



# White Lake Township Zoning Ordinance

As amended through February 3, 2022

(Intentionally Blank)

# Table of Contents

Table of Contents with Sections _____	ii
How to Use this Ordinance _____	vii
Article 1.0 Purpose and Introduction _____	1-1
Article 2.0 Definitions _____	2-1
Article 3.0 Zoning Districts _____	3-1
Article 4.0 Use Standards _____	4-1
Article 5.0 Site Standards _____	5-1
Article 6.0 Development Procedures _____	6-1
Article 7.0 Administration, Appeals and Enforcement _____	7-1



# Table of Contents with Sections

<b>How to Use this Ordinance</b> _____	<b>vii</b>
1. Content Organization and Page Layout _____	vii
2. Symbols and User Notes _____	viii
3. Reading the Ordinance _____	ix
4. Use Matrix _____	xi
5. District Summary Table _____	xv
6. Zoning Map _____	xvii
<b>Article 1.0 Purpose and Introduction</b> _____	<b>1-1</b>
Sec. 1.1 Short Title _____	1-3
Sec. 1.2 Conformance with Ordinance Provisions _____	1-3
Sec. 1.3 Conflicting Regulations and Restrictions _____	1-3
Sec. 1.4 District Boundary Changes _____	1-3
Sec. 1.5 Exemption of Essential Services _____	1-3
Sec. 1.6 Interpretation _____	1-3
Sec. 1.7 Catch Words, Catch Lines, Titles and Illustrations _____	1-3
Sec. 1.8 Scope _____	1-3
Sec. 1.9 Conflicting Provisions Repealed _____	1-3
Sec. 1.10 Validity _____	1-3
Sec. 1.11 Enactment and Effective Date _____	1-3
<b>Article 2.0 Definitions</b> _____	<b>2-1</b>
Sec. 2.1 Construction of Language _____	2-4
Sec. 2.2 Definitions _____	2-4
<b>Article 3.0 Zoning Districts</b> _____	<b>3-1</b>
Sec. 3.1 Districts Established _____	3-3
Sec. 3.2 Map _____	3-56
Sec. 3.3 Unlawful Structure _____	3-56
Sec. 3.4 Classification of Moved Structures _____	3-56
Sec. 3.5 Street Rights-Of-Way As District Boundaries _____	3-56
Sec. 3.6 Dwelling In Nonresidential Districts _____	3-56
Sec. 3.7 Dwelling In Other Than Main Structure _____	3-56
Sec. 3.8 Voting Place _____	3-56
Sec. 3.9 Open Space Preservation Option _____	3-57
Sec. 3.10 Attached Decks, Porches, And Patios In Residential Districts _____	3-59
Sec. 3.11 Notes To District Standards _____	3-59



# Table of Contents with Sections

<b>Article 4.0</b>	<b>Use Standards</b>	<b>4-1</b>
Sec. 4.1	Home Occupation	4-5
Sec. 4.2	Maintenance of Animals	4-7
Sec. 4.3	Administrative Standards for Adult Entertainment Uses	4-9
Sec. 4.4	Wind Energy Conversions Systems, Private	4-12
Sec. 4.5	Attached Secondary Dwelling Unit Standards	4-15
Sec. 4.6	Animal Care Facilities	4-15
Sec. 4.7	Adult Foster Care Facilities	4-16
Sec. 4.8	Automobile Facilities for Heavy Repairs	4-17
Sec. 4.9	Automobile Service Centers	4-18
Sec. 4.10	Automobile Service Stations	4-18
Sec. 4.11	Automobile Wash Establishments	4-19
Sec. 4.12	Bed and Breakfast Homes and Inns	4-19
Sec. 4.13	Cluster Housing Option	4-20
Sec. 4.14	Cemeteries	4-26
Sec. 4.15	Churches and Other Places of Worship	4-26
Sec. 4.16	Convalescent or Nursing Homes	4-27
Sec. 4.17	Drive-In or Drive-Thru Window Service	4-27
Sec. 4.18	Eating Establishments with Entertainment and/or Outdoor Dining	4-27
Sec. 4.19	Filling of Land	4-28
Sec. 4.20	Funeral Homes	4-29
Sec. 4.21	Government Offices and Township Buildings and Uses Without Service or Storage Yards	4-29
Sec. 4.22	Group Adult or Childcare Center, Including Nursery School	4-29
Sec. 4.23	Group Day Care Homes	4-30
Sec. 4.24	Heating/Electrical Power Plants, Public Utility Service and Storage Yards, Water Treatment and Sewage Disposal Facilities	4-31
Sec. 4.25	Home Centers, Lumber Yards, and Similar Large-Scale Retail Uses with Outdoor Sales/Storage/Display	4-31
Sec. 4.26	Indoor Recreation, Including Bowling Alleys, Dance Halls, Health Clubs, Racquet Sports Centers, Ice Arenas, and Similar Entertainment Facilities	4-31
Sec. 4.27	Intensive or Concentrated Animal Raising	4-32
Sec. 4.28	Junk Yards	4-32
Sec. 4.29	Local Utility Structures	4-33
Sec. 4.30	Hospitals and Other Health Care Facilities	4-33
Sec. 4.31	Marina	4-34
Sec. 4.32	Metal Buffing & Polishing	4-35
Sec. 4.33	Motels and Hotels	4-35
Sec. 4.34	New and Used Automobile Sales	4-36



# Table of Contents with Sections

Sec. 4.35	Office Buildings Over 20,000 Square Feet_____	4-36
Sec. 4.36	Open Air Businesses_____	4-36
Sec. 4.37	Outdoor Storage or Fleet Vehicles_____	4-37
Sec. 4.38	Outdoor Recreation Uses on a Minimum of 10 Acres_____	4-37
Sec. 4.39	Outdoor Storage of Pallets, Containers, Materials, Or Products Incidental to the Principal Permitted Use_____	4-41
Sec. 4.40	Private Clubs and Lodge Halls_____	4-41
Sec. 4.41	Processing Plants_____	4-41
Sec. 4.42	Public and Private Parks on Less Than 10 Acres_____	4-42
Sec. 4.43	Public and Private Schools_____	4-42
Sec. 4.44	Riding Academies, Boarding Stable and Public Stables_____	4-42
Sec. 4.45	Saw and Planing Mills_____	4-43
Sec. 4.46	Utility Transmission Structures_____	4-43
Sec. 4.47	Utility Transmission Systems_____	4-44
Sec. 4.48	Washing Facilities for Large Vehicles_____	4-44
Sec. 4.49	Water Disposal Transfer Station_____	4-45
Sec. 4.50	Water Access Lots_____	4-46
Sec. 4.51	Wireless Communication Antennas_____	4-49
Sec. 4.52	Mining or Extraction of Sand, Gravel, Stone, Topsoil, Clay, or Similar Aggregate or Mineral Resources_____	4-52
Sec. 4.53	Retail Stores in NMU District_____	4-57
Sec. 4.54	Temporary Roadside Stands_____	4-58
Sec. 4.55	Private Stables_____	4-58
Sec. 4.56	Community Garages_____	4-58
Sec. 4.57	Tree and Shrub Nurseries; Vegetable, Fruit, Flower and Herb Gardens____	4-58
Sec. 4.58	Basement, Temporary Garage or Trailer Dwellings_____	4-58
Sec. 4.59	Town Center Special Land Use_____	4-58
Sec. 4.60	Seasonal Boat Storage_____	4-59
<b>Article 5.0</b>	<b>Site Standards_____</b>	<b>5-1</b>
Sec. 5.1	Zoning Lot_____	5-3
Sec. 5.2	Lot Limitations_____	5-3
Sec. 5.3	Lots, Yards and Open Spaces_____	5-3
Sec. 5.4	Substandard Lots_____	5-3
Sec. 5.5	Frontage_____	5-3
Sec. 5.6	Visibility_____	5-3
Sec. 5.7	Accessory Buildings in Residential Districts_____	5-4
Sec. 5.8	Building Grades_____	5-4
Sec. 5.9	Signs_____	5-5



# Table of Contents with Sections

Sec. 5.10	Swimming Pools_____	5-16
Sec. 5.11	Off-Street Parking_____	5-16
Sec. 5.12	Fences, Walls and Other Protective Barriers_____	5-27
Sec. 5.13	Court Sports and Similar Facilities_____	5-28
Sec. 5.14	Gated Vehicular Access_____	5-28
Sec. 5.15	Private Easement Roads_____	5-29
Sec. 5.16	Private Access Drives_____	5-31
Sec. 5.17	Width to Length Proportion_____	5-35
Sec. 5.18	Performance Standards_____	5-35
Sec. 5.19	Landscape and Screening Requirements_____	5-40
Sec. 5.20	Multi-use, Non-Motorized Pathway Standards_____	5-52
Sec. 5.21	Public Sidewalk Standards_____	5-53
Sec. 5.22	Multi-use, Non-Motorized Pathway and Sidewalk Maintenance_____	5-53
<b>Article 6.0</b>	<b>Development Procedures_____</b>	<b>6-1</b>
Sec. 6.1	Condominium and Condominium Subdivision Approval_____	6-3
Sec. 6.2	Approval of Plats_____	6-14
Sec. 6.3	Traffic Impact Studies_____	6-15
Sec. 6.4	Access Management_____	6-20
Sec. 6.5	Regulations of Divisions of Parcels of Tracts of Land_____	6-26
Sec. 6.6	Community Impact Statement Requirements_____	6-26
Sec. 6.7	Planned Development Approval Process_____	6-27
Sec. 6.8	Site Plan Review and Approval_____	6-35
Sec. 6.9	Provision of Sewer and Water Service_____	6-45
Sec. 6.10	General Standards for All Special Land Uses_____	6-45
Sec. 6.11	Procedures for Review and Approval of Special Land Uses_____	6-46
<b>Article 7.0</b>	<b>Administration, Appeals and Enforcement_____</b>	<b>7-1</b>
Sec. 7.1	Enforcement_____	7-3
Sec. 7.2	Duties of the Building Official_____	7-3
Sec. 7.3	Permits_____	7-3
Sec. 7.4	Certificates of Occupancy_____	7-4
Sec. 7.5	Final Inspection_____	7-4
Sec. 7.6	Fees_____	7-4
Sec. 7.7	Amendments_____	7-5
Sec. 7.8	Performance Guarantees_____	7-5
Sec. 7.9	Initiation of Amendments_____	7-6
Sec. 7.10	Application Procedure_____	7-6
Sec. 7.11	Amendment Procedure; Public Hearing and Notice_____	7-7



# Table of Contents with Sections

Sec. 7.12	Amendments Required to Conform to Court Decree_____	7-8
Sec. 7.13	Criteria for Amendment of the Official Zoning Map_____	7-8
Sec. 7.14	Criteria for Amendments to Zoning Ordinance Text_____	7-9
Sec. 7.15	Approval of Zoning Amendments_____	7-10
Sec. 7.16	Effect of Conditional Rezoning_____	7-10
Sec. 7.17	Restoring Unsafe Buildings_____	7-11
Sec. 7.18	Construction Begun Prior to Adoption of Ordinance_____	7-11
Sec. 7.19	Posting of Road Bonds for Land Divisions_____	7-11
Sec. 7.20	Temporary Buildings and Uses_____	7-11
Sec. 7.21	Permit for Temporary Use of Motor Home, Manufactured Home or Travel Trailer_____	7-12
Sec. 7.22	Lots, Structures, Use of Land, Characteristics of Use_____	7-12
Sec. 7.23	Nonconforming Structures_____	7-12
Sec. 7.24	Nonconforming Uses of Land, or Land with Minor Structures _____	7-13
Sec. 7.25	Class A and Class B Nonconforming Uses_____	7-13
Sec. 7.26	Nonconforming Uses of Structures_____	7-14
Sec. 7.27	Nonconforming Lots of Record_____	7-15
Sec. 7.28	Repairs and Maintenance_____	7-15
Sec. 7.29	Nonconforming Validation Certificate_____	7-16
Sec. 7.30	Change of Tenancy or Ownership_____	7-16
Sec. 7.31	Special Regulations for Certain Property in the SF Suburban Farms Zoning District_____	7-16
Sec. 7.32	Creation of Zoning Board of Appeals_____	7-17
Sec. 7.33	Meetings_____	7-17
Sec. 7.34	Appeals and Special Approvals_____	7-18
Sec. 7.35	Notice of Hearing_____	7-18
Sec. 7.36	Powers of Zoning Board of Appeals Concerning Administrative Review and Variances_____	7-18
Sec. 7.37	Standards_____	7-19
Sec. 7.38	Zoning Board of Appeals Approval, Authority to Require Documentation_	7-20
Sec. 7.39	Approval Periods_____	7-20
Sec. 7.40	Appeals_____	7-20
Sec. 7.41	Interpretation and Application_____	7-20
Sec. 7.42	Presumption of Civil Infraction_____	7-21
Sec. 7.43	Violation and Penalties_____	7-21
Sec. 7.44	Lien Against Land, Building or Structure_____	7-22
<b>Amendments</b>		
	2021_____	A-1
	2022_____	A-2





# How to Use This Ordinance

## 1. CONTENT ORGANIZATION AND PAGE LAYOUT

The Zoning Ordinance is organized into seven Articles, which are further divided using standard outline hierarchy. The content and page layout are designed to promote a clear understanding of requirements, as well as quick retrieval of relevant standards, procedures and other information. The following key assists with navigating through this document.

**Article Tabs** link to the first page of each Article. Red tab indicates the Article in which the current page is located.

**User Notes** provide helpful information for digital and hard copy formats. User Notes are always highlighted in blue.

**Sections and Subsections** contain the Ordinance regulations in a hierarchical manner.

**Blue bold font** links to standards in other sections of the Ordinance.

**Graphics, figures, and tables** illustrate concepts or clarify regulations.

The diagram illustrates the layout of the R1-A Single Family Residential District section. On the left, a vertical sidebar contains seven article tabs: 1 Purpose and Introduction, 2 Definitions, 3 Zoning Districts, 4 Use Standards, 5 Site Standards, 6 Development Procedures, and 7 Admin and Enforcement. The main content area is divided into sections: A. INTENT, B. PERMITTED PRINCIPAL USES, C. SPECIAL LAND USES, and D. ACCESSORY USES. A 'User Note' is highlighted in blue. To the right, 'DEVELOPMENT STANDARDS' are listed, including Lot Size, Minimum Lot Coverage, Setbacks, Building Height, and Floor Area. A graphic shows a building footprint with setbacks and dimensions. Below the standards, 'SELECTED REFERENCES' are listed, including various sections of the ordinance. At the bottom, a navigation bar shows page numbers 3-8 and 3-9, and icons for information, zoning map, and other resources.

**Link to How to Use This Ordinance.**

**Link to Zoning Map.**

**Notes** provide relevant district information recommended for review.

**Link to Table of Contents.**

**Selected References** list other sections or Ordinances that may pertain to a development in the district.








**Pages** are numbered sequentially within each Article.



# How to Use This Ordinance

## 2. SYMBOLS AND USER NOTES

The following symbols are used throughout the Zoning Ordinance:

-  indicates the term is defined in Article 2, Definitions. (Note: Not every defined term is designated with a  symbol. Consult Article 2, Definitions, for a list of all defined terms.)
-  indicates there is a graphic that illustrates the standard or requirement.
-  identifies a property line.
-  identifies the right-of-way centerline.
- R/W* identifies the right-of-way.
-  identifies a **User Note** that provides helpful information for all users.
-  identifies a **Digital User Note** that provides helpful information for users with a digital version of the Zoning Ordinance.



# How to Use This Ordinance

## 3. READING THE ORDINANCE

Rules have been established to assist with interpreting the ordinance. Below are some rules to keep in mind when reading this document:


- ☑ Sometimes there may be general and specific regulations that pertain to one particular aspect of site design. In such instances, the specific regulations must be followed.
- ☑ Discrepancies between text and an illustration (including its caption) may occur. In the case of such discrepancies, the text is considered the accurate source of information.
- ☑ The use of the word shall carries significant meaning. Shall regulations must be followed. Requirements that use the word may are discretionary, meaning that the requirement is at the discretion of the Planning Commission or Zoning Board of Appeals.
- ☑ Article 2, Definitions, contains 174 terms. If a term is not listed in this section, it will carry the meaning customarily assigned to it.
- ☑ Conjunctions are often used and must be read accurately:
  - AND indicates that all connected items, conditions, provisions or events shall apply.
  - OR indicates that the connected items, conditions, provisions or events may apply singly or in any combination. (OR may also be read “and/or”)
  - EITHER ... OR indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination.

For more rules, see [Section 2.1 Construction of Language](#).

## Digital User Note:

### What is a link?


A link allows for quick reference to a relevant section. By ‘clicking’ a link, the user is taken directly to a page in the Ordinance or another reference document. The user may return to the original page by clicking the ‘previous view’ button in Adobe Acrobat Reader.


 If you do not see the ‘previous view’ button on your Adobe Acrobat Reader screen, you can add it by turning on your ‘page navigation toolbar’. For assistance, refer to the ‘Help’ menu in your version of Acrobat Reader.

### What information is linked?

All **blue text** is linked to either another page within the Zoning Ordinance, a separate City ordinance or document, or an external website.

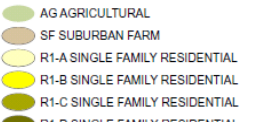
In addition, several other features of the document are linked to allow users to navigate through the ordinance. Click on any of the following features to quickly locate another section:

 **Article tabs** located on the side of each page are linked to the Contents page of each Article.

 **Icons** located at the bottom of each page are linked to the ‘How to Use This Ordinance’ section, the main Table of Contents, and the Zoning Map

 **Use Matrix district headings** are linked to the corresponding district regulations page in Article 3.

 **‘How do I calculate height’ button** located on each district regulations page is linked to the definition of building height in Article 2.

 **Zoning Map Legend headings** are linked to the corresponding district regulations page in Article 3.



# How to Use This Ordinance

(Intentionally Blank)




# How to Use This Ordinance

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use S = Special Land Use

 **Digital User Note:**  
Click on a district heading below to go directly to the corresponding district regulations.

	AG	SF	R1-A	R1-B	R1-C	R1-D	MHP	RM-1	RM-2	PD	NB-O	LB	NMU	RB	GB	PB	TC	PG	ROS	LM	ROP	E	
Administrative, professional, medical or dental offices										P	P	P	P	P	P	P	P	P				P	
Adult entertainment uses															P	P					P		
Adult foster care family home	P	P	P	P	P	P	P	P	P	P													
Adult foster care small group home	S	S	S	S				P	P														
Adult foster care large group home	S							P	P														
Adult foster care congregate facility	S	S						S	S														
Animal care facilities, kennels	S														S						P		
Animal care facilities, veterinary clinics and hospitals												S		S	S								
Automobile heavy repair facilities																					S		
Automobile service centers															S	P							
Automobile service stations														S	S	P							
Automobile wash establishments														S	S	P							
Banks, credit unions, savings and loan, and similar financial institutions										P	P	P	P	P	P	P	P					P	
Bed and breakfast homes	S	S								S		S		S									
Bed and breakfast inns										S		S		S	P	P	P						
Business support services													P		P	P	P	P					
Boat storage	S	S																					
Cemeteries	S	S	S																				
Cluster housing option	S	S	S	S	S	S				P													
Computer programming, servicing, and data processing and other computer related services																							P
Convalescent or nursing homes	S							S	S	P													
Corporate, business, design, engineering, and sales offices																							P
Crematorium																					P		
Day camp										P										P			
Department stores															P	P							
Drive-in or drive-thru window service, banks											S		S	S	S	P	S	S					
Drive-in or drive-thru window service, convenience market and pharmacy													S	S	S	P	S	S					
Drive-in or drive-thru window service, dry cleaners													S	S	S	P	S	S					
Drive-in or drive-thru window service, restaurant										P			S	S	S	P	S	S					
Entertainment and/or outdoor dining associated with a restaurant															S	P	P	P					
Educational facilities such as: zoological gardens, botanical gardens, bird sanctuaries, arboretums, and the like										P									P				
Excavation and removal of sand, gravel, and/or stone																							P

Continued on next page




Updated Through  
2/3/22

# How to Use This Ordinance

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use S = Special Land Use

 **Digital User Note:**  
Click on a district heading below to go directly to the corresponding district regulations.

	AG	SF	R1-A	R1-B	R1-C	R1-D	MHP	RM-1	RM-2	PD	NB-O	LB	NMU	RB	GB	PB	TC	PG	ROS	LM	ROP	E	
Family day-care homes (children)	P	P	P	P	P	P		P	P														
Farms	P																						
Funeral homes														S	P	P							
Government (non-Township) offices and uses without service or storage yards											S			S									
Government (Township only) offices, buildings and uses without service or storage yards	S	S	S	S	S	S				P	S			S	P	P	P		P				
Group day care homes	S	S	S																				
Health and fitness facilities													P				P	P					
Heating and electric power plants, public utility service and storage yards, water treatment and sewage disposal facilities																				S			
Home centers, lumber yards, and similar large-scale retail uses															S	P							
Home occupation	P	P	P	P	P	P											P						
Hospital and other health care facilities								S	S						S	P							
Hotels over three (3) stories																		S					
Household and office furniture stores															P	P							
Indoor recreation uses														S		P				S			
Institutions of higher learning																						P	
Instruction centers for academic and fine arts purposes													P				P	P					
Intensive or concentrated animal raising	S																						
Junk yards																				S			
Kitchen, bath, lighting, flooring and similar home improvement uses															P	P							
Laboratories including experimental and testing																					P		
Landscape, electrical, building and plumbing contractors and similar uses																					P		
Local utility structures, stations and substations	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	S		S	P	P		
Manufacturing, production, processing, assembly, machining, molding, extrusion or fabrication of articles from previously prepared materials																					P		
Marina																			S				
Metal buffing and polishing																				S			
Mobile home parks							P																
Motels and hotels													P	S	P	P	P	P					
Multiple-family dwellings									P	P			P				P	P					

Continued on next page




# How to Use This Ordinance

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use S = Special Land Use

 **Digital User Note:**  
Click on a district heading below to go directly to the corresponding district regulations.

	AG	SF	R1-A	R1-B	R1-C	R1-D	MHP	RM-1	RM-2	PD	NB-O	LB	NMU	RB	GB	PB	TC	PG	ROS	LM	ROP	E	
New and used automobile sales															S	P							
Nursery schools, group adult and child care centers								S	S	P	S	P	P	P	P	P	P			S	S		
Office buildings over 20, 000 sq ft											S	P		P	P	P							
Open air businesses														S	S	P							
Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38	P	P	P	P	P	P	P	P	P	P								P	P				
Outdoor recreation uses, archery																			S	S			
Outdoor recreation uses, beaches																			S				
Outdoor recreation uses, campgrounds	S																		S				
Outdoor recreation uses, children's amusement park																			S				
Outdoor recreation uses, driving range	S									P									S				
Outdoor recreation uses, fairgrounds																			S				
Outdoor recreation uses, public and private golf courses and country clubs including "par three"	S	S	S							P									P				
Outdoor recreation uses, hay rides	S																		S				
Outdoor recreation uses, hunting, fishing, and shooting preserves																			S				
Outdoor recreation uses, large sports/playfields	S	S	S																S				
Outdoor recreation uses, miniature golf																			S				
Outdoor recreation uses, picnic grounds	S	S	S																S				
Outdoor recreation uses, snowmobile trails	S																		S				
Outdoor recreation uses, swimming facilities		S	S																S				
Outdoor recreation uses, water parks																			S				
Outdoor storage of fleet vehicles															S	P				S			
Outdoor storage of pallets, containers, materials, or products																				S			
Personal services										P		P	P	P	P	P	P	P					
Photography or artists' studios										P	P	P	P	P	P	P	P	P				P	
Places of worship	S	S	S	S	S	S							P	P	P	P	P	P					
Private clubs and lodge halls														S		P							
Private clubs for swimming, tennis and the like										P									P				
Private stables	P	P																					
Public and private schools	S	S	S	S	S	S	S	S	S														
Radio or television studios														P	P	P							
Research, design and pilot or experimental product development																				P	P		
Restaurants, fast-food or carry-out										P		P	P	P	P	P	P	P					

Continued on next page




Updated Through 3/10/21

# How to Use This Ordinance

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use S = Special Land Use

 **Digital User Note:**  
Click on a district heading below to go directly to the corresponding district regulations.

	AG	SF	R1-A	R1-B	R1-C	R1-D	MHP	RM-1	RM-2	PD	NB-O	LB	NMU	RB	GB	PB	TC	PG	ROS	LM	ROP	E	
Restaurants without alcoholic beverages										P		P	P	P	P	P	P	P					
Restaurants with wine and/or beer only													P	P	P	P	P	P					
Restaurants with full alcoholic beverage service										P					P	P	P	P					
Retail commercial uses										P		P	P	P	P	P	P	P					
Riding academies, boarding stable, and public stables	S																		S				
Sand, gravel or stone processing plants																							S
Saw and planing mills																				S			
Single-family attached dwellings								P	P	P			P				P						
Single-family detached dwellings	P	P	P	P	P	P				P													
Ski resorts										P									P				
Storage and stockpiling of sand, gravel and/or stone being mined																							P
Temporary agricultural uses	P																						
Temporary roadside stands	P	P																					
Temporary uses within a building	P																						
Theaters, concert halls, or similar places of assembly													P	P	P	P	P	P					
Tree And Shrub Nurseries; Vegetable, Fruit, Flower And Herb Gardens	P	P																					
Toboggan runs										P									P				
Trade, industrial or technical training schools																				P	P		
Two-family dwelling								P	P	P			P										
Utility transmission structures, gas compressor stations																				S			
Utility transmission structures, high voltage electric stations	S																			S			
Utility transmission systems	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Vegetable, fruit, flower, and herb gardening	P	P																					
Warehousing and self storage facilities																				S			
Washing facilities for large vehicles																				S			
Waste disposal transfer stations and composting facilities																				S			
Wildlife preserves										P									P				
Wireless communication antennas	S	S	S	S	S	S	S	S	S	S	S	S			S	P			S	S	S		





# How to Use This Ordinance

## 5. DISTRICT SUMMARY TABLE

Below is a quick reference table that summarizes district regulations. Consult [Article 3 Zoning Districts](#) for additional requirements and exceptions to the information below.

District Summary Table					
District	Minimum Lot Size	Minimum Lot Width (feet)	Setbacks		
			Front Yard (feet)	Side Yards (feet)	Rear Yard (feet)
AG Agricultural	5 acres	300	35	25 min	50
SF Suburban Farms	2 acres	165	35	25 min	50
R1-A Single Family	1 acre	150	35	25 min	40
R1-B Single Family	20,000 square feet	120	35	10 min 30 total	40
R1-C Single Family	16,000 square feet	100	35	10min	35
R1-D Single Family	12,000 square feet	80	30	10 min	30
MHP Mobile Home Park	40 acres	600	40	25 min	25
RM-1 Attached Single Family	10,000 square feet (first unit)	100	40	25 min	40
RM-2 Multiple-Family	10,000 square feet (first unit)	200	40	70 one 100 total	45
PD Planned Development	10 acres	Determined by Planning Commission**	40	25 min	**
NB-O Neighborhood Office	1 acre	120	25	10min 30 total	20
LB Local Business	1 acre	120	25	10min 30 total	20
NMU Neighborhood Mixed Use	5,000 square feet	Not specified	0	0	5 alley 25 no alley
RB Restricted Business	1 acre	120	25	15 min	20
GB General Business	1 acre	200	50	15 min	20
PB Planned Business	10 acres	Determined by Planning Commission**	50	**	**
TC Town Center	5,000 square feet	20 - Lakes Town Center Not Specified - 4 Towns	0	5 alley 25 res*	5 alley 25 no alley
PG Pontiac Lake Gateway	5,000 square feet	Not specified	0	0 interior 25 res*	5 alley 25 no alley
ROS Recreation & Open Space	3 acres	200	25	25	25
LM Light Manufacturing	1 acre	175	70	50 min	50
ROP Research Office Park	5 acres	200	100	50 min	100

\* Adjoining residential district



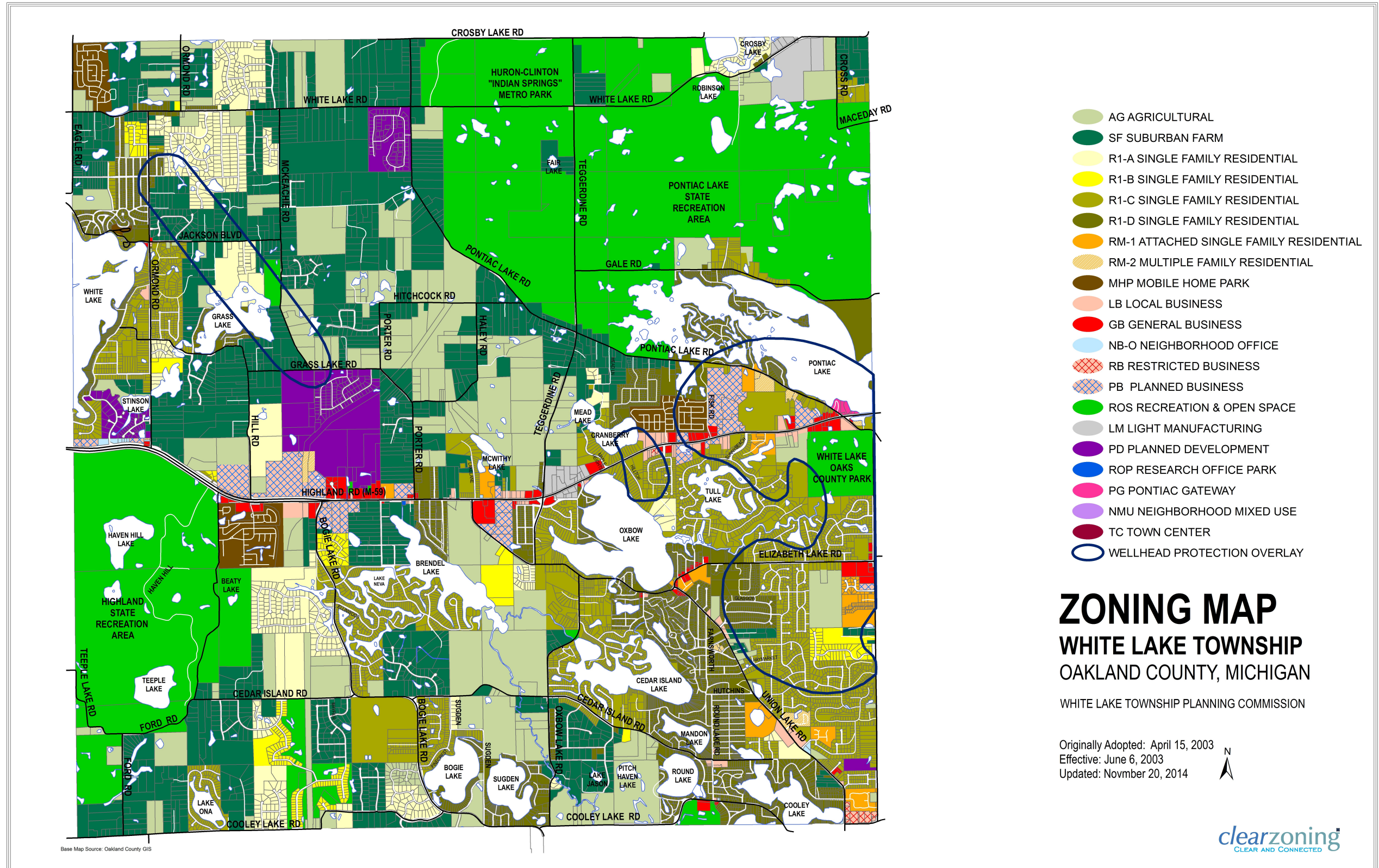
# How to Use This Ordinance

(Intentionally Blank)



# How to Use This Ordinance

## 6. ZONING MAP



(Intentionally Blank)

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 1.0

## *Purpose and Introduction*



**Article 1.0 Purpose and Introduction**

- 1.1 Short Title
- 1.2 Conformance With Ordinance Provisions
- 1.3 Conflicting Regulations and Restrictions
- 1.4 District Boundary Changes
- 1.5 Exemption of Essential Services
- 1.6 Interpretation
- 1.7 Catch Words, Catch Lines, Titles and Illustrations
- 1.8 Scope
- 1.9 Conflicting Provisions Repealed
- 1.10 Validity
- 1.11 Enactment and Effective Date



# 1.0 Purpose and Introduction

## 1.1 SHORT TITLE

This Ordinance shall be known and may be cited as the Zoning Ordinance of the Township of White Lake, Oakland County, Michigan.

## 1.2 CONFORMANCE WITH ORDINANCE PROVISIONS

- A. Except as hereinafter provided, no building, lot, land or part thereof shall be used, altered, constructed or reconstructed nor shall alterations be made in any existing building in White Lake Township except in conformance with the provisions of this Ordinance which apply to the zone in which it is located.
- B. Uses for enterprises or purposes that are contrary to federal, state, county or local laws or ordinances are prohibited.

## 1.3 CONFLICTING REGULATIONS AND RESTRICTIONS

It is not intended by this Ordinance to repeal, abrogate, or annul any permits previously issued pursuant to laws or ordinances relating to the use of buildings, or land, nor is it intended by this Ordinance to abrogate or annul any existing easement, conveyance, or other agreement between parties or restriction imposing more stringent requirements.

## 1.4 DISTRICT BOUNDARY CHANGES

When district boundaries are changed, any nonconforming use may be continued but subject to all other provisions of this Ordinance.

## 1.5 EXEMPTION OF ESSENTIAL SERVICES (PUBLIC AND QUASI-PUBLIC UTILITIES).

Essential services shall be permitted as authorized and regulated by law and other ordinances of the Township of White Lake, it being the intention hereof to exempt such essential services from the application of this Ordinance, except for yard space requirements for zoning districts wherein they are located.

## 1.6 INTERPRETATION

The provisions of this Ordinance shall be liberally interpreted in order to promote the purposes set forth in the Preamble and the requirements and standards herein set forth shall be construed as the minimum requirements and standards.

## 1.7 CATCH WORDS, CATCH LINES, TITLES AND ILLUSTRATIONS

Catch words, catch lines, titles and illustrations used in this Ordinance shall, in no way by their presence or absence, limit or affect the meaning of this Ordinance.

## 1.8 SCOPE

No building or structure or part thereof, shall hereafter be erected, constructed, reconstructed or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of this Ordinance, and the Township Building Code.

## 1.9 CONFLICTING PROVISIONS REPEALED

All other ordinances and parts of ordinances in conflict with this Ordinance to the extent of such conflict and no further, are hereby repealed. The Zoning Ordinance, Ordinance No. 58, for the Township of White Lake, Oakland County, Michigan, effective June 6, 2003, and as amended, specifically repealed in its entirety.

## 1.10 VALIDITY

This Ordinance and the various articles, sections, paragraphs and clauses thereof are hereby declared to be severable. If any article, section, paragraph, or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected, thereby provisions of this ordinance shall control.

## 1.11 ENACTMENT AND EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after publication in a newspaper having general circulation in the Township of White Lake, Oakland County, Michigan.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

(Intentionally Blank)





**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# *Article 2.0*

## *Definitions*



1 Purpose and Introduction
2 Definitions
3 Zoning Districts
4 Use Standards
5 Site Standards
6 Development Procedures
7 Admin and Enforcement

## Article 2.0 Definitions

- 2.1 Construction of Language
- 2.2 Definitions

Accessory Structure	Composting	Gasoline Stations, Self-Service
Accessory Use	Condominium-Related	Gasoline Stations, Full Service
Acreage Parcel	Conservation Easement	Grade
Adult Entertainment Use*	Convalescent Home/Nursing Home	Greenbelt
Adult Foster Care Facilities*	Co-Op	Greenway
Agricultural Land	Court	Group Adult or Child Care Center (Nursery School)
Agricultural Use	Critical Materials	Group Day Care Facility
Airport	Development Rights	Group Day Care Home
Airport Approach Plan And Airport Layout Plan	District	Hazardous Material
Airport Manager	Drive Thru	Hazardous Substances
Airport Zoning Regulations	Driveway	Height of Building
Alterations	Driveway Approach	Home Occupation
Apartment	Dwelling, Multiple	Hotel
Architectural Features	Dwelling, Row or Terrace	Improvements
Assessor	Dwelling, Single-Family	Junk
Automobile Wash Establishment	Dwelling, Two-Family	Junk Yard
Automobile Repair	Dwelling Unit	Kennel, Commercial
Automobile Service Center	Easement	Laboratory
Basement	Efficiency Unit	Land Balancing
Bed and Breakfast	Erected	Loading Space
Berm	Essential Services	Lot
Block	Excavating	Lot Area
Board of Appeals	Façade	Lot, Corner
Boat Livery or Rental	Family	Lot Coverage
Boat Marina (Boat Yard)	Family Day Care Home	Lot Depth
Building Area	Farm	Lot, Interior
Building	Farm Buildings	Lot Lines*
Building Height	Filling	Lot of Record
Building Line	Fire Lane	Lot, Through
Building Official	Fleet Vehicle	Lot Width
Building Permit	Floor Area, Usable	Malfeasance
Building Principal	Floor Area, Usable (for parking purposes)	Manufactured Building
Business Support Services	Frontage	Manufactured Dwelling
Cellar	Garage, Private	Mezzanine
Club	Garage, Public	Misfeasance
Cluster Home	Garage, Storage	Mobile Home
Code Official	Garbage	Mobile Home Park
Collocation		

\*Multiple terms are defined in this ordinance.



Modular Home	Structure
Motel	Structure, Outdoor Advertising
Nonconforming Building	Structural, Principal
Nonconforming Use	Subdivision Plat
Nonfeasance	Supervisor
Nuisance	Swimming Pool
Nursery School	Temporary Building and Use
Nursing Home	Tents
Occupied	Township
Off-Street Parking Lot	Township Board
Open Air Business Uses	Trailer
Owner	Trash Storage Area (Dumpsters)
Parking Space	Truck
Partially Nude	Undeveloped State
Person	Use
Personal Services	Variance
Planning Commission	Waste Disposal Transfer Station
Private Access Drives	Wireless Communication
Private Road	Antenna
Public Utility	Yard
Registered Lane Surveyor	Yard, Front
Retail Commercial Uses	Yard, Rear
Restaurants	Yard, Side
Roadside Stands	Zoning Board of Appeals
Rubbish	Zoning Jurisdiction
Seasonal Boat Storage	Zoning Lot
Semi-Truck	
Service Drive	
Setback	
Sign*	
Single Ownership	
Site Area, Gross	
Site Area, Net	
Site Condominium	
Site Plan	
Soil Removal	
Special Land Use	
Stable, Private	
Stable, Public	
State Equalized Valuation	
State Licensed Residential	
Facility	
Story	
Story, Ground	
Story, Half	
Street	
Structural Alteration	

\*Multiple terms are defined in this ordinance.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



# 2.0 Definitions

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## 2.1 CONSTRUCTION OF LANGUAGE

For the purpose of this Ordinance, certain terms are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular number. The word "shall" is always mandatory and not merely directory.

The word "lot" includes the words "plot" or "parcel". The words "used" or "occupied" include the words "intended", "designed" or "arranged". The term "person" shall mean an individual, partnership, corporation, or other association or their agents. Terms not herein defined shall have the meanings customarily assigned to them.

## 2.2 DEFINITIONS

### ACCESSORY STRUCTURE or ACCESSORY BUILDING.

A subordinate building, the use of which is clearly incidental to that of the principal building or structure. Accessory structures must be located on the same property as the building or use to which they are accessory.

**ACCESSORY USE.** A use naturally and normally incidental and subordinate to, and devoted exclusively to, the main use of the premises.

**ACREAGE PARCEL.** Any parcel of land in White Lake Township which parcel is not located in or part of a recorded plat.

**ADULT ENTERTAINMENT USE.** Any commercial use of land, which is also one of the following:

1. **Adult Arcade** means a place to which the public is permitted or invited to view live images, motion pictures, video or laser disc pictures, digital media, or other products of image-producing devices where the images displayed are distinguished or characterized by the depicting or describing of "Specified Sexual Activities" or "Specified Anatomical Areas".
2. **Adult Novelty / Media Store** means a commercial establishment which,
  - A. has as one of its business purposes the regular sale or rental of;

- B. has a substantial or significant portion or its stock or trade for sale or rental or any form of consideration; any one or a combination of the following: books or other reading materials, live images, photographs, films, motion pictures, video cassettes, video discs or other video reproductions, digital media, slides or other visual representations characterized by the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas"; or instruments, devices, clothing or paraphernalia which are designed for use in connection with "Specified Sexual Activities".

3. **Adult Cabaret** means a night club, bar, restaurant, or similar commercial establishment which regularly features: persons who appear in a state of nudity or seminudity; live performances which are characterized by the exposure of "Specified Anatomical Areas" or by "Specified Sexual Activities"; or films, motion pictures, live images, video cassettes or discs, digital media, slides or other photographic reproductions which are characterized by the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas".
4. **Adult Model Studio** means any place where a person who appears semi-nude, in a state of nudity, or who displays "Specified Anatomical Areas" and is provided to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons who pay money or any form of consideration. Adult Model Studio shall not include a proprietary school licensed by the State of Michigan or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or a use in a structure: (a) that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and (b) where in order to participate in a class a student must enroll at least three days in advance of the class; and (c) where no more than one nude or semi-nude model is on the premises at any one time.



5. **Adult Motel** means a hotel, motel or similar commercial establishment which: (a) offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, videocassettes, video discs, digital media, slides, or other photographic reproductions which are characterized by the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas"; and has a sign visible from the public right of way which advertises the availability of this adult type of photographic reproductions; or (b) offers a sleeping room for rent for a period of time that is less than ten (10) hours; or (c) allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten (10) hours.
6. **Adult Motion Picture Theater** means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, video discs, digital media, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas".
7. **Adult Sexual Encounter Establishment** means a business or commercial enterprise that, as one of its principal purposes, regularly offers for any form of consideration: (1) physical contact in the form of wrestling or tumbling between persons of the opposite sex; or (2) activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.
8. **Adult Theater** means as a theater, concert hall, auditorium, or similar commercial establishment that regularly features persons who appear in a state of nudity or seminudity, or live performances which are characterized by the exposure of "Specified Anatomical Areas" or by "Specified Sexual Activities".
9. **Nudity or a State of Nudity** means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.

10. **Semi-Nude or a Semi-Nude Condition** means the showing of the female breast below a horizontal line across the top of the areola at its highest point or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part.
11. **"Specified Sexual Activities"**
  - A. Sex acts, actual or simulated, including acts of human masturbation, oral copulation, sexual intercourse or sodomy;
  - B. Fondling or other erotic touching of human genitals, pubic region, buttock, anus, or female breast.
  - C. Excretory functions as part of or in connection with any of the activities set forth in this definition.
12. **"Specified Anatomical Areas"**
  - A. Less than completely and opaquely covered: 1) human genitals, 2) pubic region, 3) buttocks, and 4) female breast below a point immediately above the top of the areola; and
  - B. Human genitals in a discernibly turgid state, even if completely and opaquely covered.

**ADULT FOSTER CARE FACILITIES.** A governmental or non-governmental establishment that provides foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled or require continuous care. An adult foster care facility does not include nursing homes, hospitals, alcohol or substance abuse rehabilitation centers or residential centers for persons released from or assigned to a correctional facility. Adult foster care facilities are licensed and regulated by the State of Michigan under Michigan Public Act 218 of 1979, as may be amended from time to time, and rules promulgated by the State Department of Consumer and Industry Services.

1. **Adult foster care family home.** A private home with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.

1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

2. **Adult foster care small group home.** A private home with the approved capacity to receive at least seven (7) but not more than twelve (12) adults who are provided supervision, personal care, and protection, in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation.
3. **Adult foster care large group home.** A private home with the approved capacity to receive at least thirteen (13) but not more than twenty (20) adults who are provided supervision, personal care, and protection, in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation.
4. **Adult foster care congregate facility.** A foster care facility with the approved capacity to receive more than twenty (20) adults who are provided supervision, personal care, and protection, in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation.

**AGRICULTURAL LAND.** Substantially undeveloped land devoted to the production of plants and animals useful to humans, including but not limited to, forage and sod crops, grains, feed crops, field crops, dairy products, poultry and poultry products, livestock, herbs, flowers, seeds, grasses, nursery stock, fruits, vegetables, Christmas trees, and other similar uses and activities.

**AGRICULTURAL USE.** Any land or building used for a purpose of producing grain, orchards, nurseries, dairying, vegetables, livestock or fowl, or other crops and animal husbandry.

**A**  
**AIRPORT.** An airport licensed by the Michigan Department of Transportation, Bureau of Aeronautics under section 151 of the Aeronautics Code of the State of Michigan, 1945 PA 327, MCL 259.151.

**AIRPORT APPROACH PLAN AND AIRPORT LAYOUT PLAN.** A plan or amendment to a plan, filed with the Zoning Commission under section 151 of the Aeronautics Code of the State of Michigan, 1945 PA 327, MCL 259.151.

**AIRPORT MANAGER.** As defined in section 10 of the Aeronautics Code of the State of Michigan, 1945 PA 327, MCL 259.151.

**AIRPORT ZONING REGULATIONS.** As defined under the Airport Zoning Act, 1950 (Ex Sess) PA 23 MCL 259.431 to 259.465, for an airport hazard area that lies in whole or in part in the area affected by a zoning ordinance under this act.

**ALTERATIONS.** Any change, addition, or modification in construction or type of occupancy; and change in the structural members of a building such as walls, partitions, columns, beams, girders, or any change which may be referred to herein as "altered" or "reconstructed."

**APARTMENT.** A residential structure containing three (3) or more attached dwelling units, usually offered for rent.

**ARCHITECTURAL FEATURES.** Includes cornices, eaves, gutters, belt courses, sills, lintels, bay window, chimneys, and decorative ornaments.

**ASSESSOR.** The person(s) or firm in charge of assessing property in White Lake Township.

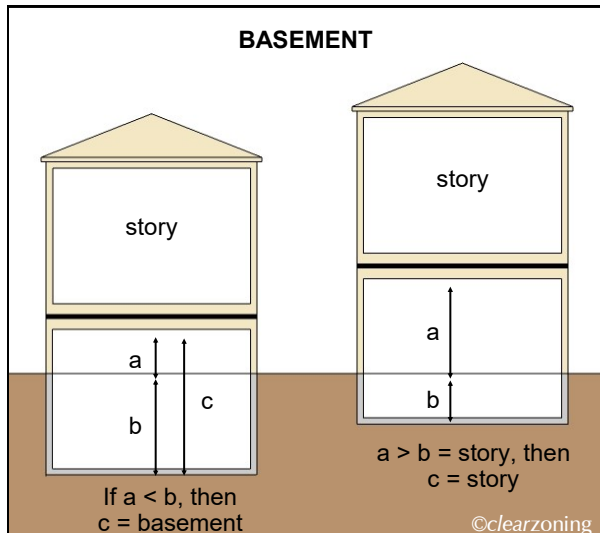
**AUTOMOBILE WASH ESTABLISHMENT.** A building, or portion thereof, where automobiles are washed as a commercial enterprise.

**AUTOMOBILE REPAIR.** The general repair, tune-up, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair, but not including undercoating and overall painting of automobiles unless conducted in a completely enclosed spray booth with state-approved ventilation.

**AUTOMOBILE SERVICE CENTER.** A facility where minor repair of customer vehicles is performed on site. (Also See Gasoline Stations)



**BASEMENT.** A portion of a building partly below grade but so located that the vertical distance from the grade to the basement floor is greater than the vertical distance from the grade to the basement ceiling. A basement shall not be included as a story for height measurement, and not counted as floor area. ✍



**BED AND BREAKFAST.** A single-family dwelling in which the owner/operator provides overnight accommodations to guests in return for payment, and without kitchen facilities for serving or preparing meals for the overnight guests which are separate from those for the residence.

**BERM.** A mound of earth planted with scrubs, grass, and trees or suitable ground cover in accordance with the Landscaping and Screening section of the Zoning Ordinance, constructed to sufficient height, length, and width to act as a screening barrier where required by this Ordinance.

**BLOCK.** The property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

**BOARD OF APPEALS.** The Zoning Board of Appeals of the Township of White Lake.

**BOAT LIVERY OR RENTAL.** Any premises on which boats or floats of any kind are kept for the purpose of renting, leasing or providing use thereof to persons other than the owners for a charge or fee.

**BOAT MARINA (BOAT YARD).** A water craft complex, on and/or adjacent to a waterway used primarily for recreation purposes, including the refueling of watercraft and providing minor repair services for such craft, not involving removal of watercraft from the water or removal of inboard or outboard engines from the watercraft. A marina may provide unwallled covered storage not involving the removal of craft from the water. A marina may include on-shore, as accessory service uses, a food service establishment, laundry or sanitary facilities, marine related convenience items, and other customary accessory facilities. A marina does not include facilities for boat or motor rental, mechanical or structural repair or boat hauling. The term marina shall not include a boat livery.

**BUILDABLE AREA.** The space remaining after the minimum open space requirements of this Ordinance have been complied with.

**BUILDING.** A structure having a roof supported by columns or walls for shelter, support or enclosure of persons, animals or chattels. When any portion thereof is completely separated from every other part thereof by division walls from the ground up, and without openings, each portion of such building shall be deemed a separate building.

**BUILDING HEIGHT.** See Height of Building.

**BUILDING LINE.** A line established in general, parallel to the front street line between which line and the front street line no part of a building shall project, except as otherwise provided by this Ordinance.

**BUILDING OFFICIAL.** The Building Official of the Township of White Lake, or his/her authorized representative.

**BUILDING PERMIT.** The written authority issued by the Code Official or his/her agent of the Township permitting the construction, removal, moving, alterations or use of a building in conformity with the provisions of this Ordinance.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



**BUILDING, PRINCIPAL.** A building in which is conducted the principal use of the lot on which it is situated. This shall include any buildings which are attached to the principal building.

**BUSINESS SUPPORT SERVICES.** Establishments providing services principally to other businesses, such as: photocopying and printing; photo finishing; business equipment and furniture rental and leasing; computer and telephone sales, software and support; advertising, mailing, marketing and promotions; business or office incubator, co-working center; and similar uses as determined by the approval authority.

**CELLAR.** (See Basement)

**CLUB.** An organization of persons for special purposes or the promulgation of agriculture, sports, arts, science, literature, politics, or the like, but not for profit.

**CLUSTER HOME.** Those homes permitted on lots in recorded plats or site condominiums wherein lot sizes may be smaller than the size usually allowed, except that cluster lots also meet the special provisions of this ordinance.

**CODE OFFICIAL.** The officer or other designated authority charged with the administration and enforcement of the codes of White Lake Township, or a duly authorized representative.

**COLLOCATION.** The location by two or more wireless communication providers of wireless communication antennas on a common support structure, tower, or building, with the view toward reducing the overall number of structures required to support wireless communication antennas within the community.

**COMPOSTING.** A controlled process of degrading compostable organic material by microorganisms.

**CONDOMINIUM-RELATED** (See Section 4.21.A – Condominium and Condominium Subdivision Approval – Definitions Pertaining to Condominiums)

1. **Commercial, office and industrial condominium project** shall mean a condominium project in which business buildings, whether on a common site or on individual site, constitute individual condominium units.

- 2. **Condominium Act** means Act 59 of 1978, as amended.
- 3. **Condominium documentation** means the Master Deed, By-laws, Exhibit “B” drawings, on-site and off-site easements, and any other documentation required by the Township or required for the condominium development.
- 4. **Condominium subdivision** shall be equivalent to the term "subdivision" as used in this Zoning Ordinance and the Subdivision Regulations Ordinance.
- 5. **Condominium subdivision plan** means the site, survey and utility plans; floor plans; floodplain plans; and sections, as appropriate, showing the existing and proposed structures and improvements including the location thereof on the land. The condominium subdivision plan shall show the size, location, area, and horizontal boundaries of each unit as well as vertical boundaries and volume for each unit comprised of enclosed air space. A number shall be assigned to each condominium unit. The condominium subdivision plan shall include the nature, location, and approximate size of common elements.
- 6. **Condominium unit** means that portion of the condominium project designed and intended for separate ownership and use, as described in the master deed.
- 7. **Consolidating master deed** means the final amended master deed for a contractible condominium project, an expandable condominium project, or a condominium project containing convertible land or convertible space, which final amended master deed fully describes the condominium project as completed.
- 8. **Contractible condominium** means a condominium project from which any portion of the submitted land or buildings may be withdrawn pursuant to express provision in the condominium documents and in accordance with this Ordinance and the Condominium Act.
- 9. **Conversion condominium** means a condominium project containing condominium units some or all of which were occupied before the establishment of the condominium project.





10. **Convertible area** means a unit or a portion of the common elements of the condominium project referred to in the condominium documents within which additional condominium units or general or limited common elements may be created pursuant to express provision in the condominium documents and in accordance with this Ordinance and the Condominium Act.
11. **Expandable condominium** means a condominium project to which additional land may be added pursuant to express provision in the condominium documents and in accordance with this Ordinance and the Condominium Act.
12. **Front yard setback** shall be equal to the distance between the front yard area line and the dwelling or building occupying that homesite or condominium unit.
13. **General common element(s)** are areas other than limited common elements, used by all members of the development, such as roads, utilities, storm water basins, common open space, etc.
14. **Limited common element(s)** are areas restricted for the exclusive use of one or more condo unit owners.
15. **Lot** shall mean the same as "Homesite", "Building Site" and "Condominium Unit".
16. **Manufactured home condominium project** means a condominium project in which manufactured homes are intended to be located upon separate sites which constitute individual condominium units.
17. **Master deed** means the condominium document recording the condominium project as approved by the zoning administrator to which is attached as exhibits and incorporated by reference the approved bylaws for the project and the approved condominium subdivision plan for the project.
18. **Rear yard setback** shall be equal to the distance between the rear yard area line and the condominium dwelling.
19. **Side yard setback** shall be equal to the distance between the side yard area line and the condominium dwelling.

**CONSERVATION EASEMENT.** As defined in section 2140 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.2140.

**CONVALESCENT HOME / NURSING HOME.** A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.

**CO-OP (COOPERATIVE).** A residential or commercial building or group of buildings owned jointly in which the benefits or profits are shared by the common owners.

**COURT.** An open unoccupied space other than a yard on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings.

**CRITICAL MATERIALS.** Those chemicals listed on the "Critical Materials Registry" published by the Michigan Department of Environmental Quality, as may be amended from time to time.

**DEVELOPMENT RIGHTS.** The rights to develop land to the maximum intensity of development authorized by law.

**DISTRICT.** A portion of the Township of White Lake within which, on a uniform basis, certain uses of land and buildings are permitted and certain other uses of land and buildings are prohibited as set forth in this Ordinance, or within which certain yards and other open spaces are required or with which certain lot areas are established or within which a combination of such aforesaid conditions are applied.

**DRIVE THRU.** A building or portion thereof where products or services are received outside the confines of the building in a motor vehicle on the site.

**DRIVEWAY.** A hard-surfaced area connecting a driveway approach or maneuvering land with other areas of the site.

**DRIVEWAY APPROACH.** A hard-surfaced area connecting a thoroughfare with an off-street parking area, truck well, maneuvering lane, or driveway.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

**DWELLING, MULTIPLE.** A building or portion thereof used or designed as a residence for three (3) or more families living independently of each other and independently doing their own cooking in said building. This definition includes three-family houses, four-family houses, and apartments, but does not include trailer camps or mobile home parks.

**DWELLING, ROW OR TERRACE.** A row of three (3) or more attached dwellings, not more than two and one-half (2-1/2) stories in height in which each dwelling has its own front entrance and rear entrance.

**DWELLING, SINGLE-FAMILY.** A detached building designed for, or occupied exclusively by, one (1) family.

**DWELLING, TWO-FAMILY.** A building designed for two (2) dwelling units.

**DWELLING UNIT.** Any house or building or portion thereof which is occupied wholly by one (1) family as the home, residence or sleeping place either permanently or transiently, including a mobile home permitted under this Ordinance, but in no case shall an automobile chassis, tent, or portable building be considered a dwelling. In case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings.

**EASEMENT.** An interest in land owned by another that entitles its holder to a specific limited use or enjoyment.

**EFFICIENCY UNIT.** A dwelling unit consisting of one (1) room, exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room.

**ERECTED.** Includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a process of erection.

**ESSENTIAL SERVICES.** The erection, construction, alteration or maintenance by public utilities or municipal departments or commissions of underground, surface or overhead gas, electrical, steam, or water transmission or distribution systems, collections, communication, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles, and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions, or for the public health or safety or general welfare, but not including buildings other than such buildings as are primarily enclosures or shelters of the above essential service equipment.

**EXCAVATING.** The removal of sand, gravel, or fill dirt below the average grade of the surrounding land and/or road grade, whichever shall be the higher.

**FAÇADE.** The external walls of a building that are visible to those persons outside of the building.

**FAMILY.** A single individual doing his own cooking, and living upon the premises as a separate housekeeping unit, or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth, marriage, or other domestic bond as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

**FAMILY DAY CARE HOME (CHILD CARE HOME).** A private home in which at least one (1) but less than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. A family day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.



**FARM.** All of the contiguous neighboring or associated land operated as a single unit on which bona fide farming is carried on directly by the owner, operator, manager or tenant farmer, by his own labor or with the assistance of members of his household or hired employees; provided, however, that land to be considered a farm hereunder shall include a continuous parcel of five (5) acres or more in area; provided further, farms may be considered as including establishments operated as bona fide greenhouses, nurseries, orchards, chicken hatcheries, poultry farms, dairies, livestock raising and apiaries.

**FARM BUILDINGS.** Any building or structure other than a dwelling, moved upon, maintained, used or built on a farm which is essential and customarily used on farms of that type for the pursuit of their agricultural activities.

**FILLING.** The depositing or dumping of any matter onto, or into the ground, except common household gardening and general farm care. Fill shall mean clean materials, such as sand, dirt or clay.

**FIRE LANE.** An area used exclusively for fire apparatus and access.

**FLEET VEHICLE.** A motor vehicle designed, used, or maintained primarily for the transportation of property or passengers in furtherance of a commercial enterprise, excluding semi-trucks.

**FLOOR AREA, USABLE.** Any floor area within outside walls of a building exclusive of areas in cellars, basements (also excluding walk-out basements), unfinished attics, garages, open porches and accessory buildings. (See Section 3.11.I).

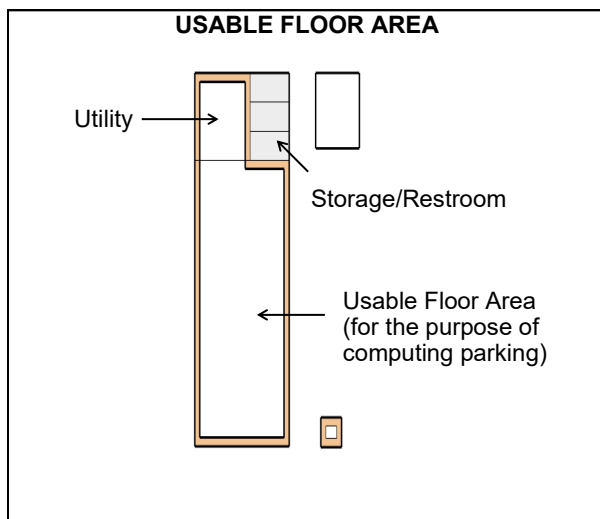
**FLOOR AREA, USABLE (FOR THE PURPOSES OF COMPUTING PARKING).** Floor Area, usable (for the purposes of computing parking) is that area for or intended to be used for the sale of merchandise or services or for use to serve patrons, clients or customers. Floor area which is used principally for the storage or processing of merchandise, such as hallways, basements, stairways and elevator shafts, or for utilities or sanitary facilities, shall be excluded from this computation of "Usable Floor Area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

**FRONTAGE.** The continuous portion of a parcel abutting a public or private road right-of-way or easement.

**GARAGE, PRIVATE.** A building used primarily for the storage of self-propelled vehicles for the use of occupants of a premise on which such building is located. The foregoing definition shall be construed to permit the storage on any one (1) lot, for the occupants thereof, of not more than one (1) licensed commercial vehicle having not more than two and one-half (2-1/2) ton capacity, but not to include utility trucks such as wreckers, garbage pick-up trucks and septic tank pumpers. Not more than on (1) space may be rented for a passenger vehicle.

**GARAGE, PUBLIC.** Any premises, except those described as a private or storage garage, used principally for the storage of automobiles, cars, or motor-driven vehicles, for remuneration, hire or sale, where any such vehicle or engine may also be equipped for operation, repaired, rebuilt or reconstructed, but not including undercoating or overall painting, unless conducted in a completely enclosed spray booth.

**GARAGE, STORAGE.** Any premise except those herein defined as private garage, used exclusively for the storage of self-propelled vehicles, and where such vehicles are not repaired.



1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

**GARBAGE.** The wastes, animal, fish, fowl or vegetable matter incident to the preparation, use and storage of food for human consumption, spoiled food, animal and fowl manure.

**GASOLINE STATIONS, SELF-SERVE.** A facility whereby fuel is dispensed by the consumer and no vehicles are repaired on the site.

**GASOLINE STATIONS, FULL SERVICE.** A facility whereby fuel is dispensed by the consumer or attendant employed by the facility and vehicles are repaired on site.

**GRADE.** Finished ground level. When the word “grade” is used herein in relation to “building grade,” “established grade,” or “average grade,” it shall mean the level of the ground adjacent to the Structure if the ground is level. If the ground is not level, the Finished Grade shall be determined by averaging the elevation of the ground for each side of the Structure using the highest and lowest point of each side, as measured five feet from the exterior walls of the Structure. In the case where the grade changes around the structure with relation to the first floor elevation such as a two-story house with a walk out or daylight basement, the walk-out or daylight basement shall not be considered a story nor included in the height calculations.

**GREENBELT.** An open landscaped area intended to act as a buffer for noise and/or sight relief.

**GREENWAY.** A contiguous or linear open space, including habitats, wildlife corridors, and trails, that links parks, nature reserves, cultural features, or historic sites with each other, for recreation and conservation purposes.

**GROUP ADULT OR CHILD CARE CENTER (INCLUDES NURSERY SCHOOL).** See Group Day Care Facility.

**GROUP DAY CARE FACILITY.** A non-residential building or structure where care, protection, and supervision are provided, on a regular schedule at least twice a week, to either children or adults.

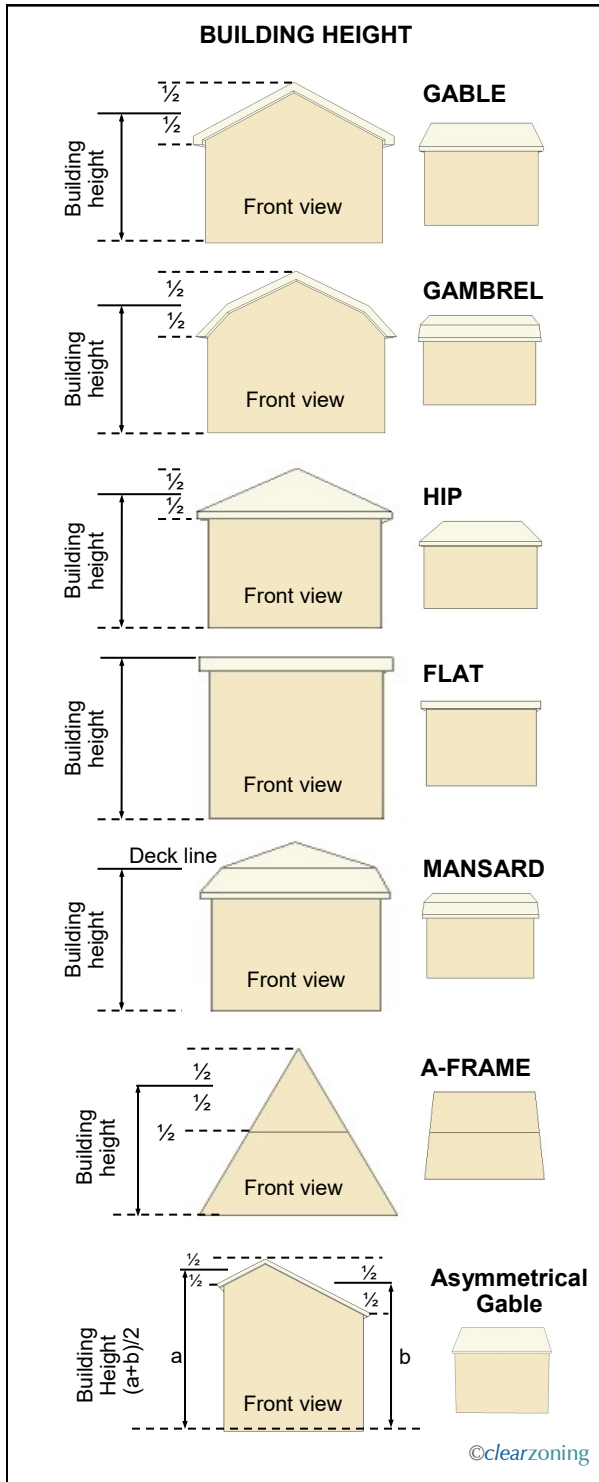
**GROUP DAY CARE HOME.** A private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. A group day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

**HAZARDOUS MATERIAL.** A chemical or other material, which is or may be injurious to the public health, safety or welfare, or injurious to the environment. Hazardous materials include, but are not limited to, critical materials and hazardous substances.

**HAZARDOUS SUBSTANCES.** Those *hazardous chemicals* as currently defined by the Michigan Department of Public Health and the Michigan Department of Labor; *flammable and combustible liquids* as currently defined by the Michigan State Police Fire Marshal Division; *critical materials, polluting materials, and hazardous waste* as currently defined by the Michigan Department of Environmental Quality; *hazardous substances* as currently defined by the U.S. Environmental Protection Agency; and *hazardous materials* as currently defined by the U.S. Department of Transportation.

**HEIGHT OF BUILDING (BUILDING HEIGHT).** The vertical distance from the average grade at the front of the building to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, to the mean height level between the eaves and ridge for hip, gabled and gambrel roofs. The height of a walk-out basement shall not be included in the height of the building. ✍





**HOME OCCUPATION.** Any occupation, business, personal or professional service customarily engaged in by residents in their dwelling, (not including breezeway or garage, attached or detached), which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, is not offensive and does not change the residential character thereof. A home occupation includes the use of a single-family residence by its occupant for the purpose of providing instruction in a craft or fine art, per Section 204 of P.A. 110 of 2006, as may be amended from time to time, known as the Michigan Zoning Enabling Act (M.C.L. 125.3101 et seq.).

**HOTEL.** A building occupied or used as a more or less temporary abiding place of individuals or groups of individuals with or without meals, and in which there are more than five (5) sleeping rooms, and in which no provisions are made for cooking in any individual room.

**IMPROVEMENTS.** Features and actions associated with a project that are considered necessary by the body or official granting zoning approval to protect natural resources or the health, safety, and welfare of the residents of a local unit of government and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, and drainage. Improvements do not include the entire project that is the subject of zoning approval.

**JUNK.** Any motor vehicles, machinery, appliances, product or merchandise with parts missing or scrap metals, or other refuse, or parts of any of the above named or enumerated items, such as fenders, motors, electric motors and like materials.

**JUNK YARD.** Any establishment or premises where worn-out or discarded material is bought, kept, sold and/or stored; also any premises upon which two (2) or more unlicensed used motor vehicles which cannot be operated under their own power are kept or stored for, a period of fifteen (15) days or more.

**KENNEL, COMMERCIAL.** A lot or premise where four (4) or more domestic animals are kept for the purposes of boarding, breeding or selling; or nine (9) or more domestic animals are kept for any reason.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



**LABORATORY.** A place devoted to experimental study, such as testing and analyzing. Manufacturing of produce or products is not to be Permitted within the scope of this definition.

**LAND BALANCING.** A movement on the land, or removal from the land, of soil, muck, sand, clay, gravel, stones, aggregate, topsoil or similar materials for the purpose of preparing the land for construction of its zoned classification use in accordance with an approved site plan or plat.

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

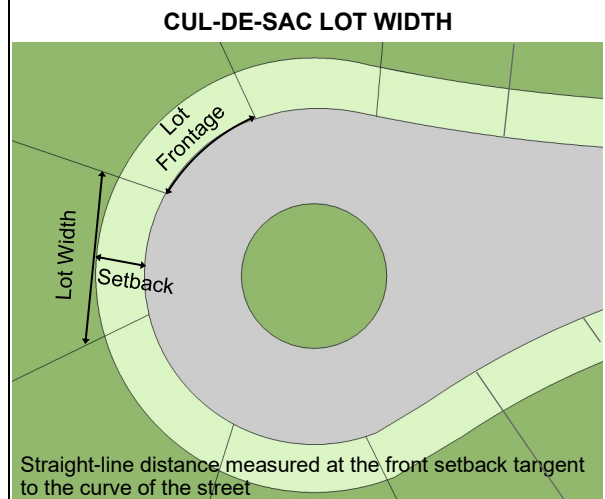
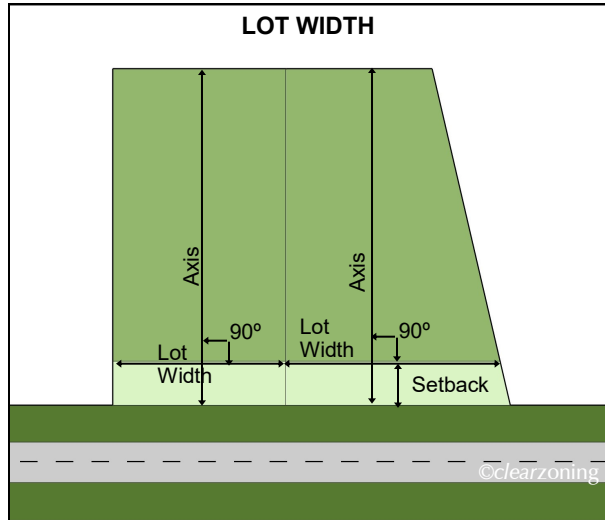
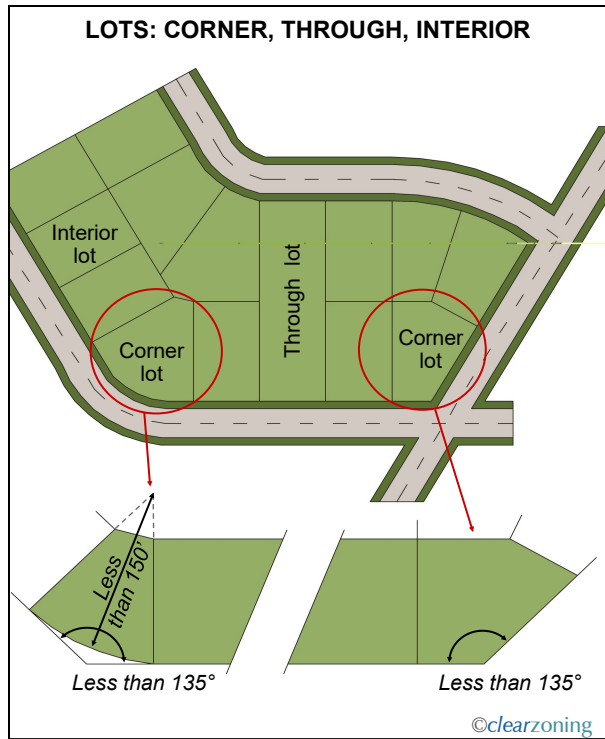
**LOT.** A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) or more main buildings with their accessory buildings, and providing the open spaces, parking spaces, and loading spaces required by this Ordinance.

**LOT AREA.** The total horizontal area within the lot lines, as defined, of a lot. The lot area of any lot, zoning lot or parcel of land shall also be interpreted to be exclusive of any land in a public or private road right-of-way or easement.

**LOT, CORNER.** A lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street, and any two (2) tangents of which form an angle of one hundred thirty-five (135) degrees or less measured on the lot side. The point of intersection of the street lot lines is the "corner". In the case of a corner lot with curved street line, the corner is that point on the street line nearest to the point of intersection of the tangents described above.

**LOT COVERAGE.** The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

**LOT DEPTH.** The straight-line distance from the midpoint of the front street line, determined to be the edge of the street right-of-way or easement, to the midpoint of the rear lot line. If any part of this line lies outside the boundaries of the lot, then lot depth shall be the length of the shortest line from the midpoint of the front street line to the rear lot line.



**LOT, INTERIOR.** A lot other than a corner lot. Any portion of a corner lot more than one hundred twenty (120) feet from the "corner" measured along a front street lot line, shall be considered an interior lot. ✍

**LOT LINES.** The property lines bounding the lot

1. **Front Lot Line.** A Front Lot Line, in the case of a lot abutting upon one public or private street means the line separating such lot from such street right-of-way. In the case of any other lot, the owner shall, for the purpose of this Ordinance, have the privilege of electing any street lot line, the front lot line, providing that such choice, in the opinion of the Director of the Community Development Department, will not be injurious to the existing, or the desirable future development of adjacent properties. In the case of a lake front property, for purpose of this Ordinance, that part of the lot adjoining the street shall be deemed the front lot line.
2. **Rear Lot Line.** A Rear Lot Line is ordinarily that lot line which is opposite and most distant from the front lot line of the lot (or the street lot line that the owner has elected to designate as the front lot line, in the case of a corner lot). In the case of an irregular, triangular, or gore-shaped lot for the purpose of determining depth of rear yard, a rear lot line shall be considered to be a line ten (10) feet in length entirely within the lot parallel to and at the maximum distance from, the front lot line of the lot. In cases where none of these definitions are applicable, the Director of the Community Development Department shall designate the rear lot line.
3. **Side Lot Line.** Any lot line not a front lot line or a 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
4. **Street Lot Line.** A lot line separating the lot from the right-of-way of a street.

**LOT OF RECORD.** A lot which actually exists in a subdivision plat as shown on the records of the Register of Deeds.

**LOT, THROUGH.** An interior lot having frontages on two (2) more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, one (1) street will be designated as the front street in the plan and in the request for a building permit. (See sketch)

**LOT WIDTH.** The straight-line distance between parallel side lot lines, measured at the front setback line. Where side lot lines are not parallel, the width shall be measured at the front setback line parallel to the street or tangent to the curve of the street. ✍

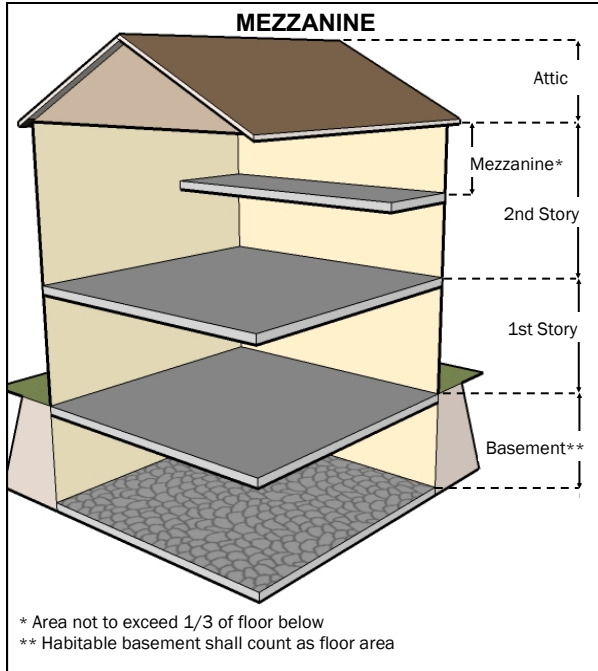
**MALFEASANCE.** Official misconduct; the commission of an unlawful act, done in an official capacity; an act for which there is no statutory authority. Malfeasance in office requires an affirmative act or omission, for example: failure of a member to disclose a conflict of interest when voting on a matter before the board or commission.

**MANUFACTURED BUILDING.** A Manufactured Building includes all factory constructed buildings, or three-dimensional modules or units thereof, designed and constructed in a manner facilitating ease of transportation to the site for placement in accordance with local construction codes, connection to required utilities, and subsequent occupancy. The term "manufactured building" includes both a single, three-dimensional module or unit intended to constitute a building and all three-dimensional modules or units intended to be combined on a site to form a building. The term "manufactured building" applies only to those major structural, three-dimensional modules or units requiring relatively minor, incidental combination on site and is not intended to include prefabricated support system components such as panels, trusses, plumbing systems or similar types of prefabricated support system components designed to be incorporated within buildings during the course of construction.

**MANUFACTURED DWELLING.** A Manufactured Dwelling includes buildings, modules or units, or areas within such buildings, modules or units which have been designed for and are intended to be employed as dwellings for residential occupancy on an extended, rather than transient basis.



**MEZZANINE.** A Mezzanine shall be deemed a full story when it covers more than one-third (1/3) of the area of the story underneath said mezzanine, or, if the vertical distance from the floor next below it to the floor above it is twenty-four (24) feet or more.



**MISFEASANCE.** Negligence in the discharge of one's official duties or statutory obligations; carelessness in the discharge of public duties, for example: approval or disapproval of an application based on standards not evident in the community's ordinance.

**MOBILE HOME.** A factory assembled structure, manufactured in accordance with standards established pursuant to the National Mobile Home Construction and Safety Standards Act of 1974, as amended, transportable in one (1) or more sections, which is built on a chassis and designed to be use as a dwelling with or without permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained in the structure. Mobile Home does not include a recreational vehicle.

**MOBILE HOME PARK.** Any premise occupied or designed to be occupied by more than one (1) family living in their individually occupied mobile home.

**MODULAR HOME.** A structure composed of several prefabricated sections which are joined together at the construction site.

**MOTEL.** A series of attached, semi-detached, or detached rental units containing bedroom, bathroom and closet space wherein each unit has a separate individual entrance leading directly from the outside of the building. No kitchen or cooking facilities are to be provided, with the exception of units for use of the manager and/or caretaker.

**NONCONFORMING BUILDING.** A building, or portion thereof, lawfully existing at the effective date of this ordinance, or amendments thereto, and which does not conform to the provisions of the Ordinance in the zoning district in which it is located.

**NONCONFORMING USE.** A use which lawfully occupied a building or land at the effective date of this Ordinance, or amendments thereto, and that does not conform to the use regulations of the zoning district in which it is located.

**NONFEASANCE.** Failure to perform one's official duties or statutory obligations, for example: failure to attend the meetings of a board or commission to which one is appointed.

**NUISANCE.** Any condition or use of premises or of building exteriors, which is unsightly or detrimental to the property of others or which causes or tends to cause a decrease in the value of other property in the neighborhood in which such premises are located.

**NURSERY SCHOOL.** See Group Day Care Facility.

**NURSING HOME.** See Convalescent Home.

**OCCUPIED.** Being possessed of or used, either by rental, ownership, lease or other similar agreement.

**OFF-STREET PARKING LOT.** A paved facility providing vehicular parking spaces along with adequate drives and aisles, for maneuvering so as to Provide access for entrance and exit for the parking of more than two (2) automobiles.





**OPEN AIR BUSINESS USES.** Open Air Business Uses shall include the following uses:

1. Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and home improvement equipment such as lawn mowers fertilizer spreaders, lawn rollers, etc.
2. Retail sale of fruit and vegetables.
3. Retail or sale of bicycle, trailer, motor vehicle, boats or small hand equipment.
4. Outdoor display and sale of garages, swimming pools and similar uses.

**OWNER.** Any person who holds the legal title, or the equitable title, said title being evidenced by a duly executed instrument of conveyance signed by the parties in interest or a duly executed purchase agreement signed by the owners of legal or equitable title. Wherever the word "owner" appears herein, it shall be deemed to refer to any person holding any legal or equitable interest.

**PARKING SPACE.** An area ten feet by twenty feet (9' x 18') for parking of each automobile or motor vehicle, being exclusive of necessary drives, aisles, entrances or exits, and being fully accessible for the storage or parking of permitted vehicles.

**PARTIALLY NUDE.** A person having any or all of the following body parts exposed: buttocks, genitals, pubic area or female breast.

**PERSON.** Any individual, partnership, association, corporation, or other entity to which the law assigns rights, duties and responsibilities. In regards to a land division, a "person" is an individual, partnership, corporation, trust, the State of Michigan and any of its agencies or subdivisions, and any body of persons that together hold joint ownership of the acreage parcel.

**PERSONAL SERVICES.** Establishments providing services such as: barber shops, beauty salons and spas; massage therapy; clothing rental; laundromat and dry cleaning pick-up stores; shoe repair; dressmaking, millinery and tailoring; photographer or artist studio; pet grooming; studios for instruction in music and dance; and similar uses as determined by the approval authority.

**PLANNING COMMISSION.** The White Lake Township Planning Commission.

**PRIVATE ACCESS DRIVE.** A private drive that runs generally parallel and adjacent to a public or approved private road and provides the sole means of access to said road for up to eight (8) single family dwelling units.

**PRIVATE ROAD.** Any road which is to be privately maintained and has not been accepted for maintenance by the Township, the Road Commission for Oakland County, or the State of Michigan, but which meets the requirements of this Ordinance or has been approved as a Private Road by the Township under any prior ordinance.

**PUBLIC UTILITY.** Any person, firm, corporation, municipal department or board, duly authorized to furnish and furnishing under state or municipal regulations to the public, electricity, gas, steam, communications, telegraph, transportation, water services, sewers or sewage treatment, or any other service normally considered as a public utility service.

**REGISTERED LAND SURVEYOR (PROFESSIONAL SURVEYOR).** A person so licensed by the State of Michigan.

**RETAIL COMMERCIAL USES.** Establishments providing goods or merchandise directly to the consumer, such as: clothing and shoes; pharmacies; flowers and gifts; office supply and stationary products; paint and wallpaper; bicycle sales, service and rental; baked goods groceries, meat, fruits and vegetables; hardware store; books and music; beer, wine and tobacco; and similar uses as determined by the approval authority.

**RESTAURANTS.** Restaurants shall include the following uses:

1. Restaurant, fast-food and carry-out
2. Restaurant without alcoholic beverage service
3. Restaurant with wine and/or beer service
4. Restaurant with full alcoholic beverage service



**ROADSIDE STANDS.** A temporary or permanent building operated for the purpose of selling only produce raised or produced on the same premises by the proprietor of the stand or his family; its use shall not make into a commercial district land which would otherwise be an agricultural or suburban farms district, nor shall its use be deemed a commercial activity.

**RUBBISH.** The miscellaneous waste materials resulting from housekeeping, mercantile enterprises, trades, manufacturing and offices, including other waste matter such as slag, stone, broken concrete, fly ash, ashes, tin cans, glass, scrap metal, rubber, paper, rags, chemicals, auto parts, junked cars, animal or animal parts or any similar or related combination thereof.

**SEASONAL BOAT STORAGE:** An area intended for the dry storage of watercraft from September 1 until June 1 of any year.

**SEMI-TRUCK.** A truck and trailer combination designed, used, or maintained primarily for the transportation of material or property.

**SERVICE DRIVE.** A paved lane or drive of at least 15 feet in width located in an off-street parking area facilitating the flow of vehicles to and from parking spaces.

**SETBACK.** The minimum horizontal distance between the front of the building, excluding steps and unenclosed porches, and the front street or right-of-way line.

**SIGN.** The term "sign" shall mean and include every device, frame, letter, figure, character, mark, plane, point, design, picture, stroke, stripe, trademark, or reading matter, which is used or intended to be used to attract attention or convey information to the general public.

1. **Above-the-Roof Sign.** A sign projecting beyond or above the roof or parapet or that is erected, constructed or maintained upon the roof or parapet of a building.
2. **Accessory Sign.** A sign which is accessory to the principal use of the premises.

3. **Animated Sign.** A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means.
4. **Clear Vision Triangle.** A triangular area formed by the point of intersection of two right-of-way lines to a distance along each line of twenty-five (25) feet from the point of intersection, and designated as an unobstructed clear area to allow for visibility for drivers. See also, Section 5.6. Billboard. See "Non-Accessory Sign."
5. **Construct or erect.** Shall mean to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of wall signs.
6. **Directional Sign.** A sign installed to identify exits and entrances of premises and for directing traffic through a parking area.
7. **Festoon.** A string of ribbons, pennants, spinners, streamers, tinsel, small flags, pinwheels, or lights, typically strung overhead and/or in loops.
8. **Flag.** A flexible piece of fabric or other material that is attached to a permanent conforming flagpole or attached flat to wall.
9. **Freestanding Sign.** Any sign not affixed to a wall or structure, but which is permanently attached to the ground.
  - A. **Freestanding Sign, Monument.** A freestanding sign, in which the entire bottom (base) is in contact with the ground and is independent of any other structure.
  - B. **Freestanding Sign, Post-Pylon.** A type of freestanding sign supported by a post(s) or other column(s) thereby providing a predominantly clear viewing space beneath the sign.
10. **Illuminated Tube.** A transparent tube in which the light source is supplied by electrified gas.
11. **Illuminated Tube Band.** An illuminated tube, such as but not limited to neon, fluorescent, and the like, which is located on a window, architectural feature, or which is shaped, formed or located to outline or accent an area of a sign, window or structure. An area of a window or wall that is outlined by an illuminated tube band shall be considered a sign and included in total sign area calculations.



12. **Incidental Sign.** A small sign, two (2) square feet or less, designed and located to be read only by people within the lot and generally not visible or legible from the right-of-way or adjacent properties. Examples of incidental signs include, but are not limited to, credit card signs, signs indicating hours of business, no smoking signs, signs used to designate bathrooms, and other signs providing information to be read at close proximity. The Director of the Community Development Department or his/her designee shall determine whether a sign is an Incidental Sign, based on the visibility of the sign from the lot line and right-of-way and/or the number of signs in close proximity of each other, and may deny a Incidental Sign if it is a sign regulated by another standard.
13. **Inflatable Sign.** Any sign using inflatable objects as an integral part of the sign structure or sign copy area, including balloons.
14. **Non-accessory Sign (Includes Billboards).** A sign which is a non-accessory sign and shall be related to a business, use or service not carried on the premises upon which the sign is placed.
15. **Portable Sign.** A freestanding sign not permanently anchored or secured to either a building or the ground, such as but not limited to: trailers, "A" frame, "T" shaped or inverted "T" shaped sign structures.
16. **Projecting Sign.** A sign which is affixed to any building or part thereof, or structure, which extends beyond the building wall or parts thereof, or structure, by more than twelve (12) inches.
17. **Sign Area.** Area of a sign shall be determined by multiplying the height, not including ornamental features such as a base or decorative cap, times the width, not including ornamental features such as columns, within a regular geometric form comprising all of the display area and all of the elements of the matter displayed.
  - A. For a circle, the sign area shall be determined from the outer circumference.
  - B. For a sign consisting of individual letters or other graphic components the area shall be calculated by multiplying the height times the length of a rectangle that would fully enclose all the letters and other graphic components of the sign.
  - C. For a sign consisting of parallel panels facing in opposite directions, the area of the largest of the panels shall be used in calculating the area of the sign.

- D. Three or more panels facing in opposite directions that are not parallel shall all be counted as separate signs.
18. **Sign Copy.** Lettering, images, and other sign elements that comprise the message of the sign.
19. **Sign Height.** The maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level at the base of the sign or wall if a wall sign is proposed.
20. **Sign, Outdoor Advertising.** Any card, cloth, paper, metal, painted, glass, wooden, plaster, stone or other sign of any kind or character whatsoever, placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term "placed" as used in the definition of "outdoor advertising sign" and "outdoor advertising structure" shall include erecting, construction, posting, painting, printing, tacking, nailing, gluing, sticking, carving or other fastening, affixing or making visible in any manner whatsoever. See also, "Billboard" and "Non-Accessory Sign".
21. **Temporary Sign.** A sign intended to be displayed within a yard area for a limited time period.
22. **Vehicle Sign.** A sign when the vehicle or trailer upon which the sign is painted or attached is parked.
23. **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.
24. **Window Sign.** Any sign that is applied, affixed, or attached to the interior of any building window.

**SINGLE OWNERSHIP.** The ownership of a parcel of property wherein the owner does not own adjoining property. Owner of a property may include dual or multiple ownership by a partnership, corporation or other group.

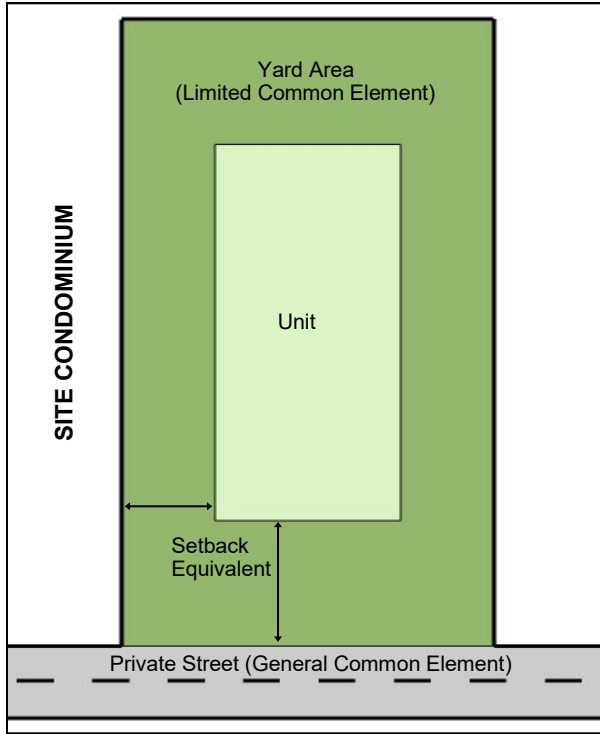
**SITE AREA, GROSS:** The total land area contained within a site including buildable and unbuildable areas.

**SITE AREA, NET:** The total buildable land area contained within a site. Net site area does not include any unbuildable areas such as public and private rights-of-way, utility easements, protected wetlands, water bodies, or similar areas.



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

**SITE CONDOMINIUM.** A form of condominium development in which the land within the site condo development is not divided and remains as one parcel. The unit owner also owns the “building site” and has exclusive use of Limited Common Elements. Co-owners use General Common Elements collectively.



**SITE PLAN.** The documents and drawings required by the zoning ordinance to insure that a proposed land use or activity is in compliance with local ordinances and state and federal statutes.

**SOIL REMOVAL.** The removal of any kind of soil or earth matter, including topsoil, sod, sand, gravel, clay or similar materials or combination thereof, except common household gardening and general farm care.

**SPECIAL LAND USE.** Uses permitted subject to special conditions requiring approval by the Planning Commission as set forth in Section 6.10 and other applicable sections of this Ordinance.

**STABLE, PRIVATE.** A stable for horses kept for personal use.

**STABLE, PUBLIC.** A stable for horses kept for hire and other commercial purposes.

**STATE EQUALIZED VALUATION.** The value shown on the Township Assessment Roll as equalized through the process of State and County equalization.

**STATE LICENSED RESIDENTIAL FACILITY.** A structure constructed for residential purposes that is licensed by the state under the Adult Foster Care Facility Licensing Act, 1979 PA 218, MCL 400.701 to 400.737, or 1973 PA 116, MCL 722.111 to 722.128, and provides resident services for 6 or less persons under 24-hour supervision or care for persons in need of that supervision or care. This term shall not apply to adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.

**STORY.** That portion of a building, other than a cellar, basement (or mezzanine, included between the surface of any floor and the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above. For the purpose of this Ordinance, a basement or cellar shall be counted as a story if over fifty (50) percent of its height is above the level from which the height of the building is measured, or, if it is used for business purposes by other than a janitor or domestic servants employed in the same building, including the family of the same. Walk-out basements shall not be considered a story. (See sketch associated with definition of basement).

**STORY, GROUND.** The lowest story of a building, the floor of which is not more than twelve (12) inches below the level of the adjoining ground.

**STORY, HALF.** The part of a building between a pitched roof and the uppermost full story, said part having a finished floor area which does not exceed one-half (1/2) the floor area of said full story.

**STREET.** A public or private thoroughfare which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare, except an alley.

**STRUCTURAL ALTERATION.** Any change in the supporting members of a building or structure, such as bearing walls, or partitions, columns, beams or girders, or any change in the width or number of exits, or any substantial change in the roof, or any additional floor space added to the building through an addition.



**STRUCTURE.** Anything constructed or erected which requires permanent location on the ground or attachment to something having such location.

**STRUCTURE, OUTDOOR ADVERTISING.** Any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, including also outdoor advertising statuary.

**STRUCTURE, PRINCIPAL.** A structure in which is conducted the principal use of the premise on which it is situated. This shall include any buildings which are attached to the principal structure.

**SUBDIVISION PLAT.** The proposed division of land in accordance with the Land Division Act, as amended.

**SUPERVISOR.** The White Lake Township Supervisor.

**SWIMMING POOL.** Any permanent, nonportable structure or container located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches, intended for swimming or bathing. A swimming pool shall be considered an accessory structure for purposes of computing lot coverage.

**TEMPORARY BUILDING AND USE.** A structure or use permitted by the Building Official to exist during periods of construction, development, land balancing or soil extraction of and for the main use, or for special events.

**TENTS.** A shelter of canvas or the like, supported by poles and fastened by cords or pegs driven into the ground and shall not include those types of tents used solely for children's recreational purposes.

**TOWNSHIP.** The Charter Township of White Lake, Oakland County, Michigan.

**TOWNSHIP BOARD.** The Board of Trustees of the Charter Township of White Lake, Oakland County, Michigan.

**TRAILER.** Any type of portable structure hauled or towed by a motor vehicle, which may include, but is not limited to, a boat trailer, horse trailer, motorcycle trailer, semitrailer, snowmobile trailer, or utility trailer.

**TRASH STORAGE AREA (DUMPSTERS).** Any exterior space, which is not a principal use, used for the location of containers, structures or other receptacles intended for the temporary storage of garbage, rubbish, or other solid waste materials.

**TRUCK.** A motor vehicle designed, used, or maintained primarily for the transportation of material or property, except a pickup truck or van designated to carry loads of no more than one ton.

**UNDEVELOPED STATE.** A natural state preserving natural resources, natural features, scenic or wooden conditions, agricultural use, open space, or a similar use or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children's play area, greenway, or linear park. Land in an undeveloped state may be, but is not required to be, dedicated to the use of the public.

**USE.** The purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

**VARIANCE.** A modification of the literal provisions of the Zoning Ordinance granted when strict enforcement of the Zoning Ordinance would cause practical difficulties owing to circumstances unique to the individual property on which the variance is granted. A variance is not an exception.

**WASTE DISPOSAL TRANSFER STATION.** A use established for the purpose of collecting and transferring rubbish, garbage, sewage, recycling materials, or any other waste material by any person, firm, corporation, partnership, or other organization.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



**WIRELESS COMMUNICATION ANTENNA.** All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, micro-wave relay towers, telephone transmission equipment building and commercial mobile radio service facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority. Wireless communication antennas shall not be considered as essential services, as that term is defined in this ordinance.

**YARD.** An open space of uniform width or depth on the same land with a building or group of buildings which open space lies between the building and group of buildings and the nearest lot line, and is unoccupied and unobstructed from the ground upward except otherwise provided herein. This regulation shall not exclude eaves unless an eight (8) foot height clearance is provided above the adjacent ground level. In measuring a yard as hereinafter provided, the line of a building shall be deemed to mean a line parallel to the nearest lot line, drawn through the point of the building or the point of a group of buildings nearest to such lot line.



**YARD, FRONT.** A yard extending across the full width of the lot and lying between the front line of the lot or a side yard with road frontage, and the nearest line of the building.

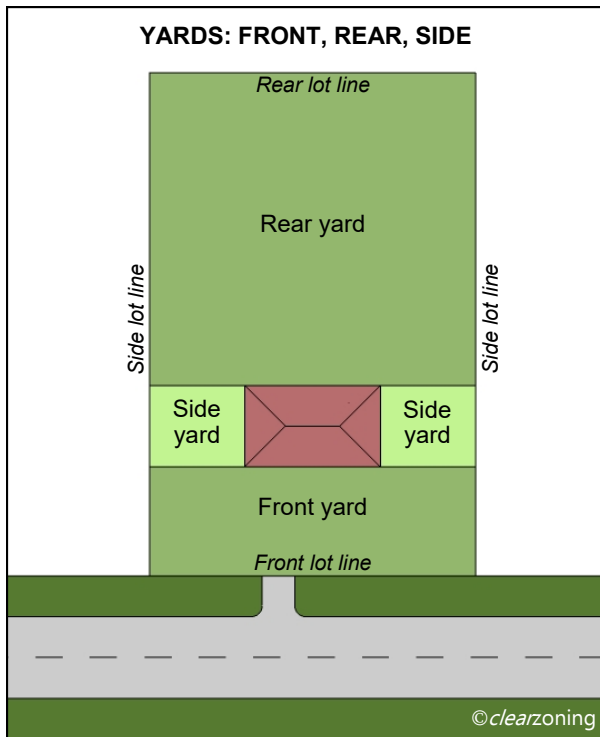
**YARD, REAR.** A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building.

**YARD, SIDE.** A yard between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot line, as the case may be, except that on a corner lot the side yard adjacent to a street shall extend the full depth of the lot.

**ZONING BOARD OF APPEALS.** The White Lake Charter Township Zoning Board of Appeals.

**ZONING JURISDICTION.** Area encompassed by the legal boundaries of a city or village or to the area encompassed by the legal boundaries of a county or township outside the limits of incorporated cities and villages. The zoning jurisdiction of a county does not include the areas subject to township zoning by a township that has adopted a zoning ordinance under this act.

**ZONING LOT.** A place or parcel of land occupied or to be occupied by a building or structure and its accessory buildings, or by any other activity permitted thereon and including the open spaces required under this ordinance and having its frontage upon a public thoroughfare or any private way used for thoroughfare purposes. A zoning lot may or may not be specifically designated as such on public records provided, that the owner of any number of contiguous lots of record may have as many of said contiguous lots of record considered as a single lot or record for the purpose of this ordinance as he so elects, and in such case the outside perimeter of said group of lots of record shall constitute the front, rear and side lot lines thereof.



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 3.0 Zoning Districts



**Article 3.0 Zoning Districts**

- 3.1 Districts Established
- 3.2 Map
- 3.3 Unlawful Structure
- 3.4 Classification of Moved Structures
- 3.5 Streets Right-of-Way as District Boundaries
- 3.6 Dwelling in Nonresidential Districts
- 3.7 Dwelling in Other Than Main Structure
- 3.8 Voting Place
- 3.9 Open Space Preservation Option
- 3.10 Attached Decks, Porches, and Patios in Residential Districts
- 3.11 Notes to District Standards






# 3.0 Zoning Districts

## 3.1 DISTRICTS ESTABLISHED

The Township of White Lake is hereby divided into the following classes of zoning districts known as:

1. **AG** Agricultural District
2. **SF** Suburban Farms District
3. **R1-A** Single-Family Residential District
4. **R1-B** Single-Family Residential District
5. **R1-C** Single-Family Residential District
6. **R1-D** Single-Family Residential District
7. **MHP** Mobile Home Park District
8. **RM-1** Attached Single-Family District
9. **RM-2** Multiple-Family Residential District
10. **PD** Planned Development District
11. **NB-O** Neighborhood Office District
12. **LB** Local Business District
13. **NMU** Neighborhood Mixed Use District
14. **RB** Restricted Business District
15. **GB** General Business District
16. **PB** Planned Business District
17. **TC** Town Center District
18. **PG** Pontiac Gateway District
19. **ROS** Recreation and Open Space District
20. **LM** Light Manufacturing District
21. **ROP** Research Office Park District
22. **E** Extractive Overlay District
23. **Wellhead Protection Overlay District**

 **Digital User Note:**  
Click on a district heading to go directly to the corresponding district regulations.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

3.1.1

# AG Agricultural District

A. INTENT

The Agricultural District is established as a district in which the principal use of land is for farming, dairying, forestry operations and other agricultural activities. The intent of this article is to protect land needed for agricultural pursuits from encroachment by untimely and unplanned residential, commercial or industrial development.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

B. PERMITTED PRINCIPAL USES

- i. Adult foster care family home
- ii. Family day care homes
- iii. Farms
- iv. Home occupation
- v. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- vi. Single-family detached dwellings
- vii. Vegetable, fruit, flower and herb gardening
- viii. Tree and shrub nurseries, not including landscape contractors

C. PERMITTED PRINCIPAL USES SUBJECT TO ADMINISTRATIVE APPROVAL

- i. **Private stable** §4.55
- ii. **Temporary roadside stand** §4.54
- iii. Temporary agricultural uses
- iv. Temporary uses within a building §7.2

D. SPECIAL LAND USES

- i. **Adult foster care small group home** §4.7
- ii. **Adult foster care large group home** §4.7
- iii. **Adult foster care congregate facility** §4.7
- iv. **Animal care facilities, kennels** §4.6
- v. **Bed and breakfast homes** §4.12
- vi. **Boat storage** §4.60
- vii. **Cemeteries** §4.14
- viii. **Cluster housing option** §4.13
- ix. **Convalescent or nursing homes** §4.16
- x. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- xi. **Group day care homes** §4.23

D. SPECIAL LAND USES (CONTINUED)

- xii. **Intensive or concentrated animal raising** §4.27
- xiii. **Local utility structures, stations and substations** §4.29
- xiv. **Outdoor recreation uses, campgrounds** §4.38
- xv. **Outdoor recreation uses, driving range** §4.38
- xvi. **Outdoor recreation uses, public and private golf courses and country clubs including "par three"** §4.38
- xvii. **Outdoor recreation uses, hay rides** §4.38
- xviii. **Outdoor recreation uses, large sports/playfields** §4.38
- xix. **Outdoor recreation uses, picnic grounds** §4.38
- xx. **Outdoor recreation uses, snowmobile trails** §4.38
- xxi. **Places of worship** §4.15
- xxii. **Public and private schools** §4.43
- xxiii. **Riding academies, boarding stable, and public stables** §4.44
- xxiv. **Utility transmission structures, high voltage electric stations** §4.46
- xxv. **Utility transmission systems** §4.47
- xxvi. **Wireless communication antennas** §4.51

E. ACCESSORY USES

- i. **Accessory buildings, structures and uses, customarily incidental to any of the above principal uses** §5.7
- ii. **Maintenance of animals** §4.2
- iii. Keeping of bees for personal use
- iv. **Off-street parking** §5.11
- v. **Private swimming pools** §5.10
- vi. **Signs** §5.9
- vii. **Temporary buildings** §7.20



## F. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 5 acres  
 Minimum lot width<sup>☐</sup>: 300 feet

### Lot Coverage<sup>☐</sup>

Maximum lot coverage: 30%

### Setbacks<sup>☐</sup>

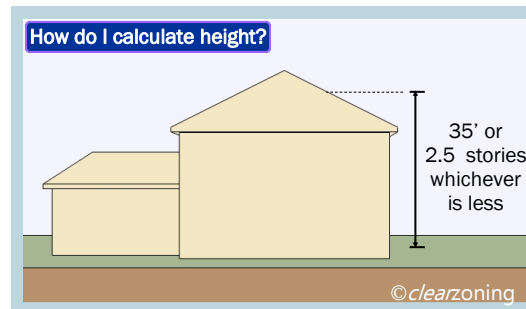
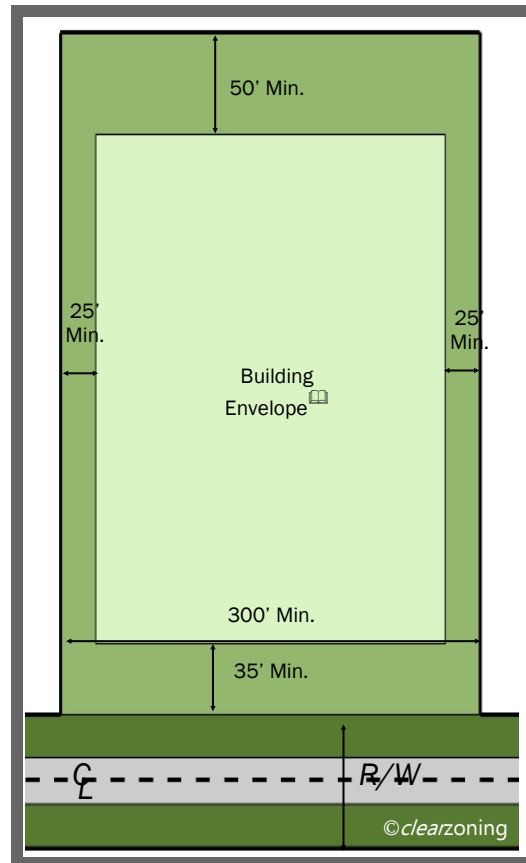
Minimum front yard setback: 35 feet  
 Minimum rear yard setback: 50 feet  
 Minimum side yard setback: 25 feet one side  
 50 feet total of two sides

### Building Height<sup>☐</sup>

Maximum building height: 35 feet or 2.5 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, E, J, K, L, P, Q, R, S, T, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Open Space Option §3.9

### 4. Use Standards

### 5. Site Standards

- Landscape and Screening §5.19
- Off-Street Parking §5.11
- Performance Standards §5.18

- Visibility §5.6
- Fences §5.12
- Private Access Drive §5.16
- Private Easement Road §5.15
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Condominium §6.1
- Site Plan Review §6.8
- Special Land Uses §6.10 §6.11
- Community Impact §6.6
- Access Management §6.4

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



### 3.1.2

## SF Suburban Farms

#### A. INTENT

The Suburban Farms District is created to establish areas of the Township for single family residences in a rural environment characterized by low densities and significant open spaces.

**? User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

#### B. PERMITTED PRINCIPAL USES

- i. Adult foster care family home
- ii. Family day care homes
- iii. Home occupation
- iv. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- v. Single-family detached dwellings

#### C. PERMITTED PRINCIPAL USES SUBJECT TO ADMINISTRATIVE APPROVAL

- i. **Private stable** §4.55
- ii. **Tree And Shrub Nurseries; Vegetable, Fruit, Flower And Herb Gardens** §4.57

#### D. SPECIAL LAND USES

- i. **Adult foster care small group home** §4.7
- ii. **Adult foster care congregate facilities** §4.7
- iii. **Bed and breakfast homes** §4.12
- iv. **Boat storage** §4.60
- v. **Cemeteries** §4.14
- vi. **Cluster housing option** §4.13
- vii. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- viii. **Group day care homes** §4.23
- ix. **Local utility structures, stations and substations** §4.29
- x. **Outdoor recreation uses, public and private golf courses and country clubs including “par three”** §4.38
- xi. **Outdoor recreation uses, large sports/playfields** §4.38
- xii. **Outdoor recreation uses, picnic grounds** §4.38

#### D. SPECIAL LAND USES (CONTINUED)

- xiii. **Outdoor recreation uses, swimming facilities** §4.38
- xiv. **Places of worship** §4.15
- xv. **Public and private schools** §4.43
- xvi. **Utility transmission systems** §4.47
- xvii. **Wireless communication antennas** §4.51

#### E. ACCESSORY USES

- i. **Accessory buildings, structures and uses, customarily incidental to any of the above principal uses** §5.7
- ii. **Maintenance of animals** §4.2
- iii. Keeping of bees for personal use
- iv. **Off-street parking** §5.11
- v. **Private swimming pools** §5.10
- vi. **Signs** §5.9
- vii. **Temporary buildings** §7.20
- viii. **Temporary roadside stand** §4.54



## F. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 2 acres  
 Minimum lot width<sup>☐</sup>: 165 feet

**Maximum Lot Coverage**<sup>☐</sup> 20%

### Setbacks<sup>☐</sup>

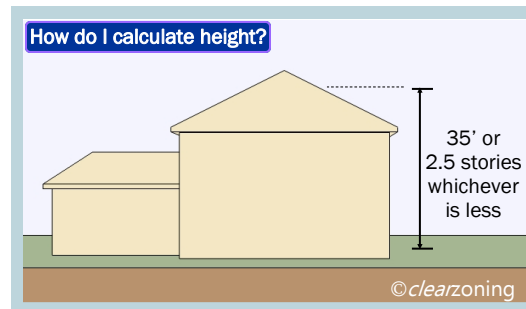
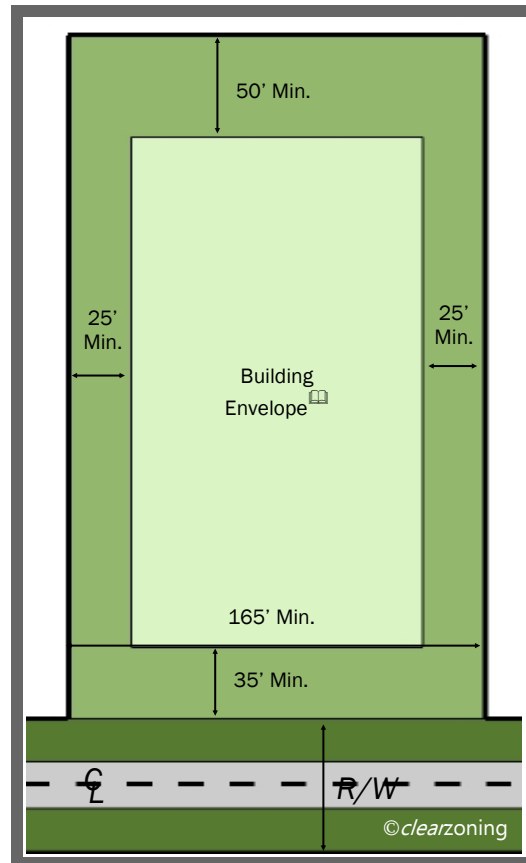
Minimum front yard setback: 35 feet  
 Minimum rear yard setback: 50 feet  
 Minimum side yard setback: 25 feet one side  
 50 feet total of two sides

### Building Height<sup>☐</sup>

Maximum building height: 35 feet or 2.5 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, J, K, L, P, Q, R, S, T, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Open Space Option §3.9

### 4. Use Standards

### 5. Site Standards

- Landscape and Screening §5.19
- Off-Street Parking §5.11
- Performance Standards §5.18

- Visibility §5.6
- Fences §5.12
- Private Access Drive §5.16
- Private Easement Road §5.15
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Condominium §6.1
- Special Land Uses §6.10 §6.11
- Access Management §6.4
- Site Plan Review §6.8
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# 3.1.3 R1-A Single Family Residential District

## A. INTENT

The Single-Family Residential Districts are established as districts in which the principal use of land is for single family dwellings, located in neighborhoods that include open space and that preserve sensitive natural environmental features.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Adult foster care family home
- ii. Single-family detached dwellings
- iii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- iv. Home occupation
- v. Family day care homes

## C. SPECIAL LAND USES

- i. **Adult foster care small group home** §4.7
- ii. **Cemeteries** §4.14
- iii. **Cluster housing option** §4.13
- iv. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- v. **Group day care homes** §4.23
- vi. **Local utility structures, stations and substations** §4.29
- vii. **Outdoor recreation uses, public and private golf courses and country clubs including “par three”** §4.38
- viii. **Outdoor recreation uses, large sports/playfields** §4.38
- ix. **Outdoor recreation uses, picnic grounds** §4.38
- x. **Outdoor recreation uses, swimming facilities** §4.38
- xi. **Places of worship** §4.15
- xii. **Public and private schools** §4.43
- xiii. **Utility transmission systems** §4.47
- xiv. **Wireless communication antennas** §4.51

## D. ACCESSORY USES

- i. **Accessory buildings, structures and uses, customarily incidental to any of the above principal uses** §5.7
- ii. **Off-street parking** §5.11
- iii. **Private swimming pools** §5.10
- iv. **Signs** §5.9
- v. **Temporary buildings** §7.20



# R1-A Single Family Residential District

3.1.3

## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 1 acre  
 Minimum lot width<sup>☐</sup>: 150 feet

**Maximum Lot Coverage**<sup>☐</sup> 20%

### Setbacks<sup>☐</sup>

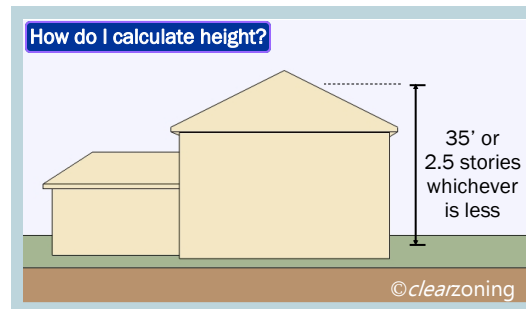
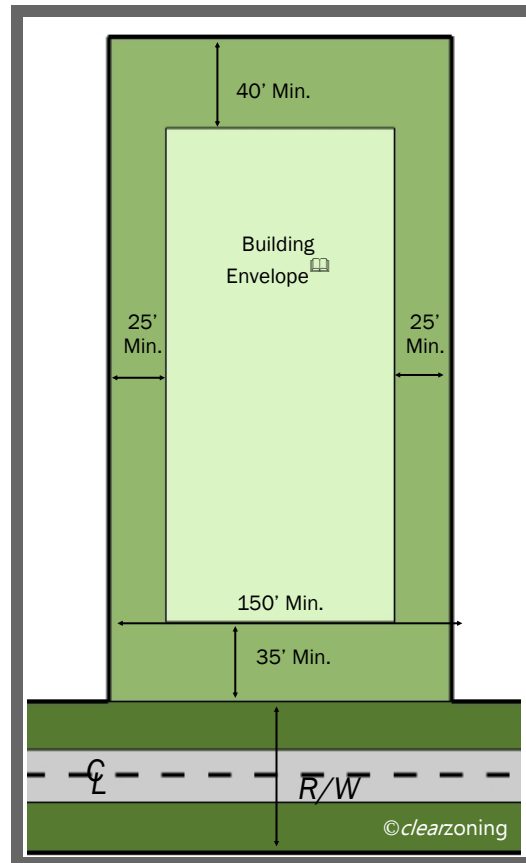
Minimum front yard setback: 35 feet  
 Minimum rear yard setback: 40 feet  
 Minimum side yard setback: 25 feet one side  
 50 feet total of two sides

### Building Height<sup>☐</sup>

Maximum building height: 35 feet or 2.5 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, F, J, K, L, P, Q, R, S, T, V, W**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Open Space Option §3.9

### 4. Use Standards

### 5. Site Standards

- Landscape and Screening §5.19
- Off-Street Parking §5.11
- Performance Standards §5.18

- Visibility §5.6
- Fences §5.12
- Private Access Drive §5.16
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Condominium §6.1
- Site Plan Review §6.8
- Special Land Uses §6.10 §6.11
- Access Management §6.4
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



Updated Through 3/10/21

# 3.1.4 R1-B Single Family Residential District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The Single-Family Residential Districts are established as districts in which the principal use of land is for single family dwellings, located in neighborhoods that include open space and that preserve sensitive natural environmental features.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Adult foster care family home
- ii. Single-family detached dwellings
- iii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- iv. Home occupation
- v. Family day care homes

## C. SPECIAL LAND USES

- i. **Adult foster care small group home** §4.7
- ii. **Cluster housing option** §4.13
- iii. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- iv. **Local utility structures, stations and substations** §4.29
- v. **Places of worship** §4.15
- vi. **Public and private schools** §4.43
- vii. **Utility transmission systems** §4.47
- viii. **Wireless communication antennas** §4.51

## D. ACCESSORY USES

- i. **Accessory buildings, structures and uses, customarily incidental to any of the above principal uses** §5.7
- ii. **Off-street parking** §5.11
- iii. **Private swimming pools** §5.10
- iv. **Signs** §5.9
- v. **Temporary buildings** §7.20





# R1-B Single Family Residential District

3.1.4

## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 20,000 square feet  
 Minimum lot width<sup>Ⓜ</sup>: 120 feet

**Maximum Lot Coverage<sup>Ⓜ</sup>** 20%

### Setbacks<sup>Ⓜ</sup>

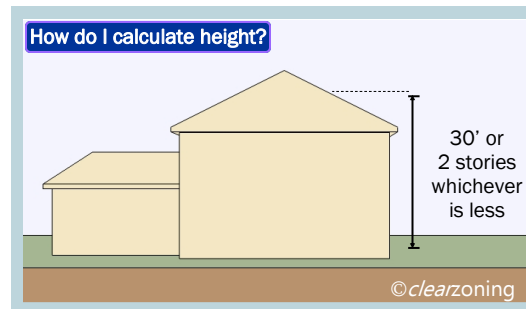
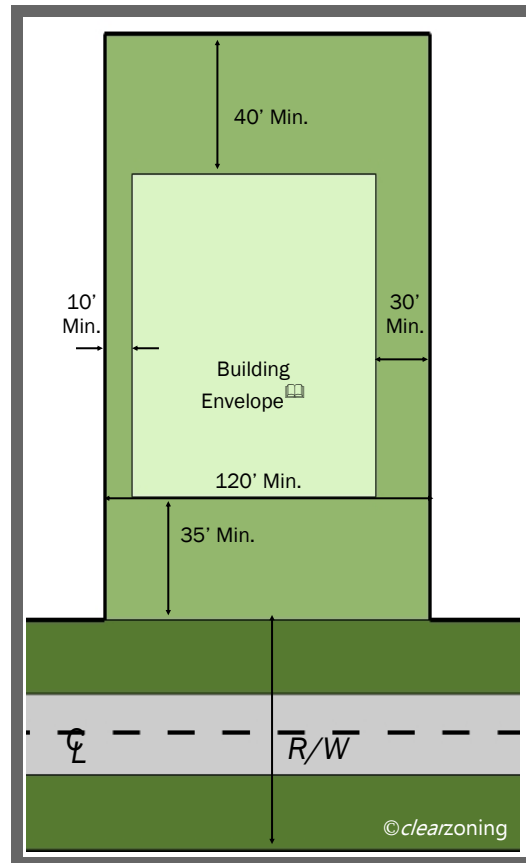
Minimum front yard setback: 35 feet  
 Minimum rear yard setback: 40 feet  
 Minimum side yard setback: 10 feet one side  
 30 feet total of two sides

### Building Height<sup>Ⓜ</sup>

Maximum building height: 30 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, F, J, K, L, P, Q, R, S, T, V, W**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Open Space Option §3.9

### 4. Use Standards

### 5. Site Standards

- Landscape and Screening §5.19
- Off-Street Parking §5.11
- Performance Standards §5.18

- Visibility §5.6
- Fences §5.12
- Private Access Drive §5.16
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Condominium §6.1
- Special Land Uses §6.10 §6.11
- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



Updated Through 3/10/21

# R1-C Single Family Residential District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The Single-Family Residential Districts are established as districts in which the principal use of land is for single family dwellings, located in neighborhoods that include open space and that preserve sensitive natural environmental features.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Adult foster care family home
- ii. Single-family detached dwellings
- iii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- iv. Home occupation
- v. Family day care homes

## C. SPECIAL LAND USES

- i. **Cluster housing option** §4.13
- ii. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- iii. **Local utility structures, stations and substations** §4.29
- iv. **Places of worship** §4.15
- v. **Public and private schools** §4.43
- vi. **Utility transmission systems** §4.47
- vii. **Wireless communication antennas** §4.51

## D. ACCESSORY USES

- i. **Accessory buildings, structures and uses, customarily incidental to any of the above principal uses** §5.7
- ii. **Off-street parking** §5.11
- iii. **Private swimming pools** §5.10
- iv. **Signs** §5.9
- v. **Temporary buildings** §7.20



# R1-C Single Family Residential District 3.1.5

## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 16,000 square feet  
 Minimum lot width<sup>☐</sup>: 100 feet

**Maximum Lot Coverage**<sup>☐</sup> 20%

### Setbacks<sup>☐</sup>

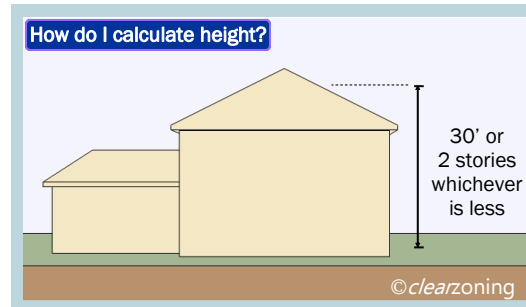
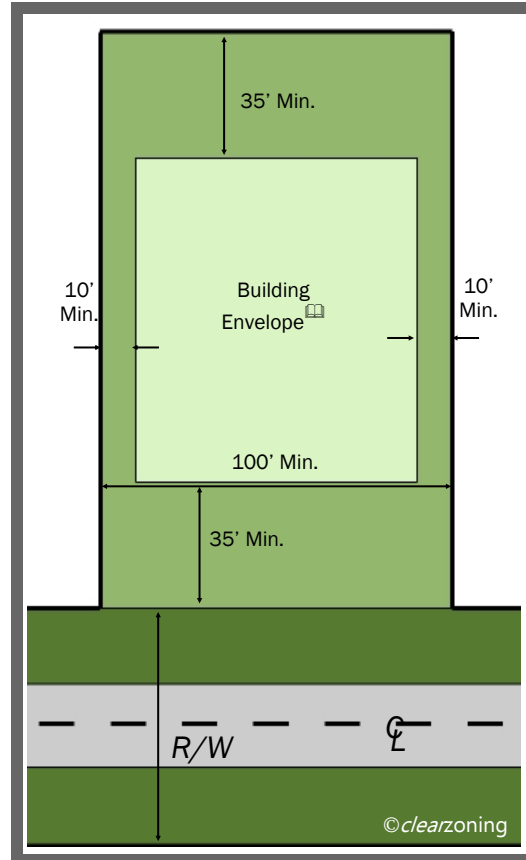
Minimum front yard setback: 35 feet  
 Minimum rear yard setback: 35 feet  
 Minimum side yard setback: 10 feet one side  
 20 feet total of two sides

### Building Height<sup>☐</sup>

Maximum building height: 30 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, F, J, K, L, P, Q, R, S, T, V, W**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Open Space Option §3.9

### 4. Use Standards

### 5. Site Standards

- Landscape and Screening §5.19
- Off-Street Parking §5.11
- Performance Standards §5.18

- Visibility §5.6
- Fences §5.12
- Private Access Drive §5.16
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Condominium §6.1
- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3
- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



# 3.1.6 R1-D Single Family Residential District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The Single-Family Residential Districts are established as districts in which the principal use of land is for single family dwellings, located in neighborhoods that include open space and that preserve sensitive natural environmental features.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Adult foster care family home
- ii. Single-family detached dwellings
- iii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- iv. Home occupation
- v. Family day care homes

## C. SPECIAL LAND USES

- i. **Cluster housing option** §4.13
- ii. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- iii. **Local utility structures, stations and substations** §4.29
- iv. **Places of worship** §4.15
- v. **Public and private schools** §4.43
- vi. **Utility transmission systems** §4.47
- vii. **Wireless communication antennas** §4.51

## D. ACCESSORY USES

- i. **Accessory buildings, structures and uses, customarily incidental to any of the above principal uses** §5.7
- ii. **Off-street parking** §5.11
- iii. **Private swimming pools** §5.10
- iv. **Signs** §5.9
- v. **Temporary buildings** §7.20



## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area: 12,000 square feet  
 Minimum lot width: 80 feet

**Maximum Lot Coverage** 20%

### Setbacks

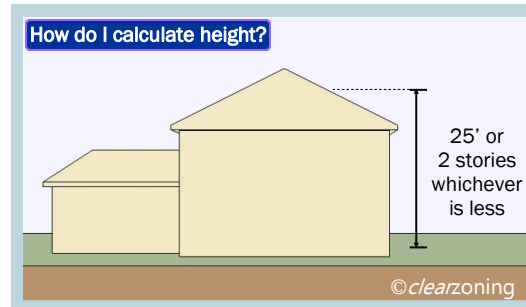
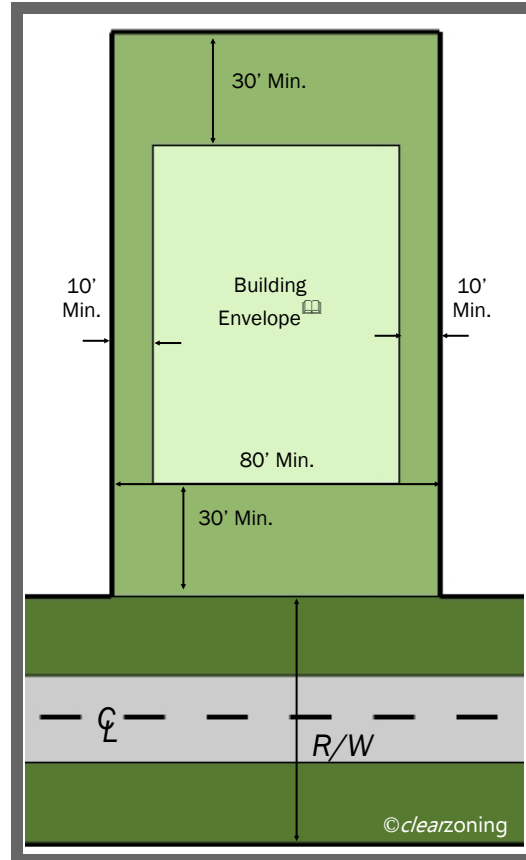
Minimum front yard setback: 30 feet  
 Minimum rear yard setback: 30 feet  
 Minimum side yard setback: 10 feet one side  
 20 feet total of two sides

### Building Height

Maximum building height: 25 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, F, J, K, L, P, Q, R, S, T, V, W**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- **Landscape and Screening** §5.19
- **Off-Street Parking** §5.11
- **Performance Standards** §5.18
- **Visibility** §5.6

- **Fences** §5.12
- **Private Access Drive** §5.16
- **Pathway Standards** §5.20
- **Sidewalk Standards** §5.21
- **Pathway and Sidewalk Maintenance** §5.22

### 6. Development Procedures

- **Condominium** §6.1
- **Traffic Impact** §6.3
- **Access Management** §6.4

- **Special Land Uses** §6.10 §6.11
- **Site Plan Review** §6.8
- **Sewer/Water** §6.9
- **Community Impact** §6.6

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



## A. INTENT

The Mobile Home Park District is for areas of the Township suitable for mobile home parks. For the Mobile Home Park District, in promoting the general purpose of this ordinance, the specific intent of this Article is:

- A. To require adequate space and facilities for healthful living conditions for occupants of such mobile home parks so as to maintain the residential character of the area.
- B. To require all such districts to have access to a major thoroughfare for easy accessibility.
- C. To ensure suitable water and sewer facilities would be provided in accordance with state, county and township health regulations and statutes.
- D. To provide for the development of mobile home parks for long-term residential use.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Adult foster care family home
- ii. Mobile home parks
- iii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38

## C. SPECIAL LAND USES

- i. **Local utility structures, stations and substations** §4.29
- ii. **Public and private schools** §4.43
- iii. **Utility transmission systems** §4.47
- iv. **Wireless communication antennas** §4.51



## D. ACCESSORY USES

- i. **Accessory buildings, structures and uses, customarily incidental to any of the above principal uses** §5.7
- ii. **Private swimming pools** §5.10
- iii. **Signs** §5.9




## E. DEVELOPMENT STANDARDS

### Lot Size (Mobile Home Park)

Minimum lot area : 40 acres  
 Minimum lot width : 600 feet

### Lot Size (Individual Site)

Minimum lot area   
 Single wide unit: 6,000 square feet  
 Double wide unit: 8,000 square feet  
 Minimum lot width  
 Single wide unit: 60 feet  
 Double wide unit: 80 feet

### Setback (Park perimeter)

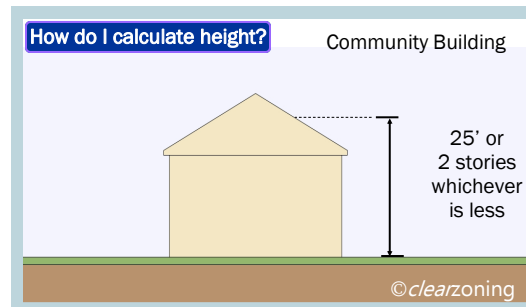
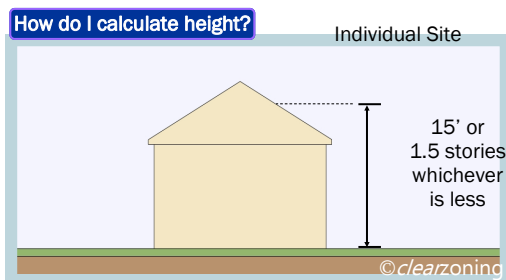
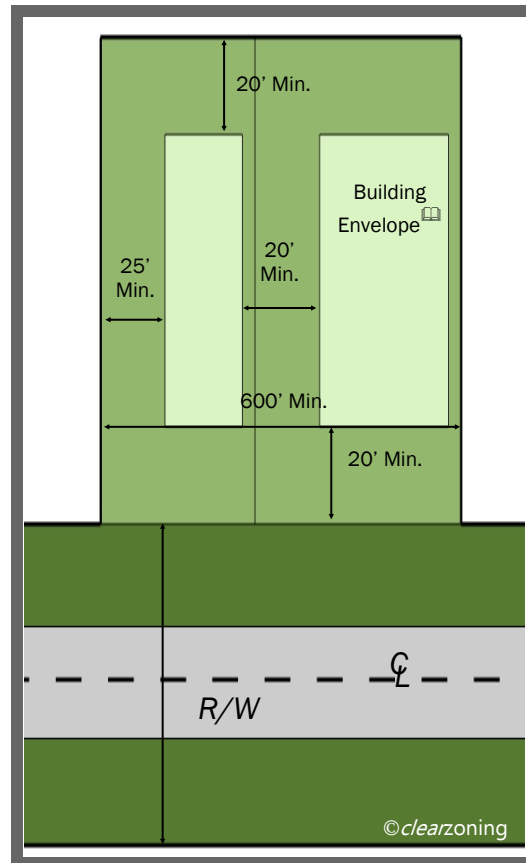
Minimum front yard setback: 40 feet  
 Minimum rear yard setback: 25 feet  
 Minimum side yard setback: 25 feet one side  
 50 feet total of two sides

### Setback (Individual sites)

Minimum front yard setback: 20 feet  
 Minimum rear yard setback: 20 feet  
 Minimum side yard setback: 5 feet one side  
 30 feet total of two sides

### Building Height

Maximum building height of community building: 25 feet or 2 stories, whichever is less  
 Maximum building height of individual site: 15 feet or 1.5 stories, whichever is less



These drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- Landscape and Screening §5.19
- Off-Street Parking §5.11

- Performance Standards §5.18
- Visibility §5.6
- Fences §5.12
- Private Access Drive §5.16
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Condominium §6.1
- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3
- Access Management §6.4
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## A. INTENT

The Attached Single-Family Residential District is designed to permit various attached single-family dwellings including row or townhouse dwellings and two-family or duplex dwellings. These areas should be located near shopping, community services and facilities, and major roads for good accessibility.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Attached single-family dwellings
- ii. Two family dwellings
- iii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- iv. Adult foster care family home in detached dwelling
- v. **Adult foster care small group home** § 4.7
- vi. **Adult foster care large group home** § 4.7
- vii. Family day care home in detached dwelling

## C. SPECIAL LAND USES

- i. **Hospitals and other health care facilities** §4.30
- ii. **Adult foster care congregate facilities** §4.7
- iii. **Local utility structures, stations and substations** §4.29
- iv. **Public and private schools** §4.43
- v. **Utility transmission systems** §4.47
- vi. **Wireless communication antennas** §4.51
- vii. **Convalescent or nursing homes** §4.16
- viii. **Nursery schools, group adult and child care centers** §4.22

## D. ACCESSORY USES

- i. **Community garages** §4.56
- ii. Accessory, on-site management office/ community center
- iii. **Private swimming pools** §5.10
- iv. **Signs** §5.9





## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>:

First unit: 10,000 square feet

#### Each Additional Unit

Efficiency unit: 4,000 square feet

One bedroom unit: 5,500 square feet

Two bedroom unit: 6,000 square feet

Three bedroom unit: 6,500 square feet

Four bedroom unit: 7,500 square feet

Each additional room: 300 square feet

Minimum lot width<sup>Ⓜ</sup>: 100 feet

**Maximum Lot Coverage<sup>Ⓜ</sup>** 20%

### Setbacks<sup>Ⓜ</sup>

Minimum front yard setback: 40 feet

Minimum rear yard setback: 40 feet

Minimum side yard setback: 25 feet one side  
50 feet total of two sides

### Building Height<sup>Ⓜ</sup>

Maximum building height: 35 feet or 2 stories,  
whichever is less

### Floor Area<sup>Ⓜ</sup>

Minimum floor area per dwelling unit<sup>Ⓜ</sup>

One bedroom/Efficiency 500 square feet

Two bedrooms 800 square feet

Three bedrooms 950 square feet

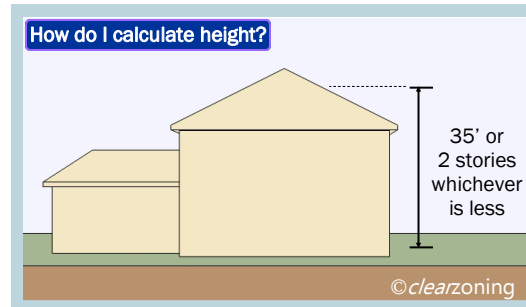
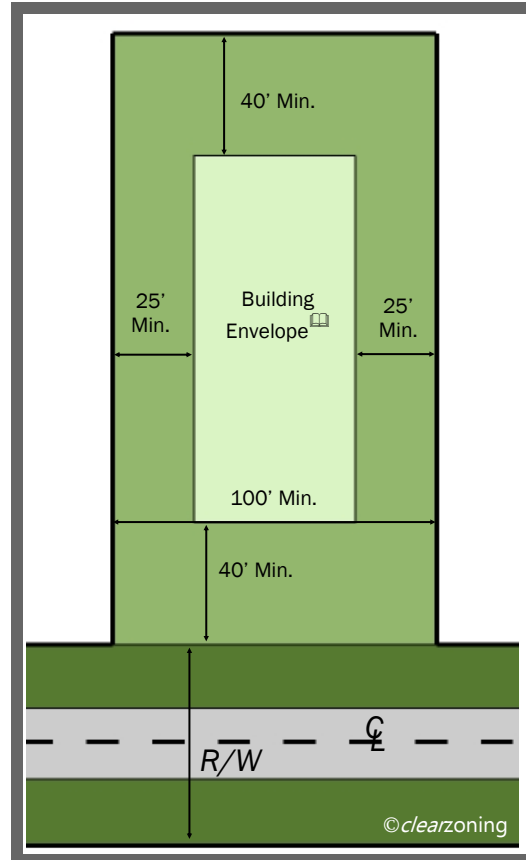
Four bedrooms 1,100 square feet

Each additional bedroom 150 square feet

Each additional room 300 square feet

### NOTES

- For additions to the above requirements, please refer to § 3.11 Notes to District Standards: **A, B, C, D, G, J, K, L, O, P, Q, R, S, T, U, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- Off-Street Parking §5.11
- Landscape and Screening §5.19
- Performance Standards §5.18
- Accessory Buildings §5.7

- Visibility §5.6
- Fences §5.12
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Condominium §6.1
- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3

- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# 3.1.9 RM-2 Multiple-Family Residential District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The Multiple-Family Residential District is designed to permit a more intensive residential use of land with various types and sizes of multiple-family dwellings, two-family dwellings, apartments and convalescent or nursing homes. These areas should be located near shopping, community services and facilities, and major roads for good accessibility.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Attached single-family dwellings
- ii. Two family dwellings
- iii. Multiple family dwellings
- iv. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- v. Adult foster care family home
- vi. **Adult foster care small group home** § 4.7
- vii. **Adult foster care large group home** § 4.7
- viii. Family day care home in detached dwellings

## C. SPECIAL LAND USES

- i. **Hospitals and other health care facilities** §4.30
- ii. **Adult foster care congregate facilities** §4.7
- iii. **Local utility structures, stations and substations** §4.29
- iv. **Public and private schools** §4.43
- v. **Utility transmission systems** §4.47
- vi. **Wireless communication antennas** §4.51
- vii. **Convalescent or nursing homes** §4.16
- viii. **Nursery schools, group adult and child care centers** §4.22

## D. ACCESSORY USES

- i. **Community garages** §4.56
- ii. Accessory, on-site management office/ community center
- iii. **Private swimming pools** §5.10
- iv. **Signs** §5.9



# RM-2 Multiple-Family Residential District <sup>3.1.9</sup>

## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>:

First unit: 10,000 square feet

#### Each Additional Unit

Efficiency unit: 2,500 square feet

One bedroom unit: 3,500 square feet

Two bedroom unit: 4,000 square feet

Three bedroom unit: 4,500 square feet

Four bedroom unit: 5,500 square feet

Each additional room: 800 square feet

Minimum lot width<sup>☐</sup>: 200 feet

**Maximum Lot Coverage**<sup>☐</sup> 20%

### Setbacks<sup>☐</sup>

Minimum front yard setback: 40 feet

Minimum rear yard setback: 45 feet

Minimum side yard setback: 70 feet one side

100 feet total of two sides

### Building Height<sup>☐</sup>

Maximum building height: 35 feet or 2 stories, whichever is less

### Floor Area<sup>☐</sup>

Minimum floor area per dwelling unit<sup>☐</sup>:

One bedroom/Efficiency 400 square feet

Two bedrooms 700 square feet

Three bedrooms 850 square feet

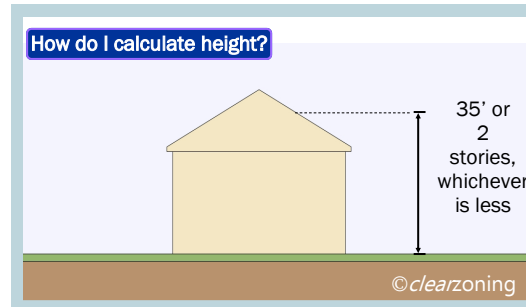
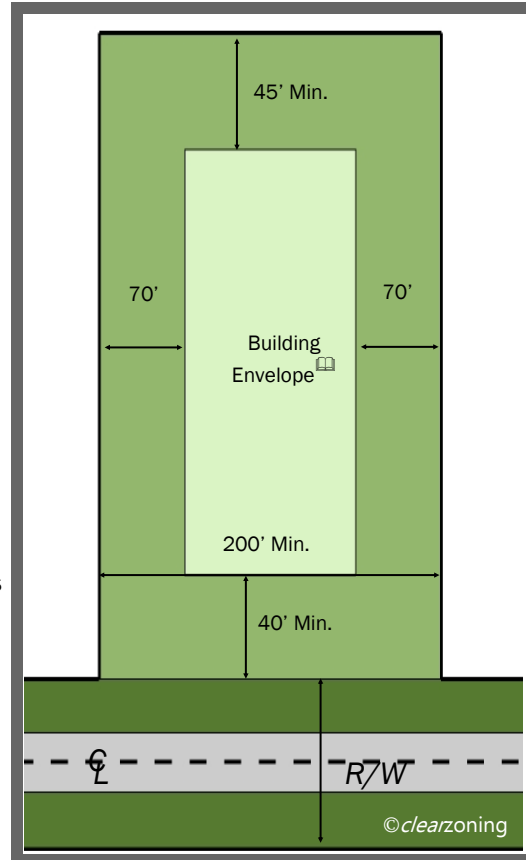
Four bedrooms 1,000 square feet

Each additional bedroom 150 square feet

Each additional room 300 square feet

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, B, C, D, G, J, K, L, O, P, Q, R, S, T, U, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

■ **Visibility** §5.6

■ **Fences** §5.12

■ **Private Access Drive** §5.16

■ **Pathway Standards** §5.20

■ **Sidewalk Standards** §5.21

■ **Pathway and Sidewalk**

**Maintenance** §5.22

■ **Traffic Impact** §6.3

■ **Access Management** §6.4

■ **Site Plan Review** §6.8

■ **Sewer/Water** §6.9

■ **Community Impact** §6.6

### 4. Use Standards

### 5. Site Standards

■ **Off-Street Parking** §5.11

■ **Landscape and Screening** §5.19

■ **Performance Standards** §5.18

■ **Accessory Buildings** §5.7

### 6. Development Procedures

■ **Condominium** §6.1

■ **Special Land Uses** §6.10 §6.11

### Other Ordinances

Subdivision Regulations

Land Division Ordinance

Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## A. INTENT

The PD, Planned Development District is intended to provide for the location and various types of planned land use on large parcels held in common ownership and includes such alternate terms as cluster zoning, planned development, community unit plan, planned residential development and other similar terminology. Uses planned may include single-family detached housing, single-family attached housing, multiple-family housing, local commercial business, office uses, and similar activities. The PD District is intended to result in a unique, planned development that includes such techniques as open space preservation. A public hearing shall be held prior to formal consideration of the PD.

**? User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

The following permitted uses are subject to approval of a planned development design, cluster layout, open space preservation plan, or the like, consistent with Section 6.7 – Planned Development Review Process and Section 6.8 – Site Plan Review Process:

- i. Adult foster care family home
- ii. Banks, credit unions, savings and loan, and similar financial institutions
- iii. Single-family detached dwellings
- iv. Single-family attached dwellings
- v. Two-family dwellings
- vi. Multiple-family dwellings
- vii. **Cluster housing option** §4.13
- viii. Photography or artists’ studio
- ix. Retail commercial uses
- x. Restaurants, with and without alcoholic beverages
- xi. Restaurants, fast-food or carry-out
- xii. Administrative, professional, medical or dental offices
- xiii. Personal services
- xiv. Day camps
- xv. Educational facilities such as: zoological gardens, botanical gardens, bird sanctuaries, arboretums, and the like
- xvi. **Nursery schools, group adult and child care centers** §4.22
- xvii. **Outdoor recreation uses, public and private golf courses and country clubs including “par three”** §4.38
- xviii. **Outdoor recreation uses, driving range** §4.38

## B. PRINCIPAL PERMITTED USES (CONT.)

- xix. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- xx. Private clubs for swimming, tennis, and the like
- xxi. Ski resorts
- xxii. Toboggan runs
- xxiii. Wildlife preserves
- xxiv. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- xxv. **Convalescent or nursing homes** §4.16
- xxvi. **Drive-in or drive-thru window service, restaurant** §4.17

## C. SPECIAL LAND USES

- i. **Local utility structures, stations and substations** §4.29
- ii. **Utility transmission systems** §4.47
- iii. **Wireless communication antennas** §4.51
- iv. **Bed and breakfast homes** §4.12
- v. **Bed and breakfast inns** §4.12

## D. ACCESSORY USES

- i. **Temporary buildings used only for construction purposes** §7.20
- ii. **Off-street parking** §5.11
- iii. **Private swimming pools** §5.10
- iv. **Signs** §5.9
- v. **Community garages** §4.56
- vi. Management offices



## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☒</sup>: 10 acres  
 Minimum lot width<sup>☒</sup>: To be determined by Planning Commission

### Maximum Lot Coverage<sup>☒</sup>

Governed by parking, loading, landscaping, etc.

### Setbacks<sup>☒</sup>

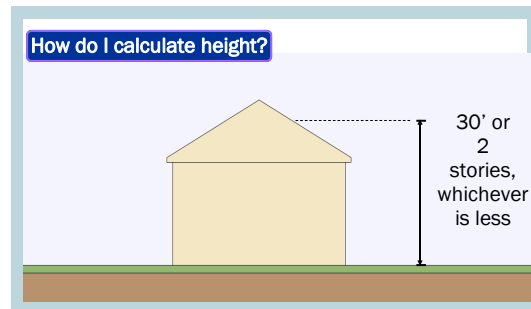
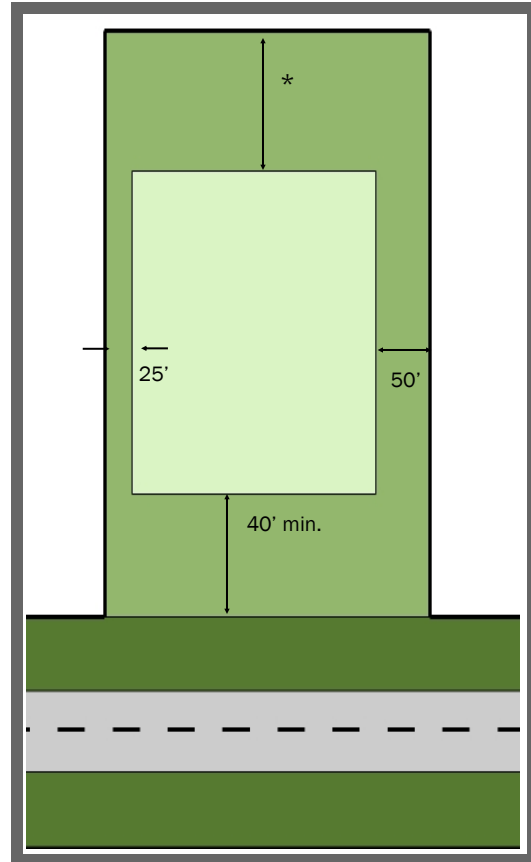
Minimum front yard setback: 40 feet  
 Minimum rear yard setback: To be determined by Planning Commission  
 Minimum side yard setback: 25 feet one side  
 50 feet total of two sides

### Building Height<sup>☒</sup>

Maximum building height: 30 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, B, D, G, J, K, L, P, Q, R, S, T, U, V, X**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- **Visibility** §5.6
- **Fences** §5.12
- **Private Access Drive** §5.16
- **Pathway Standards** §5.20
- **Sidewalk Standards** §5.21
- **Pathway and Sidewalk Maintenance** §5.22
- **Special Land Uses** §6.10 §6.11
- **Traffic Impact** §6.3
- **Access Management** §6.4
- **Site Plan Review** §6.8
- **Sewer/Water** §6.9
- **Community Impact** §6.6

### 4. Use Standards

### 5. Site Standards

- **Off-Street Parking** §5.11
- **Loading** §5.11.P
- **Landscape and Screening** §5.19
- **Performance Standards** §5.18
- **Accessory Buildings** §5.7

### 6. Development Procedures

- **Condominium** §6.1
- **Planned Development Review** §6.7

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# 3.1.11 NB-O Neighborhood Office District

## A. INTENT

The Neighborhood Office District, permits those office and service uses which are compatible in intensity and character with nearby residential areas. The intent of this article is to encourage well-designed office buildings, employing high quality architecture, in a professionally landscaped setting, as well as uses which will not cause large volumes of traffic, traffic congestion, or parking problems. These uses will be designed and constructed so as to fully complement and enhance the adjoining or nearby residential areas.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Administrative, professional, medical or dental offices
- ii. Photography or artists' studios with only incidental photographic processing
- iii. Banks, credit unions, savings and loan institutions and other financial office buildings, not including drive-through window service

## C. SPECIAL LAND USES

- i. **Drive-in or drive-thru window service, banks** §4.17
- ii. **Government (non-Township) offices and uses without service or storage yards** §4.21
- iii. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- iv. **Local utility structures, stations and substations** §4.29
- v. **Nursery schools, group adult and child care centers** §4.22
- vi. **Office buildings over 20,000 square. feet.** §4.35
- vii. **Utility transmission systems** §4.47
- viii. **Wireless communication antennas** §4.51



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 1 acre  
 Minimum lot width<sup>Ⓜ</sup>: 120 feet

**Maximum Lot Coverage<sup>Ⓜ</sup>** 25%

### Setbacks<sup>Ⓜ</sup>

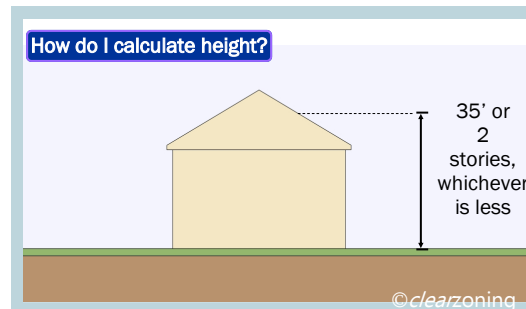
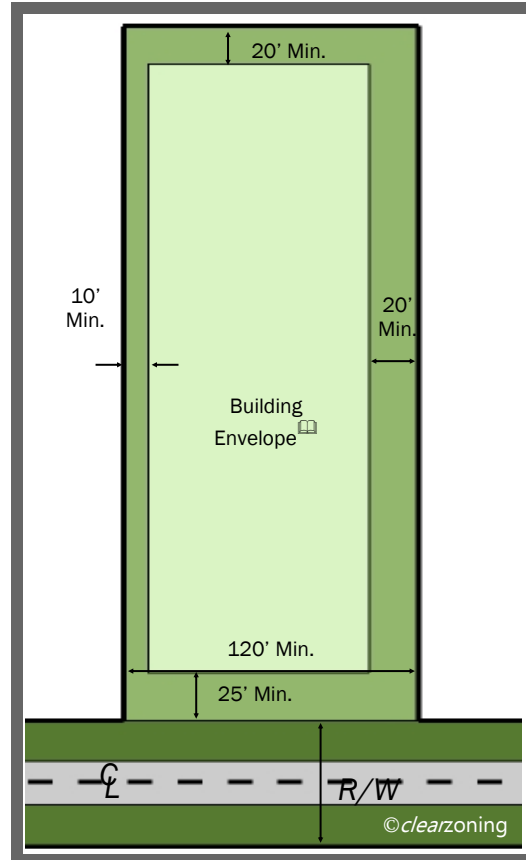
Minimum front yard setback: 25 feet  
 Minimum rear yard setback: 20 feet  
 Minimum side yard setback: 10 feet one side  
 30 feet total of two sides

### Building Height<sup>Ⓜ</sup>

Maximum building height: 35 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: [A](#), [D](#), [I](#), [K](#), [L](#), [Q](#), [R](#), [S](#), [T](#), [V](#)



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- Off-Street Parking §5.11
- Loading §5.11.P
- Landscape and Screening §5.19
- Performance Standards §5.18

- Visibility §5.6
- Fences §5.12
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Condominium §6.1
- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3

- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# LB Local Business District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The Local Business District is intended to be that district permitting retail business and service uses which are needed to provide for the day-to-day needs of the nearby residential areas. The specific intent of the Local Business District is:

- A. To encourage the concentration of local business uses in certain strategic locations to the mutual advantage of both the consumers and merchants and to avoid the continuance of marginal strip business development along major streets.
- B. To prohibit uses that would create hazards, offensive and loud noises, dust, dirt, smoke, odor, glare, vibrations or excessive truck traffic.

**? User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Retail commercial uses
- ii. **Nursery schools, group adult and child care centers** §4.22
- iii. **Office buildings over 20,000 square feet** §4.35
- iv. Photography or artists' studios
- v. Restaurants without alcoholic beverages
- vi. Restaurants, fast-food or carry-out
- vii. Administrative, professional, medical or dental offices
- viii. Personal services
- ix. Banks, credit unions, savings and loan institutions and other financial office buildings, including drive-through window service

## C. SPECIAL LAND USES

- i. **Local utility structures, stations and substations** §4.29
- ii. **Utility transmission systems** §4.47
- iii. **Wireless communication antennas** §4.51
- iv. **Bed and breakfast homes** §4.12
- v. **Bed and breakfast inns** §4.12
- vi. **Animal care facilities, veterinary clinics and hospitals** §4.6

## D. ACCESSORY USES

- i. Accessory buildings, structures and uses customarily incidental to any of the above uses when located on the same premises
- ii. **Signs** §5.9





## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 1 acre  
 Minimum lot width<sup>☐</sup>: 120 feet

### Maximum Lot Coverage<sup>☐</sup>

Governed by parking, loading, landscaping, etc.

### Setbacks<sup>☐</sup>

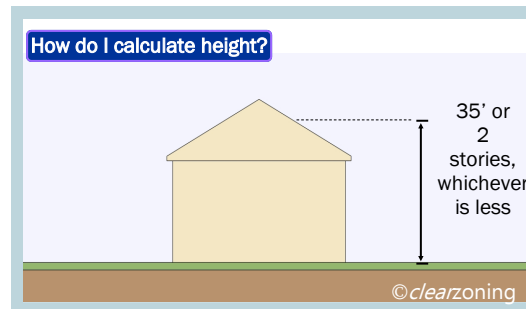
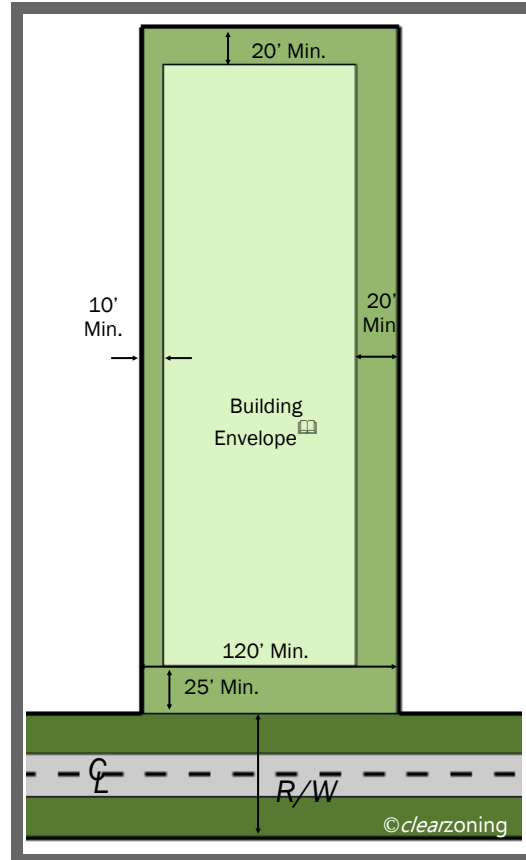
Minimum front yard setback: 25 feet  
 Minimum rear yard setback: 20 feet  
 Minimum side yard setback: 10 feet one side  
 30 feet total of two sides

### Building Height<sup>☐</sup>

Maximum building height: 35 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, I, K, L, Q, S, T, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- Off-Street Parking §5.11
- Loading §5.11.P
- Landscape and Screening §5.19

- Performance Standards §5.18
- Visibility §5.6
- Fences §5.12
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3
- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# 3.1.13 NMU Neighborhood Mixed Use District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The Neighborhood Mixed Use Districts are intended to create small centers of neighborhood life that encourage a mix of compatible retail, service, office and residential uses in a walkable environment that features access via all forms of motorized and non-motorized transportation. Buildings of two to three stories and small stores and offices not larger than 6,000 square feet will reinforce the intimate, residential character of the neighborhoods.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

- i. Single-family attached dwelling, including upper floor apartments and condominiums
- ii. Two-family dwellings
- iii. Multiple-family dwellings, including upper floor apartments and condominium
- iv. Administrative, professional, medical or dental offices
- v. Banks, credit unions, savings and loan, and similar financial institutions
- vi. Health and fitness facilities
- vii. Motels and hotels
- viii. Personal services
- ix. Photography or artists' studios
- x. Restaurants, fast-food or carry-out
- xi. Restaurants without alcoholic beverages
- xii. Restaurants with wine and/or beer service
- xiii. Business support services
- xiv. Retail commercial uses
- xv. **Places of worship** §4.15
- xvi. **Nursery schools, adult and child care centers** §4.22
- xvii. Instruction centers for academic and fine arts purposes
- xviii. Theaters, concert halls, or similar places of assembly
- xix. Accessory buildings and uses customarily incidental to any of the above permitted uses
- xx. Similar uses, as determined by the Planning Commission

## C. SPECIAL LAND USES

- i. **Retail stores up to 10,000 square feet** §4.53
- ii. **Drive-in or drive-thru window service, banks** §4.17
- iii. **Drive-in or drive-thru window service, convenience market and pharmacy** §4.17
- iv. **Drive-in or drive-thru window service, dry cleaners** §4.17
- v. **Drive-in or drive-thru window service, restaurant** §4.17
- vi. **Local utility structures, stations and substations** §4.29
- vii. **Utility transmission systems** §4.47
- viii. Uses similar to any special land use in the district, subject to reasonable conditions based upon standards for similar special land uses as determined by the Planning Commission



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>m</sup>: 5,000 square feet  
 Minimum lot width<sup>m</sup>: Not specified

### Setbacks<sup>m</sup>

Minimum front yard setback: 0 feet  
 Minimum rear yard setback:  
     Adjacent to alley/service drive: 5 feet  
     No alley/service drive: 25 feet  
 Minimum side yard setback: 0 feet

Build-to-Line coverage<sup>m</sup>: 60%

### Building Height<sup>m</sup>

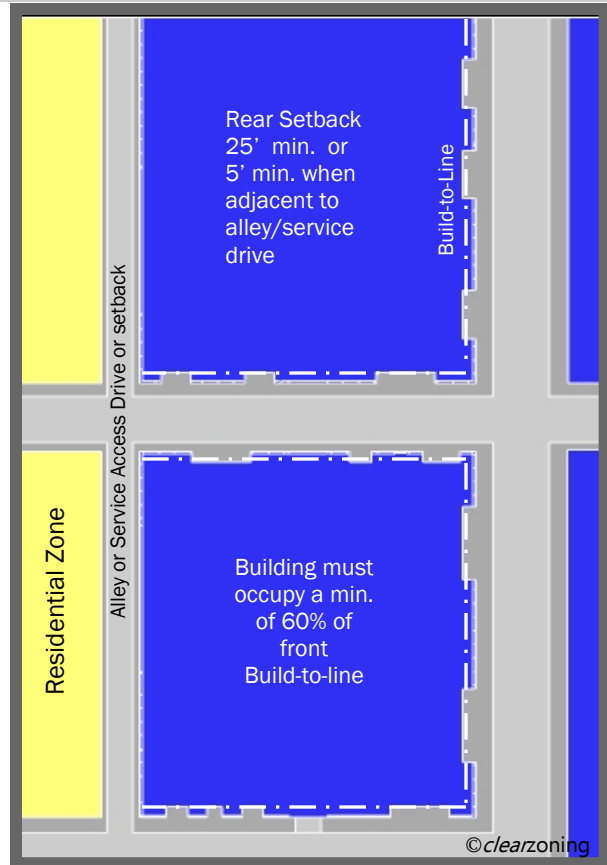
Minimum building height: 2 stories, 25 feet  
 Maximum building height: 3 stories, 40 feet, whichever is less

### Minimum Floor Height

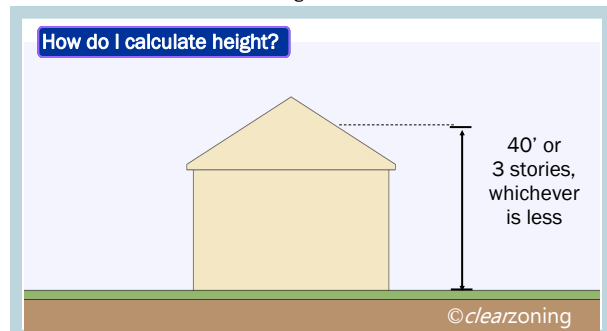
First/ground floor: 14 feet  
 Upper floors: 10 feet

### Maximum Floor Area Per Establishment

First/ground floor: 6,000 square feet  
 Total, two or more floors: 6,000 square feet



The above drawings are not to scale.



## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- [Off-Street Parking](#) §5.11
- [Loading](#) §5.11.P
- [Landscape and Screening](#) §5.19
- [Performance Standards](#) §5.18

- [Visibility](#) §5.6
- [Fences](#) §5.12
- [Pathway Standards](#) §5.20
- [Sidewalk Standards](#) §5.21
- [Pathway and Sidewalk Maintenance](#) §5.22

### 6. Development Procedures

- [Condominium](#) §6.1
- [Special Land Uses](#) §6.10 §6.11
- [Traffic Impact](#) §6.3

- [Access Management](#) §6.4
- [Sewer/Water](#) §6.9
- [Site Plan Review](#) §6.8
- [Community Impact](#) §6.6

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



# RB Restricted Business District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The intent of the Restricted Business District is to provide a uniform set of regulations that will provide for and encourage retail and office development in accordance with the unique character of White Lake Township, with emphasis on preservation and enhancement of landscaping and natural areas. The Restricted Business District should contain diverse types of retail and office business, but it is not intended that the district become an intensive, high-volume commercial strip.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Retail commercial uses
- ii. Personal services
- iii. **Nursery schools, group adult and child care centers** §4.22
- iv. Theaters, concert hall, or similar enclosed places of assembly
- v. Restaurants with and without alcoholic beverages
- vi. Restaurants, fast-food or carry-out
- vii. Radio or television studios
- viii. **Local utility structures, stations and substations** §4.29
- ix. Administrative, professional, medical or dental offices
- x. Banks, credit unions, savings and loan, and similar financial institutions
- xi. **Office buildings over 20,000 square feet** §4.35
- xii. Photography or artists' studios
- xiii. **Places of worship** §4.15

## C. SPECIAL LAND USES

- i. **Automobile service stations** §4.10
- ii. **Automobile wash establishments** §4.11
- iii. **Motels and hotels** §4.33
- iv. **Government (non-Township) offices and uses without service or storage yards** §4.21
- v. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- vi. **Bed and breakfast homes** §4.12
- vii. **Bed and breakfast inns** §4.12
- viii. **Indoor recreation uses** §4.26
- ix. **Private clubs and lodge hall** §4.40
- x. **Open air businesses** §4.36
- xi. **Drive-in or drive-thru window service, banks** §4.17
- xii. **Drive-in or drive-thru window service, convenience market and pharmacy** §4.17
- xiii. **Drive-in or drive-thru window service, dry cleaners** §4.17
- xiv. **Drive-in or drive-thru window service, restaurant** §4.17
- xv. **Animal care facilities, veterinary clinics and hospitals** §4.6
- xvi. **Funeral homes** §4.20
- xvii. **Utility transmission systems** §4.47

## D. ACCESSORY USES

- i. Accessory buildings, structures and uses customarily incidental to any of the above uses when located on the same premises
- ii. **Signs** §5.9



## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 1 acre  
 Minimum lot width<sup>☐</sup>: 120 feet

### Maximum Lot Coverage<sup>☐</sup>

Governed by parking, loading, landscaping, etc.

### Setbacks<sup>☐</sup>

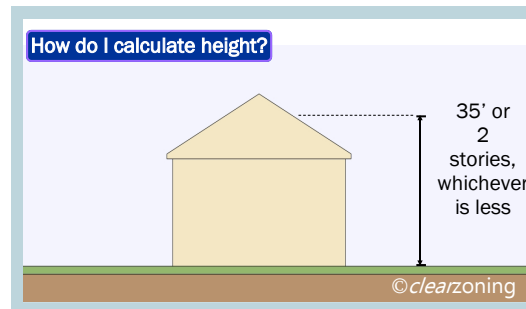
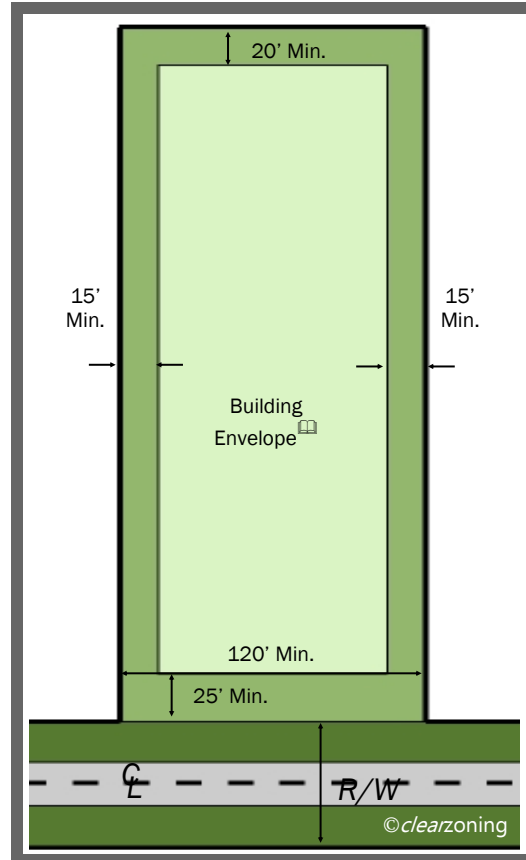
Minimum front yard setback: 25 feet  
 Minimum rear yard setback: 20 feet  
 Minimum side yard setback: 15 feet one side  
 30 feet total of two sides

### Building Height<sup>☐</sup>

Maximum building height: 35 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, I, K, L, M, N, Q, R, S, T, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- Off-Street Parking §5.11
- Loading §5.11.P
- Landscape and Screening §5.19

- Performance Standards §5.18
- Visibility §5.6
- Fences §5.12
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3
- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## A. INTENT

The General Business District, as established in this article, is intended to permit a wider range of business activities than those permitted in the Local Business and Restricted Business districts. The specific intent of this article is to allow those uses which would not only serve nearby residential areas, but also the entire community's comparison business, offices, services and automotive service needs, including open-air sales and uses requiring location on a major highway or street. These uses would generate larger volumes of vehicular traffic, would need more off-street parking and loading, and would require more detailed planning to provide an appropriate transition between such districts and adjacent residential areas.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PERMITTED PRINCIPAL USES

- i. Household and office furniture stores
- ii. Kitchen, bath, lighting, flooring and similar home improvement uses
- iii. Personal services
- iv. Business support services
- v. Retail commercial uses
- vi. Department stores
- vii. Motels and hotels
- viii. **Bed and breakfast inns** §4.12
- ix. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- x. **Local utility structures, stations and substations** §4.29
- xi. Adult entertainment uses
- xii. Restaurants, with and without alcoholic beverages
- xiii. Restaurants, fast-food or carry-out
- xiv. Funeral home
- xv. Theaters, concert hall, or similar places of assembly
- xvi. Radio or television studios
- xvii. **Nursery school, group adult and child care centers** §4.22
- xviii. Administrative, professional, medical or dental offices
- xix. **Office buildings over 20,000 square feet** §4.35
- xx. **Places of worship** §4.15
- xxi. Photography or artists' studios
- xxii. Banks, credit unions, savings and loan institutions and other financial office buildings

## C. SPECIAL LAND USES

- i. **Automobile wash establishments** §4.11
- ii. **Automobile service centers** §4.9
- iii. **Automobile service stations** §4.10
- iv. **Animal care facilities, kennels and veterinary clinics and hospitals** §4.6
- v. **Drive-in or drive-thru window service, banks** §4.17
- vi. **Drive-in or drive-thru window service, convenience market and pharmacy** §4.17
- vii. **Drive-in or drive-thru window service, dry cleaners** §4.17
- viii. **Drive-in or drive-thru window service, restaurant** §4.17
- ix. **Entertainment and/or outdoor dining associated with a restaurant** §4.18
- x. **Hospitals and other health care facilities** §4.30
- xi. **New and used automobile sales** §4.34
- xii. **Home centers, lumber yards, and similar large-scale retail uses** §4.25
- xiii. **Outdoor Storage of Fleet Vehicles** §4.37
- xiv. **Open air business** §4.36
- xv. **Utility transmission systems** §4.47
- xvi. **Wireless communication antennas** §4.51

## D. ACCESSORY USES

- i. Accessory buildings, structures or uses customarily incidental to any of the above uses when located on the same premises
- ii. Garages
- iii. **Signs** §5.9



## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area: 1 acre  
 Minimum lot width: 200 feet

### Maximum Lot Coverage

Governed by parking, loading, landscaping, etc.

### Setbacks

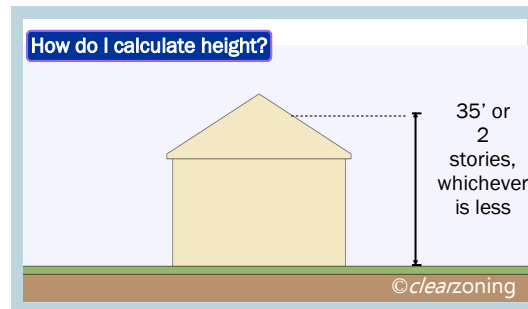
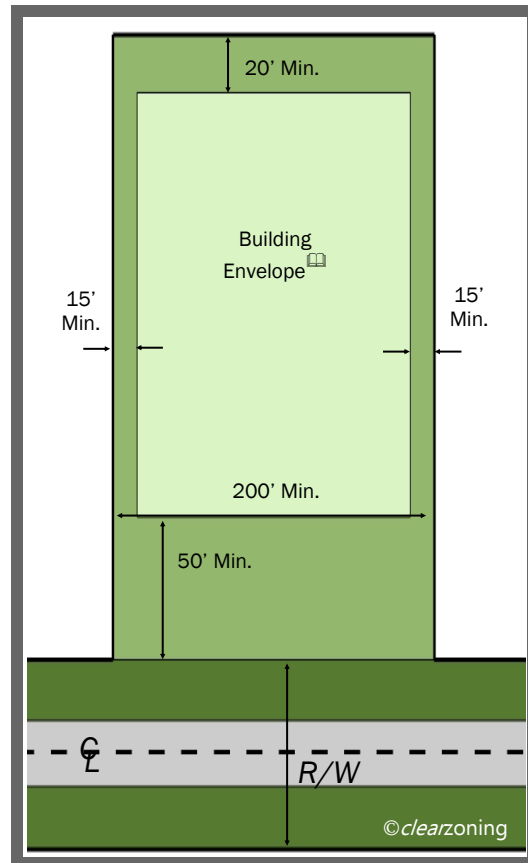
Minimum front yard setback: 50 feet  
 Minimum rear yard setback: 20 feet  
 Minimum side yard setback: 15 feet one side  
 30 feet total of two sides

### Building Height

Maximum building height: 35 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, I, K, L, M, Q, R, S, T, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- Off-Street Parking §5.11
- Loading §5.11.P
- Landscape and Screening §5.19

- Performance Standards §5.18
- Visibility §5.6
- Fences §5.12
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3
- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## A. INTENT

The PB Planned Business District is primarily a commercial district intended to permit, with Township approval, private and/or public development in a coordinated and cohesive arrangement which may be more difficult to achieve under more conventional, piecemeal development designed to conform with standard zoning requirements. To that end it becomes possible to permit greater flexibility in the types of land uses, land use arrangements and development requirements than would otherwise apply. It is further intended that the PB District be located along major thoroughfares, such as M-59, as opposed to locations in residential neighborhood areas where conflicts of land uses may arise more easily.

Development standards, as approved in a development plan, in this district shall result in a project that is superior to one constructed under standard zoning requirements and shall be mutually acceptable to the applicant(s) and the Township. Therefore, any PB Plan shall be substantially consistent with the Township Master Plan, desirable principals of land use planning, zoning ordinance standards and other applicable development requirements. In order to achieve these objectives, approval of a PB development requires approval of both a Site Plan and PB Agreement which sets forth specific physical, functional, amenity and design features and other related requirements considered essential to the development.

**? User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

- i. Retail commercial uses
- ii. Personal services
- iii. Business support services
- iv. Restaurants, with and without alcoholic beverages
- v. Restaurant, fast-food or carry-out
- vi. Department stores
- vii. Kitchen, bath, lighting, flooring and similar home improvement uses
- viii. Home centers, lumber yards and similar large-scale retail uses
- ix. Motels and hotels
- x. Administrative, professional, medical or dental offices
- xi. Hospitals and other health care facilities
- xii. **Government (Township only) offices, buildings and uses without service or storage yards** §4.21
- xiii. **Nursery school, group adult and child care centers** §4.22
- xiv. **Places of worship** §4.15
- xv. **Bed and breakfast inns** §4.12
- xvi. Theater, concert hall, or similar places of assembly
- xvii. Funeral homes
- xviii. Household and office furniture stores
- xix. **Office buildings over 20,000 square feet** §4.35
- xx. Photography or artists' studios
- xxi. **Private clubs and lodge hall** §4.40
- xxii. Radio or television studios
- xxiii. **Drive-in or drive-thru window service, banks** §4.17

## B. PRINCIPAL PERMITTED USE (CONT.)

- xxiv. **Drive-in or drive-thru window service, convenience market and pharmacy** §4.17
- xxv. **Drive-in or drive-thru window service, dry cleaners** §4.17
- xxvi. **Drive-in or drive-thru window service, restaurant** §4.17
- xxvii. **Wireless communication antennas** §4.51
- xxviii. **Automobile service centers** §4.9
- xxix. **Automobile service stations** §4.10
- xxx. **Automobile wash establishments** §4.11
- xxxi. **New and used automobile sales** §4.34
- xxxii. **Indoor recreation uses** §4.26
- xxxiii. **Adult entertainment uses** §4.3
- xxxiv. **Open air businesses** §4.36
- xxxv. **Local utility structures, stations and substations** §4.29
- xxxvi. **Banks, credit unions, savings and loan institutions and other financial office buildings, including drive-through window service** §4.17
- xxxvii. **Entertainment and/or outdoor dining associated with a restaurant** §4.18
- xxxviii. **Utility transmission systems** §4.47
- xxxix. **Outdoor Storage of Fleet Vehicles** §4.37

## C. ACCESSORY USES

- i. Any accessory use customarily incidental to one of the permitted uses, as determined by the approval authority
- ii. Other ancillary uses
- iii. **Signs** §5.9





## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 10 acres  
 Minimum lot width<sup>☐</sup>: To be determined by Planning Commission

### Maximum Lot Coverage<sup>☐</sup>

Governed by parking, loading, landscaping, etc.

### Setbacks<sup>☐</sup>

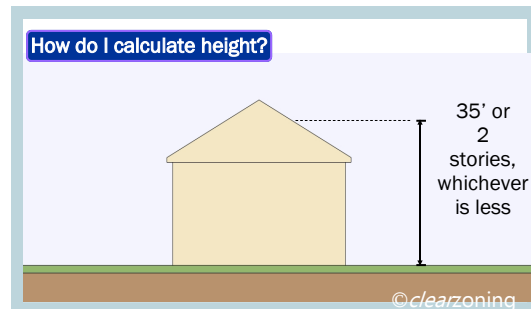
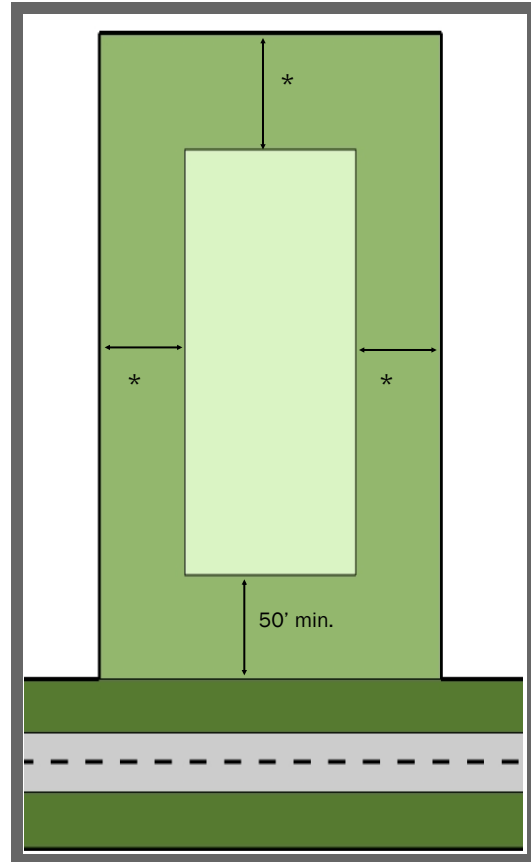
Minimum front yard setback: 50 feet  
 Minimum rear yard setback: To be determined by Planning Commission\*  
 Minimum side yard setback: To be determined by Planning Commission\*

### Building Height<sup>☐</sup>

Maximum building height: 35 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, I, K, L, M, Q, R, S, T, U, V, X**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- **Visibility** §5.6
- **Fences** §5.12
- **Pathway Standards** §5.20
- **Sidewalk Standards** §5.21
- **Pathway and Sidewalk Maintenance** §5.22
- **Special Land Uses** §6.10 §6.11
- **Traffic Impact** §6.3
- **Access Management** §6.4
- **Site Plan Review** §6.8
- **Sewer/Water** §6.9
- **Community Impact** §6.6

### 4. Use Standards

### 5. Site Standards

- **Off-Street Parking** §5.11
- **Loading** §5.11.P
- **Landscape and Screening** §5.19
- **Performance Standards** §5.18

### 6. Development Procedures

- **Condominium** §6.1
- **Planned Development Review** §6.7

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# TC Town Center District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

**A. INTENT: Lakes Town Center—Highland Road at Elizabeth Lake Road**

Lakes Town Center sub-district is intended to create a compact and unique center of civic life for White Lake Township. New development and redevelopment of properties will be laid out in a pedestrian-oriented manner that reflects a traditional town form, featuring a mix of residential, retail, and office uses. Primary roads will function as the main streets and secondary roads will support the grid network. Parking will be provided on-street and in shared parking areas. Alleys or back streets will provide access to service and parking areas.

**B. INTENT: Four Towns—Cooley Lake Road, between Union Lake Road and Williams Lake Road**

Four Towns sub-district is intended to allow flexibility in the redevelopment of property along Cooley Lake Road, a historically mixed-use area. It is also offered as a model to encourage our three neighbor communities to expand the concept into a true town center. This sub-district will encourage pedestrian oriented design, provide a unique identity to this historical place, and complement existing residential, institutional, and recreational uses.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

C. Use	Floor			
	Lakes Town Center		Four Towns	
Commercial Uses	Ground Floor	Upper Floor	Ground Floor	Upper Floor
Restaurant (carry-out, fast-food, or sit-down), bar, tavern with or without alcoholic beverages	P	P	P	
<b>Entertainment and/or outdoor dining associated with a restaurant</b> §4.18	P	P	P	
Personal Services	P	P	P	P
Banks, credit unions, savings and loan, and similar financial institutions		P	S	P
Bed & Breakfast inns	P	P	P	P
Motels and hotels	P	P	P	P
Retail commercial spaces up to 6,000 square feet	P	P	P	P
Grocery store up to 10,000 square feet	P		P	
Post office and other government services	P	P	P	
<b>Administrative, professional, medical &amp; dental offices</b> §4.59		P	S	P
Business support services	P	P	P	
<b>Drive-in or drive-thru window service, banks</b> §4.17	S		S	
<b>Drive-in or drive-thru window service, convenience market and pharmacy</b> §4.17	S		S	
<b>Drive-in or drive-thru window service, dry cleaners</b> §4.17	S		S	
<b>Drive-in or drive-thru window service, restaurant</b> §4.17	S		S	
Photography or artists' studios	P	P	P	P
<b>Utility transmission systems</b> §4.47	S	S	S	S
<b>Local utility structures, stations, and substations</b> §4.29	S		S	

P = Permitted S = Special Land Use A = Accessory use \* If similar to a permitted use on this level, as determined by the Planning Commission. \*\* If similar to a special land use permitted on this level, as determined by the Planning Commission, and subject to reasonable conditions to address impacts of similar special land uses.



C. Use (Continued)	Floor			
	Lakes Town Center		Four Towns	
<b>Recreation, Education &amp; Assembly</b>				
<b>Library, museum</b> §4.59	S	P		S
<b>Nursery schools, adult and child care centers</b> §4.22	P	S	P	S
<b>Theater, cinema, performing arts</b> §4.59	S	S	S	S
<b>Instruction centers for academic and fine arts purposes</b> §4.59	P	P	S	S
Health/Fitness facility	P	P	P	P
Government (Township only) offices, buildings and uses without service or storage yards	P	P	P	P
<b>Places of worship, assembly and meeting halls</b> §4.59	S	S	S	S
<b>Residential Uses</b>				
Apartments/Condos/Mixed Use		P		P
Apartments/Condos, Exclusive Use on Secondary Roads	P	P	P	P
Home Occupations and/or Live-work on Secondary Roads	P	P	P	P
Accessory uses, customarily incidental to permitted uses	A	A	A	A
Uses similar to the above uses, as determined by the Planning Commission	P*/S**	P*/S**	S**	P*

P = Permitted S = Special Land Use A = Accessory use \* If similar to a permitted use on this level, as determined by the Planning Commission. \*\* If similar to a special land use permitted on this level, as determined by the Planning Commission, and subject to reasonable conditions to address impacts of similar special land uses.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area <sup>m</sup> :	5,000 square feet
Minimum lot width <sup>m</sup> :	
Lakes Towns Center	20 feet
Four Towns	Not specified

### Setbacks<sup>m</sup>

Minimum front yard setback:	0 feet
Minimum rear yard setback:	
Adjacent to alley/service drive	5 feet
No alley/service drive	25 feet
Minimum side yard setback:	
Alley or service access drive	5 feet
Adjacent to residential zone	25 feet

### Build-to-line coverage<sup>m</sup>:

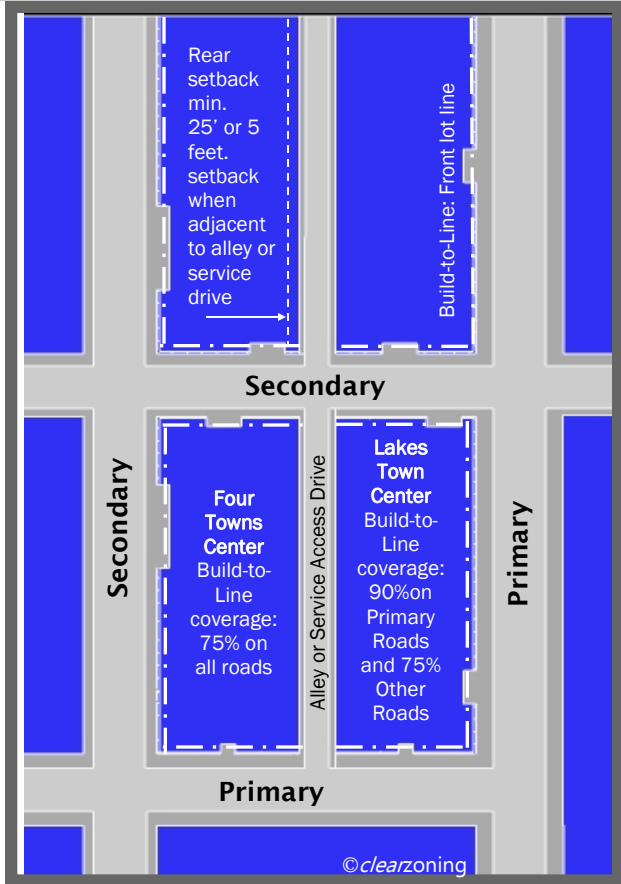
Lakes Town Center	
Primary Roads:	90%
Other roads	75%
Four Towns Center	75%

### Maximum Building Height<sup>m</sup>

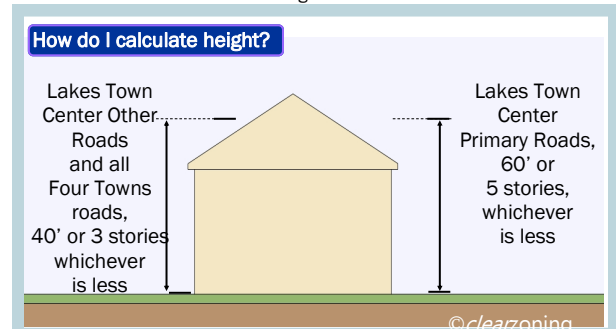
Lakes Town Center	
Primary Roads:	5 stories, 60 feet, whichever is less, subject to 5th story set back ten (10) feet from all building sides
Other roads:	3 stories, 40 feet, whichever is less
Four Towns	3 stories, 40 feet, whichever is less

### Minimum Floor Height

First/ground floor:	14 feet
Upper floors:	10 feet



The above drawings are not to scale.



## SELECTED REFERENCES

### 3. Zoning Districts

- [Fences](#) §5.12
- [Pathway Standards](#) §5.20
- [Sidewalk Standards](#) §5.21
- [Site Plan Review](#) §6.8
- [Sewer/Water](#) §6.9
- [Community Impact](#) §6.6

### 4. Use Standards

- [Pathway and Sidewalk Maintenance](#) §5.22

### 5. Site Standards

- [Off-Street Parking](#) §5.11
- [Loading](#) §5.11.P
- [Landscape and Screening](#) §5.19
- [Performance Standards](#) §5.18

### 6. Development Procedures

- [Special Land Uses](#) §6.10 §6.11
- [Traffic](#) §6.3
- [Access Management](#) §6.4

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

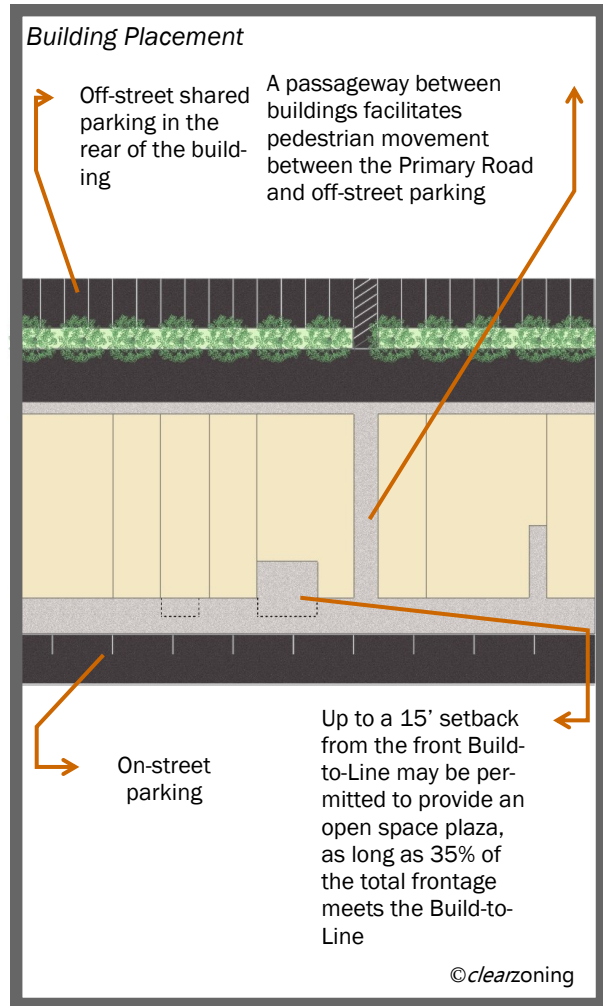


**E. BUILDING PLACEMENT**

1. Primary Roads: Buildings shall be constructed to the Build-to-Line and occupy 90 percent or more of the full width of the parcel, subject to the following:
  - A. Build-to-Zone: An area two feet deep and parallel to the Build-to-Line within which the building façade may jog up to two feet, in order to encourage variation and design flexibility. Additional variations in setback for architectural features that meet the intent and spirit of this ordinance, may be permitted at the discretion of the Planning Commission.
  - B. Building Entrances: Recessed areas from three (3) to five (5) feet from the Build-to-Line shall be provided for primary building entrances.
  - C. Forecourts: The Planning Commission may grant an exception for a building façade to retreat up to fifteen (15') feet from to the Build-to-Line, into the building mass, to provide an open space plaza or courtyard provided that at least thirty-five percent (35%) of the total frontage meets the Build-to Zone.
  - D. Paved areas: All areas located between the building and the street shall be paved for pedestrians unless specific landscaped areas within the paved sections are approved.
2. Other Roads: Buildings that abut other roads shall be constructed to the Build-to-Line and occupy 75% or more of the full frontage of the parcel, subject to 3.1.17.E.1.A above. The Planning Commission may reduce the 75% frontage requirement to 50% when it determines that development of the site will be phased and that it is not reasonable to meet the 75% requirement at the time of site plan approval.
3. Interior Side Setbacks—None required

**F. BUILDING ELEMENTS**

The requirements listed in this subsection, shall apply to all front-facing and exterior-side facing facades as well as facades that directly face a park or plaza. Walls shall not be blank. Walls shall include windows and architectural features customarily found on the front of a building in a traditional downtown setting such as awnings, edge detailing, cornice work, decorative materials,



and decorative lighting. The following additional requirements shall apply:

1. Building Composition: Building facades shall be comprised of three distinct components: a base or ground floor, a middle, and a top.
  - A. Base: The base of a building shall be designed to clearly define where the building begins. It shall enhance the pedestrian experience by providing quality durable materials as well as ample windows that encourage views into a ground floor space. Frontage base types shall be one of the following on Primary Roads:
    - i. Arcade: A façade featuring a series of arches and columns.
    - ii. Storefront: The front façade build-to line is at or near the edge of the right-of-way (within the build-to-zone). The entrance to the building, which may

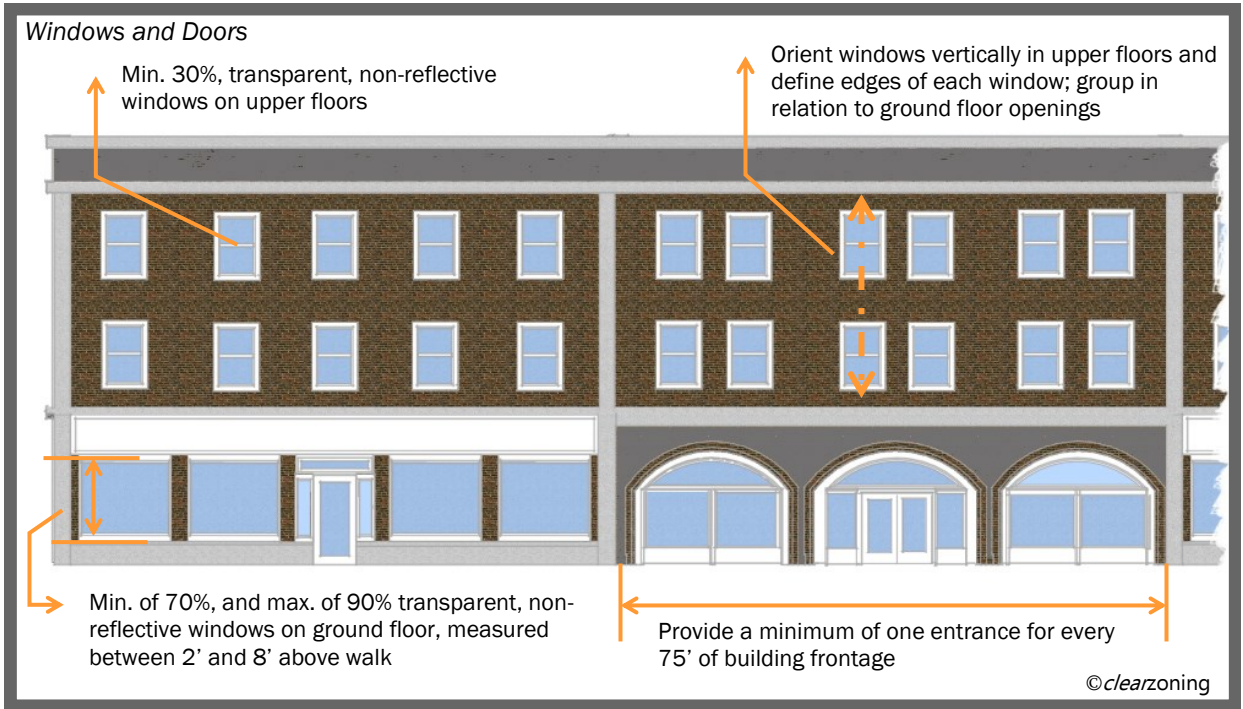
- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

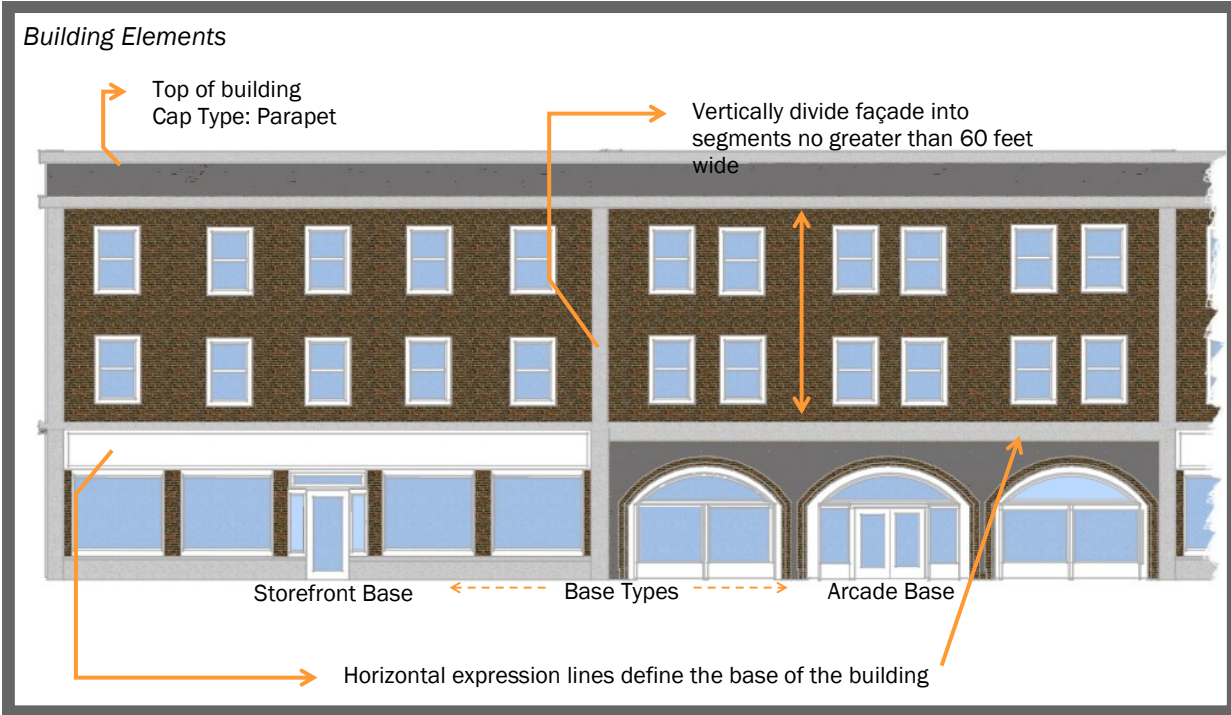


- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- be recessed, is at the grade of the sidewalk.
- B. Middle: For buildings with more than one story, the middle of a building, which begins above the ground floor, shall be separated from the ground floor by a visible break that may include a change of color, material, or window pattern. This break may include the sign band area. Upper floor windows shall be inset and grouped to reflect the rhythm of the ground floor openings.
  - C. Top: The top of the building will distinguish the building with a cornice or noticeable roof edge. Flat roofs shall be enclosed with parapets.
    - i. Equipment: Rooftop mechanical and other equipment shall be positioned and screened to minimize views from adjacent properties and obscure views from the public rights-of-way.
    - ii. Accessibility: Roofs may be accessible and may be used as balconies or terraces. Vegetated roofs are encouraged to cool buildings and limit stormwater runoff.
2. Windows and Doors
- A. Generally
    - i. Materials: Structural elements to support canopies or signage, along

- ii. Shutters: When shutters are used, whether operating or decorative, they shall be equal to the width of one half of the adjacent window opening
  - iii. Façade Openings: All porches, doors, colonnades, and upper floor windows, shall be vertically proportioned.
- B. Ground Floor windows and doors:
- i. Integral Design: All storefronts shall have doorways, windows, and signage that are integrally designed.
  - ii. Transparency: Each storefront shall have transparent or lightly tinted areas, equal to at least 70 percent, but not more than 90 percent of its portion of the façade, between two (2) and eight (8) feet from the ground. These required window areas shall be either windows that allow views into retail space, dining areas, office work areas, lobbies, pedestrian entrances,





merchandise display windows or other windows consistent with encouraging an active pedestrian environment along the storefront.

iii. Entry: At least one functioning doorway shall be provided for every street-facing storefront, with the primary entrance on the street. As applicable for a single ground floor use, one doorway shall be provided for every 75 feet in horizontal building length.

C. Upper Floor windows and doors—Glazing: The glazed area of a façade above the first floor shall be between 30 and 50 percent, with each façade being calculated separately, floor to floor. Sill height: All windows shall maintain a consistent sill height, unless the Planning Commission grants an exception for a decorative window element or similar feature.

3. Building Materials

A. Facing Street, park or plaza: At least 90% of all exterior building façades facing a street, park, or plaza shall be finished with a combination of two or more of the following: Glass, brick, cut or cast stone, wood, cementitious board (e.g., Hardie Plank), integrally colored concrete units

with brick proportions (e.g., half-high “C” brick), and textured stucco.

B. Facing other buildings: at least 70% of the exterior façade shall consist of the materials specified in 3.A. above and may also include split-faced, scored, or fluted block.

C. Variation: There shall be a change in the vertical or horizontal building plane when there is a change in color or material. Street facing facades shall be divided vertically into segments no greater than sixty (60) feet wide.

4. Corner Buildings. Buildings located at a street corner shall have appropriate architectural features and details that accentuate its prominent corner location through additional building height and /or adding a building peak or tower element at the corner. Other creative techniques may be used, subject to the acceptance of the Planning Commission. Special architectural corner features may be permitted to exceed the maximum building height by up to ten (10) feet if deemed appropriate by the Planning Commission.

5. Canopies and Awnings: Facades may be supplemented with awnings that do not serve as signage, but meet the following:

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement

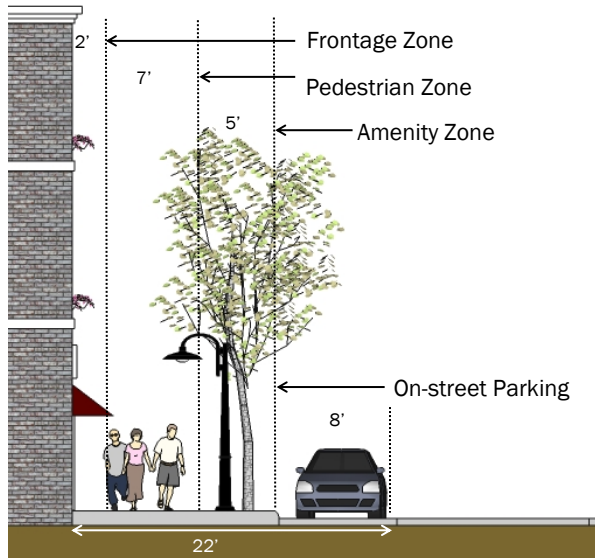


- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- A. **Style & Height:** Straight sheds shall be used. Awnings shall be at least 8 feet above sidewalk grade at the lower drip edge.
  - B. **Encroachment:** Awnings may encroach beyond the Front or Street-side Build-to-Zone and into the street right-of-way or easement, but must avoid the canopy area of street trees (based on tree maturity); and be set back a minimum of five (5) feet from the face of the road curb. Awnings shall be positioned immediately above the ground floor window, in scale with the window and overall building façade.
  - C. **Colors:** Awnings shall be complementary to the building façade.
  - D. **Materials:** Awnings shall be constructed of a durable material such as canvas or other material approved by the Building Official that will not fade or tear easily. Plastic and vinyl awnings are not permitted.
  - E. **Signage:** The vertical drip of an awning may be stenciled with signage a maximum of 8 inches by a horizontal length not to exceed 80 percent of the awning width.
6. **Balconies and Overhangs:** Balconies and overhangs may be added to facades with the following conditions:
- A. Balconies and overhangs shall not extend more than six feet from the building face.
  - B. Materials shall be compatible with the building and be integrally designed.
8. **Building Lighting**
- A. **Height:** For building fronts, exterior lights must be mounted between six and fourteen feet above adjacent grade.
  - B. **Alley lighting:** Fixtures in alleys shall illuminate the alley, be between 9 and 14 feet in height, have a shield to prevent uplighting, and not cause glare onto adjacent lots.
  - C. **Floodlights or directional lights:** Such lighting may be used to illuminate alleys or parking garages, but must be shielded to prevent light spills upward, or into adjacent lots, the street, or area outside of the District. Floodlights shall not be used for uplighting.
  - D. **Contained illumination:** Site lighting shall be of a design and height and shall be located so as to illuminate only the lot. An exterior lighting plan must be submitted and approved with each site plan.
  - E. **Flashing, traveling, animated or intermittent lighting:** Such lighting is not permitted, whether of a permanent or temporary nature.
- G. **OFF-STREET PARKING**
- 1. **Location:**
    - A. **Primary Roads:** Surface parking lots shall have a minimum setback of 60 feet from the sidewalk and be located behind a building. Structured parking is permitted internally, but must be located behind occupied uses on the ground floor.
    - B. **Other Roads:** Surface parking lots are permitted in the rear or side of any lot and in structures and shall be setback a minimum of 5 feet from the sidewalk. Off-street parking is not permitted in front of a building.
  - 2. **Driveways and Access:** Driveway access shall not be permitted off a Primary Road.
  - 3. **Screening and Landscaping:** Parking lots adjacent to public or private streets shall be screened by a combination of landscaping (e.g., hedge row), brick walls, and ornamental metal fencing, with the design intent of screening an area 2.5 feet high adjacent to parking lots. Unless otherwise specified here, other parking requirements found in Section 5.11 also apply.
  - 4. **Shared Parking:** see section 5.11
  - 5. **Bicycle Parking:** Secure, visible, and accessible parking for bicycles shall be provided.
- H. **FUNCTIONAL ELEMENTS:**
- 1. Loading docks, truck parking, utility meters, HVAC equipment, trash dumpsters, trash compaction and other service functions shall be incorporated into the overall design of buildings and landscaping.
  - 2. Areas for truck parking, trash collection and/or compaction, loading and other such uses shall not be visible from public or private rights-of-







way and shall be located at least 20 feet from all street and sidewalks.

I. LANDSCAPING, SCREENING & PEDESTRIAN AMENITIES

1. Generally: Sites should include landscaping as an integral part of site design and should give consideration as to the use of landscaping for stormwater management.
2. Mechanical equipment: Mechanical equipment, including, but not limited to, HVAC equipment, electrical transformers, air compressors, pumps, exterior water heaters, water softeners, private garbage cans (not including public sidewalk waste bins) and storage tanks may not be stored at ground level on a front or exterior side of a building and if provided in the rear, must be screened from public view. Rooftop mechanical equipment must be screened from public view, using materials that are complementary to the overall building design.
3. Buildings, Fronts & Backs
  - A. Street opportunities: Building facades are the public ‘face’ of the TC district. The use of well-maintained, quality plant materials attract and engage pedestrians and shall be permitted subject to administrative review of a sidewalk permit.
  - B. Rear yards: The private, back yard portions of lots may provide opportunities for

businesses to provide a semi-private space for patrons to enjoy, or allow residents to have private or semi-private (for apartments or condominiums) open spaces, gardens and courtyards.

5. Street Trees & Plantings
  - A. Spacing: Trees must be provided along the Primary Road streetscape, with a typical spacing of fifty (50) feet on center.
  - B. Tree wells: Tree wells in sidewalks must be 5 feet by 5 feet with a 3.5 feet minimum depth. Perimeter fencing shall not be permitted.
  - C. Clear vision: Trees shall not be placed closer than thirty feet (30’) from intersections, nor be placed in the clear vision triangle.
  - D. Irrigation: Irrigation systems must be installed at the time of development.
  - E. Maintenance of public realm: The owner shall maintain the portion of the street between the lot line and back-of-curb and, if applicable, the portion of the alley between the lot line and the edge of pavement.
  - F. Plant Selections: Plants should be chosen for specific locations based on size and mass at maturation as well as ease of maintenance.
6. Street Lighting
  - A. Pedestrian-scaled lighting shall provide a minimum of one foot candle of warm light between the building face and the curb.
  - B. Street lights are required with any new development or redevelopment and must be of the type identified by the Township.
7. Street Furniture
  - A. Street furnishings must be placed within the Amenity Zone, which is defined as the five (5) feet between the curb face and the pedestrian zone.
  - B. Street furnishing shall be placed at least 2.5 feet from the curb face where on-street parking occurs, and 5 feet where travel lanes adjoin the curb, subject to road commission approval, where required.
  - C. Planter walls, where proposed, shall be a minimum width of ten inches (10”) and two and one-half feet (2.5’) in height, and

- 1**  
Purpose and Introduction
- 2**  
Definitions
- 3**  
Zoning Districts
- 4**  
Use Standards
- 5**  
Site Standards
- 6**  
Development Procedures
- 7**  
Admin and Enforcement

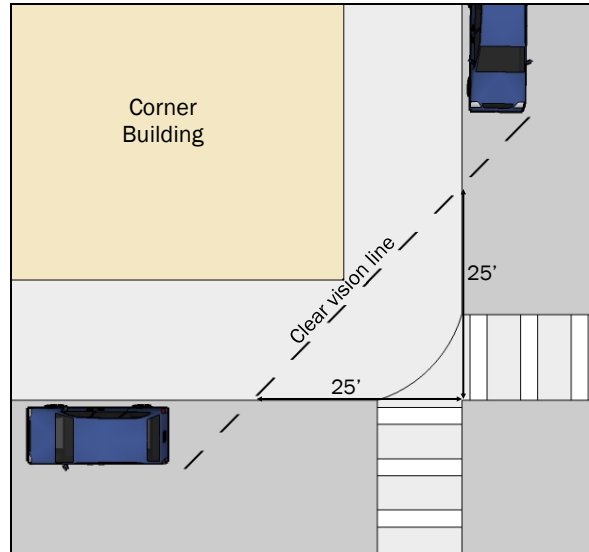


- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

brick to match pavers. Planter walls shall be located at intersections and placed at evenly spaced intervals along the block.

- D. Street furnishings must be those identified by the Township.
  
- 8. Café Railings: An outdoor dining area for a restaurant shall separate the dining area from the sidewalk pedestrian zone with a café railing, or similar feature, approved by the Township.
  - A. The café railing may extend not more than 5 feet beyond the Build-to-Line provided a clear pedestrian path of at least 5 feet in maintained on the sidewalk.
  - B. The café railing shall be at least 30 inches and not more than 36 inches high.
  - C. The café railing shall be anchored to the sidewalk in a manner that permits removal and storage during winter months in order to facilitate snow removal.
  
- 9. Open Space Standards: Public spaces are meant to provide a means for social interaction. There are two general classifications of public spaces in the TC district: those that are part of a development and those that are to be developed by the Township. Generally:
  - A. Location: Public open spaces should be practically located so that the public is aware of their location
  - B. Function: All open spaces should be functional and purposeful, yet flexible to provide for a variety of uses.
  - C. Amenities: Outdoor furniture (benches and tables), art or sculptures, landscaping, change in the type of pavement, semi-enclosure to define the space, drinking fountains, trash receptacles should be added to defined open spaces.
  - D. Awareness: Wayfinding signs should be used to direct the public to the location of open spaces, municipal parks or trailheads.
  - E. Security: Open spaces shall be well-lit, well-maintained and allow for clear views to create a safe environment.

10. Corner Clearance. A clear vision area shall be maintained at all street intersections in Town Center districts, consistent with the standards illustrated below:



- A. The clear vision area shall be measured along the curb face of both streets a distance of 25 feet from their point of intersection.
- B. No obstructions to the clear view of pedestrians and vehicles shall be placed within the clear vision area between a height of 2 feet and 8 feet above grade.
- C. On-street parking spaces shall not be placed within the area formed by the clear vision line extended to the travel lane.



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

(Intentionally Blank)



Purpose and Introduction

1

Definitions

2

Zoning Districts

3

Use Standards

4

Site Standards

5

Development Procedures

6

Admin and Enforcement

7

### A. INTENT

The Pontiac Lake Gateway sub-district is intended to create a unique gateway into White Lake Township, enhancing the views of Pontiac Lake and White Lake Oaks Golf Course and reinforcing the appeal of the Township as a “four seasons playground.” Properties located in this area, adjacent to the state trunkline, may accommodate greater height and more intense land activity than elsewhere in this otherwise low density community. This district will allow flexibility in the redevelopment of property along Highland Road (M-59), encourage pedestrian-oriented design, provide a unique identity to this region of the Township, and be compatible with existing residential, institutional, and recreational uses.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

### B. PRINCIPAL PERMITTED USES

- i. Multiple-family dwellings
- ii. Administrative, professional, medical and dental offices
- iii. Personal services
- iv. Restaurants (carry-out, fast-food, or sit-down), with or without alcoholic beverage service
- v. Health and fitness facilities
- vi. Business support services
- vii. Retail commercial uses
- viii. Motels and hotels
- ix. **Places of worship** §4.15
- x. Theaters, concert halls, or similar places of assembly
- xi. Instruction centers for academic and fine arts purposes
- xii. Accessory buildings and uses customarily incidental to any of the above permitted uses
- xiii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- xiv. **Entertainment and/or outdoor dining associated with a restaurant** §4.18
- xv. Photography or artists' studios
- xvi. Similar uses, as determined by the Planning Commission

### C. SPECIAL LAND USES

- i. **Drive-through or Drive-in services, banks** §4.17
- ii. **Drive-in or drive-thru window service, convenience market and pharmacy** §4.17
- iii. **Drive-in or drive-thru window service, dry cleaners** §4.17
- iv. **Drive-in or drive-thru window service, restaurant** §4.17
- v. **Hotels over three stories** §4.33
- vi. Uses similar to any special land use in the district, as determined by the Planning Commission, and subject to reasonable conditions to address impacts of similar special land uses.



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>sq</sup>: 5,000 square feet  
 Minimum lot width<sup>ft</sup>: Not specified

### Setbacks<sup>ft</sup>

Minimum front yard setback: 0 feet  
 Minimum rear yard setback:  
     Adjacent to alley/service drive: 5 feet  
     No alley/service drive: 25 feet  
 Minimum side yard setback:  
     Interior: 0 feet  
     Adjoining residential district: 25 feet  
 Minimum setback from Pontiac Lake:  
     3 stories or less: 30 feet  
     Each story over 3: additional 5 feet  
     Each 100 feet of bldg length: additional 5 feet

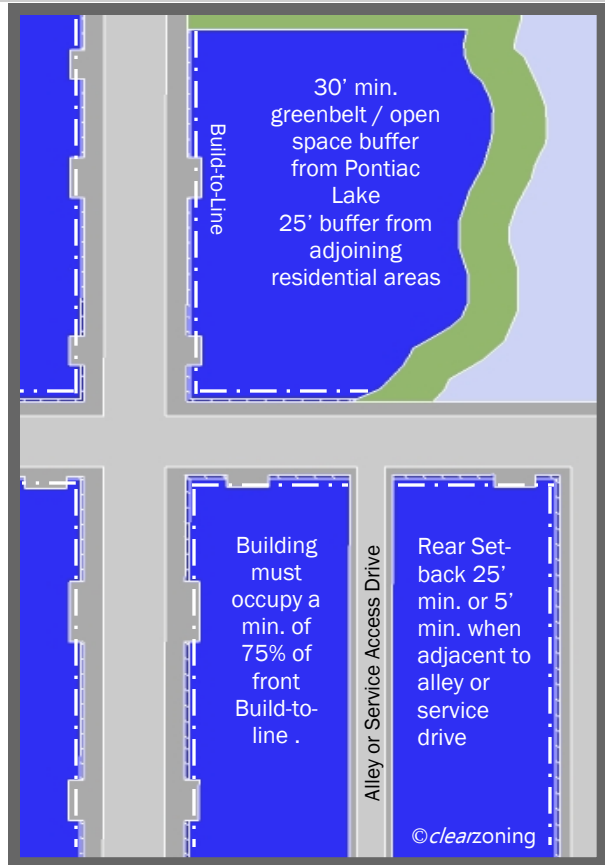
Build-to-Line coverage<sup>sq</sup>: 75%

### Maximum Building Height<sup>ft</sup>

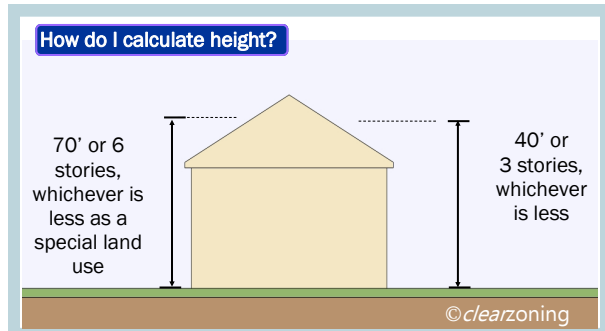
70 feet or 6 stories, whichever is less as a special land use

### Minimum Floor Height

First/ground floor: 14 feet  
 Upper floors: 10 feet



The above drawings are not to scale.



## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- [Loading](#) §5.11.P
- [Off-Street Parking](#) §5.11

- [Landscape and Screening](#) §5.19
- [Performance Standards](#) §5.18
- [Visibility](#) §5.6
- [Fences](#) §5.12
- [Pathway Standards](#) §5.20
- [Sidewalk Standards](#) §5.21
- [Pathway and Sidewalk Maintenance](#) §5.22

### 6. Development Procedures

- [Special Land Uses](#) §6.10 §6.11
- [Traffic Impact](#) §6.3
- [Access Management](#) §6.4
- [Site Plan Review](#) §6.8
- [Sewer/Water](#) §6.9
- [Community Impact](#) §6.6

### Other Ordinances

- Subdivision Regulations
- Land Division Ordinance
- Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# 3.1.19 ROS Recreation & Open Space District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The Recreation and Open Space District is intended to provide areas for the development of public and private outdoor recreation facilities and open space preservation uses. The intent of the Recreation And Open Space District is: to encourage recreational uses of an outdoor nature that will take full advantage of the land in its natural state; and to encourage those large outdoor recreation uses that could not easily be provided in the already urbanized portions of White Lake Township and the metropolitan area.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

- i. Day camps
- ii. Educational facilities such as: zoological gardens, botanical gardens, bird sanctuaries, arboretums, and the like
- iii. Outdoor recreation uses, other public and private parks and similar outdoor recreation uses not listed in §4.38
- iv. **Outdoor recreation uses, public and private golf courses and country clubs including “par three”** §4.38
- v. Private clubs for swimming, tennis, and the like
- vi. Ski resorts
- vii. Toboggan runs
- viii. Wildlife preserves
- ix. Government (Township only) offices, buildings and uses without service or storage yards

## C. SPECIAL LAND USES

- i. **Wireless communication antennas** §4.51
- ii. **Local utility structures, stations and substations** §4.29
- iii. **Outdoor recreation uses, archery** §4.38
- iv. **Outdoor recreation uses, beaches** §4.38
- v. **Outdoor recreation uses, campgrounds** §4.38
- vi. **Outdoor recreation uses, children’s amusement park** §4.38
- vii. **Outdoor recreation uses, driving range** §4.38
- viii. **Outdoor recreation uses, fairgrounds** §4.38
- ix. **Outdoor recreation uses, hay rides** §4.38
- x. **Outdoor recreation uses, hunting, fishing, and shooting preserves** §4.38
- xi. **Outdoor recreation uses, large sports/playfields** §4.38
- xii. **Outdoor recreation uses, miniature golf** §4.38
- xiii. **Outdoor recreation uses, picnic grounds** §4.38
- xiv. **Outdoor recreation uses, snowmobile trails** §4.38
- xv. **Outdoor recreation uses, swimming facilities** §4.38
- xvi. **Outdoor recreation uses, water parks** §4.38
- xvii. **Riding academies, boarding stable, and public stables** §4.44
- xviii. **Marina** §4.31
- xix. **Utility transmission systems** §4.47

## D. ACCESSORY USES

- i. Accessory buildings and uses that are customarily incidental to any of the permitted principal uses when located on the same premises
- ii. **Signs** §5.9



# ROS Recreation & Open Space District 3.1.19

## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 3 acres  
 Minimum lot width<sup>☐</sup>: 200 feet

### Setbacks<sup>☐</sup>

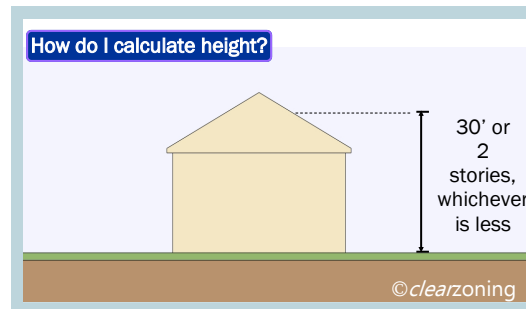
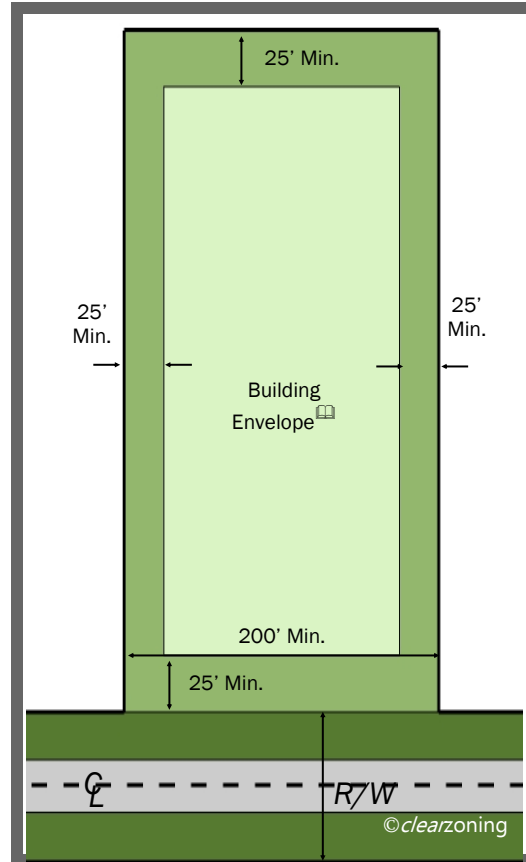
Minimum front yard setback: 25 feet  
 Minimum rear yard setback: 25 feet  
 Minimum side yard setback: 25 feet one side  
 50 feet total of two sides

### Building Height<sup>☐</sup>

Maximum building height: 30 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, K, L, Q, R, S, T, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- **Off-Street Parking** §5.11
- **Loading** §5.11.P
- **Landscape and Screening** §5.19

- **Performance Standards** §5.18
- **Visibility** §5.6
- **Fences** §5.12
- **Pathway Standards** §5.20
- **Sidewalk Standards** §5.21
- **Pathway and Sidewalk Maintenance** §5.22

### 6. Development Procedures

- **Special Land Uses** §6.10 §6.11
- **Traffic Impact** §6.3
- **Access Management** §6.4
- **Site Plan Review** §6.8
- **Sewer/Water** §6.9
- **Community Impact** §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



# LM Light Manufacturing District

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

The LM, Light Manufacturing District is established as a district in which the principal uses allowed are light manufacturing, fabrication, processing, wholesale activities or warehousing activities. The intent of this article is to control nuisance effects of warehousing, wholesale activities, open storage, and light industry such as smoke, noise, odor, dust, dirt, glare, vibrations, and other adverse effects so that such uses could be compatible with other nearby land uses such as commercial or residential. The light manufacturing district encourages uses to locate on major highways so that traffic generated by these uses would not utilize local residential streets.

In LM Light Manufacturing Districts principal permitted uses are those which are characterized by less intensive activities of a smaller size and scale than typically found in heavy industrial, general manufacturing areas. Light industrial uses are anticipated to locate in industrial park types of settings where uses are conducted within totally enclosed buildings with little or no outside activities permitted. Typical light manufacturing activities concentrate upon production and processing activities together with related technical, design and administrative functions. Activities which involve large volumes of truck traffic are not light manufacturing activities.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

- i. Manufacturing, production, processing, assembly, machining, molding, extrusion or fabrication of articles from previously prepared materials
- ii. Laboratories including experimental and testing
- iii. Landscape, electrical, building and plumbing contractors and similar uses
- iv. Crematoriums
- v. **Local utility structures, stations, and substations** §4.29
- vi. **Animal care facilities, kennels** §4.6
- vii. Adult entertainment uses
- viii. Research, design and pilot or experimental product development
- ix. Trade, industrial or technical training schools

## C. SPECIAL LAND USES

- i. **Outdoor storage of pallets, containers, materials, or products** §4.39
- ii. **Metal buffing and polishing** §4.32
- iii. **Outdoor storage of fleet vehicles** §4.37
- iv. **Automobile heavy repair facilities** §4.8
- v. **Wireless communication antennas** §4.51

## C. SPECIAL LAND USES (CONTINUED)

- vi. **Heating and electric power plants, public utility service and storage yards, water treatment and sewage disposal facilities** §4.24
- vii. **Junk yards** §4.28
- viii. **Saw and planing mills** §4.45
- ix. **Outdoor recreation uses, archery** §4.38
- x. **Nursery school, group adult and child care centers** §4.22
- xi. **Indoor recreation uses** §4.26
- xii. **Washing facilities for large vehicles** §4.48
- xiii. **Waste disposal transfer station and composting stations** §4.49
- xiv. **Utility transmission structures, gas compressor stations** §4.46
- xv. **Utility transmission structures, high voltage electric stations** §4.46
- xvi. **Utility transmission systems** §4.47
- xvii. Warehousing and self-storage facilities

## D. ACCESSORY USES

- i. Accessory buildings and uses that are customarily incidental in size and function to any of the permitted principal uses when located on the same premises
- ii. **Signs** §5.9





## E. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 1 acre  
 Minimum lot width<sup>Ⓜ</sup>: 175 feet

**Maximum Lot Coverage<sup>Ⓜ</sup>** 30%

### Setbacks<sup>Ⓜ</sup>

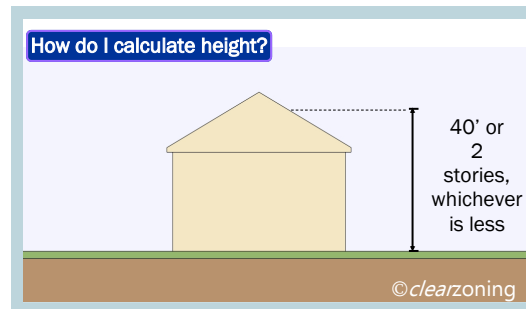
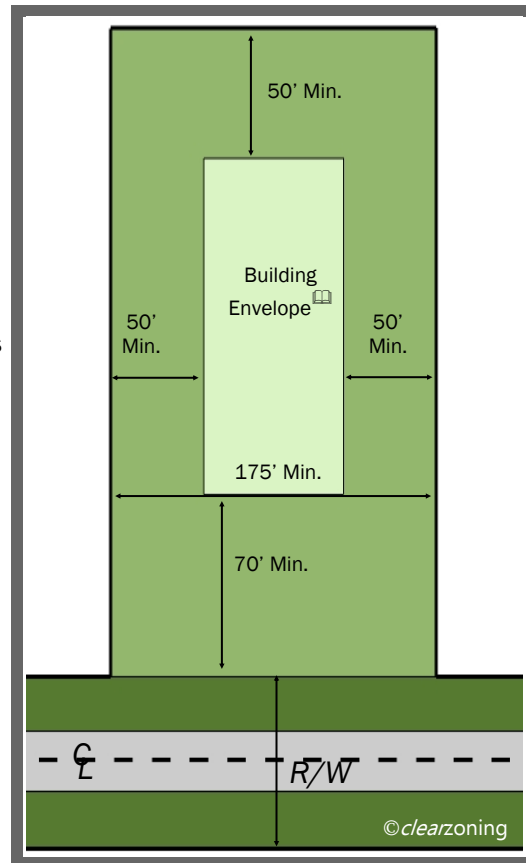
Minimum front yard setback: 70 feet  
 Minimum rear yard setback: 50 feet  
 Minimum side yard setback: 50 feet one side  
 100 feet total of two sides

### Building Height<sup>Ⓜ</sup>

Maximum building height: 40 feet or 2 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: [A](#), [D](#), [K](#), [L](#), [Q](#), [R](#), [S](#), [T](#), [V](#)



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- Off-Street Parking §5.11
- Loading §5.11.P
- Landscape and Screening §5.19

- Performance Standards §5.18
- Visibility §5.6
- Fences §5.12
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3
- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



### A. INTENT

The Research Office Park District is so designed as to provide a community of research facilities and to exclude there from such incongruous uses as residential, business and heavy industrial. The ROP, Research Office Park District, is designed to ensure the compatibility between the research operations therein and the existing activities and character of the community in which the park is located. The ROP, Research Office Park Districts, are further intended to be so located as to provide direct access onto an existing or proposed major arterial (an arterial of one hundred twenty (120) feet of right of way or greater).

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

### B. PRINCIPAL PERMITTED USES

- i. Corporate, business, design, engineering, and sales offices
- ii. **Local utility structures, stations and substations** §4.29
- iii. Computer programming, servicing, and data processing and other computer related services
- iv. Administrative, professional, dental or medical offices
- v. Photography or artists' studios
- vi. Research, design and pilot or experimental product development
- vii. Institutions of higher learning
- viii. Trade, industrial or technical training schools

### D. SPECIAL LAND USES

- i. **Wireless communication antennas** §4.51
- ii. **Nursery school, group adult and child care centers** §4.22
- iii. **Utility transmission systems** §4.47

### E. ACCESSORY USES

- i. Accessory buildings, structures and uses customarily incidental to any of the above uses when located on the same premises
- ii. **Signs** §5.9

### C. PERMITTED USES SUBJECT TO ADMINISTRATIVE APPROVAL

- i. **Banks, credit unions, savings and loan, and similar financial institutions** §4.17



## F. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 5 acres  
 Minimum lot width<sup>Ⓜ</sup>: 200 feet

**Maximum Lot Coverage<sup>Ⓜ</sup>** 25%

### Setbacks<sup>Ⓜ</sup>

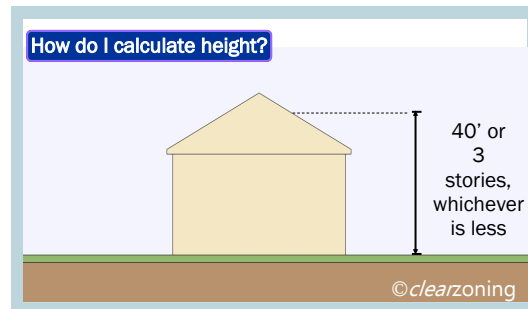
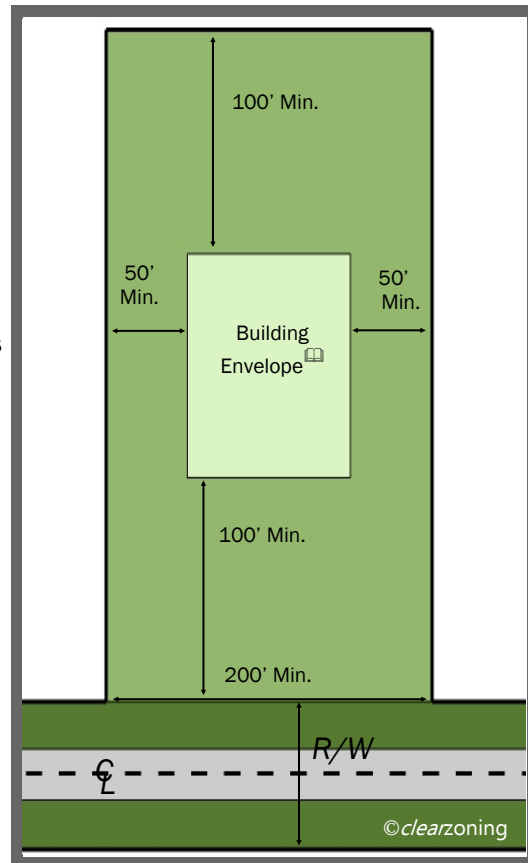
Minimum front yard setback: 100 feet  
 Minimum rear yard setback: 100 feet  
 Minimum side yard setback: 50 feet one side  
 100 feet total of two sides

### Building Height<sup>Ⓜ</sup>

Maximum building height: 40 feet or 3 stories, whichever is less

### NOTES

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, K, L, Q, R, S, T, V**



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- Off-Street Parking §5.11
- Loading §5.11.P
- Landscape and Screening §5.19

- Performance Standards §5.18
- Visibility §5.6
- Fences §5.12
- Pathway Standards §5.20
- Sidewalk Standards §5.21
- Pathway and Sidewalk Maintenance §5.22

### 6. Development Procedures

- Special Land Uses §6.10 §6.11
- Traffic Impact §6.3
- Access Management §6.4
- Site Plan Review §6.8
- Sewer/Water §6.9
- Community Impact §6.6

### Other Ordinances

Subdivision Regulations  
 Land Division Ordinance  
 Engineering Design Stnds. Ordinance

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# 3.1.22 E Extractive Overlay District

## A. INTENT

The Gravel and Sand Overlay Districts are intended for those lands that have significant gravel and/or sand deposits and which will be mined and reclaimed under the provisions of this Article in a manner that protects the public health, safety and welfare, and in accordance with a reclamation plan consistent with the underlying, principal zoning classification and the Township's adopted Master Plan for the particular geographic area. It is the intent of this district that all gravel and sand mining operations reclaim the mining sites in a fashion that preserves the value of the property and facilitates reuse of the land consistent with the Township's adopted Master Plan.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards



## B. PRINCIPAL PERMITTED USES

- i. Excavation and removal of sand, gravel, and/or stone
- ii. Storage and stockpiling of sand, gravel and/or stone being mined

## C. SPECIAL LAND USES

- i. **Sand, gravel or stone processing plants** §4.41
- ii. **Utility transmission systems** §4.47

## D. DEVELOPMENT STANDARDS

**Lot Size**  
 Minimum lot area : 40 acres  
 Minimum lot width : 600 feet

**NOTES**

- For additions to the above requirements, please refer to §3.11 Notes to District Standards: **A, D, K, L, Q, S**

## SELECTED REFERENCES

- 3. **Zoning Districts**
  - **Visibility** §5.6
- 4. **Use Standards**
- 5. **Site Standards**
  - **Off-Street Parking** §5.11
  - **Loading** §5.11.P
  - **Fences** §5.12
- 6. **Development Procedures**
  - **Special Land Uses** §6.10
  - **Site Plan Review** §6.8
  - **Traffic Impact** §6.3
  - **Access Management** §6.4



# Wellhead Protection Overlay District

3.1.23

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

## A. INTENT

It is the intent of this overlay district to provide standards for the protection of the Township's public water supply by identifying those areas of critical concern and requiring compliance with special development standards designed to protect the public health, safety and welfare.

? **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

- i. Permitted uses within the Wellhead Protection Overlay District shall be determined by the underlying zoning district classification.

## C. DEVELOPMENT STANDARDS

All Uses within the Wellhead Protection Overlay District shall comply with the Wellhead and Groundwater Protection standards of Section 5.18 N, O and P.

## SELECTED REFERENCES

### 3. Zoning Districts

### 4. Use Standards

### 5. Site Standards

- **Off-Street Parking** §5.11
- **Loading** §5.11.P
- **Fences** §5.12
- **Visibility** §5.6

### 6. Development Procedures

- **Access Management** §6.4



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

### 3.2 MAP

The boundaries of the Districts enumerated in Section 3.1 are shown upon the map attached hereto and made a part of this Ordinance, which map is designated as the Zoning Map of the Township of White Lake. The Zoning Map attached hereto and on file in the Township Hall of the Township of White Lake, and all notations, references and other information shown thereon are made a part of this ordinance and have the same force and effect as if said Zoning Map and all such notations, references and other information shown thereon were fully set forth or described herein.

Except where references on said Map to a street or other designated line by the dimensions shown on said Map, the district boundary lines follow lot lines or the center lines of the streets or alleys or such lines extended and the corporate limits of the Township of White Lake, as they existed at the time of the adoption of this ordinance.

Where a district boundary line, as established in this section or as shown on the Zoning Map, divides a lot which was in a single ownership and of record at the time of enactment of this Ordinance, the use authorized thereon, and the other district requirements applying to the least restricted portion of such lot under this Ordinance, shall be considered as extending to the entire lot, provided that the more restricted portion of such lot is entirely within twenty-five (25) feet of said dividing district boundary line. The use so extended shall be deemed to be conforming.

Questions concerning the exact location of district boundary lines shall be determined by the Zoning Board of Appeals, according to the rules and regulations which may be adopted by it.

### 3.3 UNLAWFUL STRUCTURE

In case any structure or part thereof is used, erected, altered or occupied contrary to law or the provisions of this Ordinance, such structure shall be deemed an unlawful structure and a nuisance and may be required to be vacated, torn down or abated by any legal means and shall not be used or occupied until it has been made to conform to the provisions of this Ordinance.

### 3.4 CLASSIFICATION OF MOVED STRUCTURES

Any structure moved within a district and placed upon a foundation or any structure moved into a district from without shall be considered a new structure and be subject to all the limitations and requirements herein set forth relating to uses, construction, permits, certificates and the Township Building Code.

### 3.5 STREETS RIGHTS-OF-WAY AS DISTRICT BOUNDARIES

All street and right-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such street or rights-of-way. Where the center line of a street serves as district boundary, the zoning of such street, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

### 3.6 DWELLING IN NONRESIDENTIAL DISTRICTS

No dwelling unit or units shall hereafter be erected in NB-O, LB, RB, GB, PB, ROS, LM, E, or ROP zoned districts. However, a dwelling unit for a watchman or a caretaker or manager may be permitted in said districts in conformance with the specific requirements of the particular district.

### 3.7 DWELLING IN OTHER THAN MAIN STRUCTURE

No dwelling units shall be erected in other than main structure except in the NB-O, LB, GB, PB, PD, ROS, or ROP zones where watchman or caretaker quarters may be permitted.

### 3.8 VOTING PLACE

The Provisions of this Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with Township, school or other public election.



### 3.9 OPEN SPACE PRESERVATION OPTION

- A. Intent. The intent of the Open Space Preservation Option is to encourage the long-term preservation of open space and natural features and the provision of recreation and open space areas in accordance with Section 506 of P.A. 110 of 2006, as amended, known as the Michigan Zoning Enabling Act .
- B. Eligibility Requirements
  - i. In areas that are served by municipal sewers, eligible properties shall be zoned for three (3) or fewer dwelling units per acre (AG, SF, R1-A, R1-B, and R1-C). In areas that are not served by municipal sewers, eligible properties shall be zoned for two (2) or fewer dwelling units per acre (AG, SF, and R1-A).
  - ii. The Cluster Housing Option in Section 4.13 of this Ordinance also permits alternatives in the design and layout of developments in districts that permit single-family residential uses. Properties that do not meet the eligibility requirements of this section or property owners that prefer an alternative to development not provided for in this section should consider the Cluster Housing Option.
- C. Density
  - i. Land meeting the above eligibility requirements may be developed with the same number of dwelling units on a portion of the site, but not more than 50%, that could otherwise be developed under existing ordinances, laws, and rules on the entire land area, as determined by the approving body.
  - ii. All calculations of density shall be based upon the maximum number of dwelling units that could be developed under conventional development standards. To establish the maximum number of units, the applicant shall be required to submit a parallel plan (preliminary design plan). A parallel plan shall identify how a parcel could be developed, including all roads and other infrastructure improvements, under the conventional development standards of the Township. All unbuildable areas and areas with

limitations to development must be accurately identified on the parallel plan including but not limited to wetlands, watercourses, drains, floodplains, steep slopes, habitat areas, woodlands and similar features. The approving body shall make the determination that a parallel plan is acceptable once it meets all applicable Township ordinance requirements and, based on the plan, determine the number of dwelling units that would be permitted under the Open Space Preservation Option. A separate review fee for the parallel plan shall be submitted with the application.

- D. Design requirements
  - i. A minimum of fifty (50%) percent of the gross site area shall be preserved as permanent open space in an undeveloped state.
  - ii. Permanent open space shall include important natural, environmental, agricultural, and/or cultural features, such as:
    - a. steep slopes,
    - b. wetlands, floodplains, natural watercourses,
    - c. woodlands,
    - d. scenic views,
    - e. agricultural or equestrian components,
    - f. historical structures,
    - g. recreational pathways and facilities,
    - h. buffers from major thoroughfares and more intensive land uses, and
    - i. similar features acceptable to the approving body.
  - iii. Under the Open Space Preservation Option, minimum lot size and width shall be according to the following table, unless the approving body determines that a smaller minimum lot size shall be necessary to comply with the requirements of Section 506 of P.A. 110 of 2006, as amended, known as the Michigan Zoning Enabling Act. In such cases the approving body may modify lot area and lot width requirements so as to assist in the

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



creation of open space if the Applicant can demonstrate approval of reduced lot area and width from the Oakland County Health Department. In those instances where lot sizes are reduced in accordance with the Open Space Preservation Option, yard requirements for a given lot shall be governed by that zoning district which has minimum lot area and width standards that correspond to the dimensions of the typical lot within the development.

\* In areas without sanitary sewers, minimum lot area is subject to approval of on-site sewage disposal by the Oakland County Health Department.

- iv. Where the open space is agricultural land, the open space dedication and maintenance agreement shall include limitations on physical access to the open space for non-agricultural purposes and provisions for adequate, unrestricted agricultural, farming, implement or other access necessary for agricultural uses or activities. Access to agricultural use areas shall be separate from residential access to units and open space areas.
- v. Preserved open space shall be connected with adjacent open space, public land, and existing or planned pedestrian/bicycle paths, where feasible, as determined by the approving body.
- vi. Homes shall be visually screened from view along existing roadway corridors, in order to reduce visual impact and the appearance of a compact subdivision in a rural area. A minimum 100-foot buffer area along existing collectors, major and minor arterials, and regional highways shall be maintained for the entire frontage of developments in the R1-A, R1-B, and R1-C districts. A minimum 50-foot buffer area along existing collectors, major and minor arterials, and regional highways shall be maintained for the entire frontage of developments in the AG and SF districts. Only access to new internal roadways shall be permitted to bisect this buffer area.

The buffer shall be landscaped in a manner that follows the greenbelt standards in Section 5.19, or maintained in its natural vegetative state if it provides an equivalent level of screening. The buffer will count as part of the required minimum open space.

- E. Open Space Maintenance
  - i. All open space shall remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land.
  - ii. All open space ownership and maintenance agreements shall be reviewed and approved as to form and content by Township legal counsel prior to acceptance by the approving body.
  - iii. All open space agreements which involve donations of land to the Township or which name the Township as a party to any agreement shall be approved by the Township Board prior to final approval of the development.
- F. Review Process
  - i. All proposed Open Space Preservation Option developments shall be reviewed in compliance with the appropriate procedure for the type of development (lot split, subdivision, site condominium etc.) and in accordance with the development standards in this Section and other applicable ordinances.
  - ii. All open space preservation option plans shall include a resource inventory that contains the following:
    - a. All floodplains, wetlands, and water bodies;
    - b. A woodlands analysis identifying all wooded areas of the site that are 1/2 acre in area, or larger, where at least 25% of the trees are 8" diameter breast high (dbh) or larger. The analysis shall identify the tree species present, by common and botanical name, and shall indicate the preparer's opinion whether the woodlot is





high in value based on species represented or potential as wildlife habitat, or low in value due to poor quality trees and/or lack of potential as wildlife habitat.

- c. An identification of existing or potential wildlife habitat areas, such as valuable woodlands, open range or meadow, wetland systems, or riverine corridors. The Shiawassee Huron Headwaters report should be consulted as one resource used to identify wildlife habitat and corridors.
  - d. An analysis of on-site soils and topography to identify limitations to development; and
  - e. An analysis of the cultural features of the site, such as scenic views, historic structures, patterns of original farm fields, fences or stone walls, recreational uses, archeological resources and the like.
- iii. The approving body shall determine that the open space preservation option plan satisfies the intent of Subsection D.2 above.

**3.10 ATTACHED DECKS, PORCHES, AND PATIOS IN RESIDENTIAL DISTRICTS**

- A. An uncovered, unenclosed deck, porch, patio or paved terrace may project into a required front yard for a distance not exceeding ten (10) feet or may project into a minimum rear yard setback provided, however, that this shall not be interpreted to include or permit fixed canopies.
- B. Such deck, porch, patio, or paved terrace shall not be more than three (3) feet above the grade level of the lowest story (excluding a basement) of the main building except for open unenclosed railings that do not exceed four (4) feet in height above the elevation (level) of the deck, porch, patio or paved terrace. This provision shall not apply to a second story balcony which is supported only by the main building wall and requires no additional ground support columns beyond the main building wall.

- C. Such deck, porch or patio or paved terrace, together with all other accessory buildings and structures, shall not occupy more than forty (40) percent of the rear yard. This provision shall not apply to decks, porches, patios or paved terraces less than twelve (12) inches in height without railings or other structures protruding above the deck as measured from the prevailing grade around the base of the structure.
- D. Accessory buildings, such as gazebos, may be placed on porches, decks or patios located in a rear yard setback; provided, that buildings meet all of the requirements of Section 5.7, Accessory Building in Residential Districts.
- E. In no instance shall a deck, porch, patio or paved terrace be located in any recorded easement, nor shall it extend any closer than five (5) feet to any side or rear property line; except that in the case of lakefront lots, decks, porches, patios and paved terraces may extend up to the water's edge.

**3.11 NOTES TO DISTRICT STANDARDS**

- A. Minimum lot area shall not include any right of way or easement for a public road, private road, or access easement. Calculations for determining maximum density and the number of lots permitted shall be based upon net buildable land area (areas such as regulated wetlands, flood plains and open water bodies, areas devoted to storm water retention/detention, or other, similar areas of the site that are not available for the use and enjoyment of the residents of a site, shall not be included in calculations for determining maximum density and number of lots permitted).
- B. Individual two-family dwellings on their own site shall have a minimum lot area of twenty thousand (20,000) square feet. Two-family dwellings in a complex of two or more two-family dwellings shall adhere to the land area requirements in the table below.
- C. In all multiple family zoning districts there shall be recreation space provided for the use of the residents therein. Such space shall be provided on the following basis:



- i. Five thousand (5,000) square feet for the first unit.
- ii. An additional one hundred (100) square feet for each additional unit.

The recreation space is to be separate and distinct from all other uses permitted upon said multiple site and a specific site shall be designated for such recreation space and reserved for same.

- D. Side yards which have road frontage shall maintain the minimum front yard setback for the district in which the use is located.
- E. The main farm barn building shall have a minimum setback of one hundred and fifty (150) feet from the front property line. This requirement shall not apply to the alteration or addition to an existing barn or other farm building, except residential dwellings, which have less than a one hundred and fifty foot setback and which existed prior to the adoption of this Ordinance.
- F. If at least 60% of the dwelling units on one side of a block have a narrower front setback than the ordinance standard, the minimum front yard setback for new dwelling units shall be the average front yard setback of the existing dwellings on the same side of the block.
- G. Where two (2) or more multiple-family structures are erected on the same lot, a minimum setback of twenty (20) feet shall be provided between structures. If the structures have a common yard, this setback shall be increased by two (2) feet for each ten (10) feet or part thereof, by which each of the buildings exceed forty (40) feet in length on that side of the building facing the common yard.
- H. Besides the overall yard requirements of the mobile home park, each mobile home or trailer shall be set back a minimum of ten (10) feet from all internal road, a minimum of fifty (50) feet from all public right of ways, and a minimum of twenty (20) feet from all other mobile homes or trailers.
- I. Side yard restrictions may be waived to allow for construction of a common wall, provided that continuous building development shall not exceed five hundred

(500) feet and subject to Planning Commission approval.

- J. The minimum floor area for a single-family home shall be as follows:
  - i. One story 1,000 square feet on ground floor
  - ii. One and one-half story 1,250 square feet, with 850 square feet minimum on ground floor
  - iii. Two story 1,500 square feet, with 900 square feet minimum on ground floor
  - iv. Tri or Quad a minimum of 460 square feet on all levels.

The minimum floor area per dwelling unit shall not include area of basements, open unheated breezeways, open unheated porches, attached garages or utility rooms.

- K. Front yard and exterior side yard setbacks shall be measured from the existing public or private road right of way or access easement to the point on the structure closest to the aforementioned right of way or easement. For local roads on the Township's adopted Thoroughfare Plan, setbacks shall be based on a road width of sixty (60) feet, unless the same is a platted road in which case the platted width shall apply. However, in no event shall a road width of less than fifty (50) feet be applied, irrespective of the platted road width. Double frontage lots shall have the same setback from each existing right of way and no building shall be constructed closer to either existing right of way than the minimum front yard setback required for that district.
- L. Off-street parking spaces shall not be permitted within any required front side or rear yard setback unless it meets the standards of Section 5.11 Off-Street Parking.
- M. In order to promote the goals of the White Lake Master Plan and Highland Road Corridor Plan for the M-59 Corridor, generous setbacks are required for uses in this corridor that will result in enhancement of the aesthetic appeal of the M-59 corridor and help to maintain White Lake Township's unique community character. The front or exterior yards for all non-residential land uses adjacent to M-59 require a minimum setback of 50 feet and



a maximum setback of 150 feet as determined by the Planning Commission. The Planning Commission shall determine the front setback and may modify the minimum requirement upon finding one or more of the following:

- i. Where the minimum setback would severely limit the building area of an existing “shallow” parcel because the 50 foot required setback would result in a front yard that is more than 25% of the area of the parcel, the Planning Commission may reduce the minimum front setback to 40 feet.
  - ii. Where the minimum 50 foot setback would create an unappealing scale to the development due to the size and bulk of the building, such as a “big box” retail store, the Planning Commission may increase the minimum required setback up to one hundred fifty (150) feet based upon consideration of the site plan, landscape plan, and building elevation drawings.
- N. No interior side setback required where adequate provision is made for emergency access and loading/unloading access at the rear of the building. If a nonresidential use abuts an RB district, the total of the two side yard setbacks may be reduced to 25 feet.
- O. In RM-1 and RM-2 districts, the Planning Commission may permit building heights up to 3 stories subject to approval of a site plan that demonstrates an increase in open space.
- P. Total minimum amount of habitable floor area ready for occupancy must equal the minimum amount of floor area required for a one-story building in the same zoning district.
- Q. No building or structure shall be located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. The setback shall be measured from the edge of the established wetland boundary as reviewed and approved by the Township.
- R. No structure shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit

established in Article 3.0, Zoning Districts, of this ordinance for the district in which the building is located, except that roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment, required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio, television aerials and wireless masts, water tanks, or similar structures may be erected above the height limit, herein prescribed. No such structure may be erected to exceed by more than fifteen (15) feet the height limits of the district in which it is located; nor shall such structure have a total area greater than twenty-five (25) percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the main use of the building.

- S. Lots on a cul-de-sac or curvilinear street shall have a minimum of 65 feet of frontage and shall comply with the lot width requirement at the minimum front setback line.
- T. The minimum side yard setback for a side-entry garage shall be 25’.
- U. Structures located within a multiple-family development, including attached condominiums, row and townhouse dwellings, and the like, shall have a minimum setback of 25’ from the back of sidewalk or 25’ from back of curb for developments without sidewalks.
- V. Maximum depth to width ration of 4:1.
- W. A maximum 30% lot coverage may be approved administratively by the Director of the Community Development Department or his/ her designee on existing lots of record where all of the following criteria are present:
  - i. The lot has sanitary sewer service, and
  - ii. Storm water collected from the roof of the home and garage is directed to a storm drain, retention or detention basin, lake or other body of water, and
  - iii. The proposed building development complies with all setback requirements of the appropriate zoning district, unless a variance has been approved by the Zoning Board of Appeals.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- X. To be eligible for Planned Development or Planned Business District approval, the Township Board, upon recommendation by the Planning Commission, may permit a smaller parcel than otherwise required by this Ordinance if:
  - i. The proposed project has unique characteristics and benefits; or
  - ii. The parcel in question has unique characteristics that significantly impact development.



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 4.0 Use Standards



### Article 4.0 Use Standards

- 4.1 Home Occupation
- 4.2 Maintenance of Animals
- 4.3 Administrative Standards for Adult Entertainment Uses
- 4.4 Wind Energy Conversion Systems, Private
- 4.5 Attached Secondary Dwelling Unit Standards
- 4.6 Animal Care Facilities
- 4.7 Adult Foster Care Facilities
- 4.8 Automobile Facilities for Heavy Repairs
- 4.9 Automobile Service Centers
- 4.10 Automobile Service Stations
- 4.11 Automobile Wash Establishments
- 4.12 Bed and Breakfast Homes and Inns
- 4.13 Cluster Housing Option
- 4.14 Cemeteries
- 4.15 Churches and Other Places of Worship
- 4.16 Convalescent or Nursing Homes
- 4.17 Drive-in or Drive-Thru Window Service
- 4.18 Eating Establishments with Entertainment and/or Outdoor Dining
- 4.19 Filling of Land
- 4.20 Funeral Homes
- 4.21 Government Offices and Township Buildings and Uses Without Service or Storage
- 4.22 Group Adult or Childcare Center, Including Nursery School
- 4.23 Group Day Care Homes
- 4.24 Heating and Electric Power Plants, Public Utility Service and Storage Yards, Water Treatment and Sewage Disposal Facilities



- 4.25 Home Centers, Lumber Yards and Similar Large-Scale Retail Uses with Outdoor Sales/Storage/Display
- 4.26 Indoor Recreation
- 4.27 Intensive Concentrated Animal Raising
- 4.28 Junk Yards
- 4.29 Local Utility Structures
- 4.30 Hospitals and Other Health Care Facilities
- 4.31 Marina
- 4.32 Metal Buffing and Polishing
- 4.33 Motels and Hotels
- 4.34 New and Used Automobile Sales
- 4.35 Office Buildings Over 20,000 Square Feet
- 4.36 Open Air Business
- 4.37 Outdoor Storage of Fleet Vehicles
- 4.38 Outdoor Recreation Uses on a Minimum of 10 Acres
- 4.39 Outdoor Storage of Pallets, Containers, Materials of Products Incidental to the Principal Permitted Use
- 4.40 Private Clubs and Lodge Halls
- 4.41 Processing Plants
- 4.42 Public and Private Parks on Less Than 10 Acres
- 4.43 Public and Private Schools
- 4.44 Riding Academies, Boarding Stable and Public Stables
- 4.45 Saw and Planing Mills
- 4.46 Utility Transmission Structures
- 4.47 Utility Transmission Systems
- 4.48 Washing Facilities for Large Vehicles
- 4.49 Waste Disposal Transfer Station



1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

- 4.50 Water Access Lots
- 4.51 Wireless Communications Antennas
- 4.52 Mining or Extraction of Sand, Gravel, Stone, Topsoil, Clay or Similar Aggregate or Mineral Resources
- 4.53 Retail Stores in NMU District
- 4.54 Temporary Roadside Stands
- 4.55 Private Stables
- 4.56 Community Garages
- 4.57 Tree and Shrub Nurseries; Vegetable, Fruit, Flower, and Herb Gardens
- 4.58 Basement, Temporary Garage, or Trailer Dwellings
- 4.59 Town Center Special Land Use
- 4.60 Seasonal Boat Storage





# 4.0 Use Standards

## 4.1 HOME OCCUPATION

Any use which is customarily conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the character thereof is permitted. Provided further, that no article or service may be sold or offered for sale on the premises, except as such as is produced by such occupation and shall not require internal or external alterations or construction features, machinery, outdoor storage, or signs not customary in residential area. Any modifications to the dwelling made for the purpose of home occupation shall comply with all applicable building, electrical, and mechanical and fire safety code requirements, including all requisite permit applications and related inspections. One (1) nonilluminated name plate, not more than two (2) square feet in area, may be attached to the building which shall contain only the name and occupation of the residents of the premises. No persons other than a full-time resident residing on the premises shall be engaged in such home occupation. No home occupation shall be allowed if the traffic to be generated by such home occupation is in excess of that normally associated with a single-family residential use. Clinics, doctors' and dentists' offices, hospitals, kennels, millinery shops, tea rooms, barber shops, beauty parlors, and other similar uses shall not be deemed to be home occupations. Tailoring, sculpturing, writing, telephone answering, computer programming, and home crafts are examples of permitted home occupations.

No home occupation shall be conducted upon or from the premises which violate the Township's Code of Ordinances, including but not limited to the Township's Performance Standards as outlined in Chapter 14, Article II, Section 14-25 and the Township's Fire Prevention and Protection standards as outlined in Chapter 18.

**A. Medical Use of Marihuana.** The acquisition, possession, cultivation, use, delivery or distribution of marihuana to treat or alleviate a debilitating medical condition is prohibited except in compliance with the Michigan Medical Marihuana Act ("MMMA") of 2008 and applicable provisions of the Township Zoning Ordinance.

- i. A registered primary caregiver, operating in compliance with the MMMA General Rules, shall be permitted as a home occupation, only in accordance with the following standards and requirements:
  - a. Medical marihuana home occupations are not permitted in multiple-family dwellings. As such, cultivation or other medical use of marihuana as a medical marihuana home occupation is limited to single-family detached dwellings.
  - b. A registered primary caregiver operating a medical marihuana home occupation must not be located within 1,000 feet of any school, child care facility, community center, youth center, playground, public or private library, housing facility owned by a public housing authority, and church or place of worship as measured from the outermost boundaries of the lot or parcel on which the home occupation and restricted facility is located.
  - c. The dwelling shall not be within 500 feet of another registered primary caregiver.
  - d. Not more than one primary caregiver within a single dwelling unit shall be permitted to service qualifying patients who do not reside with the primary caregiver.
  - e. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the total first floor area of the dwelling unit (exclusive of an attached garage, breezeway, and enclosed or unenclosed porches) shall be used for the purposes of the home occupation and the home occupation shall be carried out completely within such dwelling. No accessory building (attached or detached) shall be used in the home occupation.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- f. Except for lighting, heating, watering, drying, or other equipment, or fertilizers, herbicides or other chemicals directly related to the medical use of marihuana, no other materials or equipment not generally associated with normal ownership, use, and maintenance of a dwelling shall be permitted.
  - g. A qualifying patient shall not visit, come to, or be present at the dwelling of the primary caregiver to smoke or consume marihuana.
  - h. If marihuana is grown or located in a room with windows, all interior lighting shall be shielded to prevent ambient light from creating a distraction for adjacent properties.
  - i. If the primary caregiver is not the owner of record of the dwelling at which a registered primary caregiver of medical marihuana is functioning as a home occupation, the primary caregiver must gain written and notarized consent from the owner to use the dwelling for the home occupation. At any time, the Township may request proof that the primary caregiver has consent from the property owner of record to use the dwelling for the home occupation.
  - j. To ensure compliance with all applicable requirements and laws, the portion of a building or other structure, such as a cultivation room, where energy use and heating requirements exceed typical residential limits and chemical storage occurs, is subject to inspection and approval by the zoning administrator, the fire marshal or other authorized official.
  - k. The property, dwelling and all enclosed, locked facilities shall be available for inspection upon request by the zoning administrator, building official or other authorized official.
- i. It is unlawful to establish or operate a for-profit or nonprofit marihuana dispensary, collective or cooperative within the Township, even if such use is intended for the medical use of marihuana.
  - ii. The use of the dwelling of a qualifying patient to cultivate medical marihuana in accordance with the MMMA solely for personal use shall not be considered a home occupation; however, all applicable state and Township Ordinance requirements must be met.
  - iii. Nothing in these sections, or in any companion regulatory provision adopted in any other provision of the Township Code is intended to protect users, caregivers, or the owners of properties on which the medical use of marihuana is occurring from Federal prosecution, or from having their property seized by Federal authorities under Federal Law.
- B. Marihuana Establishments Prohibited.**
- i. Any and all types of a “marihuana establishment,” as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act, are prohibited in the Township, and may not be established or operated in any zoning district, by any means, including by way of a variance.
  - ii. Any and all types of “marihuana facilities” as described in Act 281 of 2016, the Medical Marihuana Facilities Licensing Act are prohibited in the Township and may not be established, licensed or operated in any zoning district, by any means, including by way of a variance.
  - iii. Nothing in this Section 4.1 shall limit any privileges, rights, immunities, or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008, MCL 333.26421, et seq.



## 4.2 MAINTENANCE OF ANIMALS

The standards described in this Ordinance shall not apply to the keeping of animals as part of an active farm operation in the AG or SF district and maintained in conformance with the Right to Farm Act (P.A. 93 of 1981, as amended) and Generally Accepted Agricultural Management Practices (GAAMP) established by the Michigan Department of Agriculture and Rural Development (MDARD). Specifically, the keeping of farm animals are addressed in the Care of Farm Animals GAAMP. Such animals are not regulated in this Ordinance. All animals regulated by this Ordinance are defined as nonhuman zoological species and are classified as follows:

- A. Class I Animal: Domesticated household pets weighing less than 150 pounds. Class I animals may be maintained in any zoning district. A maximum of seven (7) Class I animals may be maintained on an individual parcel. Animal Care Facilities shall meet the standards of Section 4.6.
- B. Class II Animal: An animal which is normally part of the livestock maintained on a farm, including:
  - i. Bovine and like animals, such as the cow.
  - ii. Swine and like animals, such as the pig and hog.
  - iii. Ovine and like animals, such as the sheep and goat.
  - iv. Equine and like animals, such as the horse.
  - v. Rabbits (which are not maintained or kept as domesticated household pets); poultry, and other like animals.

Class II animals may be maintained in the AG and SF districts as a permitted use subject to the special conditions listed in Section 3.1.1 (AG District) and Section 3.1.2 (SF District). Class II animals shall only be permitted on a lot having two (2) or more acres, and there shall be at least one (1) acre per Class II animal in excess of 75 lb. that is maintained on the property.

- C. Class III Animal: Wild animal that is not customarily domesticated and customarily devoted to the service of mankind in White Lake Township. The characterization of an animal as being wild shall not be altered by virtue of the fact that one or several generations of the animal in question have been maintained in captivity. Class III animals shall be permitted in the AG district, and only on a lot having five (5) or more acres. Class III animals shall not create a public nuisance as outlined in Section 4.2.H. The Township may prohibit the housing of a Class III animal if it is determined that the animal poses a legitimate threat to public health and/or safety.
- D. In addition to, and notwithstanding the above, the following regulations shall be applicable to the maintenance of animals:
  - i. Adequate fencing shall be provided to contain the animals within the restricted areas provided for in this Ordinance and approved by the Building Official. The minimum acceptable fence shall be a #12.5 woven wire forty-eight (48) inches tall with openings not larger than three (3) inches square. Posts shall be U-bar steel, or equivalent, spaced not more than twelve (12) feet apart, and the top row shall be reinforced with a #12 tensioning wire. (See Section 5.12 Fences, Walls and other Protective Barriers).
  - ii. The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time so as to minimize hazards of health and offensive effects upon neighboring people and uses.
  - iii. All feed and other substances and materials on the premises for the maintenance of animals shall be stored in appropriate enclosed receptacles and structures, excepting such storage as may otherwise be accomplished without adversely affecting the neighbors of the premises or the public health, safety and welfare of the citizens of the Township. Storage is permissible within required accessory structures.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- iv. Structures shall be provided for the purpose of housing, confining, sheltering, and maintaining permitted animals. Such structures shall meet requirements for height and floor area as specified in Section 4.20, but no single structure shall exceed four thousand (4,000) square feet. Structures for the purpose of housing, confining, sheltering, and maintaining of animals shall meet all setback requirements specified within Section 4.2. The following minimum floor area shall be provided within a structure for each animal:
  - a. Class II Animals: Class II animals shall be provided with a structure having a minimum floor area of 100 square feet for each animal. Planning Commission has the discretion to permit smaller structures for miniature horses.
  - b. Class III Animals: Class III animals shall be provided with an appropriately-sized structure. It shall be the responsibility of the Applicant to provide evidence of the structure dimensions appropriate for the species of animal.
- E. Class II animals shall be restricted to areas on the premises upon which they are being maintained no less than ten (10) feet from the nearest residential lot line, other than AG, or any neighboring dwelling unit in any zoning classification district, said restricted area to include areas in which animals are fenced or otherwise restrained. Structures for housing, sheltering, and/or maintaining of Class II animals shall be no less than twenty five (25) feet from the nearest lot line, regardless of zoning classification district.
- F. Class III animals shall be contained to an area on the premises, the dimensions of which will be determined by the Township on an individual basis with input from the Applicant. It shall be the responsibility of the Applicant to provide evidence of the adequacy of containment, and other pertinent information such as noise emitted by the animal(s). Township may prohibit the housing of a Class III animal if it is determined that the animal poses a legitimate threat to public health and/or safety.
- G. On any premises upon which animals are situated or maintained in the Township, garbage, refuse, offal and the like, shall not be brought upon the premises and fed to animals; said action is hereby deemed to be a nuisance.
- H. A nuisance or a threat to public health and/or safety shall not be created by the maintenance of animals in the Township. The Building Official, or other Township official duly designated and authorized by the Township Board, shall inspect the premises on which animals are kept where it is alleged there exists a nuisance or a threat to public health and/or safety. Within ten (10) days written notice shall be given by the Official to the person maintaining animals on the premises, stating that it appears a nuisance or public health/safety threat does in fact exist on said premises, and that the nuisance or threat shall be abated. Upon application of the person or persons maintaining the animals on the premises, due notice being given to individuals residing within three hundred (300) feet of the said premises, and other interested parties known to the Township, the Zoning Board of Appeals shall conduct a hearing and make a determination as to whether the conditions on the premises in question constitute a nuisance or public health/safety threat. The person or persons maintaining the animals on said premises, or their legal representatives, shall be permitted to present evidence and argument. Upon a determination by the Zoning Board of Appeals that a nuisance or threat exists, the Zoning Board of Appeals shall, in writing, apprise the person maintaining the animals on the said premises as to how the nuisance or threat shall be abated, and provide a reasonable time therefor. The Zoning Board of Appeals shall order the animals upon the premises removed only in the event that the maintenance of said animals creates an imminent danger to the public health, safety and welfare, and, provided that such a removal order shall be limited to a minimum number of animals and minimum time period necessary to abate said danger.



**4.3 ADMINISTRATIVE STANDARDS FOR ADULT ENTERTAINMENT USES**

**A. Purpose: Dispersal of Adult Entertainment Uses.**

Relying on studies undertaken by other communities, White Lake Township recognizes that there are some uses, which because of their very nature, have serious objectionable operational characteristics, particularly when such uses are concentrated under certain circumstances, thereby creating a potentially deleterious effect upon adjacent areas. Administrative standards for these uses is necessary to insure that these adverse effects will not unreasonably negatively impact the community or surrounding neighborhood or contribute to the blighting or downgrading of the surrounding neighborhood. These administrative standards are itemized in this Section. The primary purpose of these standards is to prevent such a concentration of these uses.

**B. Dispersal Regulations**

- i. No Adult Entertainment Use shall be located closer than the distance indicated below to any of the following Protected Uses that are located within the Township:
  - a. An adult entertainment use shall not be operated within or adjacent to an establishment with a Class C liquor license located on the same parcel. This subsection (a) shall not preclude an adult entertainment use and an establishment with a Class C liquor license from occupying non-adjacent lease spaces within the same multi-tenant center nor preclude operation of an Adult Cabaret with a Class C liquor license.
  - b. Commercial pool or billiard halls - 200'
  - c. Arcades (meaning a commercial recreation facility, open to the public that contains coin, token, and/or magnetic card-operated games, rides, shows, videos, and similar leisure-time activities and devices.) - 1,000'
  - d. Commercial banquet halls - 1,000'

- e. Commercial ice or roller skating rinks - 1,000'
- f. Licensed pawn shops - 200'
- g. Commercial movie theaters (meaning a building, complex of buildings, or part of a building open to the public and devoted to showing movies, motion pictures, or similar video presentations.) - 1,000'
- h. Any Township park or Township playground - 1,000'
- i. Any permanent church, (meaning a building or structure primarily used for religious worship, in which religious services are held and where the building is not put to any other use substantially inconsistent therewith, and includes, but is not limited to, synagogue, temple, mosque, tabernacle, cathedral, and similar terms for places of worship and religious activities purposes of public worship). - 1,000'
- j. Any public or private school (excluding single-family residences engaged in home schooling) having a curriculum including kindergarten or any one or more of the grades one through twelve - 1,000'
- k. Any other regulated adult entertainment uses as defined herein - 1,000'
- l. Any public library - 1,000'
- m. Any Group Day Care Facility for children, or preschool licensed by the State of Michigan - 1,000'.

Such distance shall be measured between all property lines of the subject parcel and the nearest property line of any of the Protected Uses.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- ii. Prohibited Zone - No Adult Entertainment Use shall be located within 500 feet of any property located in the Township and located in any of the following zoning districts: R1A, R1B, R1C, R1D, SF, MHP, RM1, RM2, or property in a PD or PB district which has received site plan approval for a residential use. Such distance shall be measured by a straight line from all the property lines of the subject parcel to all the boundary lines of such zoned property. Adult Entertainment Uses may be located less than 500 feet from any such zoned areas only when:
  - a. The Adult Entertainment Use is located on the opposite side of a Regional Highway or Major Arterial as designated on the Township Thoroughfare Plan, and;
  - b. There is a non-residential zone on the same side of the road as the Prohibited Zone described in subsection 2 above that establishes a buffer between the Regional Highway or Major Arterial and the property within the Prohibited Zone described in subsection 2 above.
- iii. Acceptable Zones - An Adult Entertainment Use shall be permitted only in the GB (General Business) zoning district or the LM (Light Manufacturing) zoning district.

C. Display Content

No Adult Entertainment Use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to “Specified Sexual Activities” or “Specified Anatomical Areas” from any public way or from any property not regulated as an Adult Entertainment Use. This provision shall apply to any display, decoration, sign, window or other opening.

D. Procedures

- i. Applications for approval of an Adult Entertainment Use shall be made to the Director of the Community Development Department or his/her designee, and shall include a site plan in compliance with the requirements of this Ordinance. The Director of the Community Development Department/designee shall review the application and, within thirty days, shall determine whether the proposed use meets the requirements of subsections C1 through C3. If those requirements are met, the site plan shall be forwarded to the Planning Commission in accordance with Section 4.52 of this Ordinance, as modified below. If those requirements are not met, the Director of the Community Development Department/designee shall issue and forward to the applicant a notice of administrative denial. Failure to comply with the time requirements set forth in this subsection shall result in an automatic finding that the Adult Entertainment Use meets the requirements of subsections C1 through C3.
- ii. Sections 6.8.E.iii and 6.8.E.v shall not apply to review of a site plan for an Adult Entertainment Use.
- iii. Only the following subsections or portions of subsections of Section 6.8F shall apply to review of a site plan for an Adult Entertainment Use:
  - a. The applicant has submitted the required information and it is in sufficiently complete and understandable form to allow an accurate description of the proposed uses(s) and structure(s) in terms of density, location, area, height, bulk, placement, setbacks, performance, characteristics, parking, and traffic circulation.”
  - b. There is proper relationship between major thoroughfare and proposed service drives, driveways and parking areas so as to encourage the safety and convenience of pedestrian and vehicular traffic and points of access to public thoroughfares have been minimized.



- c. The location of buildings, outside storage receptacles, parking areas screen walls and utility areas is such that the adverse effects of such uses will be minimized for the occupants of that use and the occupants of surrounding areas.”
  - d. Provisions have been made for proper development of roads, easements and public utilities...” ; and
  - e. The use proposed for the site is a use permitted in the district and complies with all applicable requirements of the White Lake Township Zoning Ordinance and any other applicable code or ordinance.”
- iv. Conditions imposed on Adult Entertainment Uses shall be limited to the minimum necessary to insure compliance with the standards and requirements of this ordinance applicable to such uses.
- v. Once a completed application is received for a site plan approval for any Adult Entertainment Use, the application shall be sent to the Planning Commission for a recommendation on the preliminary site plan at the next regular meeting that is at least twenty-one (21) days following receipt. At that meeting, the Planning Commission shall make its recommendation as required by Section 6.8. Within seven (7) days of the Planning Commission’s decision, the site plan shall then be forwarded to the Township Board for a recommendation on the preliminary site plan at the next regular meeting that is at least twenty-one (21) days following receipt. At that meeting, the Township Board shall make its recommendation as required by Section 6.8. Once a completed application is received for final site plan approval for any Adult Entertainment Use, the application shall be sent to the Planning Commission for a final decision on the site plan at the next regular meeting

that is at least twenty-one (21) days following receipt. Failure to comply with these time requirements shall result in automatic approval of the site plan.

E. Appeal of Administrative Denial

An applicant may appeal an administrative denial to the Planning Commission or the Zoning Board of Appeals (ZBA) at his/her option in accordance with the following:

- i. An applicant may appeal the Director of the Community Development Department/designee’s determination and issuance of an administrative denial to the Township Planning Commission. An appeal of an administrative denial to the Township Planning Commission by the applicant shall be filed within thirty (30) days of the date of the Director of the Community Development Department/designee’s determination, and heard and decided by the Township Planning Commission within sixty (60) days of the filing of the appeal. Failure by the Planning Commission to comply with this 60-day time requirement shall result in an automatic decision in favor of the Adult Entertainment Use. The Planning Commission may uphold an administrative denial by the Director of the Community Development Department/designee, or may overturn an administrative denial issued due to non-compliance with the dispersal regulations of subsection 4.3.B if it finds that all of the following conditions exist:

- a. the proposed use will not be contrary to the public interests or injurious to nearby properties in the proposed location and the spirit, intent, and purpose of the spacing regulations will still be observed;
- b. the proposed use will not enhance or promote a deleterious effect upon adjacent areas through causing or encouraging blight, a chilling effect upon other businesses and occupants, and/or a disruption in neighborhood development;



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- c. the establishment of the additional regulated use in the area will not be contrary to any program of neighborhood conservation nor interfere with any program of urban renewal;
- d. all other applicable regulations within the Township Zoning Ordinance or other pertinent Township Ordinances will be observed.

The Planning Commission shall not consider an appeal of an administrative denial issued due to non-compliance with the requirements of subsection 4.3.B.iii.

- ii. An applicant may appeal an administrative denial to the Zoning Board of Appeals if he or she believes the Director of the Community Development Department/designee has erred in applying the dispersal regulations of subsection 4.3.B. An appeal of an administrative denial to the Zoning Board of Appeals by the applicant shall be filed within 30 days of the date of action by the Township Planning Commission, and heard and decided by the Zoning Board of Appeals within sixty (60) days of the filing of the appeal. Failure by the Zoning Board of Appeals to comply with this 60-day time requirement shall result in an automatic decision in favor of the Adult Entertainment Use. The Zoning Board of Appeals shall not consider an appeal of an administrative denial issued due to non-compliance with the requirements of subsection C3.
- iii. Only the Planning Commission may overturn an administrative denial upon a subjective finding that all of the conditions of F.1.a through F.1.d exist. The Zoning Board of Appeals may only overturn an administrative denial if it determines that the Director of the Community Development Department/designee has erred in applying the dispersal regulations of subsection 4.3.B.

F. Appeal of Administrative Approval

Any aggrieved party may appeal an administrative approval granted by the Director of the Community Development Department/designee, or the overturning of an administrative denial by the Planning Commission, to the Zoning Board of Appeals. The aggrieved party may appeal if they believe that the Director of the Community Development Department/designee or the Planning Commission erred in applying the dispersal regulations of subsection 4.3.B. An appeal by an aggrieved party shall be filed within 30 days of the date of action, and heard and decided by the Zoning Board of Appeals within sixty (60) days of the filing of the appeal. The filing of an appeal by an aggrieved party shall not delay an application which has received administrative approval by the Director of the Community Development Department/designee or has had an administrative denial overturned by the Planning Commission.

4.4 WIND ENERGY CONVERSIONS SYSTEMS, PRIVATE

In all zoning districts, private wind energy conversion systems for the purpose of providing electricity to a residence, farm, business, institution, and/or industrial facility may be permitted as an accessory use to a principal permitted use, subject to the standards of this Section. Upon review of the application for a Building Permit, the Building Official shall grant approval after review and approval by the Director of the Community Development Department or his/her designee if it is determined that the plans comply in all respects with this Section and the Township Building Code. The Charter Township of White Lake recognizes that wind energy conversion is an evolving technology, and that some of the standards contained herein may not necessarily remain applicable as new technologies are developed. It is the purpose of this Section to provide reasonable standards for the safe installation of private wind energy conversions systems, and in instances where new technologies render any of the following standards obsolete, the spirit and intent of this Section shall be applied.





A. Standards for All Private Wind Energy Conversion Systems

All private wind energy conversion systems - either freestanding, pole-mounted, or rooftop-mounted - shall be subject to the following conditions:

- i. Private wind energy conversion systems shall be permissible as an accessory use to the primary building and/or permitted use in all zoning districts.
- ii. Each individual system shall be designed to primarily serve the needs of a home, farm, business, institution, or industrial use.
- iii. System height (from the ground to the tip of the system its highest point) shall not exceed 100 feet.
- iv. Systems shall not generate more than 5 dB above the ambient noise level as measured at all property lines. This standard shall apply to both intermittent and steady noise.
- v. Systems shall not be illuminated. No exterior light shall be mounted to or atop any portion of the structure unless required per Section 4.4.A.viii.
- vi. Wind energy conversion systems must be approved/certified by the American Wind Energy Association (AWEA), the Small Wind Certification Council (SWCC), and/or the U.S. Department of Energy.
- vii. Systems shall comply with all applicable State construction and electrical codes and Township building permit requirements. Building permit applications for wind energy conversion systems shall be accompanied by standard engineering drawings (typically supplied by the system manufacturer). Building permit applications shall include a dimensioned drawing of the property noting the proposed location of the system relative to all property lines.
- viii. Wind energy systems must comply with applicable Federal Aviation Administration regulations, the Michigan Airport Zoning Act (Public Act 23 of 1950, MCL 259.431 et seq.), and the Michigan Tall Structures Act (Public Act 259 of 1959, MCL 259.481 et seq.)

ix. Building and electrical permit applications for private wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of the installation conforms to the National Electrical Code (typically supplied by the system manufacturer).

x. A wind energy system connected to the electric utility grid must obtain an Interconnection and Operation Agreement or its equivalent from the utility company, demonstrating the utility company's approval of an interconnected, customer-owned generator. Interconnected systems shall comply with Michigan Public Service Commission and Federal Energy Regulatory Commission standards. Off-grid systems shall be exempt from this requirement.

B. Standards for Freestanding Wind Energy Systems

In addition to the standards of Section 4.4.A, the following standards shall apply to freestanding wind energy conversion systems:

- i. Minimum lot size for a freestanding private wind energy conversion system in any zoning district shall be two (2) acres. One freestanding system shall be permitted for every two acres of area, such that a two-acre property may have one freestanding system, a four-acre property may have two systems, etc. There shall be no limit to the number of freestanding systems permitted on any individual property, so long as all other requirements contained within this Section have been met.
- ii. The setback of any freestanding system including ancillary components from all property lines shall be at least equal to 110% of the height of the entire system at its highest point, or the minimum building setback for the respective zoning district, whichever is greater.
- iii. Freestanding wind energy conversion systems shall be permitted only in the rear or side yard, and shall be prohibited in the front yard.

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- iv. Freestanding systems shall be mounted to a monopole and shall require no secondary supports (guy wires and the like). Lattice-mounted freestanding systems shall be prohibited. All unshielded moving components of any freestanding system (turbine blades and the like) shall be matte white in color.
- v. All unshielded moving components of a freestanding system must maintain a minimum ground clearance of twenty (20) feet.
- vi. The setback of any freestanding system from any existing or planned overhead public utility lines shall be at least equal to 110% of the height of the entire system at its highest point. It shall be the applicant's responsibility to note the location of utility poles and/or overhead lines on a dimensioned drawing as required in Section 4.4.A.vii.
- vii. Building permit applications for freestanding wind energy conversion systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base and footings. An engineering analysis of the tower showing compliance with the Michigan Building Code and certified by a licensed professional engineer shall also be submitted. This analysis is typically supplied by the system manufacturer.
- viii. Building permit applications for private freestanding wind energy conversion systems shall include a performance guarantee in an amount and payment method established by resolution of the Township Board to dismantle any system which has been abandoned for more than six (6) months or is otherwise deemed unsafe by the Township Building Official. Systems installed as an accessory to a single-family residential use shall be exempt from the performance guarantee requirement.

C. Standards for Pole-Mounted Systems Affixed to a Structure

In addition to the standards of Section 4.4.A, the following standards shall apply to a private wind energy conversion system which is either affixed to an existing permitted pole structure or tower, or is mounted to a pole which itself is affixed to a building:

- i. The setback of a system shall be at least equal to 110% of the height of the entire system at its highest point, or the minimum building setback for the respective zoning district, whichever is greater.
- ii. The setback of a system from any existing or planned overhead public utility lines shall be at least equal to 110% of the height of the entire system at its highest point. It shall be the applicant's responsibility to note the location of utility poles and/or overhead lines on a dimensioned drawing as required in Section 4.4.A.vii.
- iii. Building permit applications for a wind energy conversion system shall include a performance guarantee in an amount and payment method established by resolution of the Township Board to dismantle any system which has been abandoned for more than six months or is otherwise deemed unsafe by the Township Building Official. Systems installed as an accessory to a single-family residential use shall be exempt from the performance guarantee requirement.

D. Standards for Rooftop-Affixed Systems (not pole-mounted)

In addition to the standards of Section 4.4.A, the following standards shall apply to systems which are affixed to a rooftop in a manner which does not require pole-mounting and therefore do not present a significant threat of falling:

- i. Rooftop-affixed systems shall be exempt from rooftop mechanical screening requirements.



#### 4.5 ATTACHED SECONDARY DWELLING UNIT STANDARDS

One (1) attached secondary dwelling unit per single-family dwelling unit may be permitted in the Agricultural (AG) and single-family zoning districts (SF, R1-A, R1-B, R1-C, and R1-D) subject to the following:

- A. The secondary dwelling unit shall be located within a single-family dwelling unit situated on a lot or parcel in conformance with the minimum lot area and setback requirements of Article 3.0 Zoning Districts.
- B. No accessory building shall be converted into a secondary dwelling unit.
- C. Only one (1) secondary dwelling unit shall be permitted per lot or parcel and per single family dwelling.
- D. The principal dwelling unit shall be owner-occupied. The Zoning Board of Appeals may modify this requirement only when it is clearly demonstrated that the single-family character of the neighborhood will not be affected.
- E. The secondary dwelling unit shall be occupied only by:
  - i. Persons related by blood, marriage, or adoption to the owner-occupants of the principal dwelling unit, OR
  - ii. Employees of the owner-occupants of the principal dwelling unit whose employment is based primarily in the principal dwelling unit. These employees could include (but are not necessarily limited to) in-home health-care professionals or child-care professionals (nannies, au pairs, and the like).
- F. The secondary dwelling unit shall not be rented separately from the principal dwelling unit. Nothing within this Section shall be interpreted to permit creation of a for-rent apartment, or the conversion of a single-family unit into a duplex or the like.
- G. The secondary dwelling unit shall not exceed 550 square feet.
- H. The secondary dwelling unit shall not include more than one (1) bedroom.
- I. Only one entrance shall face the street on which the principal single-family dwelling is located. Any exterior entrance to the secondary dwelling unit shall face the side or rear yard.
- J. Exterior changes to the principal unit shall be kept to a minimum and shall not change the overall single-family character of the dwelling unit or the surrounding neighborhood, as determined by the Director of the Community Development Department or his/her designee.
- K. No new street address shall be assigned to the secondary dwelling unit.
- L. All utility connections and services shall be shared between the primary and secondary dwelling units. No new meters (electric, gas, water, or otherwise) shall be installed to serve a secondary dwelling unit.
- M. Where applicable, the Oakland County Health Department shall certify that the on-site septic and water systems are properly designed to handle the anticipated additional load. If the principal unit is served by municipal water or sanitary sewer, the secondary unit's plans shall be reviewed by both the Township's Water and/or Sewer Departments.
- N. If the secondary dwelling unit is to have its own cooking facilities, the shared party wall between the units - including any openings (i.e. doors) within that shared party wall - shall have a one-hour fire rating extending to the underside of the roof-deck, and thence extending two feet in either direction running parallel to the roof-deck.
- O. One (1) additional off-street parking space shall be provided, exclusive of the driveway.
- P. The Township's emergency service providers (Police, Fire, and EMS) shall be notified of occupancy of a secondary dwelling unit.

#### 4.6 ANIMAL CARE FACILITIES

Commercial kennels, veterinary clinics, veterinary hospitals, veterinarians' offices and the like, may be permitted in the districts noted in the table below, subject to the applicable standards in A through I below:

- A. Commercial kennels in AG may be permitted on a lot with a minimum of 10 acres and a minimum width of 300 feet.
- B. The site shall abut at least a major arterial as designated on the Township's adopted Master Plan for all uses listed except commercial kennels in AG.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



4.6 Animal Care Facilities	
Land Use	Districts Permitted
Kennels	GB, LM; AG with 10 acre minimum
Veterinary Clinics and Hospitals	LB, RB and GB

- C. All pens and runs shall be completely enclosed by a minimum six (6) foot high fence or masonry screen wall, located only in a rear yard, and setback a minimum one hundred fifty (150) feet from any property line. Where the proposed commercial kennel is located in any district which abuts a residential district all pens and runs shall be within a completely enclosed building.
- D. Commercial kennels shall provide one (1) off-street parking space for each five (5) kennel runs in addition to the parking required for other uses in accordance with Section 5.11.
- E. All breeding areas shall be within a completely enclosed building.
- F. All animals shall be adequately housed, fenced and maintained so as not to be or become a public or private nuisance. The premises shall be maintained in such a manner so as not to be harmful to surrounding properties, or create any hazard or detriment to public health, safety or general welfare.
- G. The proposed commercial kennel facilities shall be located and designed to reduce the negative impact of noise on adjacent properties.
- H. In addition to the screening and landscaping requirements specified in Section 5.19, the Planning Commission may require additional screening where the Planning Commission determines such screening is necessary to reduce the impact of the proposed facility on adjacent properties or rights of way.
- I. Any use permitted by the Township under this section shall terminate immediately when the lot area requirements herein set forth are decreased in any manner or the provisions of this ordinance violated.
- J. The building shall be adequately soundproofed and constructed so that there will be no emission of odor or noise detrimental to surrounding properties.

- K. Boarding of small animals shall be permitted as an accessory use, except all boarding shall be conducted within a wholly enclosed building and incidental to such care of an animal.

**4.7 ADULT FOSTER CARE FACILITIES**

Adult foster care facilities may be permitted in the districts noted in the table below, subject to the standards in A and B :

- A. General Standards
  - i. The use shall be registered with the White Lake Charter Township Clerk’s Office and shall continually have on file with the Township documentation of a valid license, as required by the State of Michigan.
  - ii. Documentation of compliance with state building and fire codes shall be provided.
  - iii. The lot shall be at least 1,500 feet from another adult foster care facility, group home, day-care home, or similar facility.
  - iv. All vehicular ingress and egress shall be directly onto a major or minor arterial.
  - v. There shall be no more than two (2) occupants per bedroom.
  - vi. Outdoor recreation areas may be required to provide fencing with a secure-access gate, based upon the needs of the residents. For example, persons with dementia or closed-head injuries may require special protection.
  - vii. Building side setbacks shall each be a minimum of 25 feet..
  - viii. A minimum of 1,500 square feet of open space shall be provided per resident. This open space may include land, setbacks, and the required outdoor recreation area as noted in #9 below, but may not include the principal building.
  - ix. An outdoor recreation area shall be provided equal to five hundred (500) square feet per resident, and such recreation area shall be designed and oriented to meet any special needs of residents, as noted in #6 above.



4.7 Adult Foster Care Facilities		
Land Use	Number of Residents Permitted	Permitted Districts
Small Group Home	7-12 Residents	AG, SF, R1-A, R1-B, RM-1, RM-2
Large Group Home	13-20 Residents	AG, RM-1, RM-2
Congregate Facility	21+ Residents	AG, SF, RM-1, RM-2

- x. One off-street parking space shall be provided for every three (3) residents, plus one space per employee in the largest working shift.
  - xi. Off-street parking shall be located within a side or rear yard whenever possible, and individual parking bays shall not exceed 4 vehicles in the front yard. Parking shall be screened from the road and adjacent parcels by a greenbelt meeting the standards of Section 4.48 of the Zoning Ordinance.
  - xii. The building shall have an appearance that is residential in character and consistent in color, materials, roof-line and architecture with the zoning district in which it is located, as determined by the Planning Commission.
  - xiii. One identification sign, not to exceed eight (8) square feet, shall be permitted to assist emergency services personnel and visitors in locating the site. The sign shall include only the name and street address of the Adult Foster Care facility.
- B. Additional Standards for Adult Foster Care Large-Group and Congregate Facilities:
- i. The minimum site size shall be 5 acres in AG and 3 acres in RM-1 and RM-2.
  - ii. Minimum lot width shall be two hundred (200) feet.
  - iii. All buildings shall be set back at least 75 feet from all property lines.
  - iv. All parking and service areas shall be screened from view of an adjoining residential district, as approved by the Planning Commission.

#### 4.8 AUTOMOBILE FACILITIES FOR HEAVY REPAIRS

Automobile facilities for heavy repairs, including collision shops, engine or transmission repair, restoration shops, and similar facilities, may be permitted in the LM (Light Manufacturing) district, subject to the following:

- A. All repair activities shall be conducted within a completely enclosed building.
- B. The facility shall be equipped with all necessary venting, filtration, storage and containment equipment to avoid any adverse effects on adjacent and neighboring areas.
- C. All activities shall be conducted in such a manner as to minimize adverse effects on adjacent and neighboring properties.
- D. Outside storage is permitted provided the outdoor storage area does not exceed twenty five percent (25%) of the gross floor area of the building, can be provided in the rear yard and that it would not adversely affect the reasonable and proper development of the industrial district in which it is located. The outdoor storage area shall be screened with an enclosure constructed of a durable and completely obscuring material at least six (6) feet in height and not over eight (8) feet in height. No vehicle stored in such area should exceed the height of enclosure and no vehicles shall be serviced in this area nor shall the area be used for the storage of parts or supplies. Vehicles shall not be stored within this area for more than sixty (60) days while awaiting repair and no vehicle shall discharge any fluids onto the ground within the storage area. The Planning Commission may require a 6 foot security fence and extensive land form buffer if stored vehicles are taller than the 8 foot fence/wall.



- E. Shall be located at least five hundred (500) feet from an entrance or exit to the property on which is located a public or private school, playground, playfield, or park.
- F. A sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building.
- G. Yards shall be graded in such a manner as to prevent the accumulation of surface water on the lot and shall not increase the natural runoff of surface water onto adjacent properties.

**4.9 AUTOMOBILE SERVICE CENTERS**

Automobile service centers providing light repairs, services and materials such as: tires (not recapping), batteries, mufflers, undercoating, auto glass, detailing, reupholstering, quick oil change, lubrication, wheel balancing, brakes and suspension services, and motor tune-up for passenger cars and vans may be approved in the GB (General Business) and PB (Planned Business district) subject to the following:

- A. The use shall be located adjacent to a minor or major arterial that is conveniently and safely accessible by the general public and shall not conflict with traffic movement or the reasonable and proper development of the district and area in which it is located.
- B. There shall be no outside display of parts and/or products.
- C. All repair and/or servicing activities shall be conducted within a completely enclosed building.
- D. The outside overnight parking of vehicles shall be limited to no more than one and one half (1½) per service bay and shall be limited to only those vehicles which are to be repaired.
- E. There shall be no outside storage of partially dismantled, inoperable or unlicensed vehicles.
- F. There shall be no outside storage of new or discarded parts.
- G. A minimum parcel size of one (1) acre shall be required to establish this use.
- H. This use shall not be permitted unless it is part of a planned development involving one or more of the uses permitted in the GB or PB districts.

**4.10 AUTOMOBILE SERVICE STATIONS**

Automobile service stations for sale of fuel, lubricants, and minor accessories only, and for incidental repair work, may be permitted in the RB (Restricted Business) district, subject to the following conditions:

- A. Entrance and exit drives shall be no less than one hundred (100) feet from any street intersection and at least two hundred (200) feet from any residential district.
- B. The minimum street frontage shall not be less than two hundred (200) feet.
- C. A screen wall, obscuring fence, or land form buffer shall be provided in accordance with Section 5.19 of this Ordinance.
- D. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.
- E. Steam cleaning, undercoating and major repair work is prohibited.
- F. Gasoline pumps, air and water hose stands and other appurtenances shall be set back not less than twenty-five (25) feet from existing or proposed street right-of-way lines.
- G. Adequate space shall be made available for vehicles that are required to wait.
- H. The storage of vehicles shall be obscured from view with a screen wall or obscuring fence in accordance with Section 5.19 of this Ordinance. No more than five (5) vehicles awaiting service shall be stored at one time and no vehicle shall be stored for a period exceeding one (1) week.



#### 4.11 AUTOMOBILE WASH ESTABLISHMENTS

Automobile wash establishments, when completely enclosed within a building, may be permitted in the GB (General Business) and RB (Restricted Business) districts, subject to the following:

- A. Buildings shall be set back sixty (60) feet from the existing or proposed right-of-way line.
- B. Entrance and exit drives shall be no less than one hundred (100) feet from any street intersection and at least two hundred (200) feet from any residential district.
- C. Waiting spaces shall be provided in an amount equal to seven (7) times the maximum automobile capacity within the building. Four (4) waiting spaces shall be provided for each stall in a do-it-yourself car wash. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.
- D. The site shall be drained so as to dispose of all surface water in such a way as to preclude drainage of water onto adjacent property or heavy tracking onto a public street. A combination of alternatives may be used, including, but not limited to, blowers, hand-drying, length of exit drive and general site design.
- E. The site plan shall detail the location of all proposed vacuum stations. These areas shall be located so as not to conflict with any required parking, drive, or automobile standing areas. Self-contained, covered waste receptacles shall be provided at each proposed vacuum station to provide convenient disposal of customer refuse.
- F. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.
- G. A screen wall or obscuring fence shall be provided on those sides abutting a residential district, in accordance with the provisions of this Ordinance.

#### 4.12 BED AND BREAKFAST HOMES AND INNS

A bed and breakfast (B&B) home or inn may be permitted in the districts noted in the table below, subject to the applicable regulations in A through M below:

- A. A B&B home shall not have more than six (6) guest rooms and a B&B inn shall not have more than eight (8) guest rooms.
- B. The B&B home shall be clearly subordinate to the use of the building as the owner/operator's principal residence. Not more than twenty-five percent (25%) of the gross floor area of the dwelling may be devoted to guest rooms.
- C. All guest rooms shall be a minimum of one hundred (100) square feet for double occupancy, equipped with a smoke and carbon monoxide detector/alarm, and shall have lavatory and bathing facilities available to the overnight guests.
- D. There shall be a minimum of two (2) means of exit directly to the outdoors. A floor plan and elevation drawings (or photographs) shall accompany the application.
- E. There shall be no exterior alterations to the dwelling that are not customary for other principal single family residences in the Township. If guest rooms are not part of the original structure but are proposed to be added, plans prepared by a Registered Architect shall be submitted to the Planning Commission for approval which demonstrate the following:
  - i. The addition is compatible in style and design with the original structure.
  - ii. The rooms proposed to be added could be incorporated into the structure for single family residential use in the future, if the owner chooses to terminate the use of the dwelling as a bed & breakfast home or inn.

4.12 Bed and Breakfast Homes and Inns	
Land Use	Districts Permitted
Bed and Breakfast Homes	AG, SF, LB, RB, PD
Bed and Breakfast Inns	LB, RB, GB, PB, TC, PD

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- F. Two (2) off-street parking spaces for the dwelling and one (1) for each double-occupancy room shall be provided. All off-street parking shall be designed and arranged to maintain the residential character of the principal use. To that end, parking "lots" are to be avoided and the use of grass pavers or similar materials is encouraged.
- G. One (1) non-illuminated sign, not to exceed four (4) square feet and stating only the name of the home, may be displayed flat against the wall of the building or within the non-required front yard only.
- H. The applicant shall submit proof of the local Health Department's evaluation regarding the adequacy of the on-site sewage disposal system, in relation to the number of guest rooms proposed, in addition to the principal residential use.
- I. The maximum length of stay of any guest(s) shall be fourteen (14) days.
- J. The permit shall be issued to an owner/operator only and shall not run with the land. All homes shall be inspected by the Township Zoning Administrator, Building Official, and Fire Chief. A report from each shall be submitted to the Planning Commission identifying all zoning, building, fire, and safety code issues.
- K. No accessory buildings or garages are to be utilized for sleeping rooms.
- L. Kitchen facilities shall be used for food preparation for consumption on the site by the owner, operator, residents and overnight bed and breakfast guests only. No food shall be prepared which is taken off-site or which is served to persons other than residents and overnight guests.
- M. No cooking facilities are permitted for use by the guests.
- N. A fire escape plan shall be developed and graphically displayed in each guest room.

#### 4.13 CLUSTER HOUSING OPTION

These regulations are intended to promote a traditional rural character of the land use pattern in the Township through the creation of small residential nodes contrasting with open space and less intensive land uses. These regulations are intended to result in a specific development substantially consistent with Zoning Ordinance standards, yet allow for modifications from the general standards to preserve natural resources and protect the natural environment.

- A. Eligibility Criteria. To be eligible for the cluster housing option, the applicant must present a proposal for residential development that demonstrates the following:
  - i. Open Space. The proposed development must contain significant natural assets including one or more of the following open space benefits:
    - a. Primary agricultural lands
    - b. Woodlands and wetlands
    - c. Rolling topography with grades exceeding 15%
    - d. Significant views
    - e. Natural drainage ways and floodplains
    - f. Natural corridors that connect quality wildlife habitats. If animal or plant habitats of significant value exist on the site, the Planning Commission, as a condition of approval, may require that the Cluster housing option plan preserve these areas in a natural state and adequately protect them as nature preserves or limited access areas.
    - g. Created recreation and open space
  - ii. Guarantee of Open Space Preservation and Maintenance. The applicant shall guarantee to the satisfaction of the Township Planning Commission that all open space portions of the development will be preserved and maintained in the manner approved. Documents shall be presented that bind all successors and future owners in fee title to commitments made as a part of the proposal. The preservation





- and maintenance of all open space shall be guaranteed by means of a deed restriction, shall be recorded with the deed or land contract to the property, and shall be filed with the Oakland County Register of Deeds. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the Township and the land uses continue as approved in the cluster housing option plan.
- iii. Density Impact. The proposed type and density of use shall not result in an unreasonable increase in the need for or impact to public services, facilities, roads, and utilities in relation to the use or uses otherwise permitted by this ordinance, and shall not place an unreasonable impact to the subject and/or surrounding land and/or property owners and occupants and/or the natural environment. The Planning Commission shall require the applicant to prepare a Community Impact Statement, meeting the standards of Section 4.50 of the Zoning Ordinance, documenting the significance of the development on the community. An unreasonable impact shall be considered an unacceptable significant adverse effect on the quality of the surrounding community and the natural environment in comparison to the impacts associated with conventional development.
- iv. Township Master Plan. The proposed development shall be consistent with and further the implementation of the Township Master Plan.
- v. Access to a Public Street. The parcel must be located immediately abutting and contiguous to a public street type as designated on the Thoroughfare Plan of White Lake Township as follows:
  - a. Local Street
  - b. Collector Street
  - c. Minor Arterial
  - d. Major Arterial
  - e. Regional Highway

- B. Design Standards. A proposed cluster housing option development shall comply with the following project design standards:
  - i. Location. A cluster housing development may be approved within any of the following zoning districts: AG, SF, R1-A, R1-B, R1-C or R1-D
  - ii. Permitted Uses. A cluster housing option is restricted to single family detached or not more than four (4) attached residential dwellings per building.
  - iii. Dwelling Density. The number of dwelling units allowable within a cluster housing option project shall be determined through preparation of a parallel plan.
    - a. The applicant shall prepare a parallel design for the project that is consistent with State, County, and Township requirements and design criteria for a tentative preliminary plat. The parallel plan shall meet all standards for lot size, lot width and setbacks as normally required under Article XIX, public, roadway improvements and private parks, and contain an area which conceptually would provide sufficient area for storm water detention. Lots in the parallel plan shall provide sufficient building envelope size without impacting wetlands regulated by the Michigan Department of Environmental Quality or by White Lake Township. This design shall include all information as required by the guidelines adopted by the Planning Commission pursuant to Section 6.8, Site Plan Review.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

4.13.B.iv Design Standards for Cluster Housing Option						
Zoning Districts	Minimum Size Zoning Lot Per Unit (a) Area In Square Feet	Width In Feet (a)	Front	One Side (c)	Total of Two Sides (c)	Rear
AG	43,560	150	35'	20'	40'	50'
SF	30,000	140	35'	20'	40'	50'
R1-A	25,000	130	35'	20'	40'	50'
R1-B	15,000	100	35'	10'	20'	35'
R1-C	13,600	85	30'	10'	20'	30'
R1-D	10,200 (b)	70	25'	10'	20'	30'

- b. The Planning Commission shall review the design and determine the number of lots that could be feasibly constructed and be economically viable based upon the conceptual parallel plan design. This number, as determined by the Planning Commission, shall be the maximum number of dwelling units allowable for the cluster housing option project. The Planning Commission may grant a density bonus subject to the requirements of Section 4.13.C.
- iv. Regulatory Flexibility. To encourage flexibility and creativity consistent with the cluster housing option concept, the Planning Commission may grant specific departures from the requirements of the Zoning Ordinance as a part of the approval process for the following:
  - a. Yard, lot width, and bulk standards may be modified, provided that such modifications result in enhanced buffering from adjacent land uses or public rights-of-way, or preservation of natural features. Standards may be reduced to not less than the following:
    - b. Where attached single family units are proposed, the front walls of the attached dwelling units shall be offset by at least 15 feet.
  - c. A table shall be provided on the site plan which specifically details all deviations from the established zoning area, height and setback regulations, general provisions, or subdivision regulations. Only those deviations that respect the intent of this Ordinance may be considered.
  - v. Open Space Requirements.
    - a. A cluster housing option shall maintain a minimum designated open space held in common ownership according to the following:
      - (1) A minimum of fifteen percent (15%) of the net site area shall be maintained as designated open space in the SF, R1-A, R1-B, R1-C and R1-D districts.
      - (2) To promote preservation of primary agricultural lands, forty percent (40%) of the net site area must be designated within the AG district.
    - b. Any undeveloped land area within the boundaries of the site meeting the open space standards herein may be included as required open space. However, if a cluster development includes a recreational use such as a golf course then a minimum of 30% of the open space shall not include the golf course.



- c. Areas not considered open space include the following:
  - (1) The area of any street right-of-way or private road easement.
  - (2) Any permanent or annually intermittent submerged land area (waterbodies) including waterways.
  - (3) The required setbacks surrounding a residential structure.
  - (4) Fenced detention and/or retention basins.
- d. The designated open space must include the significant natural features, including primary agriculture lands within the AG districts, identified on a Site Analysis Plan. Connections with adjacent open space, public land or existing or planned pedestrian/bike paths may also be required by the Planning Commission.
- e. The designated open space shall be set aside by the developer through an irrevocable conveyance that is found acceptable to the Planning Commission, such as a recorded deed restriction, covenants that run perpetually with the land, or a conservation easement. Such conveyance shall assure the following:
  - (1) That the open space will be protected from all forms of development, except as approved with the site plan, and shall never be changed to another use;
  - (2) Any dumping or storing of any material or refuse is prohibited;
  - (3) Cutting, filling or removal of vegetation from wetland areas is prohibited;
  - (4) Cutting or removal of live plant material except for removal of dying or diseased vegetation is prohibited.
- (5) That the association of homeowners or co-owners shall collect sufficient fees from its members each year to provide for continued maintenance of all open space areas.
- f. A statement must be submitted along with the site plan that details the standards for the schedule of maintenance of the open space.
- g. Continuing Obligation. The designated open space shall forever remain open space, subject only to uses approved by the Township on the approved site plan. Further subdivision of open space land or its use for other than recreation, conservation or agricultural purposes, except for easements for utilities and septic systems, shall be strictly prohibited.
- h. Allowable Structures. Any structure or building accessory to a recreation, conservation or agriculture use may be erected within the designated open space, subject to the approved open space plan. These accessory structures or building shall not exceed, in the aggregate, one percent (1%) of the required open space area.
- i. The requirement for preservation and maintenance of all open space areas shall be recorded with the deed or land contract of every lot, parcel, site, or unit within the approved development.



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- vi. Transition Areas. Where the cluster housing development abuts an agriculture or single-family residential district, the Planning Commission may require a transition area. Grading within the transition area shall be minimal unless needed to provide effective buffering or accommodate drainage. If the grade change adjacent to single-family residential is to be varied by more than three (3) feet, the site plan shall include cross sections illustrating existing and proposed grades in relation to existing and proposed building heights. Perspective renderings from adjacent residential units are encouraged. The Planning Commission may review the proposed transition areas to ensure compatibility. The Planning Commission may require that the transition area consist of one or more the following:
    - a. A row of single-family lots or condominium sites similar to adjacent single family development in terms of density, lot area, lot width, setbacks and building spacing.
    - b. Woodlands, natural features or a landscaped greenbelt sufficient to provide an obscuring effect.
    - c. Open or recreation space.
    - d. Significant changes in topography, which provide an effective buffer.
  - vii. Internal Roads. Internal roads within a cluster housing development shall be public roads, unless they conform to the standards of Section 6.1.F that would permit private roads.
  - viii. Pedestrian Circulation. The cluster housing development plan shall provide pedestrian access to all open space areas from all residential areas, connections between open space areas, public thoroughfares, and connections between appropriate on and off site uses. Trails within the cluster housing option may be constructed of finely crushed stone, or other approved material, but the Planning Commission may require construction of eight (8) foot wide asphalt bike paths through portions of the development or along any public right-of-way abutting the cluster housing option.
  - ix. Existing Structures. When a tract contains structures or buildings deemed to be of historic, cultural or architectural significance, as determined by the Planning Commission, and if suitable for rehabilitation, the structures shall be retained. Adaptive reuse of existing structures for residential use or permitted accessory residential uses shall be permitted.
- C. Density Bonus Option. The Planning Commission may allow a cluster housing option development to include a density bonus according to the following provisions.
- i. Density Bonus. A density bonus of up to twenty-five percent (25%) may be allowed at the discretion of the Planning Commission. In order to qualify for consideration of a density bonus, a cluster housing development must have a minimum of fifteen percent (15%) of the site preserved as designated open space in all SF, R1-A, R1-B, R1-C, and R1-D districts. The density bonus shall correlate with the percentage of land preserved as open space. A minimum of fifty (50%) percent of the site shall be preserved in all AG districts. The following shall be considered when determining the open space density bonus:



- a. Providing perimeter transition areas along all sides of the development. The transition area shall utilize a mixture of the following to create an aesthetically pleasing opaque wall: a greenbelt area, various landscape plantings, berms, and/or decorative walls/fencing. The transition area shall be a minimum of 150 feet on all sides not abutting a right of way. However, the depth and location of the transition area may be modified and/or waived by the Planning Commission based on existing site conditions and adjacent uses.
  - b. There must also be a maintained open space buffer along the exterior public roads. Said buffer shall have a depth of at least one hundred (100) feet, either landscaped or preserved in a natural wooded condition. The open space buffer must be landscaped with a minimum of one (1) evergreen tree or canopy tree for each twenty (20) feet of road frontage. Such plantings shall be planted in staggered rows or clustered into groupings to provide a natural appearance. Preservation of existing trees may be credited towards meeting the frontage landscaping requirement. Natural wooded areas shall comply with all sight distance and corner clearance requirements of this Ordinance.
  - c. The additional open space constitutes useable, upland areas of the site accessible to the residents.
  - d. The applicant is providing a public water supply.
  - e. The applicant is extending public sanitary sewer lines, from a distance of more than 1,000 feet off-site.
  - f. Additional elements may be considered, as determined by the Planning Commission, that are intended to provide a material benefit to all residents of the development and the Township in general.
- D. Project Standards. In considering any application for approval of a cluster housing option site plan, the Planning Commission shall make their determinations on the basis of the standards for site plan approval set forth in Section 6.8, as well as the following standards and requirements:
- i. Compliance with the Open Space Community Concept. The overall design and land uses proposed in connection with a cluster housing option shall be consistent with the intent of the cluster housing option concept, as well as, with specific design standards set forth herein.
  - ii. Compatibility with Adjacent Uses. The proposed cluster housing option plan shall set forth in detail, all specifications with respect to height, setbacks, density, parking, circulation, landscaping, views, and other design features that exhibit due regard for the relationship of the development to surrounding properties, the character of the site, and the land uses.
  - iii. Impact of Traffic. The cluster housing option shall be designed to minimize the impact of traffic generated by the proposed development on surrounding uses.
  - iv. Protection of Natural Environment. The proposed cluster housing option shall be protective of the natural environment. It shall comply with all applicable environmental protection laws and regulations.
  - v. Compliance with Applicable Regulations. The proposed cluster housing option shall comply with all applicable Federal, state, and local regulations.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- vi. Conditions. Reasonable conditions may be required with the special approval of a cluster housing option for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the project. All conditions imposed shall be made a part of the record of the special approval.
- vii. Points of access to the subdivision from the existing public roadway should be kept to a minimum. There shall be a minimum of 330 feet between access points along a collector, a minimum of 660 feet between access points along a major arterial or minor arterial, and a minimum of 1320 feet between access points along M-59. These standards may be reduced by the Planning Commission if development of the site is not feasible if the standards are strictly enforced, or if conditions of the area are such that the reduction in spacing between points of access would not adversely impact the roadway any more than if the standard was strictly enforced.
- viii. In submitting an application to the Planning Commission, the applicant shall include a parallel plan as described herein, a site analysis plan that identifies all significant natural features and assets as described herein, and a site plan for the development. The plan shall designate existing and proposed public easements, topography drawn to scale at two foot contour intervals, all computations relative to acreage and density, a landscape plan relative to the proposed site including all greenbelts, transition areas and other proposed landscaped area and any other information which will assist in reviewing the Application.
- ix. Time limits of approved plans shall be in accordance with the requirements of site plan approval, Section 6.8.

**4.14 CEMETERIES**

- Cemeteries may be permitted in the AG (Agricultural), SF (Suburban Farms), and R1-A (Single-Family) districts, subject to the following:
- A. Minimum site size shall be 10 acres with a minimum lot width of 330 feet.
  - B. There shall be no burial plots within 25 feet of any property line.
  - C. No service building shall be located closer than 100 feet to any property line and all service and storage yards shall be screened from view by a screen wall or obscuring fence at least 6 feet high.
  - D. On all sides abutting property in a zoning district that permits residential uses, there shall be a landscaped greenbelt at least 25 feet wide.

**4.15 CHURCHES AND OTHER PLACES OF WORSHIP**

- Churches, synagogues, and similar places of worship may be permitted by the Planning Commission in the AG (Agricultural), SF (Suburban Farms), R1-A , R1-B, R1-C and R1-D (Single-Family) districts, subject to the following requirements:
- A. Minimum lot width of one hundred fifty (150) feet.
  - B. Minimum site size of two (2) acres.
  - C. All front, side and rear yard space shall be a minimum of fifty (50) feet each from adjoining lot lines.
  - D. All churches shall be required to have ingress and egress to a state highway, a county primary road as established by the Oakland County Road Commission, or an existing, paved county secondary road.



#### 4.16 CONVALESCENT OR NURSING HOMES

A convalescent, nursing, rest home, or home for the elderly may be permitted in the AG (Agricultural), PD (Planned Development), and RM-1 and RM-2 (Multiple-Family) districts, subject to the following:

- A. All vehicular ingress and egress shall be directly onto a major or minor arterial.
- B. The minimum site size shall be ten (10) acres in AG districts and five (5) acres in RM-1 and RM-2 districts.
- C. All buildings shall be set back at least 75 feet from all property lines.
- D. All parking and service areas shall be screened from view of an adjoining residential district, as approved by the Planning Commission.

#### 4.17 DRIVE-IN OR DRIVE-THRU WINDOW SERVICE

Drive-in or drive-thru window service for banks, savings and loan offices, credit unions, and fast food restaurants may be permitted in the districts noted in the table below, and subject to the following:

- A. A front yard setback of at least sixty (60) feet shall be required.
- B. Entrance and exit drives shall be at least one hundred (100) feet from any street intersection and two hundred (200) feet from any residential district.
- C. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.

4.17 Drive-In or Drive-Thru Window Service	
Land Use	Permitted Districts
Restaurants	RB, GB, PB, NMU, TC, PG, PD
Banks	RB, NB-O, GB, PB, NMU, TC, PG
Convenience Market and Pharmacy	RB, GB, PB, NMU, TC, PG
Dry Cleaners	RB, GB, PB, NMU, TC, PG

- D. An obscuring fence, screen wall, or land form buffer shall be provided in accordance with the provisions of Section 5.19 on all sides abutting a residential district.
- E. Adequate off-street waiting space shall be provided to prevent drive-through customers from waiting on a public or private street. A minimum of four (4) spaces per drive-up window, including order windows or per ATM machine, shall be required. The Planning Commission may increase this requirement up to seven (7) spaces per window based on the circumstances of individual uses and sites.

#### 4.18 EATING ESTABLISHMENTS WITH ENTERTAINMENT AND/OR OUTDOOR DINING

Eating establishments with entertainment and/or outdoor dining may be permitted in the GB (General Business) district, subject to the following:

- A. The Planning Commission shall determine that the use is designed and will be operated so as not to create a nuisance to property owners adjacent to or nearby the eating establishment. As such, the proposed use shall meet the following minimum criteria:
  - i. The establishment may operate only during the following hours:
  - ii. The use of exterior loudspeakers is prohibited where the site abuts a residential district or use. The noise level at the lot line shall not exceed 70 dB.
  - iii. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- B. Additional parking spaces must be provided according to the following:
  - i. Outdoor dining areas for more than 30 people or which include either permanent or seasonal structures, such as awning, roofs, or canopies, may be required to provide additional parking according to the following:
    - a. If the outdoor seating is 25% of the indoor seating or less, no additional parking is necessary.
    - b. If the outdoor seating is 26%-50% of the indoor seating, the restaurant may be required to provide up to 125% of the parking required for the indoor space.
    - c. If the outdoor seating is over 50% of the indoor seating capacity, the restaurant may be required to provide up to 150% of the parking required for the indoor space.

- A. An application for a permit shall have been filed, in writing, with the Township Clerk containing the following information:
  - i. forth their legal interest in said premises.
  - ii. Full legal description of the premises wherein operations are proposed.
  - iii. Topographical survey map of scale of one (1) inch equals one hundred (100) feet showing existing grades on a two (2) foot contour interval of the land prior to any of the proposed fillings, and the proposed finished grades, to be prepared by a registered civil engineer.
  - iv. Detailed proposal as to method of operation, what type of machinery or equipment will be used, and estimated period of time that such operation will cover.
  - v. Detailed statement as to exactly what type of material is proposed to be deposited.
  - vi. The applicant shall demonstrate compliance with the permit provisions of the Solid Waste Act of 1994, as amended or succeeded by subsequent statutes.

4.18 Operating Hours for Eating Establishments with Entertainment and/or Outdoor Dining	
Monday thru Thursday	8 am–12 midnight
Friday	8 am–2 am
Saturday	10 am–2 am
Sunday	10 am–10 pm

**4.19 FILLING OF LAND**

The White Lake Township Board recognizes the authority of the Michigan Department of Environmental Quality with regard to the issuance of construction and operating permits for sanitary landfills and similar uses. The Township considers the requirements of Act 451 of 1994, as amended, and all rules and regulations promulgated pursuant to authority of said Act, as the minimum standards for approval of any landfill, transfer station, or similar use. As such, it shall also be necessary for all proposed landfills and similar uses, which may be permitted in the AG (Agricultural) and LM (Light Manufacturing) districts, to obtain special land use approval from the Planning Commission subject to the following specific requirements:

Such technical data as will conclusively show that such operation will not result in the pollution of any inland lake, stream, or other body of water, or cause stagnant water to collect on said premises.

Such other information as may be reasonably required by the Township Planning Commission to base an opinion as to whether a permit should or should not be issued.

No road may be used for the purpose of ingress and egress to said fill site which are located within four hundred (400) feet of occupied residences unless such roads are constructed with cement or bituminous surfacing.

No fill shall be permitted above the established grade line of any street, road or other public thoroughfare nearest thereto or the existing grade line of property abutting the landfill premises.





No commercial garbage shall be deposited, or dumped, or scattered on the surface of any premises for burial or any other purpose within five hundred (500) feet of any residence, (except residence of permit holder), public highway, street or alley, within one-half (1/2) mile of any public gathering place, school or institution.

A temporary fence may be required by the Township Planning Commission to enclose the filling operation to prevent the scattering of paper, rubbish and garbage.

Reasonable operation hours for any use under this section shall be as established by the Township Planning Commission.

The facility shall comply with all applicable county and state codes.

No solid waste or hazardous waste landfill shall be permitted on the site of a former sand, gravel, or similar aggregate removal operation.

Uses permitted shall comply with all applicable pollution control requirements of the State of Michigan, Oakland County, and White Lake Township.

**4.20 FUNERAL HOMES**

Funeral Homes may be permitted in the RB (Restricted Business) district, provided that the following standards are met:

- A. The vehicular entrance shall not be closer than seventy-five (75) feet to any street intersection nor two hundred (200) feet residential district boundary.
- B. The vehicular entrance shall not be closer than two hundred seventy-five (275) feet to the intersection of any two (2) major arterials.
- C. The entire parking area abutting a residential district or use shall be provided with a screen wall or greenbelt, as approved by the Planning Commission.
- D. The parking, circulation, and management plan shall be designed to prevent automobiles from waiting on a public street.

**4.21 GOVERNMENT OFFICES AND TOWNSHIP BUILDINGS AND USES WITHOUT SERVICE OR STORAGE YARDS**

Government offices and township buildings and uses without service or storage yards may be permitted in the districts noted in the table below, subject to the following:

- A. There shall be no storage yard or uses like a public works garage.
- B. The site shall have all access from a major or minor arterial.
- C. All off-street parking shall be screened from abutting residential property by a screen wall, obscuring fence, or a greenbelt according to the standards in Section 5.19.

4.21 Government Offices & Township Buildings	
Land Use	Permitted Districts
Government (non-Township) offices and uses	NB-O, RB
Township offices, buildings and uses	AG, SF, R1-A, R1-B, R1-C, R1-D, PD, NB-O, RB, GB, PB, TC, ROS

**4.22 GROUP ADULT OR CHILDCARE CENTER, INCLUDING NURSERY SCHOOL**

Group adult or child care centers and nursery schools are permitted uses in the RM-1 and RM-2 (Multiple-Family), NB-O (Neighborhood Office), LB (Local Business), PD (Planned Development District), PB (Planned Business District), LM (Light Manufacturing), and ROP (Research Office Park) districts subject to the following conditions:

- A. All such uses shall provide adequate drop-off and waiting space so that parents' cars are not required to stand in a public right-of-way. At least one (1) drop-off space shall be provided for each five (5) persons or children enrolled or cared for at the facility.
- B. Outdoor play space shall be provided in the ratio of one hundred (100) square feet per child cared for, to a maximum required of ten thousand (10,000) square feet. No outdoor play area shall be less than one thousand (1,000) square feet. An outdoor recreation area is recommended, but not required, for adult day-care facilities.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- C. To insure child and adult safety, all outdoor use areas shall be enclosed by a minimum 4 foot 6 inch high fence of a non-climbable design. On those sides abutting a residential zoning district or use, a 6 foot high screen wall of masonry or other material approved by the Commission shall be required.
- D. The site layout shall be designed to insure pedestrian safety by separating outdoor use areas from parking and driveways.
- E. Overnight and night time care after 8 p.m. shall require evidence of compliance with Michigan Department of Social Services rules.
- F. All day-care facilities shall provide fifty (50) square feet of indoor space for each adult or child in their care, based upon their current license and any conditions of their Special Land Use Permit. This space shall be exclusive of space for offices, restrooms, and kitchens.
- G. Sufficient on-site parking shall be provided to satisfy the needs of the staff, visitors, and clients of all day-care facilities, but not less than one (1) space for each five (5) persons cared for shall be provided on site. All parking shall be paved and constructed to the standards of Section 5.11.
- H. Day care centers may be permitted in LM and ROP districts only when the following additional requirements are met:
  - i. The center is part of a planned industrial development involving several permitted light industrial uses and use of the facility is designed to serve employees of the planned development, or
  - ii. The center is provided by an employer within their own building for the benefit of their own employees.
  - iii. The center shall not provide living quarters

#### 4.23 GROUP DAY CARE HOMES

Group Day Care Homes shall be permitted in the AG (Agriculture), SF (Suburban Farms), and R1-A (Single-Family) districts, subject to the following:

- A. It is not located closer than 1,500 feet to any of the following, as measured along a road, street, or place maintained by this state or a local unit of government and generally open to the public as a matter of right for the purposes of traffic, not including an alley:
  - i. Another licensed group day-care home.
  - ii. Another adult foster care small group home or large group home licensed under the adult foster care facility licensing act, 1979 P.A. 218, MCL 400.701 to 400.737.
  - iii. A facility offering substance abuse treatment and rehabilitation service to 7 or more people licensed under article 6 of the public health code, 1978 P.A. 368, MCL 333.6101 to 333.6523.
  - iv. A community correction center, resident home, halfway house, or other similar facility which houses an inmate population under the jurisdiction of the department of corrections.
- B. All outdoor play areas are adequately fenced by a minimum 4 foot 6 inch high cyclone or equivalent non-climbable type fence.
- C. Maintains the property consistent with the visible characteristics of the neighborhood.
- D. Does not exceed 16 hours of operation during a 24-hour period. The township may limit but not prohibit the operation of a group day-care home between the hours of 10 p.m. and 6 a.m.
- E. Meets regulations, if any, governing signs used by a group day-care home to identify itself.
- F. Provides adequate off-street parking for all employees and adequate off-street waiting space for parents.



- G. There shall be an initial walk-through inspection by the Township Fire Chief and a report submitted to the Planning Commission regarding location of exits, fire extinguishers, smoke alarms, and the like.
- H. All group day-care homes must provide evidence of meeting all standards in the “Licensing Rules for Family and Group Child Care Homes,” as may be amended from time to time by the Michigan Department of Human Services.

**4.24 HEATING AND ELECTRIC POWER PLANTS, PUBLIC UTILITY SERVICE AND STORAGE YARDS, WATER TREATMENT AND SEWAGE DISPOSAL FACILITIES**

Heating and electric power plants, public utility service and storage yards, water treatment and sewage disposal facilities are permitted in the LM (Light Manufacturing) district, subject to the following:

- A. The use shall located on the interior of the LM district.
- B. Service yards shall be screened from view.
- C. Odors shall be controlled consistent with the Performance Standards of Section 5.18.
- D. Buildings, structures, storage yards, and outdoor use areas shall not locate closer than 300 feet to a residential district.
- E. One parking space shall be provided per employee for the largest shift for those uses with employees.

**4.25 HOME CENTERS, LUMBER YARDS, AND SIMILAR LARGE-SCALE RETAIL USES WITH OUTDOOR SALES / STORAGE / DISPLAY**

Home centers, lumber yards, and similar large-scale retail uses involving the outdoor storage and display of materials for sale may be permitted in the GB (General Business) and PB (Planned Business District), provided the following standards are complied with:

- A. Outdoor storage shall be completely obscured from view of adjoining properties and public roads according to the landscaping standards of Section 5.19. The Planning Commission may supplement the required landscaping standards by requiring a screen wall or more extensive greenbelt.
- B. Outdoor lights must meet the performance standards of Section 5.18.
- C. Loud speakers or public address systems shall not be used when the site abuts a residential district or use and may be used only under such conditions that sound amplified therefrom does not constitute a nuisance to owners or users of adjacent lands or exceed 70dB at the lot line.

**4.26 INDOOR RECREATION, INCLUDING BOWLING ALLEYS, DANCE HALLS, HEALTH CLUBS, RACQUET SPORTS CENTERS, ICE ARENAS, AND SIMILAR ENTERTAINMENT FACILITIES**

Bowling alleys, dance halls, health clubs, racquet sports centers, ice arenas and similar recreation or entertainment facilities may be permitted in the RB (Restricted Business) and LM (Light Manufacturing) districts, subject to the following:

- A. A setback of at least five hundred (500) feet shall be provided from any front, side or rear yard line of any residential lot.
- B. All parking and service areas shall be screened from view of an adjoining residential district, as approved by the Planning Commission.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- C. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.
- D. Adequate emergency exits shall be provided.

**4.27 INTENSIVE OR CONCENTRATED ANIMAL RAISING**

The intensive or concentrated raising of hogs, poultry, cattle, and similar animals may be allowed in the AG (Agricultural) district, subject to the following:

- A. All intensive animal raising operations shall strictly adhere to the performance standards of this ordinance.
- B. All pens, cages, fenced areas and buildings used to house any animal shall be set back one hundred fifty (150) feet from all property lines in the Agricultural district and two hundred (200) feet from all property lines in abutting residential districts.
- C. Buildings and/or processing plants, other than those for keeping of animals, shall be set back at least one hundred (100) feet from all property lines.
- D. Areas used for the dispensing of compost shall be set back at least one hundred fifty (150) feet from all property lines in the Agricultural district and two hundred (200) feet from all property lines in abutting residential districts. The compost area shall be screened from view by an obscuring fence of at least six (6) feet in height.
- E. Areas used for the stockpiling or storage of animal manure shall be set back at least two hundred (200) feet from property lines, three hundred (300) feet from any adjacent residential dwelling or district and shall be completely screened from view. The Planning Commission may reduce this requirement for specialized manure handling systems that contain all odors within the property lines.

- F. The minimum size parcel required for all of the above uses shall be 40 acres. The Planning Commission may reduce the acreage requirements for specialized operations that control odors, noise and other objectionable features associated with such commercial animal raising plants. In no case, however, shall the site be reduced to less than 20 acres.

**4.28 JUNK YARDS**

Junk yards and salvage yards may be permitted on the interior of the LM (Light Manufacturing) district, subject to the following:

- A. Junk or salvage yards shall have either direct access to a major arterial or access to a major arterial via an internal industrial service roadway, and shall be at least 1,000 feet from any Residential District.
- B. Only those operations whose purpose is the eventual recycling of scrap materials shall be permitted. A use that intends to permanently store wrecked cars and other materials will not be allowed.
- C. In order to protect groundwater resources, all areas for dismantling shall be fully enclosed and situated on a paved surface that includes a system for collecting spills of automotive and automotive-type fluids. Such materials shall be contained and recycled or disposed of in accordance with State and Local Law.
- D. The outdoor storage area shall be screened with an enclosure constructed of a durable and completely obscuring material at least six (6) feet in height and not over eight (8) feet in height. No equipment or materials stored in such area should exceed the height of enclosure. No vehicle shall discharge any fluids onto the ground within the storage area. The Planning Commission may require a 6 foot security fence and extensive land form buffer if equipment or materials are significantly taller than the 8 foot fence/wall.
- E. There shall be no burning on the site.



- F. All industrial processes, including the use of equipment for compressing or packaging, shall be conducted at least 200 feet from the exterior (fenced) property line. Occasional metal cutting, as determined by the Planning Commission, shall be allowed anywhere behind the prescribed fence provided adequate measures are taken to insure against fire and adjacent properties are protected from glare.
- G. Materials for processing or storage shall not be piled higher than the wall or fence for more than 60 consecutive days. An unobstructed walkway should be provided around the fenced area.

**4.29 LOCAL UTILITY STRUCTURES**

Local utility structures, such as electric transformer stations and sub-stations, gas regulator stations, sewer lift stations, telephone switching stations, water wells, and the like, shall be permitted in all districts, subject to the following standards:

- A. Operating requirements necessitate the proposed location in order to serve Township residents.
- B. All such uses shall be completely enclosed and without storage yards.
- C. No structure shall exceed the height limit of the district in which it is to be located.
- D. All buildings shall be designed to be compatible in style and materials with other uses permitted in the district.
- E. No building shall be located closer than fifty (50) feet to any property line abutting land zoned for residential use.
- F. A minimum fifteen (15) foot landscaped greenbelt shall be provided around the entire perimeter of the utility building site.
- G. Adequate off-street parking shall be provided for any service personnel and all drives and parking areas shall be paved with asphalt or concrete.

**4.30 HOSPITALS AND OTHER HEALTH CARE FACILITIES**

The erection, construction or use of a building for the purpose of establishing a hospital, urgent care facility, clinic or treatment center for care of contagious, mental, drug abuse and/or drug treatment and liquor addict and/or alcoholic treatment cases by any person, firm, corporation, partnership or other organization may be permitted in the GB (General Business) and PB (Planned Business) Districts, subject to the following:

- A. Application. Before approving any permit, the Township Planning Commission shall hold a public hearing to determine that the proposed use of said property, in the judgment of the Planning Commission, be consistent with good planning and compatible with surrounding developments and land use and shall, in the opinion of the Planning Commission be in the best interest of the Township and the residents thereof; providing notice of said hearing be given by first-class mail to property owners within five hundred (500) feet of said property as determined by the latest tax rolls and published twice in a local newspaper of general circulation not more than thirty (30) days, nor less than eight (8) days before the hearing. Furthermore, an application for a permit shall have been filed, in writing, with the Township Clerk containing the following information:
  - i. Names and addresses of all parties of interest in said premises setting forth their legal interest in said premises.
  - ii. Full legal description of the premises wherein operations are proposed.
  - iii. Detailed description of the scope and method of operation.
  - iv. Such other information as may be reasonably required by the Planning Commission to base an opinion as to whether a permit should or should not be issued.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- B. After considering all the available facts and after public hearing, and if it shall determine that the proposed operations will not be injurious to the general public health, safety and welfare of the Township and its citizens, the Township Planning Commission shall authorize the Building Official to issue a permit conditioned on compliance of the permit holder with all the requirements of the Township, County and State. Any permit may thereafter be revoked by the Planning Commission for failure to continuously comply with the requirements of this section. Further providing, however, that in the event that cause is found to revoke any such permit, the Planning Commission shall hold a public hearing for the purpose of affording the permit holder an opportunity to defend against such proposed revocation. Notice of said hearing shall be given as provided in Section 4.39 a and, in addition thereto, written notice of the hearing and the reasons for said hearing shall be furnished to the permit holder no less than eight (8) days before the hearing.
- C. Emergency areas and service areas shall be located away from residential uses and districts.

- B. All buildings, service areas, parking, drives, and other improvements which are not, by their very nature, water-dependent and therefore necessary shall maintain a minimum twenty five (25) foot setback from any wetland, stream, river, pond, lake or other water body. Covered boat wells, slips or berths, shall maintain a minimum setback of fifteen (15) feet from the water's edge. Boat liveries, launches, docks, access walks and the like are all improvements which are considered uses or improvements which may be approved within the required setback.
- C. All buildings shall maintain a minimum one hundred (100) foot setback from property lines abutting a residential district.
- D. Parking shall be provided in accordance with Section 5.11 for all proposed uses. Parking shall be provided for individual uses on the same site in accordance with the required number of spaces for each individual use.
- E. Outdoor sales activities shall comply with Section 4.36 – Open Air Businesses.
- F. Permitted outside storage of boats and equipment necessary and accessory to the principal use shall comply with the following standards. The Planning Commission may increase these requirements where such an increase is deemed necessary by the Commission to accomplish the spirit and intent of this ordinance:

**4.31 MARINA**

Boat liveries, launches and marinas may be permitted in the ROS (Recreation Open Space) district, subject to the following:

- A. All such facilities shall be designed and constructed to minimize the negative impact on the environmental features of the upland, shoreline, wetlands, and waterbodies in the Township. All dredging, construction, bulkheading or development shall be subject to the requirements of all codes and ordinances of White Lake Township, Oakland County, and applicable State and Federal laws and rules.

- i. All storage or parking shall be set back a minimum of twenty-five (25) feet from any adjacent residential district.
- ii. The Planning Commission shall also find, before granting this approval, it will not tend to further:
  - a. Impair the adequate supply of light and air to the adjacent property.
  - b. Increase the hazard from fire, flood and other dangers to the site or adjacent property.
  - c. Increase the congestion on the public streets.
  - d. Otherwise impair the public health, safety, comfort and general welfare.



- iii. Methods of screening the outdoor storage from the view of adjacent properties shall meet the standards of Section 5.19 - Screening and Landscaping.
- G. Outdoor storage of recreational boats may be permitted on the paved off-street parking surface except during the months of June, July and August. All such off-season storage shall be arranged in an orderly manner and at least one-half (1/2) of the parking area shall be conveniently available for customer parking by May 15<sup>th</sup>.
- H. Facilities shall be provided at the marina for disposal of refuse from boat holding tanks in a sanitary manner. Each marina shall provide suitable, safe and sanitary toilet and refuse facilities within buildings designed for this purpose. No less than one (1) toilet shall be provided for each fifty (50) boat spaces or less within reasonable travel distance of each boat space. Refuse and garbage containers shall be provided and kept in clean and sanitary condition for the use of boat owners within not more than one hundred fifty (150) feet of walking distance of each boat space. All such facilities shall be subject to the approval of the Oakland County Health Department.
- I. Public launchings permitted in any marina having public launching ramp shall be limited as follows: The number of public launchings permitted shall be limited to the number of parking spaces available to the general public for the parking of vehicles and boat carriers in any such marina, and, likewise, the number of public launchings shall be limited in direct proportion to the available harbor spaces in any such marina as hereinafter required, whichever number of parking spaces or harbor spaces is the smaller
- J. The addition or alteration (excluding maintenance) of slips, boathouses, moorings or the shoreline shall require site plan review the same as other construction or alteration on shore.

#### 4.32 METAL BUFFING & POLISHING

Metal buffing, polishing, and similar uses may be permitted in the LM (Light Manufacturing) district, subject to the following:

- A. Appropriate measures shall be taken to control the type of process in order to prevent noxious results and/or nuisances.
- B. The use shall be completely enclosed with no activities occurring outdoors except ancillary loading and unloading of raw materials and finished products.
- C. The use shall be located in the interior of the industrial district so that no property line shall form the exterior boundary of the LM District. The application shall include a written report which documents conformance with the Performance Standards in Section 5.18 and the Township's groundwater protection plan and wellhead protection standards.
- D. Outdoor storage of pallets, containers, materials, or products incidental to the principal permitted use shall conform to the provisions of Section 4.39.
- E. Screening and landscaping shall be provided in conformance with Section 5.19. The Planning Commission may require additional landscaping or screening where the Planning Commission determines it is necessary to protect adjacent properties or rights of way from negative impacts of the proposed use (s).
- F. The site shall be designed to minimize the impact of the proposed facility on adjacent land uses and rights of way. This shall include building and outdoor use area design and location, screening, landscaping, bulk and height of proposed structures, and drive / parking location.

#### 4.33 MOTELS AND HOTELS

Motels and hotels may be permitted in the RB (Restricted Business) district subject to the following conditions:

- A. Ingress and egress shall not conflict with adjacent business uses.
- B. Each unit shall contain not less than two hundred and fifty (250) square feet of floor area.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- C. All outdoor lighting shall be arranged so as not to be projected into or toward a street or a residential district or use. To that end, no light fixture shall be mounted higher than twelve feet and all fixtures shall be fully shielded with a cut-off angle of less than 90 degrees. Outdoor lights must meet the performance standards of Section 5.18.
- D. A screen wall or greenbelt shall be provided when a motel or hotel adjoins a residential district or use.

- I. The Planning Commission may require additional screening, buffering or landscaping along any property line where the Planning Commission determines such additional improvements would be necessary to reduce the impact of the proposed outdoor sales lot on adjoining properties. Said screening, buffering or landscaping shall be in accordance with Section 5.19.

**4.34 NEW & USED AUTOMOBILE SALES**

Outdoor sales lots for automobiles, trucks, trailers, boats, mobile homes, and similar uses may be permitted in the GB (General Business) district, subject to the following:

- A. No driveways are permitted within 100 feet of the lot line, or an adjoining residential district.
- B. The sales lot shall have no more than one driveway from any arterial on which it has frontage.
- C. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.
- D. There shall be no festoon signs, strings of flags, pennants, or bare light bulbs permitted.
- E. There shall be no portable signs and no flashing illumination of any kind on any feature of the use.
- F. No vehicles or merchandise for sale shall be displayed within any required greenbelt, landscaped berm, or other landscape or open space area.
- G. Loudspeakers or public address systems are prohibited.
- H. A greenbelt, land form buffer, or screen wall of face brick shall be located on all property lines which abut any district which permits residential uses.

**4.35 OFFICE BUILDINGS OVER 20,000 SQUARE FEET**

- A. The access drive shall be a minimum of seventy-five (75) feet from all intersections, and two hundred (200) feet from a residential district.
- B. The side and rear setbacks shall not be less than 60 feet.
- C. At a minimum, the parking lot shall be screened from adjacent uses according to the standards of Section 5.19.
- D. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.
- E. The architectural character of the structures shall be compatible with other uses in the NB-O district.

**4.36 OPEN AIR BUSINESSES**

Open air businesses, such as, retail sales of plant materials and garden supplies, and retail sales of fruit and vegetables in an open front building, may be permitted in the RB (Restricted Business) and GB (General Business) districts, subject to the following:

- A. The minimum lot area shall be twenty-five thousand (25,000) square feet and the minimum street frontage shall not be less than one hundred twenty (120) feet.
- B. Off-street parking areas shall be hard surfaced with asphalt or concrete.





- C. Loud speakers or public address systems shall not be used between the hours of 6 p.m. and 10 a.m and shall not produce noise in excess of 70 dB at the property line.
- D. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.
- E. A six (6) foot high screen wall of face brick or comparable material approved by the Planning Commission, shall be provided on those sides abutting a residential district.

**4.37 OUTDOOR STORAGE OF FLEET VEHICLES**

The outdoor storage of fleet vehicles, trucks, semi-trucks, and trailers may be permitted in the GB (General Business) or LM (Light Manufacturing) district, on lots of 2 acres or more in area, subject to the following:

- A. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.
- B. No vehicles shall be displayed within any required setback.
- C. On all sides adjacent to a residential district, there shall be provided a screen wall of face brick or an obscuring fence, as approved by the Planning Commission.
- D. Storage of semi-trucks and trailers are only permissible in the LM District.
- E. All stored vehicles must be properly registered, licensed, and operable.

4.38 Outdoor Recreation Uses	
Public and Private Golf Courses and Country Clubs including “Par Three”	AG, ROS, SF, R1-A, PD
Driving Ranges	AG, PD, ROS
Miniature Golf	ROS
Children’s Amusement Park	ROS
Archery	ROS, LM
Fairgrounds	ROS
Large Sports/Playfields	AG, ROS, SF, R1-A
Hay Rides	AG, ROS
Snowmobile Trails	AG, ROS
Picnic Grounds	AG, ROS, SF, R1-A
Campgrounds	AG, ROS
Beaches	ROS
Swimming Facilities	ROS, SF, R1-A
Water Parks	ROS
Hunting, Fishing and Shooting Preserves	ROS
Other Public and Private Parks and Similar Outdoor Recreation Uses	AG, SF, R1-A, R1-B, R1-C, R1-D, MHP, RM-1, RM-2, PD, PG, ROS

**4.38 OUTDOOR RECREATION USES ON A MINIMUM OF 10 ACRES**

Outdoor recreation uses, whether operated privately or for profit, including golf courses, driving ranges, miniature golf, children’s amusement park, archery, fairgrounds, large sports / playfields, hay rides, snow mobile trails, picnic grounds, overnight campgrounds, beaches, swimming facilities, water parks, and hunting, fishing and shooting preserves may be permitted in the districts indicated in the table below, and subject to the following:

- A. Site Requirements:
  - i. A public park for outdoor recreation may be conducted on a site of ten (10) acres or more. All other approved uses shall be on a contiguous parcel of twenty (20) acres or more in area.
  - ii. Minimum lot width shall be 300 feet.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- B. Use of loudspeaker or public address systems for broadcasting music or continuous announcements shall be prohibited.
- C. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.
- D. Hours of operation may be restricted by the Planning Commission where protection of abutting residential areas is desirable and necessary.
  - i. All vehicular ingress and egress from the site shall be directly onto a minor arterial or major arterial, having a designated right-of-way of 120 feet on the Township's adopted Thoroughfare Plan, or a collector street with an existing right-of-way of 86 feet.
  - ii. Review of the proposed site plan shows that a proper relationship exists between the major or minor arterial and all proposed service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety.
- E. Yard and Placement Requirements:
  - i. All development features including the principal building shall be designed and arranged to minimize the possibility of any adverse effect upon adjacent property.
  - ii. No activity shall take place within thirty (30) feet of the perimeter of the recreational area. All such activities shall be adequately screened from abutting residentially zoned property by means of screen wall or greenbelt as described in Section 5.19 of this Ordinance.
  - iii. Related accessory commercial uses may be permitted in conjunction with recreation use when it is clearly incidental to the main recreational character of the use and such related accessory uses shall not include the sale, servicing, or repair of any vehicles

- or equipment used on the site except that owned by the proprietor.
- iv. Permitted accessory uses which are generally of a commercial nature, shall be housed in a single building. Minor accessory uses which are strictly related to the operation of the recreation use itself, such as a maintenance garage, may be located in separate building.
- v. No buildings shall be located in the Flood Plain.
- vi. No buildings or structures shall be located within 100 feet of an abutting residential district.
- F. Other Requirements:
  - i. Whenever a swimming pool is to be provided, said pool shall be provided with a protective fence six (6) feet in height, and entry shall be by means of a controlled gate or turnstile that shall be kept locked when the facility is not in use.
- G. Approval shall be for a specific designated use or uses, and shall be subject to approval of the site plan. The additions of other special approval uses must be approved in the same manner as the original application.
- H. Indoor and Outdoor Archery Ranges
 

Indoor and outdoor archery ranges may be permitted in the ROS and LM districts, subject to the following:

  - i. Minimum site size shall be ten (10) acres in the ROS zone and one (1) acre in the LM zone.
  - ii. Off-street parking shall be provided at a ratio of one (1) space for each three (3) individual target ranges. In the ROS districts, all parking areas and drives shall be kept free of dust at all times and may be of gravel, asphalt or concrete construction. Parking areas and drives shall be asphalt or concrete in the LM District.
  - iii. All parking areas shall be screened from view of any adjoining agricultural or residential district. The Planning Commission may approve a greenbelt, obscuring fence, screen wall, berm, or any combination of the above, in order to satisfy this screening requirement in the most effective manner.



- iv. Hours of Operation shall be limited to the following:

The Planning Commission may apply more restrictive hours where protection of adjoining residential uses is necessary.

- v. Design Criteria

- a. All activities related to the archery range, with the exception of parking, shall be conducted entirely within the building approved by the Planning Commission for indoor archery range use.
- b. The building (or portion thereof) which is to be utilized for the indoor archery range shall be used exclusively for the range and associated uses. No mixed use of the area dedicated to the archery range shall be permitted.
- c. The indoor archery range shall be designed and constructed to prevent projectiles from penetrating walls, floors or ceilings, and indoor/outdoor ranges shall prevent ricochets or rebounds of projectiles.
- d. The design of the facility shall clearly show that safety of persons inside and outside the archery range is guaranteed. Unless this safety element is clearly demonstrated by the design plans and safety plan, a special land use permit shall not be issued. The design of all ranges shall incorporate the recommended design, safety and operational features of the National Rifle Association as detailed in the publication The Range Manual, or similar nationally recognized design standards.
- e. Restrooms shall be provided and shall be installed in conformance with local building and health codes.

4.38.H Operation Hours of Indoor and Outdoor Archery Ranges	
Zone	Hours of Operation
ROS	9 AM–9 PM Mon/Sat
LM	9 AM–11 PM Mon/Sat

- f. A Safety Plan shall be developed and submitted to the Planning Commission for review at the time of application for special land use approval. The Safety Plan shall include detailed rules and regulations for range operation and use, the handling of archery equipment, and other specific restrictions regarding safety and the use of the range. The National Rifle Association Range Manual shall be consulted in the preparation and development of the Safety Plan.
- g. Range operation rules and safety regulations shall be posted conspicuously within the range building and shall be printed and made available for distribution to all range users.
- h. A floor plan, building plan and site plan, prepared by a registered architect, engineer or surveyor shall be submitted at the time of application for special land use approval. The plans shall clearly demonstrate conformance with all provisions of this section and the appropriate design, safety and operational guidelines in The Range Manual (National Rifle Association), or similar national design standards.
- i. The Planning Commission shall review the indoor/outdoor archery range one (1) year after special land use approval is granted to ensure conformance with the provisions of this section and the special land use permit.

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

I. Hunting, Fishing & Shooting Preserves

Hunting preserves, fishing preserves, shooting preserves, skeet and trap shooting clubs, and similar uses, such as survival and other air-gun games but excluding rifle and pistol ranges, may be permitted in the ROS (Recreation Open Space) district, subject to the following:

- i. The minimum site size shall be eighty (80) acres with a minimum width of one thousand three hundred twenty (1320) feet.
- ii. Off-street parking shall be provided in the ratio of one (1) space for each three (3) users at capacity. All parking areas shall be kept dust-free at all times so as not to become a nuisance to adjoining properties.
- iii. All parking areas shall be screened from view of an adjoining residential district or use by either a greenbelt, a land form buffer, an obscuring fence, or a screen wall, whichever is determined by the Planning Commission to be the most appropriate and effective.
- iv. The hours when shooting is permitted at a shooting preserve shall be limited from 9 a.m. to sunset Monday through Saturday and 12 noon to 6 p.m. Sundays. The Planning Commission may prescribe more restrictive hours where protection for adjoining residents is necessary.
- v. The design of the facility shall clearly show that safety of persons on and off the site is guaranteed. This shall mean that no projectile of any kind may be permitted to leave the site. Unless this safety requirement is clearly indicated by the design plans, a permit shall not be issued. The design of all ranges shall incorporate the recommended safety features of the National Rifle Association or similar safety features.
- vi. The firing line or other area from which firearms are discharged shall be located no closer than 150 feet from any property line, nor closer than 500 feet from any existing residential structure other than those on the premises. The site plan shall clearly demonstrate how this "no shoot" area

will be physically marked off on the site itself.

- vii. Properties used for shooting preserves, hunting clubs, survival games or other air-gun games shall be completely fenced to prevent participants from trespassing on adjoining properties. A five (5) foot high fence with openings no larger than 4 inches by 6 inches shall be the minimum acceptable fence. "Keep-out Danger" signs and signs warning participants not to cross the fence shall be placed every two hundred (200) feet along its perimeter. Failure to follow this requirement shall be grounds for immediate revocation of the applicant's Special Land Use Permit.
- viii. A plan shall be submitted showing the location of all residential structures within 2,000 feet and the relationship of the shooting preserve to all residential properties within 2,000 feet.
- ix. The applicant shall prepare an Impact Statement that describes the potential effects of the proposed shooting facility on the following:
  - a. Safety of persons on adjoining residential or agricultural properties.
  - b. Noise from the shooting activities and how it may affect the peace and tranquility of the neighborhood.
  - c. Anticipated traffic levels associated with the facility and their impact on traffic volumes in the neighborhood.
  - d. Impact of the proposed facility on property values and the marketability of adjoining and nearby properties (those within 2,000 feet).
- x. The Planning Commission shall prepare a report to the Township Board, based on review of the applicant's Impact Statement and the Commission's own studies, indicating whether or not the shooting facility is anticipated to be compatible with the safe and orderly development of the neighborhood.



J. Campgrounds

Campgrounds and overnight camping parks for tents, campers, travel trailers, and similar recreational vehicles may be permitted on a minimum site of twenty (20) acres in AG and ROS districts:

- i. There will be no permanent storage of tents, campers, or travel trailers, and mobile home units will not be allowed in the development. No individual tent or recreational vehicle may occupy the same site in any campground for periods longer than 30 days.
- ii. Accessory commercial uses, such as convenience food stores, gift shops, self-service laundries, and similar uses, shall be housed in a single building and designed to serve primarily the needs of park users and shall provide off-street parking in accordance with the standards of this ordinance.
- iii. Where a campground site abuts property zoned residential, the entire perimeter shall be properly fenced. In addition, no camp sites or other active use areas shall be situated within 100 feet of the abutting residential zone and a 30 foot wide greenbelt shall be provided unless a dense growth of natural vegetation already exists.

**4.39 OUTSIDE STORAGE OF PALLETS, CONTAINERS, MATERIALS, OR PRODUCTS INCIDENTAL TO THE PRINCIPAL PERMITTED USE**

Outside storage of pallets, containers, materials, or projects which are incidental to the principal permitted use may be permitted in the LM (Light Manufacturing) district, subject to the following:

- A. Open storage shall be screened by a screen wall not less than six feet (6') or more than eight feet (8') high. The required height of the wall shall be determined by the Planning Commission so as to properly screen all materials. The Planning Commission may require an extensive landform buffer to be installed in place of the wall if it is deemed necessary to properly screen all materials.

- B. Materials over eight feet (8') high must be properly screened but need not be completely screened above eight feet.
- C. Materials must be completely screened if they are stored within twenty feet (20') of the screen wall or fence.
- D. All wastes must be completely obscured from view.
- E. Open storage may not be permitted within a required from yard in any zoning district.

**4.40 PRIVATE CLUBS AND LODGE HALLS**

Private clubs and lodge halls may be permitted in the RB (Restricted Business) district, subject to the following:

- A. All buildings shall be set back at least fifty (50) feet from any residential district. Any swimming pool and associated deck areas shall be set back at least one hundred (100) feet from any residential district.
- B. All activities shall be conducted within a completely enclosed building, except for outdoor activity specifically approved by the Planning Commission.

**4.41 PROCESSING PLANTS**

Processing plants in connection with the washing, grading, or other similar processing of excavated materials may be permitted in the E (Extractive Overlay) district, subject to the following:

- A. A dust control plan shall be submitted, indicating how the dust will be controlled so as not to adversely affect adjoining uses.
- B. The minimum setback from the lot lines shall be a minimum of 200 feet. The width of an abutting street may be included in the 200 foot separation distance.
- C. The noise level shall not exceed 70 dB at the property line.
- D. The plant shall not operate on Sundays, holidays, or between the hours of 9 pm and 6 am on Monday thru Saturday.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



**4.42 PUBLIC AND PRIVATE PARKS ON LESS THAN 10 ACRES**

Public and private parks located on less than ten acres may be permitted in the AG (Agriculture), SF (Suburban Farms), and R1-A, R1-B, R1-C, and R1-D (Single-Family) districts, subject to the following:

- A. The facility shall be designed to ensure the safety for park uses as well as the adjoining residential uses.
- B. Adequate off-street parking shall be provided according to Section 5.11.
- C. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.

**4.43 PUBLIC AND PRIVATE SCHOOLS**

Public, parochial, private or other schools offering courses in general education are permitted in the AG (Agricultural); SF (Suburban Farms); R1-A, R1-B, R1-C, and R1-D (Single-Family), MHP (Mobile Home Park), and RM-1 and RM-2 (Multiple-family) districts, subject to the following:

- A. Site Requirements:
  - i. All ingress and egress shall be directly to a public road having a right-of-way of not less than that of a collector street (86 feet) or the proposed right-of-way of a minor arterial on the Township's adopted Thoroughfare Plan.
- B. Yard and Placement Requirements:
  - i. No building other than a structure for residential purposes shall be closer than seventy-five (75) feet to any property line adjoining a residential use.
  - ii. Height of buildings in excess of the maximum requirements may be allowed provided minimum yard setbacks where yards abut land zoned for residential purposes, are increased by not less than thirty (30) feet for

each twelve (12) feet or fraction thereof by which said building exceeds the maximum height requirements of the zone.

- iii. Those buildings to be used for servicing or maintenance, such as heating plants, garages, storage structures and the like shall not be located on the outer perimeter of the site where abutting property is zoned for residential purposes. All service and maintenance areas shall be screened from view by a land form buffer, buffer strip, screen wall, or obscuring fence, as approved by the Planning Commission.
- iv. All areas for student and staff parking shall be set back at least 100 feet from an abutting residential district or residential use. The width of an abutting street may be included in the 100 foot separation distance.

**4.44 RIDING ACADEMIES, BOARDING STABLE, AND PUBLIC STABLES**

Commercial riding academies, boarding stables, and public stables may be permitted in the AG (Agricultural) and ROS (Recreation Open Space) districts, subject to the following:

- A. All buildings, corrals, or other enclosures for animals shall be set back at least 250 feet from any property line abutting a residential use.
- B. The entire area of the site used for riding trails shall be fenced to prevent horses and riders from entering adjoining properties.
- C. There shall be no storage of customers' trailers or other vehicles for transporting horses except in a completely enclosed building.
- D. All parking areas shall be screened from view of an abutting residential use by either a greenbelt or masonry screen wall, whichever is determined by the Planning Commission to be the most appropriate and effective.
- E. All areas for stockpiling manure shall be screened from view, shall not be located closer than 200 feet to any property line, and shall not be allowed to become a nuisance.



#### 4.45 SAW AND PLANING MILLS

Saw and planing mills may be permitted in the LM (Light Manufacturing) district, subject to the following:

- A. The use shall be completely enclosed with no activities occurring outdoors except ancillary storage, loading and unloading of raw materials and finished products.
- B. Outdoor storage yards shall be designed and located in conformance with the provisions of Section 4.39.
- C. There shall be no dust permitted beyond the property lines.
- D. The outdoor storage area shall be screened with an enclosure constructed of a durable and completely obscuring material at least six (6) feet in height and not over eight (8) feet in height. No materials stored in such area should exceed the height of enclosure. The Planning Commission may require a 6 foot security fence and extensive land form buffer if stored vehicles are significantly taller than the 8 foot fence/wall.

#### 4.46 UTILITY TRANSMISSION STRUCTURES

Utility transmission structures, such as but not limited to, high voltage electric stations, gas compressor stations, and similar facilities may be permitted in the districts noted in the table below, subject to the following:

- A. In order to provide a pleasing community appearance and to prevent noise levels, odors, dust, and similar external physical effects from adversely affecting adjoining properties, all equipment shall be completely enclosed within a building, and there shall be no outdoor storage, unless the setback and screening guidelines specified in subsection "3" below are followed.
- B. If the equipment proposed will not be enclosed within a building, a setback of three hundred (300) feet from all property lines shall be required. In addition, a land form buffer shall be provided, based on the following guidelines, as determined by the Planning Commission after considering the type, size, height, and anticipated noise levels of all equipment being proposed:
  - i. A land form buffer at least eight (8) feet high, along all sides of the equipment.

#### 4.46 Utility Transmission Structures

Land Use	Permitted District
High Voltage Electric Stations	AG, LM
Gas Compressor Stations	LM

- ii. A greenbelt at least twenty-five (25) feet in width, along all sides of the equipment.
- iii. An obscuring fence or a screen wall at least six (6) feet high, completely surrounding the equipment.
- iv. Any combination of the above requirements approved by the Planning Commission.
- C. All buildings and equipment permitted under this section shall be setback at least one hundred (100) feet from all adjoining property lines. Expansions of transmission facilities, which facilities existed prior to the effective date of this amendment, may be placed within one hundred (100) feet of an adjoining property line only after approval of the Zoning Board of Appeals and only when fully enclosed within a building.
- D. Where there will be employees stationed at the utility building on a permanent or intermittent basis, adequate off-street parking shall be constructed with an asphalt or concrete surface.
- E. There shall be no outdoor storage of equipment and/or materials which are not necessary for daily operations of any utility building site, except those which are necessary for safety or emergency repairs at that particular utility transmission structure site.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

**4.47 UTILITY TRANSMISSION SYSTEMS**

The Zoning Ordinance is subject to the Electric Transmission Line Certification Act, Public Act 30 of 1995, as amended, which supersedes the Zoning Ordinance for any transmission line that has already received a certification of public convenience and necessity. Utility transmission systems, such as but not limited to, high voltage electric transmission lines, high pressure gas pipelines, and oil pipelines may be permitted in all districts after obtaining Special Land Use Approval by the Planning Commission, subject to the following requirements and standards:

- A. All such utility lines shall follow existing utility corridors where possible, and reasonable, as determined by the Planning Commission.
- B. Selective clearing techniques shall be used throughout a utility corridor or property for installation of towers, lines, pipelines, service roads, drainage facilities, and similar facilities. Existing vegetation shall be maintained, whenever possible, throughout the remainder of the corridor not affected by the actual installation of approved facilities.
- C. Any area destroyed by necessity in the construction of such approved facilities, may be subject to conditions imposed by the Planning Commission or Township Board for its immediate restoration by replanting or similar techniques.
- D. During construction or repair of any facilities approved hereunder, the following shall be required:
  - i. All internal roads shall be kept dust-free by chemical treatment.
  - ii. Any damages to public or private roads, fences, structures, or facilities shall be repaired immediately.
  - iii. No wastes or spoils of any kind, such as tree stumps, construction wastes, trash and the like, shall be left after construction or repair operations are complete.

- iv. All construction operations shall be confined to daylight hours, Monday through Saturday, unless permitted in writing by the Township Board.
- v. The existence of one line or facility approved hereunder does not imply permission to erect any other lines or facilities other than those originally permitted.

**4.48 WASHING FACILITIES FOR LARGE VEHICLES**

Washing facilities for large vehicles may be permitted in the LM (Light Manufacturing) district, subject to the following:

- A. There shall be 3 off-street waiting spaces, each 50 feet long, for each 50 feet of length of the wash line or for each wash bay, in addition to sufficient off-street parking for the number of employees in the largest shift.
- B. Vehicular ingress and egress from the site shall be directly onto a major arterial except that it shall be permissible to allow vehicles to enter and exit via an industrial service street that has direct access to a major arterial.
- C. Where the site abuts a residential district, a 6 foot high brick or decorative concrete screen wall shall be provided around all off-street parking and waiting areas in addition to a greenbelt or a land form buffer according to the standard of Section 5.19.
- D. The design of the facility shall insure that vehicles entering or leaving the site will not have to stand in the public right-of-way.





#### 4.49 WASTE DISPOSAL TRANSFER STATIONS AND COMPOSTING FACILITIES

Waste Disposal Transfer Stations and Composting Facilities may be permitted in the LM (Light Manufacturing) district, subject to the following:

A. Standards Applicable to Waste Disposal Transfer Stations and Composting Facilities.

- i. Application. An application for a permit shall have been requested in writing to the Township Community Development Director containing the information required in Section 6.8 (Site Plan Review and Approval) and Section 6.11 (Procedures for Review and Approval of All Special Land Uses).
- ii. Roads. Roads which are located within four hundred (400) feet of a residential structure may not be used for access to the facility unless constructed of cement or bituminous pavement.
- iii. Performance Standards. The site shall comply with the performance standards of Section 5.19.
- iv. Environmental Impact Statement. In addition to the Community Impact Statement requirements of Section 6.6, a professionally prepared environmental impact statement shall be submitted with all applications for Waste Disposal Transfer Stations and Composting Facilities to assess the developmental, ecological, social, economic, and physical impact of the proposed development on and surrounding the development site, and to determine if the proposed use will be in compliance with regulations herein. The environmental impact statement must be prepared by a licensed or certified professional(s) qualified to prepare the statement or applicable portion thereof. The Planning Commission shall determine whether the licensed or certified professional(s) is qualified. The environmental impact statement shall include, but not be limited, to the following:

- a. Displacement of people and other land uses by the proposed use.

- b. Alteration of the character of the area by the proposed use.
  - c. Effect of the proposed use on the Township's tax base and adjacent property values.
  - d. Compatibility of the proposed use with existing topography, and topographic alterations required.
  - e. Operating characteristics and standards of the proposed use.
  - f. Proposed screening and other visual controls.
  - g. Impact of the proposed use on flora and fauna.
  - h. Negative short-term and long-term impacts, including duration and frequency of such impacts, and measures proposed to mitigate such impacts.
  - v. Hours of Operation. Reasonable operation hours for any permitted use under this section shall be as established by the Township Planning Commission and the established hours of operation shall be consistent with the standards of the Zoning Ordinance.
  - vi. Compliance with Federal, State, County, and Local Laws, Ordinances, Codes, and Rules. Waste Disposal Transfer Stations and Composting Facilities must comply with all applicable Local, County, State, and Federal laws, ordinances, codes, and rules.
- B. Standards Applicable to Waste Disposal Transfer Stations.
- i. Storage. Storage of waste material is limited to the necessary daily processing operation within the confines of the principal building. Open storage is not permitted, nor storage within the building for periods longer than 48 hours.
- C. Standards Applicable to Composting Facilities. The following regulations shall apply to operations designed for commercial composting of organic materials into usable or saleable products:

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- i. Permitted Compost Items. Permitted compostable or organic matter and material shall include typical yard wastes and clippings, such as and limited to leaves, grass clippings, vegetable, garden, or agricultural plantings debris, shrubbery or brush, weeds, tree trimmings less than four (4) feet in length and two (2) inches in diameter, that can be converted to compost humus. This term does not include stumps, roots, animal waste, sewage sludge, or garbage.
- ii. Composting Methods. Composting may be achieved by several methods, including:
  - a. Mechanical. A method in which the compost is continuously and mechanically mixed and aerated;
  - b. Ventilated Cell. Compost is mixed and aerated by being dropped through a vertical series of ventilated cells; and,
  - c. Windrow. An open-air method in which compostable material is placed in windrows, piles, or ventilated bins or pits and occasionally turned or mixed. This process shall be aerobic only, and anaerobic composing is prohibited.
- iii. Separation Requirements. The lot(s) occupied by or intended for use as a composting facility shall be set back a minimum of five hundred (500) feet from the boundary of any lot in a residential district or occupied by any existing residential land use.
- iv. Screening Requirements. The lot(s) occupied by or intended for use as a composting facility shall be screened from all road rights-of-way, residential zoning districts, and existing residential land uses by a berm of at least eight (8) feet in height to completely screen all composting areas, storage areas, and equipment. The berm shall be landscaped pursuant to the requirements of Section 5.19.
- v. Outdoor Storage of Humus. The outdoor storage of the humus created at the completion of the composting process may only be stored in the interior of the berm area required in Section 4.49(C)(4) provided the height of the humus pile shall not exceed eight (8) feet or the height of the berm, whichever is lower.

**4.50 WATER ACCESS LOTS**

- A. Purpose: The Charter Township of White Lake is a rapidly developing urbanized township with many lakes and water bodies of varying sizes and characteristics. The Township Board recognizes that in some cases the character and intensity of lake use can create conditions amounting to a nuisance, impair important and irreplaceable natural resources, destroy property values, and threaten the health, safety and welfare of the public. The Charter Township of White Lake, by adoption of this Section, intends to establish a framework for further study of specific township lakes and water bodies on an "as needed" basis. The study will have the purpose of determining whether it is appropriate to permit keyhole access to a lake or water body and, if so, the minimum regulation necessary to eliminate the conditions which are a nuisance, impair important and irreplaceable natural resources, destroy property values, and threaten the health, safety and welfare of the public.
- B. Definitions Pertaining to Water Access:  
The following words or terms used in this Section shall have the following meanings
  - i. "Direct water access" property shall mean lake front property, other property on a navigable tributary of a lake, or another water body, which is used to access a water body exclusively by the owner or occupant of the property.
  - ii. "Keyhole water access" property shall mean property which abuts a lake, a navigable tributary thereto or another water body and which provides access to owners or occupants of nearby property which does not abut the lake or water body.



- iii. "Lake" includes navigable tributaries of a lake.
  - iv. "Private access" shall mean a site for water access under the jurisdiction of a condominium association, subdivision association, property owner's association, or other entity, which is intended to provide water access to a subdivision, condominium, or any type of group of property owners.
  - v. "Public access" shall mean a site for water access provided by the State of Michigan or any political subdivision thereof, a commercial marina or other property owner for the use of the general public whether with or without charge.
  - vi. "Riparian owner(s)" shall mean a person whose property adjoins a lake or water body or who has rights of access to a lake because of a recorded instrument granting such rights, executed before the effective date of this Ordinance.
  - vii. "Water body" means any waters, lakes, streams, ponds and drainage ways of any type, which confers upon the owners or occupants of parcels contiguous to such body, riparian rights.
- C. Special Land Use Approval Required.
- i. Except as provided below, special land use approval is required to provide keyhole water access over or through property which:
    - a. Provides water access, regardless of the means, to persons who do not reside on the property; or
    - b. Provides water access to benefit a property which is not part of or contiguous with the water access site; or
    - c. Provides water access to property owners who, as of the effective date of this Section, cannot trace their title to a common grantor, within the last conveyance, whose property had direct water frontage.
  - ii. The private use of property with direct water access by the owner, the owner's family, and the owner's guests on an occasional, informal and casual basis, is not intended to be subject to the requirements for special land use approval.
- D. Lake Study Requirements: A detailed lake study plan shall be submitted with the Application for Special Land Use Approval. A lake study undertaken by any Person for consideration by the Township, under this Ordinance shall meet the following requirements, unless otherwise determined by the Township:
- i. The Study shall be conducted under the direction of a registered civil engineer.
  - ii. A detailed graphical lake study plan shall be attached and shall meet these requirements:
    - a. Drawn to scale of 1" equal 50'.
    - b. Sheet size shall be 24" x 36".
    - c. General descriptive and identification data shall include:
      - (1) Petitioner's name, address, telephone number.
      - (2) Preparer's name, address, telephone number.
      - (3) Title block
      - (4) Scale
      - (5) North point
      - (6) Date of submission and revisions
  - i. Show a contour line 100 feet from shore. Calculate and show number of acres inside this band.
  - ii. Show lineal feet of navigable tributaries (including canals).
  - iii. Show length of lake shoreline (excluding navigable tributaries) in feet.
  - iv. Show location of existing watersheds, drainage courses, canals, flood plains, wetlands, rivers and streams within one-half mile which affect the lake.
  - v. Include a depth chart with contour lines at two (2) foot intervals.
  - vi. Include a lake bottom soils survey using methods and providing data sufficient to accurately depict the type and distribution of lake bottom soils.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- vii. Show existing and proposed water access sites, whether by easement, subdivision plat or declaration of covenants and restrictions, condominium master deed, stock or membership corporation or any other means.
  - viii. Show location and size of recreation and open space areas
  - ix. Show location and size of vacant parcels of land with water frontage.
  - x. Show all points of general or limited Private and Public Access.
  - xi. Show actual use of properties with Direct Water Access.
  - xii. Show actual use of properties with current Keyhole Water Access.
  - xiii. Show zoning and master plan for properties with Direct Water Access.
  - xiv. Show zoning and master plan for properties with current Keyhole Water Access.
  - xv. Show existing docks, rafts, regulated buoys including water-ski courses.
  - xvi. For all properties with Keyhole Water Access, attach copies of Declaration of Covenants and Restrictions, Master Deeds or similar recorded instruments providing authority for such access.
  - xvii. Include a use study showing the following:
    - a. Number of watercraft currently docked or stored for immediate lake use by those with current rights to water access. Distinguish by type:
      - (1) Sail craft
      - (2) Human powered
      - (3) Powered by motors under ten horsepower
      - (4) Powered by motors between ten horsepower and twenty-five horsepower
      - (5) Powered by motors over twenty-five horsepower.
    - b. Number of watercraft using the lake during the months of May through September.
  - c. Number of reported watercraft accidents, citations, warnings or incidents for the previous three (3) years.
    - (1) Break down of those involved in lake accidents as follows:
      - (a) Relationship to lake
        - (i) Stranger
        - (ii) Direct water access owner
        - (iii) Keyhole Water Access heater
        - (iv) Other
      - (b) Fault
      - (c) Injury
      - (d) Property damage
    - (3) Nuisance
      - (f) Other
  - xxi. Provide a water quality report.
  - xxii. Provide a status report detailing shoreline erosion conditions.
  - xxiii. Provide a report of wildlife, waterfowl and fish habitat conditions on and surrounding the lake.
  - xxiv. List all subdivision associations, condominium associations and public interest groups with an interest in the lake or water body.
  - xxv. If the lake or water body borders another political subdivision list all regulations affecting water access.
  - xxvi. Provide information regarding any other factor impacting or relating to the need for regulation of lake or water body usage as a means of protecting the public health, safety and welfare.
  - xxvii. References to “lake” above shall also include other water bodies.
- E. Standards: When reviewing a request for keyhole water access, the Planning Commission shall consider the following factors, in addition to those detailed in Section 6.10 of this Ordinance:
- i. Will the additional access create conditions that would impair the natural appearance of the land or lead to overcrowding of the water body.
  - ii. Will the additional access lead to conditions unreasonably limiting the access and use rights of riparian owners.



- iii. Will the additional access lead to conditions that could degrade water quality in the water body to unsafe or unhealthful levels, or otherwise pose substantial environmental hazards.
  - iv. Will the use of the access site create nuisance conditions for neighboring property owners.
  - v. Will use of the access site create unreasonable traffic congestion in the neighborhood surrounding the site.
  - vi. Any other factors considered in light of the proposed use and the specific characteristics of the property and the results of the study.
- F. Appeal to Township Board: An applicant, an owner of property immediately adjacent to the subject property, or, where the applicant or owner of the property proposed for water access also owns or controls the immediately adjacent property, the owner of the next adjacent property owned or controlled by a person not the applicant or owner of the property proposed for water access, may appeal the decision of the Planning Commission on an application for special land use under this Section to the Township Board if a request for an appeal is filed with the Township Clerk within 10 days of the date of the Planning Commission's decision. The Township Board may affirm, reverse or modify the decision of the Planning Commission or remand the matter back to the Planning Commission for further consideration.
- G. Additional Regulations.
- i. Boat launching at approved recreation uses shall be limited to canoes, kayaks, inflatable boats, and similar non-motorized watercraft that can be carried to and launched from the beach.
  - ii. No use shall be made of any land or water for boat liveries or public or commercial beaches or recreational use operated for profit.

- iii. It is a violation of this ordinance for any person to erect any dock, or launch any boats from any public or private access site, without written consent of the entity or governmental body having jurisdiction over the public or private access site or unless such activity is expressly within any applicable dedication language. If it cannot be determined what entity has jurisdiction over the property, a request for written permission shall be submitted to the Township which will send copies to any homeowners association whose members own property abutting said lake or water body.

#### 4.51 WIRELESS COMMUNICATION ANTENNAS

Wireless Communication Antennas shall be permitted as Special Land Uses in the AG (Agricultural), SF (Suburban Farms), R1-A, R1-B, R1-C, R1-D (Single-Family), MHP (Mobile Home Park), RM-1 and RM-2 (Multiple-Family), NB-O (Neighborhood Office), LB (Local Business), GB (General Business), PD (Planned Development), ROS (Recreation and Open Space), LM (Light Manufacturing), and upon any publicly-owned land within the boundaries of the Township, and subject further to the following conditions:

- A. Operational requirements necessitate locating within the zoning district, and co-location on or joint use of any existing tower or antenna is not feasible.
- B. The minimum setback to any exterior property line for the wireless communication tower or antenna shall be equal to the height of the tower. The Planning Commission may reduce the required setback of a tower or antenna from an exterior property line which is not adjacent to residentially zoned property or a public right-of way or a private street, as provided herein.
- C. The tower or antenna shall not be unreasonably injurious to the safety or aesthetics of any nearby properties, and the design and appearance of the tower or antenna shall minimize distraction, maximize aesthetic appearance, and insure compatibility with any existing structure(s) and other surrounding structures and properties.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- D. In order to maximize the efficiency of the provision of telecommunication services, while also minimizing the impact of such facilities on the township, co-location, or the provision of more than one antenna on a single tower at a single location, shall be strongly encouraged. In this regard, an applicant seeking to establish a new tower or antenna shall provide information regarding feasibility of co-location at existing sites. Before approval is granted for a new facility, the applicant shall demonstrate that it is not feasible to co-locate at an existing site.
- E. Should a new antenna co-locate on an existing wireless tower or existing electric transmission tower, Special Land Use Approval shall not be necessary and Site Plan Approval for a new antenna and any related equipment building, may be granted administratively, pursuant to the provisions of Section 6.8.J of this ordinance. Where a new antenna is co-located on a structure other than an existing wireless tower or electric transmission tower, Special Land Use Approval shall not be necessary and Site Plan Approval for a new antenna and any related equipment building may be granted by the Planning Commission and Township Board pursuant to the provisions of this ordinance.
- F. Co-location shall be deemed to be "feasible" for the purposes of this section where all of the following are met:
  - i. The applicant will undertake to pay fair market rent or other market compensation for co-location.
  - ii. The site on which co-location is being considered, including reasonable modification or replacement of a facility, is able to provide structural support.
  - iii. The co-location being considered is technologically reasonable, e.g., the co-location will not result in unreasonable interference, given appropriate physical and other adjustment(s) in relation to the structure, antennas, and the like.
  - iv. Existing towers or structures are located within the geographic area which meet the applicant's engineering requirements.
  - v. The fees, costs, or contractual provisions required in order to share an existing tower or structure or to adapt an existing tower or structure for co-location are not unreasonable. For the purposes of this paragraph, costs exceeding new tower development are presumed to be unreasonable.
- G. In furtherance of the township's objective of strongly encouraging co-location, where feasible, should it be necessary to erect a new tower or antenna, the applicant shall provide a letter of intent to lease excess space on a facility and commit itself to:
  - i. Respond to any requests for information from another potential shared use applicant;
  - ii. Negotiate in good faith and allow for leased shared use, provided it can be demonstrated that it is technically practicable, and
  - iii. Make no more than a reasonable charge, based upon fair market value, for a shared use lease.
- H. A condition of every approval of a wireless communication antenna shall be adequate provision for the removal of all or part of the facility by users and/or owners upon the determination that the antenna has not been used for 180 days or more. Removal includes the proper receipt of a demolition permit from the Building Official and proper restoration of the site to the satisfaction of the Building Official.
- I. To insure proper removal of the tower and/or antenna when it is abandoned, any application for a new antenna shall include a description of security to be posted at the time of receiving a Building Permit for the facility. In this regard, the security shall, at the election of the applicant, be in the form of (i) cash; (ii) bank letter of credit; or (iii) an agreement in a form approved by the Township Attorney and recordable at the office of the Register of Deeds, establishing a promise of the applicant and the owner of the property to remove the facility in a timely manner with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorney's fees incurred by the Township in securing removal. In the event the applicant is proposing to place its facilities on an existing tower, then the agreement referred to above may be signed by the applicant only, and



shall contain provisions satisfactory to the Township Attorney to assure the timely removal of the facilities including adequate remedies.

- J. All tower bases and related equipment shall be screened from view from any major arterial and any adjoining residential areas, consistent with Section 5.19, Landscape and Screening Requirements.
- K. Monopole antenna structures shall be encouraged in all areas where technologically feasible. “Web” or “lattice” type towers shall be discouraged, unless absolutely necessary for structural reasons.
- L. All towers and related equipment shall be designed to be compatible and harmonious in terms of style and building materials to the surrounding area. When necessary to insure compatibility with the surrounding area, a visual simulation may be required of the applicant. A visual simulation consists of an artist’s or architect’s rendering of how the tower will appear in the area proposed, taking into account existing buildings and natural features.
- M. The maximum height of any new wireless communication tower or antenna shall as determined by the Planning Commission through the granting of Special Land Use Approval. The height permitted shall be the minimum height necessary to meet the applicant’s engineering requirements for the site being considered, but in no instance shall exceed a maximum height of 200 feet. It is understood that the height of a wireless communication tower or antenna may exceed the maximum permitted height specified in Section 3.0 Zoning Districts of this ordinance. Should co-location be proposed upon an existing structure, thereby qualifying for administrative approval, the height proposed may be approved by the administrative official approving the site plan.

N. Cell Tower Site Access

All trees and brush shall be kept cleared for a minimum width of fourteen (14) feet for the full length of all cell tower site access drives.

All topsoil, stumps, and unstable soil shall be removed and backfilled with appropriate granular material and surfaced with gravel, crushed limestone, finely crushed concrete or similar material approved by the Township, for a minimum width of twelve (12) feet for the full length of the driveway.

An appropriate area shall be provided for vehicles to turn around to exit the site. The turnaround area may be incorporated as part of the parking area for service personnel.

- O. Prior to and as a condition of granting Special Land Use Approval for a new wireless communication tower, it shall be necessary for the applicant to demonstrate that it is not feasible to (a) locate the tower on any publicly-owned land within the Township upon which the public entity reasonably anticipates the need or desirability of a future wireless communication tower for public purposes; and (b) locate the tower on publicly-owned land not owned by the Township where such location would minimize the impact on other properties by providing a setback larger than the minimum requirements of the ordinance, while meeting all of the other requirements contained in this Section.
- P. Applicants who erect a new wireless communication tower shall design the tower and site to accommodate future co-location of at least two (2) additional antennae and associated accessory buildings, and shall make the tower available for use by public service agencies, provided that public service agency equipment mounted on the tower does not adversely affect any existing equipment and mounting the public service agency equipment is technologically feasible.



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

Q. If the Planning Commission determines that the applicant has adequately demonstrated that it is not feasible to locate a new wireless communication tower in any of the zoning districts or publicly-owned areas noted in paragraph (b) above, Special Land Use Approval may be granted by the Planning Commission for a new wireless communication tower in the AG, SF, R1-A, R1-B, R1-C, R1-D, RM-1, and RM-2 Districts provided that Applicant has demonstrated compliance with each standard set forth in this Section and with each of the following requirements:

- i. The applicant shall furnish maps which note the location of all wireless communication tower locations within the Township and within six (6) miles of the Township boundaries which have the capacity to accommodate additional wireless antennae systems. The map shall also contain the locations of any other existing structures capable of supporting a wireless antenna system.
- ii. The map(s) provided by the applicant shall also contain the locations of any publicly owned sites within the primary search area together with any developed sites containing non-residential land uses. Eligible sites must consist of at least three (3) acres of land and be of such size and shape that they could host a tower location with minimal impact on the surrounding areas. Publicly owned sites and larger non-residential uses, such as churches, schools or other nonresidential uses permitted within residential districts, are preferred. Sites which are part of a recorded subdivision or condominium development shall only be considered when located within a common open area of at least three (3) acres set aside for residents of the development or for use by a public utility.

R. New wireless communication towers must be setback a distance of at least one (1) foot for each one (1) foot of overall tower and antennae height. The setback is measured from the base of the tower to the nearest property line or unit boundary line, in the case of a site condominium development. The applicant shall seek to provide a greater setback to exterior property lines which abut lands developed or potentially developed for any residential living units on adjoining properties. The minimum setback distance may be reduced, but not less than the minimum setback required in the zoning district at issue, when it is clearly demonstrated by applicant that the adjacent property is unbuildable; surface areas occupied by lakes, streams or ponds having other riparian owners/users shall not be considered as unbuildable areas. Antennae located on electric transmission towers, existing wireless communication towers, or other tall structures shall be considered to have complied with the setback and height requirements. The setback to adjacent properties which are zoned for non-residential uses, and not including any setbacks from a public right-of-way or public or private street, may be reduced to one-half (1/2) the height of the tower.

**4.52 MINING OR EXTRACTION OF SAND, GRAVEL, STONE, TOPSOIL, CLAY OR SIMILAR AGGREGATE OR MINERAL RESOURCES**

- 1. All mining operations shall be required to comply with the following requirements, standards, and regulations, if the operator will remove more than 1,000 cubic yards in any year:





A. Permit Application

- i. Sufficient copies of the complete application, including plan drawings, shall be submitted to the Township Clerk (14 copies). The Clerk will distribute copies to the township officials and staff. The Township Engineer, Planner and Attorney will review the complete application and provide their recommendations to the Board and Planning Commission. The Planning Commission will then review the site plans for the proposed mining operation and the rehabilitation plans for the mined areas and recommend that the Township Board approve or deny the permit, according to the requirements of this Section. The permit shall be issued in the event the Township Board shall determine that the issuance of the permit would not detrimentally affect the public health, safety and general welfare of the citizens of the Township.
- ii. An application for a mining permit shall include the following detailed information and plan drawings:
  - a. Name of the owner, or owners, of land from which removal is to be made.
  - b. Name and address of applicant making a request for such permit.
  - c. Name and address of the person, firm, or corporation that will be conducting the actual removal operation.
  - d. A map including the location, size, and description of the area from which the removal is to be made.
  - e. Location of the processing plant.
  - f. Type of materials or resources to be removed.
  - g. Proposed method of removal, general haul route, and whether blasting or other use of explosives will be required.
  - h. General description of equipment to be used.
  - i. The estimated number of years to complete operations.
  - j. Plan for the development or rehabilitation of the property upon completion of the mining operation.

- k. A statement that a performance guarantee satisfactory to the Township Board, will be furnished. Upon submission of a topographical survey by a Registered Civil Engineer or Professional Surveyor showing completion of the reclaimed areas as approved by the site plan, the bond or security shall be released, in accordance with the amount of security per acre.
- l. As part of the application, the applicant shall submit a topographic survey of the exiting parcel drawn to scale and prepared by a Registered Civil engineer or Registered Land Surveyor with minimum two (2) foot contour intervals based upon U.S.G.S. datum. The drawing shall also clearly show the area to be mined, areas for stockpiling, processing plant locations, maintenance areas, and similar use areas. The applicant shall also prepare a Plan of Reclamation that depicts the final elevations referenced to U.S.G.S. datum and prepared by a Registered Civil Engineer and or Registered Land Surveyor. The applicant will propose a certain plan of operation and will be expected to comply with such a plan during the full term of the permit. The Plan of Reclamation shall be designed to accommodate one or more of the uses permitted in the underlying, principal zoning classification.
- m. The application shall be accompanied by a processing fee, to be paid by the applicant, in an amount to be established from time to time by resolution of the Township Board.



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

B. Cash Bond Requirement:

- i. The Township Board shall require the permittee to furnish a Bond if more than 1000 cubic yards of soils will be removed. The bond shall be either cash, certified check, or irrevocable bank letter of credit and in the amount of the cost of the reclamation and rehabilitation work as set forth in the Plan for Reclamation as submitted by the applicant. The cost of that work shall be estimated by the Township Engineer and approved by the Township Board, provided further that the Township Board is authorized to waive or reduce all or any part of the amount of such bond to the extent that the Township Board determines the same unnecessary to insure the completion of the work set forth in said plan. The Township Engineer's estimate will be based upon a review of that work as provided in the Reclamation Plan and shall be in an amount sufficient to cover the cost of reclamation by another at that point in time when reclamation is scheduled to commence and the estimated expenses incurred to compel the operation by court judgment, if applicable. If the Township Engineer determines that the amount of the current surety is insufficient to reclaim the site, the amount of the bond shall be increased accordingly. The Township Engineer shall also consider inflation and other reclamation cost increases during the annual bond review.
- ii. If an irrevocable letter of credit is provided, it shall be valid for a one year period and shall contain the expiration date. The bond shall include a cancellation/expiration clause that shall provide that the bank shall notify the Township in writing a minimum of 30 days prior to cancellation and/or expiration of the letter of credit. The Township Clerk and Treasurer shall each be provided one copy of an original letter of credit certificate for the Township's records. The letter of credit shall include the parcel identification number and legal description of the area covered by the bond.
- iii. The conditions of said bond shall be that it cover the entire area that will be disturbed by the operator within the current calendar year (January 1 - December 31). The minimum area covered by the bond shall be 20 acres. The bond shall be kept in full force and effect until the area covered by the bond has been reclaimed according to the operator's approved rehabilitation plan. The Permittee shall comply with all provisions of this ordinance and terms and conditions of the permit, and complete all work set forth in the rehabilitation plan.
- iv. For good cause shown, the Township Board is authorized to grant the Permittee an extension of the time to complete the work shown on the plan of Reclamation upon the Permittee's application therefore prior to the expiration of the date for completion.
- v. Upon the Permittee complying with the provisions of this Ordinance, and the terms and conditions of the permit, the Clerk shall issue to the Permittee a Certificate of Completion and the cash, certified check or irrevocable letter of credit shall be returned to the Permittee.



C. Periodic Inspections & Reports

- i. A permit shall continue for such length of time as may be required to complete removal of the sand and gravel as long as the operations are carried out in compliance with this Ordinance and the permit. In order to provide the Township with periodic review for compliance with all operations and permit requirements, the mining site shall be inspected at least annually by a committee made up of the Township Supervisor and the Director of the Community Development Department. Any committee member may direct the Township Engineer and/or Township Planner to be present and assist with the site inspection and review. Prior to inspection, the Township shall notify the operator of the date and time of the inspection so that he will have the opportunity to be available.

The operator of each mining site under permit from the Township shall prepare and provide to the inspection committee an aerial photograph or a contour map of the site that includes the following:

- a. A scale of 1" = 200' with contour intervals of five (5) feet.
- b. Areas to be excavated in future years shall be clearly defined.
- c. The aerial photo or contour map shall be prepared by a registered civil engineer or land surveyor and shall show the conditions of the site during the month of November of the current year.

At the time of the annual inspection, the operator shall be prepared to provide ground control stakes for the aerial survey or surveyor's stakes for the contour map, if the committee requests correlation with physical features on the site.

The Director of the Community Development Department shall prepare a report and if the mining operation is in violation of this Ordinance, the Township Board may have its consulting engineer inspect the site and prepare a written report. Upon finding the operator in violation of the Ordinance or permit, the

Township Board shall notify him in writing. The violation shall be remedied within ninety (90) days or the Township Board may revoke the operating permit.

- ii. In order to defray the expenses incurred by the Township for surveillance of the mining operation and engineering inspections to insure compliance with the approved mining plan and rehabilitation plan, the operator shall establish an annual escrow account for surveillance and inspection of the mining operation. The escrow amount shall be determined on a per acre basis and shall be set by resolution of the Township Board. In determining the per acre amount, the Board may consult with a Registered Civil Engineer or Registered Landscape Architect with expertise in reclamation of mining sites and the costs associated with compliance inspections. Any amount remaining in the escrow account at the termination of the operations shall be returned to the operator.

2. Existing Extractive Industrial Operations

The owner or operator of any valid existing extractive industrial operation of the effective date of this Ordinance shall obtain from the Township Board within three (3) months of the effective date, a certificate as a valid nonconforming use. Such certificate shall describe the property upon which such activity is contained. The owner or operator of said valid nonconforming use may enlarge the excavation area within limits of the contiguous lands owned by him at the time of the certification as such valid nonconforming use but same shall not exceed an area greater than such natural or manmade barriers as roads, streams and lakes, which exist on said excavation area, or eighty (80) acres, whichever is smaller, and subject to the grade, area, noise, dust and other public health, safety and welfare provisions of this Ordinance.

The failure to obtain a certificate as a valid nonconforming use within said three (3) month period, or the termination, nonuse, discontinuance or abandonment of a valid nonconforming use for a continuous eight (8) month period, shall constitute an abandonment and such use shall not be revived or resumed thereafter.



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- A. The following physical requirements shall be mandatory:
- i. No more than ten (10) acres, excluding land used for processing, weighing and administration may be under excavation at any one time; however, additional acreage may be excavated if and providing a like amount of exhausted acreage is rehabilitated.
  - ii. Where an excavation in excess of five (5) feet below the average grade of the property surrounding the excavation area will result from such operations, the applicant shall erect a fence with warning signs completely surrounding the portion of the site where the excavation extends, said fence will be of wire mesh or other suitable material and to be not less than five (5) feet in height complete with gates, which gates shall be kept locked when operations are not being carried on.
  - iii. No excavation of sand, gravel, soil or clay shall be permitted below the established grade line of any street, road or other public thoroughfare nearest thereto, except as indicated within an approved site or subdivision development plan and with the approval of the Township Board.
  - iv. No excavation shall be made closer than one hundred (100) feet from the nearest street or highway right-of-way line nor nearer than five hundred (500) feet to the nearest residence nor closer than one hundred (100) feet to the nearest property line; provided however, that the Township Board may prescribe more strict requirements in order to give sub-lateral support to surrounding property where soil or geographic conditions warrant it.  

A reduction in the setback from a street right-of-way may be granted by the Township Board only in those instances where it is necessary to reduce the final elevation so that it conforms with the elevation of the street.
  - v. All equipment and facilities used in the production, processing or transportation of sand, gravel, or stone shall be constructed, maintained, and operated, in such manner as to comply with the Performance Standards of Section 5.18.
    - vi. The applicant shall acquire approval as to haul routes, bonding requirements, weight limits, speed limits, and other matters within the jurisdiction of the agencies responsible for the public roads.
    - vii. The haul route shall be chosen so as to cause the least amount of disturbance to uses outside the Extractive District. All operators shall clearly post and otherwise inform all drivers of the approved haul route for that specific mining operation.
    - viii. Temporary stockpiling of topsoil or overburden near road intersections and similar operational problems shall be subject to approval of the Township Board as not constituting a hazard to road traffic, pedestrians, or adjoining property.
    - ix. Sand and gravel operations shall not leave or bury obsolete equipment on the mining site. Violations of this provision shall be grounds for revocation of the operator's permit.
    - x. In order to protect the water wells in the surrounding area, de-watering is prohibited unless approved by the Township Board and appropriate State/ County agencies based upon review by the Township Engineer to ensure against unreasonable disturbance of water wells.
    - xi. All trucks shall be prohibited from standing and parking on the public right of way outside the entrance to all mining operation sites.
    - xii. In the preparation of this ordinance, it is recognized that it would be impossible to foresee all of the activities which could potentially result in hazards to the public health, safety and welfare. Therefore, the Township Board shall be authorized to direct that actions of the operator be taken or ceased in order to prevent an immediate and identified harm to the public health, safety and welfare in connection with the gravel mining operation. The operator shall comply with such directive, however, in the event such a directive is given, the operator shall:
      - a. Be given a written notice identifying the reason for the directive, and specifying the action that is to be taken or ceased.



- b. Be entitled to a hearing before the Township Board upon request of the operator. Such hearing shall be conducted at the next regular Township Board meeting, or at a special meeting the Supervisor may call for this purpose.
  - xiii. Any roads used for the ingress or egress to said excavation site, which are located within three hundred (300) feet of occupied residences shall be kept dust free by hard-topping with cement, bituminous substance or chemical treatment.
3. Rehabilitation
- i. All excavations shall be made either to a water-producing depth of at least 8 feet below the low-water mark for at least 80 percent of the water area, or shall be graded or backfilled with approved earthen materials, to insure that the excavated area shall not collect and permit to remain therein, stagnant water.
  - ii. The banks of all sand and gravel operations shall be sloped up from a point one (1) foot above the high water level in a water-producing excavation, and from the pit floor in a dry operation, at a slope no steeper than a ratio of one (1) foot vertical to three (3) feet horizontal and the banks shall be restored with vegetation in a manner set forth hereunder.
  - iii. Where a permanent body of water will result from mining operations, the slopes from a point one (1) foot above the high water level to a point five (5) feet below the low water level shall be no steeper than a ratio of one (1) foot vertical to six (6) feet horizontal.
  - iv. Vegetation shall be restored by the use of sufficient soil and overburden and by appropriate seeding of grasses or planting of shrubs or trees in all parts of the mining area where such area is not to be submerged under water, as provided above.
  - v. Upon cessation of mining operations by abandonment or otherwise, the operator, within a reasonable period of time not exceeding twelve (12) months thereafter, shall remove all plant structures, buildings, stockpiles, and

- equipment unless such building or structures can be lawfully used in the district in which they are located.
- vi. All mined out areas shall, within a reasonable length of time, be reclaimed and rehabilitated consistent with the applicant's approved Plan of Reclamation. General rules for determining the reasonable length of time shall be:
  - a. The plan of reclamation shall include a schedule for reclamation of each particular area to be mined. This schedule may be adjusted or amended once each year, as part of the annual inspection process, upon demonstration of a reasonable basis by the operator.
  - b. Reclamation shall begin within one (1) year of substantial completion of the mining activities, and
  - c. Reclamation shall be complete within two (2) years.

In the event the Township Board confirms that an operator previously mined areas of land without a permit, reclamation plan or bond, such operator shall include in the operator's reclamation schedule a plan for the reclamation of such areas in segments of not less than 100 acres per year. Said reclamation plan for such previously mined areas shall conform to all current permit and bonding requirements.

#### 4.53 RETAIL STORES IN NMU DISTRICT

Retail stores up to 10,000 square feet may be permitted as a special land use in the Neighborhood Mixed Use District, subject to the following:

- A. Shall be located on the ground floor of a two or more story mixed use building.
- B. Shall be occupied by a use that serves the daily shopping needs of residents in the surrounding neighborhood(s).
- C. Shall demonstrate appropriate pedestrian access and orientation.



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

**4.54 TEMPORARY ROADSIDE STANDS**

Temporary roadside stands may be permitted in the Agricultural and Suburban Farms Districts, subject to the following:

- A. Shall be consistent with the definition of roadside stands.
- B. Shall be for the sale of produce grown on the property on which the roadside stand is located.
- C. Shall be limited to sale of produce raised on the premises by the proprietor or his family.

**4.55 PRIVATE STABLES**

Private stables may be permitted in the Agricultural and Suburban Farms Districts, subject to the following:

- A. Shall have a minimum site size of two acres.
- B. Shall provide one acre for each horse kept.
- C. Shall also be subject to standards of Sec. 4.2, "Maintenance of Animals"

**4.56 COMMUNITY GARAGES**

Community garages may be permitted in the Attached Single Family District (RM-1), Multiple-Family Residential District (RM-2) and Planned Development District, subject to the following:

- A. Shall serve the principal residential buildings
- B. Shall contain space for not more than two (2) passenger vehicles for each dwelling unit in the principal building on the lot.

**4.57 TREE AND SHRUB NURSERIES; VEGETABLE, FRUIT, FLOWER AND HERB GARDENS**

Commercial tree and shrub nurseries and commercial gardening of vegetables, fruits, flowers and herbs are permitted in the Suburban Farms District, subject to the following:

- A. Minimum site size shall be 10 acres.
- B. Shall not include landscape or similar contractors.

**4.58 BASEMENT, TEMPORARY GARAGE OR TRAILER DWELLINGS**

All substandard basement dwellings, as defined by the State Housing Law of Michigan, or garage or trailer dwellings, which have been heretofore erected or occupied are hereby declared to be undesirable and should be altered so as to comply with the provisions of this Ordinance. Buildings erected as garages shall not be occupied for dwelling purposes unless they comply with all the provisions of this Ordinance applicable to dwellings as main buildings. Manufactured homes shall conform to the requirements of Section 3.1.7 and of the Township's Building Code.

**4.59 TOWN CENTER SPECIAL LAND USE**

The Town Center District is intended to be a pedestrian-oriented environment with vibrant land uses, particularly on the ground floor of buildings. There are certain land uses that may be appropriate in this setting that have features, including size, scale, or nature of traffic flow, that need to be addressed through the special land use review process to ensure compatibility with the intent of the district. Such uses shall demonstrate compliance with the following:

- A. Shall not cause unreasonable traffic congestion, nor place an undue burden on the parking supply in the district.
- B. Shall contribute to the feeling of activity and vibrancy in the district.
- C. Shall be designed and arranged so as to ensure pedestrian safety.
- D. Shall be of a size and scale and at a location that is compatible with the intent of the district.
- E. Shall maintain the pedestrian streetscape in a manner that encourages pedestrian exploration throughout the district.
- F. Shall be consistent with the district's desirable separation of certain types of uses, by building floor, as determined by the Planning Commission based upon findings of fact.



#### 4.60 SEASONAL BOAT STORAGE

Boat storage is permitted with special land use approval in the AG or SF zoning district, from September 1st until June 1st of any year, subject to the general standards for Special Land Uses contained in Section 6.10 and subject to the following additional standards:

- A. Boat storage shall be clearly incidental and secondary to the primary use of the lot.
- B. Any lot with boat storage shall be at least five (5) acres.
- C. The total lot coverage for all buildings, plus any boat storage areas, shall not exceed 20%.
- D. Boat storage areas shall only be located in the rear yard, and must be a minimum of 50' from any lot line.
- E. A decorative obscuring fence, as described in Section 5.19, or similar landscaped screening feature shall be required.
- F. Any lot with boat storage must be located at least 1,000 feet from another lot with boat storage.
- G. All areas used for boat storage are subject to inspection and approval by the White Lake Township Fire Department and Community Development Department.
- H. In no case shall instances of boat storage that existed prior to the adoption of the amending ordinance that added this section to the Zoning Ordinance be construed as lawfully nonconforming. Only boat storage for which special use approval has been affirmatively granted, in accordance with the terms of this section, shall be considered a lawful land use.
- I. There will be a limit of five (5) total Special Land Use permits issued, or active at any time, for Boat Storage in the Township.
- J. Boat Storage Special Land Use Permits may be issued for properties located on a public road, or on a private road that is built to current road standards and specifications. Boat Storage on a private road can only be approved with the written consent of all co-owners of the private road, and with an approved road maintenance agreement that addresses the Boat Storage use, and the associated traffic impacts to the road.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

(Intentionally Blank)





**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 5.0 Site Standards



## Article 5.0 Site Standards

- 5.1 Zoning Lot
- 5.2 Lot Limitations
- 5.3 Lots, Yards and Open Spaces
- 5.4 Substandard Lots
- 5.5 Frontage
- 5.6 Visibility
- 5.7 Accessory Buildings in Residential Districts
- 5.8 Building Grades
- 5.9 Signs
- 5.10 Swimming Pools
- 5.11 Off-Street Parking
- 5.12 Fences, Walls and Other Protective Barriers
- 5.13 Court Sports and Similar Facilities
- 5.14 Gated Vehicular Access
- 5.15 Private Easement Roads
- 5.16 Private Access Drives
- 5.17 Width to Length Proportions
- 5.18 Performance Standards
- 5.19 Landscape and Screening Requirements
- 5.20 Multi-use, Non-Motorized Pathway Standards
- 5.21 Public Sidewalk Standards
- 5.22 Multi-use, Non-Motorized Pathway and Sidewalk Maintenance



# 5.0 Site Standards

## 5.1 ZONING LOT

Every building hereafter erected or structurally altered to provide dwelling units shall be located on a lot as herein defined, and in no case shall there be more than one such building on one lot unless otherwise provided in this Ordinance.

## 5.2 LOT LIMITATIONS

In all residential districts, only one (1) principal building shall be placed on a lot of record (platted lot) with the exception of parcels of record described and designated as outlets or excepted parcels which may be so arranged or subdivided as to provide for one (1) or more principal buildings when the land area allocated to each building is equal to, or greater than, the lot area required for the district and the building and land complies with all the other requirements of the district in which it is located.

## 5.3 LOTS, YARDS AND OPEN SPACES

No space which for the purpose of a building or dwelling group has been counted or calculated as a part of the minimum requirements of a side yard, rear yard, front yard, court or other open space required by this Ordinance, may by reason of change in ownership or otherwise be counted or calculated to satisfy or comply with a yard, court or other space requirement of, or for any other building. All setbacks as indicated in the Schedule of Regulations, Article 6, shall be measured from the outer edge of the footing and/or basement wall of any principal building. Roofs, gutters, windows and open balconies may project into the required open spaces provided that an eight (8) foot height clearance is provided and maintained above all adjacent ground level and provided further that said projection shall not extend more than five (5) feet into said required open spaces, and in no event will the projection be closer than five (5) feet to the lot line. The minimum yards of other open spaces, including lot area per dwelling unit required by this Ordinance for each and every building existing at the time of the passage of this Ordinance, or for any building hereafter erected, shall not be encroached upon or considered as yard or open space requirements for any other building.

## 5.4 SUBSTANDARD LOTS

Any lot which was of record at the time of the adoption of this Ordinance, that does not meet the requirements of Article 6 for lot area and width, may be utilized for single-family residences in zones permitting this use, provided that the setback and open space provisions of the Ordinance are met. (Also see Article 7.27 regarding non-conforming lots).

## 5.5 FRONTAGE

Every principal building shall front upon a public or private street for the minimum width required in that district, as noted in Article 6. This requirement shall not prevent the construction and use of a single-family dwelling, in zones allowing single-family development, on any lot or parcel of land existing and of public record prior to the adoption of this Ordinance, subject to the regulations of Article 6 and Section 7.27. In the case of lake front property, for the purposes of this Ordinance, that part of the house facing upon the street shall be deemed the front of the house.

## 5.6 VISIBILITY

No wall, structure, fence, shrubbery or trees shall be erected, maintained or planted on any lot which will obstruct the view of the driver of a vehicle approaching an intersection, excepting that shade trees will be permitted where all branches are not less than eight (8) feet above the street level. In the case of corner lots, there shall be provided an unobstructed triangular area formed by the street right-of-way lines and a line connecting them at points twenty-five (25) feet from the intersection of the right-of-way lines, or in the case of a rounded corner, from the intersection of the street right-of-way lines extended.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

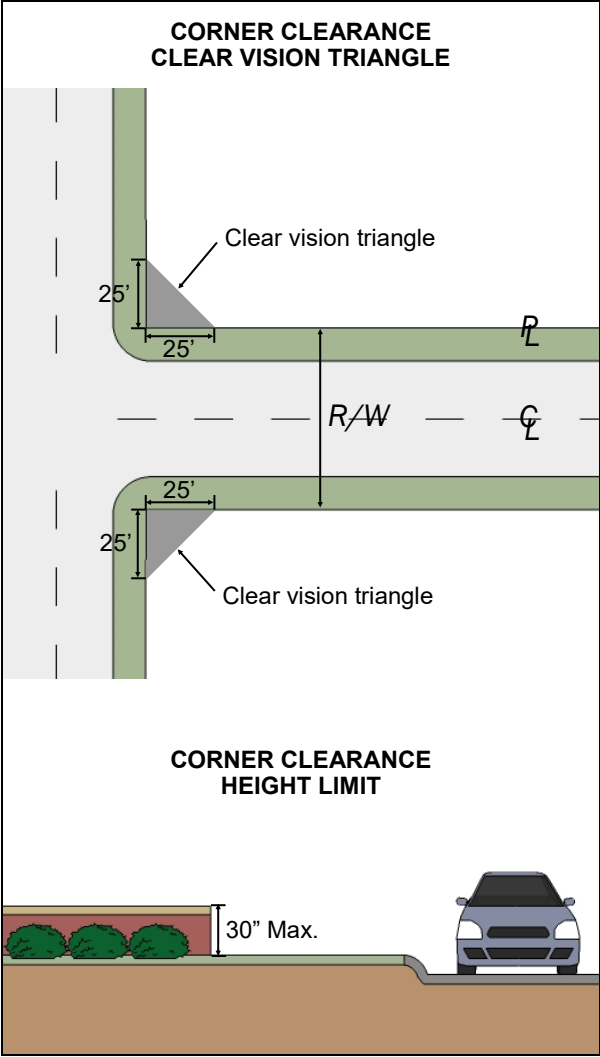
5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



**5.7 ACCESSORY BUILDINGS OR STRUCTURES IN RESIDENTIAL DISTRICTS**

In residential districts accessory buildings or structures, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- A. No detached garage or accessory building or structure shall be located closer than ten (10) feet to any principal structure or building, unless it conforms to all regulations of this Ordinance applicable to principal structures and buildings.
- B. Accessory buildings or structures shall have a minimum setback of five (5) feet from the rear lot lines and five (5) feet from the side lot lines, except as modified by Section 5.7.A of this Ordinance.

- C. Accessory building or structure walls in all residential districts shall not exceed fourteen (14) feet in height and the building height shall not exceed eighteen (18) feet. The accessory building or structure may occupy not more than twenty-five (25) percent of a required rear yard and/or forty (40) percent of any non required rear yard. With the exception of the Suburban Farm (SF) and Agricultural (AG) zoning districts, in no instance shall the sum total of the ground floor areas of all accessory buildings or structures on a single lot exceed 125% of the ground floor area of the principal building or structure, excluding attached garages. No single accessory building or structure may exceed 4,000 square feet of ground floor area, with the exception of those located in the (SF) or (AG) districts, and where the parcel size is a minimum of five (5) acres.

**5.8 BUILDING GRADES**

Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. Yards shall be graded in such a manner as to prevent the accumulation of surface water on the lot and not increase the natural runoff of surface water onto adjacent properties.



## 5.9 SIGNS

- A. Purpose. The purpose of this Section is to regulate signs in White Lake Township in a comprehensive and balanced manner in order to protect public health, safety, and welfare, while preserving the right of free speech and expression as guaranteed by the First Amendment of the U.S. Constitution. It is therefore determined that this Section is necessary to fulfill the following:
- i. Facilitate an easy and pleasant communication between people and their environment
  - ii. Enhance the physical appearance of the Township
  - iii. Preserve scenic and natural beauty of designated areas and
  - iv. Encourage signage that enhances the character of the community
  - v. Prevent visual clutter and dangerous and distracting demands for attention between advertising signs and traffic control signs and signals, which can jeopardize public safety and the mental and physical wellbeing of the public
  - vi. Eliminate hazards caused by signs interfering with the public rights-of-way
  - vii. Protect public safety by preventing or removing signs which are potentially dangerous to the public due to structural deficiencies or disrepair
  - viii. Enable the public to locate goods, services, and facilities without difficulty and confusion;
  - ix. Protect property values within the community, and-
  - x. Authorize the use of signs that are compatible with their surroundings, and that are legible in the circumstances in which they are seen, while allowing the freedom of creative expression.
- B. All sign permit applications shall be approved by the Director of the Community Development Department. Applications for sign permits shall be made on forms provided by the Community Development Department. The Building Official shall consult with the Director of the Community Development Department, who shall administratively review sign permit applications to verify their compliance with the standards of this Section. In instances where he or she deems it appropriate, the Director of the Community Development Department may require review and recommendation from the Planning Commission of sign permit applications. Sign permit applications shall contain the following minimum information:
- i. A sketch indicating the location of the subject property and current zoning classification.
  - ii. A scale drawing of each sign, in the colors of the finished sign, indicating the size, shape, message, lettering style, and materials of the finished sign. (All required copies must also be in color.)
  - iii. Building elevation sketches showing the position and size of each sign on the building and the location and size of any existing sign(s) on the same structure.
  - iv. For free-standing signs, a site plan sketch showing the sign height, location of the sign on the site, and verifying compliance with all setback requirements.
  - v. If the sign will be illuminated, plans shall include all details regarding the location, type of fixture, color of the illumination, and method of shielding the lighting equipment to prevent glare. Illumination by flood lights shall be permitted only when the lights have been installed with directional shields (“barn doors”) to eliminate glare and limit illumination solely to the sign. Illuminated signs shall be located not less than one hundred (100) feet from a residential district.
- C. General Requirements and Standards. The following conditions and standards shall apply to all permitted signs:
- i. Regulations for Structures. For the purposes of this Ordinance, a sign shall be considered a structure, and must conform to all provisions relating to structures.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- ii. Building Permit Required. A building permit shall be required and a fee for such permit, as established by the Township Board, shall be paid for the erection, construction or alteration of any permanent sign except as described elsewhere in this section. All signs shall be approved by the Director of the Community Development Department as conforming to the requirements of this Ordinance following an administrative review by the Director of the Community Development Department or his/her designee. This shall not be construed to require a permit for a change of copy on a changeable copy sign, or the repainting, cleaning, or other normal maintenance or minor repair of a sign or sign structure, so long as no substantial alteration occurs.
  - iii. Sign Illumination Standards. All illuminated signs shall be so placed as to prevent the rays and illumination from being cast upon neighboring residences within a residential district and shall be located not less than one hundred (100) feet from such residential district.
    - a. There shall be no flashing, oscillating or intermittent type of illuminated sign or display, or exposed illuminated vacuum tubes or bulbs in any zoning district.
    - b. All signs shall be lighted by internal illumination only unless the lighting equipment is designed as an integral part of the display. This means that meaning the lights themselves are source is not visible and will in no way interfere with driver visibility or project onto adjoining property.
  - iv. Nonconforming Signs. Nonconforming signs shall be subject to the standards and requirements of Section 7.23 and Section 7.26 of the Zoning Ordinance.
  - v. Calculation of Sign Area. All calculation of total sign area shall be measured on one side of the face of the sign for one and two-sided signs. Where a sign consists solely of lettering or other sign elements mounted on a wall of a building without any distinguishing border, panel or background, only the area of a tightly drawn imaginary rectangle enclosing each such letter and other sign elements shall be treated as a single sign for the purpose of area computation. The area of a sign that is irregular in shape shall be calculated by multiplying its tallest dimension times its longest dimension. This includes signs that are composed of individual letters, numbers, or other figures, which compose one sign.
  - vi. Clear Vision Triangle. No sign above a height of thirty (30) inches shall be located within, project into, or overhang the clear vision triangle required pursuant to Section 5.6 of this Ordinance or in any location that may hinder driver sight distance.
- D. Temporary Signs. Up to two (2) temporary signs are allowed without a permit in all districts, as described below. For all other temporary signs, the following standards shall apply.
- i. For additional, non-exempt, temporary signs located in residential districts, a permit shall be obtained from the Community Development Department. This temporary sign permit shall be valid for a period of ninety (90) consecutive days. Only one (1) such permit may be obtained per year per residence. No temporary sign in a residential district shall exceed sixteen (16) square feet in area or six (6) feet in height. At no point shall the total area of temporary signs in a residential area be greater than thirty-two (32) square feet.



- ii. For additional, non-exempt, temporary signs located within commercial or industrial districts, a permit shall be obtained from the Community Development Department. This temporary sign permit shall be valid for a period of one-hundred eighty (180) consecutive days. Only one (1) such permit may be obtained per year per site. No temporary sign in a residential district shall exceed thirty-two (32) square feet in area or eight (8) feet in height. Only two (2) additional temporary signs may be permitted per site.
- E. Exempt Signs. The following signs are exempt from this Section, or are otherwise allowed without a permit in any district in the Township:
- i. Any sign or notice required to be displayed by state, federal, or local laws.
  - ii. Any sign outside of the jurisdiction of the Township, including approved signs in the right-of-way under the jurisdiction of Oakland County or the State of Michigan.
  - iii. One sign displaying the address numbers of a building or unit, up to two (2) square feet in area, for the purposes of public safety and timely emergency response.
  - iv. One sign displaying the name(s) of the occupants of a building or unit, up to two (2) square feet in area, for purposes of identification by emergency vehicles and to benefit the health, safety, and welfare of the public by allowing for identification of residents, visitors, and delivery vehicles.
  - v. Any directional sign required for the purpose of orientation, when established by the Township, County or State governments, each up to four (4) square feet in area and four (4) feet in height.
  - vi. Incidental signs, subject to approval by the Director of the Community Development Department.
  - vii. Interior signs.
  - viii. Up to two (2) flags, each of which shall be no greater than eight (8) square feet in area.
  - ix. Up to two (2) temporary signs, each of which shall not exceed six (6) square feet in area and shall not exceed four (4) feet in overall height above grade.
  - x. Window signs covering up to twenty-five percent (25%) of the total window area of a building.
  - xi. Traffic control signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices.
- F. Prohibited Signs. The following signs shall be prohibited in all zoning districts in the Township:
- i. Animated signs.
  - ii. Inflatable signs.
  - iii. Festoons.
  - iv. Above-the-roof signs.
  - v. Illuminated tube bands outlining more than twenty-five percent (25%) of a window.
  - vi. Non-accessory signs, unless otherwise specified in this Ordinance.
  - vii. Signs placed in the public right-of-way, unless otherwise specified in this Ordinance.
  - viii. Signs painted on the exterior surface of any building or structure.
  - ix. Vehicle signs are prohibited as permanent signs, which shall be considered when any vehicle is parked in the same position for more than seventy-two (72) hours.
  - x. Signs containing statements, words, or pictures of an obscene, indecent, menacing, or harassing character, signs with espouse criminal activity, and signs which offend public morals or decency.
  - xi. Any sign affixed to, or suspended from, any tree, shrub, utility pole, light pole, telephone pole, traffic control device, mail box, fire hydrant or other structure lying in or over a public easement or right-of-way.
  - xii. Any sign placed in a manner that impedes traffic visibility.
  - xiii. Any sign that imitates any official traffic sign or signal or contains the words: "stop", "go slow," "caution," "danger," "warning," or similar words, except for official governmental signs.



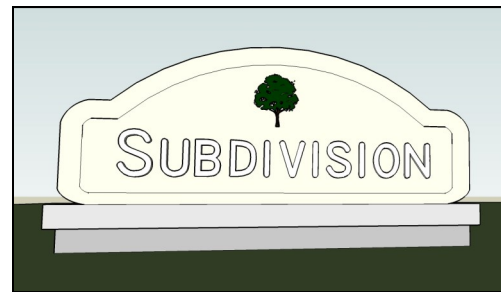
- xiv. Any sign of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal, except for official governmental signs.
  - xv. Any sign erected or suspended from the roof of a building.
  - xvi. Any sign not maintained in good condition and repair.
- H. Non-accessory signs and billboards bordering interstate highways, freeways, or primary highways as defined in the "Highway Advertising Act of 1972" (1972 PA 106), as amended, shall be regulated and controlled by the provisions of such statute and the provisions of this Ordinance. Non-accessory signs (billboards), which are signs advertising services or products, activities, persons, or events which are not made, produced, assembled, stored, distributed, leased, sold, or conducted upon the premises upon which the non-accessory sign is located, are permitted within two-hundred (200) feet of Michigan highway M-59 in industrial districts only subject to the following:
- i. The surface display area of a non-accessory sign, hereinafter referred to as a billboard, shall not exceed one-hundred (100) square feet. In the case of billboards with stacked or tandem billboard faces (two parallel billboard display areas facing the same direction with one face being directly above or next to the other), the combined surface display area of both faces shall not exceed one-hundred (100) square feet.
  - ii. Double-faced billboard structures (structures with back-to-back billboard faces) and V-shaped billboard structures (with only one face visible to traffic proceeding from any given direction on a street or highway) shall be considered as one billboard. Otherwise, billboard structures having more than one (1) billboard face shall be considered as two (2) billboards and shall be prohibited in accordance with the minimum spacing requirement set forth in subsection (iii) below.
  - iii. No billboard shall be located within one-thousand one-hundred (1,000) feet of another billboard abutting either side of the same street or highway.
  - iv. No billboard shall be located within two-hundred (200) feet of a residential zone, existing adjacent residence, school, or church (four-hundred (400) feet if illuminated).
  - v. No billboard shall be located closer than forty (40) feet from a property line adjoining a public right-of-way or ten (10) feet from any side lot line. Setbacks from the rear property line shall be in accordance with the specifications for structures in the applicable zoning district, but in no case shall be less than ten (10) feet.
  - vi. The height of a billboard shall not exceed sixteen (16) feet above the grade of the ground upon which the billboard sits or the grade of the abutting highway, whichever is higher.
  - vii. No billboard shall be on top of, cantilevered or otherwise suspended above the roof of any building.
  - viii. A billboard must be constructed in such a fashion that it will withstand all wind and vibration forces that can normally be expected to occur in the vicinity.
  - ix. A billboard must be maintained so as to assure proper alignment of the structure, continued structural soundness, and continued readability of message. Any damage that presents a danger to the public health, safety or welfare shall be repaired immediately. Repairs to damaged or peeling billboard copy shall be made within seven (7) days. In the event that the owner or operator of the billboard is unable to lease a billboard's display area, a well-maintained copy face (display area) shall continue to be provided.





- x. No person, firm or corporation shall erect a billboard within White Lake Township without first obtaining site plan approval and a sign permit from the Township, which approval and permit shall be granted upon showing of compliance with the provisions of the ordinances of White Lake Township and payment of a fee therefore. Permits shall be issued for a period of one year, but shall be renewable annually upon inspection by the Building Department or its designer confirming continued compliance with the ordinances of White Lake Township and payment of the billboard permit and inspection fee. The amount of the billboard permit and inspection fee shall be established by resolution of the Township Board and shall bear a reasonable relationship to the cost and expense of administering this permit and inspection requirement. The Township Board may amend the fees as necessary from time to time to reflect changes in the cost of administering this requirement.
- xi. The person, firm or corporation responsible for the erection and maintenance of the billboard structure shall notify the Township Building Department of a contact person, address, and 24-hour phone number for contact in case of an emergency. This information shall be kept up-to-date by the person, firm or corporation responsible for the billboard structure.
- xii. A billboard may be illuminated provided that the lighting used is focused upon the billboard display area and it does not project glare toward passing motorists or adjacent premises or otherwise present a hazard. In no instance shall the illumination be flashing or intermittent, nor shall the lights be permitted to rotate or oscillate.
- xiii. A billboard established in the Township shall, in addition to complying with the requirements of White Lake Township, also comply with all applicable provisions of the Highway Advertising Act of 1972 (1972 PA 106), as amended and the regulations promulgated thereunder, as may from time to time be amended.

- xiv. Not more than three off-premises signs may be located per linear mile of primary highway. The linear mile measurement shall not be limited to the boundaries of White Lake Township where the particular highway extends beyond such boundaries.
- xv. No off-premise sign shall be located within one-thousand (1,000) feet of another off-premise sign abutting either side of the same street or highway or to an adjoining residential zoning district.
- I. Residential District Regulations. No sign may be erected, displayed or substantially altered or reconstructed except in conformance with the following regulations:
  - i. One (1) monument sign, not more than thirty (30) square feet in area, may be maintained at or adjacent to the principal entrance to the subdivision. One additional sign may be permitted if the residential subdivision has access to two (2) thoroughfares or the subdivision has more than one (1) boulevard street entrance from an existing arterial or it has at least two-hundred fifty (250) homes. The signs may not exceed a height of six (6) feet. The placement of any such sign within a public boulevard entrance may require approval of the Road Commission.



- ii. Two (2) additional, non-exempt temporary signs sites in the AG and SF districts. Such sign shall not exceed eight (8) square feet in area and shall be set back at least ten (10) feet from the right-of-way or road easement.
- iii. Permitted non-residential uses (excluding home occupations) may be allowed one (1) wall sign or one (1) monument sign oriented toward the principal means of vehicular ingress

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

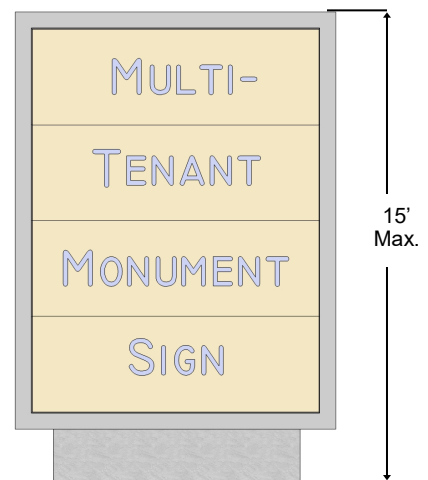
and egress. The maximum size of a wall sign shall not exceed five (5) percent of the building facade upon which it is mounted. The total square footage of wall signs shall not exceed one hundred (100) square feet. For monument signs, the maximum size shall be sixteen (16) square feet in area and the maximum height shall be six (6) feet.

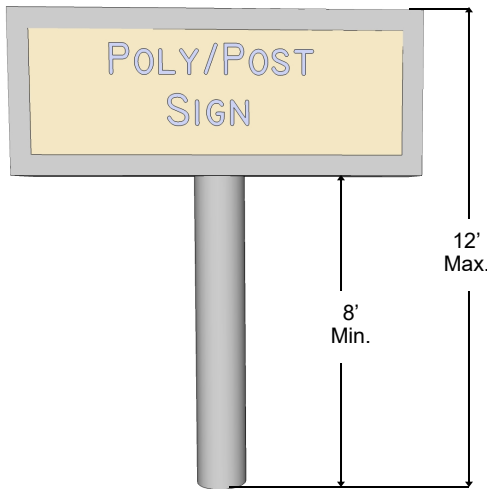
J. Non-Residential District Regulations. No sign may be erected, displayed or substantially altered or reconstructed except in conformance with the following regulations:

- i. Freestanding Signs.
  - a. Types of Signs Permitted. All freestanding signs shall be monument signs unless the criteria outlined below are met for a post-pylon sign. In instances where it is clearly demonstrated by the applicant that visibility would be seriously impacted by installation of a monument sign due to unique circumstances associated with a site, a post-pylon sign may be permitted. Where a post-pylon sign is permitted, the maximum height shall be twelve (12) feet, with the bottom edge of the post-pylon sign a minimum of eight (8) feet from grade. For purposes of this sub-section, visibility is related only to ingress/egress of pedestrians and vehicles - not to visibility of the building or use advertised by the subject sign. Freestanding signs shall be installed on a decorative masonry base utilizing materials such as brick, decorative (split face) masonry block, stone, or the like. This base must be a minimum of two (2) feet in height from the finished grade. The Director of the Community Development Department and/or the Planning Commission may approve an alternative to a masonry base upon a review and determination that the design proposed by the applicant meets the intent of the standards of the Zoning Ordinance. All freestanding signs shall display the address of the

business to which they refer with figures a minimum of 6 inches in height. The portion of the sign with the business address shall be excluded from the maximum sign area. Freestanding signs shall be setback a minimum of ten (10) feet from the existing right of way.

- b. Maximum Size of Signs. The sign area of a freestanding sign permitted on a lot or parcel is dependent upon the sign's setback from the existing right-of-way and the zoning district within which the sign is proposed (see the first two columns in Table 5.9.J.i). Regardless of setback, no freestanding sign shall exceed the maximum sign area or maximum sign height for that zoning district (see the third and fourth columns in the Table 5.9.J.i). Freestanding signs shall be installed on ground generally level with the surrounding grade of the subject property, and sign height shall be measured from the ground upon which the sign is to be installed.





c. Maximum Number of Signs. A maximum of one (1) freestanding sign is permitted per lot or parcel. In instances where a parcel has frontage on two thoroughfares, a second freestanding sign may be permitted along the secondary thoroughfare. This provision is contingent upon the second sign being no more than fifty (50%) percent of the size permitted the first sign, a minimum one hundred fifty (150) feet of separation exists between any freestanding signs on the site, and all other setbacks requirements are met. Parcels which have more than one point of access from a regional highway or major arterial may be permitted one sign for each access along the major thoroughfare. The maximum area and height of the multiple signs along the major thoroughfare may not exceed the maximum area and height of the district. If a freestanding sign is not provided, then an additional wall sign may be permitted on a non-entry side of the building which does not exceed the maximum permitted size of the freestanding sign permitted on that parcel.

5.9.J.i Regulations for Freestanding Signs in Non-Residential Districts			
Zoning District	Permitted Sign Area Per Foot of Setback From Existing Right of Way (Square Feet)	Maximum Sign Area (Square Feet) <sup>1</sup>	Maximum Sign Height From Grade <sup>2,3,4</sup>
NB-O, LB, RB, ROP, LM, E, ROS	Two (2) square feet for each one (1) foot of setback	32	7
PB, GB (Single-tenant)	Two (2) square feet for each one (1) foot of setback	50	7
PB, GB (Multi-tenant)	Six (6) square feet for each one (1) foot of setback	150	15 <sup>5</sup>

<sup>1</sup>Maximum sign area shall not include decorative elements such as bases, columns, or caps.  
<sup>2</sup>For the purposes of measuring sign height, "grade: shall mean the ground upon which the sign is to be installed, which shall be generally level with the surrounding property, as measured within a ten (10) foot radius from the based of the sign.  
<sup>3</sup>Maximum sign height shall include the decorative elements such as bases, columns, and caps.  
<sup>4</sup>Minimum height of a sign base shall be two (2) feet in height.  
<sup>5</sup>A multi-tenant development may be permitted a monument sign where each individual tenant sign does not exceed four feet in height and the overall sign does not exceed a height of 15 feet.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement

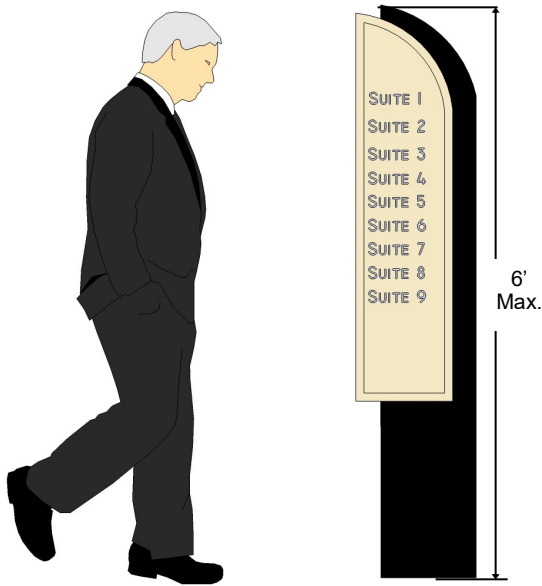


- d. Maximum Size of Decorative Elements. The combined area of a face of the decorative elements of a freestanding sign (base, columns, caps, etc.) shall not exceed one-hundred (100) percent of the maximum sign area permissible.
- e. Exceptions to Height Standards. Freestanding signs shall be installed on ground generally level with the surrounding grade of the subject property. A freestanding sign which exceeds the "Maximum Sign Height from Grade" standards within the table of subsection (c) above, or the installation of a freestanding sign on a man-made berm or the like, may be permitted by the Building Official only after an administrative review and approval by the Director of the Community Development Department. This administrative review shall determine that:
  - (1) Existing topography and/or natural features would impair the visibility of the freestanding sign in its proposed location;
  - (2) No suitable alternative location exists;
  - (3) The method of raising the sign height is consistent with the intent of this Section;
  - (4) The method of raising the sign height is consistent with that of other conforming freestanding signs in the immediate vicinity; and
  - (5) The freestanding sign will otherwise meet the standards of this Section in terms of size, design, and building materials.
- ii. Wall Signs.
  - a. Maximum Size of Signs. The total area of all wall signs shall not exceed ten (10) percent of the front façade of the principal building. In the case of a structure with two or more tenants, the total sign area per tenant shall not exceed ten (10) percent of the front façade for the individual tenant space. Signs for single tenants that occupy three or more contiguous tenant spaces shall require review and approval by the Planning Commission. Principal structures that are setback at least 100 feet from the right of way may be permitted signage that does not exceed 15% of the front façade of each tenant space. The maximum size of any individual wall sign shall be two hundred (200) square feet. Wall signs of any size shall be designed and installed such that they do not cross and/or overlap windows or variations in building color, depth, or materials.
  - b. Maximum Number of Signs. A maximum of one (1) wall sign is permitted for each principal building. In the case of a building with two or more tenants, one (1) wall sign is permitted per tenant. Principal buildings with front facades at least 250 feet long may be permitted a total of 3 signs, whose total area shall conform to the maximum size of signs noted above. In instances where a parcel has frontage on two (2) streets, an additional wall sign may be permitted on the building facing the secondary thoroughfare, which is no greater than 5% of the wall area on which the sign is placed.



Wall sign 10% of façade (15% with 100' building setback)

- c. Canopy Signs. Canopy signs are considered wall signs for purposes of calculating total size of signage permitted in conformance with Section a. above.
- iii. Interior Directory Signs. In the event of buildings with extensive open corridors or courts, directory listing signs may be installed on the side walls of such corridors leading thereto. In the event of covered corridors, such directories or directory signs may be suspended from the ceiling at the entry to the corridor. These directories or directory signs may be internally illuminated and shall be limited in size to a space of sixty (60) square inches for each name listed. These regulations shall not apply to completely enclosed corridors.
- iv. Freestanding Directory Signs. Freestanding directory signs are allowed provided that such signs do not exceed four (4) square feet in area and six (6) feet in height per directory sign.



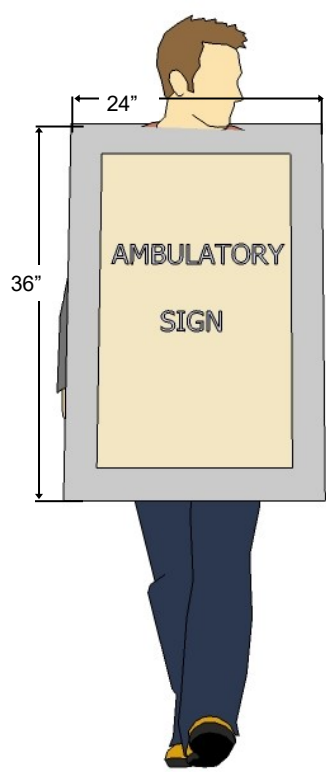
- v. Portable Business Signs. To encourage attractive, pedestrian-oriented signs, a business may be permitted to display one (1) portable sign, subject to the following:

- a. Permit and Design Standards. Portable signs shall adhere to the following:
  - (1) Administrative approval and an annual permit shall be obtained from the Community Development Department
  - (2) Only one (1) portable sign with a maximum of two (2) sides is permitted per tenant
  - (3) Portable signs shall not be illuminated
  - (4) The maximum area shall be twelve (12) square feet per side
  - (5) Portable signs shall be located no closer than twenty (20) feet from the edge of a road (edge of pavement), or no closer than the edge of the road right-of-way, whichever is distance is greater.
  - (6) Portable signs shall be located at least fifty (50) feet from another portable sign
  - (7) Portable signs shall not be towed by vehicles
  - (8) Changeable message panels shall be either professionally printed or white changeable letters on a black or dark color background, or have a "blackboard style" message area
  - (9) Portable signs shall not be placed within the right-of-way of a public or private street, within a clear vision area, within a fire lane, nor in a manner that is a danger to or interferes with pedestrian or vehicular travel.
  - (10) Portable signs may be placed on a pedestrian walkway only in a manner that will not interfere with pedestrian travel nor present a hazard to pedestrians.
  - (11) Portable signs shall be properly anchored to prevent them from being windblown into a street, parking area, or neighboring property.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- b. Enforcement Provisions. If a portable sign is posted in violation of the requirements of this section:
  - (1) The owner shall receive one (1) written warning
  - (2) The portable sign may be confiscated by an enforcement officer
  - (3) The owner shall be guilty of a municipal civil infraction
  - (4) Failure to pay the civil infraction within fourteen (14) days may subject the owner to loss of his/her annual permit for a portable sign
- vi. Ambulatory Signs. Ambulatory signs located on or carried by a person, are permitted provided the following standards are adhered to:
  - a. An ambulatory sign shall be no wider than twenty-four (24) inches nor taller than thirty-six (36) inches, in order to prevent it from becoming a hazard on any public or private sidewalk or to the person carrying the sign.

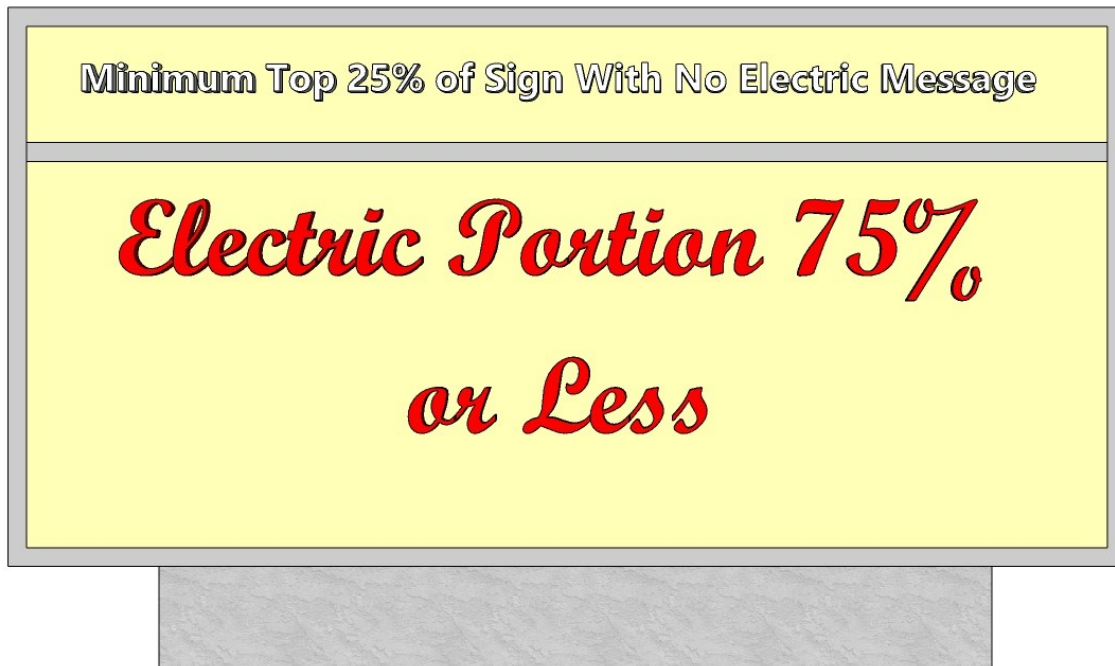


- b. An ambulatory sign shall not be fastened to a pole or similar device designed to permit the person carrying the sign to raise it above the person's shoulder height or to wave or otherwise move the sign in a manner that might be dangerous to persons on any public or private sidewalk or on the public streets.
- c. An ambulatory sign shall not be carried in a manner that effectively blocks or interferes with another person's use of a public or private sidewalk.
- d. An ambulatory sign shall not be carried in a manner that effectively blocks or interferes with the Clear Vision Triangle at any intersection of two streets or a street and a driveway per Section 5.6 of this Ordinance.
- e. An ambulatory sign shall not be carried in a manner that effectively blocks the entrance to or exit from any building.
- f. An ambulatory sign shall not be carried in a manner that constitutes an offense, an annoyance or causes injury to pedestrians on any public or private sidewalk or drivers on the public streets.
- vii. Electronic Message Board Signs. Because of their potential to be unduly bright and disturbing to residential uses, Permanent electronic display and message board signs may be permitted as accessory to a use only in non-residential zoning districts, subject to the following:
  - a. The electronic display shall be calculated as part of total allowable sign area and shall display only messages related to the use on the same site or public service messages of White Lake Township government, schools, places of worship, or similar public service announcements.
  - b. Shall not use colors, post messages, or employ similar features design to mimic or that may be confused with traffic control devices.

- c. Shall feature only static text and graphics. This shall be construed to prohibit streaming video, full motion video, text and/or graphics that move, scroll, rotate, fade, flash, or similar features.
- d. The sign message shall change not more frequently than once every fifteen (15) seconds. The message change shall be completed in not more than two (2) seconds and shall not include moving images in conflict with C above. The sign message shall remain static during night time hours.
- e. The maximum brightness of any sign shall not exceed five-thousand (5,000) candelas per square meter (cd/m<sup>2</sup>, a.k.a. "nit") during daylight hours, and 500 cd/m<sup>2</sup> from thirty (30) minutes after sunset until thirty (30) minutes before sunrise, as measured from within six (6) inches of the face of the sign. An application of an electronic display sign shall include certification by an independent illumination engineer or testing laboratory that the

proposed sign will comply with the brightness limits of this section. Electronic display and message signs shall include an automatic dimmer to control sign brightness consistent with this standard.

- f. No electronic display or electronic message sign shall be installed in place of a standard identification sign. This shall require that the electronic display component serve as one element of the use's identification sign, not to exceed seventy-five percent (75%) of the total sign area proposed.
- g. The upper twenty-five percent (25%) of a sign shall not include an electronic display component.
- h. All electronic messages shall include an electrical shut-off switch accessible only to White Lake Township ordinance enforcement personnel that may be used to terminate electrical service to any sign that fails to comply with the requirements of this section.



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

K. Responsible Parties and Enforcement. For purposes of enforcement of the provisions of this Section, property owner and the occupant shall be responsible for compliance with all requirements of this Ordinance for signs on the building and property that is leased, owned or managed by either party.

**5.10 SWIMMING POOLS**

Residential swimming pools shall be located only behind the rear line of the home, no closer than 10 feet to any lot line, and fenced on all sides with a minimum four-foot high, non-ladderable fence, with any gate to be self-closing and latching. Private swimming pools shall be exclusively for the use of residents and their guests.

**5.11 OFF-STREET PARKING**

In all zoning districts, off-street parking requirements for the storage and parking of self-propelled motor vehicles for the use of occupants, employees and patrons of a building hereafter erected, after the effective date of this Ordinance, shall be provided as herein prescribed. A property or building which undergoes a change of use, an addition, or an increase in square footage, which by the standards set forth in this Ordinance requires increased parking capacity, such parking shall be provided as herein prescribed. All new and existing parking areas shall be maintained and shall not be encroached upon so long as said main building, structure, addition or use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.

- A. Off-street parking spaces shall not be permitted within any required front, side, or rear yard setback, except as follows:
  - i. Off-street parking for all residential uses may be permitted in a rear yard setback.
  - ii. Off-street parking for single-family residential uses may be permitted in a front or side yard setback when located in the driveway of the single-family home.
  - iii. Off-street parking for non-residential uses may be permitted in a required side or rear yard setback, provided all greenbelt and/or screening

requirements of this Ordinance have been met.

- iv. Off-street parking for non-residential uses may be permitted in a required front yard setback except for the first twenty (20) feet which shall be landscaped in conformance with the standards of this Ordinance.
- v. The Township Board may permit parking in any other required setback area, based upon a site plan that demonstrates compliance with the greenbelt and screening requirements of this ordinance, following a review and recommendation by the Planning Commission.

- B. When units or measurements determining number of required parking spaces result in fractional space, any fraction up to and including one-half (1/2) shall be disregarded and fractions over one-half (1/2) shall require one (1) parking space.
- C. The off-street parking facilities required for one-family dwellings, two-family dwelling and all multiple dwellings shall be located on the same lot or plot of ground as the building they are intended to serve, and shall consist of a parking strip, parking apron and/or garage. Required off-street parking for all other uses shall consist of an unencumbered parking stall or strip, parking bay, vehicle maneuvering space or driveway, garage or combinations thereof.
- D. The off-street parking facilities required for other than residential uses shall be located on the premises or on other premises within five hundred (500) feet of the permitted use requiring such off-street parking. This distance shall be measured along a pedestrian walkway from the nearest point of such building to the nearest point of the off-street parking lot. The pedestrian walkway shall be on the applicant's property or within a dedicated right-of-way, provided that it may cross intervening parcels of land under separate ownership where the applicant has secured necessary easements from the owners of the intervening parcels and the walkway provides a reasonably safe method of pedestrian access. If the pedestrian walkway crosses an intervening major arterial, arterial, or minor arterial road, the applicant shall be responsible for improvements required by the Planning





Commission, including the requirement of an overhead crosswalk, necessary to provide a safe pedestrian crossing. No crossing shall be permitted unless approved by the Planning Commission as a safe crossing.

- E. For the purpose of this Article, "usable floor area" in the case of offices, merchandising or service types of uses," shall mean the gross floor area used or intended to be used for services to the public as customers, patrons, clients or patients or as tenants, including areas occupied for fixtures and equipment used for display or sale of merchandise. It shall not include area used for nonpublic purposes such as storage, processing, rest rooms or utilities. For the purpose of computing the number of parking spaces required, the definition of usable floor area shall govern.
- F. In the case of a use not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use that the Planning Commission considers similar in type. If no use is deemed to be similar, the Planning Commission may accept the recommendation of its Township Planner/ Township Traffic Engineer or undertake a study to determine the most appropriate standard to use.
- G. Off-street parking existing at the effective date of this Ordinance that serves an existing building or use, shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
- H. Minimum required off-street parking spaces shall not be replaced by any other use unless and until equal facilities are provided elsewhere.
- I. Nothing in this section shall be construed to prevent collective provisions of off-street parking facilities, for two (2) or more buildings or uses. Such facilities shall not be less than the sum of the requirements for the various individual uses computed

separately in accordance with the table below.

- J. In the instance of dual functions of off-street parking spaces where operating hours of buildings do not overlap, the Planning Commission may permit a reduction in the number of parking spaces required. Said reduction may be considered by the Planning Commission only after the submittal by the Applicant of a Shared Parking Study, prepared by an individual or firm with demonstrated experience in parking analysis. The methodology used in the report shall generally follow the guidelines set forth in Shared Parking (4<sup>th</sup> Printing 1990), prepared by the Urban Land Institute. In the instance of multi-phased projects, the Applicant shall present evidence during the review of all phases subsequent to Phase 1 that the assumptions included in the shared parking analysis are reasonably being met by the previous phases.
- K. Fire lanes must comply with BOCA Fire Prevention Code, Fire lane section. The Fire Chief shall require and designate public or private fire lanes for the efficient and effective use of fire apparatus.
- L. The storage of merchandise, motor vehicles for sale or rent, trucks or the repair of vehicles is prohibited, except as may otherwise be provided in this ordinance.
- M. The amount of required off-street parking space for new uses or buildings, additions thereto, and additions to existing buildings as specified above shall be determined in accordance with the following table, and the space, so required, shall be stated in the application for a building permit and shall be irrevocably reserved for such use and/or shall comply with the initial part of this Section.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

5.11.M Minimum Requirements for Off-Street Parking		
Use	Minimum Required Number of Parking Spaces	Per each unit of measure as follows
Residential		
Single family and two family dwellings	2	Dwelling unit
Multiple-family dwellings and mobile home communities	2	Dwelling unit plus 1/4 of a space per bedroom for guest parking in common areas
Housing for the elderly	1	Per each unit plus one (1) per employee. If units revert to general occupancy then two (2) spaces per unit shall be provided.
Convalescent homes and nursing homes	1	Per each four (4) beds plus one (1) per employee
Public , Quasi-Public, Institutional and Schools		
Theatres and auditoriums	1	Per two (20 seats plus one (1) for each two (2) employees
Places of worship	1	Per three (3) seats or six (6) feet of pews based on maximum seating capacity in the main place of assembly therein, or one (1) for each two (2) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, whichever is greater
Libraries and museums	1	Per three hundred (300) square feet of gross floor area
Stadiums, sports arenas, or similar places of outdoor assembly	1	Per three (3) seats or six (6) feet of benches plus one (1) for each employee
Convalescent homes and nursing homes	1	Per each four (4) beds plus (1) per employee
Hospitals, urgent care centers, health care clinic or center	1	Per two (2) beds plus two (2) per examining room plus one (1) per each full-time staff members (includes secretaries, custodians, etc.) and attending physician
Private clubs, lodges, halls	1	Per two (2) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes
Elementary schools, Junior High schools	1	Per employee plus two (2) visitor spaces per classroom or two (2) per maximum capacity of auditorium, whichever is greater
Senior High school	1	Per each teach, employee, or administrator, plus one for every four (4) students over the driving age, or the requirements of the auditorium/assembly hall, whichever is greater.



Use	Minimum Required Number of Parking Spaces	Per each unit of measure as follows
Business and Commercial (Continued)		
Dance halls, lodge halls, exhibition halls, pool and billiard halls, assembly halls without fixed seats	1	Per each two (2) persons allowed within the maximum occupancy load as established by local, county or state fire, or building or health codes
Banks (without drive-through) and post offices	1	Per one hundred (100) square feet of public service area, plus one (1) per six hundred (600) square feet of gross floor area, plus one (1) space for each person working on the premises.
Business or professional offices, except as indicated in the following item	1	Per two hundred (200) square feet of usable floor area
Professional offices of doctors, dentists, or similar professions	1	Per every fifty (50) square feet of usable floor area 1 waiting rooms, plus one (1) for each examining room, dental chair or similar use
Bowling alleys	5	Per bowling lane, plus accessory uses, such as restaurant or bar
Roadside stands	4	Per one hundred (100) square feet of sales area, but not less than 4 spaces
Fast food	1	Per 75 gross floor area
Establishment for sale and consumption on the premises of beverages, food or refreshments, not including alcohol	1	Per 100 gross floor area
Establishment for sale and consumption on the premises of beverages, food or refreshments, including alcohol	1	Per 60 gross floor area
Mortuary establishments, funeral homes	1	Per fifty (50) square feet of floor space in the slumber rooms, parlors or individuals funeral service rooms
Planned commercial or shopping centers	4.5	Per each 1,000 square feet of usable floor area. Parking in excess of the minimum shall be limited to 0.5 spaces per 1,000 square feet usable floor area and all excess parking shall be land banked. These additional spaces may be constructed at a future date with approval by the Planning Commission after the Applicant has provided evidence of a demonstrated need.
Coin operated Laundromats, dry cleaning establishments, and pick-up laundries	1	Per each two (2) washing, drying, and dry cleaning machines
Retail stores except as otherwise specified herein	1	Per two hundred (200) square feet of gross floor space

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement

Use	Minimum Required Number of Parking Spaces	Per each unit of measure as follows
Business and Commercial (Continued)		
Furniture and appliance, household equipment, repair shops, showrooms of plumber, decorator, electrician and similar trades, clothing and shoe repair and motor vehicle salesroom, wholesale stores and machinery sales	1	Per each eight hundred (800) square feet of usable floor area. (For that floor area used in processing, one (1) additional space shall be provided for each two (2) persons employed therein).
Automobile service stations	2	Per each lubricant stall, rack or pit; plus one (1) for each gasoline pump; plus one (1) for each vehicle uses as part of the equipment of the service station
Self-serve gas station/ convenience store	1	One (1) fueling space per nozzle; plus one (1) parking space per two hundred (2) square feet of gross floor area
Motor vehicles sales and service establishments	1	Per each two hundred (200) square feet of usable floor space of sales room, plus five (5) for each one (1) auto service stall in the service room
Oil change facility	2.5	Per service bay
Automobile car wash (self service option)	1	Per car wash establishment for employee parking plus five (5) per wash bay
Automobile car wash (other than self service)	1	Per each one (1) employee plus stacking lane spaces as indicated in the drive-through stacking space standards noted below
Printing and publishing establishments	1	Per employee plus one (1) per 500 square feet of public area
Nursery schools, day nurseries, child care centers, family day care homes, group day care homes	1	Per employee plus drop off/waiting area spaces in an amount equivalent to 1 space per each 5 children/adults served
Lumberyard	1	Per 400 square feet commercial display plus one (1) per 1,000 square feet warehouse plus one (1) per company vehicle
Photography studio	1	Per 400 square feet
Marina	1	Per berth plus one (1) per 500 square feet of dry boat storage or one (1) per two (2) boats stored in a rack system plus one (1) per employee working on the largest shift
Health Club	1	Per 200 square feet or one (1) per two member families, whichever is greater
Nursery/Greenhouse	1	Per 300 square feet interior area plus one (1) per 2,000 square feet outdoor sales



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

Use	Minimum Required Number of Parking Spaces	Per each unit of measure as follows
Business and Commercial (Continued)		
Racquetsports Club	3	Per count plus one (1) per employee working the largest shift plus additional spaces for accessory uses such as eating establishments
Manufacturing or research establishments and related accessory offices	5	Plus one (1) for every one and one half (1 1/2) employees based on maximum occupancy. Space on site shall also be provided for all construction workers during periods of plant construction plus one (1) space shall be provided for each company vehicle
Self-storage	4	Per 1,000 square feet of office plus one (1) per employee working the largest shift.
Warehouses and wholesale establishments and related accessory offices	5	Plus one (1) for every one (1) employee in the largest working shift, or one (1) for every seventeen hundred (1,700) square feet of usable floor area, whichever is greater
Motels, hotels, bed and breakfasts, or other commercial lodging establishments	1	Per guest bedroom plus one (1) for each employee, plus spaces required for restaurants and other accessory uses
Open air businesses	1	Per five hundred (500) square feet of lot area for retail sales or rental uses; or every two (2) participant spaces for outdoor amusement land uses
Beauty parlors and barber shops	3	Per each chair or treatment station
Hardware stores	1	Per one hundred fifty (150) square feet of usable floor space, plus one (1) space for each person working on the premises
Parks and Recreation		
Private golf clubs, swimming pool clubs, tennis clubs, or other similar uses	1	Per two (2) member families or individuals plus spaces required for each accessory use, such as restaurant or bar
Golf courses open to the general public except miniature or "par 3" courses	6	Per golf hole plus one (1) for each employee, plus spaces for each accessory use, such as restaurant or bar
Miniature or "Par 3" golf courses	3	Per each one (1) hole and one (1) for each employee
Field sports	25	Per soccer field, ball field, or similar use area
Neighborhood playgrounds	5	If on-street parking is prohibited
Picnic grounds, nature trails	2	Per acre



Use	Minimum Required Number of Parking Spaces	Per each unit of measure as follows
Parks and Recreation (Continued)		
Indoor and outdoor archery ranges	1	Per three (3) individual target ranges
Hunting, Fishing & Shooting Preserves	1	Per three (3) users at capacity
Riding academies, boarding stable, public stable	1	Per each one (1) horse boarding stall
Combination use facility	Shall provide the number of spaces determined by the Planning Commission, based upon findings regarding the minimum combined parking needed for all proposed uses.	

- i. Any lane, route, or path in which vehicles are directed expressly for the purposes of receiving or dispensing persons, goods, or services without the driver leaving the vehicle (hereinafter referred to as a drive-through lane) shall comply with the following requirements:
  - a. Drive-through lanes shall be separate from the circulation routes and lanes necessary for ingress to and egress from internal maneuvering lanes.
  - b. Drive-through lanes shall not utilize any space that is necessary for adequate access to parking spaces from internal maneuvering lanes.
  - c. Drive-through lanes shall have a minimum centerline radius of twenty-five (25) feet.
  - d. Drive-through lanes shall be striped, marked, or otherwise distinctly delineated.
  - e. Each stacking space in the drive-through lane shall be nine (9) feet wide by twenty (20) feet long.
  - f. Drive-through lanes shall have a minimum stacking space in accordance with the following standards:

5.11.M.i Minimum Stacking Space for Drive-Through Lanes	
Use Served by Drive-Through Lane	Minimum Stacking Requirements (per lane)
Fast food restaurant with indoor seating	Eight (8) vehicles inclusive of the vehicle at the window
Fast food restaurant <u>without</u> indoor seating	Ten (10) vehicles inclusive of the vehicle at the window
Financial institution	Four (4) vehicles inclusive of the vehicle at the window
Car wash (fixed location/automatic when accessory to a gas station)	Seven (7) times the maximum capacity of the auto wash. Maximum capacity of the auto wash shall mean the greatest number of automobiles possible undergoing some phase of washing at the same time, which shall be determined by dividing the length in feet of each wash line by twenty (20).
Self-service automobile car wash establishments	Four (4) spaces in advance of each washing stall
Dry cleaners	Four (4) vehicles inclusive of the vehicle at the window
Convenience market and pharmacy	Three (3) vehicles inclusive of the vehicle at the window
Oil change facility	Four (4) vehicles inclusive of the vehicle in the bay
Other uses	For uses not listed above, the Planning Commission shall make a determination of minimum required vehicle stacking at the time of site plan review, based upon analysis by the Township Planner or Township Traffic Engineering consultant.



- ii. In order to delineate on-site circulation, improve sight distance at the intersection of parking aisles, ring roads, and private roads, protect the vehicle at the end of a parking bay, and define the geometry of internal intersections, end islands (landscaped with raised concrete curb) shall be required at the end of all parking bays that abut traffic circulation aisles in off-street parking lots. In areas where internal traffic circulation is forecast to be low or where the raised islands would not be appropriate, the Planning Commission may waive the requirement for an end island or may require painted islands only. The end islands shall generally be at least eight (8) feet wide, have an outside radius of 15 feet, and be constructed three (3) feet shorter than the adjacent parking stall as follows:
  - iii. No parking stall located adjacent to a parking lot entrance from a street (public or private) shall be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer.
- N. Off-Street Waiting Area for Drive-Through Facilities
- i. An off-street waiting space is defined as an area nine (9) feet wide by eighteen (18) feet long.
  - ii. Self-service automobile car wash establishments shall provide for (4) off-street waiting spaces for each washing stall. A drying lane fifty (50) feet long shall also be provided within the boundary limits of the property at the exit of each washing stall in order to prevent undue water from collecting on public streets and thereby creating a traffic hazard.
- O. Parking for the Physically Handicapped
- i. Each parking lot that services a building entrance, except single or two-family residential or temporary structures, shall have a number of level parking spaces for the physically handicapped as set forth in the following table, and identified by above grade signs as reserved for physically handicapped persons.

5.11.0 Requirements for Accessible Spaces	
Total Spaces in Parking Lot	Required Number of Accessible Spaces
Up to 25	1
25 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of Total
Over 1,000	20 plus 1 for each 100 over 1,000

- ii. Parking spaces for the physically handicapped shall be a minimum of eight (8) feet wide with and adjacent access aisle of five (5) feet on the passenger's side. Handicapped parking spaces must meet all other applicable requirements as to size as set forth in this section.
  - iii. One out of every eight reserved stalls shall be designated as "Van Accessible", with no less than one "Van Accessible" stall provided for each lot. Each "Van Accessible" stall shall have an adjacent access aisle with a minimum width of 8 feet. This 8 foot stall may be located between and shared among two adjacent stalls.
- P. Off-Street Loading Requirements
- i. On the same premises with every building, structure, or part thereof noted below, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interferences with public use of the streets, or any required access aisles for off-street parking areas. Such loading and unloading space, unless adequately provided for in some other manner, shall be an area ten (10) feet by fifty (50) feet, with a fifteen (15) foot height clearance, and shall be provided for the according to the following schedule:

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- a. Buildings, structures, or any part thereof, erected and occupied for manufacturing, storage, warehouse, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry\_cleaning or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, shall provide for off-street loading according to the following schedule:

5.11.P Requirements for Off-Street Loading Space	
Gross Floor Area in Square Feet	Required Number of Loading Spaces
0-2,000	None
2,000-20,000	One Space
20,000-100,000	One space plus one space for each 20,000 square feet in access of 20,000 square feet
100,000-500,000	Five spaces plus one space for each 40,000 square feet in access of 100,000 square feet
Over 500,000	Fifteen spaces plus one space for each 80,000 square feet in access of 500,000 square feet

- b. Office buildings of 50,000 square feet or more shall provide at least one (1) off-street loading space.
- ii. The location of the loading dock shall be subject to review and approved by the Township Board upon a recommendation from the Planning Commission. The Township in making its review shall find that any such use shall:
  - a. Not have a disruptive effect on the safe and efficient flow of pedestrian and vehicular traffic within the site.
  - b. Be aesthetically and effectively screened from view from adjoining properties and from a street, in a manner acceptable to the City.

The Township, to aid in its review, may require submittal of building elevations and cross-section plans showing grade elevations with respect to the location of loading, unloading, and trash receptacles, the corresponding elevations of adjoining properties and streets and the means by which these facilities will be effectively screened from view.
- iii. Loading spaces shall not be used to satisfy the required number of parking spaces.
- Q. Off-Street Parking Space Layout, Standards, Construction and Maintenance
 

Whenever the off-street parking requirements require the building of an off-street parking facility, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:

  - i. Construction of off-street parking lots shall be reviewed and approved per the site plan review standards of Section 6.8. No parking lot shall be constructed without site plan approval. Site plan shall demonstrate that the layout and construction of parking lots meets the standards of this Section. Construction of a parking lot to the satisfaction of the Director of the Community Development Department shall be a requirement for a final Certificate of Occupancy per Section 7.4.
  - ii. Plans for the layout of off-street parking facilities shall be in accord with the following minimum requirements (see also Parking Layout):





5.11.Q Minimum Requirements for Off-Street Parking Layout			
Parking Pattern	Maneuvering Lane Width (Feet)	Parking Space Width (Feet)	Parking Space Length (Feet)
0 degrees (parallel parking)	12	8	20 (plus maneuvering)
45 degrees	15	9	18 (short side) <sup>1</sup>
60 degrees	18	9	18 (short side) <sup>1</sup>
90 degrees	24	9	18 <sup>1</sup>

<sup>1</sup>Parking space length may be reduced to 17' where a vehicle will overhang a sidewalk or landscaped area. Sidewalk must be at least 7'-wide where there is an overhang.



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- iii. All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited.
- iv. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles.
- v. Driveway access shall be designed to provide safe and efficient vehicle ingress to and egress from the property in question. Two-way drives shall be a minimum of 24 feet wide with entering and exiting radii designed to accommodate the largest vehicles expected to access the site. One way drives shall be a minimum of 20 feet wide. The Planning Commission and Township Board shall have the authority to require driveway widths, radii, acceleration, and deceleration lanes and/or flares exceeding the minimum standards of the RCOC and/or MDOT where they determine necessary in the interest of the public health, safety, and welfare.
- vi. Ingress and egress to a parking lot lying in an area zoned for other than single-family residential use shall not be across land zoned for single-family residential use.
- vii. Drive approach is defined as the entrance drive from the existing edge of a public road to a point no less than sixty (60) feet toward the parking area. Said drive approach shall be posted as a "fire lane".
- viii. All maneuvering lane widths shall permit one-way traffic movement, except that the 90 degree pattern may permit two-way movement.
- ix. Each entrance and exit to and from any off-street parking lot located in an area zoned for other than single-family residential use shall be at least twenty-five (25) feet distance from adjacent property located in any single-family residential district.
- x. Except for those serving single and two-family dwellings, all off-street parking areas shall be screened from view from any adjoining residential property. Such screening shall be provided subject to approval of the Planning Commission and in accordance with the provisions set forth in this Zoning Ordinance.
- xi. The entire parking area, including parking spaces and maneuvering lanes, required under this Section shall be provided with asphaltic or concrete surfacing in accordance with specifications approved by the Township Building Official. Each individual parking space shall be delineated by dual stripes, two feet apart centered on the dividing lines and painted white. Said painted stripes shall be maintained in such manner that demarcation of noted parking space is clearly visible at all times.
- xii. Off-street parking areas and maneuvering lanes shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.
- xiii. All lighting used to illuminate any site or off-street parking area shall be so installed as to be confined within and directed only onto the site or parking area
- xiv. No parking lot shall have more than one (1) attendant shelter building. All shelter buildings shall conform to setback requirements for structures in the district in which it is located.
- xv. Sidewalks intended for pedestrian use abutting a building that is subject to adjacent parking and subsequent vehicle overhang shall be a minimum of seven (7) feet wide.
- xvi. Parking space length may be reduced by two (2) feet where the space abuts a raised sidewalk.
- xvii. Concrete curbing or a raised sidewalk or parking bumpers shall be placed three (3) feet off any building with adjacent parking.
- xviii. Concrete curbing shall be provided at the end of all parking areas and stalls.



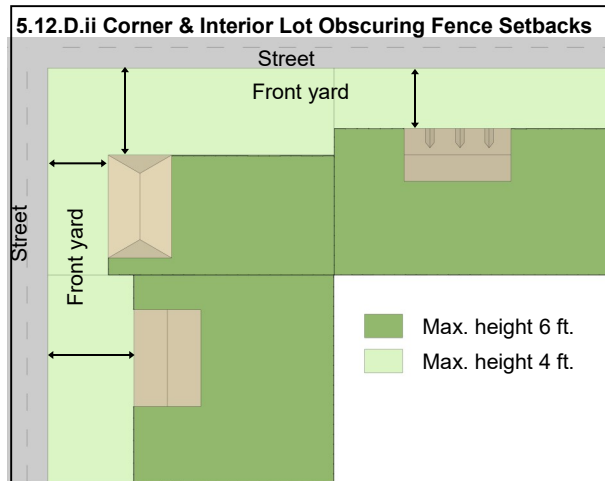
**5.12 FENCES, WALLS AND OTHER PROTECTIVE BARRIERS**

All fences of any nature, type or description located in the Township of White Lake shall conform to the following regulations:

- A. The erection, construction or alteration of any fence, wall or other type of protective barrier shall be approved by the Building Official as to their conforming to the requirements of the zoning district wherein they are located and to the requirements of this section.
- B. No fence, wall, structure or planting shall be erected, established or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection. Shade trees may be permitted where all branches are not less than eight (8) feet above the road level. Such unobstructed corner shall mean a triangular area formed by the street property lines and a line connecting them at a point twenty-five (25) feet from the intersection of the street lines or in the case of a rounded property corner from the intersection of the street property lines extended. (See sketch with Section 5.6).
- C. If one side of the fence has a more finished appearance, the more finished side shall face the exterior of the lot.
- D. Fences in the Agricultural and Residential Districts which are not specifically required under the regulation for the individual zoning districts, shall conform to the following requirements:
  - i. All fences located within any of the Residential Districts shall comply with this subsection i. Such fences shall be chain link or of an ornamental nature. Ornamental fences may include split rail fences, picket fences, and other fences composed of vinyl, wood or plastic. Wire fences, other than chain-link, and barbed wire, spikes, nails or any other sharp pointed instruments of any kind are prohibited. Barbed wire cradles that face inward may be permitted for security purposes, at the discretion of the Planning Commission and Township Board, only for public utility communications, and similar facilities or equipment. The prohibition of woven wire fences shall not apply to the enclosure of animals in an

Agricultural or Suburban Farms district. (See Section 4.2 Maintenance of Animals).

- ii. With the exception of lakefront lots, fences that are located along the side and rear lot lines shall be a maximum of 6 feet in height. In no instance shall a fence over 4 feet high be placed in the front yard of a residence, or any closer than the minimum front setback line, in the case of a corner lot. On lakefront lots, privacy fences shall be a maximum of 4 feet in height and shall not be located closer than 30' to the shoreline. For purposes of this section, the shoreline is considered the ordinary high water mark. ⚡



- iii. Provided that the minimum acreage requirements are met for the districts, and animals are being kept per Section 4.2.B and 4.2.C, wire or non-obscuring fences in the AG or SF Districts may be up to 6' in height, and located on all property or road right-of-way lines of a parcel of land, providing such fences are maintained in a good condition and do not result in an unreasonable hazard to persons who might come near them, nor obstruct driver visibility on adjoining roads as provided in sub-section B above.
- E. Whenever a fence is proposed in other than a residential or agricultural district, it shall require the issuance of a building permit and shall comply with the following:
  - i. The maximum height for all fences shall be six (6) feet, unless otherwise provided for in this Ordinance. Security

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



fences made of anodized aluminum, or other approved ornamental material, may be permitted to a maximum height of 10 feet at the discretion of the Planning Commission. Barbed wire cradles that face inward may be permitted, at the discretion of the Planning Commission and Township Board.

- ii. Open, wire fences shall be of a chain-link variety only. Plastic, vinyl, aluminum or wood slats, or similar devices placed through the wire fences, shall not be used to satisfy the requirements of this ordinance for screening or an obscuring fence.

**5.13 COURT SPORTS AND SIMILAR FACILITIES**

Public or private tennis or basketball courts, similar court sports facilities, or other active recreation areas shall be located not closer than fifteen (15) feet to any adjoining residential property. Night-time lighting for all such facilities shall be subject to Section 5.18.G.

**5.14 GATED VEHICULAR ACCESS**

The intent of this section of the Zoning Ordinance is to regulate the location and construction of gated vehicular access within White Lake Township, so as to promote safe and efficient ingress and egress of vehicles as well as to promote the health, safety, and welfare of Township residents.

- A. All permitted means of gated vehicular access shall meet the applicable standards of the current *International Fire Code* as enforced by the White Lake Township Fire Department.
- B. Gated vehicular access shall be permitted on a private residential driveway serving no more than two (2) single family residences so long as it is not otherwise prohibited by deed restrictions or the like. Gates on private residential driveways shall require issuance of a building permit from the Building Official. The permit shall be approved by the Building Official once it has been determined by the Fire Department and the Director of the Community Development Department that the following requirements have been met:

- i. Gates shall be set back a minimum of 35 feet from the edge of the traveled lane of the adjacent roadway.
  - ii. Gates shall maintain a minimum horizontal clearance of 14 feet in width.
  - iii. Gates shall maintain a minimum vertical clearance of 13 ½ feet in height.
  - iv. Applicant shall provide information regarding the operation of the gate including – but not necessarily limited to – distance between the gate and the primary structure, activation time, opening time, closing time, and emergency services access.
  - v. The Director of the Community Development Department has determined that the gate will in no way impact traffic on the adjacent roadway or compromise safe and efficient traffic flow.
- C. No road, street, private access drive, or emergency vehicle access road within White Lake Township, either public or private, shall have its vehicular access restricted and/or prohibited by a gate or similar measure, with the exception of secondary gated emergency-services access connections included as part of an approved site plan. So-called “gated communities” shall be prohibited in all zoning districts.
- D. Gated vehicular access shall be permitted as a security measure for commercial driveways in non-residential developments, and for driveways accessing utility stations (wireless communications antennas, utility transmission structures, and the like) in all zoning districts. Gates on commercial and utility driveways shall require issuance of a building permit from the Building Official. The permit shall be approved by the Building Official once it has been determined by the Fire Department and the Director of the Community Development Department that the following requirements have been met:
- i. Gates shall be set back a minimum of 35 feet from the edge of the traveled lane of the adjacent roadway.
  - ii. Gates shall be designed and/or oriented to provide a clear vision area for exiting traffic.



- iii. Gates shall maintain a minimum horizontal and vertical clearance consistent with the standards of the current *International Fire Code* as enforced by the White Lake Township Fire Department.
  - iv. Applicant shall provide information regarding the operation of the gate including – but not necessarily limited to – distance from the gate to the primary structure, activation time, opening time, closing time, and emergency services access.
  - v. An adequate turnaround area shall be provided in cases of denied access.
  - vi. A design plan shall be submitted, detailing elements such as building materials, lighting, and signage.
  - vii. A Traffic Impact Study shall be submitted if deemed necessary by the Director of the Community Development Department to determine if the location and operation of the gate can adequately accommodate the anticipated traffic volumes.
- E. All gates that provide access for emergency services vehicles shall be kept clear of snow or similar storage of natural or man-made materials, shall not be blocked by parked or disabled vehicles, and shall be maintained in operable condition at all times.

**5.15 PRIVATE EASEMENT ROADS**

The intent of this section of the Zoning Ordinance is to ensure adequate access to residences and buildings for police and fire protection, and safe ingress and egress to public roads.

Wherein land is to be divided into parcels and/or lots for development as zoning lots and said land is not contained within a recorded and platted subdivision or condominium subdivision, the following improvements shall be required by the Township prior to obtaining a building permit for use of any or all of the subject land. Plans shall be submitted to the Township Supervisor for approval prior to the commencement of construction of any private easement road.

- A. No person shall create any divided parcel of land within the corporate limits of the Township without platting unless such parcel or lot fronts on a public street, which is dedicated to the public, or a private road, as described herein, and improved to the standards of this Ordinance.
- B. Private Road Maintenance Agreement
  - i. A private road maintenance agreement shall be submitted to and approved by the Township following recommendations from the Township Attorney and Engineer and other consultants as requested by the Township. The private road maintenance agreement shall include provisions satisfactory to the Township, including, without limitation, the following items:
    - a. Creating an easement for ingress and egress purposes
    - b. Addressing repair, replacement and maintenance of the road
    - c. Allowing for use of the road by emergency vehicles
    - d. Indemnity provisions in favor of the Township
    - e. Any other provisions deemed necessary by the Township.
  - ii. The applicant shall provide the Township evidence of title confirming that the applicant has the ability to execute the private road maintenance agreement and that any other individual(s) and/or entity(s) with an interest in the property over which the private road is located, or which uses the private road access, have signed the agreement or consented to its execution.
  - iii. The private road agreement shall provide that it may not be amended or terminated without the consent of the Township.
  - iv. Before building permits are issued for any parcel which uses the private road for access, the private road agreement shall be executed and recorded at the office of the Oakland County Register of Deeds, proof of recording furnished the Township, and review and approval by the Township Attorney of the evidence of title.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- C. All no-outlet private roads shall terminate in a cul-de-sac or T-turnaround. Private road right-of-way shall not be less than sixty (60) feet wide. Adjoining property owners may dedicate thirty (30) feet each for joint private road construction. Cul-de-sac circles shall not be less than ninety-four (94) feet in diameter at the outside of the roadway surface with an easement line diameter of at least one hundred (100) feet for residential subdivisions, and one hundred sixty (160) feet for industrial subdivisions. Temporary T-turnarounds must be the same width as the connecting private road and shall extend at least thirty (30) feet from the centerline in both directions. Permanent T-turnarounds must be the same width as the connecting road and shall extend at least forty-seven (47) feet from the centerline in both directions.
- D. All drawings for land division, legal descriptions and private road specifications shall be drawn and sealed by a Registered Land Surveyor prior to presentation to the Township Supervisor for consideration.
- E. Standards for private road development shall be as follows:
  - i. All private roads and right-of-way width shall be shown on the land division drawing as a perpetual easement for roadway purposes.
  - ii. Plans shall show all existing and proposed grades, the location of all existing and proposed drainage facilities and similar facilities.
  - iii. Maximum gradient shall be eight (8) percent on said private road. Vertical curves shall be used at all changes in grade. Sight distances on said curve shall be a minimum of one hundred fifty (150) feet.
  - iv. Intersecting streets shall be between a seventy-five (75) and ninety (90) degree angle at said intersection. Minimum radius at intersections shall be thirty (30) feet measured from the lot lines.
  - v. The grades within a street intersection shall not exceed three (3) percent for a distance of one-hundred (100) feet from the point of intersection.
  - vi. An aggregate surface shall be constructed upon a prepared subgrade in accordance with the provisions of this ordinance. Surface material shall be removed and excavated for a distance of thirty (30) feet in width, centered on the sixty (60) foot right-of-way for the full length of said private road. The private road shall be constructed in accordance with the written specifications titled "Exhibit of Road Section, Private Easement Road, White Lake Township".
  - vii. The surfacing material shall be compacted in the excavated area for the full length and width so that a uniform and generally smooth surface will result.
  - viii. Minimum total depth of the compacted material shall be eight (8) inches, laid in two separate courses, each compacted separately. The top four (4) inch course shall consist of a minimum of #22 or #23A aggregate (Michigan Department of Transportation Specifications). The bottom four (4) inch course may consist of pit run gravel having a maximum stone size of one and one-half (1 1/2) inches shall be removed before placing the top four (4) inch course. All trees, stumps, brush and the roots thereof shall be entirely removed from within the grading limits of all private roads and shall be disposed of outside of the sixty (60) foot easement area.
  - ix. Drainage ditches shall be constructed on each side of the proposed private road in cut sections and fill sections where required to a minimum depth of two (2) feet and deeper where necessary at intersections to permit culverts to be installed. Either concrete or sixteen (16) gauge corrugated metal pipe shall be used at intersections and at driveway entrances. Minimum inside diameter of a crossroad culvert shall be fifteen (15) inches and a minimum inside diameter for a driveway culvert shall be twelve (12) inches. Sodding, planting, rip-rapping, topsoil, seeding or other measures of erosion control shall be used.



- x. The centerline of the road shall not curve at a radius of less than 230 feet unless at an intersection or unless properly signed, including a speed limit of 15 MPH or less.
- F. Construction permits shall be obtained from the Road Commission for Oakland County (RCOC) before entrances are constructed onto a RCOC right-of-way. Private roads constructed under the provisions of this Ordinance shall not require the Township or the RCOC to accept said area for maintenance at any future date. The Township reserves the right to require construction to higher standards where warranted by special topographic or geographic conditions.
- G. All private roads shall have names. Road names shall not be permitted which might cause confusion with names of existing roads in or near White Lake Township. New roads that will be continuations of existing roads shall be called by the same names of such existing roads. All names shall be approved by the Township Supervisor. Road signs shall be provided at every road intersection meeting the specifications of the RCOC and as approved by the Township Board. All costs of such signs shall be borne by the developer or property owner(s) of the lots to be served by the private road.
- H. No building permits shall be issued by the Township Supervisor or his/her designee for any construction on any parcel of land fronting on any private road established after the effective date of this section until said roadway is completed to the specifications contained in this Ordinance. The Township shall designate a Registered Professional Civil Engineer to inspect and approve the plans and construction of private road improvements prior to the issuance of any building permits along said road. The developer shall pay such fee as the Township Board shall establish to cover the cost of such inspections, and any other Township expenses.
- I. Where existing private roads are to be extended within the original property but not to adjacent parcels, the existing road may be extended at its present right-of-way width, provided the entire private road or private driveway is improved to the specifications of this Ordinance, except for width.

- J. Driveways servicing any single family dwelling which are over one hundred (100) feet in length, as measured from the front of the dwelling unit to the near edge of the road surface upon which the lot fronts, shall not be less than eight (8) feet in width. The top four (4) inches of such driveways shall consist of a minimum of MDOT No. 22 A or 23A aggregate.
- K. No private road that provides sole access to properties shall exceed one thousand five hundred (1,500) feet without approval from the Township Board following review and recommendation by the Fire Department.

#### 5.16 PRIVATE ACCESS DRIVES

- A. Purpose: Private access drives may be required as a condition of approval of single-family development proposals, including subdivisions and condominiums.  
  
A private access drive may be required where individual driveways providing direct access to a public or private road for each residential unit would create hazardous traffic conditions, due to an increase in the number of curb cuts, in which case a private access drive generally parallel to the public or private road would provide the sole means of access to each unit.
- B. Eligibility Criteria: In addition to meeting all requirements of this Ordinance, a private access drive shall not be approved unless it satisfies all of the following eligibility criteria:
  - i. Absent the private access drive, lots served by the drive would have the minimum required frontage on a publicly dedicated road or Township-approved private road.
  - ii. The private access drive is located outside of the planned right-of-way for the adjacent public or private road so that the drive will not interfere with improvements for widening of the adjacent road.
  - iii. No more than eight (8) lots shall have access to a private access drive.
  - iv. Each lot served by the private access drive shall have sufficient area so that it satisfies minimum yard and setback requirements for the zoning district in which it is located, exclusive of the private access drive easement.



- Purpose and Introduction  
**1**
- Definitions  
**2**
- Zoning Districts  
**3**
- Use Standards  
**4**
- Site Standards  
**5**
- Development Procedures  
**6**
- Admin and Enforcement  
**7**

C. Design Standards:

- i. Easement Width. A thirty (30) foot-wide easement is required for all private access drives. An easement having a width greater than thirty (30) feet may be allowed if the Township Board determines, upon recommendation of the Township Engineer, that there are conditions that justify a wider easement to accommodate a drive that complies with Township engineering standards. Such conditions may include, but are not necessary limited to, steep grades or irregular topography, wetlands or water bodies, important woodlands, or other conditions. In no case shall an easement of less than thirty (30) feet be allowed.
- ii. Points of Access. Each private access drive shall have two (2) points of access to the adjacent public or private road. Dead-end private access drives are prohibited.
- iii. Setback Measurement. The minimum front yard setback for buildings and structures on each lot shall be measured from the public road right-of-way line, but in no case shall be less than twenty-five (25) feet from the private access drive easement line that is closest to the interior of the lot.
- iv. Spacing of Access Points. The location of the points of access to the adjacent road shall be based on the following considerations, at minimum:
  - a. The desire to maximize spacing between access points;
  - b. The proximity of the access points to driveways and road intersections on the opposite side of the road;
  - c. Standards promulgated by the agency that has jurisdiction over the road; and,
  - d. Review and approval by the Township Engineer.
- v. Road Surface. The road surface for the private access drive shall have a minimum hard surface width of twenty (20) feet as measured from the edge or gutter line as applicable. Hard surfacing shall consist of bituminous aggregate pavement or concrete pavement meeting the current requirements of the RCOC typical residential road cross section, except as noted herein unless a concrete gutter is proposed, the edge of the road shall have a compacted gravel shoulder no less than two (2) feet wide and eight (8) inches thick. No more than 1.5 inches of topsoil may be placed on the shoulder gravel to allow grass to grow to the edge of the road.
- vi. Road Drainage. Proper drainage of the road surface shall be required, subject to approval of the Township Engineer. The drainage system shall comply with standards promulgated by the Township Engineer, and may consist of curb and gutter or open ditch drainage, or a combination thereof, including pitching the entire width of the road to one side. Road drainage between houses shall be contained in an enclosed storm drain not less than twelve (12) inches in diameter.
- vii. Sight Distance. Minimum sight distance anywhere along the private access drive shall be one hundred fifty (150) feet.
- viii. Curve Radii. The minimum horizontal curve radius shall be one hundred eighty (180) feet except where the road turns to attach to the adjacent public road, where a minimum fifty (50) foot turn radius shall be required. The alignment at the intersection of the access drive with the public road shall be between 75 and 90 degrees with a minimum centerline tangent distance of twenty-five (25) feet to the edge of the public road surface.





- ix. Road Grades. Road grades shall be not less than 0.5 and no greater than 8.0 percent. Vertical curves shall be used where the algebraic difference in road grades is more than 0.8 percent. Minimum sight distance anywhere along the private access drive shall be one hundred fifty (150) feet. The road grade within fifty (50) feet of the edge of the public road shall not exceed 3.0 percent.
- x. Speed. The drive shall be posted with 15 mph speed limit signs (R2-1) and no parking signs (R8-3 or R8-3a). Standard reflectorized stop signs meeting the requirements of the current Michigan Manual of Uniform Traffic Control Devices (sign number R1-) shall be placed at each intersection of the private access drive with the public road.
- xi. Construction Plans. Construction plans shall be submitted for review by the Township Engineer. The drawing(s) shall be a combination plan/profile on a sheet size of 24 inches x 36 inches at a scale of no smaller than 1 inch = 50 feet horizontal and 1inch = 5 feet vertical. The plan shall show existing topography including elevation contours at two foot intervals. An elevation reference mark based on NGVD shall be noted, an assumed datum will not be allowed. All proposed property lines, existing and master plan right-of-way lines, utilities, storm drainage, soil erosion controls and proposed grades along with other pertinent information shall be shown on the plan. Plans shall be prepared and sealed by a Professional Engineer licensed to practice in the State of Michigan. If the private drive serves a parcel split fronting a public road, the sealed parcel split drawings including legal descriptions of the resulting parcels and the legal description of the common ingress/egress easement shall be provided along with the construction plans.

- xii. Modification to Standards. The design standards set forth herein shall be subject to modification for the purpose of preserving valuable natural resources and assets, such as woodlands or wetlands, or to accommodate conditions on the site. Any such modifications shall be subject to Township Engineer review, and a determination that no other feasible alternative exists and that the modifications will not threaten public health, safety and welfare. Approval of such modification shall rest with the Planning Commission.
  - xiii. Landscaping. The area between the surface of the private access drive and the adjacent public or private road shall be planted with grass or other live ground cover, and shall be maintained by the owner or occupant of the adjacent property.
  - xiv. Identification Signs. Driveways that intersect the private access drive shall have an identification sign listing the street numbers of the houses serviced by the driveway. The design and colors of said signage shall be distinct from regulatory signs and subject to approval by the Planning Commission.
  - xv. Setback from Public Road. No portion of the private access drive surface shall be located closer than ten (10) feet from the edge of the right-of-way of the adjacent road.
- D. Easement and Maintenance Agreement. A Private Access Drive Easement and Maintenance Agreement (hereinafter "Agreement") shall be submitted in recordable form for review by the Township Attorney, Township Planner and Township Engineer. If the private access drive is located in a condominium, however, the requirements for such an Agreement shall be addressed in the Condominium Master Deed. The terms of the easement shall prohibit any property owner served by the drive from restricting or interfering with the normal ingress to and egress from any of the lots served by the private access drive. The Agreement shall meet the following minimum requirements:



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- i. Legal Description. A legal description of the Private Access Drive Easement shall be provided or shall be clearly shown and dimensioned on the recorded Final Plat in the case of a subdivision or on the Exhibit "B" drawings in the case of a condominium.
  - ii. Emergency and Public Vehicle Access. The Agreement shall provide for unrestricted access for emergency and public vehicles used in the performance of necessary public services.
  - iii. Non-Interference. The terms of the Agreement shall prohibit any property owner served by the drive from restricting or interfering with the normal ingress and egress of other property owners, their families, guests, invitees, trades people, and others traveling to or leaving any of the properties served by the drive.
  - iv. Maintenance Costs. The Agreement shall acknowledge that the drive surface and easement area are privately owned and therefore all construction and improvements within the easement will be contracted and paid for by the signatories to the Agreement.
  - v. Apportioning Costs of Maintenance. The Agreement shall describe the method for apportioning users for a proportionate share of the maintenance costs and costs of improvements.
  - vi. Township Not Responsible. The provisions in the Agreement shall in no way be construed to obligate the Township to perform regular inspections of the easement area or to provide necessary repairs or maintenance. The Township may intercede in maintenance of a private access drive only if a potential health or safety hazard is brought to the attention of Township officials, or if the road is not being maintained in accordance with Township standards.
  - vii. Special Assessment Provision. The Agreement shall contain a provision to permit the Township Board to authorize the repair of any private access drive which is not being maintained adequately to permit safe access by users and emergency vehicles, and to assess the cost of such repair, including the costs of engineering and administration, to the signatories to the Agreement on an equitable basis. The decision to authorize repair of a private access drive shall be at the Township Board's sole discretion in accordance with its legislative powers.
  - viii. Maintenance Needs. The Agreement shall acknowledge the responsibility of the signatories to the Agreement to maintain the following: surface grading and resurfacing at regular intervals; snow and ice removal; repair of potholes; maintenance of road drainage systems; maintenance of unobstructed visions at any intersection with another private access drive or with a public/private road; and regular cutting of weeds and grass within the easement.
  - ix. Continuing Obligation. The Agreement shall specify that the obligation running with the land to be served by the private access drive, and shall be binding upon the owner(s) of such land and their heirs, successors, and assigns.
  - x. Proof of Recording. The Agreement shall be recorded by the applicant at the Office of the Oakland County Register of Deeds and proof of recording shall be submitted to the Township prior to issuance of any building or construction permits.
- E. Plan Review. If the private drive is not constructed as a part of a platted subdivision or a site condominium requiring plan review under other provisions of the Township ordinances, application shall be made to the Township for construction of the drive. Fees as set by the Township Board shall be paid by the developer to cover the plan review, construction inspection and administrative costs incurred by the Township.



- F. Performance Guarantee. To Assure completion of a private access drive in conformance with the requirements set forth herein, the Building Official may require the applicant or owner to provide a performance guarantee, in accordance with Section 7.8 of this ordinance.

**5.17 WIDTH TO LENGTH PROPORTION**

All dwelling units in the AG, SF, RI-A, RI-B, RI-C and R1-D Zoning Districts shall have a length to average width proportion that does not exceed three (3) to one (1). When calculating the proportion of such dwelling units, the length of any dwelling divided by its average width shall not exceed three (3).

**5.18 PERFORMANCE STANDARDS**

It shall be unlawful to carry on or permit to be carried on any activity or operation, or use of any land, building, or equipment, that produces irritants to the sensory perceptions or other physical results greater than the measures herein established which are hereby determined to be the maximum permissible hazards to humans or human activities. Such measures may be supplemented by other measures which are duly determined to be maximum permissible hazards to human activity.

- A. Noise: No operation or activity shall cause or create noise that exceeds the sound levels prescribed below, using a A-weighted decibel scale dB(a), when measured at the lot line of any adjoining use, based upon the following maximum allowable levels for each use district:

5.18.A Maximum Allowable Noise Level		
Zoning of Adjoining Land Use	Maximum Allowable Noise Level Measured in dB(A)	
	6 a.m. to 9 p.m.	9 p.m. to 6 a.m.
AG, SF, R1-A, R1-B, R1-C, R1-D, MHP, PD (single-family residential)	60	45
RM-1, RM-2 (multiple-family residential)	65	60
NB-O, LB, RB, GB, PB, ROS (office, commercial, recreation)	70	65
LM, E, ROP (industrial, extractive, research)	80	70

An approving body may request a predictive noise analysis as part of site plan approval (Planning Commission), special land use approval (Planning Commission), rezoning or planned development approval (Township Board) to document the compliance of anticipated or existing noise sources to this standard. The approving body shall have the sole discretion to decide whether or not a predictive noise analysis shall be required, based on review of the application and use in relation to adjoining properties and uses. It shall be the responsibility of the applicant to submit this noise analysis if requested by the approving body or official. The analysis and report shall be completed by a board certified noise control engineer competent to conduct predictive noise analysis.

- B. Vibration: All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of three thousandths (0.003) of one (1) inch measured at any lot line of its source, or ground vibration which can be readily perceived by a person standing at any such lot line. No stamping machine, punch press, press break, or similar machines shall be located closer than 300 feet to a residential district without written certification by the Administrative Official that a nuisance is not thereby caused to the residential district.
- C. Odor: The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along lot lines or to produce a public nuisance or hazard beyond lot lines is prohibited.
- D. Gases: The escape or emission of any gas that is injurious, destructive, or explosive is prohibited. In addition, in accordance with Rule 901 of the Michigan Department of Environmental Quality, Air Quality Division, no escape or emission of any gas shall unreasonably interfere with the comfortable enjoyment of life and property.



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- E. Glare and Heat: Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot line, except as necessary for construction purposes during the period of construction.
- F. Open Storage and Waste Disposal:
  - i. Open storage of any industrial or commercial equipment, vehicles (except vehicles for sale and/or display), and all materials including wastes, shall be screened from public view from a public street by a screen wall or obscuring fence as specified in Section 5.19. In no case shall open storage be permitted within any required setback.
  - ii. No materials or waste shall be placed upon a parcel in a manner that they may be blown, washed or transferred off the parcel by natural causes.
  - iii. All materials that may cause fumes or dust, that constitute a fire hazard, or may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.
- G. Outdoor Lighting: Outdoor lighting shall be designed to minimize glare, reduce spill-over onto adjacent properties, and provide appropriate levels of illumination, but shall not result in excessive nighttime illumination. The following conditions shall apply to outdoor lighting for all non-residential uses:
  - i. Light levels shall meet the minimum need for safety, security and illumination of a specific use, as determined by the Planning Commission or the Building Official / zoning administrator.
  - ii. To control glare, all light fixtures shall have a cut-off angle of less than ninety (90) degrees, except decorative pedestrian fixtures less than 100 watts. Pedestrian fixtures shall not use clear globes.
  - iii. Light fixtures shall be located at least five (5) feet from any property line and shall be directed and shielded to cast light away from adjacent properties and streets. No light source shall produce glare at the property line five (5) feet above grade, and the maximum illumination levels at any non-residential property line shall not exceed one foot-candle. Where adjacent to residentially-zoned property or property that is residential in use, illumination levels at the property line shall not exceed 0.2 footcandles and shall not exceed 0.0 footcandles at the minimum building setback for the adjacent zoning district.
  - iv. Glare control shall be accomplished primarily through the proper selection and application of lighting equipment. Only after those means have been exhausted shall landscaping, fencing and similar screening methods be considered acceptable means for reducing glare.
  - v. White Lake Township strongly encourages the use of High Pressure Sodium lighting fixtures as being the more responsible and energy efficient choice for site lighting. The Planning Commission may approve the use of Metal Halide lighting when it can be demonstrated by the petitioner that color rendition is critical, such as vehicle displays for retail sales, architectural illumination, or flag lighting. Compact florescent bulbs are encouraged in fixtures traditionally using standard Type A incandescent bulbs.
  - vi. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use. There shall be no flashing, oscillating, moving or intermittent type of lighting or illumination. In addition, there shall be no bare bulb illumination of any kind exposed to public view.



vii. Maximum permitted fixture height:

a. Parking lot luminaries shall not exceed the mounted height limits listed in the Table 5.18.G.vii.a below:

5.18.G.vii.a Height Limit for Parking Lot Luminaries				
Distance from lot line	Within 25 feet	26-60 feet	61-100 feet	Over 100 feet
Maximum height	16 feet	20 feet	25 feet	30 feet

b. Unshielded pedestrian fixtures shall not exceed ten (10) feet.

c. All other light fixtures shall not be mounted in excess of the maximum height limitation of the district in which they are located.

viii. The intensity of outdoor lighting in all use districts shall be limited to the following maximum amounts:

5.18.G.viii Foot Candle Limits for Various Land Uses Average for Entire Site <sup>1</sup>						
Land Uses <sup>4</sup>						
	Illumination of:	Agricultural/ Residential Uses (AG, SF, R!-A, B, C, D, MHP, RM-1, RM-2, PD)	Local Office and Business Uses (NB-O, LB)	Commercial Uses (RB, GB, PB)	Light Manufacturing , Extractive, Research Uses (LM, E, ROP)	Outdoor Recreation Uses (ROS)
	General	0.5	0.5	0.5	0.5	0.5
	Driveway	1.0	1.0	2.0	1.0	1.0
	Parking	1.0	1.0	2.0	1.0	1.0
	Walks	0.5	0.5	1.0	1.0	0.5
	Protective	0.5	1.0	1.0	1.0	0.5
	Building	0.5	3.0	5.0	5.0	N/A
	Loading Areas	N/A	1.0	1.0	1.0	M/A
Gas Station/ Convenience Store	Apron <sup>2</sup>	N/A	1.0	1.0	N/A	N/A
	Canopy <sup>3</sup>	N/A	15	15	N/A	N/A

<sup>1</sup>The Planning Commission may modify these requirements where they determine it is necessary to protect nearby residences or driver visibility on adjacent roads.

<sup>2</sup>Apron areas are away from the gasoline pump island, used for parking or vehicle storage.

<sup>3</sup>Light fixtures mounted on canopies shall be installed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and/or shielded by the fixture or the edge of the canopy.

<sup>4</sup>The Planning Commission may require special conditions for properties adjacent to residential uses and districts.

ix. When installed for the purpose of building illumination, flood light fixtures shall be permitted so long as full visors and side shields are installed. Shielding must be adjusted to the satisfaction of the Building Department prior to the Final Certificate of Occupancy.



- x. When installed for the purpose of sign illumination, flood light fixtures shall be permitted so long as directional shields (“barn doors”) are installed which eliminate glare and confine the light solely to the sign to the satisfaction of the Building Department prior to the Final Certificate of Occupancy.
- H. Smoke, Dust and Other Particulate Matter:
 

For purposes of this section, “smoke” is any visible emission into the open air from any source, except emissions of an uncontaminated water vapor. A “smoke unit” is a measure of the quantity of smoke being discharged, and is the number obtained by multiplying the smoke density in the smoke chart by the time of emission in minutes. Thus, the emission of smoke at a density of smoke chart number 1 for one minute equals one smoke unit. The Ringelmann Smoke Chart shall be the standard smoke chart, and shall be on file with the Administrative Official.

  - i. A person or industry shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three (3) minutes in any one (1) hour which is:
    - a. As dark or darker in shade as that designated as No. 1/2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or
    - b. Of such capacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (a) of this section.
    - c. At no time may smoke Emissions be darker than Ringelmann No. 1.
- I. Fire and Explosive Hazards:
  - i. The storage and handling of flammable liquids, liquefied petroleum, gases, and explosives shall comply with the Rules and Regulations of the State of Michigan.
  - ii. A person or industry shall not burn any combustible refuse in any open outdoor fire within any use district.

- J. Nuclear Radiation: Nuclear radiation shall not be emitted to exceed quantities established as safe by the U.S. Nuclear Regulatory Commission.
- K. Water Supply and Sewage Disposal: Every building used or intended to be used for human habitation or human occupancy, including but not limited to dwellings, industrial, commercial, office, and institutional uses, shall be furnished with water supply and sewage disposal as provided for in the Building Code. Accessory buildings, such as garages or storage buildings, intended and used for incidental or no human occupancy are excluded from this requirement, except that if water supply and/or sewage disposal is required and/or furnished to such building, it shall comply with the standards of the Building Code.
- L. Nuisance: A person or industry shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, or nuisance to the public or which endanger the comfort, repose, health or safety of the public or which cause or have a natural tendency to cause injury or damage to business or property.
- M. Radio Transmission: For electronic equipment required in an industrial or commercial operation, the equipment shall be so shielded that its operation will not interfere with radio, television or other electronic equipment.
- N. Groundwater Protection Standards:
  - i. The project and related improvements shall be designed to protect the natural environment, including lakes, ponds, streams, wetlands, floodplains, groundwater and steep slopes.
  - ii. Stormwater management and drainage facilities shall be designed to maintain the natural retention and storage capacity of any wetland, water body, or watercourse, and shall minimize the potential for pollution of surface or groundwater, on-site or off-site.
  - iii. General purpose floor drains shall be connected to a public sewer system or an on-site holding tank in accordance with state, county and township requirements, unless a groundwater



- discharge permit has been obtained from the Michigan Department of Natural Resources.
- iv. Sites at which hazardous substances and polluting materials are stored, used or generated shall be designed to prevent spills and discharges of polluting materials to the air, surface of the ground, groundwater, lakes, streams, rivers or wetlands.
  - v. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met. No discharge to groundwater, including direct and indirect discharges, shall be allowed without appropriate state and county permits and approvals.
  - vi. In determining conformance with the standards in this zoning ordinance, the Township shall take into consideration the publication titled "Small Business Guide to Secondary Containment" and other references.
- O. Aboveground Storage:
- i. Primary containment of hazardous substances shall be product-tight.
  - ii. Secondary containment of hazardous substances shall be provided for all facilities. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the operator to recover any released substance.
  - iii. Outdoor storage of hazardous substances is hereby prohibited except in product-tight containers which are protected from weather, leakage, accidental damage, and vandalism. Said storage areas shall be completely screened from public view by a masonry wall, pressure treated wood fence, or poured concrete wall with a brick-like texture. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the operator to recover any released substance, including an allowance for the expected accumulation of precipitation.

- iv. Secondary containment structures such as out buildings, storage rooms, sheds and pole barns shall not have floor drains which outlet to soils, groundwater, or nearby drains or rivers.
  - v. Areas and facilities for loading/unloading of hazardous substances and polluting materials, as well as areas where such materials are handled and used, shall be designed and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater or soils.
- At a minimum, State of Michigan and Federal agency requirements for storage, leak detection, record keeping, spill prevention, emergency response, transport, and disposal shall be met.
- P. Underground Storage:
- i. Existing and new underground storage tanks shall be registered with the Michigan Department of Natural Resources in accordance with Federal and State requirements.
  - ii. Installation, operation, maintenance, closure and removal of underground tanks shall be in accordance with the requirements of the Fire Department, the Michigan State Police, Fire Marshall Division, and the Michigan Department of Natural Resources. Leak detection, corrosion protection, spill prevention and overflow protection requirements shall be met. Records of monthly monitoring or inventory control must be retained and available for review by state or local officials.
  - iii. Out-of-service and/or abandoned underground tanks shall be emptied and removed from the ground in accordance with the requirements of the State Police Fire Marshall Division, the Michigan Department of Natural Resources and White Lake Township.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

**5.19 LANDSCAPE AND SCREENING REQUIREMENTS**

Screening and landscaping in all zoning districts, where required, shall adhere to the following minimum standards.

**A. Basic Landscape Design Requirements and Considerations**

Whenever a landscape plan is required under the provisions of this Ordinance a detailed planting plan of said improvements shall be submitted and approved with the site plan prior to the issuance of a building permit. Unless waived by the Planning Commission, or the administrative staff reviewing the plan, the plan shall be prepared by a landscape architect, registered in the State of Michigan, and shall indicate, to scale, the location, spacing, starting size and description of each type of plant material utilized in the plan together with all other landscape design improvements and a maintenance plan for the landscape improvements. The plan shall also include existing and proposed topographic conditions [contour intervals not to exceed one (1) foot] typical cross-sections of walls, berms, or other vertical improvements, drainage plans and structures, typical planting and staking details, and a summary schedule of the respective quantities of each improvement.

The Township shall consider design plans and materials in relation to their fulfillment of the basic landscape and/or screening functions required herein. Conformance with design requirements will also be considered in terms of innovative designs which accomplish the spirit and intent of landscape requirements with some deviation from more precise design requirements established by this Section.

**B. General Provisions. In all zoning districts the following minimum standards apply:**

i. All required landscaping shall be continuously maintained in a healthy, growing condition for the life of the development.

ii. All required landscaped areas shall be covered with grass or other living, natural ground cover. The Planning Commission may permit wood chips, cypress mulch, stone or equivalent materials in partial substitution for the natural ground cover requirement. Plastic or other non-organic materials are prohibited.

**iii. Irrigation Requirements**

a. All required landscape areas in excess of 200 square feet shall be irrigated to assist in maintaining a healthy condition for all landscape plantings and lawn areas.

b. As a measure to promote water conservation and reduce stormwater volumes, all required site irrigation systems shall include a rain sensor or similar measure to ensure that irrigation does not occur during or shortly after precipitation events. All site plans shall note installation of required irrigation.

c. As a measure to encourage low impact development and promote water conservation, the Planning Commission may waive the site irrigation requirement of subsection (a) above for up to 50% of the site's total landscaped area where it can be demonstrated on a landscape plan prepared by a registered landscape architect that any un-irrigated areas will be comprised of native species that are drought resistant. Un-irrigated landscaped areas comprised of native, drought-resistant species shall meet the following standards:

(1) Such areas shall only be permitted in the side or rear yard.

(2) Native, drought resistant species within such areas shall include tree, shrub, and groundcover species designated by the Michigan Floristic Quality Assessment (developed in 2001 by the Michigan Department of Natural Resources Natural Heritage Program) as a "Michigan Native Plant".





- (3) Such areas must meet all other applicable standards of this Ordinance (quantity, location, dimensions, maintenance, etc.)
- iv. All required landscape plantings shall be guaranteed for a period of two (2) years and those which are diseased or dead must be replaced in conformance with the approved landscape plan. The diseased or dead plantings must be replaced with plantings of the same size as those which were removed. A cash bond or standby letter of credit in an amount equal to 125% of the cost to install any incomplete improvements and 100% of any installed improvements must be posted for the two years during which the guarantee is in effect. The Director of Community Development shall review the amount of the guarantee for reasonableness prior to approval.
- v. All required landscape areas and screen walls which abut vehicular drives, parking or other use areas shall be separated from the vehicular use area with a 6 inch minimum curb of concrete construction.
- vi. The Planning Commission may permit the reduction of required landscaping when, based on review of a landscape plan and other relevant information, the proposed development includes the preservation of existing trees and vegetation sufficient to provide the required screening. The Planning Commission may also permit the reduction of required landscaping in order to maintain views of lakes, wetlands, and other natural features which the Planning Commission seeks to preserve. The Planning Commission may require an increase in required landscaping where such an increase is deemed necessary by the Commission to accomplish the spirit and intent of the ordinance.

- vii. Trees shall not be planted closer than four (4) feet to any property line.
- viii. Staggering plantings into two or more rows and grouping the plantings together in order to create visual appeal and variety in the landscaping is encouraged.
- ix. Large shade or evergreen trees shall not be located within public water, sewer, or storm drainage easements. Shrubs and small ornamental trees may be allowed.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

C. Screening and Landscaping Standards

- i. The table below provides the standards for various types of screening and landscaping required in this ordinance:

5.19 Standards for Landscape and Screening			
	Height	Width	Planting Requirements
Extensive Land Form Buffer (A-1)	6 foot berm with a 2 foot crown and maximum 3:1 slope	38 feet	1 large deciduous, 1 evergreen tree and 4 shrubs for every 15 linear feet, planted in two offset rows
Land Form Buffer (A-2)	3 foot berm with a 2 foot crown and maximum 3:1 slope	20 feet	1 large deciduous, 1 evergreen tree and 8 shrubs for ever 30 linear feet
Buffer Strip (B)	5 foot visual barrier	20 feet	1 large deciduous or evergreen tree and 4 shrubs for every 15 linear feet
Screen Wall <sup>2</sup> (C)	6 foot	8 inches of brick, or decorative concrete	5 foot greenbelt adjacent to screen wall for its entire length
Obscuring Fence (D)	6 feet to 8 feet in height, depending on district	N/A	N/A
Greenbelt <sup>1</sup> (E)		20 feet	1 large deciduous or evergreen tree and 8 shrubs for every 30 linear feet

<sup>1</sup>Greenbelts required adjacent to road rights-of-way may be substituted in part with a masonry screen wall, 30 inches in height, at the discretion of the Planning Commission. A 5-foot greenbelt adjacent to the screen wall must be provided.  
<sup>2</sup>Screen walls shall comply with Section 5.6 that relates to visibility, and Section 5.12 Fences, Walls, and Other Protective Barriers.



D. Required Minimum Screening and Landscaping

- i. The following Table specifies the minimum required screening and landscaping between a subject parcel and adjacent properties:

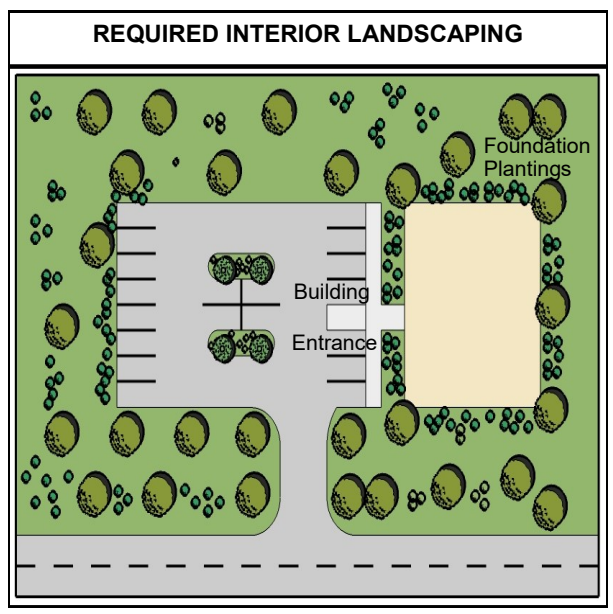
5.19.D Required Screening and/or Landscaping: Zoning of Adjacent Parcel								
Zoning or Use of Subject Parcel	AG, SF, R1-A, R1-B, R1-C, R1-D	RM-1, RM-2, MHP	LB, GB, NB-O	RB	PB & PD	ROB	LM & E	Adjacent Road ROW
RM-1, RM-2, MHP	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	E
LB, GB, NB-O	A-2 or B & D or C	A-2 or B & D or C	None	D or E	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	E
RB	A-2 or B & D or C	A-2 or B & D or C	None	None	E	A-2 or B & D or C	A-2 or B & D or C	E
PB & PD	A-1 or A-2 or B & D or C	A-1 or A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	E (10')	E	A-2 or B & D or C	E
ROP	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	E	None	E	E
LM & E	A-1 or A-2 & C	A-1 or A-2 & C	A-2 & C	A-2 & C	A-2 & C	A-1 & C	None	A-1
Public and Quasi-Public Buildings; Schools	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	
Outdoor Storage	A-1 or A-2 & D or C						E	A-1
Circulation Drives, Parking Lots, Delivery/ Service Door Areas	A-2 or B & D or C	A-2 or B & D or C	E	E	E	E	E (10')	E
Key: A-1) Extensive Land Form Buffer A-2) Land Form Buffer B) Buffer Strip C) Screen Wall D) Obscuring Fence E) Greenbelt								



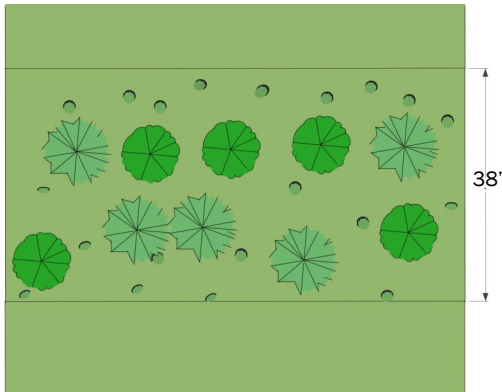
- ii. Where the table in 5.19.D.1 provides for alternative methods for screening and/or landscaping, the Planning Commission shall have the authority to approve the particular method selected.
- iii. The Planning Commission may permit a combination of a required land form buffer, buffer strip, screen wall, or greenbelt upon finding, based on review of a landscape plan, that the combined landscaping and/or screening will achieve the same effect as otherwise required.
- iv. The Planning Commission may permit a reduction of screening between single-family residential and non-residential or multiple-family districts or uses when separated by a road right-of-way.
- v. The Planning Commission may modify the screening requirements where, in unusual circumstances, no good purpose would be served by compliance with the requirements.

E. Interior Landscaping Requirements

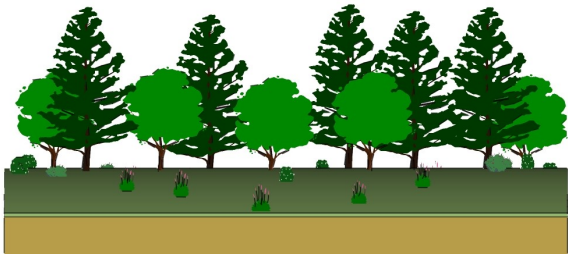
For every new development that requires site plan review, except site condominiums as regulated in Section 6.1, interior landscaping areas shall be provided, equal to at least fifteen (15) percent of the total lot area. These landscaped areas shall be grouped near all building entrances, building foundations, pedestrian walkways, and service areas, and may also be placed adjacent to fences, walls, or rights of way. These planting areas shall be so located as to breakup an otherwise continuous abutment of building facade with sidewalks and/or parking areas. All interior landscaping shall provide one (1) large deciduous, small ornamental deciduous, or evergreen tree and five (5) shrubs for every three hundred (300) square feet of required interior landscaping area.



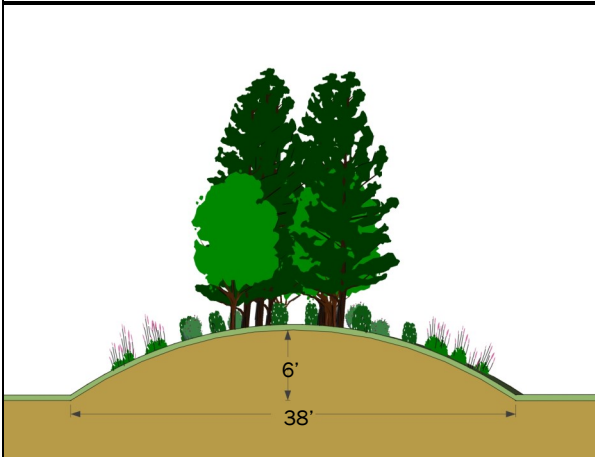
A-1 EXTENSIVE LAND FORM BUFFER



Plan View  
1 Large Deciduous, 1 Evergreen Tree and 4 Shrubs for Every 15 Linear Feet in 2 Offset Rows

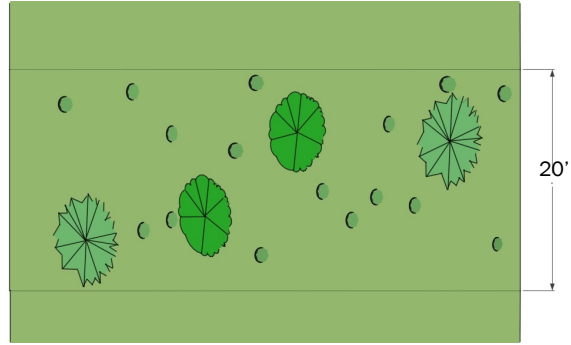


Elevation View

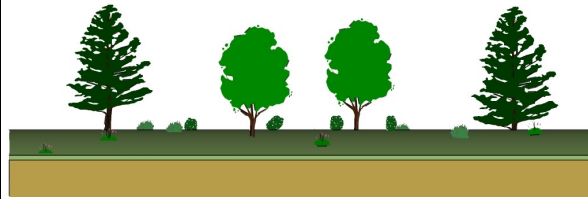


Cross Section View  
2' Crown, Max. 3:1 Slope

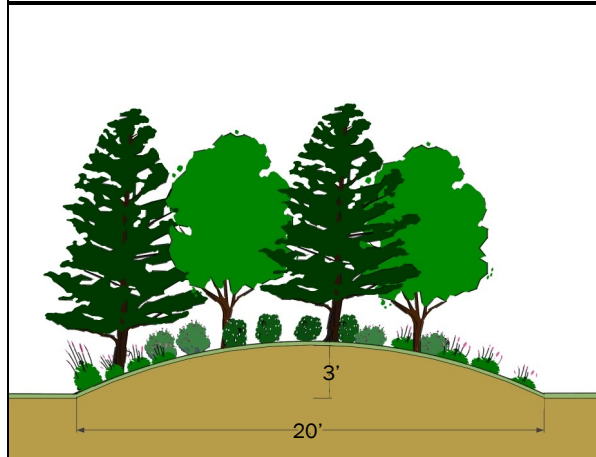
A-2 LAND FORM BUFFER



Plan View  
1 Large Deciduous, 1 Evergreen Tree and 8 Shrubs for Every 30 Linear Feet



Elevation View



Cross Section View  
2' Crown, Max. 3:1 Slope

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



1 Purpose and Introduction

2 Definitions

3 Zoning Districts

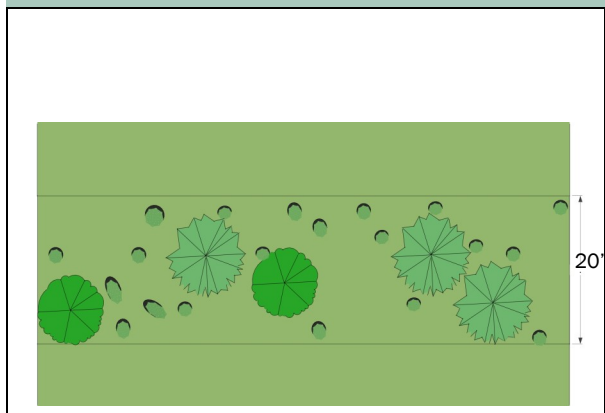
4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

### B BUFFER STRIP



Plan View  
5 Foot High Visual Barrier of 1 Large Tree (Deciduous or Evergreen) and 4 Shrubs for Every 15 Linear Feet

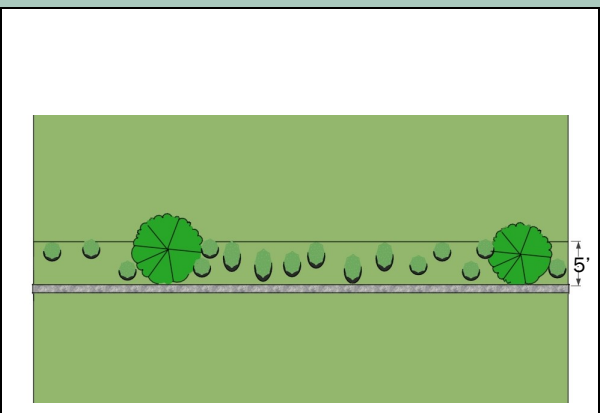


Elevation View

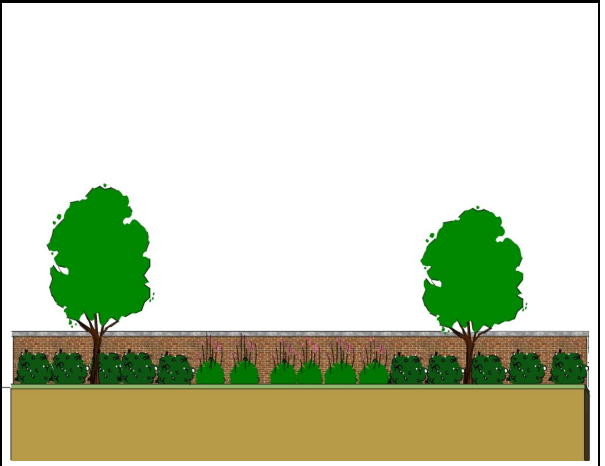


Cross Section View

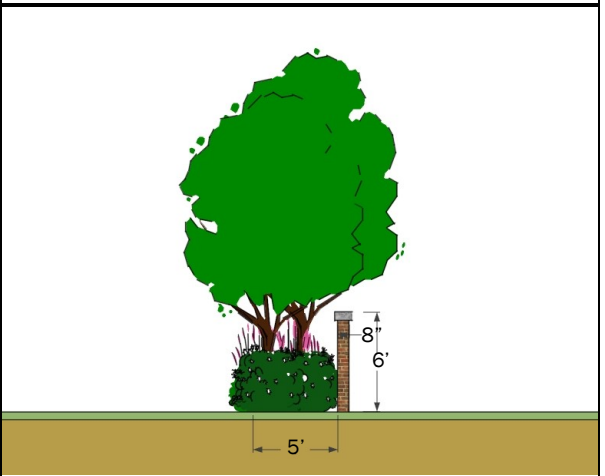
### C SCREENING WALL



Plan View  
Greenbelt Adjacent to Wall  
1 Large Tree (Deciduous or Evergreen) and 8 Shrubs per 30 Linear Feet



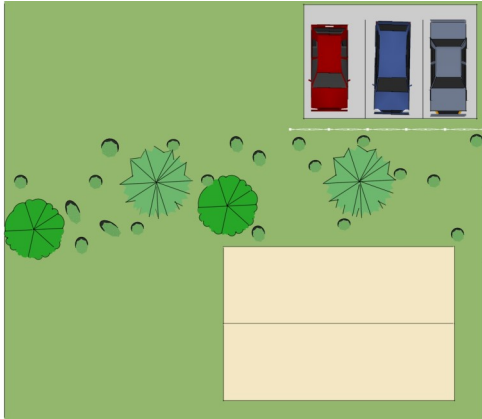
Elevation View



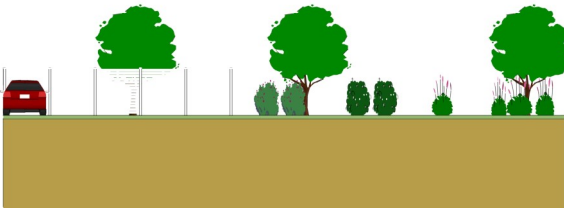
Cross Section View  
6' Wall, 8" of Brick or Decorative Stone



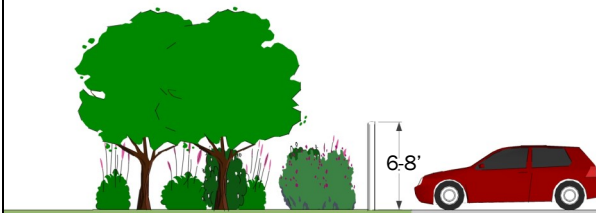
D OBSCURING FENCE



Plan View

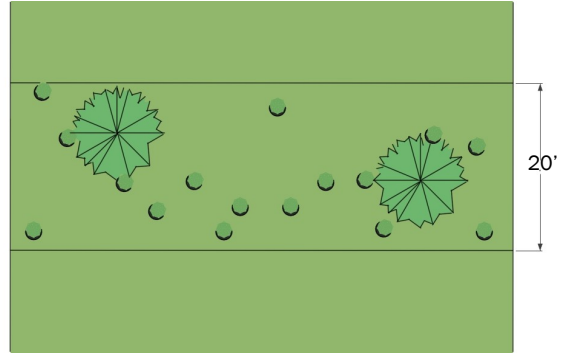


Elevation View

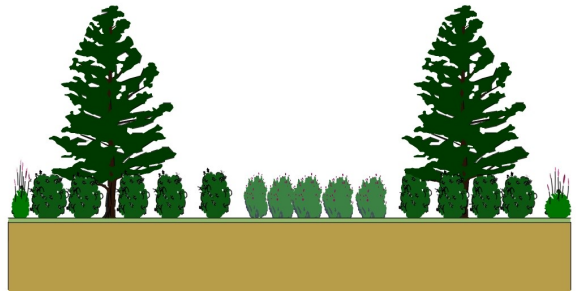


Cross Section View  
6-8' Depending on District

E GREENBELT



Plan View  
Greenbelt Adjacent to Wall  
1 Large Tree (Deciduous or Evergreen) and 8 Shrubs per  
30 Linear Feet



Elevation View



Cross Section View

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- F. Residential Entranceway Landscaping Requirements. All residential developments in all residential zoning districts shall provide landscaping at all entrances off of the major street. The residential landscaping standard also applies to simple parcel divisions with a new public or private road. The landscaping must meet the following guidelines:
- i. Every entrance to a residential development, whether a private drive, private road, or public street, shall be landscaped.
  - ii. The entire area of the entranceway shall be landscaped, excluding only the actual driveway or street, sidewalks, and any required open drainageways.
  - iii. The first 150 lineal feet of entrance drive or street shall be landscaped according to the following schedule:
    - a. For every 300 square feet of area, excluding the paved area of the street or drive and sidewalks, there shall be provided one ornamental tree, or one evergreen tree, or one shade tree, and three shrubs.
    - b. The remaining area shall be planted in turf, annual and/or perennial flowers, ornamental grasses, and the like.
    - c. Not more than 50% of the landscaped area may be covered by wood chips, mulch, or similar natural landscape materials, or by pavers or paving bricks.
- d. All trees and shrubs shall maintain required corner clearances and sight distances at intersections and pedestrian crosswalks.
- e. Boulevard islands shall be at least 10 feet wide and shall be landscaped in the same manner described in a-d above, and shall be irrigated if a community well or public water supply is available.
- G. Parking Lot Landscaping. In addition to interior landscaping required in subsection D above, within every parking area containing ten (10) or more spaces there shall be parking lot landscaping in accordance with this Subsection. These landscaping areas shall be located so as to better define parking spaces and drives. Landscaping on the perimeter of the parking lot does not satisfy the parking lot landscaping requirement. Island locations shall also be considered in a manner that will assist in controlling traffic movements. The requirements, for trees and islands, may be modified when it is found that through careful coordination of parking lot landscaping with peripheral and building plantings an unnecessary duplication of plantings would be created. In addition, consideration shall be given to situations when an excess number of small islands would be created that would only serve to disrupt reasonable traffic patterns and maintenance activities. All required parking lot landscaping shall conform with the following:
- i. Any off-street parking areas containing ten (10) or more parking spaces shall have parking lot landscaping according to the following schedule:

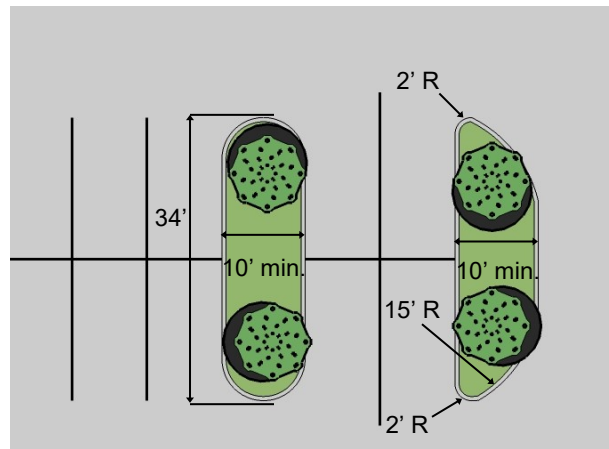
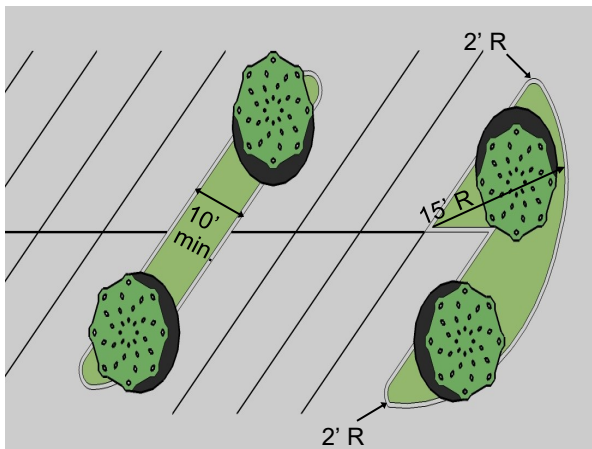
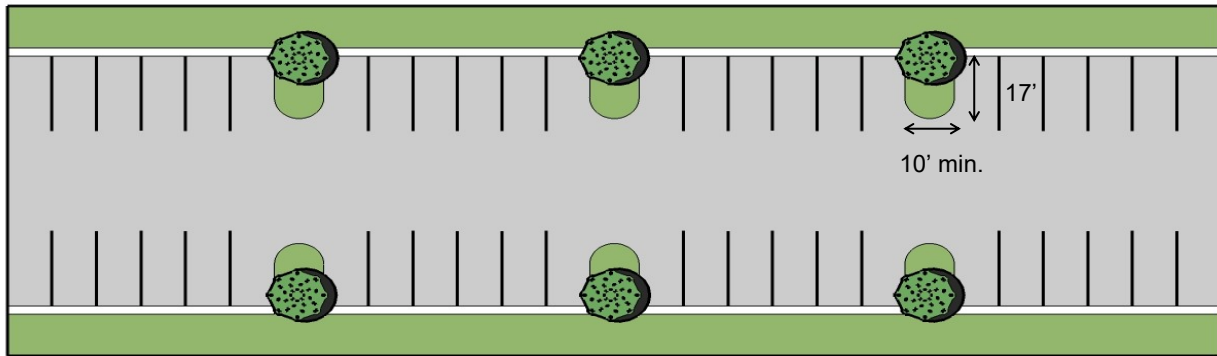
5.19.G Requirements for Parking Lot Landscaping for Areas Containing 10 or More Parking Spaces	
Use	Square Feet of Required Parking Lot Landscaping Per Parking Space
Commercial/Office	20 sq. ft. per space
Residential (Multiple)	15 sq. ft. per space
Industrial	10 sq. ft. per space





- ii. All required parking lot landscaping shall be designed to conform with the following requirements, subject to Planning Commission Approval:
  - a. One (1) large deciduous tree or small deciduous ornamental tree and three (3) shrubs shall be required for every one hundred (100) square feet of required parking lot landscaping area.
  - b. Parking lot landscaping areas shall be curbed with 6 inch concrete curbing. Planting islands containing trees shall not be less than fifty (50) square feet in area and not have any dimension across the island of less than five (5) feet.

**PARKING LOT LANDSCAPING**



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

H. Minimum Plant Size

All required plant materials shall have the following minimum sizes at the time of installation:

5.19.H Minimum Plant Size	
Large deciduous canopy tree	2 1/2" caliper @ dbh
Small deciduous ornamental tree	1 1.2" caliper @ 6'
Evergreen tree	7 feet
Shrubs (excluding Boxwoods)	30" height or spread
Boxwood shrubs	12" height

I. Suggested Deciduous Trees<sup>1</sup>:

5.19.I Deciduous Trees
Shantung Maple "Pacific Sunset"
Sugar Maples "Caddo" or "Legacy"
Freeman Maple "Marmo"
Hedge Maple ( <i>Acer campestre</i> ) "Upright"
London Plane Tree ( <i>P. Occidentalis</i> ) "Columbia" or "Liberty"
Chinkapin Oak ( <i>Quercus muhlenbergii</i> )
Most Oak Varieties
Valley Forge Elm ( <i>Ulmus americana</i> )
Ginko (Male Only) "Autumn Gold"
Japanese Pagoda Tree "Regent"
Serviceberry ( <i>Amelanchier</i> )
SweetGum ( <i>Liquidambar</i> ) "Moraine"
Ornamental Willow Tree (new flowering variety)
Crabapple species
European Hornbeam ( <i>Carpinus betulus</i> )
Little Leaf Linden
Skyline Honey Locust
Sunbeam Locust
<sup>1</sup> Species not included on this are not necessarily prohibited unless they are listed as "Plant Materials Not Permitted."

J. Suggested Evergreen Trees<sup>1</sup>:

5.19.J Evergreen Trees
Colorado Green Spruce ( <i>Picea pungens</i> )
Serbian Spruce ( <i>Picea omorika</i> )
Douglas Fir ( <i>Pseudotsuga</i> )
Dawn Redwood ( <i>Metasequoia glyptostroboides</i> )
Weeping Cedar ( <i>Chamaecyparis Nootkatensis</i> ) "Jubilee"
Concolor Fir ( <i>Abies concolor</i> )

K. Suggested Shrubs<sup>1</sup>:

5.19.K Shrubs
Densi Yew
Hicksi Yew
Boxwood
Viburnum
Burning Bush
Barberry
Carpet Roses
Border Privet
Rhododendron
Holly
Spirea
Arborvitae Skyrocket Junipers
Weigela
<sup>1</sup> Species not included on this are not necessarily prohibited unless they are listed as "Plant Materials Not Permitted."



L. Plant Materials Not Permitted<sup>1</sup>:

5.19.L Plant Materials Not Permitted
Box Elder ( <i>Acer negundo</i> )
Tree of Heaven ( <i>Ailanthus altissima</i> )
Catalpa ( <i>Catalpa speciosa</i> )
Poplar species ( <i>Populus</i> sp.)
Willow (Common Species)
American Elm ( <i>Ulmus americana</i> )
Russian Olive ( <i>Elaeagnus angustifolia</i> )
Silver Maple ( <i>Acer saccharinum</i> )
Siberian Elm ( <i>Ulmus pumila</i> )
Ash species
Cottonwood ( <i>Populus</i> sp.)
Black Locust ( <i>Robina pseudoacacia</i> )
Horse Chestnut (nut bearing)
Mulberry ( <i>Morus</i> sp.)
Scotch Pine species ( <i>Pinus sylvestris</i> )
Austrian Pine species ( <i>Pinus nigra</i> sp.) <sup>2</sup>
White Pine species ( <i>Pinus strobus</i> ) <sup>2</sup>
<sup>1</sup> Species not included on this list may be prohibited at the discretion of the Planning Commission <sup>2</sup> These species may be permitted in certain situations and in minimal quantities with approval from the Planning Commission

M. Installation and Maintenance of Plant Materials

- i. Required landscaping and screening shall be installed within six (6) months from the date of completion of the building or improvement. A final Certificate of Occupancy shall be withheld until all required landscaping and screening has been installed and approved. A temporary certificate of Occupancy may be issued in the interim.
- ii. All landscaped areas, except as otherwise provided, shall be provided with a readily available and acceptable water supply. Drip irrigation and/or a professional soaker system using neoprene lines are acceptable should the property owner elect to conserve water usage

- iii. Tree stakes, guy wires and tree wrap are to be removed after one year.
- iv. Landscaped areas and plant materials shall be kept free from refuse and debris. Plant materials, including lawns, shall be maintained in a healthy growing condition, neat and orderly in appearance. If any plant materials required by this Ordinance dies or becomes diseased, they shall be replaced within thirty (30) days of written notice from the Township or within an extended time period as specified in said notice.
- v. Winter maintenance of parking lot landscaped islands shall be required where heavy applications of salt and de-icing products occur through the use of salt tarps which minimize soil absorption and ultimately reduce plan disorders.
- vi. Mulching depths of landscaped beds shall not exceed 4 inches. The mulch product itself shall be at least doubled-shredded quality.

N. Trash Receptacle, Transformer, and Mechanical Equipment Screening

- i. Dumpsters and Trash Storage Enclosures

All areas used for the storage of trash and other waste products shall be completely screened from view. The following standards shall apply to all such trash enclosures:

- a. Enclosure shall be constructed of the same decorative masonry materials as the buildings to which they are accessory. Brickform concrete or stained, decorative CMU block may be permitted where the principal building is not masonry, however, plain CMU block shall not be allowed
- b. Dumpster enclosures shall be at least six (6) feet but not more than eight (8) feet high and shall obscure all wastes and/or containers within. An obscuring wood gate on a steel frame shall be installed which forms a complete visual barrier the same height as that of the other three sides.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- c. No enclosures shall be permitted within a required front yard or street-side side yard setback, nor closer to the front lot line than the principal building.
  - d. All dumpsters shall be located on a six (6) inch concrete pad, extend ten (10) feet in front of the gate, with six (6) inch concrete-filled steel bollards to protect the rear wall and gates.
- ii. Transformer and Mechanical Equipment Screening
- a. All ground mounted transformers, climate control, and similar equipment shall be screened from view from any street or adjacent property by a wall constructed of the same decorative exterior materials as the building and not less than the height of the equipment to be screened. As an alternative, the equipment may be screened by landscaping approved by the Planning Commission.
  - b. All rooftop climate control equipment, transformer units, and similar equipment shall be screened. The materials used to screen the equipment shall be

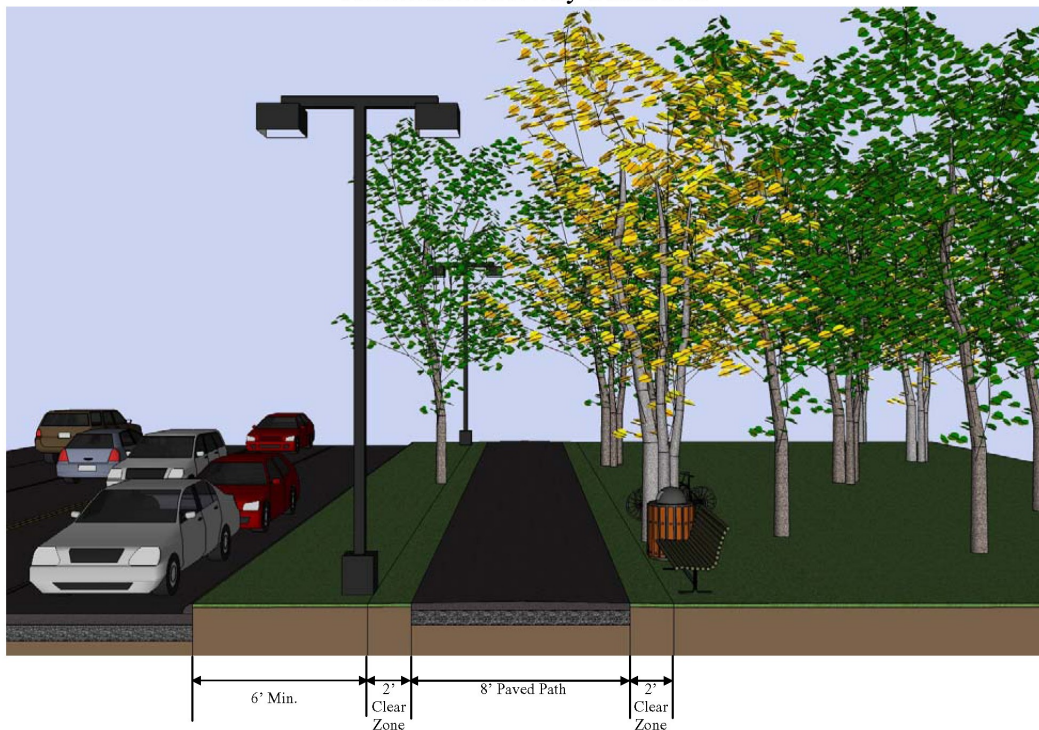
compatible in color and type with exterior finish materials of the building. All rooftop equipment shall conform to the maximum height regulations of this Ordinance.

**5.20 MULTI-USE, NON-MOTORIZED PATHWAY STANDARDS**

Whenever this ordinance calls for the installation of a multi-use, non-motorized pathway, the Minimum Standards for Non-Motorized Pathways below shall be followed.

Pathway Element	Standards
Minimum Pathway Width	8 feet
Minimum Clear Zone, Each Side	2 feet
Minimum Separation Between Clear Zone and Roadway (Curb)	6 feet

Minimum Pathway Standards



5.21 PUBLIC SIDEWALK STANDARDS

For all new development and redevelopment, this Ordinance calls for the installation of a public sidewalk on both sides of the street. Sidewalks shall be built to the following minimum standards:

5.21 Public Sidewalk Element	Standards
Minimum Width	
■ In Residential Districts	5 feet
■ Along Major Roads	6 feet
■ Along M-59 / Highland Road	8 feet
Placement Inside Edge of Right-of-way	1 foot
Minimum Clear Zone on Each Side	2 feet
Minimum Separation Between Clear Zone and Roadway (Curb)	6 feet

5.22 MULTI-USE, NON-MOTORIZED PATHWAY AND SIDEWALK MAINTENANCE

Wherever there exists a multi-use, non-motorized pathway or a public sidewalk, the regular and routine maintenance of the non-motorized pathway or sidewalk shall be the responsibility of the abutting land owner(s).



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

(Intentionally Blank)



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 6.0 Development Procedures



**Article 6.0 Development Procedures**

- 6.1 Condominium and Condominium Subdivision Approval
- 6.2 Approval of Plats
- 6.3 Traffic Impact Studies
- 6.4 Access Management
- 6.5 Regulation of Division of Parcels or Tracts of Land
- 6.6 Community Impact Statement Requirements
- 6.7 Planned Development Review Process
- 6.8 Site Plan Review and Approval
- 6.9 Provision of Sewer and Water Service
- 6.10 General Standards for All Special Land Uses
- 6.11 Procedures for Review and Approval of All Special Land Uses





# 6.0 Development Procedures

## 6.1 CONDOMINIUM AND CONDOMINIUM SUBDIVISION APPROVAL

Pursuant to authority conferred by Section 141 of the Condominium Act, Act 59 of 1978, as amended, all condominiums and condominium subdivision plans shall be reviewed by the Planning Commission and a recommendation for approval, approval with conditions, or denial shall be made to the Township Board. In determining whether to approve a condominium plan, the Planning Commission and Township Board shall consult with the Director of the Community Development Department, Township Attorney, Township Engineer and Township Planner regarding the adequacy of the master deed, deed restrictions, utility systems and streets, condominium layout and design, to ensure compliance with all requirements of the Condominium Act and this Ordinance.

- A. Definitions Pertaining to Condominiums.  
(See Article 2.0 for Condominium-related definitions)
- B. Condominium Subdivision Plan Review Process. Condominium Subdivision Plans shall be reviewed in accordance with the following process:
  - i. Pre-application Conference: Applicant applies to the Township for a pre-application conference with the Township planning consultant, engineering consultant, the Director of the Community Development Department (or his/her designee), and Planning Commission Chair (or designee) to discuss the proposed condominium subdivision layout, ordinance requirements and review procedures.
  - ii. Preliminary Condominium Design Plan Review: Applicant initiates preliminary review by submitting the required site plans to the Township in accordance with Section 6.8, Site Plan Review and Approval.
    - a. The preliminary site plan is distributed to the Township's planning consultant, engineering consultant, and other agencies determined necessary during the pre-application conference, for review. The applicant is responsible for distributing

required copies and fees to agencies other than the Township for review. If the preliminary site plan is complete and all relevant review comments have been received, it will be placed on the agenda of a Planning Commission meeting.

- b. Planning Commission conducts preliminary site plan review and shall make a recommendation for approval, approval with conditions, or disapproval to the Township Board. The overall site design, lot and road layout, number and size of units, common areas and ordinance compliance are reviewed during the preliminary site plan review.
  - c. Preliminary Plan approval by the Township Board shall confer upon the applicant the right to develop detailed design and engineering plans for final review. Preliminary Plan approval shall be valid for one (1) year.
- iii. Final Condominium Design and Engineering Plan Review: Applicant initiates final site plan and engineering plan review by submitting to the Township a revised site plan and detailed engineering plans for roads, utilities, storm water management, and required survey monuments.
    - a. The revised site plans are distributed to the Township's Community Development Department for review. The detailed engineering plans are distributed to the engineering consultant, Oakland County Road Commission, Oakland County Drain Commission, Oakland County Health Department, utility companies, and other governmental agencies if determined necessary, for review. The applicant is responsible for distributing required copies and fees to agencies other than the Township for review. If the final site plan and engineering plans are complete, and all relevant review comments have been received, it will be placed on the

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

agenda of a Planning Commission meeting.

- b. The Planning Commission reviews the final site plan and makes a recommendation for approval, approval with conditions, or disapproval to the Township Board. The Township Board grants final site plan and engineering plan approval. The revised site plans are reviewed for consistency with the preliminary site plan, required revisions and ordinance compliance. The detailed engineering plans are reviewed for compliance with the Township’s Engineering Design Standards Ordinance to assure proper road design and drainage, adequacy of public utilities, sanitary sewage disposal, water supply, site drainage, and survey monuments.
- c. If approved, the applicant may begin site grading, installation of survey monuments, and construction of roads, underground utilities and storm water detention basins, subject to a preconstruction meeting and receipt of all required permits. Final condominium design and engineering plan approval shall be valid for two (2) years.
- d. The Township may issue building permits provided all utilities (except cable), rough grading, and the bituminous leveling course on the street are completed and inspected. A performance bond may need to be posted for the remainder of the improvements.
- iv. Condominium Document Administrative Review, Approval and Recordation: The applicant initiates condominium document review by submitting to the Township copies of the draft Master Deed and By-laws for review.
  - a. The Township’s attorney, planning consultant, and engineering consultant review the draft condominium documents. If the documents are complete, the attorney, planning consultant, and

engineering consultant shall recommend approval, approval with conditions, or disapproval to the Director of the Community Development Department.

- b. The Director of the Community Development Department or his/her designee, shall have the authority to approve the Final Condominium Documents, including Master Deed, Bylaws, Exhibit A, B, and C drawings. The Exhibit B drawings shall be substantially identical to the final design plan. If the Director of the Community Development Department approves the Final Condominium Documents, he shall direct the Township Attorney to record the approved Final Condominium Documents with the Oakland County Register of Deeds.
- c. Once the Final Condominium Documents have been recorded, the applicant may sell units within the condominium.
- C. Condominium Subdivision Plan - Required Content. All condominium subdivision plans shall include the information required by Section 66 of the Condominium Act, Section 6.8, Site Plan Review and Approval of the Township Zoning Ordinance, and the following:
  - i. Preliminary Condominium Subdivision Plans:
    - a. A cover sheet.
    - b. Proposed name of condominium subdivision.
    - c. Names and addresses of the applicant, owner, and the planner, landscape architect, designer, engineer or surveyor who designed the condominium subdivision layout. The applicant shall also indicate his interest in the land.
    - d. Proof of ownership such as a policy of title insurance, or legal opinion with reference to ownership, approved by the Township attorney.
    - e. Statement of intended use of the proposed condominium subdivision such as residential



- single-family, industrial, commercial, and etc.
- f. A survey plan of the proposed condominium subdivision, including a detailed legal description.
  - g. Boundary line of proposed condominium subdivision, section or municipal limits within or adjacent to the tract and overall property dimensions.
  - h. Date, north point and scale of site plan, 1 inch = 100 feet is the minimum acceptable scale.
  - i. An overall area location map at a scale of not less than 1 inch=400 feet.
  - j. Topography based on United States Geological Topography or equivalent, at a minimum contour interval of 2 feet, superimposed on the site plan for the subject site and areas at least 100 feet outside of the project boundary.
  - k. A flood plain plan, when appropriate, based on FEMA.
  - l. Vegetation on the site carefully inventoried and sketched as to type and location on a map at the same scale as the preliminary condominium subdivision plan.
  - m. Property lines of contiguous adjacent tracts of land within 200 feet from the proposed development.
  - n. Layout, number and dimensions of condominium units, including building setback lines showing the width of each lot at the front setback line.
  - o. Building elevations and floor plans.
  - p. Location, widths, and names of existing and proposed streets and alleys, public areas and public easements within or adjacent to the tract being proposed for development, including connections with adjoining streets and streets located across abutting roads.
  - q. Location of existing utilities, storm drains and other underground facilities within or adjacent to the tract being proposed for development.
  - r. Drainage patterns.
  - s. A conceptual utility plan showing all sanitary sewer, water, and storm sewer lines and easements for the installation, repair and maintenance of all utilities.
  - t. The nature, location and approximate size of all land to be set aside for public use, all common elements to be dedicated or set aside for the use of property owners in the condominium subdivision, and any lands to be preserved in their natural state.
- ii. Final Preliminary Condominium Subdivision and Engineering Plans:
    - a. Modifications to the site plan demonstrating compliance with all preliminary site plan review conditions of approval.
    - b. Survey Monuments: All condominium developments which consist in whole or in part of condominium units which are building sites, mobile homes sites or recreational sites shall be marked with monuments as provided in the following:
      - (1) Monuments shall be located in the ground and made according to the following requirements, but it is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the condominium development if the angle points can be readily re-established by reference to monuments along the sidelines of the streets.
      - (2) All monuments used shall be made of solid iron or steel bars at least one-half (1/2) inch in diameter and thirty-six (36) inches long and completely encased in concrete at least four (4) inches in diameter.



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- (3) Monuments shall be located in the ground at all angles in the boundaries of the condominium development; at the intersection lines of streets and at the intersection of the lines of streets with the boundaries of the condominium development and at the intersection of alleys with the boundaries of the condominium development; at all points of curvature, points of tangency, points of compound curvature, points of reverse curvature and angle points in the side lines of streets and alleys; at all angles of an intermediate traverse line and at the intersection of all limited common elements and all common elements.
  - (4) If the required location of a monument is an inaccessible place, or where the locating of a monument would be clearly impracticable, it is sufficient to place a reference monument nearby and the precise location thereof be clearly indicated on the plans and referenced to the true point.
  - (5) All required monuments shall be placed flush with the ground where practicable.
  - (6) All unit corners shall be marked in the field by iron or steel bars or iron pipes at least eighteen (18) inches long and one-half (1/2) inch in diameter, or other approved markers.
- c. A street construction and paving plan showing types of surfacing, method of drainage, and grade elevations. For private streets, a maintenance plan must also be provided.
  - d. A grading and storm water drainage plan that shows proposed finished floor elevations, finished grades at structures, proposed storm water collection system, storm outlet(s), ultimate downstream outlet, all necessary off-site drainage easements, and, when required, retention/detention basin design calculations. Any areas of filled or reclaimed land shall be identified and all development shall detain storm water so that the runoff from the property does not negatively impact upon adjacent properties or public and private rights-of-way.
  - e. A utility plan that shows all existing and proposed utilities and easements located on or serving the site, including sizes of water and sewer lines, wells, proposed hydrants, proposed meter size, and proposed fire suppression line into building. Proposed sanitary leads, proposed sanitary sewers or on-site disposal systems must also be shown, as applicable.
  - f. Subsoil drainage: Whenever there is reason to expect that any part of the tract has a high water table or unstable subsoil conditions, a plan shall be submitted that includes a tabulated record and a keyed map of soil borings made by and certified by a registered civil engineer, or registered land surveyor.
  - g. Water areas: A plan shall be submitted of any proposed water areas indicating depths, normal water levels, slopes and type of bank retention; method of controlling insects, water growths and vegetation.
  - h. Note on plans and requirement in Master Deed: A certified survey of the corner stakes for all proposed buildings, with 10 foot offsets, shall be performed by a professional surveyor to establish setbacks and the location of the foundation prior to the issuance of building permits.
- D. Condominium Documents - Required Content. A master deed shall comprise the required condominium documents. The master deed shall conform to the requirements of the Condominium Act and



the provisions provided below. The master deed shall be submitted with the following attachments:

- i. Exhibit A document: By-laws for the Association of Co-owners.
- ii. Exhibit B document: a survey drawing, a final condominium subdivision plan and engineering plans, sealed by a registered civil engineer, as approved by the Township. A mylar copy of Exhibit B shall be submitted when the Applicant applies for Final Condominium Subdivision Approval.
- iii. Exhibit C document: a legal description of the subject site, sealed by a registered land surveyor, and approved by the Township.
- iv. Bylaws for the Association of Co-owners shall include the following minimum standards:
  - a. A trash collection plan.
  - b. A street snow removal plan.
  - c. A street maintenance plan providing for, at a minimum, annual maintenance.
  - d. A maintenance plan for common elements such as parks, cul-de-sac islands, boulevard landscaping, entranceway landscaping and signs, sidewalks and pathways, clubhouses, swimming pools, tennis courts and similar common elements.
  - e. A statement that all exterior site lighting shall be appropriate for the proposed use of the condominium subdivision, and that all lighting shall be directed downward and shielded from projecting onto adjoining properties by the use of cut-off fixtures.
  - f. A statement verifying that the streets, common sewer systems, sewage treatment plants, and water supply systems shall be owned, operated, and maintained by the Township. Storm water management systems and other common elements shall be owned, operated, and maintained by the Co-owners of the condominium in conformance with this Ordinance.

v. Restrictions and covenants for the Association of Co-owners.

E. Condominium Subdivision Approval

- i. All Condominium Subdivision Plans shall conform to the plan preparation requirements, review and approval procedures; design, layout and improvements standards of this Section, and the Private Road Standards of this Ordinance, if applicable. A digital copy (Adobe PDF compatible) of the condominium plans shall be submitted to the Township in addition to the required number of paper copies. Review, approval or denial of a proposed condominium subdivision shall also be based on the following considerations
  - a. Township, County and State regulations and ordinances.
  - b. The availability and adequacy of sewer, water and other utilities.
  - c. Open space preservation and natural resource protection.
  - d. Availability of recreation, and public service facilities.
  - e. Master Plan proposals.
  - f. The standards of this ordinance and the health, safety and welfare concerns of the Township.
- ii. A deposit in the form of cash, certified check, or irrevocable bank letter of credit shall be made with the Township, as determined by the Director of the Community Development Department, to guarantee the installation and completion of any required public sanitary sewer, water supply, roads, and drainage facilities. A road completion bond shall be posted with White Lake Township at the time a construction permit is issued by the Road Commission for Oakland County, for public roads in a site condominium. Building permits for individual homes or attached condominium buildings will not be issued until the Road Commission for Oakland County has inspected and approved the street construction.
- iii. Approval Time Limits:

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

- a. Preliminary Condominium Subdivision Plan approval is valid for a maximum of one year, unless an extension of the approval is applied for in writing by the applicant and granted by the Township Board. The required bond shall be updated in conjunction with the extension of the site plan. Preliminary Condominium Subdivision Plan approval establishes the layout and design of streets, lots, common areas and open spaces.
- b. Final Preliminary Condominium Subdivision and Engineering Plan approval is valid for two years with the same conditions for extension as provided for in subsection “a” above. Final Preliminary Condominium Subdivision and Engineering Plan approval allows the applicant to begin development of site improvements, such as roads, underground utilities and storm water management systems, subject to obtaining all required permits.
- c. Condominium Document approval is valid for one year, with the same conditions for extension as provided for in subsection “a” above. Condominium Document approval is required prior to submission for Final Condominium Subdivision review and approval.
- d. A copy of the recorded Condominium Documents shall be submitted to the Township for verification by the Township Attorney prior to Final Condominium Subdivision Plan approval.
- e. Final Condominium Subdivision Plan approval is valid for one year, with the same conditions for extension as provided for in subsection “a” above.

F. Condominium Subdivision Design Standards and Public Improvements

- i. Streets: All condominium subdivisions shall be developed with public streets that conform to all minimum

requirements, general specifications, typical cross-sections and other conditions set forth in this Ordinance and any other requirements of the Oakland County Road Commission. All streets shall also be approved by and dedicated to the Oakland County Road Commission. In the event the applicant is unable to obtain approval from, and dedicate the proposed streets to the Oakland County Road Commission, a separate application for approval of private condominium streets shall be filed with the White Lake Township Planning Commission. All private condominium streets shall conform to the standards of this Ordinance, enumerated in subsection “d.” below.

a. Location and Arrangement

- (1) The proposed condominium subdivision shall conform to the various elements of the Master Plan and shall be considered in relation to existing and planned major thoroughfare and collector streets, and streets shall be designed in the location and the width indicated on the Master Plan.
- (2) The street layout shall provide for continuation of collector streets in adjoining plats or condominium subdivisions or of the proper projections of streets when adjoining property is not platted or developed as a condominium subdivision.
- (3) The street layout shall include local streets so laid out that their use by through traffic will be discouraged.
- (4) Should a proposed condominium subdivision border on or contain an existing or proposed major thoroughfare, the Planning Commission may require a side lot relationship to the major thoroughfare with an approved screen planting contained in a dedicated non-access reservation along the



- side property lines having a minimum width of 12 feet, or such other treatment as may be necessary for adequate separation of the residential properties from the major thoroughfare.
- b. Street Layouts: The following design standards shall be used:
    - (1) Major and secondary thoroughfare minimum right-of-way width = 120 feet.
    - (2) Collector streets minimum right-of-way width = 86 feet.
    - (3) Local street minimum right-of-way width = 60 feet.
    - (4) Cul-de-sac streets minimum right-of-way = 60 feet, with a vehicular turn-around with a minimum diameter of 120 feet and with a paved roadway with an outside diameter not less than 100 feet.
    - (5) Cul-de-sac street maximum length = 1,500 feet measured to the center of the turn-around. The Planning Commission and Township Board may approve a longer length upon a finding that the additional length is warranted based on the unique or irregular shape of the site, physical constraints of the site such as the terrain, or other factors determined relevant. In reviewing proposed cul-de-sac streets that exceed the maximum length, the Planning Commission and Township Board shall consider the number of access points to the subject site, provision of emergency access, the density of the proposed development, terrain, and other factors determined relevant. The Fire Department shall approve, or approve with conditions, all cul-de-sac streets that exceed the maximum length of 1,500 feet.
    - (6) Half streets and alleys are prohibited.
  - c. Grade Standards and Horizontal Alignment shall be to Oakland County Road Commission specifications.
  - d. Private Road Restrictions in Site Condominiums. This shall apply to all new condominium developments approved by the Township after its effective date, or approval by the Township of the expansion of a previously approved condominium development.
    - (1) All roads and streets in the condominium development shall be installed in accordance with the standards for paved subdivisions established by, and shall be dedicated to and accepted by the Road Commission for Oakland County.
    - (2) Notwithstanding Subsection (1), a private road may be allowed by the Township Board, following recommendation by the Planning Commission, only when one of the following two circumstances exist:
      - a. The proposed condominium development is situated so that it has no direct access to a public road, nor can the condominium developer reasonably acquire land to provide access to a public road. In this circumstance, a private road, which meets the Standards of the Road Commission for Oakland County may be approved.
      - b. Where the property contains significant natural features such as wetlands, bodies of water, woodlands, land which serves as a natural habitat for wildlife, unusual topographic features, or other natural assets and, in the opinion of the Township Board, application of the road standards of the Road

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



Commission for Oakland County would cause significant damage and/or destruction of these natural features.

- (3) If a private road is allowed by the Township Board pursuant to Section (2)b above, the Township Board shall have the power, following recommendation by the Planning Commission, to grant a waiver of the provisions of Section 6.1.F.i.d.1). for the sole purpose of preserving significant natural features that would otherwise be damaged or destroyed by strict application of Section 6.1.F.i.d.1).
- ii. Blocks within condominium subdivisions shall conform to the following standards:
  - a. Sizes:
    - (1) Maximum length for blocks shall not exceed 1,500 feet in length, except where in the opinion of the Planning Commission, with the advice of the Township Planner and the Township Engineer, conditions may justify a greater distance.
    - (2) Widths of blocks shall be determined by the conditions of the layout and shall be suited to the intended design of the condominium subdivision.
  - b. Public Walkways:
    - (1) Public walkways, crosswalks or easements may be required by the Planning Commission and Township Board to obtain satisfactory pedestrian circulation within the condominium subdivision and the periphery to public or private facilities.
    - (2) Right-of-way widths of public walkways when not adjacent to or a part of street rights-of-way shall be at least 15 feet

and shall be dedicated to the use of the public.

- iii. Easements: The condominium subdivision plan shall include all necessary easements granted to White Lake Township for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and/or removing pipelines, mains, conduits and other installations of a similar character (hereinafter collectively called "public structures") for the purpose of providing public utilities, including conveyance of sewer, water and storm water run-off across, through and under the property subject to said easement, and excavating and refilling ditches and trenches necessary for the location of said structures.
  - a. Location of utility line easements shall be provided in a uniform location approved by the Planning Commission. Every lot, park or public grounds shall have access of not less than 15 feet wide.
  - b. Recommendations on the proposed layout for telephone, electric, and gas utility easements shall be obtained from the utility companies serving the Township.
  - c. Where a condominium subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm easement or drainage right-of-way conforming substantially with the lines of such water course and such further width or construction or both as will be adequate for the purpose. Such easements shall meet the approval of the Township and the County.
- iv. Lots within condominium subdivisions shall conform to the following standards:
  - a. Sizes and Shapes:
    - (1) The lot size, width, depth and shape in any condominium subdivision proposed for residential uses shall be appropriate for the location and the type of development contemplated.





- (2) Lot areas, widths, and setbacks shall conform to at least the minimum requirements of the Zoning Ordinance for the district in which the condominium subdivision is proposed.
- (3) Excessive lot depth in relation to width shall be avoided. A depth-to-width ratio of not more than 4 to 1 may be required.
- (4) Corner lots in condominium subdivisions shall be at least twenty (20) feet wider than the minimum width required by the Zoning Ordinance.
- (5) Lots intended for purposes other than residential use shall be specifically designed for such purposes, and shall have adequate provisions for off-street parking setbacks, and other requirements in accordance with the Zoning Ordinance.

b. Arrangement: The Planning Commission may alter requirements of subsections (2) through (4) below upon a finding that topographic or other practical difficulties result from the strict application of these standards:

- (1) Every lot shall front or abut upon an approved street.
- (2) Side lot lines shall be at right angles or radial to the street lines.
- (3) Residential lots abutting major thoroughfares or collector streets shall be designed with side lot lines parallel to the major traffic streets, or shall be designed with extra depth to permit generous distance between buildings and such thoroughfare.
- (4) Lots shall have a front-to-front relationship across all streets where possible.
- (5) Wetlands, lands subject to flooding, or lands otherwise deemed by the Planning Commission to be

uninhabitable shall not be utilized for residential purposes or for uses that may, in the judgment of the Planning Commission, diminish a natural resource or tend to endanger health, life, or property or increase the flood hazard. Such land within a condominium shall be set aside for other uses, such as open space or parks.

- (6) Where lots are unusually large, the lots should be designed, where feasible, to permit further division into smaller lots in a logical fashion. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks.

- v. Credits for Public Dedications: In supplying sites for schools and parks, the applicant may reduce the minimum lot frontage and lot area requirements of the Township's Zoning Ordinance in direct proportion to the land dedicated for public purpose according to the following formula:

$$\frac{\text{Total Park and School Area Dedication}}{\text{Gross Area of Subject Site}} = \frac{\text{Percentage of Minimum Lot Frontage \& Area Reduction (Not to exceed 10\%)}}{\text{Percentage of Minimum Lot Frontage \& Area Reduction (Not to exceed 10\%)}}$$

When multiplying the percentage reduction allowable to the minimum lot frontage, the product may be rounded to the nearest lower whole number. When multiplying the percentage reduction allowable to the minimum lot area, the product may be rounded to the nearest lower even 100 square feet.

- vi. Trees and Natural Features: The natural features and character of lands must be preserved wherever practical.

- a. Due regard must be shown for all natural features such as large trees, natural groves, and similar



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- community assets that will add attractiveness and value to the property if preserved. Existing trees shall be preserved wherever possible, and removal must be justified to the Planning Commission.
  - b. Areas identified as wetlands on an approved wetlands delineation not be filled, drained, developed, or otherwise altered in any way. This Ordinance intends to protect and preserve all wetlands. Protection of such areas shall not be used for density credits or bonuses.
- vii. Greenbelts: Greenbelts acceptable to the Township Board upon a recommendation of the Planning Commission may be required to be placed next to incompatible features such as highways, commercial or industrial uses to screen the view from residential properties. Such screens or greenbelts shall be a minimum of twenty (20) feet wide and shall comply with the standards of Section 5.19 - Screening and Landscaping.
- viii. Flood Hazard Areas: Any areas of land within the proposed condominium which lie either wholly or in part within the floodway of a stream, creek or drain, or any other areas which are subject to flooding or inundation by storm water shall require specific compliance with the Condominium Act and applicable State Law.
- ix. Topsoil: Removal of topsoil from areas to be subdivided shall be prohibited except in those areas to be occupied by buildings, roads, or parking areas. A plan for storage or stockpiling of topsoil shall be submitted by the proprietor with the final design and engineering plan and shall be approved prior to receiving approval of the final condominium plan.
- x. Required Conditions: The improvements set forth under the provisions of this Ordinance shall be obtained prior to the installation of any condominium subdivision or project improvements within White Lake Township in public streets, public rights-of-way, and public easements, and/or under the ultimate jurisdiction of Oakland County.
- xi. Utility Improvements: Plans shall be prepared by a Professional Engineer showing all utility improvements. The plans shall show and conform to all standards and ordinance requirements and the following:
  - a. Surface Drainage - Building Permit: No building permit shall be issued in any condominium subdivision in White Lake Township unless the application for such permit is accompanied by evidence, in the form of plan diagrams, showing topography of such building site and the proposed surface drainage thereof approved by the Township. It shall be unlawful for any person to impede, block, change or alter the flow of surface drainage in any manner, or maintain any such impediment or blockage in any manner in any condominium subdivision, without the prior express written approval of the Township.
  - b. Surface Drainage - Occupancy Permit: No final occupancy permit shall be issued for a new building until satisfactory evidence is furnished that the yard grading is complete for the lot or parcel of land on which the building is located. "Satisfactory evidence" may, at the discretion of the Building Official be in the form of a certificate, prepared by and certified by a registered land surveyor or registered professional engineer, showing the required grading to be completed. A temporary certificate of occupancy may be issued by the Building Official on filing with the Township, a cash bond in an amount to be determined by the Township, to guarantee that said grading will be completed as soon as weather permits. Upon the filing of satisfactory evidence that the grading has been completed as herein provided, said bond shall be refunded.
- xii. Other Improvements:



- a. Street Signs: An appropriate street sign shall be erected at each street intersection within the condominium subdivision. The type of sign and location thereof, shall be subject to the approval and direction of the Planning Commission and/or Oakland County Road Commission. Temporary signs shall be installed by the developer before construction in the condominium subdivision is begun to facilitate the location of given lots by emergency vehicles.
  - b. Pedestrian Walkways, Open Spaces and Trees: Pedestrian walkways, open spaces and trees shall be installed and preserved in accordance with this Ordinance.
  - c. Pedestrian Sidewalks. Pedestrian sidewalks shall be installed and preserved in accordance with Section 401.G.2 of the White Lake Township Subdivision Regulations Ordinance.
- G. Encroachment Prohibited. Encroachment of one condominium unit upon another, as described in Section 40 of the Condominium Act, shall be prohibited by the condominium bylaws and recorded as part of the master deed.
- H. Relocation of Boundaries. The relocation of boundaries, as described in Section 48 of the Condominium Act, shall conform to all setback requirements of this ordinance for the district in which the project is located, shall be approved by the Planning Commission, and this requirement shall be made part of the bylaws and recorded as part of the master deed.
- I. Division of Condominium Units. All divisions of individual condominium units shall conform to the requirements of this Ordinance for minimum lot width, lot area, and building setback requirements, shall be approved by the Zoning Administrator, and these requirements shall be made part of the bylaws and recorded as part of the master deed.
- J. Manufactured Home Condominium Project. Manufactured Home condominium projects shall conform to all requirements of this ordinance and shall be located only in a MHP Mobile Home Park District.
- K. Multiple-Family Residential Condominium Project. Multiple-family residential condominium projects shall conform to all requirements of this ordinance and shall be located only in an RM-1 Attached Single Family District, a PB Planned Business District, a PD Planned Development District, or an RM-2 Multiple-Family District.
- L. Office Condominium Project.. Office condominium projects shall conform to all requirements of this ordinance and shall be located only in a NBO-Neighborhood Office District, LB-Local Business District, RB-Restricted Business District, GB-General Business District, PB-Planned Business District, PD-Planned Development District, or ROP-Research Office Park District.
- M. Commercial Condominium Project. Commercial condominium projects shall conform to all requirements of this ordinance and shall be located only in a LB -Local Business District, RB-Restricted Business District, GB-General Business District, PB-Planned Business District, or PD-Planned Development District.
- N. Industrial Condominium Project. Industrial condominium projects shall conform to all requirements of this ordinance and shall be located only in a LM-Light Manufacturing District or ROP-Research Office Park District.
- O. Conversion Condominium Plan Review Process
- i. The Applicant shall submit a conversion condominium plan to the Township in accordance with Section 6.1.C (Condominium Subdivision Plan) and Section 6.8 (Site Plan Review and Approval) of the Zoning Ordinance. A plan submitted for a conversion project shall include all existing conditions and clearly identify all proposed site and/or building changes.
  - ii. If the Director of the Community Development Department determines the site and/or building changes on the property are not significant, then conversion condominium plan approval may be granted administratively, following a review and recommendation from the Township Planning Consultant and Township Engineering Consultant. The Director of the Community Development

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

Department, or his/her designee, may waive any of the requirements of Sections 6.1.C and 6.8 of the Zoning Ordinance for an administrative review. Modifications to parking to 5.11, and landscaping and/or screening upgrades that are necessary to bring the site into compliance with the standards of Section 5.19 may constitute changes that are not significant. If the Director of the Community Development Department determines the site changes are significant, the Planning Commission shall review the condominium conversion plan in the same manner as a new development on the site. Significant changes may include, but are not limited to:

- a. an increase in the number of units, either as a result of interior subdividing or new construction, or
  - b. provision of additional site features or amenities, such as garages, community or recreation buildings, and the like, or
  - c. any site work that would impair a State or Township-regulated wetland, or
  - d. a reduction in available off-street parking to less than the minimum required by this Zoning Ordinance.
  - e. A rezoning is requested or required
- iii. Following the administrative approval of the conversion condominium plan, Exhibit B drawings and Master Deed and Bylaws shall be submitted for review by the Township Attorney, Township Planning Consultant, Township Engineer, and other appropriate staff and consultants, to ensure that the documentation meets the requirements of Section 6.1.D of this Ordinance, as well as any other applicable laws or regulations, and that the documentation contains satisfactory provisions dealing with the following:
- a. Repair, replacement, and maintenance of facilities that service the condominium development, including, but not limited to, roads, storm water

maintenance facilities, sanitary sewer facilities, and water facilities;

- b. Access to the condominium project for governmental purposes; and
- c. any other provisions reasonably determined to be necessary. Review of this documentation shall include any easements or similar documents for property outside the condominium project that services the project.
- iv. If the Exhibit B and Master Deed and Bylaws are complete, the Township Attorney, Township Planning Consultant, and Township Engineering Consultant shall recommend approval, approval with conditions, or disapproval to the Director of the Community Development Department.
- v. The Director of the Community Development Department, or his/her designee, shall have the authority to approve the Exhibit B and Master Deed and Bylaws. The Exhibit B drawings shall be substantially identical to the approved conversion condominium plan. If the Director of the Community Development Department approves the Exhibit B and Master Deed and Bylaws, he/she shall direct the Township Attorney to record the approved documents with the Oakland County Register of Deeds.
- vi. Once the Exhibit B and Master Deed and Bylaws have been recorded, the applicant may sell units within the condominium.

## 6.2 APPROVAL OF PLATS

No proposed plat of a new subdivision shall hereafter be approved by the Township Board unless the lots within such plat equal or exceed the minimum size and width requirements set forth in the various districts of this Ordinance, and unless such plat fully conforms with the statutes of the State of Michigan and the Ordinances of the Township of White Lake, including the Township Subdivision Regulations.



### 6.3 TRAFFIC IMPACT STUDIES

Intent: White Lake Charter Township recognizes the direct correlation between land use decisions and traffic operations. Traffic impact studies assist in coordinating land use and transportation planning by forecasting the potential generation of new vehicular traffic; evaluating proposed access plans and identifying driveway-related road improvements at the site plan review stage; and identifying off-site road improvements needed to accommodate future traffic patterns. The intent of this section is to establish warrants for determining when traffic impact studies should be done, as well as minimum standards for the conduct and reporting of such studies.

- A. Determination of Need Form: Prior to submittal of a traffic impact study, and using a form approved by the Township Board, the Applicant must complete a Determination of Need. The Township's Community Development Director or designated consultant will certify the type of traffic impact study required (if any), by signing the Determination of Need form.
- B. Required Study by Type: Traffic impact studies generally consist of three types, a Rezoning Traffic Study (RTS), Traffic Impact Assessment (TIA), or Traffic Impact Statement (TIS). The content of each study type is broadly described below, along with the warranting conditions.
  - i. Rezoning Traffic Study. An RTS describes relevant existing traffic conditions and compares the potential trip generation of a site's use under existing and proposed zoning classifications. An RTS is required for any proposed change to the zoning map that is either of the following:
    - a. Inconsistent with the Township's Master Plan, or
    - b. Involves other than residential down-zoning.
  - ii. Traffic Impact Assessment. A TIA describes existing and likely future traffic conditions both with and without a site developed in specific proposed manner. The evaluation of traffic impacts is limited to overall trip generation and the operation of the proposed site access drive(s). A TIA is required if the proposed use(s) would generate

- a. 500-749 driveway trips per day, or
  - b. 50-99 peak-hour, peak-direction driveway trips.
- iii. Traffic Impact Statement. A TIS is similar to a TIA but includes off-site intersections and other critical road features more impacted due to a proposed use's greater amount of trip generation. It may also be appropriate to evaluate impacts at an off-site location due to ongoing congestion or safety problems, or because a road redesign is pending and should account for potential land use changes in the area. A TIS is required if the proposed use(s) would generate
    - a. 750 or more driveway trips per day, or
    - b. 100 or more peak-hour, peak-direction driveway trips.
- C. Preparation and Submittal: All traffic impact studies must be planned and conducted in close cooperation with Township staff and/or designated Township consultants.
    - i. Qualifications of Preparer and Reviewer. The person responsible for preparing a traffic impact study, and the person designated by the Township to review a submitted study, shall both
      - a. have at least three years of recent experience preparing such studies, where that work has comprised a major portion of the Preparer's professional experience;
      - b. be an Associate (or higher) member of the Institute of Transportation Engineers; and
      - c. be a registered Professional Engineer (P.E.) in Michigan, certified Professional Traffic Operations Engineer (PTOE), and/or Certified Planner or Professional Community Planner (AICP or PCP).
    - ii. Approval of Scope. Using a form approved by the Township Board, the Preparer shall complete and submit to the Director of the Community Development Department or designated consultant a Traffic Impact Study Worksheet. The Preparer should verify that the completed worksheet is

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



satisfactory prior to continuing work on the study. Studies submitted without such verification will not be reviewed in detail or approved. This worksheet shall include the following:

- a. detail the trip generation forecast used to determine the need for the study;
  - b. identify candidate off-site intersections (if any) based, in part, on projected site traffic constituting 5% or more of existing traffic;
  - c. propose specific growth rates and other developments to be considered in forecasting future background traffic (if any);
  - d. describe the method to be used in distributing site-generated traffic; and
  - e. confirm an awareness of other study methodology requirements.
- iii. Submittal of Report. Unless waived by the Director of the Community Development Department or designated consultant, traffic impact studies must be submitted to the Township at least 30 days prior to the associated rezoning or development proposal appearing on the Planning Commission's agenda. The Director of the Community Development Department will inform the Applicant when the traffic impact study has been approved, at which time the Applicant or Applicant's traffic consultant shall also submit the approved study to the Road Commission for Oakland County (RCOC) and/or Michigan Department of Transportation (MDOT), as appropriate. If revisions or additions to the initial report are required, they shall be made and approved before the report is accepted by the Township and forwarded to the responsible road agency(ies).
- D. Traffic Impact Study Contents: All studies should be consistent with the state of the practice, as outlined in such publications as *Evaluating Traffic Impact Studies - A Recommended Practice for Michigan Communities (ETIS, sponsored by MDOT, et al.)*. Required content by study type is

indicated in Table 6.3.D on the following page.

- i. Describe Requested Rezoning or Proposed Use(s). When rezoning is requested, the study shall identify a range of feasible permitted uses under existing zoning as well as a range of feasible permitted uses under the proposed new zoning; justify the use sizes assumed within each range; and ensure that the sized uses represent a reasonably robust range of potential trip generation. When a site plan or plat is proposed as opposed to a rezoning, the study shall include (where feasible) the conceptual site plan or plat assumed as the basis for the study, along with the anticipated phasing and build-out year(s) for the development.
- ii. Describe Site, Surroundings, and Study Area. At a minimum, existing abutting land use(s) and roadway conditions shall be described. If off-site intersections have been identified and approved via the TIS Worksheet (subsection C.2), the study area inferred by those intersection locations shall be similarly described. Special attention should be paid to features potentially affecting the required provision of safe and efficient site access, such as road alignment and sight distance limitations; speed limits; surface type; lane configuration and traffic control devices; existing or approved intersections and driveways within 300 feet of the proposed site access points (on both sides of abutting road(s)); and compliance or non-compliance with established access-management standards.
- iii. Obtain and Evaluate Current Traffic Data. For all three traffic study types, the Preparer shall obtain the latest available daily traffic counts for area roads, and determine (where possible) the proportion of traffic within the AM and PM peak hours (the *K-factor*). For Impact Assessments and Impact Statements, new peak-period manual counts shall be made at all selected off-site intersections, including those opposite proposed site access points, unless waived by the Director of the Community Development Department



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

6.3.D Content Requirements By Traffic Study Type			
Content Item	Required for		
	Rezoning Traffic Study	Traffic Impact Assessment	Traffic Impact Statement
A. Describe Requested Rezoning or Proposed Use(s)	X	X	X
B. Describe Site, Surroundings, and Study Area	X	X	X
C. Obtain and Evaluate Current Traffic Data: Daily Traffic Volumes (latest available) Hourly Traffic Volumes (generally low counts) Other Data if Indicated in Letter to Applicant	X	X X X	X X X
D. Describe Anticipated Future Changes to Area Land Uses and Roads	X	X	X
E. Forecast Future Background Traffic Volumes		X	X
F. Forecast Driveway Trip Generation in Manner Recommended by Institute of Transportation Engineers	X	X	X
G. Discount Driveway Trips as Appropriate	X	X	X
H. Forecast and Compare Trip Generation by Uses Permitted within Existing and Proposed Zoning Districts	X		
I. Develop Reasonable Trip Distribution Model(s)		X	X
J. Assign Generated Trips and Forecast Future Total Traffic		X	X
K. Determine Minimum Warranted Access Improvements		X	X
L. Evaluate Peak-Hour Traffic Impacts		X	X
M. Identify and Evaluate Any Needed Capacity Mitigation		X	X
N. Recommended Road Improvements At Access Point(s) (including Driveway Lanes) At Off-Site Intersection(s) (as required)		X	X X

or designated consultant. Any new counts shall be made on a Tuesday, Wednesday, or Thursday of a non-holiday week unless the nature of the proposed use requires otherwise (such as Saturday for a major shopping center). To the extent feasible, counts should be made during average or higher-than-average volume conditions. In rare situations, seasonal adjustments may be permitted to ensure that an adequately representative volume condition is addressed. The locations, days, and time periods selected for the manual volume counts will be predetermined and documented on the TIS Worksheet. If any special counts (e.g., of trucks, gaps, speeds, crashes, etc.) are proposed or required, such will be indicated in a separate letter.

- iv. Describe Anticipated Future Changes to Area Land Uses and Roads. All traffic studies shall document pending changes, other than the proposed site development, that might influence future traffic conditions. These changes should include, but not necessarily be limited to,
  - a. other developments that could increase traffic at the selected off-site intersections by 5% or more, and
  - b. planned road improvements in the study area, with those actually approved and funded clearly distinguished from other improvements merely discussed or recommended.
- v. Forecast Future Background Traffic Volumes. To provide an appropriate



basis for expressing the traffic impacts of a proposed development, current traffic volumes shall be projected to the earliest subsequent year in which it would be reasonable to expect full occupancy of the development. This creates a so-called background traffic scenario, wherein recent traffic trends have continued or new expected trends have evolved, but the subject site hypothetically remains undeveloped. The TIS Worksheet must be used to predetermine and document the general growth rate and specific background developments to be considered in established the background traffic scenario.

- vi. Forecast Driveway Trip Generation in Manner Recommended by Institute of Transportation Engineers. Unless waived by the Director of the Community Development Department or designated consultant, forecasts of driveway trip generation must be based on data and methodology found in the latest editions of the following two ITE publications: *Trip Generation* (rate data) and *Trip Generation Handbook – An ITE Recommended Practice* (methodology and pass-by percentages; hereafter referred to as the *Handbook*). The *Handbook’s* recommended procedure for choosing between *Trip Generation’s* average rates and regression equations should be followed, with the exception that no regression with a correlation coefficient ( $R^2$ ) of less than 0.75 shall be used, regardless of sample size. The Preparer should contact the Director of the Community Development Department or designated consultant if questions arise regarding the best forecasting method or what to do when ITE data appear unsuitable. Regardless of which statistical approach is taken (average rates or equations), it is critical that
  - a. the size of the development under analysis be within the range of ITE’s sample data (especially important when the illustrated regression equation is non-linear);
  - b. the line representing the weighted average rate or regression

equation lie within the cluster of data points near the size of the development site; and

- c. a regression equation with a non-zero intercept not be applied for small developments (to avoid illogical results).
- vii. Discount Driveway Trips as Appropriate. For some land uses, such as those involving shopping or dining, it may be appropriate to reduce
  - a. the above-predicted number of trips at site access points, due to transit usage or so-called “internal or downtown capture” (i.e., walking trips), or
  - b. the number of new driveway trips assumed to pass through off-site intersections, due to “pass-by or diverted” traffic (drivers already using area roads en route to primary destinations elsewhere). Driveway trips less pass-by and diverted trips are known as “new” or “primary” trips. The percentages of total driveway trips assumed in each of the above categories (if any) will be predetermined and documented via the TIS Worksheet. To be conservative, the pass-by percentages recommended in *ETIS* should be used as applicable; in no cases shall percentages larger than the averages found in the *Handbook* be used.
- viii. Forecast and Compare Trip Generation by Uses Permitted within Existing and Proposed Zoning Districts. This item is to be completed only for Rezoning Traffic Studies. Where site development under *existing* zoning could involve more than a single density or development size, at least two uses representing a range of potential trip generation must be identified and evaluated. For the proposed *new* zoning, at least one assumed development must be forecasted to generate a quantity of trips near the higher end of what might be generated by all feasible uses permitted under that new zoning (the use envisioned by the rezoning Applicant may or may not meet this





requirement). The report must explain in some detail the planning and traffic engineering bases of the assumed development scenarios. The trip generation comparison must address the total number of driveway trips generated by the site, and if applicable, the number of new (or primary) trips passing through all off-site intersections (if less than total driveway trips).

- ix. Develop Reasonable Trip Distribution Model(s). The method(s) used to distribute site-generated traffic among specific movements at the site drives and various off-site intersections evaluated should be explained in some detail. For instance, it is insufficient to simply state that the trip distribution modeling is “based on existing traffic patterns”; the superficial application of this concept may result in all trips being modeled as if they were pass-by trips. Generally, new (primary) trips should be modeled *separately* from pass-by trips, since the former return to their origin (by definition), as opposed to exiting in the direction they were traveling prior to entering. Refer to the *Handbook* chapter entitled “Pass-by, Primary, and Diverted Linked Trips” for more explanation. Finally, the traffic impact study should illustrate the assumed trip percentages throughout the study area (including at site drives, to facilitate a reasonableness review).
- x. Assign Site-Generated Trips and Forecast Future Total Traffic. Assign the total site-generated peak-hour trips forecasted in items D.ii.f and D.ii.g according to the model(s) developed in item D.ii.i Add the resulting site traffic to the future background traffic (forecasted in item 4e) to forecast future total *peak-hour* traffic. The future *daily* traffic on the abutting road (s) must also be forecasted for the site’s anticipated build-out year, generally by dividing the projected future total peak-hour traffic volume by a K-factor (either the value(s) determined in item D.ii.c, or by value(s) based on professional experience and judgment). Any deviation from this approach must be approved in

advance by the Director of the Community Development Department or designated consultant.

- xi. Determine Minimum Warranted Access Improvements. Prior to evaluating future levels of service at site access points and off-site intersections (as applicable), the safety-based need for left- and right-turn lanes at the proposed access points must be determined. Warrants published by the Michigan Department of Transportation shall be evaluated and used as the basis for road improvement recommendations, on multi-lane as well as two-lane roads. The evaluation of these warrants will examine both peak-hour and daily volumes at site build-out, as applicable.
- xii. Evaluate Peak-Hour Traffic Impacts. The study must evaluate peak-hour levels of service at all off-site intersections under current, future background, and future total (background-plus-site) traffic conditions, as well as at all site access points under future total traffic conditions. Unless waived by the Director of the Community Development Department or designated consultant, all locations and hours counted (per item D.ii.c) must be evaluated using methodology consistent with latest edition of the *Highway Capacity Manual*, published by the Transportation Research Board. Capacity analyses must evaluate future background and future total traffic *without as well as with* any recommended mitigation, unless funding of timely mitigation is assured or this requirement is waived by the Director of the Community Development Department or designated consultant. Finally, the study must
  - a. indicate the peak-hour factors used in the capacity analyses;
  - b. summarize in the body of the report (at a minimum) the level of service for any movements rated E or F as well as the level of service by intersection approach (as applicable); and

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



- c. comment on the average delay per vehicle for any intersections, approaches, or movements rated
- xiii. Identify and Evaluate Any Needed Capacity Mitigation. Unless waived by the Director of the Community Development Department or designated consultant, the traffic impact study must determine what (if anything) would have to be done to ensure a future background and/or future total level of service of at least D overall at every signalized intersection evaluated. A reasonable effort should also be made to identify mitigation for any approaches or movements expected to experience a level of service of E or F, whether at signalized or unsignalized intersections (including driveway approaches to major roads). Level of service analyses must be done and fully documented for all identified capacity mitigation.
- xiv. Recommend Appropriate Access Design and Off-Site Road Improvements. Based on the study's findings and conclusions, the final report shall recommend, at a minimum:
  - a. an appropriate lane configuration at each proposed access point, including turn lane lengths based on storage and/or deceleration requirements;
  - b. specific clear-vision triangles commensurate with prevailing standards and speeds; and
  - c. needed capacity mitigation at the off-site intersections evaluated. Off-site mitigation to accommodate new traffic generated by the proposed development shall be clearly distinguished from the mitigation needed to accommodate future background traffic growth unrelated to the development.
- E. Possible Waiver of Study Requirement: The requirement for submittal of a traffic impact study may be waived by the Director of the Community Development Department or Planning Commission in certain cases where recent studies of a similar nature have been completed and

no further benefit would be achieved by completing an additional study. Requests to waive traffic study requirements will be evaluated on a case-by-case basis.

#### 6.4 ACCESS MANAGEMENT

Access management is the systematic design and control of land access along arterial and collector roads, aimed at reducing driveway-related conflicts, crashes, and congestion while maintaining safe and reasonable access to adjoining properties. In its review and approval of land development plans, White Lake Charter Township has a key role to play in implementing effective access management. The Township, unlike the operative road agency (or agencies), is in a position to directly coordinate the internal layout of a site with the location and design of its access drives. The effective exercise of this capability enhances public health, safety, and welfare. The intent of this article is to establish access management standards to be followed in developing or rehabilitating sites within the Township.

- A. Applicability – The standards within this section apply:
  - i. To any property served directly or indirectly by M-59 (Highland Road) and included within the limits of the Township's adopted M-59 Access Management Plan.
  - ii. Along all highways, roads, and streets within the Township classified as Collectors and above on the current Township Thoroughfare Plan.
  - iii. Unless a requirement of the Road Commission for Oakland County (RCOC), Michigan Department of Transportation (MDOT), or an approved White Lake Township corridor plan is more stringent.
  - iv. To all driveways except those serving one or two dwelling units or an essential public service use, building, or structure.
- B. General Principles
  - i. Access management along public roads should provide reasonable access to all land parcels having frontage on those roads, while also enhancing the safety and efficiency of the through traffic flow. Reasonable



access is not necessarily the same as direct access.

- ii. Direct access drives should generally be minimized in number and maximized in separation. The number of driveways permitted for a site shall be the minimum number necessary to provide safe and efficient access for regular traffic and emergency vehicles, based on traffic engineering and fire department reviews, as well as a traffic impact study as described in Section 6.3, if required based on the standards of Section 6.3.B.i.
- iii. Driveway location must provide adequate sight distance and reasonable approach grades, and should generally not result in a return (or radius) encroaching on the frontage of a neighboring parcel. Such encroachment will be permitted only with the written consent of the neighboring property owner, or when found by the Township, Road Commission, or MDOT to be necessary to preserve traffic safety.
- iv. The minimum desirable same-side spacing between a driveway and an intersection may be greater than the minimum spacing between driveways (but should never be less), depending on traffic conditions (e.g., backups from a signal) as well as designated lane use(s). Driveways should generally not be permitted on the approach to an intersection, opposite or only a short distance upstream of a dedicated left-turn lane for the intersection.
- v. On roads lacking a raised (non-traversable) median, left-turn conflicts should be avoided by either aligning or sufficiently offsetting driveways on opposite sides of the road. The minimum opposite-side driveway spacing is generally more critical when

the direction of offset will result in interlocking entering left turns, and this direction of offset may have to be larger for higher-volume driveways.

- vi. Site plans should incorporate, where feasible and appropriate, cross-access with neighboring sites via connected parking aisles or frontage roads, shared side service drives and/or site access drives, and rear service drives connecting to side roads. Any such cross-access should be supported by general-purpose (unrestricted) easements, as well as agreements regarding maintenance responsibilities.
- vii. Driveway location, insufficient driveway spacing, and/or site-specific traffic conditions may warrant the posting of a driveway as one-way or the prohibition of certain vehicle turns entering or exiting a site. Warranted turn restrictions should generally rely on unique (e.g., channelized) driveway design and not standard regulatory signs alone.

C. Minimum Driveway Spacing

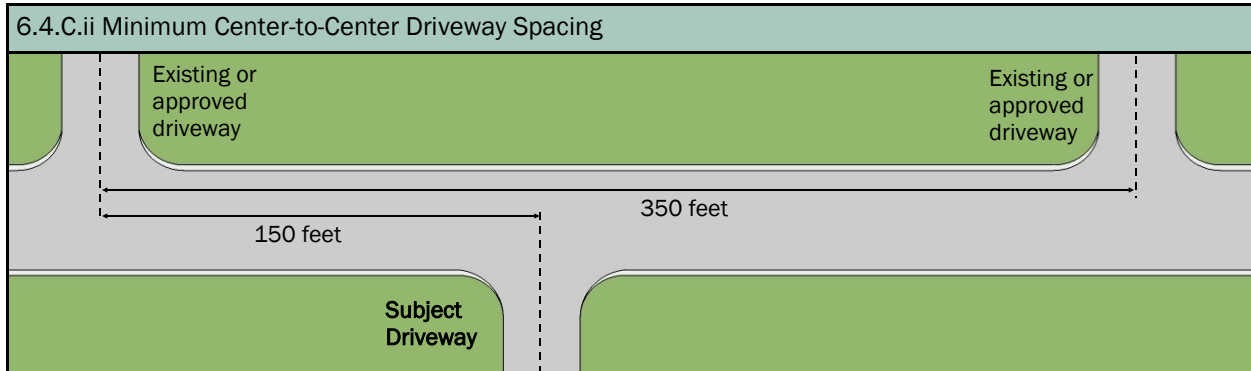
- i. Same Side of Road: For sites with insufficient frontage to meet the minimum driveway spacing standards in Table 6.4.C.i, a waiver will be considered by the Planning Commission only after the Applicant has demonstrated that both alternative access (per Section 6.4.B.vi) and access restriction (per Section 6.4.B.vii) have been seriously considered and incorporated in the site plan where feasible.
- ii. Opposite Side of Road: The 350-foot minimum offset shown in the following figure may be reduced to 300 feet for speed limits of 35-40 mph, or to 250 feet for speed limits of 25-30 mph. Driveways expected to serve a relatively high volume of entering left turns, or an unusually high number of

6.4.C.i Minimum Center-to-Center Driveway Spacing by Speed Limit <sup>1</sup>					
25 mph	30 mph	35 mph	40 feet	45 mpg	>=50 mpg
130 feet	185 feet	245 feet	300 feet	350 feet	455 feet

<sup>1</sup>If unposted, assume 25 mph in commercial or residential area and 55 mph in rural area, unless safe operation indicates lower speed.



entering large vehicles, may require a greater opposite-side spacing, as determined by the Planning



Commission and/or the agency having jurisdiction over the road.

- iii. Relative to Intersections: Per Section 6.4.B.iv, the minimum distance between a proposed driveway and the nearest intersection shall not be less than the minimum driveway-to-driveway spacing specified in Section 6.4.C.i Also, a proposed driveway on the approach to an intersection shall not be opposite a dedicated left-turn lane for the intersection, or within 100 feet upstream of that lane. Possible waivers by the Planning Commission must be supported by a traffic impact study.
- D. Design of Site Access Drives, and Service Roads and Drives Recommended by the Township's Adopted M-59 Access Management Plan
- i. Coordination of Divided and Undivided Driveways: To minimize turning conflicts, boulevard-style access drives (or local streets) shall generally not be approved opposite undivided access drives, or vice versa. If cause has been shown for a Planning Commission waiver of this requirement, interlocking entering left turns must be minimized by aligning the entering side of the divided drive with the undivided drive.
  - ii. Accommodation of Opposing Boulevard Drives: A proposed boulevard-style access drive (or local street) shall not be permitted opposite an existing or previously approved boulevard without special design treatment or signalization to minimize

left-turn conflicts, approved by the applicable road agency as well as the Planning Commission. Special design treatment may consist of opposing left-turn pockets in the boulevard medians, adversely offset no more than 4 feet, or tapered boulevard islands supplemented by pavement striping designed to directly align opposite-direction left-turn vehicles. At intersections planned for immediate signalization, special design treatment will not be required if a traffic impact study shows that the intersection will operate satisfactorily for the indefinite future with split phasing of the minor approaches (where each minor approach moves on its own protected green phase).

- iii. Access Improvements: The potential need on an abutting (main) road for a passing or center left-turn lane, or a right-turn deceleration lane and/or taper, shall be evaluated by applying RCOC or MDOT warrants, as applicable, to the driveway and main road traffic volumes forecasted to exist at build-out of the subject development. Where special treatment of entering left turns is warranted, the choice between a passing lane and a center left-turn lane shall consider the proximity of other nearby turning locations, the road's anticipated ultimate cross-section, and prevailing traffic volumes and speeds. If a warranted acceleration or deceleration taper would end within 100 feet of an existing or proposed taper, the two



driveway returns shall be connected with a continuous auxiliary lane for right turns only. At a minimum, submitted traffic impact studies shall evaluate turn lane and taper warrants, and then recommend specific lane types, lane lengths, and taper lengths (accounting for traffic volumes and speeds as well as left-turn “storage” requirements). The Township and/or Road Commission or MDOT will determine appropriate access improvements, giving due consideration to traffic impact study recommendations.

- iv. Angle of Intersection: Driveway centerlines shall generally intersect the cross road at 90 degrees. If the applicant shows cause for using a smaller intersecting angle, or the Township, Road Commission, or MDOT so-request, angles as small as 75 degrees may be permitted on undivided driveways. On driveways channelized to restrict certain turning movements, turning roadways serving exiting traffic may intersect the cross road at angles as small as 45 degrees if controlled by at least one stop sign.
- v. Number of Exiting Lanes: Driveways serving traffic exiting a site may have more than one exiting lane if the

applicant shows cause or the Township, Road Commission, or MDOT so-request. Two exiting lanes should be considered when the volumes of exiting and cross traffic are such that exiting right turns would otherwise be significantly and unnecessarily delayed by longer-delayed exiting left turns. The left of two exiting lanes may be designated for through as well as left-turn movements if exiting left turns are expected to be significantly fewer than exiting right turns.

- vi. Traffic Control Devices: Pavement markings and traffic control signs used at and along site access drives shall comply with the latest edition of the *Michigan Manual of Uniform Traffic Control Devices*.
- vii. Design of Two-Way Undivided Driveways: Driveway design should be such that larger entering vehicles do not force smaller vehicles to back up or otherwise maneuver out of the way. The dimensions provided below in Table 6.4.C.vii shall be used unless the applicant shows cause for not doing so, or the Township, Road Commission, or MDOT requests otherwise. Narrower throat widths generally require larger radii.

6.4.C.vii Standard Design of Two-Way Undivided Driveways			
Dimension (feet, to back of curb)	Relative Frequency of Entering Large Trucks		
	Negligible	Occasional	Frequent
Throat Width <sup>1</sup>	25 <sup>2</sup>	30 <sup>2</sup>	35-40
Return Radius	20	30	40

<sup>1</sup>Measured at ends of returns, which may be less than 90 degrees through turn if tapered to match parking aisle.  
<sup>2</sup>Add 10 feet if two existing lanes.

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



viii. Design of Conventional One-Way Driveways: The following dimensions shall be used unless the applicant shows cause for not doing so, or the Township, Road Commission, or MDOT requests otherwise. Narrower throat widths generally require larger return radii.

6.4.C.viii Standard Design of Conventional One-Way Highways				
Driveway Type	Dimension (feet, to back of curb)	Design Vehicle		
		Passenger Car	Single-Unit Truck	Tractor-Trailer/Bus
Either	Throat Width <sup>1</sup>	15	20	25
Enter-Only	Entering Radius	20	30	40
	Exiting Radius	5	5	5
Exit-Only	Entering Radius	5	5	5
	Exiting Radius	20	30	40

<sup>1</sup>Use 25 feet if two existing lanes, regardless of design of vehicle.

ix. Design of Channelized One-Way Driveways: These standards apply to driveways using one or two turning roadways, separated by a triangular island, to deter entering and/or exiting left turns. The following dimensions shall be used unless the applicant shows cause for not doing so, or the Township, Road Commission, or MDOT requests otherwise. A comprehensive signing plan is required along with the proposed driveway design, including standard STOP, TURN RIGHT ONLY, No Left Turn, and DO NOT ENTER signs, as applicable.

6.4.C.ix Standard Design of Channelized One-Way Driveways			
Dimension (feet, to back of curb)	Design Vehicle		
	Passenger Car	Single-Unit Truck	Tractor-Trailer/Bus
Width of Turning Roadway	15	20	25
Inside Radius of Roadway <sup>1</sup>	75		

<sup>1</sup>Where space precludes a 75-foot radius, a smaller radius (not less than 10 feet) may be permitted by the Planning Commission.

x. Design of Boulevard-Style Driveways: The following dimensions for a “standard” boulevard-style driveway (or local street) shall be used unless the applicant shows cause for not doing so, or the Township, Road Commission, or MDOT requests other dimensions within the indicated ranges.

6.4.C.x Design of Boulevard-Style Driveways				
Dimension (feet, to back of curb)		Minimum	Standard	Maximum
Road Width	Entering	20	25	27
	Exiting	22	25	27
Island	Entering Radius	8	12	20
	Exiting Radius	25	50	100
	Nose Offset from Crossroad	6	12	18
Radii	Entering & Exiting	25	35	40



E. Design of Between-Site Service Drives Recommended by the Township's Adopted M-59 Access Management Plan

- i. Location and Alignment: A between-site service drive shall generally parallel a site's front, rear, or side property line. A service drive may straddle a side or rear property line to facilitate the most effective shared use of the drive, the sharing of construction and maintenance costs between involved property owners, and the minimization of impervious surfaces in a developing area. In determining the most appropriate alignment for a service drive, the Planning Commission shall consider the setbacks of existing and/or proposed buildings, the safety and efficiency of traffic access and circulation, and the existence of any previously approved plans.
- ii. Drive Width and Construction: All service drives shall be paved to Township standards. Unless waived by the Planning Commission, straight-faced (vertical) curbs shall be used, and drive widths shall be 21 feet if posted for one-way operation or 25 feet if two-way traffic is allowed (both widths back-of-curb to back-of-curb). In the event mountable curbing is permitted, drive width shall be increased by 1 foot for each such curb, to maintain the same effective driving width (20 feet or 24 feet, respectively).
- iii. Access Easement: All service drives shall lie within (or generally coincide with) easements ensuring cross-access rights for the general public (consistent with State law prohibiting travel across private property to avoid traffic control devices). Easements shall follow the intended driving path where the direction of travel through the site changes, including inside curves sized to an appropriate design vehicle, and should generally be wide enough to contain all driveway elements requiring maintenance (e.g., curbing and any abutting sidewalks). In no case shall such an easement be less than 20 feet wide for one-way operation or 24 feet wide if two-way traffic is allowed. All cross-access easements shall be supported by a

written agreement between the involved property owners that clearly assigns responsibilities for construction and long-term maintenance.

- iv. Parking: Between-site service drives are intended to primarily serve site access and circulation needs, not parking needs. Such drives shall not serve as maneuvering areas for either parallel or angled parking spaces without a waiver by the Planning Commission. In the event an applicant wishes to permanently designate parallel parking spaces along a service drive, the necessary waiver shall be accompanied by a drive width 8 feet wider than the minimum specified in Section 6.4.E.ii. Where the Planning Commission believes that informal parallel parking may occur along standard service drive widths in the absence of a design waiver, it may require the posting of No Parking signs. Alternatively, temporary parking in such cases may be permitted by the Planning Commission where a continuous service drive would not yet exist and such parking would not interfere with safe traffic circulation or fire equipment access. Such temporary parking spaces can not be used to meet any of the site's minimum parking requirement.
- v. Access Points: Connections between service drives and abutting public roads shall meet the driveway spacing standards of Section 6.4.C. To minimize possible turning conflicts along service drives, internal connections between the service drive and the site shall either be directly aligned with, or offset at least 75 feet from, each of the service drive's public-road access points. Service drives paralleling public roads shall generally be separated from those roads by at least 40 feet to permit adequate turning radii on both the external and internal sides of the intervening landscape strip; where this is infeasible, the landscape strip shall be "bulbed" to facilitate the introduction of adequate radii.
- vi. Temporary Access: The Planning Commission may approve temporary



access points where a continuous service drive is not yet available and a performance bond or escrow is created to assure the elimination of temporary access when the service drive is continued.

vii. Elevation: The site plan shall indicate the proposed elevation(s) of the service drive at the property line(s), and the Building Department shall maintain a record of all such elevations so that grades can be coordinated as the drive is extended site-by-site.

viii. Landscaping: The greenbelt between a service drive and an abutting public road right-of-way shall be landscaped as specified in the Township's Landscaping Standards. Such landscaping shall not interfere with driveway or intersection clear-vision requirements.

F. Modification of Standards for Special Situations -- During site plan review, the Planning Commission shall have the authority to modify the standards of this Article as indicated above, if one or more of the following conditions are met:

- i. Application of the standards would prevent reasonable access to the site (bearing in mind that reasonable access is not necessarily direct access).
- ii. In preparing the site plan, the applicant has made a good-faith effort to both avoid driveway spacing deficiencies, and mitigate the traffic operational and safety disadvantages of any unavoidable remaining deficiencies.
- iii. A traffic impact study has been prepared per Section 6.3 of the Zoning Ordinance, and it shows cause for a design waiver and recommends access-related road improvements that the applicant is willing to fund.
- iv. The proposed land use involves the redesign of an existing development or a new use that will generate less traffic than the existing use.
- v. The Road Commission for Oakland County or Michigan Department of Transportation expresses a preference

for the site access plan as proposed by the applicant.

- vi. Existing conditions -- including but not limited to significant grade differences, location of utility structures, and/or pre-existing easements -- render the recommendations of the M-59 Access Management Plan infeasible.

6.5 REGULATION OF DIVISIONS OF PARCELS OR TRACTS OF LAND

Refer to Charter Township of White Lake Land Division Ordinance for regulations pertaining to the division of parcels or tracts of land. (The authority to regulate the division of acreage parcels comes from the Land Division Act Number 288 of 1967, as amended, not from the Michigan Zoning Enabling Act 110 of 2006, as amended.

6.6 COMMUNITY IMPACT STATEMENT REQUIREMENTS

- A. Intent: The community impact statement is intended to provide a format for applicants to document the anticipated impacts of intensive development projects proposed as Special Land Uses, Planned Developments, and the like in the Township of White Lake. Intensive land uses often have significant impacts on public services, the surrounding neighborhood and the natural environment that must be understood in order for the Township to have a complete understanding of the development proposal. Home occupations as special land uses shall not require a community impact statement.
- B. Contents: The CIS should address the items below in a concise manner that accurately portrays the proposed land use. The CIS is to be prepared by the Applicant and submitted to the Township Planning Commission for review.
  - i. General
    - a. Brief description of the land use proposed. Include hours of operation (if applicable), impacts on adjacent uses (noise, smoke, dust, etc.), and other pertinent data. Is the land use proposed consistent with the Master Plan and Zoning Ordinance?





- b. Brief description of surrounding land uses.
- ii. Community Facilities and Services
  - a. Estimated demand on police services.
  - b. Estimated demand on fire services. Include special equipment requirements.
  - c. Estimated number of sewer and water taps and demand (rate of use).
  - d. Estimated number and axle loading of truck trips daily over proposed route through Township. Describe present road cross-section, adequacy to handle proposed traffic, and/or upgrade needed to handle proposed traffic, special loads, and the like.
  - e. Describe any other significant impacts or needs related to community facilities and services.
- iii. Economics
  - a. Anticipated number of construction and permanent jobs (in full-time equivalents).
  - b. Anticipated tax revenues to the Township and School District.
- iv. Environment
  - a. Describe the area and type of natural features on site including streams, rivers, bodies of water, wetlands, woodlands, and the like. Describe how these features will be impacted by the proposed development (e.g. loss of wetlands, potential pollution of water bodies, and any other similar impacts).
  - b. Describe whether the proposed use will include the manufacture, use, or storage of any hazardous materials. If so, describe the types and quantities, storage areas, and product containment measures. Also provide a spill response plan.
  - c. Provide a complete description of the types and quantities of pollutants that are expected to be emitted into the air as a result of this proposal, and describe how state and federal air quality

standards will be met. Dust particulates should also be included as well as a dust control plan.

- d. Describe the impact the proposed development will have on groundwater quality and quantity. Describe necessary mitigation measures.
- v. Noise. Describe the impact of the project on area noise levels. The applicant should document that the noise standards contained in the Zoning Ordinance Performance Standards will be met. The A-weighted decibel levels dB(A) at the property line should be specified (existing and proposed).
- vi. Traffic. Meet the standards of Section 6.3 – Traffic Impact Studies, which includes the completion of a Determination of Need form (provided by the Township) and the applicable study, if required (Rezoning Traffic Study, Traffic Impact Assessment, and Traffic Impact Statement).
- vii. Mapping. Provide a current aerial photograph of the site and surrounding properties within 1,500 feet of the site. Include an overlay showing the proposed development area and existing residential dwellings within 1,500 feet of the site.
- viii. Other. Provide any other information necessary to assess the impact if the proposed project on the surrounding community. The Township may request additional data based upon the characteristics of the development proposed.
- ix. Preparer Information. Provide the names, phone numbers, addresses, and relevant credentials of those preparing the CIS.

## 6.7 PLANNED DEVELOPMENT APPROVAL PROCESS

Planned Development Approval is a review process applicable in PD and PB Districts that requires a decision based on discretionary grounds pursuant to Section 503 of P.A. 110 of 2006, as amended, known as the Michigan Zoning Enabling Act.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

A. Planned Development Approval Process

Review of all proposed developments in the PD and PB districts shall be in accordance with the following three-step process:

- i. Pre-Application Conference
  - a. A Pre-application Conference shall be required and is designed primarily as an information exchange.
  - b. The Pre-application Conference provides the opportunity for the Township to discuss the range of development options available, familiarize the developer with the review process, and for the developer to inform the community of proposed Concepts and receive feedback from the Township about land use, density, and other basic policy issues.
  - c. Statements made in a Pre-application Conference are not legally binding commitments but are merely informed reactions to development proposal concepts which should guide the developer in plan preparation.
  - d. There are no specific requirements for submission of materials for the Pre-application Conference. However, before filing an application for a planned development, the developer may wish to consider providing the following materials for discussion at the pre-application conference.
    - (1) Sketch plans
    - (2) Proposed land uses
    - (3) Site information, particularly regarding natural features
    - (4) Adjacent land uses
    - (5) Proposed location of buildings and business types
- ii. Preliminary Site Plan Review - Planning Commission
  - a. The applicant shall submit site plans for review and recommendation by the Planning Commission in conformance with Section 6.8 - Site Plan Review and Approval and subsection B below.

(Where the proposed project includes a plat, said plat shall be reviewed in conformance with the Subdivision Regulations Ordinance, as amended.

Following consultant review and recommendation, the Planning Commission shall hold one public hearing on the request for recommendation to the Township Board of preliminary site plan approval. The Township shall publish one (1) notice thereof in a newspaper that circulates in the Township and sent by regular US Mail to the owners of property for which approval of a planned development is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within three hundred (300) feet, regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date of the public hearing and shall:

- (1) Describe the nature of the proposed planned development project.
- (2) Indicate the property or properties that are the subject of the planned development request.
- (3) State when and where the planned development application will be considered.
- (4) Indicate when and where written comments will be received concerning the request.

After review of the developer's application package, Township staff and consultant recommendations, and the comments of interested persons received in writing or in person at the public hearing, the Planning Commission shall either make a recommendation to the Township Board to approve, approve with conditions, or disapprove the



Preliminary Site Plan. The body or official shall prepare a report stating that its conclusions, its decision, the basis for its decision, and any conditions imposed.

- b. The Planning Commission shall consider the following prior to making recommendation to the Township Board regarding the Preliminary Site Plan:
  - (1) Comments and recommendations of the planning and engineering consultants, staff, and Township departments;
  - (2) Conformance with Section 6.8 and applicable Sections of this Ordinance.
- iii. Preliminary Site Plan Review - Township Board

Following review and recommendation by the Planning Commission, the Township Board shall review the preliminary site plan in conformance with Section 6.8 and this Section.

- a. Prior to Township Board review, the site plan shall be submitted for Preliminary Site Plan review and recommendation by all applicable Township staff, consultants and departments if deemed necessary by the Planning Commission and/or the Director of the Community Development Department or his/her designee.
- b. The Township Board shall review the Preliminary Site Plan for conformance with previous comments and conditions of the Planning Commission, Township staff and consultants, the Township Attorney, and this ordinance.
- c. If the Township Board finds that the plans satisfy all requirements for Preliminary Site Plan Approval, it shall grant Preliminary Site Plan Approval, which shall be valid for one (1) year from the date of the Board's action. The Township Board may grant a one (1) year extension based upon confirmation from the Director of the Community Development

Department or his/her designee that there have been no Ordinance changes affecting the preliminary site plan since the time of original approval.

- iv. Final Site Plan and Development Agreement Review - Planning Commission
  - a. Following Preliminary Site Plan Approval by the Township Board, the applicant should submit final site plans consistent with Section 6.8 and subsection B below, as well as a Development Agreement consistent with subsection B below, for review and recommendation by Township staff, Attorney, departments, and consultants.
- v. Following review by Township staff, Attorney, departments, and consultants, Planning Commission shall review the final site plan as well as a Development Agreement, and shall concurrently grant Final Site Plan Approval as well as a recommendation of approval of the Development Agreement to the Township Board. Planning Commission may offer a recommendation of approval of the Development Agreement to the Township Board with conditions..
  - a. At the final approval stage the developer shall be required to provide the following detailed information:
    - (1) Final condominium plans, master deed, and by-laws for any portions of the plan that include such features.
    - (2) Final engineering plans for all grading, roads, sewer, water, and storm drainage systems.
    - (3) Dedication of public rights-of-way and public open space.
  - b. If the proposed development will be constructed in phases, only those phases that will be complete within two (2) years shall be granted final approval by the Planning Commission. If deemed necessary for the protection of adjacent land uses, and/or proper development, the Township may

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

condition approval upon a particular order of development when a phased approach is to be utilized in a planned development project.

vi. Development Agreement Review - Township Board

- a. If deemed necessary by the Planning Commission and/or the Director of the Community Development Department or his/her designee, the Development Agreement may be reviewed by the Township staff, Attorney, departments, or consultants prior to review by the Township Board.
- b. A Development Agreement consistent with subsection B below will be reviewed and approved by the Township Board following Final Site Plan Approval as well as a recommendation of approval of the Development Agreement by the Planning Commission. Township Board shall not consider approval of a Development Agreement prior to Final Site Plan Approval by the Planning Commission.

B. Required Content For Site Plans and Development Agreements

- i. Timing of Document Submissions. At the time of initial application to the Planning Commission for Preliminary Site Plan review, the developer shall submit a site plan and supplemental information, as required by subsections a. and b. below. The developer shall submit a proposed Development Agreement, as required by subsection c. below, to the Planning Commission prior to Planning Commission consideration of the Final Site Plan. Planning Commission will review and recommend approval of the Development Agreement to the Township Board concurrent with Final Site Plan Approval.
  - a. The preliminary site plan shall show development of the site and shall include the following information:

- (1) All adjacent property in which the petitioner and owners of land shown on the overall project site plan have any ownership interest.
- (2) Existing natural features; identify features to remain and to be removed.
- (3) All calculations and dimensions needed to check compliance with zoning regulations.
- (4) Location, design and area to be developed in each phase; development program for each phase including zoning calculations, such as densities, setbacks, parking ratios, etc.; projected schedule of development, by phase.
- (5) General description of intended restrictions, if applicable.
- (6) Description of proposed uses, based on the listing of permitted uses in the appropriate zoning district, and a description of proposed days of the week and hours of operation for each use.
- (7) Location and general design, dimensions, and materials of buildings, drives, parking, landscaping / open space, lots, roads, transitional areas, and outdoor sales, storage and use areas.
- (8) Any other information deemed necessary by the Township for consideration of the development.
- (9) Conceptual Landscape Plan showing natural areas to be preserved, created, or removed; special landscape treatment of the perimeter of and entrances to the proposed development, and all open space areas. Landscaping details may be provided at the time of Final Site Plan consideration by the Planning Commission.



- (11) Architectural renderings of all buildings and structures. In the case of a single-family residential development, a rendering of a typical dwelling unit is acceptable.
  - (12) Vehicular Circulation Plan. The number, location, and design of all vehicular entrances from and exits to public or private roads shall require Township approval. Prior approval from MDOT or RCOC shall not pre-empt the requirement for approval from White Lake Township.
- b. Supplemental Information: Together with the Preliminary Site Plan, the following information shall be submitted:
- (1) A statement of planning objectives to be achieved by the development through the particular approach proposed by the applicant, including the character of the proposed development.
  - (2) A statement of the applicant's intentions with regard to the future sale or lease of all or part of the planned development, and whether individual units will be offered for sale and/or for rent.
  - (3) Quantitative data for the following: total number and type of units; individual building and lot sizes; proposed lot coverage of buildings and structures; approximate gross and net densities; and total amount of open space.
  - (4) A traffic impact assessment, prepared by a registered professional engineer (P.E.), certified planner (AICP), or professional community planner (PCP), shall be provided to the Planning Commission showing projected daily, street peak hour, and peak hour trip generation for the development; public and

private street improvements required / proposed to mitigate the projected traffic; recommended design of service drives within the development; and recommended traffic control devices in the development and at intersections of the planned development's service drives with public and private streets.

- (5) A Community Impact Statement (CIS) complying with the provisions of Section 6.6.
  - (6) The applicant shall include a list and the application status of all required state and federal permits for the proposed activity for the Township's review.
  - (7) Unique features or services to be provided, if any.
  - (8) For any residential project, a parallel plan demonstrating the layout and density of residential uses that would be possible without use of the PD District.
- c. Proposed Development Agreement:
- (1) A legal description and survey of the total site(s) proposed for development.
  - (2) Names and addresses of all owners and persons with legal or equity interest in the property proposed for development.
  - (3) A development schedule, including any individual stages or phases, and the anticipated beginning and completion dates
  - (4) An affirmative representation that the proposed use(s) will not exceed the performance criteria of the ordinance
  - (5) Modifications to standard zoning requirements which will be requested, if any.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- (6) All conditions and stipulations as set forth by the Township Board.
- (7) Provisions satisfactory to the Township attorney dealing with maintenance of the property, as well as maintenance, repair, and replacement of any common facilities servicing any portion of the property.
- (8) Any provisions deemed necessary by the Township attorney, planning consultant or engineer regarding on-site and off-site easements required to service the property.
- (9) A statement incorporating by reference in the agreement all representations, warranties and information provided in any submission by the applicant and confirming the Township's reliance on those representations, warranties and information.
- (10) Enforcement provisions satisfactory to the Township Attorney.
- (11) A statement allowing recording of the agreement or a notice of existence of the agreement at the office of the Oakland County Register of Deeds.
- (12) Any other provisions deemed necessary by the Township attorney, engineer or planning consultant to meet the intent and purposes of planned developments.
- (13) Any other information deemed necessary by the Township for consideration of the development.

C. Design Standards for Planned Developments

The following design standards must be met as a condition of approval for all developments within a PD or PB District:

- i. Pedestrian sidewalk connections: It is recommended that the site plan

- provide pedestrian sidewalks along all frontage streets and sidewalk connections to all uses within the development, to parking lots and to sidewalks fronting the road right-of-way.
- ii. Transition within the planned development: The plan shall adequately provide a transition or buffer area between various land use components within the planned development.
- iii. Standards for Residential Development: Any residential development shall provide variations in building facades and setbacks that avoid the creation of regimented alignment of buildings. Care shall also be taken to provide compatibility with one another as well as with other uses within the development and the surrounding area. Garages are strongly encouraged in all residential developments.
- iv. Standards for non-single family residential building design: All non-single family development shall utilize high quality architecture to ensure the buildings are compatible with the established and intended character in the Township, and to maintain harmony within the planned development. Building design standards shall be established within the Development Agreement and shall include provisions for the following.
  - a. Buildings shall be in scale with the surrounding area.
  - b. Buildings shall be harmonious within the planned development and compliment the surrounding area. All sides of buildings visible to a public street or residential area shall be constructed to a finished quality comparable to the front facade.
  - c. Building facades shall incorporate variations in building lines, roof lines, materials and colors to create a more attractive visual environment. Buildings with a larger mass and volume shall also provide reasonable architectural treatments to reduce the visual impact of such buildings.



- d. All non-residential buildings shall be designed, and plans sealed, by an architect licensed to practice in Michigan.
  - v. Street improvements and access points: The Township may require construction or improvement of streets and specify the number and location of access points as necessary to provide adequate vehicular circulation through the Township and within the planned development to assure public health, safety and welfare.
  - vi. Road and utility improvements: Improvements to roads and utilities shall be provided to accommodate anticipated impacts associated with the planned development and as deemed necessary by the Township and appropriate review agencies.
  - vii. Performance guarantee: A performance guarantee may be required, as provided for in Section 7.8 of this ordinance.
  - viii. An applicant or property owner who has been granted Final Site Plan Approval for a planned development shall notify the Director of the Community Development Department in writing of any proposed amendment to such approved site plan.
- D. Other Development Regulations
- i. Compatibility with Master Plan: Land uses proposed shall, in the opinion of the Township, be compatible with the Township Master Plan and with surrounding land uses.
  - ii. Review and control of land uses: Land uses shall be allowed only within the areas identified on the Plan; however, some uses, or intensity of uses, may be specifically prohibited from areas designated on the Plan if listed in the Development Agreement. The conditions applicable to permitted and special land uses shall be used as guidelines for design and layout but may be varied by the Township Board after review and recommendation by the Planning Commission, provided that such conditions are specifically indicated on the site plan.
  - iii. Dimensional and density standards in general: The provisions of Section 6.8, Schedule of Regulations, the parking requirements set forth in Section 5.11, and the sign regulations set forth in Section 5.9 shall be used as guidelines for the use areas described in the Plan, but may be modified by the Planning Commission only upon a demonstration that each modification is consistent with the intent of this Section. When a use is proposed that is either a principal permitted or special land use in more than one (1) zoning district, the more restrictive regulations shall apply. Where modification of Ordinance standards is requested, the applicant shall provide a table which clearly compares each requested modification to the Ordinance standard to be modified. Unless variations are specifically requested and approved by the Planning Commission, the final site plan shall comply with the appropriate standards of the Township.
  - iv. A site plan shall be submitted for approval by the Planning Commission for any new use, addition to an existing use, structural alteration or significant change in existing use for all proposals which require Planned Development Approval and shall be reviewed in accordance with this Section. A significant change in existing use includes a change in equipment or process that may result in an increase in smoke, odor, noise, or vibration or an external change in the design, construction, or configuration of the building.
  - v. In the PD District, the land area for commercial and office uses shall in general not exceed 25% of the gross land area of the development, unless approved by the Planning Commission and Township Board.
  - vi. In those instances where a planned development proposal includes a use or uses which require Special Land Use approval under Section 6.11, such review and approval shall be concurrent with the planned development review and necessary Public Hearing(s) shall be held concurrently to address all issues related to both planned development



and Special Land Use Requirements as applicable.

- vii. All conditions imposed by the Planning Commission or Township Board shall run with the land and shall not lapse or be waived as a result of any change in tenancy or ownership of any or all of the designated planned development.
- viii. A notice of the approval of a planned development rezoning, final site plan and Development Agreement in a form approved by the township attorney shall be recorded at the Oakland County Register of Deeds. The document shall state that the development of the property is restricted by the final site plan, the Development Agreement, and any applicable conditions, and shall state where the planned development documents may be inspected.

E. Revisions To The Approved Final Site Plan

- i. Minor changes in the location, placement, or character of buildings and structures may be authorized by the Director of the Community Development Department or his/her designee, upon certification in writing that the proposed revision does not alter the basic design or conditions of the final approved plan if required by engineering or other circumstances not foreseen at the time the Final Site Plan was approved. Minor changes may include the following:
  - a. A reduction in square footage of structures.
  - b. Horizontal and/or vertical grade elevations may be altered by up to five (5) percent.
  - c. Movement of a building or buildings by no more than five (5) percent.
  - d. Increase in designated open space areas.
  - e. Plantings approved in the final landscape plan may be replaced by similar types of landscaping on a one-to-one or greater basis.
  - f. Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards,

curbing, pedestrian/bicycle paths, etc.

- g. Changes of building materials to another of a higher quality, as determined by the Director of the Community Development Department (unless changes are specifically not allowed as a condition of approval).
- h. Changes in floor plans that do not alter the character of the use.
- i. Slight modification of sign placement or reduction of size.
- j. Relocation of sidewalks and/or trash disposal areas.
- k. Internal rearrangements of a parking lot that does not affect the number of spaces or alter access locations or design.
- ii. Minor changes in the floor area of buildings, including minor building additions, may be approved by the Planning Commission and upon written application by the developer. Such minor additions require site plan review only and may proceed without the need for another public hearing.
- iii. Major changes of such things as density, a reduction of open space, building or business types, or lot size may only be approved by the Planning Commission, and upon written application by the developer, and following a public hearing according to the procedure outlined in Section 6.7.A.ii.c.

F. Consistency with Approved Development Plans

When approved, the Development Agreement and the Final Site Plan shall constitute the land use authorization for the property and all improvements and uses on the property shall be in conformity thereto. Any development of the property inconsistent with or contrary to the Development Agreement and/or the Final Site Plan shall be a violation of this ordinance.

G. Reversion of Planned Business (PB) or Planned Development (PD) Zoning Upon Expiration of Site Plan Approval

- i. If a property is rezoned to either Planned Business (PB) or Planned Development (PD) in conjunction with





the Planned Development Approval process, and if Preliminary Site Plan approval for the Planned Development expires per the scheduling requirements of Section 6.7.A.iii.c, the subject property shall revert to its former zoning classification upon positive action by the Township Board.

- ii. If a property is rezoned to either Planned Business (PB) or Planned Development (PD) in conjunction with the Planned Development Approval process, and if Final Site Plan approval for the Planned Development expires per the scheduling requirements of Section 6.8.I, the subject property shall revert to its former zoning classification upon positive action by the Township Board.
- iii. The Township Board shall initiate the reversion process by requesting that the Planning Commission proceed with consideration of rezoning the land back to its former zoning classification. The procedure for considering and acting upon this reversionary rezoning request shall thereafter be the same as applies to all other rezoning requests as specified within Section 7.11. The Township shall retain the option to initiate a rezoning to a zoning classification deemed more appropriate than the subject property's original zoning classification.
- iv. As a condition of Planned Development Approval, the Township shall require the applicant to deposit a cash bond, certified check, or irrevocable bank letter of credit equal to the administrative costs of a reversionary rezoning procedure from PB or PD back to the subject property's original zoning classification. These funds shall be returned to the applicant upon satisfactory completion of the Planned Development, as determined by the Director of the Community Development Department. These funds shall only be used by the Township to cover the administrative costs of a reversionary rezoning procedure to the subject property's original zoning classification. Should the Township choose to rezone to a zoning classification other than the original zoning classification, any funds

deposited by the applicant to cover the administrative costs of a reversionary rezoning procedure shall be returned in full to the applicant.

**6.8 SITE PLAN REVIEW AND APPROVAL**

A site plan shall be submitted for all new construction, structural alteration, or substantial change in use, as determined by the Director of the Community Development Department, for all principal permitted uses in the AG; SF; NB-O; LB; RB; GB; PB; PD; ROS; LM; E; ROP; TC; PG; NMU; RM-1; RM-2; R1-A, R1-B, R1-C, and R1-D (except individual single-family homes on an established lot or unit), for all Special Land Uses in every district, and for any other use which requires an off-street parking lot.

An application for site plan approval shall be filed with the Director of the Community Development Department at least twenty-one (21) days prior to the next regularly scheduled meeting of the Planning Commission. Nothing in this section shall be construed to guarantee an application will be considered by the Planning Commission within 21 days of filing unless all staff and consultant reviews have been received. A fee may be established by the Township Board to cover the cost of processing such site plans. When the required number of copies of the application and the site plan drawing are received, the matter will be scheduled for review by the Township and their consultants. Once all comments and reviews of the staff and consultants indicate the plans are ready for Planning Commission consideration, they will be forwarded to the Planning Commission for their next regular meeting with a recommendation for preliminary approval, conditional approval, or denial. The Planning Commission will review the Preliminary Site Plan, and will forward it on to the Township Board with a recommendation for approval, approval with conditions, or denial. Following the review and recommendation by the Planning Commission of the Preliminary Site Plan, the plan will be reviewed by the Township Board. The Township Board will either approve, approve with conditions, or deny the Preliminary Site Plan. Following approval of the Preliminary Site Plan by the Township Board, the Planning Commission will review the Final Site Plan. Following Planning Commission approval of the Final Site Plan, Final Engineering Plans must also be submitted

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



for review by the Township and their consultants. The following chart lists the items required on all site plans and the stage(s) at which the information is required.

A. Application Form Contents

6.8.A Application Form Contents			
	*PSP	*FSP	*FEP
1. Applicant's name and address.	X	X	X
2. Name of the proposed development.	X	X	X
3. Common description of the property and complete legal description.	X	X	X
4. Dimensions of land, width, length, acreage and frontage.	X	X	X
5. Existing zoning and zoning of adjacent properties.	X	X	X
6. Proposed use of land.	X	X	X
7. Name, address, city and phone number of: Firm or individual who prepared site plan, Legal owner of property and Applicant.	X	X	X
8. Signature of legal owner if not the applicant.	X	X	X

PSP = Preliminary Site Plan; FSP = Final Site Plan; FEP = Final Engineering Plan

B. Required Contents for Site Plan Drawings. The following information shall be required for all site plans. The section numbers noted in the table below are intended to assist in referencing the applicable zoning ordinance standards, however they may not be a complete reference to the standards for a given item.

6.8.B Require Contents for Site Plan Drawings			
	*PSP	*FSP	*FEP
1. All site plan review submittals, following the initial Preliminary Site Plan review, shall include a response letter detailing the changes made to the plan since the previous submittal.	X	X	X
2. Location map showing site in relation to nearest major intersection.	X	X	X
3. A scale of not less than 1" = 30' for property less than five (5) acres, or 1" = 100' for property five (5) or more acres.	X	X	X
4. Date and north point.	X	X	X
5. Location of all existing and proposed uses.	X	X	X
6. All aisles, drives and parking areas (include the number of spaces in each)	X	X	X
7. Screening and/or protective walls.		X	X
8. Principal and accessory buildings.	X	X	X
9. Location of exiting and proposed rights-of-way, widths of all abutting streets, alleys and easements, locations of all intersections and driveways on both sides of abutting streets within 300 feet of the subject property's lot lines.	X	X	X



6.8.B Required Contents for Site Plan Drawings (cont.)			
	*PSP	*FSP	*FEP
10. Types of facing materials to be used on structures.		X	X
11. Designation of units by type of buildings.	X	X	X
12. Elevations (front, sides, and rear views) of all sides of the building (s).	X	X	X
13. A floor plan drawing showing the specific use areas of all existing and proposed buildings on-site.	X	X	X
14. Seal of Registered Architect, Landscape Architect, Land Surveyor, Professional Community Planner or Civil Engineer who prepared the plan. In cases of minor structural alterations where professional services are not required, additions or three hundred (300) square feet or loess, or for changes in the use of existing buildings, the Planning Commission may waive this requirement.	X	X	X
15. Density calculations (for residential projects) (Article 3)	X	X	X
16. Existing buildings or improvements on the site and on all property adjacent to the site that are within 100 feet.	X	X	X
17. Exterior lighting locations, types of fixtures, and methods of shielding them from projecting onto adjoining property.		X	X
18. Trash receptacle location and method of screening.	X	X	X
19. Landscape plan indicating the number and size of all plan materials and structural improvements.		X	X
20. Area, quantity, location, and dimensions of all signs are required on the Preliminary Site Plan. Signage details, include the remaining standards of Section 5.9, are required on the Final Site Plan.	X	X	X
21. Drive or street approaches including acceleration, deceleration and passing lanes, if appropriate.	X	X	X
22. All utilities located on or serving the site. A designation of what type of sewer and water facilities are proposed to serve the site.	X	X	X
23. Loading and unloading areas (Section 5.11P)	X	X	X
24. Total Floor Area	X	X	X
25. Designation of fire lanes.	X	X	X
26. Where large equipment or machinery is to be installed as part of the development, the location, type of horsepower, fuel, dimension, noise, vibration and emission levels, and other data of all such equipment or machinery.		X	X
27. Location and extent of development of recreation areas, where necessary (3.2.11).	X	X	X
28. Existing and proposed contours shall be provided at an interval of one (1) foot.		X	X
29. Address location on building (minimum 6 inch numbers).		X	X

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

6.8.B Required Contents for Site Plan Drawings (cont.)			
	*PSP	*FSP	*FEP
30. Show all interior and exterior areas to be used for storage, use, loading/unloading, recycling, or disposal of hazardous substances and polluting materials.	X	X	X
31. Identify the location of exterior drains, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, treat, store, or transport stormwater or wastewater. The point of discharge for all drains and pipes shall be specified on the plans.	X	X	X
32. Provide maintenance plan for all facilities designed to collect, treat, store, or transport stormwater or wastewater.			X
33. Location of existing drainage course, floodplains and lake or stream and all elevations include reference to Township Wetlands Ordinance Requirements.	X	X	X
34. Details regarding location of loudspeakers and purpose for public address sound systems shall be submitted for Township review and Approval.		X	X
35. Identify the location of all underground and aboveground storage tanks for such uses as fuel storage, waste old holding tanks, collection of contaminated stormwater, and similar uses.		X	X
36. All required private road name signs, traffic controls signs and sign posts shall be installed at the applicant's expense prior to the issuance of any building permit.		X	X
37. The site plan shall be accompanied by architectural sketches showing elevations and maximum heights of the building(s) under consideration. In Neighborhood Office, Local Business, Restricted Business, General Business, Planned Business, and Planned Development districts, the site plan package shall also include architectural sketches showing the relationship of the subject building(s) to buildings located on immediately abutting sites and within 200 feet. In order to clearly demonstrate the impact of the proposed building height and bulk on neighboring buildings, one of the following shall also be provided: 1. A "block form model" or "study model" of the proposed building(s) and all buildings on adjoining sites showing the size, shape, roofline, and major building features; or 2. A color photograph of the site and its adjoining buildings with the proposed new building(s) drawn, painted, or otherwise added to the photograph, in scale and proper perspective; or 3. An active, computer generated video display of the proposed building(s) that demonstrated the relationship to all adjoining buildings in terms of height, setbacks, and building bulk.	X	X	X



6.8.B Required Contents for Site Plan Drawings (cont.)

	*PSP	*FSP	*FEP
<p>38. The location and width of all existing and proposed sidewalks and pathways on-site and within all rights-of-way abutting the site.</p> <p>1. All uses along Highland Road (M59) shall provide a minimum 8-foot wide, multi-use pathway along the entire frontage of the parcel being developed and along all intersecting streets abutting the site. Refer to Section 5.20 for multi-use, non-motorized pathway standards illustration.</p> <p>2. Along all other major roads, all non-residential, multi-family, residential subdivision and residential condominium developments shall provide a minimum 5-foot wide public sidewalk along the major road. Refer to Section 5.21 for public sidewalk standards.</p> <p>3. All residential developments, with the exception of those proposed in zoning districts SF and AG, must construct an internal sidewalk network along both sides of the roadway. These sidewalks shall be a minimum of 5' in width and shall conform to section 5.21 Public Sidewalk Standards.</p>	X	X	X

C. Site Plan Review Standards for Wellhead and Groundwater Protection

- i. These provisions shall apply to all businesses and facilities, including private and public facilities, if the following conditions are present:
  - a. The facility uses, stores or generates hazardous substances and polluting materials in quantities greater than 100 kilograms per month (equal to about 25 gallons or 220 pounds).
  - b. The facility receives, manufactures, stores or ships critical materials (regardless of quantity).
- i. Site Plan Information Requirements:
  - a. Completion and submission of the Hazardous Substances Reporting Form for site plan review, including the following information:
    - (1) A listing of types and quantities of hazardous substances and polluting materials that will be used, stored, or generated at the facility.
    - (2) A listing of critical materials and their quantities that will be used, stored, or generated at the facility.

- b. Completion and submission of the Environmental Permits Checklist per the Michigan Department of Environmental Quality requirements.
- c. Completion and submission of a Pollution Incident Prevention Plan per Part 5 Spillage of Oil and Polluting Materials, pursuant to Part 31, Water Resources Protection of the Natural Resources and Environmental Protection Act, 1994 PA 451, as may be amended from time to time.
- d. Location of existing and proposed service facilities and structures, above and below ground including:
  - (1) Public and private groundwater supply wells on-site and an accounting of the public and private groundwater wells located on adjacent properties, as reported by the MDEQ Scanned Water Well Record Retrieval System.
  - (2) Septic systems and other wastewater treatment systems (the location of the drain field and the septic tank, if applicable, shall be clearly distinguished).

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- (3) Areas to be used for the storage, use, loading/unloading, recycling, or disposal of hazardous substances, critical materials, and polluting materials including interior and exterior areas.
  - (4) Underground storage tank locations.
  - (5) Location of exterior drains, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store, or transport stormwater or wastewater. The point of discharge for all drains shall be specified on the site plan.
  - (6) Location of all above-ground storage tanks for such uses as fuel storage, waste oil storage, chemical storage, hazardous waste storage, collection of contaminated stormwater or wash water, and all similar uses.
- e. Location of existing wetlands and watercourses.
  - f. Soil characteristics of the parcel, at least to the detail provided by the U.S. Soil Conservation Service.
  - g. Delineation of any areas on the site that are known or suspected to be contaminated, including but not limited to soils, groundwater or surface water.
- iii. Standards for Wellhead and Groundwater Protection
    - a. The project and related improvements shall be designed to protect the natural environment, including lakes, ponds, streams, wetlands, floodplains and groundwater, and to ensure the absence of any impairment, pollution, and/or destruction of the air, water or natural resources and the public trust therein.
- b. Stormwater management and drainage facilities shall be designed to protect the natural retention and storage capacity of any wetland, water body, or watercourse. The drainage facilities shall not increase flooding or the potential for pollution of surface water or groundwater, and shall not result in a loss of the use of property by any third party.
  - c. General purpose floor drains shall be connected to a public sewer system, an on-site holding tank, or a system authorized through a state groundwater discharge permit.
  - d. Sites at which hazardous substances and polluting materials are stored, used, or generated shall be designed to prevent spills and discharges to the air, soil, groundwater, lakes, streams, rivers or wetlands.
  - e. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met. No discharges to groundwater, including direct and indirect discharges, shall be allowed without required permits and approvals.
  - f. In determining conformance with the standards in this zoning ordinance, the Township shall take into consideration the publication entitled "Small Business Guide to Secondary Containment" and other references.
- iv. Aboveground Storage and Use Areas for Hazardous Substances, Critical Materials, and Polluting Material.
    - a. Secondary containment of hazardous substances and polluting materials shall be provided. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance.



- b. Outdoor storage of hazardous substances and polluting materials shall be prohibited except in product-tight containers, which are protected from weather, leakage, accidental damage and vandalism.
  - c. Secondary containment structures such as out buildings, storage rooms, sheds and pole barns shall not have floor drains which outlet to soils, groundwater, or nearby drains or natural water bodies.
  - d. Areas and facilities for loading/unloading of hazardous substances critical materials, and polluting materials, as well as areas where such materials are handled and used, shall be designed and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater, or soils.
- v. Underground Storage Tanks
- a. Existing and new underground storage tanks (UST's) shall be registered with the authorized state agency in accordance with requirements of the U.S. Environmental Protection Agency and the State Police Fire Marshall Division.
  - b. Installation, operation, maintenance, closure, and removal of underground storage tanks shall be accordance with the requirements of the State Police Fire Marshal Division. Leak detection, corrosion protection, spill prevention and overflow protection requirements shall be met. Records of monthly monitoring or inventory control must be retained and available for review by government officials.
  - c. Out-of service abandoned underground tanks shall be emptied and removed from the ground in accordance with the requirements of the State Police Fire Marshal Division, and the Michigan Department of Environmental Quality.
  - d. UST's that were installed before December 1988 must have: 1) Corrosion protection for steel tanks and piping 2) Devices that prevent spills and overfills.
  - e. All UST's must have leak detection in accordance with the U.S. Environmental Protection Agency Office of Underground Storage Tanks. Compliance documentation must be provided.
- vi. Sites With Contaminated Soils and/or Groundwater
- a. Site plans shall take into consideration the location and extent of any contaminated soils and/or groundwater on the site, and the need to protect public health and the environment.
  - b. Development shall not be allowed on or near contaminated areas of a site unless information from the Michigan Department of Environmental Quality is available indicating that mitigation will proceed in a timely fashion and that such development is authorized.
- D. Required Content for Final Engineering Plans - Final Engineering Plans shall include all information required by this ordinance, the sanitary sewer ordinance, the water supply ordinance, and all other development and engineering design standards adopted by the Township. The applicant may submit Final Engineering Plans prior to Planning Commission's review of the Final Site Plan.
- E. Architectural Character Requirements
- The Highland Road Corridor (M-59) is the gateway to White Lake Township and provides many with their first glimpse of the character of the Community. In order to enhance the corridor's appearance as a reflection of White Lake Township, the Highland Road Corridor Plan was adopted. To implement the design recommendations from the Highland Road Corridor Plan, all non-residential developments adjacent to M-59 will be required to provide for a high quality of design. Site Plans for development adjacent to M-59 must conform to the following criteria:



- i. Exterior building materials shall be composed primarily of high quality, durable, low maintenance material, such as masonry, stone, brick, glass, or equivalent materials.
- ii. Building should address the street with entrances, windows, and architectural features facing the street. No overhead doors shall face the street, unless approved by the Planning Commission based upon a finding that the door is recessed back from the front facade and properly screened from public view.
- iii. Buildings should be designed with varied architectural details to provide visual interest.
- iv. All buildings shall have windows at eye level. Windows should cover at least thirty (30%) percent of the front facade. Reflective glass may be permitted for office uses but shall not be used for retail stores. The windows shall not be obscured at any time, except by signage as permitted in Section 5.9.
- v. Side and Rear Facade Design. Wherever a side or rear facade is visible from a street, or if parking is located at the side or rear of a building, the facade shall be designed to create a pleasing appearance, using materials and architectural features similar to those present on the front of the building.
- vi. Mechanical Equipment, including but not limited to heating, ventilating and air conditioning equipment, and antennas, shall be placed in an inconspicuous location or screened from view.
- vii. Lighting shall be shielded from adjacent property and designed to reflect continuity with the pedestrian orientation of the area. Floodlights, wall pack units, and other types of unshielded lights, and lights where the lens or bulb is visible outside of the light fixture are not permitted except in service areas where the lights will not generally be visible by the public or adjacent residential properties. Lights underneath canopies must be fully recessed into the canopy to minimize glare from the light source.

- F. Criteria for Preliminary and Final Site Plan Approval – The Preliminary Site Plan shall be reviewed by the Planning Commission and approved by the Township Board, and the Final Site Plan shall be reviewed and approved by the Planning Commission upon finding that:
  - i. The applicant has submitted the required information and it is in sufficiently complete and understandable form to allow an accurate description of the proposed uses(s) and structure(s) in terms of density, location, area, height, bulk, placement, setbacks, performance, characteristics, parking, and traffic circulation.
  - ii. There is proper relationship between major thoroughfare and proposed service drives, driveways and parking areas so as to encourage the safety and convenience of pedestrian and vehicular traffic and points of access to public thoroughfares have been minimized.
  - iii. The location of buildings, outside storage receptacles, parking areas screen walls and utility areas is such that the adverse effects of such uses will be minimized for the occupants of that use and the occupants of surrounding areas.
  - iv. Provisions have been made for proper development of roads, easements and public utilities and to protect the general health, safety and welfare of the Township.
  - v. The development of the site is such that it does not serve as a physical barrier or detriment to the development of adjacent land.
  - vi. The extent to which natural features and characteristics of the land will be preserved has been addressed.
  - vii. The use proposed for the site is a use permitted in the district and complies with all applicable requirements of the White Lake Township Zoning Ordinance and any other applicable code or ordinance.
  - viii. The proposed use is consistent with the Township's Master Plan and the Highland Road Corridor Plan as amended.





G. Criteria for Final Engineering Plan Approval  
 - The Director of the Community Development Department or his/her designee shall have the authority to grant Final Engineering Plan approval when items i through iv below have been satisfied. Failure to satisfy items ii–iv may result in the Director of the Community Development Department submitting the Final Engineering Plan to the Planning Commission for review. The Community Development Director or the Planning Commission shall grant Final Engineering Plan approval when:

- i. Final Site Plan Approval has been granted by the Planning Commission, and
- ii. All required content in subsection “C” above has been provided, and
- iii. The Township’s Engineering consultants have verified compliance with this ordinance, the sanitary sewer ordinance, water supply ordinance, and all other development and engineering design standards adopted by the Township, and
- iv. The applicant has certified that all required performance bonds will be submitted to the Township at the time of application for a building permit.

H. Procedures For Preliminary and Final Site Plan Approval, and Final Engineering Approval

- i. The Planning Commission shall recommend Preliminary Site Plan Approval to the Township Board regarding the basic layout and design of the proposed project, once the site plan is determined to be in compliance with the applicable standards of the Zoning Ordinance. Planning Commission recommendation to the Township Board for approval of a Preliminary Site Plan shall not be made prior to receiving a report from all appropriate Township departments, Township Planner, Township Engineer, and/or Township Attorney. The Township Board shall have the authority to grant Preliminary Site Plan approval. If granted by the Township Board, Preliminary Site Plan Approval shall be valid for one (1) year from the date of the Board’s action. The Township Board may grant a one (1)

year extension based upon confirmation from the Director of the Community Development Department or his/her designee that there have been no Ordinance changes affecting the preliminary site plan since the time of original approval.

- ii. The Planning Commission shall review and have the authority to grant Final Site Plan Approval, once the site plan is determined to be in compliance with the applicable standards of the Zoning Ordinance. Planning Commission approval of a Final Site Plan shall not be made prior to Preliminary Site Plan Approval by the Township Board, and receipt of a report from all appropriate Township departments, Township Planner, Township Engineer, and/or Township Attorney.
- iii. The Director of the Community Development Department or his/her designee shall have the authority to grant Final Engineering Approval, once the engineering plans are determined to be in conformance with the applicable standards of the Zoning Ordinance and other Township Ordinances. Administrative approval of a Final Engineering Plan shall not be made prior to receiving a report from the Township Engineers, and/or Township Attorney. The Director of the Community Development Department has the authority to require Final Engineering Approval by the Planning Commission if the criteria for Final Engineering Approval (Section 6.8.G.ii.4) have not been satisfied.
- iv. Upon determination of the Planning Commission, Township Board, and/or Community Development Director that a preliminary or final site plan or final engineering plan is in compliance with the Zoning Ordinance as amended, and other plans or regulations, it will be so indicated on the plan.
- v. Upon determination of the Planning Commission, Township Board, and/or Community Development Director that a preliminary or final site plan or final engineering plan is in compliance except with minor revisions, the petitioner may resubmit the plan for approval once the revisions have been adequately provided, or

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

vi. If extensive revisions to the site plan or engineering plan are necessary to meet the ordinance requirements and standards, the plan shall be disapproved and the applicant requested to prepare an alternative plan.

I. Approval Valid for One (1) Year

Upon approval of a final site plan by the Planning Commission and approval of a final engineering plan, a building permit shall be requested by the applicant within twelve (12) months or the site plan shall be declared invalid. The Planning Commission may grant a twelve (12) month extension based upon confirmation by the Director of the Community Development Department or his/her designee that there have been no Ordinance changes affecting the site plan since the time of original approval. Upon receipt of a building permit, reasonable construction shall be commenced within six (6) months, and shall be completed within twenty-four (24) months, or the site plan and building permit shall be declared to be invalid, unless the applicant requests an extension.

J. Administrative Review of Site Plans

In order to expedite the processing of site plans which (a) entail an addition to the structure and/or use of activity which is totally conforming to Zoning Ordinance requirements; or (b) are allowed in this Ordinance as "permitted uses subject to administrative approval," the provisions of this Section 6.8 regarding submission of said plan to the Planning Commission may be waived. The Director of the Community Development Department and the Building Official are hereby authorized to determine the qualifications for waiver of the Planning Commission and Township Board review and approval of such a site plan and to make such review and approval if the waiver is granted. The criteria for judgment regarding application of this provision includes the following:

- i. A request for administrative review shall be permitted only twice after the original construction of the building and/or use.
- ii. Additions to the original conforming structure granted under administrative review shall comprise not more than

one thousand square feet and/or thirty-three (33) percent of the area of the originally approved building as measured by exterior dimensions.

- iii. The proposed activity to be located within the addition is a conforming use in the zoning district in which it is located and comprises a portion of the principal use and/or accessory use already established on the property.
- iv. The proposed addition shall conform to all Zoning Ordinance requirements as shall the originally constructed building to which the building addition is proposed. The completed building shall conform in every detail to the site plan and zoning, including setbacks, greenbelts, screening and signs.
- v. All proposed additions to existing structures or uses within the Township shall fully comply with the Site Plan Review and Approval process in Section 6.8.A through 6.8.H should said addition not meet the criteria listed above.
- vi. Review fees shall apply to site plans undergoing administrative review and approval.

K. Administrative Review by the Community Development Department of a Change of Use Permit

In order to ensure that existing sites and structures are reasonably compliant with the standards of the Zoning Ordinance at a time a change of use is proposed, an application for a Change of Use Permit shall be administratively reviewed by the Director of the Community Development Department or his/her designee.

- i. The Building Official shall consult with the Director of the Community Development Department on all applications for a Change of Use Permit to determine whether an administrative review is warranted. At the discretion of the Director of the Community Development Department, any change of use to an existing structure shall be reviewed administratively in order to:
  - a. Verify that the proposed use is a principal permitted use within the property's zoning district. If the proposed use is determined to be



a special land use within that particular zoning district, a site plan shall be submitted consistent with the requirements of Section 6.8 – Site Plan Review and Approval, as well as Section 6.10 and 6.11 – Procedures and Standards for Approval of Special Land Uses.

- b. Identify any functional deficiencies of the existing site and/or structure, including (but not necessarily limited to):
  - (1) Parking lot layout, design, and construction
  - (2) Access (driveway) location and design
  - (3) Exterior lighting (location, height, prevention of glare)
  - (4) Signage (design, dimension, method of illumination, and/or location)
  - (5) Barrier-free accessibility
  - (6) Stormwater drainage
  - (7) Connection to municipal utilities (water and sewer)
  - (8) Wetlands delineation and protection
  - (9) Non-motorized access (sidewalks and/or pathways)

ii. Should the Director of the Community Development Department determine that the existing structure and/or property requires improvements in order to bring it into reasonable compliance with the standards of the Zoning Ordinance, those improvements shall be completed prior to issuance by the Building Official of a Change of Use Permit.

L. “As-built” engineering plans shall be provided to the Township following construction of the approved site plan.

### 6.9 PROVISION OF SEWER AND WATER SERVICE

The Township, in approval of a site plan, may condition approval on the applicant making provisions for water, sanitary sewer, and storm sewer facilities in accordance with this section. The Township may, at its option, condition Site

Plan approval on the applicant providing one or more of the following documents and/or guarantees:

- A. A requirement to connect the subject property to the Township’s water or sanitary sewer system if the system abuts the subject property or is extended to the subject property.
- B. Advance approval of a special assessment district for water and sewer services, including, if necessary, requiring the following:
  - i. Appointment of an individual or association to bind the property to participation in a special assessment district;
  - ii. Execution of any required petitions or other documents;
  - iii. Participation in the district;
  - iv. Prohibition against a challenge to the district; and
  - v. Payment of the special assessments as provided in the roll to be confirmed, subject to any appeal of the amount of the assessment(s) allowed by law.
- C. If the Township Board conditions approval upon one or more of the items set forth in this section, the applicant shall execute documentation, in form satisfactory to the Township attorney, to effectuate these conditions.

### 6.10 GENERAL STANDARDS FOR ALL SPECIAL LAND USES

- A. General Requirements. For all special land uses, a site plan shall be submitted to the White Lake Township Planning Commission and conform to the Requirements and Procedures for Site Plan Review set forth in Section 6.8. If the plans meet the required standards of this Ordinance, Article and applicable sections and indicate no adverse effects which, in the opinion of the approval authority, cause injury to the residents, users or adjoining property, or the Township as a whole, the Planning Commission shall approve the use. The power to approve or disapprove all special land uses shall be vested with the Planning Commission as provided by State Law and this Ordinance. In consideration of all applications for special land use approval, the Planning Commission shall review each

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

case individually as to its applicability and must find affirmatively to each of the following standards of the proposed special land use if it is to be approved. Such uses shall be subject to conditions, restrictions and safeguards deemed necessary within the scope of the law as set forth below.

- i. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
- ii. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relation to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle interfacing.
- iii. The proposed use shall be designed as to the location, size, intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
- iv. The proposed use shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

- v. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.
- vi. The standards of density and required open spaces for the proposed special land use shall be at least equal to those required by this Ordinance in the Zoning District in which the proposed special land use is to be located.
- vii. The public services and facilities affected by a proposed special land use or activity shall be capable of accommodating increased service and facility loads caused by the land use or activity.
- viii. Protection of the natural environment and conservation of natural resources and energy.
- ix. The proposed use is necessary for the public convenience at the proposed location.
- x. The proposed use is so designed, located, planned and to be operated that the public health, safety and welfare will be protected.
- xi. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

**6.11 PROCEDURES FOR REVIEW AND APPROVAL OF SPECIAL LAND USES**

- A. Approval. If the Planning Commission determines that the particular special land use(s) should be allowed, it shall endorse its approval thereof on the written application and clearly set forth in a special land use permit the particular use(s) which have been allowed and applicable conditions. Thereafter, the enforcing officer may issue a building permit in conformity with the particular special land use so approved. In all cases where a particular special land use has been granted as



provided herein, application for a building permit in pursuance thereof must be made and received by the Township not later than one (1) year thereafter, or such approval shall automatically be revoked, provided, however, the Planning Commission or Township Board may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding one (1) year as it shall determine to be necessary and appropriate. If granted concurrently, the duration of final site plan approval and special land use approval shall be the same.

- B. Denial. If the Planning Commission determines that the particular special land use(s)

requested does not meet the standards of this Ordinance or otherwise will tend to be injurious to the public health, safety, welfare or orderly development of the Township, it shall deny the application by a written endorsement thereon which clearly sets forth the reason for such denial.

- C. Record. The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use under consideration. The decision shall specify the basis for the decision, and any conditions imposed.
- D. Hearings. The Planning Commission shall investigate the circumstances of each such case and give notice of the time and place of any hearing, meeting or review which may be held relative thereto as required by State Law and/or its rules of procedure.

- E. Conditions.

The Planning Commission may impose such conditions or limitations in granting approval as may be permitted by State Law and this Ordinance which it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include, conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

Conditions imposed shall do all the following:

- i. Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- ii. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
- iii. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activity under consideration; and be necessary to insure compliance with those standards.

The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and shall remain unchanged except upon the mutual consent of the approving authority and the landowner. The Planning Commission shall maintain a record of changes granted in conditions.



**7** Admin and Enforcement

**6** Development Procedures

**5** Site Standards

**4** Use Standards

**3** Zoning Districts

**2** Definitions

**1** Purpose and Introduction



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 7.0 Administration, Appeals and Enforcement



## Article 7.0 Administration, Appeals, and Enforcement

- 7.1 Enforcement
- 7.2 Duties of the Building Inspector
- 7.3 Permits
- 7.4 Certificates of Occupancy
- 7.5 Final Inspection
- 7.6 Fees
- 7.7 Amendments Required to Conform to Court Decree
- 7.8 Performance Guarantees
- 7.9 Initiation of Amendments
- 7.10 Application Procedures
- 7.11 Amendment Procedure; Public Hearing Notice
- 7.12 Amendments Required to Conform to Court Decree
- 7.13 Criteria for Amendment of the Official Zoning Map
- 7.14 Criteria for Amendments to Zoning Ordinance Text
- 7.15 Approval of Zoning Amendments
- 7.16 Effect of Conditional Rezoning
- 7.17 Restoring Unsafe Buildings
- 7.18 Construction Begun Prior to Adoption of Ordinance
- 7.19 Posting of Road Bonds for Land Divisions
- 7.20 Temporary Buildings and Uses
- 7.21 Permit for Temporary Use of Mobile Home, Manufactured Home or House Trailer
- 7.22 Lots, Structures of Land, Characteristics of Use
- 7.23 Nonconforming Structure
- 7.24 Nonconforming Uses of Land, or Land with Minor Structures
- 7.25 Class A and Class B Nonconforming Uses
- 7.26 Nonconforming Uses of Structures
- 7.27 Nonconforming Lots of Record
- 7.28 Repairs and Maintenance
- 7.29 Nonconforming Validation Certificate
- 7.30 Change of Tenancy of Ownership
- 7.31 Special Regulations for Certain Property in the SF Suburban Farms Zoning District
- 7.32 Creation of Zoning Board of Appeals
- 7.33 Meetings
- 7.34 Appeals and Special Approvals
- 7.35 Notice of Hearing
- 7.36 Powers of Zoning Board of Appeals Concerning Administrative Review and Variances
- 7.37 Standards
- 7.38 Zoning Board of Appeals Approval, Authority to Require Documentation
- 7.39 Approval Period
- 7.40 Appeals
- 7.41 Interpretation and Application
- 7.42 Presumption of Civil Infraction
- 7.43 Violation and Penalties
- 7.44 Lien Against Land, Building or Structure





# 7.0 Administration, Appeals, and Enforcement

## 7.1 ENFORCEMENT

The provisions of this ordinance shall be administered and enforced by the Township Board and the Building Official or any other employees, inspectors and officials of the Township Board and the Building Official may delegate to enforce the provisions of the Ordinance.

## 7.2 DUTIES OF THE BUILDING OFFICIAL

The Building Official shall have the power to issue permits and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Building Official to approve any plans or any permits for an excavation or construction until he has inspected such plan in detail and found them in conformity with this Ordinance. To this end, the Building Official shall require that every application for a permit for excavation, construction, moving or alteration or change in type of use or the type of occupancy be accompanied by written statement and plans or plats drawn to scale, in triplicate, and showing the following, in sufficient detail drawn to scale, to enable the Building Official to ascertain whether the proposed work or use is in conformance with this Ordinance.

- A. The actual shape, location and dimensions of the lot.
- B. The shape, size and location of all buildings or other structures to be erected, altered or moved, and of any buildings or other structures already on the lot.
- C. The existing and intended use of the lot and of all such structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate.
- D. The signature of the fee holder owner of the premises concerned.
- E. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Ordinance are being observed.

If the proposed excavation, construction, moving or alteration, or use of land as set forth in the application are in conformity with the provisions of this Ordinance, the Building Official shall issue a permit. If any application for such permit is not approved, the Building

Official shall state in writing on the application the cause for such disapproval. Issuance of a permit shall in no case be construed as waiving any provisions of this Ordinance.

The Building Official is under no circumstances permitted to grant exceptions to the actual meaning of any clause, order or regulation contained in this Ordinance to any person making application to excavate, construct, remove, alter or use either buildings, structures or land within the Township.

The Building Official is under no circumstance permitted to make changes to this Ordinance nor to vary the terms of this Ordinance in carrying out his duties as Building Official.

The Building Official shall not refuse to issue a permit when the conditions imposed by this Ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements which may result upon the granting of said permit.

## 7.3 PERMITS

The following shall apply in the issuance of any permit.

- A. Permits Required. No permit shall be issued for construction, alteration, remodeling or moving of any building or structure until an application has been submitted in accordance with the provisions of this Ordinance showing that the construction proposed is in compliance with the provisions of this Ordinance and with the Township Building Code.
- B. Permits for New Use of Land. A permit shall also be obtained for the new use of land, whether presently vacant or a change in land use is proposed.
- C. Permits for New Use of Buildings or Structures. A permit shall also be obtained for any change in use of an existing building or structure to a different class or type.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## 7.4 CERTIFICATES OF OCCUPANCY

It shall be unlawful to use or permit the use of any land, building or structure for which a permit is required and to use or permit to be used any buildings or structure hereafter altered, extended, erected, repaired or moved, until the Building Official shall have issued a Certificate of Occupancy stating that the provisions of this Ordinance have been complied with. Completion of required site improvements – including, but not limited to, parking lot paving, utilities, exterior lighting, landscaping, sidewalks, fences, traffic-control signage, and pavement striping – is a requirement for a final Certificate of Occupancy.

- A. Certificate Validity, The Certificate of Occupancy, as required for new construction of, renovations to existing buildings and structures, in the Building Code, shall also constitute Certificates of Occupancy as required by this Ordinance.
- B. Temporary Certificates. Certificates of Temporary Occupancy may be issued for a part of a building or structure prior to the occupancy of the entire building or structure, provided that such Certificate of Temporary Occupancy shall not remain in force more than thirty (30) days, nor more than five (5) days after the building or structure is fully completed and ready for occupancy; and further, that such portions of the building or structure are in conformity with the provisions of this Ordinance.
- C. Records of Certificates. A record of all Certificates of occupancy shall be kept in the office of the Building Official, and copies of such Certificates of Occupancy may be furnished upon request to a person or persons having a proprietary or tenancy interest in the property involved.
- D. Certificates for Accessory Buildings to Dwellings. Accessory buildings or structures to dwellings shall not require a separate Certificate of Occupancy but rather, may be included in the Certificate of Occupancy for the principal dwelling, building or structure on the same lot when such accessory buildings or structures are completed at the same time as the principal use.
- E. Application for Certificates. Certificates of Occupancy shall be applied for in writing to the Building Official coincidentally with

application for building permits and shall be issued within five (5) working days after notification of completion of the building, if it is found that the building or structure, or part thereof, or the use of the land is in accordance with the provisions of this Ordinance. If such Certificate is refused for cause, the applicant shall be notified of such refusal and the cause thereof within the aforesaid five (5) day period.

- F. Township Engineer's "Punch List". The Building Official shall coordinate with the Director of the Community Development Department to determine the extent of outstanding site improvements. A cash bond or standby letter of credit in an amount equal to 125% of the estimated cost of all outstanding site improvements shall be submitted to the Community Development Department prior to issuance of a temporary Certificate of Occupancy. The estimated cost of outstanding site improvements shall be determined by the Township Engineer.
- G. Legal Documents. All required documents and agreements, including easements, shall be submitted to the Township prior to issuance of a final Certificate of Occupancy. A cash bond or standby letter of credit shall be submitted to the Community Development Department prior to issuance of a final Certificate of Occupancy to ensure completion and submittal of all required documents and agreements.

## 7.5 FINAL INSPECTION

The recipient of any building permit for the construction, erection, alteration, repair or moving of any building, structure, or part thereof, shall notify the Building Official immediately upon the completion of the work authorized by such permit, for final inspections.

## 7.6 FEES

All applications submitted to the Township for review and approval shall be accompanied by a filing fee to cover the cost of processing and reviewing the application. The fee shall be established by resolution of the Township Board. The filing fee and any required escrow fee shall be paid before the approval process begins. Upon notification of, any deficiency, including a deficiency in the escrow account,



administrative officials in charge with enforcement of the ordinance shall suspend further review of the application including building and site inspections, shall deny any new permits, and may deny any certificates of occupancy, until the account has been replenished.

Any deposit toward the cost of review shall be credited against the expense to the Township, and any portion of the deposit not needed to pay such expense shall be refunded, without interest, to the applicant within thirty days of final action on the application. A schedule of current filing fees and escrow requirements is available in the office of the Township Clerk and the Community Development Department.

If the applicant fails to pay fees due pursuant to this Ordinance and any resolution adopted by the Township Board, in addition to any other remedies available to it under this Ordinance, the Township may file suit for collection against the developer.

#### 7.7 AMENDMENTS

The Township Board may, upon recommendation from the Township Planning Commission, amend, supplement or change the regulations or the district boundaries of this Ordinance pursuant to the authority and according to the procedure set forth in Act 184, of the Public Acts of 1943, as amended, providing the fee holder be notified by Certified Mail, Return Receipt Requested. (Whenever a petitioner requests a zoning district boundary amendment, he shall be the fee holder owner of the premises concerned or else have the fee holder owner also subscribe to his petition, and shall submit a petition for rezoning to the Township Clerk.) Any applicant desiring to have any change made in this Ordinance shall, with his petition for such change, deposit the required fee as established by the Township Board with the Township Treasurer at the time petition is filed to cover the publication and other miscellaneous costs for said change.

#### 7.8 PERFORMANCE GUARANTEES

In the interest of ensuring compliance with the Zoning Ordinance and protecting the natural resources and health, safety and welfare of the residents of the Township and future users or inhabitants of an area for which a site plan for a proposed use have been submitted, the Township Board as a condition of approval of

the proposed use may require the applicant to deposit a performance guarantee as set forth herein to ensure completion of improvements connected with the proposed use required by this Ordinance, said improvements including but not limited to roadways, lighting, utilities, sidewalks, drainage, fences, screens, walls, landscaping and widening strips and signs.

- A. Performance guarantee as used herein shall mean a cash deposit, certified check, or irrevocable bank letter of credit in an amount determined by resolution of the Township Board equal to a percentage of the estimated cost of the improvements to be made as determined by the Township Engineer or other representative of the Township. The Planning Commission may recommend an amount for the performance guarantee as part of the site plan approval process.
- B. Where the Township Board, as a condition of approval of a proposed use of land requires a performance guarantee, said performance guarantee shall be deposited with White Lake Township at the time of issuance of the permit(s) by White Lake Township authorizing the activity or project.
- C. Where a performance guarantee is required by the Township Board as a condition of approval for a proposed use, the Township Board shall also prescribe the period of time within which the improvements for which the performance guarantee has been required are to be completed, said period to run from the date of the issuance of the building permit.
- D. In the event the performance guarantee deposited is a cash deposit or certified check, the Township shall rebate to the applicant fifty (50) percent of the deposited funds when seventy-five (75) percent of the required improvements are completed as confirmed by the Township, and the remaining fifty (50) percent of the deposited funds when one hundred (100) percent of the required improvements are completed as confirmed by the Township.
- E. Upon the satisfactory completion, as determined by the Township, of the improvement for which the performance guarantee was required, the Township shall return to the applicant the remainder of any performance guarantee deposited and any interest earned thereon.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- F. In the event the applicant defaults in making the improvements for which the performance guarantee is required within the time period established by the Township Board, the Township shall have the right to use the performance guarantee deposited and any interest earned thereon to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements.
- G. In the event the applicant defaults in making the improvements and the performance guarantee is not sufficient to allow the Township to complete the improvements for which it was posted, the applicant shall be required to pay to the Township the amounts by which the costs of completing the improvements exceeds the amount of the performance guarantee deposited.
- H. In the event the applicant defaults in making the improvements and the Township uses the performance guarantee or a portion thereof, to complete the required improvements, any amounts remaining after said completion shall be applied first to the Township's administrative costs in completing the improvement with any balance remaining being refunded to the applicant.
- I. In the event the applicant has been required to post a performance guarantee or bond with another governmental agency to ensure completion of an improvement associated with the proposed use, the applicant shall not be required to deposit a performance guarantee with the Township of White Lake, for that specific improvement.
- J. At the time the performance guarantee is deposited with the Township and prior to the issuance of a building permit, the applicant shall enter into an agreement with the Township incorporating the provisions hereof regarding the performance guarantee.

**7.9 INITIATION OF AMENDMENTS**

The Township Board may, from time to time, amend, modify, supplement or revise the zoning district boundaries shown on the Official Zoning Map or the provisions of this Ordinance. Amendments to the provisions of this

Ordinance may be initiated by the Township Board, the Planning Commission or by petition from one or more residents or property owners of the Township. An amendment to the zoning district boundaries contained on the Official Zoning Map may be initiated by the Township Board, the Planning Commission, or by the owner or owners of property which is the subject of the proposed amendment. An owner of land may voluntarily offer in writing and the Township may approve, certain use and development of land as a condition to the approval of a rezoning consistent with the provisions of Section 405 of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.) All proposed amendments to the provisions of this Ordinance or the Official Zoning Map shall be referred to the Planning Commission for public hearing and recommendation to the Township Board, prior to consideration thereof by the Township Board.

**7.10 APPLICATION PROCEDURE**

An amendment to this Ordinance or the Official Zoning Map, except those initiated by the Township Board or Planning Commission, shall be initiated by submission of a completed application on a form supplied by the Township, including an application fee, which shall be established from time to time by resolution of the Township Board.

In the case of an amendment to this Ordinance, other than an amendment to the Official Zoning Map, a general description of the proposed amendment shall accompany the application form.

In the case of an amendment to the Official Zoning Map, the following information shall accompany the application form:

- A. Completed application form and fee to cover review by consultants and administrative costs of the Township.
- B. A legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties, and all public and private right-of-ways and easements bounding and intersecting the land under consideration.



- C. The name and address of the owner of the subject property, and a statement of the applicant's interest in the subject property if not the owner in fee simple title.
- D. The existing and proposed zoning district designation of the subject property.
- E. A written description of how the requested rezoning meets Sec. 7.12 "Criteria for Amendment of the Official Zoning Map".
- F. Conditional rezoning requests shall include the applicant's proposed offer of conditions. This offer may be made either at the time the application for rezoning is filed or may be made at a later time during the rezoning process, prior to the public hearing.
- G. A rezoning traffic study, as described in Section 6.3, if required based on the standards of Section 6.3.B.i.
- H. If requested by the Planning Commission or the Township Board, a Community Impact Statement in accordance with Section 6.6 shall be submitted.

**7.11 AMENDMENT PROCEDURE; PUBLIC HEARING AND NOTICE**

- A. **CONDITIONAL REZONING ONLY** - A mandatory Pre-application conference with Township staff, consultants and Planning Commission officials is required prior to the formal submission of a request for a conditional rezoning. The conference provides an opportunity to informally discuss the rezoning and voluntary conditions proposed as well as other applicable Township development procedures such as site plan review, special land use review and variances. The pre-application conference will allow the applicant and the Township to identify key issues associated with the request at the earliest possible stage.
- B. Upon initiation of an amendment, a work session and public hearing to consider the proposed amendment shall be scheduled before the Planning Commission. Notice of the hearing shall be given by one (1) publication in a newspaper of general circulation in the Township. Notice shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, and each railroad operating within the district

affected, that registers its name and mailing address with the Township Clerk for the purpose of receiving such public notice. The notice shall be given not less than fifteen (15) days before the public hearing date, in accordance with the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.) and shall describe the nature of the proposed amendment, state the time and place of the public hearing, and indicate when and where written comments will be received. For rezoning requests of an individual property or of ten (10) or fewer adjacent properties, notice shall also be given by mail or personal delivery to the owners of property for which approval is being considered, to all persons whom real property is assessed within 300 feet of the subject property, and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or occupant is located within White Lake Charter Township. The notice shall indicate the property that is subject of the request including a listing of all existing street addresses within the subject property.

- C. Whenever an application for rezoning is made, it shall be the responsibility of the applicant to prepare and erect a sign announcing the rezoning request. The sign shall comply with the following regulations:
  - i. One (1) sign shall be placed on the property proposed for rezoning and in full public view along all abutting street or road frontages. The sign(s) must be located along, not in, the right-of-way nearest to the midpoint of the property width, without obstructing the vision of motorists or pedestrians, and shall in no instance be located within 25 feet of any intersection.
  - ii. If the property proposed for rezoning does not abut a street, the sign(s) shall be placed on any contiguous land owned by the petitioner(s) or owner(s) that does abut a street.
  - iii. If no contiguous property abutting a street is owned by the petitioner(s) or owner(s) of the property proposed for rezoning, the sign(s) shall be placed in such location(s) on the property that the Director of the Community Development Department deems will best inform the public of the proposed

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

rezoning. If the Director of the Community Development Department determines that there is no location where a sign could be placed that would be visible to the public, he or she may waive the requirement of posting.

- iv. The rezoning sign(s) shall be placed on the property proposed for rezoning at least fifteen (15) days, but not more than thirty (30) days, prior to the Planning Commission's public hearing on the rezoning request.
  - v. It shall be the responsibility of the applicant to maintain the sign(s) and remove it within thirty (30) days of final action by the Township Board, or seven (7) days after withdrawing the rezoning application.
  - vi. The rezoning sign(s) must comply with the specifications adopted by resolution of the Township Board.
  - vii. Upon installation of the sign(s) and at least fifteen (15) days prior to the public hearing, the applicant must submit to the Community Development Department a photograph of the erected sign(s) and a plot plan of the subject property that indicates the location of rezoning signs.
- D. Following the public hearing, the Planning Commission shall identify and evaluate all factors relevant to the petition and shall report its findings and recommendation to the Township Board. In the case of an amendment to the Official Zoning Map, the Planning Commission shall consider the criteria contained in Section 7.13 below, in making its findings and recommendation.
- E. Following receipt of the findings and recommendation of the Planning Commission, the Township Board shall consider the proposed amendment. In the case of an amendment to the text of this Ordinance, the Township Board may modify or revise the proposed amendment prior to enactment. In the case of an amendment to the Official Zoning Map, the Township Board shall approve or deny the amendment, based on its consideration of the criteria contained in Section 7.13 below.
- F. **CONDITIONAL REZONING ONLY** - In the case of a conditional rezoning petition, the

applicant may voluntarily amend the conditions during the process of rezoning consideration. An owner may withdraw all or part of its offer of conditions at anytime prior to final rezoning action of the Township Board provided that, if such withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation. The applicant may offer to add more restrictive conditions at the Township Board without requiring a new public hearing.

**7.12 AMENDMENTS REQUIRED TO CONFORM TO COURT DECREE**

Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the Township Board and published, without necessity of a public hearing or referral thereof to any other board or agency.

**7.13 CRITERIA FOR AMENDMENT OF THE OFFICIAL ZONING MAP**

In considering any petition for an amendment to the Official Zoning Map, the Planning Commission and Township Board shall consider the following criteria in making its findings, recommendations and decision.

- A. Consistency with the goals, policies and future land use map of the White Lake Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area.
- B. Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district.
- C. Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under the current zoning.
- D. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic



impacts, aesthetics, infrastructure and potential influence on property values.

- E. The capacity of Township utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township.
- F. The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district. A rezoning traffic study shall be prepared as described in Section 6.3, if required based on the standards of Section 6.3.B.i of the Zoning Ordinance.
- G. The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land in the township currently zoned and available to accommodate the demand.
- H. The boundaries of the requested rezoning district are reasonable in relationship to its surroundings, and construction on the site will be able to meet the dimensional regulations for the zoning district listed in the Schedule of Regulations.
- I. The requested zoning district is considered to be more appropriate from the township's perspective than another zoning district.
- J. If the request is for a specific use, is rezoning the land more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use?
- K. The requested rezoning will not create an isolated and unplanned spot zone.
- L. The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- M. An offer of conditions submitted as part of a conditional rezoning request shall bear a reasonable and rational relationship to the property for which rezoning is requested.
- N. Other factors deemed appropriate by the Planning Commission and Township Board.

#### 7.14 CRITERIA FOR AMENDMENTS TO ZONING ORDINANCE TEXT

The Planning Commission and Township Board shall consider the following criteria for initiating amendments to the zoning ordinance text or responding to a petitioner's request to amend the ordinance text. The decision on a proposed amendment shall include a statement of findings and conclusions that specifies the basis for the decision.

- A. The proposed amendment would correct an error in the Ordinance.
- B. The proposed amendment would clarify the intent of the Ordinance.
- C. Documentation has been provided from the township staff or the Zoning Board of Appeals indicating that there are problems and conflicts in implementation or interpretation of specific sections of the Ordinance.
- D. The proposed amendment would address changes to the state legislation.
- E. The proposed amendment would address potential legal issues or administrative problems with the Zoning Ordinance based on recent case law or opinions rendered by the Attorney General of the State of Michigan.
- F. The proposed amendment would promote compliance with changes in other Township Ordinances and County State or federal regulations.
- G. The proposed amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
- H. Other criteria as determined by the Planning Commission or Township Board which would protect the health and safety of the public, protect public and private investment in the Township, promote implementation of the goals and policies of the Master Plan and Sub-Area Plans, and enhance the overall quality of life in White Lake Charter Township.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

**7.15 APPROVAL OF ZONING AMENDMENTS**

Approved amendments shall require the following:

- A. Publication of a notice of adoption in a newspaper of general circulation in the Township within fifteen (15) days of adoption in accordance with the provisions of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.). The notice shall include either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment. The notice shall also include the effective date of the amendment and the place and time when a copy of the amendment may be purchased or inspected.
- B. The Zoning Text and/or Map shall be amended to reflect the new zoning classification or language. Map amendments for conditional rezonings should include a designation identifying that the property is subject to a Statement of Conditions.
- C. Conditional rezonings shall require the submittal of a formal written Statement of Conditions that shall be incorporated by attachment as an inseparable part of the ordinance adopted by the Township Board. The Statement of Conditions shall:
  - i. Be in a form recordable with the Oakland County Register of Deeds and include a statement acknowledging that it is recorded.
  - ii. Contain a legal description of the land to which it pertains.
  - iii. Acknowledge that upon the rezoning taking effect, the use and development of the land shall conform thereafter to all of the requirements regulating use and development within the new zoning district as modified by the Statement of Conditions.
  - iv. Contain a provision acknowledging that the Statement of Conditions runs with the land and is binding upon successor owners of the land. Any person who establishes a development or commences a use upon such land shall continuously operate and maintain the development or use in compliance with all of the conditions

- set forth in the Statement of Conditions.
- v. Incorporate by attachment or reference any diagram, plans or other documents submitted or approved by the owner that are necessary to illustrate the implementation of the Statement of Conditions. If any such documents are incorporated by reference, the reference shall specify where the document may be examined.
- vi. Specify that failure to comply with any of the conditions set forth in the Statement of Conditions shall constitute a violation of this Zoning Ordinance and shall be punishable accordingly.
- vii. Contain the notarized signatures of all of the owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the document.
- D. The approved Statement of Conditions shall be filed by the Township Clerk with the Oakland County Register of Deeds. The Township Board shall have the ability to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the recording of such a document would be of no material benefit to the Township or to any subsequent owner of the land.

**7.16 EFFECT OF CONDITIONAL REZONING**

The following provisions shall apply to approved conditional rezonings:

- A. Time Period for Establishing Development or Use. Unless another time period is specified in the Ordinance rezoning the subject land, the approved development and / or use of land pursuant to building and other required permits must be commenced upon the land within 18 months after final site plan approval and the rezoning took effect, and thereafter proceed diligently to completion. This time limitation may upon written request be extended by the Township Board if
  - i. it is demonstrated to the Township Board's reasonable satisfaction that there is a strong likelihood that the





- development and or use of will commence within the period of extension and proceed diligently thereafter to completion, and
  - ii. the Township Board finds that there has not been a change in circumstances that would render the current zoning with Statement of Conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.
- B. Reversion of Zoning. If approved development and / or use of the rezoned land does not occur within the time frame specified under Section 7.16.A above, then the land shall revert to its former zoning classification as set forth in Section 405(2) of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended. The reversion process shall be initiated by the Township Board requesting that the Planning Commission proceed with consideration of the rezoning of the land to its former zoning classification. The procedure for considering and making this reversionary rezoning shall thereafter be the same as applies to all other zoning requests.
- C. Subsequent Rezoning of Land. When land that is rezoned with a Statement of Conditions is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no Statement of Conditions, whether as a result of a reversion of zoning pursuant to Section 7.16.B above or otherwise, the Statement of Conditions imposed under the former zoning classification shall cease to be in effect. Upon the owner's written request, the Township Clerk shall record with the Oakland County Register of Deeds a notice that the Statement of Conditions is no longer in effect.
- D. Amendment of Conditions
- i. During the time period for commencement of an approved development or use specified pursuant to Section 7.16.A above or during any extension thereof granted by the Township Board, the Township shall not add to or alter the conditions in the Statement of Conditions.
  - ii. The Statement of Conditions may be amended thereafter in the same

- manner as set forth in Section 7.15.C of this Ordinance.
- E. Township Right to Rezone. Nothing in the Statement of Conditions nor in the provisions of this Section shall be deemed to prohibit the Township from rezoning all or any portion of land that is subject to a Statement of Conditions to another zoning classification. Any rezoning shall be conducted in compliance with this ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.).

**7.17 RESTORING UNSAFE BUILDINGS**

Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by the Building Official and/or the Fire Marshall or required compliance with their lawful order, unless otherwise stated herein.

**7.18 CONSTRUCTION BEGUN PRIOR TO ADOPTION OF ORDINANCE**

Nothing in this Ordinance shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to the adoption of this Ordinance, and upon which actual building construction has been diligently carried on, and, provided further that such building shall be completed within two (2) years from the date of passage of this Ordinance.

**7.19 POSTING OF ROAD BONDS FOR LAND DIVISIONS**

A road completion bond shall be posted with White Lake Township at the time a construction permit is issued by the Road Commission for Oakland County, for public roads in a land division. Building permits for will not be issued until the Road Commission for Oakland County has inspected and approved the street construction.

**7.20 TEMPORARY BUILDINGS AND USES**

Temporary buildings or uses, as defined in Article II, are allowed in all zone districts provided that a permit is obtained from the Building Official. Temporary land balancing and/or earth extractive permits shall only be

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



issued by the Building Official after approval by the Township Board of an official site plan, as defined in Section 6.8, or subdivision or condominium development plan, as defined in this Ordinance, showing finished grades and estimated cubic yards of materials to be balanced or extracted. A temporary extractive permit shall be issued in accordance with the provisions of Section 3.1.22; or provisions defined within the official site or development plan and Section 7.8 (Performance Guarantee); whichever the Township Board may deem most applicable. Such permits shall be issued for periods of 90 days not to exceed two (2) years.

A fee, established by resolution of the Township Board to defray the cost of engineering services, investigation, publication charges and other administration expenses occasioned by processing, shall accompany the application for permit. An inspection fee, established by resolution of the Township Board, shall be required for renewal of such permits.

**7.21 PERMIT FOR TEMPORARY USE OF MOTOR HOME, MANUFACTURED HOME OR TRAVEL TRAILER**

- A. No occupied motor home or travel trailer shall be parked on any site, lot, field or tract of land within the Township of White Lake not specifically licensed for that purpose or without a Building Permit issued in accordance with this Ordinance.
- B. One (1) occupied motor home or travel trailer may be parked on the premises of any occupied dwelling. The property owner shall make application to the Building Official. The permit shall be valid for a period not to exceed four (4) weeks from the date of application, and it may be used consecutively, or in non-consecutive two (2) week increments. The Building Official shall grant said permit in all cases except where adequate sanitary facilities and/or potable water facilities are unavailable to service the occupants of said motor home or travel trailer. No more than one (1) permit shall be issued to an occupied residential home in one calendar year.
- C. In special instances, permission may be obtained from the Zoning Board of Appeals for the issuance of a permit by the Building Official for the temporary use of a mobile or manufactured home by a watchman,

caretaker, manager or sales office in a commercial, industrial, or extractive district. This permit is not to exceed one (1) year from the date of issuance.

**7.22 LOTS, STRUCTURES, USE OF LAND, CHARACTERISTICS OF USE**

Within the districts established by this Ordinance there exist:

- A. Lots
- B. Structures
- C. Uses of land and structures, and
- D. Characteristics of use

which were lawful prior to the adoption of this Ordinance or any applicable amendment thereto. For purposes of this Section, "Applicable Amendment" shall mean any amendment that would make unlawful any lot, structure, uses of land and structures, or characteristics of use which were lawful prior to adoption of such amendment. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Nonconforming uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. In addition to the above, a nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of structure and land in combination shall not be extended or enlarged after passage of this Ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses, the nature of which would be prohibited in the district involved.

**7.23 NONCONFORMING STRUCTURES**

Where a lawful structure exists at the effective date of adoption of this Ordinance, or any applicable amendment thereto, that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:



- A. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.
- B. Should such nonconforming structure or nonconforming portion of structure be destroyed by any means to an extent of more than one hundred (100) percent of the State Equalized Valuation at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
- C. Should such structure be moved for any reason whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

**7.24 NONCONFORMING USES OF LAND, OR LAND WITH MINOR STRUCTURES**

Where at the time of passage of this Ordinance or applicable amendments thereto lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance or applicable amendment, and where the use involves no individual structure with a State Equalized Valuation exceeding \$500, the use may be continued so long as it remains otherwise lawful provided:

- A. The nonconforming use shall not 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. The nonconforming use shall not be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
- C. If the nonconforming use of land ceases for any reason for a period of more than one (1) year, thereafter such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
- D. Only structures conforming to the requirements of this Ordinance shall be erected in connection with such nonconforming use of land.
- E. The Township shall provide for classes of nonconforming uses.

**7.25 CLASS A AND CLASS B NONCONFORMING USES**

- A. Class A nonconforming uses and structures are those which have been designated by the Zoning Board of Appeals after application by any interested person or the Building Official upon findings that (1) continuance thereof would not be contrary to the public health, safety or welfare, (2) that the use or structure does not and is not likely to significantly depress the value of nearby properties, (3) that the use or structure was lawful at the time of its inception, and (4) that no useful purpose would be served by strict application of the provisions or requirements of this Ordinance with which the use or structure does not conform.
- B. All nonconforming uses, buildings or structures not designated as Class A are Class B nonconforming uses, buildings or structures.
- C. Procedures for Obtaining Class A Designation, Conditions
  - i. A written application shall be filed with the Township Clerk including the name and address of the applicant, a legal description of the property to which the application pertains and any other information as may be necessary to enable the Zoning Board of Appeals to make a determination of the matter. The Zoning Board of Appeals may require additional information as it considers necessary. The notice and hearing procedure before the Zoning Board of Appeals shall be the same as in the case of an application for a variance. The decision shall be in writing and shall set forth the findings and reasons on which it is based.
  - ii. Conditions may be attached, including any time limits, where necessary to assure that the use, building or structure does not become contrary to the public health, safety or welfare or the spirit and purpose of this Ordinance.
  - iii. No vested interest or right shall arise out of a Class A designation.
- D. Revocation of Class A Designation. Any Class A designation shall be revoked, following the same procedure required for designation, upon a finding that as a result

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



of any change of conditions or circumstances the use or structure no longer qualifies for Class A designation.

- E. Regulations Pertaining to Class A Nonconforming Uses and Structures
  - i. No Class A nonconforming use of land, buildings or structure shall be resumed if it has been for any reason discontinued for a continuous period of at least twelve (12) months or if it has been changed to a conforming use for any period.
  - ii. An individual Class A use or structure may be used, altered or enlarged provided that it does not violate any condition imposed by the Board of Appeals at the time of its designation.
  - iii. The expansion of all Class A nonconforming uses, except those used as single family dwellings, shall require site plan approval by the Planning Commission and Township Board prior to the issuance of a building permit. Refer to Section 6.8 of this Ordinance for site plan review regulations.
- F. Regulations Pertaining to Class B Nonconforming Uses and Structures
  - i. Intent - It is the purpose of this Ordinance to eliminate Class B nonconforming uses and structures as rapidly as is permitted by law without payment of compensation.
  - ii. No Class B nonconforming use shall be resumed if it has been discontinued for a continuous period of at least twelve (12) months or if it has been changed to a conforming use for any period.
  - iii. No Class B nonconforming structure shall be enlarged or structurally altered, nor shall it be repaired or reconstructed if damaged by fire or other casualty to the extent that the cost of reconstruction or repair exceeds fifty (50%) percent of the reproduction cost of such structure.
  - iv. No Class B nonconforming use shall be changed to a substantially different nonconforming use, nor enlarged so as to make use of more land area than used at the time of becoming nonconforming.

- v. In the case of soil removal operations, existing holes or open pits may be worked and enlarged on the land which constituted the lot on which operations were conducted at the time of becoming nonconforming, but no new holes or open pits shall be established.
- vi. No Class B nonconforming use or structure shall be permitted to continue in existence if it was unlawful at the time of its inception.

**7.26 NONCONFORMING USES OF STRUCTURES**

If a lawful use involving one or more individual structures with a State Equalized Valuation of \$500 or more, or if such a structure and premises in combination exists at the effective date of adoption of this Ordinance or applicable amendment thereto that would not be allowed in the district under the terms of this Ordinance or such amendment, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions.

- A. An existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except:
  - i. By changing the use of the structure to a use permitted in the district in which it is located; or
  - ii. In such a way as to decrease its nonconformity.
- B. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or applicable amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.
- C. If no structural alterations are made, any nonconforming use of a structure and premises may be changed to another nonconforming use, subject to the following:
  - i. The new use shall be equally or more appropriate in the zoning district as the existing non-conforming use.
  - ii. The Building Official shall determine the new use complies with subpart i above.



- D. Whenever a nonconforming use has been changed to a conforming use or to a permitted use in a district of greater restriction, it shall not thereafter be changed to a nonconforming use.
- E. Where a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for one (1) year, the structure, or structure and premises in combination shall not thereafter be used except in conformity with the regulations of the district in which it is located.
- F. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this Section is defined as damage to an extent of more than one hundred (100) percent of the State Equalized Valuation at time of destruction.

**7.27 NONCONFORMING LOTS OF RECORD**

This Section applies to those districts in which single-family residential is a principal permitted use and is intended to provide relief for the owners of non-conforming lots where said lot or lots do not meet the minimum standards of the Ordinance.

- A. Where the owner of a nonconforming lot cannot reasonably acquire sufficient land to enable him to conform to the requirements of this Ordinance relating to lot area, lot width, or both, such nonconforming lot may be used by such owner as a building site, provided that all front, side, and rear setback and open space requirements are met.
- B. If all front, side, rear, and open space requirements cannot be met, no building permit shall be issued for a nonconforming lot, except with approval of the Board of Appeals after public hearing in accordance with the Section 7.35 of this ordinance. The application to the Board of Appeals shall simply state, "Nonconforming Lot ." The application shall be on forms established by the Township and shall include at a minimum, a drawing showing all proposed structures on the lot, all applicable setbacks, and areas

designated for parking of automobiles. The Board of Appeals shall permit the use of such nonconforming lot or lots if it finds that the following standards have been met:

- i. The lot was legally established pursuant to all applicable provisions of Michigan law or White Lake Township ordinance.
- ii. The construction that will result from the issuance of said permits will be in keeping with the general character of the neighborhood in which the construction will take place.
- iii. The proposed use will not have a significant effect on adjoining and nearby property owners.
- iv. The design of the proposed structure is appropriate for the area, width, and shape of the lot, and is designed in such a fashion as to provide adequate access for fire and other emergency vehicles.
- v. The proposed design is consistent with the extent to which other developed lots in the subdivision have maintained the setbacks and other required provisions of this Ordinance.
- vi. The nonconforming lot shall meet all other requirements of this Ordinance, which requirements for the purpose of this Section shall be deemed to include reasonable provisions for automobile parking.
- vii. In no event shall the side yards be less than five (5) feet to permit fire equipment and other emergency vehicles reasonable access and further to prevent the spreading of fire; the Board of Appeals shall not have the right to vary this provision.

**7.28 REPAIRS AND MAINTENANCE**

- A. On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, to an extent not exceeding fifty (50) percent of the State Equalized Valuation of the nonconforming structure or nonconforming portion of the

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

structure as the case may be, provided that the cubic content existing when it becomes nonconforming shall not be increased.

- B. If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by the Building Official to be unsafe or unlawful by reason of physical condition, it may be structurally altered as permitted by the Building Official to restore it to a safe condition; provided that the cost of such work does not exceed fifty (50) percent of the State Equalized Valuation of such building or structure at the time such work is done.

**7.29 NONCONFORMING VALIDATION CERTIFICATE**

- A. At any time after the adoption of this Ordinance should the Township Building Official become aware of a nonconforming use, the Township Building Official may notify the owner that his property constitutes a nonconforming use. Within thirty (30) days after receipt of said notice, the owner shall apply for and be issued a Validation Certificate for the nonconforming use. The application for a Validation Certificate shall designate the location, nature, and extent of the nonconforming use and such other details as may be necessary for the issuance of the Validation Certificate.
- B. If the Building Official finds, upon reviewing the application for a Validation Certificate, that the existing use is illegal or in violation of any other ordinance or law, or if he finds that the building for which the certificate is requested has been constructed or altered for the existing use or any other use without full compliance with the Building Code or Zoning Ordinance in effect at the time if construction or alteration, he shall not issue the Validation Certificate but shall declare such use in violation of this Ordinance.

**7.30 CHANGE OF TENANCY OR OWNERSHIP**

There may be a change in tenancy, ownership, or management of an existing nonconforming use, provided there is no change in the nature or character of such nonconforming use, except in conformity with this Ordinance.

**7.31 SPECIAL REGULATIONS FOR CERTAIN PROPERTY IN THE SF SUBURBAN FARMS ZONING DISTRICT**

On May 15, 2001, the Township adopted an amendment to this ordinance that provides a minimum two acre lot size for parcels in the Suburban Farms zoning district. The intent of this amendment was to make the Suburban Farms zoning district consistent with the Rural Estates provisions of the Township's Master Plan, and to govern the development of Suburban Farms property that is not improved with a dwelling or structure as of the date of the amendment.

The Township recognizes that there are a substantial number of lots currently zoned Suburban Farms less than two acres in size upon which residential dwellings have been built. The Township realized that without additional regulations, those lots would become non-conforming and subject to the restrictions found in Section 7.27 of this Ordinance. In order to alleviate the hardship that would result by making those parcels non-conforming, the Township wishes to adopt these special regulations dealing with property that was zoned Suburban Farms as of the effective date of the above-described Ordinance Amendment:

- A. The standards of this Section shall be applied only to lots that meet all of the following criteria:
  - i. The lot was located in the SF Suburban Farms zoning district as of May 15, 2001.
  - ii. The lot was improved with a residential dwelling.
  - iii. Prior to May 15, 2001, the lot and dwelling met all applicable provisions of this Ordinance, and all other applicable building or zoning ordinances, statues or regulations, including all provisions of the Schedule of Regulations.
- B. For all lots described in Paragraph A, the following shall apply:
  - i. Notwithstanding the adoption of the amendment of this ordinance providing for a two acre minimum lot size for the Suburban Farms zoning district, these lots shall be considered to be conforming notwithstanding the provisions of Section 7.22 of this Ordinance.



- ii. Lots described in Paragraph A may be used in any lawful fashion, and may be rebuilt or expanded in conformance with any other applicable provision of this Ordinance, notwithstanding the fact that the lot size is less than two acres.
- C. This Section shall not be construed to allow the further division of any lot within the Township zoned Suburban Farms into lots less than two acres in size, whether such lot is improved with a residential dwelling or not.

**7.32 CREATION OF ZONING BOARD OF APPEALS**

There is hereby established a Zoning Board of Appeals which shall perform its duties and exercise its power as provided by Act 184 of the Public Acts of 1943, as amended, with the continued administration of this Ordinance, amendments to this Ordinance, and all other matters concerning operation of this Ordinance done pursuant to P.A. 110 of 2006, as amended, known as the Michigan Zoning Enabling Act (M.C.L. 125.3101 et seq.), in such a way that the objectives of this Ordinance shall be observed, public safety, morals and general welfare assured, and substantial justice done. The Zoning Board of Appeals shall be appointed by the Township Board and shall consist of five (5) members as follows:

- A. The first member of the Board of Appeals shall be a member of the Township Planning Commission.
- B. The remaining members of the Board of Appeal, and any alternate members, shall be selected from the Electors of the Township residing outside of incorporated cities and villages. The members selected shall be representative of the population distribution and of the various interests present in the Township. One (1) regular member may be a member of the Township Board. An elected officer of the Township shall not serve as Chairman of the Board of Appeals. An employee or contractor of the Township Board may not serve as a member or an employee of the Township Board of Appeals.
- C. The Township Board may appoint not more than 2 alternate members for the same term as regular members. An alternate member may be called to serve as a

member of the Zoning Board of Appeals in the absence of a regular member if the regular member will be unable to attend 1 or more meetings, or to reach a decision on a case in which the member has abstained for reasons of conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. The alternate member has the same voting rights as a regular member of the zoning board of appeals.

- D. The total amount allowed the Board of Appeals in any one (1) year as per diem or as expenses actually incurred in the discharge of their duties shall not exceed a reasonable sum which shall be appropriated annually in advance by the Township Board.
- E. Members of the Zoning Board of Appeals may be removed by the Township Board for misfeasance, malfeasance, or nonfeasance in office upon written charges and after public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.
- F. The term of each member shall be for three (3) years, except for members serving because of their membership on the Township Board, whose terms shall be limited to the time they are members of that body. When members are first appointed, two (2) shall serve for two (2) years and the remaining members for three (3) years. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. All vacancies for unexpired terms shall be filled for the remainder of the term.
- G. The Zoning Board of Appeals shall not conduct business unless a majority of the members of the Board are present.

**7.33 MEETINGS**

All special meetings of the Zoning Board of Appeals shall be held at the call of the Chairman, and regular meetings at such times as the Township Board may determine. All meetings of the Zoning Board of Appeals shall be open to the public. The Zoning Board of

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

Appeals shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote indicating such fact, and shall keep records of its findings, proceedings at hearings, and other official actions, all of which shall be immediately filed in the office of the Township Clerk and shall be public record.

**7.34 APPEALS AND SPECIAL APPROVALS**

An appeal may be taken to the Zoning Board of Appeals by any person, firm or corporation, or by any officer, department, board or bureau aggrieved by a decision of the Building Official. Such appeals shall be taken within such time as shall be prescribed by the Township Board by resolution by filing with the Building Official and with the Zoning Board of Appeals, a Notice of Appeal, specifying the grounds thereof and the payment of a fee established by the Township Board. The Building Official shall forthwith transmit to the Zoning Board of Appeals all of the papers constituting the record upon which action appealed from, unless the Building Official certifies to the Zoning Board of Appeals after the Notice of Appeal shall have been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by restraining order which may be granted by the Circuit Court, on application, on notice to the Building Official and on due cause shown.

The power or authority to alter or change the Zoning Ordinance or Zoning Map is reserved to the Township Board, as is provided by law.

The Zoning Board of Appeals shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the parties and shall render a decision on the appeal without unreasonable delay. Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney.

**7.35 NOTICE OF HEARING**

Public Hearing: Upon a written request seeking an interpretation of the Zoning Ordinance, an appeal of an administrative decision, or a variance, the Zoning Board of Appeals shall

select a reasonable time and place for a hearing of the request. Notice of the hearing shall be given by one (1) publication in a newspaper of general circulation in the Township. The notice shall be given not less than fifteen (15) days before the public hearing date, in accordance with the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.). For requests for a variance or an interpretation or appeal of an administrative decision which involves a specific parcel, written notice shall also be given by mail or personal delivery to the applicant and owners of the subject property, to all persons whom real property is assessed within 300 feet of the subject property, and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or occupant is located within White Lake Charter Township. The notice shall describe the nature of the proposed request, state the time and place of the public hearing, indicate when and where written comments will be received, and indicate the property that is subject of the request including a listing of all existing street addresses within the subject property.

**7.36 POWERS OF ZONING BOARD OF APPEALS CONCERNING ADMINISTRATIVE REVIEW AND VARIANCES**

The Zoning Board of Appeals as herein created, is a body of limited powers. The Zoning Board of Appeals shall have the following specific powers and duties:

- A. Purpose. To hear and decide appeals where it is alleged there is an error of law in any order, requirement, decision or determination made by Township officials in the enforcement of this Ordinance, and to hear and decide appeals where there are practical difficulties in the way of carrying out the strict letter of this Ordinance so that the spirit of the Ordinance shall be observed, public safety secured, and substantial justice done.
- B. Authorization. In hearing and deciding appeals, the Zoning Board of Appeals shall have the authority to grant such variances as may be in harmony with the general purpose and intent of this Ordinance, so that the spirit of the zoning ordinance is observed, public safety secured, and





substantial justice done, including the following:

- i. Interpret the provisions of the Ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the Zoning Map, fixing the use districts accompanying this Ordinance, where street layout actually on the ground varies from the street layout as shown on the map aforesaid.

In case of any question as to location of any boundary line between zoning districts, the Zoning Board of Appeals shall interpret the Zoning Map after recommendation from the Township Planning Commission.

- ii. Permit the erection and use of a building, or an addition to an existing building, of a public service corporation or, for public utility purposes, in any zoning district to a greater height or of a larger area than the district requirements herein established, and permit the location in any district of a public utility building or structure if the Zoning Board of Appeals shall find use, height, area, building, or structure reasonably necessary for the public convenience and service.
- iii. Permit the modification of the off-street motor vehicle parking space and loading space requirements where, in the particular instance, such modifications will not be inconsistent with the purpose and intent of such requirements.
- iv. Permit such modification of the height, lot area, yard setbacks, floor area and lot width regulations as may be necessary to secure an appropriate improvement of a lot which is of such shape or size, or so located with relation to surrounding development or physical characteristics, that it cannot otherwise be appropriately improved without such modifications, provided that modification of lot area regulations shall be permitted only in instances where the nature of the soil and drainage is such that there is sufficient area for safe water supply and sanitary disposal of waste (unless central water distribution and/or sanitary sewage are provided).

Whenever the Zoning Board of Appeals determines that the same are necessary in order to render a decision, it may require the appellant to submit a topographical survey or the results of percolation tests certified by a Registered Engineer or Land Surveyor.

- v. Permit utilization of substandard lots as regulated by Section 5.4.
- C. Conditions. The Zoning Board of Appeals, by a majority vote, may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as they may deem necessary for the good of the Township. The Board of Appeals may impose conditions upon an affirmative decision so long as the conditions conform to the requirements of Section 7.37 of this Ordinance.

#### 7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.



- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
  - i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

**7.38 ZONING BOARD OF APPEALS APPROVAL, AUTHORITY TO REQUIRE DOCUMENTATION**

The Zoning Board of Appeals may compel testimony, requiring the appellant to prepare and submit all necessary surveys, plans or other information necessary for the Zoning Board of Appeals to investigate thoroughly the matter before it. The Zoning Board of Appeals may impose such conditions or limitations in

granting a variance as it may deem necessary to comply with the spirit and purposes of this ordinance. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit. The decision of the Zoning Board of appeals shall be final.

**7.39 APPROVAL PERIODS**

No order of the Zoning Board of Appeals permitting the erection or alteration of a building shall be valid for a period longer than six (6) months, unless a building permit for such erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than six (6) months unless such use is established within such period; provided, however, that such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with such permit.

**7.40 APPEALS**

Any party aggrieved by a decision of the Zoning Board of Appeals may appeal to the circuit court for the county in which the property is located. The circuit court shall review the record and decision to ensure that the decision meets all of the requirements of P.A. 110 of 2006, as amended, known as the Michigan Zoning Enabling Act. An appeal under this section shall be filed within 30 days after the Zoning Board of Appeals certifies its decision in writing or approves the minutes of its decision.

**7.41 INTERPRETATION AND APPLICATION**

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul, any ordinance, rules, regulations or permits previously adopted or issued, and not in conflict with any of the provisions of this Ordinance, or which shall be



adopted or issued pursuant to law relating to the use of buildings or premises, and likewise not in conflict with this Ordinance; nor is it intended by this Ordinance to interfere with, or abrogate or annul, any easements, covenants or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces, or larger lot area than are imposed or required by such ordinance or agreements, the provisions of this ordinance shall control.

#### 7.42 PRESUMPTION OF CIVIL INFRACTION

A violation of the White Lake Township Zoning Ordinance, is deemed to be a municipal civil infraction.

#### 7.43 VIOLATION AND PENALTIES

- A. The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction, unless a different fine is specified in connection with a particular ordinance provision:
  - i. The First Offense. The civil fine for a first offense violation shall be in an amount of Seventy-Five Dollars (\$75.00), plus cost and other sanctions, for each offense.
  - ii. First Repeat of Offense. The civil fine for any offense which is a first repeat offense shall be in an amount of One Hundred Fifty Dollars (\$150.00), plus cost and other sanctions, for each offense.
  - iii. Second (or any subsequent) Repeat of Offense. The civil fine for any offense which is a second or subsequent repeat offense shall be in an amount of Five Hundred Dollars (\$500.00), plus cost and other sanctions, for each offense.
- B. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the Judge or Magistrate shall be authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation of, this ordinance.
- C. Continuing Offense. Each act of violation and each day upon which any such

violation shall occur, shall constitute a separate offense.

- D. Remedies Not Exclusive. In addition to any remedies provided for in this ordinance, any equitable or other remedies available may be sought.
- E. Judge or Magistrate. The Judge or Magistrate shall also be authorized to impose costs, damages and expenses as provided by law.
- F. Default on Payment of Fines and Costs. A default in the payment of a civil fine, costs, damages or expenses ordered under Subsection A or B or an installment of the fine, costs, damages or expenses as allowed by the court, may be collected by the Township of White Lake by a means authorized for the enforcement of a judgment under Chapters 40 or 60 of the Revised Judicature Act, MCL 600.101, et. seq., MSA 27A. 101, et. seq., as amended.
- G. Failure to Comply With Judgment of Order. If a defendant fails to comply with an order or judgment issued pursuant to this section within the time prescribed by the court, the court may proceed under Subsection.
- H. Failure to Appear in Court. A defendant who fails to answer a citation or notice to appear in court for a violation of this ordinance is guilty of a misdemeanor, punishable by a fine of not more than Five Hundred Dollars (\$500.00), plus costs and/or imprisonment not to exceed ninety (90) days.
- I. Civil Contempt
  - i. If a defendant defaults in the payment of a civil fine, costs, damages, expenses, or installment as ordered by the district court, upon motion of the Township of White Lake or upon its own motion, the court may require the defendant to show cause why the defendant should not be held in civil contempt and may issue a summons, order to show cause, or bench warrant of arrest for the defendant's appearance.
  - ii. If a corporation or an association is ordered to pay a civil fine, costs, damages or expenses, the individuals authorized to make disbursements shall pay the fine, costs damages or expenses, and their failure to do so shall be civil contempt unless they



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

make the showing required in this subsection.

- iii. Unless the defendant shows that the default was not attributable to an intentional refusal to obey the order of the court or to a failure on his or her part to make a good faith effort to obtain the funds required for payment, the court shall find that the default constitutes a civil contempt and may order the defendant committed until all or a specified part of the amount due is paid.
- iv. If it appears that the default in the payment of a civil fine, costs, damages or expenses does not constitute civil contempt, the court may enter an order allowing the defendant additional time for payment, reducing the amount of payment or of each installment or revoking the fine, costs, damages or expenses.
- v. The term of imprisonment on civil contempt for nonpayment of a civil fine, costs, damages or expenses shall be specified in the order of commitment and shall not exceed one day for each Thirty Dollars (\$30.00) due. A person committed for nonpayment of a civil fine, costs, damages or expenses shall be given credit toward payment for each day of imprisonment and each day of detention in default of recognizance before judgment at the rate of Thirty Dollars (\$30.00) per day.
- vi. A defendant committed to imprisonment for civil contempt for nonpayment of a civil fine, costs, damages or expenses shall not be discharged from custody until one of the following occurs:
  - a. Defendant is credited with an amount due pursuant to Subsection I (5).
  - b. The amount due is collected through execution of process or otherwise.
  - c. The amount due is satisfied pursuant to a combination of Subdivisions I.vi.a and b.
  - d. The civil contempt shall be purged upon discharge of the defendant pursuant to Subsection I.vi.

#### 7.44 LIEN AGAINST LAND, BUILDING OR STRUCTURE

- A. If a defendant does not pay a civil fine, costs or installment ordered under Subsection 7.43.A or B within 30 days after the date upon which the payment is due for a violation of this ordinance involving the use or occupation of land, a building or other structure, the Township of White Lake may obtain a lien against the land, building, or structure involved in the violation by recording a copy of the court order requiring payment of the fine and costs with the Register of Deeds for Oakland County. The court order shall not be recorded unless a legal description of the property is incorporated in or attached to the court order.
- B. The lien is effective immediately upon recording of the court order with the Register of Deeds.
- C. The court order recorded with the Register of Deeds shall constitute the pendency of the lien. In addition, a written notice of lien shall be sent by White Lake Township by first class mail to the owner of record of the land, building, or structure at the owner's last known address.
- D. The lien may be enforced and discharged by the White Lake Township in the manner described by its Charter, by the General Property Tax Act, Act No. 206 of the Public Acts of 1893 being Sections 211.1, 211.157 of the Michigan Compiled Laws, or by an ordinance duly passed by the Township. However, property is not subject to sale under Section 60 of Act No. 206 of the Public Acts of 1893, being Section 211.60 of the Michigan Compiled Laws, for nonpayment of a civil fine or costs or an installment ordered under subsections A or B unless the property is also subject to sale under Act No. 206 of Public Acts of 1893 for delinquent property taxes.
- E. A lien created under this section has priority over any other lien unless one or more of the following apply:
  - i. The other lien is a lien for taxes of special assessments.
  - ii. The other lien is created before the effective date of the amended ordinance that added this section.
  - iii. Federal law provides the other lien has priority.



- iv. The other lien is recorded before the lien under this section is recorded.
- v. The Township may institute an action in a court of competent jurisdiction for collection of the fines and costs imposed by a court order for a violation of this ordinance. However, an attempt by the Township to collect the fines or costs does not invalidate or waive the lien upon the land, building, or structure.
- vi. A lien provided for by this subsection shall not continue for a period longer than 5 years after a copy of the court order imposing a fine or cost is recorded unless within that time an action to enforce the lien is commenced

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



**7** Admin and Enforcement

**6** Development Procedures

**5** Site Standards

**4** Use Standards

**3** Zoning Districts

**2** Definitions

**1** Purpose and Introduction



# Appendix A - Amendments

## 2021 - Amendments to the Code of Ordinances of the Charter Township of White Lake

### Amendment 20-01 March 10, 2021

Section 2.2	Definition—Fleet Vehicle
Section 2.2	Definition—Grade
Section 2.2	Definition—Rear Lot Line
Section 2.2	Definition—Semi-Truck
Section 2.2	Definition—Trailer
Section 2.2	Definition—Truck
Section 3.1.1.F	AG Agricultural District Development Standards
Section 3.1.2.F	SF Suburban Farms Development Standards
Section 3.1.3.E	R1-A Single Family Residential District Development Standards
Section 3.1.4.E	R1-B Single Family Residential District Development Standards
Section 3.1.5.E	R1-C Single Family Residential District Development Standards
Section 3.1.6.E	R1-D Single Family Residential District
Section 3.1.10.B.xxv	Planned Development District Principal Permitted Uses
Section 3.1.11.A	Notes to District Standards
Section 3.1.15.C.xiii	General Business District Special Land Uses
Section 3.1.16.A	PB Planned Business District Special Land Uses
Section 3.1.16.B.xxxix	PB Planned Business District Principal Permitted Uses
Section 3.10.A	Attached Decks, Porches, and Patios in Residential Districts
Section 3.11.J, N, P, and Q	Notes to District Standards
Section 4.1	Home Occupation
Section 4.37	Outdoor Storage of Fleet Vehicles
Section 5.7	Accessory Buildings in Residential Districts
Section 5.9.J.i	Signs
Section 5.10	Swimming Pools
Section 5.11.N.i and Q	Off-Street Parking
Section 5.19.B.iv	Landscape and Screening Requirements
Section 6.7.B.i.b.(8)	Planned Development Review
Section 6.8.B.15	Development Procedures
Section 7.27	Nonconforming Lots of Record



# Appendix A - Amendments

## 2022 - Amendments to the Code of Ordinances of the Charter Township of White Lake

### Amendment 21-01 February 3, 2022

Section 2.2	Definition—Sign. 9.A Freestanding Sign, Monument (amend)
Section 3.1.10	Planned Development District, Subsection 3.1.10.B.x (amend)
Section 3.1.10	Planned Development District, Subsection 3.1.10.B.xxvi (add)
Section 3.1.12	Local Business District, Subsection 3.1.12.C.vi (add)
Section 3.6	Dwelling in Nonresidential Districts (amend)
Section 4.6	Animal Care Facilities (amend)
Section 4.6	Animal Care Facilities, Subsections J and K (add)
Section 4.16	Convalescent or Nursing Homes (amend)
Section 4.17	Drive-In or Drive-Thru Window Service (amend)
Section 5.9	Signs, Subsection 5.9.J.i (amend)

