

CHAPTER

1

Purpose, Introduction and Districts

SECTION 100. SHORT TITLE.

This ordinance shall be known as the Bridgeport Charter Township Zoning Ordinance.

SECTION 101. PURPOSE.

It is the general purpose of this Ordinance to promote the public safety, health, morals, convenience, and general welfare, and further to:

1. Guide the use and development of the community's lands and natural resources in accordance with their character, adaptability and suitability for particular uses as identified in a basic plan of land use and population density.
2. Protect the character of the community and enhance the social and economic stability of the township and individual zone districts as herein set forth.
3. Lessen congestion on the public streets and highways and facilitate safe and convenient access appropriate to various uses of land and buildings throughout the community.
4. Promote safe conditions for motorists, pedestrians and bicyclists through maintenance of an acceptable level of service along streets and at driveways within the Township. This includes assurance that property owners have reasonable, though not always direct, access to property.
5. Form a stable guide for public action to facilitate the adequate provision of sewerage and drainage, water supply distribution, and

educational, recreational, and other public services.

6. Conserve life, property, and natural resources and the expenditure of funds for public facilities and services by establishing herein standards to guide physical development and to provide for enforcement of said standards.
7. Establish controls over potential land use conflicts and uses which may need special regulation as special land uses to be compatible with surrounding development patterns and zoning.
8. Adopt provisions for each designated zoning district which shall control the use of land and property; and use, size, and location of buildings; the minimum yard, courts and other open spaces; and the maximum number of families to be housed in buildings or structures.
9. Balance the Township's right to compatible and quality development with the property owners' right to a reasonable rate of return on investment.
10. Protect natural features, ground and surface waters from pollution.

SECTION 102. INTERPRETATION.

In interpreting and applying the provisions of this Ordinance they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with any existing provisions of law or ordinance, or any rules, regulations or permits previously adopted or issued pursuant to law, relating to the uses of buildings or premises; nor is it intended by this Ordinance to interfere with, abrogate or annul any easements, covenants or other agreements between parties. However, where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of buildings, or requires larger yards, courts or other open spaces than are imposed or required by such existing provision of law or ordinance, or by such rules, regulations or permits, or by such easements, covenants or agreements, the provisions of this Ordinance shall control.

SECTION 103. SEVERABILITY.

This Ordinance and the various components, articles, sections, subsections, sentences and phrases are hereby declared to be severable. If any court of competent jurisdiction shall declare any part of this Ordinance to be unconstitutional or invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling. Further, if any court of competent jurisdiction shall declare unconstitutional

or invalid the application of any provision of this Ordinance to a particular parcel, lot, use, building or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building or structure not specifically included in said ruling.

SECTION 104. LEGAL BASIS.

This Ordinance is enacted pursuant to P.A. 110 of 2006, (being the Michigan Zoning Enabling Act). The continued administration of this Ordinance, amendments to this Ordinance, and all other matters concerning operation of this ordinance shall be done pursuant to P.A. 110 of 2006, (being the Michigan Zoning Enabling Act, M.C.L. 125.3101 *et seq.*), hereinafter referred to as the “Zoning Act.”

SECTION 105. DISTRICTS AND ZONING MAP

For the purpose of this Ordinance the Bridgeport Charter Township is hereby divided into the following districts:

- AG, Agriculture District
- RA, Residential Agriculture District
- R-1, Low Density Urban Residential District
- R-2, Medium Density Urban Residential District
- R-3, High Density Urban Residential District
- C-1, Traditional Commercial District
- C-2, Community Center District
- C-3, Destination Commercial District
- M-1, Light Industrial District
- M-2, Heavy Industrial District

- A. The boundaries of these districts are shown upon the map attached hereto and made a part of this Ordinance, which map is designated as the Zoning Map of Bridgeport Charter Township. The Zoning Map attached hereto and on file in the office of the Clerk of Bridgeport Charter Township and all notations, references, and other information shown thereon are 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.
- B. Except where referenced 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 centerlines of the streets or alleys or such lines extended and the Township boundaries, as they existed at the time of the adoption of this Ordinance.

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

SECTION 106. CONFLICTING REGULATIONS

- A. Where any provision of this Ordinance imposes either greater or lesser restrictions, limitations, conditions, standards or requirements upon the use of buildings, structures or land; the height of buildings or structures; lot coverage; lot areas; yards, wetlands, woodlands or other open spaces; or any other use or activity which is regulated by this Ordinance, the provision or standard which is more restrictive or limiting shall govern.
- B. Except as otherwise be provided in this Ordinance, every building and structure erected; every use of any lot, building or structure established; every structural alteration or relocation of an existing building or structure and every enlargement of, or addition to, an existing use, building or structure occurring after the effective date of this section shall be subject to all regulations of this Ordinance which are applicable in the zoning district in which such use, building or structure is located.
- C. No setback area or lot existing at the time of adoption of this Ordinance shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein.
- D. This Ordinance shall not abrogate or annul any easement, bylaw, master deed, deed restriction, covenant or private agreement, except that the regulations or provisions of this Ordinance shall govern if determined by the Board of Zoning Appeals to be more restrictive or impose a higher standard.
- E. The regulations herein established shall be the minimum regulations for promoting and protecting the public health, safety and general welfare. Any conflicting laws of a more restrictive nature shall supersede the appropriate provisions of this Ordinance.
- F. Bridgeport Charter Township hereby repeals the previous Zoning Ordinance, No. 08-01, including zone district classifications and map, as enacted on April 15, 2008, and all amendments.

- G. Uses, buildings and structures that were nonconforming under the previous zoning ordinance gain no new rights through the adoption of the standards of this Ordinance unless they become conforming or more conforming by the regulations of this Ordinance.

SECTION 107. EFFECT ON APPROVED, AUTHORIZED, PENDING PROJECTS OR PROJECTS UNDER CONSTRUCTION

- A. Nothing in this Ordinance shall be deemed to require any change in the plans, construction or designated use of any building upon which significant construction was begun prior to the effective date of this Ordinance, provided significant construction has lawfully begun, is being diligently carried on and shall be completed within one (1) year of the effective date of this Zoning Ordinance. This provision shall also apply to amendments to this Ordinance. The Zoning Administrator may permit an extension of this time period for up to one (1) year, when requested by the applicant in writing, before the approval expires.
- B. If a lot has an approved site plan within twelve (12) months prior to the effective date of this Ordinance, such site plan shall remain valid if construction is begun within one (1) year and completed within two (2) years of the effective date of this Zoning Ordinance. The Board of Zoning Appeals may permit an extension of this time period for up to one (1) year, when requested by the applicant in writing, before the approval expires. Mobile home or manufactured home parks shall have five years to commence construction from the date the Michigan Department of Commerce issues a construction permit, with extensions approved by the Department of Commerce.
- C. A Planned Unit Development (PUD) approved under the previous Zoning Ordinance shall remain valid if construction is begun within one (1) year of its final PUD approval and work is being diligently carried on, provided that if the approved conceptual plan is altered significantly, as defined in the Planned Unit Development regulations of this Ordinance, or if significant construction is ceased for more than six (6) months, the regulations and standards of this Ordinance shall apply.
- D. If the special conditions of this section are not met, the standards and provisions of this Ordinance shall govern.

SECTION 108. VESTED RIGHT.

Nothing in this Ordinance shall be interpreted or construed to provide any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein, other than noted in Section 107. Such uses, structures, and activities are hereby declared to be subject to subsequent amendment, change or modification as may be necessary for the preservation or protection of public health, safety and welfare.

SECTION 109. EFFECTIVE DATE.

This Ordinance shall take effect 7 days from date of publication.

CHAPTER

2

Definitions

SECTION 200. RULES APPLYING TO THE TEXT

For the purpose of this Ordinance, certain rules of construction apply to the Text as follows:

Words used in the present tense include the future tense; and, the singular includes the plural, unless the context clearly indicates the contrary.

The word “person” includes a corporation or firm as well as an individual.

The word “structure” includes the word “building.”

The word “lot” includes the words “plot,” “tract,” or “parcel.”

The terms “shall” is always mandatory and not discretionary; the words “may” is permissive.

The words “used” or occupied” as applied to any land or structure shall be construed to include the words “intended, arranged or designed to be used or occupied.”

Any word or term not herein defined shall be used with a meaning of common standard use.

The term “he” shall be read as he, she, or they.

SECTION 201. DEFINITIONS

ABUT to physically touch or border upon; to share a common property line.

ACTIVITY. See "Use"

ADAPTIVE REUSE. Means adapting an existing, economically obsolete building for a new, more productive purpose. The changes may be substantial, physical alterations that modify the building's original, intended use or a mix of uses.

ADJACENT. A lot or parcel of land which shares all of part of a common lot line with another parcel of land.

ANIMAL UNITS. Measure of the relative volume of waste material produced by various types of animals. All animal classes or types of animals are as contained in the Michigan Right to Farm Act or described in the Michigan Commission of Agriculture Policy. Specific livestock or animals not listed in the above-mentioned references shall be calculated at 1,000 pounds live weight equals one animal unit.

ANIMALS, EXOTIC "Exotic animal" means those species of animals that are exotic to humans. Exotic animals include, but are not limited to, any or all of the following orders and families, whether bred in the wild or in captivity, and any or all hybrids. The animals provided in italics are intended to act as examples and are not to be construed as an exhaustive list or limit the generality of each group of animals, unless otherwise specified:

1. Class *Mammalia*

A. Order *Artiodactyla*: hippopotamuses, giraffes, camels, deer, not cattle, swine, sheep or goats

B. Order *Carnivora*

1. Family *Felidae* lions, tigers, cougars, leopards, ocelots, servals, not domestic cats
2. Family *Canidae* wolves, coyotes, foxes, jackals, not domestic dogs
3. Family *Ursidae* all bear
4. Family *Mustelidae* weasels, skunks, martins, minks, not ferrets
5. Family *Procyonidae* raccoons, coatis
6. Family *Hyaenidae* hyenas
7. Family *Viverridae* civets, genets, mongooses

C. Order *Edentatia*: anteaters, armadillos, sloths

D. Order *Marsupialia* opossums, kangaroos, wallabies, not sugar gliders

E. Order *Perissodactyla* rhinoceroses, tapirs, not horses or donkeys or mules

F. Order *Primates* lemurs, monkeys, chimpanzees, gorillas

- G. Order Proboscidae elephants
- H. Order Rodentia squirrels, beavers, porcupines, not guinea pigs, or rats, or mice, or gerbils, or hamsters

2. Class Reptilia

- A. Order Squamata
 - i. Family Varanidae only water monitors and crocodile monitors
 - ii. Family Iguanidae only green iguanas and rock iguana
 - iii. Family Boidae all species whose adult length has the potential to exceed eight (8) feet in length
 - iv. Family Colubridae only boomslangs and African twig snakes
 - v. Family Elapidae coral snakes, cobras, mambas - All species
 - vi. Family Nactricidae only keelback snakes
 - vii. Family Viperidae such as copperheads, cottonmouths, rattlesnakes - All species
- B. Order Crocodilia such as crocodiles, alligators, caimans, gavials - all species

ANTENNA, PRIVATE. A single pole or structure designed to be used for one family private residential TV reception, or for radio signal sending and reception, on parcels used for one or two family homes; one such antenna is permitted per parcel.

ANTENNA, COMMERCIAL. Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

AREA. The square footage by which a building of parcel varies from the maximum or minimum area required for its zoning District.

AVERAGE DAILY TRAFFIC. The number of vehicles passing in both directions along a road or to and from a specific location over the course of 24 hours divided by 24 hours. In the case of accessory occupations, average daily traffic count shall be the number of vehicles entering and existing the site during its hours of operation divided by its hours of

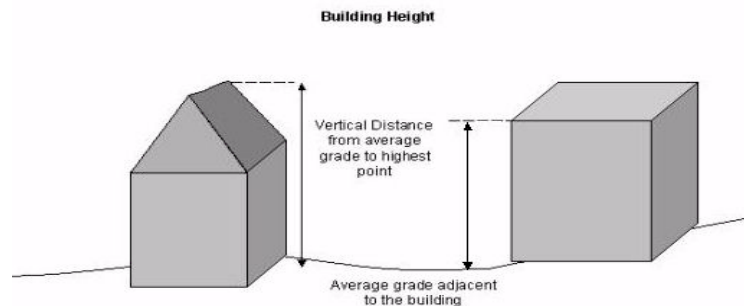
operation.

BASEMENT. A story that is not a story above grade plane (see “story above grade plane”).

BUFFER. A strip of land used to separate incompatible uses.

BUILDING. Any structure erected on-site, a mobile home or mobile structure, a pre-manufactured or pre-cut structure, above or below ground, intended primarily for the shelter, support, or enclosure of persons, animals, or property of any kind.

BUILDING, HEIGHT OF. The vertical distance measured from the mean elevation of the finished grade line of the ground above the front of the building to the highest point on the roof. for flat roofs; to the deck line of mansard roofs; and to the mean height level between eave and ridges for gable hip and gambrel roofs. (See diagram 2-7)



BUILDING LINE. The line established by law, beyond which a building shall not extend, except as specifically provided by law.

BUILDING, PRINCIPAL. A building which is considered the main or principal use of the lot on which it is located.

COMMERCIAL CENTER, REGIONAL. A group of retail stores or service establishments, including malls, planned, developed, owned and managed as an integral unit, with off-street parking provided on the property, and related in location, size, and type of shops to the trade area which the unit serves.

COMMERCIAL VEHICLES. Any vehicle bearing or required to bear commercial license plates.

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

DENSITY. The number of residential dwelling or commercial units permitted per acre of land, excluding land for street rights-of-ways, drainage ditches, etc.

DEVELOPER. Any person, including a governmental agency, undertaking any development or subdivision of land.

DEPARTMENT. The Planning & Zoning Department that produces or has responsibility for administering this ordinance.

DEPTH. For the purposes of use with lot sizes, depth is the distance from a property line to a structure.

DISTRICT REGULATIONS. Regulations for properties within each Zoning District.

DWELLING. A building or portion thereof, designed for occupancy by one family for residential purposes and having cooking facilities.

DWELLING UNIT. One or more rooms including a single kitchen, in a dwelling designed for occupancy by one family for living and sleeping purposes.

ENTERTAINMENT. For the purposes of this ordinance “entertainment” means live performance Video machines, billiards, etc. are not considered entertainment.

FAMILY. An individual, or two or more persons related by blood, marriage, or adoption, living together in a dwelling unit, or group of not more than four (4) persons who need not be related, living together in a single dwelling unit.

FARM. A tract of land which is directly devoted to agriculture purposes, provided further that farms may be considered as including establishments operated as greenhouses, nurseries, orchards, chicken hatcheries, and apiaries; but establishment keeping forbearing animals, riding or boarding stables, kennels, quarries or gravel or sand pits, shall not be considered farms hereunder, unless combined with bona fide farm operations on the same contiguous tract of land of not less than five (5) acres.

FARMING, GENERAL. The practice of agriculture on a farm as defined above.

FEEDLOT. A small, confined area for the concentrated feeding of animals or holding them temporarily for shipment.

GARBAGE. Wasted or spoiled food and other refuse or unwanted items as from a kitchen or household.

GRADE PLANE. A reference plane representing the average of the finished ground level adjoining the building at all exterior walls.

GREENHOUSE. A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate, out of season plants for subsequent sale or personal use.

GROSS FLOOR AREA. For the purpose of calculating parking and loading requirements, the gross floor area is the floor area inside the building envelope.

HIGH IMPACT OF LIVESTOCK OR POULTRY RAISING. Any farm with a sufficient number of animals on the premises that equals or exceeds a total of twenty (20) "Animal Units", (see "Animal Units"). It is characterized by the confinement of livestock or poultry where the confinement area accumulates manure that must be removed, or where a sustained ground cover (crops, vegetation, forage growth or post-harvest residue) cannot be maintained over the normal growing season throughout the area where animals are confined.

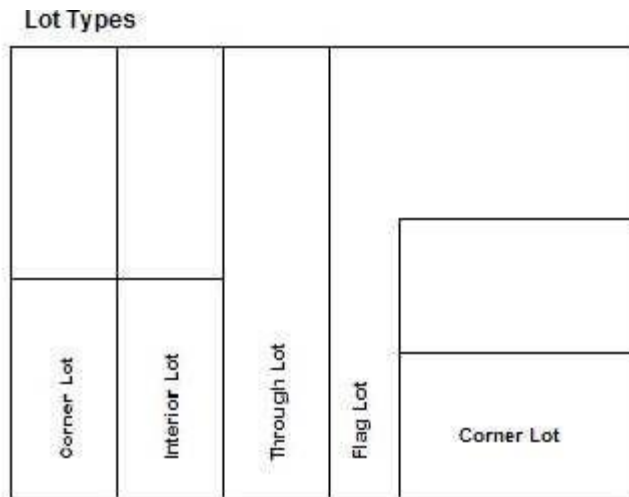
LOADING/UNLOADING AREA. An off-street space at least twelve (12) feet wide, fifty-five (55) feet long and fifteen (15) feet high, either within a building or outside on the same lot, provided, maintained and available for the loading or unloading of goods or merchandise, and having direct and unobstructed access to a public street or alley.

LOT. A parcel of land occupied or intended for occupancy by a main building and accessory buildings thereto, together with such open spaces as are required under the provisions of this Ordinance. Every lot shall abut upon and have permanent access to a public street.

LOT AREA. The total horizontal land area within the lot lines of the lot.

LOT: CORNER, FLAG, INTERIOR AND THROUGH

CORNER LOT. is a lot which has at least two contiguous sides abutting upon a street for their full length, and provided the two sides intersect at an angle of not more than one hundred thirty-five (135) degrees.



FLAG LOT. Is a lot which does not meet the minimum street frontage requirements, but is connected thereto by an access strip of less than the required minimum width.

INTERIOR LOT. is a lot other than a corner lot?

THROUGH LOT. An interior lot having frontage on two streets which do not intersect at a point contiguous to such lot.

LOT COVERAGE. The percentage of the entire lot covered by building area unless a provision of this ordinance specifies a different method of calculating lot coverage for the purposes of a particular requirement

LOT LINES. The lines abutting a lot as defined herein:

LOT LINE, FRONT. That line separating the lot from a street right-of-way. In case of a corner lot or through lot the lines separating the lot from each street.

LOT LINE, REAR. A lot line which is opposite the front lot line. In the case of a corner lot, the rear lot line may be opposite either front lot line, but there shall only be one rear lot line. In the case of a lot with side lines

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converging at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than twenty (20) feet long, lying farthest from the front lot line and wholly within the lot.

LOT LINE, SIDE. Any lot line not a front lot line or not a rear lot line.

LOT, WIDTH OF. The width measured along the front lot line or street line.

LOT OF RECORD. A parcel of land, the dimensions of which are shown on a document or map on file with the County Register of Deeds or in a common use by County and Community officials and which actually exists as shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

LOW IMPACT DEVELOPMENT (LID). An approach to land development that uses various land planning and design practices and technologies to simultaneously conserve and protect natural resource systems, water quality and reduce infrastructure costs

LUMBER YARD. A business which emphasizes the sale of lumber and wood products where material may be stored or displayed in the principal building or in accessory shed-type structures.

MANUFACTURED HOME OR MANUFACTURED HOUSING. Includes the terms HUD-Code manufactured home and mobile home detailed below, and collectively means and refers to both.

MEDICAL MARIHUANA,

Enclosed, locked facility: A closet, room, locker or other area fully enclosed on all sides equipped with locks or other security devices that permit access only to the Medical Marihuana Patient or Medical Marihuana Caregiver responsible for the Medical Marihuana contained therein as required by the Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 et seq. Such must be built and maintained in a manner consistent with applicable building and property maintenance codes.

Marihuana: that term as defined in Section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106.

Medical Marihuana:

- a. Marihuana that is acquired, possessed (externally or internally), cultivated, manufactured, used, delivered, transferred, or transported to treat or alleviate a Medical

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- b. Marihuana Patient's debilitating medical condition or symptoms associated with the debilitating medical condition; or
- c. Paraphernalia related to the administration of marihuana to treat or alleviate a Medical Marihuana Patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

Medical Marihuana Caregiver: A person who is

- a. at least 21 years old;
- b. who has agreed to assist with a medical marihuana patient's medical use of Marihuana;
- c. who has never been convicted of a felony involving illegal drugs; and
- d. otherwise meets all requirements for primary caregivers under the Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 et seq., and the rules promulgated therefore by the Department of Community Health. R 333.101 et seq., including, but not limited to possession of a valid, unexpired registry identification card.

Medical Marihuana Patient: A person who has satisfied all requirements as set forth in the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 et seq.

Usable Marihuana: Dried leaves and flowers of the marihuana plant, and any mixture or preparation thereof. The seeds, stalks, and roots of a marihuana plant are not considered usable marihuana.

MOBILE HOME. A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

NONCONFORMITY. Any use of a building, any parcel of land, or other structure which does not comply with all of the District Regulations for the Zoning District in which it is located.

NONCONFORMING USE. Any use of building, structure, or land existing at the time of enactment of this Ordinance, and which does not conform to the regulations of the district or zone in which it is situated.

OPEN SPACE. An open area which is designed and intended to provide light and air, and is designed for providing separation of uses, or for environmental, scenic or recreational purposes. An area of usable open space shall have a slope not exceeding ten percent (10%), shall have no dimension of less than ten feet (10'), and may include, but is not limited to, landscaping, walks, active and passive recreation areas, playground, wooded areas, water features and decorative objects such as art work or fountains. Open space shall not be deemed to include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

OUTSIDE STORAGE. An uncovered area where large goods are stored, such as lumber, building supplies, animal feed, fencing, piping, garden materials, or other such items.

PARCEL. A continuous piece of land under uniform ownership which is occupied or intended for occupancy by principal building or use and any accessory building or uses thereto.

PARKING AISLE. An area within a parking facility intended to provide ingress and egress to parking spaces.

PARKING AREA. An off-street, surfaced, ground level open area, for the temporary storage of five or more motor vehicles.

PARKING SPACE. An off-street space exclusive of necessary driveways, aisles or maneuvering areas suitable to accommodate one (1) motor vehicle and having direct unobstructed access to a street or alley.

PLANNED UNIT DEVELOPMENT. An area of minimum size, as specified by ordinance, to be planned and developed as a single entity containing one or more residential clusters or planned unit residential developments and one or more public, quasi-public, commercial or industrial areas in such ranges of ratios of non-residential uses to residential uses as shall be specified.

POND. A small body of still water formed naturally or by hollowing or embanking.

Pond, Agricultural Use. Ponds on an active farm, as defined by this ordinance.

PRINCIPAL BUILDING. A building in which the principal use of the lot is conducted.

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

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PRIVATE ROAD. Any alley, street, road or driveway, other than a dedicated and accepted public road, alley or easement, that provides access for vehicular traffic and utilities and/or from two or more parcels that do not front on a public street.

PUBLIC STREET. Any vehicular way which: (1) is an existing state, county, or municipal roadway; or (2) is shown upon a plat approved pursuant to law; or (3) is approved by other official action; and includes the land between the street or right-of-way lines, whether improved or unimproved. A public thoroughfare which affords the principal means of access to abutting property.

RECREATIONAL VEHICLES. A term encompassing any type of vehicle used primarily for recreational pleasure. Examples include but not limited to travel trailers, motor homes, boats, snowmobiles, etc.

RIGHT-OF-WAY. Land dedicated, deeded, used, or to be used, for a street, alley, walkway, boulevard, drainage facility, access for ingress or egress, or other purpose by the public, certain designated individuals, or governing bodies.

RUBBISH. A general term for solid waste, excluding food waste and ashes taken from residences, commercial establishments and institutions.

SALE, GARAGE INCLUDING RUMMAGE SALE, BASEMENT SALE, YARD SALE. A temporary sale of miscellaneous household goods.

SALES AREA. The area open to the public of a retail or wholesale establishment used for the display or transaction of goods.

SIGN. Any device, structure, fixture or placard that is visible from a public Right-of-Way or surrounding properties and uses graphics, symbols or written copy for the purpose of advertising or identifying any establishment, product, goods or service.

For the purpose of this ordinance the following sign or sign-related terms are defined:

Abandoned Sign: Any Sign that does not display a well-maintained message for a consecutive 120-day period; Any Sign the owner of which cannot be located at Owner's last address as reflected on the records of the department; or Any Sign no longer fully supported, by the structure designed to support the sign, for a consecutive 120-day period.

Billboard. A sign, separate from a premise, erected for the purpose of advertising a product, event, person, or subject not related to the premises on which the sign is located.

Directional Sign. A Sign on private property without commercial message that gives direction such as entrances, exits, or street numbers.

Ground Sign. A Sign supported by one or more uprights, pylons, or foundation elements in or upon the ground and not attached to a building.

Owner. A person owning a sign.

Permit. The authorization for a Sign issued by the Department.

Projecting Sign. A Sign affixed to any part of a building or structure which extends beyond the building or structure by more than twelve inches.

Residential Neighborhood Identification Sign. A Sign at the entrance of a residential neighborhood identifying the neighborhood.

Roof Sign. A Sign erected, constructed, or maintained upon, or which projects above the roofline of a building.

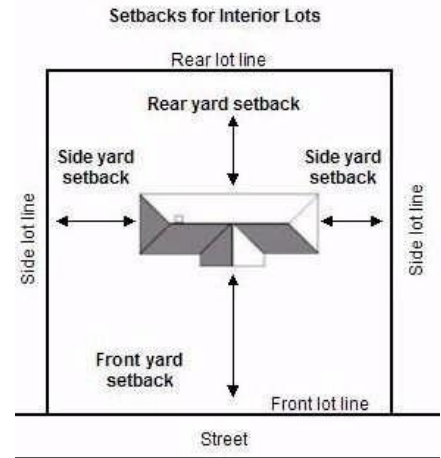
Area of sign: The entire area within a circle, triangle, parallelogram or other geometric configuration enclosing the extreme limits of writing, representation, emblem or any figure or similar character together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed.

Area shall not include:

- i. The necessary supports or uprights on which such sign is placed, provided they are less than 24” in width.
- ii. A portion of a ground mounted or monument sign that is used as the base, provided it is less than four (4’) feet in height.
- iii. Any address identifying the property.

Wall Sign. A Sign attached to, painted upon, placed against, or supported by the exterior surface of any building.

SETBACK. A distance from a curb, property line or structure within which a building is prohibited. A Front Setback is measured from the edge of the right of way of any abutting roadway. A Rear Setback is measured from the rear property line. A Side Setback is measured from any other abutting property line. Corner lots shall require two front setbacks, but only one rear setback.



SIGNIFICANT NATURAL FEATURE. A natural area as designated by the Planning Commission, Township Board, or the Michigan Department of Environmental Quality which exhibits unique topographic, ecological, hydrological, or historical characteristics such as a wetland, flood plain, high risk erosion area, environmental area, water features, or other unique natural features

SITE, AREA. The total area within the property lines excluding rights-of-way, easements, etc.

SPECIAL USE. The term applies to a use which may be permitted by the issuance of a Special Use Permit by the Township Planning Commission. Specified procedures and requirements, as outlines in cited sections must be complied with prior to final issuance of said permit.

SPECIFIED ANATOMICAL AREAS. (1) Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola. (2) Human genitals in a discernable turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES. (1) Human genitals in a state of stimulation or arousal. (2) Acts of human or animal masturbation, sexual intercourse (homosexual or heterosexual), or sodomy. (3) Fondling of or erotic touching of human genitals, pubic region, buttock or female breast. (4) Bestiality. (5) Fellatio and cunnilingus. (6) Human excretory function.

STORY ABOVE GRADE PLANE. Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is either of the following:

1. More than six (6') feet above grade plane.
2. More than twelve (12') above the finished ground level at any point.

STREET, FUNCTIONAL, CLASSIFICATION. Functional classification is the process by which streets and highways are grouped into classes, or systems, according to the character of service they are intended to provide. Three basic groups include: (1) Arterials primarily for mobility, (2) Collectors for both mobility and land access, and (3) Locals primarily for land access.

Minor Arterial. Interconnects with and augments the principal arterial system and provides service to trips of moderate length at a somewhat lower level of travel mobility than principal arterials.

Principal Arterial. Serves the major centers of activity of the region, the highest traffic volume corridors, and the longest trip desire.

Collector. Collector system provides both land access service and for local traffic movements within residential neighborhoods, commercial areas and industrial areas.

STREET LINE. The legal line of demarcation between a street right-of-way and land for service, benefit or enjoyment.

TENT. A structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

USE. The purpose for which land or buildings are or may be occupied in a zoning district.

VARIANCE. A modification of the literal provisions of this Ordinance granted when strict enforcement thereof would cause undue hardship owing to circumstances unique to the specific property on which the modification is granted by the Zoning Board of Appeals.

VISUAL SCREEN. A method of shielding or obscuring one abutting structure or use from another by fencing, walls, berms or densely planted vegetation.

WAITING SPACE. The space specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-thru business.

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WASH BAY. A partially enclosed structure for washing vehicles where in which the vehicle owner drives the vehicle into the wash bay, gets out of the vehicle, and hand washes the vehicle with a wand-type apparatus by depositing coins or tokens into a machine.

YARD. An open space on the same lot with a building, which may not be occupied by buildings, structures or parking areas, except as otherwise provided. The measurement of a yard shall be construed as the minimum horizontal distance between the lot line and the building line.

YARD, FRONT. A yard between the front lot line and the nearest point of the main building.

YARD, REAR. A yard between the rear lot line and the nearest point of the main building.

YARD, SIDE. The yard between the nearest point of the main building and any side line.

ZONING ADMINISTRATOR. The zoning administrator is a person employed by the Township and duly authorized to carry out the functions of this ordinance. For the purposes of this ordinance, the zoning administrator includes the specific employee as well as any other duly directed township employee or other designee so authorized by the Township Board, the Township Planning Commission or Township Manager to administer and enforce the ordinance in order to provide for the health, safety and public welfare.

ZONING DISTRICT. Zoning Districts are those areas of the community within which similar land use activities are permitted and for which the regulations contained within this Ordinance are the same.

CHAPTER

3

General Requirements

SECTION 300. NONCONFORMITIES

- A. Intent. It is the intent of this Section to permit the continuation of any lawful use of a building or land existing as of the effective date of this Ordinance. However, it is hereby declared that nonconformance with the provisions of this Ordinance is contrary to the best interests of the citizens of the Township and ought to be discontinued as circumstances permit.

- B. Authority to Continue. Except as otherwise provided in this article, any nonconforming lot, use, sign or structure lawfully existing on the effective date of this Ordinance or subsequent amendment thereto may be continued so long as it remains otherwise lawful. All nonconformities shall be encouraged to convert to conformity wherever possible and shall be required to convert to conformity status as required by this chapter. The burden of establishing that any nonconformity is a legal nonconformity as defined by this article shall in all cases be upon the owner of such nonconformity and not upon the Township of Bridgeport.

- C. Historic Properties. Any nonconforming property in Bridgeport Charter Township which is listed on the State or National Register of Historic Places is specifically excluded from any requirement of this Section to the extent would damage the historic character of the property. When any such property is the subject of any administrative decision, the input of Michigan's State Historic Preservation Officer shall be requested in writing not less than thirty (30) days before any regulatory action may take effect.

- D. Legality of Nonconformities. Legal nonconformities are presumed to have existed before the adoption of zoning regulation in Bridgeport Charter Township and illegal nonconformities are nonconformities that have been developed in conflict with zoning regulations through oversight or error. To be considered a legal nonconformity it shall have existed before the effective date of this ordinance and the use, parcel, building or structure in question must meet one of the following standards.
1. It complied with the District Regulations of the previous zoning ordinance No. 08-01 effective April 18, 2008 as amended, at any point in time.
 2. The nonconformity was allowed under the previous zoning ordinance due granting of a variance or special use permit.
 3. It had been recognized as a “legal nonconforming use” under the previous zoning ordinance.
 4. (Applies to nonconforming setback or lot size only). The nonconformity resulted from land acquisition by a government agency, such as for a road right-of-way.
 - 5.(Nonconforming Parcel only). Area, width, and depth of parcel and the number of off-street parking spaces provided are at least ninety percent (90%) of minimum requirements for its zoning districts.
- E. Expansion and Repair.
1. No nonconformity shall be enlarged upon, expanded (including extension of hours of operation) unless such alteration is in full compliance with all requirements of this Ordinance. Normal maintenance and incidental repair of a legal nonconformity shall be permitted, provided that this does not violate another section of this article.
 2. A legal nonconforming structure shall not be altered or expanded without the prior approval of the Zoning Board of Appeals, except that structural alteration or extensions to a structure that is nonconforming only by reason of lot size, lot width or building setback shall be permitted without prior approval of the Zoning Board of Appeals provided that such structural alteration or extension shall not increase the extent of nonconformity and shall satisfy all other applicable site

development regulations. Further, at the discretion of the Zoning Administrator with the concurrence of the building official, a legal nonconforming structure or structures may be altered without approval by the Zoning Board of Appeals if the intent and purpose of the alterations, demolitions or other changes is to make the site, building, structures or uses more conforming with the adopted zoning ordinance.

3. Nothing in this article shall be deemed to prevent restoring a structure to a safe condition in accordance with an order of a public official who is charged with protecting the public safety and who declares such structure to be unsafe and orders its restoration to a safe condition, provided that such restoration does not exceed fifty percent (50%) of the true cash value as determined by the State Equalized value.
4. No use, structure or sign which is an accessory to a principal nonconforming use or structure shall continue after such principal use or structure shall have ceased or terminated, unless it shall thereafter conform to all regulations of this Ordinance.
5. Any nonconforming use damaged by fire, explosion, an act of God or by other causes may be restored, rebuilt or repaired provided that the reconstruction or restoration work does not increase the gross floor area or the degree to which the use and/or building was nonconforming. Any such restoration or repair shall not exceed fifty percent (50%) of the true cash value as determined by the State Equalized value, with the exception that single family residential uses may be permitted to rebuild or repair to the same footprint subject to approval of the zoning administrator as long as it does not become more nonconforming.

Any restoration or repair of a single family residential structure exceeding fifty (50%) of true cash value as determined by State Equalized Value, shall meet the requirements of all building codes in effect, for the entire structure.

- F. Discontinuance. If the legal nonconforming use is discontinued through evidence of vacancy, water use, or other such information for one year, the use shall be deemed abandoned and after such shall conform to the zoning district in which it is located, and the current zoning ordinance specifications. Proof of active use of the property is the burden of the property owner.

G. Changing Uses.

1. The zoning administrator may authorize a change from one nonconforming use to another nonconforming use, provided the proposed use would be more suitable to the zoning district in which it is located than the nonconforming use which is being replaced. Whenever a nonconforming use has been changed to a more nearly conforming use or to a conforming use, such use shall not revert or be changed back to another nonconforming use unless such change shall be more nearly conforming.
2. Transfer of Ownership and Use. Any nonconforming use status may be transferred with the same rights guaranteed the new owners as those belonging to the owners of record on the effective date of this Ordinance.
3. Prior Construction Approval. A structure under construction at the time of adoption of this ordinance which has secured all necessary Township approvals and permit shall be considered to be a lawful use and development provided that construction is complete within one year of issuance of the building permit.

H. Nonconforming Lots. A nonconforming lot of record may be used for any principal use permitted in the zone in which the lot is located, provided that the proposed structure meets all applicable regulations in terms of setbacks and lot coverage.

SECTION 301. SUPPLEMENTARY USE REGULATIONS

- A. Building Permits Required. Any construction related to any type of zoning administrative approval shall be commenced only after a building permit has been obtained.
- B. Prior Building Permits. Any building permit issued prior to the effective date of this Ordinance shall be valid, even though not conforming to the provisions of this Ordinance, provided that construction is commenced within ninety (90) days after the date the permit was issued and that the building is completed according to the plans filed with the permit application within one (1) year of the date of issuance.

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- C. **Occupancy Permits.** No building shall be occupied or used and no building hereafter erected or substantially altered, shall be occupied or used in whole or in part for any purpose whatsoever until a certificate of occupancy shall have been issued by the Township.

- D. **Required Water Supply and Sanitary Sewer Facilities.** No structure shall be erected, altered, or moved upon any parcel for use as a dwelling, office, business, industry or public facility unless it is provided with a safe, sanitary, and potable water supply and with a safe and effective means of collections, treatment, and disposal of human, domestic, commercial, and industrial waste. All such installations and facilities shall conform to all requirements of the Saginaw County Health Department and applicable State agencies.

- E. **Accessory Uses.** Nothing in this Ordinance shall be construed to prohibit the following accessory uses:
 - 1. Customary refreshment and service uses and buildings which are incidental to the recreational use of any park or recreational area.
 - 2. Buildings or structures necessary for provision of essential services.
 - 3. Gardens, garden ornaments and usual landscape features within required yard space.
 - 4. Fences within required yard space subject to all other applicable regulations.
 - 5. Retaining walls.
 - 6. Public playgrounds
 - 7. Off-street parking for licensed motor vehicles and recreational equipment, not including trucks over one (1) ton rated capacity.
 - 8. Home Occupations and Cottage Industry subject to all other applicable regulations.
 - 9. Use of premises as a voting place.

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10. The renting of rooms to not more than two (2) non-transient persons in a dwelling unit which is otherwise occupied in a manner permitted in the district in which is located.

F. Fences, Walls and Screens. This section is intended to provide for the regulation of the height and location of fences, walls, screens and other similar obstructions for the purpose of providing for light, air, and privacy and safeguarding the public welfare by preventing visual obstructions at street and highway intersections.

1. Residential Fences. Residential fences are permitted or required, subject to the following:

a. Fences on all lots of record in all residential districts, which enclose property and/or are within a side or rear yard, shall not exceed six (6) feet in height. This height shall be measured from the average established grade to the highest point of the fence. No fence, wall, or hedge shall rise over four (4) feet in height in front of the house or in the required minimum front yard, whichever is greater; the measuring technique employed shall be the same as stated above. In addition, no fence, wall, or hedge shall be located within a public right-of-way, occupy a clear vision zone established by Section 301. N or interfere with visibility from a driveway. The Zoning Administrator is hereby empowered to cause all such obstructions to be removed in the interest of public safety.

b. No obscuring fence or wall shall be located within the front yard. An obscuring fence or wall is one where less than 50% of the surface area is open for free passage of light. Non-obscuring decorative fencing shall be permitted in a front yard provided it does not exceed a height of four (4) feet. Non-obscuring decorative fencing includes rail and wrought iron fences but does not include chain-link fencing.

c. A finished side of the fence shall be exposed to all adjacent properties. The finished side shall generally be the side without post exposure or with the least post exposure. The Building Inspector shall determine the "finished" side.

d. Fences not used for farm operations shall not contain barbed wire, electric current, or charge of electricity. All fences shall be constructed of treated wood, plastic,

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aluminum, or galvanized metal or similar materials as approved by the Building Inspector and/or Zoning Administrator. Temporary fencing, such as chicken wire or plastic snow fencing, shall be prohibited as permanent fencing material.

e. All fences shall comply with the requirements of all applicable building and zoning codes.

2. Nonresidential Fences

a. Fences located in other than residential districts or on the boundary between such districts shall not exceed eight (8) feet in height, measured from grade.

b. Fences, which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not obstruct vision to an extent greater than twenty-five (25) percent of their total area.

c. No fence, wall, or hedge shall be located within a public right-of-way, occupy a clear vision zone established by Section 301. N, or interfere with visibility from a driveway. The Zoning Administrator is hereby empowered to cause all such obstructions to be removed in the interest of public safety.

d. Fences shall not contain barbed wire, electric current, or charge of electricity. In the case where the security of industrial and commercial property is concerned, the Planning Commission may approve a fence eight (8) feet in height with barbed wire attached to the top of such fence as part of the site plan review process.

e. All fences shall comply with the requirements of the Building Code.

- G. Storage of Garbage. All garbage and rubbish must be stored in closed containers or within a building until the time of collection. No garbage or rubbish may be stored for a period of more than two weeks, or so as to cause hardship, health hazard, or annoyance to adjoining properties. In addition, no junk or other waste shall be accumulated, stored or placed outside of a building of any property in a residential district except as specifically permitted under this Ordinance, or by any local ordinance, including, but not limited to Bridgeport Charter Township's Blight Elimination ordinance (Article VI of the Bridgeport Code of Ordinances) and Property Maintenance Code (Article IV of the Bridgeport Code of

Ordinances)

- H. Inoperative, Dismantled and Unlicensed Vehicles. The storage of dismantled, wrecked and/or unlicensed vehicles, including recreational equipment, in any Zoning district is expressly prohibited unless contained within a licensed junk yard or wholly within an enclosed structure. A dismantled, wrecked and/or unlicensed vehicle may be permitted to be stored outdoors provided said storage does not exceed one week. Note that the storage period may be extended with written permission of the Zoning Enforcement Officer, not to exceed thirty (30) days.
- I. Parking of Licensed Recreation Vehicles. Parking of recreational equipment owned by and licensed to an occupant of the dwelling unit is permitted within any Residential or Agricultural Zoning District, except as follows:
 - 1. In the front yard of a parcel, except on a driveway or improved dustless surface adjacent to a driveway and within twenty (20') feet from the road right-of-way.
 - 2. Within a required side yard or rear yard setback.
 - 3. Within any area that qualifies as a clear vision area.
 - 4. In multi-family developments, all parking and storage of recreation vehicles must be in a rear yard and approved by the owner of the property.
 - 5. Recreational vehicles include all those small mobile units typically designed for recreational pastime, including boats, motor homes, camper trailers, jet skis, snowmobiles and similar vehicles and trailers. Each vehicle shall be considered one recreational vehicle, except in the case of jet skis, snowmobiles and other similar vehicles which when stored on a trailer each trailer can be considered one unit. Storage shall further be limited to no more than 10% of the total square footage of the parcel. Storage of recreational vehicles are not permitted in multifamily residential districts without a designated area for storage and written consent from the property owner. Commercial districts shall not provide storage for recreational vehicles unless said storage is associated with the commercial use on the property.
- J. Garage/Yard Sales. Sales of used material from a single family dwelling's side yard, rear yard or garage may occur twice a year for a period not to exceed three days for each occurrence.
- K. Auto Repair. Repair of vehicles not owned by a resident of the

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parcel on which such activity is occurring is expressly prohibited in any Residential Zoning District.

- L. Animals, Fowl and Household Pets. It is prohibited to keep farm animals or fowl in Residential or Business Districts. Farm animals may be permitted in agricultural (AG) or residential agricultural (RA) districts when adequately housed and fenced, the parcel is at least five (5) acres in area provided that no pens, corrals, structures housing animals or storage of manure or odor or dust-producing materials or use shall be permitted within fifty feet (50') of a lot line. Grazing or pasture is permitted to the property line.

- M. Exotic Animals. This ordinance prohibits any person to own, possess, keep, harbor or breed an exotic animal, as defined in Chapter 2, except as follows:
 - i. Duly incorporated non-profit animal protection organizations housing an exotic animal at the written request of the animal control authority.
 - ii. Animal control or law enforcement agencies or offices acting under the authority of this section.
 - iii. Licensed veterinary hospitals or clinics.
 - iv. Any lawfully operated circus or rodeo.

- N. Corner Clearance. No fence, wall, hedge, screen, sign or other structure or planting shall obstruct vision between the heights of three feet and ten feet on any corner lot in any zone requiring front and side yards within the triangular area formed by the intersecting street right-of-way lines and a straight line joining the two street lines at points which are thirty feet distant from the point of intersection, measured along the street right-of-way lines. Trees may be accepted, provided their lowest foliage is at least ten feet above the street grade.

- O. Land Divisions and access requirements shall conform to the following requirements:
 - 1. All divisions/splits of land shall comply with the provisions of P.A. 288 of 1967 as amended by P.A. 591 of 1996 and P.A. 87 of 1997, being the Land Division Act, State of Michigan.
 - a. Private access roads, shall be constructed to meet the standards of Section 307; and,
 - b. Where new access roads cross a watercourse,

drainage way, channel, or stream, bridge(s) or other structures providing access over such watercourse(s) shall be designed and constructed so as to permit use and provide access to emergency vehicles, i.e., fire trucks, ambulances, tow trucks, road maintenance equipment, etc. in a manner which meets all regulations applicable to wetland and water courses.

2. All land divisions/splits of land will be reviewed to ensure that all new parcels and lots that are proposed to be created, meet the requirements of the Land Division Act, and minimum Zoning Ordinance requirements not only for lot frontage, depth and area, but also have enough buildable area for erection of a structure outside of a floodplain or wetland.
3. Landowners with significant natural features are encouraged to consider using the Planned Development provisions of Chapter 16 so as to minimize negative impacts on identified natural features that otherwise could provide significant benefits to the new development.

P. Setbacks from significant natural features minimum specifications:

1. A building setback of at least 25' with the setback area planted with sod-forming vegetation or covered by retaining naturally occurring vegetation, including shrubs and trees, is encouraged to be maintained along all watercourses, drains, water bodies and wetlands.
2. The building setback standard in subsection (1) above is required to be maintained by any land use receiving Site Plan approval pursuant to Chapter 16 PUD. Vegetation within the buffer strip may not be clear cut, plowed or graded, except as part of an official drain cleaning project.

SECTION 302. SUPPLEMENTARY DWELLING REGULATIONS

- A. Must Comply with Code Requirements. Every dwelling must comply with all adopted construction codes. This includes meeting or exceeding all applicable roof snow loads and strength requirements. If the dwelling is a manufactured home, all construction, insulation, plumbing, or electrical apparatus shall conform to the "Mobile Home construction and Safety Standards" of the United States Department of Housing and Urban Development. Where any state or local regulation sets a more stringent standard than the "Mobile Home Construction and

Safety Standards,” then the state or local standard shall apply.

- B. **Manufactured Home Installation.** In the event that a dwelling is a manufactured home, it must be installed pursuant to the manufacturer’s setup instructions with the wheels removed. It also must be secured to the ground by an anchoring system or device complying with the township Building Code and the rules and regulations of the Michigan Mobile Home Commission. Each manufactured home must have a perimeter wall or skirting which has the same dimensions as the dwelling. No manufactured home shall have any towing mechanism, undercarriage or chassis exposed.
- C. **One Single Family Dwelling Per Parcel.** No building in the rear of or on the same lot with a principal building shall be used for residential purposes except as may be specifically approved by other provisions of this ordinance.
- D. **Structures to be of Uniform Quality.** Any additions, rooms or other areas of a dwelling must be constructed using workmanship and materials similar in quality to the original structure. Such additions, rooms or other areas must be permanently attached to the principal structure and must be supported by a foundation as required herein.
- E. **Aesthetically Compatible.** Dwelling must be aesthetically compatible in design and appearance with other residences in the vicinity, with a roof overhang of not less than six (6”) inches on all sides and contain steps connected to a landing and said exterior door areas where a difference of elevation requires the same.

The compatibility of design and appearance shall be determined initially by the Township Zoning Administrator upon review of the plans submitted for a particular dwelling, subject to appeal by an aggrieved party to the Zoning Board of Appeals. Any determination of compatibility shall be based on the standards set forth herein, as well as the character, design, and appearance of one or more residential dwellings, located outside of mobile home parks, and within two thousand (2,000’) feet of the subject dwelling where such area has at least twenty (20%) percent of lots developed; or, where said area is not so developed, by the character, design, and appearance of one or more residential dwellings, located outside of manufactured home parks, throughout the Township. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard home design.

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- F. Maintenance. A dwelling must be properly maintained and protected against deterioration and damage from the elements or the passage of time, by prompt and appropriate repairs, surfacing, coating and any other necessary protective measures.
- G. Storage Area. Every dwelling unit must contain a storage area equal to ten (10) percent of the square footage of the dwelling or one hundred (100) square feet, whichever is less, in a basement located under the dwelling, an attic area, closet areas, or in a separate structure which meets all requirements of the Township Building Code.
- H. Foundation. All single-family dwellings, except mobile homes located in mobile home parks, must be firmly attached to a permanent foundation meeting the Township Building code requirements for such dwelling the walls of which have the same perimeter dimensions as the dwelling.
- I. Dimensions. All single-family dwellings must have a minimum width across front, side, and rear elevations of twenty-four (24) feet and comply in all respects with the Township Building Code, including minimum heights for habitable rooms.
- J. Exterior Doors. Every single-family dwelling must have exterior doors on not fewer than two sides with steps and porches connected to said doors where required due to a difference in elevation.

SECTION 303. SUPPLEMENTARY PARCEL REGULATIONS.

- A. Minimum Lot Frontage. The front lot lines of all parcels created after the adoption of this ordinance shall abut a public street or an approved private road and shall have a contiguous permanent frontage at the front lot line for the required width.
- B. Access to a Street. Any parcel created after the effective date of this Ordinance shall have improved access to a public street or a private road which complies with the Township ordinance.
- C. Space Used Once. Any yard or other open space provided about any building or structure for the purpose of complying with the provisions of this Ordinance shall not again be used as a yard or other required open space for another building or structure except where one is to be demolished upon completion of the other.

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- D. Ponds. Ponds are permitted as a landscaping enhancement to a residential use in the AG and R districts, subject to the following:
1. Site and developmental standards:
 - a. An artificial pond shall not be placed on a lot or parcel of less than five (5) acres in size and shall not cover more than twenty-five (25) percent of the lot area.
 - b. An artificial pond shall be set back a minimum of one hundred (100) feet from all lot lines and any existing right-of-way.
 - c. No artificial pond created after the effective date of this Ordinance shall be less than two (2) feet deep except along the banks of the artificial pond, which shall be at a minimum grade of 1:10 but no greater than 1:4 .
 - d. No artificial pond shall be created within fifty (50) feet of ecologically sensitive sites, including wetlands and streams, unless all applicable county, state and federal permits are obtained.
 - e. Erosion control must be provided for all filled or disturbed surface areas including the water body margin. These areas must be covered or treated during all phases of construction to prevent material from being wind-blown unto neighboring properties or eroded by runoff. The applicant must meet all requirements of the Soil Erosion and Sedimentation Control Act, P.A. 347 of 1972, as amended.
 - f. All excavated material shall be deposited on the property and suitably landscaped to assure the appearance of natural landforms, unless the Township Board specifically permits the removal of excavated material from the site. Such approval shall be based upon, in part, a specific haul route. No additional runoff shall be generated on neighboring sites.
 - g. All surface areas disturbed by excavation and filling activities, which are intended to be above the water level of the pond, shall be provided with a minimum of four (4) inch layer of arable topsoil. The area shall be landscaped with grass or other live material and maintained as such.
 2. Special Performance Standards:
 - a. The application for special land use approval of an artificial pond shall include a plan for the reclamation of the pond site and surrounding disturbed areas should the excavation of the pond not be fully completed or should the pond area be subsequently abandoned or discontinued as a permanent feature on the site. The reclamation plan shall provide for the filling of excavated

areas to return said areas to their surface elevations prior to any pond excavation activities taking place. The reclamation plan shall provide for the continued landscaping of the area previously proposed as the pond, or otherwise disturbed by excavation activities, consisting of live groundcover.

- b. Special Land Use Approval for a mineral extraction operation shall be required, in conjunction with a Special Land Use Approval for an artificial pond, where a proposed artificial pond provides for the removal of more than fifteen thousand (15,000) cubic feet of excavated material to be placed at a location other than the lot or parcel within which the proposed artificial pond is to be placed.
- c. Upon a determination from the Planning Commission that the body of water poses a danger to area residents, the artificial pond shall be enclosed by an approved fence to a minimum height of six (6) feet. Such fence must be substantial enough to prevent trespass and placed no closer than twelve (12) feet to the water's edge at the pond's maximum capacity.
- d. Artificial ponds shall be so located and designed so as to reduce the potential of pollution from nearby sources such as septic tanks, site drainage, and the like, and farm operations when the artificial pond is not intended for agricultural use.
- e. Artificial ponds must be located away from power transmission lines, gas or oil wells, transfer lines and the like in accordance with requirements established by the utility involved.
- f. Sites that are developed for commercial recreational uses must be accessible from either a minor or major thoroughfare.
- g. The construction and maintenance of an artificial pond shall not adversely impact neighboring uses by changes in surface drainage or underwater aquifers.
- h. An engineering report must be submitted with the following information at a minimum:
 - 1. A water body profile with elevations and changes in slope illustrated at ten (10) foot intervals.
 - 2. Soil evaluation for the site with any necessary soil modifications due to seepage or other concerns.
 - 3. Specifications for spillway or drain, foundation preparation, and fill placement.
 - 4. A detailed plan for stormwater runoff and erosion control provisions.
- i. As a condition precedent to the issuance of the permit,

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the applicant shall indemnify and hold harmless Bridgeport Charter Township, its officials, agents, employees, and all other Bridgeport Township residents, from all manner of liability, whatsoever, that may arise as a result of such pond construction. Also the applicant shall have the responsibility and obligation to stop work and immediately notify Bridgeport Charter Township or the proper utility, at any time during such pond construction, when an underground electrical line or conduit is uncovered and shall continue such work stoppage until an inspection of same can be made by said personnel.

- j. The Township Board may require screening or a transition strip around the pond if it finds that such screening or transition strip, because of the pond's location in relation to surrounding land uses or circulation systems, is beneficial to assure compatibility between land uses or otherwise protect the public health, safety, or welfare

E. **Parking of Licensed Vehicles.** All licensed vehicles must be parked on an approved surface, as determined by the Zoning Administrator.

F. **Landscaping and General Bufferyard Standards.**

1. All landscaping must be well maintained and plant material kept alive.
2. Where required and/or desired, berms shall be a minimum of three feet in height measured from the average grade at the base to the top of the berm with a slope not greater than three feet of run for each one foot of rise. The height of the berm shall be measured from the adjacent parking lot or building grade. A steeper slope may be permitted if it can be demonstrated that it will be both properly landscaped and maintained.
3. Fences, for the purposes of screening, shall typically be six feet in height and of an opaque variety. The Planning Commission may waive opaque fencing if the use, surrounding uses and other existing characteristics demonstrate the likelihood that an opaque fence may pose a concern for public safety. Upon specific request of the Planning Commission, a fence for the purpose of screening may extend up to eight feet in height so long as it does not create a safety hazard. The construction, type and color of the fence shall be complimentary to the property(s). Additional

plant materials, sufficient to provide a virtually opaque barrier may be substituted for a fence, upon approval of the Planning Commission after consultation with adjacent property owners or occupants.

4. Buffer Landscaping. The general purpose of a buffer yard is to separate and screen incompatible and generally more intense land uses from less intense land uses. The buffer landscaping requirements do not replace, but are in addition to, any other screening requirements in the Zoning Ordinance. When a buffer is required by the individual district standards, elsewhere in the ordinance or by the Planning Commission, the following shall apply:
 - i. The buffer yard standards only apply along the property lines where the two (2) conflicting zoning districts meet.
 - ii. The developer or owner of the subject property is responsible for installing the buffer yard entirely on their property. The adjacent property owner does not have to participate in installing the buffer yard.
 - iii. Trees shall be a maximum of twenty (20) feet apart.
 - iv. Where fencing is required in a bufferyard, it may be eliminated on approval of the Planning Commission when such fencing is considered by the Planning Commission to be incompatible with the character of an adjacent residential use. The fence shall be replaced with an evergreen hedge, minimum six feet in height, with plant material dense enough to provide opacity.
5. Unpaved Portion of Site: All undeveloped and unpaved portions of the site shall be planted with grass, ground cover, shrubbery or other suitable live plant material, which shall extend to any abutting street pavement edge.
6. The Planning Commission may determine installation of irrigation systems a necessity.
7. Stone may be permitted as a suitable ground cover in addition to the landscaping but only as specifically approved as part of the site landscaping plan.
8. Existing Vegetation Credit: Any existing deciduous tree on site that is to be preserved and is over six (6) inches in caliper at DBH may be counted as three (3) new deciduous

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trees. Any existing evergreen tree on site that is to be preserved and is over ten (10) feet tall may be counted as two (2) new evergreen trees.

9. Waiver for Innovative Landscaping: In order to further encourage innovative site designs that enhance the quality of the environment in Bridgeport Charter Township, the Planning Commission may grant a waiver of any landscaping standards outlined in this ordinance where the proposed plans display an innovative use of site design features, open space or landscaping which will enhance the use and value of neighboring properties.
10. Certified Wildlife Areas: Nothing in this ordinance shall preclude the use and enjoyment of a wildlife area that is certified by a state or nationally recognized organization.
11. Maintenance: All landscaping areas shall be kept free from refuse and debris. All plant materials shall be maintained in a sound, weed-free, healthy and vigorous growing condition, and free of plant disease and insects. An irrigation system or a readily available water supply sufficient to maintain the landscaping shall be provided in all required landscape areas unless drought resistant native species are utilized.
12. Removal: Any required landscape element that dies, or is otherwise removed, must be replaced within one (1) month, and no later than November 30, from the date of issuance of a Notice of Violation, if such notice is issued during the April 1 to September 30 period; if the violation is issued during the October 1 to March 31 period, the planting shall be completed no later than the ensuing May 31, or be subject to fines and penalties as a civil infraction.
13. Time Period for Completion: All landscaping shall be planted within three (3) months, and no later than November 30, from the date of issuance of a Certificate of Occupancy, if such certificate is issued during the April 1 to September 30 period; if the certificate is issued during the October 1 to March 31 period, the planting shall be completed no later than the ensuing May 31. A permanent Certificate of Occupancy shall only be issued after inspection and approval of such plantings.
14. Prohibited Species: The following plants and tree materials are specifically prohibited due to their brittleness, susceptibility to disease and insects, excessive root structure, excessive

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litter, susceptibility to road salt damage or other undesirable traits, may not be used to fulfill the landscaping requirements in this ordinance. Any existing prohibited species may not be replaced and will not count towards landscaping requirements. The Township reserves the right to add to the following list and/or disapprove of specific species if deemed to be susceptible to disease, insects, and other such issues:

Boxelder	Common Privet
Garlic Mustard	All thorned trees
Soft Maple (Red Silver)	Honeysuckle
Japanese Barberry	Ribes (Gooseberry)
Elm (all)	Purple Loosestrife
Oriental Bittersweet	Cottonwood
Poplar	Kentucky Bluegrass
Orchard Grass	Poison Ivy
Willow	Common Buckthorn
Winged Wahoo	Mulberry Trees
Horse Chestnut (nut bearing)	Multiflora Rose
Euonymus	Ash White
Tree of Heaven	Clover
English Ivy	Norway Maple
Catalpa	Siberian Elm
Dame's Rocket	Quack Grass
Succulent fruit bearing trees	Periwinkle

15. Landscaping material shall conform to the following minimum specifications:
- i. Deciduous trees with a minimum caliper size of 2 ½ inches diameter at breast height. Deciduous trees shall be planted not more than 70 feet nor less than 15 feet on centers.
 - ii. Evergreen trees with a minimum height of four (4) feet at the time of planting and so chosen as to provide the desired opacity and effective growth. Evergreen trees shall be planted not more than 30 feet nor less than ten feet on centers.
 - iii. Shrubs and hedges shall be at least 24 inches in height at the time of planting. Deciduous shrubs (shrub-like trees) shall be planted not more than ten feet on centers. Other shrubs shall be planted not more than four feet on centers.
 - iv. Where plant materials are planted in two or more rows, planting shall be staggered in rows.
 - v. Grasses of the Fescue or Bluegrass family shall be planted in species normally grown as permanent lawns in mid-Michigan. Swales and other areas subject to erosion shall be sodded, mulched, and temporarily seeded for immediate protection until complete coverage is otherwise achieved. Ground cover shall be planted in such a manner as to provide

90% coverage after two growing seasons.

- vi. All landscaping material shall be installed and maintained according to accepted nursery industry standards. The property owner shall be responsible for its continued maintenance and shall keep it in a neat and orderly appearance, free of refuse and debris at all times.
- vii. Unhealthy or dead plant material shall be replaced within one year, or by the next planting period, whichever occurs first.

G. Soil Erosion and Sedimentation Control. Proposed development shall include measures to prevent soil erosion and sedimentation during and after construction. All development within 500 feet of an inland lake or stream, or which proposes to expose more than an acre of soil shall obtain a Soil Erosion and Sedimentation Control Permit before undertaking land clearing, top soil removal, tree cutting or development unless the activity is exempt under the Natural Resources and Environmental Protection Act, as it is for bonafide agricultural activities.

SECTION 304. ACCESSORY BUILDINGS

- A. Accessory building not for Dwelling Use. No portion of an accessory building in any Zoning district is to be used as a dwelling.
- B. Manufactured homes, pre-manufactured homes, trailers, recreational vehicles, shipping containers and other such similar items, whether they are used for dwelling purposes or not, are not considered an accessory building.
- C. Required Yards.
 - 1. Front yard. All accessory buildings must be located a minimum of thirty (30') feet from the road right-of-way, or in the case of a flag lot, a minimum of fifteen (15') feet from the front portion of the parcel which meets the minimum lot requirement. No detached accessory building is permitted in the required front yard. If the lot is a waterfront lot, the water side may be considered the front yard.
 - 2. Rear yard. No accessory building, including attached or detached garages shall be closer than eight (8') feet to the rear

lot line.

3. Side yard. No accessory building, including garages shall be erected closer to any side lot line than the permitted distance within the district for principal buildings except in a residential district. In cases in a residential district where an accessory building is located ten (10') feet or more from the side of the principal building, then the accessory building shall be no closer than eight (8') feet from the side lot line.
4. Corner lot. No accessory building shall be closer to the side lot line than the side yard setbacks of the principal building on the lot. Where the rear line of a corner lot coincides with the sideline of an adjoining lot in a residential district, an accessory building shall not be closer than eight (8') feet to common lot line.

D. Detached Accessory Buildings. In any R or C District detached accessory buildings shall comply with the following regulations:

1. They shall not be used in any part for dwelling purposes.
2. They are permitted only in conjunction with a dwelling (not permitted on a vacant parcel) with the following exceptions:
 - i. Accessory structures are permitted without an associated dwelling in the Agricultural (A) District.
 - ii. Accessory structure may be permitted to be constructed in advance of a dwelling IF a letter of credit or other such deposit is made to the township in an amount that will permit the removal of the structure if construction of the dwelling is not started within six (6) months.
 - iii. If the primary dwelling is destroyed by an Act of God (fire, tornado, etc.) and the accessory structure was existing prior to Act of God.
3. No detached residential accessory building or structure shall exceed twenty (20) feet in height for a one (1) story building or structure and twenty-five (25) feet in height for a two (2) story building or structure.
(above does not apply in RA and AG districts)
4. No accessory structure shall be any closer than ten (10) feet to any other accessory structure.

5. No more than three detached accessory structures are permitted on any R or C zoned property, not to exceed lot coverage for that zoning district.
- E. Freestanding Solid Fuel-Burning Furnaces. Such structures shall be regulated in accordance with the provisions for residential detached accessory structures, Section 305. The use of a freestanding solid fuel-burning furnace is prohibited on parcels less than one acre in size and/or parcels with less than one hundred (100') feet of frontage.
- F. Stand-by Generators. Stand-by generators shall be regulated in accordance with the provisions for residential detached accessory building in this section. The generator must meet manufacturer's setback requirements from dwelling and meet setbacks for accessory structures according to this zoning ordinance. The generator shall only be used during electrical outages and as required by the manufacturer for maintenance purposes. Maintenance operations shall comply with the Township's adopted noise ordinance.

SECTION 305. SUPPLEMENTARY STRUCTURE REGULATIONS

- A. Permitted Yard Encroachments. The following items shall be considered to be accessory structures, even though they may be attached to a principal building, and may project into required side or rear yards for the principal building. Setbacks for accessory structures as identified in Section 304 must be adhered to, as must also any requirements listed herein.
 1. Open porches, paved terraces and patios provided the following restrictions apply. NOTE: Enclosed porches are considered to be part of the principal building, subject to all yard setback and area requirements.
 - i. The highest finished elevation of the paved area or porch is not over three (3') feet above the average surrounding finished grade.
 - ii. If roofed a porch is not enclosed and the roof is not higher than one (1) story
 - iii. If unroofed, paved areas or porches may include non-continuous wind breaks or walls not over six (6') feet high and not enclosing more than one half (½) the perimeter of

the paved area or porch.

2. Structural elements such as cornices sills chimneys gutters and similar features projecting a maximum of two and one half (2 ½') feet.
 3. Fire escapes outside stairways and balconies, if of open construction projecting a maximum of five (5') feet.
 4. Signs subject to provisions of Chapter 4.
- B. Permitted Height Exceptions. The following exceptions shall be permitted to height limitations as provided in Section 304 of this Chapter. These permitted exceptions shall not be for human occupancy or dwelling. No exceptions are permitted to exceed the height limitations imposed by the Tri-City Area Joint Airport Zoning Ordinance.
1. Appurtenances to mechanical or structural functions, such as elevator and stairwell penthouses, ventilators, heating or air conditioning equipment, water storage tanks, and safety equipment shall be permitted to a maximum height of fifty-five (55') feet in any Commercial Zoning District and sixty (60') feet in any Industrial Zoning District.
 2. Special structures, such as chimneys or smoke stack, or agriculturally related equipment shall be permitted to a maximum height of one hundred seventy-five (175') feet in the "A" Zoning District or in any Industrial Zoning District. Telecommunication towers are permitted to exceed the height regulations in their respective districts subject to meeting or exceeding the guidelines and standards in Section 1705.B and approval as required by the same.
 3. Water towers or standpipes shall be permitted to a maximum height of one hundred fifty (150') feet in any Zoning District.
 4. Residential television or other private antennas or flagpoles shall be permitted to a maximum height of forty-five (45') feet in any Residential Zoning District. However, in no case shall the height of such antenna or flagpole exceed the height of the roof peak by more than fifteen (15') feet.
 5. Flagpoles in any C or M Zoning District are permitted to a maximum height of sixty (60') feet.

C. Swimming Pools.

1. A zoning and a building permit is required. If electrical is needed for a pool pump, an electrical permit is required. The application shall include the name of the owner, plot plan and location of adjacent buildings, fencing and gates.
2. Swimming pools, in-ground or aboveground, are allowed in rear yards only and shall not be located in any street side yard.
3. No pool shall be located closer to any side lot line than eight feet or closer to any rear lot line than five feet.
4. No pool shall be closer to any primary structure than ten feet.
5. Pool houses or structures necessary to the pool shall meet the setback and size requirements for accessory structures as determined in each of the permitted districts.
6. Concrete slabs or wood decks constructed on grade and located adjacent to any pool may encroach up to two feet from the property line.
7. Pools shall not be considered in terms of lot coverage except for when determining size of accessory structures permitted in Section 304.D.5.i.

SECTION 306. HOME OCCUPATIONS AND COTTAGE INDUSTRIES.

While Bridgeport Charter Township recognizes that many residents feel the necessity to work at home, the Township also recognizes the rights of all residents to be free from actual or potential nuisances which may be caused by nonresidential activities conducted in a residential district.

The intent of this section is to provide standards to ensure home occupations and cottage industries are compatible with other allowed uses in residential districts, and thus to maintain and preserve the residential character of the neighborhood.

A. Home Occupations

1. Home occupations may be permitted in all zoning districts in which single-family dwellings are permitted.

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2. Home Occupations shall be operated in their entirety within the dwelling or within an attached garage.
3. Home Occupations shall be conducted primarily by the person or persons occupying the premises as their principal residence. Not more than one (1) nonresident person shall be working at the given premises to assist with the business, including both non-resident employees and those working with the business on a contractual basis.
4. Additions to a dwelling for the purpose of conducting a Home Occupation shall be of an architectural style that is compatible with the architecture of the dwelling and shall be designed so that the addition can be used for dwelling purposes if the home occupation is discontinued.
5. Home Occupations shall be incidental and subordinate to the principal use of the dwelling for residential purposes and shall not detract from the residential character of the premises or neighborhood.
6. Home Occupations shall not result in the creation of conditions that would constitute a nuisance to neighboring property owners and the Township as a whole. Any machinery, mechanical devices, or equipment employed in the conduct of a Home Occupation shall not generate noise, vibration, radiation, odor, glare, smoke, steam, or other condition not typically associated with the use of the dwelling for residential purposes.
7. Traffic and delivery or pickup of goods shall not exceed that normally created by residential uses.
8. The outdoor storage of goods and/or materials of any kind is prohibited. No goods or materials shall be sold that are not produced through the conduct of the Home Occupation.
9. No process, chemicals, or materials shall be used which are contrary to any applicable state or federal laws.

B. Cottage Industries

1. Cottage industries may be permitted in any zoning district in which single-family dwellings are permitted, subject to review and specific approval by the Planning Commission with a special use permit. Cottage industries shall be allowed on the basis of individual merit. A periodic review of each cottage

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industry may be performed to ensure the conditions of approval are adhered to. If the premise is sold, leased, or rented to a party other than the applicant, the permit shall be subject to a review process. The approval is not transferable.

2. Cottage industries shall be incidental and subordinate to the use of the premises for residential purposes and shall not detract from the residential character of the premises or neighborhood. There shall be no exterior evidence of such industry, except a sign as permitted in Chapter 4.
3. A cottage industry shall occupy not more than one building. The floor area of such a building shall not exceed, in Agricultural or Residential Agricultural zoning districts we fifteen hundred (1,500) square feet, unless approved by the Planning Commission based on Zoning District parcel size and adjacent uses.
4. The outdoor storage of goods and/or materials of one thousand square feet or less may be permitted if it is screened (by a tight-board fence, landscaped buffer, landscaped berm, etc.) from view from neighboring properties and road rights-of-way and specifically approved by the Planning Commission.
5. Cottage industries shall not result in the creation of conditions that would constitute a nuisance to neighboring property owners and surrounding zoning districts. Any machinery, mechanical devices or equipment employed in the conduct of a Cottage Industry shall not generate noise, vibration, radiation, odor, glare, smoke, steam, or other conditions not typically associated with the allowed uses of the premises in the given zoning district.
6. Traffic and delivery or pickup of goods shall not exceed that normally created by typical uses permitted in the given zoning district.
7. Cottage industries shall be conducted only by the person or persons residing on the premises. The Planning Commission may allow up to two (2) non-residents working at the given premises to assist with the business, including both nonresident employees and those working with the business on a contractual basis.
8. To ensure that the cottage industry is compatible with

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surrounding residential use, a "not-to-exceed" number of vehicles that may be parked at any given time during business operations shall be established by the Planning Commission during the review and approval process. This shall include limiting the number of non-commercial as well as commercial vehicles, if specifically approved.

9. To ensure that the cottage industry is compatible with surrounding residential use, the hours of operation shall be approved by the Planning Commission.

10. Application Process.

- a. A cottage industry occupation can only be approved by the Planning Commission after a public hearing and pursuant to the requirements of Section 17.
- b. The applicant shall submit a plot plan and letter describing the proposed use, the portion of the dwelling or other building devoted to the home occupation use, lot dimensions, existing improvements, locations of structures on adjacent lots, abutting streets, driveways and parking areas, if required.
- c. Prior to granting approval, the Planning Commission must determine that a proposed cottage industry occupation is compatible with existing land uses in the area, would not be detrimental to the safety or convenience of vehicular or pedestrian traffic and complies with the general conditions of Section 17.

C. Termination, Extensions, Revisions, and Inspections

1. Upon written application by the owner, the Planning Commission may, for just cause, grant a time extension for compliance with the conditions of this Section. The extension can be for no more than one (1) year.
2. Home occupations shall be required to submit an annual permit for administrative review. All annual permits shall be received by the Zoning Administrator by January 15. In the event the Zoning Administrator determines that the class II home occupation no longer complies with the provisions of this section, Section 1801, or any conditions placed on the operation by the Township, the applicant will be required to submit a revised application for special use approval to the

Planning Commission.

D. Day Care Homes

1. Family Day Care Home

Where permitted, a family day care home shall comply with the following standards:

- a. Family day care home shall comply with all development requirements of a home occupation.
- b. A family day care shall have in attendance no more than six (6) children.
- c. Any family day care home shall not operate without first obtaining properly licensing from the State of Michigan Department of Social Services.
- d. Family day care homes shall only be permitted in owner occupied, single family, detached dwellings.
- e. All structures and parcels of land used in connection with any family day care home operation shall conform to all state laws and local ordinances. A family day care home shall not be operated in a building or on a parcel of land which does not conform to the requirements of the Township Zoning Ordinance and adopted construction codes.

2. Group Day Care Homes

Where permitted, a group day care home shall comply with the following standards:

- a. Is located not closer than 1,500 feet to any of the following:
 - i. Another licensed group day care home.
 - ii. An adult foster care small group home or large group home licensed under the adult foster care facility act, 1979 PA 218, MCL 400.701 to 400.737.
 - iii. A facility offering substance abuse treatment and rehabilitation service to seven or more people licensed under Article 6 of the public health code, 1978 PA 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. Has appropriate fencing for the safety of children in the group day care home if required by the State of Michigan and in compliance with Section 301.E.
- c. The property is maintained in a manner that is consistent with the visible characteristics of the neighborhood.
- d. Does not exceed 16 hours of operation during a 24-hour period.
- e. Shall comply with the provisions of 306.A under Home Occupations.
- f. Meets regulations, if any, governing signs used by a group day care home.

SECTION 307. PRIVATE ROAD REGULATIONS

- A. Required Dimensions and Specifications. Any driveway or private road that serves or is intended to serve more than one (1) parcel or unit of ownership, shall consist of an easement and right-of-way of not less than sixty-six (66) feet in width. Such width shall include not less than twenty (20) feet of improved roadbed width with not less than three (3) feet of shoulder width on each side and adequate drainage ditches and necessary culverts on both sides to accumulate and contain surface waters from the road area unless constructed with curb and gutter. The design and specifications of the roadway shall be approved by the Saginaw County Road Commission and meet their specific design standards.
- B. Construction Permits. Prior to the construction of any private road, detailed plans of the private road, including survey drawings showing the road location and easement, shall be submitted to the township for review and approval. The construction of any such private road or driveway shall not be approved unless such plans demonstrate satisfactory compliance with the requirements of subparagraph above. Approval of the plans shall be indicated by the issuance of a preliminary permit. Within sixty (60) days of the satisfactory completion of construction of a private road, the township shall issue a final permit. The township shall assess reasonable fees for the issuance of permits.

- C. Easement and Maintenance Agreement. For each such private road or driveway subject to subparagraph above a document acceptable to the township shall be recorded with the County Register of Deeds and filed with the zoning administrator, specifying the legal descriptions of the easement and right-of-way and the legal descriptions of each parcel or unit of ownership served by the private road. The document must run with the land and bind each of the parcels or units of ownership served. The document shall further set forth an agreement between the owners of the properties served with respect to maintenance of the private road, improvements thereto, and snow removal. The agreement shall provide for apportionment of the costs for such matters, and may provide for voting rights of the property owners with respect to decisions on such matters. The agreement shall also provide the township with the right to access and maintain the private road and charge the owners, in accordance with their agreement for apportionment of costs, all costs incurred plus a twenty-five (25%) percent administrative fee, in the event that the property owners fail to perform the agreed upon duties after due notice from the Township.

- D. Clear Vision Area. Any intersection between private and public roads shall contain a clear vision triangular area of not less than twenty (20) feet along each right-of-way line as measured from the intersecting right-of-way lines.

- E. Limitations, length. No driveway or private road that serves or is intended to serve more than one (1) parcel or unit of ownership shall extend for more than two thousand six hundred forty (2,640) feet from a public road. Any driveway or private road that serves or is intended to serve one or more parcels or units of ownership and extends for more than two thousand six hundred forty (2,640) feet from a public road must have a right-of-way not less than sixty-six (66) feet in width and must be dedicated by the owner(s) as a public road.

- F. Limitations, Parcels. No driveway or private road shall serve more than thirty (30) parcels. Any driveway or private road that serves or is intended to serve more than thirty (30) parcels must have a right-of-way not less than sixty-six (66) feet in width and must be dedicated by the owner(s) as a public road.

SECTION 308. CONDOMINIUMS

- A. All condominium projects shall be subject to any pertinent regulations of the Bridgeport Charter Township Zoning Ordinance

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and any other applicable local ordinances.

B. Initial information. Concurrently with notice required to be given Bridgeport Charter Township pursuant to section 71 of Public Act No. 59 of 1978 (MCL 559.171) a person, firm or corporation intending to develop a condominium project shall provide the following information with respect to the project:

1. The name, address and telephone number of:

i) All persons, firms, or corporations with an ownership interest in the land on which the condominium project will be located together with a description of the nature of each entity's interest (for example, fee owner, option, or land contract vendee).

ii) All engineers, attorneys, architects, or registered land surveyors associated with the project.

iii) The developer or proprietor of the condominium project.

2. The legal description of the land on which the condominium project will be developed together with appropriate tax identification numbers.

3. The acreage content of the land on which the condominium project will be developed.

4. The purpose of the project (for example, residential, commercial, industrial, etc.)

5. Approximate number of condominium units to be developed on the subject parcel.

C. Information to be kept current. The information shall be furnished to the zoning administrator and shall be kept updated until such time as a certificate of occupancy has been issued pursuant to section 2301 hereof.

D. Prior to recording of the master deed required by section 72 of Public Act No. 59 of 1978 (MCL 559.172), the condominium project shall undergo site plan review and approval pursuant to section 1802 of this Ordinance. In addition, the township shall require appropriate engineering plans and inspection prior to the issuance of any certificates of occupancy.

E. Site plans for expandable or convertible projects. Prior to

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expansion or conversion of a condominium project to additional land, the new phase of the project shall undergo site plan review and approval pursuant to section 1802 of this Ordinance.

- F. Master deed, restrictive covenants, and "as built" survey to be furnished. The condominium project developer or proprietor shall furnish the zoning administrator with the following: one copy of the recorded master deed; one copy of all restrictive covenants; and two copies of an "as built survey". The "as built survey" shall be reviewed by the township engineer for compliance with township ordinances. Fees for this review shall be established by resolution of the township board.
- G. Monuments required--Site condominium projects. All condominium projects shall be surveyed by a registered land surveyor with property lines physically delineated by survey monuments on the site per township engineering standards.
- H. Compliance with federal, state and local law. All condominium projects shall comply with federal and state statutes and local ordinances.
- I. State and county approval. The developer or proprietor of the condominium project shall establish that appropriate state and county approvals have been received with regard to the freshwater system for the proposed project and with regard to the wastewater disposal system for the proposed project.
- J. Temporary occupancy. The zoning administrator may allow occupancy of the condominium project before all improvements required by this Ordinance are installed; provided, that a bond is submitted sufficient in the amount and type to provide for the installation of improvements before the expiration of the temporary occupancy permit without expense to the township.
- K. Single-family detached condominiums. Single-family detached condominiums shall be subject to all requirements and standards of the applicable zoning districts including minimum floor area.
- L. There shall be maintained a minimum spacing distance of 80 feet with sanitary sewer or 85 feet without sanitary sewer from the center of one residential dwelling unit to the center of any adjacent residential dwelling unit. This spacing requirement shall be computed along the front building line. In addition, building envelopes shall be depicted on the site plan to assure that the minimum 30-foot front yard, 30-foot rear yard and 20-foot

distance between adjacent dwelling units can be satisfied.

- M. Streets and roads. All streets and roads in a single-family detached condominium project shall, at a minimum, conform to the standards and specifications promulgated by the Saginaw County Road Commission. Such streets or roads shall be dedicated to the Saginaw County Road Commission and must comply with the township comprehensive plan and major street plan.
- N. After submittal of the condominium plan and bylaws as part of the master deed, the proprietor shall furnish to the township a copy of the site plan on a photographic hard copy, laminated photostatic copy, or mylar sheet of at least 13" x 16" with an image not to exceed 10 1/2" x 14" and a digital copy of the same in a format specified by the Township.

SECTION 309. TEMPORARY TENT STRUCTURES

- A. The provisions of this ordinance shall apply to only tents in or under which merchandise is displayed for purchase or viewing by the public or any tent in which the public is invited whether or not an admission fee is paid upon entry.
- B. Tents that are erected in excess of 120 square feet and are intended to be used for a public gathering of 10 or more persons shall be required to obtain a permit for such tent and pay the fee as established by the Township Board. (MBC, Sec 3103.1.1)
- C. The township shall have ten (10) business days to review applications and act thereon, provided however, said time period may be extended upon the mutual agreement of the applicant and such person designated by the township.
- D. The township shall review the application and deny a permit if the applicant cannot demonstrate compliance with the township's requirements including, but not limited to, the following:
 - 1. The applicant is in compliance with all of the Township's codes or ordinances.
 - 2. The tent site has adequate parking and lighting, or has access to adequate parking within 400 foot walking distance of the site.
 - 3. The tent shall comply with the International Fire Code; have

adequate exits and fire protection.

4. The tent is erected in a location that has adequate drainage or sewers.
 5. The tent cannot be erected any closer than twenty (20) feet of any structure per IFC chapter regarding Tents or any Membrane Structures.
- E. The Township Building Inspector and Fire Inspector shall have the authority to inspect the tent for compliance prior to occupancy by any merchandise and/or the public.
- F. Where merchandise such as fireworks are displayed and sold, tents shall have warning signs and “NO SMOKING” signs posted at all entrances to such tent.
- G. Any permit issued hereunder shall be valid for only thirty (30) days during the twelve (12) consecutive month period following the date of issuance.
- H. The provisions of this ordinance shall not apply to a farmers’ market or private residential uses, such as family gatherings, garage sales, and other like uses.

SECTION 310. LIGHTING REQUIREMENTS

Subject to the provisions set forth below, walkways, driveways, building entryways, off-street parking and loading areas, and building complexes with common areas involving commercial, industrial, office, multiple-family uses, or manufactured housing parks shall be illuminated in accordance with the following regulations.

- A. Permitted lighting. Only non-glare, color-corrected lighting shall be permitted. Lighting shall be placed and shielded so as to focus the light downward onto the site and not onto adjoining property. The lighting source shall not be directly visible from adjoining properties. Lighting shall be shielded so that it does not cause glare or interfere with the vision of motorists.
- B. General regulations.
1. All outdoor lighting shall be shielded.
 2. Light trespass from a property shall not exceed 0.5 foot-candles at any property line, measured 5 feet from the ground.
 3. Parking lot and building-mounted security lighting shall be full cut-off fixtures that are directed downward. Fixtures shall be

designed and shielded so as to prevent light from projecting above a 90-degree horizontal plane.

4. Uplighting of buildings for aesthetic purposes shall be confined to the target surface.
 5. Canopies and similar structures used by gas stations, banks, and other uses shall be limited to providing fully recessed lighting fixtures so that sources of illumination and glare are not visible from adjoining lots, sidewalks, and streets.
- C. Intensity. In parking areas, the light intensity shall average a maximum of 10.0 foot-candles. In motor vehicle dealerships, the light intensity shall average a maximum 15.0 foot-candles. For canopies light intensity shall average a maximum 20.0 foot-candles. Illumination used for pedestrian areas, shall average a minimum of 2.0 foot-candles.
- D. Height. Lighting fixtures shall not exceed a height noted in Section 507 Parking Lot lighting. The planning commission or planning department staff may modify these height standards in commercial and industrial districts during site plan review, special use, and PUD review and approval procedures, based on consideration of the following:
1. The position and height of buildings, other structures, and trees on the site;
 2. The potential off-site impact of the lighting;
 3. The character of the proposed use; and
 4. The character and zoning of surrounding land use.
- E. Exempt Lighting. The following types of exterior lighting shall be exempt from the requirements of this Section, except that the Zoning Administrator may impose reasonable restrictions on the use of such lighting where necessary to protect the health, safety and welfare of the public:
1. Holiday decorations displayed for temporary periods not to exceed 90 calendar days.
 2. Lighting for a permitted temporary circus, fair, carnival, or civic use.
 3. Shielded pedestrian walkway lighting, and single family residential lighting that does not cause off-site glare or contribute to light pollution.

SECTION 310. SOLAR ENERGY DEVICES

- A. Permitted. Active and passive solar energy devices, systems or structures shall be permitted in all zoning classifications by right, subject to administrative approval, except when such solar devices or architectural features project into required front or side yards, or are free-standing elements in a required front or side yard, in which case they are subject to site plan review in accordance with Section 1802.

- B. Maximum Height of Structures. Passive solar energy structures, such as flat plate collectors, photovoltaic cells, etc., which are roof-mounted or integrated otherwise into the roof structure shall not be included in the calculation of maximum height. Active solar energy structures, when mounted on either freestanding structural elements or integrated architecturally with a principal or accessory building shall not exceed a height of forty (40) feet.

- C. Easements. A landowner may enter into an easement, covenant, condition or other property interest in any deed or other instrument, to protect the solar skyspace of an actual, proposed or designated solar energy structure at a described location by forbidding or limiting activities, land uses, structures and/or trees that interfere with access to solar energy. The solar skyspace must be described as the three (3) dimensional space in which obstruction is prohibited or limited. Any property owner may give or sell his right to access to sunlight. Such Solar Access Easements shall be recorded and copies shall be kept on file with the Bridgeport Township Building Department.

SECTION 311. STANDARDS FOR MEDICAL MARIHUANA CULTIVATION IN RESIDENTIAL DISTRICTS.

It is the intent of this section to exercise control over the permitted locations for uses involving the cultivation of Medical Marihuana and establish a basic set of standards for such uses and cultivation in a residential dwelling. To the extent that it is otherwise lawful, the uses associated with and the cultivation of medical marihuana by a Medical Marihuana Patient is only permitted in any one residential-dwelling located on a property in a residential zoned district, subject to the

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

standards set forth in this section, and in compliance with the Michigan Medical Marihuana Act and General Rules of the Michigan Department of Licensing and Regulatory Affairs, as amended from time to time.

- A. Restrictions on Medical Marihuana Patient. A Medical Marihuana Patient may cultivate no more than twelve (12) marihuana plants in compliance with the Michigan Medical Marihuana Act in all residential zoned districts and in residences deemed such according to a Planned Unit Development combined. The Medical Marihuana Patient shall only cultivate the marihuana plants on the residentially zoned property where that Medical Marihuana Patient resides.

- B. General Standards for Medical Marihuana Cultivated or Manufactured at a Residentially Zoned Property.
 - 1. The position and height of buildings, other structures, and trees on the site;
 - 2. The potential off-site impact of the lighting;
 - 3. The character of the proposed use; and
 - 4. The character of surrounding land use.

SECTION 312. DESIGN GUIDELINES FOR DEVELOPMENTS REQUIRING SITE PLAN REVIEW.

The following standards apply to all development requiring site plan approval and are intended to promote high standards of design.

- A. Building Design. Architectural treatment of structures, including materials, colors, and dimensions, should be compatible with the surrounding neighborhood. The following standards should be considered in the design of multiple family residential developments:
 - 1. Building Facades. Building facades shall be designed utilizing varying setbacks, projections, balconies, and by varying the pattern and location of windows and doors on the building face. The following design techniques are encouraged:
 - a. Setbacks should be varied within individual structures.

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- b. Floor plans should be reversed on adjacent units within the same structure.
 - c. There should only be a maximum of two adjacent units with identical wall and roofline planes.
 - d. Long, unbroken facades and box-like building forms are prohibited.
 - e. For developments with more than two dwellings a minimum of twenty-five percent (25%) of each façade shall be brick and/or stone.
 - f. The Township requires the submission of a materials board detailing the specific materials to be used in the development. The materials submitted will become part of the approved site plan.
2. Doorways and Windows. Doors and windows shall be clearly articulated on the face of the structure. Methods for articulating windows include wood framing, insets, and shutters. Doorways can be articulated with insets and wood framing, along with the use of doors with distinctive patterns or carving. When possible, multiple family buildings should face onto streets, rather than turned sideways on the lot.
3. Building Materials. Materials used for multiple family developments should be durable and low maintenance. Where possible, materials should emulate distinctive features of surrounding existing development.
4. Exterior Stairways. Stairways should be designed as an integral part of the overall structure and should incorporate materials used in the main building. Prefabricated stairways composed exclusively of concrete and open wrought iron railing is discouraged.
- B. Parking Facilities. Parking lots, driveways and entries should be designed to blend in with the overall project:
- 1. Parking areas. Long, unbroken rows of parking spaces are discouraged. Where possible, individual

attached garages (with garage doors) for each unit are preferred. Otherwise, dispersed parking lots and heavy landscaping can serve to break up large parking areas.

2. Parking rows shall be broken up with a landscape island every twenty (20) lineal spaces or less.
3. Project Entryways. Special treatment should be given to project entryways, including the use of landscaping, walls, fountains, signs and other architectural features such as arbors and trellises. Entryway paving should be given special treatment, such as stamped paving, colored paving, or cobblestones.
4. Parking areas shall be screened from view from adjoining properties and street right-of-ways by means of a fence, dense landscaping, or architectural feature.

C. **Multiple Family Infill in Existing Neighborhoods**.

Extreme care must be taken to ensure that multiple family development in existing neighborhoods is compatible in appearance with existing residences, especially single family dwellings.

1. Setbacks. Front yard setbacks for infill development should be the average of that for adjacent properties. If one adjacent property is vacant, then the average shall be calculated using the next adjacent occupied parcel.
2. Architectural Design. New infill development should incorporate distinctive architectural features and maintain the scale and proportions of existing neighborhood dwellings, including building materials and colors, roof pitch and style, porches, window and doorway design, and other important elements.

D. **Landscaping**. In addition to the following requirements, projects shall be landscaped in accordance with the requirements contained in Chapter 3, Section 303.F.

1. A minimum of ten percent (10%) of all outdoor areas not used for parking, walkways or other features shall be landscaped.

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2. A children's play yard with play equipment shall be required for all multiple family projects of ten units or more, and must be reviewed and approved by the Zoning Administrator and/or Building Official. This requirement may be waived by the Planning Commission if not applicable to the specific development (i.e., senior or retirement housing).
3. Street trees shall be planted in no more than 40 feet apart on each public street and/or service or entry drive greater than sixty (60') feet in length.

E. Miscellaneous.

1. Wherever multiple family residential uses abut commercial uses, industrial uses, or other undesirable features such as freeways, a solid seven foot tall block wall or fence as approved by the Planning Commission and dense landscaping shall be provided along abutting property lines and special consideration shall be given to location and orientation of the residential structures so as to minimize any harmful effects created by nearby nonresidential uses. Along streets designated as arterial or primary thoroughfares, the Planning Commission may require proposed uses to back up to the roadway.
2. Adequate onsite lighting shall be required when deemed necessary. All onsite lighting shall be directed away from abutting properties to reduce glare. Adjustment of lighting fixtures may be required after they have been installed. The lighting shall be so provided so as to ensure adequate lighting in and around such areas as entry ways, stairways, walkways, trash enclosures, etc.
3. Trash Enclosures. All trash disposal containers shall be surrounded and screened by a solid six-foot tall fence, wall or similar architectural feature. The screen shall be of materials and of a color consistent with the building. Where possible, trash enclosures shall be further screened with landscaping. Additional treatments, such as a trellis or arbor, are encouraged. Trash enclosures shall not be visible from neighboring properties and shall be located so as to provide reasonable, well-lit access by residents of the

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apartment complex. Pedestrian access shall be provided to the dumpster via a separate entrance as opposed to opening the gate.

F. **Waiver.**

These standards may be waived or modified by the Planning Commission when it is determined due to unique circumstances the standard is inappropriate for a particular site

CHAPTER

4

SIGNS

SECTION 400. STATEMENT OF PURPOSE

The purpose of this chapter is to protect the safety and orderly development of the community through the regulation of signs and sign structures. This ordinance regulates all signs in Bridgeport Charter Township that are visible from the public highway right-of-way, public facilities, trails open to the public, and navigable waterways. Bridgeport Charter Township has a tradition and reputation as a community with a rich mix of land uses that blend into a landscape of high aesthetic quality. Depending on their size, numbers and character, signs may attract or repel visitors, affect the visual quality enjoyed daily by residents, affect the safety of vehicular traffic, and define the character of the area. Thus aesthetic considerations impact economic values as well as public health, safety, and welfare. Therefore, this ordinance sets standards for the following purposes:

- A. Maintain and enhance the visual quality (aesthetics) of the community.
- B. Improve pedestrian and motorist safety by minimizing distractions and obstacles to clear views of the road and of directional or warning signs.
- C. Protect and enhance economic viability by assuring that Bridgeport Charter Township will be a visually pleasant place to visit or live.
- D. Protect property values and private/public investments in property.
- E. Protect views of the natural landscape and sky.
- F. Avoid personal injury and property damage from structurally unsafe signs.

- G. Provide businesses with effective and efficient opportunities for identification by reducing competing demands for visual attention.

SECTION 401. SIGN DEFINITIONS

The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

ABANDONED SIGN. A sign structure that has ceased to be used, and the owner intends no longer to have used, for the display of sign copy, or as otherwise defined by state law.

ANIMATED SIGN. A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this code, include the following types:

Electrically activated. Animated signs producing the illusion of movement by means of electronic, electrical or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:

1. Flashing. Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds 4 seconds.
2. Patterned illusionary movement. Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Environmentally activated. Animated signs or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.

Mechanically activated. Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

ARCHITECTURAL PROJECTION. Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. See also "Awning"; "Backlit awning"; and "Canopy, attached and freestanding."

AWNING. An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated by fluorescent or other light sources.

AWNING SIGN. A sign displayed on or attached flat against the surface or surfaces of an awning. See also "Wall or fascia sign."

BACKLIT AWNING. An awning with a translucent covering material and a source of illumination contained within its framework.

BANNER. A flexible substrate on which copy or graphics may be displayed.

BANNER SIGN. A sign utilizing a banner as its display surface.

BILLBOARD. See “Off-premise sign” and “Outdoor advertising sign.”

BUILDING ELEVATION. The entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

CANOPY (Attached). A multisided overhead structure or architectural projection supported by attachments to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. See also “Marquee.”

CANOPY (Free-standing). A multisided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a free-standing canopy may be illuminated by means of internal or external sources of light.

CANOPY SIGN. A sign affixed to the visible surface(s) of an attached or free-standing canopy. For reference, see Figure 401.1.

CHANGEABLE SIGN. A sign with the capability of content change by means of manual or remote input, including signs which are:

Electrically activated. Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also “Electronic message sign or center.”

Manually activated. Changeable sign whose message copy or content can be changed manually.

COMBINATION SIGN. A sign that is supported partly by a pole and partly by a building structure.

COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

DEVELOPMENT COMPLEX SIGN. A free-standing sign identifying a multiple-occupancy development, such as a shopping center or planned industrial park, which is controlled by a single owner or landlord. See Figure 401.3 Sign Structures.

DIRECTIONAL SIGN. Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

DOUBLE-FACED SIGN. A sign with two faces, back to back.

ELECTRIC SIGN. Any sign activated or illuminated by means of electrical energy.

ELECTRONIC MESSAGE SIGN OR CENTER. An electrically activated changeable sign whose variable message capability can be electronically programmed.

EXTERIOR SIGN. Any sign placed outside a building.

FASCIA SIGN. See “Wall or fascia sign.”

FLASHING SIGN. See “Animated sign, electrically activated.”

FREE-STANDING SIGN. A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground. For visual reference, see Figures 401.1 and 401.3.

FRONTAGE (Building). The length of an exterior building wall or structure of a single premise orientated to the public way or other properties that it faces.

FRONTAGE (Property). The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

GROUND SIGN. See “Free-standing sign.”

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ILLUMINATED SIGN. A sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated).

INTERIOR SIGN. Any sign placed within a building, but not including “window signs” as defined by this ordinance. Interior signs, with the exception of window signs as defined, are not regulated by this chapter.

MANSARD. An inclined decorative roof-like projection that is attached to an exterior building facade.

MARQUEE. See “Canopy (attached).”

MARQUEE SIGN. See Canopy sign.”

MENU BOARD. A free-standing sign orientated to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window, and which has no more than 20 percent of the total area for such a sign utilized for business identification.

MULTIPLE-FACED SIGN. A sign containing three or more faces.

OFF-PREMISE SIGN. See “Outdoor advertising sign.”

ON-PREMISE SIGN. A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

OUTDOOR ADVERTISING SIGN. A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

PARAPET. The extension of a building facade above the line of the structural roof.

POLE SIGN. See “Free-standing sign.”

POLITICAL SIGN. A temporary sign intended to advance a political statement, cause or candidate for office. A legally permitted outdoor advertising sign shall not be considered to be a political sign.

PORTABLE SIGN. Any sign not permanently attached to the ground or to a building or building surface, and used as a temporary sign. See Section 404 Paragraph G.

PROJECTING SIGN. A sign other than a wall sign that is attached to or projects more than 18 inches (457 mm) from a building face or wall or from a structure whose primary purpose is other than the support of a sign. For visual reference, see Figure 401.1.

REAL ESTATE SIGN. A temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

REVOLVING SIGN. A sign that revolves 360 degrees about an axis. Prohibited in Bridgeport Township. See also “Animated sign, mechanically activated.”

ROOF LINE. The top edge of a peaked roof or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

ROOF SIGN. A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs. For a visual reference, and a comparison of differences between roof and fascia signs, see Figures 401.1 and 401.2.

SIGN. Any device visible from a public place that displays either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Noncommercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.

SIGN AREA. The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. The area of any double-sided or “V” shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of all other multiple-sided signs shall be computed

as 50 percent of the sum of the area of all faces of the sign.

SIGN COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.

SIGN FACE. The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

1. In the case of panel or cabinet type signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.
2. In the case of sign structures with routed areas of sign copy, the sign face shall include the entire area of the surface that is routed, except where interrupted by a reveal, border, or a contrasting surface or color.
3. In the case of signs painted on a building, or individual letters or graphic elements affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn closest to the edge of the letters or separate graphic elements comprising the sign copy, but not the open space between separate groupings of sign copy on the same building or structure.
4. In the case of sign copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

SIGN STRUCTURE. Any structure supporting a sign.

TEMPORARY SIGN. A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

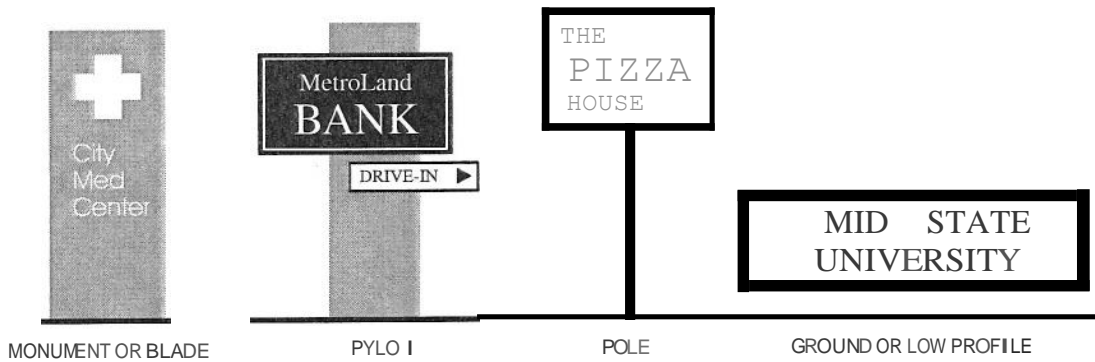
UNDER CANOPY SIGN OR UNDER MARQUEE SIGN. A sign attached to the underside of a canopy or marquee.

V SIGN. Signs containing two faces of approximately equal size, erected upon common or separate structures, positioned in a "V" shape with an interior angle between faces of not more than 90 (1.57 rad) degrees with the distance between the sign faces not exceeding 5 feet (1524 mm) at their closest point.

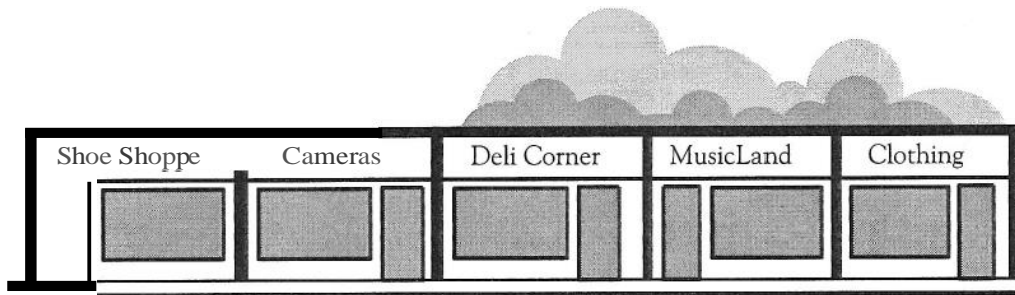
WALL OR FASCIA SIGN. A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than 18 inches (457mm) from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed. For a visual reference and a comparison of differences between wall or fascia signs and roof signs, see Figure 401.2.

WINDOW SIGN. A sign affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property.

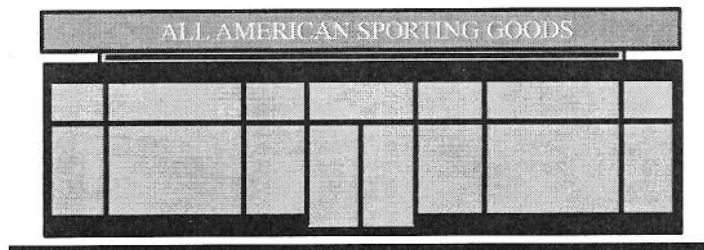
BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE



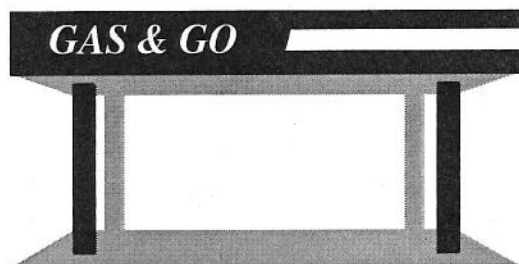
COMMON FREE-STANDING SIGN TYPES



WALL OR FASCIA SIGNS ON STOREFRONTS



ROOF SIGN



CANOPY SIGN
ON FREE-STANDING CANOPY



PROJECTING SIGN

FIGURE 401.1

GENERAL SIGN TYPES

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

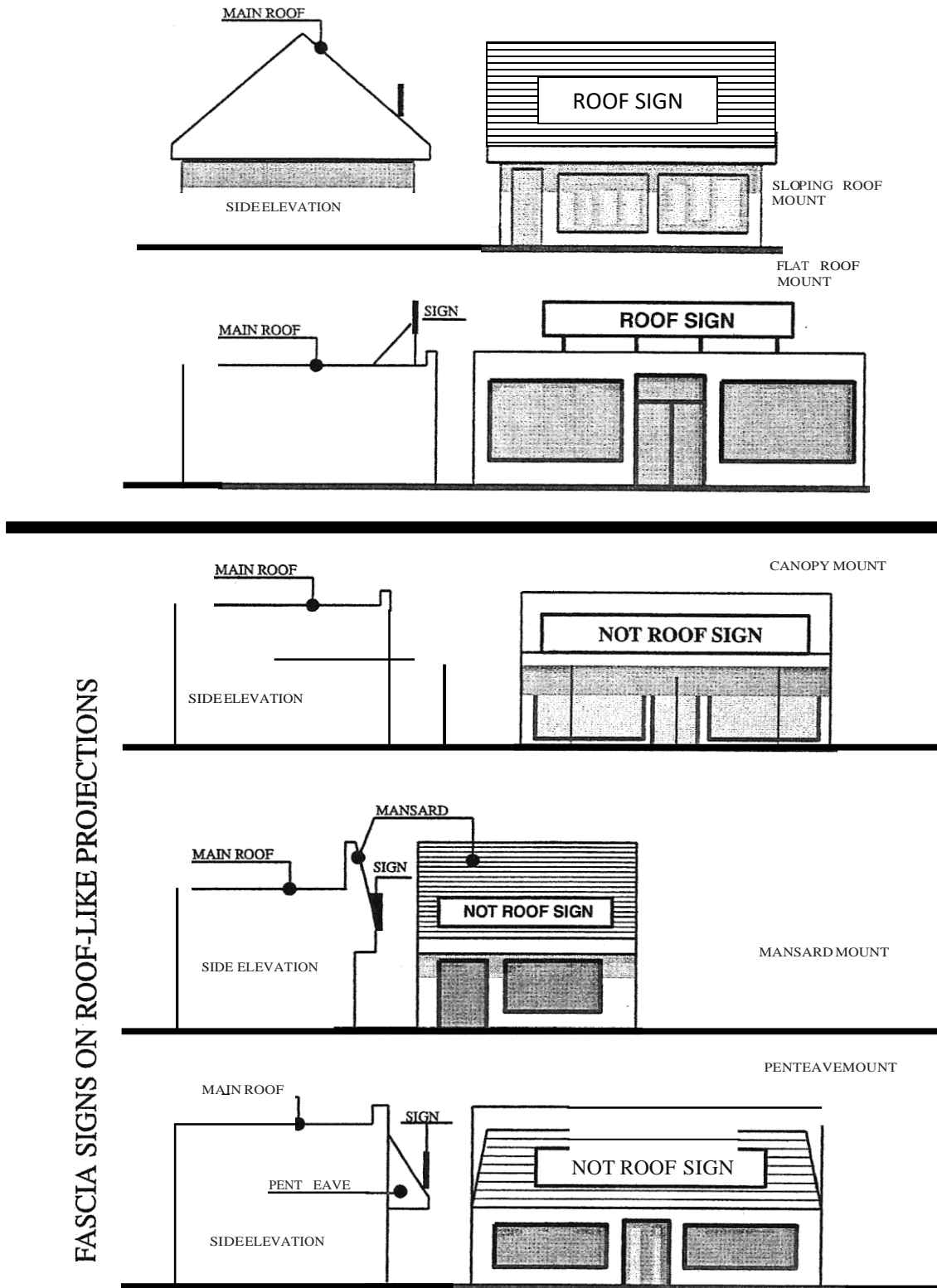
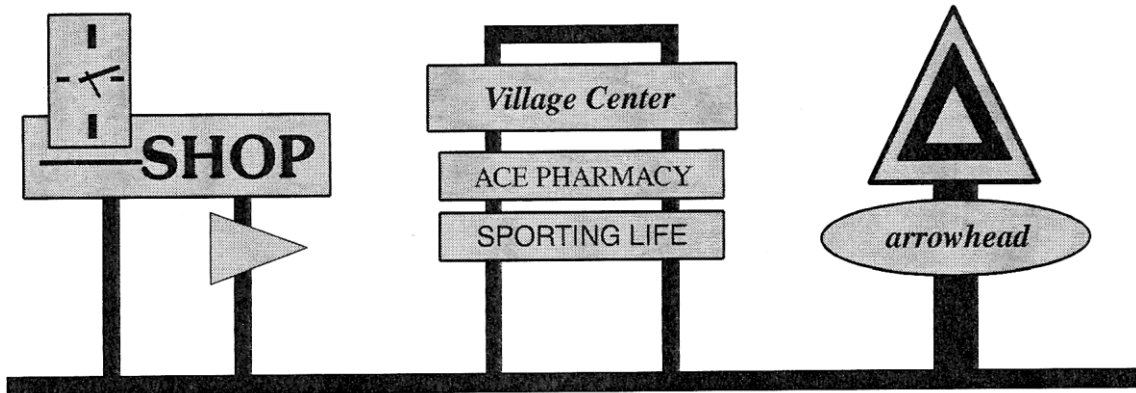
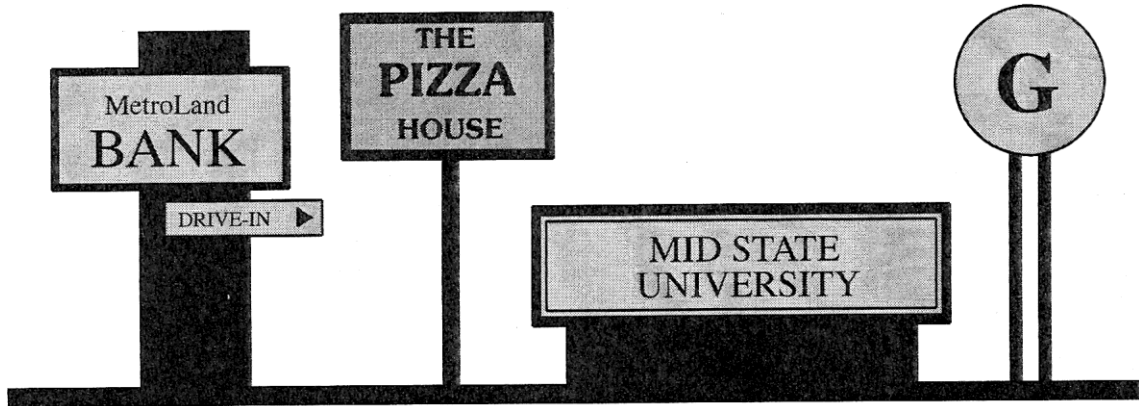
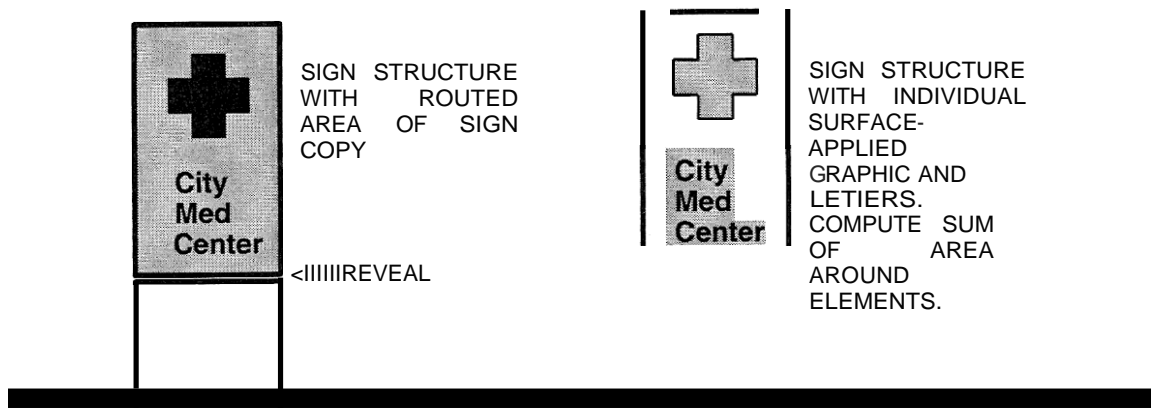


FIGURE 401.2
COMPARISONS-ROOF AND WALL OR FASCIA SIGNS

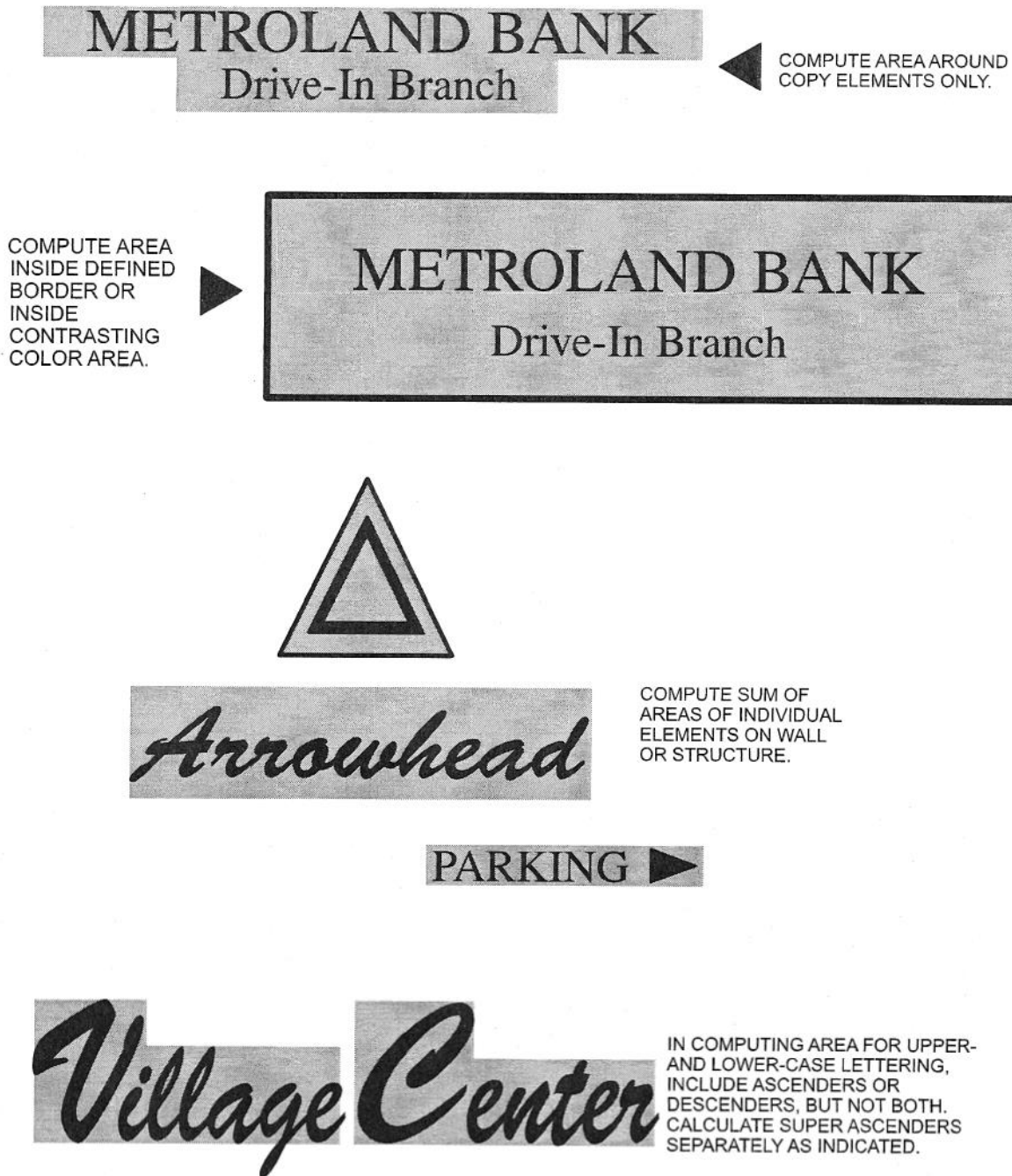


SIGN STRUCTURES



Notes: Sum of shaded areas only represents sign area. Sign constructed with panels or cabinets.

FIGURE 401.3
SIGN AREA-COMPUTATION METHODOLOGY



Notes: Sum of shaded areas only represents sign area for code compliance purposes. Examples of signs consisting of individual letters, elements or logos placed on building walls or structures.

FIGURE 401.4
SIGN AREA – COMPUTATION METHODOLOGY

SECTION 402. GENERAL PROVISIONS

- A. **Conformance to codes.** Any sign hereafter erected shall conform to the provisions of this ordinance and any alteration of any sign hereafter shall cause such sign(s) to meet the provisions of this ordinance.
- B. **Signs in rights-of-way.** No sign other than an official traffic sign or similar sign shall be erected within any public right-of-way.
- C. **Traffic visibility.** No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where by its position, shape or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device.
- D. **Maintenance, Repair and Removal.** Every sign permitted by this ordinance shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling or is otherwise deemed unsafe by the code official, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this ordinance, the owner thereof or the person or firm using same shall, upon written notice by the code official forthwith in the case of immediate danger, and in any case within not more than 10 days, make such sign conform to the provisions of this ordinance, or shall remove it. If within 10 days the order is not complied with, the code official shall be permitted to remove or cause such sign to be removed at the expense of the owner and/or the user of the sign.
- E. **Obsolete Signs.** Any sign copy that no longer advertises or identifies a use conducted on the property on which said sign is erected must have the sign copy covered or removed within 30 days after written notification from the code official; and upon failure to comply with such notice, the code official is hereby authorized to cause removal of such sign copy, and any expense incident thereto shall be paid by the owner of the building, structure or ground on which the sign is located. After a period of 1 year of non- use or non-utility of a use for which the sign was intended, the code official may order that such sign shall be completely removed.

SECTION 403. SIGNS AUTHORIZED WITHOUT A SIGN PERMIT.

Subject to other applicable requirements and permits, the following signs are authorized without a Sign Permit:

A. Small Sign: One Sign per Parcel, not illuminated, and not exceeding three square feet in area is allowed without permit. If the Small Sign has a temporary message, e.g. "Home for Sale," the area shall not exceed five (5) square feet. This larger sign may not be placed on a parcel more than six months in any calendar year. No Small Sign may exceed a height of forty-two inches (42") above ground level and only one such sign is permitted for each Parcel. These signs may carry any lawful message.

B. Governmental Signs: Governmental Signs do not require a permit.

C. Directional Signs: Directional Signs do not require a permit, however:

- i. Only one entrance/exit Directional Sign is allowed per legal driveway.
- ii. A Directional Sign may not exceed 1.5 square feet or more than four feet (4') in height.
- iii. Directional signs must not be within the road right-of-way.

D. Flags: Governmental flags and flags flown on a flagpole, attached to a building and/or affixed to an arm of a light pole do not need a permit. The Department, in its discretion, may require large or numerous flags to be subject to the ordinance. A flagpole may not exceed height limitations as provided for in Section 305.B.4 and 305.B.5. Failure to keep all such flags well maintained may result in a determination that the flags are abandoned and the Township will consider them as such and order their removal.

E. Warning Signs: Signs exclusively devoted to warning the public of dangerous conditions and unusual hazards such as drop offs, high voltage, fire danger, and explosives, are permitted. Warning Signs may not exceed three square feet. Warning signs such as "No Trespass" or "Beware of Dog" are not limited to one per parcel but are limited to no more than two Small Signs in any 500 linear feet on the parcel.

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

F. Historical, Cultural and Agricultural-related Signs: A Sign erected by a government agency, which exclusively denotes a recognized historical, cultural or natural site, is permitted. This sign shall not exceed three square feet unless otherwise provided by state or federal law. Signs used for crop trial identification, U-pick signs and other such activities shall be limited to no greater than six square feet (6) and to a time period of six months.

G. Banners: Banners or temporary signs used on a private residential property no more than seven days in any calendar year do not need a permit.

H. One sign advertising parcels of land or building for rent, lease or sale, when located on land or building intended to be rented, leased or sold, not exceeding six (6) square feet in area, four (4) feet in height in residential districts and thirty-two (32) square feet in area, eight (8) feet in height in office, commercial and industrial districts.

I. One sign identifying on site construction activity, during the time of construction, not exceeding thirty-two (32) square feet in area. Such signs shall not exceed eight (8) feet in height.

J. Political Signs

i. No political sign may be placed in the road right-of-way or placed in such a way that it obstructs visibility of pedestrians and motorists at intersections and driveways.

ii. No political sign may be placed on any public property.

iii. Signs that are found in any right-of-way, or which obstructs visibility creating a safety hazard may be removed without notice by the Township.

iv. A political sign has no utility, that is, when the covered event is the final election scheduled to resolve the subject, the sign should be removed within a reasonable time not to exceed seven (7) days. If the election is one of sequence, for example, the covered event is a primary election leading up to a general election, the sign's utility has not ended, and removal is not required until the election has ended.

SECTION 404. SIGNS AUTHORIZED WITH A SIGN PERMIT.

The Department shall issue a zoning and building permit as required for signs in accordance with the following:

- A. **Digital Reader Board/Electronic Message Center:** A digital reader board is permitted subject to all other restrictions. When located adjacent to residential uses, the brightness/luminosity of the sign shall be dimmed or adjusted from 9 p.m. to 7 a.m.
- B. **Agricultural (A) Districts:** One Wall or Ground Sign per Parcel with a total square footage not to exceed thirty-two (32) square feet in total area is permitted for each agricultural use. Unless more restrictive zoning applies, Ground Signs setbacks shall be at least equal to the height of the sign. Temporary Signs relating to seasonal agricultural activities, i.e. crop variety trials, “pick your own berries” or produce sales, may not in aggregate exceed an additional 20 square feet or be used for more than six months in any calendar year, except that a Portable Sign may also be used as described in Sect. 404.G. Ground Signs may not exceed a height of five (5) feet above uniform finished grade. Signs incorporated into the roof or wall of a structure on an agricultural property shall be permitted. Residential uses in an agricultural district are permitted signs as described in Sec. 404.C.
- C. **Signs in Residential (RA, R-1, R-2, R-3) Districts:**
 - i. Permanent signs in residential districts associated with a dwelling shall be limited to five square feet and shall be mounted on the wall; or a ground or pole mounted sign may be permitted but is limited to two square feet. Neither shall be illuminated.
 - ii. Non-Dwelling Use Signs. A Non-Dwelling Use in a residential area, such as a school, a religious facility, an institutional use, a clubhouse, etc. is permitted to have one Ground Sign and one Wall Sign, neither of which shall exceed twelve (12) square feet in area. The area of the structural elements supporting a Ground Sign shall not exceed fifty percent (50%) of the area of the message portion of the Sign. The height of a Ground Sign may not exceed five (5) feet above uniform finished grade.
- D. **Residential Neighborhood Identification Signs:**

A Residential Neighborhood (Single-Family Subdivision, Multiple-Family Housing Development, etc.) is permitted to have one Residential Neighborhood Identification Sign for each entrance street. Such Signs shall not extend into any public right-of-way. The face of the Sign shall not exceed twenty-four (24) square feet. The

height of the Sign may not exceed seven (7) feet above the uniform finished grade.

E. Traditional Commercial District (C-1):

- i. One ground sign, not exceeding a height of twelve (12') feet above the uniform finished grade. The sign shall be located outside the road right-of-way. Total area of the face of the sign shall not exceed thirty-two square feet (32).
- ii. Windows signs are permitted however they shall not cover more than twenty-five percent (25%) of the window.
- iii. Wall signs are permitted for each structure. Such signs shall not project from the building nor extend beyond the roof line, except as may be approved by the zoning administrator. Walls signs are limited to no more than thirty-two square feet (32) per tenant. A canopy or sign on an awning may be used in place of a wall sign. Wall signs may not block or impede windows or doors.

F. General Commercial (Community Center) District (C-2), Destination Commercial (C-3), Light Industrial (M-1), Industrial and Manufacturing (M-2) Districts:

- i. One ground sign, not exceeding a height of fifteen (15') feet above the uniform finished grade. The sign shall be located outside the road right-of-way. Total area of the face of the sign shall not exceed fifty square feet (50).
- ii. Windows signs are permitted, however they shall not cover more than twenty-five percent (25%) of the window.
- iii. Wall signs are permitted for each structure. Such signs shall not project from the building nor extend beyond the roof line. Walls signs are limited to no more than thirty-two square feet (32) per tenant. A canopy or sign on an awning may be used in place of a wall sign. Wall signs may not block or impede windows or doors.
- iv. Regional commercial centers (greater than five acres and with at least three distinct uses) are permitted one identification sign in addition to all other signage, limited to thirty-six (36) square feet. Such sign shall be located on the same structure as the primary sign.

- G. Portable Signs:** A zoning permit shall be obtained prior to any portable sign being placed on any parcel within the township. Signs to be used on a temporary basis are permitted for up to 60 days per calendar year per dwelling or business to advertise any lawful on premise message or lawful noncommercial message. Signs used to advertise any lawful off premise commercial message are limited to no more than twenty (20) days per calendar year. Portable signs are limited to fifty (50) square feet and no

more than six feet (6') in height. Specialized portable signs, including search lights or other such novelty signs, may be permitted as a portable at the discretion of the Zoning Administrator, subject to specific location, lighting and other such stipulations.

- H. **Temporary Teardrop Banners:** A zoning permit shall be obtained prior to any temporary tear drop banner being placed on any parcel within the township. The banners are permitted for up to 60 days per calendar year per business to advertise any lawful on premise message or lawful noncommercial message. Temporary teardrop banners are limited to one per fifty (50) feet of frontage and a maximum of 2 per parcel and each shall be no more than fifteen feet (15') in height.
- I. **Billboards:** Off premise signs are permitted subject to the following requirements:
- i. Each billboard shall be located on a parcel that has frontage on I-75.
 - ii. For purposes of determining the number of free standard signs on a parcel under the terms of this ordinance, a billboard shall be considered a freestanding sign.
 - iii. Each billboard sign structure shall be located within an Industrial or Manufacturing Zoning District.
 - iv. Each billboard sign structure shall be built utilizing monopole construction.
 - v. Each billboard sign structure shall be setback as follows:
 1. A minimum of fifty feet (50') from all property and right of way lines. For purposes of measuring the setback, the distance shall be measured from the nearest point of the sign structure to the closest point of the property line or right-of-way.
 2. Each billboard shall be separated from adjacent billboard sign structures by a distance not less than two thousand (2,000) feet. For purposes of this provision, the distance between billboards shall be measured from the closest point of one billboard structure to the closest point of another and shall apply to both sides of a street or highway.
 3. Each billboard shall be located at a minimum 100 feet from any building or 500 feet from any residential zone.
 - vi. Each billboard sign structure is limited to a maximum of one hundred (100) square feet in total sign area.

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- vii. All billboards shall comply with all provisions regulating billboards in the Highway Advertising Act (Public Act 106 of 1972, as amended).
- viii. Each billboard shall require a special use permit as regulated by the zoning ordinance.
- ix. Each billboard sign shall be no more than twenty-five (25') feet high. Height shall be measured from the natural grade of the area under the sign to the highest point of the sign.
- x. Any lighting for a billboard shall be mounted on the top of the billboard and shall shine downward and may not be internally lit.
- xi. No billboard shall have sign faces that change copy, display or message by the use of motorized copy, digital imaging or other enhancement.
- xii. Any extension of the sign face above, below or to the side of the sign face shall be counted in the area of the sign face and height of the billboard.
- xiii. No billboard shall be installed or erected at any time when there are ten (10) or more existing billboard faces located within the Township. For purposes of this provision, lawfully constructed billboards that exist as of the effective date of this ordinance which have less than fifty (50) square feet of sign area shall not be included.

SECTION 405. SIGN PERMIT REQUIREMENTS.

- A. Enforcement. The Zoning Department shall administer and enforce this Ordinance.
- B. Permits. A zoning and building permit must be obtained from the township building department for all other new and replacement signs.
- C. Application. Applications for Sign Permits shall be made upon a form provided by the Department for this purpose. The Application shall contain the following information:
 - i. Name, address, phone, and if available, fax and e-mail, of the Person applying for the Permit.
 - ii. Name, address, phone, and if available, fax and e-mail, of the Person owning the Parcel upon which the Sign is proposed to be placed.
 - iii. Location of the building, structure, and Parcel on which the Sign is or will be attached or erected.

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- iv. Position of the Sign in relation to nearby buildings, structures, property lines, existing or proposed rights-of-way, ordinary high water marks of waterways, and the setback of applicable zoning ordinances.
 - v. Two copies of the plans and specifications. The method of construction and/or attachment to a building or in the ground shall be explained in the plans and specifications.
 - vi. Copy of stress sheets and calculations, if deemed necessary by the Department, showing the structure as designed for dead load and wind pressure.
 - vii. Name, address, phone, and if available, fax and e-mail of the Person who has or will be erecting the sign.
 - viii. Insurance policy as required by this Ordinance.
 - ix. Such other information as the Department may require to show compliance with this Sign Ordinance, and any other applicable laws.
 - x. The seal or certificate of a registered structural or civil engineer, when required by the Department.
 - xi. The zoning district in which the Sign is to be placed.
 - xii. A statement that: "Any change in the information in this Application, such as change of address, shall be submitted to the Department within seven (7) days after the change."
- D. Permit Fees. Permit Fees for Signs shall be established by the governing body of this Municipality. The Permit Fees must relate to the cost of issuing the Permit and may vary based on the size, type, and height of the Sign.
- E. False Information. A Person providing false information under this Ordinance shall be guilty of a misdemeanor and not eligible to apply for a Permit under this ordinance for twelve (12) months from date the Department determines false information was presented.

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REGULATIONS FOR SIGNS THAT REQUIRE A PERMIT-- Also see regulations in the text.

Zoning Districts	Sign Type	Max Sign Size per Parcel	Sign Height
Agricultural (A) - Districts	Wall, residential: Wall, nonresidential: Integral, nonresidential: Freestanding/monument: Neighborhood signs: Portable:	20 sq. ft. 32 sq. ft. no limit 32 sq. ft. 24 sq. ft. 50 sq. ft.	wall height wall height no limit 5' 7' 6'
Residential (RA, R-1, R-2, R-3)	Wall, residential: Residential, ground or pole Wall, nonresidential: Neighborhood signs: Portable:	5 sq. ft. 2 sq. ft. 12 sq. ft. 24 sq. ft. 50 sq. ft.	wall height 5' wall, height 7' 6'
Traditional Commercial (C-1)	Freestanding/monument: Wall/marquee: Awning/canopy: Portable: Street banner: Electronic message board: Billboards:	32 sq. ft. see text see text 50 sq. ft. see text see text	12' wall height see text 6' see text see text Zoning ord.
General Commercial (Community Center C-2) Destination Commercial (C-3)	Freestanding/monument: Community commercial center: Wall/marquee: Awning/canopy: Portable: Street banner: Electronic message boards: Special event signs: Billboards:	50 sq. ft. see text see text see text; 50 sq. ft. see text see text see text	15' see text see text see text 6' see text see text see text Zoning ord.
Light Industrial (M-1) Industrial and Manufacturing (M-2)	Freestanding/monument: Regional industrial center: Portable: Billboards:	50 sq. ft. see text 32 sq. ft.	15' 12' 6' Zoning ord.

SECTION 406. PROHIBITED SIGNS.

The following limitations, obligations and prohibitions apply to all signs:

- A. Absence of Permit. Any Sign, for which a Permit has not been issued and which is not a "Sign Authorized Without a Permit", is prohibited.

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- B. Roof Signs and Projecting Signs. Roof Signs and Projecting Signs are prohibited except when and if specifically approved as part of a special use permit.
- C. Public Property. No portion of a privately-owned Sign, or its supporting structures, such as poles or cables, shall be placed on, or within the air space above, publicly owned property, a public right-of-way (such as a street, sidewalk, or waterway), or a proposed public right-of-way.
- D. Destruction of Vegetation. Cutting or killing vegetation growing on public rights-of-way (or below the ordinary high water mark of navigable streams) to enhance visibility of a Sign is prohibited.
- E. Revolving Signs. A Revolving Sign is prohibited.
- F. Traffic Interference. A Sign (other than a traffic sign installed by a governmental entity) shall not simulate or imitate the size, lettering, or design of any traffic sign in such manner as to interfere, mislead, or confuse the public.
- G. Parked Vehicle. Any Sign on a motor vehicle, trailer, farm implement or other mobile equipment, which is parked in a position visible to traffic on a public road, waterway, or parking area for a period longer than six days in a 60-day period, is prohibited.
- H. Visual Obstruction. Signs shall not be placed so as to obstruct the visibility of pedestrians and motorists at intersections and driveways.
- I. Natural Areas. Signs in wetlands and areas zoned "Conservancy", except Governmental and Warning Signs, are prohibited.

SECTION 407. CONSTRUCTION REQUIREMENTS.

- A. Material. Where feasible, Signs should be constructed of weather resistant wood, or other natural material.
- B. Codes. All Signs shall conform to the latest edition of the applicable building and electrical codes.
- C. Fastenings. All Signs must remain safe and secure during the period of use. All parts of the Signs, including bolts and cables, shall remain painted, and free of corrosion.
- D. Fire Escapes. A Sign may not obstruct a fire escape.

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- E. Lighting. External lighting shall be shielded from view and shall be focused upon the Sign to avoid stray lighting. Flashing, rotating, and intermittent lighting are prohibited.
- F. Identification. All Signs for which a Permit is required shall identify the name and operating telephone number of the Person responsible for the Sign.
- G. Proximity to Electrical Conductors. Signs and all supporting structures shall be no closer to electrical utilities than is permitted by applicable codes. No Sign, including cables and supports, shall, in any event, be within six (6) feet of any electrical conductor, electrical light pole, electric street lamp, traffic light, or another public utility pole.
- H. Sanitation. Property surrounding any Ground Sign shall be maintained in a clean and sanitary condition. It shall be free from weeds, rubbish, and flammable material.
- I. Landscaping. The area beneath and around a Sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the Sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.
- J. Responsibility for Compliance. The Owner of the Parcel on which a Sign is placed and the Person maintaining the Sign are each fully responsible for the condition and the maintenance of the Sign, and the area around the Sign.

SECTION 408. NONCONFORMING SIGNS.

- A. Intent. This ordinance is intended to encourage the eventual elimination of Signs which do not comply with the Ordinance. The elimination of non-conforming Signs is important to the purpose stated in Section 400. However, it is also the intent of this Ordinance to avoid unreasonable invasion of property rights while accomplishing removal of non-conforming Signs.
- B. Compliance. A sign not complying with this Ordinance, but in place on the effective date of this Ordinance shall be brought into compliance with this Ordinance, if it is practical to do so, as determined by the owner of the sign.

- C. Continuance. A non-conforming Sign may be continued if it is maintained in good condition. It shall not, however, be replaced by another non-conforming Sign. It may not be structurally altered so as to prolong the life of the Sign. It may not be re-established after damage or destruction if the Department determines that the estimated cost of reconstruction exceeds 50% of the estimated replacement cost. However, it may be replaced if intentionally damaged or destroyed by Person(s) who are proven to be unconnected to the owner(s) of the Sign.

See Section 402.D – Maintenance, Repair, and Removal.

SECTION 409. FIRST AMENDMENT PROTECTION.

Any sign allowed under this Ordinance may contain, in lieu of any other text, any otherwise lawful non-commercial message that does not direct attention to a business operated for profit or to a commodity or service for sale and that complies with all other provisions of this Ordinance including the specific provisions for signage in the land use category on which the sign is placed.

SECTION 410. ADMINISTRATION

- A. Administration. The township shall appoint personnel to administer and enforce the terms and conditions of this Ordinance and all other provisions relating to signs. The “Department”, as used in this ordinance shall mean the zoning & planning, building, and code enforcement department empowered to enforce the ordinance.
- B. Enforcement. The Department shall issue Permits as required by this Ordinance. The department shall also ensure Signs comply with this Ordinance and any other applicable law. The department shall also enforce the requirement that all Signs properly comply with this Ordinance by procuring a Permit. The department shall make such inspections as may be necessary and shall initiate appropriate action to enforce compliance with this Ordinance and other applicable laws.
- C. Department Powers. The Department shall have the power and authority to administer and enforce this Ordinance. Included among such powers are the following specific powers:
 - i. Every Sign for which a Permit is required shall be subject to the inspection and approval of the Department, including verification of the use of the Parcel, and thus the standards that apply to signage. When deemed advisable, a Sign may be inspected at the point of manufacture.

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- ii. Upon presentation of proper identification to the Sign Owner or Owner's agent, the Department may enter the Sign area for purposes of inspecting the Sign, Sign structure, and any fasteners securing the Sign to a building or support. In cases of emergency, where imminent hazards to persons or property are known to exist, and where the Sign Owner, or Owner's agent, is not readily available, the Department may enter the Sign area for purposes of inspection or remediation. When on private Property, the Department shall observe rules and regulations concerning safety, internal security, and fire protection. If the Department is denied admission to inspect any Sign, inspection shall be made only under authority of a warrant issued by a court of proper jurisdiction. When applying for such warrant, the Department shall submit an affidavit setting forth a belief that a violation of this Ordinance exists with respect to a particular Sign, and the reasons for forming this belief. The affidavit shall designate the place and name of the Person believed to own or possess the Sign. If the court finds probable cause exists for the search of the Sign, and supporting structures, then a warrant authorizing the search shall be issued. The warrant shall describe the property with sufficient certainty to identify the same. This warrant shall constitute authority for the Department to enter the Sign area and to inspect the property.
- iii. Upon issuance of a Stop Order from the Department, work on any Sign that is being conducted in any manner contrary to this Ordinance shall be immediately stopped. This notice and order shall, in writing, be given to the Owner of the Parcel, the Sign Owner, or to the person performing the work. The Stop Order shall state the conditions under which work may be resumed. The police department shall have authority to enforce a Stop Order.
- iv. The Department has the authority to deny or revoke any Permit authorized by this Ordinance if the Sign violates this Ordinance or another law, provided that the Department shall offer the Sign Owner an opportunity to be heard. The Person whose Permit is under consideration shall be given at least ten (10) days written notice of the time, place, and reason for the hearing. The Sign Owner and/or Person identified in the Permit shall be permitted to present relevant facts and legal argument concerning the pending permit denial or permit revocation. Following this hearing, the Department shall consider the merits of the case and shall present a written decision.

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- v. If the Department has determined that a violation has occurred, the owner shall have thirty (30) days to bring the Sign into compliance or remove the Sign. If, however, the Department believes the health, safety, or welfare of the citizens is endangered by any violation of this Ordinance, the Department may immediately revoke any Sign Permit.
- vi. A Sign installed after the effective date of this Ordinance, and not conforming to this Ordinance, shall be removed by the Owner. The Sign Owner shall not be entitled to compensation for the Sign removal and shall reimburse the Department for any cost incurred in connection with the removal. Said costs shall be placed on as a lien to the property.

SECTION 411. SEVERABILITY AND CONFLICT.

- A. Severability. This Ordinance, and its parts, are declared to be severable. If any section, clause, provision, or portion of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, this decision shall not affect the validity of the Ordinance as a whole. All parts of the Ordinance not declared invalid or unconstitutional shall remain in full force and effect.
- B. Conflict. If any part of this Ordinance is found to be in conflict with any other Ordinance or with any other part of this Ordinance, the most restrictive or highest standard shall prevail. If any part of this Ordinance is explicitly prohibited by federal or state statute that part shall not be enforced.

CHAPTER

5

Parking Requirements

SECTION 500. STATEMENT OF PURPOSE

The purpose of this section is to ensure that all existing and future land uses are accompanied by a sufficient amount of off-street parking and loading areas to allow for easy access, convenience, and free flow of traffic. In the administration and enforcement of this section, it is understood that a balance shall be sought between meeting these objectives and not requiring an amount of parking in excess of that realistically necessary for the associated use.

SECTION 501. PARKING AREA REQUIREMENTS.

- A. Off-street parking and loading spaces shall be provided as further specified in this Ordinance and shall be furnished with necessary passageways and driveways. All such spaces shall be deemed to be required space on the lot on which it is situated, and shall not be encroached upon or reduced in any manner. All parking areas, passageways, and driveways shall be surfaced with a dustless, durable, all-weather pavement parking surface, shall be clearly marked for car spaces, and shall be adequately drained in conformance with Township standards prior to issuance of an occupancy permit. Areas designated for heavy truck traffic, dumpster loading and unloading and other similar uses shall be constructed of concrete or other such surface as to permit the heavy loads.
- B. If and when an expansion or change in use or redevelopment occurs, whether in part or in whole, parking shall be provided in such a quantity and with the required landscaping and layout of circulation drives as detailed within this chapter.

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- C. All parking areas and appurtenant passageways and driveways serving non-residential uses shall be illuminated adequately during the hours of use. Adequate shielding shall be provided to protect adjacent residential zones from the glare of such illumination and from that of automobile headlights.
- D. Parking areas serving non-residential uses may be located in any residential (R) districts after approval as a special land use, provided such parking areas are within four hundred (400) feet walking distance from the principal use served and provided that screening, lighting, and use of parking areas are in accordance with other applicable provisions of the Ordinance.
- E. All parking areas shall comply with the rear and side yard setbacks as detailed and required in the district in which the use is located.
- F. Drives and curb cuts serving adjacent uses shall be combined to minimize the number of entrances onto a public street;
- G. Curb cuts on corner lots shall be located at the farthest possible point away from the corner curb return.
- H. All parking lots shall be designed to preclude the necessity of vehicles backing onto a public street; and
- I. Whenever feasible, a minimum distance of twenty feet (20') shall be provided at drive entrances between the fronting property line and the first on-site parking space to provide adequate stacking space.
- J. Adequate provisions shall be made for the disposal of storm water from parking areas in conformance with the drainage district in which the project may be located and other standards as adopted by Bridgeport Charter Township and/or adopted by the Township through its participation in the Saginaw Area Storm Water Authority. Further the developer shall take steps insuring that such water shall not flow onto adjoining property or adjacent sidewalks in a quantity or manner that would be detrimental thereto, or inconvenient or serve to alter the historical drainage patterns on adjacent properties.
- K. The Planning Commission may require curb and gutter construction in parking areas and access drives where it deems it necessary for safety and/or due to proximity to property lines and/or to provide for adequate control of water drainage, discharge, or runoff on adjoining parcels or a roadway. Where a parcel has adequate open space to provide for water collection and dispersion, and where no adjacent parcel or roadway would be affected by water discharge or runoff, then curb and gutter construction may be waived.

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- L. Dual lane parking areas shall include the construction of a landscaped island at least five feet wide and extending the width of the parking stalls to better control traffic flow and circulation.
- M. Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.
- N. Site plans shall delineate stacking or queuing associate with drive thru facilities. A minimum of five (5) stacking spaces at least eighteen feet long, shall be required. The final determination as the required area for stacking of vehicles associated for a drive thru facility shall be reviewed and determined by the Planning Commission.
- O. Only one (1) commercial motor vehicle, not exceeding a one-ton pickup in size, may be stored on a lot or in a private garage in a residential area. No other commercial vehicle shall be allowed.
- P. Parking of heavy equipment shall be reviewed and approved as part of a site plan approval for uses in commercial and/or industrial districts.
- Q. Snow storage shall be provided and snow storage areas shall be designated on the plans and reviewed by the Planning Commission.
- R. An applicant shall use Low Impact Development techniques when designing and constructing the parking and loading areas on a site, per the requirements of Soil Erosion and Sedimentation Control permits. Techniques suggested where appropriate include the use of bio-swales, and rain gardens to slow the flow of storm water and to provide for filtering of the water, and the use of pervious pavements to reduce the quantity of runoff.

SECTION 502. PARKING AREA STANDARDS.

- A. Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.
- B. The width of entrance and exit drives shall be:
 - 1. A minimum of ten (10) feet and a maximum of fifteen (15) feet at the curb line for one-way use only.
 - 2. A minimum of twenty (20) feet and a maximum of thirty-nine (39) feet at the curb line for two-way use. The exact width shall be determined by the Planning Commission, as based on the use of the building(s).

- C. Parking aisles designed to accommodate two-way movement shall have a minimum width of twenty-four (24) feet.
- D. Parking aisles designed to accommodate one-way movement may be reduced to fifteen feet with approval from the Fire Department. Drive-thru facilities are exempt from this width requirement.
- E. In no case shall parking areas for three (3) or more vehicles be designed to require or encourage cars to back into a public street in order to leave the lot.
- F. All parking and circulation areas shall be setback a minimum of five feet (5') from adjoining properties, unless there is a shared parking and/or joint access agreement for that particular location.

SECTION 503. LOADING REQUIREMENTS.

Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided in accordance with this section to accommodate the delivery or shipment operations in a safe and convenient manner.

A. The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the development in question. The following table indicates the suggested number and size of spaces that should satisfy this standard. However, the Zoning Administrator, with information provided by the applicant/developer, may permit more or less loading and unloading area if reasonably necessary to satisfy the standard.

Gross Leasable Area of Building	Number of Spaces*
1,000 - 19,000	1
20,000 - 79,999	2
80,000 - 127,999	3
128,000 - 191,999	4

192,000 - 255,999	5
256,000 - 319,999	6
320,000 - or greater	7

B. Minimum dimensions of 12 feet x 55 feet and overhead clearance of 14 feet from street grade required for a loading space.

SECTION 504. RECOMMENDED PARKING QUANTITIES.

The following table provides a recommended number of parking spaces for proposed uses and square footage of the buildings. The chart is intended to serve as a recommendation for the number of spaces and not necessarily as a minimum requirement. The Zoning Administrator, and/or the Planning Commission may require a minimum number of parking spaces or a maximum permitted to be installed, based on the proposed use, review of the overall plan and the purpose and intent of this ordinance. The Planning Commission may reduce or waive the number of required off-street parking spaces for parcels in the C-1 zoning district based on the availability of on-street or public off-street spaces and hardship in providing the required number of off-street spaces.

Table 6-3 Table of Use Requirements provides a recommended number of parking spaces for proposed uses and square footage of the buildings. The table is intended to serve as a recommendation for the number of spaces and not necessarily as a minimum requirement. The Zoning Administrator, and/or the Planning Commission may require a minimum number of parking spaces or a maximum permitted to be installed, based on the proposed use, review of the overall plan and the purpose and intent of this ordinance. The Planning Commission may reduce or waive the number of required off-street parking spaces for parcels in the C-1 zoning district based on the availability of on-street or public off-street spaces and hardship in providing the required number of off-street spaces.

SECTION 505. JOINT USE.

- A. To the extent that developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. One-half of the parking spaces required for churches, theaters, assembly halls or other such similar uses whose peak attendance will be at night or on Sunday may be assigned to a use which will be closed at night or on Sunday.
- B. The applicant is responsible for providing the necessary information which demonstrates that shared parking is possible and appropriate at

the proposed location. A maintenance agreement and a shared parking agreement, recorded on the deed of the property(s) is required.

SECTION 506. PARKING LOT LANDSCAPING.

Landscaping is required in conjunction with parking improvements. Landscaping is intended to buffer parking areas from surrounding uses and the road. Landscaping should be dispersed within the parking area and around it and the building. Landscaping in conjunction with parking areas shall be provided in the minimum amount as detailed within this section:

- A. For all parking areas containing less than 6,000 square feet of paved area or fewer than twenty vehicular parking spaces shall provide at least 100 square feet of landscaped area containing at least one tree and two shrubs for every eight parking spaces or fraction thereof.
- B. For all parking areas containing more than 6,000 square feet of paved area or twenty or more vehicular parking spaces shall provide at least two hundred square feet of landscaped area, containing at least one tree and two shrubs contain interior landscaping for every ten parking spaces or fraction thereof, the site.
- C. Landscaping materials shall conform with the requirements of Section 303.F, and shall be healthy and in good condition, and be planted in accordance with industry standards.

SECTION 507. PARKING LOT LIGHTING.

- A. All artificial lighting used to illuminate a parking lot shall be so arranged that all direct rays from lighting fall entirely within such parking lot or accessory walkways. Lighting standards shall not exceed twenty-two feet (22') in height and shall be equipped with top and side shields when necessary to prevent glare onto adjacent properties.
- B. Lighting proposed within two hundred feet of a residential district shall not exceed fifteen (15') in height and further, be so designed and equipped as to not spill light onto adjacent properties.
- C. A photometric plan may be required by the Planning Commission and/or the Zoning Administrator.

CHAPTER

6

District Regulations

SECTION 600. Zoning Districts

For the purpose of this Ordinance the Bridgeport Charter Township is hereby divided into the following districts:

- AG, Agricultural (Open Space) District
- RA, Residential Agriculture District
- R-1, Low Density Urban Residential District
- R-2, Medium Density Urban Residential District
- R-3, High Density Urban Residential District
- C-1, Traditional Commercial District
- C-2, Community Center District
- C-3, Destination Commercial District
- M-1, Light Industrial District
- M-2, Heavy Industrial District

A. The boundaries of these districts are shown upon the map attached hereto and made a part of this Ordinance, which map is designated as the Zoning Map of Bridgeport Charter Township. The Zoning Map attached hereto and on file in the office of the Clerk of Bridgeport Charter Township and all notations, references, and other information shown thereon are 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.

B. Except where referenced 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 centerlines of the streets or alleys or such lines extended and the Township boundaries, as they existed at the time of the adoption of this Ordinance.

SECTION 601. Table of Purposes.

The following are a list of purposes for each of the zoning districts

Table 6-1 Purposes	
District	Purpose
AG, Agricultural (Open Space) District	This district is designed to provide space for all types of farming, wooded areas, areas of open space, and provide large lot residential development with associated open space use. While this designation may permit some clustered residential development, a primary focus of such development should be on preservation of significant amounts of open space, and/or preservation of significant natural features
RA, Residential Agriculture District	This district is designed to provide space for traditional, low density single family dwellings while providing a gradual transition between open space and agricultural uses.
R-1, Low Density Urban Residential District	This district is designed for areas of single family dwellings and provides for smaller lots sizes and reduced regulations in terms of setbacks and yard requirements in order to provide attractive home sites for those who wish to live in a more traditional neighborhood setting.
R-2, Medium Density Urban Residential District	This district is designed to provide for smaller lot sizes and higher density development than found in a single family district by permitting attached single family units and two family units. Yard regulations and lot coverage restrictions encourage higher density while still preserving a traditional neighborhood character.

Table 6-1 Purposes	
District	Purpose
R-3, High Density Urban Residential District	<p>This district is designed to provide space for higher density residential development than is found in other zoning districts in the township. Its purpose is to permit development and provide space for these moderate to higher density residential uses together with certain institutional and other compatible uses under specified conditions. The following are minimum criteria for multiple family sites:</p> <p>A. Site must have access to a principal arterial, minor arterial or collector street as to avoid adverse traffic impacts in surrounding low density residential areas.</p> <p>B. The site must be served by essential public facilities and services, such as water and sewer facilities, drainage structures, refuse disposal, police and fire protection and schools.</p> <p>C. Parcels must be conveniently located near existing development in the Township.</p>
C-1, Traditional Commercial District	<p>This district is designed to provide limited retail; service and office uses which are primarily meant to serve residents living in the Township. A key component of this district is its focus on providing walk-able space and buildings which maintain a traditional storefront and street-side manner.</p>
C-2, Community Center District	<p>This district is designed to provide and encourage the use of land for office uses and business uses that may serve the needs of this commercial area, as well as provide space for larger commercial developments that serve the needs of the Township as a whole. This may include limited and properly designed higher density residential uses and higher intensity commercial uses.</p>
C-3, Destination Commercial District	<p>This district is designed to provide and encourage standards for large-scale development, which includes big box retail development and other such higher intensity commercial land uses.</p>

Table 6-1 Purposes	
District	Purpose
M-1, Light Industrial District	This district is to encourage attractive industrial development that is in keeping with the Township’s character and respects the fact that a number of industrial districts are in close proximity to residentially zoned areas. It permits limited industrial, research facilities, processing, assembling, packaging or treatment of products and to permit for limited outdoor storage with reasonable performance standards designed to protect the greater Township. It permits compatible sales or service uses. It prohibits residential or intensive retail uses in industrial locations. The nature of the district and its intended use requires that it is served by Class A roadways.
M-2, Heavy Industrial District	This district is designed to provide a space for manufacturing and industrial uses that are more intensive both in terms of land and use. The nature of the district and its intended use requires that it is served by Class A roadways.
PUD –Planned Unit Development District	This district is a floating district that may be located within any district if it meets all the standards for a planned unit development. PUD’s shall be planned as integral units and may be residential, commercial, or a combination of land uses. The approval process for a Planned Unit Development involves rezoning the property upon approval of a developer’s application for a specific planned development project. The purpose of Planned Unit Development regulations is to offer developers the benefits of efficiency, economy, and flexibility by encouraging unified development of large sites, while deriving for the Township the advantages of improved appearance, compatibility of uses, optimum services by community facilities and better handling of vehicular access and circulation. PUD’s should preserve the natural amenities of the land through maintenance of conservation areas and open spaces within developments. Review of the development plan by the Planning Commission assures that such large scale developments are consistent with the objectives of the Township’s Master Plan.

SECTION 602. Table of Uses

The following is the list of uses allowed in each of the zoning districts in this zoning ordinance

Table 6-2 Table of Uses											
P = Uses Permitted by Right; SA = Uses Permitted by Special Land Use Approval; A = Accessory Uses											
Type of Use	AG	RA	R-1	R-2	R-3	C-1	C-2	C-3	M-1	M-2	PUD
AGRICULTURAL											
Campground	SA	SA									
Farming and forestry including field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, and necessary improvements such as plowing, cultivating, minor drainage and the construction and maintenance of farm and stock ponds, lagoons, irrigation and drainage ditches and farm and forest roads, greenhouses with no retail sales, tree nurseries and similar agricultural enterprises.	P										
General farming and forestry including field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, greenhouses with no retail sales, tree nurseries and similar agricultural enterprises.	P	P									
Grain or seed elevator or sales; cold storage for cooperative or wholesale agricultural products; or similar enterprise which is directly related to agriculture.	SA	SA									
Intensive Feed Lots	P										
Mineral extraction.	SA	SA								SA	
Roadside Stands	P/SA	P/SA									
Specialized farming; including low impact livestock or poultry raising.	P	P									
RESIDENTIAL											
Adult foster care family home	P	P	P	P	P	P	P				
Adult foster care large group home (13-20)					P	P	P				
Adult foster care small group home (7-12)				P	P	P	P				
Adult foster care small group home	P	P	P	P	P						
Bed and Breakfast					SA	SA					
Boarding Houses					P						
Cemeteries, public or private.	SA	SA									
Child care centers				SA	SA	P	P				
Family day care home	P	P	P	P	P						
Foster care family home	P	P	P	P	P						
Foster care group home.	SA										
Halfway House					SA						

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-2 Table of Uses

P = Uses Permitted by Right; SA = Uses Permitted by Special Land Use Approval; A = Accessory Uses

Type of Use	AG	RA	R-1	R-2	R-3	C-1	C-2	C-3	M-1	M-2	PUD
Home occupations	P	P	P	P	P						
Group day care home	SA	SA	SA	SA	SA						
Mobile Home Park				SA	P						
Multiple Family Dwellings					P						
Open Space Residential Development subject to the standards contained in Chapter 17.	P	P									
Residential dwellings, when located on the second floor of a commercial use.						P	P	P			
Senior Housing		SA	SA	SA	P	SA	SA				
Single Family Attached Dwellings				P	P						
Single Family Detached Dwellings	P	P	P	P							
Two-Family Dwelling Unit				P	P						
INSTITUTIONAL											
Airport.									SA	SA	
Commercial or private schools.						SA	SA				
Hospitals, assisted living, and nursing homes.							SA	SA			
Incarceration facility and facilities for the treatment of drug and alcohol abuse.							SA	SA	SA	SA	
Large Pond	SA	SA									
Libraries		P	P	P	P	P	P	P			
Medical clinics.						P	P	P			
Museums and Galleries							P	P			
Places of Worship and customary accessory uses.	SA	P	SA	SA	P	SA	P	P			
Post Offices				SA	SA	P	P	P			
Publicly owned office and meeting building serving persons living in the local area.						P	P	P			
Private conservation areas not open to the general public.	P	P									
Public meeting halls, private clubs and fraternal organizations.						SA	P	P			
Public or private schools.	SA	SA		SA			SA				
Public Parks	P	P	P	P	P						
Publicly Owned Buildings	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	
Publicly Owned Offices	SA	SA	SA	SA	SA	P	P	P	SA	SA	
Schools of special instruction.	SA	SA				P	P	P			
Shooting Ranges	SA	SA									
Small ponds.		P									
Small ponds, per the requirements of Section 303.D	P										
COMMERCIAL											
Adult Day Care						P	P				
Adult businesses, subject to the standards in Section 1705.A.							SA				
Ambulance Station						P	P	P			

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-2 Table of Uses

P = Uses Permitted by Right; SA = Uses Permitted by Special Land Use Approval; A = Accessory Uses

Type of Use	AG	RA	R-1	R-2	R-3	C-1	C-2	C-3	M-1	M-2	PUD
Junk/salvage yard.										SA	
Bakery						P	P	P			
Business Service Establishment						P	P	P			
Bus Station						P	P	P			
Car Wash						SA	P	P			
Catering Halls						SA	P	P			
Commercial stable.	SA	SA									
Communication antennae	P	P					SA	P	P	P	
Communication Towers	SA	SA						SA	SA	SA	
Cottage Industry, Subject to Section 306	SA	SA	SA								
Drive in and drive thru facility associated with any permitted use.						P	P	P			
Dry Cleaners						SA	P	P			
Financial institutions.						P	P	P	P		
Funeral homes and mortuaries.						P	P	P			
Golf Courses and Country Clubs	SA	SA									
Greenhouse or nursery with retail sales and specialized agricultural uses with retail sales, such as wineries, apple orchards subject to installation of a buffer as specified by the Planning Commission, meeting the standards is Section 303.F.	P	SA									
Hotels and Motels								P			
Indoor commercial recreation.							P	P	SA	SA	
Keeping or boarding of animals.	P	P									
Kennel	SA	SA					SA	SA			
Laundromat						P	P	P			
Lumber yard / home improvement center						SA	P	P	P	P	
Offices, including medical.						P	P	P			
Outdoor commercial recreation.							SA	SA	SA	SA	
Outdoor Seating (permanent)						SA	SA	SA	SA	SA	
Personal service establishments.						P	P	P			
Personal storage facilities.							P	P			
Restaurants, taverns, coffee shops and similar uses.						P	P	P			
Retail space under 8,000 square feet when within a wholly enclosed building.						P	P	P			
Retail space with outdoor storage if screened with ornamental fence, landscaping, masonry and/or a combination of each at the discretion of the Planning Commission.							P	P			
Retail sales when accessory and incidental to any permitted use.	SA	SA							P	P	
Rural gathering venues	SA	SA									
Shopping Center						P	P	P			
Outdoor display						A	A	A			
Vehicle sales.							SA	P			

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-2 Table of Uses

P = Uses Permitted by Right; SA = Uses Permitted by Special Land Use Approval; A = Accessory Uses

Type of Use	AG	RA	R-1	R-2	R-3	C-1	C-2	C-3	M-1	M-2	PUD
Vehicle Repair Station								SA	SA		
Vehicle Service Station						SA	SA	P			
Veterinary clinics, with no outdoor facilities permitted except if permitted and approved as a kennel.						SA	P	P			
INDUSTRIAL											
Bulk station						SA	SA	SA	SA	SA	
Crematorium									SA	SA	
Contractor's establishments.						SA	SA	SA	P	P	
Dehydrating of aromatic vegetables and spices, olive processing, vinegar manufacturing by fermentation, pickle manufacturing, sauerkraut manufacturing, livestock feed manufacturing, butchering, slaughtering, eviscerating and fat rendering.										SA	
Facilities for research and development, including laboratories and testing facilities.							SA	SA	P	P	
Food processing, packaging and storage, including milk products, fruits, nuts, vegetables, blended foods, candies, nonalcoholic beverages, preserves, bakery goods and frozen foods; but excluding dehydrating of aromatic vegetables and spices; olive processing, vinegar manufacturing by fermentation, pickle manufacturing, sauerkraut manufacturing, livestock feed manufacturing, butchering, slaughtering, eviscerating and fat rendering;										P	
Licensed Type II landfill, resource recovery or incinerator.										SA	
Manufacturing and prototype development, subject to Section 1404.A and B.							P	P			
Manufacturing, processing, fabrication, packaging or assembly of goods. Natural, man-made, raw, secondary or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the whole market, for transfer to other plants or to order. Goods are generally not displayed or sold on site but if so, they are a subordinate part of sales.									P	P	
Machinery assembly plants.										SA	
Metal plating and polishing; plastic extrusion.										SA	
Monument and art stone production.									P	P	
Municipal sewage treatment facility.										SA	

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-2 Table of Uses

P = Uses Permitted by Right; SA = Uses Permitted by Special Land Use Approval; A = Accessory Uses

Type of Use	AG	RA	R-1	R-2	R-3	C-1	C-2	C-3	M-1	M-2	PUD
Power and electrical generation.										SA	
Public utility installations and buildings including power, fuel, communications and water treatment.									P	P	
Radio and TV station						P	P	P			
Rail freight yard.										SA	
Recycling facilities including temporary facilities for asphalt and concrete recycling.										SA	
Refineries, including ethanol and/or corn processing										SA	
Roadway or utility service yard.										SA	
Storage facilities, including personal storage, and cold storage.						P	P	P	P	P	
Tire recapping, retreading and battery manufacture.										SA	
Truck terminals.									P	P	
Warehouse and wholesaling facilities.									P	P	
MISCELLANEOUS											
Accessory uses	A	A	A	A	A	A	A	A	A	A	
Adaptive Reuse of a structure to another more conforming commercial or commercial/residential use meeting the intent of the underlying zoning.						SA	SA	SA	SA	SA	
Any use that appears likely in the opinion of the Township that will likely or is expected to generate wastes associated which may include substances, materials, waters or waste that can or will harm the sewage treatment process or equipment or have an adverse effect on the receiving stream, or can otherwise endanger life, limb, health or constitute a nuisance.						SA	SA	SA	SA	SA	
Billboards.									SA	SA	
Essential Services	SA	SA	SA								
Medical Marihuana Cultivated or Manufactured at a Residentially Zoned Property	P	P	P	P	P						
Medical Marihuana Growing Facility									SA	SA	
Mixed Use Development when submitted as one comprehensive plan, with no more than four dwelling units per acre.		SA					SA	SA			
Other uses similar to those permitted by right in the district	P	P	P	P	P	P	P	P	P	P	
Parking Lot	P	P	P	P	P	P	P	P	P	P	

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-2 Table of Uses

P = Uses Permitted by Right; SA = Uses Permitted by Special Land Use Approval; A = Accessory Uses

Type of Use	AG	RA	R-1	R-2	R-3	C-1	C-2	C-3	M-1	M-2	PUD
Temporary outdoor use such as a display, Christmas tree sales lot, revival tent, or other quasi-civic activity may be permitted by the Zoning Administrator without a public hearing; provided that such permit shall not be issued for more than thirty (30) days in any one (1) year and that said use can be adequately shown not to be injurious or detrimental to properties in the immediate vicinity.	P					P	P	P	P		
Temporary outdoor uses, such as sidewalk sales or tent sales, provided that such use shall not exceed thirty (30) days in any one year and that said use can be adequately shown not to be injurious or detrimental to properties in the immediate vicinity.						P	P				

SECTION 603. Table of Use Requirements

The following is the list of definitions, parking and design standards for uses allowed in in this zoning ordinance

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
AGRICULTURAL			
Campground			
Farming and forestry including field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, and necessary improvements such as plowing, cultivating, minor drainage and the construction and maintenance of farm and stock ponds, lagoons, irrigation and drainage ditches and farm and forest roads, greenhouses with no retail sales, tree nurseries and similar agricultural enterprises.		N/A	
General farming and forestry including field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, greenhouses with no retail sales, tree nurseries and similar agricultural enterprises.		N/A	
Grain or seed elevator or sales; cold storage for cooperative or wholesale agricultural products; or similar enterprise which is directly related to agriculture.	A commercial or cooperative operation providing storage facilities for farm products, facilities for transfer of the products to truck or trail transport and sale of agricultural products such as grain, herbicides and pesticides.	N/A	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Intensive feed lots	Any tract of land; or structure, pen, or corral, wherein cattle, horses, sheep, goats, and swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market. The intensive nature of these operations is such that vegetative cover cannot be maintained within the enclosure during the months of May, June, July and August. Open lots used for the feeding and rearing of poultry shall be considered an intensive feedlot operation. However, pastures used for the feeding and rearing of animals shall not be considered intensive feed lot operations.	N/A	

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Mineral extraction.	An area of land from which material is removed in connection with the production or extraction of peat, muck, sand, gravel, clay, shale, or other natural mineral deposits, except crude oil by surface or open pit mining methods, the land on which material from the mining is deposited, the land on which a beneficiating or treatment plant is located, the land on which the reservoir is used in the process, arid auxiliary land is used.	As determined by the Planning Commission or Zoning Administrator	<p>As provided for in Section 205 Of the Michigan Zoning Enabling Act P.A. 110 of 2006, the township shall not prohibit extraction of valuable natural resources unless very serious consequences would result. In determining whether it is reasonable to assume that very serious consequences would result the Planning Commission shall use the standards set forth in <i>Silva v Ada Township</i>, 416 Mich 153 (1982), and all of the following factors may be considered, if applicable:</p> <ul style="list-style-type: none"> (a) The relationship of extraction and associated activities with existing land uses. (b) The impact on existing land uses in the vicinity of the property. (c) The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence. (d) The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property. (e) The impact on other identifiable health, safety, and welfare interests in the local unit of government. (f) The overall public interest in the extraction of the specific natural resources on the property. <p>In approving a permit, the ZBA may impose reasonable regulation of hours of operation, blasting hours, noise levels, dust control measures, and traffic, not preempted by part 632 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.63201 to 324.63223. However, such regulation shall be reasonable in accommodating customary mining operations.</p> <p>The mineral extraction shall also comply the requirements in Section 1705.F</p>

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Roadside Stands selling products	<p>ROADSIDE STAND. A part of a farm operation which is a place or area where transactions between a farm market operator and customers take place seasonally or year-round. This includes roadside stands, farm stands, an area without a physical structure, a temporary structure such as a tent, etc., where at least 50 percent of the products or name-sake products marketed and offered for sale (measured as an average over the farm market's marketing season or up to a five-year time frame) are produced on and by the affiliated agriculture establishment. Primary measure of the 50 percent will be the percentage of the retail space used to display products and name-sake products offered for retail sale. If measurement of retail space is not feasible, then the percent of the gross sales dollars of the farm market will be used.) Farm products may be processed more extensively into a form that adds value and makes them more marketable for direct customer sales. At the farm market, as long as allowed by law. Farm markets may include marketing activities and services to attract and entertain customers and facilitate retail trade business transactions.</p>	One per 200 square feet of sales area	<p>Per the Generally Accepted Agricultural and Management Practices for Farm Markets, zoning standards for roadside stands are preempted under the Right to Farm Act with the exception of the following:</p> <ul style="list-style-type: none"> a. Building setbacks: same as required in the respective zoning districts b. Parking: as noted in the column to the left – although parking may be on vegetative, ground, pavement, or other suitable material c. Signs: Signs are subject to provisions of Chapter 4 <p>Roadside stands that do not meet the requirement of 50% “home grown” requirement may be permitted by special approval by the Planning Commission</p>
Specialized farming; including low impact livestock or poultry raising.	Low impact agricultural activities consistent with a single family residential neighborhood. They include the noncommercial raising of livestock and poultry along with gardens, orchards and similar activities for the production of food for consumption by the household	N/A	
RESIDENTIAL			

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Adult foster care family home	A private resident with approved capacity to receive not more than six (6) adults who shall be provided 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 shall be a member of the household and an occupant of the residence	Two parking spaces	
Adult foster care large group home (13-20)	An adult foster care facility with the approved capacity to receive at least thirteen (13) but not more than twenty (20) adults who shall be provided foster care.	One parking space per staff of the largest shift plus one per four beds of the licensed capacity	
Adult foster care small group home (7-12)	An adult foster care facility with the approved capacity to receive at least seven (7) but not more than twelve (12) adults who shall be provided foster care.	One parking space per staff of the largest shift plus one per four beds of the licensed capacity	
Adult foster care small group home (1-6)	An adult foster care facility with the approved capacity to receive at least seven (7) but not more than twelve (12) adults who shall be provided foster care. An adult foster care small group home licensed to receive more than six (6) adults and large group home as a special use in zones R-1, R-2 and C-1. An adult foster care family home and adult foster care small group home licensed to six (6) or less adults as a use by right in any residential zoning district.	Two parking spaces	
Bed and Breakfast	A private residence that is also the innkeeper's residence and has sleeping accommodations meant for lodgers; has typically four (4) or fewer bedrooms; and that serves breakfast at no extra charge to the lodgers. A lodger is defined as "a person who rents a room in a bed and breakfast for fewer than 7 consecutive days.	Two, plus one for each rental room	

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Boarding Houses	A building, other than a hotel or motel, where lodging or rooms, or both, are provided for compensation, whether directly or indirectly.	Two, plus one for each rental room	1). Boarding houses shall not contain more than (4) bedrooms for rental purposes. 2). Occupancy by tenants shall not exceed two (2) persons per bedroom. 3). Individual rooms shall not contain independent cooking facilities; this however shall not prohibit the serving of meals to tenants or the use of a single kitchen by tenants. 4). Boarding houses shall be owner occupied and serve as the primary residence of the owner.
Cemeteries, public or private.	Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes including columbarium, crematoriums, mausoleums, and funeral establishments, when operated in conjunction with and within the boundary of such cemetery	1 space per 4 seats of chapel or assembly area	The lanes in the cemetery should be wide enough to allow parallel parking
Childcare centers	A facility, other than a private residence, receiving preschool or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day.	1 space per each employee on the largest working shift, plus 1 per 5 children of maximum occupancy	
Family day care home	FAMILY DAY CARE HOME. Means a private home in which 1 but fewer than 7 minor children are received for care and supervision for periods of less than 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. Family day care home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year.	Two parking spaces	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Foster care family home	A private home in which 1 but not more than 4 minor children, who are not related to an adult member of the household by blood or marriage, or who are not placed in the household under the Michigan adoption code, chapter X of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70, are given care and supervision for 24 hours a day, for 4 or more days a week, for 2 or more consecutive weeks, unattended by a parent, legal guardian, or legal custodian.	Two parking spaces	
Foster care group home.	A private home in which more than 4 but fewer than 7 minor children, who are not related to an adult member of the household by blood or marriage, or who are not placed in the household under the Michigan adoption code, chapter X of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70, are provided care for 24 hours a day, for 4 or more days a week, for 2 or more consecutive weeks, unattended by a parent, legal guardian, or legal custodian.	Two parking spaces	
Group day care home	GROUP DAY CARE HOME. Means a private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 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. Group day care home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year.	Two (2) spaces plus one (1) space per 4 children of licensed capacity	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Halfway House	A home licensed by the State of Michigan for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently	1 per sleeping room	
Home occupations	Any business conducted as a use accessory to the principal dwelling, operated entirely within the dwelling or within an attached garage conducted primarily by the person(s) occupying the premises as their principal residents and not more than one nonresident. Subject to the standards contained in Chapter 3.	Three parking spaces	
Mobile Home Park	MOBILE HOME PARK. A parcel or tract of land under the control of a person upon which 3 or more mobile homes are located on a continual, non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home and licensed under the authority of the Mobile Home Commission Act, Public Act 96 of 1987 (MCL 125.2301 et seq.)	Two for each mobile home or mobile home site	
Multiple Family Dwellings	MULTIPLE DWELLING. Is a building or portion thereof containing three (3) or more dwelling units where access to the units is from an interior hallway and complying with all other regulations herein.	Two for each dwelling unit	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Open Space Residential Development	An alternative to traditional subdivisions allowing clustering of development under the authority of the Planned Unit Development provisions of the Michigan Zoning Enabling Act	Based on the uses proposed in the development	See Section 1705.C
Residential dwellings, when located on the second floor of a commercial use.		Two for each dwelling unit	
Senior Housing	A facility consisting of three or more dwelling units, the occupancy of which is limited to persons 60 years of age or older. The facility may include medical facilities or care. Senior housing shall typically consist of multiple-household attached dwellings, but may include detached dwelling units as part of a wholly owned and managed senior project.	One and a half for each dwelling unit	
Single Family Attached Dwellings	A building or portion thereof containing three (3) or more dwelling units where access to each of the units is directly from outside, and complying with all other regulations herein. An example of single family attached units are townhouses	Two for each dwelling unit	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Single Family Detached Dwellings	SINGLE FAMILY DWELLING. A detached building containing one (1) dwelling unit only and complies with all other regulations herein.	Two for each dwelling unit	<p>Single family dwellings are permitted provided the single family dwelling:</p> <ol style="list-style-type: none"> 1. Complies with the minimum square footage requirements of this ordinance for the zone in which it is located. 2. Has a minimum width across any front, side or rear elevation of 20 feet and complies in all respects with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission under the provisions of 1972 PA 230, as amended, including minimum heights for habitable rooms. 3. Is firmly attached to a permanent foundation constructed on the site in accordance with the Michigan State Construction Code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single-family dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission and shall have a perimeter wall as required above. 4. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanisms, undercarriage, or chassis. 5. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, a roof pitch of a minimum of 1 to 4.
Two-Family Dwelling Unit	TWO FAMILY DWELLING. A building containing not more than two (2) dwelling units and complies with all other regulations herein.	Two for each dwelling unit	
INSTITUTIONAL			

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
<p>Airport.</p>	<p>AIRPORT. Any location, either on land or water, that is used for the landing or take-off of aircraft and includes the buildings and facilities, if any, on that location.</p> <p>AIRPORT, PRIVATE LANDING AREA. Any location, either on land or water that is used for the takeoff or landing of aircraft, and its use is restricted to the owner or persons authorized by the owner. Notwithstanding any existing limitation or regulation to the contrary, the owner and any person authorized by the owner has the right to use that private landing area. Commercial operations shall not be conducted on a private landing area.</p> <p>AIRPORT, PUBLIC USE FACILITY. An airport, landing field, or other aeronautical facility that is available for use by the general public without prior approval of the owner or operator.</p>	<p>Per state and federal approval</p>	

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Commercial or private schools.	<p>Any building or part thereof which is designed, constructed, or used for education or instruction including vocational, K-12 or other educational purposes, owned or operated by an entity other than a public institution. Charter schools are not private schools as used in this ordinance.</p> <p>A commercial school is a private educational facility not operated as nonprofit entity and offering instruction in art, business, music, dance, trades, continuing professional education or other subjects.</p>	<p>Preschool child care, nursery schools and day nurseries - One space for every six children and one for each employee</p> <p>Elementary and junior high Schools - One for each teacher and administrator in addition to the requirements of the auditorium</p> <p>Senior high schools - One for every one teacher and administrator and one for each ten students, in addition to the requirements of the auditorium</p>	
Incarceration facility and facilities for the treatment of drug and alcohol abuse.	<p>INCARCERATION FACILITY. Any jail, prison, holding facility, work camp or detention center of any kind.</p>	<p>Per state and federal approval</p>	
Institutions for Human Care that are hospitals, assisted living, nursing or convalescent homes, clinics, day care or senior day care and excluding incarceration facilities and facilities for the treatment of drug and alcohol abuse.	<p>Facilities for the care of people, including accommodations for short term or long term stays onsite. Examples include hospitals, sanitariums, nursing or convalescent homes, homes for the aged, philanthropic and charitable institutions and congregate care facilities.</p>	<p>Hospitals - One for each patient bed, plus one space for each 200 square feet of outpatient service area</p> <p>Assisted Living and Nursing Homes - One space per four patient beds, plus one space for each employee</p>	
Large Pond		N/A	
Libraries	<p>A public facility for the use, but not normally for sale, of literary, musical, artistic, or reference materials.</p>	<p>One for each 600 square feet of gross floor area, plus one space for each employee</p>	

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Medical clinics.	A facility operated by one or more physicians, dentists, chiropractors or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.	Professional offices of medical, dental or similar professions - Eight for each 1,000 square feet of gross floor area	
Museums and Galleries	A room or building for exhibiting, or an institution in charge of a collection of books, or artistic, historical, or scientific objects.	One for each 600 square feet of gross floor area, plus one space for each employee	
Places of Worship and customary accessory uses.	Premises used by a religious organization for worship along with any accessory uses on the same lot so long as they are subordinate, incidental to, and customarily found in connection with the primary use. Typical accessory uses may include a parish hall, a playground or picnic pavilion, or a daycare/nursery school.	One for each 3.5 seats	
Post Offices		One for each 600 square feet of gross floor area, plus one space for each employee	
Post office or publicly owned office and meeting building serving persons living in the local area.		One for each 600 square feet of gross floor area, plus one space for each employee	
Private conservation areas not open to the general public.		N/A	
Public meeting halls, private clubs and fraternal organizations.	FRATERNAL, SOCIAL OR SIMILAR CLUBS OR ORGANIZATIONS. A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings and formal written membership requirements.	One for each three persons of legal capacity as established by the township fire or building codes	

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Public, private schools and commercial schools.	<p>COMMERCIAL SCHOOL. A commercial school is a private educational facility not operated as nonprofit entity and offering instruction in art, business, music, dance, trades, continuing professional education or other subjects.</p> <p>PRIVATE SCHOOL. Any building or part thereof which is designed, constructed, or used for education or instruction including vocational, K-12 or other educational purposes, owned or operated by an entity other than a public institution. Charter schools are not private schools as used in this ordinance.</p> <p>PUBLIC SCHOOL. Any building or part thereof which is designed, constructed, or used for education or instruction including vocational, K-12 or other educational purposes, owned or operated by the public including charter schools.</p>	<p>Preschool child care, nursery schools and day nurseries - One space for every six children and one for each employee</p> <p>Elementary and junior high Schools - One for each teacher and administrator in addition to the requirements of the auditorium</p> <p>Senior high schools - One for every one teacher and administrator and one for each ten students, in addition to the requirements of the auditorium</p>	Public primary and secondary schools including charter schools are exempt from local zoning review.
Public Parks		As determined by the Planning Commission or Zoning Administrator	
Publicly Owned Buildings	Structures other than offices used for a public purpose such as fire stations, ambulance stations, public works yards and sewage treatment plants	As determined by the Planning Commission or Zoning Administrator	
Publicly Owned Offices	Structures used for public offices and similar uses that do not include the outdoor storage of equipment or material or waste water treatment. Examples are libraries and post offices.	As determined by the Planning Commission or Zoning Administrator	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Schools		<p>Preschool child care, nursery schools and day nurseries - One space for every six children and one for each employee</p> <p>Elementary and junior high Schools - One for each teacher and administrator in addition to the requirements of the auditorium</p> <p>Senior high schools - One for every one teacher and administrator and one for each ten students, in addition to the requirements of the auditorium</p>	
Schools of special instruction.		<p>One for every one teacher and administrator and one for each ten students, in addition to the requirements of the auditorium</p>	

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Shooting Ranges	An area designed and operated for the use of archery, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.	1 space per range position, plus 1 space per 200 square feet of indoor meeting area	<p>1) The facility shall conform to the generally accepted operation practices adopted by the State of Michigan. Operation, safety, and environmental plans for the facility shall be submitted for review as part of the site plan approval application.</p> <p>2) A list of the responsible officers of the organization shall be submitted annually to the Township Clerk. An updated list shall be submitted within 30 days of any changes in responsible officers. A list of qualified range supervisors shall be maintained by the responsible officers of the organization at all times.</p> <p>3) "No trespassing" or "danger" signs designating the hazard, not less than twelve (12) inches by 18 inches nor more than four (4) square feet in area, shall be posted at each point of entry to the shooting areas. All signs shall conform to the generally accepted operation practices adopted by the State of Michigan.</p> <p>4) In the case of an outdoor range, a minimum six (6) foot high fence shall be erected around individual ranges, areas containing more than one (1) range, or the entire property to serve as a barrier and to discourage unauthorized entry and the "No trespassing" or "danger" signs referred to in item 3 shall be spaced not more than 150 feet apart, and posted along the perimeter of the property.</p>
Small ponds		N/A	
Small ponds, per the requirements of Section 303.D		N/A	
COMMERCIAL			
Adult Day Care	Facilities that offer mental, social, and physical stimulation and activities for adults who have lost some independence because of physical or cognitive impairments or chronic health conditions.	Adult day care facilities shall be parked at the rate of one (1) space for each two hundred (200) square feet of activity or assembly area, plus one (1) space for each supervisor or teacher.	

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Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Adult businesses, subject to the standards in Section 1705.A.	<p>ADULT BUSINESS For the purpose of this Ordinance the following definitions shall apply:</p> <p>ADULT BOOKSTORE. An establishment permitting physical access by customers to floor area or shelf space which is devoted to the display of books, magazines or other periodicals, video tapes, photo graphs, or motion picture films which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "Specified Sexual Activities." Or specified Anatomical Areas" as defined by this Ordinance. This definition also includes any establishment, which indicates the availability of such material by any sign advertisement, or other device audible or visible from anywhere outside the principal building, regardless of the amount of area devoted to said materials.</p> <p>ADULTS-ONLY BUSINESS. Any business, club, or other organization wherein one of more persons display "Specified Anatomical Areas" or engage in "Specified Sexual Activities" as defined by this Ordinance, either in person or by photograph, internet, digital transmission, motion picture, television, or other type of image. Further, this definition includes the following terms as defined by this Ordinance: "Adult bookstore", "Adult Theater", "Massage Parlor", "Public Bath", and "Taxi Dance Hall".</p> <p>ADULT-RELATED BUSINESS. Any activity described in any of the paragraphs of this subsection and any other business having an employee or entertainer, in person or by motion picture, television, videotape, hologram, magazine or other type of image, including the internet or other web-based technology, displaying any "specified anatomical area" or engaging in any "specified sexual activity."</p> <p>ADULT THEATER. Any establishment presenting material or activity distinguished or characterized by an emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" as defined by this Ordinance for Observation by patrons or customers. See Section 1705.A.</p>	Based on type of use	See Section 1705.A
Ambulance Station			

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Automotive salvage and junkyards.	JUNK/SALVAGE YARD. A licensed open area where waste, used or second hand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. A Junk/Salvage Yard includes automobile-wrecking yards, and two or more inoperative, unlicensed vehicles located on a single lot. Operations with characteristics of salvage yards are called recycling centers, junk yards, scrap yards, etc., shall be considered as salvage yards.	1 for each employee, plus 3 visitor spaces	
Bakery		1 for each 500 square feet of floor area or 5 spaces, whichever is greater	
Business Service Establishment	Establishments which are primarily engaged in rendering services on a contract or fee basis to business establishments. Examples include: Office machine repair, typewriter repair, computer repair.	1 space per 350 square feet of gross floor area	
Bus Station		1 for each 5 seats of seating capacity in waiting terminals	
Car Wash	A building, or portions thereof, where the primary purpose is that of washing motor vehicles	One for each one employee, in addition, adequate waiting space for autos shall be provided on the premises to accommodate 50 percent of the hourly rate for each automatic wash line and four for each washing stall for a self-service wash	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Catering Halls		15 for each 1,000 square feet of gross floor area	
Commercial stable.	STABLE, COMMERCIAL. A structure or place where horses, mules, donkeys, or ponies are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch or similar establishment; and/or the provision of riding facilities and academies is available for other than the use of the resident of the property and/or the stabling, training, and feeding of horses takes place.	1 space for each employee, plus 1 space for each 4 stalls	
Communication antennae	Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas other than a private antenna for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers and any accessory buildings/structures thereto.	N/A	<ol style="list-style-type: none"> 1. The applicant shall verify the ability of the proposed structure to support the antenna 2. The antennae shall be setback from all property lines a distance equal to the height of the antenna 3. The ground equipment associated with the antenna shall be screened from surrounding property

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Communication Towers	<p>COMMUNICATIONS TOWER. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas other than a private antenna for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers and any accessory buildings/structures thereto.</p> <p>PRE-EXISTING TOWERS and PRE-EXISTING ANTENNAS. Any tower or antenna for which a building permit or special use permit has been properly issued prior to the effective date of this ordinance.</p>	One space per tower	See Section 1705.B
Cottage Industry, Subject to Section 307	COTTAGE INDUSTRY. A use incidental and subordinate to the principal dwelling not occupying more than one building, the floor area of such a building shall not exceed what is permitted as an accessory building in the district or more than 1,500 square feet, unless specifically approved by the Planning Commission, subject further to the regulations of Chapter 3.	Two spaces plus one per non-resident employee	
Dry Cleaners		One space for each 300 square feet of gross floor area	
Financial institutions.	<p>An establishment where the principal business is the receipt, disbursement or exchange of funds and currencies.</p> <p>Examples include banks, savings and loans, and credit unions.</p>	<p>Four for each 1,000 square feet of gross floor area</p> <p>Two for each one automatic teller machine</p>	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Funeral homes and mortuaries.	FUNERAL HOME. A building used for the preparations of the deceased for burial and the display of the deceased, and ceremonies connected therewith before burial or cremation.	One for each 50 square feet of gross floor area	
Golf Courses and Country Clubs	COUNTRY CLUB. A club with recreation facilities for members, their families, and invited guests. GOLF COURSE. A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course includes a clubhouse and shelters as accessory uses. but shall not include miniature golf courses.	Golf course - Six for each one golf hole and one for each one employee Country club - Six for each 1,000 square feet of gross floor area	
Greenhouse or nursery with retail sales and specialized agricultural uses with retail sales, such as wineries, apple orchards subject to installation of a buffer as specified by the Planning Commission, meeting the standards is Section 303.F.	GREENHOUSE. A building whose roof and sides are made largely of glass or other transparent or translucent material, in which the temperature and humidity can be regulated for the cultivation of delicate, out of season plants for subsequent sale or personal use.	Five for each 1,000 square feet of gross floor area plus one for each 1,000 square feet of gross floor of exterior display area.	
Hotels and Motels	HOTEL / MOTEL. Commercial establishments, on one or multiple levels, primarily engaged in providing temporary lodging and other services designed for occupancy by transient(s) located in one or more building(s) wherein each entrance has separate entrance, from a common interior hallway or from the exterior, and of which limits "extended consecutive stays" to twenty-eight (28) days or less. The principal place of residence cannot be the room or suite occupied by the transient(s).	One for each one occupancy unit, plus one for each one employee, plus extra spaces for dining rooms, bathrooms, or meeting rooms as otherwise provided in this section	

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Indoor commercial recreation.	<p>An establishment that provides recreation that diverts, amuses, entertains, or provides entertainment or other hospitality that may include food service or accommodations, but does not include drive-through establishments. Additional regulations may apply to indoor establishments that serve alcohol.</p> <p>Examples include: Bowling alleys, billiard halls, arcade or video game rooms, archery range (indoor) and other indoor entertainment establishments similar to and compatible with the above establishments</p>	Bowling alleys - Four for each one bowling lane	
Keeping or boarding of animals		1 per 400 square feet of gross floor area	
Kennel	KENNEL. The maintenance of more than four animals other than a household pet for a temporary or permanent basis for personal or commercial purposes. It can include the training or breeding of animals.	1 per 400 square feet of gross floor area	
Laundromat		One for each two washing machines	
Lumber yard / home improvement center		1 per 400 square feet of gross floor area of sales and service building and 1 per each employee	

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Offices, including medical.	OFFICE. An office is a place of business in which professional services are rendered or management activities of an enterprise are carried out. All such activities take place inside a building. Office activities include, but are not limited to, law, medicine, dentistry, accounting or bookkeeping, tax preparation, insurance, securities brokerage, executive or managerial functions for any type of enterprise, workshop or studio for a graphic artist or photographer, studio for broadcast media, all aspects of a newspaper or publishing business except actual printing, binding or distribution centers, and a base of operation for salespeople which does not include storage or display of merchandise.	Business or professional offices - Five for each 1,000 square feet of gross floor area Professional offices of medical, dental or similar professions - Eight for each 1,000 square feet of gross floor area	

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Outdoor commercial recreation.	<p>An establishment that provides continuous, intermittent or seasonal recreation and/or entertainment-oriented activities largely in an outdoor setting. There may be concessions, restaurants, retail shops selling items related to the recreation or entertainment uses, office for management functions, spectator seating and service areas, including locker rooms and restrooms, caretaker’s quarters, maintenance facilities and other facilities in addition to structures for the principal uses. Additional regulations may apply to outdoor entertainment establishments that serve alcohol.</p> <p>Examples include: Tennis courts, archery courts, shuffleboard, horseshoe courts, children’s amusement park or other type of amusement and water parks, theme parks, fairground, zoos, animal racing facilities, go-carts, automobile or motorcycle tracks, race tracks, amphitheaters, air-gun or survival games, batting cages, ski slopes, and skate board parks and other uses similar to and compatible with the above establishments.</p>	1 space for each 4 persons in designed capacity	
Outdoor Seating (permanent)			
Personal service establishments.	<p>PERSONAL SERVICE BUSINESS. A personal service business primarily serves needs of individual people or families, including but not limited to hair or skin care, grooming, millinery or tailoring, shoe repair, and repair of small appliances, watches or jewelry.</p>	<p>1.5 for each 1,000 square [feet] of a gross floor area</p> <p>Beauty, barber or tanning establishments – Three spaces for each work station or tanning booth</p>	

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Personal storage facilities.	A building or group of buildings of a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of customers' goods or wares which may also include outdoor storage.	One unobstructed parking space for each ten storage units	
Restaurants, taverns, coffee shops and similar uses.	A structure in which the principal use is the preparation and sale of food and beverages.	15 for each 1,000 square feet of gross floor area	
Restaurants, taverns and other establishments including associated drive-thru facilities.		One for each 15 square feet of floor area plus Three waiting spaces for each drive-in window in addition to normal parking	
Retail space under 8,000 square feet when within a wholly enclosed building.		Five for each 1,000 square feet of gross floor area Maximum six spaces for each 1,000 square feet of floor area	
Retail space with outdoor storage if screened with ornamental fence, landscaping, masonry and/or a combination of each at the discretion of the Planning Commission.		Based on retail use – no additional parking required for outdoor storage use	
Retail sales when accessory and incidental to any permitted use.			

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Rural gathering venues	<p>An organized event, meeting, or activity located in a rural setting, including a barn and meeting the following criteria:</p> <ol style="list-style-type: none"> 1) The property owner, building owner, or third party has been paid to host or rent out the property and/or structure for a non-agricultural use. 2) Organized meetings or events such as but not limited to weddings, birthday parties, religious gatherings, corporate picnics, and other similar type activities that will serve 80 people or more. 3) Catering and/or liquor licensing for meeting or event participants totaling 50 people or more. 4) Parking needs for more than 30 automobiles on the property or other pieces of property in the area associated with the activity or event. 	<p>1 space per three people based on maximum number of attendees permitted under the terms of the special approval</p>	<ol style="list-style-type: none"> 1) Verification of approval from other jurisdictions, such as the Fire Department, Building Official, Road Commission, Health Department, and other interested parties is required. 2) Traffic Impact Statement if over 50 attendees will be permitted 3) Additional landscape requirements for buffering or screening may be required. 4) Dust control measures as necessary. 5) Hours of operation set for activities and seasonal operating guidelines as necessary. 6) Certificate of Occupancy withheld or revoked due to non-compliance once in operation.
Shopping Center	<p>A group of retail and other commercial establishments that is planned, owned, and managed as a single property.</p>	<p>Based on component uses For initial development of shopping center, 1 space per 200 square feet of gross floor area</p>	<ol style="list-style-type: none"> 1) A Traffic Impact Study shall be submitted for shopping centers with over 20,000 sq. ft., of gross floor area. 2) Such shopping centers shall have access to at least one arterial roadway. 3) Any "outlots" shall have circulation and parking designed to complement the entire site.
Outdoor display		<p>Two for each 1,000 square feet of outdoor display area</p>	<p>Outdoor display may be permitted as follows:</p> <ol style="list-style-type: none"> a) Year-round outdoor display may be permitted by the Planning Commission as part of site plan review. b) Seasonal outdoor displays or those related to outdoor sales events may be approved by the zoning administrator provided they are located in a parking lot in compliance with the zoning ordinance, do not occupy required parking spaces or block parking access aisles, are separated from the parking lot by a barrier such as temporary fence, and the products on display do not create problems due to windblown trash, dirt or similar nuisances.

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Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Vehicle sales.	VEHICLE SALES. A business engaged in the sales of new and used vehicles including an open area or lot used for the display or sale of automobiles, where no repair work is done except minor reconditioning of the cars to be displayed and sold on the premises, and no dismantling of cars or sale or keeping of used car parts or junk on the premises is allowed. Vehicle repair may be permitted as an accessory use to the primary use of the vehicle sales.	Five for each 1,000 square feet of gross floor area of sales area, plus one for each one auto service stall plus 1 space for per employee	
Vehicle Repair Station	A repair business is an establishment engaged in the business of performing repairs on such vehicles, including work which requires the engine to be removed, replacement or modification of the frame, body, transmission or suspension systems, glass or upholstery replacement, or the painting or undercoating of vehicles.	Two for each one service stall or pit, and one space provided in front of each one gasoline pump as well as one for each employee on a shift.	
Vehicle Service Station	VEHICLE SERVICE STATION. Any establishment engaged in the direct retail sale of gasoline or other engine fuel, motor oil or lubricants, or performing interior or exterior cleaning, sale of tires, parts or accessories, inspection, lubrication, engine tuning, or minor vehicle repairs.	Two for each one service stall or pit, and one space provided in front of each one gasoline pump as well as one for each employee on a shift.	
Veterinary clinics, with no outdoor facilities permitted except if permitted and approved as a kennel.	A business operated by a person qualified and authorized to treat diseases and injuries of animals.	1 space for every 2 employees of largest shift, plus 1 space per doctor, plus 1 space per examination room	
INDUSTRIAL			

Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Bulk station		One space per employee plus five spaces. Loading/unloading spaces as determined necessary by the Planning Commission or Zoning Administrator	
Crematorium	A location containing properly installed, certified apparatus intended for use in the act of cremation.	One space per four seats in chapel, plus 1 per employee	
Contractor's establishments.	A facility housing a general contractor or builder engaged in the construction of buildings, either residences or commercial structures as well as heavy construction contractors engaged in activities such as paving, highway construction, and utility construction.	One (1) space per two hundred (200) square feet of office area.	Outdoor storage of material must be screened from residential districts and the public right-of way
Dehydrating of aromatic vegetables and spices, olive processing, vinegar manufacturing by fermentation, pickle manufacturing, sauerkraut manufacturing, livestock feed manufacturing, butchering, slaughtering, eviscerating and fat rendering.		Three for each 1,000 square feet of gross floor area	
Facilities for research and development, including laboratories and testing facilities.	A structure or group of structures used primarily for research, development, or controlled production of high-technology electronic, industrial, or scientific products or commodities or laboratories conducting educational or medical research or testing applied and developmental research, where product testing is an integral part of the operation and goods or products may be manufactured as necessary for testing, evaluation, and test marketing.	Three for each 1,000 square feet of gross floor area	

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
<p>Food processing, packaging and storage, including milk products, fruits, nuts, vegetables, blended foods, candies, nonalcoholic beverages, preserves, bakery goods and frozen foods; but excluding dehydrating of aromatic vegetables and spices; olive processing, vinegar manufacturing by fermentation, pickle manufacturing, sauerkraut manufacturing, livestock feed manufacturing, butchering, slaughtering, eviscerating and fat rendering;</p>		<p>Three for each 1,000 square feet of gross floor area</p>	
<p>Licensed Type II landfill, resource recovery or incinerator.</p>	<p>INCINERATOR. An enclosed device using controlled flame combustion, the primary purpose of which is to thermally break down waste.</p> <p>LICENSED TYPE II LANDFILL. A landfill authorized by the State of Michigan under Part 115 of PA 451 of 1994 to receive household waste or municipal solid waste, incinerator ash, and which is not a land application unit, surface impoundment, injection well, or waste pile.</p> <p>RESOURCE RECOVERY FACILITY. A building or an area where the primary activity is the separation of materials prior to shipment for remanufacture into new materials. This does not include junk yards or wrecking yards</p>	<p>As determine by state license</p>	
<p>Manufacturing and prototype development, subject to Section 1404.A and B.</p>		<p>Three for each 1,000 square feet of gross floor area</p>	
<p>Manufacturing, processing, fabrication, packaging or assembly of goods. Natural, man-made, raw, secondary or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the whole market, for transfer to other plants or to order. Goods are generally not displayed or sold on site but if so, they are a subordinate part of sales.</p>		<p>Three for each 1,000 square feet of gross floor area</p>	

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Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Machinery assembly plants.		Three for each 1,000 square feet of gross floor area	
Metal plating and polishing; plastic extrusion.		Three for each 1,000 square feet of gross floor area	
Mineral extraction.	An operation under which material is removed from an area of land in connection with the production of soil, sand, clay or gravel by surface, open pit method or other mining methods.	As determined by the Planning Commission or Zoning Administrator	
Monument and art stone production.	An area of land and buildings used in the forming, engraving and sculpting on monuments and stone art.	Three for each 1,000 square feet of gross floor area	
Municipal sewage treatment facility.		As determined by the Planning Commission or Zoning Administrator	
Power and electrical generation.	A facility that converts one or more energy sources, including but not limited to water power, fossil fuels, nuclear power, or solar power, into electrical energy or steam.	As determined by the Planning Commission or Zoning Administrator	
Public utility installations and buildings including power, fuel, communications and water treatment.	A building or structure used or intended to be used by any public utility, including but not limited to any gas treatment plant reservoir, tank, or other storage facility; water treatment plant, well, reservoir, tank, or other storage facility; electric generating plant, distribution, or transmission substation; telephone switching or other communications plant, earth station, or other receiving or transmission facility; any storage yard for public utility equipment or vehicles; and any parking lot for parking vehicles or automobiles to serve a public utility or public agency.	As determined by the Planning Commission or Zoning Administrator	
Radio and TV station		2 spaces, plus 1 space for each employee on maximum shift	

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Table 6-3 Table of Use Requirements			
Type of Use	Definition	Parking	Design Standards
Rail freight yard.	A site which included a series of railroad tracks that is used for storing, sorting, or loading/unloading, railroad cars and/or locomotives	As determined by the Planning Commission or Zoning Administrator	
Recycling facilities including temporary facilities for asphalt and concrete recycling.		As determined by the Planning Commission or Zoning Administrator	
Refineries, including ethanol and/or corn processing	Industrial activities involving the processing or manufacture of carbon based material into fuel or products	As determined by the Planning Commission or Zoning Administrator	
Roadway or utility service yard.		As determined by the Planning Commission or Zoning Administrator	
Storage facilities, including personal storage, and cold storage.		One unobstructed parking space for each ten storage units	
Tire recapping, retreading and battery manufacture.		Three for each 1,000 square feet of gross floor area	
Truck terminals.	A facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck	1 per employee	
Warehouse and wholesaling facilities.	A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards or conditions commonly recognized as offensive	2.5 for each 1,000 square feet of gross floor area	
MISCELLANEOUS			

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Accessory uses	ACCESSORY USE (includes accessory building). An accessory use includes a building or structure and is clearly used incidental to, customarily found in connection with, and located on the same lot as the principal use to which it is related. Manufactured homes, premanufactured homes or trailers, recreational vehicles whether used for dwelling purposes or for storage and shipping containers or other such similar items are not considered a permitted accessory use.	Additional spaces based in this use may be required in addition to the spaces required by the principal use as determined by the Planning Commission or Zoning Administrator	
Adaptive Reuse of a structure to another more conforming commercial or commercial/residential use meeting the intent of the underlying zoning.	ADAPTIVE REUSE. Means adapting an existing, economically obsolete building for a new, more productive purpose. The changes may be substantial, physical alterations that modify the building's original, intended use or a mix of uses.	As determined by the Planning Commission or Zoning Administrator	See Section 1705.D
Any use that appears likely in the opinion of the Township that will likely or is expected to generate wastes associated which may include substances, materials, waters or waste that can or will harm the sewage treatment process or equipment or have an adverse effect on the receiving stream, or can otherwise endanger life, limb, health or constitute a nuisance.		Based on proposed uses	
Billboards.	Billboard. Off-premises, free-standing signs (advertising an activity, business, product, or service not sold or conducted on the premise upon which the sign is located) limited to no more than one hundred (100) square feet.	N/A	

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Essential Services (See Requirements)	ESSENTIAL SERVICES. The erection, construction, alteration or maintenance of underground, surface, or overhead electrical, gas, water, and sewage transmission and collection systems and the equipment and appurtenances necessary for such systems to furnish an adequate level of public service, but not including, public service installations.	As determined by the Planning Commission or Zoning Administrator	1) No building greater than three hundred (300) square feet shall be closer than forty feet (40') to any property or street line. 2) No more than twenty percent (20%) of the lot area may be covered by buildings. 3) All buildings shall be harmonious in appearance with the surrounding area and shall be similar in design and appearance to any other buildings on the same site development. 4) Where mechanical equipment is located in the open air, it shall be screened from the surrounding area by an obscuring wall, fence or planting area and it shall be fenced for safety. All buildings housing mechanical equipment shall be landscaped and maintained to harmonize with the surrounding area.
Medical Marihuana Cultivated or Manufactured at a Residentially Zoned Property		N/A	See Section 311
Medical Marihuana Growing Facility	Medical Marihuana Growing Facility or Facility: A location from where one Medical Marihuana Caregiver may distribute, cultivate, grow or otherwise make available medical marihuana to medical marihuana patients.	1 space per qualified patient plus 1 space per employee	See 1705.E
Mixed Use Development when submitted as one comprehensive plan, with no more than four dwelling units per acre.	A site that consists of a range of uses planned as one cohesive development	Based on proposed uses	
Other uses similar to those permitted in the district		Based on similar uses	In determining whether or not a use is similar in character to other uses in the same zoning district the Planning Commission shall consider the intent of the zoning district, the similarity of potential off-site impacts of permitted uses and the proposed use. In interpreting a proposed use the Planning Commission may not classify such a use if it is already listed in another district. In making the determination the Planning Commission shall clarify if the classified use is a use by right or by Special Approval and if any design standards required of similar uses are required.
Parking Lot		N/A	As outlined in Section 502

Table 6-3 Table of Use Requirements

Type of Use	Definition	Parking	Design Standards
Temporary outdoor use such as a display, Christmas tree sales lot, revival tent, or other quasi-civic activity may be permitted by the Zoning Administrator without a public hearing; provided that such permit shall not be issued for more than thirty (30) days in any one (1) year and that said use can be adequately shown not to be injurious or detrimental to properties in the immediate vicinity.	TEMPORARY OUTDOOR USE. A use carried out in an open area or uncovered or temporary structure, which is disbanded when the designated time period, activity, or use for which the temporary structure was erected, has ceased.	Two for each 1,000 square feet of outdoor display area	
Temporary outdoor uses, such as sidewalk sales or tent sales, provided that such use shall not exceed thirty (30) days in any one year and that said use can be adequately shown not to be injurious or detrimental to properties in the immediate vicinity.	TEMPORARY OUTDOOR USE. A use carried out in an open area or uncovered or temporary structure, which is disbanded when the designated time period, activity, or use for which the temporary structure was erected, has ceased	Two for each 1,000 square feet of outdoor display area	

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

SECTION 604. Table of Dimensional Requirements

The following is the list of dimensional requirements for each zoning district

TABLE 6-4 DIMENSIONAL REQUIREMENTS									
District	Minimum Lot Area	Lot Frontage and Width	Setbacks			Heights		Maximum Lot Coverage (%)	Minimum Dwelling Unit Floor Area (Sq. Ft.)
			Front Yard	Side Yard	Rear Yard	Maximum Height (Feet)	Maximum Height (Stories)		
AG – Agricultural and Open Space	5 acre (a)	150' (b)	40' (c) 25' (d)	20'	40'	35'	2.5	10	1,400 (e) 850 (f)
RA – Residential Agricultural	1 acre (ii)	100' (b)	40' (c) 25' (d)	10'	30'	35'	2.5	20	1,000 (e) 720 (f)
R-1 – Single Family Residential	10,000 sq. ft. (gg) 1 acre (hh) (ii)	100' (b)	40' (c) 25' (d)	8' (g)	30'	35'	2.5	25	1,000 (e) 720 (f)
R-2 – Medium Density Residential	8,000 sq. ft. (h) 12,000 sq. ft. (i)	80' (h) 105' (i)	40' (c) 25' (d)	8' (g)	30'	35'	2.5	30	1,000 (j) 720 (k)
R-3 – High Density Residential	10,000 sq. ft. 8,000 sq. ft. (l)	105'	40' (c) 25' (d)	10' (m)(n)	20'	90'	6	40	(o)
C-1 – Traditional Commercial	15,000 sq. ft.	100'	25' (p) (q)	(r) (t)	(r) (s) (t)	–	–	100	–
C-2 – Community Center	1 acre	100'	40' (c) 50' (u) 60' (v) 25' (w)	(x)	(y)	60'	5	60	–
C-3 – Destination Commercial	2 acres	150'	40' (c) 50' (u) 60' (v) 25' (w)	(x) (t)	(y) (t)	60'	5	60	–
M-1 – Industrial	1.5 acres	200'	40' (c) 50' (u) 60' (v) 40' (w)	25' (z) (aa) (t)	(bb) (t)	50'	3.5	60	–
M-2 – Manufacturing and Industrial	5 acres	300'	40' (c) 50' (u) 60' (v) 40' (w)	25' (cc) (dd) (t)	(ee) (t)	60' (ff)	3.5	60	–
PUD – Planned Unit Development	The dimensional requirements for each development shall be established in the text of the rezoning of that property to PUD								

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

- (a) Residential-only (excluding farmstead) uses shall be a minimum of one and one-half acres.
 - i. Lots smaller than five acres but a minimum of one and one-half acres in size created after the effective date of this ordinance shall submit a land division application to the Township in accordance with any adopted Land Division Ordinance plan and fee.
 - ii. The Zoning Administrator shall provide a copy of the application and detail how the proposed land division meets the minimum requirements according to the Land Division.
 - iii. No separate fee or individual appearance is required and the information and request will be submitted in the form of a consent agenda item to the Planning Commission, and shall be so approved prior to the issuance of any official split or building permit.
- (b) Frontage on a public or approved private road
- (c) For parcels which front along a road designated as a County Primary Road
- (d) For parcels which front along a road not designated as a County Primary Road
- (e) Usable floor area, exclusive of unenclosed porches, garages and basements on one story dwellings
- (f) Usable floor area, exclusive of unenclosed porches, garages and basements on the first floor of multi-story dwellings
- (g) In the case of a corner lot, the street side yard shall not be less than twenty-five feet (25') and the remaining side yard shall not be less than eight feet (8')
- (h) Single family dwellings
- (i) Two family dwellings.
- (j) Usable floor area, exclusive of unenclosed porches, garages and basements on single family dwellings
- (k) Minimum finished living area of each unit for two family dwellings, including town homes
- (l) Minimum lot area for multiple family dwellings is 8,000 sq. ft. for first dwelling unit and an additional one thousand two hundred (1,200) square feet for each additional dwelling in the multiple family structure(s)
- (m) If the height of the dwelling or dwellings exceeds thirty-five feet (35') then the setback shall be equal to the total height of the building
- (n) In the case of a corner lot, the street side yard shall not be less than twenty-five feet (25') and the remaining side yard shall not be less than twenty feet (20')
- (o) Minimum Floor Area per Dwelling Unit.
 - i. For single family dwellings, One Thousand (1000) square feet of usable floor area, exclusive of unenclosed porches, garages and basements.
 - ii. For two family dwellings, including town homes, each unit shall have a minimum finished living area of seven hundred and twenty (720) square feet.
 - iii. For multiple family dwellings the minimum floor area shall be as follows:
 - a. Efficiency and One bedroom unit: five hundred (500) square feet.
 - b. Two- bedroom unit: seven hundred fifty (750) square feet.
 - c. Three-bedroom unit: nine hundred (900) square feet.
 - d. Four or more bedroom units: one thousand (1,000) square feet plus one hundred (100) additional square feet for each additional bedroom.
- (p) Or the established building line, whichever is greater
- (q) Within the area denoted as "Town Center" at least fifty percent (50%) of all new buildings or additions to the front or street side of existing buildings shall extend to fifteen feet (15') of the street right-of-way line or the established building line. This setback is designed so that the building visually reinforces the building façade line of the street. The building may be set back from the front or street side property line when specifically approved by the Planning Commission so as to accommodate shop entrances, arcades, plazas, sidewalk cafes, other approved design amenities or landscaping.

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

- (r) Side and Rear Yard Setback. No side yard is required unless adjacent to a residential or agricultural district or as otherwise determined by the Planning Commission and/or staff. The side and rear yard of a use which abuts a residential district or as otherwise determined by the Planning Commission shall be landscaped to provide a visual screen between districts. The extent of the screening shall be based on the distance between the parking area and/or the building to the property line as detailed below, with the exception that the Planning Commission may require additional screening from parking areas and headlights if trespass by lighting or vehicle headlights is a concern:
- i. Fifty (50') feet or more from building and/or parking area to the nearest residential property line, a buffer of maintained and seeded lawn is required along with one tree or two shrubs for each thirty (30') lineal feet.
 - ii. Thirty (30') feet but less than fifty feet (50') from building and/or parking area to the nearest residential property line, a buffer of maintained and seeded lawn or ground cover with a three-foot-tall berm with a slope no greater than three to one (3:1) with two trees or four shrubs installed within said buffer for each thirty (30') lineal feet.
 - iii. Fifteen (15') feet but less than thirty (30') feet from building and/or parking area to the nearest residential property line, an opaque fence six feet in height with one (1) tree or two (2) shrubs shall be planted every thirty (30') lineal feet.
 - iv. A minimum of five (5') feet but less than fifteen (15') feet from building and/or parking area to the nearest residential property line, a buffer screen no less than five (5') feet in width and six (6') feet in height shall be established, consisting of tree plantings, hedges, and an opaque fence or wall that is consistent with the materials and colors used on site shall be installed in the buffer area.
- (s) When located on a corner, the street side yard shall meet the requirements of the front yard setback.
- (t) The Planning Commission may waive certain requirements related to rear and side yard setback buffers, including the width of the buffer and buffer elements, dependent on the site layout and preservation of existing features and the site meeting the purpose and intent of the buffer requirements.
- (u) For parcels which front along Dixie Highway, west of Interstate 75
- (v) For parcels which front along Dixie Highway, east of Interstate 75
- (w) For parcels which front along a road not designated as a County Primary Road or on Dixie Highway
- (x) Side yard: No side yard is required unless adjacent to a residential or agricultural district or as otherwise determined by the Planning Commission and/or staff. The provisions of footnote (r) apply along with the additional requirement that a minimum of five feet shall be required for all parking and circulation areas.
- (y) Rear yard: A minimum ten (10') foot buffer space between the parcel line and any pavement or structure is required. If the property is adjacent to a residentially zoned district or upon specific request of the Planning Commission and/or staff, this minimum buffer space shall be increased to twenty (20') feet. Within the buffer, the following is required:
- i. Landscaping, opaque and a minimum of five (5') feet in height at time of installation.
 - ii. Opaque fencing or a wall, six (6') feet in height, shall be installed, in a style and color similar to the building.
- (z) In the case of a corner lot, the street side yard shall not be less than forty feet (40') and the remaining side yard shall not be less than twenty-five (25') feet.
- (aa) Side yards adjacent to a residential or agriculturally zoned district or upon determination by the Planning Commission, shall be setback a minimum of sixty feet (60'). Within the buffer, the following is required:
- i. Landscaping, opaque and a minimum of five feet (5') in height at time of installation.
 - ii. Existing trees, retained and preserved on site, may be used in lieu of additional plantings at the discretion of the Planning Commission.

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

- iii. Opaque fencing or a wall shall be installed, in a style and color similar to the building. Such wall or fence shall be at least six (6') feet in height, but in no case shall the fence or wall be lower than the enclosed parking, loading or servicing activity to be screened.
- (bb) Rear yard: A minimum forty-foot (40') buffer space between the parcel line and any pavement or structure is required. If the property is adjacent to a residentially zoned district or agricultural district, this minimum buffer space shall be increased to sixty feet (60'). Within the buffer, the following is required:
 - i. Landscaping, opaque and a minimum of five feet (5') in height at time of installation.
 - ii. Existing trees, retained and preserved on site, may be used in lieu of additional plantings at the discretion of the Planning Commission.
 - iii. Opaque fencing or a wall shall be installed, in a style and color similar to the building. Such wall or fence shall be at least six (6') feet in height, but in no case shall the fence or wall be lower than the enclosed parking, loading or servicing activity to be screened.
- (cc) In the case of a corner lot, the street side yard shall not be less than eighty feet (80') and the remaining side yard shall not be less than thirty (30') feet.
- (dd) Side yards adjacent to a residential or agriculturally zoned district or upon determination by the Planning Commission, shall be setback a minimum of one hundred feet (100'). Within the buffer, the following is required:
 - i. Landscaping, opaque and a minimum of five feet (5') in height at time of installation.
 - ii. Existing trees, retained and preserved on site, may be used in lieu of additional plantings at the discretion of the Planning Commission.
 - iii. Opaque fencing or a wall shall be installed, in a style and color similar to the building. Such wall or fence shall be at least six (6') feet in height, but in no case shall the fence or wall be lower than the enclosed parking, loading or servicing activity to be screened.
- (ee) Rear yard: A minimum forty-foot (40') buffer space between the parcel line and any pavement or structure is required. If the property is adjacent to a residentially zoned district or agricultural district, this minimum buffer space shall be increased to one hundred feet (100'). Within the buffer, the following is required:
 - i. Landscaping, opaque and a minimum of five feet (5') in height at time of installation.
 - ii. Existing trees, retained and preserved on site, may be used in lieu of additional plantings at the discretion of the Planning Commission.
 - iii. Opaque fencing or a wall shall be installed, in a style and color similar to the building. Such wall or fence shall be at least six (6') feet in height, but in no case, shall the fence or wall be lower than the enclosed parking, loading or servicing activity to be screened.
- (ff) Cell towers, silos, grain bins and other such uses typically and customarily accessory to industrial uses may be up to one hundred (100') feet in height, but in those cases the structure exceeds sixty (60') feet, the structure shall be setback an additional one (1') foot from all property lines for each foot over sixty (60') feet
- (gg) Lots with sanitary sewer
- (hh) Lots without sanitary sewer
- (ii) One acre lots may exceed the 4 to 1 lot depth to width ratio if they have the minimum lot width required in the zoning district

SECTION 605. Table of District Specific Requirements

The following is the list of requirements specific to each zoning district

Table 6-5 Table of District Specific Requirements	
District	District Requirements
AG, Agricultural Open Space District	None
RA, Rural Agricultural District	None
R-1, Single Family Residential District	None
R-2, Medium Density Residential District	None
R-3, High Density Residential District	None
C-1, Traditional Town Commercial District	None
C-2, Community Commercial District	None
C-3, Destination Commercial District	None
M-1, Industrial District	<ol style="list-style-type: none"> 1. Enclosed Buildings and Storage. <ol style="list-style-type: none"> a. Activities in this District shall be carried on in completely enclosed buildings. Storage may be permitted out-of-doors PROVIDED that within sixty feet (60') of any other district or use said storage shall be in completely enclosed buildings. Storage shall not be visible from the public right-of-way. b. No storage or display is permitted within the area between the property line and parking. Outdoor storage may be permitted within the front yard upon specific approval of the Planning Commission and subject to all other provisions of this section. c. All outdoor storage shall be so arranged and maintained so as not to create a fire hazard. d. Open and outdoor storage of materials, excepting trucks and vehicles, shall not exceed a height of eight feet (8').

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Table 6-5 Table of District Specific Requirements	
District	District Requirements
M-2, Manufacturing and Industrial District	<p>1. Enclosed Buildings and Storage.</p> <ul style="list-style-type: none"> a. Activities in this District shall be carried on in completely enclosed buildings. Storage may be permitted out-of-doors PROVIDED that within sixty feet (60') of any other district or use said storage shall be in completely enclosed buildings. b. No storage is permitted within the required front yard area. c. All outdoor storage shall be so arranged and maintained so as not to create a fire hazard. d. Open and outdoor storage of materials, excepting trucks and vehicles, shall not exceed a height of eight feet (8'). e. A fence, wall or screen shall be provided to shield the outdoor storage from any public road or adjacent property. The fence, wall or screen shall be a minimum of six feet (6') in height but shall be at least the height of the materials being stored up to a maximum of ten feet (10'). <p>2. Uses in this District shall conform to the following standards:</p> <ul style="list-style-type: none"> a. Emit no obnoxious, toxic or corrosive fumes or gases which are harmful to the public health, safety or general welfare; except those produced by internal combustion engines under design operating conditions. b. Devices which generate electromagnetic interference shall be so operated as not to cause interference with any use carried on beyond the property line on which the device(s) is located. c. Emit no smoke, odorous gases or other odorous matter in such quantities as to be offensive at or beyond any boundary of the parcel. d. Produce no heat or glare to such an extent to be detrimental to the health, safety and general welfare at or beyond the lot boundaries. e. Comply with the Township's adopted Noise Ordinance. f. All uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment. g. The handling and storage of hazardous materials, the discharge of hazardous materials into the air and water; and disposal of hazardous waste in connection with all uses shall be in conformance with all applicable local, state and federal regulations. h. Produce no physical vibrations to such an extent to be determined detrimental to the health, safety and general welfare at or beyond the lot boundaries. i. All uses are prohibited from discharging liquid, solid, toxic or hazardous wastes onto or into the ground and into streams, lakes or rivers. Discharge into a public or private waste disposal system in compliance with applicable local, state, and federal laws and regulations is permitted. j. Wastes detrimental to a public sewer system or a sewage treatment plant shall not be discharged to a public sewer system unless they have been pretreated to the degree required by the authority having jurisdiction over the sewerage system. k. The disposal of solid waste accessory to any use shall be in compliance with applicable local, state, and federal laws and regulations.
PUD –Planned Unit Development District	See Chapter 16

RESERVED

BRIDGEPORT CHARTER TOWNSHIP ZONING ORDINANCE

Bridgeport Charter Township

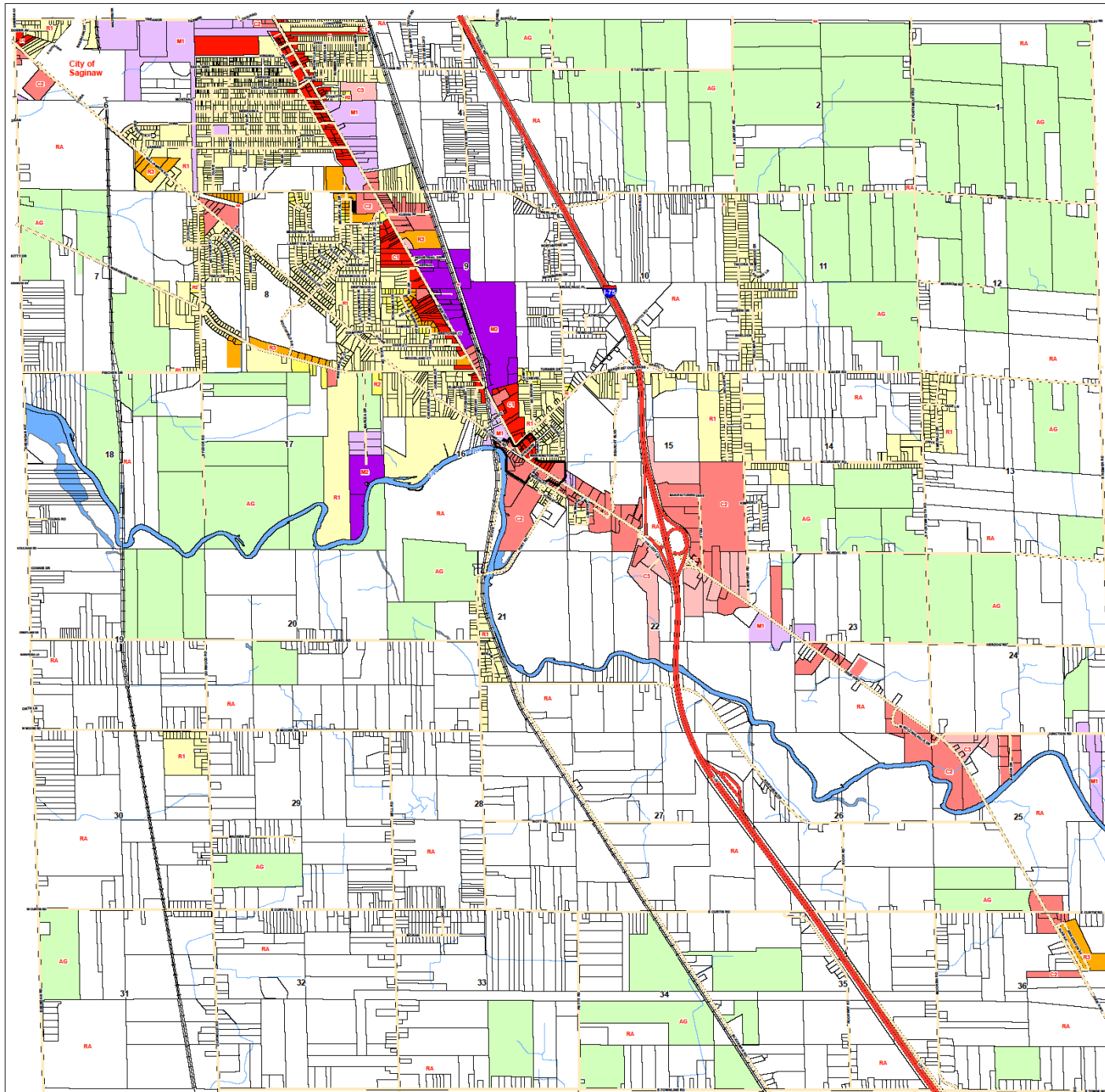
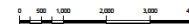
Zoning



Legend

- ZONING**
- C1 - Traditional Commercial
 - C2 - Community Center
 - C3 - Destination Commercial
 - M1 - Light Industrial District
 - M2 - Heavy Industrial District
 - R1 - Low Density Urban Residential District
 - R2 - Medium Density Urban Residential District
 - R3 - High Density Urban Residential District
 - RA - Residential Agriculture
 - AG - Agriculture
 - TC - Town Center District (Proposed)

1 inch equals 1,446 feet



CHAPTER

16

PUD –Planned Unit Development District

SECTION 1600. STATEMENT OF PURPOSE

The Planned Unit Development zoning district is designed to provide a framework within which a developer, upon his initiation, can relate the type, design and layout of residential and/or commercial uses to a particular site and particular demand for housing and/or other local commercial facilities in a manner consistent with the preservation of property values within established residential areas. The section also provides an added degree of flexibility in the building design and land use arrangement so that a mixture of housing units and provision of common open space can be provided. The zoning district is intended to accommodate developments with mixed or varied uses, on sites with unusual topography or unique settings within the community, or on land which exhibits difficulty or costly development problems or sites that contain natural features such as wetlands, farmland or woodlots that are important for the Township to retain in order to protect its character and shall not be allowed where this zoning classification is sought primarily to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes herein set forth. The Township Board does hereby determine that the following regulations are the minimum requirements for the promotion and protection of the public health, safety and welfare. Some uses permitted in this district are required to comply with specific design standards.

SECTION 1601. PERMITTED PRINCIPAL USES.

All permitted principal uses by right or by special use permit as identified in the Table of Uses shall be permitted in the PUD district.

SECTION 1602. STANDARDS FOR APPROVAL

Based upon the following standards, the Planning Commission may recommend denial, approval, or approval with conditions, and the Township Board may deny, approve, or approve with conditions the proposed planned unit development.

- A. Off-street parking shall be sufficient to meet the minimum required by the ordinances of the Township. However, if it is deemed necessary in order to achieve the purposes of this section, the Planning Commission may relax parking requirements during site plan review.
- B. All streets within the planned unit development shall meet the minimum requirements of the Township Subdivision Control Ordinance, unless modified by the Planning Commission.
- C. Landscaping shall be provided so as to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. However, if it is deemed necessary in order to achieve the purposes of this Ordinance, the Planning Commission may relax landscaping requirements as part of site plan review.
- D. Judicious effort shall be used to ensure the preservation of the integrity of the land and the preservation of natural, historical, and architectural features.
- E. Surface water shall be retained on the site unless the applicant can demonstrate that to do so would be harmful to the environment, or is not practical. In any case, storm water shall not flow off the site at a rate greater than the rate of flow prior to development and storm water shall not be directly discharged into a lake.
- F. The site shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material. The final determination as to adequacy of, or need for, lateral support shall be made by the Township Building Inspector and/or Township Engineer.
- G. The proposed density of the planned unit development shall be no greater than that which would be required for each of the component uses of the development in the zoning district in which it is permitted. However, if it is deemed necessary in order to achieve the purposes of the section, the Township

Board may permit increased density in return for increased open space. Non-contiguous property may not be used in calculating open space and under no circumstance shall the open space be located on non-contiguous property.

SECTION 1603. TRAFFIC AND ACCESSORY CONDITIONS

- A. Safe, convenient, uncongested, and well defined vehicular and pedestrian circulation within and to the zoning district shall be provided.
- B. Drives and streets shall not be laid out to encourage outside traffic to traverse the development nor to create unnecessary fragmentation of the development into small blocks.
- C. No material impediment to the visibility of automotive traffic, cyclists or pedestrians shall be created or maintained

SECTION 1604. APPROVAL PROCEDURE

- A. The PUD zoning approval shall follow procedural requirements of Section 1808 of this ordinance for amending the zoning ordinance. The Planning Commission shall hold a public hearing. The Planning Commission shall review the conceptual PUD development plan as described in Section 1605 to determine its suitability for inclusion in the land use and zoning plans of the Township and adoption by Township Board as part of the ordinance.
- B. The Planning Commission shall then submit the proposed amendatory ordinance to the Township Board together with their recommendation and a summary of comments received at the public hearing.
- C. The Township Board, prior to the consideration of the amendatory ordinance, shall hold a public hearing meeting the notice requirements for a special land use outlined in Article 17 of this Ordinance. Following that public hearing, it may amend or place additional conditions on the zoning ordinance amendment. The adoption of the ordinance or denial of the rezoning request will take place at the second reading conducted by the Township Board.
- D. PUD site plan approval procedure may commence only after the acceptance by the Township Board of the conceptual PUD development plan and the rezoning of the property as required.
- E. PUD site plan approval process shall follow the procedures for site plan approval outline in Section 1802.

SECTION 1605. CONCEPTUAL PUD DEVELOPMENT PLAN REQUIREMENTS

- A. The applicant for preliminary phase approval of a PUD conceptual plan shall submit sufficient copies of the following technical or graphic materials together with such fees as may be required.
- B. The PUD conceptual plan shall indicate the entire contiguous holding of the petitioner or owner who wishes to develop the entire parcel or any part thereof, and shall include the area and use of land adjacent to the parcel to be developed. The plan shall exhibit any unusual problems of topography, utility service, land usage or land ownership. The plan shall also exhibit all existing and proposed structures, existing and proposed streets, open spaces and other features as required by ordinance or regulation.
- C. The conceptual plan shall show all proposed uses and allotted spaces, gross site area, street and vehicular access areas, number of each variety of habitable space, total number of dwelling units and total open space. The plan shall:
 - 1. Define the location of the areas to be devoted to particular uses.
 - 2. State the acreage to be devoted to the particular uses.
 - 3. Set forth the proposed density of the dwelling units by use type and of the entire project.
 - 4. Show the location of parks, open recreation areas, other open space and all public and community uses.
 - 5. The applicant shall present material as to the development's objectives and purposes to be served; conformity to plans and policies of the Township; market needs; impact on public schools, utilities, and circulation facilities; impact on natural resources; and a staging plan showing the general time schedule of the expected completion dates of the various elements of the plan.
 - 6. Any additional graphics or written materials reasonably requested by Planning Commission or Township Board to assist the Township in visualizing and understanding the proposal shall be submitted.
 - 7. Upon submission of all required materials and fees, the Planning Commission shall follow the procedures for review of a zoning amendment as outlined in Section 1808.

SECTION 1606. SITE PLAN APPROVAL

Following approval of the conceptual plan by the Township Board, the applicant may submit site plans for phases of the approved conceptual PUD development plan. The site plans shall conform with the approved

conceptual plan. The site plans shall be reviewed and approved by the Planning Commission following the procedures outlined in Section 1802.

SECTION 1607. DEVIATIONS FROM APPROVED PUD SITE PLAN

- A. Deviations from the approved plan may occur only under the following circumstances:
- B. Minor changes to a previously approved PUD site plan may be approved without the necessity of Planning Commission or Township Board action if the Zoning Administrator certifies in writing that the proposed revision does not alter the basic design nor any specified conditions of the plan as agreed upon by the Planning Commission and the Township Board. Any other change will require approval following the procedures outlined above for the original approval. Appeal of the Zoning Administrators decision regarding the need for formal review by the Planning Commission and Township Board is appealable to the Zoning Board of Appeals
- C. Any deviation from the approved PUD site plan, except as authorized shall be considered a violation of this section and shall be a misdemeanor punished as prescribed herein. Further, any such deviation shall result in the PUD zoning district reverting to its previous zoning.

SECTION 1608. DESIGN STANDARDS

Some uses permitted in this district have required design standards as listed in the Table of Use Requirements.

CHAPTER

17

Special Land Use Approvals

SECTION 1700. GENERAL REQUIREMENTS.

Uses requiring special approval shall be subject to the general provisions and supplemental site development standards of this Ordinance as well as to the provisions of the zoning district where it is located. Each use shall be considered on an individual basis.

SECTION 1701. SPECIAL LAND USE PROCEDURES.

- A. Applications for special land use approvals authorized in this Ordinance shall be submitted to the Zoning Administrator on a special form supplied by the same for such purposes. Applications shall be accompanied by payment of a fee in accordance with the duly adopted schedule of fees to cover costs of processing the application. Applications are required to include a site plan, which will be reviewed under the provisions of Section 1802.
- B. The Zoning Administrator will review the materials submitted to assure all information required by the Ordinance has been provided. If the application is incomplete, the Zoning Administrator will send a notice with a detailed list of all deficiencies to the applicant. If the site plan, including all required additional or related information, is determined to be complete, the Zoning Administrator shall cause the submittal to be placed on the agenda of the Planning Commission meeting as a public hearing after notice has been provided in accordance with Section 1804.
- C. Decision by Planning Commission: The decision on a Special Land Use shall be incorporated into a statement of findings and conclusions relative to the Special Land Use which specifies the basis for the decision and any condition(s) imposed.
- D. Township Board Action. Upon receipt of the planning commission

recommendation, the Township Board shall consider the special use permit application at its next regular meeting following the same notice required for the planning commission public hearing. The Township Board shall approve or disapprove the recommendation of the planning commission following a public hearing, and only upon approval of the Township Board may a special use permit be issued by the Zoning Administrator.

SECTION 1702. BASIS OF DETERMINATION

The Township Planning Commission shall review the proposed special land use in terms of the standards stated within this Ordinance and shall establish that such use and the proposed location will comply with the following standards:

- A. Compatibility and improvement to the surrounding area: Will be designed, constructed, operated and maintained to be compatible and appropriate in appearance with existing or planned uses and the intended character of the area and the surrounding land. In determining whether a Special Land Use will be compatible and not create a significant detrimental impact, as compared to the impacts of permitted uses, consideration shall be given to the degree of impact the Special Land Use may have on adjacent property, as compared with the expected value to the community. Impacts as caused by the following items will be evaluated:
 - a. Use activities, processes, materials, equipment or conditions of operation;
 - b. Vehicular circulation and parking areas;
 - c. Outdoor activity, storage and work areas;
 - d. Hours of operation
 - e. Production of traffic, noise, vibration, smoke, fumes, odors, dust, glare and light;
 - f. Potential impacts on adjacent property values; and
 - g. The relative ease by which the above items may be mitigated.
- B. Off-Site Impacts: The proposed special land use shall not be detrimental to the surrounding area due to off-site impacts such as excessive noise, traffic or odor which could significantly alter the character of the area.
- C. Compatibility with Natural Environment: The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the township or the natural environment as a whole.

- D. Non-Detrimental Standards: The proposed Special Land Use shall not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of noxious or offensive production of noise, smoke, fumes, glare, vibration, odor or traffic.

SECTION 1703. AMENDMENT OF APPROVED SPECIAL LAND USE

Amendment of an approved special land use shall be permitted only under the following circumstances:

- A. The owner of property for which a special land use has been approved shall notify the Zoning Administrator of any desired change to the approved special land use. Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design and character of the special land use, nor violate any of the specified conditions imposed as part of the original approval. Minor changes shall include the following:
 - 1. Reduction of the size of any building and/or sign.
 - 2. Movement of buildings and/or signs that are minor in nature.
 - 3. Landscaping approved in the special land use that is replaced by similar landscaping to an equal or greater extent.
 - 4. Changes in floor plans that do not alter the character of the use or increase the amount of required parking.
 - 5. Internal re-arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 - 6. Changes related to item 1 through 5 above, required or requested by Bridgeport Charter Township, Saginaw County, or other state or federal regulatory agencies in order to conform with other laws or regulations; provided the extent of such changes does not alter the basic design and character of the special land use, nor violate any of the specified conditions imposed as part of the original approval.
- B. All amendments to a special land use approved by the Zoning Administrator shall be in writing. After approval by the Zoning Administrator, the Applicant shall prepare a revised site plan showing the approved amendment. The revised site plan shall contain a list of all approved amendments and a place for the Zoning Administrator to sign and date all approved amendments.

1. An amendment to an approved special land use that cannot be processed by the Zoning Administrator under Section 1803.A. above shall be processed in the same manner as an original special land use application.
2. Change to another special land use shall require submittal of a new application for special land use permit and follow the review procedures contained in this Chapter.
3. Any changes to a special land use approval, whether such changes are deemed minor or major, shall require submittal of a site plan in accordance with Section 1802.

SECTION 1704. INSPECTION

The Zoning Administrator shall have the right to inspect any special land use, to ensure continued compliance with the conditions of the special land use. All applicable federal, state licensing regulations and local zoning shall be complied with. Initial and annual proof of such compliance shall be a condition of special land use approval and the continuance thereof.

- A. Once a special use permit has been approved, the applicant has one (1) year after the date of the approval to establish the permitted use. If the permitted use has not been established, or construction to accommodate that use has not begun within one (1) year after the approval, and diligently pursued, it shall become null and void.

Once a permitted use has been established in accordance with the conditions of approval of the special use permit, and the special use permit has been issued by the Township Board, the permit will be valid until revoked, unless it contains a specified expiration date.

If the use for which the special use permit was issued ceases operation for six (6) months or more, the special use permit becomes null and void.

- B. A special use permit may be revoked by the Township Board for any of the following reasons:
1. The permit holder violates one or more conditions of the permit.
 2. The permitted use becomes a public nuisance.
 3. The permit was granted on the basis of false statements or a fraudulent application.

If the zoning administrator has reason to believe that a special use permit is subject to revocation, he/she may institute proceedings to revoke the permit. Before revoking any special use permit, the Township Board must hold a public hearing as provided in Section 1804.

SECTION 1705. SUPPLEMENTAL REGULATIONS FOR SPECIAL LAND USES

It is the intent of this Section to provide a specific set of standards for certain special uses of land or structure which, because of their unique characteristics, require special consideration in relation to the welfare of the adjacent properties and the community as a whole. It is the expressed purpose of the regulations and standards herein, to allow, on one hand, practical latitude for the landowner and/or developer to make fullest use of their property, but at the same time maintain adequate provision for the protection of the health, safety, convenience and general welfare of the community.

A. **Adult Business.** In the development and execution of this Ordinance, it is recognized that adult entertainment can have secondary effects on the surrounding area, particularly when several of them are concentrated under certain circumstances thereby having deleterious effects upon the adjacent areas. Special regulations of such uses are necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this section. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area or next to residential zones or certain institutional uses.

1. Definitions. As used in this section, the words and phrases following each letter below have the meanings assigned to them herein:
 - a. Adult-related business. Any activity described in any of the remaining paragraphs of this subsection and any other business having any employee or entertainer, in person or by motion picture, television, video, hologram or other type of image, displaying any "specified anatomical area" or engaging in any "specified sexual activity" as defined herein.
 - b. Adult bookstore. An establishment having as a substantial or significant portion of its stock in trade in books, magazines or other periodicals, videotapes, photographs or motion picture films which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as defined herein) or an establishment with a segment or section devoted to the sale or display of such material.
 - c. Adult theater. An establishment, whether in a completely enclosed building or not, used for presenting material

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distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as defined herein) for observation by patrons therein.

- d. Exotic cabaret. A cabaret which features topless dancers, waiters or waitresses, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.
 - e. Massage parlors. An establishment wherein a substantial or significant portion of its business involves the administration of non-therapeutic massage or erotic touching or fondling including, but not limited to, fondling of or erotic touching of human genitals, pubic region, buttock or breasts.
 - f. Public baths. An establishment wherein a substantial or significant portion of its business involves the provision of common bathing facilities or hot tubs available for use for a fee. Shower facilities, swimming pools, saunas and similar facilities intended as accessory uses in a school, health club or similar use are exempt from this section.
 - g. Specified sexual activities. Includes but is not limited to, the following: Human genitals in a state of sexual stimulation or arousal; ii) Acts of human or animal masturbation, sexual intercourse (homosexual or heterosexual) or sodomy; fondling of or erotic touching of human genitals, pubic region, buttock or female breast; bestiality; fellatio and cunnilingus; human excretory and opaquely covered human genitals, pubic region, buttock, female breast below a point immediately above the top of the areola; human genitals in a discernibly turgid state, even if completely and opaquely covered.
 - h. Taxi dance hall. An establishment which provides dance partners for one or more dances as the result (direct or indirect) of payment of a fee.
2. **Prohibition**. The following listed uses shall not be permitted to be established within 1,000 feet of each other:
- a. Adult book stores.
 - b. Adult theaters.
 - c. Exotic cabarets.

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- d. Massage parlors
 - e. Public baths.
 - f. Taxi dance halls.
 - g. Adult-related businesses.
3. Adult-related businesses prohibited within 500 feet of residential or other uses. It shall be unlawful to hereafter establish an adult-related business within Five Hundred (500) feet of any residential land use or residentially zoned property or of any religious or educational institutional or public park or recreation land use or established school bus stop.
4. Restrictions on displays, signs and decorations. Window displays, signs, decorative or structural elements of buildings used for adult businesses shall not include or convey specific examples of adult uses.
5. Regulation of adult-related material sold or displayed in establishments which carry videotapes, discs, etc., of general interest. An establishment which sells or displays videotapes, discs or cassettes of general interest but also has a section or segment of the establishment devoted to the sale or display of materials which distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified anatomical areas" or "specified sexual activities, as both are defined herein, shall provide for the display of such materials in a fully enclosed room with solid walls and doors separate from the from the outside. The door shall have a self-closing mechanism and shall be clearly marked "Adults only."
6. Activities conducted within buildings housing the aforementioned uses shall be shielded in such a manner that no person outside the building can see said activities or displays, provided however that such shielding shall not consist of a curtain alone, shall not obstruct the exit sign or directional or instructional signs regarding emergency egress, nor be constructed in such a way as to block an exit.

B. Communication Towers. Changing technology in the field of communications has resulted in reliance upon more versatile convenient forms of communication. Businesses, individuals and governments have all developed a strong dependence upon the ability

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to quickly contact others. The use of radios and cellular phones have proven themselves over and over again in emergency situations.

1. *Qualifying conditions.* The following site and developmental requirements shall apply:
 - a. Total minimum site of 0.75 acre and 125 feet of road frontage, although the area devoted solely to the communication tower may be less than the total minimum lot size.
 - b. The base of the tower and any wire cable supports shall be enclosed with a minimum eight-foot-high fence.
 - c. There is no minimum spacing between towers, except that towers spaced closer than one-quarter mile shall present a written statement and documentation demonstrating a need for additional coverage.
 - d. Height of the tower shall not exceed 150 feet from grade within all applicable districts, except that the Township Board may waive this standard where the owner can demonstrate the tower height required is the minimum needed and provide documentation of approval from the FAA and airport authorities.
 - e. Towers shall not be artificially lighted unless required by the Federal Aviation Administration.
 - f. Existing on-site vegetation shall be preserved to the maximum extent practicable.
 - g. There shall not be displayed advertising or identification of any kind intended to be visible from the ground or other structures, except as required for emergency purposes.
 - h. The antenna shall be painted to match the exterior treatment of the tower. The chosen paint scheme should be designed to minimize off-site visibility of the antenna.
 - i. There shall be no employees located on the site on a permanent basis to service or maintain the antenna. Occasional or temporary repair and service activities are excluded from this restriction.
 - j. All parking and drive areas must be paved as provided in this Ordinance.

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- k. Towers shall be designed to provide for collocation.
 - l. The Planning Commission may require the addition of landscaping around the base and equipment box.
 - m. Each applicant requesting a special use approval under this ordinance shall submit a scaled site plan, scaled elevation view and supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including topography, tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses, and any other information deemed necessary by the Zoning Administrator to be necessary to assess compliance with this ordinance, and compatibility with surrounding uses.
 - n. An amateur radio service station antenna structure may be erected at heights and dimensions sufficient to accommodate amateur radio service communications. If a property owner proposes erection of a structure over 30' in height, they must demonstrate to the Township Zoning Administrator that the taller structure is necessary to permit amateur radio service communication
2. Special performance standards.
- a. In a C-3, M-1, or M-2 District, the tower must be setback from all property lines a distance equal to its height, unless engineering plans and specifications have been verified by the township engineer that the structural integrity of the tower will withstand high winds and impacts, and the likelihood of a tower failure is minimal. In no case shall a tower or antenna be located within thirty feet (30') of a property line. The applicant shall incur all cost associated with township engineering review.
 - b. Towers shall not be erected on a parcel in which a single-family, two-family, three-family or four-family dwelling unit exists except in the Agricultural District with a minimum of five acres and subject to all other conditions contained herein.
 - c. Towers shall be set back from property lines a minimum distance equal to its height when erected on a parcel that abuts other agricultural or residentially zoned or used parcels. This requirement is independent of section 1705.B.2.a.

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- d. Equipment shelters and/or accessory structures are limited to uses associated with the operation of the tower and may not be located any closer to any property line than 30 feet and shall not be visible from a public right-of-way and/or neighboring properties. They shall not exceed 600 square feet of gross building area per user of the communication tower.
- e. The noise impacts of cooling and other types of equipment including emergency generators shall be minimized through location and screening. Noise may not exceed state or local noise standards and shall conform to recommended decibel standards adopted by the appropriate local, state or federal agency.
- f. All towers shall be equipped with an anti-climbing device to prevent unauthorized access.
- g. The plans of the tower construction shall be certified by a registered structural engineer. The applicant shall provide verification that the antenna mount and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes.
- h. All towers must meet the standards of the Federal Aviation Administration and the Federal Communications Commission.
- i. Metal towers shall be constructed of, or treated with, corrosive-resistant material.
- j. Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards.
- k. Towers shall be located so that they do not interfere with reception in nearby residential areas.
- l. The base of the tower shall occupy no more than 500 square feet.
- m. Co-location: The applicant shall submit a certified statement from a registered structural engineer that the tower is specifically designed to accommodate additional antennas for use as a co-location site.

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3. Abandonment. In the event the use of any Communication Tower has been discontinued for a period of 180 days, the Communication Tower shall be deemed to be abandoned. Upon abandonment, the owner/operator of the Communication Tower shall have an additional 180 days within which to reactivate the Communication Tower or dismantle and remove the Communication Tower.
 4. Bonds. The Planning Commission shall require the owner of the Communication Tower to post a bond with the Township in an amount to cover the reasonably estimated costs and expense of dismantling the Communication Tower in the event the same is abandoned and the owner fails to dismantle and/or remove the same within 180 days. The amount of the bond shall be established by the Planning Commission and may be adjusted by it on a five year basis to reflect increased costs of dismantling and removal due to inflation.
 5. Tower Space and Tower Rights. The applicant shall provide to Bridgeport Charter Township, tower space and tower use rights for public safety, communication and other municipal communications at no cost to the municipality if space is requested prior to construction of the tower or space is available at the time of the request by the Township.
 6. Stealth Design Requirements. The Planning Commission may require camouflage or innovative design for a Communication Tower. Such design requirements may include, but are not limited to, camouflaging the facility/tower, requiring a specific paint color and/or paint scheme, or requiring the tower to be so designed as to blend into the existing environs and background of the tower.
 7. Administrative Approval. Where co-location is used on a tower, and supporting documentation including a certified statement from a registered structural engineer indicates that the tower is designed to carry the additional loads, and all other requirements of Section 1705 are met, the co-location of additional antennae and related equipment may be approved at the administrative level.
- C. **Open Space Development.** It is the intent of this Article to offer an alternative to traditional subdivisions through the use of planned unit development legislation, as authorized by Article V, 125.3503 Planned Unit Development, of the Michigan Zoning Enabling Act (Public Act 110 of 2006) for the purpose of:
- encouraging the use of Township land in accordance with its

- character and adaptability;
- assuring the permanent preservation of open space, agricultural lands, and other natural resources;
- allowing innovation and greater flexibility in the design of residential developments;
- facilitating the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner;
- ensuring compatibility of design and use between neighboring properties; and,
- encouraging a less sprawling form of development, thus preserving open space as undeveloped land.

These regulations are intended to preserve and encourage a traditional rural character through the creation of small residential nodes contrasting with open space and less intensive land uses. This Article is not intended as a device for ignoring the Zoning Regulations of the Township, the standards set forth therein, nor the planning concepts upon which the Zoning Ordinance has been based. The open space community district is applicable to all single family residential districts, including Agricultural, Residential Agricultural and Single Family Residential.

1. Scope. For the purposes of this Article, an "open space community" is defined as a predominately single family residential development in which dwelling units are placed together into one or more groupings within a defined project area. The dwelling units are separated from adjacent properties or other groupings of dwellings by substantial open space that is perpetually protected from development. Commercial uses, as stated in Section 1705.C.13, may be allowed within open space communities of fifty (50) acres or more.
2. Eligibility Criteria. To be eligible for open space community consideration, the applicant must present a proposal for residential development that meets each of the following:
 - a. Recognizable Benefits. An open space community shall result in a recognizable and substantial benefit, both to the residents of the property and to the overall quality of life in the Township. This benefit should accrue, in spite of any foreseeable detriments of the proposed development.
 - b. Minimum Project Size. The minimum size of an open space community development shall be five (5) acres of contiguous land. To qualify for a commercial land use component, and/or the inclusion of dwellings other than single family units, an open space community must have a minimum gross site of twenty-five (25) acres. To qualify for commercial

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land use under Section 1705.C.13., a site must have a minimum of fifty (50) acres.

- c. Open Space. The proposed development shall contain at least as much open space area as would otherwise be required by the existing underlying zoning.
- d. Unified Control. The proposed development shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions that indicate that the development will be completed in its entirety as proposed.
- e. Guarantee of Open Space. The applicant shall guarantee to the satisfaction of the Township Planning Commission that all open space portions of the development will be 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. 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 open space community plan.

- 3. Project Design Standards. A proposed open space community shall comply with the following project design standards:
 - a. Location. An open space community may be approved upon any residentially zoned land in the Township.
 - b. Permitted Uses. An open space community is generally restricted to single family residential dwelling units. In projects of fifty (50) acres or more, a commercial component, as limited in Section 1705.C.13. may be approved. Also, in projects of (25) acres or more, up to fifty percent (50%) of the dwelling units may be other than single family dwelling units, provided that the total number of dwelling units does not exceed the density for the site as computed in Section 1704.C.8.
 - c. Base Zoning Regulations. Unless specifically waived or modified by the Planning Commission, all Zoning Ordinance requirements for the underlying zoning district, except for minimum lot area, and other Township regulations shall remain in full force. In no event shall the minimum lot area required for computation purposes of Section 1704.C.8., be

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greater than 30,000 square feet.

4. Open Space Requirements. An open space community shall maintain a minimum of forty percent (40%) of the gross area of the site as dedicated open space held in common ownership. Except as noted in Section 1705.C.5, any undeveloped land area within the boundaries of the site may be included as required open space.
 - a. All land within a development that is not devoted to a residential unit, an accessory use, vehicle access, vehicle parking, a roadway, an approved land improvement, or, if applicable, a commercial use, shall be set aside as common land for recreation, conservation, agricultural uses, or preserved in an undeveloped state.
 - b. The total area of dedicated open space shall equal or exceed the total area by which all dwelling unit lots are reduced below 30,000 square feet.
 - c. The dedicated open space shall be set aside by the developer through an irrevocable conveyance that is found acceptable to the Planning Commission, such as:
 - recorded deed restrictions,
 - covenants that run perpetually with the land, or
 - a conservation easement established per the State of Michigan Conservation and Historic Preservation Act, Public Act 197 of 1980, as amended (M.C.L. 399.251).

Such conveyance shall assure that the open space "ill be protected from all forms of development, except as shown on an approved site plan, and shall never be changed to another use. Such conveyance shall:

- i. Indicate the proposed allowable use(s) of the dedicated open space.
- ii. Require that the dedicated open space be maintained by parties who have an ownership interest in the open space.
- iii. Provide standards for scheduled maintenance of the open space.
- iv. Provide for maintenance to be undertaken by the Bridgeport Charter Township in the event that the dedicated open space is inadequately maintained, or is determined by the Township to be a public nuisance, with the assessment of costs upon the property owners.

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5. Areas Not Considered Open Space. The following land areas are not included as dedicated open space for the purposes of this Article:
 - a. The area of any street right-of-way proposed to be dedicated to the public.
 - b. Any submerged land area.
 - c. Any portion of the project used for commercial purposes.
6. Continuing Obligation. The dedicated 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.
7. Allowable Structures. Any structure(s) or building(s) accessory to a recreation, conservation or agriculture use may be erected within the dedicated open space, subject to the approved open space plan. These accessory structure(s) or building(s) shall not exceed, in the aggregate, one percent (1%) of the required open space area.
8. Dwelling Density. The permitted density of residential uses within an open space community shall not exceed the density allowed by the underlying residential zoning district based upon a minimum lot area no greater than 30,000 square feet. All computations shall be stated to the nearest square foot. The number of dwelling units allowable within an open space community project shall be determined in the following manner:
 - a. The applicant shall prepare, and present to the Planning Commission for review, a parallel design for the project that is consistent with State and Township requirements and design criteria for a tentative preliminary plat. This design shall include all information as required by the guidelines adopted by the Planning Commission pursuant to Section 1701.C.14.
 - b. The Planning Commission shall review the design and determine the number of lots that could be feasibly constructed following the parallel design. This number, as determined by the Planning Commission, shall be the maximum number of dwelling units allowable for the open space community project.
9. Regulatory Flexibility. To encourage flexibility and creativity

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consistent with the open space community concept, the Planning Commission may grant specific departures from the requirements of the Zoning Ordinance for yard, lot, and bulk standards as a part of the approval process. In projects of fifty (50) acres or more, specific areas may be designated for commercial land uses that serve the open space community. Any regulatory modification shall be approved through a finding by the Planning Commission that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards. Regulatory modifications are not subject to variance approval of the Zoning Board of Appeals. No part of an open space community plan may be appealed to the Zoning Board of Appeals.

10. Access. Direct access onto a County road shall be required to an open space community. The nearest edge of any entrance or exit drive shall be located no closer than two hundred (200) feet from any existing street or road intersection (as measured from the nearest intersection right-of-way line).
11. Internal Roads. Construction of private roads as a means of providing access and circulation is encouraged.
12. Natural Features. The development shall be designed to promote the preservation of natural features. If animal or plant habitats of significant value exist on the site, the Planning Commission, as a condition of approval, may require that the open space community plan preserve these areas in a natural state and adequately protect them as nature preserves or limited access areas.
13. Commercial Component. An open space community with a gross area of fifty (50) acres or more may incorporate a commercial land use component, provided that all of the following are met:
 - a. The total area occupied by the commercial land uses may not exceed five percent (5%) of the gross area of the open space community or five (5) acres, whichever is less.
 - b. All commercial uses shall be compatible with the residential area.
 - c. The Planning Commission finds that the architectural design of the structures is compatible with the balance of the development.
 - d. All commercial structures are connected to a pedestrian access system servicing the project.

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- e. Vehicular access is available only from an access drive to the open space community that connects with a county primary road.
- f. If a proposed project cannot provide direct access to a county primary road, the Planning Commission may approve a commercial land use component for an open space community project located on any paved County thoroughfare, subject to:
 - i. A special land use hearing on the location of the use being held prior to consideration by the Planning Commission. The hearing shall be conducted according to the procedures stated in Chapter 18, of this Ordinance, and
 - ii. The Planning Commission making the finding that the overall site layout, including the architectural design and the vehicular circulation pattern, is:
 - Compatible with the surrounding land uses, and
 - Will not have a significant detrimental effect on the character of surrounding residential uses.
- g. All parking and loading areas serving the commercial uses shall be to the rear of the structure and fully screened from view of any public roadway.
- h. The allowable commercial uses within such an area shall be recorded as a deed restriction on the property and shall be restricted to the following:
 - i. Food and beverage stores for the sale of: groceries, fruit, meat, baked goods, dairy products, beverages and liquor.
 - ii. Personal service establishments such as barber shops, beauty salons, laundry pick-up, and similar uses.
 - iii. Child care or day care centers.
 - iv. Subject to findings by the Planning Commission that (a) a use is consistent with the intent of this Article and (b) provides no significant negative impact on the open space community project or other surrounding land uses, offices for the following professions or occupations may be permitted: doctor; dentist; attorney; engineer; accountant; architect; financial consultant or broker; publisher; real estate broker; secretarial services; and similar uses as determined by the Planning Commission.

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- i. No structure within the commercial land use component of an open space community shall be occupied without a valid certificate of occupancy from the Township.
 - j. A request for a certificate of occupancy for a commercial structure within an open space community shall be reviewed by the Zoning Administrator to insure compliance with this Section.
 - k. A certificate of occupancy may be approved only for uses identified in sub-section 1701.C.13.h. Approval shall not be granted to a use that is inconsistent with the intent and/or requirements of this Section.
 - l. The initial certificate of occupancy for a commercial structure or portion of a commercial structure within the open space community shall not be approved until fifty percent (50%) of the physical improvements related to the residential components of the total open space community plan are complete, notwithstanding an approved schedule for project phasing.
 - m. A certificate of occupancy may be revoked by action of the Zoning Administrator, if a use is conducted in a manner that does not comply with the intent of this Article and/or any other requirements of this Ordinance.
14. Project Standards. In considering any application for approval of an open space community site plan, the Planning Commission shall make their determinations on the basis of the standards for site plan approval set forth in Chapter 18, as well as the following standards and requirements:
- a. Compliance with the Open Space Community Concept. The overall design and land uses proposed in connection with an open space community shall be consistent the intent of the open space community concept, as well as with specific design standards set forth herein.
 - b. Compatibility with Adjacent Uses: The proposed open space community 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. In determining whether this requirement has been met, consideration shall be given to:

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- i. The bulk, placement, and materials of construction of proposed structures.
 - ii. Pedestrian and vehicular circulation.
 - iii. The location and screening of vehicular use or parking areas.
 - iv. The provision of landscaping and other site amenities.
- c. Impact of Traffic. The open space community shall be designed to minimize the impact of traffic generated by the proposed development on surrounding uses.
- d. Protection of Natural Environment. The proposed open space community shall be protective of the natural environment. It shall comply with all applicable environmental protection laws and regulations.
- e. Compliance with Applicable Regulations. The proposed open space community shall comply with all applicable Federal, state, and local regulations.

15. General Requirements

- a. General Application Requirements. The application for approval of an open space community shall be made according to procedures and guidelines adopted by resolution of the Planning Commission. The required materials shall be submitted to the Township Zoning Administrator with all required fees.
- b. Effect of Approval. Approval of an open space community proposal shall not require, nor shall it be construed as an amendment to the Zoning Ordinance. All improvements and uses of the site shall be in conformity with the approved open space community site plan and comply fully with any conditions.
- c. Recording of Action. The applicant shall record an affidavit with the register of deeds containing the full legal description of the project site, specifying the date of final Township approval, and declaring that all improvements will be carried out in accordance with the approved open space community plan unless an amendment is adopted by the Township. In addition, all deed restrictions and easements shall be duly filed with the register of deeds of the County and copies of recorded documents presented to the Township.

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- d. Zoning Permit. Following final approval of the open space community site plan and final approval of the engineering plans by the Township Engineer, a zoning permit may be obtained. It shall be the responsibility of the applicant to obtain all other applicable Township, County, State or Federal permits.
- e. Initiation of Construction. If construction has not commenced within twenty-four (24) months of final approval, all Township approvals become null and void. The applicant may apply in writing to the Planning Commission for an extension, not to exceed twelve (12) months. A maximum of two (2) extensions may be allowed.
- f. Continuing Adherence to Plan. Any property owner who fails maintain an approved site design shall be deemed in violation of the use provisions of the Zoning Ordinance and shall be subject to the penalties for same.
- g. Performance Guarantee: The Planning Commission may require that a performance guarantee, in accordance with the Section 5.3. of the Zoning Ordinance, be deposited with the Township to insure completion of improvements.

16. Scheduled Phasing

- a. Scheduled Phasing. When proposed construction is to be phased, the project shall be designed in a manner that allows each phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the open space community and the residents of the surrounding area.
- b. Timing of Phases. Each phase of the project shall be commenced within twenty-four (24) months of the schedule set forth on the approved site plan. If construction of any phase is not commenced within the approved time period, approval of the plan shall become null and void, subject to the requirements of Section 1701.C.15.e.

17. Revision of Approved Plans

- a. General Revisions. Approved plans for an open space community may be revised in accordance with the procedures set forth in Section 1706.C.14.

- b. Minor Changes. Notwithstanding Section 1706.C.17.a, minor changes to an approved open space community plan may be permitted by the Planning Commission following normal site plan review procedures outlined in Chapter 18, subject to the finding of all of the following:
 - i. Such changes will not adversely affect the initial basis for granting approval;
 - ii. Such minor changes will not adversely affect the overall open space community in light of the intent and purpose of such development as set forth in this Article; and
 - iii. Such changes shall not result in the reduction of open space area as required herein.

D. Adaptive Reuse

Adaptive reuse is intended to provide flexibility both to the township and to future developers and/or owners of the property. In areas where redevelopment is a distinct possibility, designating a specific and sometimes narrow land use can hamper reuse, expansion or increased intensity of an existing use. In order to offer flexibility to current and future property owners but still provide needed protection to adjoining residents and the township as a whole, adaptive reuse of existing structures may apply. The following general guidelines shall apply to any application submitted for this purpose.

- 1. Shall apply to a conditional use of an existing structure and not vacant land.
- 2. Must not be detrimental to the safety and welfare of surrounding land owners.
- 3. Shall be applied in a “case by case” basis and is not a use by right or specific to any zoning district.
- 4. Shall not set any precedent to any other adaptive use project, and each project shall be reviewed based on its own qualifications.
- 5. No new parking spaces are required. However, existing parking spaces must be maintained.
- 6. When an existing building is converted to an adaptive reuse project, non-conforming floor area, setbacks and height are considered a legal non-conformity. A variance shall not be required.
- 7. Shall provide flexibility of use or a mix of uses as long as the spirit and intent of the ordinance are followed.

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8. The zoning administrator shall ensure that the intent of the underlying zoning is followed to the fullest extent possible and the facts shall be reviewed by the planning commission who may set specific conditions of approval.
9. All adaptive use projects shall receive final approval from the township board.

E. Medical Marihuana Growing Facility

1. Scope of Facility. Only one (1) Medical Marihuana Caregiver is permitted to operate such a facility.
2. Required documentation. A Medical Marihuana Caregiver growing medical marihuana at a facility for later distribution to Medical Marihuana Patients, which the Medical Marihuana Caregiver is lawfully connected, must provide or otherwise make available proof of the Medical Marihuana Caregiver's valid, unexpired registry identification card or cards. All Medical Marihuana Patients, or their Caregiver, receiving medical marihuana at a Facility must provide or otherwise make available proof of their valid, unexpired registry identification cards. If a Patient authorizes a Caregiver to provide the Patient's registry identification card, the city may contact the Patient to confirm the Patient's authorization. For safety and other code inspection purposes, the special use permit application shall describe and provide detailed specifications of all lights, equipment, electrical, plumbing, heating, cooling, ventilation and other means proposed to be used to facilitate the cultivation of marihuana plants.
3. Required spacing. The establishment of a Facility must meet all of the following spacing requirements, with the minimum distance between uses measured horizontally between the nearest points of each property line:
 - a. One thousand {1,000) feet from any school, day care facility, church, house of worship or other religious facility, or public or private park;
 - b. Three hundred (300) feet from any pool or billiard hall, indoor and outdoor recreation such as miniature golf; dance club catering primarily to teenagers, movie theaters, ice or roller skating rinks, and similar uses generally frequented by children and teenagers; or
 - c. Three hundred (300) feet from any other Medical Marihuana Distribution and Growing Facility.
4. Amount of marihuana. The amount of marihuana on the property and

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under the control of the Medical Marihuana Caregiver shall not exceed that amount permitted by state law: the Medical Marihuana Caregiver operating the facility may possess no more than twelve (12) marihuana plants and no more than 2.5 ounces of usable marihuana per Medical Marihuana Patient to which the Caregiver is lawfully connected, up to a maximum of five (5) patients, sixty (60) marihuana plants and 12.5 ounces of usable marihuana per Caregiver. The Medical Marihuana Caregiver operating the facility must specify the name and address of the place where all portions exceeding the amount permitted by law shall be disposed.

5. Storage of marihuana. All medical marihuana must be contained within a separate enclosed, locked facility for each Medical Marihuana Patient for which the Medical Marihuana Caregiver is lawfully connected, in accordance with the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 33.26421 et seq. The Medical Marihuana Growing Facility shall have secure windows and doors and the Medical Marihuana Caregiver shall implement security measures to prevent theft of stored marihuana.
6. Use of marihuana. Smoking or consumption of controlled substances, including marihuana, is prohibited on the site of the Facility.
7. Indoor Operation. Distribution, growth or cultivation of medical marihuana, and all other related activity, must occur indoors.
8. Unpermitted growing. A Medical Marihuana Patient may not grow his or her own medical marihuana at a Medical Marihuana Caregiver's Facility.
9. Permits. All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the structure in which electrical, wiring, lighting, or watering devices that support the cultivation, growing, or harvesting of marihuana are located.
10. Distribution of marihuana. No person operating a Facility shall provide or otherwise make available medical marihuana to any person who is not a Medical Marihuana Patient legally connected to that Medical Marihuana Caregiver.
11. Inspections. Medical Marihuana Growing Facilities shall be subject to an inspection during the special use permit application process and yearly inspections to ensure compliance with the Code and state law:
 - a. Approval Inspection. Before any permit required herein shall be authorized by the Township Board, the Chief of Police and the

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Chief of the Fire Department shall first make an inspection of the premises for which the permit application has been made to determine that the premises are in compliance with the Township Code, including the fire code, then in force in the Township and any public health and safety regulations concerning police, fire, public health and safety, convenience and comfort of the public. They shall also determine whether the Medical Marihuana Growing Facility, as proposed, complies with the Michigan Medical Marihuana Act and the Township Code. The Chief of Police and the Chief of the Fire Department shall report their findings after inspection to the City Council. An inspection fee of \$500.00 shall be paid by the applicant to cover the costs of the inspection.

- b. Yearly Inspection. The Township Police Department shall inspect all Medical Marihuana Growing Facilities at least once a year to ensure compliance with the Michigan Medical Marihuana Act, the Township Code and the special use permit authorizing Medical Marihuana Growing Facilities.
12. Death of a Caregiver. Any person, Medical Marihuana Patient or Medical Marihuana Caregiver that has knowledge of the death of a Medical Marihuana Caregiver issued a special use permit to operate a Medical Marihuana Growing Facility in the Township shall notify the Township Police Department immediately.

F. Mineral Extraction

- 1. Intent and Purpose. It is the intent and purpose of this Section to promote the underlying spirit and intent of the entire Zoning Ordinance, but at the same time allow for the extraction of earth materials in locations where they have been naturally deposited, and to ensure that mining of earth materials shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use, and, to ensure that mining activities are consistent with the public health, safety and welfare of the Township.
- 2. Exemption. Usual and customary land balancing by cutting and filling, in preparation for immediately planned and approved development in accordance with this and all other applicable ordinance and law, shall be exempted from the provisions of this Section.
- 3. Uses Permitted. The following uses shall be permitted, each of which shall meet applicable performance standards and be subject to all limitations described herein.

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- a. Mining, of earth materials (hereinafter referred to as mining or mined).
 - b. Construction and maintenance of processing plants, be they temporary or permanent, for the processing of such earth materials, and to include necessary accessory uses, buildings, and equipment.
 - c. Storage and stockpiling of said earth materials.
4. Requirements for Mining Operations. In reviewing the application for special land use approval the Planning Commission shall be certain that the following characteristics of the use are present and complied with:
 - a. Processing and stockpiling of earth materials will be accomplished in a manner that minimizes the effect on adjacent properties.
 - b. Uses permitted herein shall be screened from view by one of the following:
 - I. Construction of a raised earth berm, along the boundaries of the property, at least six (6) feet in height at its center above the actual elevation of the property along the property lines. The berm shall have slopes not in excess of one foot vertical to four feet horizontal and shall be seeded and mulched and planted with evergreen trees, and similar vegetation.
 - II. Plantings of coniferous trees having a minimum diameter of 3 inches along the boundaries of the property with two rows five (5) feet apart, staggered 15 feet center to center, to guarantee effective screening.
 - c. Uses permitted shall comply with all applicable pollution control requirements of the State of Michigan, Saginaw County and Township of Bridgeport.
 - d. Mining of earth materials shall not constitute a hazard to public health, safety, and welfare, and shall be conducive to and result in the reclamation of the land for another use or uses permitted in the district.
5. The applicant shall provide a reclamation plan for each cell of the excavation and shall identify a future land use plan for the site following final reclamation of the site.

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6. Before issuance of a permit, there shall be filed by the applicant a performance bond or an irrevocable bank letter of credit or cash bond running to the Bridgeport Township Board in the amount of \$4,000 per acre, conditioned upon the prompt compliance with all provisions of this section and the requirements of the Township, County and State. The amount of the bond may be reduced at a rate equal to the ratio of work completed on the required improvements as work progresses. The term "improvements" should not be construed to mean the project itself, but rather those features associated with the project, which are deemed necessary to protect the health, safety, and welfare of Bridgeport Township's resources and future users or inhabitants of the proposed project.
7. The project shall comply with Section 303 D of this ordinance related to the development of ponds.

CHAPTER

18

Administration

SECTION 1800. ZONING ADMINISTRATOR.

The provisions of this Ordinance shall be administered and enforced by a Township Zoning Administrator, appointed by the Township Board of Trustees for such term and subject to such conditions and at such rate of compensation as said Board shall determine is reasonable. The Zoning Administrator shall have the power to grant Zoning Permits and to make inspections of buildings or premises necessary to carry out his or hers duties in the enforcement of this Ordinance. The Zoning Administrator shall not approve any plans or issue any Permits for excavation or construction until such plans have been inspected in detail and found to conform to this Ordinance.

The Zoning Administrator shall under no circumstances be permitted to make changes to this Ordinance or to vary the terms of this Ordinance in carrying out the duties of Zoning Administrator.

The Zoning Administrator shall not refuse to issue a Permit when conditions imposed by this Ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements that may occur upon the granting of said Permit.

SECTION 1801. ZONING PERMIT.

No building, structure or lot subject to the provisions of this Ordinance shall hereafter be erected, structurally altered, reconstructed, changes in use, including the use of previously unused buildings or lot, or moved, nor shall any excavation, tree removal or filling of land commence until a Zoning Permit application has been filed with the Township Zoning Administrator and a Zoning Permit has been issued by the Zoning Administrator, except as otherwise provided for in this ordinance. No

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Zoning Permit shall be required for any lawful use of any building or structure in existence as of the adoption date of this Ordinance

- A. The application shall be signed by the owner of the premises or his agent and shall certify that all provisions of this Ordinance and other applicable laws and requirements are to be complied with. Any application requiring approval from the Planning Commission must be submitted not less than thirty (30) days prior to a scheduled meeting for consideration at that Planning Commission meeting. The application shall be accompanied by:
1. A site plan, if required, or a sketch in duplicate, in a scale sufficient to clearly detail— as determined by the Zoning Administrator, the location and dimensions of the premises including the boundary lines of all parcels of land under separate ownership contained therein; the size, dimensions, location on the premises, and height of all buildings, structures or other impervious surfaces in existence, to be erected and/or altered; the width and alignment of all abutting streets, highways, alleys, utility locations, easements and public open spaces; the front yard dimensions of the nearest building on both sides of the proposed building or structure; the location and dimensions of sewage disposal facilities if applicable.
 2. Properties under two (2) acres in size may be required to submit a legal survey, sealed by a professional surveyor (not a mortgage survey). The Zoning Administrator shall have the authority to require such a survey in the cases where there may be encroachment on the setbacks by the proposed structures or when the exact locations of lot lines are not known.
 3. Copies of permits or waivers of permits by other agencies as may be required by statute and/or by the Zoning Administrator.
 4. Such other information as may be required to determine compliance with this Ordinance.
- B. A zoning permit shall not be issued until the following issues have been addressed:
1. The proposed use is determined to be in compliance with the zoning ordinance.
 2. If any site improvements such as signage, lighting, dumpsters, or parking lot alterations are proposed, the improvements or alterations shall comply with the requirements of this ordinance.

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3. If any improvements are required such as landscaping or parking pavement or expansion due to the change in use, the improvements shall comply with the requirements of this ordinance.
 4. All other necessary permits required by statute have been obtained or waived with exception of those permits issued by the Bridgeport Charter Township Building Inspector.
- C. The location of the property boundaries and all structures shall be staked on the ground for Zoning Administrator's use prior to the issuance of the Zoning Permit.
- D. The zoning permit will expire after one year from date of issuance for any Zoning Permit under which no construction has occurred or no substantial construction has been done in the furtherance of the zoning permit.
- E. The zoning administrator shall have the power to revoke or cancel any zoning permit in case of failure or neglect to comply with the provisions of the Ordinance, or in the case of a false statement or misrepresentation made in the application. The owner shall be notified of such revocation in writing.
- F. No zoning permit shall be valid until the required fees have been paid. No separate fee shall be required for accessory buildings or structures when application thereof is made at the same time as the principal building or structure. Applications and petitions filed pursuant to the provisions of this Ordinance shall be accompanied by the filing fees as specified by the Township Board of Trustees.
- G. Temporary zoning permit for a Mobile Home/Trailer Coach. A temporary permit for parking a mobile home/trailer coach during construction or reconstruction of a home, commercial building, industrial building or structure and not located in a licensed mobile home park will be subject to the following procedures and limitations:
1. An application for a temporary permit for the erection or movement of a temporary structure for dwelling purposes, including mobile home/trailer coaches, shall be made to the zoning administrator on a special form used exclusively for that purpose.
 2. The temporary permit issued shall clearly set forth the

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conditions under which the permit is granted and shall state that the proposed temporary dwelling structure is to be vacated upon expiration of the building permit not to exceed twelve (12) months.

No permit shall be transferable to any other owner or occupant. A bond of up to \$1000 may be required to guarantee removal. The temporary permit may be renewed for a period not to exceed one (1) year at the discretion of the zoning administrator, a reason may be that adequate progress has been made to the structure and additional time is required to complete the project. Upon issuance of the Zoning permit, a copy of the permit and the application, including any drawings shall be transmitted to the Township Assessor.

- H. Low Impact Development. All land development for which a Zoning Permit or site plan approval is required shall attempt to incorporate Low Impact Development solutions before employing more aggressive engineering solutions, including but not limited to the following:
 - 1. All development applications shall demonstrate respect for existing topography and utilize it to the advantage of the proposed development, without resorting to massive excavation and drastic alteration except where lot characteristics and the characteristics of abutting land make such limited topographic change unreasonable. Steep slopes should be avoided for alteration or new building construction to prevent soil erosion and unnecessary risk of new buildings cracking or slumping.
 - 2. Existing vegetation that is healthy and suitable for landscaping objectives and which would reduce soil erosion and sedimentation, should remain undisturbed as new development occurs to the extent that is reasonable under the circumstances.
 - 3. The Zoning Administrator shall determine whether the requirements above have been met after consulting with the Soil Erosion and Sedimentation Control officer.

- I. All land uses and construction activities shall conform with the provisions of this Ordinance and all applicable local, county, state and federal regulations including, but not limited to those listed below. Prior to the issuance of a Building Permit, Zoning Permit, Special Use Permit or other permit required under this Ordinance,

there shall be submitted to the Zoning Administrator the following approved permits in all cases where such permits are required, or applicable:

1. Driveway permit including approved culverts, where necessary, as approved by the County Road Commission or the Michigan Department of Transportation, as applicable.
2. Sewer or septic system permit approved by the Saginaw County Health Department.
3. Soil erosion and sedimentation control permit from the Saginaw County Department of Public Works.
4. Floodplain permit from the Michigan Department of Environmental Quality.
5. Wetland permit from the Michigan Department of Environmental Quality.
6. Erection of towers or communication equipment from the Federal Communications Commission.
7. Other permits from local, county, state or federal authorities as pertinent such as transport, storage, use, and/or disposal of hazardous substances, waste or other materials.

SECTION 1802. SITE PLAN REVIEW.

The purpose of this article is to specify the documents and/or drawings required for site plan review so as to ensure that a proposed land use or development activity is in compliance with this ordinance, other local ordinances, and state and federal statutes and regulations. Furthermore, its purpose is to ensure that development taking place within the Township is properly designed, safe, efficient, environmentally sound, and designed in such manner as to protect adjacent properties from substantial adverse impacts

- A. Plot Plan. All applications for Zoning Permits which do not require a site plan shall be accompanied by plans and specifications including a Plot Plan, drawn to scale, showing the following:
 1. The shape, location and dimensions of the lot, drawn to scale. The scale shall be of such size as deemed adequate by the Zoning Administrator to make a judgment that the application meets the requirements of this ordinance. When deemed necessary by the Zoning Administrator, a survey may be required.
 2. The location, shape and size of all buildings or other structures

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to be erected, altered or moved onto the lot and of any building or other structure already on the lot, drawn to scale. In addition, an elevation drawing of the proposed building(s) may be required by the Zoning Administrator in order to measure the height of the proposed structures.

3. The location and configuration of the lot access and driveway, drawn to scale.
4. Location of existing or proposed utilities.
5. 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.
6. Other information concerning the lot or adjoining lots that may be essential for determining whether the provisions of this Ordinance are being observed.

B. Site Plan Review. Required site plans give the Planning Commission an opportunity to review development proposals in a concise and consistent manner. The use of the site plan ensures that the physical changes in the property meet with local approval and that development actually occurs as it was planned and represented by the developer. Site plans are required for the following uses:

1. All new uses and/or structures except a) single-family or two-family residential units; and b) accessory structures to single-family or two-family residential units, and structures such as a farm stand.
2. Expansion or renovation of an existing use, other than single-family or two-family residential use, which increases the existing floor space more than twenty-five (25) percent.
3. Changes of use for an existing structure or lot which increases the number of parking spaces required by more than ten percent (10%).
4. Any special land use, excepting that single-family dwellings and uses such as kennels and similar uses may be waived by the zoning administrator.
5. Any use requiring off-street parking, as stated in the off-street parking schedule of this ordinance.

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6. Establishment of a plat, a condominium subdivision, or other form of real estate development.
 7. Other uses as required by this Ordinance.
- C. Site Plan Data Required: Each site plan submitted shall contain the following information unless specifically waived, in whole or in part, by the Township Planning Commission. The Planning Commission can waive any or all of the below site plan requirements, when it finds those requirements are not applicable to the proposed development.
1. The name and address of the property owner along with the name and address of the proprietor and proof of ownership; the name and address of the developer, registered engineer, surveyor architect, landscape architect or community planner who prepared and sealed the site plan.
 2. The date, a north arrow, the scale and name of the individual or firm responsible for preparing said plan. The scale must be at least one (1) inch = fifty (50) feet for parcels under three (3) acres and not less than one (1) inch = one hundred (100) feet for parcels of three (3) acres or more.
 3. A certified survey of the property prepared and sealed by a professional licensed surveyor, showing, at a minimum, the boundary lines of the property, all dimensions and legal description.
 4. The location of all existing structures and all proposed uses or structures on the site, including proposed drives, walkways, signs, exterior lighting, adequate parking for the proposed uses (show the dimensions of a typical parking stall and parking lot), loading and unloading areas, if necessary, common use areas and recreational areas and facilities. An elevation drawing of the proposed building(s) is required in order to review the proposed building bulk and to verify height.
 5. The location and width of all abutting rights-of-way, easements and utility lines within or bordering the subject project.

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6. The location of existing environmental features, such as watercourses, wetlands, shorelines, man-made drains, mature specimen trees, wooded areas or any other unusual environmental features.
7. The location and identification of all existing structures, lighting, signs, ingress drives, roads, and parking within a two hundred (200) foot radius of the site, including road names.
8. The existing zoning district in which the site is located and the zoning of adjacent parcels.
9. The location of all existing and proposed landscaping as well as all existing and proposed fences or walls.
10. The location, size and slope of all surface and subsurface drainage facilities.
11. Summary tables, cross-sections and/or floor plans should be included with site plans for proposed structures, giving the following information:
 - a. The number of units proposed, by type, including a typical floor plan for each unit.
 - b. The area of the proposed units in square feet, as well as area dimensions of driveways and staging areas.
 - c. Typical elevation drawings of the building (all sides).
 - d. Proposed materials and colors shall be specified on the site plan. Color chips, sample boards and/or sample materials shall also be submitted at or prior to the meeting at which the Plan is reviewed by the Planning Commission. The elevation, colors, and submitted materials shall be considered part of the approved site plan.
12. The topography of the existing and finished site shall be shown by contours or spot elevations. Where the existing slope on any part of the site is ten percent (10%) or greater, contours shall be shown at height intervals of two (2) feet or less.

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13. Generalized soil analysis data, regarding the soils and their adaptability to the use. More detailed information may be required where the Planning Commission determines that the site and use warrant a more critical review of soils.
14. All site plans shall comply with the terms of the Saginaw County Soil Erosion and Sedimentation Control Ordinance. It shall be the applicant's responsibility to provide documentation of compliance with these County Ordinances.
15. Anticipated hours of operation for the proposed use. The Planning Commission may impose reasonable limits to hours of operation as a condition of site plan approval when warranted to assure compatibility with surrounding land uses.
16. Impact Statement. The statement shall address itself to the following as applicable to the type of use:
 - a. A complete description of the proposed development including: areas of the site; the number of lots or units; and the number and characteristics of the population impact such as density, as it relates to elderly persons, school children, tourists, family size, income, and related information as applicable.
 - b. Expected demands on community services, and how these services are to be provided, to specifically include: school classroom needs, change in traffic volume on adjacent streets and other factors that may apply to the particular development including storm water, and potential impacts to sewage and water infrastructure.
 - c. Statements relative to the impact of the proposed development on soil erosion, wildlife habitat, air pollution, water pollution (ground and surface), noise and the scale of development in terms of the surrounding environment.

D. Application Submittal Procedures.

1. Twenty (20) copies of the proposed site plan at a scale of not less than 1"= 60', and one copy of the site plan on 11 x17

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inch paper, one copy of the complete plan in a digital form approved by the Zoning Administrator; and all required additional or related information, shall be presented to the Zoning Administrator's office by the petitioner or property owner or his designated agent at least thirty (30) days prior to the Planning Commission meeting at which the site plan will be considered. The Zoning Administrator will review the materials submitted to assure all information required by the Ordinance has been provided. If the application is incomplete the Zoning Administrator will send a notice with a detailed list of all deficiencies to the applicant. If the site plan, including all required additional or related information, is determined to be complete, the Zoning Administrator shall cause the submittal to be placed on the agenda of the next regular Planning Commission meeting.

2. The Planning Commission may distribute the site plan to the following agencies or any other agency deemed appropriate for comment prior to consideration for approval.
 - a. Bridgeport Charter Township Department of Public Services.
 - b. The Saginaw County Soil Erosion and Sedimentation Control Officer;
 - c. The Saginaw County Department of Public Works;
 - d. The Saginaw County Road Commission and, if appropriate, the Michigan Department of Transportation;
 - e. County Health Department;
 - f. Township fire department and ambulance service providers.
3. Application fees to cover the estimated review costs as determined pursuant to the current fee schedule of Bridgeport Township shall be paid when the application and site plan are submitted.
4. Where the applicant is dependent upon the grant of any variances, the site plan shall be reviewed first by the Zoning Board of Appeals prior to being reviewed by the Planning Commission.

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5. The applicant or his/her representative shall be present at the scheduled review. If the applicant fails to provide representation, resubmittal of the application is required.

E. Standards for Granting Site Plan Approval:

1. The Planning Commission shall approve, or approve with conditions, an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards listed below, unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and the waiver of that standard will not be significantly detrimental to surrounding property or to the intent of the Ordinance. The Planning Commission's decision shall be in writing and shall include findings of fact, based on evidence presented on each standard.
 - a. All elements of the site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of elements that respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - c. On site drainage shall be required consistent with adopted Bridgeport Township Storm Water Standards. Attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies and paved areas, and carried away in such a manner that it will not obstruct the flow of

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vehicular or pedestrian traffic, and will not puddle or freeze in paved areas. Run-off waters shall be detained or retained to remove sediments and to prevent erosion. Design of storm water management measures should protect adjacent waters from runoff from developed areas as the result of 10-year storm events, unless the Drain Commissioner indicates a higher standard is necessary based on the characteristics of site and surrounding property. Low Impact Development standards shall be applied wherever feasible and appropriate.

- d. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
- e. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.
- f. Every structure or dwelling unit shall have access to a public street, private road, walkway or other area dedicated to common use.
- g. There shall be provided a pedestrian circulation system, which is insulated as completely as reasonably possible from the vehicular circulation system. Sidewalks shall be provided along the street frontage connecting to adjacent parcels where such adjacent sidewalks exist.
- h. Waste receptacles, including dumpsters and compactors, located on sites other than single family or duplex residences must be located within an enclosure meeting the following standards:
 - (1) Trash containers shall be screened from public streets, pedestrian areas, and neighboring properties. The screen for the trash containers/waste receptacles should be designed to be compatible with the architectural character of the development. It shall be constructed of durable materials similar to those of the building and should have solid (opaque) walls and doors. The walls and gate shall be a maximum height of six (6) feet but, in no case, less than (1) foot

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higher than the waste receptacle.

- (2) Waste receptacle enclosures shall be located in the rear yard or non-required side yard, at least ten (10) feet from any non-residential property line, combustible walls, or combustible roof eaves and, in no case, be less than twenty (20) feet from any residential district.
 - (3) Waste receptacle enclosures shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces.
 - (4) The waste receptacle enclosure base shall be constructed of six (6) inches of reinforced concrete pavement. The base shall extend six (6) feet beyond the waste receptacle pad or gate to support the front axle of a refuse vehicle.
 - (5) No refuse or trash shall be permitted to be stored higher than the waste receptacle enclosure.
 - (6) Bollards or similar protective devices shall be installed at the opening and at the rear of the enclosure to prevent damage during the emptying of the container.
- i. Exterior lighting shall be arranged as required per Section 507, Lighting.
 - j. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry. Where possible, shared commercial access drives shall be encouraged.
 - k. All streets, whether public or private shall be developed in accordance with the Saginaw County Road Commission specifications.
 - l. Site plans shall conform to all applicable requirements of state and federal statutes and the Bridgeport Charter Township Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal

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permits before the actual zoning permit authorizing the

special land use is granted. The Planning Commission shall seek the recommendations of the Fire Chief, the Saginaw County Road Commission, the County Health Department, and the Michigan Department of Environmental Quality, where applicable.

2. All proposed commercial, office, industrial, institutional and multiple family developments shall use quality architecture to ensure that buildings and sites are compatible with surrounding uses, protect the investment of adjacent landowners, blend harmoniously into the streetscape and meet the objectives of the Township Master Plan. New buildings, additions and renovations shall be designed to preserve or complement the design character of existing development, provide visual harmony between new and old buildings, and create a positive image for the Township's various commercial nodes. All developments, regardless of whether a full site plan review is required or not, shall be reviewed by the Planning Commission and/or the Zoning Administrator using the following criteria. In cases involving remodeling or renovation it is understood that most buildings will not be able to meet each and every requirement, however it shall meet the intent of this section.
 - a. Buildings shall front towards and relate to the public street. Buildings shall be located to create a defined streetscape through uniform setbacks and proper relationship to adjacent structures. Proper relation to existing structures in the area shall be maintained through building mass, proportion, scale, roof line shapes and rhythm.
 - b. Buildings that will face more than one public street shall be constructed to a finished quality comparable to the front façade.
 - c. Building materials and colors shall relate well and be harmonious with the surrounding area. Roof shape and materials shall be architecturally compatible with adjacent buildings and enhance the predominate streetscape. For any side of a principal building facing a public or private street, at least fifty percent (50%) of the façade shall be constructed of, or covered with, the following materials:

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- i. Brick;
 - ii. Fluted or scored concrete block;
 - iii. Cut stone;
 - iv. Vinyl siding;
 - v. Wood siding;
 - vi. Glass; or
 - vii. Other materials similar to the above as determined and approved by the Planning Commission.
- d. Buildings shall possess architectural variety but enhance the overall cohesive community character. Buildings shall provide architectural features, details and ornaments such as archways, colonnades, towers, cornices or peaked roof lines.
- e. Building walls over 100 feet in length shall be broken up with a combination of the following: varying building lines, windows, architectural accents and trees.
- f. Building entrances shall use windows, canopies and awnings; provide unity of scale, texture and color and provide a sense of place.
- g. Where a rear façade of a building will be visible from a residential zoning district, or the rear of the site will be used for public access or parking, such rear façade shall be constructed to a finished quality comparable to the front façade.
- h. Signs, landscaping, lighting and other site elements shall be coordinated and compatible with the building design as well as harmonious with other nearby developments. Developments shall provide site features such as decorative entry signs, ornamental lighting, pedestrian plazas and/or pedestrian furniture.
2. Groundwater Protection Standards. The project and related improvements shall be designed to protect the natural environment, including lakes, ponds, streams, wetlands, floodplains, groundwater and steep slopes.
- a. For facilities that use, store or generate hazardous substances in quantities greater than 100 kilograms per month (equal to about 25 gallons or 220 pounds),

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the following additional site plan review information is required:

1. Location and size of interior and exterior areas and structures to be used for storage, use, loading/ unloading, recycling, or disposal of hazardous substances.
 2. Location of all underground and above ground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated storm water or wash water, and all similar uses.
 3. 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 and pipes shall be specified on the site plan.
 4. Delineation of areas on the site which are known as suspected to be contaminated, together with a report on the status of site cleanup.
- b. Site plan review standards for facilities which use, store, or generate hazardous substances:
1. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, groundwater, lakes, streams, rivers or wetlands.
 2. Secondary containment for above ground areas where hazardous substances are stored or used 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.
 3. General purpose floor drains shall only be allowed if they are approved by the responsible agency for connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan groundwater discharge permit.
 4. State and federal agency requirements for storage, spill prevention, record keeping,

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emergency response, transport and disposal of

hazardous substances shall be met. No discharges, shall be allowed without required permits and approvals.

- F. Approval of Site Plan: Upon approval by the Planning Commission, the Zoning Administrator or Planning Commission may also request Township Board review and approval as they deem necessary. The application and site plan may then be placed on the agenda of the next regular meeting of the Township Board for their review and approval. The Township Board may, at their discretion, review the application and site plan or accept the recommendation for approval by the Planning Commission. After Township Board approval, three (3) copies of the site plan shall be signed and dated by the applicant and Zoning Administrator and/or Township Supervisor. One signed and dated site plan shall be provided to the applicant; one shall be retained by the Zoning Administrator as part of the Township's permanent zoning file, and one copy shall be made part of the Planning Commission's permanent record of proceedings on the site plan.
- G. Conformity to Approved Site Plan Required. Following approval of a site plan by the Planning Commission, the applicant shall construct the site plan improvements in complete conformity with the approved site plan. Failure to do so shall be deemed a violation of this Ordinance.
- H. Amendment of Approved Site Plan. Amendment of an approved site plan shall be permitted only under the following circumstances:
 - 1. The owner of property for which a site plan has been approved shall notify the zoning administrator of any desired change to the approved site plan. Minor changes may be approved by the zoning administrator upon determining that the proposed revision(s) will not alter the basic design and character of the site plan, nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 - a. Reduction in the size of the building that does not substantially alter layout.
 - b. Movement of buildings and/or signs by no more the ten (10) feet.
 - c. Landscaping approved in the site plan that is replaced

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by similar landscaping to an equal or greater extent.

- d. Changes in floor plans that do not exceed five (5%) percent of the total floor area and which do not alter the character of the use or increase the amount of required parking.
 - e. Internal re-arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
- d. Changes related to item a) through e) above, required or requested by Bridgeport Charter Township, Saginaw County or other state or federal regulatory agencies in order to conform with other laws or regulations; provided the extent of such changes does not alter the basic design and character of the site plan, nor any specified conditions imposed as part of the original approval.
- e. All amendments to a site plan approved by the Zoning Administrator shall be in writing. After approval by the Zoning Administrator, the Applicant shall prepare a revised site plan showing the approved amendment. The revised site plan shall contain a list of all approved amendments and a place for the zoning administrator to sign and date all approved amendments.
- f. An amendment to an approved site plan that cannot be processed by the zoning administrator under subsection (H.1) above shall be processed in the same manner as the original site plan application.
- I. Expiration of Site Plan Approval. The site plan approval shall expire unless construction of an approved site plan improvement has begun within 365 days of approval. Thirty days prior to expiration of an approved final site plan, an applicant may make application to the Planning Commission for a one-year extension of the site plan at no fee. The Planning Commission shall grant the requested extension for an additional one year, if it finds good cause for the extension and that the zoning regulations governing the site plan approval have not changed since the approval. Any subsequent re-submittal shall be processed as a new request with new fees.
- J. Conditional Approvals. The Planning Commission may impose reasonable conditions with the approval of a final site plan, pursuant to Section 1803 of this Ordinance.

- K. Performance Guarantee Required. The Planning Commission may require an applicant to provide a performance guarantee in connection with the approval of a final site plan per Section 1806 J. in order to ensure completion of necessary improvements and to protect public safety.
- L. As-Built Site Plan: Upon completion of the installation of required improvements as shown on the approved final site plan, the property owner shall submit to the Zoning Administrator 2 paper copies of an "as built" site plan and one digital copy of the same, certified by the engineer or surveyor, at least one week prior to the anticipated occupancy of any building. The Zoning Administrator shall circulate the as built plans among the appropriate persons for review to insure conformity with the development as reviewed and approved and the zoning ordinance.

SECTION 1803. CONDITIONS.

The Planning Commission and Zoning Board of Appeals may attach reasonable conditions on discretionary zoning decisions under its respective jurisdiction. These conditions may include those necessary to ensure 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. Any conditions imposed, however, shall meet all of the following requirements:

- A. Be designed to protect natural resources, the health, safety, and welfare and 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.
- B. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
- C. Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

SECTION 1804. PUBLIC NOTIFICATION.

All applications for development approval requiring a public hearing shall

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comply with the Michigan Zoning Enabling Act, PA 110 of 2006, and the other provisions of this Section with regard to public notification.

- A. Published Notice: When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the Zoning Administrator shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in Bridgeport Charter Township and mailed or delivered as provided in this Section.

- B. Content: All mail, personal and newspaper notices for public hearings shall:
 - 1. Describe the nature of the request: Identify whether the request is for a rezoning, text amendment, special land use, planned unit development, variance, appeal, ordinance interpretation or other purpose.
 - 2. Location: Indicate the property that is subject to the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number, identification of the nearest cross street, or the inclusion of a map showing the location of the property. No street addresses must be listed when eleven (11) or more adjacent properties are proposed for rezoning, or when the request is for an ordinance interpretation not involving a specific property.
 - 3. When and where the request will be considered: indicate the date, time and place of the public hearing(s).
 - 4. Written comments: include a statement describing when and where written comments will be received concerning the request. Include a statement that the public may appear at the public hearing in person or by counsel.
 - 5. Handicap access: Information concerning how handicap access will be accommodated if the meeting facility is not handicap accessible.

- C. Personal and Mailed Notice
 - 1. General: When the provisions of this Ordinance or state law require that personal or mailed notice be provided, notice shall be provided to:

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- a. The owners of the property for which approval is being considered and the applicant, if different than the owner(s) of the property.
 - b. Except for rezoning requests involving eleven (11) or more adjacent properties or an ordinance interpretation request that does not involve a specific property; to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property subject to the request, regardless of whether the property or the occupant is located within Bridgeport Charter Township. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.
 - c. All neighborhood organizations, public utility companies, railroads and other persons which have requested to receive notice pursuant to 1804.D., registration to Receive Notice by Mail.
 - d. Other governmental units or infrastructure agencies within one (1) mile of the property involved.
2. Notice by mail/affidavit: Notice shall be deemed mailed by its deposit in the United States mail, first class, property addressed, postage paid. The Planning Commission Secretary shall prepare a list of property owners and registrants to whom notice was mailed, as well as of anyone to whom personal notice was delivered.
 3. Timing of Notice: Unless otherwise provided in the Michigan Zoning Enabling Act, PA 110 of 2006, or this Ordinance where applicable, notice of a public hearing on an application for a rezoning, text amendment, special land use, planned unit development, variance, appeal, or ordinance interpretation:

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not less than fifteen (15) days before the date the application will be considered for approval.

- D. Registration to receive notice by mail. Any neighborhood organization, public utility company, railroad or any other person may register with the Township Clerk to receive written notice of all applications for development approval pursuant to 1804.C. Personal and Mailed Notice, or written notice of all applications for development approval within the zoning district in which they are located. The Township Clerk shall be responsible for providing this notification, as established by the legislative body. The requesting party must provide the Township Clerk information on an official form to ensure notification can be made. All registered persons must register annually to continue to receive notification pursuant to this Section.

SECTION 1805. ZONING BOARD OF APPEALS.

The township board, upon exercising the authority of Public Act No. 184 of 1943 (MCL 125.271 et seq.), provides that a township board of appeals be established.

- A. Membership, terms of office. The township board of appeals shall consist of five members. The first member of the board of appeals shall be a member of the township planning commission. The remaining members of the board of appeals shall be selected from the electors of the township. The members selected shall be representative of the population distribution and of the various interests present in the township. One 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. The township board may appoint not more than two alternate members for the same term as regular members to the zoning board of appeals. An alternate member may be called as specified 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 one or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching 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. A member 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

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from a vote in which the member has a conflict of interest. Failure

of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office. The term of office for members appointed to the zoning board of appeals shall be for three years, except for members serving because of their membership on the planning commission or legislative body, whose terms shall be limited to the time they are members of those bodies. The term of each member shall be for three years, except that of the members first appointed two shall serve for two years and the remaining members for the three years. A successor shall be appointed not more than one month after the term of the preceding member has expired. All vacancies for unexpired terms shall be filled for the remainder of the term. A township board of appeals shall not conduct business unless a majority of the members of the board are present.

B. Organization and procedures.

1. Rules of procedure. The board of appeals shall adopt its own rules of procedure as may be necessary to conduct its meetings and carry out its function. The board shall choose its chairman and, in his absence, an acting chairman.
2. Meetings. Meetings shall be held at the call of the chairman and at such times as the board of appeals may determine. All meetings by the board shall be open to the public. The board may declare any meetings, or part of any meeting, a study meeting to pursue matters of business without comment or interruption from the public in attendance.
3. Records. Minutes shall be recorded of all proceedings which shall contain evidence and data relevant to every case considered, together with the votes of the members and the final disposition of each case. Such minutes shall be filed in the office of the township clerk and shall be made available to the general public.
4. Counsel. The township attorney shall act as legal counsel for the board and shall be present at all meetings upon request by the board.

C. Appeals to the appeals board. A demand for a zoning appeal is received by the zoning administrator. Appeals can be filed by:

1. A person aggrieved; or
2. An officer, department, board, or bureau of the state or local unit of government.

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- D. The appeals board shall have the authority to hear appeals concerning:
 - 1. All questions that arise in the administration of the zoning ordinance, including interpretation of the zoning map.
 - 2. All administrative orders, requirements, decisions or determinations made by an administrative official or body charged with enforcement of the zoning ordinance.
 - 3. All decisions of the zoning administrator.
 - 4. All decisions concerning site plan review.
- E. A fee as established by the legislative body shall be paid to the zoning administrator at the time of filing application with the board. The purpose of such fee is to cover in part the necessary advertisements, investigations and other expenses incurred by the board in connection with the appeal.
- F. Upon receipt of a demand for appeal, the zoning administrator will review the demand for appeal to insure it is complete and the fee is paid.
 - 1. If the application is not complete, the zoning administrator will return the application to the applicant with a letter that specifies the additional material required.
 - 2. If the application is complete, the zoning administrator shall establish a date to hold a hearing on the appeal.
- G. The appeal stays all proceedings in furtherance of the action appealed, unless the body or officer from whom the appeal is taken certifies to the zoning board of appeals that by reason of facts stated in the certificate, a stay would in the opinion of the body or officer cause imminent peril of life or property, in which case proceedings may be stayed by a restraining order issued by the zoning board of appeals or a circuit court.
- H. The notices shall be given in accordance with Section 1804 of this Ordinance.
- I. The appeals board shall hold a hearing on the demand for appeal.
- J. Representation at hearing. Upon the hearing, any party or parties

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may appear in person or by agent or by attorney.

- K. Standards for variance decisions by the appeals board. The appeals board shall base its decision on variances from the strict requirements of this Ordinance so that the spirit of the ordinance is observed, public safety secured, and substantial justice done based on the following standards:
1. For dimensional variances. A dimensional variance may be granted by the zoning board of appeals only in cases where the applicant demonstrates in the official record of the public hearing that a practical difficulty exists by showing all of the following:
 - a. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic difficulty.
 - b. That the need for the requested variance is not the result of actions of the property owners or previous property owners (self-created).
 - c. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.
 - d. That the requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.
 - e. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.
- L. If the demand for appeal is for a variance the appeals board shall grant, grant with conditions, or deny the application. The appeals board 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. A majority vote of the membership of the appeals board is necessary to grant a dimensional variance and rule

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on an interpretation of the ordinance. The decision shall be in writing

and reflect the reasons for the decision. At a minimum, the record of the decision shall include:

1. Formal determination of the facts;
 2. The conclusions derived from the facts (reasons for the decision);
 3. The decision.
- M. After the zoning board of appeals approves the minutes of its decision or otherwise certifies its decision in writing, it shall be copied and delivered by first class mail to the person demanding the appeal, the administrator, and other parties.
- N. Any person having an interest affected by such decision shall have a right to appeal to circuit court within 30 days of the certified decision of the appeals board, as provided by law.

SECTION 1806. FEES.

To assist in defraying the costs of investigating, reviewing and administering zoning applications, appeals, rezoning requests from individual property owners, and other types of decisions which result in extra costs to the Township, the Township Board may from time to time adopt by resolution a fee schedule establishing basic zoning fees, such as those fees related to the following:

- A. Zoning permits
- B. Special land use permits
- C. Ordinance interpretations by the Zoning Board of Appeals including appeals of administrative decisions or request for interpretation. Appeals and requests for interpretation initiated by the Township Board, the Planning Commission, or the Zoning Administrator shall not be subject to a zoning fee.
- D. Requests for variances from the Zoning Board of Appeals.
- E. Requests for rezoning of property by individual property owners or amendments to the zoning ordinance text. Rezoning of property or text amendments initiated by the Township Board, the Planning Commission, or the Zoning Administrator shall not be subject to a zoning fee.

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- F. Site plan reviews.
- G. Any other discretionary decisions by the Planning Commission or Zoning Board of Appeals.
- H. The amount of these zoning fees shall cover the costs associated with the review of the application or appeal, including but not limited to the costs associated with conducting public hearings, publishing notices in the newspaper, sending required notices to property owners, postage, photocopying, mileage, time spent by zoning staff, and time spent by the members of the Planning Commission and/or Zoning Board of Appeals. The basic zoning fees shall be paid before any application required under this Ordinance is processed. The basic zoning fees are non-refundable, even when an application or appeal is withdrawn by the applicant.
- I. If the Planning Commission or Zoning Board of Appeals determines that the basic zoning fees will not cover the actual costs of the application review or appeal, or if the Planning Commission or Zoning Board of Appeals determines that review of the application and/or participation in the review process or appeal by qualified professional planners, engineers, attorneys, or other professionals is necessary or advisable, then the applicant shall deposit with the Township Treasurer such additional zoning fees in an amount determined by the Planning Commission or Zoning Board of Appeals equal to the estimated additional costs. The additional zoning fees shall be held in escrow in the applicant's name and shall be used solely to pay these additional costs. If the amount held in escrow becomes less than ten percent (10%) of the initial escrow deposit or less than ten percent (10%) of the latest additional escrow deposit and review of the application or decision on the appeal is not completed, then the Planning Commission or Zoning Board of Appeals may require the applicant to deposit additional fees into escrow in an amount determined by the Planning Commission or Zoning Board of Appeals to be equal to the estimated costs to complete the review or decide the appeal. Failure of the applicant to make any escrow deposit required under this Ordinance shall be deemed to make the application incomplete or the appeal procedurally defective thereby justifying the denial of the application or the dismissal of the appeal. Any unexpended funds held in escrow shall be returned to the applicant following final action on the application or the final decision on the appeal. Any actual costs incurred by the Township in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to

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the issuance of any permit or the release of a final decision on an appeal.

J. Performance Guarantee. In connection with the construction of improvements through site plan approval, special land use approval, or a PUD project the Planning Commission may require the applicant to furnish the township with a performance guarantee in the form of a cash deposit, certified check, or irrevocable bank letter of credit acceptable to the township in an amount equal to the estimated costs associated with the construction of public and site improvements. Public improvements mean by way of example and not limited to roads, parking lots, and water and sewer systems which are located within the development or which the applicant has agreed to construct even though located outside the development. Site improvements mean landscaping, buffering, and the completion of conditions imposed by the Planning Commission which are located within the development. For purposes of this section, the costs covered by the performance guarantee shall include all of the following: (1) the purchase, construction, and/or installation of the improvements, (2) architectural and engineering design and testing fees and related professional costs, and (3) an amount for contingencies consistent with generally accepted engineering and/or planning practice. The performance guarantee shall be deposited with the township treasurer at or before the time the township issues the permit authorizing the development, or if the development has been approved in phases, then the performance guarantee shall be deposited with the township clerk prior to the commencement of construction of a new phase. The performance guarantee shall ensure completion of the public and site improvements in accordance with the plans approved by the Planning Commission. Any cash deposit or certified funds shall be refunded for the development or each phase of a multi- phase development in the following manner:

1. Ten percent (10%) of the cash deposit after completion of one-third of the public and site improvements;
2. One-third of the cash deposit after completion of two-thirds of the public and site improvements; and
3. The balance at the completion of the public and site improvements.
4. Any irrevocable bank letter of credit or performance bond shall be returned to the applicant upon completion of the public and site improvements. If a development is to be

completed in phases, then the Planning Commission may

require the applicant to furnish a performance guarantee as provided in this section for each phase of the development. If an applicant has contracted with a third party to construct the public and site improvements and the third-party has provided a bond meeting the requirements described above and the bond also names the township as a third-party beneficiary of the bond, then the Planning Commission may accept that bond as meeting all or a portion of the performance guarantee required by this section.

SECTION 1807. VIOLATIONS AND PENALTIES.

- A. Nuisance per se. Any land, dwellings, buildings or structures, including tents and trailer coaches, used, erected, altered, razed or converted in violation of this Ordinance or in violation of any regulations, conditions, permits or other rights granted, adopted or issued pursuant to this Ordinance are hereby declared to be a nuisance, per se.

- B. Inspection. The Zoning Administrator shall have the responsibility to investigate each alleged violation and shall have the right to inspect any property for which a zoning permit has been issued to the ensure compliance with the plans and conditions of the zoning permit or approved site plan.

- C. Penalties
 - 1. Any person, partnership, limited liability company, corporation, association or other entity who creates or maintains a nuisance per se or who violates or fails to comply with this Ordinance or any permit issued pursuant to this Ordinance shall be responsible for a municipal civil infraction and subject to the sanctions and penalties as established by township ordinance and provided for in the Bridgeport Charter Township Code of Ordinances under Chapter 20, Article IV. Sec. 20-89.

 - 2. The Township Zoning Administrator is hereby designated as the authorized Township official to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court. The Township Board may also designate from time to time other officials to issue municipal infraction citations on behalf of the Township in connection with alleged violations of this ordinance.

 - 3. In addition to or in lieu of enforcing this Ordinance, as a

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municipal civil infraction, the Township may initiate

proceedings in any court of competent jurisdiction to abate, eliminate, or enjoin the nuisance per se or any other violation of this Ordinance.

4. Stop Work Order. If construction or land uses are being undertaken contrary to a zoning permit, the Zoning Enabling Act, or this ordinance, the Zoning Administrator or any other official authorized by the Township Board is authorized to post a stop work order on the property at a suitable location, such as at an entrance, in order to prevent the work or activity from proceeding in violation of the ordinance. A person shall not continue, or cause or allow to be continued, construction or uses in a violation of a stop work order, except with permission of the enforcing agency to abate a dangerous condition

SECTION 1808. AMENDMENTS.

Bridgeport Charter Township Board of Trustees may amend the regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the Zoning District may be amended, supplemented or changed by Ordinance by the Bridgeport Charter Township Board of Trustees in accordance with applicable zoning enabling legislation of the state.

A. Initiation of Amendments. Proposals for amendments, supplements or changes may be initiated by the Bridgeport Charter Township Board of Trustees, by the Planning Commission or by petition of one (1) or more owners, option holders or their agents, of property to be affected by the proposed amendment.

B. Amendment Procedures.

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

2. Recommendation. The Planning Commission shall consider each proposal for amendment in terms of its own judgment on particular factors related to the individual proposal and in terms of the likely effect of such proposal upon the Land Use

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Plan for the community. The Planning Commission may

recommend any additional or modifications to the original amendment petition to the Township Board of Trustees.

3. After deliberation on any proposal the Planning Commission shall conduct at least one (1) public hearing, as prescribed in Section 1804.
4. Following the conclusion of the public hearing, the Township Planning Commission shall submit the proposed amendments, on a form furnished by the Saginaw County Planning Commission including any zoning district map, to the County Planning Commission for their review. The approval of the Saginaw County Planning Commission shall be conclusively presumed unless such Commission, within thirty (30) days of its receipt, has notified the Township Board of Trustees of its disapproval or approval.
5. Upon receipt of the Township Planning Commission, together with the County Planning Commission's recommendation, the Bridgeport Charter Township Board of Trustees shall review said recommendations. If the Board of Trustees deem that any amendments, changes, additions, or departures are advisable to the proposed Ordinance amendment as recommended by the Township Planning Commission for a report thereon within a time specified by the Board of Trustees.
6. After receiving the proposed amendment recommendations heretofore specified, the Bridgeport Charter Township Board of Trustees shall conduct a public hearing on the proposed amendment and may request the Township Planning Commission to attend such hearing. Thereafter, the Board of Trustees may deny, or adopt the amendment with or without any changes.
7. No application for a rezoning which has been denied by the Bridgeport Charter Township Board of Trustees shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Board of Trustees to be valid.

- C. Conditional Rezoning Request. Bridgeport Charter Township will not require nor imply that conditional zoning or zoning agreements are a necessity or a condition for approval.

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1. A request for conditional zoning or a zoning agreement shall be submitted, in writing, to the zoning administrator, chairman of the township planning commission and the township supervisor. The request shall be required prior to any application for rezoning or appearance before the planning commission.
2. Upon receipt of the request, the zoning administrator will prepare a memo to the planning commission and the township board detailing that a request has been received from whom and the area proposed for rezoning. The applicant will receive a copy as well. The zoning administrator, the township supervisor and the chairman of the planning commission will arrange for an informal meeting with the developer to discuss the specific request or requests.
3. Informal review process. An informal meeting will be held with the zoning administrator, the township supervisor and chairman of the planning commission and the proposed developer or developers. During the meeting the developer should be prepared to provide the following information, in writing:
 - i. The zoning district desired.
 - ii. The specific use proposed.
 - iii. A conceptual layout. A full site plan is not needed at this time.
 - iv. Identification of particular items that might be necessary to mitigate the proposed rezoning and associated development.
4. From this informal meeting, the township will provide a follow-up letter to the developer and copied to the planning commission and township board which details the following:
 - i. The proposed use of the parcel and the desired zoning district.
 - ii. A discussion of all related zoning requirements included within the existing zoning ordinance.
 - iii. A discussion of potential items in addition to the typical zoning requirements, which may be necessary or desirable to mitigate the proposed rezoning, and associated development.
 - iv. A proposed timeline for the process, identifying key dates for submittal, public hearings and tentative approval.

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- v. An overview of the discussion, including any relative buffering

or other such items which may be considered by the planning commission in terms of surrounding uses, intensity of surrounding uses and the purpose and intent of the zoning regulations and the adopted master plan and any other policy documents or guide so adopted by the township.

5. From this informal meeting, the township will provide a follow-up letter to the formal review process. Using the proposed timeline as a guide, the developer or developers will submit all their required information, which for conditional zoning or zoning agreement shall be:
- i. At a minimum, a site plan done to such a level of detail that assures the basic arrangement of any structures and connection to required utilities.
 - ii. An elevation of the proposed structure.
 - iii. The rezoning request must be submitted in accordance with the township's rezoning policy, which requires submission at least 30 days prior to the next regularly scheduled planning commission meeting.

It is important to note that these items will be made part of the approval of the rezoning. Failure to complete the project as approved by the township may result in a loss of the status of the conditional zoning.

- 6 All public notifications, reviews and hearings will be scheduled and advertised as set forth in the zoning ordinance and as typically practiced in the township for the rezoning of land. If the proposed use requires a special land use permit, the special land use permit and hearing may be conducted concurrently if the site plans and appropriate documentation are provided.
7. The township attorney will draft a zoning agreement for execution by the township and the developer.
8. Any and all conditions imposed as part of the conditional zoning or zoning agreement process must meet the following criteria:
- i. Conditions such as building appearance, landscaping, setbacks in an amount more than what is required by the current zoning ordinance; screening or buffering in an amount more than what is required by the current zoning ordinance, etc., shall be directly related to the proposed project and serve to mitigate any potentially

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deleterious effects on surrounding properties or properties in

general.

- ii. Conditions serving as additional performance standards, including but not limited to lighting, noise, traffic, etc., shall be directly related to the proposed project and development and should serve to mitigate any potentially deleterious effects on surrounding properties, the road network, and the general area.
 - iii. Conditions limiting the specific use of the property are permitted, however, the planning commission and township board should be mindful of being too specific. For example, limiting a use to a "professional office" may prevent the parcel from being used for something similar in intensity, yet different, such as a day care center or commercial or private school. Care should be taken to be specific in terms of standards and intensity and more flexible in terms of naming specific uses.
 - iv. The planning commission will forward their recommendations to the township board for consideration.
9. If the planning commission recommends, and the township board approves a conditional zoning or zoning agreement request, the zoning designation will be noted on the zoning map as an overlay district and the zoning will be referenced as a footnote on the map itself. The footnote will refer to the actual zoning case, the zoning approval and specific conditions and the ordinance number.
10. Final zoning agreement. A zoning agreement shall be drafted by the township attorney and executed. The developer shall be responsible for all costs associated with the drafting and executing of the zoning agreement.
- i. The developer, the chairman of the planning commission and the township clerk shall all sign the submitted documentation. A copy will be returned to the developer and the original shall stay with the township.
 - ii. A copy will be recorded at the Saginaw County Register of Deeds office.
11. Enforcement. By approving the conditional zoning or zoning agreement, the township grants rezoning and then, subsequently or concurrently, the site plan approval. The specific conditions imposed and agreed to by the developer and the township become part of the approval.

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- i. Should the developer not meet the conditions as specified, they will be considered in violation of the Township Zoning Ordinance and will be pursued as such.
- ii. Any change to the conditions shall require a rezoning and shall follow the same procedure as identified in Section 1808.C.5 and 1808.C.6.
- iii. Should the developer not complete the proposed project within 18 months, the property shall revert to the previous zoning classification.
- iv. Should the developer abandon the specific use and it is vacant and/or abandoned for a period of 18 months, the parcel shall convert to its previous zoning classification.
- v. A property that reverts from conditional zoning will be considered a legal nonconforming use and subject to all applicable zoning regulations. Reversion of the subject property shall require:
 - a. The original developer, the current property owner (if different) and the occupant(s) of the property shall be notified of the pending reversion by certified mail. The township board and planning commission shall receive the same notice. The notice will provide a 30-day period for which the developer/owner can seek an extension of the time frame or begin construction.
 - b. If, after the 30-day time frame, no action or formal request has been made, the property in question and so legally described and noted, will be published as a rezoning. The same notice and publication requirements followed for a typical rezoning process shall be followed. The notice will include a time and date for a public hearing at which comments related to the reversion will be held.