

APPENDIX A ZONING¹

PREAMBLE

Pursuant to the authority conferred by Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended, drafted and adopted for the purposes of meeting the needs of the state's citizens for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land; insuring that use of land shall be situated in appropriate locations and relationships; limiting the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities; facilitating adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements; and, promoting public health, safety, and welfare; now therefore, the Township Board of Canton, Wayne County, Michigan, hereby ordains:

ORDINANCE TITLE

An Ordinance enacted under Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended, for the regulation of land development and the establishment of districts in the portions of the Charter Township of Canton outside the limits of cities and villages which regulate the use of land and structures; to regulate and restrict the location and use of buildings, structures and land for trade, industry, residential use, and for public and semipublic or other specified uses; to regulate and limit the height and bulk of buildings and other structures; to regulate and to determine the size of yards, courts, and open spaces; to regulate and limit the density of population; and, for said purposes, to divide the township into districts and establish the boundaries thereof, to provide for changes in the regulations, restrictions, and boundaries of such districts; to define certain terms used herein; to provide for enforcement; to establish a zoning board of appeals; to impose penalties for violation of this ordinance; and, to accomplish such other purposes as are described in Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended.

ARTICLE 1.00. RULES OF CONSTRUCTION AND DEFINITIONS

¹Editor's note(s)—Printed herein is the township's zoning ordinance as adopted on December 14, 1989, and effective on January 1, 1990. In the preparation of this appendix, the township's compiled version of the zoning ordinance was used. Such ordinance was current through February 12, 2002. Amendments adopted after February 12, 2002, are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the zoning ordinance as supplemented through February 12, 2000. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform, and the same system of capitalization, citations to state statutes, and expression of numbers in text as appears in the Township Code has been used. Additions for clarity are indicated by brackets.

Cross reference(s)—Any ordinance pertain to zoning, including, but not limited to, the basic zoning ordinance and any amendment thereto and any ordinance rezoning property or amending the zoning map saved from repeal, § 1-11(15); sexually oriented businesses, § 18-141 et seq.; community development, ch. 22; environment, ch. 34; streets, sidewalks and other public places, ch. 62; buildings and building regulations, ch. 78; condominiums, ch. 82; floods, ch. 86; historic preservation, ch. 90; natural resources, ch. 94; planning, ch. 98; subdivisions and other divisions of land, ch. 110.

State law reference(s)—Zoning, MCL 125.271 et seq.

1.01. Short title.

This ordinance shall be known and may be cited as the "Charter Township of Canton Zoning Ordinance." Within the following text it may be referred to as the "ordinance."

1.02. Purpose.

- A. The purpose of this ordinance is to provide by zoning ordinance for the regulation of land development and the establishment of districts in portions of the Charter Township of Canton outside the limits of cities and villages which regulate the use of land and structures; the needs of the state's citizens, food, fiber, energy and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land; to insure that the use of the land within the township shall be situated in appropriate locations and in appropriate relationships to each other; to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities; to facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements; to divide the township into districts of such number, shape and area as best suits the Charter Township of Canton; to provide for the regulation of land development and the establishment of districts, which apply only to land areas and activities which are involved in a special program to achieve specific land management objectives and avert or solve specific land use problems, including the regulation of land development and the establishment of districts in areas subject to damage from flooding or erosion, and for that purpose to divide the township into districts of a number, shape and area considered best suited to accomplish those objectives; to designate or limit the location, height, number of stories and size of dwellings, buildings and structures that may be erected or altered, including tents and trailer coaches, and specific uses for which dwellings, buildings and structures including tents and trailer coaches, may be erected or altered; to set forth the area of yards, courts and other open spaces, and the sanitary safety and protective measures which, together with other ordinances, shall be required for the dwellings, buildings and structures including tents and trailer coaches; to provide the maximum number of families which may be housed in buildings, dwellings, and structures, including tents and trailer coaches, erected or altered; to provide for the acquisition by purchase, condemnation, or otherwise of nonconforming uses therein; to provide for the interpretation and construction of the terms of this ordinance; to define terms that are used in this ordinance; to provide for a board of appeals and to define the powers of such board; to designate special uses that may be commenced only after approval by the township board and the standards and regulations for such approval; to provide for the administration of this ordinance and penalties for violation hereof, and to promote the public health, safety and welfare.
- B. *Rules of construction.* The following rules of construction apply to the text of this ordinance:
1. The particular shall control the general.
 2. Words used in the present tense shall include the future.
 3. Words used in the singular number shall include the plural, and the plural shall include the singular, unless the context clearly indicates the contrary.
 4. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
 5. The masculine gender includes the feminine and neuter.
 6. All measurements shall be to the nearest integer, unless otherwise specified herein.
 7. The phrase "used for" includes "arranged for," "designed for," "intended for," "occupied for," and "maintained for."

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8. The word "building" includes the word "structure." The word "build" includes the words "erect" and "construct." A "building" or "structure" includes any part thereof.
 9. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any similar entity.
 10. Whenever a word or term defined hereinafter appears in the text of this ordinance, its meaning shall be construed as defined herein. Words or terms not herein defined shall have the meaning customarily assigned to them.
 11. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," or "either/or," the conjunction shall be interpreted as follows:
 - "And" indicates that all the connected items, conditions provisions, or events shall apply.
 - "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - "Either/or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
 12. Catchwords and catchlines shall in no way by their presence or absence limit or affect the meaning of this ordinance.
 13. Unless the context clearly indicates to the contrary, where an illustration accompanies any item within this ordinance, the written text shall have precedence over said illustrations.

1.03. Definitions.

Whenever used in this ordinance, the following words and phrases shall have the meaning ascribed to them:

Accessory use, building, or structure: A use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and is located on the same zoning lot as the principal use to which it is exclusively related.

Adult day care: See *Day care facilities*.

Adult regulated uses: As used in this ordinance, the following definitions shall apply to adult regulated uses:

- *Adult book or supply store:* An establishment having ten percent or more of all usable interior, retail, wholesale, or warehouse space devoted to the distribution, display, or storage of books, magazines, and other periodicals and/or photographs, drawings, slides, films, videotapes, recording tapes, and/or novelty items 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. Such establishment or the segment or section devoted to the sale or display of such material in an establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.
- *Adult motion picture theater or adult live stage performing theater:* An enclosed building used for presenting material 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. Such establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.
- *Adult outdoor motion picture theater:* A drive-in theater used for presenting material 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 of the theater. Such establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.

- *Group A cabaret:* An establishment which features any of the following: topless dancers and/or bottomless dancers, go-go dancers, strippers, male and/or female impersonators or similar entertainers, or topless and/or bottomless waitpersons or employees.
- *Specified anatomical areas:* Portions of the human body defined as follows:
 1. Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breast below a point immediately above the top of the areola; and
 2. Human male genitals in a discernible turgid state, even if completely and opaquely covered.
- *Specified sexual activities:* The explicit display of one or more of the following:
 1. Human genitals in a state of sexual stimulation or arousal.
 2. Acts of human masturbation, sexual intercourse, or sodomy.
 3. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

Alley: A dedicated public vehicular way not more than 30 feet in width which affords a secondary means of access to abutting property but is not intended for general traffic circulation or for parking, standing, or loading.

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

Animal hospital: See *Clinic, veterinary*.

Apartment: See *Dwelling, multiple-family*.

Automobile: Unless specifically indicated otherwise, "automobile" shall mean any vehicle including, by way of example, cars, trucks, sport utility vehicles, pick-up trucks, vans, motorcycles, and the like.

Automobile dealership: A building or premises used primarily for the sale of new and used automobiles.

Automobile filling station: A place used for the retail sale and dispensing of fuel or lubricants together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. Automobile filling stations may include sale of convenience items similar to a convenience grocery store and include an automobile wash, but shall not include a restaurant or other uses of a retail nature.

Automobile filling/multi-use station: A place used for the retail sale and dispensing of fuel or lubricants together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. Automobile filling/multi-use stations may also include the sale of items similar to a convenience grocery store, standard restaurants, fast food and/or carry out restaurants, uses of a retail nature, an automobile wash, and/or an automobile service station.

Automobile repair garage: An enclosed building where the following services may be carried out: general repairs, engine rebuilding, reconditioning of motor vehicles; collision services, such as frame or fender straightening and repair, painting and undercoating of automobiles; and, similar repair activities.

Automobile service station: A place used for the sale of minor accessories (such as tires, batteries, mufflers, brakes, shock absorbers, window glass), quick oil change and lubrication and the servicing of and minor repair of automobiles.

Automobile wash establishment: A building or portion thereof where automobiles are washed. Such facilities shall include:

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- *Automatic wash:* Any facility, its structures, accessory uses, or paved areas used wholly or partly to wash, clean and dry the exterior of automobiles, using conveyors to move the vehicle, or equipment that moves over or around the vehicle, or other automated equipment intended to mechanically wash such vehicles.
 - *Self-service wash:* Any facility, its structures, accessory uses or paved areas used wholly or partly to wash, clean and dry the exterior of automobiles using handheld equipment.

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

Basement: That portion of a building which is partially or totally below grade, but is so located that the vertical distance from the average grade to the floor below is greater than the vertical distance from the average grade to the ceiling. This definition shall not apply to earth-bermed or earth-sheltered homes. A basement shall not be counted as a story.

Bed and breakfast inn: A dwelling in which overnight accommodations are provided or offered for transient guests for compensation, including provisions for a morning meal for overnight guests only.

Bedroom: A room designed or used in whole or in part for sleeping purposes.

Block: The property bounded by a street or by a combination of streets and public lands, rights-of-way, rivers or streams, boundary lines of the township, or any other barrier to the continuity of development.

Board of appeals: The township zoning board of appeals, created pursuant to the provisions of Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended.

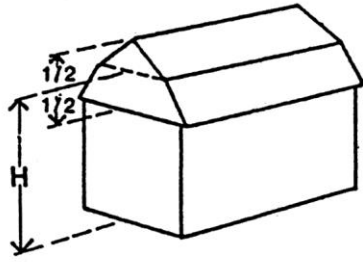
Boardinghouse: A building, other than a hotel, where for compensation or by prearrangement for definite periods of time, lodging or lodging and meals are provided for three or more persons. A roominghouse shall be deemed a boardinghouse for the purposes of this ordinance.

Building: Any structure, either temporary or permanent, having a roof or other covering and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. A building shall include tents, awnings, semitrailers, or vehicles situated on a parcel and used for the purposes of a building. A building shall not include such structures as signs, or fences, or structures not normally accessible for human occupation, such as tanks, smokestacks, grain elevators, coal bunkers, oil cracking towers, or similar structures.

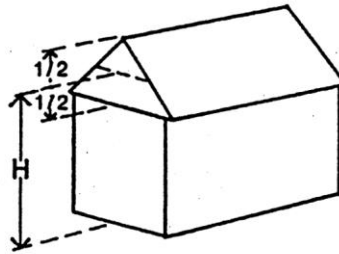
Building, accessory: See *Accessory use, building, or structure*.

Building height: The vertical distance measured from the established grade to:

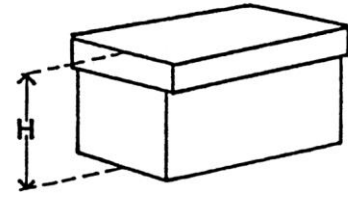
- The highest point of the coping of a flat roof;
- To the deck line of mansard roofs; or
- To the average height between the eaves and the ridge for gable, hip, and gambrel roofs.



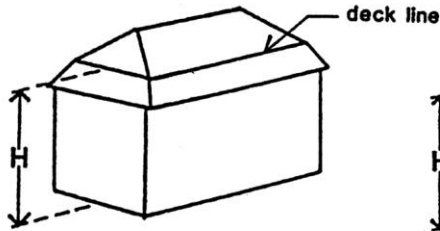
gambrel roof



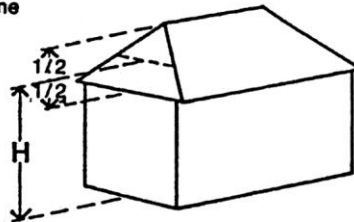
gable roof



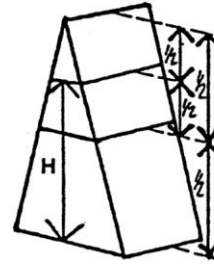
flat roof



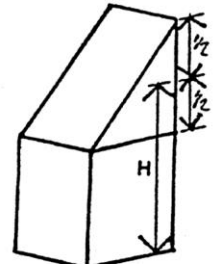
mansard roof



hip roof



'A' frame



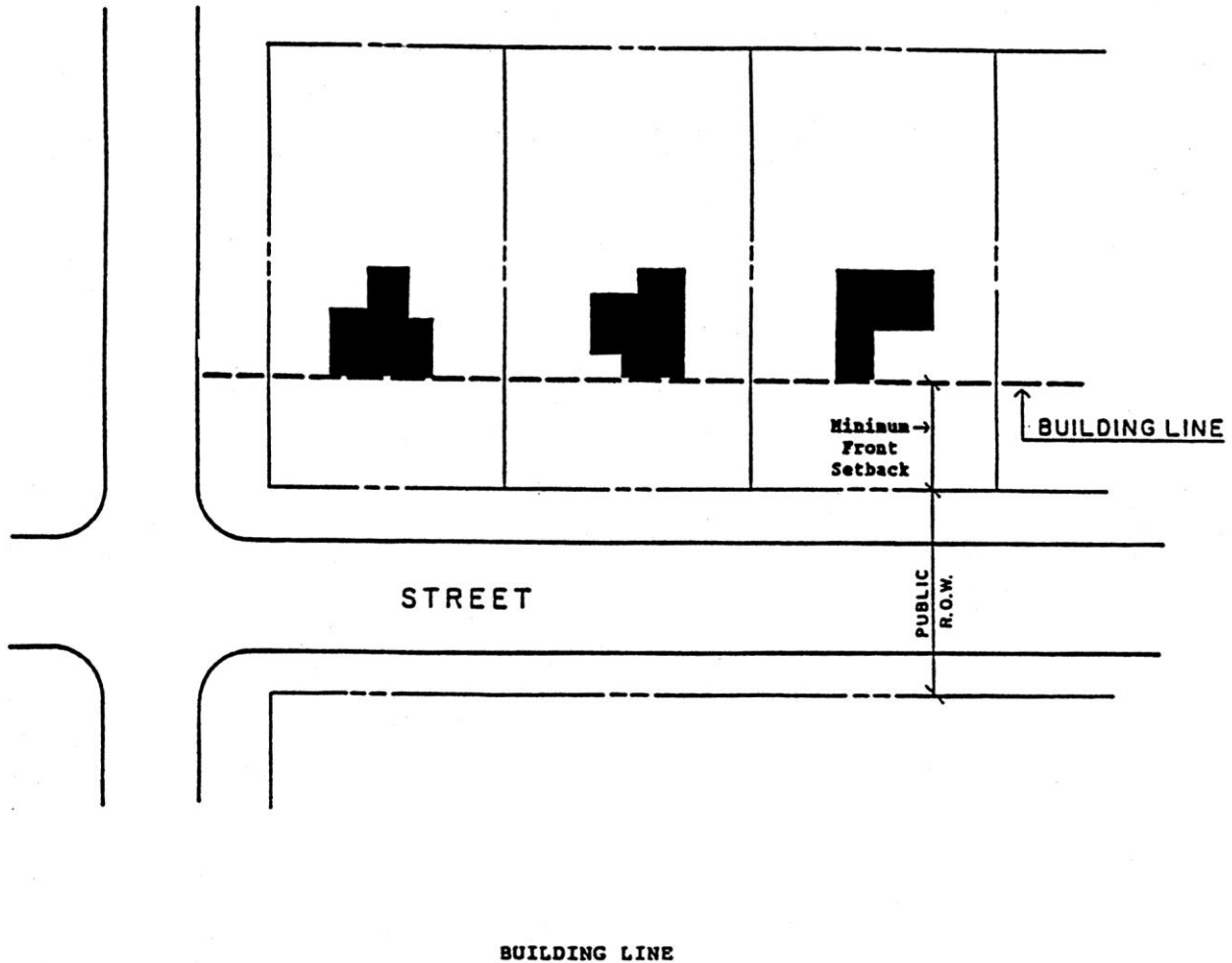
studio roof

MORONA ASSOCIATES, INCORPORATED
COMMUNITY PLANNING • URBAN DESIGN
FARMINGTON HILLS, MICHIGAN

H: height of building **building height requirements**

BUILDING HEIGHT REQUIREMENTS

Building line:



BUILDING LINE

Building, principal: A building or, where the context so indicates, a group of buildings which are permanently affixed to the land and which are built, used, designed, or intended for the shelter or enclosure of the principal use of the parcel.

Building, temporary: A building which is not permanently affixed to the property, and is permitted to exist for a specific reason for a specific period of time. An example of a temporary building is a trailer used on a construction site.

Bulk: The term used to indicate the size and setbacks of buildings and structures and the location of same with respect to one another, including standards for the height and area of buildings; the location of exterior walls in relation to lot lines, streets, and other buildings; gross floor area of buildings in relation to lot area; open space; and, the amount of lot area required for each dwelling unit.

Caretaker living quarters: An independent residential dwelling unit designed for and occupied by one person who is employed to look after goods, buildings, or property on a commercial or industrial parcel on which the living quarters are located. See also *Dwelling, accessory apartment*.

Cemetery: Land used for the burial of the dead, including columbariums, crematories, and mausoleums.

Child care center: See *Day care facilities*.

Church, synagogue, temple, mosque, or similar religious facility: Any structure wherein persons regularly assemble for religious activity. Religious activity shall have the same definition as religious exercise as defined in the Religious Land Use and Institutionalized Persons Act, 42 USC 2000cc et seq.

Clinic, medical: An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

Clinic, veterinary: A place for the care, diagnosis, and treatment of sick or injured animals, and those in need of medical or minor surgical attention. A veterinary clinic may include customary pens or cages enclosed within the walls of the clinic building.

Club or fraternal organization: An organization of persons for special purposes or for the promulgation of sports, arts, science, agriculture, literature, politics, or similar activities, but not operated for profit or to espouse beliefs or further activity that is not in conformance with the Constitution of the United States or any laws or ordinances. The facilities owned or used by such organization may be referred to as a "club" in this ordinance.

Commercial use: The use of property in connection with the purchase, sale, barter, display, or exchange of goods, wares, merchandise, or personal services, and the maintenance or operation of offices.

Commercial vehicle:

1. All motor vehicles used for the transportation of passengers for hire, or
2. Constructed or used for the transportation of goods, wares or merchandise, or
3. All motor vehicles designed and used for drawing other vehicles.

Commission: The Planning Commission of the Charter Township of Canton.

Condominium: Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all of the occupants, such as yards, foundations, basements, floors, walls, hallways, stairways, elevators and all other related common elements, together with individual ownership in fee of a particular dwelling unit in such building. Condominiums shall be subject to the regulations set forth in Michigan Public Act No. 59 of 1978 (MCL 559.101 et seq.), as amended.

Congregate housing: See *Housing for the elderly*.

Convalescent home: See *Nursing home, convalescent home, or rest home*.

Convenience grocery store: A one-story, retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). Convenience grocery stores are designed to attract a large volume of stop-and-go traffic.

Co-op (cooperative) housing: A multiple dwelling owned by a corporation which leases its units to stockholders on a proprietary lease arrangement.

Curb cut: The entrance to or exit from a property provided for vehicular traffic to or from a public or private thoroughfare.

Day care facilities: As used in this ordinance, the following definitions shall apply to day care facilities:

- *Adult day care center:* A center other than a private home where one or more functionally impaired elderly persons are received for care and supervision for any part of any day, but less than 24-hour care. Overnight care shall not be provided. Nursing home, convalescent home or rest homes, or facilities defined under housing for the elderly are not included in this definition. However, such

businesses may establish adult day care centers within their own facilities if such use is permitted within the district.

- *Child care center:* A center other than a private home where one or more children are received for care and supervision. Preschools and nurseries are included in this definition.
- *Family day care home:* A private home in which one to six children are received for care and supervision, including those children less than seven years old in the resident family. This number shall not include more than two children less than 12 months old.

Developable envelope: The area of a lot which is defined by the minimum setback requirements, within which building construction can occur.

Development: The construction of a new building, reconstruction of an existing building, or improvement of a structure on a parcel or lot, the relocation of an existing building to another lot, or the improvement of open land for a new use.

Distribution center: A use which typically involves both warehouse and office/administrative functions, where short- and/or long-term storage takes place in connection with the distribution operations of a wholesale or retail supply business.

District, zoning: A portion of the Township of Canton within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established.

Drive-in theater: An open air theater constructed and operated at an established location, without cover or roof, displaying motion pictures for the general public who view the screen or stage while seated in a vehicle. The term "drive-in theater" as used herein shall include the entire premises upon which such theater is constructed and operated, including parking areas and all other facilities accessory to such business.

Dwelling: Any building, or part thereof, containing sleeping, kitchen, and bathroom facilities designed for and occupied by one family. In no case shall a travel trailer, motor home, automobile, tent or other portable building not defined as a recreational vehicle be considered a dwelling. In the case of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purposes of this ordinance.

Dwelling, accessory apartment: A dwelling unit that is accessory to and typically contained within a conventional single-family dwelling, and which is occupied by: (a) persons related to the occupant of the principal residence by blood, marriage or legal adoption, or (b) domestic servants or gratuitous guests.

Dwelling, manufactured: A building or portion of a building designed for longterm residential use and characterized by the following:

- The structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act, as amended,
- The structure is designed to be transported to the site in a nearly complete form, where it is placed on a foundation and connected to utilities, and
- The structure is designed to be used as either an independent building or as a module to be combined with other elements to form a complete building on the site.

A mobile home is a type of manufactured housing, which is defined as follows:

- *Dwelling, mobile home:* A structure, transportable in one or more sections, which is built upon a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained

in the structure. Recreational vehicles as described and regulated herein shall not be considered "mobile homes" for the purposes of this ordinance.

Dwelling, multiple-family: A building designed for and occupied by two or more families living independently, with separate housekeeping, cooking, and bathroom facilities for each. Examples of multiple-family dwellings units include those commonly known as apartments, which are defined as follows:

- *Apartment:* An apartment is an attached dwelling unit with party walls, contained in a building with other apartment units which are commonly reached off of a common stair landing or walkway. Apartments are typically rented by the occupants. Apartment buildings often may have a central heating system and other central utility connections. Apartments typically do not have their own yard space. Apartments are also commonly known as garden apartments or flats.
- *Efficiency unit:* An efficiency unit is a type of multiple-family or apartment unit consisting of one principal room, plus bathroom and kitchen facilities, hallways, closets, and/or a dining alcove located directly off the principal room.

Dwelling, one-family or single-family: An independent, detached residential dwelling designed for and used or held ready for use by one family only. Single-family dwellings are commonly the only principal use on a parcel or lot.

Dwelling, two-family or duplex: A detached building, designed exclusively for and occupied by two families living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each. Also known as a duplex dwelling.

Dwelling unit: One or more rooms, along with bathroom and kitchen facilities, designed as a self-contained unit for occupancy by one family for living, cooking, and sleeping purposes.

Dwelling unit, single-family attached or townhouse: A townhouse is an attached single-family dwelling unit with party walls, designed as part of a series of three or more dwellings, with its own front door which opens to the outdoors at ground level, its own basement, and typically, with its own utility connections and front and rear yards. Townhouses are also commonly known as row houses.

Earth-sheltered home: A complete building partially below grade that is designed to conserve energy and is intended to be used as a single-family dwelling.

Easement: Any private or dedicated public way that provides a means of access to property. The term "easement" may also refer to utility easements which give public or private utility companies the right to use land for the construction and maintenance of utilities.

Enforcement official: The enforcement official is the person or persons designated by the township as being responsible for enforcing and administering requirements of this zoning ordinance. Throughout this ordinance the enforcement official may be referred to as the building official, planning official, public safety official, engineering official, or their agents. Such titles do not necessarily refer to a specific individual, but rather, indicate generally the office or department most commonly associated with the administration of the regulation being referenced.

Erected: Any physical change on a site, including construction, reconstruction, or alteration of buildings or structures thereon. Excavation, fill, drainage, and the like shall be considered part of erection.

Essential services: The term "essential services" shall mean the erection, construction, alteration or maintenance by public or quasipublic utilities or municipal departments or township-certified cable television companies of underground, surface or overhead gas, steam, electrical, fuel or water systems for the purposes of transmission, distribution, collection, communication, supply, or disposal; including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar equipment, which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety, and welfare of the public. Essential services shall not include storage yards, sales or

business offices, or commercial buildings or activities. For the purpose of this regulation, radio, television and cellular towers are not considered essential services.

Excavation: The removal or movement of soil, sand, stone, gravel, or fill dirt except for common household gardening, farming, and general ground care.

Exception: Certain uses, such as essential services as defined herein, considered by the planning commission to be essential or desirable for the welfare of the community, and which are appropriate and not incompatible with the other uses in the zoning district, but not at every or any location or without conditions being imposed due to special considerations related to the character of the use.

Family: One or more persons related by blood, bonds of marriage, or legal adoption, plus up to a total of three additional persons not so related who are either domestic servants or gratuitous guests, occupying a single dwelling unit and living as a single nonprofit housekeeping unit, or

A collective number of individuals living together in one dwelling unit, whose relationship is of a continuing nontransient domestic character, and who are cooking as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for a limited duration of a school term or terms or other similar determinable period.

Family day care home: See *Day care facilities*.

Farm: All of the contiguous neighboring or associated land operated as a single unit which is cultivated for agricultural production by the owner-operator, manager, or tenant farmer, by his own labor or with the assistance of members of his household or hired employees; also including establishments operated as bona fide greenhouses, nurseries, orchards, chicken hatcheries, poultry farms, and apiaries. For the purposes of this ordinance, farms shall not include establishments for keeping or raising fur-bearing animals, private stables, commercial dog kennels, game fish hatcheries, piggeries, or stockyards, unless such establishments are combined with other bona fide farm operations listed above which are located on the same continuous tract of land.

A farm which is operated as a business for purposes of agricultural production is distinguished from a collection of farm buildings and animals that is operated for educational, demonstration, or recreational purposes. Such quasi-farm operations may be known as "petting zoos" or "model farm" or "interpretative farm."

Farm buildings: Any building or structure other than a dwelling, which is constructed, maintained, and used on a farm, and which is essential and customarily used for the agricultural operations carried on that type of farm.

Feedlot: A feedlot shall include any of the following facilities: (1) any tract of land or structure wherein any type of fowl or the byproducts thereof are raised for sale at wholesale or retail; (2) any structure, pen, or corral wherein cattle, horses, sheep, goats, or swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market.

Fence: As defined in the township fence ordinance [chapter 78, article V of the Township Code], a fence is a permanent or temporary barrier enclosing or bordering a plot of land or portion thereof composed of suitable manmade materials for the purpose of preventing or controlling entrance or to confine within or to mark boundary.

Fill, filling: The deposit or dumping of any matter onto or into the ground, except for common household gardening, farming, and general ground care.

Floodplain: Any land area susceptible to being inundated by floodwaters when high amounts of precipitation are experienced or natural cyclic conditions raise the water levels. Determinants of a floodplain are as follows:

- That area which typically is adjacent to a river, stream, or other body of water, and is designated as subject to flooding from the 100-year base flood indicated on the "flood boundary and floodway map"

prepared by the Federal Emergency Management Agency, a copy of which is on file in the township offices.

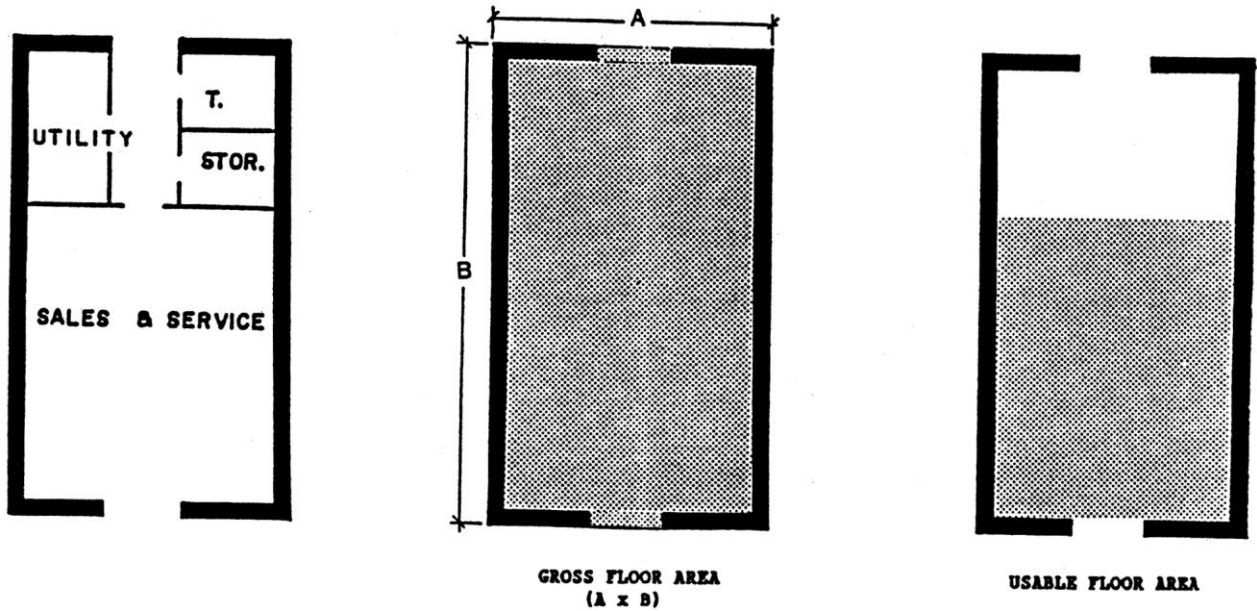
- Principal estuary courses of wetland areas that are part of the river flow system.
- Contiguous areas paralleling a river, stream, or other body of water that exhibit unstable soil conditions for development.

Floodway: The channel of a river or other watercourse and the adjacent lands that must be reserved in order to discharge floodwaters without cumulatively increasing the water surface elevation more than one foot. As used in this ordinance, "floodway" refers to that area designated as a floodway on the "flood boundary and floodway map" prepared by the Federal Emergency Management Agency, a copy of which is on file in the township offices.

Floor area, gross: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Floor area, net: See *Floor area, usable residential* and *Floor area, usable nonresidential*.

Floor area, usable commercial, office and similar nonresidential uses:



**FLOOR AREA
OF NON-RESIDENTIAL BUILDINGS**

FLOOR AREA OF NONRESIDENTIAL BUILDINGS

Floor area, usable industrial: The sum of the horizontal areas of each floor, measured from the interior faces of the exterior walls, including all areas occupied by employees to carry out the industrial operations. Floor area

which is occupied by large pieces of machinery (such as a metal stamping machine) which is not accessible to employees shall be excluded from the computation of usable floor area.

Floor area, usable residential: The gross floor area minus areas in basements, unfinished attics, attached garages, and enclosed or unenclosed porches.

Foster care home: See *State-licensed residential facility*.

Foster child: A child unrelated to a family by blood or adoption with whom he or she lives for the purposes of care and/or education.

Fraternal organization: See *Club*.

Garage, entrance in single-family residential districts:

- *Courted:* A garage whose vehicular entrance faces the far side lot line.
- *Front facing:* A garage whose vehicular entrance faces the front lot line.
- *Rear facing:* A garage whose vehicular entrance faces the rear lot line.
- *Side facing:* A garage whose vehicular entrance faces the near side lot line.

Garage, private: An accessory building for parking or storage of motor vehicles owned and used by the occupants of the building to which it is accessory. Private garages shall not have public repair facilities. A private garage may be either attached to or detached from the principal structure.

Garage, public: See *Automobile or vehicle repair garage*.

Golf course or country club: The premises upon which the game of golf is played, including clubhouses, parking lots, swimming pools, tennis courts, or other facilities or uses customarily incidental to a golf course or country club. See also *Par-3 golf course*.

Grade: The term "grade" shall mean the ground elevation established for the purpose of regulating the number of stories or height of a building. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

Guesthouse: An accessory building intended for temporary or periodic use as an auxiliary sleeping facility, but which does not have kitchen facilities, and is not intended to be used as a permanent residence. See also definitions for *Bed and breakfast inn* and *Boardinghouse*.

Gym or gymnasium: A room or building equipped for gymnastics, exercise or sports.

Height of building: See *Building height*.

Highway: A public thoroughfare or street, except alleys, but including federal, interstate, state, and county roads, including those appearing on plats recorded in the office of the register of deeds and accepted for public maintenance.

Home occupation: An occupation or profession conducted entirely within a dwelling by the inhabitants thereof, where such use is clearly incidental to the principal use of the dwelling as a residence, and where such use does not:

- Change the character or appearance of the residence,
- Does not result in any sales of commodities or goods on the premises, and
- Does not require equipment other than what would commonly be found on residential premises.

Hospital: An institution which is licensed by the Michigan Department of Health to provide inpatient and outpatient medical and surgical services for the sick and injured, and which may include such related facilities as laboratories, medical testing services, central service facilities, and staff offices.

Hotel: See Motel/hotel.

Housing for the elderly: A building or group of buildings containing dwellings intended to be occupied by elderly persons as defined by the federal Fair Housing Act, as amended. Housing for the elderly may include independent and/or assisted living arrangements but shall not include convalescent or home for the aged facilities regulated by the State of Michigan. Independent and assisted living housing for elderly are defined as follows:

- *Assisted living for the elderly:* Housing that provides 24-hour supervision and is designed and operated for elderly people who require some level of support for daily living. Such support shall include daily personal care, meals, transportation, security and housekeeping.
- *Independent living for the elderly:* Housing that is designed and operated for elderly people in good health who desire and are capable of maintaining independent households. Such housing may provide certain services such as meals, linkage to health care, transportation, security, housekeeping and recreational and social activities.

Ice cream parlor: A retail establishment whose business is limited to the sale of ice cream, frozen desserts, dessert items, candies and confections, and beverages in a ready-to-eat state. Businesses serving hot dogs, hamburgers, salads, pizza, hot or cold sandwiches, or similar entree items are not considered ice cream parlors for the purposes of this ordinance.

Indoor recreation center: An establishment which provides indoor exercise facilities and indoor court sports facilities, and which may include spectator seating in conjunction with the sports facilities. For the purposes of this ordinance, a bowling establishment shall be considered a type of indoor recreation center.

Ingress and egress: As used in this ordinance, "ingress and egress" generally is used in reference to a driveway which allows vehicles to enter or leave a parcel of property, or to a sidewalk which allows pedestrians to enter or leave a parcel of property, a building, or another location.

Junk: Any motor vehicles, machinery, appliances, products or merchandise with parts missing, or other scrap materials that are damaged, deteriorated, or are in a condition which prevents their use for the purpose for which the product was manufactured.

Junkyard: An area where waste and used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to: junk, scrap iron, metals, paper, rags, tires, bottles and automobiles.

Kennel: Any lot or premises on which more than a total of five dogs, cats, or other domestic animals six months or older are kept, either permanently or temporarily, either for sale, breeding, boarding, training, hobby, protection, or pets, subject to the regulations set forth herein regulating private and commercial kennels. This definition includes any facility with outdoors runs, but shall not apply to indoor pet boarding facilities, as defined below:

- *Pet boarding facility (indoor):* A building or structure located on any lot or parcel of land which is approved for the use of indoor boarding of dogs and cats pursuant to the requirements of chapter 14. Pet boarding facilities shall include pet day care facilities without outdoor runs.

Landscaping: The treatment of the ground surface with live plant materials such as, but not limited to, grass, ground cover, trees, shrubs, vines, and other live plant material. In addition, a landscape design may include other decorative manmade materials, such as wood chips, crushed stone, boulders, or mulch. Structural features such as fountains, pools, statues, and benches shall also be considered a part of landscaping, but only if provided in combination with live plant material. Artificial plant materials shall not be counted toward meeting the requirements for landscaping. Various landscaping-related terms are defined as follows:

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- *Berm*: A continuous, raised earthen mound with a flattened top and sloped sides, capable of supporting live landscaping materials, and with a height and width that complies with the requirements of this ordinance.
 - *Grass*: Any of a family of plants with narrow leaves normally grown as permanent lawns in Wayne County, Michigan.
 - *Greenbelt*: A strip of land of definite width and location reserved for the planting of a combination of shrubs, trees, and ground cover to serve as an obscuring screen or buffer for noise or visual enhancement, in accordance with the requirements of this ordinance.
 - *Ground cover*: Low-growing plants that form a dense, extensive growth after one complete growing season, and tend to prevent weeds and soil erosion.
 - *Hedge*: A row of closely planted shrubs or low-growing trees which commonly form a continuous visual screen, boundary, or fence.
 - *Interior landscaping area*: A landscaped area located in the interior of a parking lot in such a manner as to improve the safety of pedestrian and vehicular traffic, guide traffic movement, and improve the appearance of the parking area.
 - *Nurse grass*: Any of a variety of rapidly growing annual or perennial rye grasses used to quickly establish ground cover to prevent dust or soil erosion.
 - *Screen or screening*: A wall, wood fencing, or combination of plantings of sufficient height, length, and opacity to form a visual barrier. If the screen is composed of nonliving material, such materials shall be compatible with materials used in construction of the main building, but in no case shall include wire fencing.
 - *Shrub*: A self-supporting deciduous or evergreen woody plant, normally branched near the base, bushy, and less than 15 feet in height.
 - *Sod*: An area of grass-covered surface soil held together by matted roots. Types of sod are defined as follows:
 - *Mineral sod*: A piece from the surface of grassland containing the grass, support soil, and the healthy roots, extracted with the intention of replanting in another area for the purpose of establishing lawn areas. The sod is grown on mineral soil, commonly referred to as "topsoil," and must be a minimum of two years old. The grasses permitted for use in sod for landscaped lawns should be a blend that reflects the current standards in the industry and has been demonstrated to prosper under local conditions.
 - *Peat sod*: A piece from the surface of grassland containing the grass, support soil, and the healthy roots, extracted with the intention of replanting in another area for the purpose of establishing lawn areas. The sod is grown on peat and must be a minimum of two years old. The grasses permitted for use in sod for landscaped lawns should be a blend that reflects current standards in the industry and has been demonstrated to prosper under local conditions.
 - *Tree*: A self-supporting woody, deciduous or evergreen plant with a well-defined central stem which normally grows to a mature height of 15 feet or more in Wayne County, Michigan. Types of trees are defined as follows:
 - *Deciduous tree*: A variety of tree that has foliage that is shed at the end of the growing season.
 - *Evergreen tree*: A variety of tree that has foliage that persists and remains green throughout the year.

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- *Ornamental tree*: A deciduous tree which is typically grown because of its shape, flowering characteristics, or other attractive features, and which grows to a mature height of about 25 feet or less.
 - *Shade tree*: For the purposes of this ordinance, a shade tree is a deciduous tree which has [sic] a mature crown spread of 15 feet or greater in Wayne County, Michigan, and having a trunk with at least five feet of clear stem at maturity.
 - *Vine*: A plant with a flexible stem supported by climbing, twining, or creeping along the surface, and which may require physical support to reach maturity.

Licensed massage establishment means as defined and regulated in Ordinance No. 100, "Massage Establishment and Massage Technician Licensing", as amended (now chapter 18, article III).

Light assembly: Establishments engaged in the manufacture of products for final use or consumption. This involves secondary processing, fabrication, or assembly of semi-finished products from a primary manufacturing industry.

Livestock: Horses, cattle, sheep, goats, and other domestic animals normally kept or raised on a farm.

Loading space, off-street: An off-street space which is safely and conveniently located on the same lot as the building or buildings being served, for the temporary parking of delivery vehicles while loading and unloading merchandise and materials.

Lot (or zoning lot or parcel): For the purposes of enforcing this ordinance, a lot is defined as a piece of land under single ownership and control that is at least sufficient in size to meet the minimum requirements for use, coverage, area, setbacks, and open space as required herein. A lot shall have frontage on a dedicated roadway or, if permitted by the regulations set forth herein, on a private road. A lot may consist of:

- A single lot of record,
- A portion of a lot of record,
- A combination of complete lots of record, or portion thereof, or
- A piece of land described by metes and bounds.

Lot area, gross: The net lot area plus one-half of the area of any public right-of-way area or private road easement immediately adjacent to or abutting the lot.

Lot area, net: The total horizontal area within the lot lines of the lot, exclusive of any private road easement or abutting area within the ultimate right-of-way as described in the Wayne County master right-of-way plan.

Lot, corner: A lot of which at least two adjacent sides abut their full length upon a street, provided that such two sides intersect at an angle of not more than 135 degrees. Where a lot is on a curve, if the tangents through the extreme point of the street lines of such lot make an interior angle of not more than 135 degrees, it shall be considered a corner lot. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above. (A tangent is a straight line extended from the outer edges of a curve which intersect to form a corner. See illustration.)

Lot coverage: The part or percent of the lot that is occupied by buildings or structures.

Lot depth: The horizontal distance between the front street line and rear lot line, measured along the median between the side lot lines.

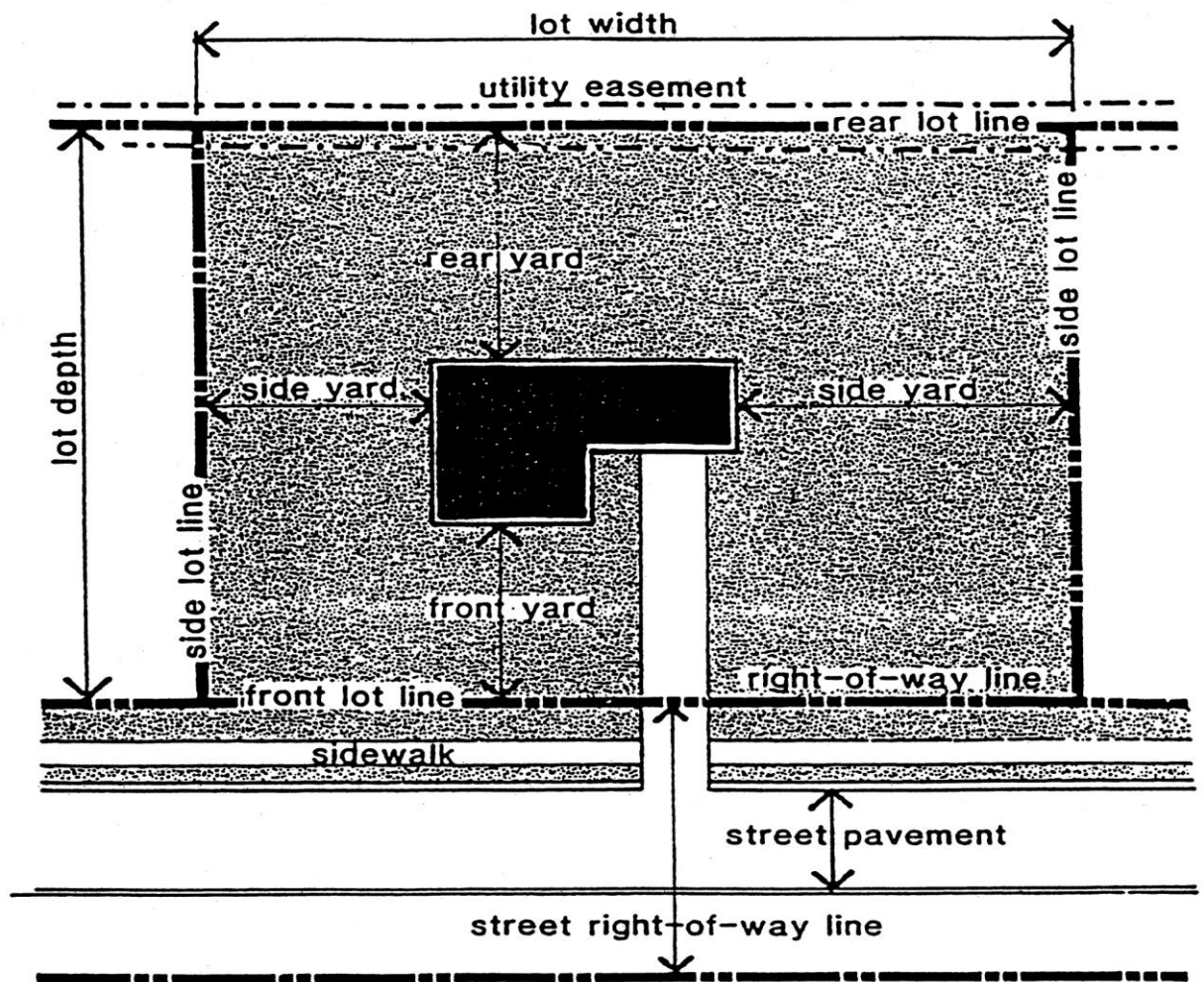
Lot, double frontage: A lot other than a corner lot having frontage on two more or less parallel streets. In the case of a row of double frontage lots, one street shall be designated as the front street for all lots in the plat and in the request for a zoning compliance permit. If there are existing buildings in the same block fronting on one or

both of the streets, the required minimum front yard setback shall be observed on those streets where buildings presently front (see illustration).

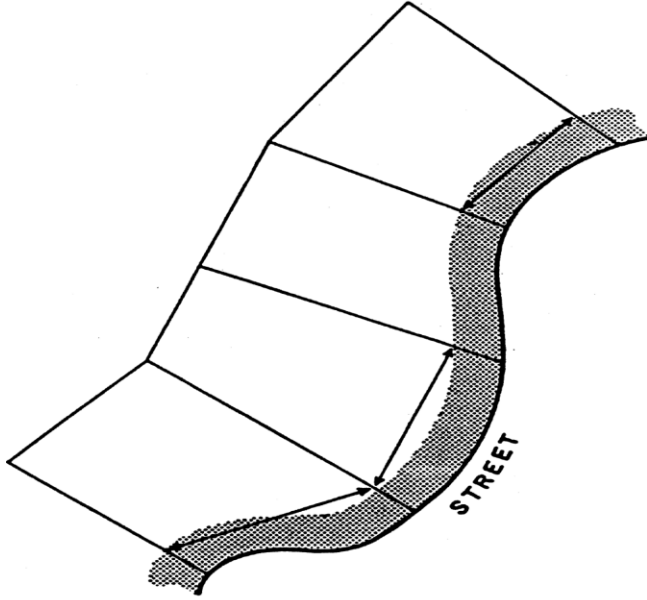
Lot, interior: Any lot other than a corner lot with only one lot line fronting on a street.

Lot lines: The lines bounding a lot as follows (see illustration):

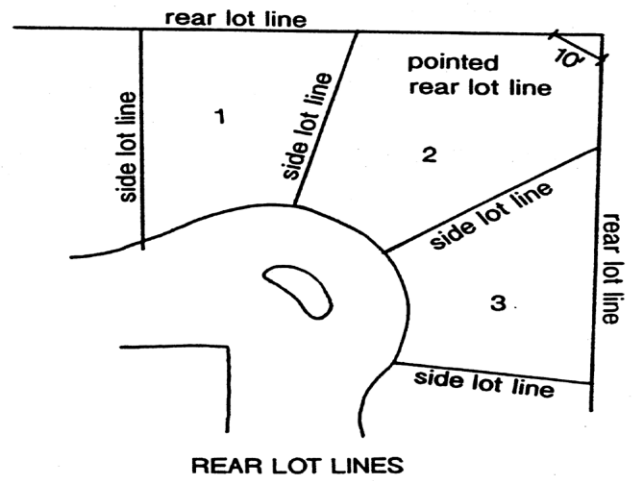
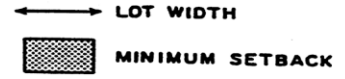
- *Front lot line:* In the case of a lot not located on a corner, the line separating said lot from the street right-of-way. In the case of a corner lot or double frontage lot, the front lot line shall be that line that separates said lot from that street which is designated as the front street on the plat, or which is designated as the front street on the site plan review application or request for a building permit.
- *Rear lot line:* Ordinarily, that lot line which is opposite and most distant from the front lot line. In the case of lots that are pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than [than] ten feet in length, lying farthest from the front lot line and wholly within the lot.
- *Side lot line:* Any lot line other than the front or rear lot lines. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.



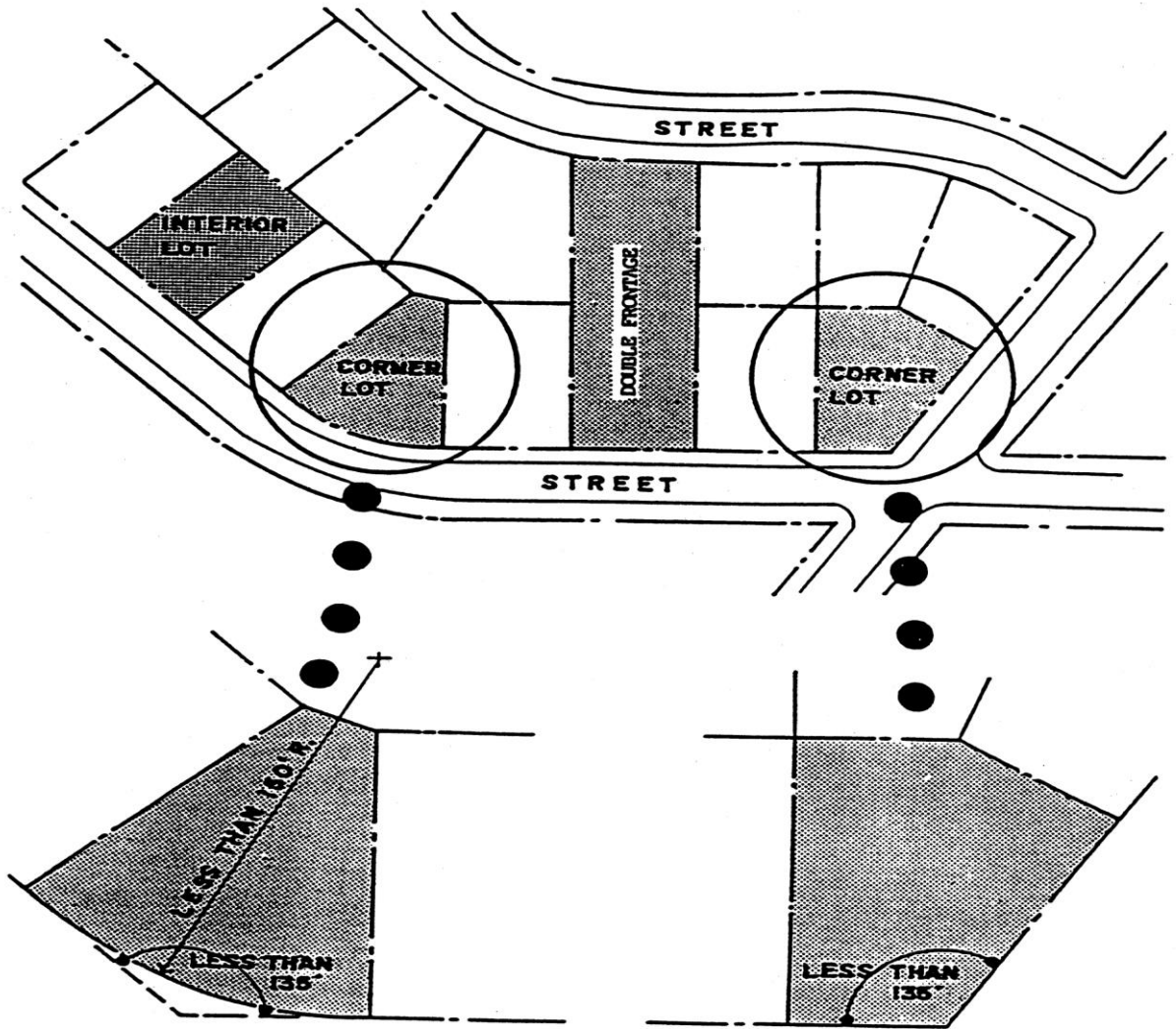
yard terms



LOT WIDTH AND SETBACKS



INTERIOR AND CORNER LOTS



YARD TERMS

LOT WIDTH AND SETBACKS

INTERIOR AND CORNER LOTS

Lot of record: A parcel of land, the dimensions and configuration of which are shown on a subdivision plat recorded in the offices of the Wayne County Register of Deeds and township treasurer, or a lot or parcel described by metes and bounds, the accuracy of which is attested to by a land surveyor registered and licensed in the State of Michigan and likewise so recorded with the Wayne County Register of Deeds and township treasurer.

Lot split and consolidation: The dividing or uniting of lots of record by virtue of changes in the deeds in the office of the Wayne County Register of Deeds and township treasurer.

Lot width: The straight line distance between the side lot lines, measured at the two points where the minimum front yard setback line intersects the side lot lines (see illustration).

Main access drive: Any private street designed to provide access from a public street or road to a mobile home park, apartment or condominium complex, or other private property development.

Master land use plan: The master land use plan is a document which is prepared under the guidance of the planning commission and consists of graphic and written materials which indicate the general location for streets, parks, schools, public buildings and all physical development of the township.

Mezzanine: An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third of the floor area of the story in which the level or levels are located.

Miniwarehouse: A building or group of buildings within, each of which consists of several individual storage units, each with a separate door and lock and which can be leased on an individual basis. Miniwarehouses are typically contained within a fenced, controlled access compound.

Mobile home: See *Dwelling, mobile home*.

Mobile home lot: An area within a mobile home park which is designated for the exclusive use of a specific mobile home.

Mobile home park: A parcel or tract of land under the control of a person upon which three 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 which is not intended for use as a temporary park, subject to conditions set forth in the Mobile Home Commission Rules and Michigan Public Act No. 419 of 1976 [repealed—see now Public Act No. 96 of 1987 (MCL 125.2301 et seq.)], as amended.

Motel/hotel: A building or group of buildings consisting of rooms with a minimum of a bedroom and bath, providing temporary lodging and customary motel services such as maid service, linen service, telephone and/or desk service, and the use of furniture.

Natural features: Natural features shall include soils, wetlands, floodplains, water bodies and channels, topography, trees and other types of vegetative cover, and geologic formations.

Nonconforming building: A building or portion thereof that was lawfully in existence at the effective date of this ordinance, or amendments thereto, and which does not now conform to the provisions of the ordinance in the zoning district in which it is located.

Nonconforming lot: A lot which was lawfully in existence at the effective date of this ordinance, or amendments thereto, and which does not now conform to the lot size, lot width, or other regulations pertaining to lots in the zoning district in which it is located.

Nonconforming use: A use which was lawfully in existence at the effective date of this ordinance, or amendments thereto, and which does not now conform to the use regulations of the zoning district in which it is now located.

Nuisance: Any offensive, annoying, or disturbing practice or object, which prevents the free use of one's property, or which renders its ordinary use or physical occupation uncomfortable. Nuisance commonly involves continuous or recurrent acts which give offense to the senses, violates the laws of decency, obstructs reasonable and comfortable use of property, or endangers life and health.

Nursery, day nursery, nursery school: See *Day care facility*.

Nursery, plant material: A space, building, and/or structure, or combination thereof, where live trees, shrubs, and other plants used for gardening and landscaping are propagated, stored, and/or offered for sale on the premises.

Nursing home, convalescent home, or rest home: A home for the care of the aged, infirmed, or those suffering from bodily disorders, wherein two or more persons are housed or lodged and furnished with nursing care. Such facilities are licensed in accordance with Michigan Public Act No. 139 of 1956 [now repealed—see now MCL 333.21701 et seq.], as amended.

Occupancy, change of: The term "change of occupancy" shall mean a discontinuance of an existing use and the substitution of a use of a different kind or class, or, the expansion of a use.

Occupied: Used in any way at the time in question.

Open air business: Any business that is conducted primarily out-of-doors. Unless otherwise specified herein, open air business shall include:

- Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.
- Roadside stands for the sale of agricultural products, including fruits, vegetables, and Christmas trees.
- Various outdoor recreation uses, including but not limited to: tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, and children's amusement parks.
- Outdoor display and sale of garages, swimming pools, playground equipment, and similar uses.

Open space: That part of a zoning lot, including courts and/or yards, which is open and unobstructed from its lowest level to the sky, and is accessible to all residents upon the zoning lot.

Outlot: A parcel of land which is designated as an "outlot" on the recorded plat, and which is usually not intended to be used for the same purposes as other lots in the plat.

Par-3 golf course: A golf course consisting of shortened fairways, typically no longer than 200 yards. Eighteen-hole par-3 golf courses typically occupy 50 to 60 acres.

Parcel: See Lot.

Parking lot, off-street: An area on private property which provides vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide safe and convenient access for entrance and exit and for parking of more than four vehicles.

Parking space: An area of definite length and width designated for parking an automobile or other vehicle, and which is fully accessible for such purposes.

Person: An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other legal entity acting as a unit.

Personal fitness center: A facility which provides indoor exercise facilities, such as exercise machines and weight-lifting equipment, usually in a structured physical activity program supervised by professional physical fitness instructors. As defined herein, "personal fitness center" shall not include court sports facilities or spectator seating for sports events. A personal fitness center may or may not be enclosed within a gym.

Pet: A domesticated dog, cat, bird, gerbil, hamster, guinea pig, turtle, fish, rabbit, or other animal that is commonly available and is kept for pleasure or companionship.

Planned development: A planned development may include such concepts as, planned unit development, community unit development, planned residential development, and other terminology denoting special zoning requirements and review procedures. These requirements and procedures are intended to provide design and

regulatory flexibility, so as to accomplish the objectives of this ordinance using innovative and effective planning approaches.

Planned shopping center: A grouping of retail and service uses on a single site with common parking facilities.

Planning commission: The Planning Commission of the Charter Township of Canton.

Principal use: See *Use, principal*.

Private road: A street or road under private ownership which has been constructed for the purposes of providing access to adjoining property, and which is normally open to the public so that persons other than the occupants of adjoining property may travel thereon.

Property line: The line separating a piece of property from the street right-of-way and the lines separating a parcel of property from the parcels next to it. See also *Lot line*.

Public utility: Any person, firm, corporation, municipal department, or board, duly authorized to furnish to the public under government regulations any of the following: electricity, gas, steam, communications services, cable television services, transportation services, water, sewer service, or sewage treatment.

Recognizable and substantial benefit: A clear benefit, both to the ultimate users of the property in question and to the community, which would reasonably be expected to accrue, taking into consideration the reasonably foreseeable detriments of the proposed development and uses. Such benefits may include: longterm protection or preservation of natural resources and natural features, historical features, or architectural features; or, elimination of or reduction in the degree of nonconformity of a nonconforming use or structure.

Recreational land: Any public or privately owned lot or land that is utilized for recreation activities such as, but not limited to, camping, swimming, picnicking, hiking, nature trails, boating, and fishing.

Recreational vehicle: "Recreational vehicles" shall include the following:

- *Boats and boat trailers:* "Boats" and "boat trailers" shall include boats, floats, rafts, canoes, plus the normal equipment to transport them on the highway.
- *Folding tent trailer:* A canvas folding structure, mounted on wheels and designed for travel and vacation use.
- *Motor home:* A recreational vehicle intended for temporary human habitation, sleeping, and/or eating, mounted upon a chassis with wheels and capable of being moved from place to place under its own power. Motor homes generally contain sanitary, water, and electrical facilities.
- *Other recreational equipment:* Other recreational equipment includes snowmobiles, all-terrain or special terrain vehicles, utility trailers, plus the normal equipment to transport them on the highway.
- *Pickup camper:* A structure designed to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, and vacation uses.
- *Travel trailer:* A portable vehicle on a chassis, not exceeding 36 feet in length or nine feet in width, which is designed to be used as a temporary dwelling during travel, recreational, and vacation uses, and which may be identified as a "travel trailer" by the manufacturer. Travel trailers generally contain sanitary, water, and electrical facilities.

Restaurant: A restaurant is any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a carryout, drive-in, drive-through, fast food, standard restaurant, or bar/lounge, or combination thereof, as defined below.

- *Bar/lounge:* A bar or lounge is a type of restaurant which is operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food or snacks may also be permitted. If a bar or

lounge is part of a larger dining facility, it shall be defined as that part of the structure so designated or operated.

- *Restaurant, carryout:* A carryout restaurant is a restaurant whose method of operation involves sale of food, beverages, and/or frozen deserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption primarily off the premises.
- *Restaurant, drive-in:* A drive-in restaurant is a restaurant whose method of operation involves delivery of prepared food so as to allow its consumption in a motor vehicle or elsewhere on the premises, but outside of an enclosed building.
- *Restaurant, drive-through:* A drive-through restaurant is a restaurant whose method of operation involves the delivery of the prepared food to the customer in a motor vehicle, typically through a drive-through window, for consumption off of the premises.
- *Restaurant, fast food:* A fast food restaurant is a restaurant whose method of operation involves minimum waiting for delivery of ready-to-consume food to the customer at a counter or cafeteria line for consumption at the counter where it is served, or at tables, booths, or stands inside or outside of the structure, or for consumption off the premises, but not in a motor vehicle at the site.
- *Restaurant, standard:* A standard restaurant is a restaurant whose method of operation involves either:
 1. The delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building, or
 2. The prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the customers at tables within a completely enclosed building.

Right-of-way: The strip of land over which an easement exists to allow facilities such as roads, highways, and power lines to be built.

Roadside stand: A temporary or permanent building operated for the purpose of seasonally selling agricultural products, a portion of which are raised or produced on the same premises by the proprietor of the stand.

Seasonal sales permit: A temporary use permit reviewed and approved by the planning commission which allows sales of seasonal merchandise in temporary structures for defined periods of time.

Secondary access drive: Any private street that is generally parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are sheltered from the effects of the through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties.

Semitrailer: A trailer, which may be enclosed or not enclosed, exceeding 18 feet in length, having wheels generally only at the rear, and supported in front by a truck tractor or towing vehicle.

Service truck: A pickup truck or van that is used in conjunction with a repair or maintenance business, such as a plumbing, electrical, or carpentry business.

Setback: The distance between a front, side or rear lot line and the nearest supporting member of a structure on the lot. The minimum required setback is the minimum distance between a front, side or rear lot line and the nearest supporting member of a structure in order to conform to the required yard setback provisions of this ordinance (see definition of *Yard*).

Sign: A sign is the use of any words, numerals, figures, devices, designs, trademarks, or combination thereof, visible to the general public and designed to inform or attract the attention of persons not on the premises on which the sign is located. Various types of signs and sign-related terms are defined in the adopted sign ordinance

of the Charter Township of Canton [chapter 102 of the Township Code], which also contains regulations controlling the placement, size, construction, and maintenance of signs.

Site plan: A plan showing all salient features of a proposed development, as required in article 27.00, so that it may be evaluated to determine whether it meets the provisions of this ordinance.

Site improvements: Elements shown on the approved site plan, including but not limited to parking lots, underground utilities, stormwater detention systems, lighting, landscaping, sidewalks, curbing, benches, fountains, public art, raised planters, retaining walls, obscuring walls or fences, clock towers, boardwalks, or gazebos.

Smoking lounge: Smoking lounge shall mean an establishment, which has a state issued smoking ban exemption certificate, and that allows smoking of tobacco products or non-tobacco products or substances on the premises. The term "smoking lounge" includes, but is not limited to, facilities commonly described as tobacco retail specialty stores, cigar bars and lounges, hookah bars, cafés and lounges, tobacco bars and lounges, tobacco clubs or zero percent nicotine establishments.

Special event: A special event is a temporary use/event that is sponsored and/or conducted by a person, entity, corporation or organization, and shall include any event that significantly impacts the community due to one, or more, of the following conditions: duration, attendance, number and type of temporary structures, impairment to vehicular and/or pedestrian traffic, impairment to parking, or hindrance in use of the public right-of-way.

Special land use: Special land uses are uses, either public or private, which possess unique characteristics and therefore cannot be properly classified as a permitted use in a particular zoning district or districts. After due consideration of the impact of each such proposed use upon the neighboring land and of the public need for the particular use at the proposed location, such special land uses may be permitted following review and recommendation by the planning commission and approval or conditional approval by the township board, subject to the terms of this ordinance.

Stable, private: A private stable is an enclosed building intended for the keeping of horses or other large domestic animals, for the noncommercial use of the residents of the principal residential use on the site.

Stable, public: A public stable is an enclosed building for housing for the keeping of horses or other large domestic animals, in which any such animals are kept for remuneration, hire, or sale.

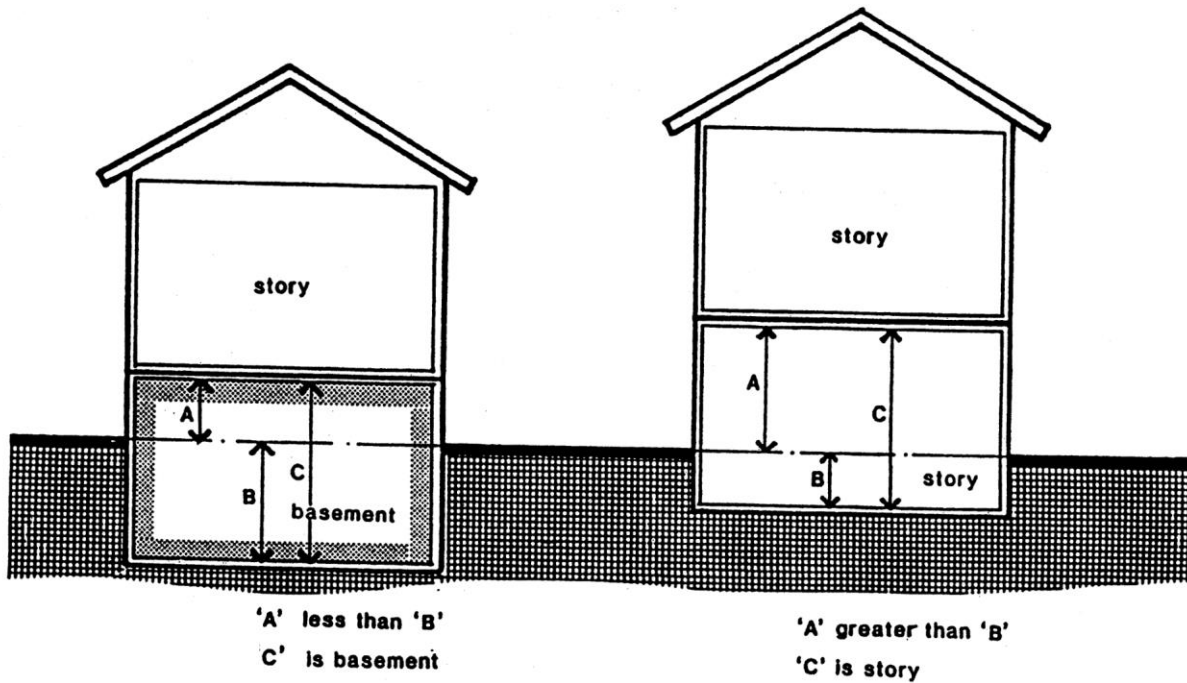
State-licensed residential facility: Any structure constructed for residential purposes that is licensed by the State of Michigan pursuant to Public Act No. 287 of 1972 [repealed], Public Act No. 116 of 1973 (MCL 722.111 et seq.), or Public Act No. 218 of 1979 (MCL 722.111 et seq.). These acts provide for the following types of residential structures:

- *Adult foster care facility:* A residential structure that is licensed to provide room, board and supervised care, but not continuous nursing care, for unrelated adults over the age of 17, in accordance with Public Act No. 218 of 1979 (MCL 722.111 et seq.), as amended, and the adult foster care administrative rules as administered by the Michigan Department of Social Services. The following four types of adult foster care homes are provided for by these rules:
- *Adult foster care large group home:* Residence for 13 to 20 adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license.
- *Adult foster care small group home:* Residence for 12 or fewer adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license only if seven or more residents will live in the house.
- *Congregate facility:* Residence for more than 20 adults.
- *Family home:* Residence for six or fewer adults. Licensee must live in the home, and local zoning approval is not required prior to issuance of a license.

- *Foster family group home:* A private residence that houses five or six foster children, up to age 19, under constant care and supervision. Under Public Act No. 116 of 1973 (MCL 722.111 et seq.), a foster family group home requires local zoning approval before being licensed by the department of social services.
- *Foster family home:* A private residence that houses four or fewer foster children, up to age 19, under constant care and supervision. Under Public Act No. 116 of 1973 (MCL 722.111 et seq.), a foster family home does not require local zoning approval before being licensed by the department of social services.

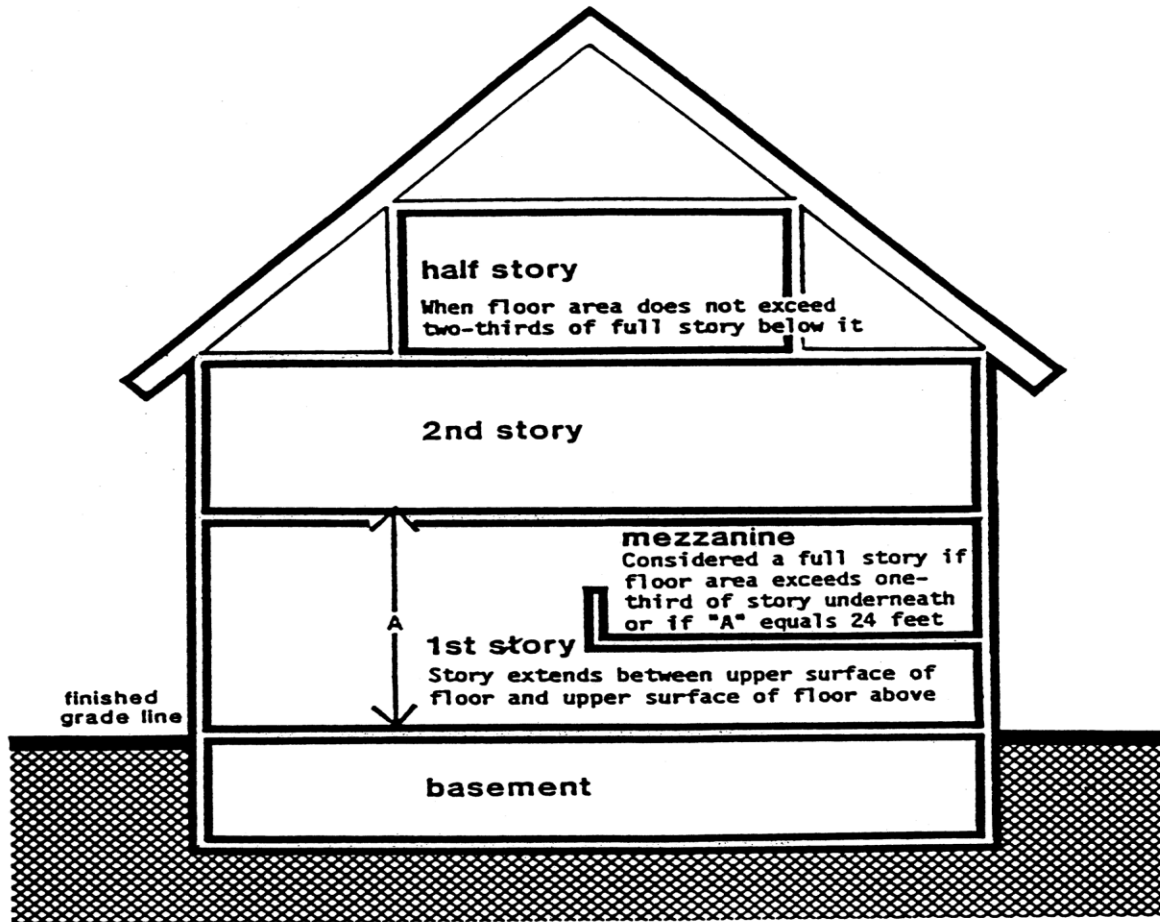
Story: That portion of a building, other than a basement or mezzanine as defined herein, included between the upper surface of any floor and the upper surface of the floor or roof next above it.

A mezzanine shall be deemed a full story when it covers more than one-third of the area of the story underneath said mezzanine, or, if the vertical distance from the floor next below the mezzanine to the floor next above it is 24 feet or more.



basement and story

BASEMENT AND STORY



basic structural terms

BASIC STRUCTURAL TERMS

Story, half: The uppermost story lying under a pitched roof, the usable floor area of which does not exceed two-thirds of the floor area of the uppermost full story. The usable floor area of a half story shall be at least 160 square feet with a minimum clear height of seven feet six inches.

Street: A public or private thoroughfare intended primarily to provide vehicular circulation and access to abutting property. Various types of streets are defined as follows:

- *Arterial street:* A major street that carries high volumes of traffic and serves as an avenue for circulation of traffic onto, out of, or around the township.
- *Collector street:* A street whose principal function is to carry traffic between minor, local, and subcollector streets and arterial streets but may also provide direct access to abutting properties.

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- *Cul-de-sac*: A street that terminates in a vehicular turnaround.
 - *Local or minor street*: A street whose sole function is to provide access to abutting properties.
 - *Private street or road*: A street or road under private ownership which has been constructed for the purposes of providing access to adjoining property, and which is normally open to the public so that persons other than the occupants of adjoining property may travel thereon.
 - *Subcollector street*: A street whose principal function is to provide access to abutting properties but is designed to be used or is used to connect minor and local streets with collector or arterial streets.

Street line: A dividing line between the street and a lot, also known as the right-of-way line.

Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. Structures include, but are not limited to, principal and accessory buildings, towers, decks, fences, privacy screens, walls, antennas, swimming pools, and signs.

Subdivision plat: The division of a tract of land into two or more lots, building sites, or other divisions for the purpose of sale or building development, in accordance with the Subdivision Control Act, Michigan Public Act No. 288 of 1967 [MCL 560.101 et seq.], as amended, and the Canton Township Subdivision Control Act, Ordinance No. 79, as amended.

Editor's note(s)—The current subdivision regulations of the township, as enacted by Ord. No. 126, as amended, are set forth in ch. 110 of the Township Code.

Theater: A building, room, or outdoor structure for the presentation of performances or motion pictures. For the purposes of this ordinance, the following distinctions between various types of theaters shall apply:

- *Live theater*: The performance of dramatic literature by live actors or performers.
- *Motion picture theater*: An enclosed building used for presenting motion pictures which are observed by paying patrons from seats situated within the building.
- *Outdoor theater*: A site on which a motion picture screen is constructed for presenting motion pictures which are observed by paying patrons from their own cars situated on the site.

Township: The Charter Township of Canton, Wayne County, Michigan.

Township board: The Board of Trustees of the Charter Township of Canton, Wayne County, Michigan.

Toxic or hazardous waste: Waste or a combination of waste and other discarded material including solid, liquid, semisolid, or contained gaseous material which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to the following if improperly treated, stored, transported, disposed of, or otherwise managed:

- An increase in mortality, or
- An increase in serious irreversible illness, or
- Serious incapacitating, but reversible illness, or
- Substantial present or potential hazard to human health or the environment.

Truck terminal: A structure to which goods, except raw or unprocessed agricultural products, natural minerals, or other resources, are delivered for immediate distribution or to be amalgamated or divided for delivery in larger or smaller units to other points, or for distribution, amalgamation, or division involving transfer to other modes of transportation.

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

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- *Use, accessory:* See *Accessory use, building, or structure*.
 - *Use, permitted:* A permitted use is a use which may be lawfully established in a particular district or districts provided it conforms with all requirements, regulations, and standards of such district.
 - *Use, principal:* The principal use is the main use of land and buildings and the main purpose for which land and buildings exist.
 - *Use, special land:* See *Special land use*.

Utility trailer: A small trailer that is designed to be pulled by an automobile, van, or pickup truck.

Variance: A modification of the literal provisions of the zoning ordinance granted when strict enforcement of the zoning ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. A variance to permit a use not otherwise permitted within a zoning district (i.e., a "use variance") shall not be permitted.

Vehicle wash establishment: See *Automobile wash*.

Veterinary hospital: See *Clinic, veterinary*.

Warehouse: A building used for short- and/or long-term storage in connection with production and marketing or in connection with manufacturing, freight handling, and retailing. See also *Distribution center*.

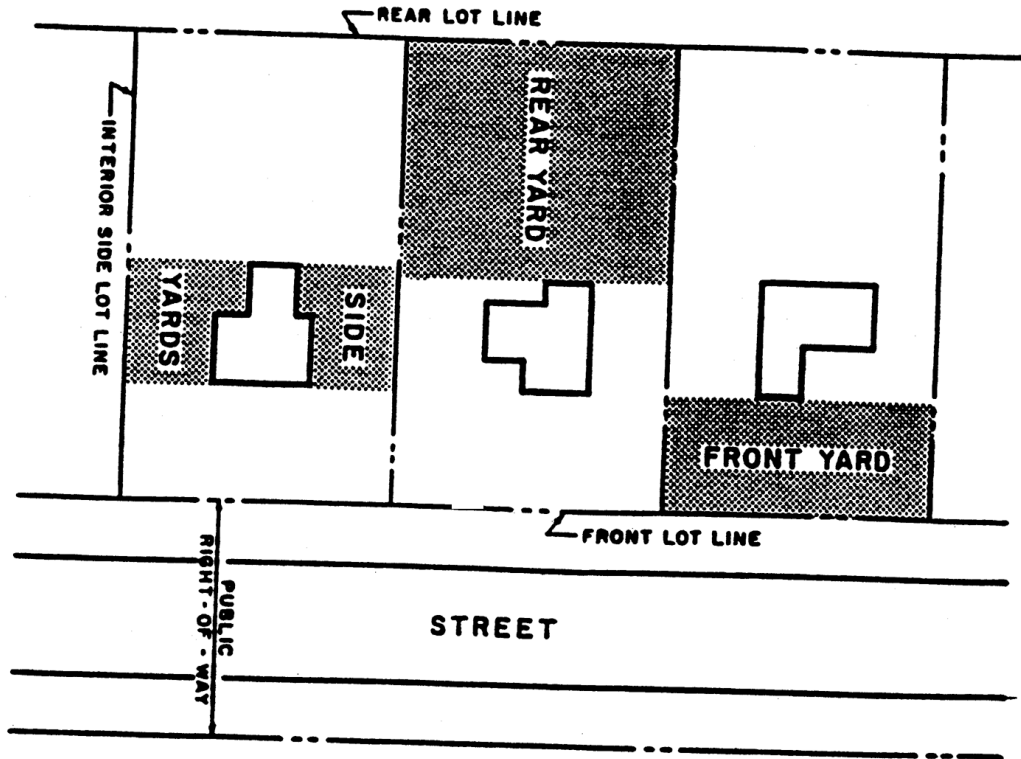
Warehouse retail outlet: A commercial/warehouse facility that sells to member groups on a retail basis.

Wholesale auto auction facility: A business intended for the sale and distribution of automobiles specifically to licensed automobile dealers by auction. This use may include accessory uses such as repair, refurbishing and wash facilities for the subject automobiles on the premises.

Wholesale sales: On-premise sales of goods primarily to customers engaged in the business of reselling the goods.

Yard: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise permitted in this ordinance. The minimum required setback is the minimum depth of a front, rear or side yard necessary to conform to the required yard setback provisions of this ordinance (see illustration).

- *Yard, front:* An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the principal building. Unless otherwise specified, on corner lots there shall be maintained a front yard along each street frontage.
- *Yard, rear:* An open space extending the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and the nearest line on the principal building. On corner lots, the rear yard may be opposite either street frontage, but there shall only be one rear yard.
- *Yard, side:* An open space between a principal building and the side lot line, extending from the front yard to the rear yard, the width of which shall be the horizontal distance from the nearest point of the side lot line to the nearest point on the principal building.



YARDS

Zero lot line development: A development approach in which a building is sited on one or more lot lines with no yard.

(Ord. of 1-23-2003; Ord. of 9-4-2003; Ord. of 5-25-2004; Res. of 6-12-2008; Amend. of 10-20-2009; Ord. of 4-9-2013, § 1; Ord. of 2-10-2015, §, 1; Ord. of 4-12-2016, § 1)

ARTICLE 2.00. GENERAL PROVISIONS

2.01. Administrative regulations.

- A. *Scope of regulations.* No structure or tract of land shall hereafter be used or occupied, and no structure, or part thereof, shall be erected, altered, or moved, except in conformity with the regulations specified herein for the zoning district in which the structure or land is located.

However, where a building permit for a building or structure has been issued in accordance with law prior to the effective date of this ordinance and provided construction is begun within six months of the effective date, said building or structure may be completed in accordance with the approved plans. Furthermore, upon completion of construction said building may be occupied under a certificate of occupancy for the use for which the building was originally designated, subject thereafter to the provisions of article 3.00 concerning nonconformities. Any subsequent text or map amendments shall not affect previously issued valid permits.

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- B. *Minimum requirements.* The provisions of this ordinance shall be held to be the minimum requirements for the promotion of public health, safety, convenience, comfort, morals, prosperity, and general welfare.
 - C. *Relationship to other ordinances or agreements.* This ordinance is not intended to abrogate or annul any ordinance, rule, regulation, permit, easement, covenant, or other private agreement previously adopted, issued, or entered into and not in conflict with the provisions of this ordinance.

However, where the regulations of this ordinance are more restrictive or impose higher standards or requirements than other such ordinances, rules, regulations, permits, easements, covenants, or other private agreements, the requirements of this ordinance shall govern.

- D. *Vested right.* Nothing in this ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification, or permissible activities therein. Furthermore, such rights as may exist through enforcement of this ordinance 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.
- E. *Continued conformity with yard and bulk regulations.* The maintenance of yards and other open space and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, for as long as the building is in existence.

No portion of a lot used in complying with the provisions of this ordinance for yards, courts, lot area, lot coverage, in connection with an existing or planned building or structure, shall again be used to qualify or justify any other building or structure existing or intended to exist at the same time.

- F. *Division and consolidation of land.* The division and consolidation of land shall be in accordance with the subdivision control ordinance of the Charter Township of Canton [chapter 110 of the Township Code]. No zoning lot shall hereafter be divided into two or more zoning lots and no portion of any zoning lot shall be sold, unless all zoning lots resulting from each such division or sale conform with all applicable regulations of the zoning district in which the property is located.
- G. *Unlawful buildings, structures, site designs, and uses.* A building, structure, or use which was not lawfully existing at the time of adoption of this ordinance shall not become or be made lawful solely by reason of the adoption of this ordinance. In case any building, or part thereof, is used, erected, occupied or altered contrary to law or the provisions of this ordinance, such building shall be deemed an unlawful structure and a nuisance and may be required to be vacated, torn down or abated by any legal means, and shall not be used or occupied until it has been made to conform to the provisions of this ordinance. Public expenditures toward abating any such nuisance shall become a lien upon the land.
- H. *Voting place.* The provisions of this ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a public election.

2.02. Permitted uses.

Permitted uses are recognized as uses of land and buildings in certain districts which are harmonious with other such uses which may lawfully exist with (within) the same district. A permitted use is subject to the schedule of regulations, permit and site plan requirements found elsewhere in this ordinance, but otherwise is considered to be a lawful use not requiring special or extraordinary controls or conditions. Uses and activities that are contrary to state, federal, or other local laws and ordinances are prohibited.

(Ord. of 5-25-2010)

2.03. Accessory structures and uses.

Accessory structures and uses shall comply with the following regulations:

A. *General requirements.*

1. *Timing of construction.* No accessory structure or use shall be constructed or established on a parcel unless there is a principal building, structure, or use being constructed or already established on the same parcel of land.
2. *Site plan approval.* If submission of a site plan for review and approval is required, then said plan shall indicate the location of proposed accessory structures and uses.
3. *Nuisances.* Accessory uses such as household animal enclosures, dog runs, central air conditioning units, heat pumps, and other mechanical equipment that could produce noise, odors, or other nuisances shall not be located adjacent to an adjoining property owner's living or sleeping area where windows and/or doors would be exposed to the nuisance.
4. *Conformance with lot coverage standards.* Accessory buildings and structures shall be included in computations to determine compliance with maximum lot coverage standards, where required.

B. *General requirements for detached accessory structures and uses.*

1. *Setbacks.* Accessory structures or uses (including garages) which are not structurally attached as defined herein, shall meet the same setback and coverage requirements as set forth for the principal structure, except as otherwise specified for accessory structures in residential districts. Accessory structures or uses on double frontage lots shall be restricted to the central one-third of such lots.
2. *Height.* Detached accessory, buildings and structures shall conform to the height requirement for the principal structure in the district in which it is located, except as may otherwise be specified for accessory buildings and structures in residential districts.

C. *Attached accessory structures or uses.* Unless otherwise specified in this section, accessory structures or uses (including garages) which are attached to the principal building or structure shall be considered a part of the principal building for the purposes of determining conformance with area, setback and bulk requirements. For the purposes of this section, buildings or structures that are within ten feet of the principal building or structure shall be considered "attached."

D. *Specific requirements for accessory structures and uses in residential and agricultural districts.*

1. *Size and number.* The maximum floor area for the total of all accessory structures on a lot in residential or agricultural district shall be equal to 33 percent of the floor area of the house, plus one percent of the total lot area, provided that the total floor area of all accessory structures shall not exceed 25 percent of the rear and side yards, and provided further that no more than two accessory structures shall be permitted on each lot in platted subdivisions. The area of an attached garage which is designed as an integral part of the house (rather than as add-on) shall not be included in the computations to determine conformance with maximum floor area standards of accessory structures.
2. *Height.* Accessory structures in residential and agricultural districts shall not exceed the smaller of the following: the height of the principal structure, or, the maximum height requirement for dwelling units in the district where the lot is located. However, height requirements may be modified as follows:

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- The height of a detached accessory structure in a residential or agricultural district may exceed the limits cited above if any such accessory structure is located at least 100 feet to the rear of the principal structure and at least 100 feet from principal structures on adjoining property, and provided further that any such accessory structure does not exceed 45 feet in height (except as specified below for farm buildings).
 - The maximum height of accessory farm buildings which are essential and customarily used in the agricultural operations conducted on a bona fide farm (as defined in article 1.00) shall be 45 feet, except that the maximum height of silos shall be 100 feet, provided that all such accessory farm buildings shall be located at least 100 feet from any residential dwelling other than the dwelling on the lot where the accessory farm buildings are located.
3. *Setbacks.* Detached accessory structures and uses shall conform to the front and side yard setback requirements for the district in which they are located. Detached accessory structures shall maintain a minimum six-foot rear yard setback in all zoning districts. All detached accessory structures shall be located behind the front building line of the principal structure on the lot or parcel of land.
 4. *Use of accessory structures.* Attached and detached accessory structures in residential and agricultural districts shall not be used as a dwelling unit or for any business, profession, trade, or occupation.
 5. *Garages.* One private garage (as defined in article 1.00) shall be permitted per residential lot. Any such garage shall be used for the storage of only vehicles owned and used by occupants of the residence to which it is accessory.
 6. *Doors.* In any residential district, an accessory structure shall not have a door exceeding nine feet in height.
- E. *Locational requirements for pools.* The location and enclosure of any pool shall be such that no hazard exists for the pool users or the public. The minimum distance from the nearest part of the pool structure shall be as follows:
1. Five feet horizontally to any property line except that no pool shall be located within the front yard and in the case of a corner lot, the pool shall not be located within the required yard space as measured from the lot line which abuts the side street.
 2. Four feet to any building wall or nonproperty line fence.
 3. Twenty-five feet horizontally to any private water well or as approved by the county health department.
 4. Three feet horizontally to any sewer, for an in ground pool. There shall be ten feet horizontally to a septic tank and tile field or other similar treatment facility.
 5. No pool, parts of the pools, or related equipment shall be located in any easement of record.
 6. In a residential subdivision, pool water filtering and heating equipment shall not be located in the side yard, or in the case of a corner lot, within the required yard space which abuts the side street. Pool equipment shall not be located within the front yard.
- F. *Locational requirements for air conditioning units.* Air conditioning units, regardless of size, shall not be placed in the front yard and shall be set back from the side or rear yard lot lines a minimum of six feet. Further, air conditioning units must be located at least 12 feet from any single family home on an adjacent lot.

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- G. *Residential wind energy turbines (on-site)*. Wind energy turbines may be erected on an occupied lot or parcel as an accessory use to an existing permitted principal building, structure, or use, in accordance with the following guidelines:
1. Minimum lot size - Two acres.
 2. Setback from all property lines - One foot for every foot of height, measured to highest vertical position of the turbine blade.
 3. Location - The turbine and any support structure shall be located behind the rear building line of the principal building or structure on lot or parcel.
 4. Maximum height - 30 meters (100 feet)
 5. Maximum sound threshold - on site wind energy systems shall not exceed 55 dB(A) at the property line closest to the wind energy system. If the ambient sound pressure level exceeds 55 dB(A), the maximum standard shall be the ambient dB(A) plus 5 dB(A).
 6. Shadow flicker mitigation - The applicant shall conduct an analysis of potential shadow flicker at occupied structures over the course of a year, and describe measures that will be taken to eliminate or mitigate the problem.
 7. Safety - the on-site wind energy system shall have an automatic braking, governing, or feathering system to prevent uncontrolled rotation or over speeding and shall be provided with lightning protection. The minimum vertical blade tip clearance shall be 20 feet for a wind energy system employing a horizontal axis rotor.
- H. *Wind energy turbines (building-mounted)*. Wind energy turbines may be installed on the roof or attached to the walls of any existing structure in accordance with the following guidelines:
1. No portion of the turbine may exceed the height requirements of the zoning district in which it is located.
 2. The turbine blades may not exceed a diameter of three feet on residential structures and a diameter of seven feet on nonresidential structures.
 3. A maximum of one wind turbine unit may be installed on a single-family residential structure. The number of units proposed for attached residential structures and non-residential buildings are subject to site plan approval.
 4. All wind turbines shall be located to reduce, as much as possible, the visual impact it has on surrounding properties and from public or private streets. In no case shall wind turbines, or their support structures be mounted to the front or side walls of single-family detached residential structures.

(Ord. of 1-23-2003; Amend. of 10-20-2009)

2.04. Lawful use of a structure as a dwelling unit.

Any incompletely constructed structure which does not meet the requirements of the building code or this ordinance shall not be issued a certificate of occupancy and shall not be used as a dwelling. For the purposes of this section, a basement which does not have a residential structure constructed above it shall be considered an incompletely constructed structure.

No dwelling shall be erected in a commercial or industrial district, except for the living quarters of a watchman or caretaker. Any such living quarters shall consist of a structure which is permanently affixed to the ground, constructed in accordance with the adopted building code, and provided with plumbing, heating,

bathroom, and kitchen facilities. In no case shall such living quarters be used as a permanent single-family residence by anyone other than a watchman or caretaker.

2.05. Residential design standards.

Any residential structure, including manufactured dwellings and mobile homes not located in mobile home parks, shall be erected or constructed only if in compliance with the following residential design standards.

A. General requirements.

1. *Area and bulk regulations.* Any residential structure, including any mobile home dwelling unit, shall comply with the minimum floor area requirements specified for the zoning district where such structure is located. Furthermore, mobile homes shall comply with all other regulations normally required for site-built housing in the zoning district in which it is located, unless specifically indicated otherwise herein.
2. *Foundation.* Any residential structure, including a mobile home, shall be placed on a permanent foundation to form a complete enclosure under the exterior walls. The foundation shall be constructed in accordance with the adopted building code of the township. A mobile home shall be securely anchored to its foundation in order to prevent displacement during windstorms. The wheels, tongue and hitch assembly, and other towing appurtenance, shall be removed before attaching a mobile home to its permanent foundation.
3. *Other regulations.* Residential structures shall be constructed in compliance with applicable state, federal, or local laws or ordinances. Mobile homes shall comply with the most recent regulations specified by the United States Department of Housing and Urban Development, Mobile Home Construction and Safety Standards (24cFR3280).
4. *Floodplain.* No dwelling unit, including mobile homes, shall be located within a 100-year floodplain.
5. *Use.* Mobile homes and other structures shall be used only for the purposes permitted in the zoning district in which they are located.
6. *Attachments.* Any exterior attachments or extensions onto a dwelling unit, such as entry steps and storage buildings, shall comply with the adopted building code of the township.

B. Requirements applicable to class A mobile homes. Mobile homes erected outside of mobile home parks after the effective date of this ordinance shall comply with the general requirements set forth previously in section 2.05.A and with the following regulations for class A mobile homes. Any mobile home which does not comply with the following regulations shall be designated a class B mobile home.

1. *Design features.* The fenestration and other features of class A mobile homes, including exterior wall colors and color combinations, shall be similar to site-built homes within 300 feet of the proposed mobile home property boundaries. If no more than one site-built dwelling is presently located within 300 feet of the proposed location, then the mobile home shall be compared to all site-built homes within the township.
2. *Roof pitch.* The pitch of the main roof shall have a minimum vertical rise of one foot for each four feet of horizontal run, and the minimum distance from the eaves to the ridge shall be ten feet, except where the specific housing design dictates otherwise (i.e., French provincial, Italianate, etc.). The roof shall be finished with a type of shingle or other material that is commonly used in standard on-site residential construction.
3. *Exterior materials.* The exterior siding of a class A mobile home shall consist of materials that are generally acceptable for site-built housing, provided that the reflection from such exterior

surface shall be no greater than from white semi-gloss exterior enamel, and provided further that any such exterior is comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.

4. *Dimensions.* The dimensions and placement of class A mobile homes shall be comparable to typical dimensions and placement of site-built housing in the vicinity. Therefore, a class A mobile home shall be so located on the lot so that the minimum width of the front elevation shall be no less than 34 feet and the minimum dimension along any side or rear elevation shall be no less than 20 feet. If there are any extensions or additions off of the front of the mobile home, the minimum width of any such secondary front elevation shall be 20 feet. Such dimensions shall be measured from the outer extremities and shall include additions to the main body of the mobile home, such as living or recreation rooms, garages, carports, utility rooms, and the like, the front portions of which are within ten feet of the front of the main body of the mobile home.
5. *Roof overhang.* Class A mobile homes shall be designed with either a roof overhang of not less than six inches on all sides or with windowsills and roof drainage systems to concentrate roof drainage at collection points along the sides of the dwelling.
6. *Exterior doors.* Class A mobile homes shall have not less than two exterior doors which shall not be located on the same side of the building.

2.06. Home occupations.

- A. *General requirements.* Home occupations shall be subject to the requirements of the zoning district in which they are located, as well as the following standards, unless otherwise specified elsewhere in this ordinance:
 1. Home occupations must be customarily incident to the use of the dwelling as a residence.
 2. No outdoor display or storage of materials, goods, supplies, or equipment used in the home occupation shall be permitted on the premises.
 3. The appearance of the principal structure shall not be altered, nor shall the home occupation be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises, or vibrations.
 4. Only the residents of the dwelling unit may be engaged in the home occupation.
 5. The home occupation may increase vehicular traffic flow and parking by no more than one additional vehicle at a time. No more than ten customers or clients shall come to the dwelling unit for services or products during any one day. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in the required front yard.
 6. No home occupation shall require internal or external alterations or involve construction features or the use of electrical or mechanical equipment that would change the fire rating of the structure.
 7. One non-illuminated nameplate, not more than one square foot in area, shall be permitted. Said sign shall be attached flat to the building wall, and shall display only the name and occupation of the residences on the premises.
 8. A home occupation shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than would normally be generated in a similarly zoned residential district.
 9. The following uses, by the nature of their operation, have a pronounced tendency to increase in intensity beyond the limits permitted for home occupations, thereby impairing the reasonable use and

value of surrounding residential properties. Therefore, the following uses shall not be permitted as home occupations:

- Medical clinics and hospitals.
- Offices maintained for the general practice of a veterinarian, doctor, lawyer, accountant, insurance agent, or real estate agent.
- Millinery shops.
- Animal hospitals, veterinarian and commercial kennels.
- Vehicle and engine repair businesses.
- Antique shops.
- Barbershops and beauty parlors.
- Club or fraternal organization (as defined in article 1.00).
- Landscape installation and maintenance businesses, including lawn mowing businesses.
- Snow plowing and/or removal businesses.
- Concrete, excavation, and similar contractors.
- Trailer rental.
- Restaurants and tearooms.
- Bed and breakfast establishments.
- Repair shops and service establishments.

This list does not include every use that is prohibited as a home occupation.

Cross reference(s)—Businesses, ch. 18.

2.07. Temporary structures and special events.

- A. *General requirements.* Temporary buildings and structures shall comply with the following requirements:
1. *Temporary structures used for residential purposes.* A building or structure may be approved for temporary residential use only while damage to the principal dwelling due to fire, flood, ice, wind, or other natural disaster is being repaired. A temporary building or structure which could be used on a temporary basis, such as a house trailer, basement, tent, shack, garage, barn, or other outbuilding, shall not be used as a residence on any parcel without prior review and approval by the public safety and building officials.
 2. *Temporary structures used for nonresidential purposes.* Temporary buildings for nonresidential use, including semi-trucks/[semi-]trailers and concrete batch plants, shall be permitted only when the intended use is by a contractor or builder in conjunction with a construction project, and only after review and approval by the building official. Such temporary structures shall be removed immediately upon completion of the construction project and prior to a request for a certificate of occupancy for the project.
 3. *Temporary structures used as sales offices for single-family or multiple-family residential developments.* Temporary buildings intended for use as a sales office for residential housing units shall be permitted only when the intended use is by a builder, developer, or their authorized representative.

Only one such structure shall be permitted per multiple-family site and up to three for a single-family subdivision or site condominium, but in no case shall there be more than one temporary sales trailer per builder on the proposed development site, regardless of the number of phases.

Such structures shall comply with all applicable regulations for the zoning district and shall be required to obtain site plan approval, and be equipped with an approved sanitation system. If the sales office is needed for 180 days or less, the site plan may be administratively approved with the concurrence of the planning, engineering, and building officials. There shall be no extensions to administrative approvals. If the sales office is needed for more than 180 days, the site plan will require review and approval by the planning commission. The planning commission shall have the right to limit the time period based on the nature of the development. In no case shall the temporary sales office be permitted after completion of a model unit.

4. *Temporary structures used as sales offices for commercial developments.* Temporary buildings intended for use as an office for commercial purposes shall be limited to use by the proprietor or operator of the development for the purpose of securing pre-sales of subscriptions or memberships for the business under construction or employment application purposes.

Only one such structure shall be permitted per development site, shall meet all applicable regulations of the zoning district, and shall be required to obtain site plan approval, and be equipped with an approved sanitation system. If the office is needed for 180 days or less, the site plan may be administratively approved with the concurrence of the planning, engineering, and building officials. There shall be no extensions to administrative approvals. If the sales office is needed for more than 180 days, the site plan will require review and approval by the planning commission. The planning commission shall have the right to limit the time period based on site conditions and the specific nature of the development. In no case shall the temporary sales office be permitted after any portion of the development has received a certificate of occupancy.

5. *Use as an accessory structure.* A temporary building or structure shall not be used as an accessory building or structure, except as permitted in section 2.07.A.1, above.
6. *Special events.* The township board, in accord with policy guidelines it establishes, may grant temporary use of land and structures for special events, as defined in article 1.00 of this ordinance.

B. *Special events.* Special events are subject to the following requirements:

1. Permit required. No person, entity, corporation or organization shall hold and/or conduct a special event, as defined in this appendix, within the township without first obtaining a special event permit from the township.
2. A permit application shall be submitted to the building and inspection services division, along with an application fee, as approved by the township board.
3. The requirements for a special event application and requisite fee shall be set forth in a policy approved by the township board.
4. A public or private event in a building, or on a property, that is contrary to that building or property's township approved use shall require a special event compliance permit. Special events that have negative impacts to occupant loads, crowd control, traffic flow, or public safety in general, shall require approval by the township board based on a joint recommendation of the municipal services director and public safety director.
5. All costs incurred by the township relative to a special event, including but not limited to staff costs and equipment costs, shall be the responsibility of the permit holder. An estimate of the total costs shall be computed by the township and be provided to the permit holder. Payment of the estimated costs is

due prior to the special event, with any balance due within ten calendar days after the conclusion of the special event.

(Amend. of 10-20-2009; Ord. of 4-12-2016, § 1)

2.08. Uses not otherwise included within a district.

A. *General requirements.* A land use which is not cited by name as a permitted use in a zoning district may be permitted upon determination by the planning official that such use is clearly similar in nature and compatible with the listed or existing uses in that district. In making such a determination, the planning official shall consider the following:

1. *Determination of compatibility.* In making the determination of compatibility, the planning official shall consider specific characteristics of the use in question and compare such characteristics with those of the uses which are expressly permitted in the district. Such characteristics shall include, but are not limited to, traffic generation, types of service offered, types of goods produced, methods of operation, and building characteristics.
2. *Conditions by which use may be permitted.* If the planning official determines that the proposed use is compatible with permitted and existing uses in the district, the planning official shall decide whether the proposed use shall be permitted by right, as a special land use, or as a permitted accessory use. The proposed use shall be subject to the review and approval requirements for the district in which it is located. The planning official shall have the authority to establish additional standards and conditions under which a use may be permitted in a district.

No use shall be permitted in a district under the terms of this section if said use is specifically listed as a use permitted by right or as a special land use in any other district.

Optional review by planning commission. At his/her discretion, the planning official may request that the planning commission make the determination whether a particular land use not cited by name should be permitted in a zoning district, in accordance with the criteria cited above.

2.09. Yard and bulk regulations.

A. *General regulations.* All lots, buildings, and structures shall comply with the following general yard and bulk regulations unless specifically stated otherwise in this ordinance:

1. *Minimum lot size.* Every building hereafter erected on a lot or parcel of land created subsequent to the effective date of this ordinance shall comply with the lot size, lot coverage, and setback requirements for the district in which it is located.

No yards in existence on the effective date of this ordinance, shall subsequently be reduced below, or further reduced if already less than, the minimum yard requirements of this ordinance.

2. *Number of principal uses per lot.* Only one principal building shall be placed on a lot of record in single-family residential districts.
3. *Projections into required yards.* Outside stairways, fire escapes, fire towers, chimneys, platforms, balconies (except on walkout units), boiler flues, and other projections shall be considered part of the building, subject to the setback requirements for the district in which the building is located. The following projections shall be permitted when located in the required yards as specified:

a. In all yards:

Awnings.

Approved freestanding signs, upon issuance of a permit.

Pergolas, arbors and trellises.

Flagpoles.

Window air conditioning units.

Fences and walls, subject to applicable restrictions set forth herein.

Bay windows, windowsills, belt courses, cornices, eaves, overhanging eaves, chimneys and other architectural features may project into the a required side yard not more than two inches for each one foot of width of such side yard, and may extend into any front or rear yard not more than 24 inches.

- b. In rear yards: Open paved terraces, open porches, and decks may occupy a required rear yard provided that the unoccupied portion of the rear yard furnishes a depth of not less than 25 feet. Elevated decks, terraces and patios shall not be any higher than four feet above the finished grade of the lot as measured to the top of the finished floor of the deck, patio or terrace. Any portion of the deck, patio or terrace or any roofed structure (such as a gazebo or roofed patio) which is built as an integral part of said deck, patio or terrace which exceeds four feet in height shall be considered an attached accessory structure pursuant to section 2.03.C and is subject to the setback requirements for the district in which the structure is located. Garden structures such as pergolas or trellises which have open wood-framed roofs which may or may not be latticed shall not be subject to the above height limitations for deck extensions into the rear yard. The above height limitations shall not apply to decks for walkout units where the deck extends off the finished first-floor elevation of the home.
4. *Unobstructed sight distance.* No fence, wall, structure, or planting shall be erected, established, or maintained on any lot which will obstruct the view of drivers in vehicles approaching an intersection of two roads or the intersection of a road and a driveway. Fences, walls, structures, or plantings located in the triangular area described below shall not be permitted to obstruct cross-visibility between a height of 30 inches and six feet above the lowest point of the intersecting road(s).

Trees shall be permitted in the triangular area provided that limbs and foliage are trimmed so that they do not extend into the cross-visibility area or otherwise create a traffic hazard. Landscaping, except required grass or ground cover, shall not be located closer than three feet from the edge of any driveway or road pavement within the triangular area.

Unobstructed sight area. The unobstructed triangular area is described as follows:

- The area formed at the corner intersection of two public right-of-way lines, the two sides of the triangular area being 25 feet in length measured along abutting public right-of-way lines, and third side being a line connecting these two sides, or
- The area formed at the corner intersection of a public right-of-way and a driveway, the two sides of the triangular area being ten feet in length measured along the right-of-way line and edge of the driveway, and the third side being a line connecting these two sides.

UNOBSTRUCTED SIGHT DISTANCE

2.10. Streets, roads, and other means of access.

- A. *Intent.* Unimpeded, safe access to parcels of land throughout the township is necessary to provide adequate police and fire protection, ambulance services, and other public services, and to otherwise promote and protect the health, safety, and welfare of the public.

Accordingly, minimum standards and specifications are required for private roads to assure safe and quick access to private property, and to permit the eventual upgrading and dedication of such access rights-of-way to the Wayne County Board of Commissioners or other appropriate municipal corporation if public dedication is deemed necessary or desirable. The standards and specifications set forth herein are determined to be the minimum standards and specifications necessary to meet the above stated intentions.

- B. *Public access required.* The front lot line of all lots shall abut onto a publicly dedicated road right-of-way or onto an approved private road or drive which complies with the requirements set forth herein. Furthermore, no person shall construct, alter, or extend a private road unless in compliance with these requirements.
- C. *Access across residential district land.* No land which is located in a residential district shall be used for a driveway, walkway, or access purposes to any land which is located in a nonresidential district, unless such access is by way of a public road.
- D. *Private roads or streets.* The following standards shall be complied with whenever a private internal or on-site road or street or street within a condominium is proposed:
1. *Applicability.* Lots or building sites may be created with frontage on private roads or streets provided that such lots or building sites conform to all requirements of the district in which the land is located, and provided further, that the lots or building sites shall not be created until an easement agreement for the private road or street or condominium document has been executed and recorded in accordance with the standards set forth herein or within the condominium ordinance, and either the private road or street has been constructed in accordance with the standards set forth herein or financial guarantees in the amount of 110 percent of the amount of construction have been placed with the township. The form of the financial guarantee may include irrevocable bank letter of credit, cashier's check or certified check. No construction shall be permitted on lots or building sites which have frontage only onto undeveloped private road easements. Construction may be permitted on such lots or building sites subsequent to development of the private road in full compliance with the regulations set forth herein.
 2. *Site plan requirements.* Submission of a site plan for review and approval shall be required, in accordance with the provisions set forth in article [section] 27.02, prior to issuance of any permits to construct a private road. The site plan shall also include information specified in the subdivision control ordinance [chapter 110 of the township code] or condominium ordinance [chapter 82 of the Township Code].
 3. *Minimum easement requirements.* A 60-foot-wide road easement or right-of-way for ingress, egress, and parking shall be established contiguous to all lots to be serviced by a private road. Such easement shall be established for the joint non-exclusive use of all owners of property abutting the easement. The private road shall be established within the easement or right-of-way and shall provide access to all abutting property. Public utilities and drainage ditches shall also be permitted to occupy the easement.
 4. *Design requirements.* Private roads shall be designed and constructed in accordance with standards and specifications indicated herein and with such other proper engineering standards as may be applicable to assure a safe, maintainable roadway. Class I private road cross sections shall meet the gravel road cross section with open ditches design standard, as illustrated herein. Class II and III private road cross sections shall meet one of the appropriate pavement cross sections, as illustrated herein.

For the purpose of enforcing said standards and specifications, private roads shall be classified as follows:

- *Class I private roads.* Class I private roads serve not more than three single-family residential lots, not including farm uses and buildings.
- *Class II private roads.* Class II private roads meet one or more of the following criteria:
 - a. The road serves, is intended to serve, or has the reasonable potential of serving, four or more single-family residential lots or is located within a condominium.
 - b. The road connects with, is intended to eventually connect with, or has the reasonable potential of connecting with paved public or private road.
 - c. The road has reasonable probability of eventually being dedicated as a public road.
 - d. The road is being developed in an area with soil or topographic conditions which warrant special engineering or construction considerations, in the opinion of the township engineer.
- *Class III private roads.* Class III private roads serve, or are intended to serve commercial, office or industrial uses. Class III private roads are all other private roads not classified as class I or class II.
- 5. *Construction standards.* All private roads shall be constructed in strict accordance with the same standard procedures for public roads set forth by the county department of public services. Testing, reporting and inspection services shall be performed by the township's engineering consultant in accordance with the same requirements set forth by the county for public roads. The developer of the private roads shall be responsible for the costs associated with the required inspection, testing, and reporting for completion of the road improvement.

Class I - Private Roads

Class II and III - Private Roads

Class II - Private Roads - Alternate

Section during subdivision construction

Final section

- E. *Secondary access drive.* If the planning commission determines that proposed or anticipated development will result in an excessive number of entrance or exit drives onto a public road, thereby creating potentially hazardous traffic conditions and diminishing the carrying capacity of the road, the commission may permit or require construction of secondary access drives across abutting parcels and generally parallel to the arterial street to allow traffic to circulate from one parcel to another without re-entering the public road. The front edge of any such secondary access drive shall be located no closer to the road than the future right-of-way line. Such secondary access drive shall conform to the minimum specifications for private roads as set forth previously.

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- F. *Performance guarantee.* To assure completion of a private road or service drive in conformance with the requirements set forth herein, the building or engineering official may require the applicant or owner to provide a performance guarantee, in accordance with section 2.17, herein.
- G. *Maintenance.* Continued maintenance of private roads and service drives shall be the responsibility of the property owner(s) served by the road or drive. Prior to issuance of construction permits, said property owner(s) shall prepare a legally binding easement maintenance agreement, to be entered into with the township following satisfactory review of the agreement by the planning commission, township board, and township attorney. Upon execution, the easement maintenance agreement shall be recorded. Under the terms of the easement maintenance agreement, the property owner(s) shall agree with the township concerning the following provisions and responsibilities:
1. *Maintenance costs.* The easement maintenance agreement shall acknowledge that the road or service drive surface and easement area are privately owned, and therefore all construction and improvements within the easement will be contracted and paid for by the signatories to the easement maintenance agreement.
 2. *Maintenance needs.* The easement maintenance agreement shall indicate that the road or service drive surface and easement area shall be solely maintained by the signatories to the agreement. Such maintenance shall include, but not necessarily be limited to: surface grading and resurfacing at regular intervals; snow and ice removal from the roadway surface; repair of potholes and ruts; maintenance of roadside drainage ditches to assure the free flow of runoff water to prevent flooding and prevent collection of stagnant pools of water; and, regular cutting of weeds and grass within the easement no less than three times each year in order to assure good visibility for traffic and to impede the growth of plants commonly causing allergic reactions in human beings.
 3. *Required signage.* The easement maintenance agreement shall acknowledge the responsibility of the signatories to the agreement for installation and maintenance of appropriate traffic safety and road identification signage.
 4. *Emergency access.* The easement maintenance agreement shall acknowledge the responsibility of the signatories to the agreement for maintenance in order that police, fire, and other public safety vehicles may safely travel on the road or service drive for emergency purposes. The township may request that the easement maintenance agreement signatories repair the road or service drive surface or perform other maintenance of the easement if it is determined that such repair or maintenance is necessary to provide for the public health, safety, or welfare. If such necessary repair or maintenance is not accomplished in a timely manner, the township may make arrangements for the work to be performed and charge the easement maintenance agreement signatories for the actual cost plus all other administrative, contractual, and legal fees incurred in the performance of such work. Such charges shall be a lien upon the land served and owned by the easement maintenance agreement signatories, in proportion to the frontage of each property along the private road or service drive.
 5. *Enforcement of traffic laws.* The developer of any proposed private road or street shall prepare and subsequently record an irrevocable agreement granting law enforcement authorities the right to enforce all traffic safety laws in force now or which may be enacted in the future, upon said private road or street.
 6. *Township not responsible.* The provisions set forth herein or in the easement maintenance agreement shall in no way be construed to obligate the township to perform regular inspections of the easement area or to provide necessary repairs or maintenance. The township shall intercede only if a potential health or safety hazard is brought to the attention of township officials.
 7. *Continuing obligation.* The easement maintenance agreement shall specify that the obligation to maintain the easement shall be an obligation running with the land to be served by the road or service drive, and shall be binding upon the owner(s) of such land and their heirs, successors, and assigns.

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8. *Recording of agreement.* The easement maintenance agreement shall be recorded prior to the platting of any lots or the sale or conveyance of any of the property to be charged with the maintenance of the easement area.

(Ord. of 1-23-2003; Ord. of 8-23-2005)

2.11. Grading regulations.

In all instances where grading, excavating, filling, or other "earth changes" are proposed, such action shall be subject to the provisions of the township's soil erosion and sedimentation control ordinance, Ordinance No. 56 [now repealed], as amended, as well as all other applicable laws and ordinances. As defined in said Ordinance No. 56, "earth change" means a manmade change in the natural cover or topography of land, including stripping, cutting, and filling activities, which may result in or contribute to soil erosion or sedimentation of the waters of the state. As used in Ordinance No. 56, earth change does not apply to the practice of plowing and tilling soil for the purpose of crop production.

2.12. Dumping, filling, and excavation.

The dumping of waste or other materials shall be subject to the provisions of the ordinance for the control of debris—construction sites, Ordinance No. 71A, as amended [chapter 58, article II, division 3 of the Township Code], and other applicable laws and ordinances. In addition, the following regulations shall apply to dumping and excavation in Canton Township:

- A. *Dumping of waste, junk, or similar materials.* The use of land for the storage, collection or accumulation of used construction materials, or for the dumping or disposal of refuse, ash, garbage, rubbish, waste material or industrial byproducts shall not be permitted in any district, except in conformity with the Canton Township landfill ordinance, Ordinance No. 61, as amended [chapter 58, article V of the Township Code].
- B. *Excavation.* The excavation or continued existence of unprotected holes, pits, or wells which constitute or are reasonably likely to constitute a danger or menace to the public health, safety, and welfare is prohibited; provided, however, that this restriction shall not apply to excavations for which a permit has been acquired, provided such excavations are properly protected with fencing, guard rails, and warning signs. Excavations which may be permitted if proper permits are acquired include excavation related to construction of a driveway, walk, a permitted wall, or building or part thereof, or movement of soil within the boundaries of a parcel for the purposes of preparing a site for building construction or another permitted use.
- C. *Dumping of soil, sand, clay, gravel or similar material.* The dumping or filling with soil, sand, clay, gravel or similar material on any lot or parcel of land shall not occur unless the plans for such dumping or filling have first been reviewed and appropriate permits issued by the building official.

2.13. Lighting.

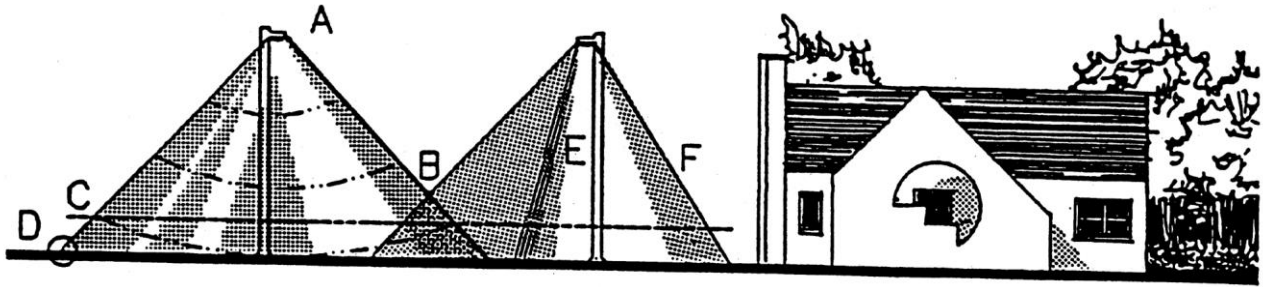
Subject to the provisions set forth herein, all parking areas, walkways, driveways, building entryways, off-street parking and loading areas, and building complexes with common areas shall be sufficiently illuminated to ensure the security of property and the safety of persons using such public or common areas. One lighting structure shall be provided on each side of an entrance or exit drive or street at its intersection with the public road, except where a boulevard or divided entrance/exit drive is proposed, one lighting structure may be located in the boulevard or island area for the purpose of illuminating the intersection.

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- A. *Time period.* Required lighting shall be turned on daily from one-half hour after sunset to one-half hour before sunrise.
 - B. *Permitted lighting.* Only non-glare, color-corrected lighting shall be permitted. For all nonresidential uses, full cutoff shades are required for light sources so as to direct the light onto the site and away from adjoining properties. The lighting source shall not be directly visible from adjoining properties. Lighting shall be directed so that it does not cause glare for motorists.
 - C. *Intensity.* Site lighting: Lighting for uses adjacent to residentially zoned or used property shall be designed and maintained such that illumination levels do not exceed 0.1 footcandle along property lines. Lighting for uses adjacent to nonresidential properties shall be designed and maintained such that illumination levels do not exceed 0.3 footcandle along property lines. The light intensity provided at ground level shall be a minimum of 0.3 footcandle anywhere in the area to be illuminated. Light intensity shall average a minimum of 0.5 footcandle over the entire area, measured five feet above the surface, not to exceed a maximum of 20 footcandles in any given area. The planning commission, at its sole discretion may allow for an increased level of lighting above maximum permissible levels when it can be demonstrated that such lighting is necessary for safety and security purposes.
 - D. *Height.* Except as noted below, lighting fixtures shall not exceed a height of 25 feet or the height of the building, whichever is less, measured from the ground level to the centerline of the light source. Fixtures should provide an overlapping pattern of light at a height of approximately seven feet above ground level.

The planning commission may modify these height standards in the commercial and industrial districts, based on consideration of the following: the position and height of buildings, other structures, and trees on the site; the potential off-site impact of the lighting; the character of the proposed use; and, the character of surrounding land use. In no case shall the lighting exceed the maximum building height in the district in which it is located. More specifically, in industrial districts the height of lighting fixtures may be equal to the height of the principal building on the site on which the lighting is located, provided that such lighting does not exceed 40 feet and is located at least 500 feet from any residential district.

- E. *Sign lighting.* Signs shall be illuminated in accordance with the regulations set forth in the adopted sign ordinance.
- F. *Site plan requirements.* All lighting, including ornamental lighting, shall be shown on site plans in sufficient detail with appropriate photometric studies to allow determination of compliance with the requirements of this ordinance.

Building- or roof-mounted lighting intended to attract attention to the building and/or use and not strictly designed for security purposes shall not be permitted. Temporary holiday lighting and decorations are exempt from the aforementioned provisions.
- G. All sites proposed for development or redevelopment within the downtown development district shall install street lighting as specified in article 6.07 (site development standards for the downtown development district).



LIGHTING

DIAGRAM NOTES:

- A. Non-glare, color-corrected lighting with full cutoff shades for commercial and industrial sites, on daily from one-half hour after sunset to one-half hour before sunrise.
- B. Overlapping light pattern at approximately seven feet.
- C. Average minimum light intensity: 0.5 footcandle, not to exceed a maximum of 20 footcandles.
- D. Minimum light intensity at ground level, anywhere on site: 0.3 footcandle.
- E. Maximum height: 25 feet or height of building, whichever is less, unless modified by planning commission.
- F. Light directed away from adjoining properties. Uses adjacent to residential properties must maintain illumination levels not to exceed 0.1 footcandle at the property line, and uses adjacent to nonresidential properties must maintain illumination levels not to exceed 0.3 footcandle at the property line.

2.14. Trash removal and collection.

A. Standards for siting and screening of refuse containment areas, including trash dumpsters, compactors, grease traps and other refuse receptacles.

For purposes of this provision, the term "dumpster" shall include trash dumpsters, compactors, grease traps or other refuse receptacles.

All commercial, office, industrial, religious and institutional developments shall have a designated refuse containment area. All attached housing developments shall have designated refuse containment areas unless the site plan indicates that refuse shall be collected on an individual-unit, curbside basis. All containment devices, including but not limited to dumpsters, garbage cans, trash containers, recycling bins, compactors, oil receptacles and grease traps, shall be enclosed as described in this article.

Dumpsters shall not be permitted for single-family residential uses in the rural agricultural, rural residential, rural estate and the R-1 through R-5 districts, except as a temporary use in conjunction with renovation or new construction projects. Any such dumpsters must be removed immediately upon completion of the project.

1. *Location.*

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- a. Dumpsters shall be located on a concrete pad in a rear or side yard provided any such dumpster shall not encroach on a required parking area or fire lane, is clearly accessible to servicing vehicles, and is located at least ten feet from any building.
 - b. Dumpsters shall be located as far as practicable from any adjoining residential district or use but shall in no instance be located within ten feet of any residential property line or district.
 - c. The vehicle approach to the dumpster shall be on the same slope as the dumpster pad.
 - d. The dumpster pad shall have a minimum dimension of twelve feet by 20 feet.
 - e. The dumpster pad shall be large enough to support the dumpster and the front wheels of the dumpster collection vehicle.
2. *Driveway geometry guidelines:* The following guidelines, as illustrated herein, should be considered when siting dumpster enclosures:
- a. A minimum of 40 feet of clear space in front of the enclosure shall be provided to allow the truck to readily access the dumpster and to place it back inside the enclosure.
 - b. Whenever possible dumpsters should be located perpendicular to access drives.
 - c. The angle between the line of direction to the container and the line of travel on the abutting access drive should not exceed 30 degrees.
 - d. The minimum inside curve radius should be 35 feet; the minimum outside curve radius should be 57 feet.
3. *Screening.* (See Illustrations)
- a. Dumpsters shall be screened from view from adjoining property and public streets and thoroughfares.
 - b. Dumpsters shall be screened on three sides with a permanent building, or wall, which matches the masonry of the primary structure on the site, shall not be less than eight feet in height and be at least one foot above the height of the enclosed dumpster, whichever is taller. If constructed primarily of brick, the enclosure walls shall be topped with a limestone or similar-looking material cap to provide a finished appearance.
 - c. The walls of the dumpster enclosure shall not be constructed of poured or precast concrete panels.
 - d. The fourth side of the dumpster screen shall be equipped with an opaque, lockable gate that is the same height as the enclosure around the other three sides. Chain link or similar type gates with inserted opaque slats are unacceptable.
 - e. The minimum inside dimensions of the enclosure shall be ten feet deep by 11 feet wide. The gates shall not protrude into the required inside minimum dimensions.
 - f. A minimum of three concrete-filled pipe bollards, with a minimum diameter of six inches shall be installed along the inside rear wall of the dumpster enclosure. Bollards shall be set in concrete three feet below grade and shall extend four feet above grade. Such bollards shall be located at least two feet from the inside rear wall of the enclosure. If the enclosure is greater than 12 feet in width, an additional bollard shall be installed for every four feet or portion thereof of additional width.
4. *Expansion of existing screen enclosures.* If dumpsters are needed on-site in excess of the quantity anticipated by the original, approved site plan, the existing enclosure may be expanded, using

matching materials. If however, additional enclosures are required to be constructed, they shall be constructed of masonry material as described elsewhere in this article.

5. *Maintenance.* All dumpster screens, pads and gates shall be perpetually maintained in good condition by the owner of the property on which it is located. Further, it shall be the responsibility of each property owner, business, commercial, industrial or institutional establishment to:
 - a. Locate or place the dumpster or refuse container in such a location that it can be lifted by appropriate mechanical equipment.
 - b. Maintain each dumpster or refuse container in a safe, clean and sanitary condition.
 - c. Insure that the dumpster is kept within the walls of the screen enclosure at all times, except when being emptied.
 - d. Keep the area around the dumpster clear and free of all litter and debris.
 - e. Insure that all waste is deposited in such a manner as to prevent spilling or blowing out of the dumpster container.
 - f. Keep the dumpsters and screen enclosure gates closed at all times except when loading garbage or refuse.
 - g. Insure that the access to the container is maintained at all times.
6. *Site plan requirements.* The location and method of screening of dumpsters shall be shown on all site plans and shall be subject to the approval of the planning commission.

(Ord. of 1-23-2003)

Cross reference(s)—Solid waste, ch. 58.

Illustration

Container enclosed plan

MSW & recyclables container enclosure plan

2.15. Safety provisions.

- A. *Public service access.* All structures shall be provided with adequate access for fire, police, sanitation, and public works vehicles.
- B. *Fire protection.* All structures shall be provided with adequate fire protection, including adequate water supply for firefighting purposes, adequate internal fire suppression system, use of firewalls and fireproof materials, and other fire protection measures deemed necessary by the public safety official.
 1. *Fire protection systems.* The public safety official shall have the authority to require fire protection systems installed in any zoning district, subject to the following:
 - a. In all districts, except for single-family residential uses in the rural agricultural, rural residential, and the R-1 through R-5 and RMH districts, fire protection systems shall have outside flashing lights and audible interior alarms.

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- b. All interlocked systems shall be subject to approval of the public safety official.
2. *Site development standards.* To facilitate fire protection during site preparation and construction of buildings, consideration shall be given to the following:
- a. Water mains and fire hydrants shall be installed prior to construction above the foundation. Hydrants shall be spaced to provide adequate firefighting protection for all buildings and uses, subject to applicable codes and review by the public safety official.
 - b. Prior to construction of buildings and other large structures, a hard and sufficient roadbed shall be provided to accommodate access of heavy firefighting equipment to the immediate job site at the start of construction. The roadbed shall be maintained until all construction is completed or until another means of access is constructed.
 - c. Free access from the street to fire hydrants and to outside connections for standpipes, sprinklers, or other fire extinguishing equipment, whether permanent or temporary, shall be provided and maintained at all times.
 - d. The building permit holder shall provide scheduled daily cleanup of scrap lumber, paper products, corrugated cardboard and other debris. Construction debris shall be disposed of in accordance with methods approved by the building official.
- C. *Excavations and holes.* Excavations and holes created in conjunction with a construction project shall be adequately barricaded and illuminated if not filled in at the end of the working day. Where such excavations or holes are located in a public right-of-way, it shall be the responsibility of the contractor to notify the public safety official of their existence. (See also section 2.12.)
- D. *Building demolition.* Before a building or structure is demolished, the owner, wrecking company, or person who requests the demolition permit shall notify all utilities providing service to the building. A demolition permit shall not be issued until all utilities have provided notification that service has been properly terminated.

2.16. Exceptions.

- A. *Essential services.* Essential services shall be permitted as authorized and regulated by state, federal, and local ordinances and laws, it being the intention hereof to exempt such essential services from those regulations governing area, height, placement, and use of land in the township which would not be practical or feasible to comply with. Essential services, as defined in section 1.03, shall include: the erection, construction, alteration or maintenance by public or quasipublic utilities or municipal departments or township-certified cable television companies of underground, surface or overhead gas, steam, electrical, fuel or water systems for the purposes of transmission, distribution, collection, communication, supply, or disposal; including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar equipment, which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety, and welfare of the public. Essential services shall not include storage yards, sales or business offices, or commercial buildings or activities. For the purpose of this regulation, radio, television and cellular telephone transmitting and receiving towers are not considered essential services.

Although exempt from certain regulations, proposals for construction of essential services shall still be subject to site plan review, it being the intention of the township to achieve efficient use of the land and alleviate adverse impact on nearby uses or lands. Essential services shall comply with all applicable regulations that do not affect the basic design or nature of operation of said services.

- B. *Township-sponsored public projects.* The regulations set forth in this ordinance shall be applicable to lands owned by the township, except where the regulatory provisions would hinder the township's ability to

provide for necessary and desirable public services. The township board of trustees, upon recommendation of the planning commission, shall determine the applicability of specific regulatory provisions to public projects sponsored by the township.

- C. *Exceptions to height standards.* The height limitation of this ordinance shall not apply to chimneys, church spires, clocks or bell towers or other similar architectural design elements, public monuments, or wireless transmission towers, provided that such structures do not exceed 20 feet above the maximum height in the district in which they are located. In addition, wind energy turbines may be erected pursuant to the height limitations of section 2.03.G.

Additionally, architectural features which include building and roofline elements which are intended to add architectural interest and not for the purpose of adding signage to the building may be allowed to exceed the maximum height of the district by not more than 20 feet. The building area encompassed by the proposed building and/or roofline element shall not exceed 25 percent of the footprint of the total structure.

The portion of the building which exceeds the maximum height limitation of the district shall also be subject to an additional three feet of side and/or rear yard setback for every additional one foot of height above the maximum height limitation of the district.

However, the planning commission may specify a lower height limit for any structure that requires approval as a special land use. In determining the appropriate height, the planning commission shall consider the character of the surrounding uses, the height of surrounding structures, the potential to obscure light or view to or from existing buildings and surrounding properties, and potential detriment to the use or value of surrounding properties.

(Amend. of 10-20-2009)

2.17. Performance guarantee.

- A. *Intent.* To insure compliance with the provisions of this ordinance and any conditions imposed thereunder, the planning commission or township board may require that a performance guarantee be deposited with the township to insure faithful completion of improvements, in accordance with section 25 of the Township Rural Zoning Act, Public Act No. 184 of 1943 [MCL 125.295], as amended.
- B. *General requirements.* The performance guarantee shall meet the following requirements:
1. The performance guarantee shall be in the form of a cash bond, irrevocable letter of credit, certified check, or similar instrument acceptable to the building official, which names the property owner as the obligor and the township as the obligee.
 2. The performance guarantee shall be submitted at the time of issuance of the permit authorizing the activity or project. If appropriate based on the type of performance guarantee submitted, the township shall deposit the funds in an interest-bearing account in a financial institution with which the township regularly conducts business.
 3. The amount of the performance guarantee shall be sufficient to cover the estimated cost of the improvements or portion thereof associated with a project for which site plan approval is being sought or has been obtained. In accordance with these guidelines, the exact amount of the performance guarantee shall be determined by the building official.
 4. The entire performance guarantee, including interest accrued, shall be returned to the applicant upon satisfactory completion of the required improvements.
 5. An amount not less than ten percent of the total performance guarantee may be retained for a period of at least one year after installation of landscape materials to insure proper maintenance and

replacement, if necessary. This amount shall be released to the applicant upon certification by the building official that all landscape materials are being maintained in good condition.

- C. *Unsatisfactory completion of improvements.* Whenever required improvements are not installed or maintained within the time stipulated or in accordance with the standards set forth in this ordinance, the township may complete the necessary improvements itself or by contract to an independent developer, and assess all costs of completing said improvements against the performance bond or other surety, including any interest accrued on said bond or surety. Prior to completing said improvements, the township shall notify the owner, site plan review applicant, or other firm or individual responsible for completion of the required improvements.

2.18. Signs.

All signs shall comply with the regulations set forth in the adopted sign ordinance, Ordinance No. 120, as amended [chapter 102 of the Township Code], and other applicable laws and ordinances.

2.19. Sidewalks.

- A. *General requirements.* Where required or permitted, sidewalks for pedestrian use shall be constructed in conformance with the following specifications:
1. *Location and width.* Required sidewalks shall be five feet in width and shall be located in the road right-of-way, with a setback of one foot from the property line. The board of trustees may modify this requirement in consideration of the location of utilities, existing landscaping, or other site improvements.
 2. *Design standards.* Sidewalks shall be constructed of concrete in accordance with established engineering standards for the township.
 3. *Alignment with adjacent sidewalks.* Sidewalks shall be aligned horizontally and vertically with existing sidewalks on adjacent properties. The board of trustees may waive this requirement if existing adjacent sidewalks are not constructed in conformance with the standards set forth herein.
 4. *Signage.* The planning commission may require installation of signage for the purposes of safety where it is necessary to separate vehicular traffic from pedestrian and bicycle traffic, or where it is necessary to alert vehicular traffic of the presence of the sidewalks.
 5. *Permits.* It shall be the responsibility of the owner or developer to secure any required permits from county or State of Michigan agencies to allow sidewalk construction in the road right-of-way.

Cross reference(s)—Streets, sidewalks and other public places, ch. 62.

2.20. Fences.

All fences shall comply with the regulations set forth in the adopted Canton Township fence ordinance [chapter 78, article V of the Township Code], and other applicable laws and ordinances.

2.21. Consent judgments and planned unit development agreements.

Consent judgments handed down by the courts or planned unit development (PUD) agreements entered into previous to the adoption date of this ordinance may contain additional regulations or provisions which supersede the regulations and standards set forth in this ordinance. Records maintained by township officials indicate the properties affected and standards imposed by such consent judgments and PUD agreements. Planned unit

development agreements may be revised in accordance with the procedures and standards set forth in section 27.04, subsection I.

2.22. Historic commission ordinance.

Property located within designated historic districts shall be subject to the provisions of the adopted historic district commission ordinance, Ordinance No. 117, as amended [chapter 90 of the Township Code].

Cross reference(s)—Historic preservation, ch. 90.

2.23. Private antenna structures.

Satellite dish and television antennas shall comply with the township's satellite dish and antennas ordinance, Ordinance No. 13 [section 78-4 of the Township Code]. Antennas shall comply with the setback standards for the district in which they are located.

2.24. Setbacks from wetland areas and watercourses.

A. *Wetlands protection.* No structure, septic tank field, drainfield, earth berm, earth structure, earth obstruction, or like thing will be placed within 25 feet of any wetland as defined by the Goemaere-Anderson Wetlands Protection Act (MCA 18.595(51) et seq., MCLA 281.701 et seq.) [repealed—see now part 303 of Public Act No. 451 of 1994 (MCL 324.30301 et seq.)].

In addition, no earth movement, excavation, land balancing or earth disruption of any kind shall take place within 25 feet of any wetlands described in the above paragraph. This section shall not be construed so as to prevent normal lawn care, landscaping, and maintenance within the prohibited setback area.

- B. *Drainage and surface water obstruction.* No person shall erect any dike, structure, building, earth berm, dam or other blockage which restricts or otherwise impairs the flow of water in any drainage ditch or along any normal surface course, nor shall any person remove any dam, dike, or pre-existing structure, which said structure precedes the passage of this ordinance, so as to cause flooding, substantial diminution in water level, or like effects, without a permit from the engineering services division.
1. In the event an obstruction as defined above should be constructed or maintained which said obstruction, in the opinion of the township engineer, causes or will cause flooding or damage, the township engineer shall order said obstruction removed by the owner of the land to provide free water flow therein. If the owner of the land on which the obstruction is located refuses to remove said obstruction, the township engineer may cause such obstruction to be removed.
 2. In the event any person should remove an existing dam or structure thereby allowing flooding or the diminution of water levels, the township engineer shall order the dam or structure restored. If the owner of the land on from [sic] which the dam or structure was removed refuses such restoration, the township engineer may cause the dam or structure to be restored.
 3. This section shall not apply to the construction of platted subdivisions, site condominiums, commercial or industrial construction where there have been site plan, plat or other similar approvals rendered by the township, which said approvals include plans for grading and contouring the soil.
 4. An application for permit pursuant to this section shall be on a form prepared by the engineering services division, and shall include the name of the owner, names of any persons holding any other interest in the real property, names of the persons in possession of the real property, and identification of the site and the planned construction, alteration or repair, the anticipated effect of the construction, alteration or repair, as well as the reason therefor, construction plans, and, where required by the

township engineer, a site plan and topographical survey of the property. The fee shall be in an amount as determined from time to time by the township board.

- C. A natural, undisturbed stormwater protection buffer shall be maintained along any creek, drain, or watercourse, whether under jurisdiction of Wayne County, MDEQ, or other permitting agency. Such buffer shall have a minimum width of 25 feet, measured from either the edge of the easement of a drain or the top of bank of other natural watercourses (except for the Rouge River), whichever is greater. The buffer shall be a minimum of 75 feet, measured from the top of bank of the Rouge River. A buffer shall not be required for work associated with an approved permit from the appropriate permitting agency or for required maintenance of a county drain. The buffer requirement shall also not apply for installation of a bio-retention system or stream bank stabilization plan which is designed for a proposed development and depicted on the landscape plans of the approved site plan or subdivision plan for the proposed development.

(Amend. of 10-20-2009)

2.25. Underground utilities.

All public and private utilities distributed by wire or cable located on property proposed for development or redevelopment shall be placed underground. This provision applies to distribution lines as well as on-site leads and service lines. The conduits and cables for such lines shall be placed within private easements provided to the service provider by the developer, or placed within dedicated public rights-of-way. All facilities placed in dedicated public easements shall be planned so they do not conflict with other underground utilities. All such facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission. Underground utility installations which traverse privately owned property shall be protected by easements granted by the proprietor.

2.26. Screening of roof-mounted mechanical units.

All roof-mounted mechanical units shall be screened from view from adjacent property and/or public rights-of-way. Screening shall be designed as an integral part of the architecture of the building (such as parapet extensions) or compatible with the design and building materials of the building.

2.27. Access to detention ponds and storm water facilities.

Reasonable and practical access shall be provided to detention ponds and storm water facilities to allow for periodic sedimentation removal and proper maintenance of related structures, pumps, mechanical filtration systems, and related ancillary equipment. The access shall be a minimum of 15 feet wide, be unpaved, and provide a grass paver type of subsurface stabilization to support heavy equipment. The location shall be indicated clearly on the proposed site plan. Access shall be located adjacent to a street, drive aisle or paved parking area where practical. The location of a pond access between two residential buildings is discouraged and will be allowed only when no other feasible alternative exists.

(Ord. of 7-18-2002)

2.28. Maintenance of site improvements.

All site improvements on an approved site plan shall be maintained in good condition. Site improvements include items such as: lighting, landscaping, sidewalks, curbing, benches, fountains, public art, raised planters, retaining walls, obscuring walls or fences, clock towers, boardwalks, or gazebos. Any element within the site shall be repaired or replaced immediately upon notice from the community planner or building official.

(Ord. of 1-23-2003)

2.29 Temporary portable storage containers and trash receptacles.

Temporary storage containers and trash receptacles used on site for the purpose of moving, renovation, and other temporary activities, shall be subject to the following requirements:

A. *General requirements.*

1. In all zoning districts, any temporary storage container or construction refuse container shall be located in an approved area of a single-family residential driveway. In the case of a multiple-family, attached condominium, or non-residential development, any temporary storage container shall be located in an approved area of the site or parking lot as shown on a site layout plan submitted with the building permit plans for the proposed work.
2. In no case shall the temporary storage container be located in a public right-of-way and shall not obstruct public sidewalks. The container shall not obstruct, impair, or impede the use and enjoyment of adjoining property.
3. The temporary storage container shall be clearly identified with the container owner's name and phone number on the container.

B. *Time limit.*

1. On single-family residential lots or parcels, use of a temporary portable storage or refuse container is limited to seven days. A permit from the building division is required for a time limit more than seven days. The permit may be issued for a period not to exceed 30 days and said permit must state an expiration date.
2. For multiple-family, condominium, and non-residential developments, portable storage or refuse containers shall be issued in conjunction with the permit for the proposed construction and shall be removed prior to issuance of an occupancy permit or completion of the permitted construction or renovation.

(Res. of 6-12-2008; Amend. of 10-20-2009)

ARTICLE 3.00. NONCONFORMITIES²

3.01. Intent.

Nonconformities are uses, structures, buildings, or lots which do not conform to one or more provisions or requirements of this ordinance or a subsequent amendment, but which were lawfully established prior to the effective date of adoption or amendment of the ordinance. It is the intent of this ordinance to permit such nonconformities to continue under certain conditions, but to discourage their expansion, enlargement, or extension. Accordingly, the purpose of this section is to establish regulations that govern the completion, restoration, reconstruction, extension, and/or substitution of nonconformities, and to specify the circumstances and conditions under which nonconformities shall be permitted to continue.

²Cross reference(s)—Buildings and building regulations, ch. 78.

State law reference(s)—Nonconformities, MCL 125.286.

3.02. Maintenance of records.

The building official shall be responsible for determining legal nonconforming uses, structures, and lots in existence on the effective date of adoption or amendment of this ordinance, and for maintaining records of nonconforming uses, structures, and lots as accurately as is feasible. Said record is intended for use by the township officials only, and is not intended as notice to any owner or person that has any such building, structure, property, or use within the township.

Any failure to prepare such record, or any failure on the part of any official to list any land, building, structure or use on any such record, shall in no way mitigate against the application of the rules and regulations controlling and eliminating said nonconforming buildings, structures, lands or uses as contained in this ordinance.

Failure on the part of a property owner to provide the building official with necessary information to determine legal nonconforming status may result in denial of required or requested permits.

3.03. General requirements.

The following regulations shall apply to all nonconforming uses, structures, and lots:

- A. *Unlawful nonconformities.* No nonconformity shall be permitted to continue in existence if it was unlawful at the time it was established.
- B. *Change of tenancy or ownership.* In the event there is a change in tenancy or ownership, an existing nonconforming use, structure, or lot shall be allowed to continue provided there is no change in the nature or character of such nonconformity.
- C. *Special uses.* Any use for which a special use has been granted as provided in this ordinance shall not be deemed a nonconformity.
- D. *Substitution.* A nonconforming use may be changed to another nonconforming use upon approval of the zoning board of appeals subject to the following provisions:
 - 1. No structural alterations are required to accommodate the new nonconforming use, and that the proposed use is equally or more appropriate in the district than the existing nonconformity. In permitting such change, the board of appeals may require appropriate conditions and safeguards in accord with the purpose and intent of this ordinance.
 - 2. Where a nonconforming use of a structure, land, or structure and land in combination is hereafter changed to a more restrictive classification, it shall not thereafter be changed to a less restricted classification.

Any nonconforming use of a structure, or structure and land in combination, which is changed to a permitted use, shall thereafter conform to the regulations pertaining to the uses permitted in the district in which such structure is located, and the nonconforming use may not thereafter be resumed.

- E. *Change of location.* A nonconforming use shall not be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance. If a nonconforming structure is moved, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- F. *Repairs and maintenance.* Routine maintenance and repairs, including repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, may be conducted on any nonconforming structure, nonconforming portion of the structure, or structure containing a nonconforming use. Such repairs are permitted provided the structure is not enlarged beyond the condition as it existed at the effective date of adoption or amendment of this ordinance.

A nonconforming structure, nonconforming portion of a structure, or a structure containing a nonconforming use which is physically unsafe or unlawful due to lack of repairs and maintenance, as determined by the building official may be restored to a safe condition. Where enlargement or structural alteration is necessary to allow compliance with health and safety laws or ordinances, the cost of such work shall not exceed 25 percent of the structure's fair market value, as determined by the township assessor at the time such work is done.

- G. *Damage by fire or other catastrophe.* Any nonconforming structure or structure containing a nonconforming use that is damaged by fire, flood, or other means in excess of 50 percent of the structure's pre-catastrophe fair market value, as determined by the township assessor, shall not be rebuilt, repaired, or reconstructed, except in complete conformity with the provisions of this ordinance.

In the event that the damage is less than 50 percent of the structure's pre-catastrophe fair market value, the structure may be restored to its pre-catastrophe status. Such restoration shall take place only upon approval of the building official and in full compliance with applicable provisions of this ordinance.

- H. *Construction in progress.* Nothing in this ordinance shall be deemed to require a change in plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently conducted. Actual construction shall include the placing and attaching of construction materials in permanent position and manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such work shall be deemed to be actual construction, provided that such work shall be diligently conducted until completion of the building involved.

- I. *Cessation of operation.*

1. A nonconforming use of a structure or a structure and land in combination that ceases operation for a period of more than six months shall thereafter conform to the regulations pertaining to the uses permitted in the district in which such structure or structure and land in combination is located. Structures occupied by seasonal uses permitted by this ordinance shall be excepted from this provision only so long as seasonal uses shall continue.
2. A nonconforming use of land that ceases operation for a period of more than six months shall thereafter conform to the regulations pertaining to the uses permitted in the district in which such land is located.

3.04. Nonconforming uses and structures.

- A. *Nonconforming uses of land.* Any lawful nonconforming use of land established prior to the effective date of adoption or amendment of this ordinance shall not be considered to be in violation of this ordinance and may be continued, subject to the following provisions:

1. A nonconforming use shall remain otherwise lawful.
2. A nonconforming use shall not be enlarged, increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance.

- B. *Nonconforming uses of structures or structures and land in combination.* Any lawful nonconforming use of a structure, or of a structure and land in combination, established prior to the effective date of adoption or amendment of this ordinance shall not be considered to be in violation of this ordinance and may be continued, subject to the following provisions:

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1. A nonconforming use of a structure, or of a structure and land in combination, shall remain otherwise lawful.
 2. A structure devoted to a use not permitted by this ordinance in the district in which it is located shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
 3. A nonconforming use may be extended throughout any part of a building which was manifestly arranged or designed for such use, and which existed at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building.
- C. *Nonconforming structures.* Any lawful nonconforming structure established prior to the effective date of adoption or amendment of this ordinance shall not be considered to be in violation of this ordinance and may be continued, subject to the following provisions:
1. A nonconforming structure shall remain otherwise lawful.
 2. A nonconforming structure shall not be enlarged or altered in a way which increases its nonconformity, except as herein provided.

3.05. Nonconforming lots of record.

The following regulations shall apply to any nonconforming lot of record or nonconforming lot described in a deed or land contract executed and delivered prior to the effective date of this ordinance or amendment thereto:

- A. *Use of nonconforming lots.* Any nonconforming lot shall be used only for a use permitted in the district in which it is located. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance. This provision shall apply even though such single-family lot fails to meet the applicable requirements for area or width, or both, subject to the following provisions:
 1. The lot cannot be reasonably developed for the use proposed without such deviations,
 2. The lot can be developed as proposed without any significant adverse impact on surrounding properties or the public health and safety, and
 3. The lot is in conformance with all other applicable yard and lot requirements for the district in which it is located.
- B. *Application for use of nonconforming lots.* Any application for single-family housing construction on a nonconforming lot of record shall be submitted to and approved by the building official. Where applicable, the application shall include three copies of the results of soil percolation tests performed by a registered civil engineer at the exact location of a proposed septic system and proof of approval by the Wayne County Health Department.
- C. *Variance to area and bulk requirements.* If the nonconforming lot requires a variation of the area requirements in order to erect a structure, then such structure shall be permitted only if a variance is granted by the zoning board of appeals.
- D. *Nonconforming contiguous lots under the same ownership.* If two or more lots or combination of lots with contiguous frontage in single ownership are of record at the time of adoption or amendment of this ordinance, and if all or part of the individual lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an individual parcel for the purposes of this ordinance. No portion of said parcel shall be used, occupied, or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance, nor shall any division

of a parcel be made which creates a lot with width or area less than the requirements stated in this ordinance.

ARTICLE 4.00. OFF-STREET PARKING AND LOADING REQUIREMENTS³

4.01. Off-street parking requirements.

A. *Scope of off-street parking requirements.* Compliance with the off-street parking regulations shall be required as follows:

1. *General applicability.* For all buildings and uses established after the effective date of this ordinance, off-street parking shall be provided as required by the following regulations. However, where a building permit has been issued prior to the effective date of the ordinance and construction has been diligently carried on, compliance with the parking requirements at the time of issuance of the building permit shall be required.
2. *Change in use or intensity.* Whenever use of a building, structure, or lot is changed, parking facilities shall be provided as required by this ordinance for the new use, regardless of any variance which may have been in effect prior to change of use.

If the intensity of use of any building, structure, or lot is increased through the addition of dwelling units, increase in floor area, increase in seating capacity, or through other means, additional off-street parking shall be provided for such increase in intensity of use.

3. *Existing parking facilities.* Off-street parking facilities in existence on the effective date of this ordinance shall not thereafter be reduced below, or if already less than, shall not be further reduced below the requirements for the use being served as set forth in this ordinance.

An area designated as required off-street parking shall not be changed to any other use unless equal facilities are provided elsewhere in accordance with the provisions of this ordinance.

4. *Additional off-street parking.* Nothing in this ordinance shall be deemed to prevent voluntary establishment of off-street parking facilities to serve an existing use of land or buildings, provided all such parking is in conformance with the regulations herein.

5. *Review and permit requirements.* In the event that new off-street parking is proposed as part of a development requiring site plan review, said proposed parking shall be shown on the site plan submitted to the township for review. In the event that proposed off-street parking is not part of a development requiring site plan review, the applicant shall submit a plot plan to the township for review and approval in accordance with the procedures outlined herein and in other applicable ordinances. The plot plan shall indicate the location of the proposed parking in relation to other uses on the site and on adjoining sites, the proposed means of ingress and egress, the number and dimensions of parking spaces, and the method of surfacing.

B. *General requirements.* In all zoning districts, off-street vehicle parking facilities shall be provided and maintained as herein prescribed:

1. *Location.* Off-street parking facilities required for multiple-family and nonresidential uses shall be located on the same lot or parcel as the building or use they are intended to serve, except as otherwise permitted for collective use of off-street parking.

³Cross reference(s)—Traffic and vehicles, ch. 70.

It shall be unlawful to park or store any motor vehicle on commercial or industrial property past the posted operating hours of that business, unless the motor vehicle is registered in the name of the business or the name of the owner of the business, and is being used in direct connection with the daily operations of that business.

Unless otherwise specified elsewhere in this ordinance, off-street parking may be located in required yards, provided that all landscaping and berm requirements are complied with. Off-street parking shall not be permitted within five feet of an agricultural or single-family residential district boundary unless the boundary falls along a common separating street or railroad right-of-way. Off-street parking shall not be permitted in the required front yard of multiple-family districts and churches.

2. *Residential parking.* Off-street parking spaces in single-family residential districts shall consist of a parking strip, driveway, garage, or combination thereof, and shall be located on the premises they are intended to serve. No parking shall be permitted on lawns or other unpaved areas on residential lots, with the exception of approved gravel parking areas.

Paved or gravel area for parking shall not exceed 50 percent of the total area of the front yard. One commercial vehicle may be parked on each lot in residential districts, provided that such vehicle meets all requirements set forth in section 2.03.D.6. Any such vehicle shall have a total of no more than six wheels with up to four wheels per axle. Furthermore, any such vehicle shall be stored in a garage. Parking or storage of semitrailers shall be prohibited within residential districts.

3. *Control of off site parking.* It shall be unlawful to park or store any motor vehicle on private property without the expressed or implied consent of the owner, holder, occupant, lessee, agent, or trustee of said private property. Where required parking is permitted on land other than on the same lot as the building or use being served, the land on which the parking is located shall be under the same ownership and control as the lot occupied by said building or use.
4. *Access to parking.* Each off-street parking space shall open directly onto an aisle or driveway of sufficient width and design as to provide safe and efficient access to or from a public street or alley in a manner that will least interfere with the smooth flow of traffic.
5. *Collective use of off-street parking.* Off-street parking space for separate buildings or uses may be provided collectively. If parking facilities for separate buildings or uses are provided collectively, the total number of spaces provided shall not be less than the number which would be required if the spaces were provided separately. However, the planning commission may reduce the total number of spaces provided collectively by up to 25 percent upon making the determination that the parking demands of the uses being served do not overlap.

Parking spaces already provided to meet the off-street parking requirements for theaters, stadiums, auditoriums, stores, office buildings, and industrial establishments, lying within 500 feet of a church as measured along lines of vehicle access, and which are not normally used between the hours of 6:00 a.m. and 6:00 p.m. on Sundays, may be used to meet no more than 25 percent of the off-street parking requirements of a church.

6. *Storage and repair prohibited.* The storage of merchandise, sale of motor vehicles, storage of inoperable vehicles, or repair of vehicles are prohibited in required off-street parking lots. Emergency service required to start vehicles shall be permitted.
7. *Duration.*
 - a. Except when land is used as permitted storage space in direct connection with a business, a twenty-four-hour time limit for parking in nonresidential off street parking areas shall prevail, provided that it shall be unlawful to permit the storage of wrecked, inoperable, or junked vehicles in any parking area in any district.

- b. Parking spaces provided to meet the requirements of this subsection shall not be used to park, store or display commercial vehicles of any kind. Any facility which has the need to park or store commercial vehicles which are directly related to operation of an approved use on the premises shall designate spaces for these vehicles on the site plan. These spaces shall be over and above the minimum parking spaces required for the site; be located behind the building or in a location not readily visible from a public street; be signed or marked to reserve the area for this purpose; and be approved by the planning services division.
8. *Parking structures.* Parking structures shall be permitted in the mid- and high-rise development districts in compliance with the following standards:
- a. Any parking structure shall comply with the required setbacks for the district in which it is located.
 - b. Parking structures shall be designed as integral elements of the overall site plan, taking into account the relationship to the principal building and other structures on the site.
 - c. The facade of the parking structure shall be compatible in design, color, and type of material to the principal building(s) on the site.
 - d. Landscaping shall be placed around the parking structure in accordance with an approved landscape plan. Any such landscaping shall be compatible with the overall landscape plan for the entire site.
9. *Maintenance.* All parking areas shall maintain a safe, clean and durable surface. Severe cracks and potholes shall be repaired after notification by the building official or ordinance officer.
- C. *Minimum number of spaces required.* The following standards shall be used in determining the required number of parking spaces:
- 1. *Definition of floor area.* For the purposes of determining required number of parking spaces, "floor area" shall be measured in accordance with the definitions provided in section 1.03.
 - 2. *Units of measurement.* When calculations for determining the required number of parking spaces result in a fractional space, any fraction of less than one-half may be disregarded, while a fraction of one-half or more shall be counted as one space. Parking spaces required for employees shall be based on the maximum number of employees on the premises at any one time.
 - 3. *Uses not cited.* For those uses not specifically mentioned, the requirements for off-street parking for a similar use shall apply, subject to review by the planning commission.
 - 4. *Parking for the physically handicapped.* Each parking lot that serves a building, except single- and two-family dwelling units, shall have a number of level parking spaces, identified by an above-grade sign which indicates the spaces are reserved for physically handicapped persons. Parking for the handicapped shall comply with the State of Michigan Department of Labor Building Code including Barrier-Free Design, Michigan Public Act No. 1 of 1966 (MCL 125.1351 et seq.), as amended, and the adopted township building code.

Total Parking in Lots	Required Number of Accessible Spaces
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	8

301 to 400	12
401 to 700	14
701 to 1,000	1/50 spaces or fraction thereof
Over 1,000	20 plus 1 for each 100 over 1,000, or fraction thereof

5. *Use of loading space.* Required loading space shall not be counted or used for required parking.
6. *Minimum number of spaces for each use.* The amount of required off-street parking space shall be determined in accordance with the schedule which follows. The total number of off-street parking spaces shall not exceed the minimum number of spaces required by the schedule of off-street parking by more than ten percent. The applicant may request that the planning commission consider a modification to the parking requirements based on a certified traffic generation study justifying either an increase or decrease to these requirements based on the level of current or future customer traffic. The planning commission may also require that construction of parking spaces necessary for future customer traffic be deferred until the need for the projected parking is justified.

SCHEDULE OF OFF-STREET PARKING

Land Use	Required Number of Parking Spaces	Number Each Unit of Measure as Follows
RESIDENTIAL USES		
Single- and two-family housing	2	Dwelling unit (may be in garage)
Multiple-family housing	2	Efficiency unit, PLUS
	2	1-bedroom unit, PLUS
	2	2-bedroom unit, PLUS
	3	3- or more bedroom unit
In addition, multiple-family buildings shall be required to provide supplemental guest parking space equal to at least 20 percent of the spaces required by the above standards. These additional spaces shall be spaced to be convenient to each building of the project.		
Housing for elderly:		
	Independent living for the elderly	1 Dwelling unit, PLUS
		1 Employee and regular service provider, PLUS 10 percent for visitor parking
	Assisted living for the elderly	1 2 dwelling units, PLUS
		1 Employee and regular service provider
Mobile homes: Parking should be provided in accordance with Michigan Mobile Home Commission Rules and Michigan Public Act No. 419 of 1976 [repealed—see now Public Act No. 96 of 1987 (MCL 125.2301 et seq.)], as amended.		
INSTITUTIONAL OR PUBLIC USES		
Churches, temples, and places of worship	1	3 seats, OR
	1	6 lineal feet of pews in the main hall

Day care centers	1	Teacher, administrator, or other employee, PLUS
	1	400 square feet of usable floor area
In addition, sufficient area shall be set aside for dropping off and picking up participants in a safe manner that will not result in traffic disruption.		
Hospitals, sanitariums	1	2 beds, PLUS
	1	5 outpatients, PLUS
	1	Employee and doctor on the largest working shift
Homes for the aged, convalescent homes, and children's homes	1	4 beds, PLUS
	1	Employee and staff doctor
Museum, library, cultural center, or similar facility	1	300 square feet of usable floorspace, PLUS
	1	Employee
Post office	1	200 square feet of usable floorspace, PLUS
	1	Employee
Private clubs, fraternities, dormitories	1	3 persons who may be legally admitted at one time, based on the occupancy load established by local codes, PLUS
	1	Employee
Schools, elementary and junior high	1	Teacher, administrator, or other employee
In addition, additional spaces shall be provided as required for any auditorium or public meeting space. If no auditorium or public meeting space exists, then 1 space per classroom shall be provided in addition to required spaces for teachers, administrators, and other employees.		
Schools, senior high	1	Teacher, administrator, or other employee, PLUS
	1	10 students
In addition, additional spaces shall be provided as required for any auditorium, stadium, or other public meeting spaces.		
Stadiums, sports arenas	1	4 seats, OR
	1	8 lineal feet of benches, whichever is greater, PLUS
	1	Employee
Theaters and auditoriums, with fixed seating	1	3 seats, OR
	1	6 lineal feet of benches, PLUS
	1	Employee
Theaters and auditoriums, without fixed seating	1	3 persons who may be legally admitted at one time based on the occupancy load established by local code, PLUS

		1	Employee
BUSINESS AND COMMERCIAL USES			
Animal hospitals and commercial kennels		1	400 square feet of usable floor area, PLUS
		1	Employee
Auto and vehicle repair or service facilities, bump shops		1	Employee, PLUS
		2	Service or repair bay, PLUS
		1	800 square feet of usable floor area
Each service or repair bay shall count as one space.			
Auto or vehicle service station		2	Service or repair bay, PLUS
		2	Gasoline pump island, PLUS
In addition, off-street parking shall be provided for convenience stores and other uses operated in conjunction with an auto service station, based on the standards set forth herein.			
Auto wash, automatic		1	Employee, PLUS
		25	First wash lane, PLUS
		20	Each additional wash lane, PLUS
		1	20 lineal feet of automatic wash operation
Auto wash, self-service		5 stacking spaces	Washing stall in addition to the stall itself,
		2 drying spaces	Washing stall
Banks, financial institutions		2	200 square feet of usable floor area, PLUS
		1	Employee
In addition, financial institutions with drive-in windows shall provide 6 stacking spaces for each window.			
Beauty or barber shops		3	Beauty or barber chair
Dining halls, exhibition halls, pool halls, billiard halls, assembly halls, without fixed seats		1	2 persons who may be legally admitted at one time based on the occupancy load established by local codes, PLUS
		1	Employee, OR
		1	100 square feet of usable floor area, whichever is greater
Furniture and appliance sales, household equipment repair shops		1	800 square feet of usable floor area, PLUS
		1	Employee
Hotel, motel, or other lodging		1	Occupancy unit, PLUS
		1	Employee
In addition, spaces shall be provided as required for restaurants, bars, assembly rooms, and other affiliated uses.			
Ice cream parlors		1	75 square feet of gross floor area, with a minimum of 8 spaces

Laundromats and coin-operated dry cleaners	1	2 washing and/or dry cleaning machines
Lumberyards	2.5	Employee
In addition, additional spaces shall be provided as required for enclosed retail space.		
Miniwarehouses, self-storage establishments	1	10 storage units, equally distributed throughout the storage area, PLUS
	2	Manager's or caretaker's quarters, PLUS
	1	50 storage units located at the project office
Mortuaries, funeral homes	1	50 square feet of floor area in the parlor area
Motels, hotels, and tourist homes	1	Guestroom, PLUS
	1	Employee
In addition, additional spaces shall be provided as required for restaurant facilities, meeting rooms, and similar uses.		
Motor vehicle sales	1	200 square feet of usable floor area exclusive of service areas, PLUS
	1	Auto service stall in the service area, PLUS
	1	500 square feet of outdoor sales area, PLUS
	1	Employee
All parking required above shall be exclusive from parking for vehicles being offered for sale.		
Open air businesses	1	800 square feet of land area being used for display, PLUS
	1	Employee
In addition, spaces shall be provided for as required for retail sales within a building.		
Personal service establishments not otherwise specified	1	300 square feet of usable floor area, PLUS
	1	Employee
Restaurants, bar/lounge	1	40 square feet of usable floor area, PLUS
	1	Per employee
Parking for that portion used principally for dining shall be based on the requirements for "Restaurants, standard."		
Restaurants, carryout	10	Service or counter station, PLUS
	1	Employee
Restaurants, fast food, drive-in, drive-through	1	50 square feet of eating area, PLUS
	1	Employee, PLUS
	10 stacking	Drive-through window spaces
Restaurants, standard	1	65 square feet of usable floor area, PLUS

		1	Employee
Roadside stands		6	Establishment
Shopping centers		1	250 square feet of gross leasable floor area
Supermarkets, convenience stores		1	150 square feet of usable floor area, PLUS
		1	Employee
Wholesale sales stores, machinery sales, showroom of a plumber, electrician, or similar trade		1	1,000 square feet of usable floor area, PLUS
		1	Employee
Retail stores not otherwise specified		1	150 square feet of usable floor area, PLUS
		1	Employee on the largest working shift
OFFICE USES			
Business and professional offices, except as otherwise specified		1	250 square feet of gross floor area
Professional offices and clinics of doctors, dentists, and similar medical professions		1	200 square feet of gross floor area
INDUSTRIAL USES			
Manufacturing establishments, or establishments for industrial production, processing, assembly, compounding, preparation, cleaning, servicing, testing, repair, plus accessory business offices and accessory storage facilities		5	PLUS
		1	Employee on the largest working shift, OR
		1	550 square feet of usable floor area, whichever is greater
Multi-tenant industrial buildings		1	400 square feet of gross floor area
Wholesale and warehouse establishments		5	PLUS
		1	Employee, OR
		1	1,500 square feet of gross floor area, whichever is greater
RECREATION USES			
Archery facilities		2	Target
Softball, baseball fields		25	Playing field
BMX course		50	Course
Bowling establishments		6	Lane
Additional spaces shall be provided as required for restaurants, bars, and other affiliated uses.			
Dance, gymnastics, martial arts, yoga and similar indoor training studio uses		1	100 square feet of studio space, PLUS
		1	250 square feet of office and support area

Dancehalls, health spas, pool or billiard parlors, skating rinks, exhibition halls, assembly halls without fixed seats, and similar indoor recreation	1	2 persons who may be legally admitted at one time based on the occupancy load established by local codes, PLUS
	1	Employee, OR
	1	1,000 square feet of usable floor area, whichever is greater
Football and soccer fields	30	Field
Golf course, public or private	5	Golf hole, PLUS
	1	Employee
Additional spaces shall be provided as required for clubhouse, restaurant, pro shop, or other affiliated facilities.		
Golf course, miniature or par-3	2	Golf hole, PLUS
	1	Employee
Additional spaces shall be provided as required for clubhouse, restaurant, pro shop, or other affiliated facilities.		
Golf driving range	1	Tee
Private clubs and lodges	1	2 persons who may be legally admitted at one time based on the occupancy load established by local codes, PLUS
	1	Employee
Stadium, sports arena, or similar assembly space	1	3 seats, OR
	1	6 lineal feet of benches, PLUS
	1	Employee
Swimming pool clubs	1	2 member families or individual member, PLUS
	1	Employee
Swimming pools	1	4 persons who may be legally admitted at one time based on occupancy load established by local code, PLUS
	1	Employee
Tennis clubs and court-type recreation uses	1	Person permitted based on the capacity of the courts, PLUS
	1	Employee
Additional spaces shall be provided as required for restaurants, bars, pro shops, and other affiliated facilities.		

D. *Layout and construction.* Off-street parking facilities containing five or more spaces shall be designed, constructed, and maintained in accordance with the following requirements:

1. *Review and approval requirements.* Plans for the construction of any parking lot in conjunction with a new development shall be submitted for review and approval according to the normal site plan review

procedures. Plans for expansion of an existing parking lot that is not associated with other new development must be submitted to the building official for review and approval prior to the start of construction. Upon completion of construction, the parking lot must be inspected and approved by the building official before a certificate of occupancy can be issued for the parking lot and for the building or use the parking is intended to serve.

Plans shall be prepared at a scale of not less than 50 feet equal to one inch. Plans shall indicate existing and proposed grades, drainage, water mains and sewers, surfacing and base materials, and the proposed parking layout. The plans shall conform to the construction and design standards formally established by the township engineer.

In the event that required parking cannot be constructed because of cold or inclement weather, a temporary certificate of occupancy may be issued by the building official, provided the applicant first deposits a performance guarantee in accordance with section 2.17. Said performance guarantee shall be equivalent to the cost of construction as determined by the building official.

2. *Dimensions.* Off-street parking shall be designed in conformance with the following standards:

OFF-STREET PARKING STANDARDS
(All Dimensions in Feet)

Parking Angle	Maneuvering Aisle Width	Parking Stall Width	Parking Stall Length	Total Width of Two Stalls of Parking Plus Maneuvering Aisle
0 degree (parallel)	12.0	8.5	24.0	29.0 (one-way)
	22.0	8.5	24.0	41.0 (two-way)
Up to 53 degrees	15.0	9.0	17.0	49.0 (one-way)
	22.0	9.0	17.0	58.0 (two-way)
54 to 74 degrees	18.0	9.0	18.0	54.0 (one-way)
	22.0	9.0	18.0	60.0 (two-way)

Parking Angle	Maneuvering Aisle Width	Parking Stall Width	Parking Stall Length	Total Width of Two Stalls of Parking Plus Maneuvering Aisle
75 to 90 degrees	22.0	9.0	19.0	60.0 (two-way)

3. *Modification to parking stall length.* The requirements for parking stall length may be reduced by two feet where 90-degree parking abuts a sidewalk, other pavement, or sodded area at the front of the stalls, provided any such pavement or sodded area measures at least seven feet in width.
4. *Ingress and egress.* All spaces shall be provided with adequate access by means of clearly defined maneuvering lanes and driveways. Driveways providing access to an off-street parking lot shall be a minimum of 30 feet wide. Spaces backing directly onto a street shall be prohibited. Entrances and exits from off-street parking lots shall be located at least 25 feet from the nearest point of any property zoned for single-family residential use.

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5. *Surfacing and drainage.* All off-street parking areas, access lanes, and driveways shall be hard-surfaced with concrete or plant-mixed bituminous material. Off-street parking areas, access lanes, and driveways shall be graded and drained so as to dispose of surface waters. Surface water shall not be permitted to drain onto adjoining property, unless in accordance with an approved drainage plan. Grading, surfacing, and drainage plans shall be subject to review and approval by the township engineer.
 6. *Curbs.* A curb of at least six inches in height shall be installed to prevent motor vehicles from being driven or parked so that any part of the vehicle extends within two feet of abutting landscaped areas, sidewalks, streets, buildings, or adjoining property.
 7. *Lighting.* All parking areas, driveways, and walkways shall be illuminated to ensure the security of property and the safety of persons using such areas, in accordance with the requirements set forth in section 2.13. Parking lot entrances shall be illuminated.
 8. *Buildings.* No building or structure shall be permitted on an off-street parking lot, except for a maintenance building/attendant shelter, which shall not be more than 50 square feet in area and not more than 15 feet in height.
 9. *Signs.* Accessory directional signs shall be permitted in parking areas in accordance with the adopted sign ordinance [chapter 102 of the Township Code].
 10. *Screening and landscaping.* All off-street parking areas, except those serving single and two-family residences, shall be screened and landscaped in accordance with the provisions set forth in article 5.00.
- E. *Recreational vehicles parking in residential districts.* Any owner of camping and recreational equipment may park or store such equipment on residentially used property subject to the following conditions:
1. Recreational vehicles parked or stored shall not have fixed connections to electricity, water, gas or sanitary sewer facilities, and at no time shall this equipment be used for living or housekeeping purposes.
 2. If the camping and recreational vehicle is parked or stored outside of a garage, it may be parked or stored between the front and rear building lines of a home provided that a side yard area between the vehicle and side property line of not less than ten feet is maintained. Otherwise, the vehicle must be stored to the rear of the rear building line, but never closer than three feet to a side or rear property line.
 3. Recreational vehicles may be parked in the owner's driveway for a period not to exceed three calendar days or any part thereof within a rolling seven-day period.
 4. All recreational vehicles must be kept in good repair, running condition and/or mobile. Further, they must carry a registration in the name of the occupant of the dwelling unit and a license that has not expired for a period of more than eight months.
 5. Recreational vehicles may not occupy more than 25 percent of the required rear yard.
 6. The parking or storage of an unoccupied mobile home, being a movable or portable dwelling, constructed to be towed on its own chassis and connected to utilities and designed without a permanent foundation for yearround living, is specifically prohibited, except in the RMH mobile home zoning district.
 7. *Waiver of regulations.* The provisions concerning location may be waived for a period of up to two weeks to permit the repair of the owner's or occupant's recreational vehicle, or to permit the parking of a recreational vehicle of a guest. Permits for any such waiver shall be obtained from building and inspection services. Not more than two permits shall be issued per address per calendar year. Permits

shall be valid for a period of not more than two weeks in duration. Such vehicles shall be located in the driveway of the applicant's residence and shall not block the sidewalk, or have fixed utilities.

(Ord. of 9-4-2003; Ord. of 9-26-2006; Res. of 6-12-2008; Ord. of 5-25-2010; Ord. of 7-28-2015, § 1)

4.02. Loading space requirements.

- A. *Scope of loading space requirements.* Compliance with the loading space regulations set forth herein shall be required in order to avoid interference with the public use of streets, alleys, parking areas, driveways, sidewalks, and other public areas.
1. *General applicability.* On the same premises with every building, or part thereof, erected and occupied for manufacturing, storage, warehousing, display of goods, including department stores, wholesale stores, markets, hotels, hospitals, mortuaries, laundries, dry cleaning establishments, and other uses involving the receipt or distribution of materials, merchandise, or vehicles, there shall be provided and maintained adequate space for loading and unloading as required in this section.
 2. *Change in use or intensity.* Whenever use of a building, structure, or lot is changed, loading space shall be provided as required by this ordinance for the new use, regardless of any variance which may have been in effect prior to change of use.
- B. *General requirements.*
1. *Location.* Required loading space shall be located in the side or rear yard of the same zoning lot as the use being served. Loading space or access thereto shall not be located where loading/unloading operations will interfere with traffic on public streets or off-street parking.
 2. *Size.* Unless otherwise specified, each required loading space shall be a minimum of ten feet in width and 50 feet in length, with a vertical clearance of 15 feet.
 3. *Surfacing and drainage.* Loading areas shall be hard-surfaced with concrete or plant-mixed bituminous material. Loading areas shall be graded and drained so as to dispose of surface waters. Surface water shall not be permitted to drain onto adjoining property, unless in accordance with an approved drainage plan. Grading, surfacing, and drainage plans shall be subject to review and approval by the township engineer.
 4. *Storage and repair prohibited.* The storage of merchandise, sale of motor vehicles, storage of inoperable vehicles, or repair of vehicles is prohibited in required loading space.
 5. *Use of loading space.* Required loading space shall not be counted or used for required parking.
 6. *Central loading.* Central loading facilities may be substituted for individual loading spaces serving businesses on separate lots provided that all of the following conditions are fulfilled:
 - Each business served shall have direct access to the central loading area without crossing streets or alleys.
 - Total loading space provided shall meet the minimum requirements specified herein, in consideration of total floor area of all businesses served by the central loading space.
 - No building served shall be more than 500 feet from the central loading area.
 7. *Minimum loading space.* The amount of required loading space shall be determined in accordance with the schedule which follows. The planning commission may modify these requirements upon making the determination that another standard would be more appropriate because of the number or type of deliveries experienced by a particular business or use.

SCHEDULE OF LOADING SPACE REQUIREMENTS

Gross Floor Area (square feet)	Number of Loading Spaces
0—1,999	See note 1
2,000—19,000	1 space
20,000—99,999	1 space, plus 1 space for each 20,000 sq. ft. in excess of 20,000 sq. ft.
100,000—499,999	5 spaces, plus 1 space for each 40,000 sq. ft. in excess of 100,000 sq. ft.
500,000 and over	15 spaces, plus 1 space for each 80,000 sq. ft. in excess of 500,000 sq. ft.

Footnote to schedule of loading space requirements:

1. Establishments containing less than 2,000 square feet of gross floor area shall be provided with adequate off-street loading space that is accessible by motor vehicle, but which does not interfere with pedestrian or vehicular traffic.

ARTICLE 5.00. LANDSCAPING, SCREENING, AND WALLS

5.01. Intent and scope of requirements.

- A. *Intent.* Landscaping, greenbelts, and screening are necessary for the continued protection and enhancement of all land uses. Landscaping and greenbelts are capable of enhancing the visual image of the township, preserving natural features, improving property values, and alleviating the impact of noise, traffic, and visual distraction associated with certain uses. Screening is important to protect less-intensive uses from the noise, light, traffic, litter and other impacts of more intensive, nonresidential uses. Accordingly, these provisions are intended to set minimum standards for the design and use of landscaping, greenbelts, and screening, and for the protection and enhancement of the township's environment. More specifically, the intent of these provisions is to:
1. Improve the appearance of off-street parking areas, vehicular use areas, and property abutting public rights-of-way,
 2. Protect and preserve the appearance, character, and value of the neighborhoods which abut nonresidential areas, parking areas, and other intensive use areas, thereby protecting the public health, safety and welfare,
 3. Reduce soil erosion and depletion, and
 4. Increase soil water retention, thereby helping to prevent flooding.
- B. *Scope of application.* These requirements shall apply to all uses which are developed, expanded, or changed and to all lots, sites, and parcels which are developed or expanded upon following the effective date of this ordinance. No site plan shall be approved unless it shows landscaping consistent with the requirements of this section. Where landscaping is required, a building permit shall not be issued until the required landscape plan is submitted and approved, and a certificate of occupancy shall not be issued unless provisions set forth in this section have been met or a performance guarantee has been posted in accordance with the provisions set forth in section 2.17.

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- C. *Minimum requirements.* The requirements in this article are minimum requirements, and under no circumstances shall they preclude the developer and the township from agreeing to more extensive landscaping.
 - D. *Design creativity.* Creativity in landscape design is encouraged. Accordingly, required trees and shrubs may be planted at uniform intervals, at random, or in groupings, depending on the designer's desired visual effect and, equally important, the intent of the township to coordinate landscaping on adjoining properties. Generally, the most successful landscape design plans have involved clustering of trees and shrubs, rather than "formal" designs involving placement of trees and shrubs at uniform intervals.

5.02. General landscaping requirements.

- A. *General site requirements.* All developed portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as a greenbelt, berms, or screening are required:
 - 1. All 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. Grass areas in the front yard of all nonresidential uses shall be planted with sod.
 - 2. A mixture of evergreen and deciduous trees shall be planted on nonresidential parcels at the rate of one tree per 3,000 square feet or portion thereof of any unpaved open area for which specific landscaping requirements do not appear later in this article. Required trees may be planted at uniform intervals, at random, or in groupings.
 - 3. All lawn and landscaped areas shall be provided with four inches of topsoil or compost on untilled surfaces or two inches of topsoil or compost on tilled surfaces.
- B. *Berms.* Where required, berms shall conform to the following standards:
 - 1. *Dimensions.* Unless otherwise indicated or appropriate, required berms shall be measured from the grade of the adjacent road right-of-way or parking lot adjacent to the berm, whichever is higher, and shall be constructed with slopes no steeper than one foot vertical for each three feet horizontal (33 percent slope), with at least a two-foot flat area on top. Berms shall undulate both vertically and horizontally and the landscape plan shall show the proposed contours of the berm, subject to review and approval of berm design as shown on the site plan.
 - 2. *Protection from erosion.* Any required berm shall be planted with sod, ground cover, or other suitable live plant material to protect it from erosion so that it retains its height and shape. The use of railroad ties, cement blocks, and other types of construction materials to retain the shape and height of a berm shall be prohibited unless specifically reviewed and approved by the planning commission.
 - 3. *Required plantings.*
 - a. *Berms located in the front yard of nonresidential parcels.* Berms located in the front yard of nonresidential parcels shall be landscaped in accordance with the requirements for landscaping adjacent to roads, section 5.03.A.3.
 - b. *Berms used for screening other than in the front yard.* A minimum of one deciduous shade tree shall be planted for each 30 lineal feet or portion thereof, plus, a minimum of one ornamental tree shall be planted for each 50 lineal feet or portion thereof of required berm, plus, evergreen trees or hedges that are at least eight feet high as measured from the top of the root ball, which, upon being planted in two rows with staggered offset planted 15-foot on center of both rows, will create a visual barrier for at least 75 percent of the berm length.

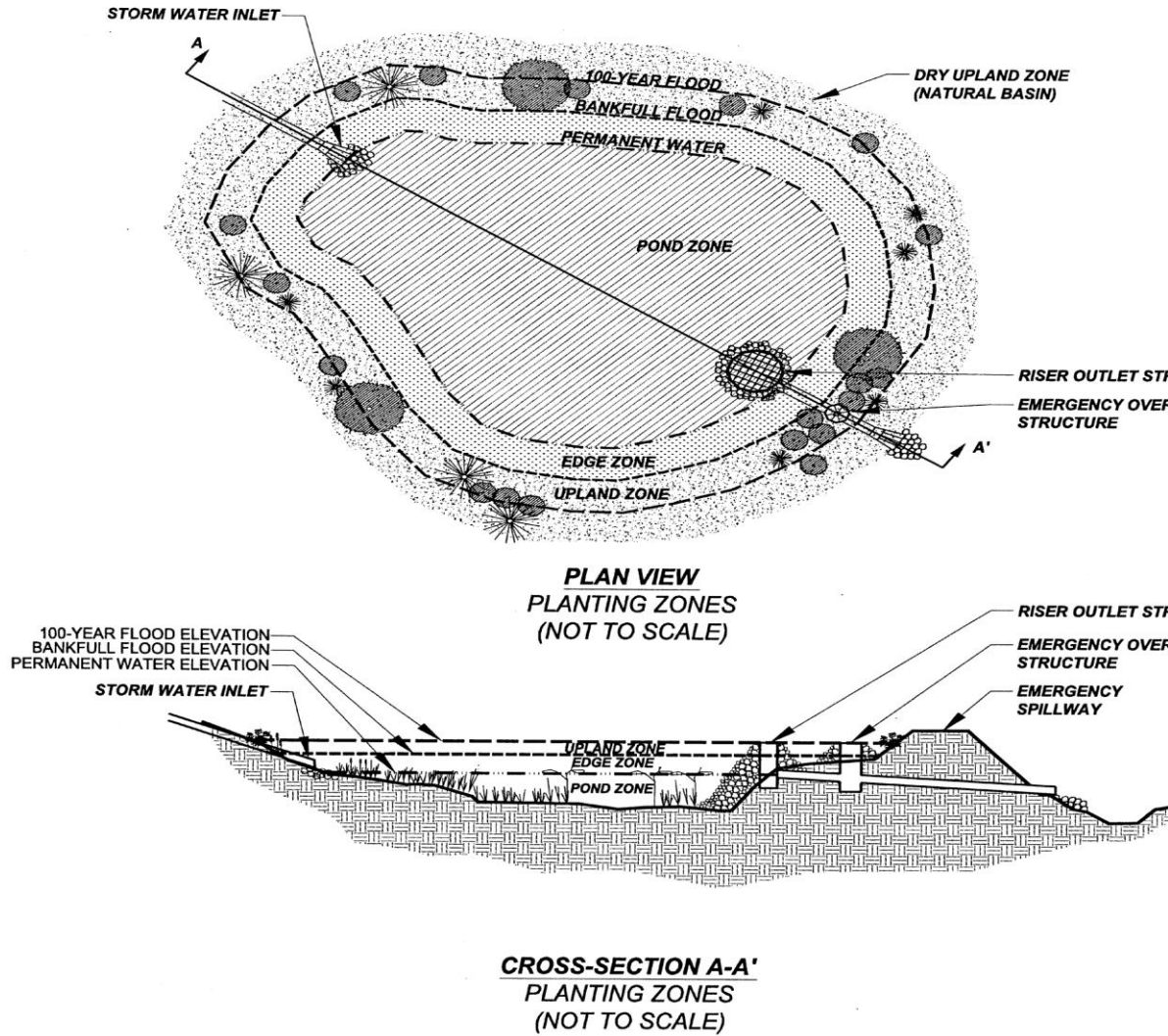
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4. *Measurement of berm length.* For the purposes of calculating required plant material, berm length shall be measured along the exterior edge of the berm.
- C. *Parking lot landscaping.* In addition to required screening, all off-street parking areas shall also provide landscaping as follows:
1. *Landscaping ratio.* Off-street parking areas containing greater than 15 spaces shall be provided with at least 25 square feet of interior landscaping per parking space, except that only ten square feet of interior landscaping shall be required per parking space located in a parking structure in the mid- and high-rise development districts, and in mobile home park, R-6, MR, and RMH districts. Whenever possible, parking lot landscaping shall be designed to improve the safety of pedestrian and vehicular traffic, guide traffic movement, and improve the appearance of the parking area.
 2. *Minimum area.* Landscaped areas located in parking lots and adjacent to any building wall shall be no less than 12 feet in any single dimension and no less than 150 square feet in area, except that interior landscaped areas shall measure no less than 300 square feet in area in the mid- and high-rise development districts. In the C-1 and C-2 zoning districts, any planting island located within a parking lot or located adjacent to a perimeter driveway shall be a minimum of 20 feet in any single dimension and no less than 400 square feet in area. Wherever possible, the parking areas and driveways shall be separated from the buildings by a landscaped island. Landscaped areas in or adjacent to parking lots shall be protected with curbing or other means to prevent encroachment of vehicles.
 3. *Other landscaping.* Required landscaping elsewhere on the parcel shall not be counted in meeting the parking lot landscaping requirements.
 4. *Required plantings.* Requirements for plant material shall be based on the location, size, and shape of the parking lot landscaped area. A minimum of one evergreen or deciduous shade tree shall be planted per 300 square feet or fraction thereof of interior landscaped area. At least 50 percent of each interior landscaped area shall be covered by living plant material, such as sod, shrubs, ground cover, or trees. Plantings within parking lots shall comply with the requirements for unobstructed site [sight] distance set forth in section 5.02.F, herein. The landscape plan shall indicate the types, sizes, and quantities of plant material proposed for such area.
- D. *Screening.*
1. *General screening requirements.* Unless otherwise specified, wherever an evergreen or landscaped screen is required, evergreen screening shall consist of closely spaced plantings which can be reasonably expected to form a complete visual barrier that is at least eight feet above ground level within five years of planting. Wherever screening is required adjacent to residentially zoned or used property, the screening must be installed prior to the beginning of site grading and general construction, except where such activity would result in damage to the screening.
 2. *Screening of utility substation and mechanical equipment.* Mechanical equipment, such as air compressors, pool pumps, transformers, air conditioning units, sprinkler pumps, satellite dish antennas, utility substations and similar equipment shall be screened by evergreens on at least three sides. Insofar as practical, said screening shall exceed the vertical height of the equipment being screened by at least six inches within two years of planting. Specific screening requirements for utility substations will be determined on a case-by-case basis by the township depending on the particular character of the area where the substation is proposed to be located.
- E. *Landscaping of rights-of-way.* Public rights-of-way located adjacent to required landscaped areas and greenbelts shall be planted with sod or other suitable live ground cover, and shall be maintained by the owner or occupant of the adjacent property as if the rights-of-way were part of the required landscaped areas or greenbelts. No plantings except grass or ground cover shall be permitted closer than three feet from the edge of the road pavement.

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- F. *Maintenance of unobstructed visibility for drivers.* No landscaping shall be erected, established, or maintained on any parcel or in any parking lot which will obstruct the view of drivers. Accordingly, all landscaping shall comply with the provisions concerning unobstructed sight distance set forth in section 2.09.A.4, herein. Furthermore, interior landscaping in parking lots shall not be permitted to obstruct cross-visibility between a height of 30 inches and six feet above the grade level of the parking lot.
 - G. *Potential damage to utilities.* In no case shall landscaping material be planted in a way which will interfere with or cause damage to underground utility lines, public roads, or other public facilities. Species of trees whose roots are known to cause damage to public roadways, sewers, or other utilities shall not be planted closer than 15 feet from any such roadways, sewers, or utilities. A list of such tree species shall be kept on file with the planning official, and shall be made available to all interested persons upon request.
 - H. *Landscaping of divider medians.* Where traffic on driveways, maneuvering lanes, private roads, or similar vehicle accessways is separated by a divider median, the median shall be curbed and have a minimum width of 12 feet as measured from the back of curb. A minimum of one deciduous or evergreen tree shall be planted for each 30 lineal feet or portion thereof of median. Trees may be planted at uniform intervals, at random, or in groupings, but in no instance shall the center-to-center distance between trees exceed 60 feet.
 - I. *Stormwater detention basins.* Detention basins (ponds) shall be designed as an integral part of the overall site plan and shall be considered a natural landscape feature having an irregular shape. Planting Guidelines are available from Canton Township Planning Services upon request.

The following standards shall be considered minimum requirements for the landscaping of detention ponds/basins:

1. *Detention basin vegetation requirements.* The landscape treatment for detention basins shall include a variety of native wetland and wildflower species. Native vegetation provides a number of benefits in detention basins including enhanced stormwater quality, increased habitat, passive recreational opportunities and reduced algae growth. The combination of wetland plugs and native seed mixes will provide the optimum opportunities to achieve the benefits described above. The side slopes and the bottom of the pond shall be planted with a combination of a native seed mix and wetland plugs/bare-root stock. Refer to Planting Guidelines for definitions of various native plant types in accordance with the standards outlined in this section.
 - a. *Planting zone definitions.* Planting zones and proposed native plants, including all seed mixes, shrubs, trees, plugs and bare-root stock shall be identified on the landscape plan and referenced on the engineering site plan based on the proposed stormwater elevations in the detention basin(s). See illustration.
 1. *Pond zone (depths from 0 feet to 3 feet deep).* Plants in the pond zone are entirely or partially submerged, utilize nutrients from stormwater runoff and provide habitat for wildlife such as waterfowl and aquatic insects. Recommended plants in this zone must be planted according to industry standards. Minimum requirements are specified in section I.1.d, plantings and vegetation standards according to planting zone. Approved native plant species are listed in planting guidelines.
 2. *Edge zone (permanent water elevation to bankfull elevation).* Plants in the Edge Zone can withstand periods of inundation and drought and function to stabilize side slopes of the basin, utilize nutrients, provide habitat for waterfowl, reduce water temperatures and conceal drawdown in typical mowed ponds. Recommended plants in this zone must be planted according to industry standards. Minimum requirements are specified in section I.1.d, plantings and vegetation standards according to planting zone. Approved native plant species are listed in planting guidelines.

3. *Upland zone (bankfull elevation to 100-year flood elevation and beyond).* Plants in the upland zone can withstand periods of inundation and drought and function to stabilize side slopes, provide habitat for waterfowl, songbirds and other wildlife, consist of low maintenance species as frequency of mowing will be limited, and be selected based on soil condition, light and function as little or no inundation by stormwater may occur. Recommended plants in this zone must be planted according to industry standards. Minimum requirements are specified in section I.1.d, plantings and vegetation standards according to planting zone. Approved native plant species are listed in planting guidelines.



DETENTION BASIN PLANTING ZONES
Section 5.02, sub-section I.1

CROSS-SECTION A-A

DETENTION BASIN PLANTING ZONES

Section 5.02, subsection I.1

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- b. *Detention basin categories.* Depending on the location and function of a detention basin within a development, a basin will be designated into one of two possible categories. In addition, vegetation requirements within the upland zone will vary between the two categories. Furthermore, detention basins located directly behind proposed residential dwellings may be designated into either category depending on the ultimate use and intended function of the basin. The two detention basin categories are defined as follows:
1. *Highly-visible basins.* Highly-visible basins include basins located at development entrances, adjacent to primary or secondary roads, adjacent to or directly behind proposed homes or are located within more formally landscaped areas in the proposed development. Seed mix for upland zone will extend from the upper boundary of the edge zone to the top of bank or slope. The area beyond the top of bank or slope of the basin shall be sodded with an approved sod material as per section 5.04, Standards for landscape materials, of the Canton Township Ordinance.
 2. *Natural basins.* Natural Basins include basins located adjacent to natural areas (forested areas, creeks/streams, wetlands), in remote areas, within interior areas of the development, adjacent to or directly behind proposed homes and terraced systems. Seed mix appropriate for the areas extending beyond the 100-year flood elevation and top of bank or slope and functioning as a buffer for the pond shall be a mesic-to-dry prairie mix. This mix will consist of a broad-spectrum of prairie grasses and wildflowers with species that vary in height profile and also offer a variety of cover and food options for wildlife. The natural area seeded with prairie mix must be a minimum of 15 feet wide.
- c. *Site plan and landscape plan submittal.* The site plan submittal shall include a plan sheet for the detention basin(s) that identifies the following items:
- Plan view of the detention basin, including one-foot grading contours.
 - Elevations in the detention basin including pond bottom elevation, permanent water elevation, bankfull storm elevation, 100-year storm elevation and freeboard elevation.
 - Area in square feet of the pond zone, edge zone and upland zone.
 - Required seed mixes and wetland plugs/bare root stock in the three planting zones as per section I.1.d, Plantings and vegetation standards according to planting zone. The required seed mixes, wetland plugs/bare-root stock shall be subject to approval by the planning services division.
 - Plant spacing and applicable depths shall be specified based on recommended industry standards.
- d. *Plantings and vegetation standards according to planting zone.* Landscape plans shall identify the proposed native plants for each of the planting zones defined in I.1.a., Planting zone definitions. Minimum landscape requirements are defined as follows:
1. *Pond zone.* A combination of native plant plugs and bare-root stock (submerged, emergent and wetland edge plugs) shall be planted within the pond zone. This zone ranges in depth from zero feet to three feet deep. Proposed plant species:
 - a. A minimum of four plant species must be specified for the pond zone. The proposed plants shall be planted in equal numbers of species, scattered in groupings of similar species throughout the entire zone. Initial plantings shall cover a minimum of 25 percent of the outer 15-foot perimeter of the pond zone, with specific species and their appropriate water depths listed. Refer to planting guidelines for approved native plant species by planting zone.

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- b. As an alternate, the pond zone may be seeded with a suitable mix if it is demonstrated that the pond hydrology will be controlled for the establishment of the proposed seed mix. Successful establishment of the seed mix will be the responsibility of the contractor. In addition, a proposed hydrologic (water-level) control plan must be reviewed by Canton's Public Works Division to ensure stormwater is properly managed on-site.
 - c. No plugs will be required in the pond zone of the forebay.
 2. *Edge zone.* A native wetland edge or native sedge meadow seed mix shall be planted in this zone. Refer to planting guidelines for approved native seed mixes by planting zone.
 3. *Upland zone.* A native sedge meadow seed mix or prairie (basic, dry-to-mesic or wet-to-mesic) seed mix shall be planted in this zone. Refer to planting guidelines for approved native plant species by planting zone. The selection of seed mix and extent of installation is determined by the defined detention basin category in section I.1.b.
 4. *Seed mixes, general.* All seed mixes must include at least five to six native permanent grass/sedge/rush species and nine to ten native forb species. Seed mixes shall also contain a minimum of 100 ounces per acre annual rye and 360 ounces per acre seed oats as a temporary cover crop in order to provide cover and establish soil stability for the first winter. This nurse crop will minimize weed growth in the first year.
 2. *Trees and shrubs, general.*
 - a. *Highly-visible basins.* One deciduous shade or evergreen tree and ten shrubs shall be planted for every 50 lineal feet of pond perimeter as measured along the top of bank elevation. The required trees and shrubs shall be planted in a random pattern or in groupings and placement of required landscaping is not limited to the top of the pond bank. Refer to planting guidelines for approved native plant species.
 - b. *Natural basins.* One deciduous shade or evergreen tree shall be planted for every 50 lineal feet of pond perimeter as measured along the top of bank elevation. The required trees shall be planted in a random pattern or in groupings and placement of required landscaping is not limited to the top of the pond bank. Refer to planting guidelines for approved native plant species.
 - c. *Screening of mechanical structures.* Any above ground mechanical structures necessary for pond operation shall be identified on the landscape plan and shall be fully screened with evergreen trees or trees/shrubs recommended for the appropriate pond zone refer to planting guidelines for approved shrub and tree species for detention basins.
 3. *[Maintenance access.]* The landscape plan shall include a required 15-foot wide maintenance access to all proposed stormwater facilities and the planting plan shall be designed to prevent obstruction of the access by trees and shrubs, pursuant to section 2.27.
 4. *[Screening.]* The area around the detention basin riser outlet structure(s) (outlet between forebay and basin and primary outlet to creek/storm sewer) shall be appropriately screened with vegetation appropriate for the applicable pond zone. The screening vegetation shall not inhibit future maintenance access to the structure. Refer to planting guidelines for approved shrub and tree species for detention basins.
 5. *Native plant installation: Seeding vs. planting of plugs/bare-root stock.*
 - a. Native seed mixes shall include an annual cover crop consisting of ten pounds/acre of annual rye and 30 pounds/acres of seed oats in accordance with industry standards in order to provide cover and establish soil stability for the first winter. The planting zone shall be roto-tilled to a depth of six inches and supplemented with an additional four inches of topsoil or compost. All

areas seeded in accordance with this ordinance requirement shall be properly stabilized with a mulch blanket pegged-in-place. A barrier/wildlife-deterrent fence is required for a period of one year to protect the planting and prevent regular mowing.

- b. If emergent plant stock is proposed in the pond zone, the supplied plug material must have sufficient vegetative growth extending out of the water once planted.
 - c. Native seed shall be planted above the permanent water elevation.
 - d. Signs must be posted around the detention basin stating it is a no mow zone.
6. *Establishment and maintenance of native plants.*
- a. A maintenance bond will be held by Canton's Planning Services Division for a two-year period following initial approval of the installation of the detention basin plantings. This shall be equivalent to 25 percent of the vegetation and installation cost and will be collected to ensure sufficient establishment of the native plants. The project sponsor shall provide a written cost estimate or actual contract amount as a basis for the bond amount. A pre-installation meeting between the landscaping contractor and Canton's Planning Services and Public Works Division shall be held prior to commencement of pond landscape work.
 - b. The homeowner association covenants and restrictions or master deed must include language for detention basin maintenance per the approved plans.
 - c. During the first two growing seasons, all areas planted with native prairie seed mix should be mowed three times at a height of six to eight inches in order to control weeds. Beginning in the third year, a burning or mowing regimen should be instituted, either burning or mowing once in spring, or once in the fall.
 - d. Use of fertilizers along the side slopes or within the detention basin is prohibited.
- J. *Specific requirements for bio-retention areas, swales, and rain gardens.*
- 1. Bio-retention areas and swales shall be construction in the following manner:
 - a. After forming bio-retention area lay permeable geo-textile fabric over grade.
 - b. Install six-inch perforated under drain with geo-textile wrap in 12 inches of one and one-half to three inches of washed gravel base.
 - c. Cover gravel with another layer of geo-textile fabric.
 - d. Install six-inch layer of washed ¼—½-inch pea stone.
 - e. Cover with 12—18 inches of planting mix composed of 70 percent compost and 30 percent sharp sand.
 - f. Install perennials/grasses/shrubs or native seed mix that tolerate moist conditions and salt. Native plants are recommended.
 - g. Install two to three inches of organic mulch if using plants.
 - h. Install erosion control fabric over seeded areas.
 - i. Allow at least six inches of storage depth above the planting mix.
 - 2. Rain gardens shall be constructed in the following manner:
 - a. Excavate to a depth of two to three feet.
 - b. Install a planting mix of 70% compost and 30% sharp sand.

- c. Install perennials/grasses/shrubs that tolerate moist conditions and salt. Native plants are recommended.
- d. Install two to three inches of organic mulch.
- e. In heavy clay soils, a perforated under drain may be desirable if feasible.
- f. Allow the storm water to overflow during heavy rain events.

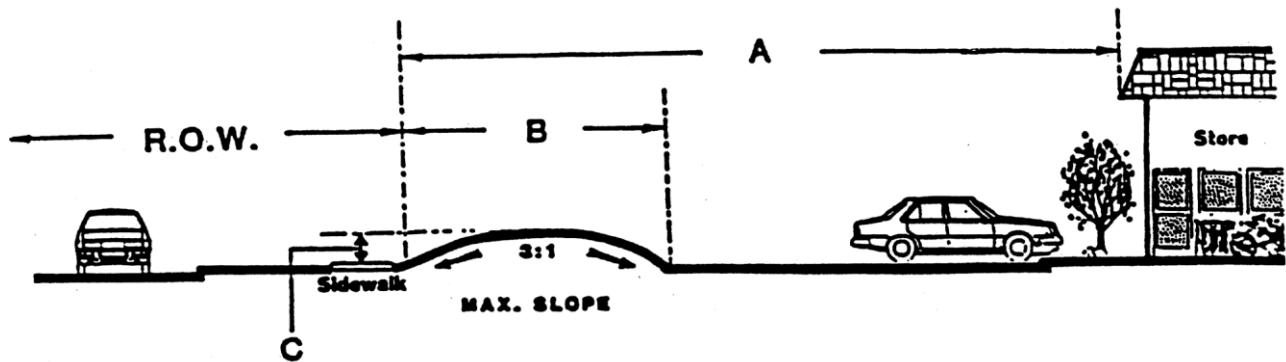
(Ord. of 7-18-2002; Amend. of 7-11-2006(1); Amend. of 10-20-2009)

5.03. Specific landscaping requirements for zoning districts.

A. *Requirements for commercial and industrial districts.* In addition to the general landscaping requirements set forth in Section 5.02, all lots or parcels of land located in C-1, C-2, C-3, C-4, O-1, MRD, HRD, LI-R, LI- 1, LI-2, and GI zoning districts shall comply with the following landscape requirements:

1. *Front yard berm requirements.* Wherever front, side, or rear yards adjacent to public rights-of-way are used for parking, a berm shall be required to screen the parking from view of the road. The berm shall be located totally on private property, adjacent to the road right-of-way line. The township encourages undulation in the height of the berm, subject to review and approval of the berm design as shown on the site plan. Required berm height and width shall be related to building setback as indicated in the following schedule (see illustration):

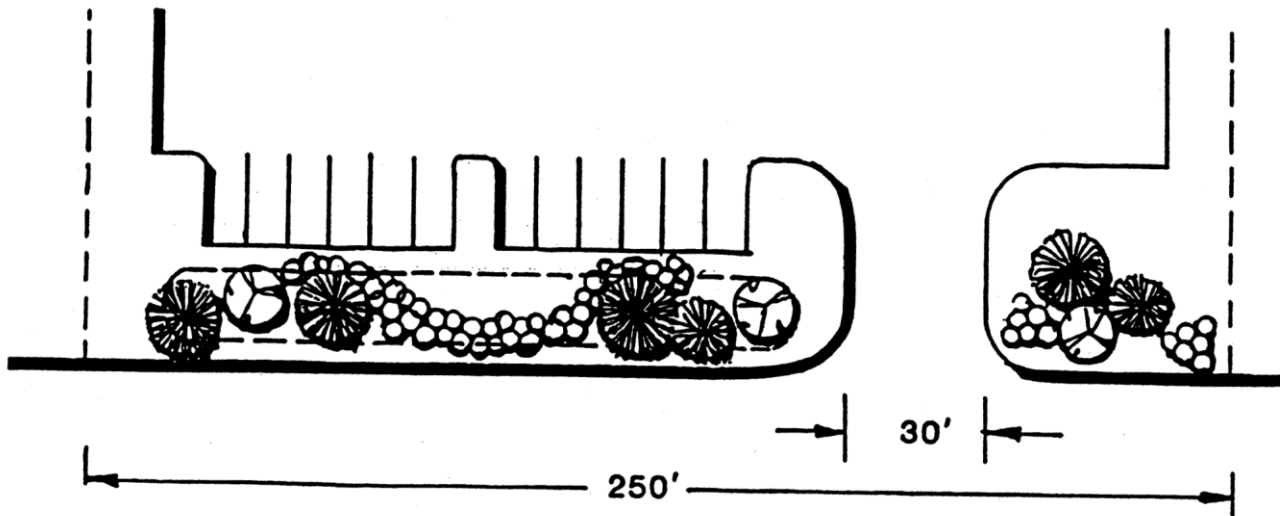
Existing or Required Setback (Whichever is Greatest)	Required Berm Width	Average Berm Height	Minimum Berm Height
165 feet or less	20 feet	3 feet	2 feet
166 feet or greater	26 feet	4 feet	2 feet



FRONT YARD BERM REQUIREMENTS

(A) Building Setback	(B) Berm Width	(C) Berm Height
66—165 ft.	20 ft.	3 ft.
166 ft. or greater	26 ft.	4 ft.

2. *Protective screening requirements.* Protective screening in the form of a berm shall be required wherever a nonresidential use in a commercial, office, or industrial district abuts directly upon land zoned for residential or agricultural purposes. Berms shall be a minimum of four feet in height, and shall be planted in accordance with section 5.02, subsection B. An alternate method of screening may be considered by the planning commission based on specific site characteristics and compatibility with the character of the surrounding area.
3. *Landscaping adjacent to roads.* All front, side, or rear yards adjacent to roads, including berm areas, shall be landscaped in accordance with the following standards (see illustration): A minimum of two deciduous trees, one evergreen tree, and one ornamental tree shall be planted for each 100 lineal feet or portion thereof of road frontage. A minimum of one shrub shall be planted for each ten lineal feet or portion thereof of road frontage, with a minimum of five shrubs required. Dwarf species of shrubs may be utilized at a rate of 1.5 times the base shrub requirement. For purposes of computing road frontage, openings for driveways and sidewalks shall not be counted. Trees may be planted at uniform intervals, at random, or in groupings, and shall be located to provide clear vision to any proposed ground sign. Shrubs must be planted in masses of at least five.



LANDSCAPING ADJACENT TO ROADS

Note: Illustration only. Trees and shrubs are calculated based on the formula indicated below.

Length of Road Frontage: 250 feet minus 30-foot driveway = 220 feet

Number of Deciduous Trees: $220 \text{ ft.}/100 \text{ ft.} \times 2.2 \times 2 = 4.4$ (5 deciduous trees)

Number of Evergreen Trees: $220 \text{ ft.}/100 \text{ ft.} = 2.2$ (3 evergreen trees)

Number of Ornamental Trees: $220 \text{ ft.}/100 \text{ ft.} = 2.2$ (3 ornamental trees)

Number of Shrubs: $220 \text{ ft.}/10 \text{ ft.} = 22$ shrubs

4. *Foundation landscaping.* Foundation plantings shall be provided along the front or sides of any building(s) which faces a public road, [or] is adjacent to a parking lot or other area which provides access to the building(s) by the general public. Foundation planting areas shall be integrated into the

sidewalk system (between the front or sides of the building and the parking area and/or associated driveways) adjacent to the building. Foundation planting areas shall contain at a minimum, one ornamental tree and five shrubs per 35 lineal feet of applicable building frontage. Individual planting areas shall be at least eight feet in any single dimension and no less than 150 square feet in area. Planting areas located directly adjacent to a building wall shall be at least ten feet in any single dimension.

5. In addition to all applicable requirements of this article, sites proposed for development or redevelopment within the downtown development district shall meet landscaping design standards as set forth in article 6.07 (site development standards for the downtown development district).
- B. *Requirements for mobile home park districts.* All lots or parcels of land located in a district zoned for mobile home uses shall comply with the following landscaping requirements:
1. *General site landscaping.* A minimum of one deciduous or evergreen tree shall be planted for each mobile home lot. Deciduous trees may be planted between the curb and sidewalk, or in any other unpaved open area. Unless otherwise specified, required landscaping elsewhere in the mobile home park shall not be counted in meeting these requirements for trees.
 2. *Landscaping adjacent to roads.* All front, side, or rear yards adjacent to roads, including berm areas, shall be landscaped in accordance with the following standards: A minimum of one deciduous and one evergreen tree shall be planted for each 40 lineal feet or portion thereof of road frontage, plus, a minimum of one ornamental tree shall be planted for each 80 lineal feet or portion thereof of road frontage, plus, a minimum of one shrub shall be planted for each ten lineal feet or portion thereof of road frontage. Dwarf species of shrubs may be utilized at a rate of 1.5 times the base shrub requirement. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted. Trees may be planted at uniform intervals, at random, or in groupings. Shrubs must be planted in masses of at least five.
 3. *Landscaping around mobile homes.* Areas between or surrounding mobile homes, as well as other open areas, shall be covered with grass and landscaped with trees and shrubs. Any landscaping material used to satisfy the requirements of this subsection may also be counted toward meeting the requirements for general site landscaping specified above.
 4. *Protective screening requirements.* Protective screening in the form of a berm or an obscuring wall shall be required wherever development in RMH district abuts directly upon land zoned for single-family residential or agricultural purposes. Berms shall be a minimum of four feet in height, and shall be planted in accordance with section 5.02.B. If a wall is used instead of a berm, the requirements of section 5.08 shall be complied with.
 5. *Parking lot landscaping.* Off-street parking areas containing greater than 15 spaces shall be provided with at least 15 square feet of interior landscaping per parking space, excluding those parking spaces abutting a public right-of-way or buffer zone for which landscaping is required by the various provisions of this ordinance, and also excluding all parking spaces which are directly served by a driveway abutting and running parallel to a public right-of-way or buffer zone. Whenever possible, parking lot landscaping shall be designed to improve the safety of pedestrian and vehicular traffic, guide traffic movement, and improve the appearance of the parking area. Interior landscaping shall comply with all applicable requirements set forth in section 5.02.C.
 6. *Vehicle encroachment.* A vehicle may encroach up to two feet upon any interior landscaped area that is at least ten feet in depth and is protected by wheel stops or curbs. Accordingly, two feet of said landscaped area may be included to satisfy the required depth of each abutting parking space.

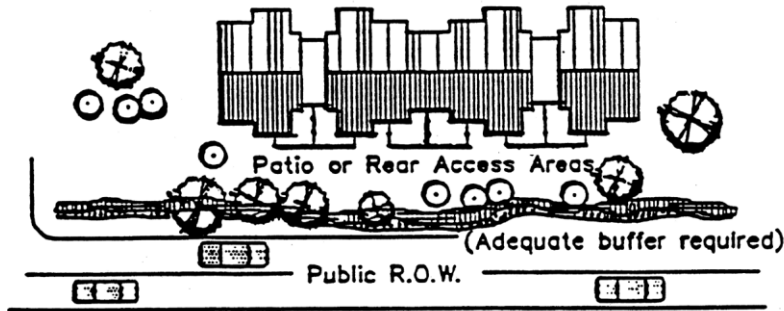
C. *Requirements for multiple-family districts.* In addition to the general landscaping requirements set forth in section 5.02, above, all lots or parcels of land located in R-6 or RM-1 [MR] zoning districts shall comply with the following landscaping requirements:

1. *General site landscaping.* A minimum of two deciduous or evergreen trees, one ornamental tree, plus, four shrubs shall be planted per dwelling unit. Unless otherwise specified, required landscaping elsewhere in the multiple-family development shall not be counted in meeting these requirements for trees.
2. *Landscaping variety.* In order to encourage creativity in landscaping and to minimize tree loss caused by species-specific disease, a variety of tree species shall be required, as specified in the following schedule:

LANDSCAPE VARIETY SCHEDULE

Required Number of Trees	Minimum Number of Species
5 to 30	2
31 to 60	3
61 to 100	4
More than 100	5

3. *Parking lot landscaping.* Multiple-family uses requiring off-street parking areas containing greater than 15 spaces shall be provided with at least 15 square feet of interior landscaping per parking space, excluding those parking spaces abutting a public right-of-way or buffer zone for which landscaping is required by the various provisions of this ordinance, and also excluding all parking spaces which are directly served by a driveway abutting and running parallel to a public right-of-way or buffer zone. Whenever possible, parking lot landscaping shall be designed to improve the safety of pedestrian and vehicular traffic, guide traffic movement, and improve the appearance of the parking area. Interior landscaping shall comply with all applicable requirements set forth in section 5.02.C.
4. *Protective screening requirements.* Protective screening in the form of a berm or an obscuring wall shall be required wherever development in a R-6 or MR district abuts directly upon land zoned for residential or agricultural purposes. Berms shall be a minimum of four feet in height, and shall be planted in accordance with section 5.02.B. If a wall is used instead of a berm, the requirements of section 5.08 shall be complied with.
5. *Privacy screen.* Where multiple-family dwellings are designed so that rear open areas or patio areas front onto a public street, a landscaped privacy screen shall be provided (see illustration). Such screen may consist of a combination of trees, shrubs, and berming, subject to review by the planning commission.



PRIVACY SCREEN
Section 5.03, sub-section C.5

PRIVACY SCREEN

6. *Landscaping adjacent to a freeway.* Where multiple-family dwellings abut a limited access freeway, a landscaped buffer shall be provided to screen freeway noise and views. The buffer shall consist of a combination of closely spaced evergreens and earth mounding, providing a total minimum design height of 11 feet. The size and placement of plantings should provide for a complete visual barrier at the desired height within five years of planting. The planning commission may modify these requirements where noise mitigation measures, such as walls, have been constructed in the freeway right-of-way.
 7. *Landscaping adjacent to roads.* The front, side, or rear yards adjacent to roads shall be landscaped in accordance with the following standards: A minimum of one deciduous and one evergreen tree shall be planted for each 40 lineal feet or portion thereof of road frontage, plus, a minimum of one ornamental tree shall be planted for each 80 lineal feet or portion thereof of road frontage, plus, a minimum of one shrub shall be planted for each ten lineal feet or portion thereof of road frontage. Dwarf species of shrubs may be utilized at a rate of 1.5 times the base shrub requirement. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted. Trees may be planted at uniform intervals, at random, or in groupings. Shrubs must be planted in masses of at least five.
- D. *Requirements for nonresidential uses in residential districts.* In addition to the general landscaping requirements set forth in section 5.02, above, all nonresidential uses developed in residential districts shall comply with the following landscaping requirements:
1. *Protective screening requirements.* Protective screening in the form of a berm or an obscuring wall shall be required wherever a nonresidential use in a residential district abuts directly upon land zoned for residential or agricultural purposes. Berms shall be a minimum of four feet in height, and shall be planted in accordance with section 5.02.B, above. If a wall is used instead of a berm, the requirements of section 5.08 shall be complied with.

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2. *Screening of off-street parking.* A four-foot-high obscuring wall shall be required along all sides of any off-street parking or vehicle use area constructed to serve a nonresidential use in a residential district, where said off-street parking or vehicle use area is located within 25 feet of any land zoned for residential or agricultural use.
 3. *Landscaping adjacent to roads.* The front, side, or rear yards adjacent to roads shall be landscaped in accordance with the following standards: A minimum of one deciduous and one evergreen tree shall be planted for each 40 lineal feet or portion thereof of road frontage, plus, a minimum of one ornamental tree shall be planted for each 80 lineal feet or portion thereof of road frontage, plus, a minimum of one shrub shall be planted for each ten lineal feet or portion thereof of road frontage. Dwarf species of shrubs may be utilized at a rate of 1.5 times the base shrub requirement. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted. Trees may be planted at uniform intervals, at random, or in groupings. Shrubs must be planted in masses of at least five.

(Amend. of 10-20-2009)

5.04. Standards for landscape materials.

Unless otherwise specified, all landscape materials shall comply with the following standards:

- A. *Plant quality.* Plant materials used in compliance with the provisions of the ordinance shall be nursery grown, free of pests and diseases, hardy in western Wayne County, in conformance with the standards of the American Association of Nurserymen, and shall have passed inspection required under state regulations. All trees shall be number one grade, with full uniform branching and no visible damage or scars.
- B. *Nonliving plant material.* Plastic and other nonliving plant materials shall not be considered acceptable to meet the landscaping requirements of this ordinance.
- C. *Plant material specifications.* The following specifications shall apply to all plant material proposed in accordance with the landscaping requirements of this ordinance:
 1. *Deciduous shade trees.* Deciduous shade trees shall be a minimum of three inches in caliper measured six inches above grade with the first branch a minimum of four feet above grade when planted.
 2. *Deciduous ornamental trees.* Deciduous ornamental trees shall be a minimum of two inches in caliper measured six inches above grade with a minimum height of four feet above grade when planted.
 3. *Evergreen trees.* Evergreen trees shall be a minimum of eight feet in height when planted. Furthermore, evergreen trees shall have a minimum spread of five feet, and the size of the burlapped root ball shall be at least ten times the caliper measured six inches above grade. For the purposes of this ordinance, arborvitae and cedars shall not be considered evergreen trees.
 4. *Shrubs.* Shrubs shall be a minimum of two feet in height when planted; except upright yew, juniper and arborvitae shall be a minimum of three feet in height. Low-growing shrubs shall have a minimum spread of 24 inches when planted. Dwarf shrub species may be used in landscaping adjacent to roads to achieve a specific design goal and shall have a minimum 18 inches height or spread.
 5. *Hedges.* Hedges shall be planted and maintained so as to form a continuous, unbroken, visual screen within two years after planting, barring unusual growing conditions, such as drought or disease. Hedges shall be a minimum of two feet in height when planted.

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6. *Vines.* Vines shall be a minimum of 30 inches in length after one growing season.
 7. *Ground cover.* Ground cover used in lieu of turf grasses in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one complete growing season.
 8. *Grass.* Grass area shall be planted using species normally grown as permanent lawns in western Wayne County. Grass, sod, and seed shall be clean and free of weeds, pests, and diseases. Grass may be sodded, plugged, sprigged or seeded, except that sod shall be installed in swales or other areas that are subject to erosion, and in the front yard areas of all nonresidential uses. When grass is to be established by a method other than complete sodding or seeding, nurse grass seed shall be sown for immediate effect and protection until complete coverage is otherwise achieved. Straw or other mulch shall be used to protect newly seeded areas.
 9. *Mulch.* Mulch used around trees, shrubs, and vines shall be applied at a minimum depth of four inches, composed of shredded materials (not recycled construction materials or pallets), treated with a pre-emergent herbicide, and installed in a manner as to present a finished appearance.
 10. *Sod.* Grass areas in the front yard of all nonresidential uses shall be planted with sod. Types of sod are defined as follows:
 - *Mineral sod:* A piece from the surface of grassland containing grass, support soil, and the healthy roots, extracted with the intention of replanting in another area for the purpose of establishing lawn areas. The sod is grown on mineral soil, commonly referred to as "topsoil," and must be a minimum of two years old. The grasses permitted for use in sod for landscaped lawns should be a blend that reflects the current standards in the industry and has been demonstrated to prosper under local conditions.
 - *Peat sod:* A piece from the surface of grassland containing the grass, support soil, and the healthy roots, extracted with the intention of replanting in another area for the purpose of establishing lawn areas. The sod is grown on peat and must be a minimum of two years old. The grasses permitted for use in sod for landscaped lawns should be a blend that reflects the current standards in the industry and has been demonstrated to prosper under local conditions.

(Amend. of 7-11-2006(1))

5.05. Installation and maintenance.

The following standards shall be observed where installation and maintenance of landscape materials are required:

- A. *Installation.* Landscaping shall be installed in a sound, workmanlike manner to ensure the continued growth of healthy plant material. Trees, shrubs, hedges, and vines shall be generously mulched at the time of planting.
- B. *Protection from vehicles.* Landscaping shall be protected from vehicles through use of curbs. Landscape areas shall be elevated above the pavement to a height adequate to protect the plants for snow removal, salt, and other hazards.
- C. *Off-season planting requirements.* If development is completed during the off-season when plants cannot be installed, the owner shall provide a performance guarantee to ensure installation of required landscaping in the next planting season, in accordance with section 2.17.

- D. *Maintenance.* Landscaping required by this ordinance shall be warranted by the developer for one year from the date of acceptance by the township. Landscaping shall be continually maintained in a healthy, neat, and orderly appearance, free from weeds, refuse and debris by the owners of the property after the developer has completed all of the warranty replacements required by the township. All unhealthy and dead plant material shall be replaced immediately upon notice from the building and/or planning official, unless the season is not appropriate for planting, in which case such plant material shall be replaced at the beginning of the next planting season. An automatic irrigation system is required of all proposed developments for all landscaped and/or lawn areas. This requirement may be waived by the planning commission if it is determined that the scope of the project is minimal and that the cost of installation of such equipment would be prohibitive to the development of the site. Trees, shrubs, and other plantings and lawn areas shall be watered regularly throughout the growing season. All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, the irrigation system, mulch, decorative lighting, landscape monuments, garden walls, or fencing, and so forth, shall be maintained in good condition and neat appearance. Rotted, deteriorated, or damaged landscape elements shall be repaired or replaced.

(Ord. of 1-23-2003)

5.06. Treatment of existing plant material.

The following regulations shall apply to existing plant material:

- A. *Consideration of existing elements in the landscape design.* In instances where healthy plant material exists on a site prior to its development, the planning commission may permit substitution of such plant material in place of the requirements set forth previously in this section, provided such substitution is in keeping with the spirit and intent of this section and the ordinance in general.

Existing hedges, berms, walls, or other landscape elements may be used to satisfy the requirements set forth previously, provided that such existing elements are in conformance with the requirements of this section.

- B. *Preservation of existing plant material.* Site plans shall show all existing trees which are located on the site which are six inches or greater in diameter, measured at 4½ feet above grade.

Existing trees shall be labelled "To Be Removed" or "To Be Saved" on the site plan. If existing plant material is labelled "To Be Saved" on the site plan, protective measures should be implemented, such as the placement of fencing or stakes at the dripline around each tree. No vehicle or other construction equipment shall be parked or stored within the dripline of any tree or other plant material intended to be saved. All preservation measures shall be subject to the provisions of the forest preservation ordinance [chapter 94, article II of the Township Code].

In the event that healthy existing plant materials which have been approved to meet the requirements of the ordinance are damaged or destroyed during construction or die within one year of completion of the project, said plant material shall be replaced with the same species as the damaged or removed tree, in accordance with the following schedule, unless otherwise approved by the planning official based on consideration of the site and building configuration, available planting space, and similar considerations:

DIAMETER MEASURED 4½ FEET ABOVE GRADE

Damaged Tree	Replacement Tree	Replacement Ratio
Less than 6 inches	2½ to 3 inches	1 for 1

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(Supp. No. 56, Update 1)

More than 6 inches	2½ to 3 inches	1 replacement tree for each 6 inches in diameter or fraction thereof of damaged tree
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5.07. Modifications to landscape requirements.

In consideration of the overall design and impact of a specific landscape plan, and in consideration of the amount of existing plant material to be retained on the site, the planning commission may modify the specific requirements outlined herein, provided that any such adjustment is in keeping with the intent of this section and ordinance in general. In determining whether a modification is appropriate, the planning commission shall consider whether the following conditions exist:

- Topographic features or other unique features of the site create conditions such that strict application of the landscape regulations would result in a less effective screen than an alternative landscape design.
- Parking, vehicular circulation, or land use are such that required landscaping would not enhance the site or result in the desired screening effect.
- The public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of the ordinance.

5.08. Obscuring walls and fences.

A. *Obscuring wall and fence standards.* Where permitted or required by this ordinance, obscuring walls shall be subject to the following regulations:

1. *Location.* Required obscuring walls and fences shall be placed inside the lot line except in the following instances:
 - Where underground utilities interfere with placement of the wall or fence on the property line, the wall shall be placed on the utility easement line located nearest the property line.
 - Walls and fences shall conform to the setback and location requirements set forth in the township fence ordinance [chapter 78, article V of the Township Code].
2. *Time of construction.* Wherever construction of an obscuring wall or fence is required adjacent to residentially zoned or used property, the wall or fence must be installed prior to the beginning of site grading and general construction, except where such activity would result in damage to the wall or fence.
3. *Corner clearance.* Obscuring walls and fences shall comply with the specifications for maintenance of unobstructed sight distance for drivers as set forth in section 2.09.
4. *Substitution.* As a substitute for a required obscuring wall or fence, the planning commission may, in its review of the site plan, approve the use of other existing and/or proposed natural or manmade landscape features (such as closely spaced evergreens) that would produce substantially the same results in terms of screening, durability, and permanence. The character of adjoining uses and the preferences of adjoining residents or businesses shall be taken into consideration in determining whether any such substitution is appropriate.
5. *Wall specifications.* Required obscuring walls shall comply with the following height requirements, unless otherwise specified in this ordinance:

Purpose	Required Height
To screen a nonresidential use in a commercial, office, or industrial district from adjacent land zoned for residential or agricultural use.	6 ft.
To screen a nonresidential use or parking areas in a residential district from adjacent land zoned for residential or agricultural use.	4 ft.

Required walls shall be constructed of masonry material which matches the primary masonry of the principal structure on the site. Standard concrete block walls and poured or precast concrete walls are not permitted. Required walls shall be similarly finished on all sides.

6. *Fence specifications.* Fences erected for screening purposes shall be six feet in height unless otherwise specified in this ordinance, and shall be constructed of redwood, cedar, or no. 1 pressure-treated wood. Chain link fences shall not be permitted for screening purposes. All fences shall be constructed in compliance with the township fence ordinance [chapter 78, article V of the Township Code].

(Ord. of 1-23-2003)

5.09. Residential fences and walls.

- A. *General standards.* Fences or walls in residential districts, whether for the purposes of screening or decorative landscaping, shall be subject to the regulations set forth in the township fence ordinance [chapter 78, article V of the Township Code].
- B. *Entranceway structures.* Residential subdivision entranceway structures shall be permitted, subject to the site plan review as landscape features. These structures shall not be considered fences or borders as defined in the township fence ordinance [chapter 78, article V of the Township Code].

ARTICLE 5A.00. FOREST PRESERVATION AND TREE CLEARING

5A.01. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agriculture/farming means any land in which the principal use is to derive income from the growing of plants and trees, including but not limited to land used principally for fruit and timber production.

Caliper means the diameter of a tree trunk measured six inches (15 cm) above ground level for trees up to four-inch caliper and 12 inches above the ground for larger sizes.

Clear cutting means the complete clearing, cutting or removal of trees and vegetation.

Commercial nursery/tree farm means any commercial establishment which is licensed by the state or federal government for the planting, growing and sale of live trees, shrubs, plants and plant materials for gardening and landscaping purposes.

Developed property means any land which is either currently used for residential, commercial, industrial, or agricultural purposes or is under construction of a new building, reconstruction of an existing building or improvement of a structure on a parcel or lot, the relocation of an existing building to another lot, or the improvement of open land for a new use.

Diameter at breast height (DBH) means the diameter in inches of the tree measured at four feet above the existing grade.

Dripline means an imaginary vertical line that extends downward from the outermost tips of the tree branches to the ground.

Forest means any treed area of one-half acre or more, containing at least 28 trees with a DBH of six inches or more.

Grade means the ground elevation.

Grubbing means the effective removal of under-canopy vegetation from a site. This shall not include the removal of any trees.

Landmark/historic tree means any tree which stands apart from neighboring trees by size, form or species, as specified in the landmark tree list in section 94-36,⁴ or any tree, except box elder, catalpa, poplar, silver maple, tree of heaven, elm or willow, which has a DBH of 24 inches or more.

Single-family lot means any piece of land under single ownership and control that is two acres or more in size and used for residential purposes.

Township tree fund means a fund established for maintenance and preservation of forest areas and the planting and maintenance of trees within the township.

Tree means any woody plant with at least one well-defined stem and having a minimum DBH of three inches.

Undeveloped property means any property in its natural state that is neither being used for residential, commercial, industrial or agricultural purposes nor under construction.

(Amend. of 7-11-2006(2); Amend. of 10-20-2009)

5A.02. Purpose.

The purpose of this article is to promote an increased quality of life through the regulation, maintenance and protection of trees, forests and other natural resources.

(Amend. of 7-11-2006(2))

5A.03. Interpretation; conflicts with other ordinances.

The provisions of this article shall be construed, if possible, in such a manner as to make such provisions compatible and consistent with the provisions of all existing and future zoning and other ordinances of the township and all amendments thereto. If there is believed to be a conflict between the stated intent and any specific provision of this article, the township board may, in accordance with established zoning ordinance procedures, permit modification of such specific provisions while retaining the intent in such appealed instance.

(Amend. of 7-11-2006(2))

5A.04. Notice of violation; issuance of appearance ticket.

If a violation of this article is noted, the ordinance inspector will notify the owner of record and the occupant of the property of the violation. Such notice shall specify the violation and the time within which corrective action

⁴Note(s)—Section 94-36 was repealed by an ordinance adopted July 10, 2006.

must be completed. This notice may be served personally or by mail. If the property is not in compliance with this article at the end of the period specified in the notice of violation, an appearance ticket may be issued.

(Amend. of 7-11-2006(2))

5A.05. Tree removal permit.

A. *Required.*

1. The removal or relocation of any tree with a DBH of six inches or greater on any property without first obtaining a tree removal permit shall be prohibited.
2. The removal, damage or destruction of any landmark tree without first obtaining a tree removal permit shall be prohibited.
3. The removal, damage or destruction of any tree located within a forest without first obtaining a tree removal permit is prohibited.
4. Clear cutting or grubbing within the dripline of a forest without first obtaining a tree removal permit is prohibited.

B. *Exemptions.* All agricultural/farming operations, commercial nursery/tree farm operations and occupied lots of less than two acres in size, including utility companies and public tree trimming agencies, shall be exempt from all permit requirements of this article.

C. *Display.* Tree removal permits shall be continuously displayed for the entire period while the trees are being removed.

D. *Application.* Permits shall be obtained by submitting a tree removal permit application in a form provided by the municipal services department. The application shall *include a tree survey conducted not more than two years prior to the date of application* and contain the following information:

1. The owner and/or occupant of the land on which the tree is located.
2. The legal description of the property on which the tree is located.
3. A description of the area affected by the tree removal, including tree species mixture, sampling of tree size and the notation of unusual, scarce or endangered trees.
4. A description of each tree to be removed, including diseased or damaged trees, and the location thereof.
5. A general description of the affected area after the proposed tree removal.

E. *Review procedures.* Municipal services shall review the applications for tree removal permits and may impose such conditions on the manner and extent of the proposed activity as are necessary to ensure that the activity or use will be conducted in such a manner as will cause the least possible damage, encroachment or interference with natural resources and natural processes within the affected area.

F. *Review standards.* The following standards shall be used to review the applications for tree removal permits:

1. The protection and conservation of irreplaceable natural resources from pollution, impairment or destruction is of paramount concern. The preservation of landmark/historic trees, forest trees, similar woody vegetation and related natural resources shall have priority over development when there are other on-site location alternatives.
2. The tree shall be evaluated for effect on the quality of the area of location, including tree species, habitat quality, health and vigor of tree, tree size and density. Consideration must be given to scenic assets, wind blocks and noise buffers.

3. The trees and surrounding area shall be evaluated for the quality of the involved area by considering the following:
 - a. Soil quality as it relates to potential tree disruption.
 - b. Habitat quality.
 - c. Tree species (including diversity of tree species).
 - d. Tree size and density.
 - e. Health and vigor of tree stand.
 - f. Understory species and quality.
 - g. Other factors such as value of the trees as an environmental asset (i.e., cooling effect, etc.).
4. The removal or relocation of trees within the affected areas shall be limited to instances:
 - a. Where necessary for the location of a structure or site improvement and when no reasonable or prudent alternative location for such structure or improvement can be had without causing undue hardship.
 - b. Where the tree is dead, diseased, injured and in danger of falling too close to proposed or existing structures, or interferes with existing utility service, interferes with safe vision clearances or conflicts with other ordinances or regulations.
 - c. Where removal or relocation of the tree is consistent with good forestry practices or if it will enhance the health of remaining trees.
5. The burden of demonstrating that no feasible or prudent alternative location or improvement without undue hardship shall be upon the applicant.
6. Tree removal shall not commence prior to approval of a site plan, final site plan for site condominiums or final preliminary plat for the subject property.

(Amend. of 7-11-2006(2); Amend. of 10-20-2009)

Sec. 5a.06. List of landmark/historic trees.

Landmark/historic trees are as follows:

Common Name	Species	DBH
Arborvitae	<i>Thuja occidentalis</i>	18"
American Basswood	<i>Tilia americana</i>	24"
American Beech	<i>Fagus grandifolia</i>	18"
American Chestnut	<i>Castanea</i>	8"
Birch	<i>Betula spp.</i>	18"
Black Alder	<i>Alnus glutinosa</i>	12"
Black Tupelo	<i>Nyssa sylvatica</i>	12"
Black Walnut	<i>Juglans nigra</i>	20"
White Walnut	<i>Juglans cinerea</i>	20"
Buckeye (Horse Chestnut)	<i>Aesculus spp.</i>	18"
Cedar, Red	<i>Juniperus spp.</i>	12"
Crabapple (cultivar)	<i>Malus spp.</i>	12"

Douglas Fir	Pseudotsuga menziesii	18"
Eastern Hemlock	Tsuga canadensis	12"
Fir	Abies spp.	18"
Flowering Dogwood	Cornus florida	8"
Ginkgo	Ginkgo biloba	18"
Hackberry	Celtis occidentalis	18"
Hickory	Carya spp.	18"
Honey Locust	Gleditsia triacanthos	24"
Kentucky Coffeetree	Gymnocladus dioicus	18"
Larch/tamarack	Larix laricina (Eastern)	12"
Sycamore/London Planetree	Platanus spp.	18"
Maple	Acer spp.(except negundo and saccharinum)	18"
Oak	Quercus spp.	20"
Pine	Pinus spp.	18"
Sassafras	Sassafras albidum	15"
Spruce	Picea spp.	18"
Tuliptree	Liriodendron tulipifera	18"
Cherry	Prunus spp.	18"

(Amend. of 7-11-2006(2); Amend. of 10-20-2009)

5A.07. Protective barriers.

It shall be unlawful to develop, clear, fill or commence any activity for which a use permit is required in or around a landmark/historic tree or forest without first erecting a continuous protective barrier around the perimeter dripline.

(Amend. of 7-11-2006(2))

5A.08. Relocation or replacement of trees.

- A. *Landmark tree replacement.* Whenever a tree removal permit is issued for the removal of any landmark tree with a DBH of six inches or greater, such trees shall be relocated or replaced by the permit grantee. Every landmark/historic tree that is removed shall be replaced by three trees with a minimum caliper of four inches. Such trees will be of the species from section 5b.06.
- B. *Replacement of other trees.* Whenever a tree removal permit is issued for the removal of trees, other than landmark/historic trees, with a DBH of six inches or greater (excluding boxelder (acer negundo), ash(fraxinus spp) and cottonwood (populus spp)), such trees shall be relocated or replaced by the permit grantee if more than 25 percent of the total inventory of regulated trees is removed. Tree replacement shall be done in accordance with the following: If the replacement trees are of at least two-inch caliper at six inches above the ground or eight-foot height for evergreens, but less than three inches measured at six inches above the ground or nine-foot height for evergreens, the permit grantee shall be given credit for replacing one tree. If the replacement trees are of at least three-inch caliper at six inches above the ground or nine-foot height for evergreens, but less than four inches measured at 12 inches above the ground or ten-foot height for

evergreens, the permit grantee shall be given credit for replacing 1½ trees. If the replacement trees are of at least four-inch caliper at 12 inches above the ground or ten-foot height for evergreens, the permit grantee shall be given credit for replacing two trees.

- C. *Exemptions.* All agricultural/farming operations, commercial nursery/tree farm operations and occupied lots of less than two acres shall not be required to replace or relocate removed trees.
- D. *Replacement tree standards.* All replacement trees shall:
1. Meet both the American Association of Nurserymen Standards and the requirements of the state department of agriculture.
 2. Be nursery grown.
 3. Be guaranteed for two years, including labor to remove and dispose of dead material.
 4. Be replaced immediately after the removal of the existing tree, in accordance with the American Association of Nurserymen standards.
 5. Be of the same species or plant community as the removed trees. When replacement trees of the same species are not available from Michigan nurseries, the applicant may substitute any species listed in section 5a.06 provided that shade trees are substituted with shade trees and evergreen trees with evergreen species. Ornamental trees need not necessarily be replaced with ornamental trees, but this shall be encouraged where feasible.
- E. *[Location of replacement trees.]* Wherever possible, replacement trees must be located on the same parcel of land on which the activity is to be conducted. Where tree relocation or replacement is not possible on the same property on which the activity is to be conducted, the permit grantee shall either:
1. Pay monies into the township tree fund for tree replacement within the township. These monies shall be equal to the per-tree amount representing the current market value for the tree replacement that would have been otherwise required.
 2. Plant the required trees off site. If the grantee chooses to replace trees offsite the following must be submitted prior to approval of the permit:
 - a. A landscape plan, prepared by a registered landscape architect, indicating the sizes, species and proposed locations for the replacement trees on the parcel.
 - b. Written permission from the property owner to plant the replacement trees on the site.
 - c. Written agreement to permit the grantee to inspect, maintain and replace the replacement trees or assumption of that responsibility by the owner of the property where the trees are to be planted.
 - d. Written agreement to permit township personnel access to inspect the replacements as required.

(Amend. of 7-11-2006(2); Amend. of 10-20-2009)

ARTICLE 6.00. SITE DEVELOPMENT STANDARDS APPLICABLE TO SPECIFIC USES

6.01. Intent and scope of application.

Each use listed in this article, whether permitted by right or subject to approval as a special land use, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the district in which the use is located. These minimum standards are intended to alleviate the impact from a use

which is of a size or type, or which possesses characteristics which are unique or atypical in the district in which the use is located, so that the use requires special consideration to assure that such use will be compatible with surrounding uses and the orderly development of the district. Conformance with these standards shall be subject to site plan review.

Unless otherwise specified, each use listed in this article shall be subject to all applicable yard, bulk and other standards for the district in which the use is located.

6.02. Site development standards for nonresidential uses.

A. *Adult book or supply stores, adult motion picture theaters, adult live stage performing theaters, adult outdoor motion picture theaters, and group A cabarets.* In the development and execution of this ordinance and this section, it is recognized that there are certain uses which, because of their very nature, have serious objectionable characteristics, particularly when several of them are concentrated under certain circumstances, thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to insure that these adverse impacts 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, so as to prevent the blighting, deterioration, or downgrading of an area. The following requirements are intended to accomplish these purposes:

1. The establishment of the types of adult regulated uses listed below shall be prohibited if the establishment of such use will constitute the second such use within a 1,000-foot radius (i.e., not more than one such use within 1,000 feet of each). The distance between uses shall be measured horizontally between the nearest property lines.
 - Adult book or supply stores.
 - Adult motion picture theaters.
 - Adult live stage performing theaters.
 - Adult outdoor motion picture theaters.
 - Group "A" cabarets.
2. It shall be unlawful to hereafter establish any adult regulated use if the proposed regulated use will be within a 1,000-foot radius of the following:
 - Any public, private or parochial nursery, primary, or secondary school; day care center; library; park, playground, or other recreational facility; or church, convent, monastery, synagogue, or similar religious institution.
 - Any residentially used or residentially zoned land.

The distance between uses shall be measured horizontally between the nearest property lines.

3. The building and premises shall be designed and constructed so that material depicting, describing, or relating to specified sexual activities or specified anatomical areas (as defined in this ordinance) cannot be observed by pedestrians or from vehicles on any public right-of-way. This provision shall apply to any display, decoration, sign, show window, or other opening.

B. *Adult day care center.* The following regulations shall apply to adult day care centers:

1. *Professional association.* Adult day care centers shall be certified by the Michigan Association of Day Care Providers to ensure the safety and quality of care provided by them.

Each center shall meet the operating standards outlined by the Michigan Office of Services to the Aging or the Michigan Association of Day Care Providers. In the event that each organization has different standards or requirements, the more stringent shall apply. In addition, each adult day care center shall demonstrate a working relationship with a hospital and/or other health care facility to assist participants in obtaining planned or emergency health care services as needed.

2. *Services.* Each adult day care facility shall have kitchen facilities adequate to serve hot meals on a daily basis. In addition, each facility shall have adequate recreational facilities including a minimum of 3,000 square feet of usable outdoor recreation area which shall be provided, equipped and maintained on the premises of an adult day care center. The outdoor recreation area shall be suitably fenced and screened from abutting residentially zoned or used land by a greenbelt, which shall be landscaped in accordance with section 5.02.D.
 3. *Frontage.* Adult day care centers shall front onto a paved county primary or secondary road. Adult day care centers may be permitted on unpaved roads, subject to special land use approval.
 4. *Setbacks.* Adult day care centers shall have a minimum side yard setback of at least 25 feet.
- B1. *Airport-related businesses, including:* Associated aircraft, hangars, warehouse space and office use for business directly affiliated and which have license and/or agreements to operate at Mettetal Airport.
- Airport-related business shall be subject to the following regulations in addition to the standard requirements for development in the LI, Light Industrial District:
1. *Location.* The proposed business shall be located directly adjacent to Mettetal Airport property and shall be located and have direct frontage on either Ronda Drive or Lilley Road.
 2. *Agreement.* The user shall provide a written agreement which grants access and approval to operate from the airport.
 3. *Other.*
 - a. The proposed development shall also comply with the setbacks and height restrictions set forth in the Airport Zoning Plan for Mettetal Airport.
 - b. No aircraft may be permanently stored outside of the hangar.
- C. *Automobile filling stations, automobile filling/multiuse stations, automobile service stations, automobile repair garages.* The following regulations shall apply to automobile filling stations, automobile filling/multiuse stations, automobile service stations, and automobile repair garages:
1. *Minimum lot area:* The minimum lot area shall be one acre. All buildings, including principal and accessory buildings and canopy areas, shall not exceed ten percent of the net lot area.
 2. *Minimum lot width.* The minimum lot width required for such uses shall be 150 feet.
 3. *Minimum setbacks.* Minimum setbacks required for such uses shall be as follows:
 - (a) Front setback measured from any right-of-way line:
 - (1) Canopy: 40 feet.
 - (2) Pump and/or pump island: 50 feet.
 - (3) Building: 85 feet.
 - (b) Side or rear yard setback:
 - (1) Canopy: 30 feet.
 - (2) Pump and/or pump island: 40 feet.

- (3) Building: 30 feet.
- (c) Side or rear yard setback abutting residential zoned property:
 - (1) Canopy: 40 feet.
 - (2) Pump and/or pump island: 50 feet.
 - (3) Building: 40 feet.

4. *Ingress and egress.* Ingress and egress drives shall be a minimum of 30 feet and a maximum of 36 feet in width. Curb radii shall be adequate to accommodate the turning radii of delivery trucks. There shall be a clear unobstructed driveway area provided to the loading area which is not in conflict with other vehicular patterns on the site. No more than one such drive or curb opening shall be permitted for every 75 feet of frontage (or fraction thereof) along any street. The nearest edge of any such drive shall be located at least 25 feet from the nearest point of any property zoned or used for residential purposes.

Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance because of its location in relation to other ingress and egress drives, its location in relation to the traffic generated by other buildings or uses, its location near a vehicular or pedestrian entrances or crossings, or similar concerns as provided more specifically below:

- (a) Driveway spacing. Driveway spacing will be determined as a function of operating speeds of the adjacent public road. Spacing will be determined according to the following minimum standards or to standards adopted by the appropriate governing road jurisdiction, whichever is more stringent:

Speed Limits (mph)	Minimum Spacing (feet)
25	105
30	125
35	150
40	185
45	230

Spacing is based on average vehicle acceleration and deceleration rates and is considered necessary to maintain safe traffic operation. Spacing will be measured from the midpoint of each driveway. In the event that a particular parcel or parcels lack sufficient road frontage to maintain adequate spacing, the applicant shall have one of two options:

- (1) A modification from minimum spacing can be sought from the planning commission, but in no case can the variance be greater than that which is necessary to provide safe and efficient access to the site.
 - (2) The adjacent landowners may agree to establish a common driveway. In such cases, the driveway midpoint shall be the property line between the two parcels and shall meet standard specifications. The township may require maintenance agreements between owners of a common driveway to cover such issues as snow plowing, resurfacing liability, etc.
- (b) Number of driveways per parcel.

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- (1) A maximum of one two-way driveway opening or a pair of one-way driveway openings shall be permitted to a particular site from each adjacent public road.
 - (2) Based on the recommendation of the appropriate governing road jurisdiction and/or the township engineer, that an additional driveway is in the interest of good traffic operation, the planning commission may permit one additional driveway entrance along a continuous site with frontage in excess of 300 feet or two additional driveway entrances along a continuous site with frontage in excess of 600 feet.
 - (3) Common driveways, as set forth in Section 6.08.F.2.b.2 shall be considered to be one driveway.
- (c) Ingress and egress for drives shall be designated and located in a manner that does not create a safety hazard or traffic nuisance because of its location in relation to other ingress and egress drives, its location in relation to the traffic generated by other buildings or uses, its location near a vehicular or pedestrian entrances or crossings, or similar concerns:
- (1) Driveway design and placement must be in harmony with internal circulation and parking design such that the entrance can absorb the maximum rate of inbound traffic during a normal peak traffic period.
 - (2) There must be sufficient on-site storage to accommodate at least two queued vehicles waiting to enter or exit without using a portion of the public right-of-way obstructing existing vehicle sight distance, or otherwise interfering with street traffic.
 - (3) Provisions for circulation between adjacent parcels are required when possible through coordinated or joint parking systems.
 - (4) Driveways shall be designed to accommodate all vehicle types having occasion to enter and exit the site, including delivery and refueling vehicles. There shall be clear delineation and/or separation, where appropriate, of entry and exit lanes within driveways.
 - (5) Loading and unloading and refueling activities shall not hinder vehicle ingress or egress.
- (d) All gasoline pumps shall be arranged so that motor vehicles do not park on or extend over abutting landscaped areas, sidewalks, streets, buildings, or adjoining property while being served.
5. *Curbs.* A concrete curb of at least six inches in height shall be installed to prevent vehicles from being driven onto or parked with any part of the vehicle extending within two feet of abutting landscaped areas, sidewalks, streets, buildings, or adjoining property.
 6. *Surfacing.* The entire lot, excluding areas occupied by landscaping and building, shall be hard-surfaced with concrete or plant-mixed bituminous material. The site shall be graded and drained so as to dispose of surface waters.
 7. *Layout.* All lubrication equipment, automobile wash equipment, hoists, and pits shall be enclosed entirely within a building. All buildings must be oriented so that service bay doors face away from any abutting residentially-zoned or used property and shall be oriented and/or screened to eliminate and/or minimize views of the doors from adjacent public roads.
 8. *Outside storage.* Where outside storage is permitted, used tires, auto parts, and other material shall be enclosed with a masonry wall, not less than six feet in height. The enclosure shall be equipped with an opaque lockable gate that is the same height as the enclosure itself. Inoperable, wrecked or partially dismantled vehicles shall not be stored or parked outside for a period exceeding two days.
 9. *Vehicle sales and storage.* The storage, sale, or rental of new or used cars, trucks, trailers, and any other vehicles on the premises is prohibited.

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10. *Off-street parking and loading.* Required off-street parking for automobile filling multiuse stations offering additional services shall be provided in accordance with the standards set forth in section 4.01 and shall be computed on the basis of each separate use as set forth in the schedule of off-street parking.

Off-street loading shall be provided in accordance with the standards set forth in section 4.02 and the schedule of loading space requirements.

11. *Canopy structure.* Canopy structures shall be designed and constructed in a manner which is architecturally compatible with the principal building. The canopy structure shall be attached to and made an integral part of the principal building. The planning commission may approve an alternative design where it can be demonstrated that the design of the building and canopy in combination would be more functional and aesthetically pleasing if the canopy was not physically attached to the principal building.

Support columns of any proposed canopy structure shall be covered with brick to match the principal building.

Required fire protection devices under the canopy shall be architecturally screened so that the tanks are not directly visible from the street. The screens shall be compatible with the design and color of the canopy.

12. *[Fueling operations.]* Fueling operations designed to accommodate tractor trailer trucks shall be prohibited except on sites adjacent to property zoned LI-1, LI-2 or GI.

13. *Pedestrian circulation.*

- (a) Automobile filling/mixed use stations shall be designed in a manner which promotes pedestrian and vehicular safety.
- (b) The parking and circulation system within each development shall accommodate the safe movement of vehicles, bicycles, pedestrians and refueling activities throughout the proposed development and to and from surrounding areas in a safe and convenient manner.
- (c) Pedestrian walkway patterns shall be considered as an integral component of site design and shall be located to connect areas or points of pedestrian origin and destination. Where it is necessary for the pedestrian access to cross drive aisles, crossings shall emphasize and place priority on pedestrian access and safety. The pedestrian crossings must be well-marked and clearly visible, using pavement treatments, signs, striping, signals, and lighting.
- (d) Clear identification and delineation between the drive-thru facility and parking lot shall be provided. Drive-thru facilities shall be designed in a manner which promotes pedestrian and vehicular safety, and do not interfere with access to parking and maneuvering lanes.

- D. *Automobile wash or carwash establishment.* The following regulations shall apply to automobile wash or carwash establishments:

1. *Minimum lot size.* The minimum lot size required for automobile or carwash establishments shall be 15,000 square feet.
2. *Layout.* All washing activities shall be carried on within a building. Vacuuming activities shall be permitted in the rear yard only, provided such activities are located at least 50 feet from adjacent residentially zoned or used property.

Self-service vacuum operations shall be located in an area to encourage use after the vehicle is washed to provide more drip time before the vehicle exits the site.

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3. *Entrances and exits.* Sufficient space shall be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street or alley. All maneuvering areas, stacking lanes, and exit aprons shall be located on the carwash parcel itself. Streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the automobile wash. A minimum distance of 125 feet shall be maintained between the exit door of the wash structure to the nearest exit driveway to permit adequate time for excess water to drip off of the vehicle.
 4. *Drying facilities.* Automatic carwash facilities shall have a mechanical dryer operation at the end of the wash cycle. The use of such dryers shall be mandatory during sub-freezing weather. In the case of a self-service or manual carwash, sufficient space shall be provided for drying of the vehicle undercarriage during subfreezing weather prior to exiting onto the public thoroughfare.
 5. *Orientation of open bays.* Buildings should be oriented so that open bays, particularly for self-serve automobile washes, do not face onto adjacent thoroughfares unless screened by an adjoining lot or building.
 6. *Heated exit ramp.* All automatic carwash facilities must provide a heated concrete exit ramp for each wash bay at least 20 feet in length and of a width equal to that of the exit drive.
 7. *Water runoff system.* All carwash facilities shall provide a drainage system installed midway from the exit door of the wash structure to the nearest exit drive at a low point to limit water runoff. A series of rumble strips (one-half inch to 1½ inches high or deep, three inches to four inches wide and 90 degrees cross-way to traffic) must be located between the carwash building exit and the drainage system collection point.
 8. *Video monitors.* All automatic carwash facilities must be equipped with at least one video monitor system, with cameras located in such a manner as to provide a complete and unobstructed view of the vehicle at all times within the wash facility. The monitors must be located in an area easily viewed by the facility employees.
- D.1. *Bed and breakfast establishments.* Bed and breakfast establishments are private, owner-occupied residences providing guest accommodations which are subordinate and incidental to the principal residential use of the property. Bed and breakfast establishments may be considered a special land uses in the RA, RE, RR, R-1, R-2, R-3, R-4, R-5 and MR zoning districts subject to the following minimum requirements:
1. *Minimum lot size:* One acre, not located in a platted subdivision.
 2. *Maximum number of guestrooms:* Five.
 3. *Maximum length of stay:* 30 days.
 4. *Parking:* One space per guestroom plus two spaces for the owners of the property. All parking shall be located to the rear of the principal structure and screened from view from the road and adjacent property. The planning commission may modify the locational requirements upon demonstration by the owner that an alternate location for parking is more appropriate based on the particular conditions of the site.
 5. *Signage.* In the R-1 through R-5 zoning districts, an identification sign not exceeding four square feet may be permitted as long as it is attached to and parallel to the front wall of the structure. In the RA, RE and RR zoning districts, one ground sign may be permitted which does not exceed eight square feet in size, four feet in height and meets the setback requirements specified in the sign ordinance [chapter 102 of the Township Code].
 6. *Spacing:* One-fourth mile from any previously approved and established bed and breakfast establishment.

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7. *Preparation of food.* A common dining area shall be provided with meals provided only for guests taking lodging in the establishment. No cooking facilities shall be permitted within any guestroom, except that a portable refrigerator not exceeding 2.5 cubic feet may be located in each guestroom for convenience of the guests.
 8. *Exterior alterations.* The exterior appearance to the structure shall not be altered from its single-family character or character of the neighborhood. If located within an established historic district or designated as an historic structure, any exterior modifications to the structure or grounds shall be reviewed and approved by the historic district commission prior to issuance of permits by the township.
- E. *Family day care home, child care center.* The following regulations shall apply to family day care homes and child care centers:
1. *Licensing.* In accordance with applicable state laws, all child care facilities shall be registered with or licensed by the department of social services and shall comply with the minimum standards outlined for such facilities.
 2. *Outdoor play area.* A minimum of 3,000 square feet of usable outdoor play area shall be provided, equipped, and maintained on the premises of a child care center. The outdoor play area shall be suitably fenced and screened from abutting residentially zoned or used land by a greenbelt, which shall be landscaped in accordance with section 5.02.D.

In addition, the outdoor play area must maintain a minimum setback of 25 feet from the side and/or rear property lines and maintain a minimum separation of 75 feet from any existing residence on an adjacent lot or parcel. In order to control noise levels from the outdoor play area, the play area shall be oriented and buffered in a manner to minimize transmission of sound to adjacent residential uses. Noise generated by activity in the outdoor play areas shall be subject to the performance standards for noise set forth in section 7.02, subsection A.
 3. *Frontage.* Child care centers shall front onto a paved county primary or secondary road. Child care centers and family day care homes may be permitted on unpaved roads, subject to special land use approval.
 4. *Setbacks.* Child care centers shall have a minimum side yard setback of at least 25 feet.
 5. Child care centers or family day care homes which care for more than six children may be operated in combination with a single-family home on the same premises as a special land use in the R-1, R-2, R-3, R-4, and R-5 zoning districts, subject to the following additional conditions:
 - a. Minimum lot size: One acre, not located in a platted subdivision or site condominium.
 - b. If located within the same structure, the day care operation shall be completely separated from the residential portion of the structure, and the structure shall meet all applicable building codes for a day care center.
 - c. A combined-use facility shall not provide care for more than 30 children at any one time.
- F. *Coal, coke and fuel yards.* Prior to establishment of a coal, coke or fuel yard, an environmental impact statement shall be prepared in accordance with section 7.04, and submitted to the township board for review.
- G. *Composting or conversion of sewage or sludge into usable or saleable products.* The following regulations shall apply to operations designed for composting or conversion of sewage or sludge into usable or saleable products:

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1. *Design and operation standards.* Any such use shall conform to current standards established by the U.S. Environmental Protection Agency, the U.S. Department of Agriculture, the Michigan Department of Natural Resources, and other regulatory agencies.
 2. *Environmental impact statement.* An environmental impact statement shall be prepared in accordance with section 7.04, and submitted to the township board for review.
- H. *Drive-in theaters.* The following regulations shall apply to drive-in theaters:
1. *Lot size.* The minimum lot size for a drive-in theater shall be 20 acres.
 2. *Setbacks.* The face of the theater screen shall not be closer than 500 feet to any public road or highway right-of-way, and shall be constructed so it is not visible from any road, highway, or residentially zoned district.
 3. *Frontage and road access.* Such uses shall front onto a paved county primary road or state trunk line, and the main means of access to the theater shall be via the primary road or state trunk line. In no case shall access to a drive-in theater be off of a residential street. The nearest edge of any entrance or exit drive shall be located no closer than 250 feet from any street or road intersection (as measured from the nearest intersection right-of-way line).
 4. *Access drive design.* The access drive shall be designed with separate entrance and exit lanes which shall be separated by a landscaped median strip at least 20 feet in width. There shall be a minimum of four entrance and four exit lanes, and each lane shall be at least ten feet in width.
 5. *Stacking space.* A minimum of 50 stacking spaces shall be provided on the premises for vehicles waiting to enter the theater.
 6. *Fencing.* The entire drive-in theater site shall be screened with an eight-foot-high fence, constructed according to the specifications in section 5.08, subsection A.6.
- I. *Golf courses and country clubs, par-3 golf courses.* The following regulations shall apply to golf courses, country clubs, and par-3 golf courses:
1. *Lot size.* Regulation length 18-hole golf courses shall have a minimum lot size of 110 acres. Nine-hole courses with regulation length fairways shall have a minimum lot size of 50 acres. Eighteen-hole par-3 courses shall have a minimum lot size of 50 acres.
 2. *Setbacks.* The principal and accessory buildings shall be set back at least 75 feet from all property lines. Fairways and driving ranges shall be oriented in such a manner and set back a sufficient distance to prevent golf balls from being hit outside the perimeter of the golf course.
 3. *Access.* Golf courses and country clubs shall have direct access onto a paved county primary or secondary road.
 4. *Shelter buildings.* At least one shelter building with toilet facilities shall be provided. The shelter shall meet all requirements of the Wayne County Health Department and the township building code.
 5. *Impact on water supply.* Engineering data shall be submitted to document the impact of the golf course watering system on groundwater supply.
- J. *Junkyards.* The following regulations shall apply to junkyards:
1. *Lot size.* The minimum lot size for junkyards shall be ten acres.
 2. *Setbacks.* A minimum setback of 250 feet shall be maintained between the front property line and the portion of the lot on which junk materials are placed or stored. All buildings, fencing, and junk materials shall be set back at least 250 feet from any road or highway right-of-way line.

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3. *Screening.* The entire junkyard site shall be screened with an obscuring masonry wall, constructed in accordance with the section 5.08. The wall shall be uniformly painted and maintained in neat appearance, and shall not have any signs or symbols painted on it.
 4. *Surfacing.* All roads, driveways, parking lots, and loading and unloading areas shall be paved or treated in a manner approved by the building official so as to confine any windborne dust within the boundaries of the site.
- K. *Kennels.* The following regulations shall apply to kennels and indoor pet boarding facilities:
1. *Private kennels.* Private kennels to house only the animals owned by the occupant of the dwelling unit shall be permitted subject to the following:
 - *Lot size.* The lot on which any such kennel is located shall be a minimum of two acres in size.
 - *Number of animals.* More than five, but not more than eight animals over the age of six months shall be permitted to be housed in a private kennel, subject to the requirements in chapter 14.
 - *Breeding.* Breeding of animals shall be restricted to no more than two litters per year.
 - *Setbacks.* Buildings in which animals are kept, animal runs, and exercise areas shall not be located in any required front, side, or rear yard setback area, and shall be located at least 100 feet from any dwellings or buildings used by the public on adjacent property.
 2. *Commercial kennels.* Commercial kennels shall be permitted subject to the following:
 - *Operation.* Any such kennel shall be subject to all permit and operational requirements established in chapter 14 and by county and state regulatory agencies.
 - *Lot size.* The lot on which any such kennel is located shall be a minimum of two acres in size, except in the LI, Light Industrial and GI, General Industrial districts, where there is no minimum lot size.
 - *Number of animals.* The maximum number of animals permitted in a commercial kennel shall be related to lot size as follows: In no case shall a commercial kennel exceed 100 animals, inclusive of pet day care.
 - *Outdoor runs.* *The minimum size of any outdoor run shall be 3,000 square feet and there shall be no more than 25 dogs in the run at any given time. The outdoor runs must be screened with an opaque fence or wall at least six feet in height and shall be located in a side or rear yard. In the LI, Light Industrial District, the screening must meet the guidelines of section 22.03, subsection 3.*
 - *Setbacks.* Buildings in which animals are kept, outdoor animal runs, and exercise areas shall not be located in any required front, side, or rear yard setback area, and shall be located at least 60 feet from any residential dwellings on adjacent property.
 3. *Pet boarding facility (indoor).* Indoor pet boarding facilities shall be considered pursuant to the provisions of chapter 14 and subject to the following requirements:
 - *[Outdoor runs/exercise areas.]* Outdoor runs and/or exercise areas are not permitted in conjunction with these facilities.
 - *Parking.* The applicant shall demonstrate that parking is adequate for the employees and patrons of the facility based on the size and scope of the business.
 - *Number of animals.* The applicant shall specify the maximum number of dogs and cats proposed to be boarded and shall utilize the provisions of chapter 14 relative to size of stalls for the size of animals. In no case shall the facility house more than 50 dogs and/or cats.

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- *Floor plan.* The applicant shall provide a conceptual floor plan showing the layout of the proposed facility including the exercise area for dogs, if applicable.
 - *Setbacks.* The building proposed to house the pet boarding facility shall be located at least 60 feet from any residential dwelling on adjacent property.

L. *Hospitals.* The following regulations shall apply to hospitals:

1. *Lot area.* The minimum lot size for hospitals shall be five acres.
2. *Frontage and access.* Such uses shall front onto a paved county primary road or state trunk line, and the main means of access to the hospital for patients, visitors, and employees shall be via the primary road or trunk line. In no case shall access to a hospital be off of a residential street.
3. *Setbacks.* The principal building and all accessory buildings shall be set back a minimum distance of 100 feet from all property lines.
4. *Screening.* Ambulance and emergency entrance areas shall be screened from view from adjacent residences by the building design or by a masonry wall constructed in accordance with section 5.08.
5. *State and federal regulations.* Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws, including provisions of the Michigan Hospital Survey and Construction Act, Public Act No. 299 of 1947 (MCL 333.501 et seq.), as amended.

M. *Mini-warehouses.* The following regulations shall apply to mini-warehouses:

1. *Lot area.* The minimum lot size for mini-warehouses shall be three acres.
2. *Permitted use.* Mini-warehouse establishments shall provide for storage only, which must be contained within an enclosed building.
3. *Site enclosure.* The entire site, exclusive of access drives, shall be enclosed with a six foot high chain link fence or masonry wall in accordance with section 5.08.
4. *Exterior appearance.* The exterior of any mini-warehouse shall be of finished quality and design pursuant to section 26.06, and compatible with the design of structures on surrounding properties.

Mini-warehouse facilities may not include vehicle sales and/or rental, unless applied for approved separately and said rental facility meets all the requirements of section 6.02.Q.4.

6. *On-site circulation and parking.*
 - All one-way driveways shall be designed with one ten-foot-wide loading/unloading lane and one 15-foot travel lane.
 - All two-way driveways shall be designed with one ten-foot-wide loading/unloading lane and two 12-foot travel lanes.
 - The parking lanes may be eliminated if the driveway does not serve storage units. Signs and painted lines shall be used to indicate parking and traffic direction throughout the site.

N. *Motel or hotel.* The following regulations shall apply to motels or hotels:

1. *Accessory facilities.* A motel or hotel must include at least one conference room or banquet facility capable of providing meeting accommodations for at least 50 occupants in a single room. The conference facility may be attached or unattached to the lodging facility but must be developed simultaneously with the guestroom accommodations. In addition, every motel shall include at least one of the following amenities:
 - An attached dining room with seating capacity for at least 20 occupants at the same time, serviced by a full-service kitchen, or

- An unattached standard restaurant, as defined in this ordinance, with seating capacity for not less than 50 occupants, located on the same site as the motel or hotel [or] on a site contiguous with or directly across a paved street having a right-of-way of 120 feet or less which has adequate sidewalks and crosswalks for the motel or hotel and developed simultaneously or in advance of the motel or hotel site.
2. *Design.* Each unit shall contain at least a bedroom and bath and a minimum gross floor area of 250 square feet.
 3. *Services.* Motels or hotels shall provide customary services associated with temporary lodging, such as maid service, linen service, telephone and/or desk service, and the use of furniture.
 4. *Kitchen facilities.* Kitchen facilities may be provided in new motels or hotels upon demonstration by the applicant that the provisions of all applicable fire prevention and building codes have been met. No existing motel units shall be converted for use of cooking and/or kitchen facilities unless the applicant can demonstrate compliance with all applicable fire prevention and building codes and obtains a certificate of occupancy for each unit being converted.
- O. *Motion picture theater.* The following regulations shall apply to all theaters which are enclosed in a building (not including drive-in theaters):
1. *Lot size.* Enclosed theaters shall have a minimum lot size of five acres.
 2. *Seating capacity and building design.* Enclosed theaters shall be permitted only if contained in a building designed and suitable for theater use. Seating capacity of the building shall be in accordance with the following schedule:

Number of Screens	Number of Seats
1 screen	550 seats minimum
2 screens	450 seats average
3 screens	350 seats average
4 screens	250 seats average
5 or more screens	150 seats average

Minimum seating capacity for any one screen in a multiple screen facility shall be 50 seats.

3. *Access.* Enclosed theaters shall have at least two separate entrances/exits providing direct access to (a) primary county or state thoroughfare(s). One of the primary county or state thoroughfares shall have a right-of-way width of 120 feet, the second shall have a right-of-way of not less than 86 feet.
- P. *Nursing homes, convalescent homes, or rest homes.* The following regulations shall apply to nursing homes, convalescent homes, and rest homes:
1. *Lot area.* The minimum lot size for such facilities shall be three acres.
 2. *Frontage and access.* Such uses shall front onto a paved county primary road or state trunk line, and the main means of access to the hospital for residents or patients, visitors, and employees shall be via the primary road or trunk line. In no case shall access to a nursing home, convalescent home, or rest home be off of a residential street.
 3. *Setbacks.* The principal building and all accessory buildings shall be set back a minimum distance of 75 feet from all property lines.
 4. *Open space.* Any such facility shall provide a minimum of 1,500 square feet of outdoor open space for every bed used or intended to be used. The open space shall be landscaped and shall include places for

walking and sitting. Off-street parking areas, driveways, and accessory uses or areas shall not be counted as required open space.

5. *State and federal regulations.* Nursing homes, convalescent homes, and rest homes shall be constructed, maintained, and operated in conformance with applicable state and federal laws.

Q. *Open air businesses.* The following regulations shall apply to open air businesses:

1. *Lot area.* The minimum lot size for open air businesses shall be 10,000 square feet.
2. *Lot width.* The minimum lot width for open air businesses shall be 100 feet.
3. *Loading and parking.* All loading and parking areas for open air businesses shall be confined within the boundaries of the site, and shall not be permitted to spill over onto adjacent roads.
4. *Outdoor display of vehicles.* The outdoor display of new or used automobiles, boats, mobile homes, recreational vehicles, trailers, trucks, or tractors which are for sale, rent, or lease shall comply with the following:
 - The business shall be located on a lot or parcel which has all of its frontage on a State of Michigan divided thoroughfare having a right-of-way width of 204 feet. The lot shall have a minimum frontage of 200 feet along the state thoroughfare.
 - All areas subject to vehicular use shall be paved in accordance with section 4.01.D.5 (surfacing and drainage), section 4.01.D.6 (curbs and wheel chocks), and section 4.01.D.7 (lighting).
 - No repair or refinishing work shall be done on the lot, unless such work is performed within a building in accordance with an approved site plan.
 - The portion of any parcel used for an open air business shall be located no closer than 250 feet from any other parcel that is zoned or used for residential purposes.
 - Devices for the transmission or broadcasting of voice or music shall be prohibited outside of any building.
 - No vehicle shall be parked or displayed within 22 feet of a public right-of-way.
 - Where permitted, all outside storage of used tires, auto parts, and other material shall be enclosed with a masonry wall, not less than six feet in height or at least one foot above the height of the screened material, whichever is taller. The enclosure shall be equipped with an opaque lockable gate that is the same height as the enclosure itself. Inoperable, wrecked or partially dismantled vehicles shall not be stored or parked outside for a period exceeding two days.
 - Berms shall not be required in the landscape buffer area as required in section 5.03.
5. *Plant material nursery.* Nurseries which deal with plant materials shall comply with the following:
 - Plant storage and display areas shall comply with the minimum setback requirements for the district in which the nursery is located.
 - The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.
 - Garden centers with outdoor storage areas shall be enclosed in accordance with the following standards: 1) The enclosure shall be constructed of a masonry wall of three feet in height, masonry support columns, and decorator metal fencing between the columns; 2) Where the storage area abuts residentially zoned or used properties, screening shall be provided with a masonry wall; and, 3) No storage or display of material shall be permitted to be stacked above or outside of the enclosure.

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6. *Seasonal sales permit.* Seasonal sales of merchandise, including but not limited to Christmas trees, pumpkins, flowers, produce, and fireworks, may be permitted upon issuance of a temporary zoning compliance certificate by the planning official and required approvals from the building and fire prevention divisions, after review and approval by the planning commission, subject to the following requirements:
- a. The business shall be located on an improved lot or parcel which is zoned C-1, C-2, C-3, or C-4 which has access via an existing paved driveway from a county primary road or State of Michigan thoroughfare.
 - b. All areas subject to vehicular use shall be paved in accordance with sections 4.01.D.5 (surface and drainage), 4.01.D.6 (curbs), and 4.01.D.7 (lighting).
 - c. The portion of any parcels used for seasonal sales shall be located no closer than 250 feet from any parcel that is zoned for residential purposes.
 - d. Any area used for sales and/or display shall meet a minimum front setback of 85 feet from the right-of-way line and be set back a minimum of 20 feet from any adjacent property line.
 - e. The proposed use may not reduce required parking on an improved site by more than ten percent.
 - f. The applicant shall submit a scale drawing (plot plan) with the application which contains the following information:
 - (i) The seasonal items proposed for sale on the site;
 - (ii) The location and specifications of any proposed temporary structure or covered areas to be used for sales and display of items for sale;
 - (iii) Any other areas outside of the temporary structure or covered areas used by employees or patrons and method of controlling ingress and egress from the sales site;
 - (vi) The proposed setbacks from all property lines and distance to any parcels zoned for residential use;
 - (v) The location of existing structures on the site and location of any structures within 100 feet of the property lines;
 - (vi) All fire lanes and general traffic flow through the site and from the adjacent public street;
 - (vii) Number of parking spaces lost based due to the proposed sales site;
 - (viii) Method of trash containment and disposal;
 - (ix) A maximum of two permits may be granted on any one particular site during any calendar year.
 - g. The maximum duration of a single seasonal sales permit is 30 days. The application must specify the seasonal sales time period requested. The planning commission shall have the right to place reasonable conditions, including timeframe, on the permit based on compatibility of the proposed use with the existing use, and public health, safety and the general welfare of the community. The final zoning compliance permit shall specify the permitted seasonal sales time period.
 - h. Whenever a temporary structure, tent or other enclosure is proposed, the applicant shall be required to submit the plans for such structure, covering, or enclosure to the building division for review, permits and inspection prior to commencement of sales activity under the seasonal sales permit. All proposals for temporary structures will be reviewed by the fire prevention division,

and must comply with all requirements of the state construction code, International Fire Code, NFPA regulations, and all other applicable codes, ordinances, and regulations.

- i. Whenever an applicant for a seasonal sales permit intends to utilize a site for fireworks sales, a copy of the state permit and site plan shall be provided with the application in accordance with the requirements of Public Act 256 of 2011.
7. *Building material sales establishments.* Businesses which sell general building materials, which may also include outdoor garden centers, and stores or displays materials for sale outdoors or in open or partially open structures shall meet the additional following requirements:
- The business shall be located on a lot or parcel which has frontage on a State of Michigan divided thoroughfare having a right-of-way of at least 204 feet. The lot or parcel shall have a minimum frontage of 500 feet on the state thoroughfare and also have frontage on a paved County road having at least 86 feet of right-of-way.
 - Any portion of the site dedicated for storage in an open yard shall not exceed the square footage of the total of the primary building, including and partially enclosed structures connected directly to the primary building on the site.
 - Where an area dedicated for and identified as open storage or storage in open or partially open structures faces a public street or is directly adjacent to parcels zoned or used for residential purposes, the storage areas shall be screened with a 14-foot tall masonry wall that matches the same masonry used for the primary building.
 - Where the storage yard does not face a street or parcel used or zoned for residential purposes, this portion of the storage yard may be screened with a 14-foot tall screen which is comprised of a solid and opaque material.
 - The portion of any parcel used for outside storage and/or display shall be located no closer than 250 feet from any other parcel zoned or used for residential purposes.
 - The only exception to the requirements relating to residentially zoned parcels is when the parcel is owned and permanently dedicated for use by a public utility for power transmission.
 - No merchandise or equipment may be stored or displayed outside of the approved storage yard or primary building.
 - Devices for the transmission of broadcasting of voice or music shall be prohibited outside of any building or structure.
- R. *Outdoor recreation facilities.* The following regulations shall apply to outdoor recreation facilities:
1. *Accessory retail facilities.* Accessory retail or commercial facilities, such as food and beverage facilities or equipment shops, shall be designed to serve only the patrons of the outdoor recreation facility, unless otherwise listed as a permitted use in the district in which the facility is located.
 2. *Screening.* Protective screening shall be required wherever an outdoor recreation facility abuts directly upon land zoned for residential or agricultural use, in accordance with section 5.03.A.2.
 3. *Lighting.* Lighting shall be located, focused, and/or screened to minimize impact off of the site. Accordingly, the light intensity shall be no greater than one candlepower at the property line.
- S. *Radio, television and cellular telephone towers (commercial and public).* The following regulations shall apply to commercial and public radio and television towers:
1. *Setbacks.* Each tower shall be set back from all property lines a minimum distance equal to the height of the tower.

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2. *Fencing.* An open weave, six-foot-high chainlink fence shall be constructed around the entire perimeter, in accordance with the township fence ordinance [chapter 78, article V of the Township Code].
 3. *State and federal regulations.* Radio and television towers shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
- T. *Regional shopping centers.* The intent of the following regulations is to accommodate large scale regional shopping centers that provide a full range of goods and services for a market which extends well beyond the boundaries of the township. Regional shopping centers typically have one or more full-line department stores as anchor tenants, along with 50 to 100 additional stores. Regional shopping centers generally require a support population of at least 150,000 people, and may serve up to 500,000 people. The protective standards which follow are intended to minimize any adverse effect of the shopping center on nearby property and to provide for safe and efficient use of the shopping center site itself.
1. *Design characteristics.* Regional shopping centers shall be planned, designed, developed, owned, and operated as a single unit, and shall conform with the following design standards:
 - Minimum site size: 35 acres.
 - Principal tenant: Full-line department store offering general merchandise, apparel, furniture, and home furnishings, with at least 100,000 square feet of gross leasable floor area.
 - Minimum number of retail tenants: 20.
 - All requirements set forth in section 6.06 shall be met.
 2. *Site plan review submission requirements.* In addition to information normally required for site plan review, proposals for regional shopping centers shall also include the following:
 - *Market analysis.* The applicant shall submit a market analysis in a form that is acceptable to the planning commission, prepared by a recognized and independent market analyst, demonstrating the need for a regional shopping center of the size and at the location proposed. At minimum, the market analysis shall contain the following:
 - * Trade area of the proposed regional center.
 - * Trade area population, both present and future.
 - * Effective buying power in the trade area.
 - * Net potential customer buying power for stores in the proposed shopping center.
 - * Square feet of floorspace required to support potential expenditures.
 - * Residual buying power to be expended in existing or future commercial areas outside of the proposed regional shopping center.
 - *Financial statement.* The applicant shall submit a financial statement to demonstrate ability to complete the project, including ability to finance public improvements and facilities required to serve the new shopping center.
 - *Compatibility with adjacent uses.* The site plan shall include measures to assure compatibility of the regional shopping center with surrounding land uses. Such measures may include sidewalks, landscaping, screening, buffering, lighting, drainage and traffic control devices. A performance guarantee shall be required to assure that all such improvements are completed, in accordance with section 2.17.

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- *Frontage and access.* Any such use shall front onto a paved county primary road or state trunk line. The nearest edge of any entrance or exit drive shall be located no closer than 400 feet to any street or road intersection (as measured from the nearest intersection right-of-way line).
- U. *Religious institutions.* The following regulations shall apply to all religious institutions, including churches, synagogues, temples, and any associated structures utilized for educational purposes:
1. *Lot width.* The minimum lot width for religious institutions shall be 150 feet.
 2. *Lot area.* The minimum lot area for religious institutions shall be three acres.
 3. *Parking setback.* Off-street parking shall be prohibited in the front setback area and within 15 feet of the rear or side property line.
 4. *Building setback.* Religious institutions shall comply with the following building setback requirements:
 - Front yard: 50 feet.
 - Side yards: 25 feet.
 - Rear yard: 50 feet.
 5. *Frontage and access.* Religious institutions shall be located on streets which have a paved road having a right-of-way of at least 86 feet.
 6. *Landscaping.* Religious institutions shall comply with the landscaping requirements set forth in section 5.03.D.
 7. Religious institutions and associated educational facilities shall be the sole use of the site, shall be located in a separate and free-standing building, and shall not be located in a multitenant building.
- V. *Roadside stands.* The following regulations shall apply to all roadside stands:
1. *Building size.* Any building containing a roadside stand shall be at least 50 square feet but not greater than 250 square feet in size.
 2. *Trash containers.* Suitable trash containers shall be placed on the premises for public use.
 3. *Building setbacks.* Any building containing a roadside stand shall be located no closer than 25 feet to the nearest edge of the paved surface of any paved public road, and no closer than 25 feet to the improved gravel surface of any unpaved public road.
 4. *Parking.* Off-street parking may be provided in the required front yard setback area. Parking shall conform to the regulations in article 4.00, except that hard-surfacing shall not be required.
- W. *Sewage disposal plants and landfills.* The following regulations shall apply to sewage disposal plants and landfills:
1. *Design and operation standards.* Any such use shall conform to current standards established by the U.S. Environmental Protection Agency, the U.S. Department of Agriculture, the Michigan Department of Natural Resources, and other regulatory agencies, as well as requirements set forth in the Township of Canton landfill ordinance, Ordinance No. 61 [chapter 58, article V of the Township Code], as amended.
 2. *Environmental impact statement.* An environmental impact statement shall be prepared in accordance with section 7.04, and submitted to the township board for review.
- X. *Stables, public and private.* The following regulations shall apply to all stables:
1. *General requirements.* Animals shall be provided with a covered and enclosed shelter and outdoor fenced area of adequate size to accommodate all animals kept on the premises. All stables, public and

private, shall be constructed and maintained so that odor, dust, noise and drainage shall not create a nuisance or hazard to adjoining properties. All manure shall be stored at least 70 feet from any property line and shall be removed from the premises at least once per week.

2. *Private stables.* Private stables, as defined in section 1.03 of this ordinance, are intended for the keeping of horses or other large domestic animals for the noncommercial use of the residents of the principal residential use on the site. Private stables shall comply with the following:
- *Setback.* All buildings in which animals are kept shall be located a minimum of 60 feet from any occupied dwelling and any other building used by the public.
 - *Maximum number of animals.* The maximum number of animals permitted shall be related to lot size as follows:

Minimum Lot Size	Maximum Number of Animals
2 acres	2
3 acres	4
4 or more acres	6

3. *Public stables.* Public stables, as defined in this ordinance, and riding academies shall comply with the following:
- *Lot size.* Public stables and riding academies shall have a minimum of two acres per animal, but in no event shall there be less than ten acres.
 - *Setback.* All buildings in which animals are kept shall be located a minimum of 60 feet from any occupied dwelling and any other building used by the public.

X1. *Superstores.* The following regulations shall apply to large scale single-use retail buildings (also known as "big box" users) over 40,000 square feet operated under one corporate entity:

1. *Design characteristics.*

Access: Coordinated access with adjoining sites or the use of secondary access drives in accordance with section 2.10 is required.

Exterior materials: Subject to section 26.06.

All requirements set forth in section 6.06 shall be met.

2. *Site plan review submission requirements.* In addition to information normally required for site plan review, proposals for superstores shall also include the following:

- *Market analysis.* The applicant shall submit a market analysis in a form that is acceptable to the planning commission, prepared by a recognized and independent market analyst, demonstrating the impact on the existing retail users in the market area based on the size and at the location proposed. At a minimum, the market analysis shall contain the following:
 - * Trade area of the proposed regional center.
 - * Trade area population, both present and future.
 - * Effective buying power in the trade area.
 - * Net potential customer buying power for stores in the proposed shopping center.
 - * Square feet of floorspace required to support potential expenditures.

* Residual buying power to be expended in existing or future commercial areas outside of the proposed regional shopping center.

- *Traffic impact study.* The applicant shall submit a detailed traffic study in a form that is acceptable to the engineering services division, prepared by a recognized and independent traffic engineer, demonstrating the impact of the superstore on the transportation network. Based on the results of the traffic impact study, the applicant shall propose methods of mitigating any adverse impacts to the transportation network and show to what degree the proposed methods maintain or improve the operating levels of the impacted streets and intersections.
- *Compatibility with adjacent uses.* The site plan shall include measures to assure compatibility of the superstore with surrounding land uses. Such measures may include sidewalks, landscaping, screening, buffering, lighting, drainage and traffic control devices. A performance guarantee shall be required to assure that all such improvements are completed, in accordance with section 2.17.
- *Frontage and access.* Any such use shall front onto a paved county primary road or state trunk line. The nearest edge of any entrance or exit drive shall be located no closer than 400 feet to any street or road intersection (as measured from the nearest intersection right-of-way line).

Y. *Warehouse retail outlet.*

1. Warehouse outlets may not front on roads with less than 200 feet ultimate right-of-way.

Z. *Wholesale auto auction.*

1. No vehicles or equipment may be stored within 40 feet of public right-of-way.
2. A four-foot berm in accordance with section 5.02 shall be developed adjacent to any street rights-of-way.
3. The use may only be established with frontage on rights-of-way of 204 feet or more.

AA. *Outdoor dining accessory to a restaurant.* Outdoor dining may be permitted as an accessory use to standard restaurants, carryout restaurants, drive-in restaurants, drive-through restaurants, fast food restaurants, bars, and lounges, excluding smoking lounges, subject to the following requirements:

1. *General standards applicable to all outdoor dining.* The following standards shall apply to all outdoor dining areas:
 - A. *Locations.* Outdoor dining shall be permitted on private property on the same property as the principal establishment. Outdoor dining shall also be permitted within the public right-of-way adjacent to the principal establishment, with the permission of the right-of-way jurisdiction, only within the Cherry Hill Village Overlay District. No outdoor dining area shall be located within or within 50 feet of the RA, Rural Agricultural; RR, Rural Residential; RA, Rural Estate; R-1—R-5, Single-Family Residential; R-6 Single-Family Attached Residential; MR, Multiple-Family Residential; and RMH, Mobile Home Park Districts, except where adjacent to the principal establishment within the Cherry Hill Village Overlay District.
 - B. *Setbacks.* All setback requirements of the zoning district in which the outdoor dining area is located shall be met, except that such setbacks shall not apply where outdoor dining is to be permitted within the public right-of-way.
 - C. *Permitted operations.* Food and beverage service. Outdoor seating shall not be the primary seating of the establishment.
 - D. *Hours of operation.* The hours of operation for outdoor dining shall be consistent with those of the principal establishment.

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- E. *Alcoholic beverage service.* Outdoor dining areas offering alcoholic beverage service shall be subject to the following requirements:
1. Approval from the Michigan Liquor Control Commission (MLCC) to serve alcohol in an outdoor area;
 2. Alcohol shall only be served to seated patrons engaging in outdoor dining at the principal establishment;
 3. Alcoholic beverages shall only be prepared inside of the principal establishment;
 4. Employees shall supervise the area in which alcohol is being consumed at all times.
- F. *Accessibility.* Outdoor dining areas shall be subject to the following requirements:
1. Outdoor dining areas shall be located in a manner which will not interfere with vehicular or pedestrian mobility or access, and shall meet Michigan barrier-free requirements;
 2. Outdoor dining areas shall not obstruct the entrance to any building or sidewalk, nor shall they obstruct any barrier-free ramp or access aisle;
 3. If an outdoor dining area is located on a private sidewalk or within a public right-of-way, a minimum 46-inch wide unobstructed pathway shall be maintained on the sidewalk, for pedestrian traffic;
 4. Outdoor dining areas shall not interfere with a public service facility, including but not limited to, fire hydrants and electrical transformers;
 5. All furniture and fixtures, including but not limited to, chairs, tables, umbrellas, barriers, planters, and waste receptacles, shall remain within the defined outdoor dining area.
- G. *Parking.* Outdoor dining areas with capacity for greater than 20 occupants within the outdoor dining area shall meet the parking requirements for the principal establishment's use as set forth in this ordinance.
- H. *Sanitation.* Outdoor dining shall be subject to the following requirements:
1. Outdoor dining areas must remain clear of litter, food scraps, and soiled dishes at all times;
 2. All food and beverages to be served in an outdoor dining area shall be prepared inside the principal establishment;
 3. Any waste receptacles used for the outdoor dining area shall be stored inside the principal establishment while such establishment is closed for outdoor dining.
- I. *Storage.* After November 30th, all furniture and fixtures, including but not limited to, chairs, tables, umbrellas, temporary barriers, temporary planters, signs, and waste receptacles, shall be removed from the outdoor dining area and shall not be stored outside. It shall be the responsibility of the principal establishment to secure adequate storage of these items in an area other than the principal establishment's dining area.
- J. *Lighting.* Lighting associated with outdoor dining shall be subject to the lighting standards in this ordinance. String lights shall be permitted provided that they shall not create a nuisance or safety hazard for adjoining properties, motorists, or pedestrians, as determined by the community planner or their designee.
- K. *Noise.* Outdoor dining shall be subject to the Township Noise Ordinance.

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- L. *Signage.* One temporary or portable sign associated with the outdoor dining shall be permitted. All other signage shall be subject to the sign standards of this ordinance. The one permitted temporary or portable sign shall:
1. Not exceed six square feet in area, four feet in total height, and two feet in width;
 2. Not be located so as to disrupt or create a safety hazard for pedestrian, bicycle, or vehicular movement;
 3. Not be located further than five feet from the permitted outdoor dining area;
 4. Not be located closer than three feet to any road right-of-way, except in the Cherry Hill Village Overlay District where outdoor dining areas may be permitted in the public right-of-way;
 5. Otherwise comply with the Township Sign Ordinance.
- M. *Code compliance.* Outdoor dining areas shall comply with all applicable building and fire codes, and all applicable township codes and ordinances.
2. *Standards applicable to non-temporary outdoor dining accessory to a restaurant.* In addition to the requirements of section 6.02(AA).1, non-temporary outdoor dining accessory to a restaurant shall meet the following requirements:
- A. *Review.* Non-temporary outdoor dining areas shall be subject to the following standards:
1. For a submittal proposing to add an outdoor dining area to an existing establishment, an application for site plan review shall be submitted in accordance with the requirements set forth in this ordinance for administrative review by the development review committee. The community planner or their designee shall be the final approval authority.
 2. For a submittal proposing outdoor dining as part of a new development, an application for site plan review which includes the proposed outdoor dining area shall be submitted in accordance with the requirements set forth in this ordinance for review by the development review committee, planning commission, and township board, as applicable. The planning commission and/or township board shall be the final approval authority, as applicable.
- B. *Submittal requirements.* In addition to all applicable information required under section 27.02.F of this ordinance, the following shall be submitted with the application for site plan review:
1. Proof of MLCC approval, if applicable.
- C. *Design standards.* Non-temporary outdoor dining areas shall be subject to the following design standards:
1. Tables, chairs, and waste receptacles shall be made from quality, durable materials, such as metal, wood, or another suitable material approved by the community planner or their designee;
 2. Outdoor dining areas shall be enclosed by a masonry wall, permanent landscape planter barrier comprised of masonry, wrought iron fence, or other suitable means of enclosure approved by the community planner or their designee;
 3. Outdoor dining areas shall be separated from roadways and/or parking areas by a sidewalk or landscaped area not less than five feet in width;
 4. Firepits within the outdoor dining area shall be permitted so long as they meet all applicable building and fire codes.

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3. *Standards applicable to temporary or seasonal outdoor dining accessory to a restaurant.* In addition to the requirements of section 6.02(AA).1, temporary or seasonal outdoor dining accessory to a restaurant shall meet the following requirements:
- A. *Temporary outdoor dining permit required.* A temporary outdoor dining permit shall be required for temporary or seasonal outdoor dining accessory to a restaurant.
 - B. *Submittal Requirements.* The following shall be submitted with the temporary outdoor dining permit application:
 - 1. A detailed drawing or sketch of the proposed outdoor dining area, drawn to scale, which provides sufficient detail to illustrate the layout and location on the site, the size of the dining area, and the maximum number of occupants to be served;
 - 2. Specifications for or a detailed description of the enclosure to be maintained around the perimeter of the outdoor dining area;
 - 3. Specifications for any outdoor enclosures proposed, if applicable;
 - 4. The number and location of parking spaces to be occupied by the outdoor dining area, if applicable;
 - 5. The written permission of all owners of a shared parking area, if applicable.
 - 6. Proof of valid comprehensive general liability insurance meeting all Township insurance requirements;
 - 7. Proof of MLCC approval, if applicable;
 - 8. Proof of right-of-way jurisdiction approval, if applicable.
 - C. *Review.* The development review committee shall administratively review temporary outdoor dining permit application submittals for compliance with this section and all applicable township codes and ordinances. The building official or their designee shall be the final approval authority. Once an initial temporary outdoor dining permit application is approved via the process described herein, subsequent applications proposing the same outdoor dining area, layout, capacity, and features shall not require review by the development review committee but shall instead be reviewed and approved administratively by the both community planner or their designee and the building official or their designee.
 - D. *Design standards.* Temporary or seasonal outdoor dining areas shall be subject to the following design standards:
 - 1. Tables, chairs, and waste receptacles shall be made from quality, durable materials, such as metal, wood, or another suitable material approved by the community planner or their designee;
 - 2. The outdoor dining area shall be enclosed by high quality, aesthetically appropriate barriers consisting of metal or wood railings, planters, masonry walls, or other suitable materials approved by the community planner or their designee. The use of bicycle racks, plastic event-style barriers, or soft material strung across posts is specifically prohibited.
 - E. *Outdoor enclosures.* Temporary outdoor enclosures for outdoor dining by patrons of the principal establishment shall be permitted in accordance with the requirements of this ordinance and shall meet all applicable building and fire codes.
 - F. *Maximum duration.* Outdoor seating shall be permitted between March 1st and November 30th. The temporary outdoor dining permit shall be renewed annually.

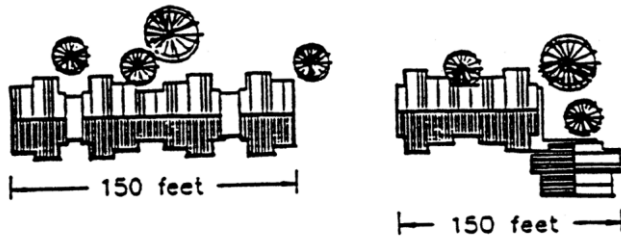
- G. *Inspection.* The building official or their designee and the fire marshal or their designee shall inspect temporary or seasonal outdoor dining areas to ensure that they comply with this section, applicable building and fire codes, and all other applicable township codes and ordinances. It shall be the applicant's responsibility to schedule such inspection with the building and inspection services division prior to commencing operation of the outdoor dining area.

(Ord. of 9-19-2002; Ord. of 9-4-2003; Ord. of 5-25-2004; Res. of 6-12-2008; Zoning Ord. Amd. 2011-2, 6-28-2011; Ord. of 4-9-2013, § 1; Ord. of 7-11-2017(1), § 1; Ord. of 7-9-2019, § 1; Ord. of 4-27-2021, § 1)

6.03. Site development standards for residential uses.

- A. *Multiple-family and single-family attached residential requirements.* Multiple-family and single-family attached residential development standards shall vary, dependent upon whether or not the units have attached, private garages. The following site development standards shall apply to attached housing developments, including development in the single-family attached residential and multiple-family districts:

1. *Building length.* Multiple-family buildings shall not exceed 150 feet in overall length, measured along the front line of connecting units, inclusive of any architectural features which are attached to or connect the parts of the building together (see illustration).



BUILDING LENGTH
Section 6.03, sub-section A.1

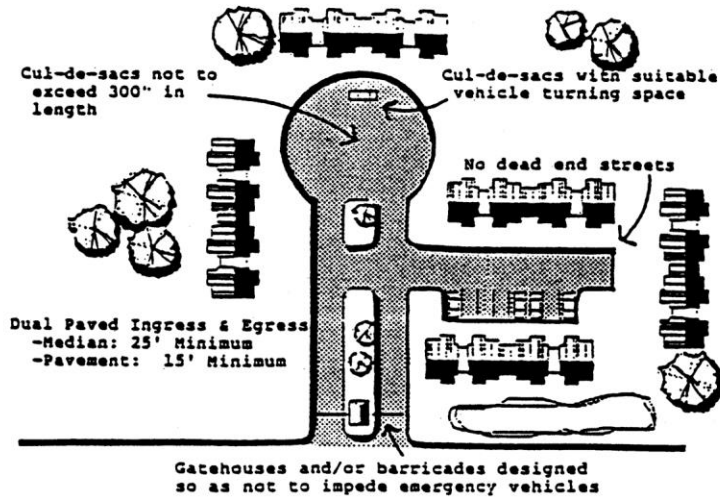
BUILDING LENGTH

2. *Building spacing.* The minimum distance between any two buildings shall be based on the length and height of the buildings, in accordance with the following:

Building Type	Side Separation	Rear Separation	Side to Rear Separation
1- and 2-story	30 feet	80 feet	60 feet
3-story	40 feet	100 feet	60 feet

The minimum distance between any two adjacent building planes shall be measured at the closest (most narrow) points between the two buildings. If there is a combination of one-, two- and/or three-story buildings in the same development, the minimum distance requirements shall be based on the higher of the two buildings. In no instance, shall there be less than 30 feet between any two adjacent buildings. The 30-foot minimum separation also applies to buildings with corner-to-corner relationships.

3. *Street address.* The address of each dwelling unit must be clearly posted so that the unit can be readily identified from the roadway or adjacent parking area.
4. *Access and circulation.* Multiple-family developments shall comply with the following requirements for access and circulation (see illustration):



ACCESS AND CIRCULATION

Section 6.03, sub-section A.4

ACCESS AND CIRCULATION

- *Access to roads.* Multiple-family developments shall only have access to an existing or planned road with a right-of-way greater than 60 feet; however, alternate means of access may be permitted by the planning commission upon finding that, due to special circumstances, substantial improvements in traffic safety could be achieved by reducing the number of driveways. Furthermore, an alternate means of access shall be permitted only if one or more of the following conditions exists:
 - * The property directly across the street from the development under consideration is zoned for multiple-family or nonresidential use, or
 - * The property directly across the street is developed with permanent uses other than single-family residences, or
 - * The proposed development is in an area which, based on study by the planning commission, will eventually be used for purposes other than single-family use.
- *Emergency access.* All dwelling units, including those under construction, shall be readily accessible by fire and emergency vehicles from a paved public street, paved private access road, or other approved paved area. Private roadways dedicated as fire lanes shall be posted with signs indicating "Fire Lane, No Parking." To facilitate emergency vehicle access, the following guidelines shall be complied with:

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- * All roadways shall be paved and bi-directional, allowing for both ingress and egress. A boulevard may be utilized to provide bi-directional traffic movement, provided that the median strip is a minimum of 25 feet in width.
 - * Streets with no outlet shall be terminated with a cul-de-sac, designed in accordance with standards established and periodically updated by the township engineer and kept on file in the engineering services division. Such streets with no outlet shall not exceed 700 feet in length or 1,000 feet in length for developments having a minimum lot size of one acre or density of one dwelling unit/acre or less.
 - * Gatehouses and/or barricades at entrances to private roadways shall be designed so as not to impede fire and emergency vehicle access.
- *Street dimensions.* On-site streets and drives shall have a minimum width as follows:
- a. For units without garages, providing parking in lots:
 - * Boulevard with median: 15-foot moving lane in each direction (measured back of curb).
 - * Undivided two-way street or drive, without parking: 24 feet (measured back of curb).
 - * Undivided two-way street or drive with parking: See section 4.01.D.2, requirements for parallel parking (measured back of curb).
 - b. For units with private, attached garages:
 - * Boulevard with median: 20-foot moving lane in each direction (measured back of curb).
 - * Undivided two-way street or drive, with or without parking: 27 feet (measured back of curb).
5. *Sidewalks.*
- a. Sidewalks shall be provided within developments where units do not have private, attached garages. Sidewalks within the development shall be located no less than five feet from and parallel to access drives. Such sidewalks shall provide convenient access to community buildings and between parking areas and dwelling units. The sidewalks shall be designed and constructed in accordance with section 2.19.
 - b. Developments with private, attached garages shall provide an internal pedestrian path system instead of sidewalks parallel to the internal streets to minimize conflicts with driveway crossings and vehicular traffic. The internal path system shall be a minimum of five feet in width and constructed of asphalt or concrete, with an appropriate base. The path cross section shall be approved by the engineering official. Where the pedestrian path passes through wooded or wetland areas, it may be constructed of gravel or wood chip mulch.
6. *Parking/garages/driveways.* In addition to the requirements set forth in article 4.00, multiple-family developments shall comply with the following requirements:
- *Location.* Required parking shall be located in parking lots or individual driveways, and not in streets or access drives. Parking may be permitted in required side and rear yard setback areas provided that parking lots and access drives shall be located a minimum of ten feet from any property line or public right-of-way. Parking lots and parking lot access drives shall not be located closer than 25 feet to a wall of any residential structure which contains windows or doors, nor closer than seven feet to a wall of any residential structure which does not contain openings.

- *Distance from dwelling units.* Parking shall be located within 150 feet of the dwelling units the parking is intended to serve, measured along the sidewalk leading to the parking lot.
 - Driveways providing access to private, attached garages shall be a minimum of 22 feet in length, as measured from the edge of road pavement.
 - Guest parking shall be provided for all multiple-family and single-family attached residential units, as set forth in article 4.00.
 - *Parking for community buildings.* Parking shall be provided for community buildings, in accordance with section 4.01.C.6.
7. *Lighting.* All parking areas, building entrances, sidewalks, and ramps shall be illuminated to ensure the security of property and the safety of persons using such areas, in accordance with the requirements set forth in section 2.13.
8. *Landscaping.* Multiple-family developments shall be landscaped in accordance with section 5.03.C.
9. *Open space.* Open space shall be provided in any multiple-family development containing eight or more units. The open space shall comply with the following requirements:
- *Size.* Total open space required shall be based on the number and size of units, as indicated in the following chart, provided that each development shall contain a minimum of 10,000 square feet of open space.

Type of Unit	Open Space Required per Unit
0—2 bedrooms or more	370 sq. ft. per unit

- *Location.* Open space shall be located conveniently in relation to the majority of dwelling units intended to be served. Swamp areas, marshy areas, and similar limited-use areas shall not be included in the required open space.
 - *Use of open space.* Uses permitted within the required open space include picnic and sitting areas, playground and park space, play equipment, tennis courts, shuffleboard courts, and similar outdoor recreation facilities.
 - *Phasing.* Open space improvements shall be completed in proportion to the number of units constructed in each phase.
10. *Antennas.* Each multiple-family building shall be permitted to erect one antenna.
- B. *Cluster family development.* The following site development standards shall apply to cluster family developments, subject to special land use approval in the multiple-family (RM-1) [MR] district:
1. *Intent.* The intent of the cluster family regulations is to provide flexibility in the regulation of multiple-family development; encourage innovation in land use and variety in the design, layout and type of structures constructed; achieve efficiency in the use of land, natural resources, energy, and the provision of public services and utilities; encourage the provision of useful open space; and generally provide a better living environment. Accordingly, the cluster family regulations provide for flexibility in the placement, bulk, and interrelationship of the buildings and uses, provided that the overall intensity of land use, density of population, amount of light, air, and open space, and requirements for access as specified elsewhere in this ordinance shall be maintained.
 2. *Permitted modifications.* Subject to review and approval procedures and standards which follow, modification of the requirements related to building setbacks, building spacing, and site layout may be granted, but only upon determination that such modification will:

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- Result in a more efficient use of the land,
 - Will not be injurious to surrounding land and to the public as a whole, and
 - Will not result in a higher overall dwelling unit density than specified for the district in which the development is located.
3. *Procedures.* The overall site plan and all regulatory modifications shall be subject to the special land use review procedures and standards set forth in section 27.03. The application and data requirements shall be the same as specified in section 27.02 for site plan review, plus any other data which may be required by the planning commission, planning, building, or engineering officials, or township board to make the determination required herein.
4. *Standards for granting approval.* Approval of a proposal for cluster family development may be granted upon determination that the proposal will comply with all applicable requirements of this ordinance, as well as the following standards:
- *Screening between single-family districts and cluster developments.* Protective screening shall be required in accordance with section 5.03.C wherever a proposed multiple-family cluster project abuts land which is zoned for single-family development.
 - *Maintenance of open space.* Continued maintenance of all open space and recreational areas shall be the responsibility of all property owners of the cluster development. The applicant shall provide evidence of a maintenance plan and agreement, specifying maintenance schedules, work items, and financing.
 - *Building permit.* Approval of a cluster family special land use application by the township board shall automatically expire if the applicant fails to file an application for a building permit within 24 months after said approval. Upon showing of good cause, the township board may extend the period of validity up to one year, during which time the building permit may be sought.
- C. *Mobile home park requirements.* All mobile home parks shall comply with the requirements of Michigan Public Act No. 419 of 1976 [repealed—see Public Act No. 96 of 1987 (MCL 125.2301 et seq.)], as amended. Further, all mobile home parks shall comply with the provisions of this ordinance, the Michigan Mobile Home Commission Rules, and any other lawfully adopted ordinance of Canton Township. Should any conflict in legally approved regulatory provisions occur, whichever provision imposes the more restrictive or higher standard shall prevail.
1. *Location.* Mobile homes shall be located only in those zoning districts in which mobile home land use is permitted by right or subject to special approval. All mobile homes in an RMH mobile home park district shall be located on an approved site in an approved mobile home park. Emergency or temporary parking of a mobile home on any street, alley, or highway may be permitted for a period not exceeding two hours, subject to any other limitations imposed by traffic or parking regulations or ordinances for that street, alley or highway.
2. *Mobile home standards.* Each mobile home shall be of contemporary design and shall contain sanitary waste disposal facilities, sleeping accommodations, a tub or shower bath, kitchen facilities, and plumbing and electrical connections designed for attachment to appropriate external systems as commonly found in modern mobile homes, and as specified in section 2.05.A.3. Each mobile home shall comply with the regulations for the district in which it is located, the requirements applicable to class A mobile homes specified in section 2.05.B, the regulations of the U.S. Department of Housing and Urban Development as adopted on June 15, 1976, and all subsequent amendments to such standards and regulations. Mobile homes constructed prior to June 15, 1976, shall be in full compliance with NFPA 501B-1974/ANSI 119.1-1975 standards.

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3. *Setbacks in the RMH district.* Mobile homes shall comply with the minimum distances specified in R125.1941, Rule 941 of the Michigan Administrative Code.

No mobile home unit shall be located within 50 feet of the right-of-way of a public thoroughfare, or within 20 feet of a mobile home park property line.

No mobile home unit exterior wall surface shall be located with [within] 20 feet of any other mobile home unit's exterior wall surface.
 4. *Permit.* It shall be unlawful for any person to operate a mobile home park unless that individual obtains a license for such operation in compliance with the requirements of Michigan Public Act No. 419 of 1976 [repealed—see Public Act No. 96 of 1987 (MCL 125.2301 et seq.)], as amended. The building official shall communicate his recommendations regarding the issuance of such licenses to the Director of the Mobile Home Division, Corporation and Securities Bureau, Michigan Department of Commerce.
 5. *Violations.* Whenever, upon inspection of any mobile home park, the building official finds that conditions or practices exist which violate provisions of this ordinance or other regulations referenced herein, the building official shall give notice in writing by certified mail to the director of the Michigan Mobile Home Commission, including the specific nature of the alleged violations and a description of possible remedial action necessary to effect compliance with the ordinance or other regulations. The notification shall include such other information as is appropriate in order to fully describe the violations and potential hazards to the public health, safety and welfare resulting from the violation. A copy of such notification shall be sent by certified mail to the last known address of the park owner or agent.
 6. *Inspections.* The building official or other authorized township agent is granted the authority, as specified in Michigan Public Act No. 419 of 1976 [repealed—see Public Act No. 96 of 1987 (MCL 125.2301 et seq.)], as amended, to enter upon the premises of any mobile home park for the purpose of determining compliance with the provisions of this ordinance or other regulations referenced herein or other applicable township ordinances.
 7. *Park site development standards.*
 - *Park size.* Mobile home parks shall be at least 20 acres in size.
 - *Access.* All mobile home parks shall have paved access to a paved county primary road or state trunk line.
 - *Interior roadways.* All interior roadways and driveways shall be hard-surfaced and provided with curbs and gutters. Roadway drainage shall be appropriately designed such that stormwater from the roadway will not drain onto the mobile home lots. Main access drives shall be no less than 24 feet wide. Parking shall not be permitted on main access drives. Secondary access drives shall be no less than 22 feet in width. Parking shall not be permitted on 22-foot-wide drives.
 - *Sidewalks.* Concrete sidewalks shall be constructed on the street side of each mobile home lot in accordance with established engineering standards for the township. Required sidewalks shall be no less than three feet in width. Sidewalks shall be placed not less than three feet from the edge of the curb of a main access drive, but may be placed contiguous to the curb of a secondary access drive. The areas between the sidewalk and curb shall be seeded or sodded with grass, and shade trees may be planted in the area.
 - *Water and sewer service.* All mobile home parks shall be served by approved central water and sewage systems, which shall meet the requirements of the Wayne County Health Department and the Michigan Department of Health. Running water shall be piped to each mobile home lot with a minimum available pressure of 20 pounds per square inch for each lot. The plumbing

connections to each mobile home site shall be constructed so that all lines are protected from freezing, accidental bumping, or from creating any nuisance or health hazard.

- *Storm drainage.* All developed portions of the mobile home park shall be served by adequate storm drainage facilities, designed and constructed in accordance with applicable local, county, and state regulations.
 - *Telephone and electric service.* All electric, telephone, and other lines within the park shall be underground. Electric service shall be three-wire, balanced 115 to 120 volt supply.
 - *Fuel oil and gas.* Any fuel oil and gas storage shall be centrally located in underground tanks, at a safe distance from all mobile home sites. All fuel lines leading to mobile home sites shall be underground and designed in conformance with the Michigan Administrative Code and other applicable local, county and state regulations.
 - *Television antennas.* Individual exterior television antennas shall not be placed on any mobile home unit or lot. The mobile home park may provide (a) master exterior television antenna(s) for connection to individual mobile home units, or an underground cable television system may be installed.
8. *Skirting.* Each mobile home must be skirted within 90 days after establishment in a mobile home park. In the event that skirting cannot be installed in a timely manner due to inclement weather, the building official may permit extension of the time period. All skirting shall conform to the installation and materials standards specified in the Michigan Administrative Code, R125.1604, Rule 604.
9. *Canopies and awnings.* Canopies and awnings may be attached to any mobile home, provided they are in compliance with the Michigan Administrative Code, R125.1941, Rule 941(1)(b)(ii), and provided further that they shall not exceed 12 feet in width or exceed twelve [sic] the length or the height of the mobile home. A building permit shall be required for construction or erection of canopies or awnings, or for construction of any area enclosed by glass, screens, or other material, such that the enclosed area will be used for more than casual warm weather leisure.
10. *Landscaping.* Mobile home parks shall be landscaped in accordance with section 5.03.B.
11. *Patio.* An outdoor patio area of not less than 48 square feet shall be conveniently located near the entrance of each mobile home, in proximity to open areas of the lot and other facilities. The patio shall consist of four-inch-thick concrete, so as to provide a solid foundation for access to the dwelling's exterior access door. The building official may waive the requirement for a patio if the proposed mobile home dwelling is of such a size or shape that the patio would be covered by the dwelling. The building official may allow the patio to be constructed of materials other than concrete if such materials are of equal or superior quality.
12. *Open space.* Any mobile home park that contains 50 or more mobile home sites shall have at least one conveniently located open space area. A minimum of two percent of the mobile home park's gross acreage shall be dedicated for open space use, provided that the park shall have not less than 25,000 square feet of open space area.
13. *Garbage and refuse collection.* Garbage and refuse collection areas shall be screened in accordance with section 2.14.
- D. *Cluster development criteria.* The following site development standards shall apply to single-family detached development, subject to special land use approval:
- 1. *Purpose and intent.* It is the purpose of this section to provide an option to utilize cluster development as an alternative to conventional design for single-family detached subdivisions and site condominiums under certain conditions and to provide application criteria and design standards for this special land use. It is the intent of this section to allow the township to consider flexible design concepts under

cluster development where the site proposed for development has significant natural and/or environmental features, or scenic vistas along existing roadways which the township has determined should be preserved to maintain the semi-rural character of the community. Where the site is void of any natural amenities, the township may elect to consider utilization of a cluster development upon demonstration from the applicant that open space amenities will be created to enhance the character of the area and provide recreational opportunities for the residents of the development.

2. *Eligibility and application criteria.* The burden of proof of showing that a specific cluster application is the best development alternative for the site shall be that of the applicant for special land use approval. The applicant shall demonstrate that the following thresholds and eligibility criteria are met.
 - a. Minimum site size/applicable zoning districts - RE, RR: 40 acres.
 - b. Minimum site size/applicable zoning districts - R-1, R-2, R-3: 20 acres.
 - c. Description of surrounding uses and character of the area.
 - d. Maximum density: Provide a conceptual plan utilizing the base zoning criteria with a conventional layout to determine maximum number of units.
 - e. Site analysis: Indicate existing types and amount of vegetation, topography, wetlands, floodplains and any other significant natural or environmental feature which would pose a constraint to development or provide an opportunity for creative design alternatives.
 - f. Preliminary concept cluster plan: Illustrate methods by which the natural and environmentally sensitive areas would be preserved, how common usable open space would be configured and what, if any, amenities would be created or provided.
 - g. Benefits, appropriateness and compatibility: Provide a written explanation of how the proposed cluster development is appropriate at the proposed location; describe how the development will maintain compatibility with the existing uses adjacent to and/or a certain distance from the site; and provide a comparison of the benefits of the proposed cluster design compared to a conventional subdivision.
3. *Open space and buffer requirements.*
 - a. *Minimum open space requirements.* Open space shall be determined by the minimum cluster lot size for the particular zoning district in which the cluster development is proposed. The applicant is encouraged to utilize the minimum lot size to maximize open space. Open space should be arranged in a manner that would provide the most residential lots direct access physically adjacent to the lot. Where it is not feasible to locate the open space adjacent to a lot or grouping of lots, visual access to the open space should be maintained.
 - b. *Minimum roadway buffer.* In order to maintain the integrity of scenic rural roadways, provision of landscape buffers and/or preservation of vegetative communities may be necessary to protect the rural and semi-rural qualities of the township's scenic corridors. The amount of landscape buffer required along existing roadways shall not be less than 50 feet but additional buffer areas shall be preserved or provided where warranted by the existing site conditions and character of the specific area.
 - c. *Linkage of open space.* Common open space areas within a cluster development shall be connected physically and visually within the project and provide connections to open space or preservation areas on adjacent properties, where practical and feasible.
 - d. *Dedication of open space.* The common open space within a cluster development shall be set aside by the developer through an irrevocable conveyance which will assure that the open space will be permanently reserved and maintained as a conservation area, landscaped park or

recreation space for the benefit of the residents of the development. Such conveyance shall specify ownership of the common open space; provide for the open space to be maintained by the private property owners having an interest in the open space; provide maintenance standards and a maintenance schedule; provide for maintenance insurance; and include any other specifications deemed necessary by the planning commission or township board.

4. *Lot coverage and building separation—Lot area and setbacks.*

Zoning District	Minimum Lot Area	Maximum Lot Area	Minimum Lot Width (feet)	Setbacks (feet) Front (a) Rear	Setbacks (feet) Side (b, c, d)
RR	2 acres	2.5 acres	150	40—60 60—80 Total: 120	Min. total: 60 Min. 1 side: 30
RE	1 acre	1.25 acres	125	40—60 60—80 Total: 120	Min. total: 50 Min. 1 side: 25
R-1	18,000 sq. ft.	21,000 sq. ft.	100	30—45 40—55 Total: 85	Min. total: 40 Min. 1 side: 15 Min. garage side: 25
R-2	12,000 sq. ft.	14,000 sq. ft.	85	25—40 30—45 Total: 70	Min. total: 30 Min. 1 side: 5 Min. garage side: 25
R-3	10,000 sq. ft.	12,000 sq. ft.	80	25 35	Min. total: 25 Min. 1 side: 10

Notes:

- a. Except in R-3, the front setback shall be required to be offset at least five feet from the setback designated or established on the adjacent lot(s). In no case shall the offset be greater than 15 feet from one lot to the next.
- b. Except in R-3, all homes in a cluster subdivision shall utilize side entry garages. The subdivision covenants and restrictions (or, in the case of a site condominium, the master deed) must specifically prohibit construction of homes with garage entrances that face the street upon which the house fronts. In the R-3 district, the garage portion of the structure shall be set back ten feet from the front face of the main part of the house. If the applicant submits architectural guidelines for the homes which effectively integrate the garage with the overall design of the house, the garage location can be modified from the above with the approval of the planning commission.
- c. In the R-2 district, the five-foot side yard on one lot shall not abut a five-foot side yard on any adjacent lot. A minimum separation between adjacent homes of 30 feet is required, except in R-3, where a minimum separation of 20 feet is required.
- d. The side yard reductions specified in section 26.02, footnote "m," are not applicable to lots within cluster subdivisions approved according to the above provisions.

- e. The lot size may exceed the maximum lot size in unusual circumstances that would be impractical or undesirable, such as corner lots, lots located at the end of a cul-de-sac, unusual property boundaries, location and configuration of natural features, and similar circumstances.
5. *Review and approval process.* Proposals for utilizing the cluster development alternative shall be reviewed in accordance with applicable procedures for special land uses, section 27.03, subsection B.
- E. *Housing for the elderly.* The following site development standards shall apply to housing for the elderly.
1. *Building length.* Building shall not exceed 350 feet in overall length, measured along the front line of connecting units, inclusive of any architectural features which are attached to or connect the parts of the building together.
 2. *Building spacing.* The minimum distance between buildings shall meet the requirements set forth in section 6.03.A.2.
 3. *Building setbacks.* The minimum yard setbacks from perimeter property boundaries shall be in accordance with the following schedule:

Yard	Setback for Two-Story Building (feet)	Setback for Three-Story Building (feet)
Front	50	60
Side:		
Least	50	60
Total	100	120
Rear	50	60

4. *Minimum site area.* The minimum site area requirements shall be as follows:

Dwelling Unit Size	Site Area/Unit (square feet)
Efficiency/one-bedroom	2,500
Two-bedroom	3,000
Each additional bedroom	500

5. *Minimum floor area per dwelling unit.* Each dwelling unit shall comply with the following minimum floor area requirements, excluding basements:

Dwelling Unit Type	Unit Size (square feet)
Efficiency	450
One-bedroom	600
Two-bedroom	750
Each additional bedroom	150

6. *Building height.* No building shall exceed 35 feet in height or three stories except in MRD and HRD districts.

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7. *Street address.* The name and address of the development and the address of the individual unit shall be clearly posted so that they can be readily identified from the roadway or adjacent parking area. Where access to units is provided from internal corridors, clear direction to individual units from the central lobby must be provided.
 8. *Access and circulation.* Elderly housing development shall comply with the requirements set forth in section 6.03.A.4.
 9. *Sidewalks.* Elderly housing development shall comply with the requirements set forth in section 6.03.A.5. In addition, sidewalks shall be provided connecting elderly housing developments to neighborhood facilities and services, where the planning commission deems appropriate.
 10. *Parking/garages/driveways.* Elderly housing developments shall comply with the requirements of article 4.00 and section 6.03.A.6, provided the number of parking spaces shall be determined by the specific requirement for elderly housing set forth in article 4.00.
 11. *Lighting.* All parking areas, building entrances, sidewalks, and ramps shall be illuminated to ensure the security of property and the safety of persons using such areas, in accordance with the requirements set forth in section 2.13.
 12. *Landscaping.* Elderly housing development shall be landscaped in accordance with section 5.03.C.
 13. *Open space.* Open space shall be provided in accordance with the following requirements:
 - *Size.* Total open space required shall be based on 250 square feet per unit, provided that each development shall contain a minimum of 10,000 square feet of open space.
 - *Location.* Open space shall be located conveniently in relation to the majority of dwelling units intended to be served. Wetlands and similar limited-use areas shall not be included in the required open space.
 - *Use of open space.* Uses permitted within the required open space shall be appropriate and designed for the resident population.
 - *Phasing.* Open space improvements shall be completed in proportion to the number of units constructed in each phase.
 14. *Ancillary facilities.* Elderly housing developments may include meeting and activity facilities, central dining facilities, laundry rooms, and other convenience facilities for occupants and their guests.
- F. Single-family attached residential requirements in R-2, R-3, R-4 and R-5. Single-family attached residential uses may be considered as special land uses in the R-2, R-3, R-4 and R-5 zoning districts under the following conditions:
1. Minimum site size: Five acres, and not be located in a platted subdivision.
 2. Buildings shall be limited to two units each.
 3. Density shall not exceed the underlying density of the base zoning district.
 4. All units shall have attached, two-car garages.
 5. Minimum unit size: See schedule of regulations for two-unit condominiums.
 6. Building length: Two-unit single-family attached buildings shall not exceed 100 feet in length, measured along the front line of the structure and inclusive of any architectural features as illustrated in section 6.03, subsection A, subparagraph 1. Each building shall provide a minimum five-foot horizontal offset between units.

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7. Building spacing: The minimum distance between any two adjacent building planes as measured at the closest point between the two buildings shall be as follows:
 - a. Side to side separation: See schedule of regulations.
 - b. Rear to rear separation: 30 feet.
 - c. Side to rear separation: 20 feet.
 8. Setbacks: All buildings must be set back a minimum of 50 feet from any adjacent public rights-of-way. See schedule of regulations for setbacks.
 9. Landscaping on the site shall comply with the applicable parts of section 5.03, subsection C. One street tree for every 40 lineal feet along the internal road shall also be provided adjacent to the sidewalk.
 10. The minimum width of the internal roads shall be 27 feet.
 11. A four-foot wide concrete sidewalk shall be provided adjacent to the curb along all internal streets.
 12. Exterior maintenance of all structures and grounds shall be the responsibility of a condominium association.
 13. Covenants and restrictions shall be submitted with the site plan application.
- G. *Active adult community (AAC) requirements.* Active adult communities may be considered as a special land use in the R-1 through R-5, single-family residential districts and in the R-6, single-family attached district and the MR, multiple-family residential districts. Active adult communities are defined as residential developments which are age restricted to residents aged 55 years and older. At least 80 percent of the units are required to be occupied by at least one person who is 55 years of age or older. AACs are designed for the needs of independent, active adults and generally provide a variety of housing options and amenities suited to the older adult. AACs may be considered pursuant to the following requirements and site design guidelines:
1. Minimum site size: 100 acres.
 2. Minimum common open space: The minimum common open space dedicated within the general common element, exclusive of any area designated for roads, shall be 25 percent of the net parcel size.
 3. Maximum density: The maximum number of AAC units which may be considered, based upon the base zoning district, shall be as follows:
 - a. R-1: 2 AAC units/acre.
 - b. R-2 and R-3: 4 AAC units/acre.
 - c. R-4/R-5 and R-6: 8 AAC units/acre.
 - d. MR: 10 AAC units/acre.
 - e. Assisted living facilities shall not be included in the density calculation in a-d above. Assisted living units shall provide a minimum site area of 2,500 square feet per efficiency or one-bedroom unit and 3,000 square feet of site area per two bedroom unit. An additional 500 square feet of site area shall be provided for each additional bedroom.
- This density increase over the base density allowed by the underlying zoning and future land use maps is based upon the lower water and sewer demands of AACs. Any increase in density over the base allowed by the base zoning district shall be conditioned upon available sewer capacity.
4. Permitted residential uses and dwelling types: AACs shall permit all forms of residential condominium dwellings, including one- and two-story detached and attached single-family, townhouse and stacked attached condominium buildings, multiple-story elevator-style buildings, and assisted and independent

living facilities. The area, bulk, and dimensional requirements for these buildings shall be subject to the schedule of regulations in this subsection.

5. Schedule of regulations:
 - a. Setbacks from site boundaries:
 - 1-story (attached or detached): 35 feet.
 - 2-story (attached or detached): 45 feet.
 - 3-story: 55 feet.
 - 4-story: 60 feet.
 - b. Minimum distances between buildings:
 - 1- and 2-story detached side to side: 10 feet.
 - 1- and 2-story attached side to side: 15 feet.
 - 3- and 4-story side to side: 20 feet.
 - Side to front or side to rear: 20 feet.
 - Front to front or rear to rear: 30 feet.
 - c. Minimum setback to edge of pavement:
 - 20 feet if parking is provided in the driveway.
 - 15 feet if parking is provided in a nearby lot.
 - d. Maximum building height:
 - 1-story (attached or detached): 25 feet.
 - 2-story (attached or detached): 35 feet.
 - 3-story: 50 feet.
 - 4-story: 60 feet.
 - e. Minimum dwelling sizes:
 - 1 bedroom unit: 1200 square feet (1000 square feet for 3- and 4-story elevator buildings).
 - 2 bedroom unit: 1400 square feet (1200 square feet for 3- and 4-story elevator buildings).
 - 3 bedroom unit: 1600 square feet.
 - Assisted/independent living: 600 s.f. for 1 bedroom unit, 750 s.f. for 2 bedroom unit.
6. Building design standards: The buildings shall meet the requirements of Section 26.06, the Schedule of Exterior Building Materials and meet the following additional design requirements:
 - a. Brick and/or stone shall constitute the primary material on the front facade, with accents of cement composite siding, shakes or shingles.
 - b. The remaining elevations may utilize cement composite siding, shakes or shingle as primary material with brick or stone accents.
 - c. On buildings with more than one elevation facing a street, each elevation shall be considered a primary facade and shall use brick and or stone as the primary material.

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- d. All dwelling units shall contain at least a two-car attached garage. One car garages may be permitted for one-bedroom units if the unit has adequate interior storage. Multiple-story buildings should place parking underground wherever possible, except in the case of independent and assisted living buildings, which will have adequate surface parking. Parking to accommodate visitors shall be provided over the base parking required and be distributed reasonably across the site. The amount of visitor parking shall be sufficient to support the mix of unit types in order to meet the needs of the overall development.
 - e. All garages shall have details which provide shadow lines and include design elements including recessed doors, pergolas or roof elements over the doors, decorative doors which match the architectural style of the building, and window inserts in the doors which are architecturally compatible.
 - f. Ten percent of the dwelling units shall be barrier free and incorporate a step free feature to at least one entrance of the dwelling unit; 32 inch wide, clear passage doorways throughout the unit; and, wheelchair, step-free access to the kitchen, dining area, living/or family room, at least one bedroom, at least one bathroom, and the laundry room.
7. Recreational amenities: At a minimum, the AAC shall include a club house or community building which includes a swimming pool, offices for the association, and a meeting room. The AAC shall provide both active and passive recreational amenities which may include tennis or other similar facilities and pedestrian and bike paths throughout the community. These facilities shall be specified on the site plan.
 8. Ancillary facilities: An AAC may include certain ancillary facilities within or adjacent to the community building for the use of the residents. These uses may include a commissary, pharmacy and home health care supplies, and sundry shop. These uses shall be clearly specified in the application and their location identified on the plans for special land use consideration.
 9. Site design standards: the normal site design standards pursuant to the zoning and condominium ordinance for attached condominiums shall apply, except as otherwise provided in this section:
 - a. A paved pedestrian pathway or sidewalk shall be provided which connects the common open space areas, outdoor amenities, clubhouse or other recreational community and the dwelling units.
 - b. A four-foot wide concrete or decorative paved walkway shall be provided between the front door of the dwelling unit to the common sidewalk or pathway along the street.
 - c. A screened trash storage and/or removal area shall be provided for each elevator-style building or buildings which do not have independent at-grade garages.
 - d. Appropriate architectural or landscaped screening for utility meters and closets on each building.
 10. Submission requirements: In addition to the standard application requirements for special land use, the conceptual plan shall include the following information:
 - a. Location map, indicating existing zoning on the parcels and on all adjacent property;
 - b. Existing topography and natural features, including wetlands, woodlands, stream course and other water features, and floodplains;
 - c. General layout of all buildings recreational facilities, and other amenities. The layout shall include setbacks from the site boundaries, separation distances between buildings, location of proposed storm water facilities, and, location of streets and parking areas;
 - d. Delineation and calculation of common open space area, and calculation of net acreage and proposed overall density;

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- e. Phasing plan, including identification of which phase each facility and/or amenity will be constructed;
 - f. Colored elevations and renderings of each building type, including any recreational facility or clubhouse building;
 - g. Conceptual landscape plan;
 - h. List of and/or description of all of the proposed services and amenities which will be provided for the residents of the development; and
 - i. Draft master deed and by-laws.

(Ord. of 12-20-2007)

6.04. Site development standards for mixed uses.

A. *Mid-rise and high-rise developments.* The following site development standards shall apply to mid- and high-rise developments where the principal buildings are four or more stories in height:

1. *Frontage and access.* Wherever the total floor area of the principal structure(s) is 70,000 square feet or greater, the development shall front onto a paved county primary road or state trunk line, and the main means of access to the development shall be via the primary road or state trunk line. The nearest edge of any entrance or exit drive shall be located no closer than 400 feet from any street or road intersection (as measured from the nearest intersection right-of-way line).

Wherever the total floor area of the principal structure(s) is 30,000 square feet or greater, but less than 70,000 square feet, the development shall front onto a paved thoroughfare with at least two lanes of traffic in each direction, and with full passing and deceleration lanes.

Access drives and parking areas shall be adequately lighted in accordance with section 4.01.D.

2. *Landscaping and screening.* Mid- and high-rise developments shall comply with the landscaping requirements for multiple-family districts (section 5.03.C), except for the following:
 - *Protective screening requirements.* In addition to the requirements in section 5.03.C, protective screening shall be provided along all sides of any off-street parking or vehicle use area, where said parking or vehicle use area is located within 25 feet of any side or rear property line.
 - *Landscaping adjacent to a freeway.* Where mid- and high-rise development abuts a limited access freeway, a landscaped buffer shall be provided. In mid- and high-rise developments the buffer shall consist of the following landscaping: A minimum of one deciduous and one evergreen tree shall be planted for every 40 lineal feet or portion thereof of freeway frontage, plus, a minimum of one ornamental tree shall be planted for each 80 lineal feet or portion thereof of freeway frontage, plus, a minimum of one shrub shall be planted for each ten lineal feet or portion thereof of freeway frontage. Shrubs must be planted in masses of at least five. Dwarf species of shrubs may be utilized at a rate of 1.5 times the base shrub requirement. Trees may be planted at uniform intervals, at random, or in groupings.
 - *Blockage of sunlight.* The types and location of trees and shrubs should not unreasonably or totally block access to sunlight on adjoining property zoned for residential purposes.
3. *Open space.* Open space shall be provided for residential uses in accordance with the requirements for multiple-family and attached housing, section 6.03.A, except that private patios and balconies may be used to reduce the amount of required open space by up to 40 percent.

4. *Protection of solar access.* Building placement should provide maximum solar access to adjoining residentially zoned property, so as to conserve energy resources and provide adjacent property owners with the opportunity to use existing and future technology in the use of solar energy for heating, cooling, and ventilation. Accordingly, the following standards shall apply:

- *Orientation.* The lengthwise axis of buildings shall be oriented southerly, southeasterly, or southwesterly to maximize solar gain.
- *Setback.* The planning commission may require mid- and high-rise buildings to be set back a greater distance than specified for the district in which the building is located to prevent the shadows cast by the building from obstructing the solar access of adjoining residentially zoned properties. In determining appropriate setbacks so as to minimize shadow obstruction, the following formula shall be used:

$$\text{Required Setback} = (\text{Building height (in feet)} \times 2.2) \text{ minus (Required yard setback of adjacent residential zone)}$$

Note: The 2.2 factor is based on the solar azimuth on December 21, and the latitude of Canton Township, 42°20'.

B. *Condominium requirements.* The following regulations shall apply to all condominium projects within the township:

1. *Initial information required.* The following information shall be provided to the planning official by any persons intending to develop a condominium project concurrently with the notice required to be given to the township pursuant to section 71 of Public Act No. 59 of 1978 (MCL 559.171), as amended:

- The name, address and telephone number of all persons 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, optionee, lessee, or land contract vendee).
- The name, address and telephone number of all engineers, attorneys, architects or registered land surveyors associated with the project.
- The developer or proprietor of the condominium project.
- The legal description of the land on which the condominium project will be developed together with appropriate tax identification numbers.
- The acreage area of the land on which the condominium project will be developed.
- The purpose of the project (for example, residential, commercial, industrial, etc.).
- Approximate number of condominium units to be developed on the subject parcel.
- Anticipated method of providing the project with water and sanitary sewer service.

2. *Updating of information.* All information required to be furnished under this section shall be kept updated until a certificate of occupancy has been issued.

3. *Site plan review.* Prior to recording of the master deed required by section 72 of Michigan Public Act No. 59 of 1978 (MCL 559.172), as amended, the condominium project shall undergo site plan review and approval pursuant to section 27.02 of this ordinance. Expansion of a project to include additional land in a new phase shall also require site plan review.

4. *Master deed, restrictive covenants and "as built survey."* The condominium project developer or proprietor shall furnish the planning official 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 and building official to determine compliance with township ordinances.

5. Site condominium projects, including single-family detached or single-family site condominiums are subject to the requirements of the township condominium ordinance [chapter 82 of the Township Code].
6. *Final site plan.* After submittal of the condominium plan and bylaws as part of the master deed, the proprietor shall furnish the township a copy of the site plan on a mylar sheet of at least 13 by 16 inches with an image not to exceed 10½ by 14 inches.

6.05. Site development standards for village shopping districts.

The following development standards shall apply to all land zoned as village shopping districts and are in addition to any other applicable requirements of this ordinance:

- A. *Architectural elements.* All structures within a village shopping district shall utilize residential type exterior materials and design features. Exterior building wall materials shall meet or exceed the minimum requirements for residential structures specified in section 26.06. Rooflines shall provide a minimum pitch of 5:12 on all visible portions of each building. Covered walkways, canopies, pavilions or awnings shall be utilized in all primary pedestrian areas which are directly adjacent to principal structures.

Wherever possible, primary entrances into the buildings shall be recessed or protruded from the facade. The facade shall also be designed to provide three-dimensionality to the building.

Pedestrian-level lighting shall be provided and shall complement the architecture of the proposed buildings. Decorative lighting shall be provided at the entrance to the development and shall be consistent with the style chosen for the pedestrian-level lighting.

- B. *Building dimensions.*
 1. No individual building may exceed a gross area of 7,500 square feet on the first floor and shall not exceed 120 feet in length (except as approved as a special land use).
 2. There shall not be more than one individual business which utilizes more than 5,000 square feet (except as approved as a special land use).
 3. There shall be a minimum of two primary structures within any village shopping project.
- C. *Site orientation and parking.*
 1. All structures shall be oriented around a courtyard, square or village green.
 2. All parking shall be located in the side or rear yards. In no case shall parking be located in the front yard area, except on corner lots, where parking may be permitted in the front yard of the street which has the higher functional classification.
- D. *Site amenities.*
 1. The proposed village shopping development project shall include sidewalk and/or bikepath connections to existing and future developments.
 2. One or more of the following features, or similar amenity, shall be provided within the village shopping district: bell or clock tower, sculpture, fountain, gazebo or other form of public art, etc. These features shall not be used to display commercial advertising.
- E. *Signage.* Any site signage, including entrance monuments and wall signage, shall meet the dimensional requirements of the township's sign ordinance [chapter 102 of the Township Code]. In addition, these

signs shall be integral and compatible with the architecture and landscaping components of the development. Conceptual sign designs shall be submitted with the site plan and the planning commission shall review these conceptual plans together with the site plan.

6.06. Site development standards for planned shopping centers.

The following development standards shall apply to all sites developed as planned shopping centers and are in addition to any of the applicable requirements of this ordinance:

A. *Architectural elements.*

1. Building facades greater than 100 feet in length shall incorporate recesses and projections along at least 20 percent of the length of the facade. Windows, awnings, and arcades must total at least 60 percent of a facade length abutting a public street.
2. Architectural interest shall be provided through the use of repeating patterns of changes in color, texture and material modules. At least one of these elements shall repeat horizontally. All elements should repeat at intervals of no more than 50 feet, either horizontally or vertically.
3. There shall be variations in rooflines to reduce the massive scale of the structure and add visual interest. Roofs shall have at least two of the following features: parapets concealing flat roofs and rooftop equipment, overhanging eaves, sloped roofs, and three or more roof surfaces.
4. Each principal building with an anchor tenant shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.

B. *Color and material.*

1. Facade colors shall be of a low reflectance, subtle, neutral of [or] earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
2. Building trim may consist of brighter colors, but neon tubing as a building accent is prohibited.

C. *Miscellaneous design elements.*

1. Loading docks, trash collection, outdoor storage and similar facilities and functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Use of screening materials that are different from or inferior to the principal materials of the building and landscape is prohibited. No delivery, loading, trash removal, exterior property maintenance, or similar operations are permitted between the hours of 9:00 p.m. and 7:00 a.m., except in special circumstances and where steps are taken to reduce noise impacts.
2. Each retail establishment must contribute to the establishment or enhancement of the community and public spaces by providing at least two community amenities such as a patio/seating area, water feature, clock tower, pedestrian plaza with benches, public art, etc.

6.07. Site development standards for the downtown development district (DDA).

In addition to all other applicable requirements set forth in the ordinance, the following development standards shall apply to all sites which are proposed for development or redevelopment and located within the downtown development district of the Charter Township of Canton.

The district is generally described as "parcels of land located north and south of Ford Road, beginning approximately 589 feet west of Canton Center Road and proceeding east to the Canton Township/Westland border. Parcels may not be contiguous to Ford Road, extending north and/or south along Canton Center Road, Sheldon Road, Morton Taylor Road, Lilley Road, Haggerty Road, and Lotz Road," and more particularly described in Ordinance 115A, as amended, establishing the downtown development district.

The township will use these guidelines to review site plans that are located within the DDA district. These guidelines will be used to create an aesthetic consistency along the street frontages, but will allow designs to be site specific, based on existing conditions and other ordinance requirements. Accompanying these standards is a "wall location plan," "detail sheet," and "specifications" that provide additional information regarding the elements discussed here.

- A. *Landscaping/streetscape elements.* Wherever front, side or rear yards are adjacent to road rights-of-way, the following shall apply:
1. A garden wall shall be incorporated into the required landscape area to better define entry points into the development and help screen parking areas from the adjoining road. Required walls shall be constructed of brick to match the existing garden wall and include a limestone cap as indicated in the specifications. The garden wall also requires inclusion of a "Canton Community Sign" or a "Canton Logo Sign" depending on the location of the property. Location of the garden wall on individual properties shall be reviewed by the township using the wall location plan and the following guidelines:
 - a. Angled garden walls are to be used to define the entryway(s) into commercial or office developments.
 - b. Garden walls (in addition to the angled walls described above) are required for all areas where parking, vehicular use areas, and/or the building rear faces and/or abuts any road right-of-way within the DDA district, regardless of the type of development (residential, commercial, office, etc.). Note that this requirement does not apply to individual lots with single-family homes. Locations for required garden walls are shown on the accompanying wall location plan.
 - c. Garden walls are recommended where the front of the building abuts the road right-of-way and where the land between the building and road contains only landscaping, signs, flagpoles, or other such site furnishings.
 2. Several areas within the DDA district have been designated as locations for "Canton Community Signs" and "Canton Logo Signs" by the DDA board. Developments at these locations will be required to include the appropriate sign panel(s) within their garden wall. Placement of sign panel in garden wall, artwork for lettering, and the logo for the sign panels are on the detail sheet and can be obtained from the Charter Township of Canton. The sign locations are as follows:
 - a. Signs with the township "Tree Logo" and the words "Canton Community" (or Canton Community Signs) are to be located as indicated on the wall location plan. These signs are to be ground-lit with the "Type C" fixture, as specified on the detail sheet (available from the township).
 - b. Signs with only the township "Tree Logo" (or Canton Logo Signs) shall be located as indicated on the wall location plan.
 3. Required plantings shall be made up of the species listed in table A or comparable as recommended by the DDA. Plant materials shall meet all ordinance requirements as stated in section 5.04 (standards for landscape materials).

4. In areas where the sidewalk meets an entry drive, colored stamped concrete shall be used to build six lineal feet of sidewalk from each edge of the driveway. The stamping pattern shall be "Running Bond." The color of the concrete shall be an antique red, or similar color that matches the existing brick wall sections throughout the DDA district. This is illustrated on the detail sheet.

B. *Lighting.* Wherever front, side or rear yards are adjacent to the Ford Road right-of-way, or the right-of-way of any major street within the DDA district (Canton Center Road, Sheldon Road, Morton Taylor Road, Lilley Road, Haggerty Road, and Lotz Road), street lighting shall be installed in front of commercial or office developments. Light locations are specifically identified on the accompanying wall location map.

Lights are also required on major internal roads of developments that have a common access drive serving more than one property or the primary driveway of a single site greater than five acres. The type of light used on the internal drive depends on where the development is located within the DDA district, as described below.

The type of light pole, mounting bracket, adapters and luminaries shall be the materials specified in this ordinance. Note that there are two light fixtures required within the DDA district: the Sterner light fixture (see detail sheet) is located within the district between Canton Center Road east to I-275, the Lumec light fixture (see detail sheet) is located in the corporate park overlay district from I-275 east to Hannan Road (eastern township boundary).

Lights shall be installed between the sidewalk and the street the same distance adjacent to the sidewalk as the existing decorative light fixtures throughout the DDA district (less than one foot). Lights shall be spaced a maximum of 80 to 100 feet on center. Lights at major intersections (as named above) and all entrances to the DDA district shall have two luminaries, as specified on the wall location plan. Lights between street intersections shall have a single luminaire. If the single Sterner luminaire is the required light, the luminaire shall be positioned over the sidewalk. All lights shall be lit from dusk to dawn and be on a sensor system, not timers.

TABLE A. PLANT SPECIES LIST
SITE DEVELOPMENT STANDARDS - DDA
Section 6.07.A.2

Deciduous trees:

- Acer platanoides "Deborah" ("Deborah" Norway Maple)
- Acer rubrum "Red Sunset" (Red Sunset Maple)
- Fraxinus pennsylvanica "Summit" (Summit Ash)
- Platanus acerifolia "Bloodgood" (Bloodgood London Plane Tree)
- Quercus palustris (Pin Oak)

Evergreen trees:

- Picea glauca (White Spruce)
- Abies concolor (White Fir)

Ornamental trees:

- Acer ginnala (Amur Maple)
- Amelanchier canadensis (Serviceberry)

Flowering crabs:

Malus "Coralburst"

Malus "Indian Magic"

Malus zumi "Calocarpa"

Malus "White Candle"

Shrubs:

Spiraea bumalda "Anthony Waterer"

Spiraea japonica "Little Princess"

Potentilla fruticosa "Abbotswood"

Juniperus chinensis "Sea Green"

Aronia melanocarpa (Black chokeberry)

Perennials:

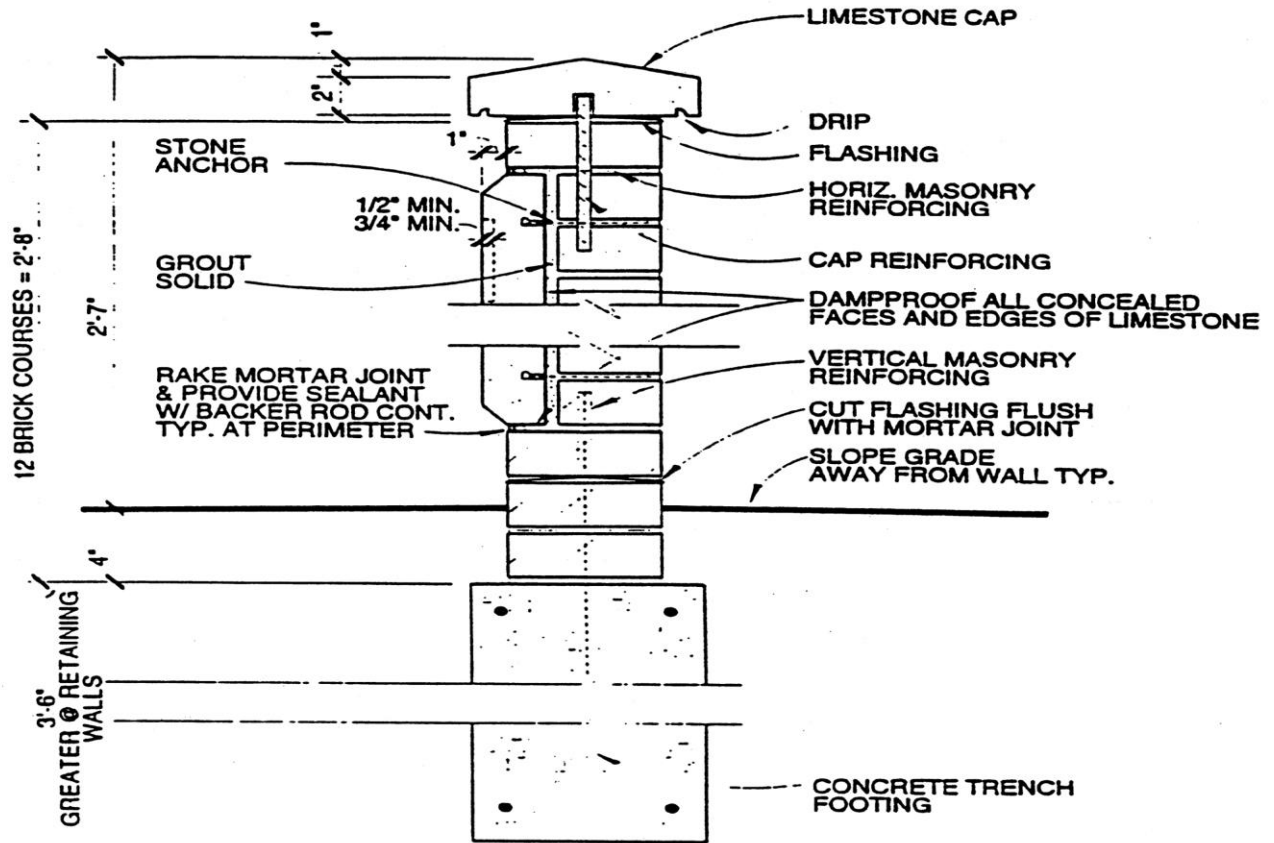
Hemerocallis "Stella D'Oro" (Stella D'Oro Daylily)

Hemerocallis "Eenie Fanfare" (Eenie Fanfare Daylily)

Hosta fortunei "Albo Marginata"

Iris pallida "Aureo-Variegata"

Phlox subulata "Merald Pink"



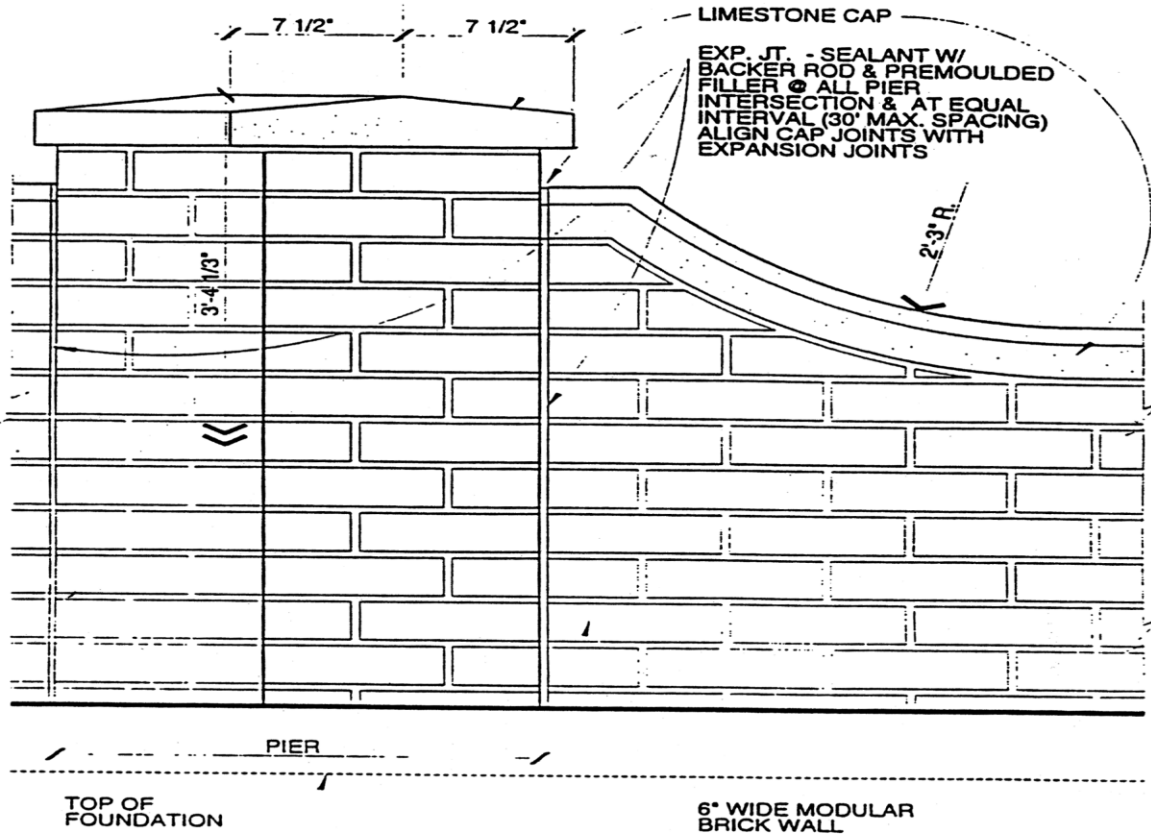
Wall Section @ Sign Wall

SCALE: 1 1/2" = 1'-0"

Illustration "d"

SITE DEVELOPMENT STANDARDS - DDA
Section 6.07A.1

ILLUSTRATION D. SITE DEVELOPMENT STANDARDS - DDA



Elevation at Pier

SCALE: 1 1/2" = 1'-0"

Illustration "e"

**SITE DEVELOPMENT STANDARDS - DDA
Section 6.07A.1**

ILLUSTRATION E. SITE DEVELOPMENT STANDARDS - DDA

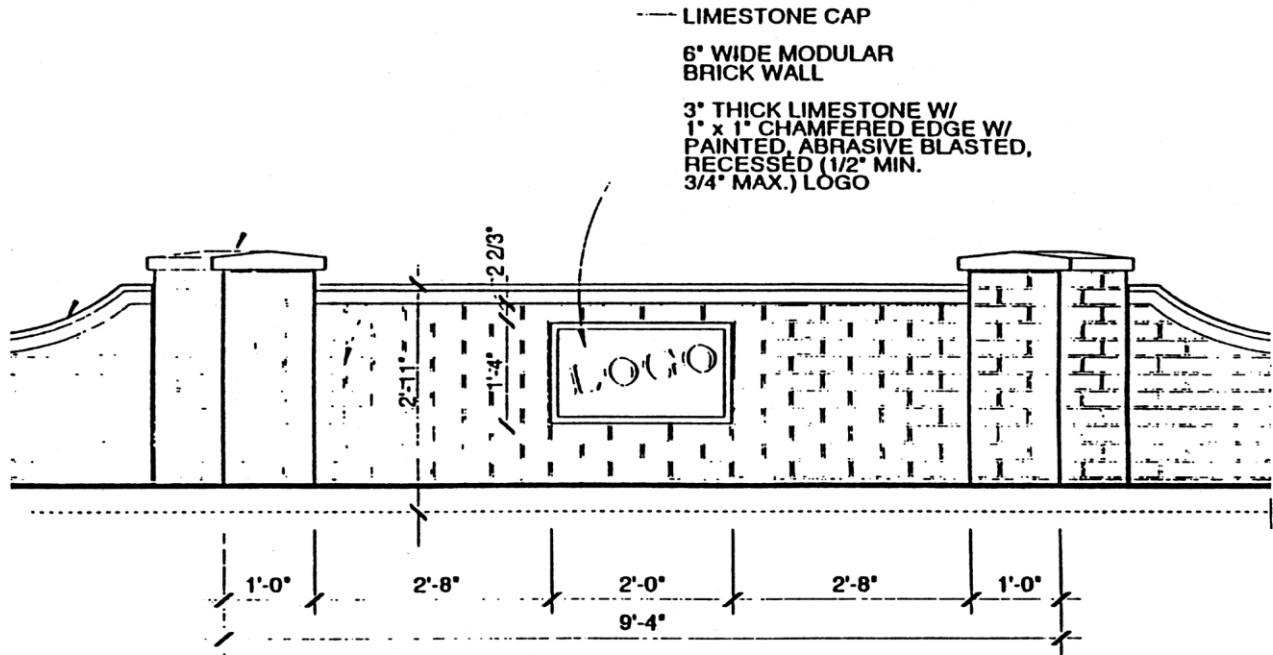


Illustration "f"

**SITE DEVELOPMENT STANDARDS - DDA
Section 6.07A.1**

ILLUSTRATION F. SITE DEVELOPMENT STANDARDS - DDA

6.08. Site development standards for the corporate park overlay district.

Implementation of the Lotz Road corridor development plan will take place through the use of the corporate park overlay district zoning regulations. All uses to be located within the corporate park overlay district shall be treated as special land uses.

All uses located within the corporate park overlay district are subject to the specific standards of the overlay zone. Design standards are tailored to the specific context of the Lotz Road corridor area, and include some areas located within the downtown development district (see also section 6.07).

- A. *Purpose and intent.* The purpose of the corporate park overlay district shall be to promote the development of the area surrounding the greater Lotz Road area in accordance with the Lotz Road

corridor development plan, and in such a manner that will: promote excellence in the use of land and the design of buildings and sites, ensure compatible land use through a mixture of uses; minimize interference with the operation of the Ford Road/I-275 interchange; be compatible with the surrounding environment and characteristics of the site; ensure that the infrastructure will be adequate to accommodate the needs of the development; and provide for the needs of commuters and pedestrians including safe and efficient transportation corridors and recreational opportunities. In accordance with the community's goals, objectives and strategies, a mixed use high-tech industrial/commercial office park with hotel, entertainment and retail commercial use is proposed for the subject area.

- B. *Applicable area.* The proposed Canton Corporate Park overlay district encompasses the area east of I-275, west of the township line, south of the industrial zoning south of Warren Road, and north of the ITC power lines, just north of Cherry Hill Road, as illustrated in figure 6.08.B.1.

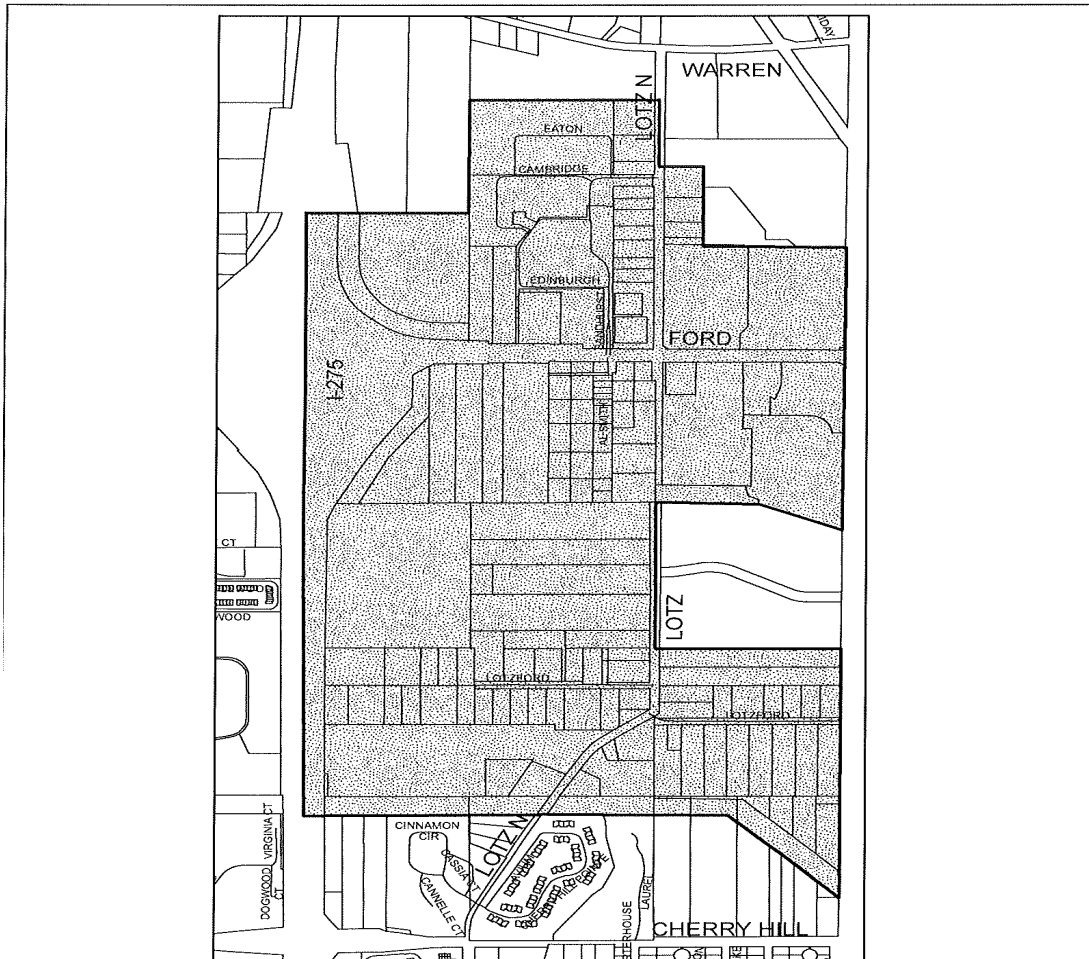


FIGURE 6.08.B.1
CANTON CORPORATE PARK OVERLAY

CREATED BY:
CANTON TWP. PLANNING SERVICES
1150 S. CANTON CENTER ROAD
CANTON, MI 48188
(734) 394-5170
CREATED ON:
September 15, 2016



Certain properties located within the corporate park overlay district are also located within the Canton Township downtown development district. Said properties are subject to the following regulations in this section, in addition

to the regulations found in section 6.07, and other applicable regulations as stated in the Charter Township of Canton zoning ordinance.

- C. *Permitted uses and structures.* Single-family residences, existing at the time of adoption of this ordinance shall be considered principal permitted uses and structures as of right. All other principal uses and structures shall be considered as special uses, subject to the regulations set forth herein, and the zoning ordinance of the Charter Township of Canton.

Exceptions: Any property which has an approved site plan which has not expired shall not be subject to the overlay requirements unless major modifications are made to the approved site plan. The underlying zoning regulations shall apply in this instance.

General location of any proposed use or combination of uses shall be consistent with Map 9, entitled "The Lotz Road Corridor Development Plan," within the Canton Township comprehensive plan.

- D. *Special land uses.* All uses specifically listed as a special land use in section 6.08.D.1 [6.08.D] may be permitted by the township board, subject to the following conditions; the conditions specified for each use; review and approval of an application and site plan by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; the procedures, requirements and standards set forth in section 27.03; and, compliance with the development regulations set forth in section 6.08.F.

The following special land uses may be permitted by the township board, if all of the above conditions are met:

1. Office buildings for any of the following occupations: administrative services, accounting, clerical, drafting, executive, professional, research, sales agent, technical training, stenographic or writing.
2. Medical and dental clinics, office or laboratories.
3. Financial institutions, including banks, credit unions, and savings and loan associations.
4. Offices of a municipality or other public entity, including public utility buildings, provided there is no outside storage of materials or vehicles.
5. Indoor assembly halls, concert halls, or similar places of public assembly.
6. Research and design centers where said centers are intended for the development of pilot or experimental products, together with related office buildings for such research facilities where said offices are designed to accommodate executive, administrative, professional, accounting, engineering, architectural, and support personnel.
7. Light manufacturing, research, assembly, testing and repair of components, devices, equipment and systems of professional scientific and controlling instruments, photographic and optical goods, including the following:
 - a. Communication, transmission and reception equipment such as coils, tubes, semi-conductors, navigation control equipment and systems guidance equipment.
 - b. Data processing equipment and systems.
 - c. Graphics and art equipment.
 - d. Metering instruments.
 - e. Optical devices, equipment and systems.
 - f. Audio units, radio equipment and television equipment.

-
- g. Photographic equipment.
 - h. Radar, infrared and ultraviolet equipment and systems.
 - i. Scientific and mechanical instruments such as calipers and transits.
 - j. Testing equipment.
8. Light manufacturing, processing or assembling of the following:
 - a. Biological products, drugs, medicinal chemicals, and pharmaceutical preparation.
 - b. Electrical machinery, equipment and supplies, electronic components and accessories.
 - c. Office, computing and accounting machines.
 9. Flex industrial space, which may include a single- or multiple-use building where storage and distribution is accessory to the primary use.
 10. Data processing and computer centers including the servicing and maintenance of electronic data processing equipment.
 11. Training and/or educational centers where such centers are designed and intended to provide training at the business, technical, and/or professional level.
 12. Business service establishments such as printing and photocopying services, mail and packaging services, and typing and secretarial services.
 13. Computer and business machine sales when conducted in conjunction with and accessory to an approved principal use.
 14. Child care centers, subject to the provisions in section 6.02, subsection E, and provided that the following conditions are met: The child care center shall be located at the intersection of a major thoroughfare and an internal road serving the corporate park and/or must be part of a multiple-tenant building or multiple-building project site.
 15. Motion picture theaters, subject to the provisions in section 6.02, subsection O.
 16. Hotels and motels, subject to the provisions in section 6.02, subsection N.
 17. Standard restaurants, bars and lounges, provided that at least one of the following requirements are met: The restaurant, bar or lounge shall be located at the intersection of a major thoroughfare and an internal road serving the corporate park and/or must be part of a multiple-tenant building or multiple-building project site.
 18. Multiple-family or attached single-family residences when included as part of a mixed use building(s) or development and located south of the Willow Creek.
 19. Specialty retail business, service, and personal service establishments, when located within a multiple-tenant building or multiple-building project site:
 - a. Carryout restaurants.
 - b. Apparel.
 - c. Bakery.
 - d. Bookstore/stationery shop/periodicals.
 - e. Convenience grocery.
 - f. Delicatessen.

- g. Drugstore.
 - h. Flower/gift shop.
 - i. Toy and hobby shop.
 - j. Videocassette rental.
 - k. Barbershop/hair styling salon.
 - l. Clothing alteration/shoe repair.
 - m. Dry cleaning outlet.
 - n. Photo processing.
 - o. Photographic studios.
 - p. Personal fitness/health centers.
20. General retail and planned shopping centers, when located within a multiple-tenant building or multiple-building project site, subject to the provisions in section 6.06. This includes uses meeting the criteria for superstores in section 6.02.X1, when located within a multiple-building project site.
 21. Warehouse and distribution, when located north of the Tonquish Creek between Koppernick Commerce Drive and the railroad right-of-way.
 22. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 23. Essential services, subject to the provisions in section 2.16.A.

Uses requiring any type of outside storage or display are strictly prohibited within this overlay district. Uses not permitted or otherwise included within this district may be permitted as a special land use in accordance with the provisions of section 2.08.

- E. *Area and placement requirements.* All buildings, uses, and parcels of land located within the corporate park overlay district shall be subject to the following schedule of regulations and footnotes:

SCHEDULE OF REGULATIONS
CORPORATE PARK OVERLAY DISTRICT

Underlying Zoning Districts	Maximum Building Height		Minimum Yards Setback ^{d,e} (feet)				Minimum Lot Width (feet)	Minimum Lot Area (acres)
	Stories	Feet	Front	Least Side	Total Sides	Rear		
MRD, mid-rise development district	8	100 ^a	50 ^c	25; ^{sup}	50; ^{sup}	50	200	10.0
C-4, interchange service district	3	50 ^a	50 ^c	15; ^{sup}	30; ^{sup}	50	100	1.0

C-3, regional commercial district	3	50 ^a	50 ^c	15;sup\sup;	30;sup\sup;	30	100	1.0
MR, multiple residential district	3	50 ^a	50 ^c	15;sup\sup;	30;sup\sup;	30	100	1.0
LI-1, light industrial-1 district	3	50 ^a	50 ^c	15;sup\sup;	30;sup\sup;	30	100	1.0
LI-2, light industrial-2 district	3	50 ^a	50 ^c	15;sup\sup;	30;sup\sup;	30	100	1.0
R-2, single-family residential district ^f	3	50 ^a	50 ^c	15;sup\sup;	30;sup\sup;	30	100	1.0

Footnotes to schedule of regulations:

- a. *Exceptions to height standards.* The height standards shall not apply to certain structures listed in section 2.16.C.
 - b. *Setback on side yard facing a street.* On corner lots, there shall be maintained a front yard along each street frontage.
 - c. *Use of front setback.* Off-street parking shall not be permitted in the required front yard, except as stated in section 6.08.F.3. Loading areas shall be located in accordance with the requirements set forth in sections 4.02 and 21.03.
 - d. *Setbacks adjacent to residential districts.* A minimum setback of 100 feet shall be required where the adjacent land is zoned for agricultural or residential use, except where a public street or railroad right-of-way provides a separation. Located within the 100-foot setback shall be a 50-foot-wide transition strip landscaped in accordance with section 5.03.A.2. No parking shall be permitted in this setback area.
 - e. Setbacks adjacent to any internal street may be reduced upon a recommendation by the planning commission that the reduced setbacks will meet a specific and desirable site design objective.
 - f. Single-family structures within the underlying R-2 district shall be subject to the standard schedule of regulations found in section 26.02.
- F. *Development regulations (for all areas within the corporate overlay district located south of the Tonquish Creek).* Uses located within the corporate park overlay district are subject to the following development regulations, in addition to standards set forth in section 6.07, and [such regulations] shall be applicable to all uses within the corporate park overlay district.
1. *Open space requirement and computation.* All uses within the corporate park overlay district shall exhibit and maintain a total open space requirement equal to at least 25 percent of the gross area of the site. Land areas within required boundary setbacks which are not paved may be included in the open space computation. The area contained in public or private street right-of-way and parking lots may not be included in the open space computation. Open space shall be arranged in a manner which will provide connections to other open space and preservation areas

on the same and/or contiguous sites, wherever practical. Preservation of natural features shall receive the highest priority in meeting the open space requirement.

2. *Site access.* Access to public roads shall be controlled in the interest of public safety. Each building or group of buildings and its parking or service area shall be subject to the following restrictions in order to: prevent unchannelled motor vehicle access or egress; ensure that driveway design and placement is in harmony with internal circulation and parking design; provide for sufficient on-site storage to accommodate queued vehicles waiting to park or exit; and require combined driveways wherever feasible.
 - a. *General standards.*
 1. There must be sufficient on-site storage to accommodate queued vehicles waiting to park or exit without using a portion of the public right-of-way obstructing existing vehicles' sight distance, or otherwise interfering with street traffic.
 2. Provisions for circulation between adjacent parcels are required through coordinated or joint parking systems, except in the instance of industrial uses which the planning commission finds will cause undesirable traffic patterns and conflicts. In the instance that the planning commission determines that physical connection between one or more sites is not necessary, reciprocal easements will be required to ensure the ability to connect sites in the future as conditions change.
 3. Driveways shall be designed to accommodate all vehicle types having occasion to enter and exit the site, including delivery vehicles. There shall be clear delineation and/or separation, where appropriate, of entry and exit lanes within driveways.
 4. Driveway placement must be such that loading and unloading activities will not hinder vehicle ingress or egress.
 5. Shared or common driveway entrances shall be encouraged wherever possible to reduce unnecessary curb cuts and minimize turning conflicts.
 - b. *Driveway spacing.* Driveway spacing will be determined as a function of operating speeds of the adjacent public road. Spacing will be determined according to the following minimum standards or to standards adopted by the appropriate governing road jurisdiction, whichever is more stringent:

Speed Limits (mph)	Minimum Spacing (feet)
25	105
30	125
35	150
40	185
45	230

In the area along Ford Road between I-275 and Lotz Road, separate sites fronting Ford Road shall provide a frontage road which parallels Ford Road and traffic shall be directed to a single point of access, which shall be in a location coordinated with both the north and south sides of Ford Road.

Spacing is based on average vehicle acceleration and deceleration rates and is considered necessary to maintain safe traffic operation. Spacing will be measured from the midpoint of each driveway. In the event that a particular parcel or parcels lack sufficient road frontage to maintain adequate spacing, the applicant shall have one of two options:

1. A modification from minimum spacing can be sought from the planning commission, but in no case can the variance be greater than that which is necessary to provide safe and efficient access to the site.
 2. The adjacent landowners may agree to establish a common driveway. In such cases, the driveway midpoint shall be the property line between the two parcels and shall meet standard specifications. The township may require maintenance agreements between owners of a common driveway to cover such issues as snowplowing, resurfacing liability, etc.
- c. *Number of driveways per parcel.*
1. A maximum of one two-way driveway opening or a pair of one-way driveway openings shall be permitted to a particular site from each adjacent public road.
 2. Based on the recommendation of the appropriate governing road jurisdiction and/or the township engineer, that an additional driveway is in the interest of good traffic operation, the planning commission may permit one additional driveway entrance along a continuous site with frontage in excess of 300 feet or two additional driveway entrances along a continuous site with frontage in excess of 600 feet.
 3. Common driveways, as set forth in section 6.08.F.2.b.2 shall be considered to be one driveway.
- d. *Traffic impact analysis.* The township may require a traffic impact analysis in order to analyze the effect of development upon existing street traffic. The traffic impact analysis shall examine existing and proposed traffic flows, trip generation studies, impacts on major intersections, turning movement analysis, roadway capacity, parking generation and site ingress/egress. The traffic impact analysis shall be prepared by a recognized traffic engineer or recognized traffic expert.
3. *Parking.* Off-street parking shall conform to article 4. Parking shall be located solely in side or rear yard areas and excluded from the area between the public right-of-way and the front face of the building. The planning commission may permit parking between the public right-of-way line and the front face of buildings when it can be demonstrated that no other reasonable alternative exists. Provisions for circulation between adjacent parcels are encouraged through coordinated or joint parking systems, and internal access.
4. *Pedestrian pathways and sidewalks.* Pedestrian pathways shall be provided, in accordance with applicable Canton Township design standards, to meet the circulation needs of on-site users. Such systems shall provide safe, all-weather, efficient, and aesthetically pleasing means of on-site movement and shall be an integral part of the overall site design concept. Pedestrian pathway connections to parking areas, buildings, other amenities, and between on-site and perimeter pedestrian systems shall be planned and installed wherever feasible. Sidewalks are required along all roadways.

Pathways and sidewalks shall be a minimum of five feet in width, and paved, except where the pathway enters designated woodlands, wetlands and other natural areas. Where pathways enter these sensitive natural areas, said pathways shall be a minimum of five feet in width, and may be

surfaced with wood chips, stone, or other crushed aggregate, suitable for pedestrian traffic and harmonious with the natural environment.

5. *Signage.* It is the intent of this section to ensure that signs which are permitted within the corporate park overlay district shall be uniform in size, design, appearance and material, and subject to the following requirements and standards, in addition to meeting the provisions, definitions and standards of the Canton Township sign ordinance [chapter 102 of the Township Code] and the state construction code. Where the provisions of this section are more restrictive in respect to location, use, size or height of signs, the limitations of this ordinance shall take precedence over the regulations of the Canton Township sign ordinance, zoning ordinance, and/or state construction code.

a. *General requirements.*

1. No ground signs shall be allowed within 200 feet of the I-275 right-of-way.
2. Billboards and roof signs are strictly prohibited.
3. All signs to be installed within the Canton Corporate Park overlay district shall conform to the specifications set forth in the applicable township ordinances and as provided more specifically in this section.
4. No sign shall be attached to exterior glass.
5. Neon tubing is prohibited on all signs within the Canton Corporate Park overlay district.
6. All signs shall be designed so as to be integral and compatible with the architecture and landscaping components of the development.
7. Conceptual sign designs shall be submitted with the site plan and the planning commission shall review these conceptual plans together with the site plan.

b. *Wall signs.*

1. Unless otherwise stated within in this section, wall signs for office developments shall comply with authorized signs as stated in section 29.008 [section 102-34 of the Township Code], and wall signs for mid-rise developments shall comply with section 29.009 of the Canton Township sign ordinance [section 102-35 of the Township Code].
2. All wall signs shall consist of individual letters, and if illuminated, the method of illumination shall be approved by the planning commission.
3. Proposed modifications to the above wall sign standards may be approved by the planning commission.

c. *Ground (freestanding) signs.*

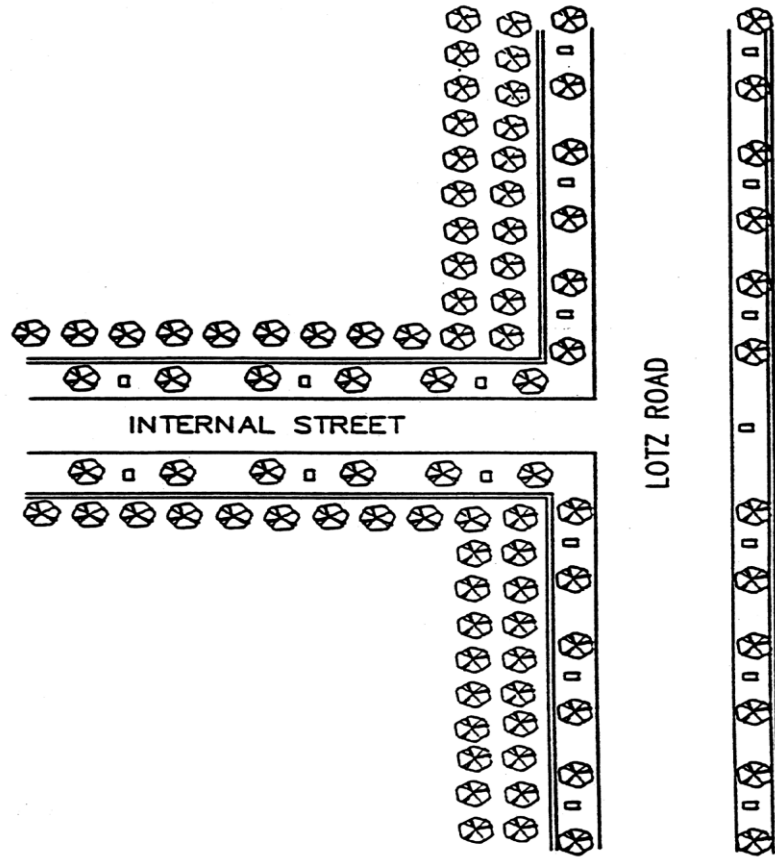
1. Unless otherwise stated within this section, ground signs for office developments shall comply with authorized signs as stated in section 29.008 [section 102-34 of the Township Code], and ground signs for mid-rise developments shall comply with section 29.009 of the Canton Township sign ordinance [section 102-35 of the Township Code].
2. All ground signs shall be set back a minimum of ten feet from the property line, or the edge of the pavement of any driveway or sidewalk off of the public right-of-way.

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3. No ground sign shall be within 100 feet of another ground sign.
- d. *Canopy signs.* Canopy signs shall conform to section 29.009 of the Canton Township sign ordinance [section 102-35 of the Township Code].
- e. *Temporary signs.* Temporary signs may be erected in accordance with sections 29.007 through 29.009 of the Canton Township sign ordinance [sections 102-33 through 102-35 of the Township Code].
6. *Lighting.* Lighting shall provide for the safe and efficient illumination of a development site in order to maintain vehicle and pedestrian safety, site security, and accentuate architectural details. In addition to the standards set forth in section 2.13 (site lighting), shall be reviewed for consistency with recommended lighting by the Canton Township downtown development plan, and section 6.07.
- a. All street lighting to be installed between the sidewalk and street along Ford Road, Lotz Road, or other internal streets located within the Canton Corporate Park overlay district which also are within the downtown development district, shall match the existing fixtures located within the downtown development district, and conform to the locations and specifications set forth by the Canton Township downtown development authority (DDA), in accordance with section 6.07 of the zoning ordinance. In areas outside of the DDA district, lighting plans shall be internally consistent within multiple-building or multiple-site projects and be compatible with the DDA.
- b. All lighting potentially visible from an adjacent street, except pedestrian-oriented bollard lighting less than 42 inches high, shall be indirect or shall incorporate a full cut-off shield-type fixture.
- c. Service-area lighting shall be contained within the service yard's boundaries and enclosure walls. No light spillover shall occur outside the service area. The light source shall not be visible from the street.
- d. Building illumination and architectural lighting shall be indirect in character, with no light source visible. Architectural lighting, where used, shall articulate and animate the particular building design, as well as provide the required functional lighting for safety of pedestrian movement.
- e. Pedestrian walk lighting shall clearly identify the pedestrian walkway and direction of travel.
7. *Landscaping/streetscape elements.* It is the intent of this section to ensure that the image of the corporate park overlay district is promoted by the organization, unification and character of the landscaping used throughout the overlay district.

In an attempt to unify the building sites and their architecture in the corporate park overlay district, landscaping as a design element will play the key role in creating and conveying the park-like environment. The extent [intent] of these design criteria are to fulfill aesthetic considerations, help insure an image that is distinctive and provide unification of the entire district. In addition to the standards set forth in article 5, the following requirements shall be met:

- a. *Streetscape zone.* The streetscape zone is the primary image setting zone and includes all frontage along Ford, Lotz and Warren Roads, as well as internal streets. Landscaping within

this area shall be regulated as follows:



LEGEND
 (X) STREET TREE
 □ STREET LIGHT
 This Drawing is For Illustrative Purposes

FIGURE 6.08.F.

STREETSCAPE

CANTON CORPORATE PLANNING
 OVERLAY DISTRICT
 Canton Township, Michigan
 0 25 50 100
 Garden/Warman Associates
 Community Planners and Landscape Architects
 Ann Arbor, Michigan

STREETSCAPE

1. *Setback zone.* The area between the public rights-of-way to the edge of parking or buildings shall be regulated as follows:

(a) *Ford, Lotz and Warren Roads.* A double row of deciduous trees will line Ford, Lotz and Warren Roads, with occasional triple rows where setbacks allow. A single row, planted 80 feet on center, should be planted between the curb and sidewalk, with a double row, planted 40 feet on center, between the sidewalk and parking area or setback line. Plant species will be selected by the applicant from table A of section 6.07, and approved by the planning commission.

(b) *Internal streets.* A double row of deciduous trees will line internal streets. A single row, planted 80 feet on center, between the curb and sidewalk, with a single row, planted 40 feet on center, between the sidewalk and parking area or setback line. Plant species will be selected by the applicant from table A of section 6.07, and approved by the planning commission.

(c) Wherever front, side or rear yards are adjacent to public road rights-of-way, garden wall elements shall be incorporated into the required landscape area. The required wall shall be constructed of brick to match the existing garden wall in the downtown development district, and shall include a limestone cap as indicated in the accompanying illustrations and specifications located within section 6.07 of the zoning ordinance. Location of the garden wall shall be reviewed simultaneously with the site plan, by the planning commission.

- b. *Street intersections.* The streetscape at intersections is to be treated with elements of pavers, lighting in accordance with sections 6.07.8 and 6.08.F.6, and accent planting of shrubs and other low perennials. Plant species will be selected by the applicant from table A of section 6.07, and approved by the planning commission. The unobstructed sight distance requirement as stated in section 2.09.A.4 of the zoning ordinance must be maintained.
 - c. *Interior landscape zone.* The interior zone encompasses all site features from the setback line to the property lines of each parcel. This zone is subject to the needs of each individual tenant and thus is meant to have a greater degree of flexibility than the streetscape zone. Such landscaping shall comply with the standards set forth in article 5 of the zoning ordinance.
 - d. *Preservation of natural features.* Special emphasis shall be placed on the preservation of existing wetlands, woodlands and surface water and the incorporation of such features on the overall site design.
 - e. *Stormwater facilities.* Stormwater forebays and detention or retention ponds shall be designed to be natural systems and integrated into the site as landscape or natural features.
8. *General site design/architectural guidelines.* It is the intent of the corporate park overlay district to provide an environment of high quality and complementary building architecture and site design. Special emphasis shall be placed upon methods that tend to reduce the large scale visual impact of buildings, to encourage tasteful, imaginative design for individual buildings, and to create a complex of buildings compatible with the streetscape.
- a. *Site planning design criteria.*
 - 1. Facility entrance/exit drive(s) shall be readily observable to the first-time visitor.
 - 2. Minimum conflict shall exist between service vehicles, private automobiles, and pedestrians within the site.
 - 3. Building entries for visitors shall be readily identifiable and accessible to the first-time visitor. Each principal building shall have a clearly defined, highly visible customer (visitor) entrance with features such as canopies or porticos, arcades, arches, plazas, wing walls, benches, water features and integral planters.

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4. Architecture will be evaluated based on its compatibility and relationships to the landscape, and vice versa.
- b. *Building massing and form.*
1. All buildings shall have a horizontal appearance brought about by the use of horizontal bands and fascia to minimize the verticality of the structure.
 2. Architectural interest shall be provided through the use of repeating patterns of changes in color, texture and material modules. At least one of these elements shall repeat horizontally. All elements should repeat at intervals of no more than 50 feet, either horizontally or vertically.
 3. Radical theme structures or signage, building, and roof forms which draw unnecessary attention from public thoroughfare to the building shall not be acceptable.
 4. Building facades greater than 100 feet in length shall incorporate recesses, projections, or spandrel windows along at least 20 percent of the length of the facade. Windows, awnings, and arcades must total at least 60 percent of a facade length abutting a public street.
- c. *Materials.*
1. *Building exterior wall materials.*
 - (a) One dominant material shall be selected and expressed within its own natural integrity. Materials such as masonry and stone, etc., which convey permanence, substance, timelessness, and restraint are required.
 - (b) Low maintenance shall be a major consideration.
 - (c) Materials shall blend with those existing in the adjacent area of the center.
 - (d) Pre-engineered metal buildings, corrugated metal-sided "Butler" type buildings, and metal siding are prohibited.
- d. *Building roofs.*
1. In instances where flat roof areas can be viewed from above, care should be taken that all roof vents, roof-mounted mechanical equipment, pipes, etc., are grouped together and painted to match roof color to reduce their appearance.
 2. Sloped roof treatments are preferred. Sloped roofs may be of any traditional roof material.
 3. There shall be variations in rooflines to reduce the massive scale of the structure and add visual interest. Roofs shall have at least two of the following features: parapets concealing flat roofs and rooftop equipment, overhanging eaves, sloped roofs, and three or more roof surfaces.
- e. *Color and texture.*
1. Simple and uniform texture patterns are encouraged.
 2. Variations in color shall be kept to a minimum.
 3. Colors shall be subdued in tone, of a low reflectance and of neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.

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4. Accent colors may [be] considered as part of the overall architectural proposal for the project.
9. *Loading docks, outdoor storage and refuse collection areas.*
 - a. All outdoor refuse containers shall be visually screened within a durable eight-foot or higher noncombustible enclosure, constructed of the same material as the primary structure, pursuant to section 2.14. The refuse container shall not be visible from adjacent lots or sites, neighboring properties or streets. No refuse collection areas shall be permitted between a street and the front of a building.
 - b. Refuse collection areas should be effectively designed to contain all refuse generated on-site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure.
 - c. Loading docks, outdoor storage areas, and refuse collection enclosures shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. The use of screening materials that are different from or inferior to the principal materials of the building and landscape is prohibited.
 - d. Refuse collection areas should be so located upon the lot as to provide clear and convenient access to refuse collection vehicles and thereby minimize wear and tear on-site and off-site developments.
 - e. Refuse collection areas should be designed and located upon the lot as to be convenient for the deposition of refuse generated on-site.
 10. *Screening of exterior mechanical equipment.*
 - a. In the case of roof-mounted mechanical equipment, building parapets and roofline designs shall be of such a height that roof-mounted screening devices are not required. If building parapets do not provide the required screening, mechanical equipment shall be screened by an unobtrusive screening device that will appear as an integrated part of the overall architectural design.
 - b. Any devices employed to screen exterior components of plumbing, processing, heating, cooling, and ventilating systems from direct view shall appear as integrated parts of the architectural design and, as such, shall be constructed of complementary and durable materials and finished in a texture and color scheme complementary to the overall architectural design.
 - c. Any exterior components of plumbing, processing, heating, cooling and ventilating systems and their screening devices which will be visible from upper floors of adjacent buildings shall be kept to a visible minimum, shall be installed in a neat and compact fashion, and shall be painted such a color as to allow their blending with their visual backgrounds.
 - d. No exterior components of plumbing, processing, heating, cooling, and ventilating systems shall be mounted on any building wall unless they are integrated architectural design features, and in any case shall be permitted only with the approval of the planning commission.
 11. *Screening of exterior electrical equipment and transformers.*
 - a. Transformers that may be visible from any primary visual exposure area shall be screened with either plantings or a durable noncombustible enclosure, preferably constructed of the

same material as the primary structure, so as not to be visible from adjacent lots or sites, neighboring properties or streets.

- b. Transformer enclosures shall be designed of durable materials, preferably constructed of the same material as the primary building, with finishes and colors which are unified and harmonious with the overall architectural theme.
- c. Exterior-mounted electrical equipment shall be mounted on the interior of a building wherever possible. When interior mounting is not practical, electrical equipment shall be mounted in a location where it is substantially screened from public view. In no case shall exterior electrical equipment be mounted on the street side or primary exposure side of any building.
- d. Exterior-mounted electrical equipment and conduits shall be kept to a visible minimum, where visible shall be installed in a neat and orderly fashion, and shall be painted to blend with their mounting backgrounds.

12. *Utilities and communication devices.*

- a. All exterior on-site utilities, including but not limited to drainage systems, sewers, gas lines, water lines, and electrical, telephone, and communications wires and equipment, shall be installed and maintained underground.
- b. On-site underground utilities shall be designed and installed to minimize any disruption of off-site utilities, paving, and landscape during construction and maintenance, and shall be of such a design as not to place excessive burdens upon off-site utility systems during the course of use.
- c. Satellite dish[es] and antennas shall comply with the Canton Township satellite dish and antenna ordinance, Ordinance No. 13 [section 78-4 of the Township Code]. Antennas shall comply with the setback standards for the district in which they are located.

- G. *Development regulations (for the area within the corporate overlay district located north of the Tonquish Creek).* Uses located within the corporate overlay district located north of the Tonquish Creek shall be subject to all applicable requirements of the overlay district except subsection F, paragraphs 4, 7.a, and 7.b, relative to pedestrian pathways and streetscape zone. Landscaping adjacent to the roads shall be subject to the requirements of section 5.03 of the zoning ordinance.

FIGURE 6.08F.6.a

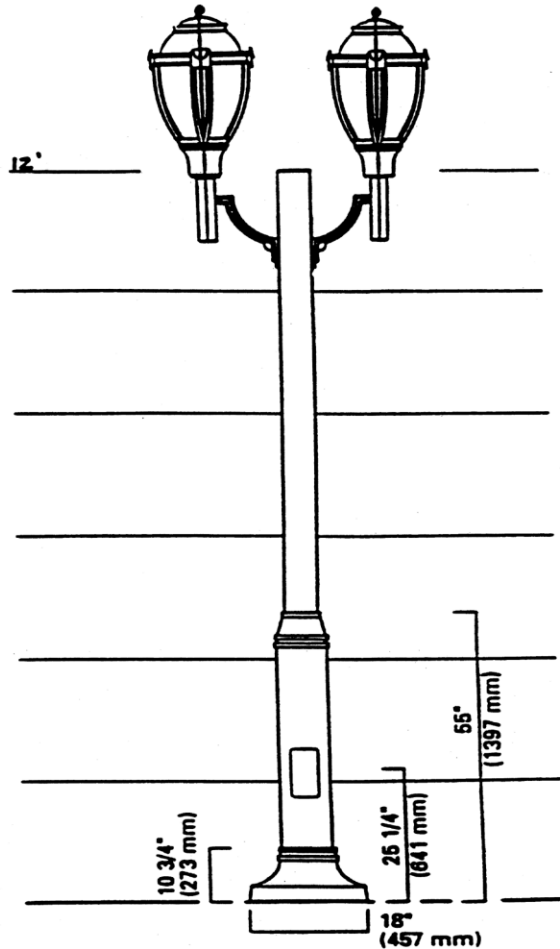
**Lighting - Corporate Park Overlay District
(including areas within the DDA which are
part of the Overlay District)**

LUMEC LANTERN SERIES

- Lamp: 175MH
- Luminaire: L81-PCCS
- Optical System: SE
- Adaptor: SF80
- Configuration: 1 (standard)
2 (intersections)
- Pole: SAM8V-12
- Finish/Color: GN8 (Dark Green)
- Options: FS (integrated fuse)
DR (120v duplex receptacle)

NOTES:

1. Single fixture lamps shall be used except at intersections with driveways and roads.
2. Fixtures located along Ford Road shall include fittings (as needed) to accommodate future addition of BAD-20 (double banner arms).



(Ord. of 12-10-2013, pt. I; Ord. of 11-22-2016, pt. I)

6.09. Site development standards for the Cherry Hill overlay district.

Implementation of the Cherry Hill Area development plan will take place through the use of Cherry Hill area overlay district regulations. All uses located within the Cherry Hill area overlay district, unless otherwise noted, shall be subject to the specific standards of the overlay zone.

- A. *Purpose and intent.* The purpose of the Cherry Hill area district shall be to promote the development of the area in accordance with the Cherry Hill area development plan, which is part of the Canton Township comprehensive plan, and in such a manner that will: maintain, preserve and enhance historic resources; allow for a mixed use concept of new development that advances the creation of a "hamlet" focusing on the historic resources; arrive at a residential pattern which addresses both style and architecture appropriate for the area; and, develop a vehicular and pedestrian circulation pattern appropriate for a "hamlet" style development while recognizing current community and lifestyle issues.

In an effort to create a unique and identifiable community in the Cherry Hill area, it is further required that these objectives will be implemented through the use of the planned development regulations, unless otherwise noted herein, and the Cherry Hill area design guidelines which are adopted as part of this ordinance.

B. *Applicable area and requirements.*

1. The Cherry Hill area district encompasses the area as illustrated in figure 6.09.B.1 [see the figures at the end of this section].
2. All projects, with the exceptions noted herein, shall be treated as a planned development in accordance with the standards and procedures set forth in section 27.04, subject further to the Cherry Hill area design guidelines goals and objectives of the Cherry Hill area development plan which is part of the Canton Township comprehensive plan; the Cherry Hill village design guidelines, which are attached to and made part of this ordinance; and the standards contained herein. The minimum size of a planned development of ten acres shall not be applicable for projects within the Cherry Hill area overlay district.
3. The following uses shall not be required to be treated as a planned development but shall be subject to site plan review and the Cherry Hill village design guidelines.
 - a. Individual properties which are designated as historically significant or contributing as identified in the Cherry Hill Historic District Ordinance No. 117-3 [section 90-93 of the Township Code], and are proposed for rehabilitation and restoration shall not be subject to the requirements of a planned development but shall be subject to site plan review in accordance with the design guidelines. Said properties shall be subject to the Charter Township of Canton Historic District Ordinance No. 117A [chapter 90 of the Township Code] and the Cherry Hill Historic District Ordinance No. 117-3.
 - b. The construction and/or rehabilitation of individual buildings not part of an overall development project otherwise subject to the requirements of section 6.09.B.2.

C. *Principal permitted uses and structures.*

1. Single-family residences existing at the time of adoption of this ordinance shall be considered principal permitted uses and structures as of right and lots shall be a minimum of 120 feet in width and 30,000 square feet in area, subject to the setback and height requirements of the R-2 single-family residential district.
2. Single-family detached dwelling.
3. Single-family attached dwelling, including two-family dwellings and townhouses.
4. Publicly and privately owned parks, parkway, and recreation facilities.
5. Family day care homes.
6. Housing for the elderly including assisted living and congregate care facilities.
7. Religious institutions.
8. Public, parochial, and other private elementary, intermediate, or high schools.
9. Public or private colleges and universities.
10. Child and adult day care facilities.
11. Municipal buildings.
12. Private kennels, subject to the provisions in section 6.02, subsection K.

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13. Private stables, subject to the provisions in section 6.02, subsection X.
 14. Public and private golf courses.
 15. Bed and breakfast establishments.
 16. Essential services.
 17. Grocery stores and specialty retail businesses, including, but not limited to: apparel, jewelry, bakery, books, stationery and office supplies, periodicals, gifts and home decorating, convenience grocery or general store, delicatessen, ice cream parlor, drugstore, hardware store, flowers, toys, hobby and crafts, music, and videocassette rental.
 18. Personal service establishments, including but not limited to: barbershop, beauty salon, clothing alteration, shoe repair, dry cleaning outlet, photo processing, suntan salon, photographic studio.
 19. Professional offices.
 20. Medical/dental clinics or offices.
 21. Financial institutions.
 22. Standard and carryout restaurants, with liquor sales on premises accessory to standard restaurant only.
 23. Personal fitness centers, martial arts studios, dance, music and voice schools.
 24. Art gallery and studios.
 25. Post office.
 26. Multiple-family dwellings, including apartment buildings and apartments or lofts located on the upper floors of nonresidential buildings.
 27. Banquet and meeting halls.
 28. Performing and cultural arts facilities, museums, and similar uses.
 29. Cider mill, farmers' market, and similar uses.
 30. Automobile filling stations.
 31. Uses and structures accessory to the above, subject to the provisions in section 2.03.

The above uses shall be reviewed in accordance with the standards set forth in section 27.04.C and can be subject to the regulations and procedures as set forth herein in section 6.09.B and the zoning ordinance of the Charter Township of Canton.

D. *General design principles.*

1. Density shall be determined in accordance with the requirements set forth in section 27.04D.5. Such requirements are to be applied keeping in mind the objectives of the Cherry Hill Area Development Plan, as follows: Density within the Village Edge shall not exceed four dwelling units/acre. If it is determined that unallocated sewer capacity is available to serve the land area within the village boundary, density for the Village Edge may be increased to a maximum of six dwelling units/acre. Density within the mixed use Village Core area shall not exceed 12 dwelling units/acre. Boundaries of the Village Edge and Village Core areas are defined on Figure 1 of the design guidelines.
2. Proposed development shall promote the creation of new neighborhoods that exhibit the characteristics and design features of traditional neighborhoods and are compatible with the scale and architecture of existing buildings in the Cherry Hill area. New developments shall reflect

diversity in regard to the mixture of housing types, a mixture of housing styles, and a mixture of lot sizes and shapes.

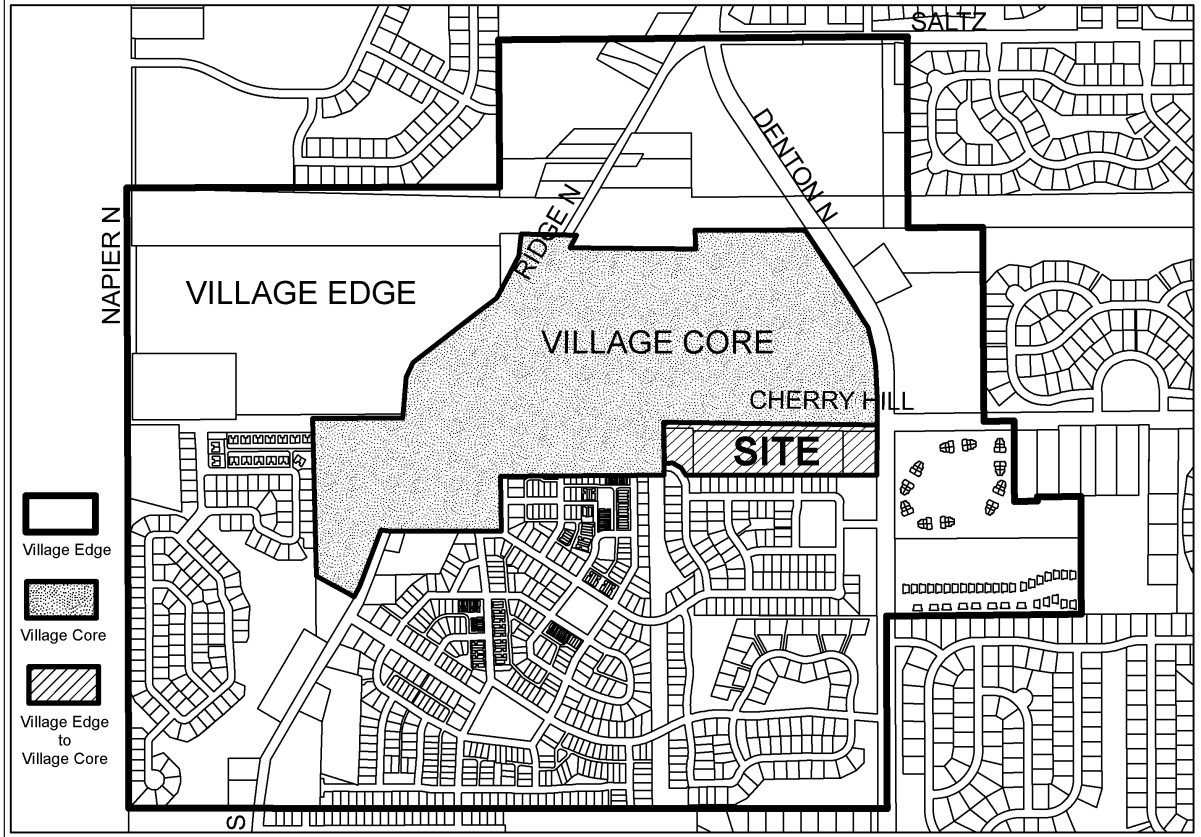
3. A strong, central focus shall be provided at Cherry Hill and Ridge Road which functions as the Village Core, contributing to establishing community identity and provides an essential area for social interaction. The general concept and land use arrangement for the Village Core is set forth in the Cherry Hill Village design guidelines.
 4. Overall street design and layout shall be an integral component of site design. The street layout shall be a modified grid street pattern adapted to the topography, unique natural features and environmental constraints of the tract, as well as peripheral open space areas. The street layout shall take into consideration the location of the Village Core, open space areas, and significant vistas. A minimum of two interconnections with the existing public street system shall be provided where possible. Street widths and alignments shall be scaled to neighborhood size and be patterned after the character of existing residential streets.
 5. Buildings with two or more facades visibly exposed to a street or common open space shall be specially designed to respond to these more prominent locations. Such buildings shall have special massing and/or other treatments on all exposed facades. All exposed facades shall be treated with the same architectural quality and detail. Buildings that are located at the termination of a view, vista, or axis shall be considered more significant structures requiring special architectural responses.
 6. Emphasis shall be placed on providing a pedestrian circulation system which promotes safety and social interaction and connects neighborhoods with open space, recreational and community facilities and commercial areas. Linkages to adjacent developments and neighborhoods with pedestrian and bicycle paths are recommended where possible.
 7. All open space shall serve a functional purpose as visual enhancement and/or providing for both passive and active recreational needs of the area. Open space shall be an integral component of the overall site design and concept and not be considered an afterthought of site planning.
 8. Utilities shall be installed underground in accordance with the standards set forth in section 2.25.
 9. The removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable.
- E. *Design guidelines.* The Cherry Hill Village design guidelines which include site and architectural design standards, are hereby incorporated and made part of the overlay district by reference.

(Ord. of 1-23-2003; Ord. of 2-13-2018(1), § 1)

Figure 6.09B.1

Figure 6.09 D.1

Cherry Hill Village Area



6.10. Site development standards for the central business district overlay.

Implementation of the downtown development authority master plan will take place through the use of the central business district overlay regulations. The underlying zoning district will be used to determine permitted and special land uses.

- A. *Purpose and intent.* The purpose of the central business district overlay shall be to promote the development and redevelopment of the Ford Road corridor west of I-275, and in such a manner that will: promote excellence in the use of land and the design of buildings and sites; ensure compatible land use through a mixture of uses; minimize interference with the operation of the Ford Road/I-275 Interchange; be compatible with the surrounding environment and characteristics of the site; ensure that the infrastructure will be adequate to accommodate the needs of the development; and provide for the needs of commuters and pedestrians including safe and efficient transportation corridors and recreational opportunities.
- B. *Applicable area.* The proposed central business district overlay encompasses the area west of I-275, as illustrated in Figure 6.10.B.1. All parcels located within the central business district overlay are also located within the Canton Township Downtown Development District. Said properties are subject to the following regulations in this section, in addition to the regulations found in section 6.07, and other applicable regulations as stated in the Charter Township of Canton Zoning Ordinance.

- C. *Permitted uses and structures.* Any property which has an approved site plan which has not expired shall not be subject to the overlay requirements unless major modifications are made to the approved site plan. The underlying zoning regulations shall apply in this instance.

Permitted and special land uses.

1. Permitted and special land uses shall be determined by the permitted and special land uses in the underlying zoning district in which the parcel is located and the uses shall be subject to all of the specific development guidelines applicable to the proposed use.
2. Any use listed in the C-3 district shall also be considered as a permitted or special land use in the C-2 district. Planned shopping centers located in the C-2 district shall be subject to the size thresholds and criteria in the C-3 district with respect to determination of whether it is a permitted or special land use.
3. In the commercial and single-family zoning districts, single-family attached residential development may be considered as a special land use, subject to the requirements of section 6.03 and the schedule of regulations for the commercial districts specified in this section.

Map of Central Business District Overlay Boundaries

- D. *Area and placement requirements.* All buildings, uses, and parcels of land located within the central business district overlay shall be subject to the following schedule of regulations and footnotes:

SCHEDULE OF REGULATIONS
CENTRAL BUSINESS DISTRICT OVERLAY

	Maximum Building Height		Minimum Yards Setbacks (ft.) ^{d,e}				Min. Lot Width	Min. Lot Area
Underlying Zoning Districts	Stories	Feet	Front	Least Side	Total Sides	Rear	Feet	Acre
C-4, Interchange Service District	3	50 ^a	50 ^c	15; ^{sup}	30; ^{sup}	50	100	1.0
C-3, Regional Commercial District	3	50 ^a	50 ^c	15; ^{sup}	30; ^{sup}	30	100	1.0
C-2, Community Commercial District	3	50 ^a	50 ^c	15; ^{sup}	30; ^{sup}	30	100	1.0
O-1, Office District	3	50 ^a	35 ^c	15; ^{sup}	30; ^{sup}	30	100	1.0
MRD, Mid-Rise Development District	8	100 ^a	50 ^c	25; ^{sup}	50; ^{sup}	50	100	1.0
MR, Multiple Residential District	3	50 ^a	50 ^c	15; ^{sup}	30; ^{sup}	30	100	1.0
R-6, Single-Family Attached District	3	50 ^a	50 ^c	15; ^{sup}	30; ^{sup}	30	100	1.0
R-4/R-5, Single-Family Residential District	2	25 ^a	25 ^c	5; ^{sup}	15; ^{sup}	30	70	1.0

Footnotes to schedule of regulations:

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- a. *Exceptions to height standards.* The height standards shall not apply to certain structures listed in section 2.16.C.
 - b. *Setback on side yard facing a street.* On corner lots, there shall be maintained a front yard along each street frontage.
 - c. *Use of front setback.* Off-street parking shall not be permitted in the required front yard, except as stated in section 6.10.E.3. Loading areas shall be located in accordance with the requirements set forth in sections 4.02 and 21.03.
 - d. *Setbacks adjacent to residential districts.* A minimum setback of 100 feet shall be required where the adjacent land is zoned for agricultural or residential use, except where a public street or railroad right-of-way provides a separation. Located within the 100-foot setback shall be a 50-foot wide transition strip landscaped in accordance with section 5.03.A.2. No parking shall be permitted in this setback area.
 - e. Setbacks adjacent to any street may be reduced upon a recommendation by the planning commission that the reduced setbacks will meet a specific and desirable site design objective. Criteria which will be evaluated include setbacks of buildings on adjacent sites, length of building along the street, overall size and massing of the building, and how effectively the street facade creates an urban scale and context appropriate streetscape in order to enhance sense of place.
 - E. *Development regulations.* Development within the central business district overlay are [is] subject to the following regulations, in addition to standards set forth in section 6.07, and other applicable requirements for specific uses in article 2, as appropriate.
 - 1. *Open space requirement and computation.* All uses within the central business district overlay shall exhibit and maintain a total open space requirement equal to at least 25 percent of the gross area of the site. Land areas within required boundary setbacks which are not paved may be included in the open space computation. The area contained in public or private street right-of-way and parking lots may not be included in the open space computation. Open space shall be arranged in a manner which will provide connections to other open space and preservation areas on the same and/or contiguous sites, wherever practical. Preservation of natural features shall receive the highest priority in meeting the open space requirement.
 - 2. *Site access.* Access to public roads shall be controlled in the interest of public safety. Each building or group of buildings and its parking or service area shall be subject to the following restrictions in order to: prevent unchannelled motor vehicle access or egress; ensure that driveway design and placement is in harmony with internal circulation and parking design; provide for sufficient on-site storage to accommodate queued vehicles waiting to park or exit; and require combined driveways wherever feasible.
 - a. General standards.
 - 1. There must be sufficient on-site storage to accommodate queued vehicles waiting to park or exit without using a portion of the public right-of-way obstructing existing vehicles sight distance, or otherwise interfering with street traffic.
 - 2. Provisions for circulation between adjacent parcels are required through coordinated or joint parking systems, except in the instance of industrial uses which the planning commission finds will cause undesirable traffic patterns and conflicts. In the instance that the planning commission determines that physical connections between one or more sites is not necessary, reciprocal easements will be required to ensure the ability to connect sites in the future as conditions change.
 - 3. Driveways shall be designed to accommodate all vehicle types having occasion to enter and exit the site, including delivery vehicles. There shall be clear delineation and/or separation,

where appropriate, of entry and exit lanes within driveways. Delivery drives shall be marked appropriately and designed to accommodate the turning radii of delivery vehicles.

4. Driveway placement must be such that loading and unloading activities will not hinder vehicle ingress or egress.
 5. Shared or common driveway entrances shall be encouraged wherever possible to reduce unnecessary curb cuts and minimize turning conflicts.
- b. Driveway spacing. Driveway spacing will be determined as a function of operating speeds of the adjacent public road. Spacing will be determined according to the following minimum standards or to standards adopted by the appropriate governing road jurisdiction, whichever is more stringent:

<i>Speed Limits (mph)</i>	<i>Minimum Spacing (feet)</i>
25	105
30	125
35	150
40	185
45	230

Spacing is based on average vehicle acceleration and deceleration rates and is considered necessary to maintain safe traffic operation. Spacing will be measured from the midpoint of each driveway. In the event that a particular parcel or parcels lack sufficient road frontage to maintain adequate spacing, the applicant shall have one of two options:

1. A modification from minimum spacing can be sought from the planning commission, but in no case can the variance be greater than that which is necessary to provide safe and efficient access to the site.
 2. The adjacent landowners may agree to establish a common driveway. In such cases, the driveway midpoint shall be the property line between the two parcels and shall meet standard specifications. The township may require maintenance agreements between owners of a common driveway to cover such issues as snow plowing, resurfacing liability, etc.
- c. Number of driveways per parcel.
1. A maximum of one two-way driveway opening or a pair of one-way driveway openings shall be permitted to a particular site from each adjacent public road.
 2. Based on the recommendation of the appropriate governing road jurisdiction and/or the township engineer, that an additional driveway is in the interest of good traffic operation, the planning commission may permit one additional driveway entrance along a continuous site with frontage in excess of 300 feet or two additional driveway entrances along a continuous site with frontage in excess of 600 feet.
 3. Common driveways, as set forth in section 6.08.F.2.b.2 shall be considered to be one driveway.
- d. Traffic impact analysis. The township may require a traffic impact analysis in order to analyze the effect of development upon existing street traffic. The traffic impact analysis shall examine existing and proposed traffic flows, trip generation studies, impacts on major intersections,

turning movement analysis, roadway capacity, parking generation and site ingress/egress. The traffic impact analysis shall be prepared by a recognized traffic engineer or recognized traffic expert.

3. *Parking and joint access.*

- a. Off-street parking shall conform to article 4, except as provided in paragraph b below. Parking shall be located in side or rear yard areas and excluded from the area between the public right-of-way and the front face of the building wherever possible. The planning commission may permit parking between the public right-of-way line and the front face of buildings when it can be demonstrated that elimination of parking in the front is not practical.
- b. A stepped parking ratio for multitenant shopping centers and superstores is provided as follows: the standard parking ratio pursuant to section 4.01 for these uses shall be used for the first 100,000 square feet of gross floor area. For all gross floor area over 100,000 square feet, the parking ratio shall be decreased to 1 parking space per 350 square feet.
- c. Parking lots shall be broken into smaller areas through the use of landscaping island and boulevard strips of at least 10 feet in width. Each parking lot pod should not exceed 200 spaces and each parking lot aisle should not exceed 20 spaces deep. Pedestrian access through or across parking lots island or boulevards shall be provided as needed. Planting of parking lot islands shall comply with the provisions of article 5.
- d. All sites shall provide joint access through the use of reciprocal easement agreements in order to provide primary connections between driveways and parking areas and shall adhere to the Michigan Department of Transportation's access management guidelines and the approved access management plan for Ford Road.

4. *Pedestrian pathways and sidewalks.* Pedestrian pathways shall be provided, in accordance with applicable Canton Township Design Standards, to meet the circulation needs of on-site users. Such systems shall provide safe, all-weather, efficient, and aesthetically pleasing means of on-site movement and shall be an integral part of the overall site design concept. Pedestrian pathway connections to parking areas, buildings, other amenities, and between on-site and perimeter pedestrian systems shall be planned and installed wherever feasible. Sidewalks are required along all roadways.

Pathways and sidewalks shall be a minimum of five feet in width, and paved, except where the pathway enters designated woodlands, wetlands and other natural areas. Where pathways enter these sensitive natural areas, said pathways shall be a minimum of five feet in width, and may be surfaced with wood chips, stone, or other crushed aggregate, suitable for pedestrian traffic and harmonious with the natural environment.

5. *Signage.* It is the intent of this section to ensure that signs which are permitted within the central business district shall be uniform in size, design, appearance and material, and subject to the following requirements and standards, in addition to meeting the provisions, definitions and standards of the Canton Township Sign Ordinance and the state construction code. Where the provisions of this section are more restrictive in respect to location, use, size or height of signs, the limitations of this ordinance [section] shall take precedence over the regulations of the Canton Township Sign Ordinance, zoning ordinance, and/or state construction code.

- a. General requirements.
 1. No ground signs shall be allowed within 200 feet of the I-275 right-of-way.
 2. Billboards and roof signs are strictly prohibited.

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3. All signs to be installed within the central business district overlay shall conform to the specifications set forth in the applicable township ordinances and as provided more specifically in this section.
 4. No sign shall be attached to exterior glass, except for a numerical address.
 5. All signs shall be designed so as to be integral and compatible with the architecture and landscaping components of the development.
 7. Conceptual sign designs shall be submitted with the site plan and the planning commission shall review these conceptual plans together with the site plan.
- b. Wall signs.
 1. All wall signs shall consist of individual letters, and if illuminated, the method of illumination shall be approved by the planning commission.
 2. Proposed modifications to the above wall sign standards may be approved by the planning commission.
 - c. Ground (Free-Standing) Signs.
 1. Unless otherwise stated within this section, ground signs for office developments shall comply with authorized signs as stated in section 29.008.
 2. All ground signs shall be setback a minimum of ten feet from the property line, or the edge of the pavement of any driveway or sidewalk off of the public right-of-way.
 3. No ground sign shall be within 100 feet of another ground sign.
 - 1.[4.] Ground signs shall prominently display the building address or address range. The address shall not be included in the maximum allowable sign area.
 - d. Internal directional signage. All sites shall provide internal signage to provide directional information to specific business and to alternate road access points which are provided by connections through adjacent developments. The design requirements for these signs will be specified in section 6.07 for the downtown development district.
6. *Lighting.* Lighting shall provide for the safe and efficient illumination of a development site in order to maintain vehicle and pedestrian safety, site security, and accentuate architectural details. In addition to the standards set forth in section 2.13, site lighting, shall be reviewed for consistency with recommended lighting by the Canton Township Downtown Development Plan, and section 6.07.
 - a. All street lighting to be installed between the sidewalk and street along Ford Road, Wayne County roads, or other internal streets located within the central business district overlay shall match the existing fixtures located within the downtown development district, and conform to the locations and specifications set forth by the Canton Township Downtown Development Authority (DDA), in accordance with section 6.07 of the zoning ordinance.
 - b. All lighting potentially visible from an adjacent street, except pedestrian oriented bollard lighting less than 42 inches high, shall be indirect or shall incorporate a full cut-off shield-type fixture.
 - [c.] Parking lot lighting shall utilize poles and fixtures which have a maintenance free finish in a dark bronze or other dark color which coordinates with other proposed site lighting.
 - d. Service area lighting shall be contained within the service yards boundaries and enclosure walls. No light spillover shall occur outside the service area. The light source shall not be visible from the street.

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- e. Building illumination and architectural lighting shall be indirect in character, with no light source visible. Architectural lighting, where used shall articulate and enhance the particular building design, as well as provide the required functional lighting for safety of pedestrian movement. Strip lighting including but not limited to, neon tube on LED strips, used for the purpose of outlining building features shall not be permitted. All proposed architectural lighting shall be fully detailed on the building elevations and shall be subject to review and approval of the planning commission and township board in conjunction with review and approval of the site plan.
 - f. Pedestrian walk lighting shall clearly identify the pedestrian walkway and direction of travel.
- [7.] Landscaping/streetscape elements.
- a. Setback zone. The area between the public rights-of-way to the edge of parking or buildings shall be regulated as follows: wherever front, side or rear yards are adjacent to public road rights-of-way, the garden wall elements shall be incorporated into the required landscape area pursuant to the specifications and illustrations located within section 6.07 of the zoning ordinance. Location of the garden wall shall be reviewed simultaneously with the site plan, by the planning commission.
 - b. The minimum width of the landscape buffer adjacent to the road shall be 25 feet and be planted in accordance with sections 5.03.a.3 and 6.07.a.2. Where the building is placed at the minimum setback (or reduced setback as approved by the planning commission) and no parking area or driveway is located between the building and the landscape buffer (setback zone), the required foundation landscaping shall be located adjacent to the parking lot sides of the building.
 - c. Street intersections. The streetscape at intersections is to be treated with colored and stamped concrete ramps, lighting in accordance with sections 6.07.b and 6.08.f.6, and accent planting of shrubs and other low perennials. Plant species will be selected by the applicant from table a of section 6.07, and approved by the planning commission. The unobstructed sight distance requirement as stated in section 2.09.a.4 of the zoning ordinance must be maintained.
 - d. Interior landscape zone. The interior zone encompasses all site features from the setback line to the property lines of each parcel. This zone is subject to the needs of each individual tenant and thus is meant to have a greater degree of flexibility than the streetscape zone. This area shall incorporate stamped concrete or individual pavers to delineate pedestrian crossings and entry details at main building and/or tenant entrances. Such landscaping shall comply with the standards set forth in article 5 of the zoning ordinance.
 - e. Preservation of natural features. Special emphasis shall be placed on the preservation of existing wetlands, woodlands and surface water and the incorporation of such features on the overall site design.
 - f. Stormwater facilities. Stormwater forebays and detention or retention ponds shall be designed to be natural systems and integrated into the site as landscape or natural features.
8. *General site design/architectural guidelines.* It is the intent of the central business overlay district to provide an environment of high quality and complementary building architecture and site design. Special emphasis shall be placed upon methods that tend to reduce the large-scale visual impact of buildings, to encourage tasteful, imaginative design for individual buildings, and to create a complex of buildings compatible with the streetscape.
- a. Site planning design criteria.
 - 1. Facility entrance/exit drive(s) shall be readily observable to the first-time visitor.
 - 2. Minimum conflict shall exist between service vehicles, private automobiles, and pedestrians within the site.

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3. Building entries for visitors shall be readily identifiable and accessible to the first-time visitor. Each principal building shall have a clearly defined, highly visible customer (visitor) entrance with features such as canopies or porticos, arcades, arches, plazas, wing walls, benches, water features and integral planters.
 4. Architecture will be evaluated based on its compatibility and relationships to the landscape, and vice versa.
- b. Building massing and form.
1. Buildings shall be required to incorporate variations in height and provide vertical architectural elements as a feature of the overall design. It is recommended that main entrances be emphasized through use of vertical elements and that long expanses of wall be broken up by appropriate use of window features, masonry insets, canopies and other architectural details to create rhythm and interest in the building facades. Secondary walls shall also include appropriate architectural treatment which complements the design of the primary facade.
 2. Architectural interest shall be provided through the use of repeating patterns of changes in color, texture and material modules. At least one of these elements shall repeat horizontally. All elements should repeat at intervals of no more than 50 feet, either horizontally or vertically. Use of columns with capitals and/or engaged pilasters are encouraged to break up the horizontal features of walls.
 3. Radical theme structures or signage, building, and roof forms which draw unnecessary attention from public thoroughfare to the building shall not be acceptable.
 4. Building facades greater than 100 feet in length shall incorporate recesses, projections, or spandrel glass or bricked-in windows along at least 20 percent of the length of the facade. Windows, awnings, and arcades must total at least 60 percent of a facade length abutting a public street.
- c. Materials.
1. Building exterior wall materials.
 - (a) One dominant material shall be selected and expressed within its own natural integrity. Materials such as masonry and stone, etc., which convey permanence, substance, timelessness, and restraint are required. Use of limestone or similar materials are encouraged.
 - (b) Low maintenance shall be a major consideration.
 - (c) Materials shall blend with those existing in the adjacent area of the center.
 - (d) Pre-engineered metal buildings, corrugated metal-sided Butler type buildings, and metal siding are prohibited.
- d. Building Roofs.
1. In instances where flat roof areas can be viewed from above, care should be taken that all roof vents, roof-mounted mechanical equipment, pipes, etc., are grouped together and painted to match roof color to reduce their appearance.
 2. There shall be variations in roof lines to reduce the massive scale of the structure and add visual interest. Roofs shall have at least two of the following features: parapets concealing flat roofs and rooftop equipment, overhanging eaves, sloped roofs, and three or more roof surfaces.

e. Color and texture.

1. Simple and uniform texture patterns are encouraged.
2. Variations in color shall be kept to a minimum.
3. Colors shall be subdued in tone, of a low reflectance and of neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
4. Accent colors may be considered as part of the overall architectural proposal for the project.

Building interest is encouraged by the use of unique brick patterns, three dimensional patterns in use of synthetic plaster features, and variation of materials.

Architectural lighting is encouraged to accent landscaping and along long sections of walls

6.[f.] Site amenities. Provision of landscaped plaza areas to accommodate the display of public art are required in appropriate areas within the site and/or along a primary thoroughfare is required. Provision of art within these areas is also encouraged.

9. *Loading docks, outdoor storage and refuse collection areas.*

- a. All outdoor refuse containers shall be visually screened within a durable eight feet or higher noncombustible enclosure, constructed of the same material as the primary structure pursuant to section 2.14.
- b. Refuse collection areas should be effectively designed to contain all refuse generated on site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure. Use of compactors for larger sites and internal compactors for larger uses is encouraged.
- c. Loading docks, outdoor storage areas, and refuse collection enclosures shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. The use of screening materials that are different from or inferior to the principal materials of the building and landscape is prohibited.
- d. Refuse collection areas should be so located upon the lot as to provide clear and convenient access to refuse collection vehicles and should be designed and located upon the lot as to be convenient for the deposition of refuse generated on site.

10. *Screening of exterior mechanical equipment.*

- a. In the case of roof-mounted mechanical equipment, building parapets and roof line designs shall be of such a height that roof-mounted screening devices are not required. If building parapets do not provide the required screening, mechanical equipment shall be screened by an unobtrusive screening device that will appear as an integrated part of the overall architectural design.
- b. Any devices employed to screen exterior components of plumbing, processing, heating, cooling, and ventilating systems from direct view shall appear as integrated parts of the architectural design and, as such, shall be constructed of complementary and durable materials and finished in a texture and color scheme complementary to the overall architectural design.
- c. Any exterior components of plumbing, processing, heating, cooling and ventilating systems and their screening devices which will be visible from upper floors of adjacent buildings shall be kept to a visible minimum, shall be installed in a neat and compact fashion, and shall be painted such a color as to allow their blending with their visual backgrounds.

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- d. No exterior components of plumbing, processing, heating, cooling, and ventilating systems shall be mounted on any building wall unless they are integrated architectural design features, and in any case shall be permitted only with the approval of the planning commission.
11. *Screening of exterior electrical equipment and transformers.*
- a. Transformers that may be visible from any primary visual exposure area shall be screened with either plantings or a durable noncombustible enclosure, preferably constructed of the same material as the primary structure, so as not to be visible from adjacent lots or sites, neighboring properties or streets.
 - b. Transformer enclosures shall be designed of durable materials, preferably constructed of the same material as the primary building, with finishes and colors which are unified and harmonious with the overall architectural theme.
 - c. Exterior-mounted electrical equipment shall be mounted on the interior of a building wherever possible. When interior mounting is not practical, electrical equipment shall be mounted in a location where it is substantially screened from public view. In no case shall exterior electrical equipment be mounted on the street side or primary exposure side of any building.
 - d. Exterior-mounted electrical equipment and conduits shall be kept to a visible minimum, where visible shall be installed in a neat and orderly fashion, and shall be painted to blend with their mounting backgrounds.
12. *Utilities and communication devices.*
- a. All exterior on-site utilities, including but not limited to drainage systems, sewers, gas lines, water lines, and electrical, telephone, and communications wires and equipment, shall be installed and maintained underground.
 - b. On-site underground utilities shall be designed and installed to minimize any disruption of off-site utilities, paving, and landscape during construction and maintenance, and shall be of such a design as not to place excessive burdens upon off-site utility systems during the course of use.
 - c. Satellite dish and antennas shall comply with the Canton Township Satellite Dish and Antennae Ordinance, Ordinance No. 13 [section 78-4 of the Code of Ordinances]. Antennas shall comply with the setback standards for the district in which they are located.

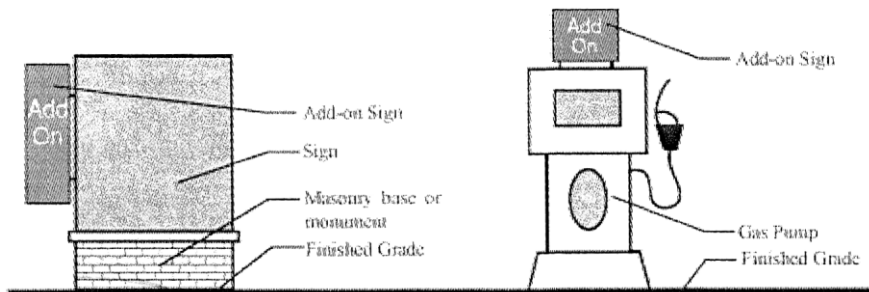
(Ord. of 5-25-2004; Res. of 5-31-2007; Ord. of 12-20-2007)

ARTICLE 6A.00. SIGNS

6A.01. Definitions.

The following words, terms and phrases, when used in this chapter [article], shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. *Abandoned sign* means a sign which no longer directs a person to or advertises a bona fide business, tenant, owner, product or activity conducted or product available on the premises where such sign is displayed or any sign not repaired or maintained properly, after notice, pursuant to the terms of this article .
2. *Add-on sign* means a sign that is attached as an appendage to another sign, sign support, or a building, and is intended to draw attention to the goods and services available on the premises.

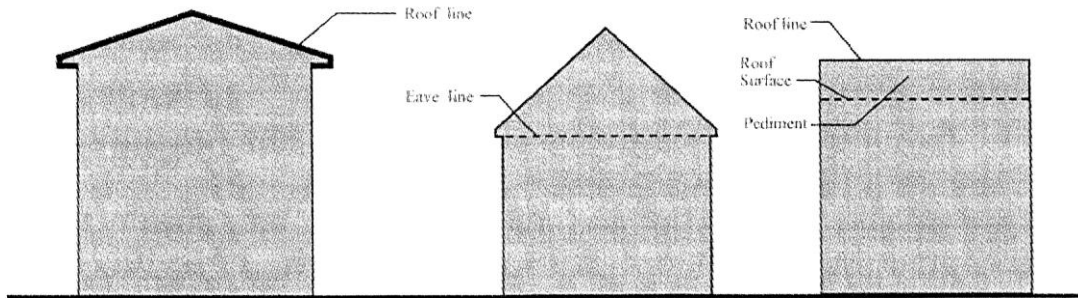


6A.01.02 Add-On Sign

Add-On Sign

3. *Animated sign* means a sign manifesting either kinetic or illusionary motion occasional by natural, manual, mechanical, electrical or other means.
4. *Area of sign* means the entire area within a circle, triangle, parallelogram, or other geometric configuration enclosing the extreme limits or 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, excluding the necessary supports or uprights on which such sign is placed. However, where such a sign has two faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back as a mirror image in size and shape and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or the area of the larger face if the two faces are of unequal area.
5. *Automated teller machine* means a freestanding computerized electronic machine that performs basic banking functions (as handling check deposits or issuing cash withdrawals), also called automatic teller and automatic teller machine.

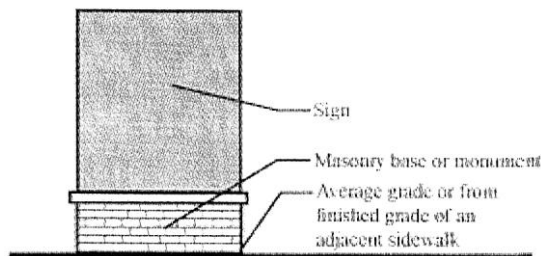
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6. *Awning sign* means a sign that is a roof-like structure made of canvas or similar materials, stretched over a frame and directly attached to a wall of a building. Awning signs shall extend more than 12 inches but not more than 36 inches from the wall. Awning signs shall not project more than 24 inches above the roofline of the building.
 7. *Billboard* means a nonaccessory ground sign erected for the purpose of advertising a product, event, person, or subject not related to the premises on which the sign is located. Off-premises directional signs as permitted in this chapter [article] shall not be considered billboards for the purpose of this chapter [article].
 8. *Blade sign* (see *Under-canopy sign*).
 9. *Canopy sign* means any sign attached to or constructed on a canopy. A canopy is a permanent roof-like shelter extending from part of or all of a building face over a public access area and constructed of the same material as the building.
 10. *Changeable copy sign/reader board* means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this [article]. A sign on which the only copy that changes is an electronic or mechanical indication of time, temperature, or stock market quotation shall be considered a "time, temperature, stock market" portion of a sign and not a changeable copy sign for purposes of this article.
 11. *Commercial statue* is a three dimensional figure which by its appearance, overall design, coloration, applied text, graphic identification, applied image, description, display, or illustration directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business, and which is visible from any street, right-of-way, sidewalk, alley, park or other public property and is intended to carry a commercial message. Commercial statues are considered ground signs for the purpose of this ordinance [Ordinance of September 26, 2006] and are so regulated with regard to permitted dimension, location, and number. The sign area of a commercial statue is that entire area within a circle, triangle, parallelogram, or other geometric configuration enclosing the extreme limits of the statue when viewed from a point perpendicular to the front lot line.
 12. *Directional sign* means any sign containing only noncommercial messages including, but not limited to, designation of restrooms, drive entrances and exits, telephone locations, and directions to door openings. A directory sign may also be used for private traffic control.
 13. *Directory sign* means any sign containing the names of tenant commercial enterprises within a development site to assist in wayfinding utilizing a uniform font and no commercial logos or graphic identities.
 14. *Entrance monument, residential* means a freestanding or structure marking a recognized subdivision, condominium complex, or residential development. For the purpose of determining sign area, only that imaginary circle, triangle, parallelogram, or other geometric configuration enclosing the extreme limits or writing, representation, emblem or any figure or similar character is considered.
 15. *Eave line* means the line between the two lowest points of intersection of the top of a wall and the eave, or edge of the roof. The eave line is an imaginary line drawn across the wall on a gable end, and is not a roofline, which is the line of intersection the wall has where it abuts the roof. See also *Roofline*.



6A.01.13 Eave Line and 6A.01.31 Roof Line

Eave Line and Roof Line

16. *Gasoline pump island* means a combination of more than one fuel-dispensing device, clustered together, to provide a customer with more than one option of type of fuel, or grade thereof, to be purchased.
17. *Ground sign* means a sign which is mounted permanently in the ground on a masonry base or monument. A residential entrance monument is not a ground sign.



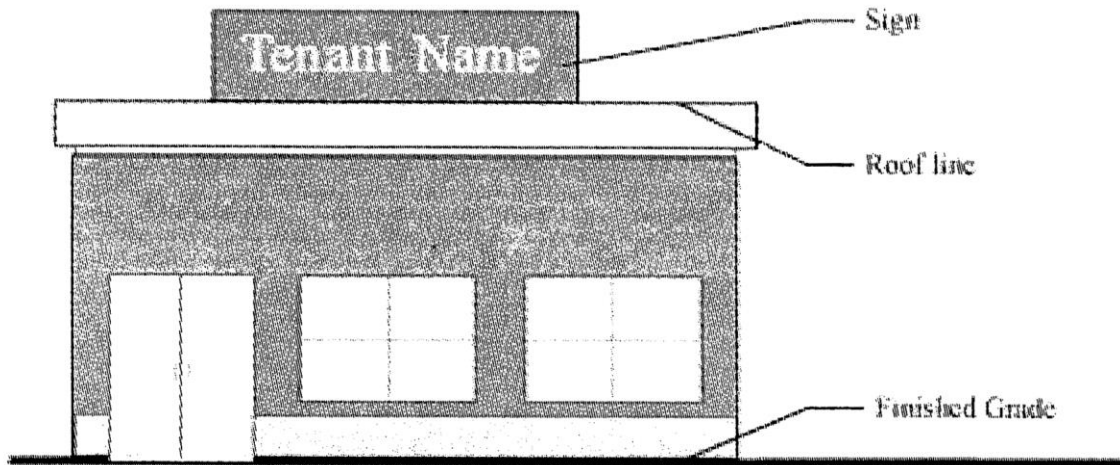
6A.01.17 Ground Sign

Ground Sign

18. *Historic district* means the Canton Township Historic District, as administered by the Canton Township Historic District Commission.
19. *Inflatable sign* means a temporary or permanent sign consisting of a non-porous bag, balloon, or other object inflated by any means and designed to draw attention to a commercial business, whether it does or does not include a commercial display, commercial graphic identity, or lettering. Inflatable seasonal display items sold retail to the general public and intended primarily for private home display are not considered inflatable signs, provided they do not exceed eight feet in height.
20. *Institutional bulletin board* means a sign which displays the name of a religious institution, school, library, community center or similar public or quasi-public institution, which may include an announcement of its services or activities.
21. *Menu order and drive-through assistance sign* means a sign used for the purpose of communicating and identifying food and drink items available for order by patrons at a drive-through or fast food

restaurant. This type of sign shall be considered a sign for the purpose of these regulations regardless of whether it is visible from the road right-of-way.

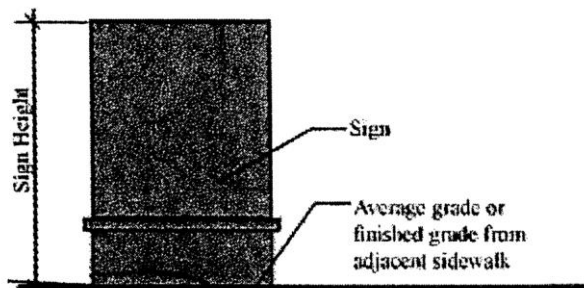
22. *Multiple-tenant sign* means a sign permitted only when identified and approved as part of a master sign plan that serves two or more tenants within a project.
23. *Natural materials* are those substances determined to be natural materials for the purposes of this chapter [article] shall include, but not be limited to, wood, stone and soft textured brick. Although plastic, plywood, pressed board, drywall, wood or metal paneling and sheet metal are generally excluded from this definition, consideration will be given to synthetic materials which simulate the appearance of a natural material through the manufacturing process and meet the intent of this chapter [article].
24. *Nonconforming sign* means any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this chapter [article], and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this chapter, or a sign for which a permit was previously issued that does not comply with the provisions of this chapter [article].
25. *Off-premises sign* means a sign which contains a message unrelated to a business or profession conducted on the subject property or which relates to a commodity, service or activity not sold or offered upon the premises where such sign is located. In an agricultural setting, the purpose of the off-premises advertisement signs is to permit the producer to make the public aware of produce for sale. The sign shall include the name of the producer, the type of produce available and directional information to assist the motoring public in locating the producer's agricultural area. Additional information may be indicated at the option of the producer.
26. *On-premises sign* means a sign which advertises only goods, services, facilities, events or attractions available on the premises where located, or identifies the owner or occupant or directs traffic into or from the premises.
27. *Periodic change sign* means a sign where the wording, image, description, display or illustration changes at regular intervals of time. A sign on which the only copy that changes is an electronic or mechanical indication of time, temperature, or stock market quotation shall be considered a "time, temperature, stock market" portion of a sign and not a periodic change sign for purposes of this chapter.
28. *Pole sign* means a freestanding sign with a visible support structure or with the support structure enclosed with a pole or pylon cover.
29. *Political sign* means a sign wherein the message states support for or opposition to a candidate for political office, a political party, a political issue, or a political viewpoint.
30. *Portable sign* means a sign that is freestanding, not permanently anchored or secured to a building and not having supports or braces permanently secured in the ground, including but not limited to, sandwich signs, A-frame signs, inverted "T" signs, and signs mounted on wheels so as to be capable of being pulled by a motor vehicle.
31. *Premises* means any site on which the development under consideration is located.
32. *Project announcement sign* means a temporary ground sign used to announce the name and nature of a project or general information concerning rental or sales.
33. *Projecting sign* means a sign that extends perpendicular to a wall surface.
34. *Roof sign* means a sign that extends more than 24 inches above the roofline.



6A.01.33 Roof Sign

Roof Sign

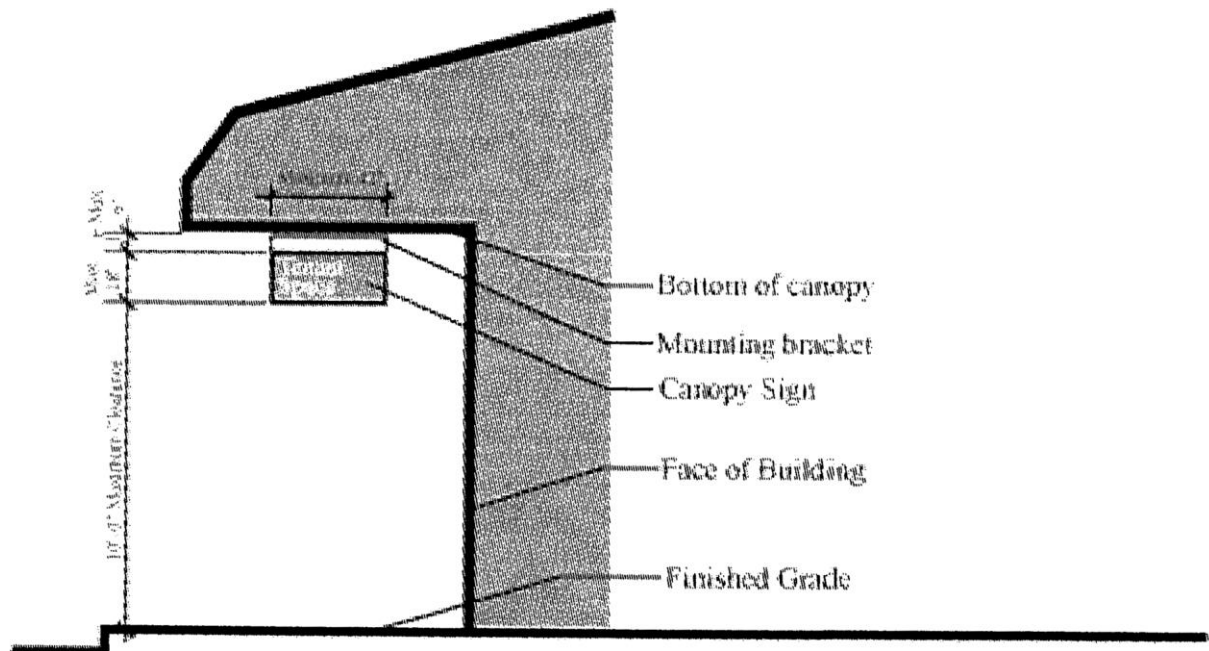
35. *Roofline* means the edge of a roof or parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or other minor similar projections. See also: *eave line*.
36. *Sign* means a structure which includes the name, identification, image, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building, structure or parcel of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business, and which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs. This definition includes the base, frame and support members of the sign.
37. *Sign height* is the measurement to the top point of the sign structure from the finished elevation of the sidewalk nearest to the sign for ground signs located at the right-of-way; and the measurement to the top point of the sign structure from the average elevation at the base of the sign for all other signs.



6A.01.36 Sign Height

Sign Height

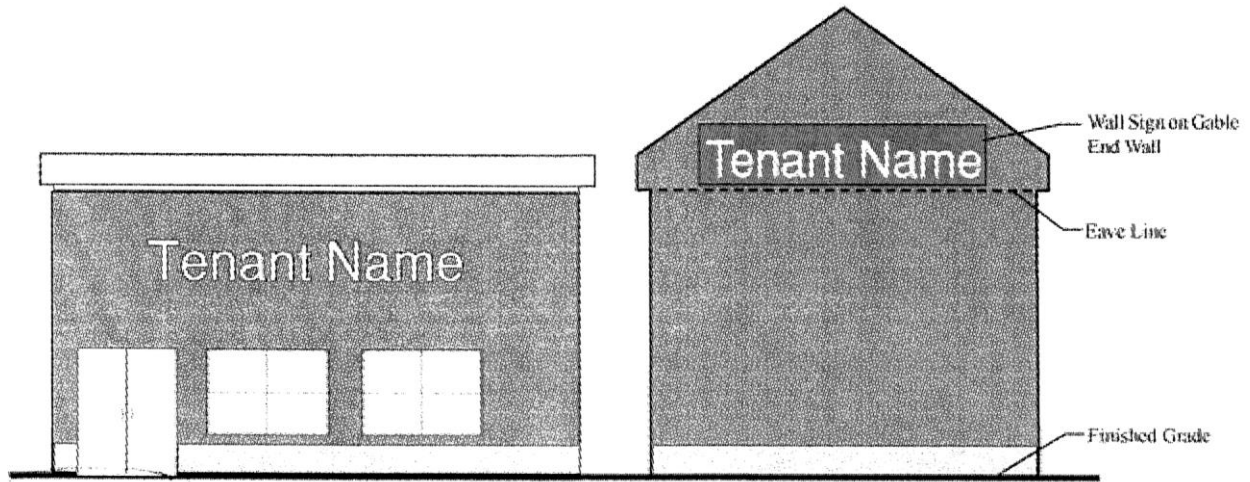
38. *Sign setback.* Where it is specified that a sign must be located a minimum or other certain distance from property lines or public rights-of-way, such distance will be measured from the portion of the sign structure nearest to such specified line. For the purpose of this measurement, the property lines and public right-of-way lines extend vertically and perpendicularly from the ground to infinity.
39. *Site* means a recognized parcel or collection of parcels proposed for or containing existing development. A site can consist of more than one parcel of land. A multiple-tenant and/or multiple-building development on a series of integrated individual parcels constitutes a single site. A separate parcel located within a multi-tenant and/or multiple-building development (also known as an out parcel or outlot) shall be considered a separate site if: the parcel has frontage on a public road; and, the parcel is not dependant upon the parcels or parcels on which the remaining multi-tenant and/or multiple-building development is located for access to a public road.
40. *Theater sign* means a sign not exceeding 12 square feet in area designed for theaters to allow the changeable display of feature shows, films, or other performances.
41. *Under-canopy sign* means a sign mounted under a canopy directed to pedestrians and usually mounted perpendicular to the facade it means to identify. Under-canopy signs are also known as blade signs.



6A.01.40 Blade/Under Canopy Sign

Blade/Under Canopy Sign

42. *Wall sign* means a sign that is directly attached to a wall of a building and neither extends more than 12 inches from the wall nor projects above the roofline. On a gable end wall, a wall sign may project above the eave line, so long as the sign does not project beyond the roof line.



6A.01.41 Wall Sign

Wall Sign

(Ord. of 9-26-2006; Ord. of 12-20-2007)

6A.02. Purpose.

The purpose of this chapter is to promote the general safety and welfare of the public by regulating and controlling all public and private graphics communications and displays.

(Ord. of 9-26-2006)

6A.03. Compliance.

It shall be unlawful to construct, display, install, change, have, or cause to be constructed, displayed, installed or changed any sign upon any property within the township in violation of the requirements of this chapter.

(Ord. of 9-26-2006)

6A.04. Interpretation; conflicts with other ordinances.

The provisions of this chapter [article] shall be construed, if possible, in such manner as to make such provisions compatible and consistent with the provisions of all existing and future zoning and other ordinances of the township and all amendments thereto; provided, however, that where any inconsistency or conflict cannot be avoided, then the most restrictive of such inconsistent or conflicting provisions shall control and prevail. If there is believed to be a conflict between the stated intent and any specific provisions of this chapter, the zoning board of appeals may, in accordance with established procedures, permit modification of such specific provisions while retaining the intent in such appealed instance.

(Ord. of 9-26-2006)

6A.05. Notice of violation; issuance of appearance ticket.

If a violation of this chapter is noted, the ordinance inspector will notify the owner of record and the occupant of the property of the violation. Such notice shall specify the violation and the time within which the corrective action must be completed. This notice may be served personally or by mail. If the property is not in compliance with this chapter at the end of the period specified in the notice of violation, an appearance ticket may be issued.

(Ord. of 9-26-2006)

6A.06. Nonconforming signs.

1. The regulations established in the zoning ordinance for nonconforming structures shall also be applicable to signs which exist on the effective date of this Ordinance [Ordinance of September 26, 2006] where such signs fail to comply with the provisions described in this chapter. The elimination of nonconforming signs is hereby declared to be a public purpose and for a public service. The township board may initiate proceedings and prosecute for condemnation of nonconforming signs under the power of eminent domain in accordance with Public Act No. 149 of 1911 (MCL 213.21 et seq.) or other appropriate statutes.
2. Nothing in this chapter shall relieve the owner or user of a nonconforming sign, or the owner of property on which the nonconforming sign is located, from the provisions of this chapter regarding safety and maintenance of the sign.
3. Whenever an addition or modification to an existing site requires submittal and approval of a site plan pursuant to section 27.02 of the zoning ordinance, any nonconforming sign shall be brought into conformance with the provisions of this chapter.

(Ord. of 9-26-2006)

6A.07. Applicability of state construction code.

Except as otherwise indicated in this chapter, the regulations of the state construction code as adopted by the township shall apply to signs. Where the provisions of this chapter [article] are more restrictive in respect to location, use, size or height of signs, the limitations of this chapter [article] shall take precedence over the regulations of the state construction code.

(Ord. of 9-26-2006)

6A.08. Permit required.

It shall be unlawful to construct, display, install, change or cause to be constructed, displayed, installed, or changed, a sign requiring a permit upon any property within the township without first obtaining a sign permit.

(Ord. of 9-26-2006)

6A.09. Exemptions from permit requirement.

The following signs are permitted without a sign permit in all zoning districts where the principal permitted use to which they are related is a permitted use in that district:

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1. Address numbers, nameplates (including apartment units and office suites) identifying the occupant or address of a parcel of land and not exceeding three square feet in area. All address numbers shall comply with the provisions of chapter 62, article III.
 2. Memorial signs or tablets, not to exceed eight square feet in area, containing the name of the building and date of erection, when cut into any masonry surface or constructed of bronze or other incombustible material and affixed to the exterior wall of the building.
 3. Signs painted on or permanently attached to legally licensed vehicles which are used upon the highways for transporting persons, goods or equipment.
 4. Traffic or other municipal signs, including, but not limited to, the following: legal notices, historic site designations, municipal facility directional signs, street or traffic signs, railroad crossing signs, and danger and other emergency signs as may be approved by the township board or any federal, state or county agency having jurisdiction over the matter of the sign. Such signs may be located in any zoning district. However, all signs on governmental property on which a municipal building is located shall meet the commercial and industrial zoning district requirements in section 102-35.

Pursuant to Chapter 247 of the Wayne County Code, the County may permit the display of signs, banners or decorations along or over county roads, pursuant to MCL 257.615. Such display may be permitted for any civic, holiday, charitable, school, social or club purpose but may not be permitted for political campaigning nor for commercial advertising. Any banner, sign or decoration which is displayed without a county permit shall promptly and without notice be removed by the county roads and engineering division, or other approved designee. The permit number shall be prominently exhibited upon each item of a display.

5. Reserved.
6. For gasoline service stations, the following special sign, which is deemed customary and necessary to their respective businesses: customary lettering or other insignia on a gasoline pump consisting of brand of gasoline sold, lead warning information, and any other data required by law and not exceeding a total of three square feet on each pump. Such signs shall carry no commercial messages.
7. One sign advertising parcels of land or buildings for rent, lease or sale, when located on the land or building intended to be rented, leased or sold, not exceeding six square feet in area, four feet in height in residential districts, and 24 square feet in area, six feet in height in office, commercial and industrial districts. One sign is permitted per parcel that fronts on a public street. All signs reflecting zoning classifications must be accurate with the current zoning designation. An additional 18 square feet of sign area will be permitted if the sign faces the I-275 freeway and if the property is adjacent to the I-275 freeway. Such signs are subject to the maintenance and structural requirements for signs in the state construction code.
8. Institutional use bulletin boards, not to exceed 18 square feet in area and not to exceed six feet in height, including the frame and base of such sign, set back ten feet from any property line, for use by educational nonprofit institutions licensed by the state, houses of worship or other public entities.
9. Flags of government, civic, philanthropic, educational, and religious organizations and other public or private corporations or entities; provided, however, that only one flag bearing the seal or trademark of a private organization may be displayed by an individual establishment or proprietor of any single building or parcel of land. A flag pole is considered a structure, and is subject to all height regulations affecting structures.
10. Signs of a primarily decorative nature, not used for any commercial purpose and commonly associated with any national, local or religious holiday; provided that such signs shall be displayed for a period of not more than 60 consecutive days, and shall not be displayed for more than 120 days in any one year.

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11. Political signs shall be permitted on all occupied lots regardless of zoning, provided such sign is located and placed with the permission of the owner or lawful occupant of the lot or parcel where such sign is located, and provided that such sign does not violate any other provision of this ordinance [Ordinance of September 26, 2006].
 12. For model homes within a subdivision, one sign per model, which shall not exceed two square feet in area or four feet in height, including the frame and base of such sign, when located within the front yard setback, for the purpose of identifying the model style.
 13. Open house and garage sale signs. Temporary signs used to advertise garage sales and the public showing of a single family residence, condominium unit, or apartment to potential purchasers. The following regulations shall apply to open house and garage sale signs:
 - a. Size and height. The signs shall not have a total surface area greater than six square feet per face and shall not exceed a height of four feet above grade.
 - b. Number. No more than five open house or garage sale signs in total, including the directional signs, shall be permitted to be placed to provide directions to the residence advertised for sale or garage sale including: One open house or garage sale sign shall be permitted at the residence advertised for sale; no more than one open house or garage sale sign may be placed at each neighborhood entrance; and, up to four directional signs may be permitted within the neighborhood. Open house and garage sale signs shall not be placed further away from the place of sale than the distance between the neighborhood entrance and the residence advertised for sale.
 - c. Duration. Open house signs shall be displayed only on the day on which the residence is held open to the public as an open house. Garage sale signs may not be displayed for more than three days. Community-wide garage sale signs may not be displayed for more than seven days.
 - d. Location. Open house and garage sale signs shall not: be placed in any public road right-of-way; on private property without the consent of the property owner; be placed on private property which would result in creation of a traffic hazard by obstructing the vision of motorists, or obstruct the visibility of any traffic sign or traffic control device on any public street; use electricity, or be illuminated; nor be permanently anchored or secured to either the ground, a building, or a structure.
 14. One sign identifying on-site construction activity, during the time of construction, not exceeding 24 square feet in area, except in connection with individual single-family detached residential construction, which sign shall not exceed six square feet in area. Such signs shall not exceed six feet in height, and shall be removed before an occupancy permit is issued.
 15. Signs temporarily erected for municipal construction projects to inform the public of the nature of the project or anticipated completion dates, which shall be permitted in all zoning districts, subject to a maximum size of 24 square feet in area and six feet in height.
 16. Help wanted signs not exceeding six square feet in area and four feet in height, which may be displayed on private property for a period of up to four weeks at a time and not more than four times within each calendar year.
 17. Blade under-canopy signs hung below the canopy or eave of a multiple tenant project intended to direct pedestrians under the sheltered area in areas where the tenant primary signage is not visible. Such signs must not exceed 42 inches in width and must not extend more than 18 inches from the mounting hardware or bracket attached to the underside of the canopy or eave. The mounting bracket may not extend more than six inches from the underside of the canopy or eave. The minimum required headroom clearance under the blade sign must be provided as required by the building code.

(Ord. of 9-26-2006; Res. of 6-12-2008; Amend. of 10-20-2009)

6A.10. Rezoning signs.

Whenever an application for rezoning is made, the following requirements shall be met:

1. A four-foot by eight-foot sign shall be erected in full public view along road frontage at least 15 days prior to a public hearing on the property which is the site of the rezoning; provided, however, if the property to be rezoned is situated on two streets or roads abutting the subject property, then two signs, one for each road, shall be required.
2. A permit and bond shall be required.
3. The sign shall read as follows:
 - a. At the top of the sign, the words "This property proposed to be rezoned," or other applicable language, shall appear.
 - b. The sign shall contain the name of the real party interested in asking for a zoning change.
 - c. The sign shall contain what the present zoning is at the time of petition.
 - d. The sign shall contain the proposed or requested zoning sought and amount of acreage involved (map with dimensions).
 - e. The sign shall contain the proposed general use of the land if the zoning is successful.
 - f. The sign shall contain the date and place of the public hearing on the rezoning.
4. It shall be the duty of the petitioner to erect, maintain and remove the sign. Removal shall be within three days after the public hearing.
5. If the township determines the need to consider rezoning certain land areas, the regulations of this section will not be applicable. The township will endeavor to carry out the erection of rezoning signs unless an agreement cannot be reached with the property owner for the erection of the sign. The township may proceed with consideration of the rezoning in accordance with the other appropriate provisions of the zoning ordinance.

(Ord. of 9-26-2006)

6A.11. Signs prohibited in all districts.

The following signs are considered to be unsafe, dangerous, hazardous or an attractive nuisance, therefore these signs shall not be permitted, erected, or maintained in any zoning district unless the applicant requesting a variance from this section can substantiate to the building official, fire chief and police chief that the applicant's specific use of a sign listed in this section will not be dangerous, hazardous, or an attractive nuisance. If these officials unanimously agree that the specific use of the sign requested is not dangerous, hazardous, or an attractive nuisance, and the zoning board of appeals has granted a variance in accordance with the variance procedures, then the building official shall issue a permit for such requested use.

1. Signs which incorporate in any manner any flashing or moving lights, including strobe lights, whether they are mounted indoors or outdoors, if they are visible from the outdoors.
2. Banners, pennants, spinners and streamers, and inflatable figures, except as specifically permitted in accordance with sections 6A.09.5 and 10 and 6A.15.
3. String lights used in connection with commercial premises for commercial purposes, except holiday uses not exceeding nine weeks in any calendar year.
4. Any sign which moves or has any moving or animated parts, or images, whether the movement is caused by any mechanical, electronic or electrical device or wind or otherwise, including swinging signs and strings of flags or streamers, or cloth flags moved by natural wind except as permitted in section 6A.09.10. Such a prohibition shall not pertain to public message signs on governmental property and those on public property which display time, temperature or stock market quotation signs.
5. Any sign or sign structure which:
 - a. Is structurally unsafe;
 - b. Constitutes a hazard to the safety or health of persons or property by reason of inadequate design, fabrication, mounting or maintenance or by abandonment thereof;
 - c. Is not kept in good repair; or
 - d. Is capable of causing electrical shocks to persons that may come in contact with it.
6. Any sign which by reason of its size, location, content, coloring, intensity, or manner of illumination constitutes a traffic hazard or a detriment to traffic safety by obstruction of visibility of any traffic sign or control device on any public street or road.
7. Any sign which obstructs free ingress or egress to or from a required door, window, fire escape, driveway or other required access route.
8. Signs which make use of words such as "stop," "look," or "danger" or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse drivers of vehicles traveling upon any highway, driveway or parking area.
9. Any sign or other advertising structure or display which conveys, suggests, indicates or otherwise implies by pictures, drawings, words, emblems, logos, or other communication methods the following:
 - a. Human genitalia.
 - b. Specified sexual activities as defined in section 18-141.
 - c. Adult nude human bodies.
 - d. Obscene words.
 - e. Obscene gestures.

10. Any sign which no longer advertises a bona fide business or product sold. Such signs shall be removed by the property owner within 30 calendar days after a business closes or vacates the premises.

11. Any sign, except traffic or other municipal signs, as permitted in section 6A.09(4), that is located in or projects into or over a public right-of-way, publicly dedicated easement, or publicly owned property.

In any proceeding for violation of this section, the court may presume that the person, business, candidate, committee or other entity displayed on the sign, or the person, business, candidate, committee or other entity to whom a phone number, e-mail address, or event address displayed on the sign, was assigned is the person, business, candidate, committee or other entity, that unlawfully displayed the sign. Violation of this section is a civil infraction punishable as follows: first offense, \$200.00 fine; second offense, \$400.00 fine; third or subsequent offense, \$600.00 fine.

12. Any sign that exceeds the height limitation for structures in the zoning district in which it is located, or a wall sign that extends beyond or above the structure to which such sign is affixed, except as may specifically be provided for in other provisions.

13. Placards, posters, circulars, showbills, handbills, cards, leaflets or other advertising matter, except as otherwise provided in this chapter, when posted, pasted, nailed, placed, printed, stamped or in any way attached to any fence, wall, post, tree, sidewalk, pavement, platform, pole, tower, curbstone or surface in or upon any public easement, right-of-way or on any public or private property whatsoever. Nothing in this section shall prevent official notices of the township, school districts, or county, state or federal government from being posted on any public property deemed necessary. All placards, posters, circulars, showbills, handbills, political signs, cards, leaflets or other advertising matter posted, pasted, nailed, placed, printed, or stamped on any right-of-way or public property may be removed and disposed of by the township without regard to other provisions of this chapter.

In any proceeding for violation of this subsection within a publicly dedicated easement, public right of way, or public property, the court may presume that the person, business, candidate, committee, or other entity displayed on the placard, poster, circular, show bill, handbill, card, leaflet or other advertising matter, or the person, business, candidate, committee, or other entity to whom a phone number, e-mail address, or event address displayed on the placard, poster, circular, show bill, handbill, political signs, cards, leaflet, or other advertising matter was assigned, was the person, business, candidate, committee, or other entity that unlawfully displayed the placard, poster, circular, show bill, handbill, card, leaflet, or other advertising matter. Violation of this section is a civil infraction punishable as follows: first offense, \$200.00 fine; second offense, \$400.00 fine; third or subsequent offense, \$600.00 fine.

14. The parking of a vehicle or trailer on a public right-of-way or on public or private property, on an ongoing and/or continuing basis, so as to be visible from a public right-of-way, if the vehicle has attached thereto or located thereon any sign or advertising device which has the effect of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises.

15. Any sign greater than four feet in height that is suspended by chains or other devices that will allow the sign to swing due to wind action. The zoning board of appeals shall have the power to grant relief from the strict application of this provision when the applicant can show that the intent of this provision will be achieved through alternative means and result in a sign that is more in keeping with the architectural character and more in harmony with the design of the development it serves and with surrounding properties.

16. Bench signs.

17. Commercial signs erected on bus stop shelters.

18. Ground signs within 100 linear feet of an existing ground sign.

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19. Roof signs.
 20. Ground signs which identify more than one business within a multi-tenant building or multiple-building site, unless otherwise permitted through the approval of a master sign plan as provided for in section 6A.22
 21. Portable signs, except as provided in section 6A.18
 22. Any sign placed upon a cart corral or cart return other than signage indicating the intended function of the corral or return and which does not carry a commercial message.
 23. Animated signs.
 24. Add-on signs.
 25. Pole signs.

(Ord. of 9-26-2006; Ord. of 2-13-2007)

6A.12. Signs permitted in all single-family residential districts

Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
All single-family residential districts	Subdivision development ground signs	one per subdivision entrance	Adjacent to a subdivision entranceway; shall not be located within ten feet of any road or street right-of-way	24 square feet; shall not exceed 8 feet in length	Six feet (sign support shall not extend more than two feet from the ground area to the sign)	<ul style="list-style-type: none"> Valid for a two-year period. Permits issued for this type of sign shall only be issued to the developer. Permit may be renewed yearly if at least five percent of the lots remain vacant and available and new homes remain under construction after the two-year period. Such signs shall be removed upon cessation of new home marketing within the subdivision, when 95 percent of all lots have been sold by the builder or when the permit expires, whichever occurs first.
	Subdivision homebuilder ground signs	One for each homebuilder within the subdivision	Within the subdivision and no closer than ten feet to any property line in front of each model home	16 square feet	Five feet	<ul style="list-style-type: none"> The homebuilder ground signs are permitted in addition to the one permitted for a subdivision for the general developer of the subdivision.

	Subdivision development off-premises temporary sign	One per subdivision development	No such sign may be erected within 10 feet of any road or street right-of-way and must be located on private property	24 sq. feet	Six feet	<ul style="list-style-type: none"> Permitted for a two-year period, which may be renewed yearly if at least five percent of the lots remain vacant and available and new homes are under construction. Such signs shall be removed when 95 percent of all lots in the subdivision have been sold by the builder.
	Residential subdivision entranceway ground signs	One per entrance or one sign on each side of the entrance where mounted or integrated into a residential entrance monument	On private property at least one foot away from all property lines; on boulevards, residential entranceway ground signs erected on private property shall meet all requirements as stated in this subsection and shall not be located closer than ten feet to the intersecting road right-of-way line.	24 square feet of lettering	Six feet	<ul style="list-style-type: none"> Shall not be constructed until the subdivision has received final plat or site plan approval. Shall only display the name of the subdivision. All entranceway ground signs erected on private property in a subdivision shall have a common design and be constructed of the same or similar materials throughout that subdivision. Signs within the public road right-of-way shall be approved by the county, state, or other governmental

						agency having jurisdiction.
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Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
All single-family residential districts	Pole-mounted, permanent, interchangeable, banners	Two per subdivision entrance	On a light pole or dedicated pole on private property at least one foot away from all property lines or within the median island of a boulevard and shall not be located within 10 feet of a public road right-of-way.	10 square feet per banner	Each banner shall not exceed 2 feet in width or 5 feet in height	<ul style="list-style-type: none"> • Shall be decorative in nature and shall contain no commercial message or content.
	Ground signs for churches, schools, and other nonresidential uses within residential zoning districts	One for each developed site.	Not closer than ten feet to any property line or to the edge of the pavement of any driveway entrance	24 sq. feet	Six feet	<ul style="list-style-type: none"> • If an institutional use bulletin board is utilized as permitted in section 6A.09.8, no additional ground sign will be permitted. • Shall be integrated into the landscape buffer design and shall be compatible with the design and materials

			off of the right-of-way			used for the structures on the site. <ul style="list-style-type: none"> • Masonry base shall have a minimum height of 18 inches and shall not exceed a height of 36 inches. • The masonry base, at a minimum, shall be equal to the length of the sign. • Masonry or other decorative features enclosing the sides or top of the face of the sign shall not extend beyond the maximum allowable width and height of the sign.
	Golf course ground signs	One for each frontage on a public right-of-way with at least 86 feet in width (maximum of two)	Not closer than ten feet to any road right-of-way	24 square feet	Six feet	NA
	Project announcement signs	one	Shall not be located closer than ten feet to any property line	24 square feet	Six feet	<ul style="list-style-type: none"> • Permitted after the development has received preliminary site plan or tentative preliminary plat approval from the township board. • This sign may remain until the first building permit is issued, at that time

						the sign must be removed.
All single-family residential districts	Wall signs for churches, schools, and other nonresidential uses within residential zoning districts	One for each developed site.	Shall not extend above the roofline, nor project more than 12 inches from the face of the building.	50 square feet	See wall sign in section 6A.01.41.	<ul style="list-style-type: none"> Where corporate logos are proposed for use as a wall sign, the logo shall not exceed 30 percent of the maximum permitted area.

(Ord. of 9-26-2006; Res. of 6-12-2008)

6A.13. Signs permitted in single-family attached residential, multiple-family residential and mobile home park districts.

Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
Single-family attached residential (R-6), multiple-family residential (MR) and mobile home park (MHP) zoning districts	Multiple-family or mobile home development ground signs	One per multiple-family or mobile home entrance	Adjacent to a multiple-family or mobile home development entranceway; shall not be located within ten feet of any road or street right-of-way; limited to one along each bounding primary or secondary road	24 sq. ft.; shall not exceed 8 ft. in length	Six feet	<ul style="list-style-type: none"> May have such signs on a temporary basis, for a two-year period. The sign support shall not extend more than two feet from the ground area to the sign surface. Permits issued shall only be issued to the developer of the multiple-family or

						<p>mobile home development.</p> <ul style="list-style-type: none"> • After the two-year period, sign permits may be renewed yearly if at least five percent of the lots or units remain vacant and available. • Such signs shall be removed when 95 percent of all lots or units have been sold or rented.
	Multiple-family or mobile home development off-premises temporary sign	One per multiple-family or mobile home development	No such sign may be erected within 10 feet of any road or street right-of-way.	24 sq. feet	Six feet	<ul style="list-style-type: none"> • Permitted for a two-year period, which may be renewed yearly if at least five percent of the lots or units remain vacant and available or new units or lots are under construction. • Such sign shall be for the purpose of directing traffic to the development's location. • Such signs shall be removed

						when 95 percent of all lots in the subdivision have been sold by the builder.
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Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
Single-family attached residential (R-6), multiple-family residential (MR) and mobile home park (MHP) zoning districts	Multiple-family or mobile home entranceway ground signs	One per entrance or one sign on each side of the entrance where mounted or integrated into a residential entrance monument	On private property at least one foot away from all property lines; on boulevards, residential entranceway ground signs erected on private property shall meet all requirements as stated in this subsection and shall not be located closer than ten feet to the intersecting road right-of-way line.	24 sq. ft. of lettering	Five feet	<ul style="list-style-type: none"> • Shall not be constructed until the development has received site plan approval. • Shall only display the name of the development. • All entranceway ground signs erected on private property in a multiple-family or mobile home project shall have a common design and be constructed of the same or similar materials throughout development. • Multiple-family or mobile home entranceway

						ground signs within the public road right-of-way shall be approved by the county, state, or other governmental agency having jurisdiction.
	Pole-mounted, permanent, interchangeable, banners	Two per multiple-family or mobile home development entrance	On a light pole or dedicated pole on private property at least one foot away from all property lines or within the median island of a boulevard and shall not be located within 10 feet of a public road right-of-way.	10 square feet per banner	Each banner shall not exceed 2 feet in width or 5 feet in height	<ul style="list-style-type: none"> • Shall be decorative in nature and shall contain no commercial message or content.
	Ground signs for churches, schools, and other nonresidential uses within residential zoning districts	One for each developed site.	Not closer than ten feet to any property line or to the edge of the pavement of any driveway entrance off of the right-of-way	24 sq. feet	Six feet	<ul style="list-style-type: none"> • If an institutional use bulletin board is utilized as permitted in section 6A.09.8, no additional ground sign will be permitted.

						<ul style="list-style-type: none">• Shall be integrated into the landscape buffer design and shall be compatible with the design and materials used for the structures on the site.• Masonry base shall have a minimum height of 18 inches and shall not exceed a height of 36 inches.• The masonry base, at a minimum, shall be equal to the length of the sign.• Masonry or other decorative features enclosing the sides or top of the face of the sign shall not extend beyond the maximum allowable width and height of the sign.
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Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
Single-family attached residential (R-6), multiple-family residential (MR) and mobile home park (MHP) zoning districts	Wall sign for identification purposes	One for the clubhouse or office for a development site	Shall not extend above the roofline, nor project more than 12 inches from the face of the building	24 sq. feet	See <i>wall sign</i> in Section 6A.01.41	<ul style="list-style-type: none"> Where corporate logos are proposed for use as a wall sign or as part of the overall wall sign, the logo shall not exceed 30 percent of the maximum permitted area.
	Project announcement signs	One	Shall not be located closer than ten feet to any property line	24 square feet	Six feet	<ul style="list-style-type: none"> Permitted after the development has received site plan approval. This sign may remain until the first building permit is issued, at that time the sign must be removed.
	Golf course ground signs	One for each frontage on a public right-of-way, maximum of two; each right-of-way must have a minimum road right-of-way width of 86 feet	Not closer than ten feet to any road right-of-way	24 square feet	Six feet	NA

(Ord. of 9-26-2006)

6A.14. Signs permitted in office, mid-rise development and high-rise development districts.

Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
Office districts (O-1), mid-rise development districts (MRD) and high-rise development districts (HRD)	Wall signs, awning signs, and projecting signs	One for any development site with one or more buildings	Shall not extend above the roofline, nor project more than 12 inches from the face of the building. A projecting sign may not project more than 24 inches.	Shall not exceed 50 square feet	See <i>wall sign</i> in Section 6A.01.41	<ul style="list-style-type: none"> • Shall meet the legibility and design requirements of section 6A.25. • Corner lots shall be provided 150 percent of the otherwise permitted total wall sign area calculated in accordance with section 6A.23. • When a wall sign is used in conjunction with an awning sign and/or a projecting sign, the total square footage allowed for all together shall not exceed the maximum square footage that would be allowed for a wall sign. • A projecting sign may not exceed 9 square feet in area • Where corporate logos are proposed for use as a wall sign or as part of the

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(Supp. No. 56, Update 1)

						overall wall sign area, the logo shall not exceed 30 percent of the maximum permitted area.
	Ground signs	One for each developed site.	Not closer than ten feet to any property line or to edge of pavement of any driveway entrance off of the right-of-way.	24 sq. ft.; shall not exceed 12 ft. in length	Six feet	<ul style="list-style-type: none"> All ground signs must meet the legibility and design requirements of section 6A.25.
	Project announcement signs	One	Shall not be located closer than ten feet to any property line	24 square feet	Six feet	<ul style="list-style-type: none"> Permitted after the development has received site plan approval. This sign may remain until the first building permit is issued, at that time the sign must be removed.
	Automated teller machine sign	NA	Located on ATM Machine or ATM Machine cabinet	3 square feet; this area is inclusive of any graphics and lettering	NA	<ul style="list-style-type: none"> Graphics for the purpose of this definition are any colors or designs other than the principal color of the machine.

;adv=6q:(Ord. of 9-26-2006)

6A.15. Signs permitted in all commercial and industrial districts.

Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
All commercial and industrial zoning districts (C-1, C-2, C-3, C-4, IIR, LI-1, LI-2, and GI)	Wall signs, awning signs, and projecting signs	NA	Shall not extend above the roofline, nor project more than 12 inches from the face of the building. A projecting sign may not project more than 24 inches.	Permitted wall sign area shall be calculated in accordance with section 6A.17	See <i>wall sign</i> in section 6A.01.41	<ul style="list-style-type: none"> • Shall meet the legibility and design requirements of section 6A.25. • Corner lots shall be provided 150 percent of the otherwise permitted total wall sign area calculated in accordance with section 6A.23. • When a wall sign is used in conjunction with an awning sign and/or a projecting sign, the total square footage allowed for all together shall not exceed the maximum square footage that would be allowed for a wall sign. • A projecting sign may not exceed 9 square feet in area • Where corporate logos are proposed for use as a wall sign or as part of the overall wall sign area, the logo shall not exceed 30 percent of the maximum permitted area.
	Window signs	Two per window surface	NA	25 percent of the total surface of the window to which the sign is affixed	NA	<ul style="list-style-type: none"> • Do not require a permit. • Window signs may not be applied to a window area within 3 feet of a door.
	Canopy signs	NA	Shall not project	Eight square feet	NA	<ul style="list-style-type: none"> • No permit is required for a canopy sign.

			further than the canopy support structure			<ul style="list-style-type: none"> Minimum clearance shall be ten feet from the average grade of the parcel to the bottom of the sign.
	Ground signs	One for each developed site.	Not closer than ten feet to any property line or to edge of pavement of any driveway entrance off of the right-of-way.	24 sq. ft.; shall not exceed 12 ft. in length	Six feet	<ul style="list-style-type: none"> All ground signs must meet the legibility and design requirements of section 6A.25.

Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
All commercial and industrial zoning districts (C-1, C-2, C-3, C-4, LIR, LI-1, LI-2, and GI)	Temporary cloth or canvas signs, pennants or banners	NA	NA	The total square footage allowed for a banner sign shall not exceed what is permitted for a wall sign	NA	<ul style="list-style-type: none"> May be displayed for a total period of up to eighteen weeks within the calendar year that the first permit was applied for. Six permits may be issued per calendar year. Each permit shall allow banners or temporary signs to be displayed for up to but not exceeding three weeks.

						<ul style="list-style-type: none"> Such signs must be attached to a building.
	Pole-mounted, permanent, interchangeable, banners	The maximum ratio of banners to light poles shall be 1:3	On a light pole or dedicated pole on private property at least one foot away from all property lines or within the median island of a boulevard and shall not be located within 10 feet of a public road right-of-way.	10 square feet per banner	Each banner shall not exceed 2 feet in width or 5 feet in height	<ul style="list-style-type: none"> Shall be decorative in nature. Shall contain no commercial message or content. Up to two banners may be located on a single light pole or dedicated banner pole.
	Menu order and similar drive-through assistance signs	One for each drive-through lane.	At the point of vocal communication with the main building	24 square feet	NA	NA
	Project announcement signs	One	Shall not be located closer than ten feet to any property line	24 square feet	Six feet	<ul style="list-style-type: none"> Permitted after the development has received site plan approval. Sign may remain until the first building permit is issued, at that time the sign must be removed.
	Township governmental property sign	NA	NA	NA	NA	<ul style="list-style-type: none"> A changeable copy sign/reader board may be installed in addition to

						what is otherwise permissible within this section.
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Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
All commercial and industrial zoning districts (C-1, C-2, C-3, C-4, LIR, LI-1, LI-2, and GI)	Automated teller machine	NA	Located on ATM Machine or ATM Machine cabinet	3 square feet; this area is inclusive of any graphics and lettering	NA	<ul style="list-style-type: none"> Graphics for the purpose of this definition are any colors or designs other than the principal color of the machine.
	Multiple tenant signs	In accordance with section 6A.22	In accordance with section 6A.22	In accordance with section 6A.22	In accordance with section 6A.22	<ul style="list-style-type: none"> Permitted only when in accordance with section 6A.22 and meeting the requirements established for such signs therein.

(Ord. of 9-26-2006; Ord. of 10-12-2010; Ord. of 7-11-2017(1), § 1)

6A.16. Signs permitted in agricultural, rural residential and rural estate districts.

Zoning Districts	Sign Type	Number	Locations	Area Maximum	Height Maximum	Special Regulations
Agricultural (RA), rural residential (RR) and rural estate (RE) zoning districts	Wall sign	One for each permitted agricultural or open space recreation use	Shall not extend above the roofline, nor project more than 12 inches from the face of the building	Permitted wall sign area shall be calculated in accordance with section 6A.17	See <i>wall sign</i> in section 6A.01.41	<ul style="list-style-type: none"> Where corporate logos are proposed for use as a wall sign or as part of the overall wall sign, the logo shall not exceed 30 percent of the maximum permitted area.

	Ground sign	One for each developed site where a conforming use exists	Must be setback a minimum of 10 feet from any property line	24 sq. feet	Six feet	NA
	Off-premises ground sign	One for each bona fide producer of agricultural products	Must be setback a minimum of 10 feet from any property line and 100 feet from any other ground sign	24 sq. feet	Six feet	<ul style="list-style-type: none"> • Shall not advertise any products or services other than the availability of bona fide agricultural produce raised by the producer. • Permits may be obtained for a maximum period of six consecutive months in any calendar year. • Permit applicants shall present letter indicating permission has been received from the landowner to place the sign upon his property. • A cash bond shall be posted to guarantee removal of such signs. • Signs shall be removed within 48 hours of permit expiration.
	Project announcement signs	One	Shall not be located closer than ten feet to any	24 square feet	Six feet	<ul style="list-style-type: none"> • Permitted after development has received site plan approval. • Sign may remain until the first building permit is

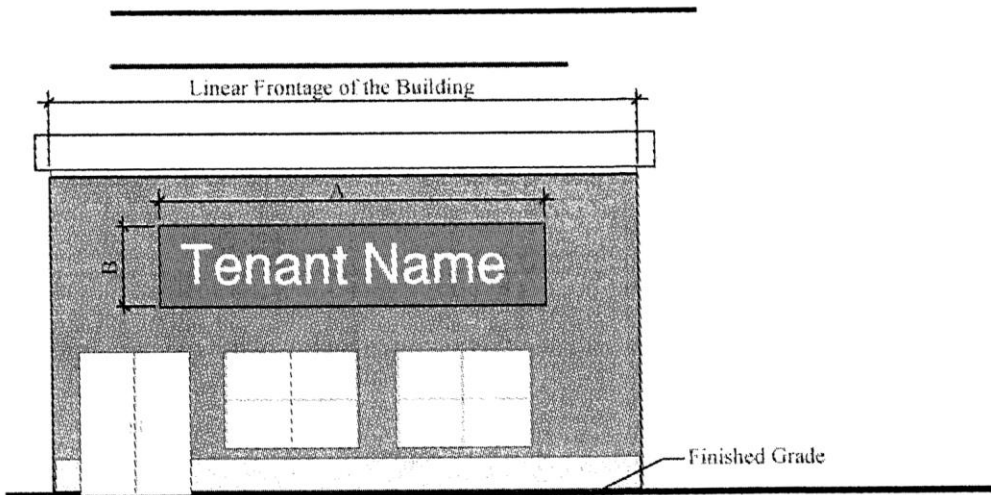
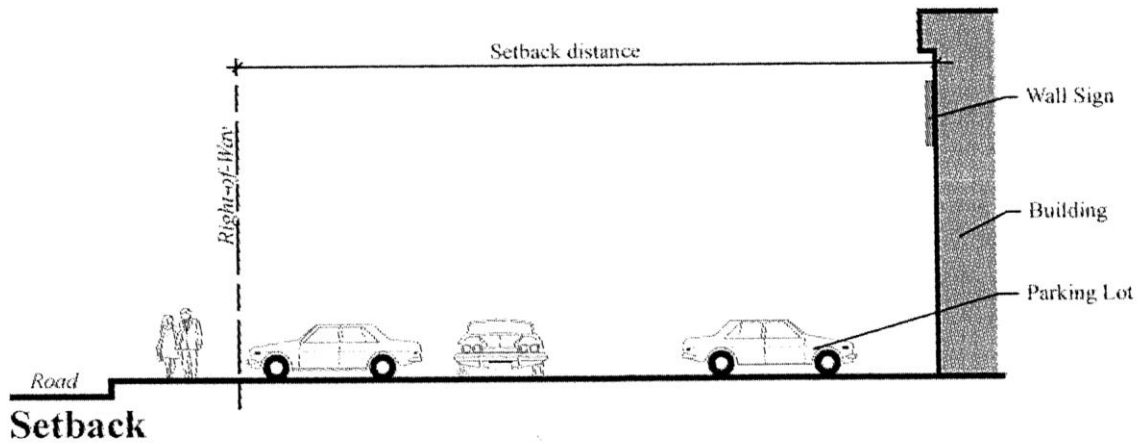
			property line			issued, at that time the sign must be removed.
	Golf course ground signs	One for each frontage on a public right-of-way, maximum of two; each right-of-way must have a minimum road right-of-way width of 86 feet	Not closer than ten feet to any road right-of-way	24 square feet	Six feet	NA

(Ord. of 9-26-2006)

6A.17. Wall sign area scale.

The maximum permitted wall sign area is based on a function of setback and the width in feet of the longest side of the building facing a parking lot, private drive, or road. The total square footage for a wall sign or awning sign or combination of both in this setback range shall be determined by multiplying one square foot by the total feet in width of the building or legally occupied tenant space. The total wall sign area shall not exceed the permitted maximums established by the following table:

Setback from right-of-way of structure to which wall sign will be affixed	Area maximum per building or tenant space
0 feet to 299.9 feet	100 square feet
300 feet to 599.9 feet	200 square feet
600 feet or greater	300 square feet



6A.17 Sign Area

- Sign Area Calculation:

Linear Frontage of Building or Tenant Space X one square foot = Total square foot of Wall Sign (A x B)

Sign Area

Refer to Section 6A.23, Sign bonuses, to determine whether the building or tenant space qualifies for additional wall sign area.

(Ord. of 9-26-2006; Ord. of 2-13-2007)

6A.18. Portable and temporary community non-profit event signs.

- On-site portable signs:* Nonprofit religious organizations and other similar community non-profit organizations may utilize a portable sign for the purpose of advertising the time and place of worship services or other meetings or special events open to the public. Such sign may not exceed six square feet in area or four feet in total height. The sign shall not exceed two feet in horizontal width. The sign must be

located so as not to disrupt or create a safety hazard for pedestrian or vehicular movement. A sign permit is required. However, such portable sign will be permitted only if the nonprofit organization is not permitted other permanent ground signs on the property. The portable sign utilized by the nonprofit organization may not be placed closer than three feet to any road right-of-way.

- B. *Off-site community event signs:* Signs proposed to be placed off-site shall meet the same size and placement requirements as on-site portable signs as described in paragraph A above. The signs may only be placed in conjunction with a special event approved pursuant to section 2.07B. A sign permit shall be required and the sign plan shall indicate on a map all of the locations the community event organizer has owner approval to place the signs. The signs may be erected no earlier than one week prior to the event and shall be removed within 48 hours after the end of the event.

(Ord. of 9-26-2006; Amend. of 10-20-2009)

6A.19. Gasoline service station signs.

Gasoline service stations may display the following special signs which are deemed customary and necessary to their respective businesses. None of the following signs shall have commercial messages or represent an add-on sign as defined by this Ordinance [Ordinance of September 26, 2006]. Sign permits shall be required for such signs.

1. No more than two signs, each sign not exceeding six square feet in area, may be placed on a gasoline pump island for the purpose of displaying gasoline prices.
2. No more than two signs, each sign not exceeding six square feet in area, may be placed on a gasoline pump island for the purpose of designating "attendant served" or "self-serve."

(Ord. of 9-26-2006)

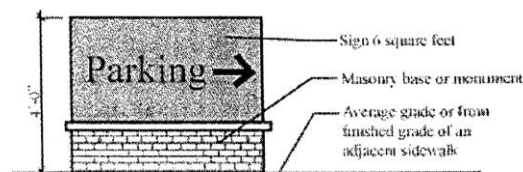
6A.20. Theater signs.

A single wall sign not exceeding 12 square feet in area may be permitted in addition to other permitted wall signage for theaters to allow the changeable display of feature shows, films, or other performances. The copy on the sign may not be changed more than once daily. Such signs shall require permits.

(Ord. of 9-26-2006)

6A.21. Directional signs.

Signs not exceeding six square feet and four feet in height which contain only noncommercial messages including designation of restrooms, drive entrances and exits, telephone locations and directions to door openings are directional signs. Such signs shall require permits.



6A.21 Directional Sign

6A.22. Master sign plans.

For multiple-tenant nonresidential development in the commercial and industrial districts, a master sign plan shall be submitted as part of a required site plan submission, a building addition to an existing site, or revision to an approved site plan. Multiple tenant signs and directional signs with tenant commercial enterprises are allowed only when approved as part of a master sign plan. A master sign plan shall include all proposed signs or sign locations for the entire multiple-tenant nonresidential development, including defined wall sign spaces for tenants (tenant sign space), a ground sign or multiple tenant sign, directional signs, etc.

1. Application: an application for master sign plan approval shall include:
 - a. A master sign plan, drawn to scale showing the location and dimensions of all proposed signs;
 - b. Technical descriptions and color illustrations of all signs indicating their materials, structural and electrical specifications, and any additional information necessary to satisfy the requirements of state and local construction codes; and
 - c. Facade elevations in color with full dimensions of any structures upon which wall signs are proposed, indicating the intended general location of the proposed signs.
2. From the effective date of this ordinance [Ordinance of September 26, 2006], no signs for any multiple-tenant non-residential development shall be erected or altered (not including the changing of tenant space signs) without an approved master sign plan. If the structure, dimensions, location, or number of any existing signs of an existing multiple-tenant nonresidential development are altered in any way, master sign plan approval shall be required. All new multiple-tenant non-residential developments shall require master sign plan approval.
3. A master sign plan shall be reviewed and approved by the planning commission. The planning services division may review and approve master sign plans for existing developments. No permits for the construction of signs on any multiple-tenant nonresidential development shall be issued until a master sign plan has been approved for the site in question, unless the permit involves only the changing of a tenant sign in a defined tenant sign space on ground sign or the changing of a wall sign to accommodate a new or former tenant.
4. Design requirements for sign types only permitted as part of a master sign plan:
 - a. Multiple tenant signs for projects of less than 40,000 square feet. Small site multiple tenant signs area and maximum dimensions for small-site multiple tenant signs for projects less than 40,000 square feet in gross floor area shall be permitted pursuant to this section in accordance with the following:

Zoning Category	Number of signs permitted	Area maximum	Height maximum	Width maximum	Design Requirements
C-1	1	30 sq. ft.	8 feet	10 feet	•Must meet all other normal ground sign requirements
C-2, C-3, C-4	1	42 sq. ft.	8 feet	10 feet	•Must meet legibility per section 6A.25

Note: C-2, C-3, and C-4 include areas under the Central Business District and Corporate Overlay Districts.

- b. Multiple tenant signs for projects 40,000 square feet or greater or a minimum of four acres. Multiple tenant signs for large projects meet the general requirements in the table and

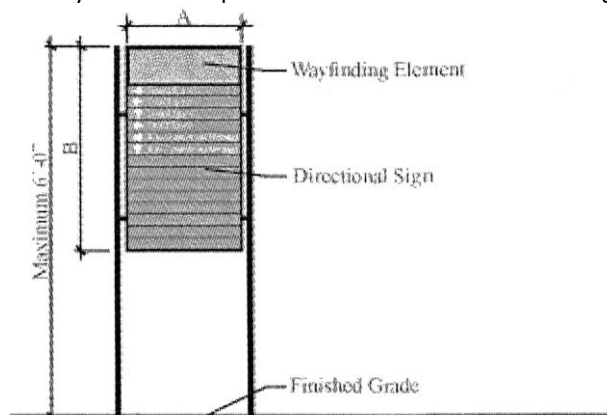
subparagraphs below, and shall be built in accordance with the multiple-tenant sign specification approved by the township board on file with the planning services division.

Zoning Category	Gross leasable area of primary building	Number of Signs Permitted	Height Maximum (Total Sign)	Width (Sign Face)	Height (Sign Face)
C-2, C-3	40,000 sq. ft.	1	15 feet	8 feet 4 in.	11 feet
C-4, LI, LI-R	200,000 sq. ft.	2	15 feet	8 feet 4 in.	11 feet

- 1) Minimum acreage or floor area requirement: to qualify for a standard multiple tenant sign, the site must be at least 4 acres in area or the proposed building must have at least 40,000 square feet of gross leasable area.
- 2) Standard multiple tenant sign standard: the township board shall adopt a multiple tenant sign standard, which shall be held on file with the building and planning services divisions.
- 3) Number of standard multiple tenant signs: no more than one multiple tenant sign per site shall be allowed in any instance for developments with less than 200,000 square feet of floor area; projects having 200,000 square feet of floor area or more may have two standard multiple tenant signs.
- 4) Other signs: should an owner elect to construct a multiple tenant sign on a site, the multiple tenant sign shall constitute the only permitted ground sign; no other ground signs shall be allowed in addition to a multiple tenant sign
- 5) Maximum dimensions: a standard multiple tenant sign must not exceed a structure width of 10 feet. The sign face shall have width of 8 feet 4 inches and a height of 11 feet. The overall sign structure shall not exceed 15 feet in height.
- 6) Legibility: all lettering on a multiple tenant sign must meet the legibility requirements of section 6A.25
- 7) Wayfinding: a multiple tenant sign shall incorporate wayfinding elements as identified by the currently adopted Canton Township multiple tenant sign standard, which shall be established by the township board and on file with the building official and planning services division; such wayfinding elements may include, but shall not necessarily be limited to, color coordination with a defined community branding or wayfinding district, address range of the tenants, or graphic elements of the corridor or district in which the sign is located.
- 8) Design and construction: the design and construction specifications of multiple tenant signs must comply with the currently adopted Canton Township multiple tenant sign standard, which shall be established by the township board and on file with the building and planning services divisions.
- 9) The minimum setback for a multiple tenant sign shall be three feet from the right-of-way or not less than the setback of an adjacent or adjoining downtown development authority wall.
- 10) Maximum area permitted for tenant space: the sign face shall maintain a panel of at least 2 feet 9 inches to accommodate the wayfinding elements as defined in paragraph 7) as shown in the diagram.

c. Directory signs.

- 1) Shopping center directory sign standard: The township board shall adopt a shopping center directory sign standard, which shall be held on file with the building and planning services division.
- 2) Location: Directory signs may be located only at internal intersections with a multiple tenant site.
- 3) Maximum dimensions and area: Directory signs shall not exceed 6 feet in area or six feet in height.
- 4) Wayfinding: A directory signs shall incorporate wayfinding elements as identified by the currently adopted Canton Township shopping center directional sign standard, which shall be established by the planning commission and on file with the building official and planning department; such wayfinding elements may include, but shall not necessarily be limited to, color coordination with a defined community branding or wayfinding district or graphic elements of the corridor or district in which the sign is located.
- 5) Design and construction: The design and construction specifications of directory signs must comply with the currently adopted Canton Township shopping center directional sign standard, which shall be established by the township board and on file with the building



6A.22 Directory Sign

• Sign Area Calculation:
 $A \times B = \text{Maximum of 6 square feet}$

and planning services divisions.

Directory Sign

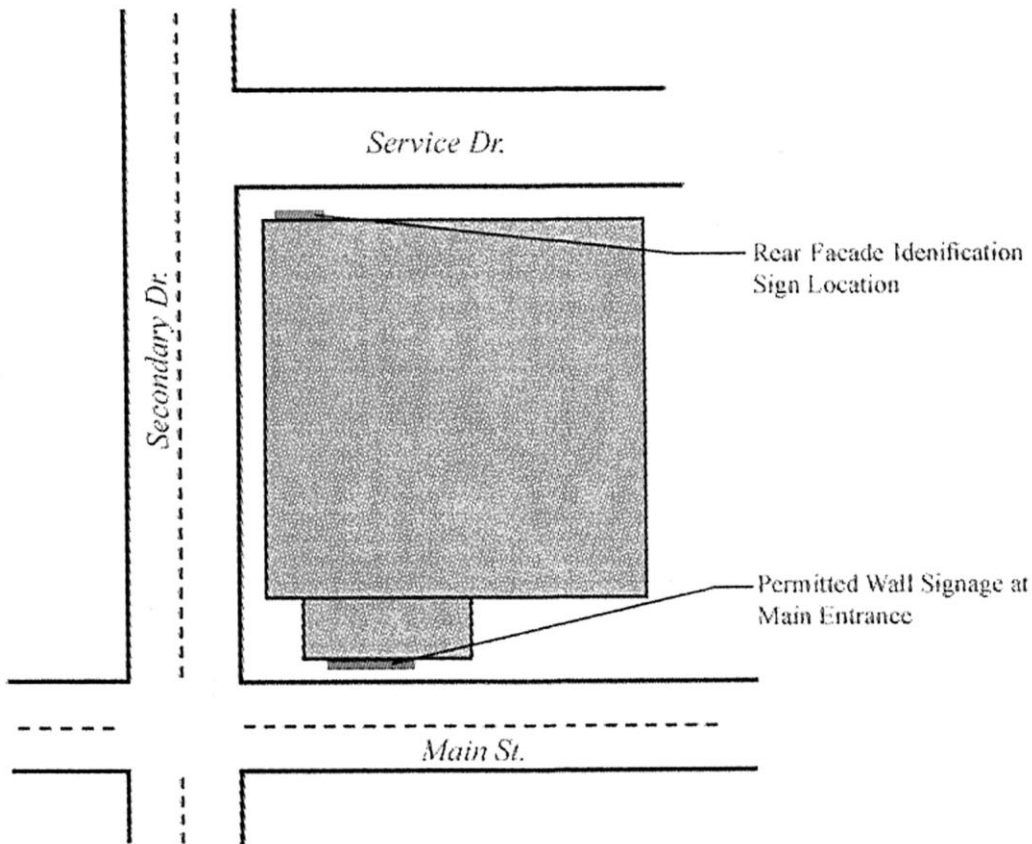
(Ord. of 9-26-2006; Ord. of 7-10-2007; Zoning Ord. Amd. 2011-2, 6-28-2011)

6A.23. Sign bonuses.

In certain unique circumstances, in addition to any signs permitted by this ordinance [Ordinance of September 26, 2006], permits for the following special signs or sign bonuses may be approved in accordance with the provisions established below:

1. Rear facade identification signs: In instances where three or more frontages of a commercial structure in a commercial or industrial zoning district directly visible to a dedicated right-of-way, service drive, or circulation lane, a bonus wall sign to identify the rear facade of the structure may be permitted. To qualify for the rear facade identification sign bonus, the site must:

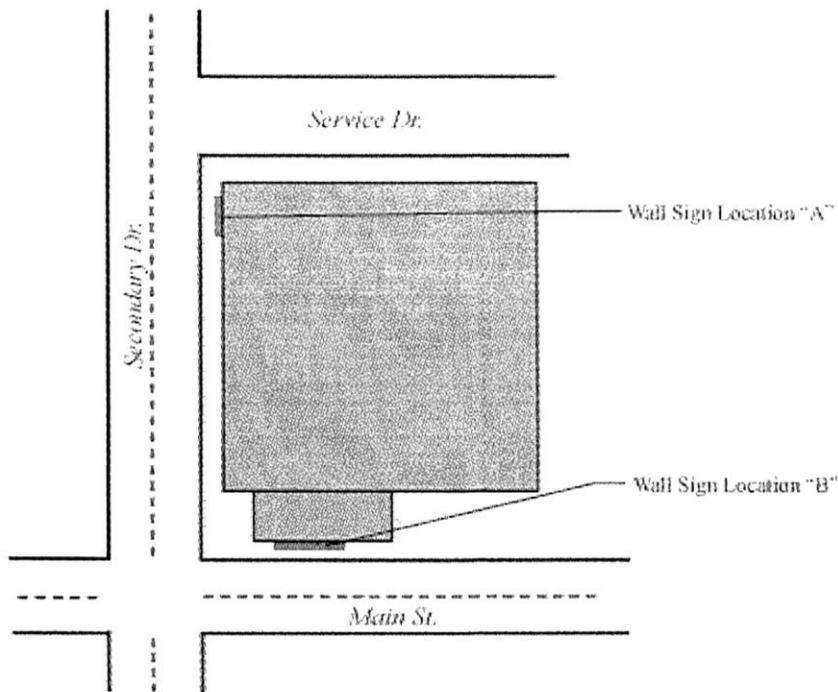
- a. Be directly bordered on at least three sides by dedicated circulation routes intended primarily for consumer traffic; rear alleys and loading and unloading access drives do not qualify.
- b. The drive aisles may not be located exclusively on the same site as the structure to which the bonus would be applied, though it may be shared between two or more separate and distinct sites.
- c. The wall sign bonus must not exceed ten square feet in area distributed over one or two wall signs.
- d. If two signs are proposed, they must be located on separate facades.
- e. To qualify for the rear facade identification sign bonus, no other wall signage may be present on the rear facades having the bonus signage.
- f. The primary permitted wall signage must be located on the facade facing the major thoroughfare or other primary roadway serving the site, or for corner lots, the two frontage facing such thoroughfares or roadways.
- g. Rear facade identification signs may not face a residentially zoned or used property.



6A.23.01 Rear Facade Identification Sign

Rear Facade Identification Sign

2. Wall sign area bonus: In commercial districts only, in the event that a ground sign otherwise permitted by the ordinance [Ordinance of September 26, 2006] can not be located in compliance with the location requirements of the ordinance [Ordinance of September 26, 2006] due to existing natural or manmade features, proximity to an existing sign or otherwise, additional wall sign area may be awarded above the permitted maximum wall sign area as determined by section 6A.17 This bonus may only be applied when the applicant, in the course of seeking a sign permit, has satisfactorily demonstrated that the development of an otherwise permitted ground sign is not possible in compliance with other provisions of this ordinance [Ordinance of September 26, 2006] or if no location for the sign which allows the sign to serve its intended purpose due to existing natural or manmade features. The wall sign area bonus shall not be over 24 additional square feet beyond that permitted by section 6A.17.
3. Corner lot/tenant space bonus: Buildings which are located on corner lots or tenant spaces which occupy end or corner units of a multi-tenant structure shall be provided 150 percent of the otherwise permitted total wall sign area for the applicable building or tenant space. The corner lot/tenant space bonus shall only be permitted when a sign is proposed on more than one wall of the building or tenant space.



6A.23.03 Wall Sign Area Plan

- Wall Sign Location "A" + Wall Sign Location "B" can not exceed 150% of the permitted area

Wall Sign Area Plan

(Ord. of 9-26-2006; Ord. of 2-13-2007)

6A.24. Billboards.

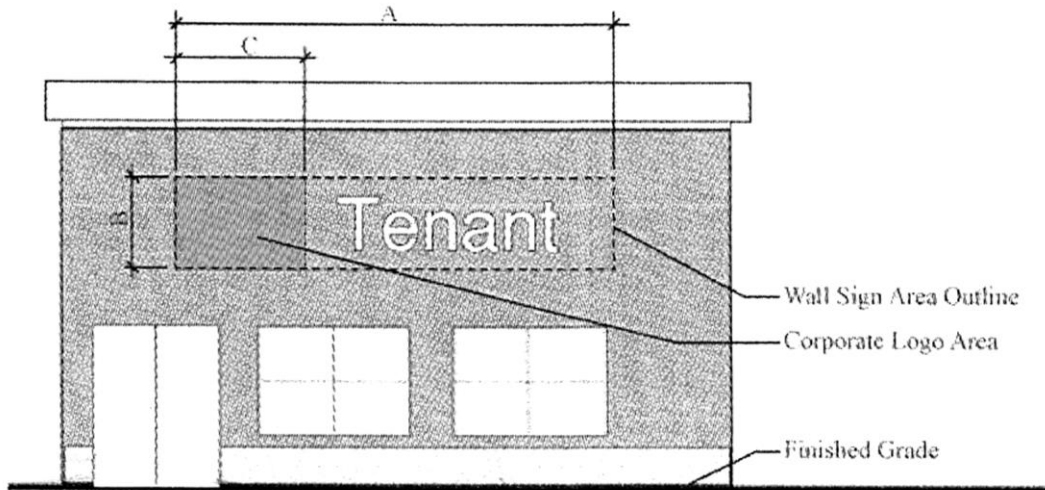
In the GI district, billboards may be permitted adjacent to limited access interstate freeways. Such signs shall be set back a minimum of 1,000 feet from any right-of-way and shall not be erected closer than 2,000 feet to any other billboard. The structure of the sign shall be exclusively steel, and no wood or other combustible material shall be permitted. The sign shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m. No billboard shall be permitted on a parcel in conjunction with a ground sign. The maximum permitted area of a billboard shall be 160 square feet, and the sign shall not exceed 12 feet in height as measured from average grade at the base of the sign.

(Ord. of 9-26-2006)

6A.25. Legibility and design.

All commercial wall and ground signage within the township must meet the legibility and design requirements of this section.

1. Wall signs:
 - a. Contrast: all lettering on wall signs shall significantly contrast the background to which they are applied.
 - b. Construction type: wall signs may be of a free-floating channel letter or other applied letter either internally or externally illuminated. If a raceway is used, it must be painted or manufactured to match the color of the wall to which is mounted.
 - c. Lettering: minimum required lettering sizes established as follows for wall signs shall apply to all lettering on any wall sign:
 - 1) Sans serif fonts: "block" style or sans-serif lettering shall be at least 14 inches in size on any wall sign.
 - 2) Serif fonts: "script" or other serif lettering shall be at least 17 inches in size on any wall sign.
 - d. Where corporate logos are proposed for use as a wall sign or as part of the overall wall sign, the logo shall not exceed 30 percent of the maximum permitted area.



6A.25.01 Wall Sign

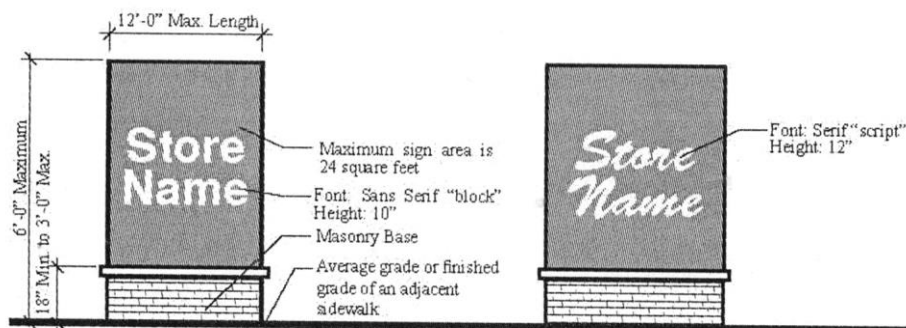
- Maximum 30% of a Wall Sign can be a Corporate Logo
- Calculation: $(A \times B) \times 30\% = B \times C$

Wall Sign

2. Ground signs:
 - a. Ground signs shall be integrated into landscape buffer design and shall be compatible with the design and materials used for the structures on the site.
 - b. Ground signs shall be located on a masonry base; the masonry base shall have a minimum height of 18 inches and shall not exceed a height of 36 inches; the masonry base, at a minimum, shall be equal to the length of the sign; masonry or other decorative features enclosing the sides or top of the face of the sign shall not extend beyond the maximum allowable width and height of the sign; in the downtown development authority (DDA), the height of the masonry base shall be equal to the finished height of the nearest garden wall.
 - c. Contrast: all lettering on cabinet-style ground signs shall be lighter than the background on which they are located. The background on a cabinet-style ground sign shall be opaque with translucent lettering, to allow only the lettering or logos to be illuminated. Free-floating channel letters or other applied letters shall significantly contrast the background to which they are applied.
 - d. Construction type: ground signs may be of a cabinet, internally-illuminated style; however:
 - 1) Only the lettering or trademarked logo shall be translucent.
 - 2) The background shall be of opaque material in a color darker than the lettering and logo.
 - e. Lettering: minimum required lettering sizes established as follows for ground signs shall apply to all lettering for the primary identification of the business or facility on any ground sign.
 - 1) Sans serif fonts: "block" style or sans serif lettering shall be at least 10 inches on any ground sign.

- 2) Serif fonts: "script" or other serif lettering shall be at least 12 inches in size on any ground sign.
- 3) Supplemental, secondary, or auxiliary information on a sign may utilize lettering which is not less than 50 percent of the minimum font size required for the primary identification of the business of the facility and shall be limited to no more than 25 percent of the sign surface area.

Minimum lettering size is based on capital or upper-case letters. Lower case letters used in combination with capital letters shall be proportional in size based on industry graphic standards.



6A.25.02 Ground Sign

Ground Sign

(Ord. of 9-26-2006; Ord. of 2-13-2007; Ord. of 12-20-2007)

6A.26. Permit approval.

Sign permits shall be issued by the building division. Signs shall be identified and adequately described on any site plan submitted for review to the township. For signs permitted only when part of a master sign plan or any sign on a multiple-tenant site, no permit shall be issued unless a master sign plan has been approved for the project. For all other signs, the building official shall review and issue permits for signs only when such signs are in compliance with this article.

Planning services division or planning commission approval of a sign permit application or master sign plan or a site plan having signage as part of the approved development shall not necessarily guarantee the issuance of a sign permit from the building official.

(Ord. of 9-26-2006)

6A.27. Zoning board of appeals.

Any component of this chapter [article] is subject to appeal by the zoning board of appeals in accordance with section 28.04.E.6.

(Ord. of 9-26-2006)

6A.28. Planning commission.

The planning commission shall be responsible for the review and approval of master sign plans as part of a concurrent site plan and/or special land use review for any multiple tenant site development or redevelopment. The planning commission shall also be responsible for ensuring that signage is identified and adequately described on any site plan, and that such signage meets with the requirements of this ordinance [Ordinance of September 26, 2006]. Planning commission approval of a master sign plan or a site plan having signage as part of the approved development shall not necessarily guarantee the issuance of a sign permit from the building official. During administrative review, the planning services division shall have the authority to send any freestanding application for a master sign plan to the planning commission for its review and approval prior to the issuance of the permit from the building official.

(Ord. of 9-26-2006)

6A.29. Canton Township Historic District Commission.

The historic district commission shall have the authority to approve modifications to the requirements for the design of signs within the boundaries of the Canton Township Historic District in the interest of permitting historically appropriate signage that may or may not be in full compliance with the dimensional or structural requirements of herein. Such authority shall not allow the historic district commission to approve a sign that does not meet minimum requirements for safety. Approval of a sign by the historic district commission shall not necessarily guarantee the issuance of a sign permit from the building official.

(Ord. of 9-26-2006)

ARTICLE 7.00. PERFORMANCE STANDARDS

7.01. Intent and scope of application.

- A. *Intent.* The purpose of this article is to establish controls and limitations on the impacts generated by permitted uses. The intent of these controls and limitations is to prevent an unreasonable negative impact that might interfere with another person's use of his or her property, or that might cause harm to the public health, safety, and welfare.
- B. *Scope of application.* After the effective date of this ordinance, no structure or tract of land shall hereafter be used or occupied, and no structure, or part thereof, shall be erected, altered, reconstructed, or moved, except in conformity with all applicable performance standards set forth in this article. No site plan shall be approved unless evidence is presented to indicate conformity with the requirements of this article.
- C. *Submission of additional data.* Nothing in this article shall preclude the applicant or other interested party from submitting additional data or evidence related to a specific case. In consideration of such data or evidence, the planning commission may waive or modify the regulations set forth in this article, provided that the planning commission finds that no harm to the public health, safety and welfare will result and that the intent of the this ordinance will be upheld.

7.02. Performance standards.

No activity, operation or use of land, buildings, or equipment shall be permitted if such activity, operation, or use produces an environmental impact or irritant to sensory perception which exceeds the standards set forth in this section.

A. *Noise.*

1. *General requirements.* No operation or activity shall be carried on which causes or creates measurable noise levels which have an annoying or disruptive effect on surrounding properties, or which exceed the maximum noise level limits prescribed in table A, following, as measured at the boundary line of the lot on which the operation or activity is located.
2. *Method and units of measurement.* The measuring equipment and measurement procedures shall conform to the latest American National Standards Institute (ANSI) specifications. The sound measuring equipment shall be properly calibrated before and after the measurements.

Since sound waves having the same decibel (dB) level "sound" louder or softer to the human ear depending upon the frequency of the sound wave in cycles per second (that is, depending on whether the pitch of the sound is high or low) an A-weighted filter constructed in accordance with ANSI specifications shall be used on any sound level meter used to take measurements required in this section. An A-weighted filter automatically takes account of the varying effect on the human ear of different pitches. Accordingly, all measurements are expressed in dB(A) to reflect the use of the A-weighted filter.

3. *Table of maximum noise levels.* Noise levels shall not exceed the limits set forth in the following table A:

TABLE A. MAXIMUM PERMITTED NOISE LEVELS

Zoning District	Time	Sound Level (A-Weighted) (decibels)
Residential	7:00 a.m. to 7:00 p.m.	55
	7:00 p.m. to 10:00 p.m.	50
	10:00 p.m. to 7:00 a.m.	45
Commercial	7:00 a.m. to 7:00 p.m.	60
	7:00 p.m. to 7:00 a.m.	55
Industrial, where all adjacent properties are zoned industrial	Anytime	70
Industrial, where any adjacent properties are zoned residential	Anytime	55

The time duration allowance set forth below shall apply to these noise level limits.

ALLOWANCES FOR SOUND LEVELS LASTING LESS THAN ONE HOUR

Duration	Decibel Allowance
Up to 30 minutes per hour (50%)	+3 dB(A)
Up to 15 minutes per hour (25%)	+6 dB(A)
Up to 10 minutes per hour (16%)	+8 dB(A)
Up to 5 minutes per hour (8%)	+11 dB(A)
Up to 2 minutes per hour (3%)	+15 dB(A)

4. *[Deliveries, loading, trash removal, exterior maintenance.]* No delivery, loading, trash removal, exterior property maintenance, or similar operations are permitted between the hours of 9:00

p.m. and 7:00 a.m., except in special circumstances and where steps are taken to reduce noise impacts at these activities.

5. *Compensation for street and background noise.* Where street traffic noise directly adjacent to the boundary line exceeds the maximum permitted levels in table A, the sound level permitted by the subject use may exceed the levels specified in the tables, provided the sound level does not exceed the noise level on the adjacent street(s).

Where existing background noise exceeds the maximum permitted levels specified in table A, the sound level permitted by the subject use may exceed the levels specified in the table, provided that:

- The sound level at the property line does not exceed the background noise level, and
 - The background noise is being produced by a permitted use operating in legally accepted manner. In order to make such a determination, the building official shall conduct a study to determine the source, level and duration of background noise.
6. *Intermittent sounds.* Intermittent sounds or sounds characterized by pure tones may be a source of complaints, even though the measured sound level may not exceed the permitted level in table A. In such cases, the building official shall investigate the complaints to determine the nature of and justification for the complaint and possible corrective action. If the complaints are determined to be justified and are not resolved within 60 days, the building official may proceed to enforce the terms of the zoning ordinance in accordance with the remedies provided herein.
 7. *Variance from sound level provisions.* An application for a variance from the sound level provisions may be submitted to the zoning board of appeals. The owner or operator of equipment on the property shall submit a statement regarding the effects of noise from his equipment on the overall noise level in the area. The statement shall also include a study of background noise levels, predicted level of noise at the boundary line due to the proposed operation, and justification for the variance. Upon review of the request for variance, the zoning board of appeals may grant a variance where strict adherence to the permitted sound level would create unnecessary hardship and only if the variance will not create a threat to the health, safety, and welfare of the public. The zoning board of appeals may impose conditions of operation in granting a variance.
 8. *Permitted exemptions.* Noise resulting from the following activities shall be exempt from the maximum permitted sound levels provided such activity occurs in a legally accepted manner:
 - Temporary construction activity that occurs between 7:00 a.m. and 7:00 p.m.
 - Performance of emergency work.
 - Warning devices necessary for public safety, such as police, fire, and ambulance sirens and train horns.
 - Agricultural uses.
 - Lawn care and house maintenance that occurs between 9:00 a.m. and 9:00 p.m.

B. *Vibration.*

1. *Permitted vibration.* Vibration is the oscillatory motion of a solid body. Machines or operations which cause vibration may be permitted in industrial districts, provided that:
 - No operation shall generate any ground- or structure-borne vibrational motion that is perceptible to the human sense of touch beyond the property line of the site on which the operation is located, and

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- No operation shall generate any ground-transmitted vibrations which exceed the limits specified in subsection 3, following, as measured at the boundary line of the lot on which the operation or activity is located.

2. *Method and units of measurement.* The instrument used to measure vibrations shall be a three-component measuring system capable of simultaneous measurement of vibration in three mutually perpendicular directions.

Vibrations shall be measured in terms of particle velocity, which may be measured directly with suitable instrumentation or computed on the basis of displacement and frequency. When computed, the following formula shall be used:

$$PV = 6.28 (F \times D)$$

Where:

PV = Particle velocity, expressed in inches per second.

F = Vibration frequency, expressed in cycles per second.

D = Single amplitude displacement of the vibration, expressed in inches.

The maximum velocity shall be the vector sum of the three components recorded.

3. *Maximum ground-transmitted vibration.* Ground-transmitted vibration shall not exceed a particle velocity of 0.20 inches per second, as measured at the boundary line of the lot, unless the adjacent property is used for residential purposes, in which case the particle velocity shall not exceed 0.02 inches per second. These maximum permitted values may be doubled for impact vibrations, i.e., discrete vibration pulsations not exceeding one second in duration and having a pause of at least one second between pulses.

Permitted exemptions. Vibrations resulting from temporary construction activity that occurs between 7:00 a.m. and 7:00 p.m. shall be exempt from the maximum permitted vibration levels in subsection 3, provided that such activity occurs in a legally accepted manner.

- C. *Dust, smoke, soot, dirt, fly ash and products of wind erosion.* Dust, smoke, soot, dirt, fly ash, and products of wind erosion shall be subject to the regulations established in conjunction with the Air Pollution Act, Michigan Public Act No. 348 of 1965 [repealed—see now part 55 of Public Act No. 451 of 1994 (MCL 324.5501 et seq.)], as amended, or other applicable state or federal regulations. No person, firm or corporation shall operate or maintain any process for any purpose, or furnace or combustion device for the burning of coal or other natural or synthetic fuels, unless such processes or devices use or are equipped with recognized and approved equipment, methods, or technology to reduce the quantity of gas-borne or airborne solids or fumes emitted into the open air.

The drifting of airborne matter beyond the lot line, including windblown dust, particles or debris from open stock piles, shall be prohibited.

- D. *Odor.* Offensive, noxious, or foul odors shall not be allowed to escape into the atmosphere in concentrations which are offensive, which produce a public nuisance or hazard on adjoining property, or which could be detrimental to human, plant, or animal life.

- E. *Glare and heat.* Any operation or activity which produces glare shall be conducted so that direct and indirect illumination from the source of light does not exceed 0.1 footcandle when measured at any point along the property line of the site abutting residentially zoned or used property and 0.3 footcandle abutting nonresidential property. All standards set forth in section 2.13 shall be met.

Any operation which produces intense glare or heat shall be conducted within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot lines. If

heat is a result of an industrial operation, it shall be so insulated as to not raise the temperature at any property line at any time.

- F. *Fire and safety hazards.* The storage and handling of flammable liquids, liquified petroleum gases, and explosives shall comply with all applicable state, county and local regulations, including the state Fire Prevention Act, Michigan Public Act No. 207 of 1941 (MCL 29.1 et seq.), as amended. Further, all storage tanks for flammable liquid materials above ground shall be located at least 150 feet from all property lines, and shall be completely surrounded by earth embankments, dikes, or another type of approved retaining wall capable of containing the total capacity of all tanks so enclosed.

Belowground bulk storage tanks which contain flammable material shall be located no closer to the property line than the distance to the bottom of the buried tank, measured at the point of greatest depth.

- G. *Sewage wastes and water pollution.* Sewage disposal and water pollution shall be subject to the standards and regulations established by federal, state, county and local regulatory agencies, including the Michigan Department of Health, the Michigan Department of Natural Resources, the Wayne County Health Department, and the U.S. Environmental Protection Agency. In addition, sewage disposal and water pollution shall be subject to the provisions in Canton Township Ordinances No. 29 and No. 30, as amended, the sewer use connection and extension ordinance and the water supply and sewage system ordinance [Ordinance No. 30 is codified as chapter 74, article II of the Township Code].
- H. *Gases.* The escape of or emission of any gas which is injurious or destructive to life or property, or which is explosive, is prohibited. Gaseous emissions shall be subject to regulations established in conjunction with the Air Pollution Act, Michigan Public Act No. 348 of 1965 [repealed—see now part 55 of Public Act No. 451 of 1994 (MCL 324.5501 et seq.)], as amended, the federal Clean Air Act of 1963, as amended, and any other applicable state or federal regulations. Accordingly, gaseous emissions measured at the property line at ground level shall not exceed the levels indicated in the following chart, which is based on the National Ambient Air Quality Standards, unless a higher standard is imposed by a federal, state, county or local regulatory agency which has jurisdiction:

Gas	Maximum Emissions Level	Sampling Period
Sulfur dioxide	0.14 ppm	24 hours
Hydrocarbons	0.24 ppm	3 hours
Photochemical oxidants	0.12 ppm	1 hour
Nitrogen dioxide	0.05 ppm	Annual
Carbon monoxide	9.00 ppm	8 hours
	35.0 ppm	1 hour
Lead	1.50 ug/cubic meter	3 months
Mercury	0.01 mg/cubic meter	10 hours
Beryllium	2.00 ug/cubic meter	8 hours
Asbestos	0.50 fibers/cc	8 hours

- I. *Electromagnetic radiation and radio transmission.* Electronic equipment required in an industrial, commercial, or other operation shall be designed and used in accordance with applicable rules and regulations established by the Federal Communications Commission (FCC). The operation of such equipment shall not interfere with the use of radio, television, or other electronic equipment on surrounding or nearby property.

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- J. *Radioactive materials.* Radioactive materials, wastes and emissions, including electromagnetic radiation such as from an X-ray machine, shall not exceed levels established by federal agencies which have jurisdiction.

(Res. of 5-31-2007)

Editor's note(s)—A resolution effective May 31, 2007, set out provisions designated as § 7.02.A.4. Inasmuch as § 7.02 already contained a subsection A.4, at the direction of the township subsections A.4—7 were renumbered as subsections A.5—8.

7.03. Procedures for determining compliance.

In the event that the township receives complaints or otherwise acquires evidence of possible violation of any of the performance standards set forth in this article, the following procedures shall be used to investigate, and if necessary, resolve the violation:

- A. *Official investigation.* Upon receipt of evidence of possible violation, the building official shall make a determination whether there is reasonable cause to suspect the operation is indeed in violation of the performance standards. The building official may initiate an official investigation in order to make such a determination.

Upon initiation of an official investigation, the building official is empowered to require the owner or operator of the facility in question to submit data and evidence deemed necessary to make an objective determination regarding the possible violation. Failure of the owner or operator to supply requested data shall constitute grounds for denial or cancellation of any permits required for continued use of the land. Data which may be required includes, but is not limited to the following:

1. Plans of the existing or proposed facilities, including buildings and equipment.
 2. A description of the existing or proposed machinery, processes, and products.
 3. Specifications for the mechanisms and techniques used or proposed to be used to control emissions regulated under the provisions of this article.
 4. Measurement of the amount or rate of emissions of the material purported to be in violation.
- B. *Method and cost of determination.* The building official shall take measurements and complete investigation necessary to make an objective determination concerning the purported violation. Where required measurements and investigation can be accurately made by the building official using equipment and personnel normally available to the township without extraordinary expense, such measurements and investigation shall be completed before notice of violation is issued. If necessary, skilled personnel and specialized equipment or instruments shall be secured in order to make the required determination.

If the alleged violation is found to exist in fact, the costs of making such determination shall be charged against those responsible, in addition to such other penalties as may be appropriate. If it is determined that no substantive violation exists, then the costs of this determination shall be paid by the township.

- C. *Appropriate remedies.* If, after appropriate investigation, the building official determines that a violation does exist, the building official shall take or cause to be taken lawful action as provided by this ordinance to eliminate such violation. The owners or operators of the facility deemed responsible shall be given written notice of the violation. The building official shall take appropriate action in accordance with the owner's or operator's response to the notice of violation. Appropriate action includes the following:

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1. *Correction of violation within time limit.* If the alleged violation is corrected within the specified time limit, even if there is no reply to the notice, the building official shall note "Violation Corrected" on the township's copy of the notice, and the notice shall be retained on file. If necessary, the building official may take other action as may be warranted by the circumstances of the case, pursuant to the regulations in this and other ordinances.
 2. *Violation not corrected and no reply from owner or operator.* If there is no reply from the owner or operator within the specified time limits (thus establishing admission of violation, as provided section 7.03.A), and the alleged violation is not corrected in accordance with the regulations set forth in this article, then the building official shall take such action as may be warranted to correct the violation.
 3. *Reply requesting extension of time.* If a reply is received within the specified time limit indicating that an alleged violation will be corrected in accordance with the regulations set forth in the zoning ordinance, but that more time is required than was granted by the original notice, the building official may grant an extension if:
 - The building official deems that such extension is warranted because of the circumstances in the case, and
 - The building official determines that such extension will not cause imminent peril to life, health, or property.
 4. *Reply requesting technical determination.* If a reply is received within the specified time limit requesting further review and technical analysis even though the alleged violations continue, then the building official may call in properly qualified experts to complete such analysis and confirm or refute the initial determination of violation.

If expert findings indicate that violations of the performance standards do exist in fact, the costs incurred in making such a determination shall be paid by the persons responsible for the violations, in addition to such other penalties as may be appropriate under the terms of this ordinance. Such costs shall be billed to those owners or operators of the subject use who are deemed responsible for the violation.

If the bill is not paid within 30 days, the township shall take whatever appropriate action is necessary to recover such costs, or alternately, the cost shall be charged against the property where the violation occurred. If no substantial violation is found, cost of determination shall be paid by the township.

- D. *Continued violation.* If, after the conclusion of the time period granted for compliance, the building official finds that the violation still exists, any permits previously issued shall be void and the township shall initiate appropriate legal action, including possibly pursuit of remedies in circuit court.
- E. *Appeals.* Action taken by the building official pursuant to the procedures outlined in this section may be appealed to the zoning board of appeals within 30 days following said action. In the absence of such appeal, the building official's determination shall be final.

7.04. Environmental impact statement.

The purpose of an environmental impact statement is to assess the developmental, ecological, social, economic, and physical impact from a proposed development on and surrounding the development site, and to determine if a proposed use will be in compliance with the site development and performance standards set forth in articles 6.00 and 7.00. Where required, the environmental impact statement shall, at minimum, assess the following:

- Water, noise, and air pollution associated with the proposed use.
- Effect of the proposed use on public utilities.
- Historic and archeological significance of the site and adjacent properties.
- Displacement of people and other land uses by the proposed use.
- Alteration of the character of the area by the proposed use.
- Effect of the proposed use on the township's tax base and adjacent property values.
- Compatibility of the proposed use with existing topography, and topographic alterations required.
- Impact of the proposed use on surface and ground water.
- Operating characteristics and standards of the proposed use.
- Proposed screening and other visual controls.
- Impact of the proposed use on traffic.
- Impact of the proposed use on flora and fauna.
- Negative shortterm and longterm impacts, including duration and frequency of such impacts, and measures proposed to mitigate such impacts.

ARTICLE 8.00. ESTABLISHMENT OF ZONING DISTRICTS AND MAP

8.01. Creation of districts.

For the purposes of this ordinance, the unincorporated portion of the Charter Township of Canton is hereby divided into the following zoning districts as shown on the official zoning map:

RA	Rural Agricultural District
RR	Rural Residential District
RE	Residential Estate District
R-1	Single-Family Residential District
R-2	Single-Family Residential District
R-3	Single-Family Residential District
R-4	Single-Family Residential District
R-5	Single-Family Residential District
R-6	Single-Family Attached Housing District
MR	Multiple-Family Residential District
RMH	Mobile Home Park District
C-1	Village Shopping District
C-2	Community Commercial District
C-3	Regional Commercial District
C-4	Interchange Service District
MRD	Mid-Rise Development District
HRD	High-Rise Development District
O-1	Office District
LI-R	Light Industrial Research
LI	Light Industrial District

GI	General Industrial District
OSP	Off-Street Parking District
WC	Wetlands Conservation District

(Ord. of 5-25-2010)

8.02. Adoption of zoning map.

The boundaries of the zoning districts enumerated in section 8.01 are hereby established as shown on the zoning map marked and designated "Zoning Map, Charter Township of Canton, Wayne County, Michigan." The zoning map with all notations, references, and other information shown thereon shall be, and is hereby declared to be a part of this ordinance as if fully described herein.

In accordance with the provisions of this ordinance and Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended, changes made in district boundaries and other matters portrayed on the zoning map shall be entered on the zoning map promptly after the amendment has been approved by the township board and has been published in a newspaper of general circulation in the township. No changes of any nature shall be made to the zoning map except in conformity with the procedures set forth in section 27.06 of this ordinance.

Regardless of the existence of copies of the zoning map which may, from time to time, be made or published, the official zoning map shall be located in the office of the planning official and shall be the final authority with regard to the current zoning status of all land and water areas, buildings, and other structures in the township.

Note(s)—The following ordinances amended the zoning map: Ord. of April 9, 2013; Ord. of May 13, 2014; Ord. of September 8, 2015.

8.03. Interpretation of district boundaries.

Where there is any uncertainty, contradiction, or conflict concerning the intended location of zoning district boundaries, the zoning board of appeals shall interpret the exact location of zoning district boundary lines in accordance with the following standards:

1. Boundaries indicated as approximately following the centerlines of streets, roads, railroad rights-of-way, or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following township limits shall be construed as following such limits.
4. Boundaries indicated as approximately following the centerlines of streams, rivers, or other bodies of water shall be construed to follow such centerlines.
5. Boundaries indicated as parallel to or as extension of the features cited in subsections 1 through 4 above shall be construed as being parallel to or an extension of the features cited. Distances not specified on the official zoning map shall be determined using the scale on the map.

8.04. Zoning of vacated areas.

Whenever any street, alley, or other public way within the township is vacated, such street, alley, or other public way shall automatically be classified in the same zoning district as the property to which it attaches, and shall be subject to the standards for said zoning district.

8.05. Zoning of filled land.

Whenever any fill is permitted in any stream or other body of water, the land thus created shall automatically and without further governmental action thenceforth acquire and be subject to the same zoning regulations as are applicable to the land to which the newly created land attaches. No use of the surface of any body of water or stream shall be permitted for any purpose not permitted on the land from which the use emanates.

8.06. District requirements.

Buildings and uses in any district shall be subject to all applicable standards and requirements set forth in this zoning ordinance. Uses and activities that are contrary to state, federal, or other local laws and ordinances are prohibited.

(Ord. of 5-25-2010)

ARTICLE 9.00. RA, RURAL AGRICULTURAL DISTRICT

9.01. Statement of intent.

The intent of the rural agricultural district is to preserve suitable lands for continued agricultural use, prevent random conversion of agricultural land to urban uses, and provide the basis for property tax assessments which reflect existing and continued agricultural use of the land. Planned development may be permitted as a means to achieve the basic intent of this district in accordance with the guidelines in section 27.04.

9.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned RA, rural agricultural, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. Single-family dwellings or single-family farm dwelling for the farm operator or farm owner, provided that not more than one dwelling unit shall be permitted on each 40-acre lot (minimum lot area); except that farm dwellings existing on the effective date of this ordinance and related farm structures remaining after farm consolidation may be separated from the overall farm lot, provided that the parcel created with the structures shall not be less than two acres in size.
 2. General and specialized farming and agricultural activities, including the raising or growing of crops, livestock, poultry, bees, and other farm animals, farm products, and foodstuffs, including activities related to the definition of "farm" as stated in section 1.03.
 3. Farm buildings, as defined in article [section] 1.03.
 4. Idle cropland, provided that such land is maintained so as to prevent the erosion of soil by wind or water.
 5. Raising or growing of plants, trees, shrubs, and nursery stock, including any buildings or structures used for such activities or for the storage of equipment and materials necessary for such activities.
 6. The sale of retail produce, plants, trees, shrubs, and firewood when such retail activity is conducted in conjunction with an additional farm-related use permitted in this section, and when such retail activity is clearly incidental to the principal use on the property. A substantial portion of the products offered

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- for sale must have been raised or produced on the same premises by the proprietor. Where applicable, such retail sales activity shall be subject to the provisions concerning roadside stands (section 6.02, subsection V) and open air businesses (section 6.02, subsection Q).
7. The growing, stripping, and removal of sod, provided that all stripped land shall be reseeded by fall of the year in which it was stripped so as to prevent the erosion of soil by wind or water.
 8. Roadside stands for the display and sale of produce in accordance with section 6.02, subsection V.
 9. Private kennels, subject to the provisions in section 6.02, subsection K.
 10. Private stables, subject to the provisions in section 6.02, subsection X.
 11. Class A mobile homes, subject to the provisions in section 2.05, subsection B.
 12. Uses and structures accessory to the above, subject to the provisions in section 2.03.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Accessory apartments, as defined in section 1.03, subject to the following conditions:
 - Minimum lot size: Two acres.
 - Design characteristics: The design of the accessory apartment shall not detract from the single-family character and appearance of the principal residence or the surrounding neighborhood.
 - Floor area: The accessory apartment shall be clearly incidental to the principal residence on the parcel. Accordingly, the total floor area of the accessory apartment shall not exceed 600 square feet.
 - Parking: In addition to the parking required for the principal residence, one additional off-street parking space shall be provided for the accessory apartment.
 2. A guesthouse, as defined in section 1.03.
 3. Cemeteries on parcels ten acres or larger, except that pet cemeteries may be established on parcels six acres or larger.
 4. Public or private golf courses, subject to the provisions in section 6.02, subsection I.
 5. Feedlots and similar operations involving the concentrated feeding of farm animals within a confined area, subject to the following:
 - Any portion of a parcel used for raising of fowl or operating of a hatchery shall be located a minimum of 1,000 feet from any other parcel zoned for residential use. The killing and dressing of fowl are permitted, provided that all such activity is conducted within a fully enclosed building and that all waste parts and offal are immediately disposed of in a proper manner. No outdoor storage of offal shall be permitted.
 - Any pen, corral, or structure used as a feedlot where farm animals are kept shall be located a minimum of 1,000 feet from any other parcel zoned for residential use. All feedlots shall be located a minimum of 150 feet from any residence on adjacent property.
 - The owner of any animal feedlot shall be responsible for the storage, transportation and disposal of all animal manure generated in a manner consistent with the provisions which follow.

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- All manure from confinement manure storage pits or holding areas, when removed, shall be incorporated, knifed in, or disposed of in a reasonable manner, taking into account the season of the year and wind direction. Each feedlot shall have sufficient area to permit proper incorporation or disposal of manure.
 - No animal manure shall be disposed of within the right-of-way of any public road or street.
 - All vehicles used to transport animal manure on roads shall be leakproof.
6. Essential services, subject to the provisions in section 2.16, subsection A.
 7. Agricultural sales and service establishments when located adjacent to a major thoroughfare with a right-of-way of 204 feet or greater, and provided further that such establishments are engaged primarily in the performance of agricultural, animal husbandry, or horticultural services on a fee or contract basis, including any of the following services: corn shelling; hay baling and thrashing; sorting, grading, and packing of fruits and vegetables for growers; agricultural product storage; milling and processing; crop dusting; fruit picking; grain cleaning; land grading; harvesting and plowing; farm equipment sales and service; and veterinary services.
 8. Retail sales of unprocessed agricultural products by farmers/growers in a central marketing facility.
 9. Commercial kennels, subject to the provisions in section 6.02, subsection K.
 10. Commercial stables and riding academies, subject to the provisions in section 6.02, subsection X.
 11. Gardens, and buildings for storage of gardening equipment on parcels where no principal residential use has been established, provided that the following conditions are met:
 - Such facilities shall be for the private use of the owner of the property only.
 - Buildings or structures shall be maintained in good condition and shall be monitored at least once per week.
 12. Private outdoor recreation uses, such as archery ranges, baseball, football or soccer fields, motorcross (BMX) tracks, court sports facilities, golf driving ranges, swimming pools, and similar outdoor recreation uses, subject to the provisions in section 6.02, subsection R.
 13. Bed and breakfast establishments, subject to provisions in section 6.02, subsection D.1.

(Amend. of 10-20-2009)

9.03. Development standards.

- A. *Site plan review.* Site plan review and approval is required for all special land uses specified in section 9.02.B in the RA district. Further, site plan review and approval will be required for all uses permitted under section 9.02.A.6. It is the intention of these requirements to permit normal agriculture activities to occur without the need for site plan review or approval.
- B. *Area, height, bulk, and placement requirements.* Buildings and uses in the rural agricultural district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- C. *Planned development.* Planned development may be permitted in the rural agricultural district, subject to the standards and approval requirements set forth in section 27.04.
- D. *General development standards.* Buildings and uses in the rural agricultural district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements
Article 5.00	Fences and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 10.00. RE, RESIDENTIAL ESTATE DISTRICT AND RR, RURAL RESIDENTIAL DISTRICT

10.01. Statement of intent.

The intent of the residential estate district and the rural residential district is to provide areas of the township for orderly residential growth on estate size lots or low density rural acreage lands as well as agricultural uses, and other compatible uses which typically occupy large open land areas. The standards in these districts are intended to assure that permitted uses peacefully coexist in a very low density setting. Furthermore, the intent of these districts is to preserve the rural-like features and character of certain portions of the township. Planned development may be permitted as a means to achieve the basic intent of these districts, in accordance with the guidelines in section 27.04.

10.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned RE, residential estate, or RR, rural residential, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
 1. All permitted uses and structures in the single-family residential districts as specified in section 11.02, subsection A.
 2. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 3. Idle cropland, provided that such land is maintained so as to prevent the erosion of soil by wind or water.

- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
 1. Accessory apartments, as defined in section 1.03, subject to the following conditions:
 - Minimum lot size: Two acres.
 - Design characteristics: The design of the accessory apartment shall not detract from the single-family character and appearance of the principal residence or the surrounding neighborhood.

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- Floor area: The accessory apartment shall be clearly incidental to the principal residence on the parcel. Accordingly, the total floor area of the accessory apartment shall not exceed 600 square feet.
 - Parking: In addition to the parking required for the principal residence, one additional off-street parking space shall be provided for the accessory apartment.
2. A guesthouse, as defined in section 1.03.
 3. Cemeteries on parcels ten acres or larger, except that pet cemeteries may be established on parcels six acres or larger.
 4. Religious institutions, subject to the provisions in section 6.02, subsection U.
 5. Public or private golf courses, including country clubs, subject to the provisions in section 6.02, subsection I.
 6. Essential services, subject to the provisions in section 2.16, subsection A.
 7. Commercial stables and riding academies, subject to the provisions in section 6.02, subsection X.
 8. Private outdoor recreation uses, such as archery ranges, baseball, football or soccer fields, motorcross (BMX) tracks, court sports facilities, golf driving ranges, swimming pools, and similar outdoor recreation uses, subject to the provisions in section 6.02, subsection R.
 9. Raising or growing of plants, trees, shrubs, and nursery stock, including any buildings or structures used for such activities or for the storage of equipment and materials necessary for such activities.
 10. Private kennels, subject to the provisions in section 6.02, subsection K.
 11. Private stables, subject to the provisions in section 6.02, subsection X.
 12. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 13. The following uses may be permitted in the RR, rural residential district but not in the RE, rural estate district:
 - a. Agricultural sales and service establishments when located adjacent to a major thoroughfare with a right-of-way of 204 feet or greater, and provided further that such establishments are engaged primarily in the performance of agricultural, animal husbandry, or horticultural services on a fee or contract basis, including any of the following services: corn shelling; hay baling and thrashing; sorting, grading, and packing of fruits and vegetables for growers; agricultural product storage; milling and processing; crop dusting; fruit picking; grain cleaning; land grading; harvesting and plowing; farm equipment sales and service; and veterinary services.
 - b. The growing, stripping, and removal of sod, provided that all stripped land shall be reseeded by fall of the year in which it was stripped so as to prevent the erosion of soil by wind or water.
 - c. Roadside stands for the display and sale of produce in accordance with section 6.02, subsection V.
 14. Bed and breakfast establishments, subject to provisions in section 6.02, subsection D.1.

10.03. Development standards.

- A. *Site plan review.* Site plan review and approval is required for all uses except detached single-family residential uses in accordance with section 27.02.
- B. *Area, height, bulk, and placement requirements.* Buildings and uses in the residential estate district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.

- C. *Planned development.* Planned development may be permitted in the residential estate district subject to the standards and approval requirements set forth in section 27.04.
- D. *General development standards.* Buildings and uses in the residential estate district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements
Article 5.00	Fences and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 11.00. R-1 THROUGH R-5, SINGLE-FAMILY RESIDENTIAL DISTRICTS

11.01. Statement of intent.

The intent of the single-family residential districts is to provide areas in the township for the construction and continued use of single-family dwellings within stable neighborhoods. It is intended that the principal use of land is for single-family dwellings, but each district has different minimum area, density, and placement requirements to provide different housing types to accommodate the varied needs of the population. The regulations in this article are intended to promote development that preserves the physical characteristics of the land and natural environment as much as possible, thereby retaining rural-like features of the township. It is further the intent of this district to prohibit multiple-family, office, business, commercial or industrial use of the land, and to prohibit any other use which would substantially interfere with development or continuation of single-family dwellings in the districts. Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in section 27.04.

11.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned R-1, R-2, R-3, R-4, or R-5, single-family residential, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
 1. Single-family detached dwellings, including single-family detached or single-family site condominiums.
 2. Publicly owned and operated parks, parkways and recreation facilities.
 3. Private parks owned and maintained by homeowners' associations.
 4. Class A mobile homes, subject to the provisions in section 2.05, subsection B.
 5. Family day care homes, subject to the provisions in section 6.02, subsection E.
 6. Uses and structures accessory to the above, subject to the provisions in section 2.03.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or

township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.

1. Housing for the elderly, subject to the provisions in section 6.03, subsection A, multiple-family and single-family attached residential requirements.
2. Cemeteries on parcels five acres or larger.
3. Religious institutions, subject to the provisions in section 6.02, subsection U.
4. Public, parochial and other private elementary, intermediate or high schools licensed by the State of Michigan to offer courses in general education.
5. Public or private colleges, universities and other such institutions of higher learning, offering courses in general, technical or religious education.
6. Child care centers subject to the provisions in section 6.02, subsection E.
7. Municipal buildings and uses not requiring outside storage of materials or vehicles.
8. Private kennels may be permitted in the R-1 district only, subject to the provisions in section 6.02, subsection K.
9. Private stables may be permitted in the R-1 district only, subject to the provisions in section 6.02, subsection X.
10. Public or private golf courses, including country clubs, subject to the provisions in section 6.02, subsection I.
11. Essential services, subject to the provisions in section 2.16, subsection A.
12. Adult day care centers, subject to the provisions of section 6.02, subsection B.
13. Single-family detached cluster development, subject to the provisions of section 6.03, subsection D.
14. Bed and breakfast establishments, subject to provisions in section 6.02, subsection D.1.
15. Single-family attached residential units in R-2, R-3, R-4 and R-5, subject to the provisions in section 6.03, subsection F.
16. Active Adult Community (AAC) pursuant to the requirements set forth in section 6.03, subsection G.

(Ord. of 12-20-2007)

11.03. Development standards.

- A. *Public water and sewer.* Residential developments providing less than 20,000 square feet of lot area per dwelling unit shall be served by public sanitary sewer and public water supply systems. All remaining utilities provided must be underground.
- B. *Site plan review.* Site plan review and approval is required for all uses except detached single-family residential uses in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the single-family residential districts are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the single-family residential districts, subject to the standards and approval requirements set forth in section 27.04.

- E. *General development standards.* Buildings and uses in the single-family residential districts shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements
Article 5.00	Fences and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 12.00. R-6, SINGLE-FAMILY ATTACHED HOUSING DISTRICT

12.01. Statement of intent.

The intent of this district is to provide areas in the township for the development of housing at an intermediate density (up to eight units per acre) - greater than the density of typical detached single-family developments but not at the density of typical multiple-family developments. An example of the type of housing permitted in this district is the "townhouse," which is frequently developed and marketed as a condominium. Attached housing developments generally are considered suitable transitional uses between single-family detached housing development and intensive multiple-family or nonresidential development. It is intended that developments within attached housing districts have direct access to collector or major thoroughfares. Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with guidelines in section 27.04.

12.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned R-6, single-family attached housing district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. Single-family attached dwellings or townhouses, as defined in section 1.03 and subject to the provisions in section 6.03, subsection A.
 2. Zero lot line development, as defined in section 1.03 and subject to the provisions in section 6.03, subsection A.
 3. Publicly owned and operated parks, parkways and recreation facilities.
 4. Private parks owned and maintained by homeowners' associations.
 5. Uses and structures accessory to the above, subject to the provisions in section 2.03.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.

1. Single-family detached dwellings, to serve as the living quarters of a watchman or caretaker of the attached housing development.
2. Housing for the elderly, subject to the provisions in section 6.03, subsection E.
3. Two-family dwellings, subject to the following lot dimension standards:
 - Minimum lot width: 80 feet.
 - Minimum lot depth: 120 feet.
4. Religious institutions, subject to the provisions in section 6.02, subsection U.
5. Public, parochial and other private elementary, intermediate or high schools licensed by the State of Michigan to offer courses in general education.
6. Public or private colleges, universities and other such institutions of higher learning, offering courses in general, technical or religious education.
7. Child care centers, subject to the provisions in section 6.02, subsection E.
8. Municipal buildings and uses not requiring outside storage of materials or vehicles.
9. Public or private golf courses, including country clubs, subject to the provisions in section 6.02, subsection I.
10. Essential services, subject to the provisions in section 2.16, subsection A.
11. Adult day care centers, subject to the provisions of section 6.02, subsection B.
12. Active adult community (AAC) pursuant to the requirements set forth in section 6.03, subsection G.

(Ord. of 12-20-2007)

12.03. Development standards.

- A. *Public water and sewer.* Residential developments providing less than 20,000 square feet of lot area per dwelling unit shall be served by public sanitary sewer and public water supply systems.
- B. *Site plan review.* Site plan review and approval is required for all uses, in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the single-family attached housing district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the single-family attached housing district, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the single-family attached housing district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements
Article 5.00	Fences and Walls
Article 6.00	Site Development Standards

Article 26.00	Schedule of Regulations
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ARTICLE 13.00. MR, MULTIPLE-FAMILY RESIDENTIAL DISTRICT

13.01. Statement of intent.

The intent of the multiple-family residential district is to address the varied housing needs of township residents by providing locations for development of multiple-family housing at a higher density than is permitted in the single-family districts. In addressing these housing needs, multiple-family housing in the MR district should be designed in consideration of the following planning objectives so as to provide a quality living environment:

- Multiple-family housing developments should preserve significant natural features of the site. Accordingly, preservation of open space, protection of floodprone areas, protection of wooded areas, and preservation of other natural features is encouraged.
- Multiple-family housing should be provided with necessary public services and utilities, including usable outdoor recreation space and a well-designed internal street network.
- Multiple-family housing should be designed to be compatible with surrounding or nearby single-family housing. Accordingly, one- and two-story housing is considered appropriate in the MR district.

Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in section 27.04.

13.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned MR, multiple-family residential district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. Multiple-family dwellings, subject to the provisions in section 6.03, subsection A.
 2. Single-family attached dwellings or townhouses, as defined in section 1.03 and subject to the provisions in section 6.03, subsection A.
 3. Publicly owned and operated parks, parkways and recreation facilities.
 4. Housing for the elderly, subject to the provisions in section 6.03, subsection E.
 5. Uses and structures accessory to the above, subject to the provisions in section 2.03.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Single-family detached dwellings, to serve as the living quarters of a watchman or caretaker of the multiple-family housing development.
 2. Multiple-family cluster developments, subject to the provisions in section 6.03, subsection B.

3. Nursing homes, convalescent homes, or rest homes, subject to the provisions in section 6.02, subsection P.
4. Religious institutions, subject to the provisions in section 6.02, subsection U.
5. Public, parochial and other private elementary, intermediate or high schools licensed by the State of Michigan to offer courses in general education.
6. Public or private colleges, universities and other such institutions of higher learning, offering courses in general, technical or religious education.
7. Child care centers, subject to the provisions in section 6.02, subsection E.
8. Municipal buildings and uses not requiring outside storage of materials or vehicles.
9. Public or private golf courses, including country clubs, subject to the provisions in section 6.02, subsection I.
10. Adult day care centers, subject to the provisions of section 6.02, subsection B.
11. Essential services, subject to the provisions in section 2.16, subsection A.
12. Bed and breakfast establishments, subject to provisions in section 6.02, subsection D.1.
13. Active adult community (AAC) pursuant to the requirements set forth in section 6.03, subsection G.

(Ord. of 12-20-2007)

13.03. Development standards.

- A. *Public water and sewer.* Residential developments providing less than 20,000 square feet of lot area per dwelling unit shall be served by public sanitary sewer and public water supply systems.
- B. *Site plan review.* Site plan review and approval is required for all uses, in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the multiple-family residential district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the multiple-family district, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the multiple-family residential district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements
Article 5.00	Fences and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 14.00. RMH, MOBILE HOME PARK DISTRICT

14.01. Statement of intent.

The intent of the mobile home park district is to provide for the location and regulation of mobile home parks. It is intended that mobile home parks be provided with necessary community services in a setting that is designed to protect the health, safety and welfare and provide a high quality of life for residents. Furthermore, such districts should be located where they will be compatible with adjacent land uses. Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in section 27.04.

The regulations established by state law and the Mobile Home Code govern all mobile home parks. When regulations in this article exceed the state law or Mobile Home Code requirements they are intended to insure that mobile home parks meet the development and site plan standards established in this ordinance for other residential development.

14.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all area zoned RMH mobile home park district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. Mobile homes located in a mobile home park, subject to the provisions in section 6.03, subsection C.
 2. Mobile home parks and mobile home subdivisions, subject to the provisions in section 6.03, subsection C.
 3. Publicly owned and operated parks, parkways and recreation facilities.
 4. Private parks owned and maintained by homeowners' associations or the owner of the mobile home park.
 5. Uses and structures accessory to the above, subject to the provisions in section 2.03.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Religious institutions, subject to the provisions in section 6.02, subsection U.
 2. Public, parochial and other private elementary, intermediate or high schools licensed by the State of Michigan to offer courses in general education.
 3. Child care centers, subject to the provisions in section 6.02, subsection E.
 4. Municipal buildings and uses not requiring outside storage of materials or vehicles.
 5. Public or private golf courses, including country clubs, subject to the provisions in section 6.02, subsection I.
 6. Essential services, subject to the provisions in section 2.16, subsection A.
 7. Adult day care centers, subject to the provisions of section 6.02, subsection B.

14.03. Development standards.

- A. *Site plan review.* Site plan review and approval is required for all uses, in accordance with section 27.02.

- B. *Area, height, bulk, and placement requirements.* Buildings and uses in the mobile home park district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations, and section 6.03, subsection C (mobile home park requirements).
- C. *Planned development.* Planned development may be permitted in the mobile home park district, subject to the standards and approval requirements set forth in section 27.04.
- D. *General development standards.* Buildings and uses in the mobile home park district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements
Article 5.00	Fences and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 15.00. C-1, VILLAGE SHOPPING DISTRICT⁵

15.01. Statement of intent.

The intent of the village shopping district is to provide residential-scale convenience and personal service uses within a planned development district or areas designated as local shopping on the future land use map of the comprehensive plan.

Village shopping developments shall utilize residential architectural design features and building materials and shall orient the buildings in a non-linear manner to prevent common "strip commercial" development. All village shopping developments shall be designed and constructed according to the provisions of section 6.05 (site development standards for village shopping districts).

15.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned C-1, village shopping district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or part, except for one or more of the following principal permitted uses:
 1. Specialty retail business including:
 - a. Apparel.
 - b. Bakery.
 - c. Bookstore/stationery shop/periodicals.
 - d. Convenience grocery.

⁵Cross reference(s)—Businesses, ch. 18.

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- e. Delicatessen.
 - f. Drugstore.
 - g. Flower/gift shop.
 - h. Toy and hobby shop.
 - i. Videocassette rental.
2. Personal service establishments including:
 - a. Barbershop/hair styling salon/manicure.
 - b. Clothing alteration/shoe repair.
 - c. Dry cleaning outlet.
 - d. Photo processing.
 - e. Suntan salon.
 - f. Licensed massage establishments.
 3. Professional offices.
 4. Medical/dental clinics or offices.
 5. Financial institutions (banks/savings and loan/credit union).
 6. Restaurants (carryout and standard); delivery services shall be accessory to the primary use only.
 7. Child and adult day care center, subject to the provisions of sections 6.02.B or E, as applicable. In addition to the provisions of section 6.02, the recreation areas for child and adult day care centers shall be located to the rear or side of the structure in which they are located and shall be screened with a wall or fence which is composed of the same material as the facade of the building.
 8. Planned shopping center, subject to all restrictions set forth in section 6.05.
 9. Personal fitness centers, martial arts studios, dance schools, music and voice schools, and art studios.
 10. Veterinary offices and hospitals.
 11. Uses similar to the above.
 12. Uses and structures accessory to the above, subject to the provisions of section 2.03.
- B. *Special land uses.* The following uses may be considered by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and the provisions set forth in section 27.03.
1. Developments utilizing individual buildings exceeding the maximum building dimensions or retail businesses (individual) utilizing a gross floor area of greater than 5,000 square feet as specified in section 6.05.B.
 2. Public buildings and uses not requiring outside storage of materials.
 3. Post offices.
 4. Apartment dwellings located on the second floor of nonresidential buildings.
 5. Essential services, subject to the provisions of section 2.16.A.

(Ord. of 1-23-2003)

15.03. Development standards.

- A. *Required conditions.* All buildings and uses in the village shopping district shall comply with the following required conditions:
 - 1. All business establishments shall be retail or service establishments dealing directly with customers. No wholesale activity is permitted within the village shopping district.
 - 2. All business, servicing, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building.
 - 3. There shall be no outside storage of any goods, inventory, or equipment. Use of outdoor displays or sidewalk cafes shall be limited to the sidewalk or patio areas adjacent to the storefront and indicated on the site plan. Outdoor displays or seating areas shall not interfere or conflict with pedestrian traffic or emergency access. Methods of providing outdoor displays and the location of outdoor seating areas for sidewalk cafes shall be clearly indicated and illustrated on the site plan and are subject to approval by the planning commission and township board.
- B. *Site plan review.* Site plan review and approval is required for all uses in the village shopping district in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the village shopping district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the village shopping district, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the village shopping district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements
Article 5.00	Landscaping, Screening, and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

- F. *Specific development standards.* In addition to the general development standards, the overall design of development within the village shopping district shall be subject to the provisions of section 6.05.

ARTICLE 16.00. C-2, COMMUNITY COMMERCIAL DISTRICT⁶

⁶Cross reference(s)—Businesses, ch. 18.

16.01. Statement of intent.

The intent of the community commercial district is to provide for a variety of commercial uses, including more intensive commercial uses not permitted in the C-1 district. The district is intended to permit commercial establishments that cater to the convenience and comparison shopping needs of neighboring residents. Because of the variety of business types permitted in the C-2 district, special attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in section 27.04. In accordance with the intent of this district, community commercial uses and sites should be:

- Designed as part of a planned shopping center or in coordination with development on adjoining commercial sites,
- Larger than in the C-1 district,
- Located away from sensitive residential areas, and
- Served by a major thoroughfare, as identified in the Wayne County thoroughfare plan.

16.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned C-2, community commercial district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or part, except for one or more of the following principal permitted uses:
1. Retail businesses which supply convenience goods such as: groceries, meats, dairy products, alcoholic beverages, baked goods or other foods, drugs, dry goods, notions, hardware, music, videocassette sales and rental, flowers, books and periodicals, sundry small household articles, and tobacco products.
 2. Retail or service establishments which offer comparison goods such as: carpet, furniture, hobby equipment, building material sales (including hardware, glass, paint, and lumber), household appliances, office supplies, sporting goods and firearms, apparel, jewelry and household decorating supplies.
 3. Establishments which perform services on the premises such as: beauty and barber shops; licensed massage establishments; watch, radio, television, clothing and shoe repair; locksmiths; photo processing outlets; photographic studios; and similar establishments.
 4. Veterinary offices and hospitals.
 5. Offices, showrooms, or workshop of a plumber, electrician, building contractor, upholsterer, caterer, exterminator, decorator or similar trade, subject to the following conditions:
 - All services performed on the premises, including fabrication, repair, cleaning or other processing of goods, shall be sold at retail on the premises where produced.
 - The ground floor premises facing upon and visible from any abutting street shall be used only for entrances, offices, sales, or display.
 - There shall be no outside storage of materials or goods of any kind.
 6. Laundry and dry cleaning customer outlets, coin-operated laundromats, self-serve dry cleaning establishments, and similar operations.
 7. a. Private service clubs, fraternal organizations, banquet halls, and meeting halls.
 - b. Religious institutions, subject to the provisions of section 6.02, subsection U.

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8. Standard restaurants, carryout restaurants, bars, and lounges.
 9. Child care centers, subject to the provisions in section 6.02, subsection E.
 10. Personal fitness centers, martial arts studios, dance schools, music and voice schools, and art studios.
 11. Ice cream parlors.
 12. Executive, administrative, and professional office buildings.
 13. Medical and dental clinics, offices or laboratories.
 14. Financial institutions, including banks, credit unions, and savings and loan associations.
 15. Planned shopping centers of less than 40,000 square feet of gross floor area, subject to all of the requirements set forth in section 6.06.
 16. Funeral homes, when adequate assembly area is provided off-street for vehicles to be used on funeral processions. A caretaker's residence may be provided within the main building of the funeral home, subject to the provisions in section 2.04.
 17. Adult day care centers, subject to the provisions of section 6.02, subsection B.
 18. Other uses similar to the above.
 19. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 20. Smoking lounge, per the requirements of chapter 18, Business Regulations.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Automobile wash establishments, subject to the provisions in section 6.02, subsection D.
 2. Garden centers, including plant material nurseries, subject to the provisions of section 6.02, subsection Q.
 3. Open air display and sales of nursery plants and materials, subject to the provisions in section 6.02, subsection Q only as accessory to the primary use of the site.
 4. Enclosed theaters, subject to the provisions in section 6.02, subsection O.
 5. Fast food and drive-through restaurants, subject to the following:
 - The site shall have a minimum of 125 feet of frontage.
 - The site shall have frontage upon a thoroughfare developed with at least two paved moving lanes in each direction.
 - The site shall be limited to one entrance/exit drive onto a public road. Coordinated access with adjoining sites or the use of secondary access drives in accordance with section 2.10 is encouraged.
 6. Municipal buildings and uses not requiring outside storage of materials or vehicles.
 7. Essential services, subject to the provisions in section 2.16, subsection A.
 8. a. Automobile filling stations (limited to redevelopment of existing stations), subject to the provisions in section 6.02, subsection C.

- b. Automobile service stations, subject to the provisions of section 6.02, subsection C.
- 9. Planned shopping centers equal to or greater than 40,000 square feet but less than 200,000 square feet of gross floor area, subject to all of the requirements set forth in section 6.02, subsection T and section 6.06.
- 10. a. Canine training facility with no outdoor runs.
 - b. Pet day care facility with no outdoor runs.
 - c. Indoor pet boarding facility.

(Ord. of 9-19-2002; Ord. of 1-23-2002; Ord. of 9-4-2003; Ord. of 5-25-2004; Ord. of 8-23-2005; Res. of 6-12-2008; Ord. of 2-10-2015, § 1; Ord. of 7-11-2017(1), § 1)

16.03. Development standards.

- A. *Required conditions.* Except as otherwise noted for specific uses, buildings and uses in the community commercial district shall comply with the following required conditions:
 - 1. All business establishments shall be retail or service establishments dealing directly with customers. All goods produced and services performed on the premises shall be sold at retail on the premises where produced.
 - 2. All business, servicing, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building.
 - 3. There shall be no outside storage of any goods, inventory, or equipment.
- B. *Site plan review.* Site plan review and approval is required for all uses in the community commercial district in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the community commercial district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the community commercial district, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the community commercial district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements
Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 17.00. C-3, REGIONAL COMMERCIAL DISTRICT⁷

17.01. Statement of intent.

The intent of the regional commercial district is to provide locations for development of businesses which cater primarily to the comparison shopping needs of residents of the whole township and surrounding communities. Businesses in the C-3 district typically provide goods or services that are needed on an intermittent basis. In addition, certain types of convenience-type commercial uses are permitted in combination with the predominant comparison uses in planned shopping center developments, where a combination of such uses is considered appropriate based on the desired economic function and quality and range of businesses in the C-3 district. Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with guidelines in section 27.04.

Regional commercial district uses typically generate large volumes of traffic, much of which is from outside the community. In accordance with the intent of this district, regional commercial uses and sites should be:

- Located away from sensitive residential areas,
- Served by a major thoroughfare as identified in the Wayne County thoroughfare plan which provides access to an interstate thoroughfare within close proximity.

17.02. Permitted uses and structures.

A. *Principal uses and structures.* In all areas zoned C-3, regional commercial district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or part, except for one or more of the following principal permitted uses:

1. All principal uses permitted in the C-2 district and planned shopping centers of less than 200,000 square feet of gross floor area. Planned shopping centers shall be subject to the requirements of section 6.06.
2. All principal uses permitted in the O-1, office district, as set forth in section 20.02, subsection A.
3. Offices, showrooms, or workshop of a plumber, electrician, building contractor, upholsterer, caterer, exterminator, decorator or similar trade, subject to the following conditions:
 - All services performed on the premises, including fabrication, repair, cleaning or other processing of goods, shall be sold at retail on the premises where produced.
 - The ground floor premises facing upon and visible from any abutting street shall be used only for entrances, offices, sales, or display.
 - There shall be no outside storage of materials or goods of any kind.
4. Standard restaurants, bars, and lounges.
5. a. Dancehalls, assembly halls, and similar places of assembly.

⁷Cross reference(s)—Businesses, ch. 18.

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- b. Religious institutions, subject to the provisions of section 6.02, subsection U.
 6. Financial institutions, including banks, credit unions, and savings and loan associations.
 7. Business schools and colleges, or vocational training centers, such as trade schools, dance schools, music and voice schools, and art studios.
 8. Hospitals, subject to the provisions in section 6.02, subsection L.
 9. Funeral homes, when adequate assembly area is provided off-street for vehicles to be used on funeral processions. A caretaker's residence may be provided within the main building of the funeral home, subject to the provisions in section 2.04.
 10. Private recreation uses, both indoor and outdoor, such as archery courts, bowling alleys, billiard halls, golf driving ranges, gymnasium or court sports facilities, miniature golf, tennis clubs, and similar recreation uses, subject to the provisions in section 6.02, subsection R, where appropriate.
 11. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 12. Smoking lounge, per the requirements of chapter 18, Business Regulations.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Planned shopping centers, which are characterized as regional in nature with more than 200,000 square feet of gross floor area, subject to the site plan review submission requirements, section 6.02, subsection T and section 6.06. Planned shopping centers may contain any principal or special land use permitted in the C-3 district and any principal use permitted in the C-2 district.
 2. Garden centers, subject to the provisions of section 6.02, subsection Q.
 3. Automobile wash establishments, subject to the provisions in section 6.02, subsection D.
 4. New and used automobile sales and rental, including customary and incidental uses, subject to the provisions in section 6.02, subsection Q.
 5. Home improvement centers, subject to the provisions in section 6.02, subsection Q.5 relative to display and sale of plant materials and/or outdoor storage for garden centers.
 6. Adult book or supply stores, adult motion picture theaters, adult live stage performing theaters, adult outdoor motion picture theaters, and group "A" cabarets, subject to the provisions in section 6.02, subsection A.
 7. Coin-operated amusement device establishments.
 8. Fast food restaurants, subject to the following:
 - The site shall have a minimum of 125 feet of frontage.
 - Coordinated access with adjoining sites or the use of secondary access drives in accordance with section 2.10 is required.
 - Accessory uses and facilities, including but not limited to interior or exterior playgrounds, shall be architecturally integrated with the primary structure and the height and bulk of said use or facility shall be dimensionally in proportion to the primary structure.
 9. Motels and motel courts, subject to the provisions in section 6.02, subsection N.

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10. Hotels.
 11. Theaters, subject to the provisions in section 6.02, subsection O.
 12. a. Canine training facility with no outdoor runs.
 - b. Pet day care facility with no outdoor runs.
 - c. Indoor pet boarding facility.
 13. a. Automobile filling stations (limited to redevelopment of existing stations or stations which are accessory to primary retail uses or individual tenants within a shopping center, having a gross floor area over 50,000 square feet), subject to the provisions in Section 6.02.C.
 - b. Automobile service stations, subject to the provisions in section 6.02, subsection C.
 14. Municipal buildings and uses not requiring outside storage of materials or vehicles.
 15. Essential services, subject to the provisions in section 2.16, subsection A.
 16. Warehouse retail outlet, subject to the provisions in section 6.02, subsection Y.
 17. Indoor hot tub rentals conducted on the site of the rental establishment.
 18. Superstores, subject to the provisions of section 6.02, [subsection] X1.
 19. Building material sales establishments having outdoor garden centers and/or outdoor storage or storage in open or partially open structures, subject to the provisions in section 6.02 Q.5 for garden centers and section 6.02 Q.7.

(Ord. of 9-19-2002; Ord. of 1-23-2003; Ord. of 9-4-2003; Ord. of 5-25-2004; Ord. of 8-23-2005; Res. of 6-12-2008; Amend. of 2-22-2011; Zoning Ord. Amd. 2011-2, 6-28-2011; Ord. of 2-10-2015, § 1; Ord. of 7-11-2017(1), § 1)

17.03. Development standards.

- A. *Required conditions.* Except as otherwise noted for specific uses, buildings and uses in the regional commercial district shall comply with the following required conditions:
 1. All business establishments shall be retail or service establishments dealing directly with customers. All goods produced and services performed on the premises shall be sold at retail on the premises where produced.
 2. All business, servicing, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building, unless otherwise specifically permitted.
 3. There shall be no outside storage of any goods, inventory, or equipment.
- B. *Site plan review.* Site plan review and approval is required for all uses in the regional commercial district in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the regional commercial district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the regional commercial district, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the regional commercial district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking and Loading
Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 18.00. C-4, INTERCHANGE SERVICE DISTRICT

18.01. Statement of intent.

The intent of the C-4, interchange service district is to provide the opportunity for development of regional business districts adjacent to the freeway interchanges. Types of businesses considered appropriate in this district include regional retail facilities, office buildings, and businesses that serve the needs of those who are traveling within or through the township. Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in section 27.04.

18.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned C-4, interchange service district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or part, except for one or more of the following principal permitted uses:
1. Executive, administrative, and professional offices, including multitenant office buildings, medical and dental clinics, offices or medical laboratories.
 2. Theaters, subject to the provisions in section 6.02, subsection O.
 3. Standard restaurants, bars and lounges.
 4. Motels and hotels subject to the provisions in section 6.02, subsection N.
 5. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 6. Smoking lounge, per the requirements of chapter 18, Business Regulations.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Planned shopping centers which are characterized as regional in nature with more than 200,000 square feet of gross floor area, subject to the provisions in section 6.02, subsection T and section 6.06. Planned shopping centers may contain any principal or special land use permitted in the C-3 district and any principal use permitted in the C-2 district, as set forth in section 16.02, subsection A.
 2. Fast food restaurants, subject to the following:
 - The use must be accessory to the primary use as permitted in this district.

- The restaurant must be physically attached (a minimum of one common wall) to the primary use of the site.

3. a. Automobile filling stations, subject to the provisions in section 6.02, subsection C.
 - b. Automobile service stations, subject to the provisions in section 6.02, subsection C.
 - c. Automobile filling/multiuse station, subject to the provisions in section 6.02, subsection C.
4. Essential services, subject to the provisions in section 2.16, subsection A.

(Ord. of 9-4-2003; Ord. of 7-27-2004; Ord. of 2-10-2015, § 1)

18.03. Development standards.

- A. *Required conditions.* Except as otherwise noted for specific uses, buildings and uses in the interchange service district shall comply with the following required conditions:
 1. All business establishments shall be retail or service establishments dealing directly with customers. All goods produced and services performed on the premises shall be sold at retail on the premises where produced.
 2. All business, servicing, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building.
 3. There shall be no outside storage of any goods, inventory, or equipment.
- B. *Site plan review.* Site plan review and approval is generally required for all uses in the interchange service district in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the interchange service district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the interchange service district, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the interchange service district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking and Loading
Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

**ARTICLE 19.00. MRD, MID-RISE DEVELOPMENT DISTRICT AND
HRD, HIGH-RISE DEVELOPMENT
DISTRICT**

19.01. Statement of intent.

The intent of the mid- and high-rise development districts is to provide the opportunity for planned, intensive mixed use development consisting of office, commercial, and residential uses. The regulations set forth in this article are intended to promote construction of high-quality, high-profile buildings; accordingly buildings less than three stories in height are not permitted. Buildings in the mid-rise district may be up to eight stories in height, and buildings in the high-rise district may be up to 20 stories in height.

The regulations set forth in this article are further intended to provide flexibility so as to: encourage efficient use of the land in accordance with its inherent character; encourage innovation in land use planning; provide enhanced housing, employment, and shopping opportunities; and, ensure compatibility of design and use. Planned development may be permitted as a means to achieve the basic intent of these districts, in accordance with the guidelines in section 27.04.

In keeping with the basic intent, mid- and high-rise development districts should be located where necessary public services and utilities are available, and where existing or proposed roadways are able to accommodate the traffic generated. Furthermore, because of the character and intensity of development permitted, high-rise development districts should be located only adjacent to the I-275 freeway corridor.

19.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned MRD, mid-rise development district or HRD high-rise development district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. All principal uses permitted in the C-2, community commercial district, as set forth in section 16.02, subsection A.
 2. All principal uses permitted in the O-1, office district, as set forth in section 20.02, subsection A.
 3. a. Assembly halls, display halls, convention centers, banquet halls, and similar places of assembly.
b. Religious institutions, subject to the provisions of section 6.02, subsection U.
 4. Theaters or nightclubs, subject to the provisions in section 6.04, subsection A.
 5. Research and design facilities having the character of an office, provided that no manufacturing takes place on the premises.
 6. Hospitals, subject to the provisions in section 6.02, subsection L.
 7. Essential services, subject to the provisions in section 2.16, subsection A.
 8. Housing for the elderly, subject to the provisions in section 6.03, subsection E.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Regional shopping centers, subject to the provisions in section 6.02, subsection T.
 2. Structures less than three stories in height.
 3. Multiple-family or efficiency dwelling units for rent or sale.

4. Hotels.

5. Motels and motel courts, subject to the provisions in section 6.02, subsection N.

(Ord. of 5-25-2004)

19.03. Development standards.

- A. *Required conditions.* All buildings and uses in the mid- and high-rise development districts shall comply with the site development standards set forth in section 6.04, subsection A, and with the following required conditions:
 - All permitted retail or service establishments shall deal directly with customers. All goods produced and services performed on the premises shall be sold at retail on the premises where produced.
 - All business, servicing, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building.
 - There shall be no outside storage of any goods, inventory, or equipment.
- B. *Site plan review.* Site plan review and approval is required for all uses in the mid- and high-rise development districts in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the mid- and high-rise development districts are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the mid- and high-rise development districts, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the mid- and high-rise development districts shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking and Loading
Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 20.00. O-1, OFFICE DISTRICT⁸

⁸Cross reference(s)—Businesses, ch. 18.

20.01. Statement of intent.

The intent of the O-1, office district is to accommodate various types of administrative and professional offices, as well as personal service businesses, which can serve as a transitional use between more intensive land uses (such as thoroughfares and commercial uses) and less intensive residential uses.

This district is intended to prohibit retail uses and other activities that typically generate large volumes of traffic, traffic congestion, parking problems, or other impacts that could negatively affect the use or enjoyment of adjoining property. Accordingly, modern low-rise office buildings in landscaped settings with ample off-street parking are considered most appropriate for this district. Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with guidelines in section 27.04.

(Ord. of 9-4-2003)

20.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned O-1, office district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. Office buildings for any of the following occupations: administrative services, accounting, clerical, drafting, education, executive, professional, research, sales agent, technical training, stenographic, or writing.
 2. Office buildings and uses, provided that goods are not manufactured, exchanged or sold on the premises.
 3. Medical and dental clinics, offices or laboratories, and licensed massage establishments.
 4. Financial institutions, including banks, credit unions, and savings and loan associations.
 5. Veterinary hospitals and clinics.
 6. Offices of a municipality or other public entity, including public utility buildings, provided there is no outside storage of materials or vehicles.
 7. Business schools and colleges, or vocational training centers, such as trade schools, dance schools, music and voice schools, and art studios.
 8. a. Assembly halls, concert halls, or similar places of public assembly.
b. Religious institutions, subject to the provisions of section 6.02, subsection U.
 9. Funeral homes, provided there is adequate assembly area for vehicles to be used in funeral processions. A caretaker's residence may be provided within the main building of the funeral home, subject to the provisions in section 2.04.
 10. Electronic data processing and computer centers.
 11. Photographic studios.
 12. Other uses similar to the above.
 13. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 14. Essential services, subject to the provisions in section 2.16, subsection A.

B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.

1. An accessory use customarily related to a principal use permitted by this section, including but not limited to: a pharmacy or apothecary shop, sales of corrective garments or home health care equipment, or optical services.
2. Personal service establishments, including barbershops and beauty salons.
3. Standard restaurant when located within an office building or as part of a multiple-building complex.
4. Private service clubs, fraternal organizations, and lodge halls.
5. Hospitals, subject to the provisions in section 6.02, subsection L.
6. Child care centers, subject to the provisions in section 6.02, subsection E.
7. Adult day care centers, subject to the provisions of section 6.02, subsection B.
8. Public, parochial and other private elementary, intermediate or high schools licensed by the State of Michigan to offer courses in general education.

(Ord. of 9-4-2003; Ord. of 5-25-2004)

20.03. Development standards.

- A. *Required conditions.* Unless otherwise noted for specific uses, buildings and uses in the office district shall comply with the following required conditions:
- All permitted retail or service establishments shall deal directly with customers. All goods produced and services performed on the premises shall be sold at retail on the premises where produced.
 - All business, servicing, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building.
 - There shall be no outside storage of any goods, inventory, or equipment.
- B. *Site plan review.* Site plan review and approval is required for all uses in the office district in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the office district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the office district, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the office district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking and Loading
Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards

Article 26.00	Schedule of Regulations
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ARTICLE 21.00. LI-R, LIGHT INDUSTRIAL RESEARCH DISTRICT⁹

21.01. Statement of intent.

The light industrial research district is designed to provide locations for a variety of applied technology, research and development, light industrial, and related office uses. This district is further established to recognize the growing convergence of office, industrial and research in terms of functions, location, appearance and activities. The uses permitted in this district and the application of required development standards will create compatible and orderly development of the area and will promote both safe and convenient vehicular and pedestrian traffic. All uses in the LI-R district shall be located within a research park development submitted as either a subdivision, site condominium, or other unified form of land development. A well planned environment is required through the coordinated application of development standards such as site access, signage, landscaping and other unifying elements.

It is intended that permitted activities or operations produce no external impacts that are detrimental in any way to other uses in the district or to properties in adjoining districts. Accordingly, applied technology, research, light industrial, and related office uses permitted in this district shall be fully contained within well-designed buildings on amply landscaped sites, with adequate off-street parking and loading areas, and with no outside storage.

Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with guidelines in section 27.04.

(Ord. of 5-25-2004; Ord. of 5-25-2010)

21.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned LI-R light industrial research district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. Research and design centers and testing laboratories.
 2. Light manufacturing, assembly, research, packaging, testing and repair of the following:
 - a. Life science products, including, but not limited to biotechnology/ biopharmaceutical/ biomedical products; pharmaceuticals; and medical instruments, appliances, and diagnostic equipment.
 - b. Material science products, including, but not limited to plastics/polymers, laser technology, and robotics.

⁹Editor's note(s)—An ordinance of May 25, 2010, amended the Code by repealing former art. 21.00, §§ 21.01 — 21.03, and renumbering former art. 21A.00 as 21.00. Former art. 21.00 pertained to LI-1, light industrial-1 districts, and derived from Ordinances of May 25, 2004; and August 23, 2005; and a resolution of June 12, 2008.

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- c. Information technology products, including but not limited to telecommunications and computer parts, equipment, and electronics.
 - d. Instrumentation products, including, but not limited to scientific instruments; measuring, controlling, testing, and metering equipment, and optical instruments.
 - e. Automotive parts and accessories.
3. Professional, executive and administrative offices.
 4. Computer programming, software development, and data processing centers.
 5. Business service establishments such as printing and photocopying services, mail and packaging services, and typing and secretarial services.
 6. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 7. Secondary retail and service uses, which are accessory to the principal permitted use. Such uses shall not be permitted in a separate building. Such secondary uses shall have at least one separate customer entrance or a service window in a lobby area.
 8. Essential services, subject to the provisions in section 2.16, subsection A.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Essential services, subject to the provisions in section 2.16, subsection A.
 2. Computer and business machine sales when conducted in conjunction with and accessory to a permitted principal use.
 3. Standard restaurants provided that at least one of the following conditions are met:
 - a. The restaurant shall be located at the intersection of a major thoroughfare and an internal road serving the light industrial research district.
 - b. A standard restaurant may be permitted as an accessory use to a permitted or special land use, provided that the restaurant and its required parking do not occupy more than 50 percent of the primary use of the site.
 4. Child care centers, subject to the provisions in section 6.02, subsection E, and provided that at least one of the following conditions are met:
 - a. The child care center shall be located at the intersection of a major thoroughfare and an internal road serving the light industrial research district.
 - b. A child care center may be permitted as an accessory use to a permitted or special land use, provided that the child care center and its required parking do not occupy more than 50 percent of the primary use of the site.
 5. Warehousing and materials distribution centers.
 6. Medical and dental clinics, hospitals, offices or laboratories.

(Ord. of 5-25-2004; Ord. of 8-23-2005; Res. of 5-31-2007; Ord. of 5-25-2010)

21.03. Development standards.

- A. *Required conditions.* Except as otherwise noted for specific uses, buildings and uses in the LI-R light industrial research district shall comply with the following required conditions:
1. All uses in the LI-R district shall be located within a light industrial research district development submitted as either a subdivision, site condominium or other unified form of land development. This provision is not intended to exclude the development of individual sites held by a single corporate entity, provided all regulations contained herein are met. All research park developments shall submit subdivision plats or site plans containing the following elements:
 - a. A street lighting plan providing for the illumination of internal access roads.
 - b. A comprehensive sign plan illustrating identification, directional, and traffic safety signs.
 - c. Proposed language to be included either in deed restrictions or condominium documents which specify minimum architectural standards for the development of individual lots within the subdivision or site condominium.
 2. Site area. All light industrial research district developments shall be located on a minimum site of ten acres. Individual sites of less than ten acres are permitted, but must be located in an area where at least ten acres are zoned LI-R.
 3. Compliance with performance standards. All manufacturing, compounding, assembling, processing, packaging, or other activity shall comply with the performance standards set forth in article 7.00.
 4. Characteristics of permitted activities.
 - a. The LI-R district is so structured as to permit the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semifinished products from previously prepared material. The processing of raw material for shipment in bulk form, to be used in an industrial operation at another location, is not permitted. Taking into consideration the performance standards set forth in article 7.00, activities such as stamping, casting, and multi-station machining shall not be permitted in the LI-R district.
 - b. All manufacturing, compounding, assembling, processing, packaging, or other industrial or business activity shall be conducted within a completely enclosed building.
 - c. Warehousing shall be permitted solely as an accessory use in the LI-R district when provided in conjunction with a permitted or special land use.
 5. Underground utilities. All telephone, electric, gas and cable television utilities shall be placed underground throughout a light industrial research development.
 6. Outdoor storage. There shall be no outside storage of any goods, inventory or equipment. The use of trailers for storage shall be strictly prohibited.
 7. Access. Except for individual parcels fronting on an existing county or state road, access to individual lots or sites within a light industrial research development shall be provided only from dedicated public roads or township approved private roads located within the research park development.
 8. Transition strip. Where an LI-R district abuts a residential district, the landscape buffer required by Section 5.03A-2 shall be established within a minimum fifty (50) foot transition strip.
 9. Loading area, and truck and trailer parking. Loading areas and truck and trailer parking shall be located in side or rear yards; however, areas shall be screened from view from any public road. Loading areas or truck and trailer parking shall be separated from and not interfere with parking and circulation

intended for general passenger vehicle traffic. The backing of trucks or other vehicles onto a public street shall be prohibited.

10. Mechanical and roof mounted equipment. All mechanical and roof mounted equipment shall be screened from view of any public road.
 11. Employee services. Employee services such as a cafeteria, snack bar or exercise gym may be permitted as an accessory use to a permitted or special land use in the LI-R, district provided such services are contained wholly within the principal structure and are offered to employees only.
- B. *Site plan review.* Site plan review and approval is required for all uses in the LI-R district in accordance with section 27.02.
- C. *Area, height, bulk, and placement requirements.* Buildings and uses in the LI-R district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- D. *Planned development.* Planned development may be permitted in the LI-R district, subject to the standards and approval requirements set forth in section 27.04.
- E. *General development standards.* Buildings and uses in the LI-R district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking and Loading
Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards
Article 7.00	Performance Standards
Article 26.00	Schedule of Regulations

(Ord. of 5-25-2004; Ord. of 5-25-2010)

ARTICLE 22.00. LI, LIGHT INDUSTRIAL DISTRICT¹⁰

22.01. Statement of intent.

The intent of the LI, light industrial district is to provide locations for planned industrial development, including planned industrial park subdivisions. It is intended that permitted activities or operations produce no external impacts that are detrimental in any way to other uses in the district or to surrounding agricultural, residential or commercial uses.

Light industrial, manufacturing, distribution and warehousing, research, and related office uses permitted in this district should be fully contained within well-designed buildings on amply-landscaped sites, with adequate off-street parking and loading areas, and proper screening around outside storage areas. Heavy industrial uses, such as

¹⁰Editor's note(s)—An ordinance of May 25, 2010 amended the Code by repealing former art. 22, §§ 22.01—22.03, and adding a new art. 22. Former art. 22 pertained to LI-2 light industrial 2 district, and derived from ordinances of September 19, 2002; September 4, 2003; and May 25, 2004; and a resolution of June 12, 2008.

those involving the processing of raw material for shipment in bulk form to be used at another location, shall not be permitted in this district.

Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in section 27.04.

(Ord. of 5-25-2010)

22.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned LI, light industrial district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. Light manufacturing, assembly, research, packaging, testing and repair of the following:
 - a. Life science products, including, but not limited to: bio-technology, biopharmaceutical, biomedical products, pharmaceuticals, medical instruments, appliances, and diagnostic equipment.
 - b. Material science products, including but not limited to: plastics, polymers; laser technology, and robotics.
 - c. Information technology products, including, but not limited to telecommunications, computer parts and equipment, and electronics.
 - d. Instrumentation products, including, but not limited to scientific instruments, measuring, controlling, testing, and metering equipment; and optical instruments.
 - e. Automotive parts and accessories.
 - f. Food products and beverage products, but not including rendering or refining of fats and oils.
 - g. Apparel including, but not limited to, clothing, jewelry, shoes and accessories.
 - h. Miscellaneous products made from wood, paper, ceramics, metal, glass, and stone.
 - i. Electrical components and products and electrical appliances.
 2. Research and design centers and testing laboratories.
 3. Film production studios, indoor sound stages, and related activities.
 4. Printing, lithography, blueprinting, and similar uses.
 5. Tool, die, gauge, metal polishing, and machine shops.
 6. Contractors establishments, such as the facilities of a building contractor, carpenter, roofing contractor, plumber, electrician, caterer, exterminator, decorator, or similar business or trade. Any outside storage is subject to the development standards in Section 22.03 below.
 7. Office buildings for any of the following occupations: administrative services, executive, professional, accounting, writing, clerical, stenographic, and drafting.
 8. Computer programming, software development and data processing and computer centers.
 9. Plastic injection molding.
 10. Warehousing and material distribution centers.

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11. Vocational training schools, such as trade schools and training centers, subject to the property fronting onto a primary County road.
 12. Secondary retail and service uses, which are accessory to the principal permitted use. Such uses shall not be permitted in a separate building. Such secondary uses shall have at least one separate customer entrance or a service window in a lobby area.
 13. Private indoor recreation uses such as bowling establishments, gymnasiums, ice skating rinks, tennis clubs, roller skating rinks, court sports facilities, and similar recreation' uses. Arcades shall be permitted only where accessory to other private indoor recreation uses.
 14. Dance, gymnastics, martial arts schools, and similar types of studios.
 15. Canine training facility and/or pet day care facility with no outdoor runs, or indoor pet boarding facility.
 16. Other uses similar to the above.
 17. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 18. Essential services, subject to the provisions in section 2.16, subsection A.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission, township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Financial institutions, including banks, credit unions, and savings and loan associations, subject to the property fronting onto a county primary road.
 2. Medical and dental clinics, offices, laboratories, subject to the property fronting onto a primary County road.
 3. Hospitals, subject to the provisions in Section 6.02, subsection L.
 4. Automobile service stations and automobile repair garages, subject to the provisions in section 6.02, subsection C.
 5. Motels and hotels, subject to the provisions in section 6.02, subsection N, subject to the property fronting onto a primary county road.
 6. Assembly halls, display halls, convention centers, banquet halls, and similar places of assembly, including assembly halls for industrial worker organizations.
 7. Religious institutions, subject to the provisions of section 6.02, subsection U.
 8. Private outdoor recreation uses, such as archery ranges, baseball, football or soccer fields, bicycle motocross (BMX) tracks, court sports facilities, golf driving ranges, swimming pools, and similar outdoor recreation uses, subject to the provisions in section 6.02, subsection R.
 9. Rental yards for the temporary storage of recreation vehicles, subject to the following conditions:
 - No vehicles, equipment shall be stored within 40 feet of a public right-of-way.
 - The area adjacent to the right-of-way shall be screened with a landscaped berm in accordance with section 5.02, subsection B.
 10. Building material sales, including establishments which sell hardware, glass, paint, and lumber, and which may require outdoor retail or wholesale display or sales area. Outdoor storage of materials and equipment shall comply with the development standards in section 22.03 below.

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11. Outdoor display and sales of garages, swimming pools, and similar structures or equipment, subject to the provisions in section 6.02, subsection Q.
 12. New and used automobile sales and rental including customary and incidental uses, subject to the provisions of section 6.02, subsection Q.
 13. Commercial kennels, subject to the provisions in section 6.02, subsection K.
 14. Standard restaurants, under either of the following conditions:
 - The restaurant shall be located at the intersection of two (2) major thoroughfares, the intersection of a major thoroughfare and a street serving an industrial area; or
 - A standard restaurant may be permitted as an accessory use to a private outdoor recreation use, provided that the restaurant and its required parking do not occupy more than 50 percent of the primary use of the site.
 15. Radio, television and cellular telephone towers, subject to provisions of section 6.02, subsection S.
 16. Wholesale facility for sale of unprocessed agricultural products by fanners and producers in a central marketing facility.
 17. Mini-warehouses, subject to the provisions in section 6.02, subsection M.
 18. Airport-related businesses, subject to the requirements in Section 6.02, subsection B1.

(Ord. of 5-25-2010; Ord. of 7-11-2017(1), § 1; Ord. of 7-9-2019, § 1)

22.03. Development standards.

- A. *Required conditions.* Except as otherwise noted for specific uses, buildings and uses in the light industrial district shall comply with the following required conditions:
1. Light manufacturing, assembly, research, packaging, testing and repair or other industrial or business activity shall comply with the performance standards set forth in Article 7.00.
 2. Light manufacturing, assembly, research, packaging, testing and repair or other industrial or business activity shall be conducted within a completely enclosed building.
 3. Outdoor storage of materials, supplies, and/or finished or semi-finished products may be permitted, subject to the following conditions:
 - Such storage shall be screened with fencing in accordance with Section 5.08. Where visible from any public or private road, the screen and access gates shall be opaque and be composed of a material compatible with the design and materials of the primary building.
 - No materials shall be stored above the height of the screening.
 - Proper access to all parts of the storage areas shall be provided for fire and emergency services.
 - Any materials, supplies, or products must be located behind the front building line and meet all side and rear setback requirements of the district.
 - In no case shall any materials, supplies and/or products be stored on properly fronting onto I-275.
 - Vehicles may be stored in conjunction with special land use approval for new and used automobile sales, subject to the provisions of section 6.02, subsection Q.
 - Use of trailers and/or shipping containers for storage is prohibited.

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- 4. Parking - proposed uses within multiple-tenant industrial buildings shall demonstrate that there is adequate parking to support the use.
 - 5. For the purposes of determining landscaping and architectural design requirements, the yard adjacent to the freeway shall be consider the front yard for sites adjacent to I-275.
 - 6. Truck and trailer parking shall be screened from exposure to I-275 in accordance with the requirements for evergreen screening set forth in section 5.02, subsection D.
- B. *Site plan review.* Site plan review and approval is required for all uses in the Light Industrial district in accordance with section 27.02.
 - C. *Area, height, bulk, and placement requirements.* Buildings and uses in the light industrial district are subject to the area, height, bulk, and placement requirements in article 26.00, schedule of regulations.
 - D. *Planned development.* Planned development may be permitted in the light industrial district, subject to the standards and approval requirements set forth in section 27.04.
 - E. *General development standards.* Buildings and uses in the light industrial district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking and Loading
Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards
Article 7.00	Performance Standards
Article 26.00	Schedule of Regulations

(Ord. of 5-25-2010)

ARTICLE 23.00. GI, GENERAL INDUSTRIAL DISTRICT¹¹

23.01. Statement of intent.

The intent of the GI, general industrial district is to provide locations for "heavy" industries, such as those which involve the use of heavy machinery, extensive amounts of contiguous land area, service by railroad lines or major thoroughfares, processing of chemicals or raw materials, manufacturing involving the assembly of quantities of parts from several locations, generation of large amounts of industrial wastes, or similar characteristics.

It is expected that permitted activities or operations will produce minimal external impacts. Such uses should be located only where the impact generated will not be detrimental in any way to other uses in the district or to properties in adjoining districts. It is intended that industrial uses permitted in this district should be located where they can be best served with required public and private facilities, utilities, and services.

Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in section 27.04.

¹¹Cross reference(s)—Businesses, ch. 18.

23.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned GI, general industrial district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:
1. All principal uses permitted in the LI-2, light industrial-2 district, as set forth in section 22.02, subsection A.
 2. The assembly or manufacture of automobiles, automobile bodies, and automotive parts and accessories; cigars and cigarettes; electrical fixtures, batteries and other electrical apparatus and hardware; cement, lime gypsum, plaster of Paris, and similar materials; and general assembly operations similar to the above.
 3. Processing, refining, or storage of food and foodstuffs.
 4. Machine shops; metal buffing, plating and polishing shops; metal and plastic molding and extrusion shops; millwork and planing mills; painting and sheetmetal shops; undercoating and rustproofing shops; and welding shops.
 5. Truck, tractor, boat, mobile home, recreational vehicle, and trailer sales, rental and repair, subject to the provisions in section 6.02, subsection Q.
 6. Truck terminals.
 7. Heating and electric power generating stations.
 8. Petroleum production, refining, and storage.
 9. Central batch plant for the production of concrete or asphalt paving materials.
 10. Manufacturing of cement products and construction materials.
 11. Uses and structures accessory to the above, subject to the provisions in section 2.03.
 12. Essential services, subject to the provisions in section 2.16, subsection A.
 13. Auto auction.
 14. Miniwarehouses, subject to the provisions in section 6.02, subsection M.
 15. Lumberyards, subject to the following conditions:
 - The ground floor premises facing upon and visible from any abutting street shall be used only for entrances, offices, sales or display.
 - The entire site, exclusive of access drives, shall be enclosed with a six-foot-high masonry wall, constructed in accordance with section 5.08.
 - A landscaped greenbelt with a minimum width of 20 feet shall be required adjacent to any street, in conformance with section 5.03.
- B. *Special land uses.* The following uses may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.
1. Drive-in theaters, subject to the provisions in section 6.02, subsection H.
 2. Junkyards, subject to the provisions in section 6.02, subsection J.

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3. Composting or conversion of sewage or sludge into usable or saleable products, subject to the provisions in section 6.02, subsection G.
 4. Sewage disposal plants and landfills, subject to the provisions in section 6.02, subsection W, and the Township of Canton landfill ordinance, Ordinance No. 61 [chapter 58, article V of the Township Code], as amended.
 5. Coal, coke, and fuel yards, subject to the provisions in section 6.02, subsection F.
 6. Adult outdoor motion picture theaters, subject to the provisions in section 6.02, subsections A and H.
 7. Private outdoor recreation uses, such as archery ranges, baseball, football or soccer fields, bicycle motorcross (BMX) tracks, court sports facilities, golf driving ranges, swimming pools, and similar outdoor recreation uses, subject to the provisions in section 6.02, subsection R.
 8. Standard restaurants, under either of the following conditions:
 - The restaurant shall be located at the intersection of two major thoroughfares or the intersection of a major thoroughfare and a street serving an industrial area, or
 - A standard restaurant may be permitted as an accessory use to a private outdoor recreation use, provided that the restaurant and its required parking do not occupy more than 50 percent of the primary use of the site.
 9. Wholesale auto auction facility. See section 6.02[, subsection] Z.
 10. Composting of grass lawn clippings, tree leaves, properly processed wood products and other organic residential yard waste.
 11. Small aircraft landing fields.
 12. Radio, television and cellular telephone towers, subject to the provisions of section 6.02, subsection S.
 13. Commercial kennels, subject to the provisions in section 6.02, subsection K.

(Zoning Ord. Amd. 2011-2, 6-28-2011; Ord. of 4-9-2013, § 1)

23.03. Development standards.

- A. *Required conditions.* Except as otherwise noted for specific uses, buildings and uses in the general industrial district shall comply with the following required conditions:
- All manufacturing, compounding, assembling, processing, packaging, or other industrial or business activity shall comply with the performance standards set forth in article 7.00.
 - All manufacturing, compounding, assembling, processing, packaging, or other industrial or business activity shall be conducted within a completely enclosed building, except as otherwise specified.
 - Outside storage may be permitted, subject to the following conditions:
 - * Outside storage areas for building, contracting, or plumbing materials, sand, gravel, stone, lumber, equipment, and other supplies, shall be located no closer than 150 feet from any street right-of-way line. Storage areas shall conform to all other setback requirements for buildings in the GI district.
 - * Such storage shall be screened on all sides which abut any residential or commercial district by a wall or fence constructed in accordance with section 5.08.
 - * No materials shall be stored above eight feet in height.

- * Proper access to all parts of the storage areas shall be provided for fire and emergency services.
- B. *Site plan review.* Site plan review and approval is required for all uses in the general industrial district in accordance with section 27.02.
 - C. *Area, height, bulk, and placement requirements.* Buildings and uses in the general industrial district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
 - D. *Planned development.* Planned development may be permitted in the general industrial district, subject to the standards and approval requirements set forth in section 27.04.
 - E. *General development standards.* Buildings and uses in the general industrial district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking and Loading
Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards
Article 7.00	Performance Standards
Article 26.00	Schedule of Regulations

ARTICLE 24.00. OFF-STREET PARKING DISTRICT¹²

24.01. Statement of intent.

The intent of the OSP, off-street parking district is to provide areas to be used solely for off-street parking as an incidental use to an abutting commercial, office or industrial use. More specifically, the OSP district is intended to accommodate the parking needs of businesses which may have developed without adequate parking, or which have the need for additional parking due to business growth, or which have inadequate parking because of shallow lot depth.

The OSP district is intended particularly to alleviate parking need along Ford Road, between Sheldon and Liffey Roads, and along Michigan Avenue. Permitted off-street parking areas shall be carefully designed and amply screened to alleviate the potential impact on adjacent residential uses.

Planned development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in section 27.04.

24.02. Permitted uses and structures.

- A. *Principal uses and structures.* In all areas zoned OSP, off-street parking district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:

¹²Cross reference(s)—Traffic and vehicles, ch. 70.

1. Off-street parking, subject to the following conditions:
 - Permitted off-street parking shall be constructed and maintained in accordance with the provisions in article 4.00.
 - Off-street parking in the OSP district shall be accessory to, and for use in connection with, one or more principal business, office, or industrial uses.
 - The off-street parking area shall abut an MR or nonresidential district. There may be a private driveway or public alley between the off-street parking and the abutting MR or nonresidential district.
 - Off-street parking areas shall be used solely for parking of passenger vehicles for periods of less than one day.
 - The minimum parcel size for off-street parking in the OSP district shall be 2,000 square feet.
 - Notwithstanding the landscaping requirements in article 5.00, off-street parking in the OSP district shall not be screened from the business it is intended to serve.

24.03. Development standards.

- A. *Required conditions.*
 1. *Side and rear yard screening.* A six-foot-high masonry wall shall be located along any side or rear yard of an OSP district which abuts a residentially zoned district, in accordance with section 5.08.
 2. *Front yard requirements.* Where an OSP district is contiguous to a residentially zoned district which has common frontage on the same road, the minimum front yard setback shall be equal to the required front yard setback for the residential district or 25 feet, whichever is greater. A landscaped berm shall be required to screen the parking from view of the road, in accordance with section 5.03.
- B. *Site plan review.* Site plan review and approval is required for all uses in the off-street parking district in accordance with section 27.02.
- C. *Planned development.* Planned development may be permitted in the off-street parking district, subject to the standards and approval requirements set forth in section 27.04.
- D. *General development standards.* Buildings and uses in the off-street parking district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking and Loading
Article 5.00	Landscaping, Screening and Walls
Article 26.00	Schedule of Regulations

ARTICLE 25.00. WETLANDS CONSERVATION DISTRICT

25.01. Statement of intent.

Pursuant to section 52 of article 4 of the Constitution of the State of Michigan and the Township Rural Zoning Act, Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended, the regulations in this district are intended to conserve, protect and enhance the natural resources, natural amenities, natural habitats of wildlife, watershed and reservoir areas, agricultural capabilities, and public recreation areas, in the interest of the health, safety, and general welfare of the residents and property owners of the township and the people of the State of Michigan.

More specifically, the intent of the wetlands conservation district is to:

- Support, encourage, and provide for the conservation of the township's natural resources, and
- Establish guidelines under which natural resource areas may be developed without causing substantial, immeasurable, permanent, or irreparable injury or damage to the natural resources, the inhabitants, or the land.

Furthermore, it is the intent of the wetlands conservation district to accomplish the following objectives:

1. Protect soils capable of providing necessary infiltration for the maintenance of aquifer stability.
2. Prevent damage caused by erosion, scarification, sedimentation, turbidity, or siltation.
3. Protect against the loss of wildlife, fish, or other aquatic organisms, as well as the destruction of habitat for these species.
4. Prevent conditions which increase the susceptibility of floods and pollution.

25.02. Designation criteria.

An area may be designated as a wetlands conservation district if it contains at least ten contiguous acres (not necessarily under single ownership) and is in compliance with one or more of the following criteria:

1. At least 50 percent of the area shall have been inundated by water either permanently or periodically within any continuous ten-year period.
2. The district shall contain areas designated as bogs, marshes, swamps, or muck lands on the most recent United States Geological Survey Map or United States Soil Conservation Service Map.
3. The district shall have surface or subsurface soil characteristics which either contribute to the replenishment of the subsurface water supply, or are self-contained water resources relating directly to wildlife, fish, or other aquatic organisms, vegetation, or to the natural habitat of such species.

25.03. Permitted uses and structures.

A. *Principal uses and structures.* In all areas zoned WC, wetlands conservation district, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:

1. Forestry.
2. Wildlife sanctuaries, woodland preserves, or arboretums.
3. Hunting, fishing, and the preservation of scenic, historic, or scientifically significant lands.
4. Uses and structures accessory to the above, subject to the provisions in section 2.03.

- B. *Special land uses.* The uses listed below may be permitted by the township board, subject to the conditions specified for each use; review and approval of the site plan and application by the planning commission and township board; the imposition of special conditions which, in the opinion of the planning commission or township board, are necessary to fulfill the purposes of this ordinance; and, the provisions set forth in section 27.03.

In addition, the applicant shall be required to submit all necessary data to permit the township board to thoroughly consider the following issues prior to approval of a special land use application:

- The township board shall consider the size and characteristics of the wetlands area with respect to the intent and objectives of this article.
- The township board shall consider the extent to which the proposed use or development could affect or destroy the character of the wetland area, particularly as it relates to the intent and objectives of this article.
- The township board shall consider the possible short- and long-term dangers, shortcomings, and nuisance conditions which could be generated by the proposed use or development.

Subject to the above, the following special land uses may be permitted in this district:

1. Single-family dwellings.
2. Compatible agricultural activities, including the raising or growing of crops such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds.
3. Raising or growing of plants, trees, shrubs, and nursery stock.
4. Use of land as pasture or for grazing of livestock.
5. Outdoor recreation uses, including play and sporting areas; field trails for nature study and hiking; horseback riding; swimming; boating; trapping; and, hunting and fishing where legally permitted and regulated, subject to the provisions in section 6.02, subsection R.
6. Buildings used solely in conjunction with raising waterfowl, minnows, and similar lowland animals, fowl, or fish, subject to the requirements set forth for the R-1, single-family residential zoning district concerning lot size, building height, and yard setbacks.
7. Essential services, subject to the provisions in section 2.16, subsection A.

25.04. Development standards.

- A. *Site plan review.* Site plan review and approval is required for all uses in the wetlands conservation district in accordance with section 27.02.
- B. *Area, height, bulk, and placement requirements.* Buildings and uses in the wetlands conservation district are subject to the area, height, bulk, and placement requirements in article 26.00, Schedule of Regulations.
- C. *Planned development.* Planned development may be permitted in the wetlands conservation district, subject to the standards and approval requirements set forth in section 27.04.
- D. *General development standards.* Buildings and uses in the wetlands conservation district shall be subject to all applicable standards and requirements set forth in this ordinance, as specified below and more generally in section 8.06.

Article	Topic
Article 2.00	General Provisions
Article 4.00	Off-Street Parking Requirements

Article 5.00	Landscaping, Screening and Walls
Article 6.00	Site Development Standards
Article 26.00	Schedule of Regulations

ARTICLE 26.00. SCHEDULE OF REGULATIONS

26.01. Intent and scope of requirements.

The purpose of this article is to establish regulations governing lot size, required yards, setbacks, building height, and development density for each zoning district. No building shall be erected, nor shall an existing building be altered, enlarged, or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations established for the district in which the building or use is located. A portion of a lot used to comply with the regulations in this article with respect to one building or use shall not be simultaneously used with respect to another building or use to comply with the regulations.

26.02. Requirements for agricultural and residential districts.

All buildings, uses, and parcels of land located in the RA, RR, RE, R-1, R-2, R-3, R-4, R-5, R-6, MR, and RMH zoning districts shall comply with the regulations set forth in the following schedule of regulations and footnotes.

SCHEDULE OF REGULATIONS AGRICULTURAL AND RESIDENTIAL DISTRICTS

Zoning District	Minimum Lot Area per Dwelling Unit(l)		Maximum Building Height(l)		Minimum Yard Setbacks (feet)				Building Separation	Minimum Floor Area (square feet)	
	Area(a)	Width(b) (feet)	Stories	Feet	Front	Rear	Least	Total		With Basement	No Basement
RA rural agricultural	40 ac.	600	3	35(f)	50	50	25	50		1,800	2,000
RR rural residential	5 ac.	250	3	35(f)	50	50	25	50		1,800	2,000
RE residential estate	2 ac.	250	3	35(f)	50	50	25	50		1,800	2,000
R-1 SF lot/site	1 acre	150	3	35	40	50	20	40	N/A	1800 sf	2000 sf
Detached condo	N/A	N/A	3	35	30	40	20	N/A	25 ft	1800 sf	2000 sf
R-2 SF lot/site	20,000 sf	100	3	35	40	50	15	35	N/A	1600 sf	1800 sf
Detached condo	N/A	N/A	3	35	30	40	15	N/A	20 ft	1600 sf	1800 sf
2-unit condo	N/A	N/A	3	35	30	40	15	N/A	20 ft	1600 sf	1800 sf
R-3 SF lot/site	12,750 sf	85	2	25	30	40	10	20	N/A	1400 sf	1600 sf
Detached condo	N/A	N/A	2	25	25	35	10	N/A	15 ft	1400 sf	1600 sf
2-unit condo	N/A	N/A	2	25	25	35	10	N/A	15 ft	1400 sf	1600 sf
R-4/R-5 SF lot/site	8,400 sf	70	2	25	25	35	5	15	N/A	1300 sf	1500 sf
Detached condo	N/A	N/A	2	25	20	35	10	N/A	10 ft	1300 sf	1500 sf

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(Supp. No. 56, Update 1)

2-unit condo	N/A	N/A	2	25	20	35	10	N/A	10 ft	1300 sf	1500 sf
R-6 single-family attached residential	(c)	(c)	2	25	50	60	60	120		(l)	(l)
MR multiple-family residential	(c)	(c)	2	25	50	60	60	120		(l)	(l)
RMH mobile home park district	5,500 sf(d)	45(d)	2	25	20(k)	10(k)	(k)	20(k)		720	720

Footnotes to schedule of regulations—Agricultural and residential districts:

- a. *Lot area.* "Gross lot area," as defined in section 1.03, shall be used to determine compliance with lot area requirements in the RA, RR and RE districts. "Net lot area" shall be used to determine compliance with lot area requirements in all other residential districts.
- b. *Lot dimensions and proportions.* The minimum lot depth in residential districts is 120 feet. Lot depths in the RA, RR and RE districts shall be no greater than four times the lot width. Lot depths in the R-1 and R-2 districts shall be no greater than three times the lot width. Lot depths in all other residential districts shall not be greater than 2½ times the lot width.
- c. *Minimum lot area in R-6 and MR districts.* Minimum land area required for each dwelling unit in the R-6 and MR districts shall be as follows:

Dwelling Unit Size	Land Area (square feet)	
	Multiple Dwellings	Townhouses and Duplexes
0—2 bedrooms	4,500	5,400
3-bedroom unit	5,800	6,800
4- or more bedroom unit	7,600	7,600

For the purposes of determining land area requirements, the following additional rooms shall be counted as a "bedroom": den, family room, library, or study.

- d. *Minimum lot area in the RMH district.* The minimum lot area for each unit in a mobile home park shall be 5,500 square feet. However, the total area of any lot may be reduced to 4,500 square feet by reducing the lot width to the permitted minimum, provided that the average lot area for the mobile home park as a whole is 5,500 square feet. For each square foot of land gained through reduction of a lot below 5,500 square feet, at least an equal amount of land shall be dedicated as open space for the collective use and enjoyment of the mobile home park residents.
- e. *Exceptions to height standards.* The height standards shall not apply to certain structures listed in section 2.16, subsection C, provided that in no structure in a residential district exceeds 45 feet in

height. The planning commission may, however, specify a height limit less than 45 feet for any structure that requires approval as a special land use. However, the setback requirements of any building which exceeds the height standard for the district in which it is located shall be increased by one foot for each two feet by which the structure exceeds the height standard in section 2.16(C).

- f. *Exceptions to height standards for agricultural uses.* The maximum height of accessory farm buildings in RA, RR and RE districts may exceed the limits specified in the schedule of regulations, subject to the standards in section 2.03, subsection D.
- g. *Setback on side yards facing a street.* On corner lots there shall be maintained a front yard along each street frontage.
- h. *Side yard setback in single-family districts.* At least one side yard must be at least ten feet in width.
- i. *Front setback in single-family districts.* Where the front yard for more than 60 percent of the dwellings on one side of the street in any one block is less than required in a single-family district (R-1 through R-5), the minimum front yard for any subsequent building constructed on the block shall be the average of the front yards for all existing buildings.
- j. Repealed.
- k. *Setbacks in the RMH district.* See section 6.03, subsection C.
- l. *Minimum floorspace in the R-6 and MR districts.*

Number of Bedrooms Required	Floor Area (square feet)
0—1	650
2	900
3	1,150
4	1,250
Each additional	100

- m. *Side yard setbacks in the R-2 and R-3 district.* Side yard setback requirements in the R-2 and R-3 district may be modified to permit the construction of a single-family home with attached garages utilizing a side facing, or courted entrances. To utilize these modified yard requirements the following conditions must be met: (1) the minimum width of all lots/units within the development must be 85 feet, and (2) the subdivision covenants and restrictions (or in the case of a condominium project, the master deed) must clearly reference these modified setbacks, specifically prohibit the construction of homes with garage doors that face the public street upon which the lot fronts, and prohibit garage doors that face the rear line of any lot.

In the case of a home with a side facing or courted garage, a minimum side yard setback of five feet shall be maintained; and provided further: (1) that in each such instance the combined side yards on such lot shall total at least 30 feet; (2) the five-foot side yard shall not abut a five-foot side yard or [on] any adjacent lot; (3) the minimum distance between dwellings with attached garages facing the rear side lot line on adjacent lots shall not be less than 30 feet; and, (4) the minimum distance between dwellings on adjacent lots shall not be less than 20 feet.

- n. 2-unit condominiums. This schedule only applies to 2-unit attached condominiums approved as a special land use in the single-family districts.

(Ord. of 12-20-2007)

26.03. Requirements for commercial and office districts.

All buildings, uses, and parcels of land located in the C-1, C-2, C-3, C-4 and O-1 zoning districts shall comply with the regulations set forth in the following schedule of regulations and footnotes.

SCHEDULE OF REGULATIONS
COMMERCIAL AND OFFICE DISTRICTS

Zoning Districts	Maximum Building Height ^a		Minimum Yard Setback (feet)		
	Stories	Feet	Front	Side	Rear
C-1 village shopping district	2	25	60 ^c	15	30
C-2 community commercial	3	35	85 ^c	15 ^d	30
C-3 regional commercial	3	35	85	15 ^d	30
C-4 interchange commercial	3	35	85	15 ^d	30
O-1 office	2	30	35	15	30

Footnotes to schedule of regulations—Commercial and office districts:

- a. *Exceptions to height standards.* The height standards shall not apply to certain structures listed in section 2.16, subsection C.
- b. *Setback on side yards facing a street.* On corner lots there shall be maintained a front yard along each street frontage.
- c. *Front setback in the C-1 and C-2 districts.* When a C-1 or C-2 district is composed of a single isolated parcel surrounded by zoning districts other than C-1 or C-2, the front building setback may be reduced to a minimum of 30 feet, provided that:
 - 1. The entire development shall be constructed at one time rather than in phases, and
 - 2. The setback area shall be retained as landscaped open space, unpaved, unoccupied and unobstructed from the ground up except for landscaping, permitted ground signs, sidewalks, or driveways.
- d. In the C-2, C-3, and C-4 zoning districts, the internal side setback between common lot or parcel boundaries may be eliminated for parcel(s) encompassed by a proposed planned shopping center if the site plan meets the following criteria:
 - 1. The shopping center is designed as an integrated development with shared parking and internal connecting driveways; and
 - 2. The shopping center has recorded private operating easement agreements and/or reciprocal easement agreements with all adjacent nonresidential parcels (as deemed necessary by the township) to facilitate flow of traffic between sites under different ownership; and,
 - 3. The shopping center developer shall construct any physical connection within the access easements to the point of connection to any existing development. In the case where a future connection is required to be made to any vacant nonresidential property, the developer shall construct the required access to the property line of the vacant parcel.

- e. *Setbacks adjacent to residential districts.* When any commercial or office zoned development not located within an overlay district is proposed adjacent to land zoned for residential use, the minimum building setback shall be 60 feet. A landscaped buffer meeting the requirements of section 5.03 A.2. must be constructed in the 30-foot area closest to the residential property line. Parking and driveways may be located in the remaining 30-foot setback area.

(Ord. of 9-19-2002; Ord. of 12-20-2007)

26.04. Requirements for industrial districts.

All buildings, uses, and parcels of land located in the LI and GI zoning districts shall comply with the regulations set forth in the following schedule of regulations and footnotes.

SCHEDULE OF REGULATIONS
INDUSTRIAL DISTRICTS

Zoning Districts	Maximum Building Height ^a		Minimum Yards Setback ^e				Minimum Lot Width ^g (feet)
	Stories	Feet	Front	Least Side	Total Sides	Rear	
LI light industrial	4	50	40 ^{c, f}	15 ^d	40 ^d	20 ^d	60 ^g
GI general industrial		45	50 ^{c, f}	30 ^d	60 ^d	30 ^d	60 ^g

Footnotes to schedule of regulations—Industrial districts:

- a. *Exceptions to height standards.* The height standards shall not apply to certain structures listed in section 2.16, subsection C.
- b. *Setback on side yard facing a street.* On corner lots there shall be maintained a front yard along each street frontage.
- c. *Use of front setback.* Off-street parking shall not be permitted in the front yard of industrial developments located on roads which have a right-of-way width of 100 feet or more. Loading areas shall not be located within the required front yard of any industrial use. Off-street parking may be permitted in the front yard of industrial developments located on roads which have a right-of-way width of less than 100 feet, provided that the berm and landscaping requirements in section 5.03, subsection A, are complied with.
- d. *Setbacks adjacent to agricultural or residential districts.* A minimum setback of 40 feet shall be required where the adjacent land is zoned for agricultural or residential use, except where a public street or railroad right-of-way provides a separation. This required setback shall be landscaped in accordance with section 5.02, subsection B. No buildings, loading or unloading area, driveways, storage areas, or off-street parking shall be permitted in this setback area.
- e. *Setbacks adjacent to railroads.* Required setbacks may be reduced adjacent to a railroad right-of-way, subject to review and approval of the site plan.
- f. *Front yard setback in industrial parks.* In platted industrial park subdivisions that are designed so that lots face each other on both sides of an internal road the minimum front yard setback shall be 25 feet.

In industrial park subdivisions developed prior to the adoption of this ordinance, the setback requirements set forth in the schedule of regulations shall apply. The required front yard shall be landscaped in accordance with section 5.03, subsection A, and shall not contain off-street parking.

- g. *Minimum lot width.* The minimum lot width shall be 35 feet where access is provided via an approved private road.

(Ord. of 5-25-2010)

26.04a. Requirements for light industrial research districts.

All buildings, uses, and parcels of land located in the LI-R zoning district shall comply with the regulations set forth in the following schedule of regulations and footnotes.

SCHEDULE OF REGULATIONS
RESEARCH PARK DISTRICT

Zoning District	Maximum Building Height		Minimum Yards Setback (feet)				Minimum Lot Width (feet)	Minimum Lot Area (feet)
	Stories	Feet	Front	Least Side	Total Sides	Rear		
LI-R research district	4	50	50	25	50	50	100	1.0

Footnotes to schedule of regulations—Research park district:

- a. *Exceptions to height standards.* The height standards shall not apply to certain structures listed in section 2.16, subsection C.
- b. *Setback on side yard facing a street.* On corner lots, there shall be maintained a front yard along each street frontage.
- c. *Use of front setback.* Off-street parking shall not be permitted in the required front yard. Loading areas shall be located in accordance with the requirements set forth in section 21a.03(A.9).
- d. *Setbacks adjacent to residential districts.* A minimum setback of 100 feet shall be required where the adjacent land is zoned for agricultural or residential use, except where a public street or railroad right-of-way provides a separation. Located within the 100-foot setback shall be a 50-foot transition strip landscaped in accordance with section 5.03.A.2. No buildings, loading or unloading area, driveways, storage areas, or off-street parking shall be permitted in this setback area.
- e. *Setbacks adjacent to railroads.* Required setbacks may be reduced adjacent to a railroad right-of-way, subject to review and approval of the site plan.

26.05. Requirements for mixed use and special purpose districts.

All buildings, uses, and parcels of land located in the MRD, HRD, OSP, and WC zoning districts shall comply with the regulations set forth in the following schedule of regulations and footnotes.

SCHEDULE OF REGULATIONS
MIXED USE AND SPECIAL PURPOSE DISTRICTS

Zoning District	Per Dwelling Unit		Maximum Building Height ^a		Minimum Yards Setback			Minimum Lot	
	Area	Width	Stories	Feet	Front	Side ^c	Rear	Feet	Unit
MRD mid-rise development	—	—	8; ^{sup}	100; ^{sup}	85 ^d	85 ^d	85 ^d	60	e
HRD high-rise development	—	—	20; ^{sup}	250; ^{sup}	85 ^d	85 ^d	85 ^d	60	e
OSP off-street parking	2,000 sq. ft.	—	—	—	See article 24.00			60	—
WC wetlands conservation	5 ac.	150	2	35	40	20	50	60	1,200 sq. ft.

Footnotes to schedule of regulations—Mixed use and special purpose districts:

- a. *Exceptions to height standards.* The height standards shall not apply to certain structures listed in section 2.16, subsection C.
- b. *Minimum height in MRD and HRD districts.* Buildings in the MRD and HRD districts shall be no less than three stories or 36 feet in height.
- c. *Setback on side yards facing a street.* On corner lots there shall be maintained a front yard along each street frontage.
- d. *Setback adjacent to residential districts.* A minimum setback of 100 feet shall be provided from all conforming residential structures in the R-1 through R-6 and MR districts. In addition, the distance from residential structures shall be increased by one foot for every foot by which the proposed building exceeds 100 feet in height.
- e. *Minimum floorspace, bedrooms, and baths in MRD and HRD districts.*

Number of Bedrooms	Required Floor Area (square feet)	Required Number of Baths
0	415	1
1	540	1
2	800	1
3	1,050	1.5
4	1,150	2
Each additional	100	

26.06. Permitted exterior building wall materials.

These regulations are established to promote the consistent, orderly development of the community and to enhance the character of the township's visual environment. The requirements of this section are not intended to regulate structural quality, workmanship or the various performance and maintenance characteristics of the various materials listed in the following schedule.

All exterior wall materials installed in the township shall comply with the schedule regulating exterior building wall facade materials. For purposes of this schedule the zoning districts shall be grouped in the following categories:

Category	Zoning Districts Included
Residential	RA, RR, R-1—R-6, MR, RMH, WC
Commercial or office	C-1, C-2, C-3, C-4, MRD, HRD, O-1
Industrial	RP, LI-1, LI-2, GI

SCHEDULE REGULATING EXTERIOR BUILDING WALLS

	Maximum Permitted Percent of Material											
	Residential ^{d, e, f, g, h}				Commercial or Office ^{g, h, i}				Industrial ^{g, h, i}			
	100	75	50	25	100	75	50	25	100	75	50	25
MASONRY/STONE ^{g, h, i} :												
Face (clay) brick	X ^{g, h}				X ^{g, h}				X ^{g, h}			
Glazed brick	X				X				X			
Ceramic tile			X			X				X		
Split ribbed block (fluted block) ^h						X				X		
Shadow patterned or Split face block ^h					X ⁱ				X ⁱ			
Granite		X			X				X			
Marble		X			X				X			
Limestone		X			X				X			
CONCRETE:												
Precast (patterned)				X			X				X	
Formed in place				X			X				X	
METALS:												
Flat sheets ^c				X ^c			X ^c				X ^c	
Standing seamed								X			X	
Ribbed panels								X			X	
VINYL:												
Vinyl siding				X ^c			X ^c				X ^c	
GLASS:												
Tinted				X		X ^b				X ^b		
Reflective				X		X ^b				X ^b		
Glass block				X		X				X		
WOOD:												
Wood siding (inclusive of beveled, lap, T&G batten, etc., not including T-111 siding)	X ^h		X				X					X
FINISHES:												
Cementitious (textured or patterned)				X				X				X
Stucco				X				X				X
Cement plaster				X				X				X

Footnotes to schedule regulating exterior building walls:

- a. All exposed exterior surfaces of a building, inclusive of window and door surfaces, shall be included in the calculation to determine the total exposed building wall facade area. That total area shall represent 100 percent of the exterior building wall facade.
- b. If variation in color and pattern of the material is used in order to articulate the building's facade, up to 100 percent of this material may be used.
- c. Includes all common types of aluminum siding and all other aluminum, porcelain, stainless steel, steel or other metal siding.
- d. Chimneys located on exterior walls of a residential structure shall be treated with face brick or stone on 100 percent of all exposed surfaces.
- e. On the side of the structure where the garage door is located the exterior wall surface above the garage door shall be treated with the same material as the remainder of the wall adjacent to the door.
- f. The rear elevation of all residential structures shall provide at least one horizontal offset of at least four feet to provide for three-dimensionality to the facade. The rear roofline configuration shall also provide similar vertical offsets.
- g. There shall be a minimum of 50 percent face brick on all residential, commercial and office structures. The office portion of an industrial/warehouse building shall be constructed of high quality masonry materials which shall include a minimum of 75 percent face brick, jumbo brick and/or structural brick units. An exception to the minimum brick requirement may be granted for structures which meet the criteria specified in footnote h.
- h. Where the developer is proposing homes which reproduce specific historical periods in order to create a theme (e.g., traditional New England Colonials or Saltbox, Victorian, Queen Ann, Early American Bungalow or Farmhouse styles), the township may vary the standards in this schedule in order to create a unique and creative design theme.

For commercial, office and industrial buildings and/or developments, the Canton Township Planning Commission may approve modifications to these standards to achieve a specific architectural objective as demonstrated by the project sponsor in meeting the overall development objectives of the community.
- i. Scored block shall not be construed to be included in the category of shadow pattern or split face block. Scored block may be used for architectural accents only and shall not exceed ten percent of the exposed exterior surfaces of a building.

ARTICLE 27.00. GENERAL PROCEDURES AND RELATED STANDARDS

27.01. Purpose.

The purpose of this article is to set forth procedures and standards concerning the following zoning functions:

- Site plan review.
- Special land use review.
- Planned development.

Variations and appeals.
Amendments.
Permits and certificates.
Fees.
Violations and penalties.
Records.

27.02. Site plan review.

- A. *Intent.* The site plan review procedures and standards in this section are intended to provide a consistent and uniform method of review of proposed development plans, to ensure full compliance with the standards contained in this ordinance and other applicable local ordinances and state and federal laws, to achieve efficient use of the land, to protect natural resources, and to prevent adverse impact on adjoining or nearby properties. It is the intent of these provisions to encourage cooperation and consultation between the township and the applicant to facilitate development in accordance with the township's land use objectives.
- B. *Applicability.*
1. *Site plan required.* Submission of a site plan shall be required in conjunction with any of the following:
 - Any use or development for which submission of a site plan is required by provisions of this ordinance.
 - Any proposal to construct, move, relocate, convert, or structurally alter a building; change or add a use; expand or decrease off-street parking; or fill, excavate, or grade land.
 - All nonresidential uses permitted in single-family districts such as, but not limited to, churches, schools, and public facilities.
 - Any change in use that could affect compliance with the standards set forth in this ordinance.
 - Any special land use, in accordance with section 27.03.
 2. *Site plan not required.* Submission of a site plan shall not be required for any proposal to construct, move, relocate, convert, or structurally alter a single-family detached house in an RA, RR, or R-1 through R-5 district, or a two-family dwelling in the R-5 district. However, submission of a plot plan in accordance with the adopted building code shall be required for these uses.
- C. *Procedures and requirements.* Site plans shall be submitted in accordance with the following procedures and requirements:
1. *Applicant.* The application shall be submitted by the owner of an interest in land for which site plan approval is sought, or by the owner's designated agent. The applicant or a designated representative shall be present at all scheduled review meetings or consideration of the plan may be tabled due to lack of representation.
 2. *Application forms and documentation.* The application for site plan review shall be made on the forms and according to the guidelines provided by the planning official.
 3. *Site plan preparation.* The site plan shall be prepared in the manner specified in this section and on the site plan application form. A site plan which does not meet the stipulated requirements shall be considered incomplete and shall therefore not be subject to formal review. At any time during the course of preparation of a site plan, the township staff shall upon request provide information concerning the zoning ordinance procedures and standards.

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4. *Submission of completed site plan.* The application materials, required fees, and sufficient copies of the completed site plan (as specified on the application form) shall be submitted to the office of the planning official for review by the township's development review committee. Additionally, wherever sites are proposed for development or redevelopment within the downtown development district of the Charter Township of Canton, the planning official shall submit the site plans to the downtown development authority (DDA) for review and comment prior to review by the planning commission. The DDA has no authority to approve site plans.
 5. *Review by development review committee.* The development review committee shall review the site plan and application materials, and prepare a written review within two weeks after the development review committee meeting. The written review shall specify any deficiencies in the site plan and make recommendations as appropriate.
 6. *Site plan revision and submission of revised plan.* The applicant shall revise the site plan, based on the requirements and recommendations set forth in the written review. The applicant shall then submit sufficient copies of the revised plan (as specified on the application form) for further review. If planning commission review is required, the site plan and application materials shall be submitted as least 18 calendar days prior to the planning commission meeting at which review is desired. In addition, the applicant shall prepare a colored rendering and a materials sample board of the revised site plan and have it available for presentation at the planning commission meeting.
 7. *Planning commission consideration.* If the revised site plan is in compliance with the recommended revisions, it shall be placed on the agenda of the planning commission for review, except where planning commission review is not required as outlined in section 27.02, subsection D. The planning commission shall review the site plan in relation to applicable standards and regulations, and in relation to the intent and purpose of this ordinance. The commission shall consider the comments and recommendations from the planning official, building official, township engineer, public safety official, and other reviewing agencies.

If the planning commission determines that revisions are necessary to bring the site plan into compliance with applicable standards and regulations, the applicant shall be given the opportunity to submit a second revised site plan. Following submission of a second revised plan, the site plan shall be reviewed by the development review committee. If the plan is in compliance with required revisions, the plan shall be placed on the agenda of the next scheduled meeting of the planning commission for further review and possible action.

8. *Planning commission determination.* The planning commission shall make a determination based on the requirements and standards in this ordinance. Except as specified in subsection C.9 concerning site plans in the office district, the planning commission is authorized to make a recommendation to the township board to grant approval, grant approval subject to conditions, or reject a site plan, as follows:
 - *Approval.* Upon determination that a site plan is in compliance with the standards and requirements of this ordinance and other applicable ordinances and laws, the planning commission shall recommend approval.
 - *Approval subject to conditions.* Upon determination that a site plan is in compliance except for minor modifications, the conditions for approval shall be identified and the applicant shall be given the opportunity to correct the site plan. The conditions may include the need to obtain variances or obtain approvals from other agencies.

The applicant may re-submit the site plan to the planning commission for final review after conditions have been met. The planning commission may waive its right to review the revised plan, and instead authorize the planning official to review and recommend approval of the re-submitted plan if all required conditions have been addressed.

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- *Rejection.* Upon determination that a site plan does not comply with the standards and regulations set forth in this ordinance, or requires extensive revision in order to comply with said standards and regulations, the planning commission shall recommend that site plan approval be denied.
9. *Planning commission authority concerning office district site plans.* The planning commission has final approval authority over site plans involving development in the office (O-1) district. Therefore, the planning commission is authorized to grant approval, grant approval subject to conditions, or reject an office district site plan, subject to the guidelines described previously in subsection C.8. The planning commission may, at its option, defer approval to the township board.
 10. *Township board action required.* Township board review and approval shall be required under the following circumstances:
 - All site plans in all zoning districts involving special land uses or variances.
 - All development for which site plan review is required in residential districts, including RA, RR, R-1 through R-6, MR, and RMH districts.
 - Site plans involving development in commercial districts (C-1 through C-4, MRD, and HRD districts).
 - Site plans involving development in industrial districts (LI-1, LI-2, RP and GI districts), except where such plans are reviewed and approved by the township planning official in accordance with section 27.02, subsection D.
 - Site plans involving development in the office (O-1) district, except where such plans are reviewed and approved by the planning commission and the commission determines that further review by the township board is not necessary.
 - If not automatically transmitted to the township board under the circumstances cited above, the applicant may request township board review of a site plan. Such a request shall be made in writing, and shall be transmitted to the township planning official.
 11. *Submission of plans for township board review.* After the planning commission makes a recommendation on the site plan, the applicant shall make any required modifications and submit sufficient copies of the revised site plan (as specified on the application form) for township board review. The site plan and supporting materials shall be submitted at least 11 calendar days prior to a scheduled meeting at which township board review is desired.
 12. *Township board determination.* The township board shall make a determination based on the requirements and standards in this ordinance, taking into consideration the comments and recommendations of the planning commission, township administrative officials, and other reviewing agencies. The township board is authorized to grant approval, grant approval subject to conditions, or reject a site plan in accordance with the guidelines described previously in subsection C.8.
 13. *Recording of site plan review action.* Each action taken with reference to a site plan review shall be duly recorded in the minutes of the planning commission or township board, as appropriate. The grounds for action taken upon each site plan shall also be recorded in the minutes.
 14. *Application for building permit.* Prior to issuance of a building permit, the applicant shall submit proof of the following:
 - Final approval of the site plan.
 - Final approval of the engineering plans.
 - Acquisition of all other applicable township, county, or state permits.

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15. *Expiration of site plan.* If construction has not commenced within 18 months of final approval of the site plan, the site plan approval becomes null and void and a new application for site plan review shall be required.
 16. *Revocation of site plan approval.* Approval of a site plan may be revoked by the township board if construction is not in conformance with the approved plans. In such a case, the planning official shall place the site plan on the agenda of the township board for consideration, and give written notice to the applicant at least ten days prior to the meeting. The applicant shall be given the opportunity to present information to the township board and answer questions. The township board may revoke the approval of the site plan if it finds that a violation exists and has not been remedied prior to the hearing.

D. *Administrative review.*

1. *Applicability.* Administrative review, in accordance with the procedures outlined in this section, shall be required instead of planning commission and/or township board review for site plans which involve the following:

- *Industrial development.* Development in industrial districts (LI-1, LI-2, RP and GI districts) may be reviewed and approved by the planning official in lieu of approval by the township planning commission and township board, provided that such plans do not involve special land uses, variances, or discretionary decisions. The planning official may require review of industrial site plans by the township planning commission and township board if, because of the nature of the use or the scale of development, substantial impact on surrounding land use or the township as a whole could occur.
- *Minor modifications.* Proposals involving minor modifications may be reviewed and approved by the building official. Minor modifications include proposed alterations to a building or site that do not substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, the demand for public services, or the vulnerability to hazards. Examples of minor modifications include:
 - * An addition to an existing building that does not increase or decrease the floorspace by more than 25 percent or 3,000 square feet, whichever is less.
 - * Re-occupancy of a vacant building that has been unoccupied for less than 12 months.
 - * Changes to building height that do not add an additional floor.
 - * Additions or alterations to the landscape plan or landscape materials.
 - * Relocation or screening of the trash receptacle.
 - * Alterations to the internal parking layout of an off-street lot.

The building official shall determine if the proposed modifications are minor in accordance with these guidelines. If the modifications are not deemed minor by the building official, then review and approval by the planning commission shall be required. Planning commission review shall be required for all site plans that involve a request for a variance, a special land use, a proposal that involves a discretionary decision, or a proposal that involves a nonconforming use or structure.

2. *Application requirements and procedures.* The application requirements and procedures for administrative review of site plans shall be the same as for normal site plan review, as outlined in this section, except that the planning official is authorized to grant approval, grant approval subject to conditions, or reject a site plan in accordance with the guidelines in this section.

- E. *Revisions to approved plans.* A site plan approved in accordance with the provisions in this section may be subsequently modified, subject to the following requirements:

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1. *Developer instigated revisions.* Revisions to an approved plan that are instigated by the developer and other revisions which are not considered minor in nature, based on criteria cited in this section, shall be reviewed by the planning commission in accordance with the site plan review procedures set forth in section 27.02, subsection C.
 2. *Minor revisions.* Minor revisions to an approved site plan may be reviewed by the township building official or planning official. Minor revisions are changes that do not substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, the demand for public services, or the vulnerability to hazards, and may include the following:
 - Revisions made necessary by unusual conditions on a site uncovered during the course of construction.
 - Revisions made necessary by agencies or professionals (such as by county agencies) who are required to review site plans after they have received approval by the township.
 - Revisions made apparent prior to or during construction that would improve the function or appearance of the site.
 3. *Review of minor revisions.* The review of minor revisions shall follow the procedures for administrative review in section 27.02, subsection D.
- F. *Application data requirements.* The following information shall be included with all site plan submittals:
1. *Application form.* The application form shall contain the following information:
 - Applicant's name and address.
 - Name and address of property owner, if different from applicant.
 - Common description of property and complete legal description.
 - Dimensions of land and total acreage.
 - Existing zoning.
 - Proposed use of land and name of proposed development, if applicable.
 - Proposed buildings to be constructed, including square feet of gross floor area.
 - Proof of property ownership.
 - Project value.
 - Employment opportunities created, if applicable.
 2. *Site plan descriptive and identification data.* Site plans shall consist of an overall plan for the entire development, drawn to a scale of not less than one inch equals 50 feet for property less than three acres, and one inch equals 100 feet for property three acres or more in size. Sheet size shall be at least 24 inches by 36 inches. The following descriptive and identification information shall be included on all site plans:
 - Applicant's name, address, and telephone number.
 - Title block indicating the name of the development.
 - Scale.
 - North point.
 - Dates of submission and revisions (month, day, year).
 - Location map drawn to scale with north point.

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- Legal and common description of property.
 - The dimensions of all lots and property lines, showing the relationship of the site to abutting properties. If the site is a part of a larger parcel, the plan should indicate the boundaries of total land holding.
 - Identification and seal of architect, engineer, land surveyor, or landscape architect who prepared plan.
 - Written description of proposed land use.
 - Zoning classification of petitioner's parcel and all abutting parcels.
 - Proximity to section corner and major thoroughfares.
 - Notation of any variances which have or must be secured.
 - Net acreage (minus rights-of-way) and total acreage, to the nearest one-tenth acre.

3. *Site data.*

- Existing lot lines, building lines, structures, parking areas, and other improvements on the site and within 100 feet of the site.
- Front, side, and rear setback dimensions.
- Topography on the site and within 100 feet of the site at two-foot contour intervals, referenced to a USGS benchmark.
- Proposed site plan features, including buildings, roadway widths and names, and parking areas.
- Dimensions and centerlines of existing and proposed roads and road rights-of-way.
- Acceleration, deceleration, and passing lanes, where required.
- Proposed location of driveway entrances and on-site driveways.
- Typical cross section of proposed roads and driveways.
- Location of existing drainage courses, floodplains, lakes and streams, with elevations.
- Location of existing and proposed interior sidewalks and sidewalks in the right-of-way.
- Exterior lighting locations and method of shielding lights from shining off the site.
- Trash receptacle locations and method of screening, if applicable.
- Transformer pad location and method of screening, if applicable.
- Parking spaces, typical dimensions of spaces, indication of total number of spaces, drives, and method of surfacing.
- Information needed to calculate required parking in accordance with zoning ordinance standards.
- The location of lawns and landscaped areas, including required landscaped greenbelts.
- Landscape plan, prepared and sealed by a registered landscape architect, including location and type of shrubs, trees, and other live plant material.
- Location, sizes, and types of existing trees six inches or greater in diameter, measured at 4½ feet above grade, before and after proposed development.
- Cross section of proposed berms.

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- Location and description of all easements for public rights-of-way, utilities, access, shared access, and drainage.
 - Designation of fire lanes.
 - Loading/unloading area.
 - The location of any outdoor storage of materials and the manner by which it will be screened.
4. *Building and structure details.*
- Location, height, and outside dimensions of all proposed buildings or structures.
 - Indication of the number of stories and number of commercial or office units contained in the building.
 - Building floor plans.
 - Total floor area.
 - Location, size, height, and lighting of all proposed signs.
 - Proposed fences and walls, including typical cross section and height above the ground on both sides.
 - Building facade elevations, drawn to a scale of one inch equals four feet, or another scale approved by the planning official and adequate to determine compliance with the requirements of this ordinance. Elevations of proposed buildings shall indicate type of building materials, roof design, projections, canopies, awnings and overhangs, screen walls and accessory buildings, and any outdoor or roof-located mechanical equipment, such as air conditioning units, heating units, and transformers. Calculations to indicate the amount of exterior materials used for the building wall with the materials identified to indicate compliance with the requirements of [section] 26.06.
5. *Master sign plan prepared in conjunction with the requirement of section 6A.22*
6. *Information concerning utilities, drainage, and related issues.*
- Schematic layout of existing and proposed sanitary sewers and septic systems; water mains, well sites, and water service leads; hydrants that would be used by public safety personnel to service the site; storm sewers and drainage facilities, including the location of retention/detention facilities; and, the location of gas, electric, and telephone lines.
 - Indication of site grading and drainage patterns.
 - Types of soils and location of floodplains and wetlands, if applicable.
 - Soil erosion and sedimentation control measures.
 - Proposed finish grades on the site, including the finish grades of all buildings, driveways, walkways, and parking lots.
 - Assessment of potential impacts from the use, processing, or movement of hazardous materials or chemicals, if applicable.
7. *Information applicable to multiple-family residential development.*
- The number and location of each type of residential unit (one-bedroom units, two-bedroom units, etc.).
 - Density calculations by type of residential unit (dwelling units per acre).

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- Lot coverage calculations.
 - Floor plans of typical buildings with square feet of floor area.
 - Garage and carport locations and details, if proposed.
 - Pedestrian circulation system.
 - Location and names of roads and internal drives.
 - Community building location, dimensions, floor plans, and facade elevations, if applicable.
 - Swimming pool fencing detail, including height and type of fence, if applicable.
 - Location and size of recreation open areas.
 - Indications of type of recreation facilities proposed for recreation area.
 - Colored rendering of typical building.
8. *Information applicable to mobile home parks.*
- Location and number of pads for mobile homes.
 - Distance between mobile homes.
 - Proposed placement of mobile home on each lot.
 - Average and range of size of mobile home lots.
 - Density calculations (dwelling units per acre).
 - Lot coverage calculations.
 - Garage and carport locations and details, if proposed.
 - Pedestrian circulation system.
 - Location and names of roads and internal drives.
 - Community building location, dimensions, floor plans, and facade elevations, if applicable.
 - Swimming pool fencing detail, including height and type of fence, if applicable.
 - Location and size of recreation open areas.
 - Indications of type of recreation facilities proposed for recreation area.
9. *Information applicable to commercial and industrial development.*
- Type of commercial or industrial use being proposed.
 - Indications of the estimated number of employees.
 - Colored rendering of the building.
10. *Nonapplicable items.* If any of the items listed are not applicable to a particular site, the site plan shall provide a list of each item considered not applicable, and the reason(s) why each listed item is not considered applicable.
11. *Other required data.* Other data may be required if deemed necessary by administrative officials, planning commission, or township board to determine compliance with the provisions in this ordinance. Such information may include traffic studies, market analysis, environmental assessments, and evaluation of the demand on public facilities and services.

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- G. *Standards for site plan approval.* The following criteria shall be used as a basis upon which site plans will be reviewed and approved:
1. *Adequacy of information.* The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.
 2. *Site design characteristics.* All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, 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 by this ordinance.
 3. *Appearance.* Landscaping, earth berms, fencing, signs, walls, and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future developments.
 4. *Compliance with district requirements.* The site plan shall comply with the district requirements for minimum floorspace, height of building, lot size, open space, density and all other requirements set forth in the schedule of regulations (article 26.00), unless otherwise provided in this ordinance.
 5. *Preservation of natural areas.* The landscape shall be preserved in its natural state as much as possible, by minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling, and grading.
 6. *Privacy.* The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and the safety and privacy of occupants and users.
 7. *Emergency vehicle access.* All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.
 8. *Ingress and egress.* Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways.
 9. *Pedestrian circulation.* The site plan shall provide a pedestrian circulations system which is insulated as completely as is reasonably possible from the vehicular circulation system.
 10. *Vehicular and pedestrian circulation layout.* The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry. In order to insure public safety and promote efficient traffic flow and turning movements, the applicant may be required to limit street access points or construct a secondary access road.
 11. *Drainage.* Appropriate measures shall be taken to insure that the removal of surface waters will not adversely affect adjoining properties or the capacity of the public or natural storm drainage system. Provisions shall be made for a feasible storm drainage system, the construction of stormwater facilities, and the prevention of erosion. Surface water on all paved areas shall be collected at intervals so that it will not obstruct vehicular or pedestrian traffic and will not create nuisance ponding in paved areas. Final grades may be required to conform to existing and future grades of adjacent properties. Grading and drainage plans shall be subject to review by the township engineer.
 12. *Soil erosion and sedimentation.* The proposed development shall include measures to prevent soil erosion and sedimentation.
 13. *Exterior lighting.* Exterior lighting shall be designed so that it is deflected away from adjoining properties and so that it does not impede vision of drivers along adjacent streets.

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14. *Public services.* Adequate services and utilities, including water, sanitary sewer, and stormwater control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development.
 15. *Screening.* Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height.
 16. *Vulnerability to hazards.* The level of vulnerability to injury or loss from incidents involving hazardous materials or processes shall not exceed the capability of the township to respond to such hazardous incidents so as to prevent injury and loss of life and property. In making such an evaluation, the township shall consider the location, type, characteristics, quantities, and use of hazardous materials or processes in relation to the personnel, training, equipment and materials, and emergency response plans and capabilities of the township.

Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, or nearby water bodies.
 17. *Health and safety concerns.* Any use in any zoning district shall comply with applicable federal, state, county, and local health and pollution laws and regulations with respect to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic radiation; radioactive materials; and, toxic and hazardous materials.
 18. *Sequence of development.* All development phases shall be designed in logical sequence to insure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.
 19. *Coordination with adjacent sites.* All site features, including circulation, parking, building orientation, landscaping, lighting, utilities, common facilities, and open space shall be coordinated with adjacent properties.
 20. *Barrier-free access.* All development shall comply with applicable federal, state, and local laws and regulations regarding barrier-free access.
 21. *Lighting.* Site lighting shall be provided in accordance with provisions of section 2.13.

State law reference(s)—Site plans, MCL 125.286e.

27.03. Special land use review procedures and standards.

- A. *Intent.* The procedures and standards in this section are intended to provide a consistent and uniform method for review of proposed plans for special land uses. Special land uses are uses, either public or private, which possess unique characteristics and therefore cannot be properly classified as a permitted use in a particular zoning district (see definitions, section 1.03). The review procedures and standards are intended to ensure full compliance with the standards contained in this ordinance and other applicable local ordinances, and state and federal laws, to achieve efficient use of the land, to protect natural resources, and to prevent adverse impact on adjoining or nearby properties. It is the intent of these provisions to encourage cooperation and consultation between the township and the applicant to facilitate development in accordance with the township's land use objectives.
- B. *Procedures and requirements.* The following procedures and requirements shall be complied with in the review of special land use proposals:
 1. *Applicant.* The application shall be submitted by the owner of an interest in land for which special land use approval is sought, or by the owner's designated agent. The applicant or a designated

representative shall be present at all scheduled review meetings or consideration of the proposal may be tabled due to lack of representation.

2. *Application forms and documentation.* The application for special land use review shall be made on the forms and according to the guidelines provided by the planning official.
3. *Application data requirements.* For all special land uses, a preliminary site plan shall be required in accordance with section 27.03[, subsection] B.4. In addition, the applicant shall complete any forms and supply any other data as may be required by the planning commission, township board, or planning official to make the determination required, including a written statement documenting compliance with the standards set forth in section 27.03, subsection C. Data requirements and regulatory guidelines for certain special land uses are set forth in article 6.00, Site Development Standards Applicable to Specific Uses.
4. *Preliminary site plan preparation.* The preliminary site plan shall be prepared in the manner specified in this section and on the special land use application form. A preliminary site plan which does not meet the stipulated requirements shall be considered incomplete and shall therefore not be subject to formal review. At any time during the course of preparation of a preliminary site plan, the township staff shall upon request provide information concerning the zoning ordinance procedures and standards.

A preliminary site plan shall include the following information:

- a. The description, location, size and shape of the property involved.
 - b. The shape, size and location of existing and proposed buildings, parking areas and service drives, and loading zones within 300 feet of the subject property; and the location of existing and proposed public streets serving the property; and indication of all natural features including topography and soils.
 - c. The location of all existing and proposed water and sewage treatment systems serving the property.
 - d. Any other information deemed necessary to properly illustrate the development concept to the planning commission.
5. *Submission of a preliminary plan.* The application materials, required fees, and sufficient copies of the completed preliminary site plan (as specified on the application form) shall be submitted to the office of the planning official for review by the township's development review committee.
 6. *Review by the development review committee.* The development review committee shall review the preliminary site plan and special land use application materials, and prepare a written review with two weeks after the development review committee meeting. The written review shall specify any deficiencies in the preliminary site plan and make recommendations as appropriate.
 7. *Submission of revised preliminary plan and special land use application.* The applicant shall revise the preliminary site plan, based on the requirements and recommendations set forth in the written review. The applicant shall then submit sufficient copies of the revised preliminary plan (as specified on the application form) for further review, and a public hearing shall be scheduled in accordance with the guidelines set forth below. The revised site plan and application materials shall be submitted at least 35 calendar days prior to a scheduled meeting at which planning commission review is desired. In addition, the applicant shall prepare a colored rendering of the revised preliminary site plan for presentation at the planning commission meeting.
 8. *Public hearing.* Upon receipt of the complete preliminary plan and application for a special land use, a public hearing shall be scheduled. Notice of the public hearing shall be published in a newspaper which circulates in the township, and sent by mail or personal delivery to the owners of property for which

approval is being considered, to all person to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet not less than 15 days before the application will be considered for approval. Such notification shall be made in accordance with the provisions of section 103 of the Michigan Zoning Enabling Act (P.A. 110 of 2006), as amended. Accordingly, the notice shall:

- Describe the nature of the special land use request.
- Indicate the property which is the subject of the special land use request.
- State when and where the special land use request will be considered.
- Indicate when and where written comments will be received concerning the request.

9. *Planning commission consideration.* Following the public hearing, the special land use proposal and preliminary site plan shall be reviewed by the planning commission in relation to applicable standards and regulations, and in relation to the intent and purpose of this ordinance. The commission shall consider the comments and recommendations from the planning official, building official, township engineer, public safety official, and other reviewing agencies.

If the planning commission determines that revisions are necessary to bring the special land use proposal into compliance with applicable standards and regulations, the applicant shall be given the opportunity to submit a revised preliminary site plan. Following submission of a revised preliminary plan, the special land use proposal and preliminary site plan shall be reviewed by the development review committee. If the preliminary site plan is in compliance with required revisions, the preliminary plan shall be placed on the agenda of the next scheduled meeting of the planning commission for further review and possible action.

10. *Planning commission determination.* The planning commission shall review the application for a special land use proposal, together with the public hearing findings and reports and recommendations from the building official, planning official, township engineer, public safety official, and other reviewing agencies. The planning commission shall then make a recommendation to the township board, based solely on the requirements and standards of this ordinance. The planning commission may recommend approval, approval with conditions, or denial as follows:

- *Approval.* Upon determination that a special land use proposal is in compliance with the standards and requirements of this ordinance and other applicable ordinances and laws, the planning commission shall recommend approval.
- *Approval with conditions.* Upon determination that a special land use proposal is in compliance except for minor revisions, the revision shall be identified and the applicant shall be given the opportunity to correct the site plan. The conditions may include the need to obtain variances or obtain approvals from other agencies.

The applicant may re-submit the proposal to the planning commission for further consideration after said revisions have been completed, or the planning commission may recommend the preliminary plan to the township board with conditions.

- *Denial of approval.* Upon determination that a special land use proposal does not comply with standards and regulations set forth in this ordinance, or requires extensive revision in order to comply with said standards and regulations, the planning commission shall recommend denial.

11. *Submission of preliminary plans for township board review.* After the planning commission makes a recommendation on the special land use proposal and preliminary plan, the applicant shall make any required revisions and submit sufficient copies of the revised preliminary plan (as specified on the application form) for township board review. The preliminary site plan and supporting materials shall

be submitted at least 11 calendar days prior to a scheduled meeting at which township board review is desired.

12. *Township board determination.* The township board shall make its determination based on the requirements and standards of this ordinance, taking into consideration the public hearing findings and reports and recommendations from the building official, planning official, township engineer, public safety official, and other reviewing agencies. The township board may hold additional hearings if the board considers it necessary. The township board is authorized to approve, approve with conditions, or deny a special land use proposal as follows:

- *Approval.* Upon determination that a special land use proposal is in compliance with the standards and requirements of this ordinance and other applicable ordinances and laws, approval shall be granted.
- *Approval with conditions.* The township board may impose reasonable conditions with the approval of a special land use. The conditions may include provisions necessary to insure that public services and facilities affected by a proposed special land use or activity will be capable of accommodating increased service and facility loads generated by the new development, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:
 - a. Conditions shall be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - b. Conditions shall be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
 - c. Conditions shall be necessary to meet the intent and purpose of the zoning ordinance, related to the standards established in the ordinance for the land use or activity under consideration, and necessary to insure compliance with those standards.
- *Denial.* Upon determination by the township board that a special land use proposal does not comply with the standards and regulations set forth in this ordinance, or otherwise will be injurious to the public health, safety, welfare, and/or orderly development of the township, a special land use proposal shall be denied.

13. *Recording of planning commission and township board action.* Each action taken with reference to a special land use proposal shall be duly recorded in the minutes of the planning commission or township board, as appropriate. The minutes shall record the findings of fact relative to each special land use proposal, the grounds for action taken, and any conditions imposed in conjunction with approval. All records of proceedings shall be kept on file and made available to the public.

14. *Final site plan review and application for building permit.* Following approval of a special land use and preliminary site plan, the applicant shall submit a site plan prepared, processed and reviewed in accordance with section 27.02 (site plan review). The planning commission shall not review a final site plan prior to approval of the special land use by the township board.

Prior to issuance of a building permit, the applicant shall submit proof of the following:

- Final approval of the special land use application and site plan.
- Final approval of the engineering plans.
- Acquisition of all other applicable township, county, or state permits.

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15. *Expiration of approval.* Where a special land use has been granted approval as provided herein, submission of a site plan in accordance with section 27.02 must be submitted to the township within one year from the date of special land use approval, or such approval shall automatically become null and void. However, the planning commission may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding six months as it shall determine to be necessary and appropriate. If construction has not commenced within 18 months of final approval of the site plan, the site plan and special land use approval becomes null and void and a new application for special land use and site plan review shall be required.
 16. *Revocation of special land use approval.* Approval of a special land use proposal and site plan may be revoked by the township board if construction is not in conformance with the approved plans. In such a case, the planning official shall place the special land use on the agenda of the township board for consideration, and give written notice to the applicant at least five days prior to the meeting. The applicant shall be given the opportunity to present information to the township board and answer questions. The township board may revoke approval if it finds that a violation exists and has not been remedied prior to the hearing.
- C. *Standards for granting special land use approval.* Approval of a special land use proposal shall be based on the determination that the proposed use will comply with all applicable requirements of this ordinance, including site plan review criteria set forth in section 27.02, applicable site development standards for specific uses set forth in article 6.00, and the following standards:
1. *Compatibility with adjacent uses.* The proposed special land use shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:
 - The location and screening of vehicular circulation and parking areas in relation to surrounding development.
 - The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
 - The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
 - The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.
 2. *Compatibility with the master plan.* The proposed special land use shall be compatible with and in accordance with the general principles and objectives of the township's master plan and shall promote the intent and purpose of this ordinance.
 3. *Public services.* The proposed special land use shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.
 4. *Impact of traffic.* The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use. In determining whether this requirement has been met, consideration shall be given to the following:
 - Proximity and access to major thoroughfares.
 - Estimated traffic generated by the proposed use.
 - Proximity and relation to intersections.

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- Adequacy of driver sight distances.
 - Location of and access to off-street parking.
 - Required vehicular turning movements.
 - Provision for pedestrian traffic.
5. *Detrimental effects.* The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.
6. *Enhancement of surrounding environment.* The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment, and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:
- The provision of landscaping and other site amenities. Provision of additional landscaping over and above the requirements of this ordinance may be required as a condition of approval of a special land use.
 - The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.
7. *Isolation of existing uses.* The location of the proposed special land use shall not result in a small residential area being substantially surrounded by nonresidential development, and further, the location of the proposed special land use shall not result in a small nonresidential area being substantially surrounded by incompatible uses.
8. The approval of a special land use provision is a privilege granted when it can be demonstrated that there is an overriding and compelling benefit which is in the best interest of the township as well as the petitioner. The petitioner must demonstrate that the proposed use will enhance the economic well-being and welfare of the township and does not result in excessive duplication of provision of goods and services within the community.

(Ord. of 9-19-2002; Ord. of 9-26-2006)

State law reference(s)—Special land uses, MCL 125.286b.

27.04. Planned development.

- A. *Intent.* The intent of this article is to permit flexibility in the regulation of land development; encourage innovation in land use in terms of variety, design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities; encourage useful open space; encourage aesthetic development; encourage the preservation of cultural and historical buildings; provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of this township, ensure compatibility of a proposed planned development with adjacent uses of land and to promote the use of land in a socially and economically desirable manner. Planned developments must be consistent with the Charter Township of Canton Comprehensive Plan and must not be contrary to the purpose of the zoning regulations contained in the Charter Township of Canton Zoning Ordinance. Regulations for planned development are intended to accomplish the purpose of zoning, subdivision and other applicable township regulations to the same degree that such regulations are intended to control development on a lot-by-lot basis. It is the intent of the

planned development regulations to promote and encourage development where parcels of land are suitable in size, location and character for the uses and structures proposed and encourage development in a uniform and coordinated manner. If the planned development request is not approved, the underlying zoning classification remains in place and the property must be developed pursuant to existing zoning requirements and procedures as found in the Charter Township of Canton Zoning Ordinance.

B. *Definitions.*

1. *Approved planned developments:* A minor or final major planned development which has been formally reviewed by the planning commission and formally reviewed and approved by the board of trustees. The board of trustees may approve a planned development plan with conditions, and approval with conditions is considered to be approval for the purposes of defining "approved planned development," but only if the applicant satisfies the conditions.
2. *Average acre:* Average acre is used to calculate the density for multiple-family residential uses; and for this density calculation, an average acre includes all the area reasonably designated as pertaining to multiple-family residential uses, and shall include areas designated as pertaining to and auxiliary to that principle use, including open space and recreational facilities.
3. *Definite benefit:* A clear, explicit, substantial and ascertainable benefit which will inure to the users of the planned development project or to the residents of the Charter Township of Canton as a result of the planned development and which would not be available under the existing, underlying zoning classification or otherwise. Definite benefits include but are not limited to preservation of natural resources and natural features; preservation of historical and architectural features of a significant quality and quantity in need of protection or preservation on a local, state or national basis; significantly reducing non-conforming uses or structures; and the presence or preservation of aesthetically pleasing structures of a significant quantity and quality.

Definite benefits shall always include:

- Architectural design assurances which result in creation of a sense of place and community within the development and benefits the community as a whole. This can be achieved through defined design guidelines, pattern books, model sheets, and other similar methods of architectural control.
- Preservation and enhancement of existing natural resources and natural features on the site and provision of open space which is usable and accessible.

Definite benefits may also include one or more of the following additional features, based upon scale and nature of the project and appropriateness to the project:

- Provision of public and private parks with appropriate improvements (including walking paths, picnic areas, playing fields and courts, play ground equipment, etc).
- Construction of new trails on-site and complete missing links in the overall trail system which may exist off site which would assist in connecting open space system within the development to other parks, trails and community recreational facilities in accordance with the leisure services master plan.
- Provision of regional stormwater facilities which result in substantial improvements to water quality and establishes environmental features which create and enhance natural habitat.
- Construction of off-site water, sewer and roadway/intersection capacity improvements which eliminate existing deficiencies and or improve the level of service of those facilities (not merely mitigating the impact of the proposed development).

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- Site design amenities, such as provision of enhanced water features; specialized street furnishings including street signs, mailboxes, lights, etc.; neighborhood parks that are fully developed; etc.
 - Provision of space for public art within the project and/or contribution of or commission of art for installation of art at another predetermined location within the community.
4. *Fiscal impact:* The economic effect that the project would have on the Charter Township of Canton, including, but not limited to, the estimated additional tax revenues which the township would receive as a result of the project, and the additional need, if any, for township public services such as the need for additional police and fire protection and public schools support; the generation of municipal refuse and the like.
 5. *Major modifications:* Major modifications are changes to already approved planned developments of a more significant nature than minor modifications, and include, but are not limited to, changes in uses, building heights, densities, set backs, appearance of buildings and building facades and an increase or decrease in the amount of acreage included in the planned development.
 6. *Man-made features:* Man-made features include, but are not limited to streets, rights-of-way, easements, utilities, walls and sewers.
 7. *Minor modification:* Minor modifications are slight changes to approved planned developments, including, but not limited to correcting errors in the development plan, slightly altering berming and landscaping, adding or relocating fire escapes, adding or altering additional sidewalks and relocating refuse collection areas.
 8. *Natural features:* Natural features include, but are not limited to flood plains, geological formations, mineral deposits, soils, trees and vegetation, water bodies and wetlands.
 9. *Planned development (major and minor):* A planned development may include such land use concepts as planned unit development, cluster zoning, community unit plan, planned residential development, and other terminology denoting zoning requirements designed to accomplish the objectives of the Charter Township of Canton Zoning Ordinance through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.
 10. *Planned unit development:* See *Planned development*.
 11. *Planning official:* The employee or official of the Charter Township of Canton designated by the board of trustees as the individual principally responsible for administering the application for planned developments under this article.
 12. *Preliminary planned development:* A proposal for a major planned development which has been formally submitted by an applicant, including a preliminary site plan and the information and documents required in subsection 27.04.E. of this article, but which has not been formally reviewed by both the planning commission and the board of trustees.
 - 12a. *Minor planned development:* A proposal for a minor planned development which has been formally submitted by an applicant, including a preliminary site plan and the information and documents required in subsection 27.04E of this article which will be reviewed by both the planning commission and the board of trustees as a final planned development. A minor planned development shall not exceed the thresholds defined in subsection 27.04.D.
 13. *Recreational facilities:* Recreational facilities are such amenities which serve the needs of the planned development users or the residents of the Charter Township of Canton for pleasure, sporting, athletic, or leisure activities, including, but not limited to, swimming pools, tennis courts, golf course, horseback

riding stables and riding trails, bicycle trails, hiking trails, exercise trails, playgrounds, soccer fields and baseball diamonds.

14. *Minor or final major planned development:* A proposal for a final planned development which has been formally reviewed and tentatively approved by the board of trustees. Approval with conditions is considered to be approval for the purposes of defining a "final major or minor planned development", but only if the applicant satisfies the conditions.
15. *Underlying classification:* The underlying classification is the zoning classification and regulations applicable to the subject property under the provisions of the Charter Township of Canton Zoning Ordinance which are applicable to the property at the time that an applicant submits an application to develop a planned development.
16. *Unified control:* Unified control is single ownership or control such that there is a single person, group of persons or entity having exclusive responsibility for completing the planned development project in conformance with the Charter Township of Canton Zoning Ordinance and this article. Any transfer of ownership or control of the subject property is permissible, provided that the applicant give 30 days notice prior to the transfer to the Planning Official of the Charter Township of Canton; however, in the event of transfer of ownership or control the transferee is bound by the planned development plan and must complete the project in conformity with this ordinance and this article.

C. *Permitted uses and structures.*

1. All uses authorized in the Charter Township of Canton Zoning Ordinance may be considered for planned development subject to the limitations of this article, except that uses found exclusively in industrial zoning classifications are hereby prohibited from being included in a planned development.
2. All structures proposed for a planned development must conform to all standards established in this ordinance unless specifically altered pursuant to a planned development plan approved in conformance with the regulations of this article.

D. *Development regulations—Proposed planned development shall comply with the following development regulations.*

1. *Aesthetics:* The proposed planned development must be aesthetically pleasing and be an integrated development with respect to building facades, building materials, landscape and berming, noise and visual screening mechanisms, and signage.
2. *Consistency with master land use plan and zoning ordinance:* The proposed planned development must not be contrary to the spirit and purposes of the regulations contained in the zoning ordinance and master land use plan for the Charter Township of Canton, in light of the characteristics, benefits and amenities and design of the proposed development.
3. *Compliance with applicable regulations:* Planned developments shall be in compliance with all local regulations, unless specifically altered in accordance with this article, and with all applicable federal and state regulations.
4. *Definite benefit:* The planned development must result in a definite benefit to residents of the Charter Township of Canton or the planned development's users which would not be present without a planned development and which would not be available under the existing, underlying zoning classification or otherwise.
5. *Density:* The density requirements of the planned development shall be those of the underlying zoning classification unless varied, where permitted under this section, at the discretion of the board of trustees and in conformance with and pursuant to this article.

Maximum densities: The following maximum densities cannot be altered:

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- Multiple family residential uses: In no case shall the average acre designated for multiple-family residential (MR) uses contain a density of 12 or more units.
 - Attached single-family residential uses: In no case shall any acre in a single-family attached residential (R-6) area exceed eight units per acre.
 - Detached single-family residential uses: In no case shall any acre in a single-family detached residential area exceed the density of the underlying zoning classification, unless the density requirements pertaining to an overlay district provide for a higher density.
6. *Maintenance*: All privately-owned common open space shall conform to its intended purpose and remain as shown in the planned development plan. Deed restrictions or covenants shall govern the maintenance of privately owned common space. Required maintenance standards or maintenance activities shall be included in the deed restrictions or covenants. The deed restrictions or covenants shall provide for the Charter Township of Canton to assess private property owners with an interest in common open space for the cost of maintenance in the event that inadequate private maintenance results in a public nuisance. Deed restrictions and covenants shall run with the land and be for the benefit of present as well as future property owners.
 7. *Minimum size of planned development*:
 - a. Minor PDD - less than 20 acres, and under 100 dwelling units or under 40,000 square feet of commercial space.
 - b. Major PDD - 20 acres or greater, 100 dwelling units or greater or 40,000 square feet of commercial or greater. If the proposal is under 20 acres but exceeds 100 dwelling units and/or 40,000 square feet of commercial space, the project is classified as a major PDD.
 8. *Natural habitat*: The development must comply with all local laws and regulations addressing the preservation and enhancement of the environment.
 9. *Need and market demand*: There must be a community need and market demand for the uses contained in the proposed planned development.
 10. *Negative impact*: The proposed planned development shall not result in an unreasonably negative:
 - a. Fiscal impact on the township;
 - b. Economic impact on surrounding properties; or
 - c. Impact upon the future development of the area.
 11. *Open space and public and recreational facilities; bond*: All common open space, as well as public and recreation facilities, shall be specifically included in the development plan schedule and be constructed and fully improved by the developer. A bond shall be submitted by the developer to the department of building and engineering to assure completion of all unfinished common areas prior to the occupancy of any portion of the development.
 12. *Open space requirement and computation*: Planned developments shall exhibit and maintain a total open space requirement equal to at least 25 percent of the gross area of the planned development. All previous land areas within required boundary setbacks may be included in the open space computation. The area contained in public or private street right-of-way and parking lots may not be included in the open space computation.
 13. *Public access and traffic impact*: Each dwelling unit or other permitted use shall have access to a public street either directly or indirectly via a private approach road, pedestrian way, court or other area dedicated by common easement guaranteeing access. Permitted uses are not necessarily required to front on a dedicated road. The township shall be allowed access on privately owned roadways,

easements and common open space to insure the police and fire protection of the area, to meet emergency needs, to conduct township services, and to generally insure the health and safety of the residents of the planned development. Access shall be allowed for other public and quasi public emergency vehicles such as ambulances and the like. The planned development must contain sufficient road improvements to provide vehicular access to all buildings and other areas of the site in accordance with the local standards. The traffic generated by the planned development shall not unreasonably impact surrounding properties and uses. In determining whether this requirement has been met, consideration shall be given to several factors, including but not limited to:

- a. Access to major thoroughfares, and the adequacy and existing traffic count of such nearby thoroughfares;
 - b. Adequacy of driver sight distances;
 - c. Estimated traffic to be generated by the proposed development;
 - d. Location of and access to off-street parking;
 - e. Provisions for pedestrian traffic;
 - f. Proximity in relation to intersections; and
 - g. Required vehicular turning movement.
14. *Recreational needs:* Any planned development which includes a residential use must provide recreational facilities adequate to service the users of the residential portion of the planned development.
15. *Required setbacks and yards:* Yard areas, building setbacks, spacing between buildings and landscape buffering between internal planned development uses and on the perimeter of the planned development shall be specified in the planned development agreement. The agreement must indicate that the provisions of the underlying zoning classification shall be applicable or, alternatively, describe other reasonable requirements by way of providing an illustrative map and narrative description of same, and said narrative description must state why the existing provisions contained in the regulations addressing the underlying zoning classification are not desired and why the alternative requirements better advance the public health, safety, welfare and aesthetics of the Charter Township of Canton, its residents, and the users of the planned development project.
16. *Unified control:* All land included for the purpose of development within a planned development shall be under the unified control of the applicant (an individual, partnership, or corporation or group of individuals, partnerships or corporations), and the applicant must provide legal documentation evidencing the same to the satisfaction of the Charter Township of Canton and its attorneys.
- E. *Planned Development Submission Requirements.* In addition to the information requirements of article 27.00 the applicant must submit the following information and adhere to the following procedures:
1. *Pre-application conference.* Prior to filing a formal request for a planned development and prior to a public hearing, the applicant must informally meet with the township planning official to discuss the proposed development. The pre-application conference is intended to be informative and advisory in nature, and affords the applicant the opportunity to discuss the land use and planning policies of the Charter Township of Canton. The applicant must present a preliminary site plan for the contemplated planned development at or before the pre-application conference. The planning official shall notify the planning commission and board of trustees of the date and time of the pre-application conference. The members of the planning commission and board of trustees are not required to attend the pre-application conference. Any and all statements made by the Charter Township of Canton Board of Trustees, planning officials, planning commissioner, attorney, agent or representative have no legal force and are not legal and binding promises, commitments or contracts.

The applicant must also include for presentation the following information at the pre-application conference:

- a. Legal documentation evidencing unified control of the land upon which the planned development is proposed.
 - b. A legal description of the subject property.
 - c. The estimated total number of acres to be developed.
 - d. The estimated total number of acres per proposed use.
 - e. The relative locations of the different uses in the proposed planned development.
 - f. The estimated density for each use.
 - g. The known deviations and alterations from the regulations addressing the underlying zoning classification.
 - h. The estimated number of acres to be used as open space.
 - i. The estimated number of acres to be used for recreational purposes.
 - j. At least a sketch of the exterior facades of all buildings and structures which are contemplated to be erected.
 - k. The location and approximate number of acres of wetlands and any other environmentally sensitive areas of land.
 - l. The location and estimated number of acres of natural resources and natural features which are to be preserved.
2. Within 180 days following the pre-application conference, the applicant must formally submit a formal application, and a minor or preliminary planned development proposal in conformance with this article, to the planning commission. The application shall contain:
- a. The overall planned development plan shall show the proposed planned development divided into land use modules as follows:
 - Residential uses by density and housing type.
 - Office and Commercial land uses.
 - Open space and recreational facilities.
 - Other land uses.
 - b. A map showing the zoning designations for all land within one-quarter mile of the proposed planned development.
 - c. Map and narrative explanations of the relationship of the proposed planned development to the Charter Township of Canton Master Land Use Plan.
 - d. Map and narrative analysis of natural features and man-made features. The map and analysis shall show the location and nature of significant natural and man-made features on and near the site.
 - e. An analysis of the traffic impact of the planned development on existing and proposed streets, including current traffic counts on surrounding roads and streets.
 - f. An analysis of the fiscal impact of the planned development of the Charter Township of Canton.

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- g. A phasing schedule for development of all facilities which must include dates for site plan approval and completion of construction for each phase of the plan.
 - h. A map and narrative explanation of the location and amount of parking for the planned development, an analysis of the adequacy thereof.
 - i. A sketch of typical exteriors and architectural elevations.
 - j. Copies of agreements, contracts, covenants, and deed restrictions necessary for the completion of the development and for continuing operation and maintenance of such areas, functions and facilities which are not to be provided, operated or maintained at public expense.
 - k. An analysis of the market need for and economic feasibility of the proposed planned development as a whole and for each of the development's uses.

F. *Review of planned development proposals.*

1. *General review procedures.*

- a. Prior to consideration by the planning commission and board of trustees all notice requirements, in accordance with state and local special land use regulations, shall be fulfilled. Public hearings will be held by the township planning commission in accordance with special land use procedures outlined in section 27.03.
- b. The planning commission may recommend by motion to the township board of trustees that the planned development plan be granted as submitted, granted subject to stated stipulations and conditions, or denied. In making its recommendation, the planning commission shall find that the plans, maps, and documents submitted have met or have failed to meet the requirements of these regulations, and the planning commission shall put its findings in writing.
- c. The township board of trustees shall, after due consideration, enact or deny planned development special land use approval for the subject property as submitted or grant approval subject to stated stipulations and conditions. The approved planned development plan shall include all required submissions.
- d. Subsequent to final approval, all elements of the plan shall proceed in accordance with the site plan review and provisions of this ordinance. Site plan approval and subdivision approval shall be granted only for developments which conform to the submissions incorporated into the planned development plan.
- e. Development shall occur in accordance with the phasing schedule submitted as a part of the approved planned development plan. Individual elements of the plan may be executed earlier than dates provided. However, the sequence of development may not be modified without prior written agreement of both parties. In the event the project sponsor fails to complete any element of the plan consistent with the schedule, the township may rescind approval of any or all of the undeveloped planned elements included in the phasing schedule.

2. *Specific review procedures for minor and major planned developments.* Applicant must follow provisions in section 27.04 of this article addressing planned development submission requirements.

- a. Review of preliminary major planned developments.
 - The planning commission shall review a preliminary major planned development and must make a written resolution, either recommending approval or denial of the application to the board of trustees, or making written inquiries and suggestions to the applicant, the applicant must respond in writing to each and every such inquiry and suggestion within 30 days of the date of mailing. Within 30 days of receipt of such timely responses, the

planning commission shall make a recommendation to the board of trustees in the form of a written resolution.

- The board of trustees shall review a preliminary major planned development and must act on it or make written inquiries and suggestions to the applicant in the form of a written resolution within 60 days of receiving a recommendation from the planning commission. If the board of trustees makes such inquiries and suggestions to the applicant, the applicant must respond in writing to each and every such inquiry and suggestion within 30 days of the date of the mailing. Within 30 days of receipt of such timely responses, the board of trustees shall approve or deny the preliminary major planned development.
- Preliminary major planned developments which are approved by the board of trustees are then considered final planned developments, and the township clerk shall immediately forward final planned developments to the planning commission with the general review procedures, supra, and the provisions of the subsection entitled "Review of Final Planned Developments," infra.

b. Review of minor and final major planned developments.

- The planning commission shall review minor or final major planned developments and make a recommendation to the board of trustees with respect thereto within 30 days of receiving the minor or final major planned development from the township clerk.
- The board of trustees shall review the minor or final major planned development and approve or deny the minor or final major planned development within 30 days of the recommendation with respect thereto of the planning commission.

G. *Effect of approval of a minor or final major planned development and approved planned development.*

1. A minor or final major planned development which is approved by the board of trustees is considered an approved planned development, provided that the applicant conforms to the conditions placed upon the minor or final major planned development, if any, by the board of trustees.
2. An approved planned development constitutes an amendment to the zoning ordinance. All improvements and uses of the site shall be in conformity with the planned development and any conditions imposed. Notice of amendment to the zoning ordinance shall be published and the applicant shall record an affidavit with the register of deeds containing a legal description of the entire planned development, specifying the date of approval and declaring that all future improvements will be carried out in accordance with the approved planned development unless an amendment thereto is adopted by the township upon request of the applicant or his successors, and that all such amendments are to be carried out in accordance with this article.
3. An approved planned development will be governed by the zoning regulations which are specified in the planned development; those zoning regulations not specifically addressed by the planned development, and all building regulations, will be governed by the zoning ordinance and building code, which is subject to periodic review and update.
4. The applicant who has an approved planned development is entitled to file a preliminary site plan on each phase of the planned development, and the applicant must diligently pursue finalization of site plans.
5. The applicant who has an approved planned development must begin construction on the approved planned development and all proposed structures, recreational facilities and open space within five years of the approval for a major PDD and within two years for a minor PDD.
6. Construction work must be completed in a reasonable, diligent manner.

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7. All construction must be completed within six years of the approval for a major PDD and three years for a minor PDD, unless additional time for completion is extended in accordance with the following subsection.
 8. The construction time periods in this section may be extended for good cause if applied for by the applicant and granted by the board of trustees in writing following public notice and public hearing. The township planning services and/or building and inspection services division shall notify the applicant 90 days before the expiration of such construction time periods. Failure of the applicant to so achieve written extensions of construction time periods shall result in township action including, but not limited to, a stop-work order being placed on the development. Extensions of time do not extend the three years in which zoning regulations affecting the planned development govern and remain unchanged.
 9. Failure of the applicant to comply with the above construction time periods or other provisions in this article shall result in the nullification of the planned development, and the underlying classification would become effective.

H. *Conditions.*

1. Approval of planned developments may be subject to the applicant satisfying reasonable conditions, as determined by the board of trustees.
2. All such conditions for approval of planned development shall be based upon requirements and standards contained in this article, the charter township of canton zoning ordinance, other township planning documents, other applicable ordinances and state and federal statutes. The conditions shall:
 - a. Insure that public services and facilities affected by the proposed planned development will be capable of accommodating increased service and facility loads caused by the planned development;
 - b. Protect the natural environment and conserve natural resources and energy;
 - c. Insure compatibility with adjacent uses of land; or
 - d. Promote the use of land in a specifically and economically desirable manner.
3. Conditions imposed shall meet all of the following requirements.
 - a. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - b. Be related to the valid exercise of 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 reasonably necessary to insure compliance with those standards.
4. The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action, and shall remain unchanged except upon the mutual consent of the approving authority and the landowner. The approving authority shall maintain a record of conditions which are changed.

I. *Modification or correction of an approved planned development plan.*

1. Requests for major and minor modifications to the approved planned development plan may be submitted to the planning commission, in the form of a written application, for a recommendation on

approval. The board of trustees shall make the final determination on the modification in accordance with the following provisions:

2. In the event that the modification is, as determined by the planning official, a minor modification to the approved plan, the planning official must give written notice of the correction or minor change to both the planning commission and the township board of trustees. Thereafter, the planning official may approve the modification under the following conditions:
 - a. The development plan will comply with all regulations of the governing agencies.
 - b. Any review comments received have been considered and addressed to the satisfaction of the planning official, planning commission and township board of trustees.
 - c. The modification will not significantly alter the plans as originally approved by the township board of trustees, including the appearance and uses of the development.
 - d. The planning official shall issue a report to the planning commission and board of trustees prior to issuing final approval for minor modifications to an approved plan.
3. Major modifications to the approve Planned Development Plan must meet the requirements and follow the procedures of initial application for a planned development as set forth in this article, and must be mutually agreed upon by both the applicant and the Charter Township of Canton Board of Trustees. Insofar as planned developments involve negotiations over a wide variety of issues, each of which is interrelated both during the negotiations and when culminated into an approved planned development plan, the board of trustees may withhold its agreement of a major change or major modification on the basis of any single recognized legitimate zoning interest, including aesthetics.

(Amend. of 7-11-2006(3))

State law reference(s)—Planned unit developments, MCL 125.286c.

27.05. Variances and appeals.

- A. *Intent.* The purpose of this section is to provide guidelines and standards to be followed by the zoning board of appeals in considering requests for variances and appeals, where the jurisdiction of the board of appeals has been established by section 601 of the Michigan Zoning Enabling Act (P.A. 110 of 2006), as amended.

Generally, an appeal may be taken to the zoning board of appeals by any person, firm, or corporation, or by any office, department, board, or bureau aggrieved by a decision of the planning commission or any administrative official or body charged with enforcement of this ordinance. Furthermore, where due to special conditions a literal enforcement of the provisions of this ordinance would involve practical difficulties or cause unnecessary hardships, within the meaning of this ordinance, the zoning board of appeals, shall have the power to authorize certain variances from the rules or provisions of this ordinance, with such conditions and safeguards as it may determine are necessary so that the spirit of this ordinance is observed, public safety secured, and substantial justice done.

- B. *Stay of proceedings.* An appeal shall stay all proceedings in furtherance of the action appealed from unless the building official certifies to the zoning board of appeals, after notice of appeal has been filed, that by reason of the facts stated in the appeal, a stay would cause imminent peril to life or property, in which case proceedings shall not be stayed other than by a restraining order which may be granted by the zoning board of appeals or by the circuit court, on application, and upon notification of the building official, and on due cause shown.
- C. *Application procedures.*
1. *Application to the zoning board of appeals.* Variances and appeals of any nature in which zoning board of appeals action is sought shall be commenced by a person filing an "Application to the Zoning Board

of Appeals" with the township clerk, on such forms and accompanied by such fees as may be specified. The application shall specify the grounds upon which the appeal is based and shall be signed. Applications involving a request for a variance shall specify the requirements from which a variance is sought and the nature and extent of such variance. Applications involving a specific site shall be accompanied by a sketch which includes the following information, where applicable:

- Applicant's name, address, and telephone number.
- The address of the parcel that is the subject of the appeal.
- Scale, north point, and dates of submission and revisions.
- Zoning classification of petitioner's parcel and all abutting parcels.
- Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within 50 feet of the site.
- Proposed lot lines and lot dimensions, and general layout of proposed structures, parking areas, driveways, and other improvements on the site.
- Dimensions, centerlines, and right-of-way widths of all abutting streets and alleys.
- Location of existing drainage courses, floodplains, lakes and streams, and woodlots.
- All existing and proposed easements.
- Location of sanitary sewer or septic systems, existing and proposed.
- Location and size of water mains, well sites, and building service, existing and proposed.
- Any additional information required by the zoning board of appeals to make the determination requested based on the criteria set forth in section 27.05, subsection D.

Where an application involves a variance sought in conjunction with a regular site plan review, the application data requirements for site plan review as set forth in section 27.02 shall be complied with.

2. *Review by the zoning board of appeals.* The township clerk shall forward the application, along with any supporting materials and plans to the zoning board of appeals.

In accordance with section 103 of the Michigan Zoning Enabling Act (P.A. 110 of 2006), as amended, the zoning board of appeals shall fix a reasonable time for the hearing of the appeal, give due notice thereof to the parties involved, and decide the appeal within a reasonable time not less than 15 days before the application will be considered for approval. At the hearing, a party may appear in person or by agent or by attorney.

3. *Decision by the zoning board of appeals.* The concurring vote of a majority of the members of the Board shall be necessary to reverse an order, requirement, decision, or determination of the administrative official or body, or to decide in favor of the applicant any matter upon which they are required to pass under, or to effect any variation in an ordinance adopted pursuant to Michigan Public Act 184 of 1943, as amended.

The board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, in accordance with the guidelines set forth herein. To that end, the zoning board of appeals shall have all the powers of the officer or body from whom the appeal was taken and may issue or direct the issuance of a permit. The board may impose conditions with an affirmative decision, pursuant to section 603 of the Michigan Zoning Enabling Act (P.A. 110 of 2006) as amended. The decision of the zoning board of appeals shall be final, but a person having an interest affected by the zoning ordinance may appeal to the circuit court.

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4. *Record of appeal.* The zoning board of appeals shall prepare and retain a record of each appeal, and shall base its decision on this record. This record shall include:
- The relevant administrative records and the administrative orders issued thereon relating to the appeal.
 - The notice of the appeal.
 - Such documents, exhibits, plans, photographs, or written reports as may be submitted to the board for its consideration.

The written findings of fact, the decisions, and the conditions imposed by the zoning board of appeals in acting on the appeal shall be entered into the official record, after being signed by the chairman of the board, thereby effectuating decisions and any conditions imposed thereon.

5. *Approval period.* If construction has not commenced within 24 months after the zoning board of appeals grants a variance to permit the erection or alteration of a building, then the variance becomes null and void. The period of approval may be automatically extended by 12 months if the variance was sought in conjunction with a site plan for which approval has been extended by the township board.

- D. *Standards for variances and appeals.* Variances and appeals shall be granted only in accordance with Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended, and based on the findings set forth in this section.

1. *General criteria.*

- Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would create practical difficulties, unreasonably prevent the use of the property for a permitted purpose, or render conformity with such restrictions unnecessarily burdensome. The showing of mere inconvenience is insufficient to justify a variance.
- Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district; or, as an alternative, granting of a lesser variance than requested would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
- The requested variance or appeal can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.
- There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties or other similar uses in the same zoning district. The conditions resulting in a variance request cannot be self-created.
- A variance is necessary for the preservation and enjoyment of a substantial property rights possessed by other property owners in the same zoning district.
- The granting of a variance or appeal will not be materially detrimental to the public welfare or materially injurious to other nearby properties or improvements.
- The granting of a variance or appeal will not increase the hazard of fire or flood or endanger public safety.
- The granting of a variance or appeal will not unreasonably diminish or impair the value of surrounding properties.
- The granting of a variance or appeal will not impair public health, safety, comfort, morals, or welfare.

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- The granting of a variance or appeal will not alter the essential character of the neighborhood.
 - The granting of a variance or appeal will not impair the adequate supply of light and air to adjacent property or increase congestion on public streets.
 - In deciding upon an appeal from an action taken by an administrative official or body, the zoning board of appeals shall determine if the administrative official or body has made an error in any order, requirement, decision, or determination in the enforcement and/or interpretation of the zoning ordinance.
2. *Specific criteria applicable to variances.* In consideration of all requests for variances, the zoning board of appeals shall review each case individually in relation to the following criteria:
- The size, character and location of a development permitted after granting of a variance shall be in harmony with the surrounding land use and shall promote orderly development in the zoning district in which it is located.
 - The zoning board of appeals is not authorized to grant variances related to the use of land, buildings or structures.
 - A development permitted upon granting of a variance shall make vehicular and pedestrian traffic no more hazardous than is normal for the district in which it is located, taking into consideration vehicular turning movements, adequacy of sight lines for drivers, location and accessibility of off-street parking, provisions for pedestrian traffic, and measures to reduce contact between pedestrian and vehicular traffic.
 - A development permitted upon granting of a variance shall be designed so as to eliminate any dust, noise, fumes, vibration, smoke, lights, or other undesirable impacts on surrounding properties.
 - The location, design, and height of buildings, structures, fences, or landscaping permitted upon granting of a variance shall not interfere with or discourage the appropriate development, continued use, or value of adjacent land or buildings.
 - The development permitted upon granting of a variance shall relate harmoniously in a physical and economic sense with adjacent land uses. In evaluating this criterion, consideration shall be given to prevailing shopping patterns, convenience of access for patrons, continuity of development, and the need for particular services and facilities in specific areas of the township.

(Ord. of 9-26-2006)

State law reference(s)—Variances and appeals, MCL 125.290 et seq.

27.06. Amendments.

- A. *Initiation of amendment.* The township board may from time to time, at its own initiative or upon recommendation from the planning commission or on petition, amend, supplement, or change the district boundaries or the regulations herein, pursuant to the authority and procedures set forth in Michigan Zoning Enabling Act (P.A. 110 of 2006), as amended. Text amendments may be proposed by any governmental body or any interested person or organization. Changes in district boundaries may be proposed by any governmental body, any person having a freehold interest in the subject property, or by the designated agent of a person having a freehold interest in the property.
- B. *Application for amendment.* A petition for an amendment to the text of this ordinance or an amendment to change the zoning classification of a particular property, shall be commenced by filing a petition with the township planning official, on the forms and accompanied by the fees specified. The petition shall explicitly

describe the proposed amendment and shall be signed by the applicant. Petitions for rezoning of a specific site shall be accompanied by a plot plan or survey, which shall contain the following information:

1. Applicant's name, address, and telephone number.
 2. Scale, north point, and dates of submission and revisions.
 3. Zoning classification of petitioner's parcel and all abutting parcels.
 4. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within 100 feet of the site.
 5. Proposed lot lines and lot dimensions, and general layout of proposed structures, parking areas, driveways, and other improvements on the site.
 6. Dimensions, centerlines, and right-of-way widths of all abutting streets and alleys.
 7. Location of existing drainage courses, floodplains, lakes and streams, and woodlots.
 8. All existing and proposed easements.
 9. Location of sanitary sewer or septic systems, existing and proposed.
 10. Location and size of water mains, well sites, and building service, existing and proposed.
- C. *Rezoning sign.* Whenever an application for rezoning is made, it shall be the responsibility of the applicant to prepare and erect a sign announcing the rezoning. The sign shall comply with the following regulations:
1. *Size and placement.* The rezoning sign shall measure four feet by eight feet, and shall be placed on the subject parcel in full view from the road. Where the subject parcel is at an intersection, then one sign shall be required along each road frontage. The sign shall be placed on the parcel at least 20 days prior to the public hearing on the rezoning request.
 2. *Permit and bond.* A sign permit and deposit of a performance bond shall be required.
 3. *Message.* The sign shall read as follows:
 - The following words shall appear at the top of the sign: "THIS PROPERTY PROPOSED TO BE REZONED."
 - The sign shall contain the name of the applicant requesting the rezoning.
 - The sign shall have a map of the subject parcel with dimensions and acreage.
 - The sign shall indicate the present zoning.
 - The sign shall indicate the requested zoning classification.
 - The sign shall indicate the proposed use of the land if the zoning is successful.
 - The date and place of the public hearing shall be specified.
 4. *Maintenance and removal.* It shall be the responsibility of the applicant to maintain the sign and remove it within three days after the public hearing.
 5. *Rezoning initiated by the township.* In the event that the township initiates the rezoning procedures, it shall be the responsibility of the township to prepare and erect the rezoning sign in accordance with the standards specified in this subsection. In the event that a property owner prevents placement of a rezoning sign by the township, the township may nevertheless proceed with consideration of the rezoning in accordance with section 27.06.
- D. *Review procedures.* After the completed petition and all required supporting materials have been received and fees paid, the petition shall be reviewed in accordance with the following procedures:

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1. *Planning commission review.* The petition shall be placed on the agenda of the next regularly scheduled meeting of the planning commission. The planning commission shall review the petition for amendment in accordance with the procedures and public hearing and notice requirements set forth in section 14 and other applicable sections of Michigan Zoning Enabling Act (P.A. 110 of 2006) as amended.

If an individual property or several adjacent properties are proposed for rezoning, the planning commission shall give notice of the proposed rezoning to the owner of the property in question, to all persons to whom any real property within 300 feet of the premises in question is assessed, and to the occupants of all single and two-family dwellings within 300 feet not less than 15 days before the application will be considered for approval. Said notice shall be delivered personally or by mail not less than 15 days before the hearing.

In addition, any petition for amendment shall require a public hearing, notice of which shall be given by two publications in a newspaper of general circulation in the township. Notice of the time and place of the hearing shall also be given by mail to each electric, gas, pipeline, and telephone public utility company operating within the district affected.

2. *Submission to county planning commission.* Following the hearing, the petition shall be submitted to the county planning commission for review and recommendation. If a recommendation from the county planning commission has not been received within 30 days, it shall be presumed that the county has waived its right for review and recommendation.
3. *Action by the planning commission and township board.* Following the hearing on the proposed amendment, the planning commission shall make written findings of fact which it shall transmit together with the comments made at the public hearing, the comments from the county planning commission, and its recommendations to the township board within 60 days of receipt of the completed petition.

The township board may hold additional hearings if the board considers it necessary. Pursuant Michigan Zoning Enabling Act (P.A. 110 of 2006), as amended, the township board may by majority vote of its membership:

- Adopt the proposed amendment,
 - Reject the proposed amendment,
 - Refer the proposed amendment back to the planning commission for further recommendation within a specified time period. Thereafter, the township board may either adopt the amendment with or without the recommended revisions, or reject it.
4. *Review considerations.* The planning commission and township board shall, at minimum, consider the following before taking action on any proposed amendment:
 - Will the proposed amendment be in accordance with the basic intent and purpose of the zoning ordinance?
 - Is the proposed amendment consistent with the comprehensive plan of the township?
 - Have conditions changed since the zoning ordinance was adopted, or was there a mistake in the zoning ordinance, that justify the amendment?
 - Will the amendment correct an inequitable situation created by the zoning ordinance, rather than merely grant special privileges?
 - Will the amendment result in unlawful exclusionary zoning?

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- Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?
 - If a rezoning is requested, is the proposed zoning consistent with the existing land uses of surrounding property?
 - If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?
 - If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?
 - If a rezoning is requested, what is the impact on the township infrastructure? The planning commission and the township board shall make a determination of whether public facilities are readily available and whether the potential impact of the rezoning would adversely impact the level of service standards of any public facility.
5. *Notice and record of amendment adoption.* Following adoption of an amendment by the township board, one notice of adoption shall be filed with the township clerk and one notice shall be published in newspaper of general circulation in the township within 15 days after adoption, in accordance with section 401 of the Michigan Zoning Enabling Act (P.A. 110 of 2006), as amended. A record of all amendments shall be maintained by the township clerk and the township planning official. A master zoning map shall be maintained by the township planning official, which shall identify all map amendments by number and date.
- E. *Referendum.* Within 30 days following the passage of the zoning ordinance, a petition signed by a number of qualified and registered voters may be filed with the township clerk requesting submission of an ordinance or part of an ordinance to the electors for their approval, in accordance with section 402 of the Michigan Zoning Enabling Act (P.A. 110 of 2006) as amended.

(Ord. of 9-26-2006)

27.07. Conditional rezoning.

- A. *Intent.* It is recognized that there are certain instances where it would be in the best interests of the township, as well as advantageous to property owners seeking a change in zoning classification, that certain conditions could be proposed by property owners as part of a request for rezoning. This is especially true since the township must consider all potential uses which may be made of property when considering a traditional rezoning request, some of which may be inappropriate for a particular piece of property considering items such as, but not limited to, the surrounding land uses, the township land use plan, available infrastructure, and natural features. It is the intent of this section to provide a process consistent with the provisions of section 405 of the Michigan Zoning Enabling Act (MCL 125.3405) by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.
- B. *Application and offer of conditions.* An owner of land may voluntarily offer in writing conditions relating to the use and/or development of land for which a conditional rezoning is requested. This offer may be made either at the time the application for conditional rezoning is filed, or additional conditions may be offered at a later time during the conditional rezoning process as set forth below.
1. *General procedure.* A request for a conditional rezoning shall be commenced by filing a petition with the township planning official, on the required forms, accompanied by the specified fees. The petition shall explicitly describe the proposed conditional rezoning and shall be signed by the owner of the property. Petitions for conditional rezoning of a specific site shall be accompanied by a plot plan or

survey, which contains all the information required in section 27.06.B. of this ordinance. The applicant shall also present a conceptual plan showing the specific proposed use of the property, and containing all the information outlined in section 27.03.B.4. of this ordinance.

2. *Pre-application conference.* Prior to filing a formal request for a conditional rezoning, and prior to a public hearing, the applicant must informally meet with the township planning official, and other representatives as deemed necessary by the township, to discuss the proposed development. The pre-application conference is intended to be informative and advisory in nature, and affords the applicant the opportunity to discuss the land use and planning policies of the Charter Township of Canton.

The applicant must present a conceptual plan for the contemplated conditional rezoning at or before the pre-application conference. Any and all statements made by the Charter Township of Canton Board of Trustees, planning officials, planning commissioners, township employees, attorneys, agents or representatives at the pre-application conference have no legal force and are not legal and binding promises, commitments or contracts.

3. *Rezoning signs.* The applicant shall comply with section 27.06.C. of this ordinance.

- C. *Review procedures.* The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which the conditional rezoning is requested. Further, the planning commission and township board shall, at a minimum, consider all the review considerations contained in section 27.06.D.4. of this ordinance in rendering a decision on a request for conditional rezoning.

1. *Other required approvals.*

Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of this ordinance may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.

Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this ordinance may only be commenced if a variance for such use or development is ultimately granted by the zoning board of appeals in accordance with the provisions of this ordinance.

Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the terms of this ordinance.

2. *Amendment of conditions.* The offer of conditions may be amended during the process of conditional rezoning consideration, provided that any amended or additional conditions are entered voluntarily by the owner, and confirmed in writing. An owner may withdraw in writing all or part of its offer of conditions any time prior to final rezoning action of the township board provided that, if such withdrawal occurs subsequent to the planning commission's public hearing on the original rezoning request, then the rezoning application shall be referred back to the planning commission for a new public hearing with appropriate notice and a new recommendation.

- D. *Planning commission review.* The planning commission, after public hearing and consideration of the factors for rezoning set forth in section 27.06.D. of this ordinance, may recommend approval, approval with recommended changes, or denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the owner in writing. In the event that any recommended changes to the offer of conditions are not subsequently offered by the owner in writing, the recommendation of the planning commission shall be considered by the township board to be a recommendation of denial of the proposed conditional rezoning.

- E. *Township board review.* After receipt of the Planning Commission's recommendation, the township board shall, consistent with section 27.06.D., review the planning commission's recommendation and deliberate

upon the requested conditional rezoning, and may approve or deny the conditional rezoning request. If the applicant initiates additional or different conditions not considered by the planning commission subsequent to the recommendation of the planning commission, then the township board shall refer such proposed additional or different conditions to the planning commission for report thereon within a time specified by the township board, and the township board shall thereafter proceed to deny or approve the conditional rezoning.

- F. *Approval.* If the township board finds the conditional rezoning request and offer of conditions acceptable, the offer of conditions shall be incorporated into a formal written statement of conditions acceptable to the owner and conforming in form to the provisions of this section. The statement of conditions shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by the township board to accomplish the requested conditional rezoning. The statement of conditions shall:
- a) Be prepared in a form recordable with the Wayne County Register of Deeds;
 - b) Contain a legal description of the land to which it pertains;
 - c) Contain a statement acknowledging that the statement of conditions runs with the land, and is binding upon successor owners of the land;
 - d) Incorporate by attachment the conceptual plan which formed the basis of the conditional rezoning;
 - e) Contain the notarized signatures of all the owners of the property proceeded by a statement attesting to the fact that they are the only parties having an interest in the property, and that they voluntarily offer and consent to the provisions contained within the statement of conditions;
 - f) The statement of conditions may be reviewed and approved by the township attorney, with the applicant to pay all costs associated with such review and approval;
 - g) The approved statement of conditions shall be filed by the owner with the Wayne County Register of Deeds within 30 days after approval of the conditional rezoning. The owner shall provide the township with a recorded copy of the statement of conditions within 30 days of receipt. The township board shall have the authority to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the recording of the statement of conditions would be of no material benefit to the township or to any subsequent owner of the land; and
 - h) Upon the conditional rezoning taking effect, and after the required recording of the statement of conditions, use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the statement of conditions.
- G. *Compliance with conditions.* Any person who establishes development or commences a use upon land that has been conditionally rezoned shall continuously operate and maintain the development or use in full compliance with all the conditions set forth in the statement of conditions. Any failure to comply fully with the conditions contained within the statement of conditions shall constitute a violation of this ordinance and be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
- H. *Time period for establishing development or use.* The approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within two years after the effective date by publication of the conditional rezoning action, and must thereafter proceed diligently to completion. This time limitation may, upon written request, be extended by the township board if:
- (1) It is demonstrated to the township board's sole satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion, and

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- (2) The township board finds that there has not been change in circumstances that would render the conditional rezoning with statement of conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.
- I. *Reversion of zoning.* If approved development and/or use of the rezoned land does not occur within the time frame specified under subsection H. above, then the land shall revert to its former zoning classification as set forth in MCL 125.3405(2). The reversion process shall be initiated by the township board, and proceed pursuant to section 27.06.A.
- J. *Subsequent rezoning of land.* When land that is conditionally rezoned with the statement of conditions is thereafter rezoned to a different zoning classification, or to the same zoning classification but with a different or no statement of conditions, whether as a result of a reversion of zoning pursuant to subsection I. above, or upon application of the landowner, or otherwise, the statement of conditions imposed under the former zoning classification shall cease to be in effect. Upon the owner's written request, the township clerk shall record with the Wayne County Register of Deeds a notice that the statement of conditions is no longer in effect.
- K. *Amendment of conditions.*
1. During the time period for commencement of an approved development or use specified pursuant to subsection H. above, or during any extension thereof granted by the township board, the township shall not add to or alter the conditions in the statement of conditions.
 2. The statement of conditions may be amended thereafter in the same manner as was prescribed for the original conditional rezoning and statement of conditions.
- L. *Township right to rezone.* Nothing in the statement of conditions nor in the provisions of this section shall be deemed to prohibit the township from rezoning all or any portion of land that is subject to a statement of conditions to another zoning classification. Any rezoning shall be conducted in compliance with this ordinance and the township zoning act. (MCL 125.271 et. seq.).
- M. *Failure to offer conditions.* The township shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect an owner's rights under this ordinance.

(Amend. of 7-11-2006(4))

27.08. Permits and certificates.¹³

- A. *Permits.*
1. *Scope of requirements.* A zoning compliance permit and building permit shall be required prior to the erection, alteration, repair, renovation, demolition or removal of any building or structure, and/or the excavation, filling, or grading of lots. No plumbing, electrical, drainage or other permit shall be issued unless the planning official has determined that the proposed use and any improvements proposed on the plans are in conformance with the provisions of this ordinance. However, a bona fide agricultural land uses and agricultural related structures, within RA zoned districts, shall be exempt from the requirements of this section but not the requirements of this ordinance.

¹³Editor's note(s)—An amendment enacted July 11, 2006, added section 27.07. Inasmuch as a section 27.07 already existed in this appendix, former §§ 27.07—27.10 have been renumbered as §§ 27.08—27.11 at the direction of the township.

A zoning compliance permit shall also be required for the new use of land, whether the land is currently vacant if a change in land use is proposed.

A zoning compliance permit shall also be required for any change in use of an existing building or structure to a different class or type.

For the purposes of this section, the terms "altered" and "repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of ingress and egress, or other changes affecting or regulated by the building code, the Housing Law of Michigan (Public Act No. 167 of 1917 (MCL 125.401 et seq.), as amended), or this ordinance or other applicable ordinances of the township.

2. *Permit requirements applicable to residential uses.* A residential building permit shall not be issued to a builder or developer if the builder or developer has failed to comply with any of the following:

- An order of the State of Michigan, Department of Licensing and Regulation regarding a home constructed by the builder or developer in the township.
- Completion of required improvements in accordance with the terms of a temporary certificate of occupancy which has been issued in accordance with section 27.07, subsection B, for a home already constructed or under construction by the builder or developer in the township.

The builder or developer shall be eligible for a building permit when the award, order, or terms have been complied with or remedied, or if satisfactory evidence is presented to allow the building official to determine that the award, order, or terms will be complied with or remedied.

3. *Application requirements.* No permit shall be issued for construction, alteration, or remodeling of any building or structure until an application has been submitted, showing that the proposed improvements are in conformance with the provisions of this ordinance and with the building code.

Applications for permits required by this section shall be filed with the building official. Each application shall be accompanied by a written detailed explanation of the proposed improvements, and, if applicable, dimensioned plans drawn to scale. The plans shall be of sufficient detail to allow the building official to determine whether the proposed improvements are in conformance with this ordinance, the State Construction Code Act (Michigan Public Act No. 230 of 1972 (MCL 125.1501 et seq.), as amended), and other applicable laws and ordinances. At minimum, the plans shall illustrate the following:

- The shape, location, and dimensions of the lot.
- Existing buildings or structures, plus the shape, size, and location of all buildings or structures to be erected, altered, or moved.
- The existing and intended use of the parcel and all existing and proposed buildings or structures.
- On residential parcels, the number of dwelling units contained within each building.
- The names and widths of abutting roads and road rights-of-way.
- The name and address of all persons having a freehold interest in the premises upon which the improvements are proposed, together with a written statement from all such persons indicating knowledge of and agreement with the proposal.
- All information required by the building code.
- Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this ordinance will be complied with.

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- A site plan submitted and approved in accordance with section 27.02 satisfy [satisfies] the requirements of this section.

4. *Conformity with applicable ordinances and approved plans.* The building official shall issue permits only if, after thorough inspection of the application materials and plans, he finds that the proposal is in conformance with this ordinance, the State Construction Code Act, Michigan Public Act No. 230 of 1972 (MCL 125.1501 et seq.), as amended, and other applicable laws and ordinances, except where the building official receives written notice of a variance having been granted by the zoning board of appeals or building/fire board of appeals.

Building permits issued on the basis of plans and application materials approved by the building official authorize only the use, layout, and construction set forth in such plans and application materials. Use, layout, or construction at variance with approved plans and application materials shall be deemed in violation of this ordinance, and subject to penalties in accordance with section 27.09. These provisions shall not preclude minor modifications, subject to the provisions in section 27.02, subsection E.

5. *Expiration of permits.* A permit issued pursuant to the provisions of this ordinance shall expire 180 days from the date of issuance if the proposed work has not begun, in accordance with the State Construction Code Act. The building official shall mail or deliver written notice to the applicant indicating that:

- The permit has been canceled, and
- Work shall not proceed until a new building permit has been obtained.

6. *Inspection of completed work.* The holder of any permit issued pursuant to the requirements in this section shall notify the building official immediately upon completion of the work authorized by the permit for a final inspection and to request a certificate of occupancy.

- B. *Certificates of occupancy.* It shall be unlawful to occupy or permit the occupancy of any land, building, or structure for which a permit has been issued, or to occupy or permit the occupancy of any building or structure hereafter altered, extended, erected, repaired, reoccupied, or moved, unless and until a certificate of occupancy has been issued by the building official for such use, in effect indicating that the provisions of this ordinance have been complied with and all outstanding fees have been paid. The following guidelines shall apply to the issuance of certificates of occupancy:

1. *General requirements.*

- *Certificates for existing buildings.* Certificates of occupancy shall be issued for existing buildings or structures or parts thereof, or existing uses of land if, after inspection, the building official finds that such buildings, structures, or parts thereof, or uses of land, are in conformity with the provisions of this ordinance.
- *Temporary certificates.* A temporary certificate of occupancy may be issued for a portion of a building or structure prior to occupancy of the entire building or structure, provided that such portion of the building, structure, or premises is in conformity with the provisions of this ordinance and the building code, and provided further that no threat to public safety exists. The building official may require that a performance guarantee be provided in accordance with section 2.17 as a condition of obtaining a temporary certificate. The date of expiration shall be indicated on the temporary certificate; failure to obtain a final certificate of occupancy within the specified time shall constitute a violation of this ordinance, subject to the penalties set forth in section 27.09.
- *Certificates for accessory buildings to dwellings.* Buildings and structures that are accessory to a dwelling shall not require a separate certificate of occupancy, but may be included in the certificate of occupancy for the principal use on the same parcel, provided the accessory

buildings or uses are shown on the plot plan and are completed at the same time as the principal use.

2. *Period of validity.* A final certificate of occupancy shall remain in effect for the life of the building or structure, or part thereof, or use of the land, until the use of the building, structure, or land changes. A change of use shall require a new certificate of occupancy.
3. *Records of certificates.* A record of all certificates of occupancy shall be kept by the building official. Copies of such certificates shall be furnished upon request to a person or persons having a propriety or tenancy interest in the property.
4. *Issuance of certificates.* The building official shall inspect a building or structure within five working days after notification of completion of a building or structure or other improvements. The building official shall issue a certificate of occupancy upon finding that the building or structure, or part thereof, or the use of land is in conformance with the provisions of this ordinance. If the building official denies approval of a certificate, the applicant shall be notified in writing of the denial and the reasons for denial.

27.09. Fees.¹⁴

Any application for an amendment to this ordinance, site plan review, review of a special land use proposal, review of a planned unit development proposal, request for a variance, request for inspection, request for a building permit or certificate of occupancy, or other request for other action pursuant to the regulations set forth in this ordinance shall be subject to and accompanied by a fee as established by the township board, in accordance with section 25 of Michigan Public Act No. 184 of 1943 (MCL 125.295), as amended. Such fees shall be collected in advance of any reviews, inspections, or issuance of any permits or approvals. Upon notification of deficient payment of fees, administrative officials charged with enforcement of the ordinance shall cause any permits to be suspended and reject applications for new permits directly associated with the project.

The assessment and payment of application fees does not affect the requirements for a performance guarantee as specified in section 2.17.

There shall be no fee in the case of applications filed in the public interest by a municipal department or township official.

27.09. Violations and penalties.

1. *Public nuisance.* Buildings erected, altered, razed or converted (including tents, mobile homes, and trailer coaches), or uses carried on in violation of any provision of this ordinance are hereby declared to be a nuisance per se, and shall be subject to abatement or other action by a court of appropriate jurisdiction.
2. *Violation.* Any person, firm, corporation, or agent, or any employee, contractor, or subcontractor of same, who fails to comply with any of the provisions of this ordinance or any of the regulations adopted in pursuance thereof, or who impedes or interferes with the enforcement of this ordinance by the building official or other enforcement official, shall be deemed in violation of this ordinance.
3. *Penalties.* Any violation of this ordinance shall constitute a misdemeanor. Any person who is convicted shall be subject to punishment by a fine not exceeding \$500.00 or by imprisonment not exceeding 90 days for each offense, or both, at the discretion of the court. Each day a violation occurs or continues shall constitute a separate offense. Furthermore, the owner or tenant of any building, structure, premise, or part thereof, and any architect, engineer, builder, contractor, agent, or other person who commits, participates in, assists

¹⁴Note(s)—See the editor's note to § 27.08.

in, or maintains any violation of the ordinance may each be found guilty of a separate offense and may be subject to the penalties provided herein. The cost of prosecution shall also be assessed against the violator.

The imposition of any sentence shall not exempt the offense from compliance with the requirements of this ordinance.

4. *Authority to pursue court action.* The township board or its duly authorized representative is hereby empowered to commence and pursue any and all necessary and appropriate actions or proceedings in the circuit court, or any other court having jurisdiction, to restrain or prevent any noncompliance with or violation of any of the provisions of this ordinance, and to correct, remedy, or abate such noncompliance or violation. Any person aggrieved or adversely affected by such noncompliance or violation may institute suit or join the township board in such a suit to abate the violation.
5. *Other remedies.* The rights and remedies set forth above shall not preclude the use of other remedies provided by law, including any additional rights of the township to initiate proceedings in an appropriate court of law to restrain or prevent any noncompliance with any provisions of this ordinance, or to correct, remedy, or abate such noncompliance.
6. *Rights and remedies preserved.* Any failure or omission to enforce the provisions of this ordinance, and any failure or omission to prosecute any violations of this ordinance, shall not constitute a waiver of any rights and remedies provided by this ordinance or by law, and shall not constitute a waiver of nor prevent any further prosecution of violations of this ordinance.

State law reference(s)—Violations, MCL 125.294.

27.11. Records.¹⁵

Permanent and current records of this ordinance, including but not necessarily limited to, all maps, amendments, variances, appeals, special land uses, certificates of occupancy, and related applications, shall be maintained in the office of the township administrative official having jurisdiction.

Every rule or regulation, decision, finding of fact, condition of approval, resolution, or other transaction of business of the planning commission or zoning board of appeals shall be duly recorded and filed in the public records of the office of the township clerk.

A copy of any application, permit, certificate, transcript of a public meeting, or other item of the public record, may be obtained from the appropriate township office upon payment of copying costs.

ARTICLE 28.00. ADMINISTRATIVE ORGANIZATION

28.01. Overview.

The township board or its duly authorized representative as specified in this article is hereby charged with the duty of enforcing the provisions of this ordinance. Accordingly, the administration of this ordinance is hereby vested in the following township entities:

- a. Township board of trustees.
- b. Township planning commission.
- c. Zoning board of appeals.

¹⁵Note(s)—See the editor's note to § 27.08.

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- d. Zoning enforcement officials, including the building official and planning official.

The purpose of this article is to set forth the responsibilities and scope of authority of these entities.

28.02. Township board of trustees.

The township board of trustees shall have the following responsibilities and authority pursuant to this ordinance.

- A. *Adoption of zoning ordinance and amendments.* In accordance with the intent and purposes expressed in the preamble to this ordinance, and pursuant to the authority conferred by Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended, the township board of trustees shall have the authority to adopt this ordinance, as well as amendments previously considered by the planning commission or at a hearing or as decreed by a court of competent jurisdiction.
- B. *Review and approval of plans.* Township board review and approval shall be required for certain site plans, as specified in section 27.02, subsection C.8. Township board review and approval shall be required for all special land uses, in accordance with section 27.03, subsection B.10. Township board review and approval shall be required for all planned developments, in accordance with section 27.04, subsection F.
- C. *Setting of fees.* In accordance with section 27.08 of this ordinance and section 25 of Michigan Public Act No. 184 of 1943 [MCL 125.295], as amended, the township board shall have the authority to set all fees for permits, applications, and requests for action pursuant to the regulations set forth in this ordinance. In the absence of specific action taken by the township board to set a fee for a specific permit or application, the appropriate township administrative official shall assess the fee based on the estimated costs of processing and reviewing the permit or application.
- D. *Approval of planning commission members.* In accordance with Michigan Public Act No. 168 of 1959 (MCL 125.321 et seq.), as amended, members of the planning commission shall be appointed by the township supervisor with the approval of the township board.

Cross reference(s)—Boards, commissions and authorities, § 2-131 et seq.

28.03. Township planning commission.

The township planning commission shall have the following responsibilities and authority pursuant to this ordinance.

- A. *Creation.* The township planning commission is created and shall have all powers and duties pursuant to Michigan Public Act No. 33 of 2008 (MCL 125.3801 et seq.) as amended, the Michigan Planning Enabling Act (MPEA).
- B. *Membership and operation.* Members of the planning commission shall be appointed by the township supervisor with the approval of the township board of trustees. The membership shall be representative of the important segments of the community and shall also be representative of the entire territory of the township, to the extent practical. The qualifications of members, the term of each member, filling of vacancies, compensation of members, and operation of the planning commission shall be in accordance with Public Act No. 33 of 2008 (MCL 125.3801 et seq.), as amended.

In accordance with Public Act No. 33 Of 2008 (MCL 125.3821), the planning commission by resolution shall determine the time and place of meetings. The planning commission shall hold not less than four regular meetings each year. A special meeting may be called by either two members upon written request to the secretary, or by the chairperson. The Planning Commission shall adopt rules for the

transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

- C. *Jurisdiction.* The planning commission shall discharge the following duties pursuant to this ordinance:
1. *Formulation of zoning ordinance and amendments.* The planning commission shall be responsible for formulation of the zoning ordinance, review of amendments to the zoning ordinance, holding hearings on a proposed zoning ordinance or amendments, and reporting its findings and recommendations concerning the zoning ordinance or amendments to the township board of trustees.
 2. *Site plan review.* The planning commission shall be responsible for review of certain applications for site plan approval in accordance with section 27.02, sub-section C.7. As provided for in section 27.02, the planning commission shall be responsible for either making a determination to grant approval, approval subject to revisions, or denial of site plan approval, or it shall be responsible for making a recommendation for final action by the township board of trustees.
 3. *Special land use review.* The planning commission shall be responsible for holding hearings and review of all applications for special land use approval in accordance with Section 27.03, and making a recommendation to the township board of trustees to grant approval, approval subject to revisions, or denial of approval.
 4. *Planned development review.* The planning commission shall be responsible for holding hearings and review of all applications for planned development in accordance with Section 27.04. The planning commission shall be responsible for making a recommendation to the township board of trustees to grant approval, approval with conditions, or denial of a planned development proposal.
 5. *Formulation of a basic plan.* The planning commission shall be responsible for formulation and adoption of a basic plan (i.e., the Canton Township master land use plan) as a guide for the development of the Township, in accordance with Michigan Public Act No. 33 of 2008 (MCL 125.3837 et seq.), as amended.
 6. *Review of matters referred by the township board.* The planning commission shall be responsible for review of plats or other matters relating to land development referred to it by the Township Board of Trustees. The Planning Commission shall recommend appropriate regulations and action on such matters.
 7. *Report on operation of the zoning ordinance.* In accordance with Michigan Public Act No. 33 Of 2008 (MCL 125.3819), as amended, the planning commission shall periodically prepare for the township board of trustees a report on the operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

(Zoning Ord. Amd. 2011-2, 6-28-2011)

Cross reference(s)—Boards, commissions and authorities, § 2-131 et seq.

28.04. Zoning board of appeals.

The township zoning board of appeals (hereinafter referred to as "ZBA") shall have the following responsibilities and authority pursuant to this ordinance.

- A. *Creation.* The ZBA is created pursuant to Michigan Public Act No. 184 of 1943 (MCL 125.271 et seq.), as amended, the Township Rural Zoning Act.

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- B. *Membership and operation.* The ZBA shall consist of five members who shall be appointed in accordance with section 18 of Michigan Public Act No. 184 of 1943 (MCL 125.289), as amended, such that the first member is a member of the planning commission and the remaining members are representative of the population distribution and various interests present in the township. The qualifications of members, the term of each member, filling of vacancies, compensation of members, and operation of the ZBA shall be in accordance with Public Act No. 184 of 1943 (MCL 125.271 et seq.). The ZBA shall not conduct business unless a majority of the members of the board are present.
 - C. *Meetings.* Regular meetings of the ZBA shall be held at such times as specified in the ZBA's rules and procedures, and special meetings shall be held at the call of the chairman. The ZBA shall state the grounds of each determination, and shall maintain a record of its proceedings, which shall be filed in the office of the township clerk.
 - D. *Concurring vote required.* The concurring vote of a majority of the members of the ZBA shall be necessary to reverse an order, requirement, decision, or determination of an administrative official or body; to decide in favor of an applicant on any matter upon which the ZBA is required to act; or, to effect any variation to this zoning ordinance.
 - E. *Jurisdiction.* The ZBA shall act on all questions as they may arise in the administration of the zoning ordinance, including the interpretation of the zoning districts map. The ZBA shall also hear and decide appeals from and review any order, requirements, decision, or determination made by an administrative official or body charged with enforcement of this ordinance. The ZBA shall also hear and decide matters referred to them or upon which they are required to pass under this ordinance. In doing so, the ZBA may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer or body from whom the appeal is taken and may issue or direct the issuance of a permit. The ZBA shall not have the power to alter or change the zoning district classification of any property.

In acting on appeals or requests for variances, the ZBA shall comply with the provisions of section 27.05. In the interest of complying with these requirements and furthering the objectives of this section, the ZBA may take the following actions:

1. Interpret the zoning districts map where the street layout shown on the map varies from actual conditions.
2. Interpret the exact location of a boundary line between zoning districts shown on the map.
3. Grant variances from off-street parking or loading space requirements, upon finding that such variances will not result in a parking or loading space deficiency or otherwise be inconsistent with the intent of such requirements.
4. Grant variances from yard and bulk regulations, including height, lot area, yard setback, floor area, and lot width regulations, where there are unique circumstances on the lot such that the lot cannot reasonably be put to a conforming use. In deciding upon such variances, the ZBA shall first determine that sufficient area exists of [for] an adequate stormwater drainage, water supply, and septic system, if necessary.
5. Grant variances from the site plan review requirements where the ZBA finds that the requirements would cause practical difficulties or unnecessary hardship due to the unique conditions on the site.
6. Grant variances made necessary by the advances of technology being put to use in new developments, but not anticipated by the provisions of this ordinance.

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- F. *Decision final.* The decision of the ZBA shall be final, but shall be subject to review by the circuit court. The circuit court may order the ZBA to rehear a case in the event that the court finds that the record of the ZBA is inadequate to make the proper review, or that there is additional evidence which is material and with good reason was not presented to the ZBA.

Cross reference(s)—Boards, commissions and authorities, § 2-131 et seq.

28.05. Planning official, building official, and other enforcement officials.

- A. *Overview.* As specified throughout this ordinance, certain actions necessary for the implementation of this ordinance shall be administered by the planning official, building official, and other township administrative officials, or their duly authorized assistants or representatives. In carrying out their designated duties, all such enforcement officers shall administer the ordinance precisely as it is written and shall not make changes or vary the terms of this ordinance.
- B. *Responsibilities of the planning official.* In addition to specific responsibilities outlined elsewhere in this ordinance, the planning official shall have the following responsibilities:
- Provide citizens and public officials with information relative to this ordinance and related matters.
 - Assist applicants in determining the appropriate forms and procedures related to site plan review, rezoning, and other zoning matters.
 - Review all applications for site plan review, special land use review, planned development proposals, and take any action required under the guidelines in sections 27.02, 27.03 and 27.04.
 - Serve responsibly as a member of the township's development review committee.
 - Forward to the planning commission all applications for site plan review, special land use review, planned unit development proposals, petitions for amendments to this ordinance, and other applications which must be reviewed by the planning commission.
 - Forward to the zoning board of appeals all materials related to applications for appeals, variances, of other matters on which the zoning board of appeals is required to act.
 - Forward to the township board all recommendations of the planning commission concerning matters on which the township board is required to take final action.
 - Periodically report to the planning commission on the status of township's zoning and planning administration.
 - Maintain up-to-date zoning map, zoning ordinance text, and office records by recording all amendments and filing all official minutes and documents in an orderly fashion.
- C. *Responsibilities of the building official.* In addition to specific responsibilities outlined elsewhere in this ordinance, and in addition to specific responsibilities related to enforcement and administration of the adopted building code, the building official or his designated representative shall have the following responsibilities:
- Provide citizens and public officials with information relative to this ordinance and related matters.
 - Assist applicants in the completion of required application forms for permits and certificates.
 - Review all applications for site plan review, special land use review, planned development proposals, and take any action required under the guidelines in sections 27.02, 27.03 and 27.04.
 - Serve responsibly as a member of the township's development review committee.

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- Review and investigate permit applications to determine compliance with the provisions of the this ordinance.
 - Issue building or other appropriate permits when all provisions of this ordinance and other applicable ordinances have been complied with.
 - Issue certificates of occupancy in accordance with section 27.07 when all provisions of this ordinance and other applicable ordinances have been complied with.
 - Perform inspections of buildings, structures, and premises to insure proposed land use changes or improvements are and will remain in compliance with this ordinance.
 - Prepare a record of all nonconforming uses, structures, and lots existing on the effective date of this ordinance, and monitor and control such nonconformities.
 - Investigate alleged violations of this ordinance and enforce appropriate corrective measures when required, including issuance of violation notices, issuance of orders to stop work, and revoking of permits.
 - Forward to the zoning board of appeals all materials related to applications for appeals, variances, of other matters on which the zoning board of appeals is required to act.
 - Perform other related duties required to administer this ordinance.

ARTICLE 29.00. SEVERABILITY, REPEAL, EFFECTIVE DATE

29.01. Severability.

This ordinance and the various parts, sentences, paragraphs, sections and clauses it contains are hereby declared to be severable. Should any part, sentence, paragraph, section or clause be adjudged unconstitutional or invalid by any court for any reason, such judgment shall not affect the validity of this ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Furthermore, should the application of any provision of this ordinance to a particular property, building, or structure be adjudged invalid by any court, such judgment shall not affect the application of said provision to any other property, building, or structure in the township, unless otherwise stated in the judgment.

29.02. Repeal of existing ordinance.

The zoning ordinance adopted by the Charter Township of Canton on March 25, 1980, and all amendments thereto, shall be repealed on the effective date of this ordinance. The repeal of the above ordinance and its amendments does not affect or impair any act done, offense committed or right accruing, accrued, or acquired, or any liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted, or inflicted.

29.03. Adoption chronology and effective date.

A. Chronology of actions pursuant to adoption.

1. Public hearing by planning commission: October 24, 1988.
2. Resolution of planning commission to approve zoning ordinance text and map and recommend township board adoption: September 18, 1989.
3. Approval by county coordinating committee: October 18, 1989.

4. Resolution of township board to adopt zoning ordinance text and map: November 28, 1989, published December 14, 1989.

B. *Effective date.* Made and passed by the Township Board of the Charter Township of Canton, Wayne County, Michigan on this 28th day of November, 1989, and effective immediately upon publication of notice of ordinance adoption by the township clerk in a newspaper of general circulation in the Township of Canton, pursuant to the provisions of sections 11 and 11a of Michigan Public Act No. 184 of 1943 (MCL 125.282, 125.282a), as amended.

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the Township Board of Trustees on the 14th day of December, 1989.

Thomas J. Yack, Supervisor	Terry G. Bennett, Clerk
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I, Terry G. Bennett, Clerk of the Charter Township of Canton, hereby certify that notice of adoption of the foregoing ordinance was published pursuant to the provisions of sections 11 and 11a of Michigan Public Act No. 184 of 1943 (MCL 125.282, 125.282a), as amended, in the Canton Eagle, a newspaper of general circulation in the Township of Canton on the 14th day of December, 1989.

Terry G. Bennett, Clerk	Date
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