended with the application.

Section 6.12.1, (Continued)

Special Land Use Requirements

Public Land Use	Minimum Lot Area and Other Dimensional Requirements	Other Requirements
Public utility projects	<ol style="list-style-type: none"> 1. Building and storage yards shall meet all setback requirements of the zoning district in which they are located. 	<ol style="list-style-type: none"> 1. Applicant must submit site plan for review & approval as specified in Article 4 for all special uses. 2. Planning Commission may determine the need for screening, fencing, landscaping, site rehabilitation, and any other items relevant to the health, safety, and general welfare of Township residents. 3. Township may require performance bond to ensure proper completion of all required items.

Section 6.12.1, (Continued)

Special Land Use Requirements

Special Land Use	Minimal Lot Area and Other Dimensional Requirements	Other Requirements
Wind Energy Conversion Facilities	<ol style="list-style-type: none"> 1. Minimum setback for each wind turbine shall be 3 times the height of the tower from any residence, public building. 2. Minimum setback for each wind turbine shall be the total height of the tower plus 100 feet from lot lines, public roads and telephone lines and electric power lines. 3. The blade tip of any wind turbine shall have ground clearance of at least 30 feet at its lowest point. 4. Site shall not be installed in any location where its proximity shall produce electro-magnetic interference with existing communication systems broadcast or retransmission (such as internet, radio, television or phone) 5. Height shall be measured from the base of the tower to the top of one of the blades at its highest vertical position. 	<ol style="list-style-type: none"> 1. All facilities/towers shall meet the standards of the Federal Aviation Administration. 2. Site Plan shall include proposed turbine towers, underground and over head wiring (including depth or height), access roads, substations and accessory structures 3. Engineering Data concerning construction of the tower and its base or foundation, which must be engineered and constructed in such a manner that upon removal of tower, the soil will be restored to its original condition to a depth of 3 feet. 4. Documented Avian Analysis that shall include impact upon birds, bat species, endangered species and critical flyways. Applicant must also identify plan of monitoring avian concerns when facility is in operation. 5. Audible noise shall not exceed 50 dBA when measured at any property line, residence or Public Building 6. Wind turbines shall not be climbable from the exterior and all access doors shall be lockable. 7. Township may require performance bond to ensure proper completion of all required items. 8. Applicant shall submit a decommissioning plan describing the intended disposition, removal and site restoration of the Wind Energy Facility at the end of its useful life. Township may require performance bond in the amount determined by the Township (to be utilized in the event of enforcing the decommissioning plan) 9. Towers shall have sufficient braking device capable of stopping operation when tower is within 80% of its design limits of blade rotation.

Article 7

Off-Street Parking and Loading Space Requirements

7.1 Purpose

Before any building or use is occupied, or is enlarged or increased in capacity, off-street parking spaces for motor vehicles must be provided and maintained as described in this Article.

7.2 General Requirements

- a. If the use of a building or premises changes, the parking requirements applicable to the new use shall apply. If a building or use is enlarged, the parking requirements shall apply to the total area of the structure or premises. A structure or premises shall not be used or enlarged unless the required parking is provided.
- b. In the R- Residential Zoning and L – Lakeshore District, no parking area shall be used for storing of any commercial vehicle exceeding one ton in capacity. The storage of merchandise, motor vehicles for sale (other than a resident’s private vehicles), or the repair of vehicles exceeding one ton capacity is prohibited in any required parking area.

7.3 Parking for Uses Not Specifically Mentioned

In the case of uses that are not specifically mentioned in this Article, the requirements for a use that is mentioned and to which the proposed use is similar in character in terms of parking demand shall apply.

7.4 Mixed Uses in the Same Building

In the case of mixed uses in the same building, the required number of parking spaces for each use shall be determined and provided separately. The parking spaces for one use shall not be considered as providing required spaces for any other use, except as provided in Section 7.5.

7.5 Reduction in Required Parking for Public Benefits

- a. **Joint Provision of Parking**
Where two or more abutting parcels in the C-1 and C-2 Zoning Districts provide vehicular access between parking areas in a manner which allows travel from one parcel to another without the use of a public street, the total number of off-street parking spaces required for each parcel may be reduced by ten percent (10%), in addition to reductions allowed by other provisions of this Article or by an amount agreed to by the Planning Commission based upon an analysis of parking utilization.

b. Joint Access

In the C-1 and C-2 Zoning Districts, uses on parcels fronting on state highways may reduce the required number of off-street parking spaces by ten (10%) percent if the parcel has no driveway openings onto the major road. This reduction is in addition to reductions allowed by other provisions of this Article.

7.6 Driveway Spacing Requirements

Each parcel in the C-1 and C-2 Zoning Districts shall have no more than one (1) driveway entrance and exit opening to a road for each three hundred (300) feet of frontage or fraction thereof. Where more than one (1) driveway is allowed, the driveways shall be located at least fifty (50) feet apart. No driveway shall be located within fifty (50) feet of a street intersection.

7.7 Parking Space Dimensions

Each parking space (also known as a “parking stall”) shall be a minimum of one hundred eighty (180) square feet; (for example: nine (9) feet wide and twenty (20) feet long). Barrier free parking spaces shall comply with the size requirements of the State of Michigan Barrier Free Code.

7.8 Table of Off-Street Parking Requirements

The number of off-street parking spaces for specific uses is shown in Table 7-1, “Table of Off-Street Parking Requirements”, which appears at the end of this Article.

7.9 Off-Street Loading Spaces

Off-street loading spaces shall be provided and maintained for buildings (including additions to existing buildings) that are occupied by uses that required the receipt or distribution of goods and materials in vehicles.

Table 7-1 Off-Street Parking Requirements

Land Use	Number of Parking Spaces Required
1. Automobile Sales & Service Facilities	One (1) customer parking space for each 500 square feet of floor area
2. Barber and Beauty Shops	Three (3) spaces for each chair or booth
3. Bowling Alleys	Four (4) spaces for each lane
4. Churches	One (1) space for each three (3) seats in the main area of worship
5. Commercial Amusements (Outdoors)	Number of spaces necessary for proposed use, but not less than one per four persons of the intended or allowed attendance plus employees.
6. Dance Hall, Assembly Hall, or Exhibition Hall without fixed seats	One (1) space for each two hundred fifty (250) square feet of floor area
7. Drive-Thru Facilities (in addition to parking for indoor facilities & employees)	Two (2) spaces for each drive-thru window, plus four (4) stacking spaces for each drive-thru window
8. Dwellings	Two (2) spaces per dwelling unit
9. Funeral Homes and Mortuaries	One (1) space for each twenty-five (25) square feet in service parlors or chapels plus one (1) space for each funeral vehicle maintained on the premises
10. Furniture Sales (Retail)	One (1) space for each five hundred (500) square feet of floor area
11. Hospital	One (1) space for each two (2) beds plus one (1) space for each employee, including doctors
12. Hotels and Motels and Rental Cottages	One (1) space for each lodging or bedroom plus one (1) space for each full-time employee
13. Libraries, Museums, Governmental Administration Buildings	One (1) space for each one hundred (100) square feet of floor area
14. Manufacturing and Industrial Uses	Two (2) spaces for each employee on the largest shift. If there is only one (1) shift, there shall be one (1) space for each employee
15. Medical Offices and Clinic, including Veterinary Clinics	Six (6) spaces for each doctor plus one (1) space for each additional employee
16. Office Building (Business and Professional and Banks and Financial Institutions)	One (1) space for each two hundred (200) square feet of floor area

Table 7-1 (Continued) Off-Street Parking Requirements

Land Use	Number of Parking Spaces Required
17. Restaurants, Bars, and Similar Establishments	One (1) space for each three (3) seats provided for patrons plus one (1) space for each employee
18. Retail Sales and Personal Services	One (1) space for each two hundred (200) square feet of floor area
19. Schools-Elementary and Junior High	Two (2) spaces for each three (3) employees plus one (1) for each eight (8) auditorium seats
20. Schools-Senior High Schools and Institutions of Higher Learning	Two (2) spaces for each three (3) employees plus one (1) for each four (4) students enrolled, plus parking as required for gymnasiums and sports facilities
21. Stadiums, Gymnasiums, and Sports Facilities	One (1) space for each three (3) or six (6) feet of bench seating
22. Theaters and Auditoriums (not incidental to schools)	One (1) space for each four (4) seats plus one (1) space for each two (2) employees
23. Automobile Service Stations	Two (2) spaces for each employee plus two (2) spaces for each service stall
24. Warehouses, Storage Buildings, Lumber and Building Supply Yards, Wholesale Outlets	One (1) space for each one thousand (1,000) square feet of gross floor area plus one (1) space for each employee

Article 8

Signs and Billboards

8.1 Intent and Purpose

The intent of this Article is to regulate the type, number, physical dimensions, erection and placement of signs in Standish Township. The purpose of these regulations is to:

- a. Promote the public health, safety, and welfare of residents and visitors.
- b. Reduce hazardous distractions to motorists, pedestrians, and air traffic.
- c. Protect commercial districts from visual clutter.
- d. Protect property values.
- e. Protect the rural character and natural beauty of Standish Township.

8.2 Sign Definitions

- a. **Sign:** Is the use of any words, numerals, figures, devices, designs, or trademarks which constitute a name, identification, description, display, or illustration which, as a rule, is affixed or applied to or represented directly or indirectly upon a building structure, or zoning lot and which directs attention to an object, product, service, activity, person institution, organization, or business.
- b. **Sign Area:** Shall be computed as the entire area circumscribed by a parallelogram, triangle, circle, or semi-circle, or any combination of these figures, which includes all of the display area of the sign including frames surrounding display areas.

For signs that consist of individual letters attached or painted on the wall of a building, with only the wall as background and no added decoration or border, the sign are shall be the geometrical shape formed by an imaginary line along the exterior perimeter of the work or words as a whole.

- c. **Sign Height:** Is defined as the vertical distance measured from the ground to the highest point of the sign excluding decorative embellishments.
- d. **Two Sided Signs** are considered as one (1) even though they may have different information on each side, however two sided V shaped signs that share one end post shall be considered two (2) individual signs even if they have the same information on each side.

8.2.1 Sign Types

- a. **Billboard:** A billboard is an outdoor sign, structure, or symbol, advertising services or products, which are not made, produces, assembled, stored, or sold upon or from the lot or premises upon which the billboard is located. Billboards are also known as “off premise signs”, “free-standing” and “outdoor advertising”. See Section 8.8 (a).
- b. **Canopy Sign:** A sign that is incorporated into the fabric or material of a canopy with the canopy being attached to an exterior wall or surface of a building. A canopy sign

shall be considered a wall sign for purposes of determining sign area. In determining said area, only that portion of the canopy containing lettering or message shall be used as a basis for computation.

- c. **Directional Sign:** A sign directing and guiding vehicular or pedestrian traffic or parking, but bearing no advertising matter except for the “logo” of the business for which the directional signs are associated.
- d. **Flashing Sign:** Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times while in use.
- e. **Free-standing Sign:** A sign supported by one or more uprights, braces or pylons located in or upon the ground or to something requiring location on the ground. Free-standing signs are commonly referred to as “pole” signs. Free-standing signs include billboards.
- f. **Ground Sign:** A free-standing sign of limited height firmly attached to the ground throughout its base or supported by one or more uprights or braces, which are typically less than two (2) feet in height when measured from the ground surface to the base of the sign. Ground signs are also commonly referred to as “monument” signs.
- g. **Home Occupational Sign:** A sign designed to show the occupation or profession carried on by an occupant of a dwelling unit as a secondary use which is clearly subservient to the use of the dwelling for residential purposes.
- h. **Illuminated Sign:** Any sign designed to give forth artificial light, or designed to reflect any such light given from any source, which is intended to cause such light or reflection.
- i. **On-Premise Sign:** A sign structure advertising an establishment, merchandise, service, or entertainment that is sold, produced, manufactured, or furnished at the property on which said sign is located. Also referred to as on-site sign.
- j. **Off -Premise Sign:** A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located. Also referred to as outdoor advertising, or off-site signs.
- k. **Political Sign:** Any sign displaying a message and/or image associated with an election, referendum, election campaign, or similar event.
- l. **Portable Sign:** Any sign constructed so as to be readily movable from one location to another and not permanently affixed to a building or the ground. Portable signs include “trailer” signs.
- m. **Real Estate Sign:** A sign advertising that the premises on which the sign is located is for sale, lease, or rent.
- n. **Wall Sign:** A sign attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than twelve (12) inches from the wall. (See also “canopy sign”)

8.3 Land Use Permit Required

Unless specifically noted below or specifically prohibited by Section 8.4 all signs are permitted by right and are exempt from the permit requirements of this Ordinance, however.

A Land Use Permit must be obtained from the Township Zoning Administrator, subject to review and approval by the Planning Commission, prior to the construction or placement of any of the following signs;

- a. Billboards
- b. Any sign that is greater than 100 square feet in area. (refer to 8.8.b.2) Commercial Zone Districts.
- c. Any off-premise signs regardless of size.

8.4 Prohibited Signs

Signs listed in this section are prohibited in all zoning districts.

- a. Abandoned signs or signs in disrepair that have become safety hazards.
- b. Flashing and intermittently illuminated signs, provided however, time and temperature signs and similar signs displaying a genuine, non-commercial, public message may be permitted subject to Planning Commission approval.
- c. Signs that by their location cause a hazard to pedestrian or vehicular traffic by depriving the pedestrian or driver of a clear and unobstructed view of approaching, intersecting, or merging traffic.

- d. Signs, other than public signs or notices, placed in a designated public right-of-way unless permission to authorize such placement has been given, in writing, by the public agency having jurisdiction over said right-of-way. A copy of such written permission shall be provided to the Township prior to placement of such sign.
- e. Signs imitating or resembling official traffic or government signs or signals.
- f. Signs that by their location and character cause a hazard to air traffic.

8.5 General Sign Standards

All signs must meet the following general standards:

- a. Illumination, if permitted, shall be by a non-flashing reflective light. The source of illumination shall be shielded from direct view of adjacent properties and vehicle traffic. The illuminations shall also be shielded from the sky or pointed in a downward direction in an effort to reduce light pollution.
- b. All signs shall be subject to the Building and Safety Codes of Arenac County and Standish Township.
- c. All signs shall be set back a minimum of ten (10) feet from all lot lines, except where otherwise required by this Ordinance.
- d. No sign shall exceed the height limitation of the district in which it is located or as otherwise regulated by this Ordinance: provided, however, that ground-mounted signs shall not exceed six (6) feet in height.

- e. Free-standing signs shall have a minimum clearance of ten (10) feet between the ground surface and lowest point of the sign, except for On-Premise signs.
- f. No sign shall be placed within any road right-of-way and must be ten (10) feet from the road right-of-way.
- g. No person shall erect or relocate or cause to be erected, any sign that is greater than thirty-two (32) square feet in area or any billboard or off-premise sign without first obtaining a Land Use Permit.
- h. No sign greater than thirty (30) inches in height shall be established within the clear vision area on corner lots. (Ref: Article 2.17 Clear Vision Area).

8.6 Agricultural Zoning Districts

Signs as permitted by this section are as follows:

- a. One (1) on premise, sign of not more than one hundred (100) square feet advertising a permitted non-residential use or an authorized special use.
- b. One (1) on-premise, sign displayed on a seasonal basis advertising the sale of farm produce to the general public. The sign shall not exceed thirty two (32) square feet in sign area and shall be displayed only during the seasonal period of time, which sales occur. The sign shall be removed within fourteen (14) days after the end of the public sales.

8.7 Residential Districts (R, PUD, Lakeshore and Forest/Recreation Districts)

Signs permitted by this section are as follows:

- a. One (1) on-premise, home occupation sign, non-illuminated, sign not more than fifteen (15) square feet.
- b. One (1) on-premise sign of not more than thirty-two (32) square feet advertising a permitted non-residential use or an authorized special use.
- c. Ground sign located at the entrance to platted subdivisions, residential site condominiums, multiple family housing developments, manufactured housing communities, or residential PUD's. Not more than thirty-two (32) square feet in area, nor more than six (6) feet in height may be erected at any single entrance.
- d. All PUD signs shall be of unified design and construction whether attached to a building or free-standing (Ref: 5.5.2.d-1)
- e. Directional signs in parking areas provided no single sign exceeds two (2) square feet in area.

8.8 Commercial Zoning Districts

Signs permitted by this section, as follows:

- a. Billboards: Are permitted only in those areas of the Township that are adjacent to state and/or interstate highways (M-13 and US 23), that are zoned Commercial. Billboards erected in these areas shall conform

to all requirements of the Highway Advertising Act (P.A. 106 of 1972, as amended) and the requirements of this Ordinance.

- b. One (1) free-standing sign per establishment or use, not exceeding one hundred (100) square feet in area, nor more than twenty-five (25) feet in height. 1. For more than one free-standing sign on a site, Planning Commission approval is required. 2. Free-standing signs exceeding 100 sq. ft. located on site requires commission approval. The review should take into consideration lot size, building size, location of sign and any other relevant information needed to make a sound decision.
- c. Wall signs, provided that such signs do not exceed ten (10) percent of the area of the wall face upon which the sign or signs are attached or painted, or one hundred (100) square feet, whichever is greater. Wall signs shall be attached and parallel to the face of the building wall.
- d. Signs may be attached to or painted on a marquee or canopy, provided that such signs are at least ten (10) feet above grade.
- e. Roof signs are permissible if securely anchored and not to exceed a height of more than six (6) feet from top of the sign to the bottom of the sign.
- f. One portable sign not to exceed thirty-two (32) square feet, provided:
 - 1. The sign must meet required setbacks.
 - 2. The sign shall be properly anchored and wired and shall meet all County and

Township Building and Safety Codes.

- 3. The continuous length of display during any period shall not exceed thirty (30) days. Moreover, there shall be a minimum of thirty (30) days between display periods and not more than one hundred eighty (180) total days of display in a year.
 - 4. The sign shall possess a nameplate or other such identification area indicating the name, address, and telephone number of the sign owner.
- g. Pennants and banners may be displayed on commercial property of a retail sales nature provided:
 - 1. The continuous length of display during any period shall not exceed thirty (30) days. Moreover, there shall be a minimum of thirty (30) days between any display period, and not more than one hundred eighty (180) total days of display in a year.
 - 2. Pennants and banners shall be securely anchored.
 - h. Ground signs not exceeding thirty-two (32) square feet in area or six (6) feet in height.

8.9 Non-Conforming Signs

A non-conforming sign or sign structure existing and in place as of the date of the enactment of this Article may continue to have the copy or message on the sign changed and may also have normal maintenance performed. However, a non-conforming sign existing on the day of enactment of this Chapter shall not:

- a. Be changed to another non-conforming sign.
- b. Be structurally altered so as to prolong the life of the sign or change the shape, size, location, type, or design of the sign.
- c. Be re-established after the activity, business, or use to which it relates has been discontinued for one hundred eighty (180) or longer.
- d. Be re-established after damage by any means if the damage is in excess of the State Equalized Value (SEV) of the sign, as determined from its most recent assessed valuation.

8.10 Removal of Signs

Any sign as of this date of enactment and future signs existing which no longer advertises a bona fide business conducted, or a project sold, shall be the responsibility of the owner, agent or person having the beneficial use of the lot, building or structure upon sign location, to take down and remove such sign, including related sign structure, within one hundred eighty (180) days of non use.

Upon failure to comply within the time specified, the Zoning Administrator is hereby

authorized to give a thirty (30) day written notice and start the process of the Zoning Ordinance violation procedure, which may incur a violation fine and / or other costs.

Article 9

Zoning Ordinance Text and Map Amendments

9.1 Purpose

The regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the Zoning District Map may be amended by Ordinance by the Township Board in accordance with the applicable enabling legislation of the State. Procedures for amending the text of this Ordinance and for rezoning property are described in this Article.

Proposals for amendments, supplements, or changes may be initiated by the Township Board, by the Planning Commission, or by petition of one (1) or more owners of property in the Township.

9.2 Procedures

9.2.1 Application

Each petition by one (1) or more owners or their agents, for an amendment shall be submitted upon a letter of request to the Township Clerk. A fee as established by the Township Board shall be paid at the time of request to cover costs of necessary advertising for public hearings and processing of the amendment request. The Township Clerk shall transmit the application to the Planning Commission for recommended action.

9.2.2 Planning Commission Recommendation

The Planning Commission shall consider each proposed amendment in terms of the likely effect of such proposal upon the development plans for the community as well as in terms of the merits of the individual proposal. The Planning Commission may recommend any additions or modifications to the original amendment petition.

9.2.3 Public Hearing

Before voting on any proposed amendment to this Ordinance, the Planning Commission shall conduct a public hearing, with notice being given by the Township in accordance with Section 10.15 of this Ordinance.

9.2.4 Arenac County Planning Commission Recommendation

Following the conclusion of the public hearing, the proposed amendment and any applicable zoning district map shall be submitted to the Arenac County Planning Commission for its review. The County Planning Commission shall provide its recommendations regarding the proposed amendment to the Township Board within thirty (30) days of its receipt of the proposed amendment.

9.2.5 Township Board Action

Upon receipt of the County Planning Commission's recommendation, or after thirty day review period has elapsed, the Township Board shall review the County's recommendation and/or the recommendation of the Township Planning Commission.

The Township Board shall grant a hearing on the proposed amendment to any party who has filed a written request to be heard with the Township Clerk. The request must be received prior to the meeting at which the proposed amendment would first be considered by the Township Board. The Planning Commission shall be requested to attend the hearing, which may be held at a regular meeting or at a special meeting called for that purpose. Notice of the hearing shall be published in a newspaper which circulates in the Township not more than fifteen (15) days or less than five (5) days before the hearing. Mailed notice of the hearing is not required.

If the Township Board deems advisable any changes of the amendment recommended by the Planning Commission, it shall refer these changes back to the Planning Commission for a report on the desired changes within thirty (30) days.

The Township Board may deny or adopt the amendment with or without changes, by a majority vote of its membership, following the Board's standard procedures for adoption of Ordinances.

9.2.6 Amendment to conform to Court Decree

An amendment for the purpose of conforming a provision of the Zoning Ordinance to the decree of a court of competent jurisdiction as to any specific lands may be adopted by the Township Board and the notice of the adopted amendment published without referring the amendment to any other board or agency provided for in this Ordinance.

9.2.7 Conditional Rezoning

- a. An owner of land may voluntarily offer in writing, and the township may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map.
- b. In approving the conditions under subsection (A), the township may establish a time period during which the conditions apply to the land. Except for an extension under subsection (D), if the conditions are not satisfied within the time specified under this subsection, the land shall revert to its former zoning classification.
- c. The township shall not add to or alter the conditions approved under subsection (A) during the time period specified under subsection (B) without the written agreement of the owner of the land.
- d. The time period specified under subsection (B) may be extended upon the application of the landowner and approval of the township.
- e. A township shall not require a landowner to offer conditions as a requirement for rezoning. The lack of an offer under subsection (A) shall not otherwise affect landowner's rights under this act, the Ordinances of the township, or any other laws of this state.
- f. An application for conditional rezoning shall follow the procedures of this Article. If a rezoning is approved, the

landowner shall then follow all the applicable procedures and regulations of this Ordinance in pursuance of intended use or uses.

- g. Upon approval of a proposed project, the landowner shall provide to the township, a recordable contractual form, stating the terms, conditions and obligations of the rezoning.

Article 10

Administration and Enforcement

10.1 Zoning Administrator

Standish Township shall appoint a Zoning Administrator to act as its officer for the proper administration and enforcement of this Ordinance. The Zoning Administrator shall be appointed by the Township Board for such term, subject to such conditions, and at such rate of compensation as the Board shall determine.

10.2 Land Use Permit Required

- a. No building or structure of any kind that is greater than eighty (80) square feet in area shall be erected, moved, enlarged, or substantially altered until the owner has applied for and obtained a Land Use Permit from the Zoning Administrator.
- b. No permit shall be issued to erect, move, enlarge, or substantially alter a building or structure unless the request is in conformance with the provisions of this Ordinance.
- c. No new building or structure shall be used, nor shall an existing building or structure be subject to a change in use until the owner has applied for and obtained a Land Use Permit from the Zoning Administrator.
- d. The Zoning Administrator may revoke a Land Use Permit in the case of failure or neglect to comply with any of the provisions of this Ordinance, or in the case of any false statement or misrepresentation made in the application for the permit. The

owner shall be notified of such revocation in writing.

- e. If construction is not started within one (1) year of the date a permit is issued, the Land Use Permit shall become void and a new permit application must be filed with the Zoning Administrator.

10.3 Application for Land Use Permit

In addition to the Land Use Permit Application, the applicant must submit one (1) copy of a lot plan drawn to scale and showing:

- a. The location, shape, area, and dimensions of the lot involved.
- b. The locations of water, and septic systems proposed and existing in the general area.
- c. The size, shape, dimensions, and location of any existing or proposed structures to be situated on the parcel.
- d. The existing and proposed use of the parcel and all structures upon it.
- e. The location and dimensions of any existing and proposed yard, open space, and parking areas.
- f. Proposed setbacks of structures from property lines, roads, lakes, and streams.
- g. Any other information deemed necessary by the Zoning Administrator for the proper enforcement of this Ordinance.

10.4 Other Permits and Approvals Required

The following permits or approvals, where required, shall be completed before a Land Use Permit may be issued:

- a. Wastewater disposal system permit, obtained from the County Health Department.
- b. Water well permit, obtained from the County Health Department.
- c. Driveway permit, obtained from the County Road Commission.
- d. Any other permits required by state or local laws.

10.5 Land Use Permit Required to Obtain County Building Permit

The Land Use Permit shall be required to secure a required building permit issued by Arenac County as the appropriate authority operating within Standish Township.

A Land Use Permit for an ADA handicapped ramp will be issued, but fee will be waived.

10.6 Fees

The Township Board shall, from time to time, by resolution, establish a schedule of fees for all permit applications required by this Ordinance. These fees shall be used for the purpose of defraying the cost of administering this Ordinance, and they shall be non-refundable.

Failure to obtain a land use permit prior to start of construction shall result in the land use permit fee being tripled.

10.7 Enforcement

The Zoning Administrator will enforce all the provisions of this Ordinance. Violations of any provision of this Ordinance will result in a Municipal Civil Infraction. Any action which is thought to be in violation should be reported to the Zoning Administrator.

10.7.1 Notification

The Zoning Administrator will issue a Municipal Civil Infraction citation to the violator stating all alleged conditions in violation of this Ordinance. A copy will be posted on the premises. A copy will be sent via certified mail to owner of record. Original copy will be mailed or presented to the Clerk of the Court, 81st. District, Standish. All required information will be stated on citation.

10.7.2 Penalty

Any person or other entity issued a Municipal Civil Infraction may be subject to a civil fine of not less than \$50, or more than \$500. In addition, any direct or indirect expenses which the Standish Township has incurred, including but not limited to actual attorney fees. A violation of this ordinance will also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law. *Violations that continue from the date of the originally issued Municipal Civil Infraction (MCI) shall result in cited fines and fees accumulating on a daily basis from the date of the MCI.

The imposition of any sentence will not exempt an offender from compliance with the provisions of this Ordinance. The foregoing penalties will not prohibit the Township from

seeking injunctive relief in the Municipal Civil Infraction matter or in a separate action against a violator or other appropriate relief as may be provided by law.

10.8 Planning Commission

The Standish Township Board has properly established a Township Planning Commission in accordance with the Michigan Zoning Enabling Act. Furthermore, the Township Board has previously designated the Planning Commission as the organization to function in the capacity of the Zoning Commission identified in Public Act 110 of 2006, the Michigan Zoning Enabling Act, as amended. The Planning Commission shall be responsible for the following administrative and enforcement activities under this Ordinance:

- a. **Site Plan Review**
The Planning Commission shall review site plans and recommend approval, conditional approval, or denial of the same to the Township Board as provided by Article 4, Section 4.4.
- b. **Special Use Permits.**
The Planning Commission shall conduct a public hearing on any application for a Special Use Permit. If the Planning Commission conducts the public hearing, it shall review the application following the hearing and recommend approval, conditional approval, or denial of the application to the Township Board. The Planning Commission shall also initiate any necessary action to revoke a Special Use Permit.

- c. **Rezoning or Amendment.** The Planning Commission shall conduct public hearings on proposals to rezone property or amend the text of this Ordinance as provided by Article 9, Section 9.2. Following a public hearing, the Planning Commission shall make its recommendation regarding the proposed rezoning or text change to the Township Board. The Planning Commission may initiate a text change or rezoning, subject to the requirements for notice, hearing, and Township Board approval.

10.9 Zoning Board of Appeals

There is hereby established a Zoning Board of Appeals (ZBA), which shall perform its duties and exercise its powers as provided by the Public Act 110 of 2006, the Michigan Zoning Enabling Act, as amended, in such a way that the objectives of this Ordinance shall be attained, public safety secured, and substantial justice done.

10.9.1 Continuation of Current ZBA

Upon adoption of this Ordinance, the Zoning Board of Appeals previously created shall continue to function and all its members shall remain in office.

10.9.2 Membership

The ZBA shall consist of three (3) regular members and up to three (3) alternate members:

- a. The first member shall be a member of the Township Planning Commission.
- b. The remaining two (2) members must be selected from electors of the Township residing outside of incorporated cities and villages. One member may be a member of the Township Board, provided that an elected officer cannot serve as chairperson of the ZBA.
- c. Up to three (3) alternate members shall be selected and appointed in the same manner and for the same term of office as regular members. An alternate member may be called to serve in the absence of a regular member if the regular member is absent or will be unable to attend one (1) or more consecutive meetings of the ZBA, or is absent from or will be unable to attend for a period of more than thirty (30) consecutive days.

An alternate member may also be called to serve as a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member shall serve in the case until a final decision is made. An alternate member shall have the same voting rights as a regular member of the ZBA.

- d. A current employee or contractor of the Township cannot serve as a member of the ZBA.
- e. Members of the ZBA may be removed by the Township Board for non-performance of duty, or for

misconduct in office upon written charges and after a hearing by the Township Board.

10.9.3 Membership Terms

The term of each member of the ZBA is three (3) years. Of the first members appointed, two (2) serve for two (2) years and the remaining members for three (3) years. A successor shall be appointed not more than one month after the term of the preceding member has expired. All vacancies for unexpired terms shall be filled for the remainder of the term.

10.9.4 Rules of Procedure

The ZBA shall adopt rules of procedure as may be necessary to conduct its meetings and carry out its function. The Board shall choose a chairperson and, in the chairperson's absence, an acting chair.

10.9.5 Meetings

The ZBA shall not conduct business unless a majority of its members are present. All meetings shall be open to the public, and shall be held at the call of the chairperson and at such other times as the ZBA may determine. The ZBA may declare any meeting or part of a meeting a workshop to pursue matters of business without comment from the public in attendance. However, time shall be reserved on the agenda for public comment following conclusion of the workshop.

10.9.6 Records

Minutes shall be recorded of all proceedings which shall contain evidence and data relevant to every case considered together with the votes of the members and the final disposition of each case. These minutes shall be filed in the office of the Township Clerk and shall be made available to the public in accordance with Section 9 of the Open Meetings Act (P.A. 267 of 1976, as amended).

10.9.7 Legal Counsel

The Township Attorney may act as legal counsel for the ZBA and may be present at all meetings at the request of the Board.

10.9.8 Hearings

The ZBA shall fix a reasonable time and place for the hearing of an appeal. All Zoning Board of Appeal hearings shall meet the public notice requirements of Section 10.15 of this Ordinance.

10.9.9 Decisions

The ZBA shall return a decision on a case within ninety (90) days after a request or appeal has been filed, unless a further time is agreed upon by the parties concerned. Any decision of the ZBA shall not become final until the expiration of five (5) working days after the date of the decision, unless the ZBA certifies on the record that the decision must be given immediate effect for the preservation of property or personal rights. No permit authorized by such a decision shall be issued until the decision has taken effect.

10.9.10 Majority Vote Required

The concurring vote of a majority of the members of the ZBA shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which the ZBA is required to pass or to effect any variation in this Ordinance.

10.10 Authority of the Zoning Board of Appeals

The Zoning Board of Appeals (ZBA) may grant variances, hear appeals of administrative actions, and make interpretations of this Ordinance as follows:

10.10.1 Variance

The Zoning Board of Appeals is empowered to grant variances to such requirements as lot area and width regulations, yard and depth regulations, and off-street parking and loading space requirements. The Board of Appeals may grant any variance it deems reasonable, subject to the rules outlined in Section 10.11

10.10.2 Appeals of Administrative Actions

The Zoning Board of appeals is empowered to review and reverse or modify any order or decisions or determination made by the Zoning Administrator.

a. Request for Appeal

An Administrative Review by the Zoning Board of Appeals may be requested by any aggrieved person or by any officer, department, or board

of the local government. Any such request must be made in writing not more than ten (10) days after the date of the Zoning Administrator's decision. The request shall be filed with the Zoning Administrator and shall specify the grounds for the review. The Zoning Administrator shall immediately transmit to the chairperson of the Board of Appeals any papers constituting the record upon which the appeal will be reviewed.

- b. **Appeal Stays proceedings**
An appeal shall stay all proceedings regarding the action being reviewed except as follows: if the Zoning Administrator certifies in writing to the Zoning Board of Appeals, after a request for an appeal has been filed, that a stay would cause imminent peril to life or property, the proceedings shall not be stayed unless a restraining order is issued or by court action.

10.10.3 Interpretations

The Zoning Board of Appeals may interpret provisions of this Ordinance as outlined below. Each such interpretation shall establish the precedent for future treatment of the issue being addressed. The Zoning Administrator shall keep a record of all interpretations made by the Zoning Board of Appeals.

- a. When unclear, the ZBA may determine the precise location of the

boundary lines between zoning districts.

- b. The ZBA may classify any activity that is not specifically listed in the District Regulations (Article 5, Section 5.4) for any Zoning District as a Permitted Use or Special Use, provided that the classification shall be consistent with the classification of similar use and with the purpose and intent of each Zoning District.
- c. The ZBA may determine the off-street parking and loading space requirements of any use for which these requirements cannot be readily determined using the information provided in this Ordinance.
- d. The Board may interpret any portion of this Ordinance when the Zoning Administrator is unable to clearly determine its intent or effect.

10.11 Rules for Variance

The ZBA may not, under any circumstance, grant a variance that permits the establishment of a land use or activity that is not permitted in the zoning district in which the applicant's property is located.

The ZBA may grant variances when the literal enforcement of the provisions of this Ordinance would result in practical difficulties or cause unnecessary hardships created by the lay of the land, or by the location of buildings and structures existing before the effective date of this Ordinance. These practical difficulties are to be evaluated in terms of the applicant's ability to physically locate a permitted use on the parcel of land. They must not have resulted from any act of the applicant or property owner.

Prior to granting variance, the ZBA must find that the following conditions and circumstances exist:

- a. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the surrounding neighborhood or area;
- b. That the requested variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity.
- c. That the granting of a variance will not be detrimental to the public welfare, nor injurious to the property or improvements in the neighborhood or areas in which the property is located.
- d. That the granting of such variance will not adversely affect the purposes or objectives of this Ordinance.

10.11.1 Re-Application

No application for a variance which has been denied wholly or in part by the ZBA shall be resubmitted for a period of one (1) year from the date of the last denial. However, if new evidence or changed conditions are found, the ZBA shall, if requested, rehear a case.

10.12 Conditions

The ZBA may attach any reasonable conditions to the approval of any request to

secure the objectives and purposes of this Ordinance. The breach of any such condition shall automatically invalidate any permit granted pursuant to the Zoning Board of Appeals action. When it attaches any conditions to the approval of a request, the Board of Appeals may require that a bond of ample sum be furnished to ensure compliance with the conditions imposed.

10.13 Filing Fee

Applications for hearings before the ZBA shall be accompanied by a fee as established by the Township Board.

10.14 Appeals of ZBA Decisions

The Zoning Board of Appeals shall return a decision upon each case within a reasonable amount of time. All decisions of the Board of Appeals are final and appeals must be filed in accordance with Section 606 the Michigan Zoning Enabling Act, P.A. 110 of 2006 (MCL 125.3101-3702).

10.15 Public Notice

All applications requiring a public hearing shall comply with the following provisions:

- a. When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the Planning Commission Secretary, Zoning Board of Appeals Secretary or the Township Clerk shall prepare the content of the notice and have it published in a newspaper of general circulation in the Township of Standish and mailed or delivered as provided in this Section.

- b. All mail, personal and newspaper notices for public hearing shall:
1. Describe the nature of the request. Identify whether the request is for rezoning, text amendment, special land use, planned unit development, variance, appeal, Ordinance interpretation or other purpose.
 2. Identify the location. Indicate the property or (properties) that are the subject of the request. The notice shall include a listing of all existing street addresses of the subject property. Street addresses need not be created and listed if no such addresses currently exist for the property. Other means of identification number, identifying the nearest cross streets, or by including a map showing the location of the property or properties if the subject of the hearing is for less than eleven (11) adjacent properties or when the request is for an Ordinance interpretation not involving a specific property.
 3. Indicate the date, time and place of the public hearing (s).
 4. Include a statement describing when and where written comments will be received concerning the request and where written text, maps, or other materials pertinent to the hearing may be viewed or obtained.

- c. When the provisions of this Ordinance or state law require that a personal or mailed notice be given:

1. Notice shall be provided:
 - (a) To the owner of property for which approval is being considered, and the applicant, if different than the owner of the property.
 - (b) Except for rezoning requests involving eleven (11) or more adjacent properties or an Ordinance interpretation request that does not involve a specific property, to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property subject to the request, regardless of whether the property or the occupant is located within the boundaries of the Township of Standish. If the name of the occupant of the property is not known, the term "occupant" may be used in making notification.
 - (c) To all neighborhood organizations, public utility companies, railroads, the manager of each airport and other persons or organizations which have requested to receive notice pursuant to Section 10.16. Registration to Receive Notice by Mail, which is within the zone or district affected by the subject request.

2. Notice by mail affidavit: Notice shall be deemed mailed by its deposit in the United States mail, first class, properly addressed, postage paid. The Planning Commission Secretary, Zoning Board of Appeals Secretary or Township Clerk shall prepare a list of property owners or registrants to whom notice was mailed, as well as of anyone to whom personal notice was delivered and shall provide an affidavit thereof.
 - a. The above notice shall be given not less than fifteen (15) days before the date the application will be considered for approval.

10.16 Registration to Receive Notice by Mail

- a. Any neighborhood organization, public utility company, railroad or any other person or organization may register with the Planning Commission Secretary, Zoning Board of Appeals Secretary or the Township Clerk to receive written notice of hearing of the application for approval pursuant to Section 10.15.C.(c). Fees may be assessed for providing this notice.
- b. All registered entities or persons must re-register bi-annually to continue to receive notification pursuant to this Section.

Article 11
Definitions

11.1 Rules of Use and Construction

Except for words defined in this Article, the words used in this Ordinance shall have their customary meanings. This chapter defines specific words used in this Ordinance that are used for particular purposes. The rules of construction applicable to the words used in this Ordinance are as follows:

- a. Words and phrases that are not defined in this chapter shall be defined in terms of their common or customary usage.
- b. Technical words and phrases that may have peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.
- c. The particular shall control the general.
- d. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
- e. When it is consistent with the context, words used in the present tense shall include the future. Words used in the singular form shall include the plural, and the plural form shall include the singular.
- f. The word “person” includes any individual, partnership, association, trust, corporation, or any other legal entity or combination of legal entities.
- g. Where a standard or regulation involves two or more conditions, provisions, or items that are connected by the conjunction “and”

or “or” then the conjunction shall be interpreted as follows:

- 1. “**And**” means that all the connected conditions, provisions or items shall apply.
- 2. “**Or**” means that the connected conditions, provisions or items may apply singly or in combination.

11.2 Definitions:

Accessory Building

A free-standing building that is located on the same lot on which a principal use or principal building is locate, and that is devoted to and occupied by a use that is incidental and subordinate to the principal use. Examples of accessory buildings include, but are not limited to detached residential garages and sheds, boat houses, snowmobiles sheds, greenhouses, guard or gate houses, and barns.

Accessory Structure

A free-standing structure that is located on the same lot on which a principal use or principal building is located, and that is devoted to a use that is incidental and subordinate to the principal use. Examples of accessory structures include, but are not limited to dish and other types of antennae, free-standing lighting fixtures, silos and other agricultural structures, and residential swimming pools.

Accessory Use

A use of land that is customarily incidental and subordinate to the principal use of a lot,

and that is located on the same lot on which that principal use is located.

Adult Entertainment Business

Any business, club, or other organization where one or more persons, display “specified anatomical areas” or engage in “specified sexual activities” as defined elsewhere by this Ordinance, either in person or by photograph, motion picture, television, or other type of image.

Adult Foster Care Home (see “Foster Care Home)

Agriculture

Farms and general farming, including horticulture, floriculture, dairying, livestock, and poultry raising, farm forestry, aquiculture (fish farming) and other similar enterprises or use.

Alteration

Any change, addition or modification in construction or type of occupancy, any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as “altered” or “reconstructed”.

Animal Hobbyist

An individual who owns purebred dogs or cats recognized by a national breed organization or specifically bred dogs or cats that, are in either case, used for personal recreational purposes such as hunting, or competitions in obedience trials, confirmation shows, tracking trails, or sled races. Such dogs and cats may be bred occasionally, but the offspring may not be sold for resale.

Animal (large)

A large animal shall mean a horse, cow, sheep, goat, pig, ostrich or similar fowl or similar creatures which are also associated with traditional farming or animal husbandry purposes.

Animal (small)

A small animal shall mean a dog, cat, bird, reptile, mammal, fish or other nonhuman creature that can be kept in a relatively small confined space and normally treated as a pet.

Automobile and Vehicle Sales

An establishment that is engaged in the display, sales, and rental of new and used motor vehicles, boats, trailers, farm equipment, self propelled (vehicular) construction equipment, all in operable condition and contains an outdoor and/or indoor vehicle display area and associated office.

Automobile or Vehicle Service

An establishment engaged in the repair of automobiles, trucks, buses, and/or other motor vehicles and licensed to perform such repairs by the appropriate state or local agency. Automobile body shops, engine and drive train repair, brake and muffler services are considered automobile/vehicle service.

Basement

That portion of a building which is part or wholly below grade but so located that the vertical distance from the mean grade to the floor is greater than the vertical distance from the mean grade to the ceiling (see Figure 11-1).

Bed and Breakfast Establishment

A use which is subordinate to the principal use of a dwelling as a single-family dwelling unit and in which transient guests are provided a sleeping room and board in return for payment.

Berm

A mound of earth graded, shaped and improved with landscaping in such a fashion as to be used for visual and/or audible screening purposes.

Billboard

An outdoor sign, structure or symbol advertising services or products which are not made, produced, assembled, stored, or sold upon or from the lot or premises upon which the same is located.

Blight

Is defined and includes any, each, and all of the following:

- a. Blighted Structure includes, without limitation, any dwelling, garage or outbuilding, warehouse, or any other structure or part of a structure, which because of deterioration, damage (including damage by fire), demolition or partial demolition when the demolition is not carried out within a reasonable period of time, is no longer habitable as a dwelling, nor useful for the purpose for which it may have been intended, or has uncovered openings which may provide for unrestrained access to the structure.
- b. Junk includes, without limitation, old or scrap ferrous or non-ferrous materials, rope, rags, batteries, paper,

plastic, rubber (including scrap tires), junked, dismantled or wrecked motor vehicles, appliances or other manufactured items, and all other trash, concrete, paving materials or waste materials; and includes unusable trailers and mobile homes not meeting the minimum standards for habitation by humans.

- c. Junked, dismantled, or wrecked motor vehicles includes any automobile or other motor vehicle (including boats, boat trailers, snowmobiles or other off-road vehicles) that is not currently licensed as required by state law for a period in excess of sixty (60) days, or is inoperable for the purpose for which it was intended or designated for a period in excess of sixty (60) days, whether licensed or not. This definition does not include vehicles that are offered for sale by a properly licensed motor vehicle dealer. Also, such vehicles may remain on the premises of a motor vehicle dealer repair facility for up to ninety (90) days. An extension of thirty (30) days may be granted upon presentation of written proof to the enforcing officer that the vehicle concerned is involved in insurance claims litigation or similar matter, and additional time is required for settlement before the vehicle is removed.
- d. Abandoned vehicle includes, without limitation, any vehicle that has remained on private property for a period of forty-eight (48) continuous hours or more without the consent of the property owner or occupant, or for

a period of forty-eight (48) continuous hours or more after the consent of the property owner or occupancy has been revoked.

e. Building materials blight includes the storage of building materials for a period in excess of thirty (30) days unless one of the following conditions is met:

1. The materials are stored within a completely enclosed building or;
2. The materials are stored within an area enclosed by a solid, obscuring fence or wall or;
3. The materials are otherwise screened from view in a manner found to be suitable by the Zoning Administrator.

Building materials blight does not include building materials stored on the site of property for which a valid building permit has been issued by the appropriate building official and where the materials are intended for use in connection with such construction. Building materials include, without limitation, lumber (including pallets and crating), bricks, cinder blocks, plumbing materials, electrical or wiring equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails screws, or any other materials used in constructing any structure.

Board of Appeals

The Standish Township Zoning Board of Appeals (ZBA)

Boarding Facility

A facility where three (3) or more dogs and/or cats not owned by the boarding

facility owner are housed for remuneration at any one (1) time on a temporary basis while the owner is not able to care for the dog or cat. In regards to a veterinary hospital, a boarding facility shall include only that portion of a veterinary hospital housing animals not under medical care.

Breeding Facility

A facility where three (3) or more litters of dogs and/or cats are born or raised in the preceding twelve (12) months regardless of whether the dogs or cats are not sold, or are sold at wholesale for retail, or are sold at retail or are otherwise transferred. Breeding facility shall include any vehicles used to transport the dogs or cats. A breeding facility shall not include a facility used by an animal hobbyist for purposes associated with his or her hobby.

Buffer Zone

A strip of land often required between certain zoning districts reserved for plant material, berm walls or fencing to serve as a visual or auditory barrier.

Building

Any structure which is erected having a roof supported by columns or walls, which is used or erected for the shelter or enclosure of persons, animals or personal property or for carrying on business activities or other similar uses. This shall; include tents or vehicles situation on private property and used for purposes of a building.

Building Height

The vertical distance from the established grade at the center of the front of the building to the highest point for the roof surface of a flat roof, to the deck line of a mansard roof,

and to the mean elevation level between eaves and ridge of a gable, hip or gambrel roof (See Figure 11-2)

Building Line

A horizontal line generally parallel to a front, rear or side lot line which is located at the point of the foundation of a principal building nearest to the front, rear, or side lot line.

Building, Main (Also Building, Principal)

A building in which the principal or main use of the lot on which it is situated occurs.

Building Setback Line

A line indicating the minimum distance required to be maintained between a street right-of-way and the nearest supporting member of any structure on the lot.

Business Service

Establishments such as typing services, photocopying, quick printing, office supply stores, and similar establishments.

Certificate of Occupancy

A document issued by the Building Inspector certifying that the described property has complied with the provisions of the Building Code and may be legally occupied.

Child Care Center

(Day Care Center)

A facility, other than a single-family dwelling, receiving more than six (6) preschool or school age children for group care for periods of less than twenty-four (24) hours per day, and where the parents or guardians are not immediately available to the children. These facilities are also known

as day nurseries, nursery schools, parent cooperatives, or preschools.

Churches / Synagogues / Mosques / Temples

See Religious Institutions

Club

See Private Club

Commercial Recreation

Establishment engaged in providing amusement or entertainment for a fee or admission charge, and including such activities as dance halls, studios, bowling alleys, and billiard and pool establishments, commercial sports such as arenas, rings, racetracks, golf course, amusement parks, carnival operations, expositions, game parlors and swimming pools.

Common Land

A parcel or parcels of land with the improvements thereon, the use, maintenance and enjoyment of which are intended to be shared by the owners and or occupants of individual building units in a subdivision or a planned unit development.

Common Open Space

An unoccupied area within a development which is reserved primarily for the use of all the development residents, owners and occupants, and generally owned and maintained in common by them, often through a homeowners association.

Communication Tower

A radio, telephone, cellular telephone, or television relay structure of skeleton framework or single pole construction attached directly to the ground or to another

structure and used for the transmission or reception of radio, telephone, cellular telephone, television, microwave, or any other form of telecommunications signals.

Community Retail Businesses

Whose principal activity is the sale of merchandise in an enclosed building, including but not limited to: florist, groceries, meats, dairy products, baked goods and other foods, drugs, dry goods, clothing, notions and hardware.

Condominium Act

Michigan Public Act 59 of 1978, as amended

Condominium Project, Mobile Home

A condominium project in which mobile homes are intended to be located upon separate sites which constitute individual condominium units.

Condominium Subdivision Plan

The site, survey and utility plans, and sections showing the existing and proposed structures and improvements including the location thereof on the land.

Condominium Unit

That portion of the condominium project designed and intended for separate ownership as described in the Master Deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.

Condominium Unit Site

The area designating the perimeter within which the condominium unit must be built. After construction of the condominium unit, the balance of the condominium unit site shall become a limited common element.

The term “condominium unit site” shall be equivalent to the term “lot”, for purposes of determining compliance of a site condominium subdivision with provisions of the Ordinance pertaining to minimum lot size, minimum lot width, maximum to coverage and maximum lot coverage and maximum floor area ratio.

Construction

The building, erection, alteration, repair, renovation, structure or structural foundation, or the physical excavation, filling and grading of any lot or parcel other than normal maintenance.

Convenience Store with Gasoline Sales

An establishment that retails convenience food items which occupy fifty (50) square feet or greater of the sales area, in conjunction with gasoline sales.

Cul-de-Sac

A dead end public or private street, generally short in distance, which terminates in a circular or semi-circular section of street that allows for vehicle turnaround.

Dangerous Building

Means any building or structure, residential or otherwise that has any of the following defects or conditions:

- a. Whenever any portion has been damaged by fire, wind, flood, or by other means so that the structural strength or stability is less than the minimum requirements of the State of Michigan Building Code as administered by Arenac County.
- b. Whenever any portion, member, or appurtenance is likely to fall or

collapse and thereby injure persons or damage property.

- c. Whenever for any reason the building or structure is manifestly unsafe for the purpose for which it is used, as determined by the County Building Official.
- d. Whenever the building or structure has been so damaged or has become so dilapidated that it creates an attractive nuisance to children or other persons who might enter the structure to their danger, or so that it creates a harbor for vagrants or criminals.
- e. Whenever the building or structure is unsanitary or unfit for human habitation, or is in a condition that is likely to cause sickness or disease when so determined by the County Health Officer.
- f. Whenever any building becomes vacant, dilapidated, and open at a door or window so that the interior of the building is left exposed to the elements or accessible to entrance by trespassers.

Deceleration Lane

An added roadway lane that permits vehicles to slow down and leave the main vehicle stream before turning.

Deck

A horizontal structure of a single elevation or varying elevations commonly used as a floor attached or adjacent to the main building. A deck may be open or partially or completely covered by a roof and wall structure.

Demolish

Means to intentionally destroy, pull down, or dismantle a building or structure.

Density

The number of dwelling units situated on or to be developed per net or gross acre of land. For the residential component of Planned Unit Developments overall maximum unit density calculations shall include wetland areas regulated by the State of Michigan and non-state regulated wetland areas, but shall not include floodplains or surface water bodies such as rivers, streams, lakes or ponds over five acres in size that are permanently or typically covered with water.

Development

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining dredging, filling, grading, paving, excavation, or drilling operations.

Division

See “Land Division”

Drive through Business

A business establishment so developed that its retail or service character is wholly or partially dependent on providing a driveway approach and service windows or facilities for vehicles in order to serve patrons while in the vehicle.

Driveway

Means an improved or unimproved path or road extending from a public or private road or right-of-way to a single building, dwelling or structure, and intended to provide ingress and egress primarily for the occupants and shall not block the natural flow of water.

Driveways for more than one dwelling unit must be by easement approved by the Planning Commission and Township Board.

Dwelling, Multiple Families

A building containing three (3) or more dwelling units designed for exclusive use and occupancy by three (3) or more families.

Dwelling, Single Family

A building designed for exclusive use and occupancy as a dwelling unit by one (1) family

Dwelling, Two Families

A building containing two (2) separate dwelling units designed for residential use and connected by either a common wall or an attached garage area.

Dwelling Unit

A building, or part thereof, providing complete living facilities, including provisions for sleeping, cooking, eating and sanitation, for exclusive use by one family, with no ingress or egress through any other dwelling unit.

Dwelling Unit, Attached

A dwelling unit attached to one or more dwelling units by common major structural elements.

Dwelling Unit, Detached

A dwelling unit which is not attached to any other dwelling unit by any means.

Easement

A grant of one or more of the property rights by a property owner to the public, or another person or entity.

Erected

Means built constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for the construction. Excavation, fill drainage and the like shall be considered a part of erection.

Essential Public Services

The erection, construction, alteration or maintenance by public utilities, or Standish Township or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, and other similar equipment and accessories in connection therewith, (but not including buildings or substations) reasonably necessary for the furnishing of adequate service by each public utilities, or township departments or commissions for the public health, safety or general welfare.

Essential Public Service Building

A building or structure principal to an essential public service, such as a drop-off station for residential recyclables, vehicle garages, telephone exchange buildings, electricity transformer stations or substations, gas regulator stations, radio and television towers, and cellular phone antennas.

Essential Public Service Building Storage Yard

An outdoor storage area principal or accessory to an essential public service.

Family

- a. An individual or group of two (2) or more persons related by blood, marriage or adoption, including those related as foster children, who are domiciled together as a single, domestic, non-profit housekeeping unit in a dwelling unit, or
- b. A collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing, non-transient, distinct domestic character and who are cooking and living as a single, non-profit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms of other similar determinable period.

Farm

The land, plants, animals, buildings structures, including ponds used for agricultural or aquiculture activities, machinery, equipment, and other implements used in the commercial production of farm products.

Non-Productive Farmland

Non-productive farmland as used in this Ordinance shall include land contained within a farm that cannot be used for commercial production of farm products.

Farm Animals

Livestock, including beef and dairy cattle, goats, hogs, horses, poultry, sheep, and other commercially raised animals.

Fence

Fences are intended for use as a barrier to property ingress or egress, a screen from an objectionable vista or noise, and/or for decorative use.

Financial Services

Establishments such as banks, savings and loan institutions, credit unions, brokerage, house, and similar establishments.

Flood Hazard Area

Land which on the basis of available FEMA, MDEQ or other local agency flood-plain information is subject to a one percent (1%) or greater chance of flooding in any given year.

Flood Insurance Rate Map (FIRM)

An official map of a community on which, the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study

The official report provided by the Federal Insurance Administration. The report contains flood profiles, the water surface elevation of the base flood, and may include a Flood Hazard Boundary- Flood way Map.

Floodplain

Any land area susceptible to being inundated by water from any source.

Flood Way

The channel of a river or other watercourse and the adjacent land areas which must be reserved in order to discharge the base flood.

Floor Area, Usable (Commercial Uses)

That area to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise. Hallways, stairways and elevator shafts, or for utilities for sanitary facilities, shall be excluded from the computation of usable floor area. Usable floor area shall be measured from the interior faces of the exterior walls; total usable floor area for a building shall include the sum of the usable floor area for all floors.

Floor Area, Gross

The sum of the horizontal areas of each story of a building, measured from the interior faces of the exterior walls, and the centerlines of interior walls, exclusive of mechanical areas, elevator shafts, stairwells and vent shafts for more than one floor, and uninhabitable attics or basements having headroom of seven (7) feet or less.

Floor Area, Residential

The sum of the horizontal areas of each story of a dwelling unit, measured from the outer faces of the exterior walls, exclusive of areas of basements, unfinished attics, attached garages, carports, breezeways and enclosed or unenclosed porches.

Food Service Establishments

- a. Restaurant- any public place licensed by the Michigan Department of Public Health where food is cooked,

prepared, provided or served for human consumption without a license for the sale of alcoholic liquor, excluding churches, educational facilities, hospitals, and non-profit clubs and lodges, but including the following:

1. Sit-Down. Any restaurant where food and beverages are sold primarily for consumption on the premises.
 2. Drive-In or Drive-Through. Any restaurant where foods and beverages are sold to a retail customer through a service window or similar opening without requiring the retail customer to exit his or her vehicle to make the purchase, and shall include an establishment that allows the retail customer to drive in or through any enclosed building or structure and make a purchase of food and beverage without requiring the retail customer to exit his or her vehicle.
 3. Take-Out. Any restaurant with the exception of a drive-in or drive-through restaurant where foods and beverages are sold to customers for consumption off the premises.
- b. Night Club. A public place licensed by the Michigan Liquor Control Commission where beer, wine or liquor may be sold by the drink, with or without food, and where dancing and other entertainment is allowed.
 - c. Tavern. A public place licensed by the Michigan Liquor Control Commission where beer, wine or

liquor may be sold by the drink with or without food, but where dancing and other entertainment are not allowed.

Foster Care Home, Family

A single family dwelling occupied as such in which one (1) but not more than six (6) minor children, who are not related to an adult member of the family occupying the single-family dwelling by blood, marriage or adoption, are given care and supervision for twenty four (24) hours per day, unattended by a parent or legal guardian.

Foster Care Home, Group

A single family dwelling occupied as such in which more than four (4) but less than seven (7) minor children, who are not related to an adult member of the family occupying the single family dwelling by blood, marriage or adoption, are given care and supervision for twenty four (24) hours per day, unattended by a parent or legal guardian.

Frontage

The total length along which a parcel of land fronts on a street, measured along the line where the property abuts the street right-of-way.

Frontage Road

A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. Frontage roads can be one-way or bi-directional in design. The frontage road provides specific access points to private properties while maintaining separation between the street and adjacent land uses. A road which allows parking or is used as a

maneuvering aisle within a parking area is generally not considered a frontage road.

Garage

The part of a main building or an accessory building used primarily for the parking or storage of vehicles necessary in connection with the permitted use of the main building, where there is no vehicle servicing for compensation.

Garage Sale

See Home Sale.

Garage, Service

A facility used for the storage or care of motor vehicles where such vehicles are equipped for operation, repair, or kept for remuneration, hire or sale providing that there be no outside storage or parts or inoperable vehicles.

Garden Center

An establishment with retail sales of trees, fruits, vegetable, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.

General Retail & Wholesale Establishments

A business which supplies commodities on the premises, including but not limited to florist, groceries, meats, dairy products, baked goods, and other foods, drugs, dry goods, clothing, notions and hardware.

Glare

The effect produced at the lot-line by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Grade, Average (mean)

The arithmetic average of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a building or structure (See Figure 11-3)

Grade Finished

The lowest point of elevation between the exterior wall of the structure and a line five (5) feet from the exterior wall of the structure.

Grade, Natural

The elevation of the ground surface in its natural state, before construction begins.

Greenbelt

A strip of land which shall be of sufficient width and density of planting materials to screen adjacent properties from view.

Grooming Facility

A facility where one or more dogs or cats not owned by the grooming facility owner are brushed, bathed, clipped, trimmed, have other cosmetic procedures performed, or are treated for parasites by the application of a pesticide, for remuneration. In regards to a veterinary hospital, a grooming facility shall include only that portion of the veterinary hospital where these activities are conducted for non-medical reasons. A grooming facility shall include all vehicles used by the facility to transport animals for the purpose of grooming.

Health Care Institution

A state licensed medical establishment whose facilities provide in-patient accommodation, a wide range of medical and surgical care, and other in-patient health

services for sick, ailing or injured persons; and including such related facilities as laboratories, outpatient departments, training facilities, central services and staff office and residences which are integral with and accessory to the principle use of the establishment.

Home Occupation

An occupation or profession carried on by an occupant of a dwelling unit as a secondary use in accordance with Section 2.6.

Home Sale

A sale of personal property conducted at a residential dwelling on a temporary basis. Home sales include garage sales, yard sales, porch sales, basement sales, and the like.

Hospice Facility

A hospice facility is for the care of terminally ill.

Hospital

See "Health Care Institution".

Hotel or Motel

Any establishment in which individual cabins, courts, rooms, suites or similar structures or units are rented to transients for temporary periods of time. A "hotel" shall include tourist cabins and homes and motels, but shall not include bed and breakfast establishments. A hotel shall not be considered or construed to be a multiple family dwelling.

Indoor Recreation Establishment

A privately owned facility designed and equipped for the conduct of sports, amusement or leisure time activities and other customary recreational activities

indoors (within an enclosed building) and operated as a business and open for use by the public for a fee, such as fitness centers, bowling alleys, indoor softball, and racquetball and tennis clubs.

Institutional Use

Churches, schools, hospitals, and other similar public or semi-public uses. This excludes nursing homes, convalescent homes, and adult foster care facilities.

Intensive Livestock Operations

A place where livestock, poultry, or other animals are housed or confined in such a manner that the confinement area (s) consisting of lots, pens or buildings accumulate manure or other related animal wastes that must be removed; and/or that a sustained ground cover (crops, vegetation, forage growth, or post-harvest residue) cannot be maintained during the normal growing season over the portion of the lot or facility where the animals are housed or confined. A place shall be considered an “intensive livestock operation” if it meets any one of the following standards in regard to the number of animals housed or confined:

- a. 200 or more feeder cattle
- b. 143 or more mature dairy cattle
- c. 500 or more swine weighing over 55 pounds
- d. 100 or more horses
- e. 2000 or more sheep or lambs
- f. 11,000 or more turkeys or other fowl

Junkyard or Recycling Yard

Any land or building used for commercial storage and/or sorting, recycling, or sale of paper, rags, scrap materials, plastics, salvage building materials, other scrap or discarded

materials, or for the dismantling, storage or salvaging of automobiles or other vehicles not in running condition, or of machinery or parts thereof but not including a dump.

Land Division

Land division means the portioning or splitting of a parcel or tract of land that results in one or more parcels of less than 40 acres, and that meets the requirements of the Land Division Act, as amended.

Loading Space

An off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or material.

Lot

Means a measured portion of a parcel or tract of land which is described and fixed in a recorded plat or a site condominium subdivision.

Lot Corner

A lot where the interior angle of two (2) adjacent sides at the intersection of two (2) streets in less than one hundred and thirty five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the curve is of less radius than one hundred and fifty (150) feet, and tangents to the curve, at the two (2) points where the side lot lines meet the curve, form an interior angle of less than one hundred and thirty five (135) degrees. (See Figure 11-4)

Lot Coverage

A part or percentage of a lot occupied by buildings or structures.

Lot Depth

The arithmetic mean of the shortest and longest distance from the front lot line to the rear lot line.

(See Figure 11-5)

Lot Frontage

The length of the front lot line.

Lot, Interior

A lot other than a corner lot which, with the exception of a “through lot,” has only one lot line fronting on a street.

Lot Lines

- a. Front lot line: In the case of an interior lot, abutting upon one (1) public or private street, the front lot line shall mean the line separating the lot from the right-of-way. (See Figure 11-6)
- b. Rear lot line: That lot line which is opposite and most distant from the front lot line. In the case of an irregular or triangular shaped lot, a line at least ten (10) feet in length, entirely within the lot, and generally parallel to and most distant from the front lot line. (See Figure 11-6)
- c. Side lot line: Any lot line not a front or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line. (See Figure 11-6)
- d. In case of a lot fronting on right-of-way on two (2) or more sides, or other case in which the above definitions do not apply, the Zoning Administrator shall designate front,

rear and side lot lines, based on the following considerations;

1. Location and orientation of existing or proposed buildings on the lot in question, in relation to existing buildings on properties in the same general neighborhood.
2. Location and effect of vegetation, water or other natural features affecting location of buildings or structures on the lot in question.

Lot, Non-Conforming

A lot of record which does not meet the dimensional requirements of this Ordinance.

Lot of Record

A lot which actually exists in a subdivision plat as shown on the records of the County Register of Deeds.

Lot, Through (also “double frontage lot”)

An interior lot having frontage on two (2) more or less parallel streets.

Lot Width

The horizontal distance between side lot lines measured parallel to the front lot line at the front setback line. (See Figure 11-6)

Manufactured House

A mobile home, residential building, dwelling unit, dwelling room or rooms, or a building component which is designed for long term residential use and is wholly or substantially constructed at an off-site location, transported to a site and erected.

Medical Clinic

An establishment where human patients are admitted for examination and treatment by a

group of physicians, dentists or similar professionals on an out-patient basis. A clinic may incorporate customary laboratories and pharmacies incidental or necessary to its operation.

Mini-warehouse (also “Self-storage warehouse”)

A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers strictly for the storage of a customer’s non-hazardous goods or wares.

Mobile Home

A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained in the structure. “Mobile home” does not include a recreational vehicle or motor home.

Mobile Home Park

A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual non-recreational basis, and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home and which is not intended for use as a temporary trailer park.

Mobile Home Site or Space

A portion of the mobile home park set aside and clearly designated for use by a specific mobile home.

Mobile Home Subdivision

A platted residential development consisting of mobile homes on individual, separately owned lots.

Motel (See “Hotel”)

Motor Home

A self-propelled, licensed vehicle prefabricated on its own chassis, intended for recreational activities and temporary occupancy.

Non-Conforming Use

The use of a building or of land lawfully existing at the time this Ordinance or amendments became effective but which does not conform with the use regulations of the district in which it is locate.

Non-Conforming Lot

See Lot, Non-Conforming.

Non-Conforming Structure

A structure, or portion thereof, lawfully existing at the time this Ordinance or amendments became effective and which fails to meet the minimum requirements of the zoning district in which it is located.

Nursery, Plant

A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for wholesale or 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.

Nuisance

An offensive, annoying, unpleasant or obnoxious thing, or practice, a cause or source of annoyance, especially a continual or repeated existence or a use or activity which invades the property line of another so as to cause harm or discomfort to the owner or resident of that property. Excessive or noisy vehicular traffic, dust, glare and smoke, are examples of nuisances.

Nursing Home, Licensed

An establishment or institution, other than a hospital, having as one of its functions the rendering of care for periods of more than twenty four (24) hours to individuals affected with illness, injury, infirmity or abnormality.

Obscuring Screen

A visual barrier between adjacent areas or uses. The screen may consist of structures such as a wall, fence, or earthen berm.

Offices

Related to executive, administrative or professional occupations including but not limited to, lawyer, accountant, insurance/real estate agents, architect, engineer and similar occupations.

Off-Street Parking Lot

A facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering.

Open Air Business

A retail sales establishment operated substantially in the open air and outside of any enclosed building.

Ordinary High Water Mark

The line, as determined by a Registered Land Surveyor, between upland and bottomland which persist through successive changes in water levels below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface soil, and the vegetation.

Outdoor Recreation Establishment

A privately owned facility designed and equipped for the conduct of sports, amusement or leisure time activities and other customary recreational activities outdoors, (outside of an enclosed building) and operated as a business and open for use by the public for a fee such as tennis courts, archery ranges, golf courses, miniature golf courses, golf driving ranges, and children's amusement parks.

Parapet Wall

An extension of a building wall above the roof which may serve to screen roof-mounted mechanical equipment.

Parcel

Means a continuous area or acreage of land described by metes and bounds.

Parcel Coverage

A part or percentage of the Parcel occupied by buildings or structures.

Parcel Depth

The arithmetic mean of the shortest and longest distance from the front parcel line to the rear parcel line.

Parcel Line

The line bounding a parcel from another parcel.

Parcel Lines

- a. **Front line:** The line separating the parcel from the road (see Figure 11-6).
- b. **Rear line:** That line which is opposite and most distant from the front line. In the case of an irregular or triangular shaped parcel, a line at least ten (10) feet in length, entirely within the parcel, and generally parallel with and most distant from the front line (See Figure 11-6).
- c. **Side line:** Any line not a front or rear line.

Parcel Width

The horizontal distance between side lines measured parallel with the front line at the front setback line.

Park, Recreational

An open area designed for the active and/or passive use of the general public and which may or may not contain playground or exercise facilities and equipment.

Parking Space

A designated area of definite length and width for parking of motor vehicles.

Patio, Porch

Roofed open area that, while it may be glassed or screened, is usually attached to or

part of and with direct access to or from a building.

Personal Services

Establishments, which perform services on the premises, including but not limited to: repair shops (watches, radio, television, shoe, and etc.), tailor shops, beauty parlors, or barber shops, photographic studios, self-serve laundries and dry cleaners.

Planned Unit Development (PUD)

A form of land development comprehensively planned as an entity via a unitary site plan which permits flexibility in building, siting, usable open spaces, and the preservation of significant natural features. Such a development may contain a mix of housing types and non-residential uses.

Planning Commission

The Standish Township Planning Commission as duly created under Public Act 110 of 2006, The Michigan Zoning Enabling Act, as amended.

Plat

Means a map or chart of a subdivision of land.

Principal Building or Structure

A building or structure in which is conducted the principal use of the lot upon which it is situated.

Principal Use

The main use to which the premises are devoted and the principal purpose for which the premises exist.

Principal Use, Permitted

A use permitted in each zoning district by right.

Private Club

An Organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit.

Private Kennel Facility

A facility separate from a personal residence where an animal hobbyist or other person houses and cares for four (4) or more dogs and/or cats which are kept as pets or used for personal recreational purposes. A facility meeting the definition of pet shop, animal shelter or dog pound pursuant to Act 287 P.A. 1969, as amended, or a facility meeting the definition of a dealer or research facility pursuant Act 224, P.A. 1969, or a facility meeting the definition of boarding facility, breeding facility, grooming facility or training facility pursuant to this act shall not be considered a private kennel.

Private Road

Means any undedicated path, trail, or road that provides or is intended to provide the primary means of ingress and egress to parcels, principal buildings, dwelling units, structures, or combination thereof.

Public and Semi Public Institutional Buildings, Structures and Uses

Buildings, structures, and uses of governmental agencies and non-profit organizations including but not limited to office buildings, municipal parking lots, post offices, libraries, and community centers.

Public Park

Any developed park, playground, beach, outdoor swimming pool, intended for active recreational pursuits, within the jurisdiction and control of a governmental agency.

Public Open Space

Any undeveloped land primarily intended for passive recreational pursuits within the jurisdiction and control of a governmental agency.

Public Street

A public thoroughfare which affords the principal means of access to abutting property.

Public Utility

Any entity or commission duly authorized to furnish and furnishing under state or municipal regulations to Standish Township residents: gas, steam, electricity, sewage disposal, communication, telephone service, cable television, transportation or water.

Radioactive Materials,

Materials defined as radioactive under State of Michigan regulations for transportation of radioactive materials or under Arenac County Health Department regulations, whichever is determined to be applicable.

Recreational Vehicle

A vehicle intended and designed primarily for recreational use, such as motor homes, camper trailers, boats, snowmobiles, off-road and all terrain vehicles, and similar vehicles or trailers. The term “recreational vehicle” shall not include motorcycles or motorbikes or other similar means of transportation intended primarily for daily on-street use.

Religious Institutions

A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for organized religious services and accessory uses associated therewith.

Restaurant (See Food Services Establishments)

Restriction

A limitation on a property, which may be created in a deed, lease mortgage, or other appropriate document, through certain zoning or subdivision regulations, or as a condition of approval of an application for development.

Retail Store

Any building or structure in which goods, wares, or merchandise are sold to the consumer for direct consumption and not for resale.

Right-of-way

The property containing a street, alley or other thoroughfare or easement permanently established for passage of persons or vehicles and under the legal authority of the agency having jurisdiction over the right-of-way.

Salvage

Material to be collected for further use, recycling, or sale.

Salvage Yard

Any principal or accessory use where salvage or its component parts are bought and sold, exchanged, stored, baled, packed, disassembled, separated, or handled, including but not limited to: scrap iron and other metals, paper, rags, rubber tires, bottles.

A “salvage yard” includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings. The term “salvage yard” does not include drop-off stations for residential recyclable materials.

Screen

A structure such as a fence or wall, providing enclosure and a visual barrier between the area enclosed and the adjacent property.

Seasonal Residence

A dwelling unit not normally the permanent residence of the occupant (s).

Service Drive

A drive which generally parallels the public right-of-way but runs along the back of a land use which fronts on the public street. A service drive may provide access to properties on both sides, and vary in width and design.

Setback, Required

The required minimum horizontal distance between a front, rear, or side lot line and a building line. Separate definitions for condominium setbacks.

Setback Parking Lot

The minimum horizontal distance between the street right-of-way or property line and the near edge of a parking lot, excluding necessary and/or approved driveways, frontage roads and landscaping areas.

Shopping Center

A commercial enterprise which is planned and developed as a unit, and which includes a group of retail businesses. Off street parking is provided for the shopping center as a whole, as opposed to providing separate areas for individual businesses.

Shoreline

The edge of a body of water measured at the ordinary high water mark.

Sight Distance

The length of roadway visible to the driver. Generally related to the distance or time (perception/reaction time) sufficient for the driver to execute a maneuver (turn from driveway or side street, or stop or pass) without striking another vehicle or object in the roadway.

Sign – see definitions in Article 8, Signs and Billboards

Site Condominium Project

Equivalent to “Subdivision” as used in this Ordinance.

Site Plan

A scaled drawing (s) illustrating existing conditions and containing the elements required herein as applicable to a proposed development to ensure compliance with zoning provisions.

Specified Anatomical Areas

Certain portions of the human anatomy, the visual presentation of which identifies activity that is regulated by this Ordinance as an “Adults Entertainment Business”. These areas are: human genitals; pubic region;

buttock; and female breast below a point immediately above the top of the areola.

Specified Sexual Activities

Certain actions, the visual presentation of which identifies activity that is regulated by this Ordinance as an “Adults Entertainment Business.” These activities are: human genitals in a state of stimulation or arousal; acts of human masturbation, sexual intercourse, or sodomy; fondling or erotic touching of human genitals, pubic region, buttock, or female breast; bestiality, fellatio or cunnilingus; and human excretory function.

Special Land Use

A use of land that is permitted within a particular zoning district only if the applicable standards have been met and approval is granted by the Township Board. A special land use requires that a special use permit be obtained.

Spot Zoning

Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses, and not for the purpose or effect of furthering the objectives of the Standish Township Master Plan.

Stable, Private

A stable for the keeping of horses for the use of the residents of the principal use and shall not include the keeping of horse for others, or for commercial boarding, and with a capacity for not more than two (2) horses; provided, however, that the capacity of a private stable may be increased if the lot where on such stable is located contains at least one acre of land for each additional horse stabled thereon.

Stable, Public

A stable other than a private stable, with a capacity for more than two (2) horses, and carried on within an unplanted tract of land of not less than twenty (20) acres.

Story

That portion of a building between a floor and the floor or roof next above it. A basement shall be counted as a story if its ceiling is over four (4) feet above the average adjoining ground surface.

Street

A public thoroughfare which affords the principal means of access to abutting property

Structure

Anything constructed, assembled or erected, the use of which requires location on the ground or attachment to something having location on or in the ground. The word “structure” shall not apply to wires and their supporting poles or frames or electrical or telephone utilities or to service utilities below the ground.

Structural Alterations

Any changes in the supporting members of a building such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls or any expansion or addition to the floor space of a building by the addition of bearing walls, columns, beams or girders.

Subdivide or Subdivision

Means the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns

for the purpose of sale, or lease of more than one (1) year, or the building development that results in one (1) or more parcels of less than forty (40) acres or the equivalent, and that is not exempted from the platting requirements of P.A. 288 of 1967, the Land Division Act, as amended. “Subdivide” or “subdivision” does not include a property transfer between two (2) or more adjacent parcels, if the property taken from one (1) parcel is added to an adjacent parcel, and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of an applicable local Ordinance.

Substantial Improvement

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored as before the damage occurred. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the Nation Register of Historic Places or the State Inventory of Historic Place.

Swimming Pool

Shall mean any artificially constructed, not portable, outdoor pool capable of being used for swimming, having a water depth of two (2) feet or more at any point and having a filtration system.

Temporary Building, Structure or Use

A building, structure or use permitted to exist during periods of construction of the principal building, structure, or use.

Training Facility (Dog)

A facility where three (3) or more dogs at any one time not owned by the facility owner are housed for the purposed of training as hunting dogs, guard dogs, seeing eye dogs, handicapped assistance dogs, obedience dogs, show dogs, racing dogs, or other special purpose. A training facility shall include any vehicles used to transport animals in the course of the training process.

Use

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

Variance

A modification of the required provisions of the physical development or the land use standards of the zoning code granted when strict enforcement of the zoning code would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The crucial points of the variance are undue hardship and unique circumstances applying to the property. A variance is not justified unless both elements are present in the case.

Vehicle

Any device in, upon, or by which any person or property is or may be transported or drawn upon any street, highway, excepting devices exclusively moved by human power or used upon stationary rails or tracks.

Vehicles Sales - See Automobile Sales**Veterinary Clinic**

A building, or any portion thereof, used for the medical treatment of domesticated animals by a Doctor of Veterinary Medicine and his or her employees, and including exterior or interior kennels or overnight lodging facilities for animals.

Wetland

Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh.

Wetland, Regulated

Certain wetlands regulated by the Michigan Department of Environmental Quality under the applicable provisions of Act 451 of the Public Acts of 1994, as amended, and generally defined as land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh and which is any of the following:

- a. Contiguous to an inland lake or pond, or a river or stream.

- b. Not contiguous to an inland lake, pond, river or stream, and more than five (5) acres in size.
- c. Not contiguous to an inland lake or pond, or a river or stream, and five (5) acres or less in size if the Michigan Department of Environmental Quality determines that protection of the area is essential to the preservation of the natural resources of the state from pollution impairment, or destruction and the department has so notified the property owner.

- building and the road providing access to the lot (See Figure 11-6)
- d. Side Yard: A yard between the foundation line of the main building and the side lot line extending from the front yard to the rear yard (See Figure 11-6).

Wind Energy Conversion Facilities (WECF)

An electricity generating facility consisting of one or more wind turbines under common ownership or operation control and include substations, towers, cables, wires and other building accessory to such facility.

Yard

- a. A space open to the sky and unoccupied or unobstructed, except by encroachments specifically permitted by this Ordinance, on the same lot with a building or structure. A required yard is measured between the applicable lot line and the nearest foundation line of a building or structure.
- b. Front Yard: A yard extending across the full width of the lot, the depth of which is the distance between the front lot line the yard facing the water (See Figure 11-6).
- c. Rear Yard: A main building. In the case of a waterfront lot, the rear yard is that yard situated between the main

Zoning Act

P.A. 110 of 2006, The Michigan Zoning Enabling Act, as amended.

Zoning Administrator

An individual appointed by the Standish Township Board delegated to administer the Standish Township Zoning Ordinance.

Zoning Board of Appeals

The Standish Township Zoning Board of Appeals created under P.A. 110 of 2006, the Michigan Zoning Enabling Act, as amended.

Zoning District

A portion of the area of the township within and foundation line of the building or structure. In the case of a waterfront lot, the front yard is which certain regulations and requirements or various combinations thereof apply under the provisions of the Zoning yard extending across the full width of the lot, the depth of which is the distance between the rear lot line and rear foundation line of the Ordinance.

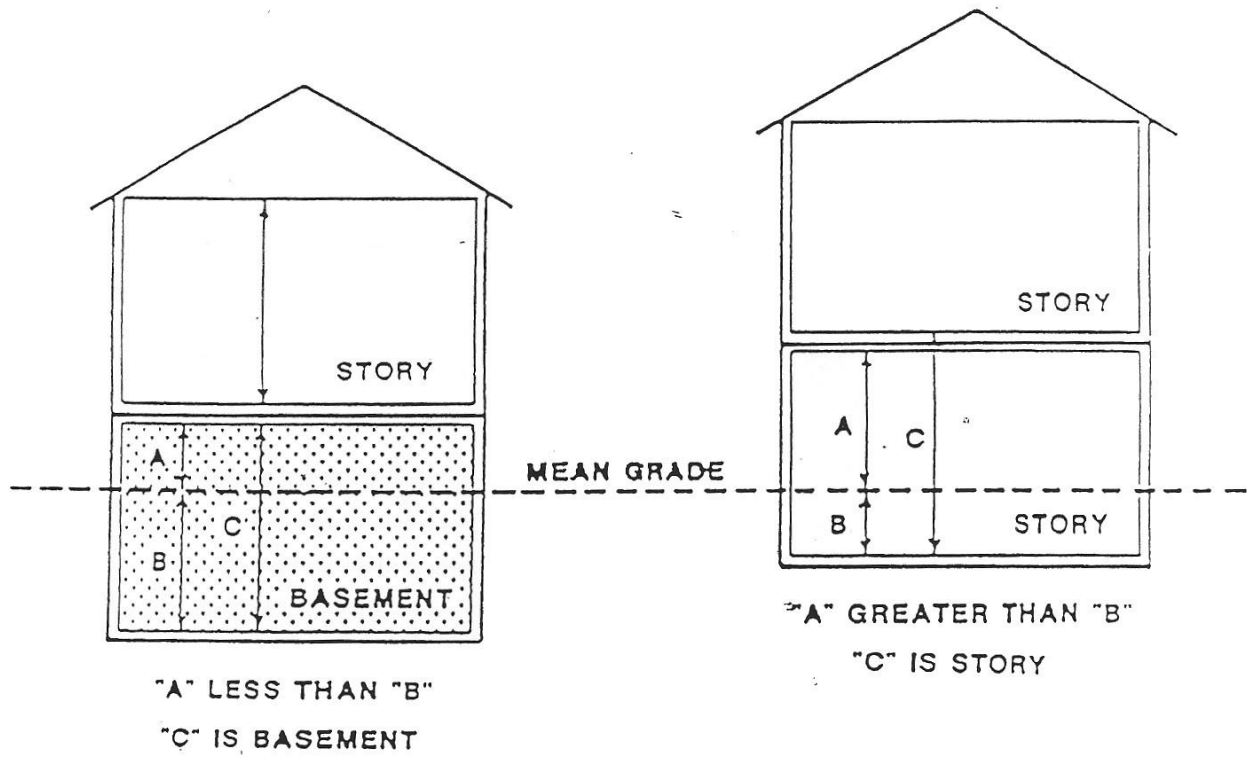
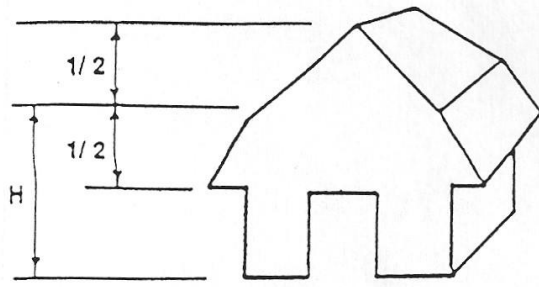
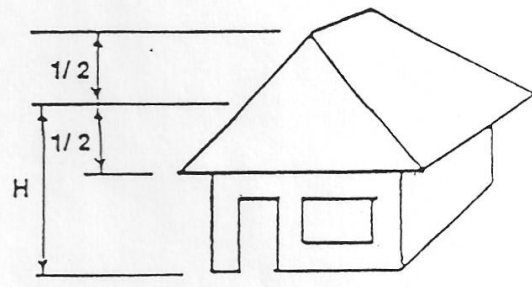


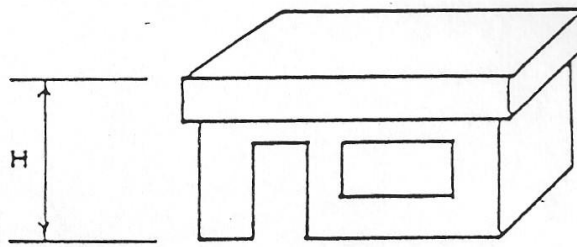
Figure 11-1 Basement and Story



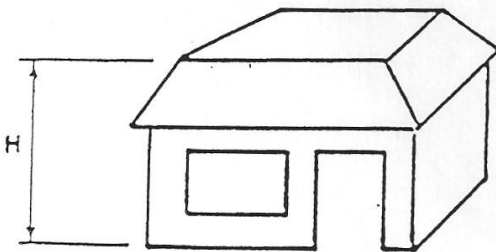
GAMBREL ROOF



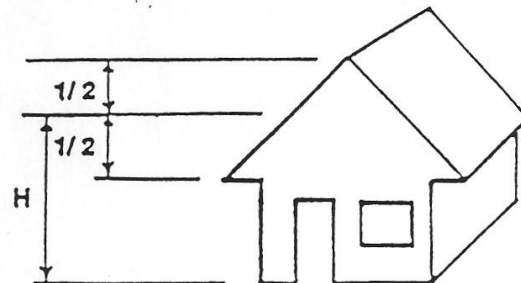
HIP ROOF



FLAT ROOF



MANSARD ROOF



GABLE ROOF

Figure 11-2 Building Heights

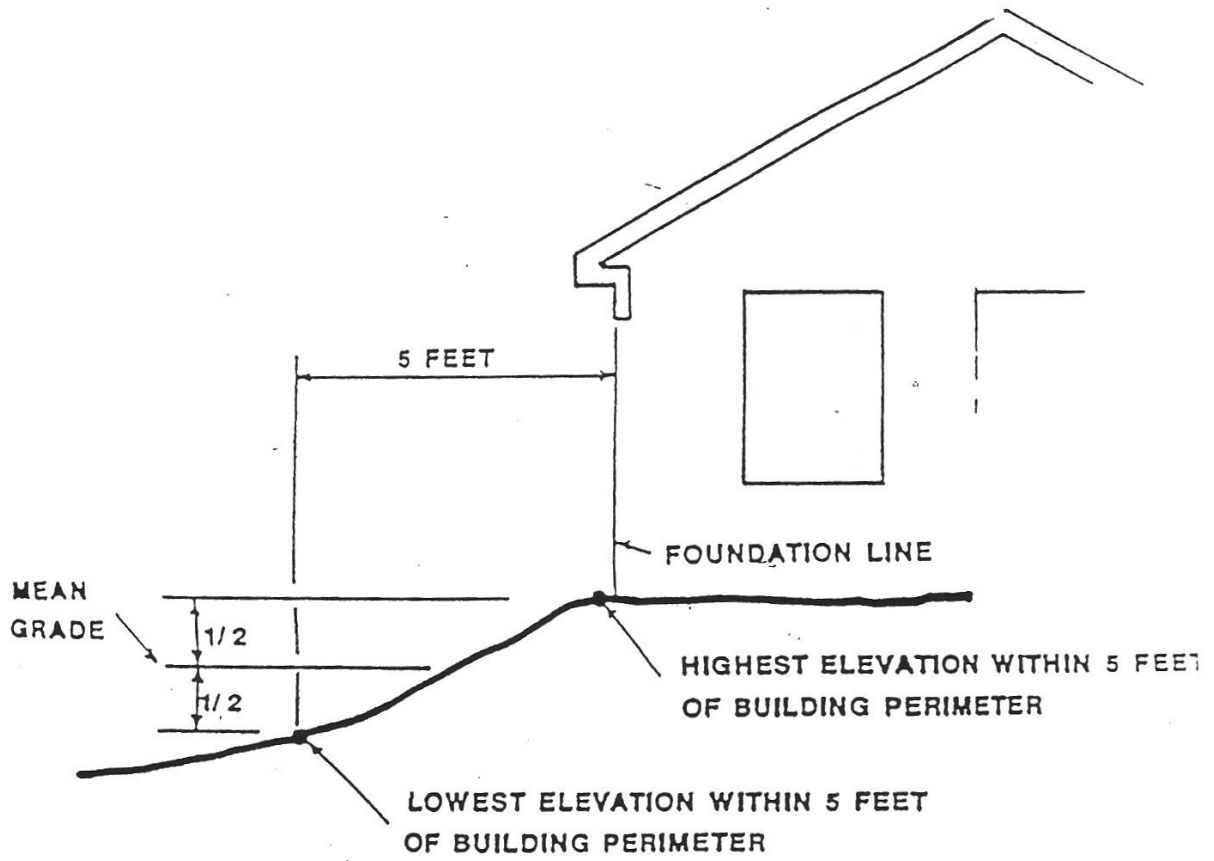


Figure 11-3 Mean Grade

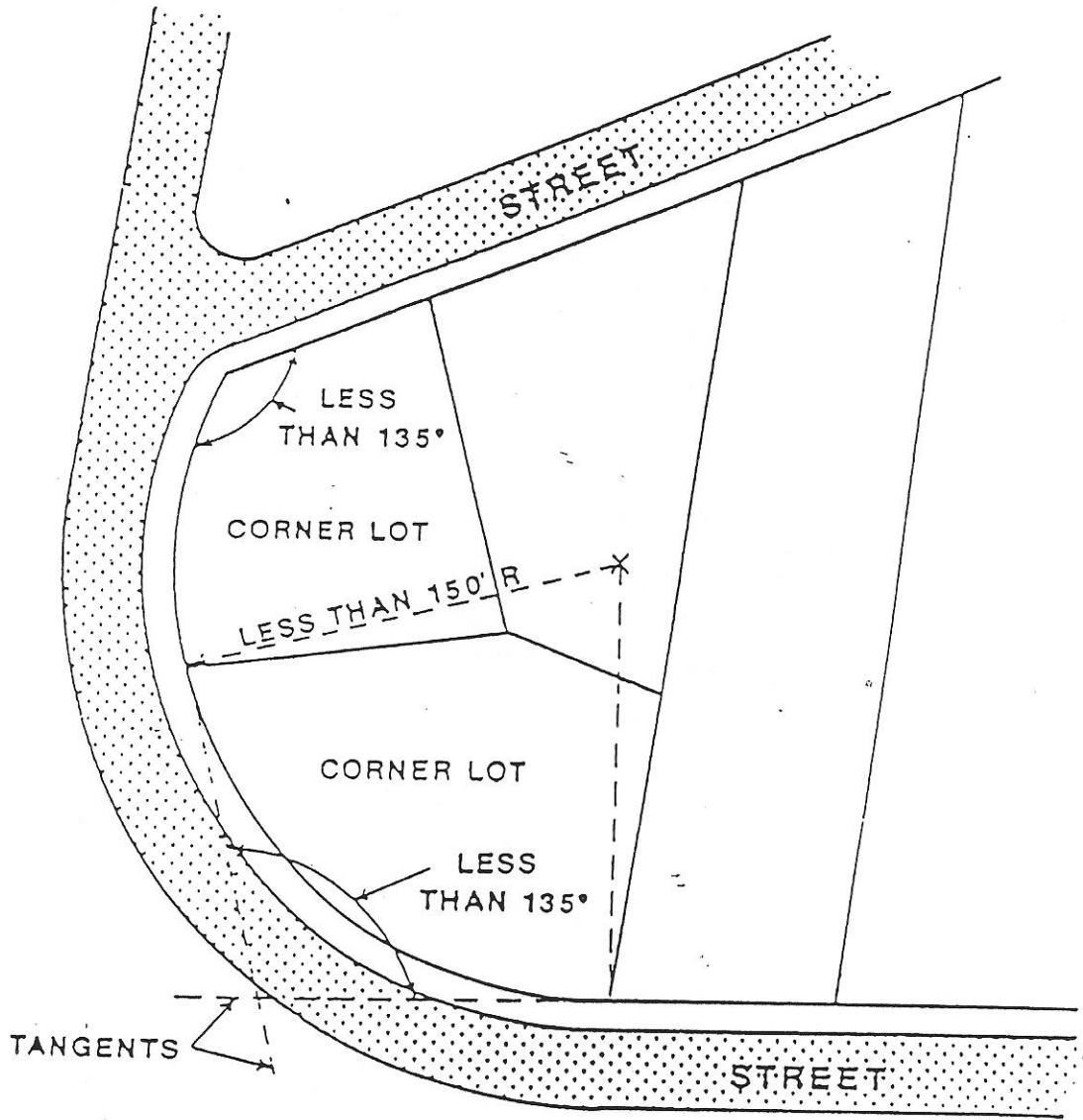


Figure 11-4 Corner Lot

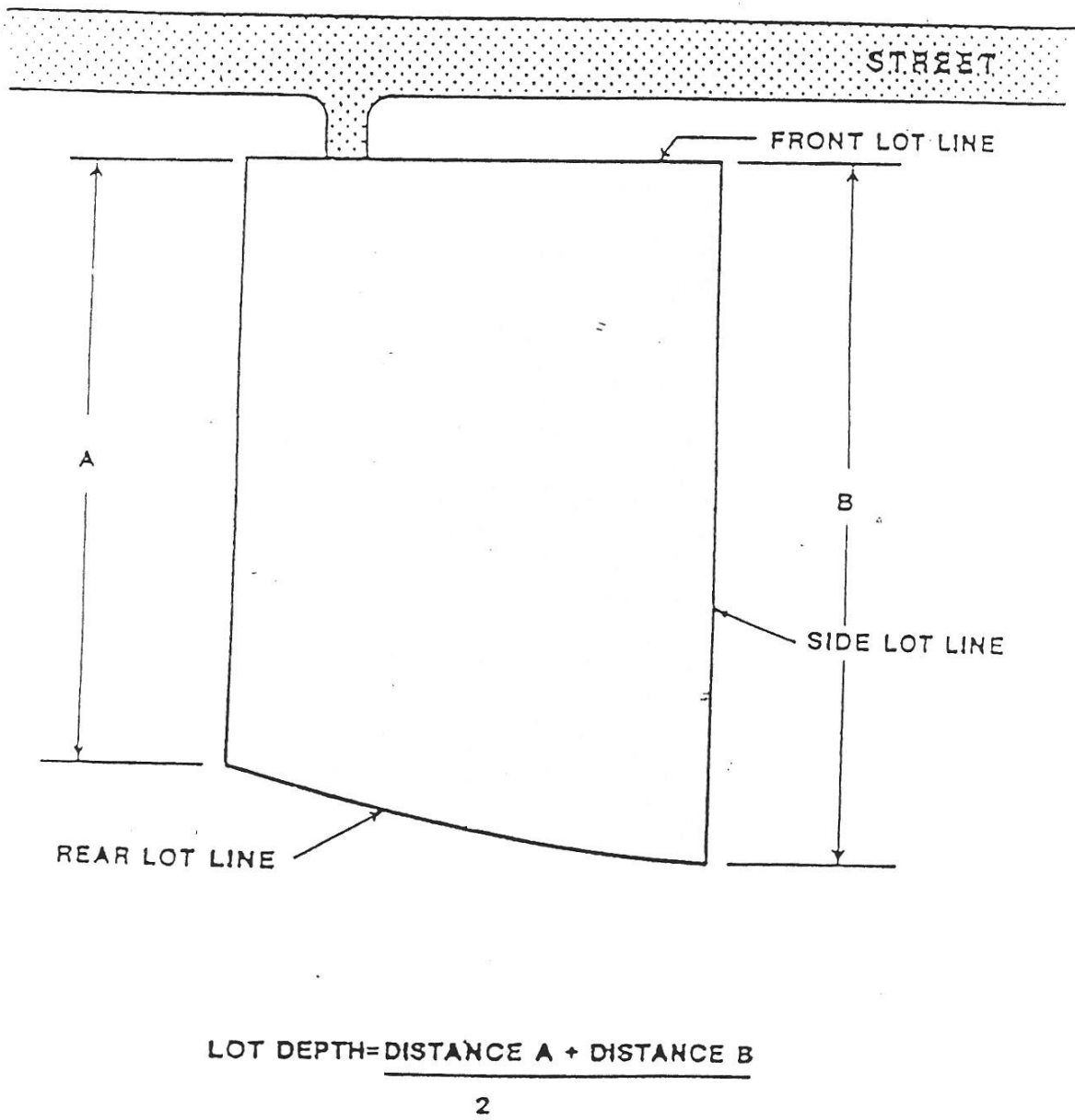


Figure 11-5 Lot Depth

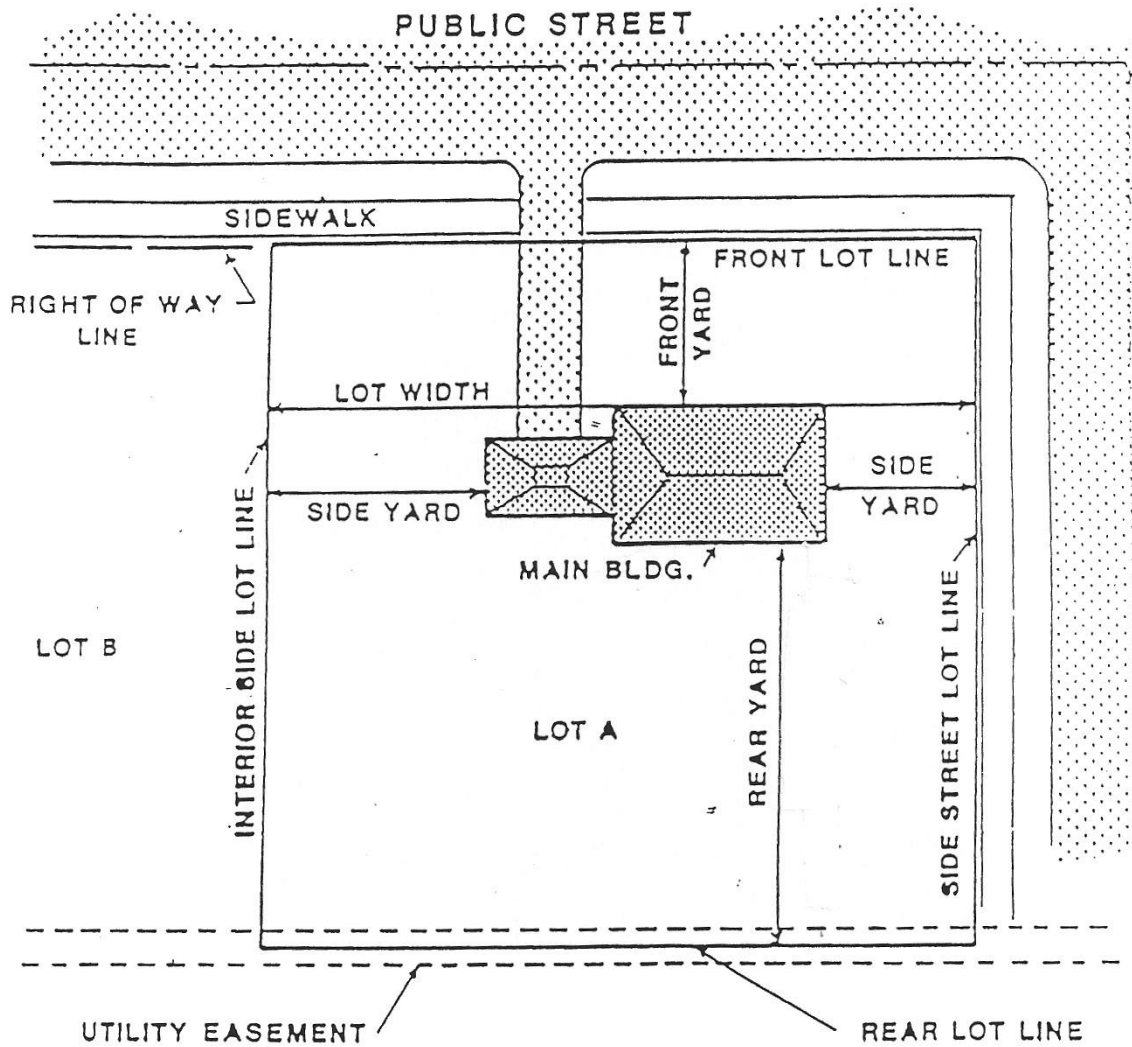


Figure 11-6 Lot Lines and Yards