

Article 1: Title and Purpose

Amendments

ARTICLE I

TITLE AND PURPOSE

SEC. 1.1 SHORT TITLE

This Ordinance shall be known and may be cited as the "CHARTER TOWNSHIP OF PLYMOUTH ZONING ORDINANCE".

SEC. 1.2 PURPOSE

The purpose of this Zoning Ordinance is to provide for the regulation of land development and the establishment of zoning districts in the portions of the Charter Township of Plymouth outside the limits of cities and villages which regulate the use of land and structures; to meet 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; to ensure that use of the land shall be situated in appropriate locations and relationships; to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities; to facilitate adequate and efficient provisions for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements; and to promote public health, safety and welfare.

For these purposes, the Charter Township of Plymouth shall divide the Township into districts of such number, shape and area as it considers best suited to carry out this Ordinance; 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; to designate or limit the location, the height, number of stories, and size of dwellings, buildings, and structures that may be erected or altered, and specific uses for dwellings, buildings, and structures, including trailer coaches and manufactured housing, that may be erected, occupied, used or altered; to establish the area of yards, courts, and other open spaces, and the sanitary, safety and protective measures that shall be required for the dwellings, buildings and structures, including trailer coaches and manufactured housing; and to establish the maximum number of families which may be housed in dwellings, buildings and structures in the Charter Township of Plymouth, erected or altered.

Article 2: Zoning Districts, Zoning Map and Uses Permitted

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ARTICLE II

ZONING DISTRICTS, ZONING MAP AND USES PERMITTED

SEC. 2.1 ZONING DISTRICTS

For the purpose of this Ordinance, the Charter Township of Plymouth is hereby divided into the following districts, which shall be known by the following respective symbols and names:

SYMBOL	DISTRICT NAME
AG	Agricultural District
PL	Public Lands District
R-1-E	Single Family Residential District
R-1-H	Single Family Residential District
R-1-S	Single Family Residential District
R-1	Single Family Residential District
R-M	Mobile Home Residential District
R-2	Two Family Residential District
R-2-A	Multiple Family Residential District
OS	Office Service District
OS-ARC	Office Service - Ann Arbor Road Corridor District
VP	Vehicular Parking District
C-1	Neighborhood Shopping District
C-2	General Commercial District
ARC	Ann Arbor Road Corridor District
MR	Mid-Rise District
OR	Office Research District
TAR	Technology and Research District
IND	Industrial District

SEC. 2.2 ZONING MAP

The areas comprising these zoning districts and the boundaries of said districts, as shown upon the Map attached hereto and made a part of this Ordinance, being designated as the Zoning Map of the Charter Township of Plymouth, with all proper notations, references and other information shown thereon, shall be as much a part of this Ordinance as though described herein, provided, however, where uncertainty exists with respect to the boundaries, the rules set forth in Sec. 2.3, Boundaries of District, shall apply (see Zoning Map).

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SEC. 2.3 BOUNDARIES OF DISTRICT

The boundaries of zoning districts, as shown on the Map, unless otherwise shown by dimensions from street lines or other designated lines, follow the centerline of streets or alleys or lot lines, and such lines extended and the corporate limits of the Charter Township of Plymouth as they exist at the time of adoption of this Ordinance.

Where a district boundary line, as established in the above paragraph or as shown on the Zoning Map, divides a lot which was in a single ownership and of record at the time of enactment of this Ordinance, the district boundary line shall be fixed from the scale of the Zoning Map.

Questions concerning the exact location of district boundary lines shall be determined by the Zoning Board of Appeals after recommendation from the Township Planning Commission.

SEC. 2.4 AMENDMENT OF ZONING MAP

The Zoning Map may be amended from time to time, in whole or in part, by Ordinance to which there shall be attached a map of the Section or any part thereof affected by the amendment. Each map shall be given an amendment number.

SEC. 2.5 ZONING OF STREETS, ALLEYS AND RAILROAD RIGHTS-OF-WAY

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

The boundary line of districts affected by vacation of a right-of-way shall remain at the centerline of said vacated right-of-way. If this conflicts with the lot boundary line thus affected, the district line shall follow the nearest boundary line of the lots created at the time of vacation.

SEC. 2.6 PRINCIPAL PERMITTED USES IN DISTRICTS

Within each zoning district there are uses which, when developed in accordance with sound planning and site plan principles, are consistent with the purpose and objectives of the district. For the purpose of this Ordinance these uses shall be known as principal permitted uses as set forth in the individual district and shall be allowed within that particular district subject to the development requirements for the district.

SEC. 2.3	BOUNDARIES OF DISTRICT
SEC. 2.4	AMENDMENT OF ZONING MAP
SEC. 2.5	STREETS, ALLEYS AND RAILROAD RIGHTS-OF-WAY
SEC. 2.6	PRINCIPAL PERMITTED USES IN DISTRICTS

Article 2: Zoning Districts, Zoning Map and Uses Permitted

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SEC. 2.7 SPECIAL LAND USES

1. Purpose

Within each zoning district there are uses which may be consistent with the purpose and objectives of the particular zoning district only in specific locations, under specific conditions and when developed in accordance with sound planning and site plan principles. For the purpose of this Ordinance these uses shall be known as special land uses as set forth in the individual district and shall be allowed within that particular district subject to the development requirements for the district, provided the Commission finds:

- (a) The use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts or uses. In evaluating whether a use complies with the intent of this provision, among the factors the Planning Commission may evaluate are the following:
 - 1) The intensity and scale of the use in comparison to surrounding uses and conditions.
 - 2) The consistency of the use with the Master Plan.
 - 3) The impact of the use on natural features of the site and surrounding area.
 - 4) The intent of the Zoning District in which the use is proposed to be located.
- (b) The use is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
- (c) The use will be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area.
- (d) The vehicular circulation for the proposed use will be in the best interest of the public health, safety and welfare in relationship to egress/ingress to the site, vehicular turning movements related to street intersections and street gradient, site distance and potential hazards to the normal flow of traffic.
- (e) The location, use and assembly of persons in connection with the proposed use will not be hazardous to the planning unit in which the use is located or hazardous to a specific use or life and property within the planning unit, or be incongruous therewith or in conflict with the normal traffic of the planning unit.
- (f) The proposed site layout is in compliance with the general site development standards of Article 29, Site Plan and Development Approval, and shall insure that:

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- 1) The use and associated activities on the property are so located as not to hinder the projected development of the adjacent properties or impair the existing uses of adjacent lands. This shall include all uses associated with the particular use such as parking, lighting, display sign, etc.
- 2) Sufficient landscaping, fencing, walls and other means of buffering are provided to insure that operation of the use will not be objectionable to nearby uses or dwellings by reason of noise, fumes or flash of lights nor increase the danger of fire or otherwise create the potential of endangering the public safety.

2. Application

Application for approval shall be made by the owner or owners of any land, where such use is contemplated. The application shall be accompanied by a fee as indicated in the Schedule of Fees adopted by the Township Board of Trustees to cover the cost of evaluating the application as to principles and conditions hereinafter set forth.

3. Application Information

Application for approval shall contain the following information:

- (a) A metes and bounds description of the acreage comprising the proposed conditional or special land use.
- (b) Topographic survey including natural and manmade features at a scale no greater than 1"=50'.
- (c) An existing land use map showing the existing use of adjacent lands.
- (d) A general development plan of sufficient detail to define the proposed location of buildings, parking, interior circulation and landscape areas.
- (e) Any other pertinent information deemed necessary by the Planning Commission to make a determination concerning the desirability and appropriateness of the proposed special land use.

4. Public Hearing Requirement (as amended on 9/30/07)

A public hearing shall be held by the Planning Commission on a proposed special land use in order to acquaint the public and adjoining property owners with the proposal prior to furnishing of detailed plans and specifications by the petitioner. Notice of the 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 persons to whom real property is assessed within three hundred (300) feet regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. If

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the name of the occupant is not known, the term “occupant” may be used in making notification. The notice shall:

- (a) Describe the nature of the use request.
- (b) Indicate the property which is the subject of the special land use request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- (c) State when and where the special land use will be considered.
- (d) Indicate when and where written comments will be received concerning the request.

5. Planning Commission Decision (as amended on 9/30/07)

The Planning Commission may deny, approve or approve with conditions a request for special land use approval. In permitting such request the Planning Commission may require any conditions and safeguards the Commission determines to be in keeping with the spirit and intent of this Ordinance and to protect the neighboring properties from an impact. The decision on such use shall be incorporated in a statement to be made part of the minutes of the meeting. Said statement shall contain the findings and conclusions relative to the use under consideration specifying the basis for the decision and any conditions imposed. Conditions and requirements stated and made part of the approval shall be a continuing obligation running with the use of said property until the approved use is abandoned or superseded by another permitted use.

The decision of the Planning Commission shall be final in regards to the denial, approval or approval with conditions of the special land use, and the Zoning Board of Appeals shall not have jurisdiction over the decision of the Planning Commission.

6. Expiration of Approval

- (a) Approval of a special land use request shall expire three hundred sixty five (365) days after the date of approval, unless a site plan has been submitted for review in accordance with Article 29, Site Plan and Development Approval, or unless the use has been legally established (including issuance of a certificate of occupancy where required) in cases where site plan review is not required.
- (b) The Planning Commission may, upon written request, grant one (1) extension of approval for a period of time not to exceed eighteen (18) months from the date of

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original approval, under such terms and conditions as deemed necessary in accordance with the purpose of this Section.

- (c) Approval of a special land use shall automatically expire if the approved final site plan associated with the use expires in accordance with Section 29.11, Expiration of Site Plan Approval.

7. Revocation of Approval

Approval of a special land use may be revoked by the Planning Commission upon determination that the use has not been improved, constructed or maintained in compliance with this Ordinance, approved permits, site plans, or conditions of approval. Such action shall be subject to the following:

- (a) **Public Hearing.** Such action may be taken only after a public hearing has been held in accordance with the procedures set forth in Section 2.7.4 of this Article (Public Hearing Requirement), at which time the owner of an interest in land for which approval was sought, or the owner’s designated agent, shall be given an opportunity to present evidence in opposition to revocation of approval.
- (b) **Determination.** Subsequent to the hearing, the decision of the Commission with regard to the revocation shall be made, and written notification provided to said owner or designated agent.
- (c) The decision of the Planning Commission shall be final in regards to revocation and the Zoning Board of Appeals shall not have jurisdiction over the decision of the Planning Commission.

SEC. 2.8 USES PERMITTED REQUIRING APPROVAL OF THE ZONING BOARD OF APPEALS

The Zoning Board of Appeals shall have limited authority to grant uses of land and/or buildings. The Board of Appeals shall be limited to granting the following uses as specifically set forth in this Ordinance, subject to the conditions described, and shall not have the authority to grant any other use of land and/or business for either a temporary or permanent period of time.

1. Keeping of Fowl and Rabbits

The keeping of one (1) or more fowl or four (4) or more rabbits on lots less than five (5) acres in area for non-commercial use by the occupants of the premises with the approval of the Zoning Board of Appeals, subject to the following:

- (d) That the lot area to be used for the keeping of fowl or rabbits shall not be less than one (1) acre.
- (e) That all fowl or rabbits be so housed, fenced and otherwise kept that their use will not constitute a nuisance, and that the accessory building for the housing of fowl

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or rabbits shall be located not less than fifty (50) feet from any lot line and not less than one hundred (100) feet from any dwelling.

2. Roadside Stands

Roadside stands or buildings solely for the sale of fresh produce where permitted in the individual zoning district with the approval of the Zoning Board of Appeals, subject to the following:

- (a) The stand or building shall be located not less than fifteen (15) feet from the street setback line.
- (b) A drive shall be provided from the road to a parking area. The location and geometries of said drive shall be approved by the Michigan Department of Transportation and/or the Wayne County Road Commission, whichever has jurisdiction of the street or highway right-of-way.
- (c) The parking area may be a lawn area or a gravel area which must be to the side or rear of the roadside stand and shall comply with applicable parking requirements of Article 24.
- (d) As a condition of approval, the Zoning Board of Appeals shall find the scope and nature of the proposed roadside stand is within the spirit and intent of this subsection of the Ordinance. The intent is to provide a property owner with the means of selling homegrown-fresh produce produced on property owned within the Charter Township of Plymouth. It is not the intent of this section to provide for a commercial produce market outside of a commercial district.

3. Keeping of Domesticated Animals

The keeping of horses, donkeys, mules, ponies and other domesticated animals, other than house pets, for private use only, where permitted in the individual zoning district with the approval of the Zoning Board of Appeals, subject to the following:

- (a) A minimum area of one (1) full acre shall be provided for each animal.
- (b) An accessory building to be used for the housing of fowl or animals (excluding cats and dogs) shall be not less than fifty (50) feet from any lot line and also not less than one hundred (100) feet from any dwelling located on the lot or on an adjoining lot, unless a greater or lesser setback is required by the Zoning Board of Appeals.
- (c) The said animals shall be confined in a suitable fenced area or paddock, in such a manner that they may not approach any closer than one hundred (100) feet from any dwelling, including residences on abutting parcels or lots.

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- (d) Stables shall be kept clean and manure shall be treated and handled in such a manner as to control odor and flies.

SEC. 2.9 USES PROHIBITED IN DISTRICTS

If a use is not specifically listed as a principal permitted use, a special land use, or a use permitted requiring approval of the Zoning Board of Appeals within a zoning district, that use shall be prohibited in that district, unless the Planning Commission determines that the use is consistent with the purpose and intent of the district.

END OF ARTICLE 2.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 2: Zoning Districts, Zoning Map and Uses Permitted
Amendments:

ALL AMENDMENTS TO
ARTICLE II (2)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 2: Zoning Districts, Zoning Map and Uses Permitted

Amendments:

ALL AMENDMENTS TO ARTICLE II (2)

The following language was amended on 09/30/07

SEC. 2.7 SPECIAL LAND USES

4. Public Hearing Requirement

A public hearing shall be held by the Planning Commission on a proposed special land use in order to acquaint the public and adjoining property owners with the proposal prior to furnishing of detailed plans and specifications by the petitioner. Notice of the 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 persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased, by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:

- (a) Describe the nature of the use request.
- (b) Indicate the property which is the subject of the special land use request.
- (c) State when and where the special land use will be considered.
- (d) Indicate when and where written comments will be received concerning the request.

5. Planning Commission Decision

The Planning Commission may deny, approve or approve with conditions a request for use permitted subject to special conditions. In permitting such request the Planning Commission may require any conditions and safeguards the Commission determines to

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be in keeping with the spirit and intent of this Ordinance and to protect the neighboring properties from an impact. The decision on such use shall be incorporated in a statement to be made part of the minutes of the meeting. Said statement shall contain the conclusions relative to the use under consideration specifying the basis for the decision and any conditions imposed. Conditions and requirements stated and made part of the approval shall be a continuing obligation running with the use of said property until the approved use is abandoned or superseded by another permitted use.

The decision of the Planning Commission shall be final in regards to the denial, approval or approval with conditions of the special land use, and the Zoning Board of Appeals shall not have jurisdiction over the decision of the Planning Commission.

Article 3: FS Floodplain District

Amendments:

ARTICLE III

FS FLOODPLAIN DISTRICT

PURPOSE

The Floodplain District is designed to assure the flood and stormwater carrying capacity of the Township’s water courses; to protect and preserve property values and open and public lands; to protect residents; to avoid damage, infringement and nuisance to property; and to avoid needless public and private expense inevitably resulting from inappropriate development. Floodplain and floodway designations are based on the Federal Insurance Management Agency’s (FEMA) study of the Charter Township of Plymouth and further study by the Charter Township of Plymouth Engineer. These designations are based on the best available information regarding areas of flood hazard within the Township.

SEC. 3.1 DEFINITIONS

As used in this Article:

1. “Base Flood” means the 100 year flood or a flood having a one (1) percent or greater chance of being equaled or exceeded in any given year.
2. “Development” means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, dredging, filling, grading, paving, mobile home placement, or excavation, located within the Floodplain.
3. “Floodplain” means that area designated as floodplain on the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program map, as amended, which describes an area of land including and adjacent to a watercourse where excess water flows when the capacity of the normal channel is exceeded. The floodplain line is based on the base flood elevation.
4. “Floodway” means that area designated as floodway on the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program map, as amended which is the channel of the river and/or lands immediately adjacent thereto which serves to actively convey flood water downstream.

SEC. 3.2 DISTRICT DESIGNATION

1. In addition to the zoning districts enumerated in Section 2.1 and delineated by Section 2.2 of Article 2, there is established the Floodplain District which is designed to overlay other zoning districts and the floodplain is delineated on the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program Map, as amended, which is adopted by reference and declared to be part of this Ordinance. The FEMA map is on file and may

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SEC. 3.2	DISTRICT DESIGNATION

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be examined at the Department of Building and Code Enforcement and the office of the Township Clerk.

2. Notwithstanding any other provisions of this Ordinance, no development shall take place in the designated Floodplain District except in accordance with the regulations contained in this Article. The regulations in this Article shall be in addition to regulations otherwise pertaining to such development and the regulations regarding permitted uses, conditional uses, accessory uses and all other requirements of this Ordinance shall fully apply to the land and development within the Floodplain District.

SEC 3.3 FLOODPLAIN/FLOODWAY REGULATIONS

1. All development shall be prohibited within the designated floodways, except for one or more of the following uses which shall not include the building of structures or earth changes altering the natural water carrying capacity of the floodway: Agricultural crops, horticulture, open recreation areas, golf courses, bridle or nature paths, or the common area of a development. An area within a floodway may be used to supply open space or lot area requirements of a lot or other development located partially beyond the floodway line. Construction of drainage structures or stormwater facilities maintaining the natural water carrying capacity of the floodway shall be permitted in accordance with provisions of this Article.
2. To the maximum extent practicable, all development shall be prohibited within the designated floodplains, except the uses and exceptions listed and subject to the requirements in 3.3.1 above. The following steps shall apply to administrative determinations of compliance with this subsection 3.3.2:
 - (a) If proposed development can reasonably proceed in accordance with all other applicable requirements of this Ordinance and not involve development in the floodplain, a proposal shall be required not to include development in the floodplain. This requirement is applicable, for example, where placing a proposed structure in a different location on the site than originally proposed is possible within otherwise applicable requirements such as setbacks. In that instance and in similar instances where a change in the development plan is possible within other restrictions that would not involve development in the floodplain, no development in the floodplain will be permitted.
 - (b) If the conditions of 3.3.2(a) above do not reasonably pertain to the proposal and if reasonable variance of this Ordinance or the development of a Residential Unit Developments or Single Family Cluster Housing in accordance with Articles 21 and 22 is possible which would allow the proposed development with changes avoiding development within the floodplain, the applicant shall be directed to undertake such procedures pursuant to this Ordinance. A report of the Chief Building Official and/or Township Engineer shall accompany such applications indicating the determinations made regarding the application. All conditions for a variance or

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allowance of a Residential Unit Developments or Single Family Cluster Housing otherwise pertaining must be met as they would for any other proposal before a permit may be issued in accordance with the provisions of this Ordinance.

- (c) Only if 3.3.2(a) and 3.3.2(b) procedures above are not applicable or a denial pursuant to 3.3.2(b) has been issued, and the applicant has demonstrated compliance with all applicable federal, state and local floodplain requirements, shall a permit be issued for development in a floodplain. Compliance with federal and state requirements may be evidenced by grant of a consolidated state permit or letter from the Michigan Department of Environmental Quality indicating compliance of the proposal with state and federal requirements.
- (d) Initial consultation in the administration of this subsection 3.3.2 shall involve the applicant or agent and the Chief Building Official with the assistance of the Township Engineer, if determined necessary. Appeal of determinations of the Chief Building Official shall be to the Planning Commission pursuant to procedures for site plan review in Article 29 of this Ordinance.

SEC. 3.4 APPLICATION AND APPROVAL

Application for review of proposed development in the Floodplain District and the applicable appeal procedures shall be in accordance with provisions in Article 29 for site plan review and approval except that:

- 1. The application shall include, in addition to the information required by Article 29 of this Ordinance or by Article 3 of the Plymouth Township Subdivision Control Ordinance, Ordinance 32, if applicable, the following information:
 - (a) The location of the floodplain, floodway and wetlands, if any, on the site.
 - (b) The location of neighboring water detention areas or facilities, culverts, storm sewers, open or enclosed drains, swales or other natural or built areas or facilities designed for stormwater management.
 - (c) The siting of all structures and proposed development in relation to floodplains, floodways or wetlands, if any.

Article 4: PL Public Lands District

Amendments:

ARTICLE IV

PL PUBLIC LANDS DISTRICT

PURPOSE

The Public Lands District is designed to classify public owned uses as well as certain privately owned uses and lands which are intended for major use in a recreational or institutional setting by the public. Buildings and sites in this district should be compatible with the character of the surrounding neighborhood and should establish a high standard of site design and appearance.

SEC. 4.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. Municipal or other governmental buildings such as, but not limited to: township offices, fire stations, police stations, post offices and park comfort stations, provided that such uses do not meet the definition of “large scale institutional uses.”
2. Outdoor public owned recreational uses including, but not limited to: playgrounds, playfields, golf courses, boating areas, fishing sites, parks and parkways.
3. Public schools, provided that such schools do not meet the definition of “large scale institutional uses”, offering courses in general education subject to the following requirements:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
4. Cultural services such as museums, art galleries and historical sites.

SEC. 4.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Public and private clubs or associations providing recreational uses for their members including, but not limited to: private golf clubs, country clubs, tennis clubs and riding clubs, subject to the following requirements:

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SEC. 4.2	SPECIAL LAND USES

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- (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.
 - (d) No building shall be located within one hundred (100) feet of any property line.
 - (e) Golf fairways, swimming pools, tennis courts and similar uses shall be located not less than thirty-five (35) feet from any property line and shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering.
2. Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main building and are considered incidental to a permitted use or an approved special land use provided:
- (a) There is no exterior display or advertising of said premises.
 - (b) The structure and associated parking facilities are so sited and landscaped so as to protect views and adjacent existing residential uses and districts.
3. Municipal facilities that qualify as “large scale institutional uses,” subject to the conditions of Section 28.63.
4. Wireless communication facilities, subject to Section 28.11.
5. Private schools, including parochial and charter schools, excluding child care facilities, provided that such schools do not meet the definition of “large scale institutional uses”, subject to the following requirements:
- (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
6. Churches, temples, and similar places of worship, and other facilities incidental thereto, provided that such uses do not meet the definition of “large scale institutional uses” or “large scale churches” and subject to the following requirements:
- (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.

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- (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
- (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.

SEC. 4.3 DEVELOPMENT REQUIREMENTS

All principal permitted uses and special land uses shall comply with all applicable provisions of the Zoning Ordinance, including but not limited to the following:

1. Site plan and development approval for all uses, as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses, as specified in Article 24 of this Ordinance.
3. Landscaping, screening and land use buffers for all uses, as specified in Article 26 of this Ordinance.
4. Signs for all uses, as specified in Article 25 of this Ordinance.
5. Special Provisions, as specified in Article 28 of this Ordinance.
6. Height, area, lot coverage and yard regulations, as specified in Article 20 of this Ordinance for the PL Zoning District. However, the height, area, lot coverage and yard regulations of the abutting district may be applied to the subject property provided the Planning Commission finds the height, area, lot coverage and yard regulations of the abutting district to be consistent with the purpose of this Article and shall not adversely affect adjacent neighboring properties in their existing or planned future use.
7. Fences shall be permitted in a PL District, subject to the following:
 - (a) No fence shall be built closer to the street than the front yard setback line applicable to the premises pursuant to the Schedule of Regulations (Article 20.)
 - (b) No fence shall be built closer to the street than the established front building line along said street or in front of the building closest to the street on the fenced premises.
 - (c) No fence shall be built on the side or rear of a corner lot parcel or tract closer to either of the intersecting streets than the applicable side or rear setback lines applicable to the premises pursuant to the Schedule of Regulations (Article 20).
 - (d) No such fence shall be built closer to the street than the established front building line along such intersecting street.

Article 4: PL Public Lands District

Amendments:

- (e) No fence permitted shall exceed four (4) feet in height.
- (f) The Planning Commission may permit an alternative as to placement and height of fence as it deems necessary to insure the protection of public facilities and/or property or the general public. The Planning Commission in granting an alternative may require any condition or safeguard the Commission determines to be in keeping with the spirit and intent of this Ordinance and necessary to provide adequate protection for the abutting properties.
- (g) In the PL District it shall be unlawful for any person to build, repair or relocate a fence without first having secured a Zoning Compliance and/or Building permit from the Department of Building and code Enforcement.

ARTICLE V

AG AGRICULTURAL DISTRICT

PURPOSE

To allow continued use of land zoned AG which is suited to eventual development into uses which would be consistent with the Future Land Use Plan of the Charter Township of Plymouth, and without encroaching upon adjacent uses.

SEC. 5.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. One family dwellings, subject to the standards of Section 28.3.
2. Agricultural uses on five (5) acres or more, as defined in Section 36.2. Stables or barns accessory to an active farm or agricultural use shall be subject to the standards of Section 5.2.12. Farms operated wholly or in part for the raising of hogs and/or other animals by the feeding of garbage, sewage, rubbish or offal shall not be permitted.
3. Truck-gardening, landscape nurseries and greenhouses without retail facilities.
4. Home occupations, subject to the standards of Section 28.70.
5. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
 - (a) Adult foster care family home [six (6) or fewer adults].
 - (b) Foster family home [four (4) or fewer children 24 hours per day].
 - (c) Foster family group home [five (5) to six (6) children 24 hours per day].
 - (d) Family day care home [six (6) or fewer children less than 24 hours per day].
6. Private stables for the keeping of horses and ponies for private use only, on five (5) acres or more.
7. Accessory structures and uses customarily incidental to the above permitted uses.
8. Public schools offering courses in general education provided that such facilities do not meet the definition of “large scale institutional uses” subject to the following requirements:

- (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
- (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility's ability to obtain a license.

SEC. 5.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

- 1. Municipal facilities, including libraries, community buildings, and municipal parks, playgrounds and other recreational facilities (excluding park and ride facilities), provided such facilities do not meet the definition of "large-scale institutional uses."
- 2. Nursing and convalescent homes, subject to the following conditions, provided that such facilities do not meet the definition of "large scale institutional uses."
 - (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
- 3. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
 - (a) Group day care home [twelve (12) or fewer children less than 24 hours per day].
 - (b) Adult foster care small group home [twelve (12) or fewer adults].
 - (c) Adult foster care large group home [thirteen (13) to twenty (20) adults].

4. Churches, temples and similar places of worship, and other facilities incidental thereto provided that the uses do not meet the definition of “large-scale institutional uses” or “large scale churches,” and subject to the following conditions:
 - (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.
5. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools, but excluding child care facilities provided for in Section 28.64 offering courses in general education provided that such facilities do not meet the definition of “large-scale institutional uses” and subject to the following conditions:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
6. Private recreation areas, uses and facilities including country clubs, golf courses and swimming pools, provided that such facilities do not meet the definition of “large-scale institutional uses” and subject to the following conditions:
 - (a) No building shall be located within one hundred (100) feet of any property line.
 - (b) Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided there is no exterior display or advertising of said facilities.
 - (c) Golf fairways, swimming pools, tennis courts and similar uses shall be located not less than thirty-five (35) feet from any property line and shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering.
7. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, and two side yards and a rear yard of not less than fifty (50) feet each.
8. Cemeteries provided that no buildings or structures shall be located nearer than two hundred (200) feet to the boundary line of any adjacent parcel.

9. Truck gardening, landscape nurseries and greenhouses with retail facilities.
10. Mortuaries or funeral homes, provided that such facilities do not meet the definition of “large-scale institutional uses,” and subject to the following conditions.
 - (a) Adequate off-street vehicle assembly space shall be provided for funeral processions and similar activities. This space shall be required in addition to the required off-street parking and loading areas, except where the Planning Commission determines that an alternative arrangement will be adequate to serve the proposed activities.
 - (b) All loading and unloading areas shall be adequately screened from adjacent residential districts or uses and street rights-of-way.
 - (c) The caretaker’s residence shall be contained within the mortuary building or may be provided in an accessory building after review and approval by the Planning Commission.
 - (d) The caretaker’s residence shall be constructed in accord with the adopted building code, and provided with plumbing, heating, bathroom, and kitchen facilities.
 - (e) In no case shall the caretaker’s residence be used as a permanent single-family dwelling by other than a watchman or caretaker.

Kennels, subject to the standards of Section 28.73.

11. Public riding stables, subject to the following standards:
 - (a) A minimum lot area of not less than ten (10) acres, with a minimum lot width of not less than five hundred (500) feet, shall be maintained for such use.
 - (b) A riding stable shall provide an area of not less than two (2) acres for each horse stabled and used as a part of the riding stable use, but not less than 5.2.12.(a), above.
 - (c) Buildings, pens and runways for housing or keeping of horses, shall not be less than one hundred fifty (150) feet from any adjacent property line, provided however, that such yard space may be used for pasture in connection with a riding stable.
 - (d) Pens and runways shall be screened from view in all directions either by the buildings or a greenbelt planting.
 - (e) Sites shall be enclosed by a suitable fence, and maintained so that odor, dust, noise or water drainage shall not constitute a nuisance or hazard to adjoining properties. Stables shall be kept clean, and manure shall be treated and handled in such a manner as to control odor and flies.

13. Gun clubs subject to the following:

- (a) Individual ranges, areas containing more than one range, or the entire property shall be enclosed with a minimum six (6) foot chain link fence. Range fencing shall enclose the range proper, backstop, side walls, or greenbelt, shotfall area for shotgun ranges, firing line, ready areas, and any other area in which a person might unwittingly subject himself to reasonable hazard.
- (b) No-trespassing or danger signs designating the hazard, not less than two (2) square feet nor more than four (4) square feet in area, and spaced not more than two hundred (200) feet apart, shall be posted on the upper portion of the fence enclosing the range. The sign shall also be posted at each gate and other entry.
- (c) Outdoor ranges may be operated for light arms only during the daylight hours between 9:00 AM and 6:00 PM. The ranges may be operated for heavy arms only during the daylight hours between 1:00 PM and 6:00 PM only. Light arms are defined as shotguns, .22 caliber rim fire cartridges only. All other firearms are to be considered heavy arms.
- (d) Trap, skeet or other shotgun ranges shall be placed such that the firing positions are not less than nine hundred (900) feet from the nearest property line in the direction of fire. No backstop is required for such shotgun ranges.
- (e) All outdoor pistol and rifle ranges shall be provided with a secondary backstop and a primary bullet-stop immediately behind the target line. The primary bullet-stop shall consist of inclined steel plates with sand pits, or heavy timbers backed with earth. The steel plates shall be backed with sand or other sound deadening material. The secondary backstop shall be constructed of earth and shall be of sufficient height to subtend an angle of not less than six (6) degrees above the horizontal when viewed from the firing line, shall be equal to or greater than its distance from the firing line plus the width of the firing line. This backstop may be a natural rise of ground if free of stone and exposed rock and lying entirely within the fenced area. Alternative construction affording equivalent protection and noise reduction may be allowed on petition to the Planning Commission.
- (f) In addition to the primary and secondary backstops, all outdoor pistol and rifle ranges shall be enclosed on the remaining three (3) sides by a dense greenbelt of bushes, brush or trees not less than ten (10) feet in height and not less than two hundred (200) feet in width. As an alternative to the greenbelt, an earthwork may be constructed such that the top of the earthwork subtends an angle of not less than six (6) degrees from the horizontal when viewed from any point on the firing line, or not less than ten (10) feet in height, whichever is greater. In case of the earthwork, the two hundred (200) feet distance between the firing line and the property line shall be maintained. Alternative construction affording equivalent protection and noise reduction may be allowed on petition to the Planning Commission.

- (g) Indoor firing ranges shall be constructed in such a manner as to provide sound reduction and to prevent stray shots from leaving the range area in hazardous directions. In this interest all construction plans for initial construction, major alteration and subsequent new construction shall be approved by the Planning Commission and Department of Building and Code Enforcement.
- (h) All ranges shall be used only in the presence of competent supervision, as designated by the responsible officers of the club. A list of the responsible officers and of qualified range supervisors shall be registered each year in January with the Township Clerk.

SEC.5.2A (Added 3/14/10) USES SPECIFICALLY PROHIBITED

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law.

SEC. 5.3 USES PERMITTED REQUIRING APPROVAL OF THE ZONING BOARD OF APPEALS

The following uses are permitted with the approval of the Zoning Board of Appeals subject to the use standards listed in Section 2.8 and the review procedure specified in Section 31.8 of this Ordinance.

- 1. The keeping of one (1) or more fowl or four (4) or more rabbits for non-commercial use by the occupants of the premises on lots of less than five (5) acres.
- 2. One (1) roadside stand solely for the sale of fresh produce.
- 3. The keeping of horses, donkeys, mules, ponies and other domesticated animals, other than house pets, for private use only, subject to the standards of Section 2.8.3

SEC. 5.4 DEVELOPMENT REQUIREMENTS

All principal permitted uses, special land uses and uses permitted requiring approval of the Zoning Board of Appeals shall comply with all applicable provisions of this Ordinance, including but not limited to the following:

- 1. Site plan and development approval for all uses, except for single family dwellings, as specified in Article 29 of this Ordinance.
- 2. Off-street parking for all uses, as specified in Article 24 of this Ordinance.
- 3. Landscaping, screening and land use buffers for all uses, as specified in Article 26 of this Ordinance.
- 4. Signs for all uses, as specified in Article 25 of this Ordinance.

SEC 5.2	SPECIAL LAND USES
SEC 5.3	USES PERMITTED REQUIRING APPROVAL OF THE ZONING BOARD OF APPEALS
SEC 5.4	DEVELOPMENT REQUIREMENTS

5. Special Provisions, as specified in Article 28 of this Ordinance.
6. Height, area, lot coverage and yard regulations, as specified in Article 20 of this Ordinance.
7. The following specific requirements shall apply within an AG District:
 - (a) Accessory buildings for the housing of fowl or small animals (excluding cats and dogs) shall be located not less than fifty (50) feet from any lot line and not less than one hundred (100) feet from any dwelling.
 - (b) Any lot or parcel of land that was divided and recorded prior to the effective date of this Ordinance and is smaller than the five (5) acres required in an AG District must conform to the uses, yard size, lot area, percentage of lot coverage and other regulations of the R-1-E District.
8. Yard Grading and Drainage as specified in Section 28.15 of this Ordinance.
9. Sidewalks as specified in Section 28.16 of this Ordinance.
10. Fences may be permitted as specified in Section 6.4.8(f) of this Ordinance.

Article 6: One Family Residential Districts

Amendments:

ARTICLE VI

R-1-E, R-1-H, R-1-S, R-1

ONE FAMILY RESIDENTIAL DISTRICTS

PURPOSE

These residential districts are designed to ensure that the development of the designated areas proceeds in a manner consistent with the existing and desired residential character of the Township. The four (4) One Family Residential Districts are differentiated, among other factors, by densities and yard requirements as established in Article 20, Schedule of Regulations in order to provide a reasonable balance and variety of single family living environments.

SEC. 6.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. One family dwellings, subject to the standards of Section 28.3.
2. Home occupations subject to the standards of Section 28.70.
3. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
 - (a) Adult foster care family home [six (6) or fewer adults].
 - (b) Foster family home [four (4) or fewer children 24 hours per day].
 - (c) Foster family group home [five (5) to six (6) children 24 hours per day].
 - (d) Family day care home [six (6) or fewer children less than 24 hours per day].
4. Public schools offering courses in general education provided that such facilities do not meet the definition of “large scale institutional uses” subject to the following requirements:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.

Article 6: One Family Residential Districts

Amendments:

5. Accessory structures and uses customarily incidental to the above permitted uses.

SEC. 6.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Municipal facilities, including libraries, community buildings, and municipal parks, playgrounds and other recreational facilities (excluding park and ride facilities), provided such facilities do not meet the definition of “large-scale institutional uses.”
2. Nursing and convalescent homes, subject to the following conditions, provided that such facilities do not meet the definition of “large-scale institutional uses.”
 - (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
3. Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses” or “large scale churches,” and subject to the following conditions:
 - (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.

Article 6: One Family Residential Districts

Amendments:

4. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools (excluding child care or day care facilities provided for in Section 28.64) offering courses in general education, subject to the following conditions. Public, charter and private schools that meet the definition of “large scale institutional uses” shall be permitted only in the R-1-E District and shall also be subject to the conditions specified in Section 28.63.
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
5. Public and private recreation areas, uses and facilities including country clubs, golf courses and swimming pools, provided that such facilities do not meet the definition of “large-scale institutional uses” and subject to the following conditions:
 - (a) No building shall be located within one hundred (100) feet of any property line.
 - (b) Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided there is no exterior display or advertising of said facilities.
 - (c) Golf fairways, swimming pools, tennis courts and similar uses shall be located not less than thirty-five (35) feet from any property line and shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering.
6. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than forty-five (45) feet, and two side yards and a rear yard of not less than fifty (50) feet each.
7. Cemeteries provided that no buildings or structures shall be located nearer than two hundred (200) feet to the boundary line of any adjacent parcel.
8. Mortuaries or funeral homes, provided that such facilities do not meet the definition of “large-scale institutional uses,” and subject to the following conditions:
 - (a) Adequate off-street vehicle assembly space shall be provided for funeral processions and similar activities. This space shall be required in addition to the required off-street parking and loading areas, except where the Planning Commission determines that an alternative arrangement will be adequate to serve the proposed activities.
 - (b) All loading and unloading areas shall be adequately screened from adjacent residential districts or uses and street rights-of-way.

Article 6: One Family Residential Districts

Amendments:

- (c) The caretaker's residence shall be contained within the mortuary building or may be provided in an accessory building after review and approval by the Planning Commission.
 - (d) The caretaker's residence shall be constructed in accordance with the adopted building code, and provided with plumbing, heating, bathroom, and kitchen facilities.
 - (e) In no case shall the caretaker's residence be used as a permanent single-family dwelling by anyone other than a watchman or caretaker.
9. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
- (a) Group day care home [twelve (12) or fewer children less than 24 hours per day].
 - (b) Adult foster care small group home [twelve (12) or fewer adults].
 - (c) Child care centers.
10. Bed-and-Breakfast Inns with not more than four (4) transient sleeping units, and subject to the conditions of Section 28.71.
11. Veterinary Clinics, subject to the conditions of Section 28.72.
12. Kennels, subject to the conditions of Section 28.73.
13. Public riding stables subject to the following conditions:
- (a) A minimum lot area of not less than ten (10) acres, with a minimum lot width of not less than five hundred (500) feet, shall be maintained for such use.
 - (b) A riding stable shall provide an area of not less than two (2) acres for each horse stabled and used as a part of the riding stable use, but not less than 6.2.13.a, above.
 - (c) Building's pens and runways for housing or keeping of horses, shall not be less than one hundred fifty (150) feet from any adjacent property line, provided however, that such yard space may be used for pasture in connection with a riding stable.
 - (d) Pens and runways shall be screened from view in all directions either by the buildings or a greenbelt plantings.
 - (e) Sites shall be enclosed by a suitable fence, and maintained so that odor, dust, noise or water drainage shall not constitute a nuisance or hazard to adjoining

Article 6: One Family Residential Districts

Amendments:

properties. Stables shall be kept clean, and manure shall be treated and handled in such a manner as to control odor and flies.

SEC. 6.3 USES PERMITTED REQUIRING APPROVAL OF ZONING BOARD OF APPEALS

The following uses are permitted with the approval of the Zoning Board of Appeals subject to the use standards listed in Section 2.8 and the review procedure specified in Section 31.8 of this Ordinance.

1. The keeping of one (1) or more fowl or four (4) or more rabbits for non-commercial use by the occupants of the premises on lots less than five (5) acres.
2. One (1) roadside stand solely for the sale of fresh produce grown on the same parcel in the R-I-E or R-1-H Districts.
3. The keeping of horses, donkeys, mules, ponies and other domesticated animals, other than house pets, in the R-1-E or R-1-H District for private use only, subject to the standards of Section 2.8.3.
4. Private stables for the keeping of horses and ponies for private use only in a R-1-E District, subject to the standards of Section 2.8.3.

SEC. 6.4 DEVELOPMENT REQUIREMENTS

All principal permitted uses, special land uses, and uses requiring approval of the Zoning Board of Appeals shall comply with all applicable provisions of the Zoning Ordinance, including but not limited to the following:

1. Site plan and development approval for all uses, except for single-family dwellings, as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses, as specified in Article 24 of this Ordinance.
3. Screening and land use buffers for all uses, as specified in Article 26 of this Ordinance.
4. Signs for all uses, as specified in Article 25 of this Ordinance.
5. Special Provisions, as specified in Article 28 of this Ordinance.
6. Height, area, lot coverage and yard regulations, as specified in Article 20 of this Ordinance.

Article 6: One Family Residential Districts

Amendments:

7. Exterior lighting shall comply with the standards of Section 28.8, Exterior Lighting.
8. The following specific requirements shall apply within a One Family Residential District (R-1-E, R-1-H, R-1-S, R-1):
 - (a) Accessory Buildings in Residential Districts. An accessory building, including a carport, attached to the principal building shall be made structurally a part thereof, and shall comply in all respects with the requirements of this Ordinance applicable to the principal building. Breezeways, as an attachment between the garage or carport and the main building, shall be considered a part of the main building, but shall not be considered livable floor area. When garages are separated from the dwelling unit by an open breezeway, the garage wall and roof nearest that main building shall be not less than three-quarter (3/4) hour fire construction along the entire width of the breezeway.
 - 1) A garage, carport or other accessory buildings, unless attached and made a part of the principal building as above provided, shall not be nearer than ten (10) feet to the principal building.
 - 2) A detached garage or detached accessory building may not be located in the front yard; provided, however, when topographic conditions prevent compliance with this provision, the Zoning Board of Appeals may vary the above requirements in such a manner as to contribute to the public safety and general welfare.
 - 3) Detached garages and detached accessory buildings shall not exceed one (1) story or twelve (12) feet in height. All detached garages and detached accessory buildings combined shall not occupy more than seven (7) percent of the lot area or 650 square feet, whichever is greater, and shall not exceed the total square foot area of the residence.
 - 4) Detached garages and detached accessory buildings, where located on the rear one-quarter (1/4) of the lot, shall not be nearer than five (5) feet to any rear or side lot line, and where otherwise located shall conform to all requirements for side yards set forth in the requirements for each residential district. Where the side yard abuts upon a side street, such accessory structures shall not extend nearer to the side street lot line than the required building setback. In no instance shall an accessory building be located within a dedicated easement or right- of-way.
 - 5) Garage facilities considered incidental to the principal permitted uses may be used to store a maximum of one (1) commercial vehicle. Outdoor storage of commercial vehicles is prohibited.

Article 6: One Family Residential Districts

Amendments:

- 6) Permit Required: Prior to the construction, repair or alteration of an accessory structure, a zoning compliance and/or building permit must be obtained from the Department of Building and Code Enforcement.

- (b) Yard Grading and Drainage as specified in Section 28.15 of this Ordinance.

- (c) Front Yard Use. Any portion of a lot lying in front of the building line shall be used only for utilities and for ornamental purposes and nothing other than ground cover, flowers, trees and shrubs, permitted professional signs or utilities shall be placed, erected or planted thereon. The front yard, for the purposes of this Section, shall be defined as a yard extending across the full width of the lot between the front lot line and the nearest line of the building. If the lot fronts upon a public street, the area lying between the front lot line and the back of curb or edge of roadway is street right-of-way and as such is under the jurisdiction of the Wayne County Department of Public Services and/or Michigan Department of Transportation. A permit from the agency with jurisdiction shall be required for all work performed in this area.

- (d) Swimming Pools, accessory to an individual single family dwelling shall be permitted as an accessory use, provided they meet the following requirements:
 - 1) There shall be a distance of not less than ten (10) feet between the adjoining property line and the outside of the pool wall or raised deck or walkway.
 - 2) There shall be a distance of not less than four (4) feet between the outside pool wall and any principal building located on the same lot.
 - 3) Swimming pools shall not be located within any required front or street side yard setbacks as specified in Article 20, Schedule of Regulations.
 - 4) If electrical service drop conductors or other utility wires cross under or over a proposed pool area, the applicant shall make satisfactory arrangements with the utility involved for the relocation of wires before a permit shall be issued for the construction of a pool.
 - 5) A swimming pool shall not be located in an easement.
 - 6) For the protection of the public, all areas containing swimming pools shall be completely enclosed by a fence in accordance with regulations of the State of Michigan. The gate shall be of a self-closing and latching type, with the latch on the inside of the gate not readily available for children to open. Gates shall be capable of being securely locked when the pool is not in use for extended periods. This provision may be waived by the Chief Building Official if the entire yard is securely enclosed. For

Article 6: One Family Residential Districts

Amendments:

additional pool fence requirements see Charter Township of Plymouth Code of Ordinances Chapter 29, Swimming Pools.

- (e) Tennis Courts, accessory to an individual single family dwelling shall be permitted as an accessory use, subject to the following:
 - 1) The tennis court and its perimeter fence shall be located a minimum of thirty five (35) feet from any side or rear lot line and shall comply with the minimum front yard setback of the zoning district, as specified in Article 20, Schedule of Regulations.
 - 2) If tennis court perimeter fencing is provided, it shall not exceed four (4) feet in height. Lifts or similar devices may be permitted at each of the two (2) ends of the tennis court. These lifts may raise retractable fencing to no greater than ten (10) feet in height, and may only be extended only when the court is being used.
 - 3) Lighting shall be concealed source, shielded and focused so as to not glare off site and shall not exceed twelve (12) feet in height.
 - 4) Administrative site plan approval shall be required, as provided by Section 29.4. The site plan shall contain sufficient detail to determine compliance with the requirements of this Ordinance.
 - 5) Landscape screening shall be provided to effectively form a visual and physical separation between the tennis court and adjacent residential uses, and to buffer the noise created. A planting plan, including size, species, location and spacing of plant materials shall be submitted with the site plan for approval.
 - 6) Letters shall be submitted from all abutting property owners stating that they have no objection to the use

- (f) Fences. In all Single Family Residential Districts it shall be unlawful for any person to build, repair or relocate a fence without first having secured a Building and/or Zoning Compliance permit from the Department of Building and Code Enforcement. In all Single Family Residential Districts the following shall apply in regards to fencing: **The following language was amended on 04/09/19:**
 - 1) Protective or Security Fencing: Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous lands either in whole or in part serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:

Article 6: One Family Residential Districts

Amendments:

- a) Maximum Height: The maximum height of a protective or security fence shall be six (6) feet, unless otherwise provided for in this Article, or required by the Planning Commission as part of special land use and/or site plan approval.

- b) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of applicable requirements of the State Construction Code enforced by the Township. Chain link fencing, as defined in this Ordinance as a type of woven fence typically constructed from galvanized or coated steel wire (and may also be referred to as chain-wire fence, cyclone fence, or hurricane fence) shall only be permitted at four (4) feet in height and shall not contain plastic or other types of strips intertwined or otherwise attached to the fence.

- c) Placement:
 - 1. Interior Lots: Fencing may be placed along the lot lines, provided no six (6) foot in height fence shall be built closer to the street than the established midpoint of the principal building line closest to the street on the fenced premise¹. In the case of two different midpoints on a building, the midpoint furthest setback from the street shall control. All fencing closer to the street than the established midpoint line of the principal building shall be a maximum of four (4) feet in height but in no case shall extend beyond the front building line.
 - a. Exception: Where a lot backs or sides to a major thoroughfare with an ultimate right-of-way of one hundred twenty (120) feet.

The fence may be located within three (3) feet of the street setback line for the major thoroughfare without regards to the established building line for the thoroughfare provided that some form of landscaping is provided between the fence and the proposed sidewalk area and that said location shall

¹ No fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20, Schedule of Regulations.

Article 6: One Family Residential Districts

Amendments:

not constitute a safety hazard for pedestrian and/or motor vehicles and their passengers.

- b. Exception: A six (6) foot in height fence may extend beyond the midpoint to permit side entry doors and the like to be enclosed, by the reasonably sound judgment of the Department of Building and Code Enforcement.

- 2. Corner Lots: One street frontage shall be identified as the front yard. In said case the standards established under Section 1) Interior Lots shall apply. The designated side yard shall be handled in the following manner. The fence may run along the rear property line to a point not nearer than twenty (20) feet from the side street corner of the property. The fence may then run on an angle not less than forty-five (45) degrees to a point which intersects a line located three (3) feet inside the side property line. When a visual obstruction is not present, the forty-five (45) degree angle standard may be waived, as determined by the reasonably sound judgement of the Department of Building and Code Enforcement. The fence may then proceed along said line to a point intersecting the rear building line extension of the residence. In all cases the type of fencing and landscaping proposed shall be treated in a manner which will not result in a safety hazard for pedestrian and/or motor vehicles and their passengers.

- 2) Decorative Fencing: A structure intended primarily for ornamental purpose. A decorative fence shall be any fence which by definition is not to be considered a pool fence, tennis court fence, protective or security fence or a privacy screen fence.

- a) Maximum Height: The maximum height of a decorative fence shall be four (4) feet.
- b) Material: Chain link fencing shall not be considered decorative fencing for the purpose of this Section of the Ordinance.
- c) Placement: Decorative fencing so located as to result in a safety hazard to pedestrians and/or motor vehicles and passengers shall not be permitted and said fencing shall be removed within thirty (30) days of such determination and notification by the Department of Building and Code Enforcement. No decorative fencing shall be located nearer than two (2) feet from a street right-of-way line.

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Amendments:

- 3) Privacy Screen Fence: A structure intended to form a visual screen or windbreak for a patio or outdoor living area located in the rear yard only.
 - a) Maximum Height: The maximum height of a privacy screen fence shall be six (6) feet.
 - b) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of the applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.
 - c) Placement: Said structure shall be located within the rear yard only and shall not be located nearer than twenty (20) feet to the rear property line, nor shall said fencing extend beyond the extension of the side building line of the residence.

- 4) Dog Runs and Outdoor Service Areas Fences: A structure intended to contain an animal permitted within a single family area or to screen an outdoor service area.
 - a) Maximum Height: Maximum height shall be four (4) feet in side yards and six (6) feet in rear yards.
 - b) Maximum Enclosure: Three hundred (300) square feet.
 - c) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than 90 degrees. The fence shall comply with the requirements of the building code. Cyclone fencing with plastic or other types of strips intertwined in the fencing shall be prohibited.

Article 6: One Family Residential Districts

Amendments:

- d) Placement: Side or rear yard provided that said run shall be screened appropriately from any public right-of-way or adjacent property and shall not be closer than eight (8) feet to a side property line or ten (10) feet from a rear yard line.
 - 5) Pool Fence: See Charter Township of Plymouth Code of Ordinances Chapter 29, Swimming Pools.
 - 6) The following provisions shall apply to all fences:
 - (a) Fence Maintenance.

Fences shall be maintained in good condition. Rotten or broken components shall be replaced, repaired, or removed. If a fence is determined to be in need of repair by reasonably sound judgement of the Department of Building and Code Enforcement, orders to complete such repairs may be issued.
 - (b) Clear Vision.

Fences shall be designed to provide unobstructed sight distances and shall comply with Section 28.25, Corner Visibility and Clear Vision Zones. Further, all fences must be setback a minimum of one (1) foot from the nearest edge of any sidewalk.
 - (c) Appeal of a Decision.

An applicant may appeal a decision of the Department of Building and Code Enforcement concerning a proposed fence to the Zoning Board of Appeals (ZBA).
 - (d) Appearance.

All fences shall present a finished appearance to view from off site. If, because of design or construction, one side of a fence has a more finished appearance than the other, the side of the fence with the more finished appearance shall face the exterior of the lot. High quality fences, in neutral colors, that are consistent with the surrounding neighborhood design, are encouraged.
 - (g) Sidewalks shall be provided as required by Section 28.16 of this Ordinance.
 - (h) Underground utilities shall be provided as required under Section 28.10.
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Article 7: R-M Mobile Home Residential Districts

Amendments:

ARTICLE VII

R-M

MOBILE HOME RESIDENTIAL DISTRICTS

PURPOSE

This District is designed primarily to provide locations for mobile home parks thus providing for a variety of housing types and residential living environments in the Charter Township of Plymouth in areas which will not adversely impact the living environment of other existing and future residential areas.

SEC. 7.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. One family dwellings subject to the requirements of Article 6, One Family Residential District and Article 20, Schedule of Regulations for an R-1 Residential District.
2. Agriculture on five (5) acres or more in area.
3. Mobile home parks subject to the following:
 - (a) Preliminary or Tentative Site Plan approval shall be required for all mobile home parks and shall be subject to the following procedures:
 - 1) The application for approval of a mobile home park shall be accompanied by a preliminary or tentative site plan submitted to the Clerk's Office for review and approval or denial by the Planning Commission.
 - 2) The date of receipt of the preliminary or tentative site plan shall be fifteen (15) days prior to the date of the regular Planning Commission meeting.

 Explanation of sub. par. 3(a)2) above: The Charter Township of Plymouth Planning Commission meets only once a month. If a submission of a preliminary plan for a mobile home park was submitted immediately following a Planning Commission meeting, a severe hardship would result in the review and approval process. The above language is therefore proposed to insure a proper review can be completed without undue hardship on the developer of the mobile home park.
 - 3) Preliminary or tentative site plans and specifications shall be submitted in accordance with Article 29 and Article 26 of this Ordinance.

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Amendments:

- 4) The preliminary plan shall be submitted to the Wayne County, Department of Public Services, Wayne County Health Department and the office of the Wayne County Drain Commissioner in accordance with Public Act 96 of 1987, State of Michigan, as amended.
 - 5) The Planning Commission shall either approve, approve with modifications or disapprove the preliminary or tentative site plan within sixty (60) days of the date of receipt of the preliminary plan. The plan shall be approved prior to submission of a final site plan.
 - 6) Four (4) copies of drawings approved by the State for construction shall be submitted to the Township by the applicant.
- (b) A mobile home park shall not be permitted on parcels of less than twenty-five (25) acres in net area. In determining net area all dedicated or deductible interior and exterior right of way equal to or greater than eighty-six (86) feet in width shall be excluded.
 - (c) Overall density for the mobile home park shall not exceed 6.5 dwelling units per acre. All mobile home sites shall have a minimum lot width of fifty (50) feet and minimum lot area of not less than 5,500 square feet provided however that the lot width and lot area may be reduced by a maximum of twenty (20) percent. For each square foot of land gained through the reduction of the site below 5,500 square feet, at least equal amounts of land shall be dedicated as open space and developed in a manner approved by the Planning Commission as part of the preliminary plan review.
 - (d) Any mobile home park shall have direct access to a Major Thoroughfare Road. If a mobile home park does not have direct access to a Major Thoroughfare Road, access to the Major Thoroughfare Road may be permitted by a public right-of-way not less than eighty-six (86) feet in width provided, however, that such access would not be through a developed or future one family residential area.
 - (e) Mobile home park developments shall comply with all requirements of Public Act 96 of 1987, State of Michigan, as amended
 - (f) A greenbelt and/or berm not less than twenty (20) feet in width shall be located and continuously maintained along all exterior boundary lot lines.
 - (g) All yards and open space areas in a RM District shall be graded in a manner which shall avoid the ponding of stormwater unless said conditions have been designed to occur as part of a stormwater management facility which has been approved by the Planning Commission as part of the Preliminary Plan Approval.
 - (h) Mobile home, community building or service building shall not be located closer than twenty five (25) feet to any mobile home park perimeter property line.

Article 7: R-M Mobile Home Residential Districts**Amendments:**

- (i) A mobile home park shall provide an outdoor recreation area of at least 25,000 square feet. For mobile home parks containing more than fifty (50) mobile home sites, the minimum outdoor recreation area shall be increased by three hundred (300) square feet for each site or lot over fifty (50). Open space provided as a result of lot size reduction as permitted in Sec. 7.1 par. 3(c) may be included in the computation of outdoor recreation area. The outdoor recreation area shall be so designed and located to facilitate access and use by the residents of the mobile home park.
- (j) The mobile home park primary walk system, including walks along main highways, main drives and secondary streets shall not be less than five (5) feet in width, except those located along a Major Thoroughfare. In the case of a Major Thoroughfare, all sidewalks shall be a minimum of six (6) feet in width. All sidewalks shall conform to the standards and requirements for public sidewalks as established by the Department of Building and Code Enforcement. The secondary walk system, including walks from each mobile home entrance to facilities on the lot and connections to the primary walk system shall not be less than thirty (30) inches wide and shall conform to the standards and requirements for public sidewalks as established by the Department of Building and Code Enforcement.
- (k) Installation and anchoring systems shall comply with all requirements as established in the "Manufactured Housing Commission General Rules" State of Michigan.
- (l) A uniform skirting shall be required to surround the base of a mobile home and installed within sixty (60) days after placement of said mobile home. Skirting shall comply with requirements as found in the Manufactured Housing Commission General Rules.
- (m) All utility lines or similar facilities intended to serve any use in a R-M Mobile Home Residential District, whether designed for primary service from main lines or for distribution of services throughout the site shall be placed and maintained underground at all points within the boundaries of this site.
- (n) Where permitted by the individual mobile home park, each mobile home may be provided with one (1) utility cabinet, with no more than one hundred (100) square feet of floor area, which shall be uniform as to appearance and location throughout the mobile home park. All cabinets shall be kept clean and shall be maintained in good condition and shall be prohibited on the front twenty-five (25) feet of the mobile home lot and shall not be closer than ten (10) feet to any mobile home.
- (o) Lot line fences if permitted in the individual mobile home park shall be uniform in height and shall not exceed thirty-six (36) inches in height and shall be constructed in such a manner as to provide firemen access to all sides of each

Article 7: R-M Mobile Home Residential Districts

Amendments:

mobile home and shall be in accordance with the Manufactured Housing Commission General Rules. Further, fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of the building code. Plastic or other types of stripes intertwined in cyclone fencing shall be prohibited.

(p) No mobile home may be occupied until a Certificate of Occupancy has been issued by the Department of Building and Code Enforcement.

4. Accessory structures and uses customarily incidental to the above permitted uses.

SEC. 7.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Public, parochial and private schools including nursery schools, churches, libraries, community buildings, hospitals, convalescent homes, municipal facilities, municipal parks and playgrounds other than park and ride facilities.
2. Public and private recreation areas, uses and facilities including country clubs, golf courses and swimming pools subject to the following:
 - (a) No building shall be located within one hundred (100) feet of any property line.
 - (b) Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided there is no exterior display or advertising of said facilities.
 - (c) Golf fairways, swimming pools, tennis courts and similar uses shall be located not less than thirty-five (35) feet from any property line and shall comply with the requirements of Section 26.12 of this Ordinance.
3. Communication facilities, public utility transformer stations, sub-stations, and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12 of this Ordinance and shall be subject to the following:

Article 7: R-M Mobile Home Residential Districts

Amendments:

- (a) A front yard setback of not less than fifty (50) feet shall be provided (irrespective of the yard requirements of the district in which it is located) and two side yards and a rear yard shall be provided, each shall not be less than twenty-five (25) feet in width.
- (b) When a transmission or relay tower, etc. is proposed as part of the facility, the tower shall be so located that it does not present a nuisance to abutting residential properties. The tower shall be so located on the subject property that the distance from the base of the tower to all points on each property line shall be not less than one and one-half (1 ½) times the height of the tower.

SEC. 7.3 DEVELOPMENT REQUIREMENTS

The following requirements shall be provided within a R-M Mobile Home Residential District:

1. Site Plan and Development Approval as specified in Article 29 shall be required for all uses except for single family residences and mobile home parks. Mobile home parks shall comply with the requirements of Section 7.1 par. 3(a).
2. Off-street parking for all uses as specified in Article 24 of this Ordinance without interference to normal movement of traffic.
3. Screening and land use buffers for all uses as specified in Article 26 of this Ordinance except that mobile home parks shall comply with the requirements of Section 7.1 par. 3(a) in regards to the review and approval process.
4. Signs for all uses as specified in Article 25 of this Ordinance.
5. Height, area, lot coverage and yard regulations as specified in Article 20 of this Ordinance.
6. Yard Grading and Drainage. All yards and open space areas in a R-M Mobile Home Residential District shall be graded in a manner which shall avoid the ponding of stormwater unless said conditions have been designed to occur as part of a stormwater management facility which has been approved by the Planning Commission as part of the Preliminary Plan Approval.

Article 8: R-2 Two Family Residential District

Amendments:

ARTICLE VIII

R-2 TWO FAMILY RESIDENTIAL DISTRICT

PURPOSE

To provide for medium-density residential development in areas ordinarily located between single family areas and areas of more intense use and/or major thoroughfares and to promote and encourage a suitable environment for family life.

SEC. 8.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance.

1. One family dwellings, subject to the standards of Section 28.3.
2. Two family dwellings.
3. Home occupations subject to the standards of Section 28.70.
4. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
 - (a) Adult foster care family home [six (6) or fewer adults].
 - (b) Foster family home [four (4) or fewer children 24 hours per day].
 - (c) Foster family group home [five (5) to six (6) children 24 hours per day].
 - (d) Family day care home [six (6) or fewer children less than 24 hours per day].
5. Public schools offering courses in general education provided that such facilities do not meet the definition of “large scale institutional uses” subject to the following requirements:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
6. Accessory structures and uses customarily incidental to the above permitted uses.

PURPOSE

SEC. 8.1

PRINCIPAL PERMITTED USES

Article 8: R-2 Two Family Residential District

Amendments:

SEC. 8.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Municipal facilities, including libraries, community buildings, and municipal parks, playgrounds and other recreational facilities (excluding park and ride facilities), provided such facilities do not meet the definition of “large-scale institutional uses.”
2. Nursing and convalescent homes, subject to the following conditions, provided that such facilities do not meet the definition of “large-scale institutional uses.”
 - (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
3. Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses” or “large scale churches,” and subject to the following conditions:
 - (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.
4. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools, but excluding child care facilities provided for in Section 28.64,

Article 8: R-2 Two Family Residential District

Amendments:

offering courses in general education provided that such facilities do not meet the definition of “large-scale institutional uses” and subject to the following:

- (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
5. Public and private recreation areas, uses and facilities including country clubs, golf courses and swimming pools, provided that such facilities do not meet the definition of “large-scale institutional uses” and subject to the following conditions:
- (a) No building shall be located within one hundred (100) feet of any property line.
 - (b) Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided there is no exterior display or advertising of said facilities.
 - (c) Golf fairways, swimming pools, tennis courts and similar uses shall be located not less than thirty-five (35) feet from any property line and shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering of this Ordinance.
6. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, and two side yards and a rear yard of not be less than twenty five (25) feet each.
7. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
- (a) Group day care home [twelve (12) or fewer children less than 24 hours per day].
 - (b) Adult foster care small group home [twelve (12) or fewer adults].
 - (c) Adult foster care large group home [thirteen (13) to twenty (20) adults]
 - (d) Child care centers.

Article 8: R-2 Two Family Residential District

Amendments:

SEC. 8.3 DEVELOPMENT REQUIREMENTS

All principal permitted uses and special land uses shall comply with all applicable provisions of the Zoning Ordinance, including but not limited to the following:

1. Site plan and development approval for all uses, except for single-family dwellings, as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses, as specified in Article 24 of this Ordinance.
3. Landscaping, screening and land use buffers for all uses, as specified in Article 26 of this Ordinance.
4. Signs for all uses, as specified in Article 25 of this Ordinance.
5. Special Provisions, as specified in Article 28 of this Ordinance.
6. Height, area, lot coverage and yard regulations, as specified in Article 20 of this Ordinance.
7. Yard Grading and Drainage as specified in Section 28.15 of this Ordinance.
8. Fences. Section 6.4.8(f) shall apply regarding fencing in a R-2 District.
9. Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
10. Exterior lighting shall comply with the standards of Section 28.8, Exterior Lighting.
11. Underground utilities shall be provided as required under Section 28.10 of this Ordinance.

ARTICLE IX

R-2-A MULTIPLE FAMILY RESIDENTIAL DISTRICT

PURPOSE

This district is to provide for high-density residential developments in areas ordinarily located between Single Family Residential areas and areas of more intense use and/or major thoroughfares. The regulations for this district are designed to stabilize and protect the essential characteristics of the district and to promote and encourage a suitable environment for family life.

SEC. 9.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance.

1. Two family dwellings.
2. Townhouse and stacked flats dwellings.
3. Multiple family residential buildings.
4. Home occupations subject to the standards of Section 28.70.
5. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
 - (a) Adult foster care family home [six (6) or fewer adults].
 - (b) Foster family home [four (4) or fewer children 24 hours per day].
 - (c) Foster family group home [five (5) to six (6) children 24 hours per day].
 - (d) Family day care home [six (6) or fewer children less than 24 hours per day].
6. Public schools offering courses in general education provided that such facilities do not meet the definition of “large scale institutional uses” subject to the following requirements:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.

7. Accessory structures and uses customarily incidental to the above permitted uses.

SEC. 9.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Municipal facilities including libraries, community buildings, park and ride facilities, and municipal parks, playgrounds and other recreational facilities. If such facilities are large scale institutional uses as defined herein, they shall be subject to the conditions of Section 28.63.
2. Housing for the elderly, including congregate elderly housing, subject to the conditions of Section 28.65.
3. Nursing and convalescent homes, subject to the following conditions, provided that such facilities do not meet the definition of “large-scale institutional uses.”
 - (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
4. Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses” or “large scale churches,” and subject to the following conditions:
 - (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.

- (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.
- 5. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools (excluding child care facilities provided for in Section 28.64) offering courses in general education, subject to the following conditions. Charter, private and public schools which meet the definition of large scale institutional uses shall also be subject to the conditions of Section 28.63.
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility's ability to obtain a license.
- 6. Hospitals provided that such facilities do not meet the definition of "large-scale institutional uses" and subject to the following conditions:
 - (a) Hospital sites shall have a minimum gross land area of ten (10) acres.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (c) Minimum setback distances for any two (2) story main or accessory building shall be at least one hundred (100) feet from all property lines or street setback lines. The minimum setback distances shall be increased by twenty (20) feet for each additional story, provided that no such building shall exceed six (6) stories in height.
 - (d) Ambulance and emergency entrance areas shall be screened from adjacent residential districts and uses a six (6) foot decorative masonry wall or other method deemed appropriate by the Planning Commission.
 - (e) Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws and regulations.
- 7. Public and private recreation areas, uses and facilities including country clubs, golf courses and swimming pools, and subject to the following conditions

- (a) No building shall be located within one hundred (100) feet of any property line.
 - (b) Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided there is no exterior display or advertising of said facilities.
 - (c) Golf fairways, swimming pools, tennis courts and similar uses shall be located not less than thirty-five (35) feet from any property line and shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering of this Ordinance.
8. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, and two side yards and a rear yard of not less than twenty five (25) feet each.
9. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
- (a) Group day care home [twelve (12) or fewer children less than 24 hours per day].
 - (b) Adult foster care small group home [twelve (12) or fewer adults].
 - (c) Adult foster care large group home [thirteen (13) to twenty (20) adults]
 - (d) Child care centers.
10. Veterinary clinics, animal clinics and animal hospitals provided that it shall be demonstrated that the granting of such special land use shall be in the best interest of the public health, safety and welfare of the general public and that denial of said special land use shall constitute a general hardship on the community as a whole and further subject to the requirements of Section 28.72.
11. **(Added 5/9/10)** One family cluster dwellings subject to the following:
- (a) The side yard distance between a one family cluster building and a one family cluster building shall be a minimum of 10 ft.
 - (b) The inclusion of the one family cluster buildings will provide for greater flexibility and variety in the development, and result in a decrease in the overall density of the project as compared to the density that would be permitted as a standard multiple family development under Section 20.02(j).

SEC. 9.3 DEVELOPMENT REQUIREMENT

All principal permitted uses and uses subject to special conditions shall comply with all applicable provisions of the Zoning Ordinance, including but not limited to the following:

1. Site plan and development approval for all uses, as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses as specified in Article 24 of this Ordinance.
3. Landscaping, screening and land use buffers for all uses as specified in Article 26 of this Ordinance.

4. Signs for all uses as specified in Article 25 of this Ordinance.
5. Special provisions, as specified in Article 28 of this Ordinance.
6. Height, area, lot coverage and yard regulations, as specified in Article 20 of this Ordinance.
7. The following specific requirements shall apply within an R-2-A Multiple Family Residential District
 - (a) There shall not be more than eight (8) dwelling units in a one story building, sixteen (16) dwelling units in a two (2) story building or twenty-eight (28) dwelling units in a combined two (2) and three (3) story building when individual living units are on each floor. There shall not be more than six (6) dwelling units in a townhouse building, or eighteen (18) dwelling units in a stacked flat building.
 - (b) All multiple family developments shall be provided with improvements for streets and utilities as provided in the Subdivision Rules and Regulations of the Charter Township of Plymouth. When a multiple family development is not platted as a subdivision and where reference is made to subdivisions, such reference shall also apply to multiple family developments. All interior roads, both those designed as public and private, shall be constructed in compliance with existing construction standards as adopted by the Wayne County Department of Public Services for residential streets. The Planning Commission may waive this requirement after review and recommendation by the Township Engineer, provided the waiver will not materially impair the intent and purpose of this Ordinance or the public interest.
 - (c) Underground utilities shall be provided, as required under Section 28.10.
 - (d) All exterior walls of every building hereafter erected, extended or whose exterior is structurally altered, which faces a street or which is adjacent to property zoned or used as residential shall be designed, treated and finished in a uniform manner consistent with the exterior of the front of the building. All such buildings shall comply with Section 28.14, Building Design Standards.
 - (e) Locations of clustered mail box facilities shall be indicated on all site plans for multiple family housing. Mail box cluster locations shall not interfere with parking for multiple family units, or traffic circulation on adjacent streets and interior drives.
8. Yard Grading and Drainage as specified in Section 28.15 of this Ordinance.
9. All dwelling units shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
10. Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.

11. Exterior lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting.
12. The method of trash pick up shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles.
13. Fences

In all Multiple Family Residential Districts it shall be unlawful for any person to build, repair or relocate a fence without first having secured a Zoning Compliance and/or Building permit from the Department of Building and Code Enforcement.

All fencing and/or screening walls required and approved by the Planning Commission as part of special land use and/or site plan approval shall be permitted.

- (a) Protective or Security Fencing. Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
 - 1) Permit Required: In all Multiple Family Residential Districts it shall be unlawful for any person to build, repair or relocate a protective or security fence without first having secured a fence permit therefore from the Department of Building and Code Enforcement.
 - 2) Maximum Height: The maximum height of a protective or security fence shall be four (4) feet.
 - 3) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.
 - 4) Placement on Interior Lots: No fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20, Schedule of Regulations, provided no fence shall be built closer to the street than the established front building line along said street or in front of the building closest to the street on the fenced premises.

- (b) Decorative Fencing. A structure intended primarily for ornamental purpose. A decorative fence shall be any fence which by definition is not to be considered a pool fence, protective or security fence and a privacy screen fence.
 - 1) Permit: A permit shall be required for decorative fencing in a R-2-A District.
 - 2) Maximum height: The maximum height of a decorative fence shall be four (4) feet.
 - 3) Material: Chain link fencing shall not be considered decorative fencing for the purpose of this section of the Ordinance.
 - 4) Placement: Decorative fencing so located as to result in a safety hazard to pedestrians and/or motor vehicles and passengers shall not be permitted and said fencing shall be removed within thirty (30) days of such determination and notification by the Department of Building and Code Enforcement. No decorative fencing shall be located nearer than two (2) feet from a street right-of-way line.

- (c) Privacy Screen Fence. A structure intended to form a visual screen or windbreak for a patio or outdoor living area.
 - 1) Maximum height: The maximum height of a privacy screen fence shall be six (6) feet.
 - 2) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.
 - 3) Placement: Said fencing shall not be located nearer than fifteen (15) feet to a property line.

- (d) Tennis Courts.
 - 1) The tennis court and its perimeter fence shall be located a minimum of thirty five (35) feet from any side or rear lot line and shall comply with the minimum front yard setback of the zoning district, as specified in Article 20, Schedule of Regulations.

- 2) If tennis court perimeter fencing is provided, it shall not exceed four (4) feet in height. Lifts or similar devices may be permitted at each of the two (2) ends of the tennis court. These lifts may raise retractable fencing to no greater than ten (10) feet in height, and may only be extended only when the court is being used. The Planning Commission may waive or modify this requirement upon determining such modifications meet the spirit and intent of this Article.
 - 3) Lighting shall be concealed source, shielded and focused so as to not glare off site and shall not exceed twelve (12) feet in height.
 - 4) Landscape screening shall be provided to effectively form a visual and physical separation between the tennis court and adjacent residential uses, and to buffer the noise created. A planting plan, including size, species, location and spacing of plant materials shall be submitted with the site plan for approval.
14. Street trees shall be provided between the street or road pavement and sidewalk of all interior and exterior streets and/or roadways.

ARTICLE X

OS

OFFICE SERVICE DISTRICT

PURPOSE

To provide a district to accommodate office uses of an administrative, business, governmental or professional nature such as, but not limited to, dental and medical care and office-type services, or to serve as a transitional zone between Single Family Residential areas and areas of more intense use and/or major thoroughfares.

SEC. 10.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. Medical and dental offices and clinics and other professional offices.
2. Administrative, executive and editorial offices.
3. Real estate and other general business offices, not including exhibiting or storing of products for sale.
4. Schools for arts and crafts, photography and studios for music or dancing.
5. Mortuaries, provided that they do not meet the definition of “large scale institutional uses,” and further are subject to the following requirements:
 - (a) Adequate off-street vehicle assembly space shall be provided for funeral processions and similar activities. This space shall be required in addition to the required off-street parking and loading areas, except where the Planning Commission determines that an alternative arrangement will be adequate to serve the proposed activities.
 - (b) All loading and unloading areas shall be adequately screened from adjacent residential districts or uses and street rights-of-way.
 - (c) A caretaker’s residence may be permitted as an accessory use to a mortuary or funeral home, provided that:
 - 1) The caretaker’s residence shall be contained within the mortuary building or may be provided in an accessory building after review and approval by the Planning Commission.

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- 2) The caretaker’s residence shall be constructed in accordance with the adopted building code, and provided with plumbing, heating, bathroom, and kitchen facilities.
 - 3) In no case shall the caretaker’s residence be used as a permanent single-family dwelling by anyone other than a watchman or caretaker.
6. Public schools offering courses in general education provided that such facilities do not meet the definition of “large scale institutional uses” subject to the following requirements:
- (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
7. Accessory structures and uses customarily incidental to the above permitted uses, subject to the standards of this Article, including restrictions on accessory warehousing and storage as specified in Section 10.3, Development Requirements.

SEC. 10.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

- 1. Any other office/service use not specified as a principal permitted use which the Planning Commission finds not to be inconsistent with the purposes of this Article and will not impair the present or potential use of adjacent properties.
- 2. Banks and financial institutions.
- 3. Commercial, medical and dental laboratories, not including the manufacturing of pharmaceutical or other products for general sale or distribution.
- 4. Veterinary offices and clinics subject to the requirements of Section 28.72.
- 5. Municipal facilities including park and ride facilities, libraries, community buildings and municipal parks and playgrounds. If such facilities are large scale institutional uses as defined herein, they shall also be subject to the conditions of Section 28.63.
- 6. Nursing and convalescent homes, subject to the following conditions, provided that such facilities do not meet the definition of “large-scale institutional uses.”

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- (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
7. Child care centers, as licensed by the State of Michigan, subject to the standards of Section 28.64.
8. Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses” or “large scale churches,” and subject to the following conditions:
- (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.
9. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools (excluding child care or day care facilities provided for in Section 28.64) offering courses in general education, subject to the following conditions. Public, charter and private schools that meet the definition of “large scale institutional uses” shall also be subject to the conditions specified in Sections 28.63.
- (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.

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10. Hospitals provided that such facilities do not meet the definition of “large-scale institutional uses” and subject to the following conditions:
 - (a) Hospital sites shall have a minimum gross land area of ten (10) acres.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (c) Minimum setback distances for any two (2) story main or accessory building shall be at least one hundred (100) feet from all property lines or street setback lines. The minimum setback distances shall be increased by twenty (20) feet for each additional story, provided that no such building shall exceed six (6) stories in height.
 - (d) Ambulance and emergency entrance areas shall be screened from adjacent residential districts and uses a six (6) foot decorative masonry wall or other method deemed appropriate by the Planning Commission.
 - (e) Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws and regulations.
11. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, and two (2) side yards and a rear yard of not be less than twenty five (25) feet each.
12. Massage therapy clinics subject to the following requirements:
 - (a) Hospitals, sanitariums, nursing homes, medical clinics, wellness centers, health clubs, tanning salons gyms and offices of physicians, surgeons, chiropractors, osteopaths, psychologists, clinical social workers or family counselors who are licensed to practice in the state shall be permitted to provide massage therapy services as an accessory use within the principal building.
 - (b) Adult use or sexually-oriented business activities shall be prohibited.

SEC. 10.2A (Added 3/14/10) USES SPECIFICALLY PROHIBITED:

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law.

SEC. 10.3 DEVELOPMENT REQUIREMENTS:

All principal permitted uses and special land uses in the OS Office Service District shall comply with all applicable requirements of this Ordinance, including but not limited to the following:

1. Site plan and development approval for all uses as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses, as specified in Article 24 of this Ordinance.

3. Off-street loading and unloading for all uses, as specified in Article 24 of this Ordinance.
4. Landscaping, screening and land use buffers for all uses, as specified in Article 26 of this Ordinance.
5. Signs, as specified in Article 25 of this Ordinance.
6. Special Provisions, as specified in Article 28 of this Ordinance.
7. Height, area, lot coverage and yard regulations, as specified in Article 20 of this Ordinance.
8. The following specific requirements shall apply within an OS Office Service District:
 - (a) Yard Grading and Drainage, as specified in Section 28.15 of this Ordinance.
 - (b) All structures shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
 - (c) Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
 - (d) Lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting.
 - (e) The method of trash pick up shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles.
 - (f) Underground utilities shall be provided as required under Section 28.10.
 - (g) Fencing. In all Office Service Districts it shall be unlawful for any person to build, repair or relocate fence without first having secured a Zoning Compliance and/or Building permit from the Department of Building and Code Enforcement. All fencing and/or screening walls required and approved by the Planning Commission as part of special land use and/or site plan approval shall be permitted.
 - 1) Protective or Security Fencing: Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
 - a) Maximum Height: The maximum height of a protective or security fence shall be four (4) feet.

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- b) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of the applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.
- c) Placement: No fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20 Schedule of Regulations, provided no fence shall be built closer to the street than the established front building line along said street or in front of the principal building on the lot that is closest to the street setback.
- d) The Planning Commission may, at its discretion, permit alternative fence placements, heights or materials in keeping with the spirit and intent of this Ordinance and deemed necessary to provide adequate protection for the abutting properties.
- (h) Street trees shall be provided between the street or road pavement and sidewalk of all public right of ways.
- (i) All warehousing and storage of goods associated with permitted uses in the OS Office Service district shall be limited to that which is normally associated with the permitted use and/or shall be restricted to that amount necessary to support on-site operations of the principal use. There shall be no outside storage of goods, inventory, or equipment.
- (j) All exterior walls of every building hereafter erected, extended or whose exterior is structurally altered, which faces a street or which is adjacent to property zoned or used as residential shall be designed, treated and finished in a uniform manner consistent with the exterior of the front of the building. All such buildings shall comply with Section 28.14, Building Design Standards.
- (k) Mechanical equipment, including but not limited to transformers, telephone equipment boxes and HVAC units, shall be screened from view.

ARTICLE XI

OS-ARC

OFFICE SERVICE – ANN ARBOR ROAD CORRIDOR DISTRICT

PURPOSE

Recognizing the importance of a viable Ann Arbor Road Corridor with well-planned and high quality development, and further recognizing that a unified approach is the most effective, the City of Plymouth and the Charter Township of Plymouth jointly established the Ann Arbor Road Corridor District (ARC). To maintain a consistent, attractive pattern of development and site improvements, the Office Service – Ann Arbor Road Corridor District (OS-ARC) Zoning District is hereby established to accommodate office uses of an administrative, business, governmental, administrative or professional nature on parcels within the Ann Arbor Road Corridor where all of the permitted uses in the ARC District would not be appropriate, and to serve as a transition zone between single-family residential areas and areas of more intensive use in the ARC District. To insure uniformity along the Ann Arbor Road Corridor, conserve property values and promote an attractive, well designed and functional environment, uses in the OS-ARC District shall be subject to the site development standards of the ARC District, such as dimensions for building and site development, parking, landscaping and signage, and the Ann Arbor Road streetscape improvement plans of the Township.

SEC. 11.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. Medical and dental offices and clinics and other professional offices.
2. Administrative, executive and editorial offices.
3. Real estate and other general business offices, not including exhibiting or storing of products for sale.
4. Schools for arts and crafts, photography and studios for music or dancing.
5. Mortuaries, provided that they do not meet the definition of “large-scale institutional uses,” and further, subject to the following requirements:
 - (a) Adequate off-street vehicle assembly space shall be provided for funeral processions and similar activities. This space shall be required in addition to the required off-street parking and loading areas, except where the Planning Commission determines that an alternative arrangement will be adequate to serve the proposed activities.

PURPOSE

SEC. 11.1 PRINCIPAL PERMITTED USES

- (b) All loading and unloading areas shall be adequately screened from adjacent residential districts or uses and street rights-of-way.
- (c) A caretaker's residence may be permitted as an accessory use to a mortuary or funeral home, provided that:
 - 1) The caretaker's residence shall be contained within the mortuary building or may be provided in an accessory building after review and approval by the Planning Commission.
 - 2) The caretaker's residence shall be constructed in accordance with the adopted building code, and provided with plumbing, heating, bathroom, and kitchen facilities.
 - 3) In no case shall the caretaker's residence be used as a permanent single-family dwelling by anyone other than a watchman or caretaker.
- 6. Public schools offering courses in general education provided that such facilities do not meet the definition of "large scale institutional uses" subject to the following requirements:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility's ability to obtain a license.
- 7. Accessory structures and uses customarily incidental to the above permitted uses, subject to the standards of this Article, including restrictions on accessory warehousing and storage as specified in Section 11.3, Development Requirements.

SEC. 11.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance, and further subject to the requirements listed below:

- 1. Any other office/service use not specified as a principal permitted use which the Planning Commission finds not to be consistent with the purposes of this Article, and which will not impair the present or potential use of adjacent properties.
- 2. Banks and financial institutions.
- 3. Commercial, medical and dental laboratories, not including the manufacturing of pharmaceutical or other products for general sale or distribution.

4. Veterinary offices and clinics subject to the requirements of Section 28.72.
5. Municipal facilities including park and ride facilities, libraries, community buildings and municipal parks and playgrounds, provided such facilities do not meet the definition of “large-scale institutional uses.”
6. Nursing and convalescent homes subject to the following conditions, provided that such uses do not meet the definition of “large-scale institutional uses.”
 - (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
7. Commercial child care center , as licensed by the State of Michigan, subject to the standards of Section 28.64.
8. Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses” or “large scale churches,” and subject to the following conditions:
 - (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.
9. Charter and private schools, including parochial, elementary intermediate and/or secondary schools offering courses in general education provided such uses do not meet the definition of ‘large scale institutional uses’ and subject to the following conditions:

- (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility's ability to obtain a license.
10. Hospitals subject to the following conditions, provided such uses do not meet the definition of "large-scale institutional uses."
- (a) Hospital sites shall have a minimum gross land area of ten (10) acres.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (c) Minimum setback distances for any two (2) story main or accessory building shall be at least one hundred (100) feet from all property lines or street setback lines. The minimum setback distances shall be increased by twenty (20) feet for each additional story, provided that no such building shall exceed six (6) stories in height.
 - (d) Ambulance and emergency entrance areas shall be screened from adjacent residential districts and uses a six (6) foot decorative masonry wall or other method deemed appropriate by the Planning Commission.
 - (e) Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws and regulations.
11. Massage therapy clinics subject to the following requirements:
- (a) Hospitals, sanitariums, nursing homes, medical clinics, wellness centers, health clubs, tanning salons gyms and offices of physicians, surgeons, chiropractors, osteopaths, psychologists, clinical social workers or family counselors who are licensed to practice in the state shall be permitted to provide massage therapy services as an accessory use within the principal building.
 - (b) Adult use or sexually-oriented business activities shall be prohibited.
12. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, irrespective of the yard requirements of the district in which it is located, and two side yard and a rear yard setback of not less than twenty-five (25) feet in width.

SEC 11.2A (Added 3/14/10) USES SPECIFICALLY PROHIBITED

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal law.

SEC. 11.3 DEVELOPMENT REQUIREMENTS

All principal uses and special land uses in the OS-ARC District shall comply with all applicable requirements of this Ordinance, including, but not limited to the following:

1. Site plan review and approval is required for all uses in accordance with the requirements of Article 29, Site Plan Review.
2. All uses in the OS-ARC District are subject to the requirements of Section 14.4, ARC Parking Requirements, Layout Standards, and Off-Street Loading and Unloading.
3. All uses in the OS-ARC District are subject to the requirements of Section 14.5, ARC Access Management and Driveway Standards.
4. All uses in the OS-ARC District are subject to the requirements of Section 14.6, ARC Landscaping Standards.
5. All uses in the OS-ARC District are subject to the requirements of Section 14.7, ARC Landscaping, Screening or Buffering Standards. For purposes of this section, the OS-ARC District shall meet the standards specified for the ARC District. Within the intent of the Ann Arbor Road Corridor District, the Planning Commission may approve landscaping, screening or buffering alternatives as it deems necessary to accommodate peculiar circumstances or unforeseen problems, or to carry out the spirit and intent of this Ordinance.
6. All uses in the OS-ARC District are subject to the requirements of Section 14.8, ARC Parking Area Screening Requirements.
7. All uses in the OS-ARC District are subject to the requirements of Section 14.9, ARC Parking Lot Landscaping Standards.
8. All uses in the OS-ARC District are subject to the requirements of Section 14.10, ARC Sign Standards.
9. Streetscape improvements shall be installed consistent with the requirements of Section 14.8, ARC Specific Landscape, Screening and Buffering Requirements.
10. Lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting. The type of lighting shall be consistent with the objectives of the Ann Arbor Road Corridor District development standards.
11. Sidewalks shall be provided as required in Section 28.16 of this Ordinance.

12. The method of trash pick up shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles.

13. Fences and Walls

All fencing or screening walls required or proposed shall be subject to approval by the Planning Commission as part of special use or site plan review. Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:

- (a) Permit Required. In the OS-ARC District, it shall be unlawful for any person to build, repair or relocate a protective or security fence without first having secured a Zoning Compliance and/or Building permit from the Department of Building and Code Enforcement.
- (b) Maximum Height. The maximum height of a protective or security fence shall be four (4) feet.
- (c) Material. Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Building Department. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one inch by three inch (1" x 3") material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.
- (d) Placement. No protective or security fence shall be built closer to the street than the front setback line applicable to the premises pursuant to Section 14.3, provided however, that no fence shall be built closer to the street than the established front building line along said street or in front of the principal building on the lot that is closest to the street setback.
- (e) The Planning Commission may, at its discretion, permit alternative fence placements, heights or materials in keeping with the spirit and intent of this Ordinance and deemed necessary to provide adequate protection for the abutting properties.

14. All business, servicing, or processing shall be conducted entirely within a completely enclosed building.
15. All warehousing and storage of goods associated with permitted uses in the OS-ARC district shall be limited to that which is normally associated with the permitted use and/or shall be restricted to that amount necessary to support on-site operations of the principal use. There shall be no outside storage of goods, inventory, or equipment.
16. Commercially used or licensed vehicles used in the normal operation of a permitted use on the site may be parked in the rear only. This provision shall also apply to operable vehicles that are moved on and off of the site on a regular basis.
17. All exterior walls of every building hereafter erected, extended or whose exterior is structurally altered, which faces a street or which is adjacent to property zoned or used as residential shall be designed, treated and finished in a uniform manner consistent with the exterior of the front of the building. All such buildings shall further comply with Section 28.14, Building Design Standards.
18. Compliance with Section 28.5, Environmental Performance Requirements, is required for all uses.
19. Yard Grading and Drainage. All yard and open space areas in the OS-ARC District shall be graded consistent with the requirements of Section 28.15 of this Ordinance.
20. All structures shall be readily accessible by fire and emergency vehicles and shall comply with the Township's Fire Prevention Ordinance.

ARTICLE XII

C-1 NEIGHBORHOOD SHOPPING DISTRICT

PURPOSE

To provide for neighborhood shopping facilities in close proximity to residential areas which satisfies the need for non-durable convenience goods and/or personal services and to encourage the planned concentration of such activities in locations where analysis of the residential population within a one mile radius demonstrates the need for such facilities.

SEC. 12.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. Any use permitted in an OS, Office Service District, as a principal permitted or special land use, provided such use does not meet the definition of “large scale institutional uses”, unless otherwise indicated in this Article.
2. Retail establishments, whose principal activity is the sale of food and/or drugs in an enclosed building without drive-in or drive-through facilities, such as and limited to:
 - (a) Bakeries, limited to retail, on the premises only.
 - (b) Candy, confectionery and ice cream stores.
 - (c) Delicatessens.
 - (d) Drug stores and pharmacies, without drive-in or drive-through facilities.
 - (e) Dairy stores, without drive-in or drive-through facilities.
 - (f) Food market, grocery stores and meat markets.
 - (g) Party stores.
 - (h) Tobacco stores.
 - (i) Other retail establishments as determined by the Planning Commission to be consistent with the purpose and standards of the C-1 District.
3. Establishments which provide personal services in an enclosed building excluding drive-in or drive-through businesses and not exceeding 10,000 square feet of gross floor area, such as and limited to:

PURPOSE

SEC. 12.1 PRINCIPAL PERMITTED USES

- (a) Barber shop or beauty parlor.
 - (b) Dry cleaning or laundry pick-up shops.
 - (c) Laundromat.
 - (d) Rental business with no outside storage or outside display of goods.
 - (e) Shoe and hat repair.
 - (f) Tailor shops.
 - (g) Television, computer, and radio repair shops.
 - (h) Watch repair shops.
4. Restaurants, but not drive-in or drive-through restaurants.
5. Restaurants, as permitted in 12.1(4), taverns, bars/lounges and other uses serving food and/or alcoholic beverages, subject to the following requirements:
- (a) The service of alcohol is considered an accessory use to the principle use of the building and may not occupy greater than 30% of the total gross floor area.
 - (b) The service of alcohol is limited to the hours of 9:00 AM – 10:00 PM.
6. Public schools offering courses in general education provided that such facilities do not meet the definition of “large scale institutional use” subject to the following requirements:
- (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
7. Outdoor cafes and eating areas accessory to a permitted restaurant use, subject to administrative site plan approval.
8. Accessory structures and uses customarily incidental to the above permitted uses, subject to the standards of this Article, including restrictions on accessory warehousing and storage as specified in Section 12.3, Development Requirements.

SEC. 12.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Any of the principal permitted uses and related accessory uses listed in Section 12.1 with hours of operation within the time period 12 Midnight to 6:00 A.M.
2. Public and quasi-public uses intended to serve the neighborhood and immediate vicinity including park and ride facilities, provided that they do not meet the definition of “large scale institutional uses.”
3. Municipal facilities, including libraries and community buildings, provided that they do not meet the definition of “large scale institutional uses”.
4. Commercial child care centers and adult care facilities, as licensed by the State of Michigan, subject to the standards of Section 28.64.
5. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools, provided that they do not meet the definition of “large scale institutional uses” offering courses in general education subject to the following conditions:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
6. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, and two (2) side yards and a rear yard of not be less than twenty five (25) feet each.
7. Outdoor cafes and eating areas accessory to a permitted use, which do not comply with the administrative approval standards.

SEC. 12.3 DEVELOPMENT REQUIREMENTS

All principal uses and special land uses in the C-1 Neighborhood Shopping District shall comply with all applicable requirements of this Ordinance, including, but not limited to the following:

1. Site plan and development approval for all uses as specified in Article 29 of this Ordinance.

2. Off-street parking for all uses as specified in Article 24 of this Ordinance.
3. Off-street loading for all uses as specified in Article 24 of this Ordinance.
4. Landscaping, screening and land use buffers for all uses as specified in Article 26 of this Ordinance.
5. Height, area, lot coverage and yard regulations as specified in Article 20 of this Ordinance.
6. Signs for all uses as specified in Article 25 of this Ordinance.
7. Special Provisions, as specified in Article 28 of this Ordinance.
8. The following specific requirements shall apply within a C-1 Neighborhood Shopping District:
 - (a) The above specified stores, shops or businesses shall be retail or service establishments dealing directly with consumers and offering personal services and/or new merchandise only.
 - (b) Such stores, shops or businesses shall be conducted entirely within a building.
 - (c) All goods produced on the premises shall be sold only at retail on the premises. Manufacturing of products for distribution or sale at off-premises locations shall be prohibited in the C-1 District.
 - (d) All warehousing and storage of goods associated with permitted uses in the C-1 district shall be limited to that which is normally associated with the permitted use and/or shall be restricted to that amount necessary to support on-site operations of the principal use. There shall be no outside storage of goods, inventory, or equipment.
 - (e) All exterior walls of every building hereafter erected or extended or whose exterior is structurally altered which faces a street or which is adjacent to property classified as residential shall be designed, treated and finished in a uniform manner consistent with the exterior of the front of the building. All such buildings shall comply with Section 28.14, Building Design Standards.
 - (f) Underground utilities shall be provided as required under Section 28.10.
 - (g) Compliance with Section 28.5, Environmental Performance Requirements, is required for all uses.
 - (h) Yard Grading and Drainage. All yard and open space areas in a C-1 Neighborhood Shopping District shall be graded as specified in Section 28.15 of this Ordinance.

- (i) All buildings shall be readily accessible by fire and emergency vehicles, and shall comply with the Township Fire Prevention Ordinance.
- (j) Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
- (k) Lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting.
- (l) The method of trash pick up shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles.
- (m) Street trees shall be provided between the street or road pavement and sidewalk of all public right of ways.
- (n) Fences. In all Neighborhood Shopping Districts it shall be unlawful for any person to build, repair or relocate a fence without first having secured a Zoning Compliance and/or Building permit from the Department of Building and Code Enforcement. All fencing and/or screening walls required and approved by the Planning Commission as part of a special land use and/or site plan approval shall be, subject to the following:
 - 1) Protective or Security Fencing: Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
 - a) Maximum Height: The maximum height of a protective or security fence shall be four (4) feet.
 - b) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of dot less than ninety (90) degrees. The fence shall comply with the requirements of the applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.
 - c) Placement: No fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20, Schedule of Regulations, provided no fence shall be built closer to

the street than the established front building line along said street or in front of the principal building on the lot that is closest to the street setback.

- d) The Planning Commission may, at its discretion, permit alternative fence placements, heights or materials in keeping with the spirit and intent of this Ordinance and deemed necessary to provide adequate protection for the abutting properties.

ARTICLE XIII

C-2 GENERAL COMMERCIAL DISTRICT

PURPOSE

To serve the commercial needs of the general community, and to provide for, the planned concentration of more intensive uses that, because of their nature or larger volume of vehicular traffic generated, would be inappropriate in the C-1, Neighborhood Shopping District.

SEC. 13.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance.

1. Any use permitted as a principal permitted use in an OS, Office Service District or C-1, Neighborhood Shopping District, unless otherwise indicated in this Article.
2. Retail establishments, whose principal activity is the sale of merchandise in an enclosed building.
3. Service or retail establishments, including those that require a workshop or showroom.
4. Restaurants, cafes, and similar establishments serving food and/or alcoholic beverages.
5. Drug stores and pharmacies, dairy stores and similar establishments.
6. Private clubs and lodges.
7. Bus stations.
8. Commercial parking garages.
9. Trade schools.
10. Banks and financial institutions.
11. Accessory structures and uses customarily incidental to the above permitted uses, subject to the standards of this Article, including restrictions on accessory warehousing and storage as specified in Section 13.3, Development Requirements.

PURPOSE

SEC. 13.1

PRINCIPAL PERMITTED USES

SEC. 13.2 SPECIAL LAND USES

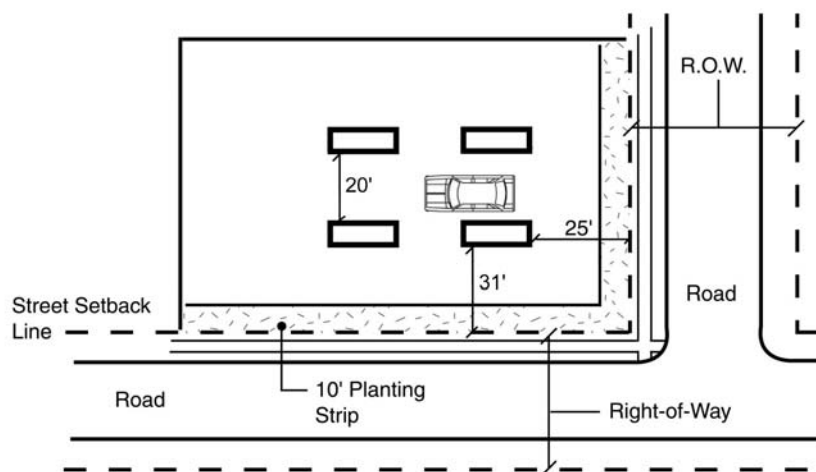
The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Hotels and motels subject to the following:
 - (a) Each hotel or motel shall provide minimum side yards of not less than twenty-five (25) feet each; minimum rear yard of not less than thirty-five (35) feet; minimum front yard of twenty-five (25) feet except that when parking is provided between the building and a street, the minimum front yard and/or side yard shall be not less than seventy-five (75) feet.
 - (b) When the front yard and/or side yard abuts a street and is used to provide an access road and/or off-street parking, the area shall be screened in compliance with Section 26.12, Areas Requiring Screening and/or Buffering.
 - (c) Each motel or hotel unit shall contain not less than two hundred and fifty (250) square feet of floor area.
 - (d) Kitchen or cooking 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.
 - (e) Where a unit is provided as a residence for the owner or the manager, the following minimum floor area requirements shall be provided: One (1) bedroom unit, 600 square feet; two (2) bedroom unit, 800 square feet; three (3) bedroom unit, 1,000 square feet; four (4) bedroom unit, 1,200 square feet.
2. Sales rooms, rental facilities, and/or sales lots for new and/or used automobiles, recreation vehicles, trucks, mobile homes, trailers and modular homes, subject to the following:
 - (a) Ingress and egress shall be located a minimum of seventy-five (75) feet from the intersection of any two (2) streets.
 - (b) Where a sales lot and/or rental facilities for new and/or used automobiles, recreation vehicles, trucks, mobile homes, trailers and modular homes abuts a street, a planting strip shall be established consistent with the requirements of Article 26, Landscaping, Screening and Land Use Buffers.

- (c) All service and repair facilities shall be contained within an enclosed building except for the storage of repaired and wrecked cars. All areas used to store repaired or wrecked cars, or for any other outdoor storage excluding new or used vehicles held in inventory and not on display in a lot for sale, shall be screened in compliance with Section 26.12, Areas Requiring Screening and/or Buffering.
3. Motorcycle and motorbike sales, services, clubs and rental facilities subject to the following:
- (a) No motorcycle or motorbike rental, sales, service or motorcycle or motorbike clubs shall be permitted on a parcel of land which is located within two hundred (200) feet of a residential district.
 - (b) Motorcycle or motorbike rental, sales, service or clubs may be operated only between the hours of 6 A.M. and 12 midnight.
 - (c) Outdoor storage and/or testing areas shall not be permitted.
 - (d) Where a sales lot and/or outdoor display area abuts a street, a planting strip shall be established in accordance with Article 26. The required shrubbery plantings may be modified at the discretion of the Planning Commission, to break up the areas without circumventing the total view of the product.
 - (e) All outdoor sales or display areas shall be surfaced with asphalt or concrete or other similar dust-proof surface.
4. Outdoor storage areas and open air businesses, not including lumber and coal-yards, junk yards, used auto parts or wrecking establishments, subject to the following:
- (a) Outdoor sales or display areas adjacent or visible to a residential district shall provide additional screening in accordance with Section 26.12, Areas Requiring Screening and/or Buffering.
 - (b) Display and sales areas shall consist of a permanent, durable and dustless surface, and shall be graded and drained to dispose stormwater without a negative impact on adjacent properties.
 - (c) No goods shall be stored or displayed in a manner that conflicts with pedestrian or vehicular circulation. A minimum five (5) foot clear path shall be maintained at all times around the perimeter of buildings for safe pedestrian circulation and compliance with barrier-free standards.
 - (d) Outdoor storage of vehicles, equipment, or materials, other than as specifically permitted by this Section, shall be prohibited.

5. Outdoor cafes and eating areas accessory to a permitted restaurant use, subject to the following:
 - (a) Pedestrian circulation and access to building entrances shall not be impaired. A minimum of six (6) feet of sidewalk leading to the entrance to the establishment shall be maintained free of tables and other encumbrances. Planters, posts with ropes or other enclosures shall be used to define the area occupied by the outdoor café.
 - (b) The outdoor café shall be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required. Written procedures for cleaning and waste containment and removal responsibilities shall be included with all applications and approved by the Planning Commission. Preparation of food and beverages is prohibited in the outdoor café area.
 - (c) Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings, subject to Planning Commission approval.
6. Bowling alley, tennis courts, pool and billiard hall, roller and ice skating rink, and other general indoor recreation facilities, when the structure housing such facilities is located at least fifty (50) feet from any front, rear, or side yard of any residential lot in an adjacent residential district.
7. Theaters, assembly halls or similar uses within a completely enclosed principal building.
8. Veterinary clinics, animal clinics and animal hospitals subject to the conditions of Section 28.72.
9. An accessory storage garage for commercial vehicles used by a business or other activity when located on the same contiguous site therewith and not occupying more than twenty-five (25) percent of the area of such contiguous site.
10. Automobile commercial garages, subject to the following:
 - (a) All operations of the commercial garage shall be conducted entirely within the building except for the storage of repaired and wrecked cars. All areas used to store repaired or wrecked cars shall be screened in compliance with the requirements of Article 26, Landscaping, Screening and, Land Use Bufferings.
 - (b) All automobile commercial garages that sell gasoline fuel must also comply with the standards applicable to an automobile service station.

11. Gasoline service station, including the sale of convenience goods, subject to the following:
- (a) Gasoline service stations shall provide a front yard and side yards of not less than twenty (20) feet each.
 - (b) Gasoline service stations, including any part of the facade, and other structure or part of any other structures on the same lot, shall not exceed twenty-five (25) feet in height.
 - (c) Open space on the gasoline service station site may be used for parking or maneuvering of vehicles being serviced, waiting to be serviced or serviced vehicles waiting to be picked up. The use of the open space for parking of vehicles for storage, sale or rental or for any other use other than that defined in Section 36.2 of this Ordinance is prohibited.
 - (d) Hoists or other equipment used in servicing of motor vehicles shall be located within an enclosed building.
 - (e) Pump islands shall be setback not less than twenty-five (25) feet from the street setback line of any street to which the pump island is perpendicular and (31) feet from the street setback line of any street to which the pump island is parallel and not less than (31) thirty-one feet from any residential boundary line. A minimum of twenty (20) feet shall be provided between parallel pump islands. The setback areas shall include a minimum ten (10) foot planting strip located along and between the street setback line and the pump islands. No servicing shall be permitted on any vehicle while said vehicle is resting wholly or partly on a sidewalk or on a public street or highway right-of-way.



Gasoline Pump Island Setbacks

- (f) On all corner lots, all vehicular entrance to or exits from any curb openings shall be set back a minimum of twenty-five (25) feet from the point of intersection of the curb and the extension of the street setback line. All curb openings, whether on a corner lot or not, shall not exceed thirty-five (35) feet in width at the curb line and thirty (30) feet at the property line. There shall be a minimum of thirty (30) feet measured along the property line between any series of driveways. On corner lots no driveway from a side street shall be less than forty (40) feet from the rear property line as measured along the side street property line. The Planning Commission may modify the location of curb openings upon finding that the curb location will not adversely impact traffic circulation on and adjacent to the site.
- (g) No gasoline service station, commercial garage, auto wash or other establishment where gasoline is stored and sold, which because of their nature unavoidably invite vehicle traffic, depend on standing vehicles while awaiting service and route such traffic across curb lines and sidewalks, shall be located, and no property shall be used as such nearer than one hundred (100) feet in any direction as measured from any point on the property line of any church, school (public, charter, or private, including parochial), police station, fire station or buildings used for public assembly and five hundred (500) feet from any hospital.
- (h) Gasoline service stations shall be located on a plot of ground having frontage of not less than one hundred fifty (150) feet as measured from the street setback line. When the service station is located on a corner lot the minimum frontage of one hundred fifty (150) feet shall apply to frontage on both streets as measured from the street setback line. Each gasoline service station shall, in addition to the minimum frontage requirement, provide a minimum area of not less than fifteen thousand (15,000) square feet. Such station shall be composed of the building housing the office and the facilities for servicing, greasing and/or washing and the pumps for dispensing gasoline. Such facilities shall contain not more than five (5) units (as defined below). Any station designed for more than five (5) units shall provide an additional area of three thousand (3,000) square feet for each additional unit. For the purpose of this section, a unit shall mean (a) a set of pumps or (b) a stall for one (1) vehicle within the building for servicing, greasing or washing.
- (i) All gasoline and other combustible fuels used to propel internal combustion motors shall be stored in compliance with the Fire Prevention Code of the Charter Township of Plymouth.
- (j) Gasoline service stations with an accessory restaurant, including drive through restaurants, or convenience store or automobile car wash shall meet all separate standards specified in this article for these individual uses. Additionally, stacking,

service and circulation lanes and parking for the individual uses shall be designed and laid-out so as to minimize the potential for traffic circulation and vehicle-pedestrian conflicts. Landscaped islands and buffer strips shall be used to separate and screen stacking and service lanes.

12. Automobile wash facilities subject to the following:

- (a) All washing facilities shall be completely within an enclosed-building.
- (b) Vacuuming facilities may be outside the building, but shall not be in the front yard and shall not be closer than twenty-five (25) feet from any residential district. Where such facilities are located in a side or rear yard abutting a street, such use shall be screened consistent with the requirements of Article 26, Landscaping, Screening and Land Use Buffers.
- (c) Driveway entrances into the automobile wash structure shall be from within the lot and no entrance into the building shall be directly from a street or alley. No alley shall be used as a means of serving an automobile wash facility.

Drains shall be provided at all entrances and exits at the street setback line where surface drainage is directed towards the street. Ingress and egress points shall be located a minimum of sixty (60) feet from the point of intersection of the curb and the extension of the street setback line as established in the Thoroughfare Plan when the proposed automobile wash facility is located at the intersection of any two roads. Automobile wash facilities shall not, in general, be located within two hundred (200) feet of an intersection of any two roads when either of the two roads is considered to carry moderate to heavy traffic levels.

- (d) For efficient movement of cars into the wash rack, one or more hard surfaced, striped, stacking lanes, not less than twelve (12) feet wide shall be provided in accordance with the requirements of Article 24, Parking Requirements, Layout, Standards, and Off-street Loading and Unloading. Stacking space for cars required to wait for access to the facilities within the street right-of-way shall be prohibited. Automobile wash establishments shall provide adequate waiting and stacking spaces for each washing stall or lane consistent with the requirements of Article 24, Parking Requirements, Layout, Standards, and Off-street Loading and Unloading.
- (e) The use of steam in the cleaning process shall be permitted when confined within an enclosed building.

13. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet irrespective of the yard requirements of the district in which it is located, and two (2) side yards and a rear yard setback of not less than twenty five (25) feet in width.

14. Arcades as defined in Ordinance No. 74 of Plymouth Township Ordinances, and any commercial establishment in which the primary purpose of such establishment is the operation of mechanical or electrical amusement devices, subject to the following:
 - (a) All activities shall be conducted entirely within a building.
 - (b) No such business shall be open for business between the hours of midnight (12:00 a.m.) and 9:00 a.m.
 - (c) The building housing such use shall be so constructed and maintained as to insure that all interior noises are kept from reaching the building exterior.
 - (d) The Planning Commission shall review the proposed use to determine the need for bicycle parking spaces. Said spaces shall be designed to permit the orderly parking of said bicycles and permit them to be secured. These parking areas shall be so located as to prevent the disruption of on-site and off-site pedestrian and automobile traffic flow.
 - (e) Any part of the lot occupied by such use shall not be located within three hundred (300) feet of any residential district or within five hundred (500) feet of the property line of any public, parochial or private school.

15. Mortuaries and funeral homes subject to the following standards, including those that meet the definition of “large scale institutional uses” which are also subject to the conditions of Section 28.63.
 - (a) Adequate off-street vehicle assembly space shall be provided for funeral processions and similar activities. This space shall be required in addition to the required off-street parking and loading areas, except where the Planning Commission determines that an alternative arrangement will be adequate to serve the proposed activities.
 - (b) All loading and unloading areas shall be adequately screened from adjacent residential districts or uses and street rights-of-way.
 - (c) A caretaker’s residence may be permitted as an accessory use to a mortuary or funeral home, provided that:
 - 1) The caretaker’s residence shall be contained within the mortuary building or may be provided in an accessory building after review and approval by the Planning Commission.
 - 2) The caretaker’s residence shall be constructed in accordance with the adopted building code, and provided with plumbing, heating, bathroom, and kitchen facilities.

- 3) In no case shall the caretaker's residence be used as a permanent single-family dwelling by anyone other than a watchman or caretaker.
16. Municipal facilities including park and ride facilities, libraries, community buildings and municipal parks and playgrounds, including those that meet the definition of "large-scale institutional uses" which are also subject to the conditions of Section 28.63.
17. Housing for the elderly, including congregate elderly housing subject to the conditions of Section 28.65.
18. Nursing and convalescent homes subject to the following conditions, including such facilities that meet the definition of "large-scale institutional uses" also subject to the conditions of Section 28.63.
 - (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
19. Child and adult care facilities, as licensed by the State of Michigan, subject to the standards of Section 28.64.
20. Churches, temples and similar places of worship and other facilities incidental thereto subject to the following conditions, including such facilities that meet the definition of "large-scale institutional uses" or "large scale churches" which are also subject to the conditions of Section 28.63.
 - (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.

- (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.
21. Hospitals subject to the following conditions, including such facilities that meet the definition of “large-scale institutional uses” which are also subject to the conditions of Section 28.63.
- (a) Hospital sites shall have a minimum gross land area of ten (10) acres.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (c) Minimum setback distances for any two (2) story main or accessory building shall be at least one hundred (100) feet from all property lines or street setback lines. The minimum setback distances shall be increased by twenty (20) feet for each additional story, provided that no such building shall exceed six (6) stories in height.
 - (d) Ambulance and emergency entrance areas shall be screened from adjacent residential districts and uses by a six (6) foot decorative masonry wall or other method deemed appropriate by the Planning Commission.
 - (e) Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws and regulations.
22. Massage therapy clinics subject to the following requirements:
- (a) Hospitals, sanitariums, nursing homes, medical clinics, wellness centers, health clubs, tanning salons gyms and offices of physicians, surgeons, chiropractors, osteopaths, psychologists, clinical social workers or family counselors who are licensed to practice in the state shall be permitted to provide massage therapy services as an accessory use within the principal building.
 - (b) Adult use or sexually-oriented business activities shall be prohibited.
23. Drive-through facilities accessory to any permitted use in the C-2 District shall be subject to the following:
- (a) A separate stacking lane, a minimum of ten (10) feet in width, shall be provided and striped. The stacking lane shall be designed to accommodate the minimum number of stacking spaces required under Article 24, Parking Requirements.

Required stacking shall not interfere with vehicular traffic on-site, or on the adjacent roadway entering or leaving the site. Adequate maneuvering room shall be provided to allow vehicles to by-pass or leave the stacking lane.

- (b) No eating shall be permitted while in a parked vehicle on-site.
 - (c) Sufficient number of outdoor litter receptacles shall be provided to prevent blowing paper and other articles moving off site onto surrounding properties.
 - (d) The drive-through service speaker location and/or amplification shall not cause noise that is audible from adjacent residences.
 - (e) Access driveways to the site shall be aligned with and/or adequately separated from existing driveways on the opposing and same sides of the street to minimize disruptions of off-site circulation and traffic.
24. Any commercial establishment or professional or commercial services not specifically stated or implied elsewhere in this Ordinance, which in the determination of the Planning Commission are consistent with the purpose and intent of the C-2 District.

SEC. 13.2A (Added 3/14/10) USES SPECIFICALLY PROHIBITED

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law.

SEC. 13.3 DEVELOPMENT REQUIREMENTS

All principal uses and special land uses in the C-2, General Commercial District, shall comply with all applicable requirements of this Ordinance, including, but not limited to the following:

- 1. Site plan and development approval for all uses as specified in Article 29 of this Ordinance.
- 2. Off-street parking for all uses as specified in Article 24 of this Ordinance.
- 3. Off-street loading and unloading for all uses as specified in Article 24 of this Ordinance.
- 4. Landscaping, screening and land use buffers for all uses as specified in Article 26 of this Ordinance.
- 5. Signs for all uses as specified in Article 25 of this Ordinance.
- 6. Special Provisions, as specified in Article 28 of this Ordinance.
- 7. Height, area, lot coverage and yard regulations as specified in Article 20 of this Ordinance.
- 8. The following specific requirements shall apply within a C-2, General Commercial District:

SEC 13.3 DEVELOPMENT REQUIREMENTS

- (a) The above specified stores, shops or businesses shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold on the premises at retail only. Manufacturing of products for distribution or sale at off-premises locations shall be prohibited in the C-2 District.
- (b) Such store activities, shops or businesses, except where specifically permitted by this Article, shall be conducted entirely within a building.
- (c) All warehousing and storage of goods associated with permitted uses in the C-2 district shall be limited to that which is normally associated with the permitted use and/or shall be restricted to that amount necessary to support on-site operations of the principal use.
- (d) All exterior walls of every building hereafter erected, extended or whose exterior is structurally altered, shall incorporate brick and/or stone building materials on all exterior walls that are highly visible from public roads or adjacent residential properties as determined by the Planning Commission. Brick or decorative block accent bands, borders and/or sill walls and other details of different colors and/or textures shall be used to enhance and differentiate the surface of the wall to define and accent window and door openings. All buildings shall comply with Section 28.14, Building Design Standards.
- (e) The outdoor areas described in Section 13.2 shall be surfaced with asphalt or concrete or other similar dustproof surface.
- (f) Products made incident to a permitted use shall be sold at retail only.
- (g) Compliance with Section 28.5, Environmental Performance Requirements, is required for all uses, including any processing, treatment or production of products.
- (h) Yard Grading and Drainage. All yard and open space areas in a C-2 General Commercial District shall be graded as specified in Section 28.15 of this Ordinance.
- (i) All structures shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
- (j) Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
- (k) Lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting.

- (l) The method of trash pick up shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles.
- (m) Commercial facilities in this district that are primarily automobile oriented, shall provide pedestrian facilities and amenities within the project and connect to adjacent residential areas whenever possible. Such facilities shall include walkways, pedestrian level lighting, seating areas, landscaping and other amenities to both enable and encourage pedestrian access. Pedestrian walkways connecting the development with the surrounding area shall be provided whenever practical.
- (n) Fencing. In the General Commercial District it shall be unlawful for any person to build, repair or relocate a fence without first having secured a Zoning Compliance and/or Building permit from the Department of Building and Code Enforcement. All fencing and/or screening walls required and approved by the Planning Commission as part of special land use and/or site plan approval shall be, subject to the following:
 - 1) Protective or Security Fencing: Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
 - a) Maximum Height: The maximum height of a protective or security fence shall be four (4) feet.
 - b) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of the applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.

- c) Placement: No fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20, Schedule of Regulations, provided no fence shall be built closer to the street than the established front building line along said street or in front of the principal building on the lot that is closest to the street setback.
 - d) The Planning Commission may, at its discretion, permit alternative fence placements, heights or materials in keeping with the spirit and intent of this Ordinance and deemed necessary to provide adequate protection for the abutting properties.
- (o) Street trees shall be provided between the street or road pavement and sidewalk along all public rights-of-way.

ARTICLE XIV
ARC ANN ARBOR ROAD CORRIDOR DISTRICT

SEC. 14.1 PREAMBLE

1. District Established

Recognizing the importance of a viable Ann Arbor corridor with well-planned, quality development, and further recognizing that a unified approach is the most effective, the City of Plymouth and the Charter Township of Plymouth have jointly established the ARC, Ann Arbor Road Corridor District. This zoning district is based upon careful evaluation, study and plans completed by the two communities with considerable input from the corridor businesses.

It has been agreed by both the City and the Township, as the foundation for this zoning district that creation of a common ARC zoning district presents opportunities for intergovernmental coordination, cost savings, consistent land use regulation, sound planning and reflects the traditional spirit of cooperation in the Plymouth community.

It is further acknowledged that creation of the ARC District does not change the independent authorities and powers of each unit of government to adopt, enforce and amend its zoning ordinance; however it is the intent of both bodies in creating this district that the regulations and effect of the ARC remain the same in both the City and the Township. Therefore, by mutual agreement, variations which are not approved by both the Township and the City are contrary to the intent of this district.

2. Boundaries Defined

The boundaries of the ARC, Ann Arbor Road Corridor District shall be as shown on the Zoning Map which accompanies this ordinance with all notations, references and other information shown there on and as prescribed on the official zoning maps of the City of Plymouth and Plymouth Charter Township, Wayne County, Michigan.

SEC. 14.2 ARC, ANN ARBOR ROAD CORRIDOR DISTRICT

1. Purpose

The Ann Arbor Road Corridor Zoning District is intended to establish uniform regulations applicable to the use of land, dimensions for building and site development, parking, landscaping and signage which accommodate and promote land uses which are compatible with the desired character of the corridor, and which conserve property values and long term stability of office, commercial and limited light industrial uses along the Ann Arbor Road Corridor. The Ann Arbor Road Corridor District is intended to accommodate a mixture of office, business and limited light industrial uses designed to serve the commercial needs of the general community in an attractive, well designed and functional environment.

2. Principal Uses Permitted

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

- (a) Medical and dental offices, clinics, and other professional offices.
- (b) Administrative, executive and editorial offices.
- (c) Real estate and other general business offices.
- (d) Banks, credit unions, savings and loan associations, and similar financial institutions.
- (e) Schools for arts and crafts, photography, and studios for music or dancing; training centers, business schools or private schools operated for profit.
- (f) Private clubs and lodge halls.
- (g) Mortuaries.
- (h) Churches, temples, and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of large scale churches, and subject to the conditions of Section 28.61.
- (i) Personal service establishments which perform services on the premises such as: shoe repair, dry cleaning shops (without on-site processing), tailors and dressmakers shops, beauty parlors and barbershops, or any service establishment of an office-showroom or workshop nature of an electrician, decorator, dressmaker, tailor, shoemaker, baker, printer, upholsterer, or an establishment doing radio, television or home appliance repair, photographic reproduction, and similar establishments that require a retail adjunct and are of no more objectionable character than the aforementioned subject to the following provision: No more than five (5) persons shall be employed at any time in the fabrication, repair and other processing of goods.
- (j) Retail establishments whose principal activity is the sale of merchandise in an enclosed building, including sales of groceries, meats, dairy products, baked goods or other foods, drugs, dry goods and notions or hardware.
- (k) Business services such as mailing, copying and data processing.
- (l) Restaurants, taverns, bars/lounges and other uses serving food and/or alcoholic beverages, where patrons are served while seated within a building occupied by such establishments.
- (m) Bus stations.
- (n) Commercial parking garages.
- (o) Public schools
- (p) Accessory structures and uses customarily incidental to the above permitted uses.

3. Special Land Uses

The following uses may be permitted by the Planning Commission, subject to the conditions hereinafter imposed for each use, including the review and approval of the site plan by the Planning Commission; and the imposition of special conditions which, in the opinion of the Commission, are necessary to fulfill the purposes of this Ordinance; and the procedures and requirements set forth in this Ordinance for special land use approval, including a public hearing.

- (a) Any other use not specified as a principal permitted use which the Planning Commission finds to not be inconsistent with the purposes of this Article and which will not impair the present or potential use of adjacent properties.
- (b) Child care centers not including overnight sleeping facilities, subject to the following conditions:
 - 1) For each child permitted at the maximum licensed capacity of the facility, there shall be provided and maintained a minimum of five hundred (500) square feet of outdoor play area. Such play space shall have a total minimum area of not less than 3,000 square feet and shall be fenced and screened from any adjoining lot in any residential district.
 - 2) All child care facilities shall be registered with or licensed by the State of Michigan where required, and shall comply with the minimum state standards for such facilities, in addition to those standards specified in this Ordinance. Proof of compliance shall be provided to the Township upon request.
 - 3) Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads. Adequate stacking space for the pick-up/drop-off area shall be provided.
- (c) Commercial, medical and dental laboratories, not including the manufacturing of pharmaceutical or other products for general sale or distribution.
- (d) Parochial and private schools.
- (e) Municipal facilities, including municipal or other governmental offices, fire stations, post offices, community buildings, libraries, parks, playgrounds and park-n-ride lots.
- (f) Hospitals and convalescent homes.
- (g) Communication facilities, public utility transformer stations, sub-stations and gas regulator stations without outdoor service or storage yards subject to the following:
 - 1) A front yard setback of not less than fifty (50) feet shall be provided and two (2) side yards and a rear yard shall be provided, each shall not be less than twenty-five (25) feet in width.
 - 2) When a transmission or relay tower, etc. is proposed as part of the facility, the tower shall be so located that it does not present a nuisance to abutting residential properties. The tower shall be so located on the subject property that the distance from the base of the tower to all points on each property line shall be not less than one and one-half (1½) times the height of the tower.
 - 3) Such use shall be screened and buffered from nearby public rights-of-way and property in accordance with the requirements of this Ordinance.
- (h) Large scale institutional uses, including large scale churches, subject to the following:

- 1) The site shall have at least 150 feet of frontage on a major thoroughfare with an existing or planned right-of-way of not less than 120 feet. All ingress and egress to the site shall be directly onto such major thoroughfares.
- 2) The site shall be located within one half mile of interchange access to I-275, as measured along major thoroughfares.
- 3) All buildings, structures, and parking and loading areas shall be setback a minimum of 100 feet from any abutting residential zoning district. Such setback area shall be heavily landscaped so as to create a complete visual and physical separation between the two (2) unlike land uses, forming an effective screen in compliance with the provisions of this Ordinance.
- 4) Traffic from events (including church worship services), and other large assemblies shall be controlled by the institution or by its agents so as to not create congestion or unreasonable delays on the public street. A schedule of expected frequency of events (including church worship services) and assemblies, a description of the method(s) of traffic control, and a traffic impact study shall be presented to the Planning Commission for approval after review and comment on the plan by the Police Department.
- 5) Associated uses on the site such as schools, (if not the primary use) recreation centers, retreat facilities, conference centers, convents, and others shall meet all requirements of this Ordinance for such uses.
- 6) All parking spaces and aisles shall be screened from off-site view by any one or a combination of the following:
 - a) Screening mound or berm.
 - b) Dense landscaping
 - c) Solid wall with planting strip
 - d) Changes in grade through the use of retaining walls, or topographic features.Screening shall be in accordance with the requirements of Section 14.8.
- 7) There shall be no outside loudspeakers or amplified sound outside of a totally enclosed building.
- 8) Storage of buses, trucks, and maintenance equipment shall be entirely within a totally enclosed building.
 - (i) Hotels and motels subject to the following:
 - 1) Each hotel or motel shall provide minimum side yards of not less than twenty-five (25) feet each; minimum rear yard of not less than thirty-five (35) feet; minimum front yard of twenty-five (25) feet except that when parking is provided between the building and a street, the minimum front yard and/or side yard shall be not less than seventy-five (75) feet.

- 2) When the front yard and/or side yard abuts a street and is used to provide an access road and/or off-street parking, the area shall be screened in compliance with the requirements of this Ordinance.
 - 3) Each motel or hotel unit shall contain not less than two hundred fifty (250) square feet of floor area.
 - 4) Kitchen or cooking 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.
 - 5) Where a unit is provided as a residence for the owner or the manager, the following minimum floor area requirements shall be provided: one (1) bedroom unit, 600 square feet; two (2) bedroom unit, 800 square feet; three (3) bedroom unit, 1,000 square feet; four (4) bedroom unit, 1,200 square feet.
- (j) Sales rooms, and/or sales lots for new and/or used automobiles, recreation vehicles or trucks, subject to the following:
- 1) Outdoor lighting shall be provided in an amount which shall be sufficient to permit safe movement of vehicles and pedestrians at night. This lighting shall be high pressure sodium, metal halide or other type of lighting approved by the Commission which exhibits the same characteristics and qualities of high pressure sodium or metal halide. Outdoor lighting shall be so located and designated as to reflect light away from adjacent single family residential areas and shall comply with the requirements of Section 28.8, Exterior Lighting.
 - 2) All service and repair facilities shall be contained within an enclosed building except for the storage of repaired and wrecked cars. All areas used to store repaired or wrecked cars shall be located behind the building and screened in compliance with the requirements of Section 14.8.
 - 3) An obscuring wall must be provided when abutting or adjacent districts are zoned for residential use, in accordance with Section 14.8 of this Ordinance.
 - 4) No major repair or major refinishing shall be done on the lot.
 - 5) Where a sales lot for new and/or used automobiles, or trucks, abuts a street, a planting strip shall be established in accordance with Section 14.8 Specific Landscaping, Screening and Buffering Requirements. The planting strip shall comply with the standards for Ann Arbor Road streetscape or parking area buffering based upon the street fronted upon, and shall provide a proper buffer in the determination of Planning Commission. The required shrubbery plantings may be modified at the discretion of the Planning Commission, to break up the areas without circumventing the total view of the product.

- 6) No loudspeakers for outdoor broadcasting shall be permitted.
 - 7) Rental facilities for vehicles shall be permitted only as an accessory use to a permitted vehicle sales use under this Section.
 - 8) All outdoor sales or display areas shall be surfaced with asphalt or concrete or other similar dust-proof surface.
- (k) Motorcycle, motorbike, personal watercraft, snow mobile and all-terrain vehicle sales, service, clubs and rental facilities subject to the following:
- 1) No motorcycle or motorbike rental, sales, service or motorcycle or motorbike clubs shall be permitted on a parcel of land which is located within two hundred (200) feet of a residential district.
 - 2) Motorcycle or motorbike clubs may be operated only between the hours of 6 a.m. and 12 midnight.
 - 3) Outdoor storage and/or testing areas shall not be permitted.
 - 4) All service and repair facilities shall be contained within an enclosed building.
 - 5) Where a sales lot and/or outdoor display area abuts a street, a planting strip shall be established in accordance with Section 14.8, Specific Landscaping, Screening and Buffering Requirements. The planting strip shall comply with the standards for Ann Arbor Road streetscape or parking are buffering based upon the street the sales lot or display area abuts, and shall provide a proper buffer in the determination of the Planning Commission. The required shrubbery plantings may be modified at the discretion of the Planning Commission, to break up the areas without circumventing the total view of the product.
 - 6) All outdoor sales or display areas shall be surfaced with asphalt or concrete or other similar dust-proof surface.
- (l) Indoor recreation uses such as bowling establishments, court sport facilities, tennis clubs, pool and billiard halls, roller and ice skating rinks, and other general indoor recreation facilities, subject to the following:
- 1) The structure housing such facilities shall be located at least fifty (50) feet from any front, rear, or side yard of any residential lot in an adjacent residential district.
 - 2) Any vehicles or equipment used for servicing the facilities, such as court cleaners or zambonis, shall be stored only inside a totally enclosed building.
 - 3) The use of any electronic or enhanced sound system shall be contained so as to not present an unreasonable disturbance to the neighborhood in which it is located.

- (m) Theaters, assembly halls, concert halls or similar uses, subject to the following:
 - 1) All operations shall be conducted within a completely enclosed building.
 - 2) All buildings shall be set back at least one hundred (100) feet from any residential district.
- (n) Drive-in restaurants and other drive-in establishments excluding outdoor theaters, subject to the following:
 - 1) Outdoor lighting shall be provided in an amount which shall be sufficient to permit safe movement of vehicles and pedestrians at night. This lighting shall be high pressure sodium, metal halide or other type of lighting approved by the Commission which exhibits the same characteristics and qualities of high pressure sodium or metal halide. Outdoor lighting shall be so located and designated as to reflect light away from adjacent single family residential areas and shall comply with the requirements of Section 28.8 Exterior Lighting.
 - 2) A setback of at least sixty (60) feet from the future right-of-way or street setback line of any street must be maintained.
- (o) Outdoor cafes and eating areas accessory to a permitted restaurant use, subject to the following:
 - 1) Pedestrian circulation and access to building entrances (both on and off site) shall not be impaired. A minimum of six (6) feet of sidewalk leading to the entrance to the establishment shall be maintained free of tables and other encumbrances. Planters, posts with ropes or other enclosures shall be used to define the area occupied by the outdoor café.
 - 2) The outdoor café shall be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required. Written procedures for cleaning and waste containment and removal responsibilities shall be included with all applications and approved by the Planning Commission. Preparation of food and beverages is prohibited in the outdoor café area.
 - 3) Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings, subject to Planning Commission approval.
- (p) Veterinary clinics, animal clinics and animal hospitals subject to the following:
 - 1) Any building designed or constructed for such uses shall be used for the sole purpose of providing medical care for household pets and shall not be constructed or used as a boarding establishment for household pets.

- 2) If animals eligible for treatment at such establishments are kept overnight on the premises or for a period longer than regular professional business hours, then a full-time, duly qualified attendant shall be stationed in charge of said premises.
 - 3) Open or outdoor runs, kennels or pens shall be prohibited.
 - 4) In no case shall the disposal of rubbish and litter be conducted in such a manner as to be obnoxious or offensive.
 - 5) In no case shall there be any harboring of vermin or decaying matter on the premises, and effective provisions shall be made to confine all noise, confusion and odor, if any, to the premises.
 - 6) The building and ventilation system shall be constructed to prevent any noise and odors emanating from the area used for the treatment and temporary keeping of household pets from reaching the building exterior.
- (q) A storage garage for commercial vehicles used by a business or other activity when located on the same contiguous site therewith and not occupying more than twenty-five (25) percent of the area of such contiguous site.
- (r) Commercial (major repair or body shop) garages subject to the following:
- 1) All operations of the commercial garage shall be conducted entirely within the building except for the storage of repaired and wrecked cars. All areas used to store repaired or wrecked cars shall be screened from view off site in compliance with Section 14.8.
 - 2) All outdoor sales or display areas shall be surfaced with asphalt or concrete or other similar dust-proof surface.
- (s) Commercially used outdoor recreational space for children's amusement parks, miniature golf courses, subject to the following:
- 1) The children's amusement park must be fenced on all sides with a four (4) foot, six (6) inch wall or fence.
 - 2) Adequate parking shall be provided off the road right-of-way and shall be fenced with a four (4) foot, six (6) inch high wall or fence where adjacent to the use.
- (t) Open air display and sales areas, including nursery plants and materials; lawn furniture; playground equipment and swimming pools; garden supplies and similar open-air displays, subject to the following conditions:
- 1) The storage and/or display of any materials and/or products shall meet all setback requirements applicable to a building, and shall be screened from view off-site.
 - 2) All loading and parking shall be provided off-street.

- 3) The storage of any soil, fertilizer, or other loose, unpackaged materials shall be contained so as to prevent any affects on adjacent uses.
 - 4) Outdoor display and sales of lumber and coal yards, building material sales establishments, junk yards, used auto parts or wrecking establishments shall not be permitted.
 - 5) All outdoor sales or display areas shall be surfaced with asphalt or concrete or other similar dust-proof surface.
- (u) Auto wash facilities subject to the following:
- 1) In the case that an auto wash facility includes the storage and/or sale of gasoline as part of the operation, the requirements of Section 14.2.3, paragraph w. of this ordinance shall also apply.
 - 2) All washing facilities shall be completely within an enclosed building.
 - 3) Vacuuming facilities may be outside the building, but shall not be in the front yard and shall not be closer than one hundred (100) feet from any residential district. Where such facilities are located in a side or rear yard abutting a street, such use shall be screened from the street by one or a combination of the following:
 - a) A solid wall of at least four (4) feet in height and six (6) to eight (8) foot wide planting strip on the street side. Such planting strip shall contain as a minimum, one (1) deciduous small ornamental tree for every twenty (20) lineal feet of planting strip required.
 - b) Mounding or berming of not less than four (4) feet in height with side slopes no steeper than 3:1 (three feet horizontal to one foot vertical). A minimum of one (1) deciduous small ornamental tree shall be planted for every twenty (20) lineal feet of berm or mound.
 - 4) Driveway entrances into the auto wash structure shall be from within the lot and no entrance into the building shall be directly from a street or alley. No alley shall be used as a means of serving an auto wash facility. Drains shall be provided at all entrances and exits at the street setback line. Auto wash facilities shall not, in general, be located within two hundred (200) feet of an intersection of any two (2) roads when either of the two (2) roads is considered to carry moderate to heavy traffic levels.
 - 5) A hard surfaced driveway of either one or more lanes shall be constructed on the site in such a manner as to provide a continuous movement of cars into the wash rack.
 - 6) The driveways, so provided, shall be not less than twelve (12) feet wide for a single lane and not less than twelve (12) additional feet, in width, from each additional lane.

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- 7) The use of steam in the cleaning process shall be permitted when confined within an enclosed building.
 - 8) Outdoor lighting shall be provided in an amount which shall be sufficient to permit safe movement of vehicles and pedestrians at night. This lighting shall be high pressure sodium, metal halide or other type of lighting approved by the Commission which exhibits the same characteristics and qualities of high pressure sodium or metal halide. Outdoor lighting shall be so located and designated as to reflect light away from adjacent single family residential areas and shall comply with the requirements of Section 28.8, Exterior Lighting.
 - 9) All cars required to wait for access to the facilities shall be provided space off the street right-of-way in accordance with the provisions of Section 14.4.
- (v) Minor automotive repair, such as muffler shops, shock absorber replacement shops, tire stores, undercoating shops, minor engine repair and small engine repair, subject to the following conditions:
- 1) Access to such use shall be directly to a major or collector street.
 - 2) Outdoor storage of parts or materials shall be prohibited.
 - 3) Vehicles shall not be allowed to be stored outside the building for more than 24 hours unless awaiting repair for which a work order, authorized by the owner of the vehicle, is posted in the vehicle so as to be visible from outside the vehicle and not to exceed seven (7) days. Space for vehicles awaiting repair shall be designated on the site plan and shall be screened as determined necessary by the Planning Commission.
 - 4) Areas for off-street parking required for customer use shall not be utilized for the storage of vehicles awaiting repair.
 - 5) All vehicle servicing or repair, except minor repairs such as, but not limited to, tire changing and headlight changing shall be conducted within a building.
 - 6) Suitable containers shall be provided and utilized for the disposal of used parts and such containers shall be screened from public view.
- (w) Gasoline service stations subject to the following:
- 1) Gasoline service stations shall provide a front yard and side yards of not less than twenty (20) feet each. No part of a service station canopy shall extend into a required yard.
 - 2) Gasoline service stations, including any part of the facade, and other structure or part of any other structures on the same lot, shall not exceed twenty-five (25) feet in height.

- 3) Open space on the gasoline service station site may be used for parking or maneuvering of vehicles being serviced, waiting to be serviced or serviced vehicles waiting to be picked up. The use of the open space for parking of vehicles for storage, sale or rental or for any other use other than that defined in the definition of gasoline service station under this Ordinance is prohibited.
- 4) Hoists or other equipment used in servicing of motor vehicles shall be located within an enclosed building.
- 5) Pump islands shall be setback not less than twenty-five (25) feet from the street setback line of any street to which the pump island is perpendicular and nineteen (19) feet from the street setback line of any street to which the pump island is parallel and not less than nineteen (19) feet from any residential boundary line. Additional setback may be required if determined necessary by the Planning Commission to provide for adequate site circulation and maneuvering. The setback areas shall include a minimum ten (10) foot planting strip located along and between the street setback line and the pump islands. No servicing shall be permitted on any vehicle while said vehicle is resting wholly or partly on a sidewalk or on a public street or highway right-of-way.
- 6) No gasoline service station, service garage, auto wash facility, or other establishment where gasoline is stored and sold, which because of their nature unavoidably invite vehicle traffic, depend on standing vehicles while awaiting service and route such traffic across curb lines and sidewalks, shall be located and no property shall be used as such nearer than one hundred (100) feet in any direction as measured from any point on the property line of any church, school (public or parochial), police station, fire station or buildings used for public assembly and five hundred (500) feet from any hospital.
- 7) Gasoline service stations shall be located on a plot of ground having frontage of not less than one hundred fifty (150) feet as measured from the street setback line. When the gasoline service station is located on a corner lot the minimum frontage of one hundred fifty (150) feet shall apply to frontage on both streets as measured from the street setback line. Each gasoline service station shall, in addition to the minimum frontage requirement, provide a minimum area of not less than fifteen thousand (15,000) square feet. Such station shall be composed of the building housing the office and the facilities for servicing, greasing and/or washing and the pumps for dispensing gasoline. Such facilities shall contain not more than five (5) units (as defined below). Any station designed for more than five (5) units shall provide an additional area of three thousand (3,000) square feet for each additional unit. For the purpose of this section, a unit shall mean (a) a set of pumps or (b) a stall for one vehicle within the building for servicing, greasing or washing.
- 8) All gasoline and other combustible fuels used to propel internal combustion motors shall be stored in compliance with the all applicable State, Federal and municipal codes.

- 9) There shall be provided, on those sides abutting or adjacent to a residential district, a six (6) foot completely obscuring wall, consistent with the requirements of Section 14.8.
 - 10) Outdoor lighting shall be provided in an amount which shall be sufficient to permit safe movement of vehicles and pedestrians at night. This lighting shall be high pressure sodium metal halide or other type of lighting approved by the Commission which exhibits the same characteristics and qualities of high pressure sodium or metal halide. Outdoor lighting shall be so located and designated as to reflect light away from adjacent single family residential areas and shall comply with the requirements of Section 28.8 Exterior Lighting.
 - 11) All restroom doors shall be shielded from adjacent streets and residential districts.
 - 12) Gasoline service stations with restaurant or “fast food” facilities (with or without drive-through) and/or convenience store and/or car wash facilities shall meet all separate Ordinance standards for these individual uses. Additionally, stacking, service and circulation lanes, and parking for the individual uses shall be designed and laid-out so as to minimize the potential for traffic circulation and vehicle-pedestrian conflicts. Landscaped islands and buffer strips shall be used to separate and screen stacking and service lanes.
 - 13) Outside storage and display shall be limited to small quantities of oil and other supplies needed for servicing at the pumps. No retail sale items such as soda pop, windshield solvent, landscape mulch or other merchandise shall be displayed or sold outside. All outdoor storage and display areas must be identified on the site plan and approved by the Planning Commission.
- (x) Arcades and any commercial establishment in which the primary purpose of such establishment is the operation of mechanical or electrical amusement devices subject to the following:
- 1) All activities shall be conducted entirely within a building.
 - 2) No such business shall be open for business between the hours of 12:00 midnight and 9:00 a.m.
 - 3) The building housing such use shall be so constructed and maintained as to insure that all interior noises shall be kept from reaching the building exterior.
 - 4) The Planning Commission shall review the proposed use to determine the need for bicycle parking spaces. Said spaces shall be designed to permit the orderly parking of said bicycles and permit them to be secured. These parking areas shall be so located as to prevent the disruption of on-site and off-site pedestrian and automobile traffic flow.

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- 5) Any part of the lot occupied by such use shall not be located within three hundred (300) feet of any residential district or within five hundred (500) feet of the property line of any public, parochial or private school.
- 6) Locations for any such establishment shall be confined to major thoroughfares as defined in the future land use plan. Access from a street other than a major thoroughfare shall be prohibited.
- (y) Drive through restaurants or drive through facilities, accessory to any principal permitted use in the ARC District, subject to the provision of a separate stacking lane designed to accommodate the minimum number of stacking spaces required under Section 14.4.1.k. Table of Parking Requirements. Required stacking shall be positioned in such a manner that stacking will not interfere with vehicular traffic on site, on the adjacent roadway, or entering or leaving the site and the stacking lane shall be striped or otherwise delineated on site. Adequate maneuvering room shall be provided to allow vehicles to by-pass or leave the stacking lane as determined by the Planning Commission. No eating shall be permitted while on site and in a parked vehicle. A sufficient number of outdoor litter receptacles shall be provided to prevent blowing paper and other materials moving off site onto surrounding properties. The drive-through service speaker location and/or amplification shall not cause noise that is audible from adjacent residences.
- (z) Limited uses of a wholesale, warehousing or light industrial nature, subject to the following conditions:
 - 1) General Conditions:
 - a) External physical effects shall be restricted, so as to protect nearby uses from hazards, noise, and other radiated disturbances.
 - b) Such uses shall be located only in the general vicinity of the railroad tracks, described as east of the Plymouth Township Hall site to the westerly boundary of the railroad right-of-way on the north side of Ann Arbor Road, and east of General Drive to the westerly boundary of Arbor Village Subdivision on the south side of Ann Arbor Road.
 - c) Each use shall be conducted within a completely enclosed building.
 - 2) Uses permitted under this classification shall be as follows, and shall be further subject to the specific standards listed:
 - a) Wholesale and warehousing businesses, storage buildings, resale shops, commercial laundries, cleaning establishments and frozen food lockers.
 - b) The manufacture, assembly, compounding, processing, packaging, treatment or testing of such products as bakery goods, candy, soap (cold mix only), cosmetics, pharmaceutical, toiletries, dairy and food products, hardware and cutlery; tool, die, gauge and machine shops. The manufacturing, processing and assembling from basic raw materials shall be prohibited.

- c) The manufacture, assembly, compounding, processing, packaging, treatment or testing of articles of merchandise from the following previously prepared materials which have been manufactured elsewhere: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semi-precious metals, or stones, sheet metal (excluding large stampings such as automobile body panels), ferrous and non-ferrous metals (excluding large casting and fabrications), shell, textiles, tobacco, wax, wire, yarn, wood (excluding saw and planing mills) and paint (not employing boiling process).
- d) Research, testing, laboratory and office uses related to permitted industrial operations.
- e) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas.
- f) Manufacture of musical instruments, toys, novelties and metal or rubber or other small molded rubber products (not including pneumatic tires).
- g) Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.
- h) Laboratories --experimental, film, or testing.
- i) Communication facilities with buildings, public utility buildings, telephone exchange buildings, electric transformer stations and sub-stations and gas regulator stations, communication and relay stations without outdoor storage subject to the following:

A front yard setback of not less than fifty (50) feet shall be provided (irrespective of the yard requirements of the district) and two (2) side yards and a rear yard shall be provided; each of which shall not be less than twenty-five (25) feet in width.

- j) Research and industrial parks subject to the following:
 - 1) The research and industrial park shall be platted as an industrial subdivision.
 - 2) All permitted uses allowed under Section 14.2.3.(z) a)–k) shall be allowed in an approved research and industrial park without separate special land use approval.
 - 3) The industrial park shall meet the following area, lot and yard requirements:

Minimum Lot Area	20,000 sq. ft
Minimum Lot Frontage	100 ft
Front Yard Dept	40 ft
Side Yard Width, Each	25 ft
Side Yard Adjacent to Residential	50 ft

Side Yard Adjacent to a Street	40 ft
Rear Yard	40 ft
Rear Yard Adjacent to Residential	50 ft
Maximum Height	35 ft*
Maximum Percent Lot Coverage	50%

*The height of a building may be increased one (1) foot for each one (1) foot by which its setback is in excess of the required yard setbacks, up to a maximum height of forty-five (45) feet.

- 4) All setback areas shall be landscaped with lawns, trees, shrubs and/or other plantings, and may include reflecting pools, retaining walls and other landscape construction harmonious with the overall landscape scheme. Parking and loading areas may be located in side and rear setback areas but shall be prohibited from the front yard setback. Parking and loading areas shall be screened in compliance with this Ordinance.
- k) Accessory structures and uses customarily incidental to the above permitted uses, excluding outdoor storage.

4. Development Requirements

- (a) Required Conditions. Unless otherwise noted, buildings and uses in the ARC Ann Arbor Road Corridor District shall comply with the following requirements:
 - 1) The following requirements shall apply to all businesses and uses except for permitted limited wholesale, warehouse and light industrial uses:
 - a) All such businesses shall be retail or service establishments dealing directly with consumers. Manufacturing of products for wholesale distribution off of the premises is not permitted.
 - b) 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, shall be conducted entirely within a completely enclosed building except where specifically permitted by this Article.
 - 3) There shall be no outside storage of goods, inventory, or equipment unless otherwise permitted by this Article.
 - 4) Commercially used or licensed vehicles used in the normal operation of a permitted retail or service use on the site shall be parked in non-required parking spaces and the rear only. Such vehicles shall not be parked in a manner to be used as an advertisement and shall be screened from view off-site. This provision shall also apply to operable vehicles that are moved on and off of the site on a regular basis.

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- 5) Development in the ARC District shall comply with the Access Managements and Driveways Standard in Section 14.5.
- 6) All exterior walls of every building hereafter erected, extended or whose exterior is structurally altered, which faces a street or which is adjacent to property zoned or used as residential shall be designed, treated and finished in a uniform manner consistent with the exterior of the front of the building. Such buildings which are erected, extended or structurally altered, shall be designed to compliment the Ann Arbor Road streetscape through means which include but are not limited to use of brick, stone, black wrought iron accents, peaked roof elements, building architectural detail to enhance door and window openings, and other elements approved by the Planning Commission.
- 7) Compliance with the Environmental Performance Requirements of this Ordinance is required for all uses.
- 8) All yard and open space areas in the ARC District shall be graded in a manner which shall avoid the ponding of stormwater unless said conditions have been designed to occur as part of a storm detention plan which has been approved by the municipality and such grading shall comply with the engineering design standards for the municipality prior to issuance of a permit.
- 9) All structures shall be readily accessible by fire and emergency vehicles and shall comply with the municipality's Fire Prevention Ordinance.
- 10) Sidewalks shall be provided along all public street frontage and within the interior of the project boundaries. Interior walks shall be a minimum four (4) feet in width except where such walk directly abuts a parking area. In cases where sidewalks abut a parking area, the minimum width required shall be six (6) feet. Sidewalks located along public streets shall be five (5) feet in width. All sidewalks both exterior and interior shall conform to the standards as established by the Municipality.
- 11) The method of trash pick up shall be presented to the Planning Commission for approval. If dumpsters are proposed they shall be screened in a manner acceptable to the Planning Commission and are subject to the requirements of this Ordinance Section 28.9 Waste Receptacles.
- 12) All fencing and/or screening walls required and approved by the Planning Commission as part of special land use approval and/or site plan approval shall be permitted.
- 13) Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:

- a) **Permit Required:** In the ARC District, it shall be unlawful for any person to build, repair or relocate a protective or security fence without first having secured a fence permit therefore from the Building Department.
 - b) **Maximum Height:** The maximum height of a protective or security fence shall be four (4) feet, except as otherwise provided herein. For uses subject to special approval, the Planning Commission may permit protective or security fencing not to exceed six (6) feet in height.
 - c) **Material:** Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Building Department. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of the building code. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.
 - d) **Placement:** No fence shall be built closer to the street than the front setback line applicable to the premises pursuant to Section 14.3, provided however, that no fence shall be built closer to the street than the established front building line along said street or in front of the building closest to the street on the fenced premise.
- 14) Exterior lighting shall be subject to the requirements of this Ordinance Section 28.8, Exterior Lighting.
- (b) **Site Plan Review.** Site plan review and approval is required for all uses in accordance with the requirements of Article 29, Site Plan and Development Approval.
 - (c) **Other Development Requirements.**
 - 1) Unless specifically modified by this Article, all uses shall comply with all standards and requirements of this Zoning Ordinance.
 - 2) Off-street parking for all uses shall be as specified in this Article 14.
 - 3) Off-street loading and unloading shall be as specified in this Article 14.
 - 4) Screening and land use buffers for all uses shall be as specified in this Article 14.
 - 5) Signs for all uses shall be as specified in this Article 14.

SEC. 14.3 SCHEDULE OF REGULATION

1. Area, Height, Bulk and Placement Requirements

(a) All buildings and uses in the Ann Arbor Road Corridor District are subject to the area, height, bulk, and placement requirements as follows:

1) For all buildings and uses, except those uses permitted by special approval under Section 14.2.3, paragraph x. (light industrial uses, warehouse and limited wholesale) the following shall be required:

Minimum Lot Area:	None
Minimum Lot Width:	None
Maximum Lot Coverage:	None
Maximum Height:	2 stories, 30 feet ^(f)
Minimum Yard Requirements:	
Front:	10 feet ^(a)
Side, Minimum:	Minimum 10 feet, total of two is 2 feet ^{(b)(c)(d)}
Sides, Total of Two:	20 feet ^(c)
Rear:	20 feet

2) For uses permitted by special approval under Section 14.2.3, paragraph x. (limited wholesale, warehouse and light industrial uses) of the Ann Arbor Road Corridor District, the following shall be required:

Minimum Lot Area:	None
Minimum Lot Width:	None
Maximum Lot Coverage:	None
Maximum Height:	35 feet ^(f)
Minimum Yard Requirements:	
Front:	50 feet
Side, Minimum:	20 feet ^(e)
Sides, Total of Two:	40 feet
Rear:	20 feet

2. Notes to Schedule

- (a) When parking is furnished between the building and the street, a front yard of not less than seventy-five (75) feet shall be provided.
- (b) When a side yard is adjacent to a residential use, a side yard of not less than twenty (20) feet shall be provided.
- (c) Side yards are not required along an interior side parcel line, where all walls of buildings abutting such interior side parcel line are wholly without windows or other openings and are of fireproof construction, but if the side wall is not of fireproof construction, a side yard of not less than ten (10) feet shall be provided. When an interior business parcel abuts a residential parcel, a side yard of not less than twenty (20) feet shall be required in addition to the required screening and land use buffer. The Planning Commission may require additional setbacks based on its review. The

Planning Commission shall review the aesthetic impact of such walls and may require visual enhancement.

- (d) When parking is furnished in the side yard on the street side of a corner parcel, a side yard of not less than seventy-five (75) feet shall be provided.
- (e) When such a use is adjacent to a residential district and not separated there from by a street, a side yard and/or a rear yard of not less than seventy-five (75) feet shall be provided.
- (f) The Commission shall have the authority to approve an increase in building height up to a maximum of thirty-eight (38) feet, provided the building does not exceed two (2) stories and conforms with one of the following criteria:
 - 1) The additional height is necessary to achieve two (2) stories due to the particular nature and functions of the approved use.
 - 2) The additional height is necessary to accommodate architectural features that enhance the character of the building and the district.

SEC. 14.3A USES SPECIFICALLY PROHIBITED (added 3/14/10)

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law.

SEC. 14.4 PARKING REQUIREMENTS, LAYOUT, STANDARDS, AND OFF-STREET LOADING AND UNLOADING

1. Off-Street Parking Requirements

Within the Ann Arbor Road Corridor zoning district, off-street parking facilities for the storage or parking of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings hereafter erected, altered or extended after the effective date of this Article, shall be provided and maintained as provided herein and in accordance with Sections 14.4.2 and 14.4.3. Such space shall be maintained and shall not be encroached upon so long as said main building structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Article.

- (a) Parking Space vs. Loading Space and Stacking Space. Loading space as required in Section 14.4.3, stacking spaces as required per this Article and parking spaces as required in Section 14.4.1 shall be considered separate and distinct requirements and as such shall be considered as separate components on the proposed site plan. In no case shall facilities provided to satisfy the requirements of this Article or Ordinance for one component be construed as meeting the requirements for another required component.
- (b) Fractional Requirements. When units or measurements determining the number of required parking spaces result in a requirement of a fractional space, any fraction up

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to one-half (1/2) shall be disregarded and fractions including one-half(1/2) and over shall require one (1) parking space.

- (c) **Barrier Free Parking Spaces.** Barrier free parking spaces shall be required and included as part of the total parking space requirement of Section 14.4.1, paragraph k. A barrier free space shall mean a parking space eight (8) feet wide with a five (5) foot aisle and shall be marked off in blue handicapper paint. A sign located approximately six (6) feet above grade inscribed with the international wheelchair symbol or a reasonable facsimile thereof shall identify the handicapper space.

Barrier free parking space requirements shall be in accordance with the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division. A summary of parking space requirements is listed below:

TOTAL PARKING SPACES PROVIDED	REQUIRED NUMBER OF BARRIER FREE SPACES (include barrier free spaces within total required parking)
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	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20, plus 1 per each 100 total spaces over 1,000

Barrier free spaces shall be located as close as possible to elevators, ramps, walkways and entry areas. Where a curb exists between a parking lot surface and a sidewalk surface, an inclined curb approach or a curb cut with a gradient of not more than one (1) foot in twelve (12) feet and a width of not less than four (4) feet shall be provided for wheelchair access.

- (d) **Existing Use - Increase in Floor Area.** When a use requiring off-street parking is increased in floor area and such use is located in a building existing on or before the effective date of this ordinance, additional parking space for the additional floor area shall be provided and maintained in amounts hereinafter specified for that use.

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- (e) Usable Floor Area. For the purpose of applying the requirements of Section 14.4.1, paragraph k, "usable floor area" shall be as follows:
- 1) In the case of office, merchandising or service types of uses excluding shopping centers, usable floor area, shall equal the sum of the gross horizontal floor area of the several floors of the building measured from the exterior walls used or intended to be used by tenants, or for service to the public or customers, patrons, clients or patients. This shall include areas occupied by fixtures and equipment used for display or sales of merchandise.
 - 2) Usable floor area shall not include area used principally for non-public purposes, such as storage, incidental repairs, processing or packaging of merchandise, shop windows, offices incidental to the management or maintenance of stores or buildings toilets or restrooms, utilities or areas for dressing, fitting or alterations.
 - 3) Applications for approval of required parking shall clearly indicate through the use of floor plans and calculations the area designated as "usable area" above and the use of areas not considered as "usable floor area". If such information is not submitted, parking requirements shall be based on eighty (80%) percent of the sum of the gross horizontal floor area of the several floors of the building measured from the exterior faces of the exterior walls.
 - 4) In the case of shopping centers, usable floor area shall be based on eighty (80%) percent of the sum of the gross horizontal floor area of the several floors of the buildings occupied by the shopping center measured from the exterior faces of the exterior walls. However, if floor plans and calculations of usable floor area are submitted which demonstrate otherwise, usable floor area may be adjusted accordingly.
- (f) Parking Location.
- 1) One and Two Family Dwellings: Parking facilities for one and two family dwellings shall be located on the same lot or parcel as the dwelling they are intended to serve. Said facilities shall consist of a driveway, parking strip, parking space and/or private garage. No parking shall be permitted elsewhere on the lot or abutting public right-of-way except upon a paved street where such parking is otherwise permitted.
 - 2) Other Residential Uses including Multiple Family: The off-street parking facilities for other residential uses including multiple family shall be located on the same lot or parcel as the building they are intended to serve. In the case of multiple family residential and similar uses where there are several buildings on one parcel, the required parking shall generally be located within three hundred (300) feet of the building that it is intended to serve.
 - 3) All Other Uses:

- a) Off-street parking for other than residential use shall be either on the same lot or within 300 feet of the building it is intended to serve, measured by public right-of-way from the nearest point of the building to the nearest point of the off-street parking lot. When any required off-street parking is provided, not upon the same lot, but on a lot within 300 feet of the building it is intended to serve, documentation meeting the requirements for recording at the Register of Deeds, shall be provided reflecting that the ownership of the parcel (upon which parking is located) has given to the owner of the parcel (upon which the building requiring the parking is located), a permanent right of use for the required number of parking spaces.
- b) Whenever the Township Board or City Commission shall establish off-street parking facilities by means of a special assessment district or other means, or the Board or City Commission approves, after recommendation by the Planning Commission, of a joint off-street parking facility cooperatively developed by a number of property owners, the Board or City Commission may determine upon completion of said facility that all buildings erected or uses established thereafter within the special assessment district or districts or on properties owned by the cooperating property owners at the time of completion of the facility, shall be exempt from the requirements of this section for supplying off-street parking facilities on their individual lot, parcel or site.
- (g) Use Not Mentioned. In case of any building, structure or premises, the use of which is not specifically mentioned herein, the provisions for a use which is so mentioned and to which said use is similar, as determined by the Planning Commission, shall apply.
- (h) Collective Parking Facilities. Nothing in this section shall be construed to prevent collective provisions of off-street parking or loading facilities for two or more buildings or uses, provided collectively, such facilities shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with the table.
- (i) Extension of Building into Existing Parking Lot. Nothing in this section shall prevent the extension of, or an addition to, a building into an existing parking area, which is required or the original building, when the same amount of space taken by the extension or addition is provided by an enlargement of the existing parking lot, or an additional area located on the same lot or parcel as the building said facility is intended to serve.
- (j) Continuing Character of Parking Obligation. The requirements for off-street parking applicable to newly erected or substantially altered structures, shall be a continuing obligation of the owner of the parcel on which any such structure is located so long as the structure is in existence.

- 1) It shall be unlawful for an owner of any building affected by this ordinance to discontinue, change or dispense with, or to cause the discontinuance, sale or transfer of such structure, without establishing alternate parking space which meets with the requirements of and is in compliance with this Article and Ordinance.
 - 2) It shall be unlawful for any person, firm or corporation to use such building without acquiring such land for vehicle parking which meets the requirements of and is in compliance with this Article and Ordinance.
- (k) Table of Parking Requirements. The amount of required off-street parking space for new uses or buildings, and additions or alterations to existing buildings, as specified in preceding paragraphs, shall be determined in accordance with the following table. The space so required shall be stated in the application for a building permit and certificate of occupancy and shall be a continuing obligation of the owner, except as provided in Section 14.4.1, paragraph i., above.

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
RESIDENTIAL	
One family dwelling, two family dwelling.	TWO (2) per dwelling unit
Multiple dwelling, terrace apartment dwellings and efficiency apartments, townhouses and stacked flats.	TWO (2) per dwelling unit
Elderly Housing – Assisted Living	ONE (1) per four (4) units plus ONE (1) per employee based on the greatest number of employees in any one shift.
Elderly Housing – Congregate Care	ONE (1) per two (2) units plus ONE (1) per employee based on the greatest number of employees in any one shift.
Elderly Housing – Independent Living	ONE (1) per unit plus ONE(1) per employee based on the greatest number of employees in any one shift.
INSTITUTIONAL	

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Churches, temples or auditoriums incidental to schools	ONE (1) per 3 seats or ONE (1) per 6 feet of bench in main assembly unit based on maximum seating capacity
Hospitals	ONE (1) per 2 beds plus One (1) per employee including staff doctors and nurses based on the greatest number of employees in any one shift.
Sanitariums, extended care facilities, nursing and convalescent homes or similar uses	ONE (1) per 4 beds plus ONE (1) per employee including staff doctors and nurses based on the greatest number of employees in any one shift.
Elementary and junior high schools	ONE AND ONE HALF (1 ½) per teacher, employee and administrator plus Requirements for an assembly hall, stadium or sports arena. If no auditorium or assembly hall is provided, two (2) spaces per classroom shall be provided in addition to the above
High schools, trade schools, commercial or vocational schools or colleges	ONE AND ONE HALF (1 ½) per teacher, employee and administrator plus ONE (1) per ten (10) students plus Requirements for an assembly hall, stadium or sports arena
Private clubs and lodge halls	ONE (1) per 3 persons allowed within the maximum occupancy load established by local, county or state fire, building or health codes
Private golf clubs, swimming pool clubs, tennis clubs or other similar uses	ONE (1) per 2 member families or individual members
Stadiums, sport arenas or similar place of outdoor assembly	ONE (1) per 3 seats or ONE (1) per 6 feet of bench

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USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Theaters and auditoriums (other than incidental to schools)	ONE (1) per 3 seats based on maximum seating capacity plus ONE (1) per 2 employees based on the greatest number of employees in any one shift.
Convent, nurses' home or other dormitory	ONE (1) per 2 bedrooms plus TWO (2) for manager
Libraries, museums	ONE (1) per 500 square feet of gross floor space plus ONE (1) per employee based on the greatest number of employees in any one shift.
Post Office	ONE (1) per 200 square feet of usable floor area plus ONE (1) space per employee based upon the greatest number of employees in any one shift.
Public utility	ONE (1) per employee based on the greatest number of employees in any one shift.
Child care centers, day care centers, nursery schools	ONE (1) per 400 square feet of usable floor area plus ONE (1) per employee based upon the greatest number of employees in any one shift.
Municipal Offices	ONE (1) per 4 seats based on the maximum seating capacity of the main meeting room plus ONE (1) per 2 employees based on the greatest number of employees in any one shift.
COMMERCIAL	
Beauty parlor and barber shops	TWO (2) per chair or station plus ONE (1) per each employee based on the greatest number of employees in any one shift.
Bowling alleys	SEVEN (7) per alley plus Requirements for accessory uses

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USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Pool or billiard parlors, dance halls, roller and skating rinks, exhibition halls, and assembly halls without fixed seats	ONE (1) per 3 persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes
Establishments for sale and consumption on the premises of alcoholic beverages, food or refreshments	ONE per 2 persons allowed within the maximum occupancy load and/or maximum seating capacity as established by local, county or state fire, building or health codes or ONE (1) per two (2) seats plus ONE (1) per each employee based on the greatest number of employees in any one shift, whichever is greater
Furniture and appliance, household equipment repair shops, showroom of plumber, decorator, electrician or similar trade, clothing and shoe repair, wholesale stores and machinery sales	ONE (1) per 800 square feet usable floor area plus ONE (1) per each employee based on the greatest number of employees in any one shift.
Gasoline filling stations	ONE (1) for each vehicle fueling position, plus ONE (1) Per lubrication, stall, rack or pit, plus ONE (1) per 350 square feet of usable floor area in any convenience store area. Requirements for fast food shall be calculated separately. plus ONE (1) per employee based upon the greatest number of employees in any one shift.
Laundromats and coin operated dry cleaners	ONE (1) per each washing and/or dry cleaning machines
Miniature golf courses	TWO (2) for each one hole plus ONE (1) for each employee based on the greatest number of employees in any one shift.
Mini storage rental units	ONE (1) for each employee plus ONE (1) for each 50 storage units to be located at the office

SEC 14.4 PARKING REQUIREMENTS, LAYOUT, STANDARDS AND OFF-STREET LOADING/UNLOADING

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Mortuaries or funeral homes	ONE (1) per fifty (50) square feet of floor space in the parlors or individual funeral service rooms
Motel, hotel, or other commercial lodging establishments	ONE (1) per unit plus ONE (1) per each employee based on the greatest number of employees in any one shift. plus Parking required for accessory uses such as restaurant or bar.
Motor vehicle sales and service establishment	ONE (1) per two hundred (200) square feet of sales room floor space, plus ONE (1) per one (1) automobile service stall, plus ONE (1) per employee based on the greatest number of employees in any one shift.
Quick oil change facility	ONE (1) per employee based on the greatest number of employees in any one shift. plus FOUR (4) stacking spaces per service stall or lane.
Service garages, auto salesrooms, auto repair, collision or bumping shops	ONE (1) per employee based on the greatest number of employees in any one shift, plus TWO (2) spaces for each grease rack or stall for servicing automobiles
Shopping centers--For the purpose of this section shopping centers shall be defined as a structure or group of structures located on the same zoning lot or parcels which provide a variety of commercial uses and also provide common off-street parking facilities, pedestrian areas, and vehicular movement areas	ONE (1) per 200 square feet of usable floor area
Retail stores except as otherwise specified herein	ONE (1) per 200 square feet of usable floor area

SEC 14.4 PARKING REQUIREMENTS, LAYOUT, STANDARDS AND OFF-STREET LOADING/UNLOADING

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Drive-in restaurants and roadside stands	ONE (1) per 15 square feet of usable floor area plus ONE (1) per each employee based on the greatest number of employees in any one shift.
Drive-through restaurant facilities; i.e. establishments with service windows or similar arrangements for the purpose of serving customers in their vehicles	FIVE (5) stacking spaces per window plus Required off-street parking space per designated use
Drive through facilities, other than for restaurants or 'fast food', such as pharmacies.	FIVE (5) stacking spaces per window plus Required off-street parking per designated use
Automobile wash	ONE (1) per employee based on the greatest number of employees in any one shift. plus Off-street stacking spaces at the rate of twelve (12) spaces per bay for a fully automatic car wash; fifteen (15) for a semi-automatic (motorist must leave auto); three (3) spaces per bay for a self-serve car wash.
OFFICE	
Banks, business or professional offices of lawyers, landscape architects, architects, engineers, or similar or allied professions	ONE (1) per 200 square feet of usable floor area
Professional office of doctors and dentists	ONE (1) per 20 square feet of floor space in waiting room plus ONE (1) per examining room, patient treatment station dental chair or similar use plus ONE (1) per each employee based on the greatest number of employees in any one shift.
Medical clinics, outpatient care centers, 24 hour medical stations, urgent care centers and similar facilities	TWO (2) per exam, procedure or operating room plus ONE (1) per laboratory or recovery room

SEC 14.4 PARKING REQUIREMENTS, LAYOUT, STANDARDS AND OFF-STREET LOADING/UNLOADING

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Drive-through facilities; i.e. establishments with service windows or similar arrangements for the purpose of serving customers in their vehicles, such as banks	FIVE (5) stacking spaces per window plus Required off-street parking space per designated use
INDUSTRIAL	
Industrial establishments including manufacturing research and testing etc.	ONE (1) per four hundred (400) square feet of usable floor area.
Warehouse and storage buildings	ONE (1) per 400 square feet of usable floor space area.
RECREATION FACILITIES	
Indoor tennis or racquetball facility	Six (6) for each court plus Spaces as required for each accessory use such as a full service bar or restaurant
Amusement arcade	ONE (1) for each game table plus ONE (1) for each amusement device
Municipal recreation centers	FIVE (5) per one-thousand (1,000) square feet of usable floor area, plus Any required spaces for outdoor courts, fields and facilities, or ONE (1) per three (3) persons allowed within the maximum occupancy load as established by local, county, state fire, building or health codes, whichever is greater
Athletic clubs, exercise establishments, health studios, sauna baths, judo clubs and other similar uses	ONE (1) for each three persons allowed within the maximum occupancy load as established by local, county, or state fire, building or health codes plus ONE (1) space per employee, or one space for each 1 ½ clothing lockers, whichever is greater
Batting Cage	THREE (3) per cage

SEC 14.4 PARKING REQUIREMENTS, LAYOUT, STANDARDS AND OFF-STREET LOADING/UNLOADING

2. Requirements for the Development, Maintenance and Layout of Parking Facilities

In all instances, except private residences, where off-street parking facilities are required or where vehicular parking is provided as an accessory to the lawful use of property, such off-street parking facilities shall be designed, constructed and maintained subject to the following regulations:

- (a) An application for site plan approval to construct a parking lot, shall be submitted to the municipality, in compliance with Article 29, which shall issue a permit for said lot after necessary reviews and the following mandatory provisions have been provided for:
 - 1) Adequate ingress and egress shall be provided to meet approval of the Planning Commission and the agency having jurisdiction of the road right-of-way. Additionally, driveway location, spacing and design shall meet the standards of Section 14.5, Access Management and Driveway Standards, and this Ordinance.
 - 2) The lots shall be graded and proper drainage facilities provided to dispose of all surface water to meet the approval of the Building Department or Municipal Engineer.
 - 3) Such parking lot, including areas for ingress and egress, shall be constructed in compliance with the standards as adopted by the Building Department. This minimum specification shall not be construed as a substitute for sufficient pavement thickness where traffic conditions and/or soil conditions require more substantial pavement designs.
- (b) Screening and land use buffers are provided as specified in Sections 14.7, 14.8 and 14.9 of this Ordinance.
- (c) Such parking lots shall be used solely for parking private passenger vehicles for periods of less than one (1) day and no commercial activity, such as washing, greasing, sale or merchandise, repair work or servicing or any kind, shall be done thereon.
- (d) Lighting shall be provided and so arranged and designed as to reflect light away from any residential use adjacent to the area and in an amount which shall be sufficient to permit safe movement of vehicles and pedestrians at night. Lighting shall further comply with the standards of the municipality and this Ordinance for exterior lighting. Parking lot lighting shall be extinguished no later than one-half (1/2) hour after the closing of business transacting hours. This shall exclude minimum lighting levels required for parking lot security. When such property is closed at night so that no vehicles may enter or leave, then no lighting need be provided. Lighting fixtures shall use high pressure sodium lamps or other lighting methods approved by the Planning Commission. Where the proposed project is part of a larger project, the type of lighting (high-pressure sodium, metal halide or approved equivalent) should be consistent throughout the project.

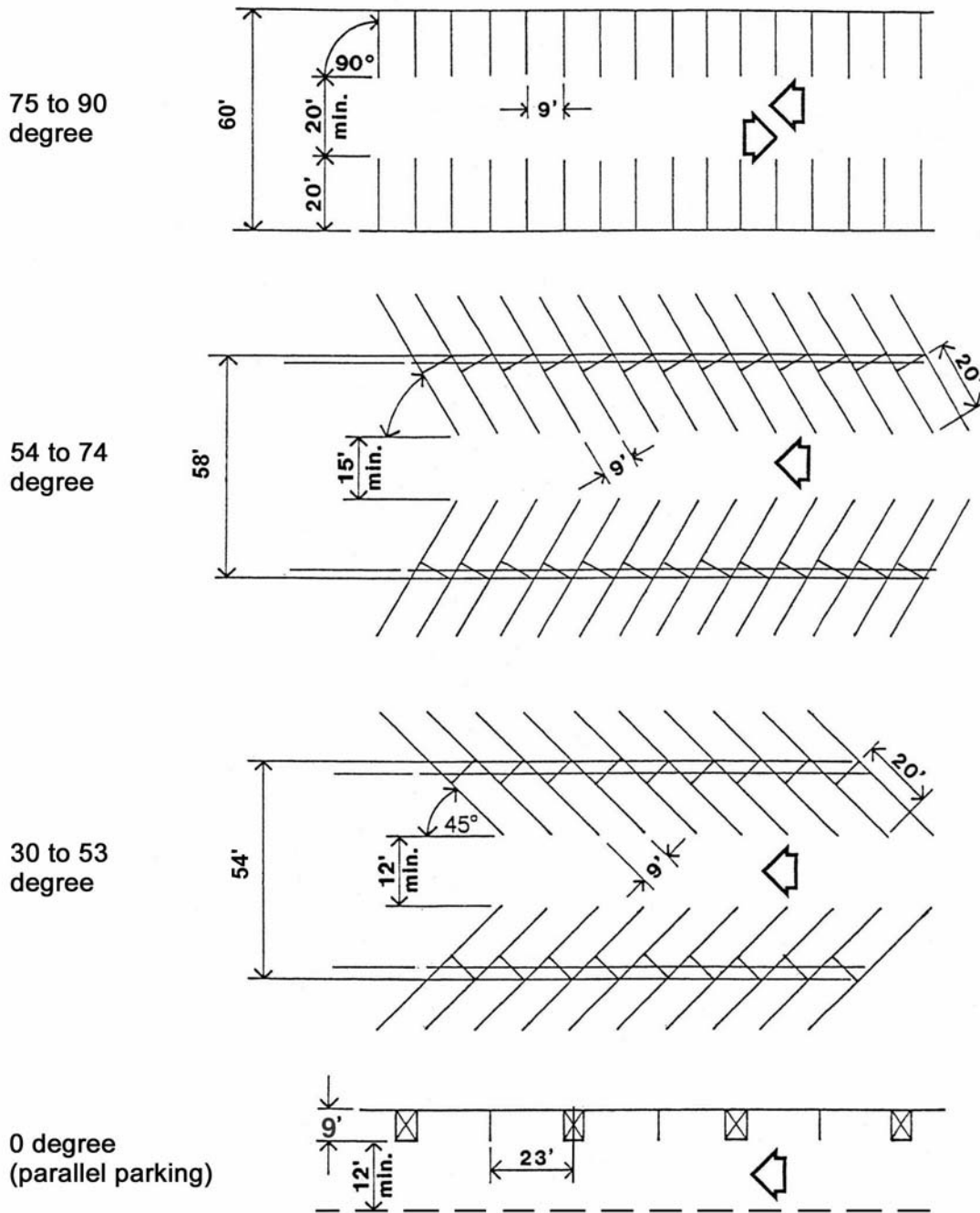
- (e) Concrete curbs or other features as approved by the Planning Commission shall be provided and maintained to protect against damage to adjoining properties and planting areas.
- (f) All parking spaces shall be provided adequate access by means of maneuvering lanes. Maneuvering directly onto a street shall be prohibited.
- (g) Ingress and egress to a parking lot located in an area zoned for nonresidential uses shall not be across land zoned for single family residential uses.
- (h) Plans for the development of any such parking lot must be approved by the Building Department before construction is started.
- (i) All parking areas shall be maintained so that the surface of the lot shall be safe and clean. Cracks, pot holes or litter found on the lot shall be repaired and/or removed after notification by the Building Inspector.
- (j) All parking facilities and business establishments shall keep the exterior lot and grounds free of debris and flying paper.
- (k) No land shall be used for parking purposes until approved by the Building Department; provided whenever the lot does not meet the specifications and/or regulations set forth in this Article, the Building Department shall give notice to the property owner to correct the same within a specified time, and if such corrections are not made in accordance with such notice, he shall order the lot closed forthwith; and such land or lot shall not be used for parking until corrections have been made and approved by the Building Department.
- (l) All parking lots shall be striped and maintained showing the individual parking bays. Said stripes shall conform with the minimum layout requirement as found in paragraph m. of this Section 14.4.2 and the approved layout plan.
- (m) Plans for the layout and striping of off-street parking lots shall comply with the following minimum requirements:

PARKING LOT DIMENSION REGULATIONS					
Parking Pattern (in degrees)	Maneuvering Lane Width	Parking Space Width	Parking Space Length	Total Width of One Tier of Spaces Plus Maneuvering Lane	Total Width of Two Tiers of Spaces Plus Maneuvering Lane
0 (parallel parking)	12 ft.	9 ft.	23 ft.	21 ft.	30 ft.* 38 ft.**
30 to 53	12 ft.	9 ft.	20 ft.	33 ft.	54 ft.
54 to 74	15 ft.	9 ft.	20 ft.	35 ft. 6 in.	58 ft.
75 to 90	20 ft.	9 ft.	20 ft.	40 ft.	60 ft.

Footnotes: * One way aisle ** Two way aisle

- (n) Stacking spaces shall be 10 feet wide by 20 feet long.

SEC 14.4 PARKING REQUIREMENTS, LAYOUT, STANDARDS AND OFF-STREET LOADING/UNLOADING



Parking Layouts

3. Off-Street Loading and Unloading

On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, goods, display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly involving the receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained on

SEC 14.4 PARKING REQUIREMENTS, LAYOUT, STANDARDS AND OFF-STREET LOADING/UNLOADING

the same lot adequate space for standing, loading, and unloading services in order to avoid undue interferences with public use of the streets or alleys and parking areas. Such space, unless otherwise adequately provided for in the determination of the Planning Commission as provided below, shall include a ten (10) foot by fifty (50) foot loading space, with a fourteen (14) foot height clearance and shall be provided according to the following table:

REQUIRED LOADING SPACES	
Ground Floor Area (Square Feet)	Loading and Unloading Spaces
1 - 2,000	None required
2,000 - 20,000	One (1) space
20,000 - 100,000	One (1) space plus one (1) space for each 20,000 square feet in excess of 20,000 square feet.
100,000 - 500,000	Five (5) spaces plus one (1) space for each 40,000 square feet in excess of 100,000 square feet
Over 500,000	Fifteen (15) spaces plus one (1) space for each 80,000 square feet in excess of 500,000

The Planning Commission may modify the above dimensions and 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 as demonstrated on the site plan.

The location of loading and unloading areas shall be reviewed at the time of site plan submission to ensure that adequate protection is afforded to adjacent districts, in particular, residential districts from noise and other disruptive elements normally associated with such facilities.

SEC. 14.5 ACCESS MANAGEMENT AND DRIVEWAY STANDARDS

1. Statement of Purpose

The purpose of this section is to provide access standards which will facilitate through traffic operations, ensure public safety along roadways, and protect the public investment in the street system; while providing property owners with reasonable, through not always direct, access. The standards are specifically designed for streets whose primary function is the movement of through traffic, as opposed to local streets whose primary function is access to adjacent properties.

SEC 14.4 PARKING REQUIREMENTS, LAYOUT, STANDARDS AND OFF-STREET

LOADING/UNLOADING
SEC 14.5 ACCESS MANAGEMENT & DRIVEWAY STANDARDS

2. Application of Standards

- (a) The standards of this section shall be applied to the Ann Arbor Road Corridor Zoning District.
- (b) The access standards contained herein shall be required in addition to, and where permissible shall supersede, the requirements of the Michigan Department of Transportation (MDOT).
- (c) The standards contained in this Section 14.5 shall apply to all uses, except permitted single-family and two-family dwelling units.
- (d) For expansion and/or redevelopment of existing sites where the Planning Commission determines that compliance with all standards of this section is unreasonable, the standards shall be applied to the maximum extent possible. In such situation, suitable alternatives which substantially achieve the purpose of this section may be accepted by the Planning Commission, provided that the applicant demonstrates all of the following apply:
 - 1) Size of the parcel is insufficient to meet the dimensional standards.
 - 2) The spacing of existing, adjacent driveways or environmental constraints prohibit adherence to the access standards at a reasonable cost.
 - 3) The use will generate less than five hundred (500) total vehicle trips per day or less than seventy-five (75) total vehicle trips in the peak hour of travel on the adjacent street, based on rates developed by the Institute of Transportation Engineers.
 - 4) There is no other reasonable means of access.

3. General Standards for Driveway Location

- (a) Driveways shall be located so as to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade.
- (b) Driveways, including the radii but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by the Michigan Department of Transportation and upon written certification from the adjacent property owner agreeing to such encroachment.

4. Standards for the Number of Commercial Driveways

The number of commercial driveways shall be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles, while preserving traffic operations and safety along the public roadway. A single means of direct or indirect access shall be provided for each separately owned parcel. Where possible, this access shall be via a shared driveway or a service drive. Where it is not possible to provide shared access, this access may be by a single driveway. Additional driveways may be permitted for a property only under one of the following:

- (a) One (1) additional driveway may be allowed for properties with a continuous frontage of over five hundred (500) feet, and one (1) additional driveway for each additional five hundred (500) feet of frontage, if the Planning Commission determines there are no other reasonable access opportunities.
- (b) Two (2) one-way driveways may be permitted along a frontage of at least one hundred twenty five (125) feet, provided the driveways do not interfere with operations at other driveways or along the street.
- (c) The Planning Commission may determine addition driveways are justified due to the amount of traffic generated by the use without compromising traffic operations along the public street, based upon a traffic impact study submitted by the applicant.

5. Driveway Spacing Standards

- (a) Between driveways. The minimum spacing between two commercial driveways on the same side of the road shall be based upon posted speed limits along the parcel frontage. The minimum spacings indicated below are measured from centerline to centerline.

DRIVEWAY SPACING STANDARDS	
Posted Speed Limit(MPH)	Minimum Driveway Spacing (In Feet)
30	155
35	185
40	225
45+	300

- (b) For sites with insufficient street frontage to meet the above criterion, the Planning Commission may require construction of the driveway along a side street, a shared driveway with an adjacent property, construction of a driveway along the property line farthest from the intersection or require a service/frontage road.
- (c) Offsets. To reduce left-turn conflicts, new commercial driveways should be aligned with driveways or streets on the opposite side of the roadway where possible. If alignment is not possible, driveways should be offset a minimum of two hundred fifty (250) feet along an arterial roadway and one hundred fifty (150) feet along other roadways. Longer offsets may be required depending on the expected inbound left-turn volumes of the driveways, or sight distance limitations.
- (d) Spacing from intersections. Minimum spacing requirements between a proposed commercial driveway and an intersection either adjacent or on the opposite side of the street may be set on a case-by-case basis by the Planning Commission during site plan review but in no instance shall be less than the distances listed below. The following measurements are from the near edge of the proposed driveway, measured at the throat perpendicular to the street, to the near lane edge of the intersecting street or pavement edge for uncurbed sections.

MINIMUM COMMERCIAL DRIVEWAY SPACING FROM STREET INTERSECTIONS		
Location of Driveway	Minimum Spacing for a Full Movement Driveway	Minimum Spacing for a Channelized Driveway Restricting Left Turns
Along Ann Arbor Road from intersection with another Arterial (Sheldon, Main, Lilley or Haggerty)	250 feet	250 feet
Along Ann Arbor Road from intersection with a local street	175 feet	175 feet

For sites with insufficient street frontage to meet the above criterion, the Planning Commission may require construction of the driveway along a side street, a shared driveway with an adjacent property, construction of a driveway along the property line farthest from the intersection or require a service/frontage road.

6. Standards for Shared Driveways and Service/Frontage Roads

The use of service roads, in conjunction with driveway spacing, is intended to preserve traffic flow along major thoroughfares and minimize traffic conflicts, while retaining reasonable access to the property. Where noted above, or where the Planning Commission determines that reducing the number of access points may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, access from a side street, a shared driveway or service road connecting two or more properties or uses may be required. In particular, service drives, frontage roads or parking lot maneuvering lane connection between lots or uses may be required in the following cases:

- (a) Where the driveway spacing standards of this section can not be met.
- (b) When the driveway could potentially interfere with traffic operations at an existing or potential traffic signal location.
- (c) The site is along a portion of Ann Arbor Road where there is congestion or a relatively high number of accidents.
- (d) The property frontage has limited sight distance.
- (e) The fire department recommends a second means of emergency access.

7. Commercial Driveway Design

Commercial driveways shall be designed according to the standards of the MDOT and in accordance with the following:

- (a) For high traffic generators, or for commercial driveways along roadways experiencing or expected to experience congestion, all as determined by the Planning Commission, two (2) egress lanes may be required (one (1) being a separate left turn lane).

- (b) Where a boulevard entrance is designed by the applicant or Planning Commission, a fully curbed island shall separate the ingress and egress lanes. The radii forming the edges on this island shall be designed to accommodate the largest vehicle that will normally use the driveway. The minimum area of the island shall be one hundred eighty (180) square feet and the minimum width ten (10) feet. The Planning Commission may require landscaping on the section outside the public right-of-way. Such landscaping shall be tolerant of roadway conditions. Direct alignment of boulevard entrances is discouraged.
- (c) All commercial driveways shall provide an unobstructed clear vision between a height of three (3) feet and ten (10) feet in a triangular area measured ten (10) feet back from the point of intersection of the driveway and the street right-of-way.

8. Modification of Standards for Special Situations

During site plan review the Planning Commission shall have the authority to modify the standards of this Section 14.5 upon consideration of the following:

- (a) The standards of this section would prevent reasonable access to the site.
- (b) Access via a shared driveway or service/frontage road is not possible due to the presence of existing buildings or topographic conditions.
- (c) Roadway improvements (such as the addition of a traffic signal, a center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.
- (d) The use involves the redesign of an existing development or a new use which will generate less traffic than the previous use.
- (e) The proposed location and design is supported by the MDOT as an acceptable design under the existing site conditions. The Planning Commission may also request the applicant provide a traffic impact study to support the requested access design.
- (f) The modification shall be of the minimum amount necessary, but in no case shall spacing of a full-access driveway be less than sixty (60) feet, measured centerline to centerline.
- (g) Where there is a change in use or expansion at a site that does not comply with standards herein, the Planning Commission shall determine the amount of upgrade needed in consideration of the existing and expected traffic pattern and the capability to meet the standards herein to the extent practical.

SEC. 14.6 LANDSCAPING STANDARDS

1. Installation

- (a) All landscaping shall be installed in a manner consistent with accepted planting procedures and the approved landscape development plan. This shall include the quantity, size, type and location of plantings proposed.
 - 1) Major deviations as to quality, type, size and location of plant materials from the original approved landscape development plan shall require submission and

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approval in the same manner as provided in this article for the original submission.

- 2) Minor revisions or deviations from the approved landscape development plan may be permitted if approved by the Chief Building Official or municipality's designated expert. In reviewing such changes, the Chief Building Official shall ensure that the changes do not constitute a whole-sale change of the landscape development plan and are consistent with the spirit and intent of this article and the previously approved development plan or site plan.
 - 3) The planting operations and installation shall conform with the standards and details adopted by the municipality.
- (b) Installation of all landscaping, screen walls, etc. shown on the approved landscape plan shall be made prior to issuance of a Certificate of Occupancy for the proposed development; subject to the following:
- 1) If it is determined that the installation of the landscape materials, screen walls, etc., would be jeopardized by weather conditions, a temporary Certificate of Occupancy may be issued provided that the developer submits to the Building Department a cost estimate for the completion of the landscape plan and provides to the municipality a cash deposit, certified check or irrevocable letter of credit in the amount of the approved cost estimate.
 - 2) In no case shall a Certificate of Occupancy or a temporary Certificate of Occupancy be issued without the aforementioned submission or completion of the installation. It shall be the responsibility of the Chief Building Official to see that this policy is carried out. At the time of submission of the cash deposit, certified check or irrevocable letter of credit, the Chief Building Official shall indicate the completion date for the installation of all landscaping, screen walls, etc.
 - 3) Failure to comply with the completion date shall result in forfeiture of the deposit to the municipality and shall not release the developer from the obligation for installation and completion of the landscaping consistent with the approved plan. The Chief Building Official may, however, grant one extension for 60 days after the written request from the developer, provided circumstances warrant such an extension.

2. Materials

- (a) All plant material shall:
 - 1) Conform to size and description set forth in the current edition of "American Standard for Nursery Stock" sponsored by the American Association of Nurseryman, Inc. and approved by the American National Standards Institute, Inc. (ANSI)

- 2) Be true to name in conformance to "Standardized Plant Names", established by the American Joint Committee on Horticultural Nomenclature, or other source accepted by the municipality.
 - 3) Be typical of its species or variety, have normal habit of growth, well-branched and densely foliated when in leaf.
 - 4) Be of sound health, vigorous and uniform in appearance with a well developed root system and free from disease, insect pests, eggs or larvae.
 - 5) Be freshly dug and nursery grown.
 - 6) Be chosen according to soil, climatic conditions and environmental factors for the proposed development.
- (b) Trees shall have straight trunks with leaders intact, undamaged and uncut.
- (c) The following trees, because of various problems, shall not be considered as being of a desirable quality, and therefore shall, in most cases, not be permitted. This does not preclude the use of existing trees if it can be shown that the removal of the tree would result in a substantial loss of screening and/or buffering of adjacent lands, uses or public rights-of-way.
- 1) Acer negundo - Box Elder
 - 2) Ulmus varieties - Elm varieties
 - 3) Aesculus varieties - Horse Chestnut
 - 4) Populus varieties - Poplar Varieties
 - 5) Salix varieties - Willow Varieties
 - 6) Catalpa varieties - Catalpa Varieties
 - 7) Ailanthus altissima - Tree of Heaven
 - 8) Elaeagnus varieties – Olive varieties
 - 9) Ginkgo biloba – Ginkgo (female only)
 - 10) Fraxinus varieties – Ash varieties
- (d) Lawn areas shall be planted in species of grass normally grown as permanent lawns in southeast Michigan. Grass may be sodded or hydro-seeded and mulched, except that solid sod shall be used in swales or other areas subject to erosion. Sod or seed shall be clean, free of weeds and noxious pests or disease.
- (e) Ground covers used in lieu of grass in whole or part shall be planted in such a manner as to present a finished appearance and reasonably complete after one complete growing season.
- (f) Stone and synthetic materials shall not be used as a groundcover.
- (g) Mulch. Planting beds shall present a finished appearance, with shredded hardwood bark mulch or similar natural material at a minimum depth of three (3) inches. Mulch used

around trees and shrubs shall be a minimum of four (4) inches deep, and shall be pulled one (1) inch away from three trunks.

Pine bark mulch shall be prohibited. An effective edge treatment must be provided to minimize the migration of mulch.

- (h) Hedges, where provided, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within one full planting season. Where plants are to be used as a hedge for screening purposes, the maximum spacing will have to be determined by the plant proposed.
- (i) Topsoil. A minimum four (4) inches of topsoil shall be provided for all lawn areas, ground covers and planting beds.
- (j) Artificial plant material shall be prohibited.
- (k) Landscaping shall be located and maintained in a manner that minimizes conflicts with overhead or underground utilities.
- (l) Existing vegetation to be preserved shall be protected during construction through the use of temporary fencing around the drip line.
- (m) Where pavement and landscape areas interface, adequate measures shall be taken to protect plants from vehicle encroachment.
- (n) Tree sizes are determined using the following two definitions: Caliper shall be defined as the diameter of the trunk of a tree at 18 inches above the ground. Diameter breast height (D.B.H.) is the diameter in inches of a tree measured at four and one-half (4 ½) feet above the existing grade.
- (o) Minimum sizes of plant material.
 - 1) Deciduous shade trees: Shall be species having a trunk which can be maintained with over seven (7) foot clear stem. Deciduous trees shall have a minimum caliper of three (3) to three and one half (3 ½) inches at the time of planting.
 - 2) Deciduous small ornamental trees: Small ornamental trees shall be a minimum caliper of two (2) inches at time of planting, or six (6) feet in height in clump form.
 - 3) Evergreen trees: Evergreen trees shall be a minimum of eight (8) feet in height at time of planting.
 - 4) Deciduous Shrubs and Upright Evergreen Shrubs: Shall be a minimum of thirty (30) inches in height at the time of planting.
 - 5) Spreading Evergreen Shrubs and Dwarf Species Shrubs: Shall be a minimum of 18 to 24 inches in height or five (5) gallon container size at time of planting.
 - 6) Vines: Vines shall be a minimum of thirty (30) inches in length after one growing season and may be used in conjunction with fences, screens, or walls to meet buffer requirements.

3. Variety of Plant Material Sizes at Installation

(a) To ensure adequate variety, and to avoid monotony and uniformity within the site, the overall landscape plan shall comply with the following:

LANDSCAPING MATERIALS	PERCENTAGE OF TOTAL	MINIMUM SIZE AT INSTALLATION
Deciduous Shade Trees	50%	3.0-3.5 inches caliper
	30%	3.5-4.0 inches caliper
	20%	4.0 inches caliper
Evergreen Trees	50%	8.0 feet high
	30%	10.0 feet high
	20%	12.0 feet high
Deciduous Ornamental Trees (Clump Form)	50%	6.0 feet high
	50%	8.0 feet high
Deciduous Ornamental Trees	50%	2.0 inches caliper
	30%	2.5 inches caliper
	20%	3.0 inches caliper
Deciduous Shrubs	50%	30.0 inches high
	50%	36.0 inches high
Upright Evergreen Shrubs	50%	30.0 inches high
	50%	36.0 inches high

(b) Modifications. For specific landscape installations that require uniformity of plant size, such as hedges, mass plantings of shrubs as ground cover, and plants used as ornamental design accents, the Planning Commission may approve variations in the above percentages. Also, for reforestation, wooded area infill, and other applications determined appropriate by the Planning Commission, small caliper, park-grade trees may be approved.

4. Maintenance

(a) The owner of the property shall be responsible for all maintenance of site landscaping as follows:

- 1) Landscape maintenance procedures and frequencies to be followed shall be specified on the landscape plan, along with the manner in which the effectiveness, health and intended functions of the various landscape areas on the site will be ensured.
- 2) Landscaping shall be kept in neat, orderly and healthy growing condition, free from debris and refuse.
- 3) Pruning shall be minimal at the time of installation, only to remove dead or diseased branches. Subsequent pruning shall assure proper maturation of plants to achieve their approved purpose.

- 4) All dead or diseased plant material shall be removed and replaced within six (6) months after it dies or in the next planting season, whichever occurs first. For purposes of this Section the planting season for deciduous plants shall be between March 1 and June 1 and from October 1 until the prepared soil becomes frozen. The planting season for evergreen plants shall be between March 1 and June 1. Plant material installed to replace dead or diseased material shall be as close as practical to the size of the material it is intended to replace.
- (b) The approved landscape plan shall be considered a permanent record and integral part of the Site Plan Approval. Unless otherwise approved in accordance with the aforementioned procedures, any revisions to, or removal of, plant materials will place the parcel in non-conformity with the originally approved landscape plan and shall be viewed as a violation of this Ordinance and the agreed upon terms of the final site plan approval.
- (c) The developer, at the time of submission of the Final Site Plan Approval, shall demonstrate to the Planning Commission that adequate provisions have been made to supply water to all landscape areas, including right-of-way. This shall be accomplished by installation of an in-ground irrigation system to provide water for the landscape areas where specified. The Commission shall have the authority to waive or modify this requirement where it determines that such action would be in accordance with the purpose and objectives of this Article.

A contract for maintenance of all landscape areas may be required by the Building Department.

SEC. 14.7 CHARACTER OF LANDSCAPING, SCREENING, OR BUFFERING AREAS

The selection and placement of plant materials shall be such that the general maintenance and upkeep of the areas shall be low so that the success of the planting area can be anticipated without placing undue hardship on the landowner or leasee.

- (a) Where landscape treatment is required for screening purposes, the Planning Commission shall insure that the plan proposed meets the following objectives:
 - 1) The proposed plan effectively forms a complete visual and physical separation between the two unlike land uses.
 - 2) The proposed plan forms a transition zone between the unlike uses and affords sufficient protection and is compatible with the character of the adjacent residential area.
 - 3) The proposed plan effectively reduces the adverse effects of the proposed use, in particular, glare of headlights, lighting from parking areas, noise, unsightly areas such as trash pickup points and contrasting views such as parking areas and access drives.

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- (b) When the landscape treatment is required as a buffer or green area, the Planning Commission shall insure that the plan proposed meets the following objectives:
 - 1) The proposed plan breaks up the area and the proposed plant material creates a partial visual separation.
 - 2) The proposed plan forms a transition zone which helps break up the visual pattern of paving areas.
 - 3) The proposed plan, through the use of plant material, creates a ground and overhead area which consists of plant material which is more compatible with the general character of the community and the residential districts.

SEC. 14.8 SPECIFIC LANDSCAPING, SCREENING AND BUFFERING REQUIREMENTS

1. Intent

The ARC, Ann Arbor Road Corridor District was established for the express purpose of facilitating implementation of the Ann Arbor Road Corridor Design Plan. The Ann Arbor Road Corridor Design Plan proposes the installation of specific landscaping and design elements along the sides of Ann Arbor Road to act as a unifying streetscape. Consistency in these streetscape features, materials and colors is essential to achieving the community’s desired aesthetic character, economic enhancement and revitalization, and to support the public health, safety and welfare.

Therefore, compliance with the following specific standards shall be required in conjunction with any site development, redevelopment, alteration or expansion or re-occupancy of a vacant building on an ARC site.

2. Ann Arbor Road Streetscape

- (a) Ann Arbor Road streetscape as required herein shall be provided:
 - 1) Along all Ann Arbor Road frontage, and
 - 2) Along other streets within the boundaries of the ARC District, where such streets have a street setback of fifty (50) feet or greater.
- (b) Compliance with Prototype. Landscaping and streetscape improvements, shall be provided including but not limited to the colored stamped concrete verge, street trees, perennials, decorative fencing and brick piers, sidewalk and shrubs, and shall be consistent with the standards and requirements of the Ann Arbor Road Streetscape Prototype, “Ann Arbor Road Standard Design Details,” as adopted by the Planning Commission and Plymouth Township DDA, dated October 16, 2003 and as may be modified from time to time.
- (c) Tree and Shrub Quantities. Deciduous shade trees shall be planted along the length of the site frontage, in an amount equal to minimum of one (1) street tree per forty (40) feet or fraction thereof of site frontage.

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- (d) Design Flexibility. Within the intent of this Article, the Planning Commission may approve alternatives it determines to be necessary to accommodate peculiar circumstances or unforeseen problems, or to carry out the spirit, intent and purposes of this Article. Further, where streetscape elements have been accomplished along Ann Arbor Road by means of earlier development which substantially accomplish the overall design objectives, the Planning Commission may modify the requirements to reflect those earlier improvements.

3. Interface with Residential Use or District

- (a) Where the Ann Arbor Road Corridor District, adjacent to any single family, two family, or multi-family residential use or district, screening shall be provided consistent with the objectives of this Article and shall be accomplished by a solid wall with planting strip.

The solid wall shall be consistent with the standards and requirements of the Ann Arbor Road Streetscape Prototype, “Ann Arbor Road Standard Design Details” as adopted by the Planning Commission and the Plymouth Township DDA, dated October 16, 2003, and as may be modified from time to time. The solid wall shall be located at the property line with a planting strip six (6) to eight (8) feet wide abutting the base and on the interior side of the wall. The planting strip shall be planted with deciduous shade trees planted thirty-five (35) feet on center.

- (b) In general, to achieve the appropriate master planned interface, the solid wall must be provided consistent with the above standards. Within the context of these standards and the ARC District, the Planning Commission may approve modifications it determines necessary to address unusual circumstances.

4. Other Areas Requiring Screening and/or Buffering

- (a) General Standards. Other site uses and functions which require screening and/or buffering shall provide that screening and/or buffering based on the general standards below. All screening or buffering provided shall be related, consistent and compatible with the overall Ann Arbor Road design.

- 1) Solid Wall with Planting Strip: A solid wall shall be at least six (6) feet in height, constructed of brick with a precast concrete cap. The solid wall shall be located at the property line with a planting strip six (6) to eight (8) feet wide abutting the base and on the interior side of the wall. The planting strip shall be planted with deciduous shade trees with a minimum caliper of three (3) to three and one half (3 ½) inches, and planted thirty-five (35) feet on center.

- 2) Screening Mound or Berm: A screening mound or berm shall have a minimum height of five (5) to six (6) feet with side slopes no steeper than 3:1 (three (3) feet horizontal to one (1) foot vertical). The top of all berms shall have a level horizontal area of at least three (3) feet in width.

The mound or berm shall be designed and graded in a manner which will blend with existing topography, shall be graded smooth, and shall be

appropriately sodded, hydro-seeded, and mulched, or planted. Included as part of the mound or berm shall be deciduous shade trees, small deciduous ornamental trees, evergreen trees and/or shrubs planted along the berm area.

- 3) Evergreen Screen: Evergreen screens shall consist of evergreen trees with year-round screening characteristics. Such trees shall be planted ten (10) to fifteen (15) feet on center in two staggered rows ten (10) feet apart.
- 4) Other screening may be considered if it will provide, in the opinion of the Planning Commission, the same screening effect and the objectives specified in Section 14.7, Character of Landscaping, Screening or Buffering Areas.

(b) Public Utilities.

- 1) Communication facilities (not including buildings), public utility transformer stations, sub-stations, and gas regulator stations shall be screened.

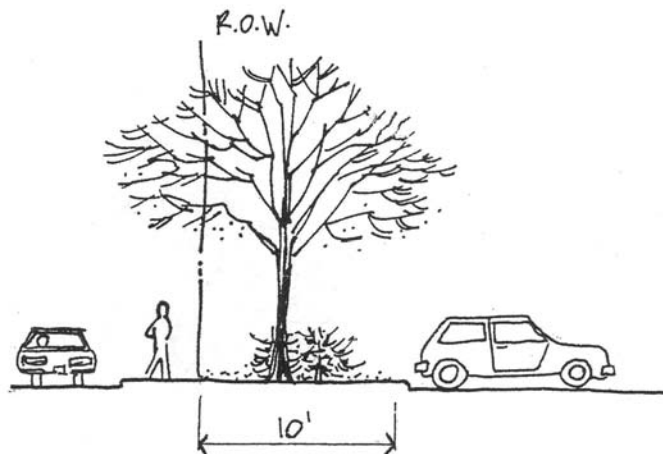
The screen shall be reviewed by the Planning Commission to insure that it accomplishes the following objectives:

- a) The proposed screen effectively separates the proposed facility from the public right-of-way and the view of the general public.
 - b) The proposed screen effectively establishes some form of separation and human scale between the proposed facility and abutting public walks.
- 2) Screening shall meet the aforementioned objectives and shall be accomplished by any one or a combination of the following:
 - a) Screening mound or berm.
 - b) Solid wall with planting strip.
 - c) Fence with evergreen screen.

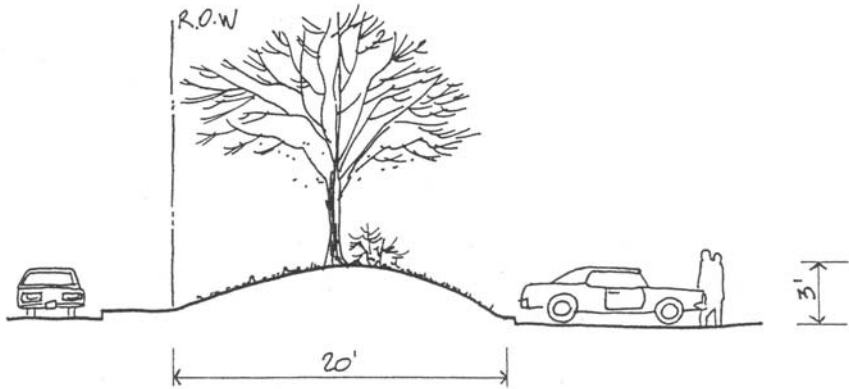
(c) Service Areas Screening.

- 1) For purposes of this Section, service areas are outdoor areas intended to be accessed by vehicles for purposes of supporting the principal use, including loading/unloading, deliveries, waste disposal and utility services.
- 2) All service areas shall be screened or buffered in a manner as determined necessary by the Planning Commission to meet the aforementioned objectives of this Article and shall meet the following specific objectives:
 - a) Service areas shall be completely screened from adjacent residential areas and screened as determined necessary by the Planning Commission from view of the public right-of-way.
 - b) All screening shall be contained within the subject property.

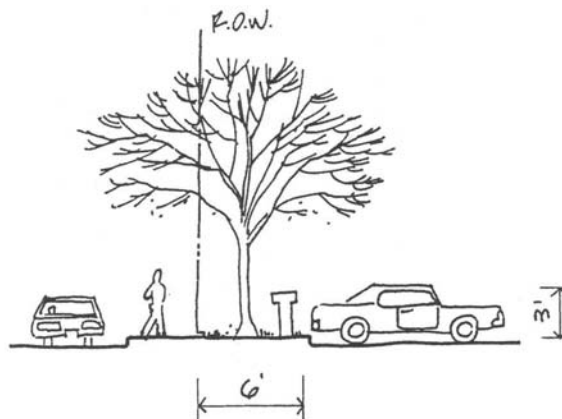
- c) Service areas shall be screened by appropriate plant materials, and/or architectural materials, such as a decorative wall, or a combination of both, to meet the screening objectives of this Section.
- (d) Parking Area Screening.
 - 1) All off-street parking areas and vehicular use areas shall be screened or buffered in a manner which meets the following specific objective:
 - a) Off-street parking and vehicular use areas shall be buffered in a manner that separates the proposed facility from views as seen from the public right-of-way and creates a scale more appropriate to the individual and pedestrian.
 - b) All screening or buffer areas shall be contained within the subject property.
 - 2) Screening or buffering shall meet the aforementioned objectives of this Section and Article and shall be accomplished by the following options:
 - a) A minimum ten (10) foot buffer area between the off-street parking and/or vehicular use area and the street setback line to include one (1) tree per forty (40) feet or fraction thereof of street frontage of the parking lot and plantings of at least ten (10) shrubs for every thirty (30) feet or fraction thereof of street frontage of parking lot.



- b) A minimum twenty (20) foot buffer area between the parking lot and the street setback line to include a three (3) foot high berm not exceeding 33 percent slope and a minimum of one (1) tree for every 40 feet and five (5) shrubs for every 30 feet or fraction thereof of street frontage of the parking lot.

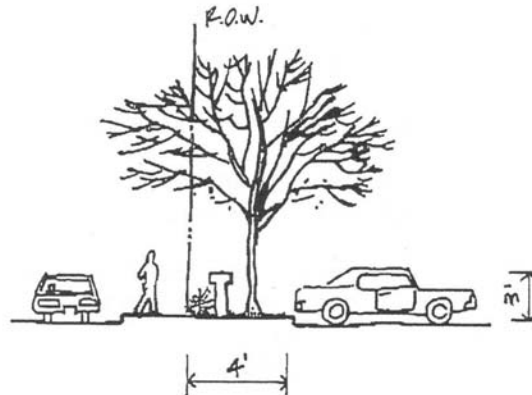


- c) A minimum six (6) foot buffer area between the parking lot and the street setback line to include a thirty-six (36) inch high decorative metal fence. The fencing shall contain four (4) inch spacing between metal pickets with masonry pilasters spaced twenty-four (24) feet apart, capped, and at least 16 to 21 inches wide. The minimum landscaping required in conjunction with the metal fence is one (1) tree for every 40 feet and five (5) shrubs for every 30 feet or fraction thereof of street frontage of parking lot.



- d) A minimum four (4) foot buffer area between the parking lot and the street setback line to include a thirty-six (36) inch high masonry screening wall in conjunction with the minimum landscaping requirement of one (1) tree for every 40 feet or fraction thereof of street frontage of the parking lot. The wall shall be constructed of brick or masonry block and shall also include a concrete stone or masonry cap providing one-half (1/2) inch reveal on both sides.

SEC. 14.8 SPECIFIC LANDSCAPING, SCREENING AND BUFFERING REQUIREMENTS



Screening and buffering options are summarized in the following chart:

PARKING AREA SCREENING		
Parking Area Screening Options	Minimum Buffer Dimensions (in feet)	Minimum Landscaping Requirements
(a) Landscape strip	10	1 tree per 40 feet 10 shrubs per 30 feet
(b) 3 foot high berm	20	1 tree per 40 feet 5 shrubs per 30 feet
(c) 3 foot high decorative metal fence	6	1 tree per 40 feet 5 shrubs per 30 feet
(d) 3 foot high wall	4	1 tree per 40 feet

- 3) If the off-street parking and/or vehicle use area is located such that it requires Ann Arbor Road streetscape in accordance with Section 14.8.2.(a) then Section 14.8.4.(d)2), above, shall not apply.

SEC. 14.9 INTERIOR PARKING LOT LANDSCAPING

1. Parking Lot Landscaping

- (a) Off-street parking areas containing twenty-five (25) or more parking spaces shall provide internal landscaping, other than that required in a buffer zone or along the street frontage, protected by a raised standard or rolled concrete curb, in accordance with the following:
 - 1) 25 through 100 spaces. 1 canopy/deciduous tree and 100 s.f. of landscaped area per 10 spaces, rounded upward.

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- 2) 101 through 200 spaces. 1 canopy/deciduous tree and 100 s.f. of landscaped area per 12 spaces, rounded upward.
- 3) 201 spaces or more. 1 canopy/deciduous tree and 100 s.f. of landscaped area per 15 spaces, rounded upward.
- (b) The minimum size of a landscaped area shall be sixty (60) s.f. and at least six (6) feet in width.
- (c) Landscaped areas shall be covered by grass or other living ground cover.
- (d) Required trees shall be located to minimize potential damage by vehicles.
- (e) The internal landscaping shall be located and designed to direct traffic flow, particularly near site entrances. Additional landscaping shall be dispersed through the lot to define vehicular circulation, improve site aesthetics, provide shade, and installed such that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.

SEC. 14.10 SIGNS

1. Purpose (as amended 10/25/07)

The purpose of these sign regulations is to provide for a unified approach to managing the size, placement, number and appearance of signs within the Ann Arbor Road Corridor District. Within the framework of the long term cooperative effort between the City and Charter Township of Plymouth, this Section is intended to promote a balance between business advertising needs, the aesthetic recommendations of the Ann Arbor Road Plan and design guidelines, and the safety needs of the passing motorist.

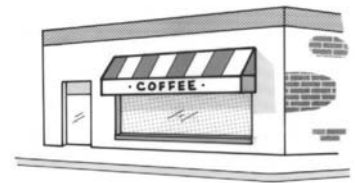
It is further the intent of these sign regulations to regulate the construction, alteration, repair and maintenance of all signs with respect to structural and fire safety, location, type of sign, dimensions, height and method of illumination; to avoid visual clutter that obstructs vision or misleads motorists; to protect the general public from damage and injury caused by distractions, hazards or obstructions caused by poorly designed or improperly constructed signage; to authorize the use of signs that are compatible with their surroundings, appropriate to the use that displays them and legible under the circumstances in which they are seen; to seek the removal of illegal signs; and to encourage the replacement or removal of nonconforming signs that are incompatible with the purpose of this Article.

Further, the control of signs is necessary to prevent hazards to life and property and ensure the continued attractiveness and protect property value within and adjacent to the Ann Arbor Road Corridor. The Township has determined that, in general, the use of animated, electronic changeable copy, flashing, or moving signs within the Ann Arbor Road Corridor would lead to visual clutter, negatively impact traffic safety, and would be inconsistent with the purposes of this Ordinance.

2. Definitions (as amended 10/25/07)

SEC. 14.8	SPECIFIC LANDSCAPING, SCREENING AND BUFFERING REQUIREMENTS
SEC 14.9	INTERIOR PARKING LOT LANDSCAPING

- (a) **ABANDONED SIGN.** A sign which, for ninety (90) consecutive days, fails to direct a person to or advertise a bona fide business, tenant, owner, product or activity conducted, or product available on the premises where such a sign is displayed.
- (b) **ANIMATED SIGN.** Any sign, display, device, or portion of a sign which is designed to provide apparent movement of any part of the sign. Animated signs also include any portion of a sign that displays any artificial light which is not maintained stationary or constant in intensity and/or color at all times when the sign is in use through some other automated method resulting in the appearance of movement, excluding Time-Temperature and Changeable Copy Signs (Electronic).
- (c) **AWNING.** A protective, roof like covering, attached to the face of a building, as might be located over a window or door.
- (d) **AWNING OR CANOPY SIGN.** A sign which is painted on, printed on or attached flat against the surface of an awning or canopy.
- (e) **BUSINESS CENTER.** A group of two (2) or more contiguous stores, businesses or offices, research facilities or industrial facilities developed as a planned complex which collectively have a name different from the name of any individual business, are under common ownership or management and share common parking areas, pedestrian areas, are linked architecturally or otherwise present the appearance of one (1) development site. Business centers may include shopping centers and other multi-tenant buildings.
- (f) **CANOPY:** A roof like architectural structure, typically attached to the face of a building, and used to provide protection from the elements (e.g., a canopy over a walkway or a gas station canopy).
- (g) **CHANGEABLE COPY SIGN (MANUAL).** A sign or part of a sign that is designed so that the message can be changed or rearranged without altering the face or surface of the sign, by physically replacing the characters, letters, or illustrations, but not by electric or electronic means.
- (h) **CHANGEABLE COPY SIGN (ELECTRONIC).** A sign or part of a sign where the individual numbers or letters can be changed electronically in display. Such signs do not include animated signs or flashing or moving signs, as defined herein. A sign on which the only copy that changes is an electronic indication of the time and temperature shall be considered a Time-Temperature Sign and not an electronic changeable copy sign
- (i) **CONSTRUCTION SIGN.** A ground or wall sign listing the name of the project developers, contractors, engineers, or architects on the site being developed.
- (j) **DIRECTIONAL SIGN.** A ground sign located at the entry and/or exit of a business or commercial establishment which facilitates traffic flow.
- (k) **DIRECTIONAL SIGN, OFF-PREMISES.** A monument sign, the sole purpose of which is to direct traffic to one or more commercial businesses which are located on



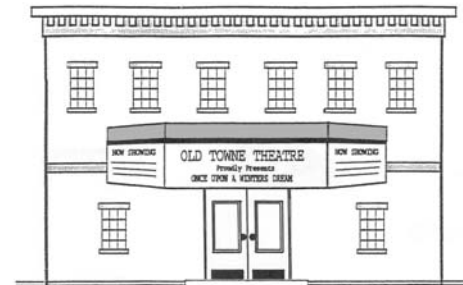
Awning Sign



Canopy Sign

premises without frontage on or visual exposure to a major thoroughfare or collector road. Such businesses shall front on a road or easement which is used for their primary public ingress and egress from the major thoroughfare or collector road. The purpose of the off-premises directional sign is to facilitate the flow of traffic, encourage the concentration of commercial uses, discourage strip commercial development, and not to advertise the business or products or services offered, (however, directional signs may have the logo and/or name of the business to which the sign relates).

- (l) **FESTOON SIGN.** Banners, pennants, incandescent light bulbs, or other such temporary features which are hung or strung overhead and which are not an integral, physical part of the building or structure they are intended to serve.
- (m) **FLASHING OR MOVING SIGN.** A sign or any part of a sign that has intermittently reflecting lights, or signs which use intermittent, flashing, scintillating, or varying intensity of illumination or color to create the appearance of movement, or a sign that has any visible portions in motion, either constantly or at intervals, whether caused by artificial or natural sources (See also ANIMATED SIGN).
- (n) **GROUND SIGN.** A sign supported by one or more uprights, poles, braces, or a masonry base, or a monument placed in or upon the ground surface and not attached to any building. Ground signs shall include monument and pole signs.
- (o) **INFLATABLE SIGN.** A sign that is either expanded or its full dimensions are supported by gases contained within the sign, or a sign part, at a pressure greater than atmospheric pressure.
- (p) **ILLUMINATED SIGN.** A sign that is illuminated by a direct or indirect source of light so shielded that no direct rays from it are visible from any public right-of-way or from the abutting property.
- (q) **INSTITUTIONAL BULLETIN BOARD.** A structure containing a surfaced area upon which is displayed the name of a religious institution, school, library, community center or similar institutions, and the announcement of its services or activities. Such signs shall exclude animated, flashing, moving or electronic changeable copy signs, as defined herein.
- (r) **MARQUEE.** A roof like structure, often bearing a sign, projecting over an entrance to a theater.
- (s) **MARQUEE SIGN.** A sign attached to a marquee projecting from and supported by the building.
- (t) **MENU BOARD OR ORDER BOARD.** A sign which is intended to service patrons using a drive-thru facility.
- (u) **MONUMENT SIGN.** A ground sign that is mounted on a base which is in contact with or close to the ground. The base of a monument sign shall be no less than 75% of the greatest horizontal dimensions of the sign face, and the vertical separation between the lowest point of the sign face and the highest point of the sign base shall be no greater than twelve (12) inches.

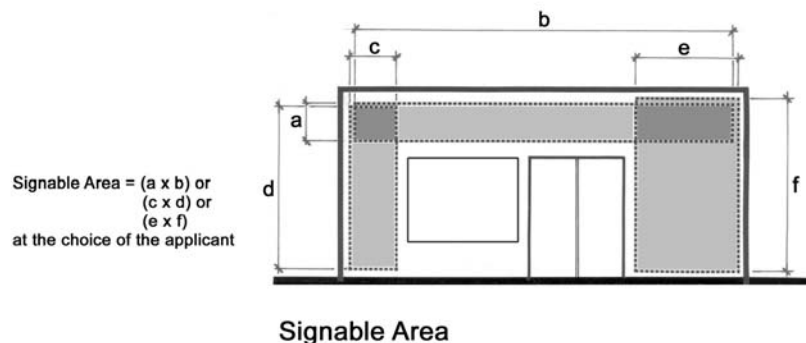


Marquee Sign

- (v) **MONUMENT SIGN BASE.** The lower part of a monument sign which may appear as a separate architectural feature, and serves as its ground support.
- (w) **NEON SIGN.** A sign consisting of glass tubing, filled with neon or another gas, which glows when electric current is sent through it.
- (x) **NONCONFORMING SIGN.** Any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this ordinance, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this chapter.
- (y) **OFF-PREMISES SIGN.** A sign which contains a message unrelated to a business or profession conducted on the premises, or to a commodity, service or activity, not sold or offered upon the premises where such sign is located.
- (z) **PANEL SIGN.** A sign whose letters and/or symbols are on a panel contained within a frame, incorporated into a framed background which is an integral part of the sign. This definition is intended to distinguish between panel signs and signs consisting of individual freestanding letters and/or symbols.
- (aa) **PERMANENT WINDOW SIGN.** A window sign that is constructed of materials that do not require replacement on a frequent basis (in contrast to temporary paper window signs).
- (bb) **POLE SIGN.** A ground sign that is mounted on a freestanding pole(s) or other support(s) with a clear space of eight (8) feet or more between the bottom of the sign face and the grade.
- (cc) **POLITICAL SIGN.** A temporary sign, relating to the election of a person or persons to public office, or relating to a political party, or relating to a matters to be voted upon in a local, state or national election or referendum.
- (dd) **PORTABLE SIGN.** A freestanding sign not permanently anchored to secured to either a building or the ground, such as, but not limited to trailers, "A" frame and "T" shaped sign structures, including those mounted on wheeled trailers.
- (ee) **PREMISES.** Any lot or parcel of land, or building or site as otherwise used in this ordinance; a unit of contiguous real property under common ownership.
- (ff) **PROJECTING WALL SIGN.** A sign that is attached to and projects from a building wall at an angle of up to ninety (90) degrees. A projecting wall sign does not include canopy, awning, roof, marquee, or internally illuminated signs.
- (gg) **REAL ESTATE SIGN.** A non-illuminated sign for the purpose of advertising or promoting the sale, lease or rental of real estate. A PERMANENT LEASING SIGN is a real estate sign that is erected for an indefinite period of time for the purpose of offering space in a building for lease.
- (hh) **ROOF SIGN:** A sign erected, constructed and maintained wholly upon or over the roof of any building, with its principal support on the roof structure. For purposes of this section. any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type, shall be considered as a roof. A vertical plane or fascia which is attached to and located

below the angled plane of a sloped roof and which is less than 6 inches in height, shall be considered part of the roof.

- (ii) **SERVICE CLUB ENTRANCE SIGN.** A sign, usually located along the main entrance ways to a community, displaying the names of service clubs and organizations, their meeting schedule and usually including the service club symbol or logo. The name of the community and a short salutary message may also be included.
- (jj) **SIGN.** Any name, identification, description, object, device, structure, display or illustration which is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, service, event, organization, or business by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.
- (kk) **SIGNABLE AREA.** The area in which a sign is to be located and which is used to determine the permitted size of that sign, pursuant to Section 14.10.3.(d). The signable area shall be a continuous surface or wall unobstructed by windows, doors, other major architectural details, or a change in materials or color.



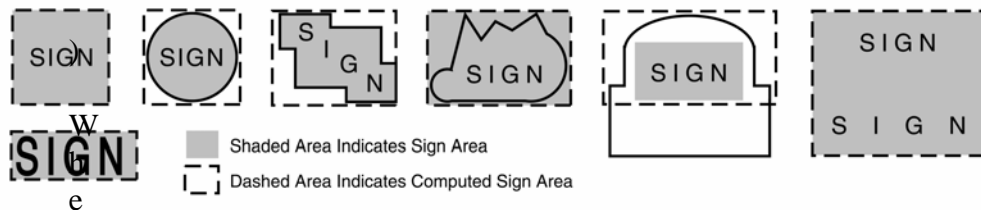
- (ll) **TEMPORARY SIGN.** Any sign regardless of size and materials that is not permanently fastened to any structure, such as posts with permanent footings, and that is limited in duration to thirty (30) days, except as otherwise specified. Temporary signs include paper window signs, inflatable signs, banners and pennants.
- (mm) **TIME-TEMPERATURE SIGN.** A sign, electronic or otherwise, which displays the current time or outdoor temperature or both and which displays no material except for the name of a business, product or service. For purposes of this ordinance, a Time-Temperature sign shall be considered a public service.
- (nn) **UNDERHANGING SIGN.** A sign that is located on the underside of a canopy or walkway, typically for the benefit of pedestrians.
- (oo) **VEHICLE BUSINESS SIGN.** A sign painted or attached to a vehicle which is located on a premises primarily for purposes of advertising the business or product for sale on the premises. Commercially licensed vehicles which are generally used daily off-site are not included in this definition.

- (pp) **WALL SIGN.** A sign which is attached directly to or painted upon a building wall and which does not extend above the height of the wall to which it is attached, nor more than twelve (12) inches there from, with the exposed face of the sign in a plane parallel to the building wall. Included in the definition of wall signs are signs mounted flat against the building fascia, provided the sign does not protrude beyond any boundary of the fascia.
- (qq) **WINDOW SIGN.** A temporary or permanent sign painted on or affixed to a window surface, suspended so as to hang more or less parallel with the window surface, or otherwise displayed in a manner intended to be viewed from outside the window.

3. General Standards

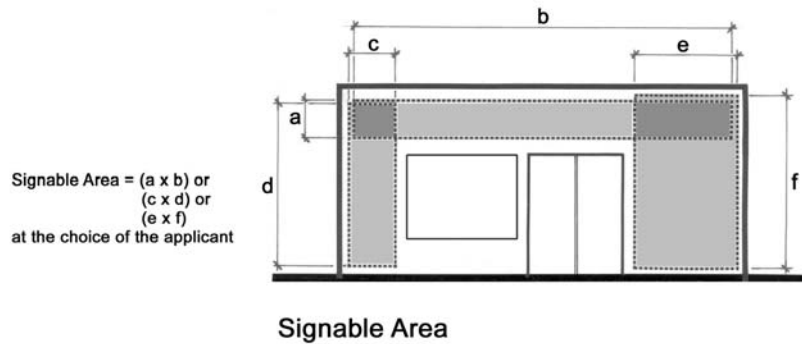
The following general standards shall apply to signs in the ARC, Ann Arbor Road Corridor District:

- (a) **Measurement of Sign Area.** The entire area within a rectangle or square enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame, tower, or other material or color or internally illuminated area forming an integral part of the display or used to differentiate such sign, shall be included in the measurement. Such signs shall be deemed to be a single sign whenever the proximity, design, content or continuity reasonably suggests a single unit, notwithstanding any physical separation between parts.



Computation of Sign Area

- (1) Where a sign has two or more 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 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 as the area of the larger face, if the two faces are of unequal area.
- 2) For ground signs, the area shall include the entire area of the sign upon which copy, lettering, drawings or photographs could be placed, excluding necessary uprights or supports. For monument signs, the base of a monument sign shall be excluded from the calculation of sign area for a distance to thirty (30) inches above grade. Streetscape and landscape features which in the determination of the Planning Commission, are an integral part of the sign design shall also be excluded from the calculation of sign area.



- 3) For internally-illuminated awnings or canopies, the entire flat surface of the awning or canopy upon which the message is written shall be included in the sign area calculation. Signs mounted on awnings and canopies that are not internally-illuminated shall be subject to the sign area standards of measurements specified in paragraph (a), above.
 - 4) For paper window signs, the area shall include the entire area of the paper. Where adjacent paper window signs are within eight (8) inches of each other, they shall be measured as a single sign.
- (b) Sign Setback. Where it is specified that a sign must be setback a minimum or other certain distance from property lines, street setback lines or public right-of-way lines, such distance will be measured from the portion of the sign structure nearest to the specified line. For purposes of this measurement, the property lines, street setback lines and public right-of-way lines extend perpendicularly from the ground to infinity.
 - (c) Sign Height. The height of a ground sign shall be the distance from the average level of the ground or pavement directly below the sign to the highest point of the sign structure, including any supportive or decorative appendages, without including any berm landscaping, grading, or artificially or unnaturally constructed raised portion of land at the point of measurement.
 - (d) Signable Area. Where it is specified that the size of a wall sign shall be based on the signable area, that area shall be delineated as the area of a continuous surface or wall unobstructed by windows, doors, other major architectural details, or a change in materials or color. The signable area shall equal the area of (a x b) or (c x d) or (e x f) in the following illustration, at the choice of the applicant. The signable area for gable shall be determined by calculating the actual area of the surface or wall of the gable, unobstructed by any architectural features.
 - (e) Underground Wiring. Where illumination is desired, underground wiring shall be required for all signs not attached to a building.
 - (f) Sign Lettering. Any sign which is proposed to include letters, symbols, emblems or other figures of similar character, which are larger than 16 inches, shall require Planning Commission approval.
4. Prohibited Signs (as amended 10/25/07)

Except as may be permitted by Section 28.43, the following signs shall be prohibited:

- (a) Festoon signs.
- (b) Signs which incorporate in any manner any flashing of intermittent lights.
- (c) Inflatable signs, except as provided in Section 28.43.
- (d) Off-premises advertising signs.
- (e) Portable signs.
- (f) Roof signs. For the purpose of this section any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type shall be considered the same as a roof and signs shall be permitted upon it. A vertical plane or fascia which is located below the angled plane of a sloped roof or roof element and which is less than 6 inches in height, shall be considered part of the roof and not used for signage.
- (g) Vehicle business sign.
- (h) Banners, pennants, spinners and streamers, except as provided in Section 14.10.5.(n) and 14.10.6.(h) for banners.
- (i) Any sign which revolves or has any scrolling messages, visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic pulsations, or by mechanical means, including intermittent electrical pulsations, or by action of normal wind currents.
- (j) A sign or sign structure which is determined by the Building Official to be:
 - 1) Structurally unsafe.
 - 2) A hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment.
 - 3) Not kept in good repair.
 - 4) Capable of causing electrical shocks to persons likely to come in contact with it.
- (k) Any sign which by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, or by obstructing, or detracting from the visibility of any traffic sign or control device on public streets and roads.
- (l) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit.
- (m) Signs which make use of such words as “Stop”, “Look”, “Danger”, or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse vehicular traffic.
- (n) Any sign unlawfully installed, erected or maintained.

- (o) Any sign now or hereafter existing which advertises a product, service or business no longer available at that location, including abandoned signs.
- (p) Wall panel signs.
- (q) Pole signs.
- (r) Electronic changeable copy signs, except as otherwise permitted in this Section 14.10
- (s) Animated signs.
- (t) Awning and marquee signs.
- (u) Canopy signs, except as permitted herein.
- (v) Neon, LED, or string lights used to highlight architectural features, or to frame a window or door, except as may be permitted under Section 28.8 Exterior Lighting.
- (w) Neon Signs. Any sign, which requires a permit, that consists of glass tubing filled with neon or another gas, may only be permitted subject to Planning Commission approval.
- (x) Any type of sign not expressly permitted.

5. Area, Height, Placement and Other Regulations for Permitted Signs (as amended 10/25/07)

- (a) Ground signs.
 - 1) Type: All ground signs shall be monument signs.
 - 2) Location: Ground signs shall be located wholly within the boundaries of the property to which the sign relates, exclusive of the street setback or road right-of-way area.
 - 3) Setback: On premises with street frontage less than 200 feet, ground signs shall be setback a minimum of five (5) feet from the existing right-of-way or street setback line, whichever is greater. On premises with a street frontage of 200 feet or greater, ground signs shall be setback a minimum of 10 feet.
 - 4) Sign Area:
 - a) On premises with street frontage less than 200 ft., the maximum sign area shall be twenty five (25) square feet at the five (5) foot setback line. However, the maximum sign area shall be permitted to increase one (1) square foot for each additional foot of setback, to a maximum area of forty two (42) square feet. The base of a monument sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade.

MAXIMUM SIGN AREA PREMISES WITH STREET FRONTAGE LESS THAN 200 FEET		
Distance From Street Setback Line	Maximum Height	Maximum Sign Area
5 ft.	8 ft.	25 sq. ft.
6 ft.	8 ft.	26 sq. ft.
7 ft.	8 ft.	27 sq. ft.
8 ft.	8 ft.	28 sq. ft.
9 ft.	8 ft.	29 sq. ft.
10 ft.	8 ft.	30 sq. ft.
11 ft.	8 ft.	31 sq. ft.
12 ft.	8 ft.	32 sq. ft.
13 ft.	8 ft.	33 sq. ft.
14 ft.	8 ft.	34 sq. ft.
15 ft.	8 ft.	35 sq. ft.
16 ft.	8 ft.	36 sq. ft.
17 ft.	8 ft.	37 sq. ft.
18 ft.	8 ft.	38 sq. ft.
19 ft.	8 ft.	39 sq. ft.
20 ft.	8 ft.	40 sq. ft.
21 ft.	8 ft.	41 sq. ft.
22 ft.	8 ft.	42 sq. ft.
More than 22 ft.	8 ft.	42 sq. ft.

- b) On premises with a street frontage of 200 feet or greater, the maximum sign area shall be forty two (42) square feet at the ten (10) foot setback line. However, the maximum sign area shall be permitted to increase based upon each additional foot of setback, to a maximum area of sixty (60) square feet in accordance with the following chart. The base of a monument sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade.

MAXIMUM SIGN AREA PREMISES WITH STREET FRONTAGE 200 FEET OR GREATER		
Distance From Street Setback Line	Maximum Height	Maximum Sign Area
10 ft.	10 ft.	42 sq. ft.
11 ft.	10 ft.	43 sq. ft.
12 ft.	10 ft.	45 sq. ft.
13 ft.	10 ft.	46 sq. ft.
14 ft.	10 ft.	48 sq. ft.
15 ft.	10 ft.	49 sq. ft.
16 ft.	10 ft.	51 sq. ft.
17 ft.	10 ft.	52 sq. ft.

MAXIMUM SIGN AREA		
PREMISES WITH STREET FRONTAGE 200 FEET OR GREATER		
Distance From Street Setback Line	Maximum Height	Maximum Sign Area
18 ft.	10 ft.	54 sq. ft.
19ft.	10 ft.	55 sq. ft.
20 ft.	10 ft.	57 sq. ft.
21 ft.	10 ft.	58 sq. ft.
22 ft.	10 ft.	60 sq. ft.
More than 22 ft.	10 ft.	60 sq. ft.

- 5) Height: The maximum height shall be as follows:
 - a) On premises with a street frontage less than 200 feet: eight (8) feet.
 - b) On premises with a street frontage of 200 feet or greater: ten (10) feet.

- 6) Number: One (1) ground sign shall be permitted per street frontage on any parcel. However, only one (1) sign shall be permitted on lots having frontage on more than one street if a single sign can be located such that it is visible from both streets. In multi-tenant buildings or shopping centers, the sign area may be allocated for use by individual tenants.

- 7) Planning Commission Review; Design Standards: The Planning Commission shall review all ground sign applications to assure compliance with the design, placement and dimensional standards of this Article. The following design standards shall apply:
 - a) Monument signs shall have a brick base or an approved equal subject to Planning Commission approval. Signs shall harmonize with the Ann Arbor Road Streetscape materials, and be incorporated into the streetscape design. Brick shall be Wyandotte Modular consistent with the standards and requirements of the Ann Arbor Road Streetscape Prototype, “Ann Arbor Road Standard Design Details” as adopted by the Planning Commission and the Plymouth Township DDA, dated October 16, 2003, and as may be modified from time to time.
 - b) The base of any ground sign shall be landscaped to create a year round buffer for the sign.
 - c) Lettering style shall be clean and simple to assure readability and shall be in harmony with the style of architecture of the building. Generally, no more than two (2) different fonts shall be used on each sign.
 - d) It is the intent of this Ordinance to require signs to be in harmony with the building color and architecture, therefore generally, no

more than three (3) colors may be used per sign and one (1) uniform, background color. Established company logos are exempt from color limitations. An established company logo is one that has historically been used as a symbol representing the company. For the purposes of this regulation, black and white shall be considered colors.

- e) Sign messages shall be located at least thirty (30) inches above the ground to allow for snow accumulation and plant growth.

- 8) Changeable Copy Signs: Manual changeable copy monument signs shall be permitted, subject to all of the requirements for ground signs specified herein, and the following additional requirements:
 - a) Letter height shall not exceed four (4) inches, except that numbers up to nine (9) inches in height may be permitted for fuel prices on gas station signs.
 - b) Electronic changeable copy signs are not permitted.
 - c) The area of the changeable copy sign shall be counted toward the maximum ground sign area.
 - d) The base of the sign shall be brick, with limestone capped brick piers on the two ends of the sign. The changeable copy sign shall not project above the brick piers by more than one-half of the message area's height.

- (b) Wall signs.
 - 1) The maximum wall sign area permitted shall be fifty (50) percent of the signable area, up to a maximum wall sign area of forty-two (42) square feet. On a premises with an Ann Arbor Road street frontage of 200 feet or greater, permitted wall sign area shall be thirty (30) percent of the signable area, up to a maximum of ninety (90) square feet (see Table). The wall sign must be located within the signable area that is used to determine the maximum size of that wall sign.

In the case of a wall sign which advertises more than one business or tenant, the maximum permitted sign area shall be allocated between the business or tenants.

MAXIMUM WALL SIGN AREA INDIVIDUAL LETTERS		
Signable Area	Maximum Percent of Signable Area	Maximum Wall Sign Area
20 sq. ft.	50%	10 sq. ft.
30 sq. ft.	50%	15 sq. ft.
40 sq. ft.	50%	20 sq. ft.
50 sq. ft.	50%	25 sq. ft.
60 sq. ft.	50%	30 sq. ft.

70 sq. ft.	50%	35 sq. ft.
80 sq. ft.	50%	40 sq. ft.
84 sq. ft.	50%	42 sq. ft.
Above 84 sq. ft.	—	42 sq. ft.

- 2) Maximum height of a wall sign shall be the height of the wall to which the sign is attached, not to exceed thirty-five (35) feet.
- 3) One (1) wall sign shall be permitted on each facade which has a separate public means of ingress and egress. In the case of a building located on a corner lot, one (1) additional wall sign shall be permitted on a separate façade that faces a public or private street, regardless of a separate public means of ingress and egress. In the case of a building with more than one tenant, such as a shopping center or business center, one (1) wall sign shall be permitted for the center itself and for each tenant that has its own separate door to the outside to provide public access.
- 4) Tenants that occupy a corner space in a multi-tenant structure shall be permitted to have one (1) sign on each facade of the building which has a separate direct pedestrian access to that office or business establishment from the outside. Where several tenants use a common entrance in a multi-tenant structure, only one (1) wall sign shall be permitted, but the total sign area should be allocated on an equal basis to all tenants.
- 5) Where separately owned businesses occupying a single building on a single parcel of land (such as a multi-tenant building, business center or shopping center) use individual wall signs, all such signs on the building or within the center shall be of a common style, e.g., individual freestanding letters shall be utilized with other signs composed of individual freestanding letters.

MAXIMUM WALL SIGN AREA 200 FT. OR GREATER FRONTAGE ON ANN ARBOR ROAD		
Signable	Maximum Percent of Signable Area	Maximum Wall Sign Area
50 sq. ft.	30%	15 sq. ft.
75 sq. ft.	30%	22.5 sq. ft.
100 sq. ft.	30%	30 sq. ft.
125 sq. ft.	30%	37.5 sq. ft.
150 sq. ft.	30%	45 sq. ft.
175 sq. ft.	30%	52.5 sq. ft.
200 sq. ft.	30%	60 sq. ft.
225 sq. ft.	30%	67.5 sq. ft.
250 sq. ft.	30%	75.0 sq. ft.
275 sq. ft.	30%	82.5 sq. ft.
300 sq. ft.	30%	90 sq. ft.

Above 300 sq. ft.		90 sq. ft.
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- 6) Manual Changeable Copy Wall Signs: Manual changeable copy wall signs shall be permitted, subject to all of the requirements for wall signs specified herein, and the following additional requirements:
 - a) Letter height shall not exceed four (4) inches.
 - b) Electronic changeable copy wall signs are prohibited.
 - c) The area of the changeable copy sign shall be counted toward the maximum wall sign area.

- 7) Panel signs, other than a manual changeable copy sign, shall be prohibited, except that the Planning Commission may permit panel signs upon finding that other types of permitted signs would not be practical or feasible because of the shape, character or configuration of the building or site and/or because of the nature of the message being conveyed.

- (c) Projecting signs. Instead of wall or marquee sign, a business may be permitted to have a projecting sign, subject to the following specifications:
 - 1) The maximum area of a projecting sign shall be twenty-five (25) square feet on buildings located ten (10) feet or less from the street setback line. The maximum area of a projecting sign shall be permitted to increase one (1) square foot for each additional foot of setback greater than ten (10) feet to a maximum area of forty-two (42) square feet.
 - 2) One (1) projecting sign shall be permitted on each façade which has a separate public means of ingress and egress.
 - 3) Projecting signs shall be permitted only on zoning lots of fifty (50) feet or more on the side on which the sign is to be mounted.
 - 4) Projecting signs shall extend no higher than the height of the wall to which the sign is attached and no higher than the window sill of second story windows. Eight (8) feet, six (6) inches of clearance is required beneath projecting signs.
 - 5) Signs must project at a ninety (90) degree angle to the building surface to which it is attached. Angular projection at the corner of a building is prohibited.
 - 6) Signs shall not project more than five (5) feet over the property line and more than four (4) feet from the face of the building or one-third of the sidewalk width, whichever is less.
 - 7) Projecting signs shall be attached directly to a building through building mounts or hung from a mast arm. These support members may also include decorative appurtenances, but external bracing such as guy wires and metal framework shall be prohibited.

- 8) Projecting signs shall be spaced a minimum of twenty-five (25) feet apart.
- 9) Projecting signs shall not be internally illuminated.
- 10) Projecting signs shall not contain changeable copy.
- (d) Underhanging Signs. Where the roof structure of a building containing more than one business is extended over a walkway along the outer edge of the building, one pedestrian oriented underhanging sign may be permitted for each business in the building provided:
 - 1) All signs are of identical size, shape, lettering style, and color scheme.
 - 2) All signs shall contain the name of the business only.
 - 3) Maximum of six square feet.
- (e) Window Signs
 - 1) A maximum of twenty (20) percent of the glass surface of the window segment in which the sign is located may be used for window signs.
 - 2) No such signs shall be permitted in windows above the first story.
 - 3) No more than two (2) temporary window signs shall be permitted.
- (f) Flags. Flags bearing the official design of a corporation or award flags subject to the following:
 - 1) Such corporation or award flags shall be displayed on flag poles only. Attachment to any other site fixture or feature shall be prohibited.
 - 2) A maximum of two (2) such flags shall be permitted for each flag pole provided.
 - 3) The maximum number of flag poles permitted per individual business shall be determined in accordance with the following table:

MAXIMUM NUMBER OF FLAG POLES PERMITTED	
Street Frontage in Feet	Maximum Number of Flag Poles Permitted
0-210	1
211-300	3
301 or greater	5

- 4) Placement of flag poles shall be in a manner and location subject to the following requirements:

- a) The placement shall not impact adjacent properties, in particular, those of a residential nature.
 - b) The height of flagpoles shall conform to the height restrictions of the ARC District for buildings and structures. A flagpole shall be deemed to a structure under all provisions of this Ordinance. Flagpoles shall comply with the setback requirements for structures.
 - c) The placement shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic.
 - d) The size, content, coloring or manner of illumination of said flags shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
 - e) No flag shall be permitted to project into the road right-of-way at full extension of the flag.
- 5) Flag poles shall not be located on the roof of a building.
- (g) Directional Signs. Directional signs intended to assist vehicular traffic flow subject to the following:
- 1) On-Premises Directional Signs:
 - a) Directional signs shall not exceed two (2) square feet per side, nor exceed two (2) sides.
 - b) Said signs may incorporate a corporation or business logo provided the main theme of the sign shall be to facilitate vehicular traffic flow.
 - c) Placement shall be within the subject property; no such signs shall be permitted within the street setback area or right-of-way.
 - d) The size, content, coloring, placement or manner of illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
 - e) Directional ground signs shall not exceed a height of six (6) feet and may be located one (1) at each driveway entrance.
 - f) No more than one (1) directional wall sign may be located at each building entrance.
 - 2) Off-Premises Directional Signs:
 - a) In order to encourage the clustering of businesses, and minimize strip commercial development in accordance with the community Master Plan, while still allowing necessary and reasonable identification of businesses, facilitating the orderly flow of traffic, and avoiding unnecessary proliferation and excessive size of signs on major thoroughfares, off-premises directional signs may be permitted on a limited basis.

- b) Off-premises directional signs are permitted only upon review and approval of the Planning Commission, subject to compliance with the following conditions:
 - 1) Approval of the sign would serve to further the purposes specified in Section 14.10.5 paragraph (h) 2) a) above.
 - 2) The Planning Commission shall determine that the ARC zoned business has no frontage or access from a major thoroughfare; the premises of said business are within one thousand two hundred (1,200) feet of said thoroughfare; said business is not visible from a major thoroughfare, or is visible from a major thoroughfare but with no clear indication of how to access the business; and that adequate identification of the business and direction of traffic to the business would not be possible without an off-premises directional sign.
 - 3) No off-premises directional sign shall be permitted without a recorded easement or executed agreement that accomplishes all of the following:
 - a) states that the owner of the parcel on which the sign is to be placed grants permission for the off-premises directional sign to be located on the parcel,
 - b) stipulates which parcel(s) are entitled to use of the off-premises directional sign, and
 - c) specifies how the sign is to be maintained and establishes a means to assure that maintenance runs with the life of the sign.
 - 4) Off-premises directional signs shall be located only on land zoned ARC and direct traffic to only land also zoned ARC.
 - 5) Off-premises directional signs shall be permitted only at the intersection of the access road for the business and a major thoroughfare, and only one such sign permitted at each intersection. The business access road may be a public street, private road, or recorded access easement over which the general public has ingress/egress rights. Said sign shall be in reasonable proximity to the intersection to enable the sign to direct traffic to the site of the business being identified by the sign. If multiple businesses served by the same access road require the use of the same intersection for an off-premises business directional sign, the same sign shall be used.
 - 6) Off-premises directional signs shall be located entirely on private property and no closer than thirty (30) feet from the

centerline of the street, private road, or recorded access easement which provides access to the business. The sign shall be located a minimum of sixty (60) feet from the centerline of the major thoroughfare. The sign location shall comply with all other setback and visibility requirements of the municipality.

PLANNED NO. OF USERS ON SIGN	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT
1	12 sq. ft.	4.5 ft.
2	24 sq. ft.	6 ft.
3 or more	36 sq. ft.	8 ft.

- 7) Off-premises directional signs shall be monument signs with the minimum dimensions necessary to accomplish the purpose of directing traffic; however, in no case shall the sign area and height exceed the following dimensions.

The base of an off-premises directional sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade.

- 8) Space shall be allocated on the sign to allow identification of all businesses which use the same access road to use the off-premises directional sign. A common font and no more than one uniform background color shall be used. The sign shall state only the name of the business(es) being identified. A directional arrow may also be included on the sign. The sign base shall be of brick or decorative masonry block.

- 9) The ground within five (5) feet of the base of the off-premises directional sign shall be landscaped in low shrubbery, ground cover or flowers, and said landscaping shall be maintained in presentable condition.

- 10) Off-premises directional signs may be illuminated provided the illumination creates no perceptible glare on private property at a distance greater than ten (10) feet from the sign and on public streets and the access drive.

- c) The off-premises directional sign shall be maintained in a sound and presentable condition. If a business that is identified on the off-premise directional sign ceases to exist at its location or changes its name, the appropriate deletion or change to the copy of the sign shall be made within thirty (30) days of the change in the business.

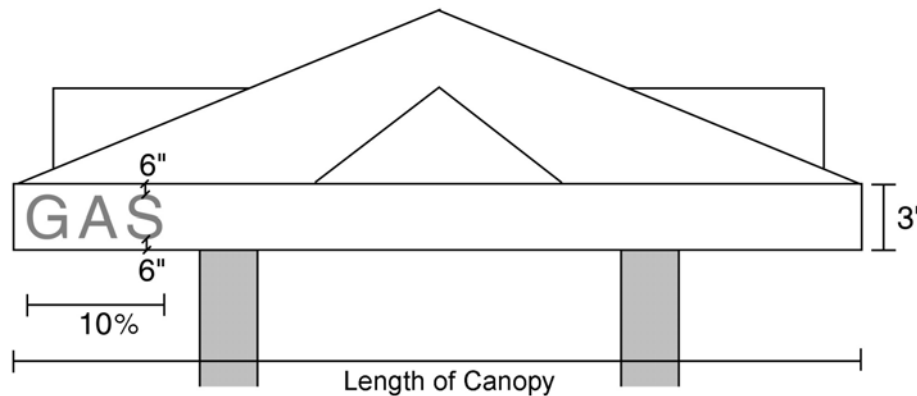
- d) The existence of an off-premise directional sign shall not affect the permission of any other signage that is otherwise permitted by the municipality, including the following:
 - 1) any other signage on the same parcel as the off-premises directional sign.
 - 2) any other signage on the same parcel as the business identified by the off-premises directional sign.
- (h) Menu and/or Order Board. Menu and/or order board for a drive-thru facility subject to the following:
 - 1) Said signs shall be located on the interior of the lot or parcel and shall not be readable from the exterior of the lot.
 - 2) Said signs shall be intended to service the public utilizing the drive-thru facilities only.
 - 3) The placement shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow in any manner.
 - 4) The size, content, coloring or manner or illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
 - 5) The volume on order boards shall be maintained at the minimum level necessary so that it is audible to users, so as to minimize extraneous noise traveling off the site.
- (i) Institutional Bulletin Boards. Institutional bulletin boards which comply with the standards for ground signs, herein.
- (j) Political Signs. Political signs subject to the following:
 - 1) Political signs shall be removed within ten (10) days following that election or event.
 - 2) Said signs shall not be placed closer than one hundred (100) feet from any polling place entrance and shall obtain permission from the owner of the property upon which the sign is to be located.
 - 3) No political sign is to exceed eight (8) square feet in area, and in the case of a ground-mounted political sign, the height may not exceed four and one-half (4.5) feet.
- (k) Real Estate Signs. Real estate signs subject to the following:
 - 1) Temporary Real Estate Signs.
 - a) Such signs shall be limited to ground or wall signs only. One (1) sign shall be permitted per parcel, regardless whether the property is represented by more than one real estate agency.

- b) Maximum sign area shall not exceed forty-two (42) square feet.
 - c) Sign height shall not exceed four and one half (4.5) feet for a ground sign or eight (8) feet for a wall sign.
 - d) Placement shall be wholly within the property boundaries to which the sign pertains.
 - e) The sign may be erected at the time the property is offered for sale and shall be removed within ten (10) days of the sale or lease of the property.
- 2) Permanent Leasing Signs: Permanent leasing signs erected for a period of one (1) year or longer shall be subject to the following:
- a) If the permanent leasing sign is a ground sign, it shall be a monument sign and it shall be subject to the location, setback, and other applicable standards in Section 14.10.5.(a).
 - b) If the permanent leasing sign is a wall sign, it shall be subject to the applicable standards in Section 14.10.5.(b).
 - c) Permanent leasing signs shall comply with the maximum sign area and sign height requirements that apply to temporary real estate signs.
 - d) Such signs shall be maintained in good repair, and shall be replaced or renovated when weathered or worn.
- (l) Temporary Construction Signs. Temporary construction signs subject to the following:
- 1) Such signs shall be limited to ground or wall signs. One (1) sign shall be permitted per street frontage.
 - 2) Total area of all temporary construction signs on a premises shall not exceed thirty-two (32) square feet.
 - 3) Sign height shall not exceed four and one half (4.5) feet for a ground sign or eight (8) feet for a wall sign.
 - 4) Placement shall be wholly within the property boundaries to which the sign pertains.
 - 5) The sign shall not be erected prior to issuance of a building permit for the proposed construction project and shall be removed upon issuance of a Certificate of Occupancy.
- (m) Banners. Banners used to draw attention to vehicle dealerships are permitted, provided that there is a maximum of one (1) banner on each pole, and provided that they have no written message or corporate identity. Each banner shall not exceed a maximum area of twenty (20) square feet.

- (n) Gasoline Service Station Signs. Because of the nature of the use, gasoline service stations have sign needs that are unique from other uses. Gasoline service stations are relatively high traffic facilities and typically located at very high traffic locations and intersections. Such locations offer limited opportunity for driver indecision, increasing the importance of good signage to communicate and avoid traffic accidents. Further, the public expects to see automotive fuel prices posted in a consistent and clear format. In keeping with the design and uniformity purposes of the Ann Arbor Road District, gasoline service stations shall meet the design requirements of the Ann Arbor Road District Architectural Standards. However, to reflect the above-referenced character and needs of the use, signs for gasoline service stations shall be permitted as follows:
- 1) One (1) monument sign, subject to the requirements of Section 14.10.5(a). The Township understands that the traveling public expects to see updated, clear, and precise automotive fuel pricing from off-site, and further, that fuel prices change from day to day. If automotive fuel is not visible, or is unavailable or removed, it would cause great inconvenience to residents of the Township and the traveling public. Further, it is documented, by the National Highway Traffic Safety Administration (NHTSA) and others, that it is dangerous to distract a driver's attention from the road. Clear and accurate price numerals may help to reduce the number of traffic accidents associated with the distraction of drivers from inaccurate and unclear gasoline pricing. While in general electronic changeable copy signs are not consistent with the established, planned and desired appearance of the Ann Arbor Road corridor, for the limited application of automotive fuel pricing only, the Township finds it acceptable. In consideration of these factors, changeable copy may be permitted as part of a monument sign for a gasoline service station subject to the following:
 - a) Only the individual fuel price numbers shall be permitted to be changeable copy. The changeable copy portion of the sign shall be manual or electronic.
 - b) The fuel price number height shall not exceed nine (9) inches.
 - c) The changeable copy portion of the sign shall consist of no more than 1 background color and 1 number color.
 - d) The base of any monument sign containing fuel price changeable copy shall be brick, with limestone capped brick piers on the two ends of the sign. The sign shall not project above the brick piers by more than one-half of the message area's height.
 - e) The area of the changeable copy shall be counted toward the maximum sign area.
 - f) All electronic numbers used in the price of fuel shall be designed to automatically adjust their brightness under varying light conditions to maintain legibility, avoid glare, and eliminate visual impact on nearby areas of the Township.

- 2) One (1) wall sign, subject to the requirements of Section 14.10.5(b).
- 3) One (1) canopy sign per street frontage, (up to a maximum of two (2), and limited to no more than one (1) sign on any canopy face, subject to the following conditions:
 - a) The length of the canopy sign shall not exceed 10% of the length of the canopy façade (See Canopy Sign Example diagram).
 - b) The sign shall be a minimum of six (6) inches from the top and six (6) inches from the bottom of the canopy façade (See diagram). Further, the sign shall have a minimum separation of six (6) inches from any accent color on the fascia.

(Refer to Section 14.2.4(c) Ann Arbor Road Corridor Architectural Standards for detailed standards on gas station canopies).



Canopy Sign Example

- (o) Time-Temperature Signs. Time-Temperature signs subject to the following:
 - 1) Time-Temperature signs incorporate information that is considered a public service for the benefit of the traveling public, and therefore may be permitted as part of the sign face of a ground sign.
 - 2) The electronic numerals used in the Time and Temperature portion of the sign shall not scroll, blink, move, flash, exit or enter from the outside area of the copy or across the face of the sign or otherwise create a sense of movement. The sign may display either the time or the temperature or both together, but shall not switch between time and temperature. The electronic numerals shall only change when there is an actual change in time or temperature. In no case shall any such change occur in intervals of less than one minute.

6. Permit Required; Permit Exemptions

Except as noted in this sub-section, all signs shall require a permit prior to installation. The following signs shall be permitted without obtaining a sign permit:

- (a) Street Address Signs (Required). For purposes of identification by emergency personnel (fire, police, EMS) all businesses, offices, and industrial buildings shall prominently display their street address on the front side (facing the street) of their building or upon freestanding signs or building entranceways. All street addresses shall be in Arabic numerals, each numeral shall be large enough to be easily read from the street, but in no event smaller than four (4) inches high by two and one half (2 ½) inches wide, except for numeral one (1) which shall have a width in proportion to its height. Street Address Signs shall not exceed three (3) square feet in area. All numerals shall contrast with the surface they are applied to (light numerals on dark surfaces, dark numerals on light surfaces) shall be mounted high enough to be seen from the street, and shall not be obstructed from view by trees, shrubs or any other material. If the business cannot be seen from the street, an additional street address sign shall be displayed in an area where it can be seen from the street. Street Address Signs shall not be counted in the maximum sign area or maximum number of signs allowed on a parcel.
- (b) Name plates identifying the occupant or address of a parcel of land not exceeding two (2) square feet in area.
- (c) Window signs not exceeding two (2) square feet in area indicating the hours of operation for a business, and whether a business is open or closed.
- (d) Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.
- (e) For Sale signs attached to vehicles.
- (f) Flags bearing the official design of a nation, state, municipality, educational institution or non-profit organization.
- (g) Traffic safety and control signs erected by or on behalf of a governmental body, or other municipal signs such as the following: legal notices, railroad crossing, danger and other emergency notices as may be approved by the municipality.
- (h) Community special event signs including municipal streetscape banners approved by the municipality.
- (i) Private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices published in accord with Section 508 of Public Acts 300 or 1949, as amended.
- (j) Park and playground signs.
- (k) Political signs, subject to the requirements in Section 14.10, sub-section 5.(k).
- (l) Temporary real estate signs.
- (m) Any sign required by the municipality to be posted.
- (n) Community entrance and streetscape signs erected by the municipality.

7. Nonconforming Signs

- (a) Any sign lawfully existing at the time of the adoption of this amendment which does not fully comply with all provisions shall be considered a legal nonconforming sign

and may be permitted to remain as long as the sign is properly maintained and not detrimental to the health, safety and welfare of the community.

- (b) Continuance. Nonconforming signs shall not:
 - 1) be expanded or changed to another nonconforming sign;
 - 2) be relocated, or altered so as to prolong the life of the sign, or so as to change the shape, size, type, placement, or design of the signs structural or basic parts;
 - 3) be enhanced with any new feature including the addition of illumination;
 - 4) be repaired, except if such repair brings the sign into conformance with this ordinance, if such repair involves any of the following:
 - a) expense which exceeds fifty (50) percent of the sign's appraised value as determined by the designated municipal official;
 - b) necessitates the replacement of both the sign frame and sign panels;
 - c) replacement of the signs primary support pole(s) or other support structure;
 - d) for signs without framework for sign panels, requires replacement of the sign panels;
 - 5) be replaced;
 - 6) be re-established after the activity, business, or use to which it related has been discontinued for ninety (90) days or longer.
- (c) Permitted Modification. The following modifications may be permitted:
 - 1) a change solely in the wording of the copy; and routine repair to maintain the sign in a safe and aesthetic condition exactly as it existed at the time of the enactment of this amendment.
- (d) Elimination of Nonconforming Signs. The municipality may acquire by purchase, condemnation, or by other means any nonconforming sign which it deems necessary to preserve the health, safety, and welfare of the community's residents.

8. Modification to Sign Requirements

In consideration of the overall site and building design, the Planning Commission may modify the specific sign requirements outlined herein, provided that any such adjustment is in keeping with the intent of this Section and the Ordinance in general. In determining whether a modification is appropriate, the Planning Commission shall consider the following:

- (a) Topographic features or other unique features of the site that create conditions under which strict application of the sign regulations would be impractical or infeasible.

- (b) Vehicular circulation, site access, and motorist visibility as related to sign placement and traffic safety.
- (c) Impact of proposed modifications on surrounding properties.
- (d) The extent to which the public benefit intended by the sign regulations could be better achieved with a sign that varies from the requirements specified herein.

9. Variances

The Zoning Board of Appeals (ZBA) shall have authority to vary the restrictions relating to the ARC District upon finding that practical difficulties exist and that the strict application of this Article would place the applicant at a substantial and significant disadvantage with respect to other signs controlled by the Article. Comparisons to existing nonconforming signs shall not be considered by the ZBA.

10. Noncommercial Message Permitted

Anything in this chapter to the contrary notwithstanding, a sign structure permitted in this chapter as an on-premise advertising sign or an off-premises advertising sign may contain a non-commercial message.

SEC. 14.11 AMENDMENTS

1. Purpose

The purpose of this section is to provide for coordination by which the City and the Township may amend the text and/or district boundaries of the ARC, Ann Arbor Road Corridor District. Amendments which would affect the continuity of the boundaries, or uniformity of the District's regulations by creating differences between the City and Township lands, are contrary to the intent of the ARC District.

2. Amendment Requirements (as amended on 9/30/07)

The Township Board or the City Commission may, from time to time, on recommendation from its respective Planning Commission, on its own initiative or on petition, amend, supplement, modify or change the district boundaries or regulations herein, pursuant to the authority of its respective enabling legislation (Michigan P.A., as amended). Amendments to the text of the ARC District and amendments which would remove land from the ARC District shall require approval of both the City Commission and Township Board. Amendments which would add land to the ARC District shall require approval from only the municipality having jurisdiction over that land.

END OF ARTICLE 14.

Article 14: ARC Ann Arbor Road Corridor District

Amendments

**THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO
THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004**

**ALL AMENDMENTS TO
ARTICLE XIV (14)**

ALL AMENDMENTS TO ARTICLE XIV (14)

The following language was amended on 10/25/07

SEC. 14.10 SIGNS

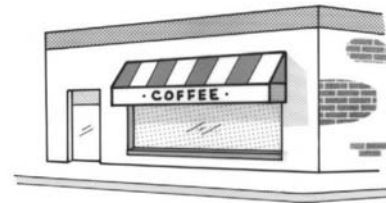
1. Purpose

The purpose of these sign regulations is to provide for a unified approach to managing the size, placement, number and appearance of signs within the Ann Arbor Road Corridor District. Within the framework of the long term cooperative effort between the City and Charter Township of Plymouth, this Section is intended to promote a balance between business advertising needs, the aesthetic recommendations of the Ann Arbor Road Plan and design guidelines, and the safety needs of the passing motorist.

2. Definitions

(a) **Abandoned sign.** A sign which, for ninety (90) consecutive days, fails to direct a person to or advertise a bona fide business, tenant, owner, product or activity conducted, or product available on the premises where such a sign is displayed.

(b) **AWNING.** A protective, rooflike covering, attached to the face of a building, as might be located over a window or door.



Awning Sign

(c) **Awning OR CANOPY sign.** A sign which is painted on, printed on or attached flat against the surface of an awning or canopy.

(d) **BUSINESS CENTER.** A group of two (2) or more contiguous stores, businesses or offices, research facilities or industrial facilities developed as a planned complex which collectively have a name different from the name of any individual business, are under common ownership or management and share common parking areas, pedestrian areas, are linked architecturally or otherwise present the appearance of one (1) development site. Business centers may include shopping centers and other multi-tenant buildings.

(e) **CANOPY:** A rooflike architectural structure, typically attached to the face of a building, and used to provide protection from the elements (e.g., a canopy over a walkway or a gas station canopy).



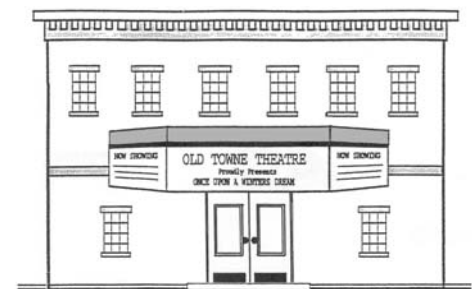
Canopy Sign

(f) **CHANGEABLE COPY SIGN.** A sign that is designed so that the message can be changed, by physically replacing letters or by electric or electronic means.

(g) **CONSTRUCTION SIGN.** A ground or wall sign listing the name of the project developers, contractors, engineers, or architects on the site being developed.

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- (h) **DIRECTIONAL SIGN.** A ground sign located at the entry and/or exit of a business or commercial establishment which facilitates traffic flow.
- (i) **DIRECTIONAL SIGN, OFF-PREMISES.** A monument sign, the sole purpose of which is to direct traffic to one or more commercial businesses which are located on premises without frontage on or visual exposure to a major thoroughfare or collector road. Such businesses shall front on a road or easement which is used for their primary public ingress and egress from the major thoroughfare or collector road. The purpose of the off-premises directional sign is to facilitate the flow of traffic, encourage the concentration of commercial uses, discourage strip commercial development, and not to advertise the business or products or services offered, (however, directional signs may have the logo and/or name of the business to which the sign relates).
- (j) **FESTOON SIGN.** Banners, pennants, incandescent light bulbs, or other such temporary features which are hung or strung overhead and which are not an integral, physical part of the building or structure they are intended to serve.
- (k) **FLASHING, ANIMATED, OR MOVING SIGN.** A sign that has intermittently reflecting lights, or signs which use intermittent, flashing, scintillating, or varying intensity of illumination to create the appearance of movement, or a sign that has any visible portions in motion, either constantly or at intervals, whether caused by artificial or natural sources.
- (l) **GROUND SIGN.** A sign supported by one or more uprights, poles, braces, or a masonry base, or a monument placed in or upon the ground surface and not attached to any building. Ground signs shall include monument and pole signs.
- (m) **INFLATABLE SIGN.** A sign that is either expanded or its full dimensions are supported by gases contained within the sign, or a sign part, at a pressure greater than atmospheric pressure.
- (n) **ILLUMINATED SIGN.** A sign that is illuminated by a direct or indirect source of light so shielded that no direct rays from it are visible from any public right-of-way or from the abutting property.
- (o) **INSTITUTIONAL BULLETIN BOARD.** A structure containing a surfaced area upon which is displayed the name of a religious institution, school, library, community center or similar institutions, and the announcement of its services or activities.
- (p) **MARQUEE:** A rooflike structure, often bearing a sign, projecting over an entrance to a theater.
- (q) **MARQUEE SIGN.** A sign attached to a marquee projecting from and supported by the building.
- (r) **MENU BOARD OR ORDER BOARD.** A sign which is intended to service patrons using a drive-thru facility.
- (s) **MONUMENT SIGN.** A ground sign that is mounted on a base which is in contact with or close to the ground. The base of a monument sign



Marquee Sign

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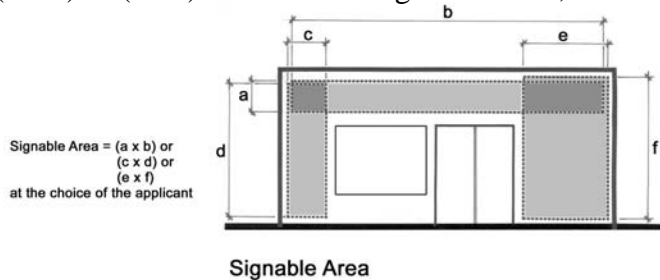
Amendments

shall be no less than 75% of the greatest horizontal dimensions of the sign face, and the vertical separation between the lowest point of the sign face and the highest point of the sign base shall be no greater than twelve (12) inches.

- (t) **MONUMENT SIGN BASE.** The lower part of a monument sign which may appear as a separate architectural feature, and serves as its ground support.
- (u) **NEON SIGN.** A sign consisting of glass tubing, filled with neon or another gas, which glows when electric current is sent through it.
- (v) **NONCONFORMING SIGN.** Any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this ordinance, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this chapter.
- (w) **OFF-PREMISES SIGN.** A sign which contains a message unrelated to a business or profession conducted on the premises, or to a commodity, service or activity, not sold or offered upon the premises where such sign is located.
- (x) **PANEL SIGN.** A sign whose letters and/or symbols are on a panel contained within a frame, incorporated into a framed background which is an integral part of the sign. This definition is intended to distinguish between panel signs and signs consisting of individual freestanding letters and/or symbols.
- (y) **PERMANENT WINDOW SIGN.** A window sign that is constructed of materials that do not require replacement on a frequent basis (in contrast to temporary paper window signs).
- (z) **POLE SIGN.** A ground sign that is mounted on a freestanding pole(s) or other support(s) with a clear space of eight (8) feet or more between the bottom of the sign face and the grade.
- (aa) **POLITICAL SIGN.** A temporary sign, relating to the election of a person or persons to public office, or relating to a political party, or relating to a matters to be voted upon in a local, state or national election or referendum.
- (bb) **PORTABLE SIGN.** A freestanding sign not permanently anchored to secured to either a building or the ground, such as, but not limited to trailers, "A" frame and "T" shaped sign structures, including those mounted on wheeled trailers.
- (cc) **PREMISES.** Any lot or parcel of land, or building or site as otherwise used in this ordinance; a unit of contiguous real property under common ownership.
- (dd) **PROJECTING WALL SIGN.** A sign that is attached to and projects from a building wall at an angle of up to ninety (90) degrees. A projecting wall sign does not include canopy, awning, roof, marquee, or internally illuminated signs.
- (ee) **REAL ESTATE SIGN.** A non-illuminated sign for the purpose of advertising or promoting the sale, lease or rental of real estate. A PERMANENT LEASING SIGN is a real estate sign that is erected for an indefinite period of time for the purpose of offering space in a building for lease.

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- (ff) **ROOF SIGN:** A sign erected, constructed and maintained wholly upon or over the roof of any building, with its principal support on the roof structure. For purposes of this section. any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type, shall be considered as a roof. A vertical plane or fascia which is attached to and located below the angled plane of a sloped roof and which is less than 6 inches in height, shall be considered part of the roof.
- (gg) **SERVICE CLUB ENTRANCE SIGN.** A sign, usually located along the main entrance ways to a community, displaying the names of service clubs and organizations, their meeting schedule and usually including the service club symbol or logo. The name of the community and a short salutary message may also be included.
- (hh) **SIGN.** Any name, identification, description, object, device, structure, display or illustration which is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, service, event, organization, or business by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.
- (ii) **SIGNABLE AREA.** A continuous surface or wall unobstructed by windows, doors and other major architectural details. The signable area shall equal the area of (a x b) or (c x d) or (e x f) in the following illustration, at the choice of the applicant.



- (jj) **TEMPORARY SIGN.** Any sign regardless of size and materials that is not permanently fastened to any structure, such as posts with permanent footings, and that is limited in duration to thirty (30) days, except as otherwise specified. Temporary signs include paper window signs, inflatable signs, banners and pennants.
- (kk) **TIME-TEMPERATURE SIGN.** A sign which displays the current time or outdoor temperature or both, and which displays no material except for the name of a business, product or service.
- (ll) **UNDERHANGING SIGN.** A sign that is located on the underside of a canopy or walkway, typically for the benefit of pedestrians.
- (mm) **VEHICLE BUSINESS SIGN.** A sign painted or attached to a vehicle which is located on a premises primarily for purposes of advertising the business or product for sale on the premises. Commercially licensed vehicles which are generally used daily off-site are not included in this definition.

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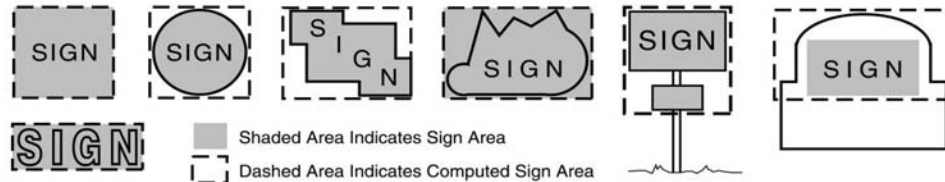
Amendments

- (nn) **WALL SIGN.** A sign which is attached directly to or painted upon a building wall and which does not extend above the height of the wall to which it is attached, nor more than twelve (12) inches therefrom, with the exposed face of the sign in a plane parallel to the building wall. Included in the definition of wall signs are signs mounted flat against the building fascia, provided the sign does not protrude beyond any boundary of the fascia.
- (oo) **WINDOW SIGN.** A temporary or permanent sign painted on or affixed to a window surface, suspended so as to hang more or less parallel with the window surface, or otherwise displayed in a manner intended to be viewed from outside the window.

3. General Standards

The following general standards shall apply to signs in the ARC, Ann Arbor Road Corridor District:

- (a) **Measurement of Sign Area.** The entire area within a rectangle or square enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame, tower, or other material or color or internally illuminated area forming an integral part of the display or used to differentiate such sign, shall be included in the measurement. Such signs shall be deemed to be a single sign whenever the proximity, design, content or continuity reasonably suggests a single unit, notwithstanding any physical separation between parts.



Computation of Sign Area

- 1) Where a sign has two or more 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 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 as the area of the larger face, if the two faces are of unequal area.
- 2) For ground signs, the area shall include the entire area of the sign upon which copy, lettering, drawings or photographs could be placed, excluding necessary uprights or supports. For monument signs, the base of a monument sign shall be excluded from the calculation of sign area for a distance to thirty (30) inches above grade. Streetscape and landscape features which in the determination of the Planning Commission, are an integral part of the sign design shall also be excluded from the calculation of sign area.

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- 3) For internally-illuminated awnings or canopies, the entire flat surface of the awning or canopy upon which the message is written shall be included in the sign area calculation. Signs mounted on awnings and canopies that are not internally-illuminated shall be subject to the sign area standards of measurements specified in paragraph (a), above.
- 4) For paper window signs the area shall include, the entire area of the paper. Where adjacent paper window signs are within eight (8) inches of each other, they shall be measured as a single sign.
- (b) Sign Setback. Where it is specified that a sign must be setback a minimum or other certain distance from property lines, street setback lines or public right-of-way lines, such distance will be measured from the portion of the sign structure nearest to the specified line. For purposes of this measurement, the property lines, street setback lines and public right-of-way lines extend perpendicularly from the ground to infinity.
- (c) Sign Height. The height of a ground sign shall be the distance from the average level of the ground or pavement directly below the sign to the highest point of the sign structure, including any supportive or decorative appendages, without including any berm landscaping, grading, or artificially or unnaturally constructed raised portion of land at the point of measurement.
- (d) Underground Wiring. Where illumination is desired, underground wiring shall be required for all signs not attached to a building.
- (e) Sign Lettering. Any sign which is proposed to include letters, symbols, emblems or other figures of similar character, which are larger than 16 inches, shall require Planning Commission approval.

4. Prohibited Signs

Except as permitted by Section 28.43, the following signs shall be prohibited:

- (a) Festoon signs.
- (b) Signs which incorporate in any manner any flashing of intermittent lights.
- (c) Inflatable signs, except as provided in Section 28.43.
- (d) Off-premises advertising signs.
- (e) Portable signs.
- (f) Roof signs. For the purpose of this section any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type shall be considered the same as a roof and no sign shall be permitted upon it. A vertical plane or fascia which is located below the angled plane of a sloped roof or roof element and which is less than 6 inches in height, shall be considered part of the roof and not used for signage.
- (g) Vehicle business sign.

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- (h) Banners, pennants, spinners and streamers, except as provided in Section 14.10.5.(n) and 14.10.6.(h) for banners.
- (i) Any sign which revolves or has any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic pulsations, or by mechanical means, including intermittent electrical pulsations, or by action of normal wind currents, except those actions associated with street time/temperature signs.
- (j) A sign or sign structure which is determined by the Building Official to be:
 - 1) Structurally unsafe.
 - 2) A hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment.
 - 3) Not kept in good repair.
 - 4) Capable of causing electrical shocks to persons likely to come in contact with it.
- (k) Any sign which by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, or by obstructing, or detracting from the visibility of any traffic sign or control device on public streets and roads.
- (l) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit.
- (m) Signs which make use of such words as “Stop”, “Look”, “Danger”, or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse vehicular traffic.
- (n) Any sign unlawfully installed, erected or maintained.
- (o) Any sign now or hereafter existing which advertises a product, service or business no longer available at that location, including abandoned signs.
- (p) Wall panel signs.
- (q) Pole signs.
- (r) Electronic or electric changeable copy signs, except as permitted Time-Temperature signs.
- (s) Neon or string lights used to highlight architectural features, or to frame a window or door, except as may be permitted under Section 28.8 Exterior Lighting.
- (t) Any type of sign not expressly permitted.

5. Area, Height, Placement and Other Regulations for Permitted Signs

- (a) Ground signs.

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- 1) Type: All ground signs shall be monument signs.
- 2) Location: Ground signs shall be located wholly within the boundaries of the property to which the sign relates, exclusive of the street setback or road right-of-way area.
- 3) Setback: On premises with street frontage less than 200 feet, ground signs shall be setback a minimum of five (5) feet from the existing right-of-way or street setback line, whichever is greater. On premises with a street frontage of 200 feet or greater, ground signs shall be setback a minimum of 10 feet.
- 4) Sign Area:
 - a) On premises with street frontage less than 200 ft., the maximum sign area shall be twenty five (25) square feet at the five (5) foot setback line. However, the maximum sign area shall be permitted to increase one (1) square foot for each additional foot of setback, to a maximum area of forty two (42) square feet. The base of a monument sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade.

maximum sign area premises with street frontage less than 200 feet		
Distance From Street Setback Line	Maximum Height	Maximum Sign Area
5 ft.	8 ft.	25 sq. ft.
6 ft.	8 ft.	26 sq. ft.
7 ft.	8 ft.	27 sq. ft.
8 ft.	8 ft.	28 sq. ft.
9 ft.	8 ft.	29 sq. ft.
10 ft.	8 ft.	30 sq. ft.
11 ft.	8 ft.	31 sq. ft.
12 ft.	8 ft.	32 sq. ft.
13 ft.	8 ft.	33 sq. ft.
14 ft.	8 ft.	34 sq. ft.
15 ft.	8 ft.	35 sq. ft.
16 ft.	8 ft.	36 sq. ft.
17 ft.	8 ft.	37 sq. ft.
18 ft.	8 ft.	38 sq. ft.
19 ft.	8 ft.	39 sq. ft.
20 ft.	8 ft.	40 sq. ft.
21 ft.	8 ft.	41 sq. ft.
22 ft.	8 ft.	42 sq. ft.
More than 22 ft.	8 ft.	42 sq. ft.

- b) On premises with a street frontage of 200 feet or greater, the maximum sign area shall forty two (42) square feet at the ten (10)

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foot setback line. However, the maximum sign area shall be permitted to increase based upon each additional foot of setback, to a maximum area of sixty (60) square feet in accordance with the following chart. The base of a monument sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade.

MAXIMUM Sign Area Premises with Street Frontage 200 Feet or Greater		
Distance From Street Setback Line	Maximum Height	Maximum Sign Area
10 ft.	10 ft.	42 sq. ft.
11 ft.	10 ft.	43 sq. ft.
12 ft.	10 ft.	45 sq. ft.
13 ft.	10 ft.	46 sq. ft.
14 ft.	10 ft.	48 sq. ft.
15 ft.	10 ft.	49 sq. ft.
16 ft.	10 ft.	51 sq. ft.
17 ft.	10 ft.	52 sq. ft.
18 ft.	10 ft.	54 sq. ft.
19ft.	10 ft.	55 sq. ft.
20 ft.	10 ft.	57 sq. ft.
21 ft.	10 ft.	58 sq. ft.
22 ft.	10 ft.	60 sq. ft.
More than 22 ft.	10 ft.	60 sq. ft.

- 5) Height: The maximum height shall be as follows:
 - a) On premises with a street frontage less than 200 feet: eight (8) feet.
 - b) On premises with a street frontage of 200 feet or greater: ten (10) feet.

- 6) Number: One (1) ground sign shall be permitted per street frontage on any parcel. However, only one (1) sign shall be permitted on lots having frontage on more than one street if a single sign can be located such that it is visible from both streets. In multi-tenant buildings or shopping centers, the sign area may be allocated for use by individual tenants.

- 7) Planning Commission Review; Design Standards: The Planning Commission shall review all ground sign applications to assure compliance with the design, placement and dimensional standards of this Article. The following design standards shall apply:

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- a) Monument signs shall have a brick base or an approved equal subject to Planning Commission approval. Signs shall harmonize with the Ann Arbor Road Streetscape materials, and be incorporated into the streetscape design. Brick shall be Wyandotte Modular consistent with the standards and requirements of the Ann Arbor Road Streetscape Prototype, “Ann Arbor Road Standard Design Details” as adopted by the Planning Commission and the Plymouth Township DDA, dated October 16, 2003, and as may be modified from time to time.
 - b) The base of any ground sign shall be landscaped to create a year round buffer for the sign.
 - c) Lettering style shall be clean and simple to assure readability and shall be in harmony with the style of architecture of the building. Generally, no more than two (2) different fonts shall be used on each sign.
 - d) It is the intent of this Ordinance to require signs to be in harmony with the building color and architecture, therefore generally, no more than three (3) colors may be used per sign and one (1) uniform, background color. Established company logos are exempt from color limitations. An established company logo is one that has historically been used as a symbol representing the company. For the purposes of this regulation, black and white shall be considered colors.
 - e) Sign messages shall be located at least thirty (30) inches above the ground to allow for snow accumulation and plant growth.
- 8) Changeable Copy Signs: Changeable copy ground monument signs shall be permitted, subject to all of the requirements for ground signs specified herein, and the following additional requirements:
- a) Letter height shall not exceed four (4) inches,
 - b) Electronic or electric changeable copy signs are not permitted.
 - c) The area of the changeable copy sign shall be counted toward the maximum ground sign area.
 - d) The base of the sign shall be brick, with limestone capped brick piers on the two ends of the sign. The changeable copy sign shall not project above the brick piers by more than one-half of the message area’s height.
- (b) Wall signs.
- 1) The maximum wall sign area permitted shall be fifty (50) percent of the signable area letters, up to a maximum wall sign area of forty-two (42) square feet. On a premises with an Ann Arbor Road street frontage of 200

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feet or greater, permitted wall sign area shall be thirty (30) percent of the signable area, up to a maximum of ninety (90) square feet (see Table).

Maximum Wall Sign Area 200 FT. OR GREATER FRONTAGE ON ANN ARBOR ROAD		
Signable	Maximum Percent of Signable Area	Maximum Wall Sign Area
50 sq. ft.	30%	15 sq. ft.
75 sq. ft.	30%	22.5 sq. ft.
100 sq. ft.	30%	30 sq. ft.
125 sq. ft.	30%	37.5 sq. ft.
150 sq. ft.	30%	45 sq. ft.
175 sq. ft.	30%	52.5 sq. ft.
200 sq. ft.	30%	60 sq. ft.
225 sq. ft.	30%	67.5 sq. ft.
250 sq. ft.	30%	75.0 sq. ft.
275 sq. ft.	30%	82.5 sq. ft.
300 sq. ft.	30%	90 sq. ft.
Above 300 sq. ft.		90 sq. ft.

Maximum Wall Sign Area Individual Letters		
Signable Area	Maximum Percent of Signable Area	Maximum Wall Sign Area
20 sq. ft.	50%	10 sq. ft.
30 sq. ft.	50%	15 sq. ft.
40 sq. ft.	50%	20 sq. ft.
50 sq. ft.	50%	25 sq. ft.
60 sq. ft.	50%	30 sq. ft.
70 sq. ft.	50%	35 sq. ft.
80 sq. ft.	50%	40 sq. ft.
84 sq. ft.	50%	42 sq. ft.
Above 84 sq. ft.		42 sq. ft.

In the case of a wall sign which advertises mores than one business or tenant, the maximum permitted sign area shall be allocated between the businesses or tenants.

- 2) Maximum height of a wall sign shall be the height of the wall to which the sign is attached, not to exceed thirty-five (35) feet.
- 3) One (1) wall sign shall be permitted on each facade which has a separate public means of ingress and egress. In the case of a building with more than

one tenant, such as a shopping center or business center, one (1) wall sign shall be permitted for the center itself and for each tenant that has its own separate door to the outside to provide public access.

- 4) Tenants that occupy a corner space in a multi-tenant structure shall be permitted to have one (1) sign on each facade of the building which has a separate direct pedestrian access to that office or business establishment from the outside. Where several tenants use a common entrance in a multi-tenant structure, only one (1) wall sign shall be permitted, but the total sign area should be allocated on an equal basis to all tenants.
 - 5) Where separately owned businesses occupying a single building on a single parcel of land (such as a multi-tenant building, business center or shopping center) use individual wall signs, all such signs on the building or within the center shall be of a common style, e.g., individual freestanding letters shall be utilized with other signs composed of individual freestanding letters.
 - 6) Panel signs shall be prohibited, except that the Planning Commission may permit panel signs upon finding that other types of permitted signs would not be practical or feasible because of the shape, character or configuration of the building or site and/or because of the nature of the message being conveyed.
- (c) Projecting signs. Instead of wall or marquee sign, a business may be permitted to have a projecting sign, subject to the following specifications:
- 1) The maximum area of a projecting sign shall be twenty-five (25) square feet on buildings located ten (10) feet or less from the street setback line. The maximum area of a projecting sign shall be permitted to increase one (1) square foot for each additional foot of setback greater than ten (10) feet to a maximum area of forty-two (42) square feet.
 - 2) One (1) projecting sign shall be permitted on each façade which has a separate public means of ingress and egress.
 - 3) Projecting signs shall be permitted only on zoning lots of fifty (50) feet or more on the side on which the sign is to be mounted.
 - 4) Projecting signs shall extend no higher than the height of the wall to which the sign is attached and no higher than the window sill of second story windows. Eight (8) feet, six (6) inches of clearance is required beneath projecting signs.
 - 5) Signs must project at a ninety (90) degree angle to the building surface to which it is attached. Angular projection at the corner of a building is prohibited.
 - 6) Signs shall not project more than five (5) feet over the property line and more than four (4) feet from the face of the building or one-third of the sidewalk width, whichever is less.

- 7) Projecting signs shall be attached directly to a building through building mounts or hung from a mast arm. These support members may also include decorative appurtenances, but external bracing such as guy wires and metal framework shall be prohibited.
 - 8) Projecting signs shall be spaced a minimum of twenty-five (25) feet apart.
 - 9) Projecting signs shall not be internally illuminated.
 - 10) Projecting signs shall not contain changeable copy.
- (d) Underhanging Signs. Where the roof structure of a building containing more than one business is extended over a walkway along the outer edge of the building, one pedestrian oriented underhanging sign may be permitted for each business in the building provided:
- 1) All signs are of identical size, shape, lettering style, and color scheme.
 - 2) All signs shall contain the name of the business only
 - 3) Maximum of six square feet.
- (e) Awning, Canopy and Marquee Signs. Instead of a wall or projecting sign, a business may be permitted to have an awning, canopy or marquee sign, subject to the following specifications:
- 1) Marquee signs may be permitted, subject to the following:
 - a) Maximum area shall not exceed fifty (50) percent of the signable area up to a maximum of forty two (42) square feet. For this purpose, signable area shall be calculated as if the marquee did not exist.
 - b) Placement. The display surface of the sign shall be attached flat against, and not extending above, below or beyond, the vertical surface of the marquee structure.
 - c) Maximum height - no portion of a marquee sign shall be higher than the top of the marquee or the eave line of a building.
 - 2) Awning and Canopy Signs. Awning and canopy signs may be permitted, subject to the following:
 - a) The maximum area shall not exceed that which is permitted for a wall sign, based on using the vertical face of the awning or canopy for calculation of signable area.
 - b) Placement. Awning and canopy signs shall be affixed or attached flat against a vertical surface of the awning or canopy, and shall not extend above, below or beyond the vertical surface of the awning or canopy.
 - c) Maximum height. No portion of an awning or canopy sign shall be higher than the eave line of the building.

(f) Window Signs

- 3) A maximum of twenty (20) percent of the glass surface of the window segment in which the sign is located may be used for window signs.
- 2) No such signs shall be permitted in windows above the first story.
- 3) No more than two (2) temporary window signs shall be permitted.

(g) Flags. Flags bearing the official design of a corporation or award flags subject to the following:

- 1) Such corporation or award flags shall be displayed on flag poles only. Attachment to any other site fixture or feature shall be prohibited.
- 2) A maximum of two (2) such flags shall be permitted for each flag pole provided.
- 3) The maximum number of flag poles permitted per individual business shall be determined in accordance with the following table:

MAXIMUM NUMBER OF FLAG POLES PERMITTED	
Street Frontage in Feet	Maximum Number of Flag Poles Permitted
0-210	1
211-300	3
301 or greater	5

- 4) Placement of flag poles shall be in a manner and location subject to the following requirements:
 - a) The placement shall not impact adjacent properties, in particular, those of a residential nature.
 - b) The height of flagpoles shall conform to the height restrictions of the ARC District for buildings and structures. A flagpole shall be deemed to a structure under all provisions of this Ordinance. Flagpoles shall comply with the setback requirements for structures.
 - c) The placement shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic.
 - d) The size, content, coloring or manner of illumination of said flags shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
 - e) No flag shall be permitted to project into the road right-of-way at full extension of the flag.
- 5) Flag poles shall not be located on the roof of a building.

(h) Directional Signs. Directional signs intended to assist vehicular traffic flow subject to the following:

1) On-Premises Directional Signs:

- a) Directional signs shall not exceed two (2) square feet per side, nor exceed two (2) sides.
- b) Said signs may incorporate a corporation or business logo provided the main theme of the sign shall be to facilitate vehicular traffic flow.
- c) Placement shall be within the subject property; no such signs shall be permitted within the street setback area or right-of-way.
- d) The size, content, coloring, placement or manner of illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
- e) Directional ground signs shall not exceed a height of six (6) feet and may be located one (1) at each driveway entrance.
- f) No more than one (1) directional wall sign may be located at each building entrance.

2) Off-Premises Directional Signs:

- a) In order to encourage the clustering of businesses, and minimize strip commercial development in accordance with the community Master Plan, while still allowing necessary and reasonable identification of businesses, facilitating the orderly flow of traffic, and avoiding unnecessary proliferation and excessive size of signs on major thoroughfares, off-premises directional signs may be permitted on a limited basis.
- b) Off-premises directional signs are permitted only upon review and approval of the Planning Commission, subject to compliance with the following conditions:
 - 1) Approval of the sign would serve to further the purposes specified in Section 14.10.5 paragraph (h) 2) a) above.
 - 2) The Planning Commission shall determine that the ARC zoned business has no frontage or access from a major thoroughfare; the premises of said business are within one thousand two hundred (1,200) feet of said thoroughfare; said business is not visible from a major thoroughfare, or is visible from a major thoroughfare but with no clear indication of how to access the business; and that adequate identification of the business and direction of traffic to the business would not be possible without an off-premises directional sign.
 - 3) No off-premises directional sign shall be permitted without a recorded easement or executed agreement that accomplishes all of the following:

- a) states that the owner of the parcel on which the sign is to be placed grants permission for the off-premises directional sign to be located on the parcel,
 - b) stipulates which parcel(s) are entitled to use of the off-premises directional sign, and
 - c) specifies how the sign is to be maintained and establishes a means to assure that maintenance runs with the life of the sign.
- 4) Off-premises directional signs shall be located only on land zoned ARC and direct traffic to only land also zoned ARC.
 - 5) Off-premises directional signs shall be permitted only at the intersection of the access road for the business and a major thoroughfare, and only one such sign permitted at each intersection. The business access road may be a public street, private road, or recorded access easement over which the general public has ingress/egress rights. Said sign shall be in reasonable proximity to the intersection to enable the sign to direct traffic to the site of the business being identified by the sign. If multiple businesses served by the same access road require the use of the same intersection for an off-premises business directional sign, the same sign shall be used.
 - 6) Off-premises directional signs shall be located entirely on private property and no closer than thirty (30) feet from the centerline of the street, private road, or recorded access easement which provides access to the business. The sign shall be located a minimum of sixty (60) feet from the centerline of the major thoroughfare. The sign location shall comply with all other setback and visibility requirements of the municipality.
 - 7) Off-premises directional signs shall be monument signs with the minimum dimensions necessary to accomplish the purpose of directing traffic; however, in no case shall the sign area and height exceed the following dimensions.

PLANNED No. of Users On Sign	Maximum Sign Area	Maximum Sign Height
1	12 sq. ft.	4.5 ft.
2	24 sq. ft.	6 ft.
3 or more	36 sq. ft.	8 ft.

The base of an off-premises directional sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade.

SEC. 14.11 AMENDMENTS

- 8) Space shall be allocated on the sign to allow identification of all businesses which use the same access road to use the off-premises directional sign. A common font and no more than one uniform background color shall be used. The sign shall state only the name of the business(es) being identified. A directional arrow may also be included on the sign. The sign base shall be of brick or decorative masonry block.
 - 9) The ground within five (5) feet of the base of the off-premises directional sign shall be landscaped in low shrubbery, ground cover or flowers, and said landscaping shall be maintained in presentable condition.
 - 10) Off-premises directional signs may be illuminated provided the illumination creates no perceptible glare on private property at a distance greater than ten (10) feet from the sign and on public streets and the access drive.
- c) The off-premises directional sign shall be maintained in a sound and presentable condition. If a business that is identified on the off-premise directional sign ceases to exist at its location or changes its name, the appropriate deletion or change to the copy of the sign shall be made within thirty (30) days of the change in the business.
 - d) The existence of an off-premise directional sign shall not affect the permission of any other signage that is otherwise permitted by the municipality, including the following:
 - 1) any other signage on the same parcel as the off-premises directional sign.
 - 2) any other signage on the same parcel as the business identified by the off-premises directional sign.
- (i) Menu and/or Order Board. Menu and/or order board for a drive-thru facility subject to the following:
 - 1) Said signs shall be located on the interior of the lot or parcel and shall not be readable from the exterior of the lot.
 - 2) Said signs shall be intended to service the public utilizing the drive-thru facilities only.
 - 3) The placement shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow in any manner.
 - 4) The size, content, coloring or manner or illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
 - 5) The volume on order boards shall be maintained at the minimum level necessary so that it is audible to users, so as to minimize extraneous noise traveling off the site.

- (j) Institutional Bulletin Boards. Institutional bulletin boards which comply with the standards for ground signs, herein.
- (k) Political Signs. Political signs subject to the following:
 - 1) Political signs shall be removed within ten (10) days following that election or event.
 - 2) Said signs shall not be placed closer than one hundred (100) feet from any polling place entrance and shall obtain permission from the owner of the property upon which the sign is to be located.
 - 3) No political sign is to exceed eight (8) square feet in area, and in the case of a ground-mounted political sign, the height may not exceed four and one-half (4.5) feet.
- (l) Real Estate Signs. Real estate signs subject to the following:
 - 1) Temporary Real Estate Signs.
 - a) Such signs shall be limited to ground or wall signs only. One (1) sign shall be permitted per parcel, regardless whether the property is represented by more than one real estate agency.
 - b) Maximum sign area shall not exceed forty-two (42) square feet.
 - c) Sign height shall not exceed four and one half (4.5) feet for a ground sign or eight (8) feet for a wall sign.
 - d) Placement shall be wholly within the property boundaries to which the sign pertains.
 - e) The sign may be erected at the time the property is offered for sale and shall be removed within ten (10) days of the sale or lease of the property.
 - 2) Permanent Leasing Signs: Permanent leasing signs erected for a period of one (1) year a longer shall be subject to the following:
 - a) If the permanent leasing sign is a ground sign, it shall be a monument sign and it shall be subject to the location, setback, and other applicable standards in Section 14.10.5.(a).
 - b) If the permanent leasing sign is a wall sign, it shall be subject to the applicable standards in Section 14.10.5.(b).
 - c) Permanent leasing signs shall comply with the maximum sign area and sign height requirements that apply to temporary real estate signs.
 - d) Such signs shall be maintained in good repair, and shall be replaced or renovated when weathered or worn.
- (m) Temporary Construction Signs. Temporary construction signs subject to the following:

- 3) Such signs shall be limited to ground or wall signs. One (1) sign shall be permitted per street frontage.
 - 4) Total area of all temporary construction signs on a premises shall not exceed thirty-two (32) square feet.
 - 3) Sign height shall not exceed four and one half (4.5) feet for a ground sign or eight (8) feet for a wall sign.
 - 4) Placement shall be wholly within the property boundaries to which the sign pertains.
 - 5) The sign shall not be erected prior to issuance of a building permit for the proposed construction project and shall be removed upon issuance of a Certificate of Occupancy.
- (n) Banners. Banners used to draw attention to vehicle dealerships are permitted, provided that there is a maximum of one (1) banner on each pole, and provided that they have no written message or corporate identity. Each banner shall not exceed a maximum area of twenty (20) square feet.

The following language was amended on 9/30/07

SEC. 14.11 AMENDMENTS

2. Amendment Requirements

The Township Board or the City Commission may, from time to time, on recommendation from its respective Planning Commission, on its own initiative or on petition, amend, supplement, modify or change the district boundaries or regulations herein, pursuant to the authority of its respective enabling legislation (Michigan P.A. 184 of 1943, as amended, or Michigan P.A. 207 of 1921, as amended). Amendments to the text of the ARC District and amendments which would remove land from the ARC District shall require approval of both the City Commission and Township Board. Amendments which would add land to the ARC District shall require approval from only the municipality having jurisdiction over that land.

Article 15: VP Vehicular Parking District

Amendments:

ARTICLE XV

VP VEHICULAR PARKING DISTRICT

PURPOSE

Vehicular Parking Districts (VP) are designed to accommodate off-street parking for the exclusive use of the patrons or employees of stores, shops or businesses in an adjoining commercial and/or office service district.

SEC. 15.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance.

- 1. Off-street vehicular parking.

SEC. 15.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance, and further subject to the requirements listed below.

- 1. Park and ride lot or other facility of similar nature which, in the opinion of the Planning Commission, will not be detrimental to the orderly development of the adjacent district and/or uses, in particular, single family residential neighborhoods.
- 2. Storage lots for new passenger vehicles as accessory to passenger vehicle dealerships, subject to the following:
 - (a) The storage lot shall be used solely for the parking of new untagged passenger vehicles. Vehicles stored shall be limited to automobiles, vans, mini-vans, pick-up trucks and similar vehicles. Commercial vehicles, semi-tractors and trailers, and construction equipment shall not be permitted.
 - (b) No sales shall be conducted from the storage lot, nor shall customers be shown vehicles on the lot.
 - (c) There shall be no vehicle cleaning, washing, repair, or servicing of any kind conducted on the storage lot. No loudspeaker shall be permitted on the site.



PURPOSE

SEC. 15.1 PRINCIPAL PERMITTED USES

SEC. 15.2 SPECIAL LAND USES

Article 15: VP Vehicular Parking District

Amendments:

- (d) The parking layout for stored vehicles may be permitted to vary from the requirements of Article 24, Parking Requirements, subject to the approval of the Township Fire Department and the Planning Commission.
- (e) No vehicles shall be mounted on ramps or stored above ground level.
- (f) The vehicle storage lot shall be completely screened from adjacent residential uses or districts, and shall be buffered from view from public right-of-way—consistent with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering.
 - 1) If the vehicle storage lot serves a use located in the ARC or OS ARC District, landscape improvements shall be provided along public rights-of-way consistent with Sections 14.8 and 14.9 of this ordinance.
 - 2) If the vehicle storage lot serves a use in a district other than ARC and OS ARC, a four (4) foot brick or brick-formed masonry wall shall be provided parallel to the front lot line. An ornamental fence may be permitted by the Planning Commission. No wall or fence shall be located closer to the street than the front setback line applicable to the premises immediately adjacent along said street. The Planning Commission may approve variation in this wall location based upon surrounding conditions, however, in no instance shall such wall setback be no less than ten (10) feet. Front lot line walls shall also be subject to an approved landscape plan.
 - 3) The front setback area between the front lot line and the four foot screening wall or fence shall be landscaped to buffer the storage lot and present an attractive appearance from the sidewalk and public right-of-way. A minimum ten (10) foot wide planting strip shall be established between the street setback line and any pavement or building. The planting strip shall consist of a minimum of (1) deciduous shade tree for every thirty (30) linear feet of frontage, and grass. Street trees shall also be provided. The Planning Commission may approve alternatives as consistent with the spirit and intent of this section.
- (i) All lighting shall be focused downward and shielded so as not to glare off-site or into the public right-of-way, or negatively impact residential uses.
- (j) A plan for site security shall be submitted for review by the Planning Commission.
- (k) No off-site storage lot shall be used to satisfy off-street parking requirements for the principal use.
- (l) There shall be no loading or unloading of new vehicles at the storage lot. All vehicles deliveries shall be made to the principal site and vehicles transferred to the off-site storage lot. The vehicle travel/transfer route between the principal site

Article 15: VP Vehicular Parking District

Amendments:

and the storage lot shall not use residential streets, and shall be designated on the site plan for approval by the Planning Commission.

- (m) Signage shall be limited to one (1) name plate or address sign only, not to exceed two (2) square feet in area.

SEC. 15.3 DEVELOPMENT REQUIREMENTS

All principal permitted uses and special land uses in the VP Vehicular Parking District shall comply with all applicable requirements of this Ordinance, including, but not limited to the following:

1. Site plan and development approval for all uses as specified in Article 29 of this Ordinance.
2. Off-street parking design and layout, as specified in Article 24 of this Ordinance, unless approved otherwise under Section 15.2.2 (e).
3. Landscaping, screening and land use buffers, as specified in Article 26 of this Ordinance.
4. Signs for all uses as specified in Article 25 of this Ordinance.
5. Special Provisions, as specified in Article 28 of this Ordinance
6. The following specific requirements shall apply within a VP Vehicular Parking District:
 - (a) The parking area shall be used solely for parking private passenger vehicles, for periods of less than one (1) day, unless otherwise approved pursuant to this Article.
 - (b) Signs shall be limited to entrance and exit signs and one additional sign indicating the conditions of use, unless otherwise permitted by this Article.
 - (c) No building shall be erected on the premises except for a shelter for attendants which shall not exceed twelve (12) feet in height and shall be set back a minimum of twenty-five (25) feet from the street setback line.
 - (d) Control devices may be used to regulate the egress and ingress to the lot if approved by the Planning Commission.
 - (e) Where a Vehicular Parking District is intended to serve as ingress/egress to an adjacent Commercial and/or Office Service district, the Planning Commission, prior to granting approval of the proposed layout, shall insure that the proposed development will not be detrimental to the orderly development of the adjacent districts and/or uses, in particular, single family residential neighborhoods.
 - (f) Yard Grading and Drainage as specified in Section 28.15 of this ordinance.

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Amendments:

- (g) All structures shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
- (h) Sidewalks shall be provided as specified in Section 28.16 of this ordinance.
- (i) Exterior lighting shall comply with the standards of Section 28.8, Exterior Lighting.
- (j) The method of trash pick up shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles
- (k) Fencing. All fencing and/or screening walls required and approved by the Planning Commission as part of Site Plan Approval shall be permitted.
 - 1) Protective or Security Fencing: Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
 - a) Permit Required: In all Vehicular Parking Districts it shall be unlawful for any person to build, repair or relocate a protective or security fence without first having secured a fence permit therefore from the Department of Building and Code Enforcement.
 - b) Maximum Height: The maximum height of a protective or security fence shall be four (4) feet.
 - c) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than 90 degrees. The fence shall comply with the requirements of applicable requirements of the State Construction Code enforced by the Township. Chain link or “cyclone” fences shall be prohibited. Plastic or other type of strips intertwined in fencing shall be prohibited.
 - d) Placement: No fence shall be built closer to the street than the front setback line applicable to the, premises pursuant to the Schedule of Regulations (Article 20), provided no fence shall be built closer to the street than the established front building line

Article 15: VP Vehicular Parking District

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along said street or in front of the building closest to the street on the fenced premises.

- (l) Front yard and street yard landscaping shall be provided consistent with the requirements for the adjacent commercial or office district which the VP use serves, unless otherwise approved by the Planning Commission.

ARTICLE XVI

MR MID RISE DISTRICT

PURPOSE

A primary planning goal of Plymouth Township is to provide for a balance and variety of land uses which are compatible with the community as a whole. It is further intended that uses of high intensity shall be located in areas which will not adversely impact the orderly development of existing or future residential areas. Commercial, office, research and testing and residential uses in structures beyond two (2) and two and one-half (2½) stories in height are more urban in nature and therefore could be in conflict with the general character of the Charter Township of Plymouth if not properly regulated in regards to location, relationship to adjacent land uses and development requirements. The MR Mid Rise District is designed to provide for locations for these higher intensity uses, separately or in combination, in areas which will not impact the existing or future land uses of adjacent properties and the community as a whole. It is intended that the MR Mid Rise Zoning District shall be located in association with limited access highway interchanges which provide public access to and from the limited access highway and the community. As a condition of approval of locating a MR Mid Rise District and in addition to other pertinent criteria, the Planning Commission and the Board of Trustees shall find the proposed location for the MR Mid Rise District and its relationship to adjacent land uses, both existing and proposed, meets all of the following criteria:

1. The subject property shall be a minimum of five (5) acres exclusive of all rights-of-way, existing or proposed.
2. The subject property shall be located within a half mile (2,640 feet) from a limited access highway interchange which provides access to and from the limited access highway and the community. The distance shall be measured along a major thoroughfare road only, and shall be the distance from the nearest on/off ramp and the nearest boundary of the proposed MR District.
3. The proposed location shall be compatible with the orderly development of adjacent properties. In no case shall a MR District directly abut properties zoned for single family residential use unless the Future Land Use Plan designates the area for a high intensity use which could be considered compatible with the proposed MR District.
4. The proposed location and relationship to adjacent properties shall be such that traffic to and from the site will not be hazardous or adversely impact abutting properties or conflict with the normal traffic flow of the general area. In reviewing this particular aspect the Commission and the Board shall consider the following:
 - (a) Conflicts with convenient routes for pedestrian traffic, particularly of children.
 - (b) The relationship of the site to major thoroughfares and street intersections.

Article 16: MR Mid Rise District

5. The intensity of uses associated with this District and such noises, vibrations, odors, glare, reflection of light, heat or other external effects which would normally be a product of this District shall be compatible with the existing land uses of the abutting properties and shall be compatible with the future orderly development of same.
6. The foregoing requirements shall not apply to an existing completed development located in an MR Zoning District and constructed in compliance with all applicable MR zoning district requirements under pre-existing Plymouth Township Zoning Ordinance No. 47.

SEC. 16.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. Office uses including the following:
 - (a) Medical and dental offices and clinics excluding veterinary clinics.
 - (b) Professional, administrative, executive and editorial offices.
 - (c) Real estate and other general business offices.
 - (d) Schools for arts and crafts, photography and studios for music or dancing.
2. Commercial uses including the following:
 - (a) Department stores and specialty shops.
 - (b) Retail establishments whose principal activity is the sale of merchandise in an enclosed building; outdoor storage or display is prohibited.
 - (c) Hotels and motels subject to the following:
 - 1) Each unit shall contain not less than two hundred and fifty (250) square feet of floor area.
 - 2) Kitchen or cooking 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.
 - 3) Where a unit is provided as a residence for the owner or the manager, the following minimum floor area requirements shall be provided:

Number of Bedrooms	Minimum Floor Area
1	600 square feet
2	800 square feet
3	1,000 square feet
4 or more	1,200 square feet

3. Research, testing and training uses including the following:
 - (a) Industrial or scientific research, development and testing laboratories and offices.
 - (b) Food research and pharmaceutical research, development and testing laboratories provided there is no emission of odors.
 - (c) Any use approved by the Planning Commission as being in keeping with the spirit and intent of this District, such as those requiring academic or technical training to perform its function.
 - (d) Housing facilities for academic or technical training shall comply with Article 16.1.2(c).

4. Mid Rise Residential uses subject to the following:
 - (a) The overall density of the particular area used for residential shall not exceed twenty-five (25) dwelling units per acre. When an area is proposed which combines uses to include residential units, the Planning Commission upon review of the proposed site layout and the type of office, commercial and research use used in combination with the residential units shall determine the area to be used in computing residential densities.
 - (b) Private Outdoor Living Space: Private outdoor living space shall be provided for each dwelling unit. Such space shall be located adjacent to the unit with direct access from the unit, which it is intended to serve and the total area shall equal or exceed ten (10) percent of the gross floor area of the unit.
 - (c) Outdoor Recreation Space: A minimum of one-tenth (0.1) square foot of land per square foot of gross floor area for the total project shall be provided as common recreation space for the residents. Recreation space shall include areas for passive recreation such as outdoor sitting areas and active recreation such as lawn bowling, shuffleboard and tennis courts. The Planning Commission shall review the proposed location of said recreation areas to insure conformity with the purpose and intent of the Ordinance. If developed in phases, the recreation space improvements shall be completed in proportion to the gross floor area constructed in each phase.

Article 16: MR Mid Rise District

- (d) Retail services associated with residential uses shall be located totally within the principal building.
- 5. Housing for the elderly, including congregate elderly housing, subject to the conditions of Section 28.65.
- 6. Public elementary, secondary, and intermediate schools (excluding child care centers provided for in Section 28.64) provided such uses do not meet the definition of “large-scale institutional uses” and subject to the following requirements:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
- 7. Accessory structures and uses customarily incidental to the above permitted uses.

SECTION 16.2 SPECIAL LAND USES

- 1. Municipal facilities including park and ride facilities, libraries and community buildings which meet the definition of “large-scale institutional uses”, subject to the conditions of Section 28.63.
- 2. Nursing and convalescent homes subject to the following conditions. Homes that meet the definition of “large-scale institutional uses” shall also be subject to the conditions of Section 28.63.
 - (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.

Article 16: MR Mid Rise District

3. Churches, temples and similar places of worship, and other facilities incidental thereto, which meet the definition of “large-scale institutional uses” or “large scale churches” subject to the conditions of Section 28.63 and the following requirements:
 - (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.

4. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools (excluding child care or day care facilities provided for in Section 28.64) offering courses in general education, subject to the following conditions. Public, charter and private schools that meet the definition of “large scale institutional uses” shall also be subject to the conditions specified in Sections 28.63.
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.

5. Hospitals which meet the definition of “large-scale institutional uses”, subject to the following conditions and Section 28.63:
 - (a) Hospital sites shall have a minimum gross land area of ten (10) acres.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (c) Minimum setback distances for any two (2) story main or accessory building shall be at least one hundred (100) feet from all property lines or street setback lines. The minimum setback distances shall be increased by twenty (20) feet for each additional story, provided that no such building shall exceed six (6) stories in height.
 - (d) Ambulance and emergency entrance areas shall be screened from adjacent residential districts and uses a six (6) foot decorative masonry wall or other method deemed appropriate by the Planning Commission.

- (e) Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws and regulations.
6. Mortuaries and funeral homes which meet the definition of “large-scale institutional uses” subject to the following conditions and Section 28.63.
- (a) Adequate off-street vehicle assembly space shall be provided for funeral processions and similar activities. This space shall be required in addition to the required off-street parking and loading areas, except where the Planning Commission determines that an alternative arrangement will be adequate to serve the proposed activities.
 - (b) All loading and unloading areas shall be adequately screened from adjacent residential districts or uses and street rights-of-way.
 - (c) A caretaker’s residence may be permitted as an accessory use to a mortuary or funeral home, provided that:
 - 1) The caretaker’s residence shall be contained within the mortuary building or may be provided in an accessory building after review and approval by the Planning Commission.
 - 2) The caretaker’s residence shall be constructed in accordance with the adopted building code, and provided with plumbing, heating, bathroom, and kitchen facilities.
 - 3) In no case shall the caretaker’s residence be used as a permanent single-family dwelling by anyone other than a watchman or caretaker.
7. Child care centers, subject to the standards of Section 28.64.

SEC. 16.2A USES SPECIFICALLY PROHIBITED (added 3/14/10)

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law.

SEC. 16.3 DEVELOPMENT REQUIREMENTS

All principal permitted uses and uses subject to special conditions shall comply with all applicable provisions of the Zoning Ordinance, including but not limited to the following:

- 1. Site Plan and Development Approval for all uses as specified in Article 29 of this Ordinance.
- 2. Off-street parking for all uses as specified in Article 24 of this Ordinance.
- 3. Off-street loading and unloading as specified in Article 24 of this Ordinance.

Article 16: MR Mid Rise District

4. Landscaping, screening and land use buffers for all uses as specified in Article 26 of this Ordinance.
5. Signs for all uses as specified in Article 25 of this Ordinance.
6. Special Provisions, as specified in Article 28 of this Ordinance.
7. Height, area, lot coverage and yard regulations as specified in Article 20 of this Ordinance.
8. The following specific requirements shall apply within a MR Mid Rise District:
 - (a) Floor Area Ratio (FAR). The ratio of the floor area of a building to its lot area shall be a minimum one (1) square foot of land area for each one (1) square foot of floor space (FAR = 1.0).
 - (b) Underground utilities shall be provided as required by Section 28.10.
 - (c) Elevators shall be required to serve all floors.
 - (d) The minimum distance between buildings shall equal twenty (20) feet plus four (4) feet for each story of the higher building plus two (2) feet for each ten (10) feet of the length of the facing wall of the higher building, provided that no part of a building shall be less than thirty-five (35) feet from any other building.
 - (e) Yard Grading and Drainage as specified in Section 28.15 of this Ordinance.
 - (f) All structures shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
 - (g) Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
 - (h) Exterior lighting shall comply with the standards of Section 28.8, Exterior Lighting.
 - (i) The method of trash pick up shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles.
 - (j) All exterior walls of every building hereafter erected, extended or whose exterior is structurally altered, which faces a street or which is adjacent to property zoned or used as residential shall be designed, treated and finished in a uniform manner consistent with the exterior of the front of the building. All such buildings shall comply with Section 28.14, Building Design Standards.

- (k) Fencing. All fencing and/or screening walls required and approved by the Planning Commission as part of site plan approval shall be permitted. No other fencing shall be permitted unless otherwise approved by the Planning Commission.

 - (l) Street trees shall be required.
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ARTICLE XVII

OR OFFICE RESEARCH DISTRICT

PURPOSE

The purpose of the Office Research District (OR District) is to provide a high quality environment conducive to the development of offices, research and development functions, and high tech uses. The uses allowed in this district are more limited than in the TAR district, and the restrictions of this district are based on operating characteristics and land use impacts rather than type of service or product. The OR District will permit those uses of the TAR District that are office-oriented and more compatible with nearby residential properties and uses. Manufacturing, assembly, warehousing/distribution centers, and truck transfer station operations are not permitted in the OR District.

The OR District requires a campus-type environment with generous landscaping and attractive buildings. The OR District must be located so that uses will be developed without creating negative impacts on adjacent uses from characteristics and conditions such as heavy truck traffic, noise, glare or emissions which are commonly found in a traditional Industrial District. Suitable areas for the OR District are often visible from freeways and high image locations.

SEC. 17.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. Offices, laboratories, and other facilities for basic and applied research, and experimentation, development testing, product design, technology development, consulting, and business development.
2. Business schools and indoor training facilities.
3. Office buildings, providing for such uses as corporate offices in accordance with the purpose of this district, including any of the following occupations: executive, administrative, professional, accounting, engineering, planning, architecture, drafting, writing, clerical, stenographic, and sales provided that no display shall be visible from the exterior of the building, and that such sales shall be clearly incidental to the principal office use in the determination of the Planning Commission.
4. Data processing and computer centers, including service and maintenance of electronic data processing equipment.
5. Any use charged with the principal function of research in the area of photonics/optics, robotics, and electronic equipment.

Article 17: OR Office Research District

6. A high technology service use, which has as its principal function the providing of services including computer information transfer, communication, distribution, management, processing, administrative, laboratory, experimental, developmental, technical, or testing services.
7. Research, development, engineering, design, prototyping, and accessory office, sales and administrative uses.
8. Medical offices, clinics, research, and medical supply facilities, including auxiliary or accessory laboratories. Such uses may include sports medicine, medical wellness, physical therapy, physical medicine, and similar facilities. Substance abuse (drugs and alcohol) treatment facilities, and facilities principally for emergency services or that provide 24 hour services shall not be permitted.
9. Accessory structures and uses customarily incidental to the above permitted uses, excluding outdoor storage. Accessory storage of products and materials necessary to the permitted operation shall be provided within the completely enclosed building, to the extent required by the Planning Commission.
10. Child care centers, recreation and fitness facilities, cafeterias, health care services, financial services and similar uses may be permitted as accessory uses if such use is located wholly within the building of the principal use which it serves (except for outdoor recreation and fitness facilities), is conducted primarily for the convenience of the employees of the principal use, and has no exterior advertising or displays.

SEC 17.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7, Special Land Uses, and further subject to the requirements listed below:

1. Motels and hotels.
2. Publicly owned and operated buildings and facilities, such as fire stations.
3. Banks, credit unions, and other similar financial services.
4. Retail uses which, in the determination of the Planning Commission, are incidental and complementary to the principal office research uses, including business services such as printing, copying, and mailing.
5. Restaurants or other places serving food and/or beverages without open front windows, drive-ins or drive through service.
6. Child care centers unlimited by size and as licensed by the State of Michigan, subject to the standards of Section 28.64.

Article 17: OR Office Research District

7. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, irrespective of the yard requirements of the district in which it is located, and two (2) side yard and a rear yard setback of not less than twenty-five (25) feet in width each.
8. Limited outdoor storage which, in the determination of the Planning Commission, is incidental and complementary to the principal permitted use and cannot be accommodated within a structure.
9. Uses otherwise permitted in this district that involve, as an accessory function only, the receipt of finished goods in an unassembled state requiring minor reassembly on site prior to use.
10. Any other use of the same nature or class of uses listed in this district as either a principal permitted use or a special land use which the Planning Commission finds not to be inconsistent with the purpose of this Article, and which will not impair the present or potential use of adjacent properties. When considering other uses, the Planning Commission shall review the nature, functions and proposed location of the use to ensure that it will not conflict with other permitted uses in the district.

SEC 17.2A USES SPECIFICALLY PROHIBITED (added 3/14/10)

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law.

SEC. 17.3 DEVELOPMENT REQUIREMENTS

All principal permitted uses and special land uses shall comply with all applicable provisions of the Zoning Ordinance, including but not limited to the following:

1. Site plan and development approval for all uses as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses as specified in Article 24 of this Ordinance, except that uses in the OR District shall provide one parking space for every two hundred (200) square feet of useable floor area, useable floor area being defined as eighty (80) percent of gross square footage. The Planning Commission may modify the above requirement, if in its sole determination, the use does not require the number of parking spaces specified above.
3. Off-street loading and unloading for all uses as determined necessary by the Planning Commission.
4. Landscaping, screening and land use buffers for all uses unless otherwise specified shall be in accordance with Article 26 of this Ordinance.
5. Signs for all uses as specified in Article 25 of this Ordinance, except that pole signs shall not be permitted.

6. Special Provisions, as specified in Article 28 of this Ordinance.
7. Height, area, lot coverage, and yard regulations as specified in Article 20, Schedule of Regulations of this Ordinance.
8. All uses, including storage of products and materials used and excluding surface parking, recreational activities, and utilities shall be conducted within a completely enclosed building, unless approved as a special land use.
9. No use shall be permitted which is either prohibited under Section 18.3 of this Ordinance or is a similar use which may create unusual danger for fire, explosion, toxic or noxious matter, radiation or which may cause noxious, offensive, unhealthful or harmful odors, fumes, dust, smoke, light, waste, noise or vibration.
10. The following specific requirements shall apply within the OR Office Research District:
 - (a) Environmental Performance Requirements. Compliance with Section 28.5, Environmental Performance Requirements, is required for all uses. In no case shall such impacts be detectable from districts in which residential occupancy is permitted within the Charter Township of Plymouth.
 - (b) Landscaping and Screening.
 - 1) Overall: The overall landscaping plan shall enhance the site and create a campus-like appearance and shall be in compliance with Article 26 of this Ordinance.
 - 2) Setback Areas: All setback areas shall be landscaped with lawns, trees, shrubs and/or other plants, and may include reflecting pools, retaining walls and other landscape construction harmonious with the overall landscape scheme.
 - 3) Parking and Loading Location and Screening: Parking and loading areas may be located in side and rear setback areas, but shall be prohibited from the front yard setback. On a corner lot, one of the front yards may be designated a side yard. Parking provided in a side or rear yard setback shall be provided with a twenty (20) foot greenbelt or acceptable substitute in the determination of the Planning Commission, located between the parking area and site boundary. All parking and loading areas shall be screened in compliance with Article 26 of this Ordinance.
 - 4) Interior Parking Lot Landscaping: A minimum of fifteen (15) square feet of interior parking lot landscaped area per parking space must be provided. Interior parking lot landscaping shall also meet the requirements of Article 26 of this Ordinance.

- (c) Fencing and Screen Walls. Fences and screen walls shall require review and approval by the Planning Commission as a part of the site plan approval. In an OR Office Research District protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land, either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
- 1) Permit Required: In the OR District it shall be unlawful for any person to build, repair or relocate a protective or security fence without first having secured a fence permit therefore from the Department of Building and Code Enforcement.
 - 2) Maximum Height: The maximum height of a protective or security fence shall be six (6) feet.
 - 3) Material: Fences will not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. Any chain link fences must be black and vinyl-coated. The fence shall comply with the requirements of applicable requirements of the State Construction Code enforced by the Township. Plastic or other type of strips intertwined in cyclone fencing shall be prohibited.
 - 4) Placement: Except as part of a special land use approval, no fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20, Schedule of Regulations, provided no fence shall be built closer to the street than the established front building line along side streets or in front of the building closest to the streets on the fenced premises.
- (d) Yard Grading and Drainage as specified in Section 28.15 of this ordinance.
- (e) Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
- (f) Exterior lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting.
- (g) The method of trash removal shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles.
- (h) Building Design Standards.

- 1) All exterior walls of every building hereafter erected, extended or whose exterior is structurally altered, which faces a street or which is adjacent to property zoned or used as residential shall be designed, treated and finished in a uniform manner consistent with the exterior of the front of the building. Standard concrete or block shall be prohibited. All such buildings shall comply with Section 28.14, Building Design Standards.
 - 2) Site layouts and building orientations shall be designed to minimize adverse visual impacts of developments on residential uses in the area.
 - 3) Building elevations and landscaping provided on sites which abut a limited access highway shall be of equal importance and present an attractive appearance, comparable to the building front.
 - 4) Elevators, stairways, tanks, heating and air conditioning equipment, vents, ducts, pipes and other similar apparatus shall be screened from view from off-site by a penthouse or structure equal in height to the height of the equipment being screened. The outside finish materials shall be the same as or complimentary to the building facade finish materials to which it is attached. The Planning Commission may modify this requirement at site plan review.
- (i) Vehicular and Pedestrian Circulation.
- 1) Access to the development shall be provided in such locations and number so as not to create unnecessary traffic hazards on exterior roadways, considering the need to provide safe and efficient internal traffic circulation.
 - 2) The site plan shall be designed to provide safe and efficient internal traffic circulation and to protect pedestrians from unnecessary exposure to vehicular safety hazards.
- (j) Emergency Access. All buildings shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
- (k) Underground utilities shall be provided as required by Section 28.10.
- (l) Environmental Features.
- 1) The developer shall make every attempt to preserve any natural features on the site that exist prior to development. Existing natural features shall be shown on the site plan.

- 2) If natural features need to be altered or removed, it shall be the responsibility of the developer to provide a written report explaining the rationale for such actions.

ARTICLE XVIII

TAR TECHNOLOGY AND RESEARCH DISTRICT

PURPOSE

Advances in industry and technology have created uses which are related to industry and office uses, but may not be appropriate or function adequately in a typical industrial or office zoning district. These uses have been identified as "high tech" uses. The purpose of the Technology and Research District (TAR) District is to provide an environment where high tech uses and functions such as engineering, design, research and development, photonics/optics, computer assisted design, robotics search, numerical control equipment (CAD/CAM), prototype development and limited manufacturing, biotechnology, lasers, medical research, food; and materials testing, telecommunications, and related storage, warehousing and limited assembly operations associated with principal permitted uses can be located.

The TAR District is intended to be developed in a campus-type environment, with generous landscaping and attractive buildings, where permitted uses will not be negatively impacted by the elements and conditions (such as extensive heavy truck traffic) commonly found in a traditional Industrial District. Such areas are often visible from freeways and high image locations.

SEC. 18.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. Laboratories, offices and other facilities for basic and applied research, experimentation, testing, product design, technology development, consulting and business development.
2. Business schools and training facilities.
3. Office buildings, providing for uses such as corporate offices in accordance with the purpose of this district, including any of the following occupations: Executive; administrative; professional; accounting; engineering; planning; architecture; drafting; writing; clerical; stenographic; and sales provided that no display shall be visible from the exterior of the building, and that such sales shall be clearly incidental to the principal office use in the determination of the Planning Commission.
4. Data processing and computer centers, including service and maintenance of electronic data processing equipment.
5. Any use charged with the principal function of research in the area of photonics/optics, robotics, and electronic equipment.

PURPOSE

SEC. 18.1 PRINCIPAL PERMITTED USES

6. A high technology service use, which has as its principal function the providing of services including computer information transfer, communication, distribution, management, processing, administrative, laboratory, experimental, developmental, technical, or testing services.
7. A high technology industrial use, which has as its principal function light manufacturing, assembly, fabrication or machining from processed materials. Such uses shall include but are not limited to agricultural technology, biological or pharmaceutical research, software technology, telecommunications, biomedical technology, fluid transfer and handling technology, defense and aerospace technologies or other technology oriented or emerging industrial or business activity. Permitted high technology industrial uses shall not include heavy manufacturing, heavy stamping operations, any manufacturing from raw unprocessed materials or uses specifically prohibited in Section 18.3.
8. Research, development, engineering, design, assembly, fabrication and limited light manufacturing of high-technology equipment, including equipment involved in any high technology industrial activity as defined in Subsection 7 above, instrumentation or associated computer software.
9. Engine product research, fluid transfer and handling product research, development, engineering, design, testing, assembly, production, and related office, sales and administrative uses.
10. Accessory structures and uses customarily incidental to the above permitted uses, subject to the following:
 - (a) Accessory storage of products and materials necessary to the permitted operation may be provided within the building. Outdoor storage shall be prohibited.
 - (b) Child care centers, recreation and fitness facilities, cafeterias, health care services, financial services and similar uses may be permitted as accessory uses, if such uses are located wholly within the principal building (except for outdoor recreation and fitness facilities), conducted primarily for the convenience of the employees of the principal use and have no exterior advertising or displays.

SEC. 18.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Medical offices, clinics research, and medical supply facilities, including auxiliary or accessory laboratories. Such uses may include sports medicine, medical wellness, physical therapy, physical medicine, and similar facilities. Substance abuse (drugs and alcohol)

treatment facilities, and facilities principally for emergency services or that provide 24 hour services shall not be permitted.

2. Motels and hotels.
3. Publicly owned and operated buildings and facilities, such as fire stations.
4. Outdoor uses, such as testing facilities for prototype products and facilities used for training employees in activities applicable to the permitted use. Such facilities shall be screened from adjacent properties and street rights-of-way in accordance with Section 26.11, Methods of Screening.
5. Banks, credit unions and other similar financial services.
6. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, irrespective of the yard requirements of the district in which it is located, and two side yard and a rear yard setback of not less than twenty-five (25) feet in width each.
7. Retail uses which in the determination of the Planning Commission are incidental and complementary to the principal technology and research uses, including the following business services such as printing, copying and mailing.
8. Restaurants or other places serving food and/or beverages without open front windows, drive-ins or drive through service, and located within a building containing one or more other principal uses.
9. Corporate fitness centers, health spas, racquetball clubs, bowling alleys or similar forms of recreation, except as otherwise provided herein.
10. Child care centers subject to the standards of Section 28.64.
11. Limited accessory outdoor storage subject to the following:
 - (a) Evidence satisfactory to the Planning Commission shall be provided that the open storage is essential to the approved principal permitted use.
 - (b) Open storage of raw materials, junk vehicles which are wrecked, disabled, worn out, abandoned, or incapable of movement, waste materials, parts, assemblies, and similar items shall be prohibited.
 - (c) Evidence satisfactory to the Planning Commission shall be provided that the storage cannot reasonably be enclosed in a building.

- (d) Evidence satisfactory to the Planning Commission that the storage will not cause an undue hardship to other uses or the Township.
 - (e) All open storage shall be completely screened on all sides by a decorative masonry or brick obscuring wall which matches the main building, or a berm eight (8) feet in height, located a minimum of twenty-five (25) feet from the street setback line when the area abuts a streets. An eight (8) foot wide planting strip shall be located on the street side of the wall or berm. When the side and/or rear yard does not abut a street, the wall or berm shall be located on the property line. The combined use of a wall and a berm shall be permitted.
 - (f) Within the intent of this Section, the Planning Commission may approve alternatives as it deems necessary to accommodate peculiar or unforeseen circumstances.
12. Wireless communication facilities, subject to the conditions of Section 28.11.
13. Any other use of the same nature or class as uses listed in this district as either a principal permitted use or a special land use which the Planning Commission finds not to be inconsistent with the purpose of this Article, and which will not impair the present or potential use of adjacent properties. When considering other uses, the Planning Commission shall review the nature, function and proposed location of the use to ensure that it will not conflict with other permitted uses in the district.

SEC 18.2A USES SPECIFICALLY PROHIBITED (added 3/14/10) (Refer also to sec 18.3)

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law.

SEC. 18.3 USES SPECIFICALLY PROHIBITED

No building or land shall be used and no building shall be erected for any of the following uses:

- 1. The following uses shall be considered as not meeting the minimum standards of this Ordinance as to performance and potential negative impacts on surrounding properties:
 - (a) Processing of corrosive acid, cement, lime, gypsum or plaster.
 - (b) Distillation of bone, coal, tar, petroleum refuse, grain or wood.
 - (c) Processing or storage of explosives.
 - (d) Processing of fertilizer or storage of compost.
 - (e) Processing of products from animal refuse or offal including glue, size or gelatin.
 - (f) Processing using steam or board hammers or forging presses.

- (g) Tanning, curing or storage of raw, green or salted skins or hides.
 - (h) Manufacturing of sulphurous, sulfuric, nitric, picric, carbolic, hydrochloric or other corrosive acid, however the use of corrosive acids in connection with any permitted use is not prohibited.
 - (i) Petroleum or asphalt refining, mixing or manufacturing.
 - (j) Slaughtering of animals, stock yards, livestock feeding yards.
 - (k) Manufacturing or disposal, above or below ground; of nuclear or radioactive materials.
 - (l) Processing of garbage, offal, dead animals, refuse, rancid fats.
2. Any use which may create unusual danger for fire, explosion, toxic or noxious matter, radiation, or which may cause noxious, offensive, unhealthful or harmful odors, fumes, dust, smoke, light, waste, noise or vibration.
 3. Warehousing, truck transfer or distribution centers as a principal use.

SEC. 18.4 DEVELOPMENT REQUIREMENTS

All principal permitted uses and special land uses shall comply with all applicable provisions of the Zoning Ordinance, including, but not limited to the following:

1. Site plan and development approval for all uses as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses as specified in Article 24 of this Ordinance.
3. Off-street loading and unloading for all uses as specified in Article 24 of this Ordinance. The Planning Commission may modify such requirements, if in its sole determination, the use does not require the number of loading spaces specified in Article 24.
4. Landscaping, screening and land use buffers for all uses shall be in accordance with Article 26 of this Ordinance.
5. Signs for all uses as specified in Article 25 of this Ordinance, except that pole signs shall not be permitted, and except that the Planning Commission may consider alternative materials for the base and/or sign, provided the sign:
 - (a) Is in keeping with the architecture and character of the principal building and/or established company logo;
 - (b) Does not constitute a traffic hazard; and
 - (c) Is constructed with durable and weather resistant materials.

6. Special Provisions, as specified in Article 28 of this Ordinance.
 7. Height, area, lot coverage and yard regulations as specified in Article 20 Schedule of Regulations of this Ordinance.
 8. The following specific requirements shall apply within the TAR Technology and Research District:
 - (a) **Machines Permitted.** All machines are permitted when installed and operated so as not to allow a noise, odor, fumes, dust, smoke, glare or radioactive material exceeding the limits set by Section 28.5, Environmental Performance Standards. In no case shall such impacts be detectable from districts in which residence occupancy is permitted within the Charter Township of Plymouth.
 - (b) **Environmental Performance Requirements.** Compliance with Section 28.5, Environmental Performance Requirements, is required for all uses.
 - (c) **Landscaping and Screening.**
 - 1) **Setback Landscaping:** All setback areas shall be landscaped with lawns, trees, shrubs and/or other plants, and may include reflecting pools, retaining walls and other landscape construction harmonious with the overall landscape scheme.
 - 2) **Parking and Loading Location and Screening:** Parking and loading areas may be located in side and rear setback areas, but shall be prohibited from the front yard setback. Further, all doors designed for vehicles and loading docks and truck wells shall not be located on the front of the building, and shall be screened from view from any road.

Parking provided in a side yard setback adjacent to a street shall be provided with a ten (10) foot landscaped greenbelt, adjacent to that street. On a corner lot, one of the front yards may be designated a side yard. Parking and loading areas shall be screened in compliance with Article 26 of this Ordinance.
 - (d) **Source of Power.** Power for any manufacturing or heating process or activity shall be derived only from electrical energy, smokeless fuels, such as gas or oil, or smokeless solid fuels containing less than twenty (20) percent of the volatile content on a dry basis.
 - (e) **Yard Grading and Drainage** as specified in Section 28.15 of this Ordinance.
 - (f) **Emergency Access.** All buildings shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
 - (g) **Sidewalks** as specified in Section 28.16 of this Ordinance.
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- (h) Exterior lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting.
- (i) The method of trash removal shall be presented to the Planning Commission for approval. If Dumpsters and similar waste receptacles are proposed, they shall be screened in a manner acceptable to the Planning Commission subject to the requirements of Section 28.9, Waste Receptacles.
- (j) Fencing, and Screen Walls. Fences and screen walls shall require review and approval by the Planning Commission as a part of the Site Plan Approval. In a TAR Technology Research District protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land, either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
 - 1) Permit Required: In the TAR District it shall be unlawful for any person to build, repair or relocate a protective or security fence without first having secured a Zoning Compliance and/or Building Permit from the Department of Building and Code Enforcement.
 - 2) Maximum Height: The maximum height of a protective or security fence shall be six (6) feet.
 - 3) Material: Fences will not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed we, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of applicable requirements of the State Construction Code enforced by the Township. Plastic or other type of strips intertwined in cyclone fencing shall be prohibited.
 - 4) Placement: Except as part of a special land use approval, no fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20 Schedule of Regulations, provided no fence shall be built closer to the street than the established front building line along side streets or in front of the building closest to the streets on the fenced premises.
- (k) Building Design Standards.
 - 1) All exterior building facades shall be of the same finish material as the front facade of the main building and all materials used shall be recognized as

finished materials (standard concrete or cinder block shall not be permitted). The exterior finish and scale of the buildings shall be harmonious with the surroundings area and natural environment. Building shall comply with Section 28.14, Building Design Standards.

- 2) Elevators, stairways, tanks, heating and air conditioning equipment, vents, ducts, pipes and other similar apparatus shall be screened from view from off-site by a penthouse or structure equal in height to the height of the equipment being screened. The outside finish materials shall be the same as or complimentary to the building facade finish materials to which it is attached. The Planning Commission may modify this requirement at site plan review.
 - 3) In accordance with the established development pattern, any such building which is located on a site with Beck Road frontage shall be finished in brick.
 - 4) Building elevations and landscaping provided on sites which abut a limited access highway shall be of equal importance and present an attractive appearance, comparable to the building front.
- (1) Environmental Features.
- 1) The developer shall make every attempt to preserve any natural features on the site which exist prior to development. Existing natural features shall be shown in the site plan.
 - 2) If natural features need to be altered or removed, it shall be the responsibility of the developer to provide a written report explaining the rationale for such actions.

ARTICLE XIX

IND INDUSTRIAL DISTRICT

PURPOSE

To provide districts for industrial or scientific research, wholesale and service uses and for the manufacturing, compounding, processing, assembling and/or treatment of finished or semi-finished products from previously prepared materials. It is the intent of this Article that industrial districts be located in areas located adjacent to, and served by, major thoroughfares and/or railroad tracks. The regulations of this district are intended to protect nearby districts from hazards, noise and other radiated disturbances.

SEC. 19.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance.

1. Wholesale and warehousing businesses, storage buildings, resale shops, commercial laundries, cleaning establishments and frozen food lockers.
2. The manufacture, assembly, compounding, processing, packaging, treatment or testing of products; such as bakery goods, candy, soap (cold mix only), cosmetics, pharmaceutical, toiletries, dairy and food products, hardware and cutlery. The manufacturing, processing and assembling from basic raw materials shall be prohibited.
3. Tool, die, gauge and machine shops.
4. The manufacture, assembly, compounding, processing, packaging, treatment or testing of articles of merchandise from the following previously prepared materials which have been manufactured elsewhere: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semi-precious metals, or stones, sheet metal (excluding large stampings such as automobile body panels), ferrous and non-ferrous metals (excluding large castings and fabrications), shell, textiles, tobacco, wax, wire, yarn, wood (excluding saw and planing mills) and paint (not employing boiling process).
5. Research, testing, laboratory and office uses related to permitted industrial operations.
6. The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas.
7. Manufacture of musical instruments, toys, novelties and metal or rubber or other small molded rubber products (not including pneumatic tires).

PURPOSE

SEC. 19.1 PRINCIPAL PERMITTED USES

8. Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.
9. Laboratories--experimental, film or testing.
10. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, irrespective of the yard requirements of the district in which it is located, and two (2) side yards and a rear yard setback of not less than twenty-five (25) feet in width each.
11. Research and industrial parks, subject to the following:
 - (a) The research and industrial park shall be platted as an industrial subdivision, or as a condominium or “site condominium” subdivision.
 - (b) The requirements of Article 20, Schedule of Regulations, for IND Industrial Districts shall be modified as follows:

AREA, LOT AND YARD REQUIREMENTS FOR INDUSTRIAL PARKS	
Minimum Lot Area	20,000 sq.ft.
Minimum Lot Frontage	100 ft.
Minimum Front Yard Depth	40 ft.
Minimum Side Yard Width, Each Side	25 ft.
Minimum Side Yard Adjacent to Residential	50 ft.
Minimum Side Yard Adjacent to a Street	40 ft.
Minimum Rear Yard	40 ft.
Minimum Rear Yard Adjacent Residential	50 ft.
Maximum Height	35 ft.
Maximum Percent Lot Coverage	50%

- (c) Height Exceptions. The height of a building may be increased one (1) foot for each one (1) foot by which its setback is in excess of the required yard setbacks, up to a maximum height of forty-five (45) feet.
- (d) Landscaping. All setback areas shall be landscaped with lawns, trees, shrubs and/or other plantings, and may include reflecting pools, retaining walls and other landscape construction harmonious with the overall landscape scheme.
- (e) Parking and Loading. Parking and loading areas may be located in side and rear setback areas, but shall be prohibited within the front yard setback. Parking and loading areas shall be screened in compliance with Article 26 of this Ordinance.

Parking provided in a side yard setback adjacent to a street shall be provided with a ten (10) foot landscaped greenbelt, adjacent to that street. On a corner lot, one of the front yards may be designated a side yard. Parking and loading areas shall be screened in compliance with Article 26 of this Ordinance.

12. Accessory structures and uses customarily incidental to the above permitted uses, excluding outdoor storage.

SEC. 19.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Wireless communication facilities as provided for in Section 28.11.
2. Child care centers, subject to the standards of Section 28.64.
3. Indoor and outdoor recreational and sports facilities, recreation centers and sports plazas including but not limited to, bowling alleys; pool and billiard halls; roller skating, hockey and ice skating rinks; squash, handball, paddleball, racquetball, tennis and basketball courts; indoor golf and skiing; and subject to the following;
 - (a) Accessory recreational and sport equipment sales, rentals and services, restaurants and snack bars, and health clubs and spas, shall be permitted as accessory uses, provided that such accessory uses are necessary, ancillary and an integral part of the principal use.
 - (b) Such uses shall abut a major thoroughfare.
 - (c) Outdoor golf, outdoor golf driving ranges and outdoor skiing are prohibited.
 - (d) Outdoor recreational, training and sports facilities shall be screened from adjacent properties and street rights-of-way in accordance with Section 26.11, Methods of Screening.
4. Railroad running and lead tracks, but not including a classification or transfer yard.
5. Commercial television, radio and microwave transmission towers, and public utility television transmitting towers and their attendant facilities, provided that the distance from the base of the tower to all property lines shall be not less than one and one-half (1½) times the tower height.
6. Metal plating, buffing and polishing, subject to appropriate measures to prevent noxious or nuisance conditions.

7. Outdoor storage of materials, not including salvage yards and storage of automobiles, subject to the following:
 - (a) Outdoor storage of used rags, waste paper or other combustible materials shall be prohibited. Storage of such materials shall be limited to an enclosed masonry building of four (4) hour fire construction located a minimum of one hundred (100) feet from all property lines.
 - (b) Outdoor storage shall be located within an area enclosed within an six (6) to eight (8) foot high obscuring wall or berm set back a minimum of twenty-five (25) feet from the street setback line. The wall or berm may be located on the property line where the side and/or rear yard does not abut a street. In all of the aforementioned cases, the combined use of a wall and a berm shall be permitted. When the area abuts a street, an eight (8) foot wide planting strip shall be provided located on the street side of the wall or berm. The planting strip shall consist of a minimum of one (1) deciduous shade tree for every forty (40) lineal feet of wall or berm and flowering trees and shrubs which will visually break up the area.
 - (c) Stored materials shall not be piled to a height of more than eight (8) feet.
 - (d) A roadway shall be paved, graded and maintained from the street to the rear of the property, to permit free access to fire trucks at all times.
 - (e) Waste materials shall be kept in neatly stored containers screened from public view, and shall be removed and emptied periodically. No wastes shall be piled on open ground.
 - (f) Within the intent of this Section, the Planning Commission may approve alternatives as it deems necessary to accommodate peculiar circumstances or unforeseen problems and to carry out the spirit and intent of this Article.

8. Salvage yards and the storage of new or used automobiles or automobiles as bonded under local county or state law or by order of judgment of any competent court of jurisdiction, subject to the following:
 - (a) The yard area shall be so located in the interior of the district so that No property line of the salvage yard or storage area shall form the exterior boundary of the IND District.
 - (b) The yard area shall be located next to a railroad right-of-way, and siding facilities shall be provided so all salvaged products can be shipped by rail.
 - (c) The yard area shall be completely enclosed with an eight (8) foot masonry wall or obscuring fence, (driveway openings excepted), set back a minimum of twenty-

five (25) feet from the street setback line. The wall or fence may be located on the property line where the yard does not abut a street. Such areas shall also be planted on the street side of the wall or obscuring fence. The planting strip shall consist of a minimum of one (1) deciduous shade tree for every forty (40) lineal feet of fence or wall and flowering trees and shrubs which will visually break up the area. Plastic and/or other stripping intertwined or otherwise attached to cyclone fencing shall be prohibited.

- (d) The burning of tires, oil wastes or other waste products shall not be permitted in conjunction with any salvage operations.
 - (e) Customer and employee parking, loading and unloading shall be provided within the enclosure wall or obscuring fence. Gates shall be designed in a manner which will obscure objectionable views.
 - (f) Within the intent of this Section, the Planning Commission may approve alternatives as it deems necessary to accommodate peculiar circumstances or unforeseen problems while still achieving the spirit and intent of this subsection of the Ordinance.
9. Storage of trucks, trailer coaches, campers, buses, mobile homes and recreation vehicles, subject to the following:
- (a) All stored vehicles shall be duly licensed pursuant to the applicable statute, and shall not be wrecked, disabled, abandoned, worn out, junked or incapable of movement.
 - (b) Storage of parts, assemblies and other materials shall be prohibited in the area encompassed by this special land use, including those materials specified in subparagraphs 7 and 8 above.
 - (c) The yard area shall be enclosed by a six (6) foot to eight (8) foot high fence with gates to permit usual and normal access to the abutting street.
 - (d) Where the storage area abuts a public street, the enclosure fence shall be set back in compliance with the required yard setback for the district and an eight (8) foot planting strip shall be established on the street side of the fence. The planting strip shall consist of a minimum of one (1) deciduous shade tree for every forty (40) lineal feet of fence and flowering trees and shrubs which will visually break up the area.
10. Large scale institutional uses, including large scale churches subject to the conditions and regulations of Section 28.63, and limited to the following uses and conditions:
- (a) Churches, subject to the following conditions:

- 1) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - 2) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - 3) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.
- (b) Municipal facilities
11. Natural gas or oil processing facilities, including but not limited to “sweetening” plants, subject to all of the conditions and requirements of Section 28.12. Oil or petroleum refineries as defined in this Ordinance are specifically prohibited.
 12. Outdoor training facilities accessory to a principal permitted use. Outdoor activities shall be subject to the standards of the permitted use, particularly for the screening requirements of Article 26.
 13. Outdoor theaters, subject to the following:
 - (a) The lot or parcel shall be located so that at least one (1) property line abuts a paved primary road, as classified in the Township Master Plan. All vehicular access to the facility shall be directly from the paved primary road(s).
 - (b) A minimum of two (2) ticket gates shall be provided. Each ticket gate shall have a separate entrance lane, and sufficient internal vehicle stacking spaces shall be provided for vehicles waiting to enter the theater, to avoid back-up onto any public road right-of-way.
 - (c) No theater screen shall be closer than 500 feet to any residential zoning district. Any theater screen(s) shall be located, designed and constructed so that it will not be visible from any adjacent public road or residential zoning district.
 14. Physical, occupational, speech, or similar outpatient therapy services where such services operate based upon appointments and not on a walk-in basis, provided that the Planning Commission finds that the nature, function, and proposed location of the use ensures that it will not conflict with permitted industrial uses.
 15. Any other research, office, testing, manufacturing, wholesale service or commercial use that, in the determination of the Planning Commission, will:
 - (a) Be consistent with the purpose of this Article, and

- (b) Not impair the present or potential use of adjacent properties. When considering other uses the Planning Commission shall review the nature, function and proposed location of the use to ensure it will not conflict with permitted industrial uses.

SEC. 19.3 USES SPECIFICALLY PROHIBITED

No building or land shall be used and no building shall be erected for one or more of the following specified uses:

1. Manufacturing development activities which create unusual dangers from fire, explosion, toxic or noxious matter, radiation and other or similar hazards.
2. Any use which causes noxious, offensive, unhealthful or harmful odors, fumes, dust, smoke, light, wastes, noises or vibrations.
3. Machines or operations which cannot comply with Section 28.5, Environmental Performance Requirements.
4. New dwellings or conversion of existing dwellings to additional dwelling units.
5. Schools, hospitals, clinics and other institutions for human care, except where incidental to a permitted principal use or where expressly permitted herein.
6. The use of trailers, as portable dwellings, either singly or in mobile home or trailer parks.
7. Any of the following principal uses, or any principal use which is of like character:
 - (a) Corrosive acid manufacturing, cement, lime, gypsum or plaster manufacturing.
 - (b) Distillation of bone, coal, tar, petroleum refuse, grain or wood.
 - (c) Explosive manufacture or storage.
 - (d) Fertilizer manufacturing, compost or storage.
 - (e) Garbage, offal, dead animals, refuse, rancid fats, incinerator, glue manufacturing, size or gelatin manufacturing where the processes include the refining or recovery of products from animal refuse or offal.
 - (f) Livestock feeding yards.
 - (g) Mobile home or trailer parks.
 - (h) Motels.

- (i) Petroleum or asphalt refining, mixing or manufacturing.
- (j) Slaughtering of animals, stock yards.
- (k) Smelting or refining of metals from ore.
- (l) Steam and board hammers and forging presses.
- (m) Storage, curing and tanning of raw, green or salted hides or skins.
- (n) Sulphurous, sulfuric, nitric picric, carboic or hydrochloric or other corrosive-acid manufacturing.

8. No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law. (Added 3/14/10)

SEC. 19.4 DEVELOPMENT REQUIREMENTS

All principal permitted uses and special land uses shall comply with all applicable provisions of the Zoning Ordinance, including, but not limited to the following:

- 1. Site plan and development approval for all uses as specified in Article 29 of this Ordinance.
- 2. Off-street parking for all uses as specified in Article 24 of this Ordinance.
- 3. Off-street loading and unloading for all uses as specified in Article 24 of this Ordinance.
- 4. Landscaping, screening and land use buffers for all uses as specified in Article 26 of this Ordinance.
- 5. Signs for all uses as specified in Article 25 of this Ordinance, except that pole signs shall not be permitted, and except that the Planning Commission may consider alternative materials for the base and/or sign, provided the sign:
 - (a) Is in keeping with the architecture and character of the principal building and/or established company logo;
 - (b) Does not constitute a traffic hazard; and
 - (c) Is constructed with durable and weather resistant materials.
- 6. Special Provisions, as specified in Article 28 of this Ordinance.
- 7. Height, area, lot coverage and yard regulations as specified in Article 20 of this Ordinance.

8. The following specific requirements shall apply within an IND Industrial District:
- (a) Each use shall be conducted wholly within a completely enclosed building, unless otherwise permitted by this Article.
 - (b) **Machines Permitted.** All machines are permitted when installed and operated so as not to allow a noise, odor, fumes, dust, smoke, glare or radioactive material exceeding the limits set by Section 28.5, Environmental Performance Standards. In no case shall such impacts be detectable from districts in which residence occupancy is permitted within the Charter Township of Plymouth.
 - (c) **Environmental Performance Requirements.** Compliance with Section 28.5, Environmental Performance Requirements, is required for all uses.
 - (d) The use of flammable gas, enameling and paint spraying operations when incidental to the principal operation. Such operations shall be completely contained within a masonry building of four (4) hour fire construction.
 - (e) **Source of Power.** Power for any manufacturing or heating process or activity shall be derived only from electrical energy, smokeless fuels, such as gas or oil, smokeless solid fuels containing less than twenty (20) percent of the volatile content on a dry basis, or bituminous coal fired by mechanical equipment.
 - (f) **Yard Grading and Drainage** as specified in Section 28.15 of this Ordinance:
 - (g) All buildings shall be readily accessible by fire and emergency vehicles, and shall comply with the Township Fire Prevention Ordinance.
 - (h) Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
 - (i) Exterior lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting.
 - (j) The method of trash removal shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles are proposed, they shall be screened in a manner acceptable to the Planning Commission subject to the requirements of Section 28.9, Waste Receptacles.
 - (k) **Building Design Standards.**
 - 1) All exterior building facades shall be of the same finish material as the front facade of the main building, and all materials used shall be recognized as finished materials (standard concrete or cinder block shall not be permitted). The exterior finish and scale of the buildings shall be harmonious with the surrounding area and natural environment.
 - 2) Elevators, stairways, tanks, heating and air conditioning equipment, vents, ducts, pipes and other similar apparatus shall be screened from view from off-site by a penthouse or structure equal in height to the height of the

equipment being screened. The outside finish materials shall be the same as or complimentary to the building facade finish materials to which it is attached. Buildings shall further comply with Section 28.14, Building Design Standards. The Planning Commission may modify this requirement at site plan review.

- (l) Fencing. All fencing and/or screening walls required and approved by the Planning Commission as part of site plan approval shall be permitted. In an IND Industrial District fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
 - 1) Permit Required: In the IND Industrial District it shall be unlawful for any person to build, repair or relocate a protective or security fence without first having secured a Zoning Compliance and/or Building permit from the Department of Building and Code Enforcement.
 - 2) Maximum Height: The maximum height of a protective or security fence shall be six (6) feet.
 - 3) Material: Fences shall not be constructed of old or used material unless such material shall be reasonable sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of, or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall be an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of applicable requirements of the State Construction Code enforced by the Township. Plastic or other type of strips intertwined in cyclones fencing shall be prohibited.
 - 4) Placement: No fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20 Schedule of Regulations, provided no fence shall be built closer to the street than the established front building line along said street or in front of the building closest to the street on the fenced premises.
 - 5) The Planning Commission may, at its discretion, permit alternative fence placements, heights or materials in keeping with the spirit and intent of this Ordinance and deemed necessary to provide adequate protection for the abutting properties.

- (m) Sites developed with frontage on a road right-of-way shared in common with an industrial park within 800 feet or on the same block developed under Section 19.1.11 may provide front setbacks as allowed by Section 19.1.11(b).

**ARTICLE XX
 SCHEDULE OF REGULATIONS**

SEC. 20.1 HEIGHT, AREA, LOT COVERAGE, YARD REQUIREMENTS AND FLOOR AREA (as amended 10/25/07)

ZONING DISTRICT	MAX HEIGHT OF BUILDINGS		MINIMUM LOT AREA (ee)		MAXIMUM LOT COVERAGE IN PERCENT (ee)	MINIMUM YARD REQUIREMENTS IN FEET (ee) All yard setbacks shall be dimensioned from the street setback line, as designated in Section 28. 22					NON-RESIDENTIAL USES	MINIMUM LIVABLE FLOOR AREA	
	IN STORIES	IN FEET	AREA IN SQ. FT.	WIDTH IN FEET		FRONT (ff)	SIDES		REAR	SIDE YARD ABUTTING A STREET			REAR YARD ABUTTING A SIDE LOT LINE
							ONE SIDE	TOTAL OF TWO					
AG	2 ½	35 (a)(gg)	5 Acres	150	15	45	50 (g)	100	50	45	(g)	25 (h)	1,650
PL	2½ (c)	35 (c)	(c)	(c)	25	45	30	60	50	50	-	-	-
R-1-E	2½	35(gg)	43,560 (b) (d) (e)	150 (b)	15	45	15	30	50 (bb)	45	(g)	25 (h)	1,650
R-1-H	2½	35(gg)	21,780 (b) (d) (e)	120 (b)	15 (cc)	35	10	20	50 (bb)	35	(g)	25 (h)	1,450
R-1-S	2½	35(gg)	12,000 (b) (d) (e)	90 (b)	25	30	10	20	50 (bb)	30	(g)	25 (h)	1,250
R-1	2½	35(gg)	7,200 (b) (d) (e)	60	25	25	5	16 (y)	50 (bb)	25	(g)	25 (h)	1,050
RM	1	12	(z)	(z)	(z)	Shall comply with Rule 941 of Mobile Home Commission Rules						580	
R-2	2½	35	1 DU 7,200 2 DU 9,200 (e)	1 DU 60 ft. 2 DU 85 ft.	25	25	1 DU 5 2 DU 10	1 DU 16 2 DU 26	50	25	25 (g)	25 (h)	580 (i)
R-2-A	2 ½ (aa)	35	12,000 (j)	100	30	25 (m) (k)	10 (k) (m)	20 (k) (m)	50 (m) (k)	25 (k)	25 (g) (k)	-	(i) (l)
OS	2	30	-	-	-	25 (o)	10 (n) (p) (r)	20 (p)	20	25 (r)	20 (g)	-	400
OS-ARC	shall comply with standards specified in Article XIV, ARC Ann Arbor Road Corridor District												
ARC	shall comply with standards specified in Article XIV, ARC Ann Arbor Road Corridor District												
C-1	1	20	-	-	-	10 (o)	10 (n) (p) (r)	20	20	10 (r)	20	-	400

SEC. 20.1 HEIGHT, AREA, LOT COVERAGE, YARD REQUIREMENTS AND FLOOR AREA (continued):

ZONING DISTRICT	MAX HEIGHT OF BUILDINGS		MINIMUM LOT AREA		MAXIMUM LOT COVERAGE IN PERCENT	MINIMUM YARD REQUIREMENTS IN FEET All yard setbacks shall be dimensioned from the street setback line, as designated in Section 28. 22						NON-RESIDENTIAL USES	MINIMUM LIVABLE FLOOR AREA
	IN STORIES	IN FEET	AREA IN SQ. FT.	WIDTH IN FEET		FRONT	SIDES		REAR	SIDE YARD ABUTTING A STREET	REAR YARD ABUTTING A SIDE LOT LINE	SIDE YARDS	SQ. FT. PER UNIT
							ONE SIDE	TOTAL OF TWO					
C-2	2 (f)	35 (f)	-	-	-	10 (o)	10 (n) (p) (r)	20 (p)	20	10 (r)	20	-	400
MR	9	90	-	-	25	(w)	(w)	(w)	(w)	(w)	(w)	-	(x)
OR	--	35 (s)	20,000	100	50	40	25 (t)	50	40 (t)	40	40	--	--
TAR	--	35 (s)	20,000	100	50	40	25 (t)	50	40 (t)	40	40	--	--
IND (ee)	-	35 (u)	-	-	-	50	20 (f)	40	20 (v)	20 (v)	20 (v)	-	-

SEC. 20.2 NOTES TO SCHEDULE OF REGULATIONS ARTICLE 20

- (a) No principal building or barn used for agricultural farming purposes shall exceed forty (40) feet in height.
- (b) All parcels used for agricultural farming purposes shall contain an area of five (5) acres or more and shall have an average width of not less than one-fourth (1/4) the average depth of the parcel, provided, however, that a parcel shall not be required to have a width greater than three hundred fifty (350) feet. Provided, however, this shall not apply to any parcel which at the time this Ordinance becomes effective is narrower in width or lesser in area than the specifications herein provided, if such parcel was of record at the time of adoption of this Ordinance.
- (c) The height, area, lot coverage and yard regulations of the abutting district may be applied to the subject property provided the Planning Commission finds that the regulations of the abutting district are consistent with the purpose of Article 4, Public Lands District, and will not adversely affect the existing or planned future use of adjacent neighborhood properties.
- (d) See Article 21, Residential Unit Developments regarding exceptions as to parcel area and density controls.
- (e) See Article 22, Single Family Cluster Housing regarding exceptions as to parcel area, yard requirements and density controls.
- (f) See Article 23, Planned Unit Development Option regarding exceptions as to height, yard requirements and density controls.
- (g) Where the rear yard of a corner lot abuts a side yard of an interior lot or an alley separating such parcels, any accessory building on the corner lot shall be set back from the side street a minimum distance equal to the front yard setback for the interior lot.
- (h) Non-residential principal buildings shall have side yards of not less than twenty-five (25) feet each, plus one (1) foot in additional side yard setback for each five (5) feet or part thereof which the principal building exceeds thirty-five (35) feet in length along the side yard and plus an additional one(1) foot for each two (2) feet in height in excess of thirty-five (35) feet. This shall not be deemed to require additional yard setback for permitted height exceptions permitted by Section 28.23.
- (i) Any two-family dwelling shall provide not less than five hundred eighty (580) square feet of livable floor space for a single bedroom dwelling unit and an additional two hundred (200) square feet of livable space for each additional bedroom. Each two-family dwelling unit shall provide a utility room and/or a storage space, in addition to the above requirements, which shall be not less than one hundred (100) square feet in area. Equal

basement area, not including area for stairs, may be substituted for utility room or storage space.

- (j) Multiple-family residential principal buildings shall be located on a parcel of not less than four thousand (4,000) square feet per efficiency or one (1) bedroom dwelling unit, plus an additional one thousand (1,000) square feet per additional bedroom, exclusive of the area within the street setback.

Where extra rooms (such as a den, study or library) are shown on the plans in addition to a living room and bedrooms, such extra rooms shall be counted as a bedroom for the purpose of computing land area per dwelling unit.

When a project is considered by the Planning Commission to be a redevelopment project, that is a project where removal of existing structures will be required in order to accomplish the development and said removal would be considered an upgrading of the area, the overall density of the project shall be determined by total number of dwelling units without consideration to number of bedrooms proposed. The overall density for such a project, shall not exceed eleven (11) dwelling units per acre overall density. In reviewing the project to determine consideration as a redevelopment project, the Commission shall find the project would result in an upgrading of the area and said project would be in harmony with the appropriate and orderly development of the district.

- (k) The following setbacks shall apply to all permitted uses and buildings, except for a single family detached dwelling on a separate lot which shall be subject to the minimum yard requirements (front, side and rear setbacks) listed in the Schedule of Regulations table, Section 20.1.
 - 1. The minimum building setback shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall the building setback be less than 35 feet.
 - 2. Where a building sides to the right-of-way of a road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting on the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.
- (l) The following minimum floor area, requirements shall apply to R-2-A Districts, and where multiple dwellings are provided for under a Residential Unit Development Plan:

UNIT SIZE	MINIMUM FLOOR AREA
Per 1 Bedroom Unit	600 sq. ft.
Per 2 Bedroom Unit	800 sq. ft.
Per 3 Bedroom Unit	1,000 sq. ft.
Per 4 Bedroom Unit	1,200 sq. ft.

(m) Minimum distances between buildings in the R-2-A District shall be as follows:

1)

BUILDING RELATIONSHIP	MINIMUM BUILDING SEPARATION
Front to Front	70 feet
Front to Side	50 feet
Side to Side	20 feet
Side to Rear	50 feet
Front to Rear	70 feet
Rear to Rear	70 feet

2) Where dwelling units change direction in a building grouping and such units are touching or tied together by a gate opening, not more than three (3) feet in width, such units shall be considered together as one building.

(n) When a side yard is adjacent to a residential use, a side yard of not less than twenty (20) feet shall be provided.

(o) When parking is furnished between the building and the street setback line of a street, a front yard of not less than seventy-five (75) feet shall be provided.

(p) Side yards are not required along an interior side lot line, where all walls of buildings abutting such interior side lot line are wholly without windows or other openings and are of fireproof construction, but if the side wall is not of fireproof construction, a side yard of not less than ten (10) feet shall be provided. When an interior side lot line abuts a residential lot, a side yard of not less than twenty (20) feet shall be required in addition to the required screening and land use buffer.

(r) When parking is furnished in the side yard on the street side of a corner parcel, a side yard of not less than seventy-five (75) feet shall be provided.

(s) The maximum permitted height of a building in an OR or TAR District may be increased one (1) foot for each one (1) foot of additional setback from the street setback line provided in excess of the required yard setbacks, with the maximum height permitted not to exceed forty-five (45) feet.

- (t) A setback of not less than fifty (50) feet shall be required for any side or rear yard in an OR or TAR District that is adjacent to a residential district, and not separated therefrom by a street.
- (u) The maximum permitted height of a building in the IND District may be increased one (1) foot for each additional five (5) feet of setback provided in excess of seventy-five (75) feet from the street setback line.
- (v) A setback of not less than seventy-five (75) feet shall be required for any side or rear yard in an IND District that is adjacent to a residential district and not separated therefrom by a street.
- (w) The following shall apply to buildings and uses in the MR District:
 - 1) The perimeter yard setback for principal and accessory buildings three (3) or more stories in height shall be not less than fifty (50) feet for a three (3) story building, plus an additional setback of five (5) feet for each story in excess of three (3).
 - 2) The perimeter yard setback for one-story accessory buildings shall be not less than forty (40) feet.
- (x) The following minimum floor area requirements shall apply to residential uses in the MR District.

UNIT SIZE	MINIMUM FLOOR AREA
Per 0 Bedroom Dwelling Unit	400 sq. ft.
Per 1 Bedroom Dwelling Unit	600 sq. ft.
Per 2 Bedroom Dwelling Unit	800 sq. ft.
Per 3 Bedroom Dwelling Unit	1,000 sq. ft.
Per 4 Bedroom Dwelling Unit	1,200 sq. ft.

- (y) Side yards for homes, on interior lots having a lot width of sixty-one (61) feet or less with an attached garage fronting on the street may have a minimum total of two (2) side yards of fourteen (14) feet.
- (z) See Section 7.1.5 par. 3(c) for lot area, lot width and density requirements.
- (aa) The number of permitted stories may be increased to three (3), provided the three-story portion does not exceed one-third (1/3) of the length of the building, and provided that the roof line and building elevations are not flat or one dimensional in character. The objective shall be to use building details such as gables, arches, dormers, cupolas, ledges, columns, piers, etc. to create interest, detail and relief of the building facade and roof line.
- (bb) The rear yard in a R-1-E, R-1-H, R-1-S and R-1 Single Family Residential District may be reduced after approval of the Zoning Board of Appeals upon the Zoning Board of

Appeals finding that the following specific requirements have been met. **(Amended 5/11/10)**

- 1) The single family structure may not extend more than ten (10) feet into the required fifty (50) foot rear yard.
 - 2) The rear yard of the residence must back to the rear yard of the adjoining residence and not to a side yard.
 - 3) The width of the single family structure extending into the required fifty (50) foot rear yard shall not exceed one hundred (100) percent of the width of the portion of the single family structure which must comply with the fifty (50) foot setback.
 - 4) The proposed penetration into the rear yard setback is the only practical location for the proposed addition.
 - 5) The completed structure will be consistent and compatible with the other houses in the immediate area in overall size, construction, quality, finish and aesthetic appearance.
 - 6) The proposed extension into the rear yard shall not have a substantial negative impact on the open and expected vistas for adjoining properties.
 - 7) The rear yard setback otherwise required is not less than fifty (50) feet, on account of a consent judgment or other special exceptions.
 - 8) The proposed structure shall comply with all other requirements of this Ordinance.
 - 9) The proposed addition shall be restricted to one story only and shall not exceed the height of the single family structure.
 - 10) Exceptions to Footnote bb may be considered by the Zoning Board of Appeals for outdoor living space (such as attached, screened, and/or covered decks/patios/porches, and three-season rooms). Exceptions shall not be permitted for full building additions.
- (cc) In the R-1-H District, maximum lot coverage shall be twenty (20) percent for two (2) story dwellings and twenty-five (25) percent for ranch dwellings, provided that all other setbacks are met.
- (dd) For lots abutting a private road with a private ingress/egress easement, required yard setbacks shall be measured from the edge of such easement. Areas of the lot within the ingress/egress easement shall be excluded from the total lot area for purposes of compliance with minimum lot area and maximum lot coverage requirements.

- (ee) The area, lot, and yard requirements for industrial and research parks in the IND District shall be modified as follows:

Minimum Lot Area	20,000 sq.ft.
Minimum Lot Frontage	100 ft.
Minimum Front Yard Depth	40 ft.
Minimum Side Yard Width, Each Side	25 ft.
Minimum Side Yard Adjacent to Residential	50 ft.
Minimum Side Yard Adjacent to a Street	40 ft.
Minimum Rear Yard	40 ft.
Minimum Rear Yard Adjacent Residential	50 ft.
Maximum Height	35 ft.
Maximum Percent Lot Coverage	50%

- (ff) Where a front yard of greater or less depth than required exists in the front of a dwelling or dwellings on the same side of the street in any block, the depth of the front yard of any building or building addition subsequently erected on that side of the street shall be in accordance with Section 28.21 of this Ordinance.
- (gg) On any single family residentially zoned lot which does not meet the requirements of this Ordinance for lot width or area, or both, and which shares a common side yard with one or more lots occupied by an existing single family dwelling(s), the height of the proposed single family building shall not be more than 190% of the average of the height(s) of the dwelling(s) on the lot(s) sharing a common side yard.

END OF ARTICLE 20.

Article 21: Residential Unit Developments

Amendments:

ARTICLE XXI

RESIDENTIAL UNIT DEVELOPMENTS

PURPOSE

The purpose of the Residential Unit Development (RUD) is to permit two (2) optional methods of development in R-1-E, R-1-H, R-1-S, and R-1 single family residential districts (on sites forty (40) acres and greater, and on sites eighty (80) acres and greater) that allow a mixture of types of residential units. It is the intent of this Article to permit development of residential patterns which encourage innovation in land use and variety in design, layout and type of structures, achieve economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities, encourage provision of useful open space and provide better housing suited to the needs of the residents of the Township, and ensure integration of the proposed development with the characteristics of the general planning area. Development under this Article shall be in accordance with a comprehensive physical plan establishing functional use areas, density patterns, open space and recreation and system of residential streets. The following regulations shall apply in all R-1-E, R-1-H, R-1-S, and R-1 Single Family Residential Districts, and shall be subject further to the provisions of this Ordinance and the Township Subdivision Ordinance with respect to final development approval.

SEC. 21.1 STATEMENT OF PRINCIPLES

The Residential Unit Development (RUD) is an optional method of development which may be permitted only after a public hearing, review and recommendation by the Planning Commission, and approval by the Township Board of Trustees. The proposed RUD shall reflect all of the following basic principles:

1. The proposal is in conformity with the purpose and intent of this Article.
2. The site contains natural assets, such as large stands of trees, rolling topography, significant views, swale areas, flood plains or wetlands which would be in the best interest of the community to preserve, and which would otherwise be substantially destroyed under normal subdivision development. This determination shall be made by the Planning Commission and Township Board after review of a documented site analysis submitted by the applicant. If a determination is made that the site does not contain any natural assets which would be in the best interest of the community to preserve, the Planning Commission and Board may give further consideration to the proposal if provisions are made within the development to provide open space which would provide a buffer between a major thoroughfare or expressway, or provide useable recreation open space with reasonable access to all dwellings in the development.

The intent is to provide neighborhood recreation open space and to supplement the existing natural features of the Township. The recreation open space and/or buffer area shall be improved with plantings and other features in a manner that would create a natural asset for the development and the community as a whole.

PURPOSE

SEC. 21.1 STATEMENT OF PRINCIPLES

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3. The proposed development shall be in harmony with the existing and proposed land patterns of adjacent properties, and the general planning area, and shall not negatively impact the stability and orderly development of adjacent lands and the general planning area as indicated by the Future Land Use Plan.
4. The proposed height, bulk, location and character of the structures proposed shall be in harmony with the existing and proposed structures on adjacent lands and in the general planning area and shall not negatively impact the stability of the orderly development of adjacent lands and the general planning area as indicated by the Future Land Use Plan.
5. The proposed location of uses which are of a significantly different scale or character than the abutting residential districts, such as access drives, parking areas, solid waste pick-up points, swimming pools, tennis courts and facilities of a similar nature on the subject property, shall be in harmony with the existing and proposed land patterns of adjacent properties and the general planning area and shall not negatively impact the stability of the orderly development of adjacent lands and the general planning area as indicated by the Future Land Use Plan.
6. The proposed development will not adversely impact the capability of public services and facilities in the area or the Township as a whole.
7. The gross acreage of the subject property shall be a minimum of forty (40) acres.

SEC. 21.2 CHANGE OF DISTRICT

No application shall be accepted for a use which will require a change in the overall density of the zoning district, unless said application is preceded by an application for a zoning district amendment.

SEC. 21.3 APPLICATION

Application for approval shall be made by the titleholder or titleholders of any parcel where use of the Residential Unit Development process is contemplated. The application shall be accompanied by a fee determined by Township Board resolution to cover the cost of evaluating the plan.

SEC. 21.4 RUD OPTION APPLICATION INFORMATION

Application for approval of an RUD option shall contain sufficient information to evaluate the proposed RUD's consistency with Section 21.1, Statement of Principles, including the following:

1. A metes and bounds survey and legal description of the acreage comprising the proposed Residential Unit Development, including a disclosure of mineral rights ownership.

SEC. 21.2	CHANGE OF DISTRICT
SEC. 21.3	APPLICATION
SEC. 21.4	RUD OPTION APPLICATION
	INFORMATION

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2. Topographic survey, including natural and manmade features at a scale of one inch equals fifty feet (1"=50'), with a contour interval not to exceed two (2) feet.
3. Site analysis, which identifies the character, structure and potential of the site as it relates to this Article, including areas adjacent to the subject property and sufficient information about the nearby properties, so that a determination can be made by the Planning Commission and Board as to the impact of the proposed Residential Unit Development on the general planning area in which the RUD is located. The analysis shall include as a minimum the following:
 - (a) Contiguous Land Uses. Indicate type and impact on adjoining lands, direction and distance to community facilities, show public transportation routes related to site.
 - (b) Topography. Indicate basic topography, any unique ground forms and percent of slope.
 - (c) Drainage. Natural watershed (direction), drainage swales and swamp areas.
 - (d) Soils. Depth of topsoil and type of soils.
 - (e) Vegetation. Locate and identify existing tree masses, locate and identify specimen plant material and indicate type of ground cover.
 - (f) Existing conditions. Structures, utilities and circulation.
 - (g) Special Features. Lakes, streams, ponds, floodplains and wetlands, dramatic views and significant natural, archeological, historical or cultural features.
4. A conceptual development plan, which illustrates the general character of the proposed RUD. The conceptual development plan shall identify the general location and extent of housing types and densities, open space, general system of interior roadways, drainageways, open water and general intentions relating to grading within the site.
5. Other pertinent information necessary to enable the Planning Commission to make a determination concerning the desirability of applying the provisions of this Article.

SEC. 21.5 GENERAL DEVELOPMENT PLAN APPLICATION INFORMATION

Following RUD option approval by the Township Board, a General Development Plan that contains sufficient information to determine the proposed development's conformance to Section 21.10, General Conditions, must be submitted for approval and shall contain the following information:

Article 21: Residential Unit Developments

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1. A general development plan shall contain the same information required for tentative site plan approval as found in Section 29.8.2 of this Ordinance or tentative preliminary plat approval found as found in Chapter 93 of the Township Code of Ordinances.

2. Project Narrative

A written narrative statement describing the proposed RUD, including housing types, lot sizes, building designs and architectural themes or styles, types of exterior façade finish materials, the relationship of the RUD to the surrounding area, all anticipated impacts associated with the proposed project and measures to be taken to mitigate or minimize such impacts (including any environmental impacts or impacts to off-site traffic conditions). The Township may require a more detailed impacts analysis based on the initial narrative statement.

2. An RUD Contract in conformance with Section 21.09.

3. If the proposed RUD will be a condominium, the Master Deed and By-laws in conformance with Section 21.14 shall be submitted.

4. The Planning Commission may require the submittal of typical building elevations that identify the general character of proposed buildings.

SEC. 21.6 FINAL DEVELOPMENT PLAN REQUIREMENTS

Information required for final development plan approval shall be the same as required for final site plan approval as found in Section 29.8.2 of this Ordinance or final preliminary plat approval as found in Chapter 93 of the Township Code of Ordinances. The final development plan shall meet all conditions of Township Board approval, and any final requirements determined necessary by provisions of this Ordinance or other applicable Codes and Ordinances, or the criteria for final site plan approval set forth in Section 29.8.2. Final development plan approval shall be further subject to the following:

1. The final site plan or final preliminary plat for a single phase RUD development shall constitute the final development plan. For a multi-phased RUD, where sufficient final detail has not been determined or which is expected to change slightly, the final development plan shall be reviewed and approved as a separate document, and be contingent on approval of the final site plans or final preliminary plats.

2. Phasing

Separate final plan approvals may be granted on each phase of an approved multi-phased RUD, subject to the following:

(a) The approved final development plan for the entire proposed RUD shall be incorporated by reference and as an exhibit of the RUD contract for each phase.

SEC. 21.5	GENERAL DEVELOPMENT PLAN APPLICATION INFORMATION
SEC. 21.6	FINAL DEVELOPMENT PLAN REQUIREMENTS

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- (b) Each phase shall contain the necessary components to ensure protection of natural resources and the health, safety and welfare of the residents of the surrounding area and users of the Residential Unit Development.
- (c) Each phase shall include all improvements necessary to allow the developed portion of the RUD to function and be occupied independent of improvements associated with future phases.

SEC. 21.7 PUBLIC HEARING REQUIREMENTS (as amended on 9/30/07)

At least one (1) public hearing shall be held by the Planning Commission on a proposed Residential Unit Development in order to acquaint the public and adjoining property owners with the proposal prior to finishing of detailed plans and specifications by the petitioner. Notice of the 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 persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. The notice shall:

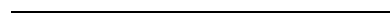
1. Describe the nature of the Residential Unit Development request.
2. Indicate the property which is the subject of the Residential Unit Development request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
3. State when and where the Residential Unit Development request will be considered.
4. Indicate when and where written comments will be received concerning the request.

SEC. 21.8 RESIDENTIAL UNIT DEVELOPMENT APPROVAL PROCESS

1. Residential Unit Development Option

- (a) Planning Commission Action. The Planning Commission shall review the proposed RUD for conformance with the provisions of this Ordinance, the intent and purpose of this Article, the statement of principles listed in Section 21.1 and

SEC. 21.7	PUBLIC HEARING REQUIREMENTS
SEC. 21.8	RESIDENTIAL UNIT DEVELOPMENT APPROVAL PROCESS



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its compatibility with adjacent uses of land, the natural environment, and the capability of public services and facilities affected by the proposed RUD

Within a reasonable time following the public hearing, the Commission shall recommend to the Board of Trustees approval, denial or approval with conditions, of the RUD Option and concept plan. The Commission's recommendations shall be forwarded to the Township Board of Trustees stating the Commission's findings, recommendations and any recommended conditions of approval.

- (b) Township Board Action. Upon receipt of the recommendations of the Commission, the Township Board shall review the application, recommendations, and may approve, approve with condition, or deny the application.

If the Township Board denies the request to apply the provisions of the RUD Option to the parcel of land as described in the survey submitted with the application, it shall record the decision and the basis for the decision in the meeting minutes. In the case of a denial, development of the subject property can be made only in accordance with the provisions of the Zoning Ordinance for the district where the property is.

If the Township Board of Trustees approves the request to apply the provisions of the RUD Option to the parcel of land as described in the survey submitted with the application, it shall record the decision and the basis for the decision in the meeting minutes.

Approval by the Board shall confer approval to develop the subject property under the terms and requirements of the RUD Option, conditions established by the concept plan and in the site analysis. Such approval shall be further subject to the following:

- 1) RUD Option approval shall not constitute approval of a preliminary plat, final plat, final site plan, or site condominium plan.
- 2) Approval Period: The approval of the Township Board grants the applicant a period of one (1) year from the date of RUD Option approval by the Board to submit a general development plan and RUD contract to the Planning Commission for recommendation to the Township Board and final approval by the Board.
- 3) Extensions: Extensions of RUD Option approval may be granted by the Township Board upon written request of the applicant, and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed Residential Unit Development.

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2. General Development Plan

Within eighteen months of RUD option approval by the Township Board the applicant shall submit and obtain Township Board approval of the general development plan and RUD contract.

- (a) **Planning Commission Action.** The Planning Commission shall review the general development plan for conformance to Section 21.10, General Conditions, and any conditions of RUD option approval and make a recommendation to the Township Board to approve, approve with conditions, or deny the proposed general development plan.
- (b) **Township Board Action.** Upon receipt of the Planning Commission's recommendations of the Commission, the Township Board shall review the general development plan and RUD contract, recommendations, and shall take action thereupon.

If the Township Board denies the general development plan and contract, it shall record the decision and the basis for the decision in the meeting minutes.

If the Township Board approves the general development plan and contract, it shall record the decision and the basis for the decision in the meeting minutes. Approval by the Board shall confer approval to develop the subject property under the requirements of the RUD Option and the conditions established in the site analysis and general development plan

- 1) **Approval Period.** Approval by the Board shall grant the applicant a period of one (1) year to submit a final development plan to the Planning Commission for approval.
- 2) **Extensions.** Extensions of general development plan approval may be granted by the Township Board upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed Residential Unit Development.

3. Final Development Plan

Within eighteen (18) months of general development plan approval by the Township Board the applicant shall submit and obtain Planning Commission approval of a final development plan.

- (a) **Planning Commission Action.** The Planning Commission shall review the final development plan for conformance to Section 21.10, General Conditions, and the RUD contract and approve, approve with conditions, or deny the proposed general development plan.

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Amendments:

- 1) Approval Period: Approval by the Planning Commission shall grant the applicant a period of one (1) year to obtain a Building Permit from the Building Department.
- 2) Extensions: Extensions of final development plan approval may be granted by the Planning Commission upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed Residential Unit Development.

SEC. 21.9 CONTRACT REQUIREMENTS

Prior to or in conjunction with the submission of a general development plan, the applicant shall submit a proposed RUD contract for review and recommendation by the Planning Commission, and review and approval by the Township Board. Such contract shall set forth the conditions upon which the RUD Option approval is based. The contract shall be entered into between the Township and the applicant prior to the approval of any final plat, final site plan or final condominium site plan. Said contract shall provide:

1. Survey (metes and bounds) of the acreage comprising the proposed Residential Unit Development, including a legal description of the proposed RUD site.
2. The manner of ownership of the land, including mineral rights.
3. The manner of the ownership and of the dedication of the open land.
4. The restrictive covenants required for membership rights and privileges, maintenance and obligation to pay assessments for the open land.
5. The stipulations pertaining to commencement and completion of the phases of the development, to construction, installation, repairs and maintenance of improvements, to obligations for payment of any costs, expenses or fees is planned or reasonably foreseen, and to the manner of assuring payment of obligations.
6. Provisions for the Township to effect construction, installation, repair, and maintenance and keep of public utilities, storm and sanitary sewers, and drainageways, water, streets, sidewalks, lighting and similar facilities, required open space areas, land and improvements associated with the approved RUD Option thereon, and any other conditions of the RUD approval or the general development plan, upon failure of the applicant to do so in accordance with contract requirements. This provision shall address the manner for assessment (and enforcement of assessments) of costs, expenses or fees incidental thereto against the applicant or owner(s) or occupants of the Residential Unit Development.
7. The site analysis and general development plan shall be incorporated by reference and as exhibits.

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8. If final plat, final site plan or final condominium site plan approval is granted for only a portion (phase) of the overall Residential Unit Development, an approved tentative preliminary plat, tentative site plan or tentative condominium site plan for the entire proposed RUD shall be incorporated by reference and as an exhibit to the RUD contract.
9. Provisions reasonably and necessarily intended to protect, the intent of this Article, the conditions of approval, public health, safety, or general welfare of the Township.

SEC. 21.10 GENERAL CONDITIONS

This Article provides for two (2) optional methods of developing residential property. When the gross area proposed for development is forty (40) acres or greater but less than eighty (80) acres and the applicant provides at least ten (10) percent open space, development shall be permitted under the specific conditions set forth in Sections 21.11. When the gross area is eighty (80) acres or greater and the applicant provides at least ten (10) percent open space, development shall be permitted under the specific conditions set forth in Sections 21.12.

1. Permitted Uses

The following uses shall be permitted in all Residential Unit Developments:

- (a) All principal permitted, accessory and special land uses allowed within the applicable residential zoning district shall be respectively permitted, subject to the requirements of the applicable district.
- (b) Multiple family dwellings, as defined in Section 36.2 and limited to no more than sixteen (16) dwelling units in any one (1) building.
- (c) Townhouse dwellings as defined in Section 36.2 and limited to no more than six (6) dwelling units in any one (1) building.
- (d) Stacked flat dwellings as defined in Section 36.2 and limited to no more than eighteen (18) dwelling units in a building.
- (e) Two family dwellings, as defined in Section 36.2.
- (f) One family cluster dwellings, which shall be defined as the attaching of no more than four (4) one family dwellings. The method by which the units may be attached shall be limited to the following:
 - 1) A common party wall in the garage portion of the unit only.
 - 2) Obscuring walls, architectural screens fencing or similar elements designed to create a private outdoor area.

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- 3) A common party wall between individual dwelling units, provided that each dwelling unit shall have a private exterior entrance with visual and physical separation from adjacent dwelling units; the exterior design of the building shall be compatible with the architectural style, size, overall floor area and height of nearby single family dwellings; and shall include acoustic controls and soundproofing materials in accordance with the standards established by the Chief Building Official for cluster housing.
- (g) Detached one family cluster dwellings, which shall be defined as a group of two (2) or more detached one family dwellings located on a common parcel of land under single or condominium ownership, and having any yard or court in common. Such dwellings shall not be subject to Section 21.10.4.

2. Calculation of Permitted Dwelling Unit Density

The area used in computing overall density shall be the gross site area including any dedicatable interior right-of-way less than eighty-six (86) feet in width and twenty-five (25) percent of the area of water located wholly within the boundaries of the parcel. The Planning Commission may vary the percentage of water area to be used in the density calculation, upon determination that such a decrease or increase would be within the purpose and intent of the RUD Option, and that the overall project would be in harmony with the existing and proposed land patterns of adjacent properties and the general planning area.

The following shall be excluded from the area used in computing overall density:

- (a) Dedicated or dedicatable interior and exterior-right-of-way equal to eighty-six (86) feet in width or greater. This shall be determined by the established street setback lines, in the case of existing streets.
 - (b) Water area which is not wholly within the boundaries of the parcel to be developed.
3. All dwellings defined and allowed pursuant to Section 21.10.1(b) through 21.10.1(f) shall require a land area not less than four thousand (4,000) square feet for each dwelling unit with not more than one (1) bedroom, and shall provide an additional one thousand (1,000) square feet for each additional bedroom. As a guide only, the densities based upon such minimum land area will not exceed the following:

UNIT TYPE	DWELLING UNITS PER ACRE
1 Bedroom Unit	10.9
2 Bedroom Unit	8.7
3 Bedroom Unit	7.3

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4. All one family dwellings shall be subject to the following:
 - (a) All one family dwellings shall comply with the height and minimum floor area requirements of Article 20, Schedule of Regulations.
 - (b) Standard lots shall conform to the requirements of Article 20, Schedule of Regulations, of this Ordinance or
 - (c) Modified lots shall conform to the following lot size and yard requirements:

MODIFIED LOT STANDARDS	R-1-E	R-1-H	R-1-S	R-1
Minimum Lot Area (square feet)	30,000	16,000	10,000	6,600
Minimum Lot Depth (feet)	150	140	120	110
Minimum Lot Frontage (feet)	125	100	80	60
Minimum Front Yard (feet)	45	35	30	25
Minimum Side Yard – One Side (feet)	15	10	10	5
Minimum Side Yards - Total of Two (feet)	30	20	20	16
Minimum Rear Yard (feet)	50	50	50	40
Minimum Rear Yard Abutting Open Space (feet)	50	40	40	30

5. **Open Space for Modified Lots**

For each square foot of land gained within a single-family residential development through the reduction of lot size, at least equal amounts of land shall be dedicated to the common use of the owners and/or residents of the land as open space, and developed in a manner approved by the Commission. A complete table indicating proposed area for each lot and the amount of square footage gained for each proposed lot shall be submitted with the proposal (see example in table below). Square footage gained for each shall be determined by subtracting the proposed reduced lot area from standard lot area as found in the Schedule of Regulations for the zoning of the subject property. No open space credit is given for lots greater than the minimum district requirement.

Example of Required Open Space Calculations:

LOT NUMBER	PROPOSED LOT AREA	REQUIRED LOT AREA	DIFFERENCE	REQUIRED OPEN SPACE
1	16,000 sq.ft.	21,780 sq.ft.	(5,780)	5,780 sq.ft.
2	25,000 sq.ft.	21,780 sq.ft.	3,220	(3,220 sq.ft.)
3	18,500 sq.ft.	21,780 sq.ft.	(3,280)	3,280 sq.ft.
MINIMUM REQUIRED OPEN SPACE				9,060 sq.ft.

Article 21: Residential Unit Developments

Amendments:

6. Required Yards (as amended 10/25/07)

The actual arrangements of buildings, distances between buildings and use of yard areas shall be subject to review and approval by the Planning Commission. The Commission may require additional separation distance between units or clusters to ensure that the intent of the Ordinance is carried out and the public health, safety and welfare of the community is adequately served.

(a) Yard requirements for attached one family dwelling clusters, and detached one family dwelling clusters shall be provided based on the following:

- 1) A minimum of ten (10) feet shall be provided between each detached unit except that the distance between or between a garage and a living area may be reduced to six (6) feet. In the above mentioned situations the applicant shall clearly indicate the intended use of the area and the proposed elevations facing each other. Where the space between is intended for use as an outdoor living space, the area shall be a minimum of twenty (20) feet.
- 2) Minimum spacing between clusters shall be determined by the number of living units that are arranged in any cluster group, as shown in the following table:

NUMBER OF LIVING UNITS PER CLUSTER	MINIMUM DISTANCE BETWEEN CLUSTERS (feet)
1 Unit Cluster and a 1 Unit Cluster	10.0
1 Unit Cluster and a 2 Unit Cluster	15.0
1 Unit Cluster and a 3 Unit Cluster	20.0
1 Unit Cluster and a 4 Unit Cluster	25.0
2 Unit Cluster and a 2 Unit Cluster	20.0
2 Unit Cluster and a 3 Unit Cluster	25.0
2 Unit Cluster and a 4 Unit Cluster	30.0
3 Unit Cluster and a 3 Unit Cluster	30.0
3 Unit Cluster and a 4 Unit Cluster	40.0
4 Unit Cluster and a 4 Unit Cluster	40.0

- 3) The minimum building setback in a RUD shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall the building setback be less than 35 feet.

Article 21: Residential Unit Developments

Amendments:

- 4) Where a building in an RUD sides to the right-of-way of a road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.

SEC. 21.11 CONDITIONS SPECIFIC TO FORTY ACRES OR GREATER

Residential Unit Developments of forty (40) acres or greater, and developed pursuant to this section, shall conform to the following requirements:

- 1. Overall density shall not exceed the following dwelling units per acre:

ZONING DISTRICT	MAXIMUM NUMBER OF DWELLING UNITS PER ACRE
R-1-E	0.86
R-1-H	1.70
R-1-S	3.05
R-1	5.00

- 2. Open space shall be provided in at least the amount gained by lot size reduction as provided in Section 21.10.4(c), but in no case shall it be less than ten (10) percent of the Residential Unit Development.
- 3. The total number of dwelling units of the types as defined in Section 21.10.1(b) through 21.10.1(g) combined, shall be limited to thirty-five (35) percent of the total number of dwelling units in the development.
- 4. Development of a RUD in the R-1-E District:

Development of a RUD in a R-1-E Zoning District may be permitted consistent with the following requirements where only detached one family residential dwellings on individual lots are proposed, provided the following requirements are met:

- (a) Overall density of the proposed Residential Unit Development shall not exceed one (1) dwelling unit per acre.
- (b) A minimum of ten (10) percent of the gross area of the Residential Unit Development shall be provided as open space. The provisions as found in Section 21.11.2 shall not apply.
- (c) All other specific requirements as found in Section 21.10.4(b) shall apply in regard to lot size reduction.

Article 21: Residential Unit Developments

Amendments:

- (d) All other specific requirements as found in Article 21 shall apply, except where they are in conflict with the above requirements.

SEC. 21.12 CONDITIONS SPECIFIC TO EIGHTY ACRES OR GREATER

Residential Unit Developments of eighty (80) acres or greater, and developed pursuant to this section, shall conform to the following requirements:

- 1. Overall density shall not exceed the following dwelling units per acre:

ZONING DISTRICT	MAXIMUM NUMBER OF DWELLING UNITS PER ACRE
R-1-E	1.30
R-1-H	2.20
R-1-S	3.05
R-1	5.00

- 2. Open space shall be provided in at least the amount gained by lot size reduction as provided in Section 21.10.4(b), but in no case shall it be less than ten (10) percent of the Residential Unit Development.
- 3. The total number of multiple family, stacked flat and townhouse dwelling units, as defined in Section 21.10.1(b) through 21.10.1(g) combined, shall not exceed thirty-five (35) percent of the total number of dwelling units in the development. Any such units must comply with the restrictions for multiple family, townhouse or other unit types as listed in Section 21.10.1 (b) through (g).
- 4. The total number of detached one family dwellings units that have been modified pursuant to Section 21.10.4 of this Article, shall be not less than fifty-five (55) percent of the total number of dwelling units in the development.
- 5. A perimeter strip not less than three hundred sixty (360) feet in depth shall be placed around the outer boundaries of the total area where the proposed Residential Unit Development abuts, in whole or in part, land in a One Family Residential District. Use and development of land within this perimeter strip shall be limited to the following:
 - (a) The perimeter strip shall only be developed in complete conformity with the requirements of Article 20 applicable to the abutting One Family Residential District, and shall contain only one family dwellings. All other permitted or conditional uses otherwise applicable to the zoning district shall be prohibited in the perimeter strip.

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Amendments:

- (b) A reduction in lot size may be permitted within the perimeter strip, in accordance with Section 21.10.4(b), based upon the applicable abutting zoning district requirements.
 - (c) The perimeter strip may also be used for an elementary school playground, park, golf course or similar open space which is recorded in perpetuity for said purpose.
 - (d) The Planning Commission may modify the three hundred sixty (360) foot perimeter strip depth requirement upon determination that a greater or lesser perimeter strip would be in better proportion to the total area of the development due to topography or existing development on the abutting land.
7. Where the proposed Residential Unit Development abuts a major thoroughfare having an existing or ultimate right-of-way of one hundred twenty (120) feet or more, the perimeter strip required above may contain attached one family dwelling clusters, detached one family dwelling clusters. The density of such clusters shall not be greater than three and one-half (3 ½) dwelling units per acre. The depth of the perimeter strip shall be measured from the nearest edge of the street setback line, and shall not be less than three hundred sixty (360) feet in depth.

8. Development of an RUD in the R-1-H District:

Development of an RUD in the R-1-H zoning district where only detached one family residential dwellings on individual lots are proposed, and no other uses as defined under Section 21.10.1 (b) through (g) are proposed, the modification of lot size and yard requirements as defined in Section 21.10.4(b) may be further modified provided the following requirements are met:

- (a) No lot proposed shall be less than twelve thousand (12,000) square feet in area.
- (b) A minimum of fifty-five (55) percent of the lots proposed shall be thirteen thousand (13,000) square feet or greater.
- (c) No lot shall be less than ninety (90) feet in width.
- (d) A minimum of forty-five (45) percent of the lots proposed shall be one hundred (100) feet in width or greater.
- (e) Overall density of the proposed Residential Unit Development shall not exceed 2.2 dwelling units per acre.
- (f) All other applicable requirements of the RUD Option are met.

9. Development of a RUD in the R-1-E District:

Development of a RUD in a R-1-E Zoning District may be permitted consistent with-the following requirements where only detached one family residential dwellings on individual lots are proposed, and no other uses as defined under Section 21.10.1(b) through (g) are proposed provided the following requirements are met:

Article 21: Residential Unit Developments

Amendments:

- (a) Overall density of the proposed Residential Unit Development shall not exceed one (1) dwelling unit per acre.
- (b) A minimum of ten (10) percent of the gross area of the Residential Unit Development shall be provided as open space. The provisions as found in Section 21.12.2 shall not apply.
- (c) All other specific requirements as found in Section 21.10.4(b) shall apply in regard to lot size reduction.
- (d) All other specific requirements as found in Article 21 shall apply, except where they are in conflict with the above requirements.

SEC. 21.13 AMENDMENT, TERMINATION AND REVOCATION

Final approval by the Township Board of the general development plan and contract signifies the completion of the Residential Unit Development application process. The applicant shall comply with all conditions and requirements of the general development plan and contract, which shall be recorded in the record of the Township Board’s approval action and shall remain unchanged except upon the mutual consent of the Township and the landowner

1. Compliance Required

Once an area has been included within a general development plan for Residential Unit Development, and such plan has been approved by the Board, no development may take place in such area nor may any use thereof be made except in accordance with said plan, or in accordance with a Board approved amendment thereto, unless the plan is terminated as provided herein.

2. Amendment

An approved general development plan and contract may be amended in the same manner provided in this Article for approval of the original general development plan and contract.

3. Termination

An approved general development plan and contract may be terminated by the applicant prior to any development within the Residential Unit Development area involved by filing with the Township Clerk and recording in the Wayne County Records an affidavit so stating. The approval of the general development plan and contract shall terminate upon said recording. No approved general development plan and contract shall be terminated after any development commences within the Residential Unit Development area, except with the approval of the Township Board and of all parties of interest in the land.

Article 21: Residential Unit Developments

Amendments:

4. Revocation

A Residential Unit Development approval may be revoked by the Township Board in any case where the conditions of such approval have not been or are not being complied with. The Township Board shall give the applicant notice of its intention to revoke such permit at least ten (10) days prior to review of said approval by the Board. After conclusion of such review the Township Board may revoke such approval if it finds that a violation in fact exists and has not been remedied prior to such hearing.

SEC. 21.14 CONDOMINIUM PROJECTS

For any condominium proposed as a RUD, the applicant shall provide a copy of the Master Deed and Condominium Association Bylaws for approval by the Township Board of Trustees. The condominium documents shall provide limits on use of common areas or open space for accessory structures such as swimming pools, decks, playground equipment and buildings. A plan shall be provided indicating the limits of such accessory structures within a defined envelope.

As part of the General Development Plan application, the applicant shall submit the necessary documents to the Community Development Department for Township Attorney review prior to final development plan approval by the Board of Trustees. The Association documentation shall include provisions for the following at a minimum:

1. The conditions upon which the approval is based, with reference to the approval final development plan.
2. When open space or common areas are indicated in the development plan for use by the residents, the open space or common areas shall be conveyed in fee simple or otherwise committed by dedication to an association of the residents, and the use shall be irrevocably dedicated for the useful life of the residences, and retained as open space for park, recreation or other common uses.
3. A program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping.
4. Assurance that trees, waterways and woodlands will be preserved as shown on the General Development Plan.
5. Assurance that the construction and maintenance of all streets and necessary utilities (including public water, wastewater collection and treatment) through bonds or other satisfactory means, for any and all phases of the RUD. In the case of a phased RUD, this equipment shall be reviewed at the time of any final development plan approval.
6. Address any other concerns of the Township regarding construction and maintenance.

END OF ARTICLE 21. THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 21: Residential Unit Developments
Amendments:

ALL AMENDMENTS TO
ARTICLE XXI (21)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 21: Residential Unit Developments

Amendments:

ALL AMENDMENTS TO ARTICLE XXI (21)

The following language was amended on 10/25/07

6. Required Yards

The actual arrangements of buildings, distances between buildings and use of yard areas shall be subject to review and approval by the Planning Commission. The Commission, may require additional separation distance between units or clusters to ensure that the intent of the Ordinance is carried out and the public health, safety and welfare of the community is adequately served.

(a) Yard requirements for attached one family dwelling clusters, and detached one family dwelling clusters shall be provided based on the following:

- 1) A minimum of ten (10) feet shall be provided between each detached unit except that the distance between or between a garage and a living area may be reduced to six (6) feet. In the above mentioned situations the applicant shall clearly indicate the intended use of the area and the proposed elevations facing each other. Where the space between is intended for use as an outdoor living space, the area shall be a minimum of twenty (20) feet.
- 2) Minimum spacing between clusters shall be determined by the number of living units that are arranged in any cluster group, as shown in the following table:

NUMBER OF LIVING UNITS PER CLUSTER	MINIMUM DISTANCE BETWEEN CLUSTERS (feet)
1 Unit Cluster and a 1 Unit Cluster	10.0
1 Unit Cluster and a 2 Unit Cluster	15.0
1 Unit Cluster and a 3 Unit Cluster	20.0
1 Unit Cluster and a 4 Unit Cluster	25.0
2 Unit Cluster and a 2 Unit Cluster	20.0
2 Unit Cluster and a 3 Unit Cluster	25.0
2 Unit Cluster and a 4 Unit Cluster	30.0
3 Unit Cluster and a 3 Unit Cluster	30.0
3 Unit Cluster and a 4 Unit Cluster	40.0
4 Unit Cluster and a 4 Unit Cluster	40.0

(b) Yard requirements for townhouse dwellings, stacked flats and multiple family structures shall comply with Article 20, Schedule of Regulations for R-2-A Zoning District.

Charter Township of Plymouth Zoning Ordinance No. 99

Article 21: Residential Unit Developments

Amendments:

The following language was amended on 9/30/07

SEC. 21.7 PUBLIC HEARING REQUIREMENTS

A public hearing shall be held by the Planning Commission on a proposed Residential Unit Development in order to acquaint the public and adjoining property owners with the proposal prior to finishing of detailed plans and specifications by the petitioner. Notice of the 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 persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:

1. Describe the nature of the Residential Unit Development request.
2. Indicate the property which is the subject of the Residential Unit Development request.
3. State when and where the Residential Unit Development request will be considered.
4. Indicate when and where written comments will be received concerning the request.

Article 22: Single Family Cluster Housing

Amendments:

ARTICLE XXII

SINGLE FAMILY CLUSTER HOUSING

PURPOSE

The purpose of the Single Family Cluster Housing Option is to permit optional methods of development and arrangement of single family structures on parcels less than forty (40) acres gross area in the R-1-E, R-1-H, R-1-S, R-1 and R-2 single family residential districts, which provide for design alternatives compatible with existing and future adjacent single family subdivisions, and which meet one or more of the following characteristics:

1. The parcel contains natural assets such as large stands of trees, rolling topography, swale areas, flood, plains or wetlands which would be in the best interest of the community to preserve and would otherwise be substantially destroyed if developed under traditional subdivision requirements.
2. Because of the parcel's peculiar configuration, it would be difficult to develop under traditional subdivision requirements.
3. Because of the parcel's particular relationship to thoroughfare and/or collector roads and existing circulation patterns for abutting subdivisions, it would be difficult to develop under traditional subdivision requirements.
4. Because of the parcel's particular relationship to a limited access highway, development under the cluster option would result in a more suitable living environment than could be achieved under strict adherence to traditional subdivision requirements.

SEC. 22.1 STATEMENT OF PRINCIPLES

Single Family Cluster Housing is an optional method of development which may be permitted only after a public hearing, review and recommendation by the Planning Commission, and approval by the Township Board of Trustees, and upon finding that the proposed cluster housing development reflects the following basic principles:

1. The proposal is in conformity with the spirit and intent of the Cluster Housing Option as established in the purpose Section of this Article.
2. The vehicular circulation system planned for the proposed development will be in the best interest of the public health, safety and welfare in regards to the overall circulation of the community, egress/ingress to the site, vehicular turning movements related to street intersections and street gradient, site distance and potential hazards to the normal flow of traffic.

PURPOSE

SEC. 22.1

STATEMENT OF PRINCIPLES

Article 22: Single Family Cluster Housing

Amendments:

In reviewing the proposed interior circulation system for the proposed project, the Planning Commission shall determine the necessity for public roads and the potential future extension of such roads to adjacent properties.

All interior roads, both public and private, shall be constructed in compliance with existing construction standards as adopted by the Wayne County Department of Public Services for residential streets. The Planning Commission and/or Township Board may waive this requirement after review and recommendation by the Township Planner and Township Engineer, provided the proposed waiver will not materially impair the intent and purpose of this Ordinance or the public interest.

- 3. The proposed units, circulation, layout, parking facilities and any open space or recreation activity areas are designed and located in a manner that ensures the stability of existing or future conventional single family residential properties in the area.
- 4. Proposed landscape plantings, fences, walls and/or open space areas are appropriate and of sufficient size, height and quantity to insure that the proposed development will not be objectionable to nearby existing or future conventional single family residential properties by reason of noise, fumes or flash of lights from automobiles, or exterior lighting; nor will it interfere with an adequate supply of light and air, increase the danger of fire or otherwise endanger the public safety.
- 5. The proposed development will not adversely impact the capability of public services and facilities in the area or the Township as a whole.

SEC. 22.2 APPLICATION

Application for approval shall be made by the titleholder or titleholders of any parcel where use of the Cluster Housing Option is contemplated. The application shall be accompanied by a fee determined by Township Board resolution to cover the cost of evaluating the application.

SEC. 22.3 APPLICATION INFORMATION

Application for approval shall contain the following information:

1. Survey and Site Analysis

- (a) A metes and bounds survey and legal description of the acreage comprising the proposed Cluster Housing Development, including a disclosure of mineral rights ownership.
- (b) Topographic survey, including natural and manmade features at a scale of one inch equals fifty feet (1"=50'), with a contour interval not to exceed two (2) feet.
- (c) Site analysis, which identifies the character, structure and potential of the site as it relates to this Article, including areas adjacent to the subject property and

Article 22: Single Family Cluster Housing

Amendments:

sufficient information about the nearby properties, so that a determination can be made by the Planning Commission and Board as to the impact of the proposed Cluster Housing development on the general planning area in which it is located. The analysis shall include as a minimum the following:

- 1) Adjacent Land Uses: Indicate type and impact on adjoining lands, direction and distance to community facilities; show transportation routes related to site.
 - 2) Drainage: Natural watershed (direction), drainage swales and swamp areas.
 - 3) Soils: Depth of topsoil and type of soils.
 - 4) Vegetation: Locate and identify existing tree masses, locate and identify specimen plant material and indicate type of ground cover.
 - 5) Existing Conditions: Structures, utilities and circulation.
 - 6) Special Features: Lakes, streams, ponds, floodplains and wetlands, dramatic views and significant natural, archeological, historical or cultural features.
2. Documentation related to the Purpose and Statement of Principles Sections of this Article indicating why this parcel should be considered for development under the Cluster Housing Option.
 3. General Development Plan: A plan of sufficient detail to define the proposed location of buildings, parking, interior circulation, landscape areas and method of handling storm water run-off, sanitary sewer and water facilities. (Scale 1"=50' minimum).
 4. Proposed method of ownership.
 5. General concept of the building types to be used, including typical architectural elevations of proposed residential dwellings.
 6. A parallel plan conforming to all applicable requirements of a conventional residential development demonstrating the number of residential units or lots that could be developed following the requirements of the zoning district without the cluster option.
 7. Any other pertinent information deemed necessary by the Planning Commission or Township Board to make a determination concerning the desirability of applying the provisions of this Article.

Article 22: Single Family Cluster Housing

Amendments:

22.4 PUBLIC HEARING REQUIREMENTS (as amended on 9/30/07)

At least one (1) public hearing shall be held by the Planning Commission on a proposed Cluster Housing Development in order to acquaint the public and adjoining property owners with the proposal prior to finishing of detailed plans and specifications by the petitioner. Notice of the 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 persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term “occupant” may be used in making notification. The notice shall:

1. Describe the nature of the Cluster Housing request.
2. Indicate the property which is subject of the Cluster Housing request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
3. State when and where the Cluster Housing request will be considered.
4. Indicate when and where written comments will be received concerning the request.

SEC. 22.5 PLANNING COMMISSION RECOMMENDATION

The Planning Commission shall review the proposed cluster housing development for conformance with the provisions of this Ordinance, the intent and purpose of this Article, the statement of principles listed in Section 22.1 and its compatibility with adjacent uses of land, the natural environment, and the capability of public services and facilities affected by the proposed Cluster.

Within a reasonable time following the public hearing, the Commission shall recommend to the Township Board of Trustees approval, denial or approval with conditions of the Cluster Option. The Commission’s recommendations shall be forwarded to the Township Board of Trustees stating the Commission’s findings, recommendations and any recommended conditions of approval.

Article 22: Single Family Cluster Housing

Amendments:

SEC. 22.6 TOWNSHIP BOARD ACTION

Upon receipt of the recommendations of the Commission, the Township Board shall review the application, recommendations, and may approve, approve with condition, or deny the application.

SEC. 22.7 DISAPPROVAL BY TOWNSHIP BOARD

If the Township Board denies the request to apply the provisions of the Cluster Housing Option to the parcel of land as described in the survey submitted with the application, it shall record the decision and the basis for the decision in the meeting minutes. In the case of a denial, development of the subject property can be made only in accordance with the provisions of the Zoning Ordinance for the district where the property is located.

SEC. 22.8 APPROVAL BY TOWNSHIP BOARD

If the Township Board of Trustees approves the request to apply the provisions of the Cluster Housing Option to the parcel of land as described in the survey submitted with the application, it shall record the decision and the basis for the decision in the meeting minutes.

Approval by the Board shall confer approval to develop the parcel of land described in the application under the conditions and requirements of the Cluster Housing Option. Such approval shall be further subject to the following:

1. Cluster Option approval shall not constitute approval of a preliminary plat, final plat, final site plan or final site condominium plan.
2. Approval Period: Said approval by the Township Board of Trustees shall grant the applicant a period of one (1) year and six (6) months from the date of Cluster Housing Option approval to submit and receive final site plan or final site condominium plan approval (dependent upon the method of ownership proposed), and to submit a contract for approval to the Township Board.
3. Extensions of Cluster Housing Option approval may be granted by the Township Board upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed Cluster Housing Development.
4. Approval of the final site plan or final condominium site plan and approval of a Cluster Housing Option contract by the Township Board is a prerequisite for issuance of a building permit by the Department of Building and Code Enforcement.

SEC. 22.9 CONTRACT REQUIREMENTS

SEC. 22.6	TOWNSHIP BOARD ACTION
SEC. 22.7	DISAPPROVAL BY TOWNSHIP BOARD
SEC. 22.8	APPROVAL BY TOWNSHIP BOARD

Article 22: Single Family Cluster Housing

Amendments:

Prior to final site plan, final plat, or final condominium site plan approval, or in conjunction with the respective submissions, the applicant shall submit to the Planning Commission for recommendation and to the Township Board for approval, a proposed contract setting forth the conditions upon which approval of the Cluster Housing Development is based. The contract, after review by the Planning Commission and approval by the Township Board, shall be entered into between the Township and the developer. Said contract shall provide:

1. The manner of ownership of the land, including mineral rights.
2. The manner of the ownership and of the dedication of the open land.
3. The restrictive covenants required for membership rights and privileges, maintenance and obligation to pay assessments for the open land.
4. The stipulations pertaining to commencement and completion of the phases of the development, to construction, installation, repairs and maintenance of improvements, to obligations for payment of any costs, expenses or fees planned or reasonably foreseen, and to the manner of assuring payment of obligations.
5. Provisions for the Township to effect construction, installation, repairs and maintenance and use of public utilities, storm and sanitary sewers and drainageways, water, streets, sidewalks and lighting, and of the open land and improvements thereon, and any other conditions of the plan, and the manner for the assessment, and enforcement of assessments for the costs, expenses, or fees incidental thereto against the applicant, or the future owners or occupants of the Cluster Housing Development.
6. The final site plan, final condominium site plan or final plat shall be incorporated by reference and as exhibits.
7. Provisions reasonably and necessarily intended to protect public health, safety, or general welfare of neighboring residents or the Township as a whole, to address any conditions of approval, or to further the purpose and intent of this Article.

SEC. 22.10 GENERAL CONDITIONS

The option allows for development of detached and attached one family dwelling clusters in the R-1-E, R-1-H, R-1-S, R-1, R-M and R-2 Residential Districts.

1. Clustering of the dwelling units shall be in a manner which preserves the basic amenities normally found in single family residential neighborhoods, while allowing for innovative site layout, and a potential increase of common open space.
2. Each dwelling unit shall be provided with a private exterior entrance, with visual and physical separation from adjacent dwelling units.
3. The method by which dwelling units may be attached shall be limited to the following:
 - (a) A common party wall in the garage portion of the unit only.

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Amendments:

- (b) Obscuring walls, architectural screens fencing or similar elements designed to create a private outdoor area.
 - (c) A common party wall between individual dwelling units, which defines interior living or storage space, provided that the exterior design of the building is compatible with existing single family structures located in the general area in architectural style, size, overall floor area and height, and that the structure complies with acoustic control standards as established by the Chief Building Official for Cluster Housing.
4. Where the proposed cluster development abuts an existing conventional single family subdivision or land zoned for single family use, the Planning Commission shall ensure that an orderly transition occurs in one of the following manners:
- (a) Detached single-family dwellings, subject to the standards of the Schedule of Regulations for the particular zoning district.
 - (b) Open or recreation space.
 - (c) Sufficient change of topography.
 - (d) Buffer plantings of sufficient size, character, density and quantity to adequately provide for an orderly transition.
 - (e) Any other means the Planning Commission finds to be consistent with the spirit and intent of this Ordinance and the objectives of this Article.
5. Attached dwelling units shall be subject to the following:
- (a) The maximum number of units which may be attached shall be four (4) units.
 - (b) The exterior design of the structures shall be compatible with existing single family structures located in the general area of the project in regards to architectural style, size, overall floor area and height.
 - (c) Variety in the design of individual units shall be provided by the use of design details which do not appear to be continuous or repetitious. A building pattern which is repetitious throughout the project shall not be permitted.
6. All buildings shall be set back a minimum of forty (40) feet from the street setback line for a major thoroughfare [projected right-of-way one hundred twenty (120) feet] or collector road [projected right-of-way eighty-six (86) feet]. The Planning Commission may reduce this requirement to allow development consistent with existing or future single family developments along the major thoroughfare or collector road.

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Amendments:

7. All buildings shall be set back a minimum of forty-two (42) feet from the edge of any internal private street providing general circulation through the site. A minimum setback of twenty-five (25) feet shall be provided on drives whose primary purpose is to serve as access for only a few units. The Planning Commission on the basis of the Site Plan shall determine which streets provide general circulation and those which serve only a few units. All buildings shall be setback a minimum of twenty-five (25) feet from the right-of-way of any internal public street.

8. Yard and Building Separation Standards

The requirements of Article 20, Schedule of Regulations applicable for minimum lot size and yard requirements shall not apply under the Cluster Housing Option. The arrangement of buildings, distances between buildings and intended use of yard areas shall be reviewed by the Planning Commission. Yard requirements and minimum separation distances between buildings shall be provided as follows:

- (a) Separation between Detached Dwelling Units. A minimum of ten (10) feet shall be provided between each detached unit except that the distance between garages or between a garage and living area may be reduced to six (6) feet with Planning Commission approval. The applicant shall clearly indicate the intended use of outdoor and indoor areas and proposed elevations facing each other. Where the space between units is intended for use as outdoor living space, the separation shall be a minimum of twenty (20) feet.
- (b) Separation between Dwelling Clusters. Minimum spacing between clusters shall be determined by the number of living units that are arranged in any cluster group, as shown in the following table:

NUMBER OF LIVING UNITS PER CLUSTER	MINIMUM DISTANCE BETWEEN CLUSTERS (feet)
1 Unit Cluster and a 1 Unit Cluster	10.0
1 Unit Cluster and a 2 Unit Cluster	15.0
1 Unit Cluster and a 3 Unit Cluster	20.0
1 Unit Cluster and a 4 Unit Cluster	25.0
2 Unit Cluster and a 2 Unit Cluster	20.0
2 Unit Cluster and a 3 Unit Cluster	25.0
2 Unit Cluster and a 4 Unit Cluster	30.0
3 Unit Cluster and a 3 Unit Cluster	30.0
3 Unit Cluster and a 4 Unit Cluster	40.0
4 Unit Cluster and a 4 Unit Cluster	40.0

Article 22: Single Family Cluster Housing

Amendments:

- (c) Planning Commission Modifications. After review of the proposed plan and the proposed use of yard areas and arrangement of buildings, the Planning Commission may require additional setbacks or separation distances between buildings or clusters of buildings to ensure that the intent of this Ordinance is carried out and the public health, safety and welfare of the community is adequately served.

(as amended 10/25/07)

- (d) The minimum building setback in a Single Family Cluster shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall be building setback be less than 35 feet.
 - (e) Where a building in a Single Family Cluster sides to the right-of-way of a road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.
9. Where the proposed cluster development abuts a designated thoroughfare and/or collector road, the Planning Commission shall ensure that the treatment along said roads is compatible with existing or future single family developments in the area, and that an orderly transition occurs in one of the following manners:
- (a) Detached single family dwellings, subject to the standards of the Schedule of Regulations for the particular zoning district.
 - (b) Open or recreation space.
 - (c) Sufficient change of topography.
 - (d) Buffer plantings of sufficient size, character, density and quantity to adequately provide for an orderly transition.
 - (e) Mounding or berming of sufficient size, height and slope to insure proper maintenance of the area and to adequately provide for an orderly transition.
 - (f) Any other proposed means the Planning Commission finds to be consistent with the spirit and intent of this Ordinance and the objectives of this Article.

10. Architectural Standards

The following minimum architectural design and exterior wall finish materials standards are intended to encourage greater design variety, encourage greater variety and interest in the design of individual buildings, minimize repetition of design elements between

Article 22: Single Family Cluster Housing

Amendments:

neighboring structures, avoid design monotony within neighborhoods and prohibit the use of materials that are less permanent or are not consistent with a residential appearance.

Residential structures in a Cluster Housing development shall be subject to the following, unless otherwise determined by the Planning Commission:

- (a) **Facade Materials.** A minimum of forty (40) percent of the exterior vertical surface of the principal building façades shall be finished with brick, stone or similar decorative masonry materials approved by the Planning Commission.
 - (b) **Other Elements.** Other architectural elements intended to increase architectural variety, interest and reduce monotony in building design may be required by the Planning Commission. Such elements may include variation of the location and design of building entries, garage door orientation, porches, window openings, roof design and pitch, building materials, etc.
 - (c) **Planning Commission Modifications.** The Commission shall have the authority to vary the specific requirements of this subsection upon determination that alternative designs, materials or other architectural elements would be in accordance with the Purpose and Statement of Principles Sections of this Article.
11. **Covenants and Restrictions or Master Deed:** Architectural standards required as conditions of Cluster Housing development approval shall be included in the covenants and restrictions and/or master deed of the development.
 12. **Open spaces** shall include all-weather pedestrian paths to permit convenient access for residents. Access easements connecting local streets within the cluster development to open spaces shall have a minimum width of ten (10) feet.

SEC. 22.11 PERMITTED DENSITIES

The area used in computing overall density shall be the gross site area including any dedicatable interior right-of-way less than eighty-six (86) feet in width and twenty-five percent (25%) of the water area of water located wholly within the boundaries of the parcel. Permitted dwelling unit density shall be further subject to the following:

1. Planning Commission Modifications

The Planning Commission may vary the percentage of water area to be used in the density calculation upon determination that such a decrease or increase would be within the spirit and intent of the Cluster Option as established in the Purpose Section and the overall projection would be in harmony with the existing and proposed land patterns of adjacent properties and the general planning area.

Article 22: Single Family Cluster Housing

Amendments:

2. **Exclusions**

The following shall be excluded from the area used in computing overall density:

- (a) Dedicated or dedicatable interior and exterior right-of-way equal to eighty-six (86) feet in width or greater. This shall be determined by the established street setback lines, in the case of existing streets.
- (b) Water area which is not wholly within the boundaries of the parcel to be developed.

- 1. The following gross densities may be permitted:

ZONING DISTRICT	MAXIMUM NUMBER OF DWELLING UNITS PER ACRE
R-1-E	0.86
R-1-H	1.70
R-1-S	3.05
R-1	5.00
R-2	9.40

SEC. 22.12 AMENDMENT, TERMINATION AND REVOCATION

Final approval by the Township Board of the Cluster Housing Option contract, and approval of the final site plan, final plat, or final condominium site plan by the Planning Commission, signifies the completion of the Cluster Housing development application process. The applicant shall comply with all conditions and requirements of the approved Cluster Housing Option contract and final site plan or final condominium site plan, which shall remain unchanged except upon the mutual consent of the Township and the landowner.

1. **Compliance Required**

Once an area has been included within the final site plan, final plat, or final condominium site plan approved for a Cluster Housing Development, no development may take place in such area nor may any use thereof be made except in accordance with said plan, or in accordance with a Board approved amendment thereto, unless the plan is terminated as provided herein.

2. **Amendment**

An approved Cluster Housing contract and final site plan, final plat, or final condominium site plan may be amended in the same manner provided in this Article for approval of the original Plan and Contract

Article 22: Single Family Cluster Housing

Amendments:

3. Termination

An approved contract and final site plan, final plat, or final condominium site plan for a Cluster Development may be terminated by the applicant prior to any development within the Cluster Housing Development involved by filing with the Township Clerk and recording in the Wayne County Records an affidavit so stating. The approval of the contract and final site plan, final plat, or final condominium site plan for the Cluster Housing Development shall terminate upon said recording. No approved contract and final site plan, final plat, or final condominium site plan shall be terminated after any development commences, except with the approval of the Township Board and of all parties of interest in the land, except as outlined below.

4. Revocation

A Cluster Housing Option approval may be revoked by the Township Board in any case where the conditions of such approval have not been or are not being complied with. If it is determined that the conditions of the approval are not being met, the Chief Building Official shall issue an immediate stop work order and communicate in writing his actions to the applicant and to the Township Board with reason therefore. The Township Board shall give the applicant notice of its intention to revoke such approval at least ten (10) days prior to review of said approval by the Board. After conclusion of such review the Township Board may revoke such approval if it finds that a violation in fact exists and has not been remedied prior to such hearing.

END OF ARTICLE 22.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 22: Single Family Cluster Housing
Amendments:

ALL AMENDMENTS TO
ARTICLE XXII (22)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 22: Single Family Cluster Housing

Amendments:

ALL AMENDMENTS TO ARTICLE XXII (22)

The following language was amended (added) on 10/25/07 (section 22.10.8)

- (d) The minimum building setback in a Single Family Cluster shall be 50 feet from any perimeter property line or street setback line of the development parcel. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line. In no case shall be building setback be less than 35 feet.

- (e) Where a building in a Single Family Cluster sides to the right-of-way of a road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential. In no case shall the building setback be less than 25 feet.

The following language was amended on 9/30/07

SEC. 22.4 PUBLIC HEARING REOUIREMENTS

A public hearing shall be held by the Planning Commission on a proposed Cluster Housing development in order to acquaint the public and adjoining property owners with the proposal prior to finishing of detailed plans and specifications by the petitioner. Notice of the 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 persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses or organizations one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individual partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:

1. Describe the nature of the Cluster Housing request.
2. Indicate the property which is subject of the Cluster Housing request.
3. State when and where the Cluster Housing request will be considered.

Charter Township of Plymouth Zoning Ordinance No. 99

Article 22: Single Family Cluster Housing

Amendments:

4. Indicate when and where written comments will be received concerning the request.

Charter Township of Plymouth

Ordinance No. 99.029 Text Amendment 014

AN ORDINANCE TO AMEND THE TEXT OF THE CHARTER TOWNSHIP OF PLYMOUTH ZONING ORDINANCE NO. 99 BY AMENDING ARTICLE 23, PLANNED UNIT DEVELOPMENT.

The Charter Township of Plymouth Ordains:

Part I. The Charter Township of Plymouth Zoning Ordinance No. 99 is hereby amended as follows:

ARTICLE XXIII, PLANNED UNIT DEVELOPMENT

Replace the existing language of Article 23 with the following:

ARTICLE XXIII, PLANNED UNIT DEVELOPMENT (PUD)

PURPOSE

It is intended that the PUD Option permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout and type of structures constructed, achieve economy and efficiency in the use of land, natural resources and the provisions of public services and utilities, encourage useful open space and pedestrian and non-vehicular interconnectivity, and provide a more desirable living environment with housing, employment, recreation and/or commercial opportunities particularly suited to the needs of the residents of the Township of Plymouth in the following zoning districts: C-2, Commercial; IND, Industrial; MR, Mid-Rise; OS, Office Service; OR, Office Research; and TAR, Technology and Research on parcels of one (1) acre or greater where the basic principles set forth in this Article are met.

It is understood that the PUD Option may be consistent with the planning goals of the Township only in specific locations, under specific conditions, related to height, bulk and location of buildings in accordance with sound planning and site plan principles. It is further the intent that that any uses permitted by a PUD Option be compatible and consistent with the availability of utilities, both existing and planned, for the area in which the PUD is proposed and best planning practices.

Further, the PUD Option shall also be available in the ARC, Ann Arbor Road Corridor District, and OS-ARC, Office Service-Ann Arbor Road Corridor District, subject to certain conditions applicable only to properties located within those districts. The purpose of allowing this flexibility within the Ann Arbor Road Corridor is to:

1. Achieve a higher quality of development than would otherwise be achieved.

2. Encourage assembly of lots and redevelopment of outdated commercial properties.
3. Encourage in-fill developments on sites that would be difficult to develop according to conventional standards because of lot shape or size, abutting development, accessibility, or other site features.
4. Ensure compatibility of design and function between neighboring properties.
5. Encourage developments that are consistent with the Ann Arbor Road Corridor Plan, and the conditions of Section 23.10B, General Conditions for Sites in the ARC and OS-ARC Districts.

It is not intended that the use of the PUD Option in the ARC and OS-ARC Districts should detract from the primary function and use of the Ann Arbor Road Corridor as a commercial area, but rather it is intended only to provide some flexibility within the Corridor.

For purposes of this Article, references to the “Township” shall include both the Planning Commission and Board of Trustees. References to the “Development Plan” shall include the tentative and final site plan, together with the PUD Contract, applicable Condominium Project Documents, and all requirements of Section 23.5.

SEC. 23.1 PUD OPTION ELIGIBILITY

The PUD Option is an alternative method of development that may be permitted only after a public hearing, review and recommendation by the Planning Commission, and approval by the Township Board of Trustees after having found that the proposed PUD Option reflects the following eligibility principles:

1. The proposal is in conformity with the spirit and intent of the PUD Option as established in the Purpose Section of Article 23.
 2. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the PUD Option regulations.
 3. The site contains natural assets such as large stands of trees, rolling topography, significant views, swale areas, floodplains or wetlands which would be in the best interest of the community to preserve and which would otherwise be substantially destroyed without application of the PUD Option regulations. In the case of a proposed PUD Option to an existing, developed site which is absent of said natural features, this requirement can be satisfied by the creation of natural features and areas, gateways, and community amenities.
 4. The site contains certain existing natural or manmade features which could, with sound site planning, be incorporated into the project to minimize any negative impact the proposed project might have on adjacent properties and the community as a whole. This includes the long-term protection of historic and cultural resources and significant architecture worthy of historical / cultural preservation and/or enhancement, if applicable.
 5. The (a) proposed uses; (b) location of said uses; and (c) height, bulk, location and character of structures shall be in harmony with the existing and proposed land patterns of adjacent properties, and the general planning area, and shall insure the stability of the orderly development of adjacent
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lands and the general planning area as indicated by the Future Land Use Plan and adopted Master Plan.

6. The proposed uses and the location of said uses on the subject property shall be such that traffic to and from the site will not be hazardous or adversely impact abutting properties or conflict with the normal traffic flow of the general area. In reviewing this particular aspect, the Township shall consider the following:
 - (a) Conflicts with convenient routes for pedestrian traffic, particularly of children.
 - (b) The relationship of the site to major thoroughfares and street intersections.
7. The intensity of uses associated with the proposal and such noises, vibrations, odors, glare, reflection of light, heat, hours of operation and other external effects which would normally be a product of the proposed uses, shall be compatible with the existing land uses of the abutting properties and shall insure the stability of the orderly development of same as indicated in the Future Land Use Plan and adopted Master Plan.
8. In consideration of an existing, developed site only, the PUD would facilitate redevelopment of a site which may be aging, functionally obsolete or be such that the Commission finds that redevelopment would create substantial benefit to the Township, consistent with the adopted Master Plan.

SEC. 23.2 CHANGE OF ZONING DISTRICT

No application for a PUD Option shall be accepted which will require a zoning district change, unless the application is preceded by an application for a zoning district amendment.

SEC. 23.3 APPLICATION AND REVIEW

Application for approval shall be made by the titleholder(s) of any tract where use of the PUD Option process is contemplated. The application shall be accompanied by a fee determined by Township Board resolution to cover the cost of evaluating the plan in accordance with the provisions of this Article.

Adjacent Property Review. The applicant shall discuss said development proposal with adjacent property owners prior to Planning Commission review of the PUD Option. As part of the PUD Option application process, the applicant shall provide written documentation on the outcome of said discussions or documentation on why said discussion is not applicable or feasible.

SEC. 23.4 PUD OPTION ELIGIBILITY APPLICATION

Application for a PUD Option shall contain sufficient information to evaluate the proposed PUD's consistency with the Section 23.1, including the following information:

1. A metes and bounds survey and legal description of the acreage comprising the proposed PUD Option, including a disclosure of mineral rights ownership.
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2. Topographic survey, including natural and manmade features at a scale of one inch equals fifty feet (1"=50'), with a contour interval not to exceed two (2) feet.
3. Site analysis, which identifies the character, structure and potential of the site as it relates to this Article, including areas adjacent to the subject property and sufficient information about the nearby properties, so that a determination can be made by the Planning Commission and Board as to the impact of the proposed PUD on the general planning area in which the PUD is located. The analysis shall include as a minimum the following:
 - (a) Contiguous Land Uses and Offsite Impacts. Indicate type and impact on adjoining lands, offsite impacts with significant externalities, direction and distance to community facilities, show public transportation routes related to site.
 - (b) Topography. Indicate basic topography, any unique ground forms and percent of slope.
 - (c) Drainage. Natural watershed (direction), drainage swales and swamp areas.
 - (d) Soils. Depth of topsoil and type of soils.
 - (e) Vegetation . Locate and identify existing tree masses, locate and identify specimen plant material and indicate type of ground cover.
 - (f) Existing conditions. Structures, utilities and circulation.
 - (g) Special Features. Lakes, streams, ponds, floodplains and wetlands, dramatic views and significant natural, archeological, historical or cultural features.
4. A conceptual Development Plan, which illustrates the general character of the proposed PUD Option. The conceptual Development Plan shall identify the uses proposed and the general location of proposed site improvements such as landscaping, buildings, parking areas, vehicular and pedestrian circulation, open space and any other special features.
5. A description and/or visual of the proposed recognizable and material benefit to the ultimate users of the project and to the community.
6. Other pertinent information necessary to enable the Township to review and make a determination concerning the desirability of applying the provisions of this Article.

SEC. 23.5 DEVELOPMENT PLAN APPLICATION

Following PUD Option approval by the Township Board, a Development Plan application must be submitted.

Information required for Development Plan approval shall be the same as required for site plan approval as found in Section 29.8.2 of this Ordinance or final preliminary plat approval as found in Chapter 93 of the Township Code of Ordinances. The Development Plan shall meet all conditions of Township Board approval, and any final requirements determined necessary by provisions of this Ordinance. Development Plan approval shall be further subject to the following:

1. The final site plan or final preliminary plat for a single phase PUD development shall constitute the Development Plan. For a multi-phased PUD, where sufficient final detail has not been determined or which is expected to change slightly, the Development Plan shall be reviewed and approved as a separate document, and be contingent on approval of the final site plans or final preliminary plats.
2. A written narrative statement describing the proposed PUD, including a description of proposed uses, the architectural theme or style, the relationship of the proposed PUD to the surrounding area, all anticipated impacts associated with the proposed project and measures to be taken to mitigate or minimize such negative impacts (including any environmental impacts or impacts to off-site traffic conditions). The Township may require a more detailed impacts analysis.
3. A PUD contract in conformance with Section 23.8.
4. If the proposed PUD will be a condominium, the Master Deed and By-laws in conformance with Section 23.13.
5. **Phasing**
Separate final site plan approvals may be granted on each phase of an approved multi-phased proposed PUD, subject to the following:
 - (a) The approved Development Plan for the entire proposed PUD shall be incorporated by reference and as an exhibit of the proposed PUD contract for each phase.
 - (b) Each phase shall contain the necessary components to ensure protection of natural resources and the health, safety and welfare of the residents of the surrounding area and users of the proposed PUD.
 - (c) Each phase shall include all improvements necessary to allow the developed portion of the proposed PUD to function and be occupied independent of improvements associated with future phases.

23.6 PUBLIC HEARING REQUIREMENTS

At least one (1) public hearing shall be held by the Planning Commission on a proposed PUD Option in order to acquaint the public and adjoining property owners with the proposal prior to furnishing of detailed plans and specifications by the Applicant. Notice of the public hearing shall be published in a newspaper which circulates in the Township, and sent by mail to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request and to the occupants of all structures within 300 feet of the subject property. The notice shall be given not less than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. The notice shall:

1. Describe the nature of the PUD Option request.
2. Indicate the property which is the subject of the PUD Option request, including any street addresses, is available.
3. State when and where the PUD Option request will be considered.
4. Indicate when and where written comments will be received concerning the request.

SEC. 23.7 PUD APPROVAL PROCESS

1. PUD Option Eligibility

- (a) Planning Commission Action. Following the public hearing and having a complete PUD Option application, the Planning Commission may, recommend approval, table, disapproval or approval with conditions. The Commission's recommendations shall be forwarded to the Township Board of Trustees for consideration and action.
- (b) Township Board Action. Upon receipt of the recommendations of the Commission, the Township Board shall review the application, recommendations, and take action thereupon. The decision and basis for the decision shall be recorded in the meeting minutes.

If the Township Board denies the request to apply the provisions of the PUD Option, development of the subject property can be made only in accordance with the provisions of the Zoning Ordinance for the district where the property is located.

If the Township Board approves the request to apply the provisions of the PUD Option, approval by the Board shall confer approval to develop the subject property under the requirements of the PUD Option and the conditions established in the site analysis and concept plan.

- 1) Approval Period. PUD Option approval by the Board shall grant the applicant a period of one (1) year to submit a Development Plan to the Planning Commission for consideration.
- 2) Extension. A single, one (1) year extension of PUD Option approval may be granted by the Township Board upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed PUD Option.
- 3) PUD Option approval shall not constitute approval of a preliminary plat, final plat, final site development plan, or site condominium plan.

2. Development Plan

Within one (1) year of PUD Option approval by the Township Board, the applicant shall obtain Township Board approval of the Development Plan and PUD contract.

- (a) Planning Commission Action. The Planning Commission shall review the Development Plan for conformance to this Article, and any conditions of PUD Option approval and make a recommendation to the Township Board to approve, approve with conditions, or deny the proposed Development Plan.
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- (b) Township Board Action. Upon receipt of the Planning Commission's recommendation, the Township Board shall review the Development Plan and PUD contract, and shall deny, approve, or approve with conditions the Development Plan and PUD contract. The decision and basis for the decision shall be recorded in the meeting minutes.

If the Township Board approves the Development Plan and PUD contract, the applicant shall have a period of one (1) year to obtain a Building Permit from the Building Department.

- (c) Extension. A single, one (1) year extension of Development Plan and PUD contract approval may be granted by the Planning Commission upon written request of the applicant and upon showing of good faith and effort by the applicant. Failure to request such extension shall be deemed an abandonment of the proposed PUD entirely.

SEC. 23.8 CONTRACT REQUIREMENTS

In conjunction with the submission of a Development Plan, the applicant shall submit to the Township Board for approval a proposed PUD contract setting forth the conditions upon which approval of the PUD is based. After approval by the Township Board, the PUD contract shall be entered into between the Township and the applicant. The contract shall be entered into between the Township and the applicant prior to the issuance of any Building Permit. Said contract shall provide:

1. The manner of ownership of the land, including mineral rights.
2. The manner of the ownership and of the dedication of the common open space or parks.
3. The restrictive covenants required for membership rights and privileges, maintenance and obligation to pay assessments for the common open land, parks or other features.
4. The stipulations pertaining to commencement and completion of the phases of the development, to construction, installation, repairs and maintenance of improvements, to obligations for payment of any costs, expenses or fees planned or reasonably foreseen, and to the manner of assuring payment of obligations.
5. Provisions for the Township to effect construction, installation, repairs and maintenance and use of public utilities, storm and sanitary sewers and drainageways, water, streets, sidewalks and lighting, and of the open land and improvements thereon, and any other conditions of the plan, and the manner for the assessment and enforcement of assessments for the costs, expenses, or fees incidental thereto against the applicant, or the future owners or occupants of the PUD.
6. The site analysis, development plan shall be incorporated by reference and attached as an exhibit.
7. Provisions reasonably and necessarily intended to affect the intent of this Article, or the conditions of the approval of the plan for the public health, safety, morals, and general welfare of the Township.

SEC. 23.9 DIMENSIONAL AND DESIGN STANDARDS (All PUD's):

1. **Separation, Height and Setback Standards**
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- (a) The minimum distance between buildings shall equal ten (10) feet, plus four (4) feet for each story of the higher structure than two (2) stories. In reviewing the spacing between buildings, the Township shall ensure that the spacing proposed shall provide for adequate light and air to each structure and that, in the case of residential units, privacy within and between units is maintained.
- (b) The maximum height of structures shall be reviewed on the basis of the PUD proposed and the principles established in the purpose and statement of principles Sections of this Article. In no case shall the height of structures be permitted to exceed nine (9) stories.
- (c) A minimum perimeter yard setback of twenty-five (25) feet shall be provided. The perimeter yard setback shall increase five (5) feet for each story in excess of three (3) stories. However, based on factors such as lack of impacts on adjacent sites or the particular relationship of the building(s) to the side and/or rear property line, the Planning Commission may reduce the required building setbacks from any side or rear property line, provided that the alternative proposed by the applicant is in accordance with the spirit and intent of this Article and the Ordinance as a whole.

The Commission may also require additional perimeter yard setbacks and additional buffer treatment in the form of tree plantings and screening walls, where any of the following conditions apply:

- 1) The PUD abuts an existing or proposed residential land.
 - 2) The PUD site is five (5) acres or larger.
 - 3) The PUD includes more than one hundred (100) residential units.
 - 4) To provide for adequate separation and buffering between the PUD and existing main buildings on adjacent parcels.
- (d) Where a building in a PUD sides to the right-of-way of a road, the minimum building setback from the street setback line shall be equal to the front yard setback for the abutting zoning district, if one of the abutting districts fronting the same road is zoned single family residential.

2. Design Standards

- (a) Open Space Standards.
 - 1. A minimum of 20% of total land area shall be allocated for open space, excluding setback provisions. Open space shall not include parking areas, driveways, or vehicle circulation routes.
 - 2. Preservation of desirable natural site amenities shall be encouraged. Emphasis shall be on preserving trees, waterways, swale areas, scenic points, historic points and other community assets and landmarks.
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3. Non-Residential / Mixed Uses. In addition to the above open space requirements, usable civic spaces shall be incorporated to provide a public focal point and may include: common areas, parks, plazas, greens, public gathering spaces, amphitheaters, stages, and similar areas. Civic spaces shall have a minimum of 1,000 square feet. To count as usable civic space, the area must be designed for pedestrian use and shall not be solely a landscaped area. Civic space shall not include parking areas, driveways, or vehicle circulation routes.
 4. Residential Uses. In addition to the above minimum open space requirements, the following shall be required for PUD's with residential uses:
 - i. Private Residential Outdoor Living Space. An individual outdoor living space shall be provided for each residential unit proposed in a PUD. Said outdoor living space shall be located adjacent to the unit which it is intended to serve and shall as a minimum provide one-tenth (.1) square foot of area for each square foot of floor space of the unit which it is intended to serve and shall be directly accessible from the dwelling unit.
 - ii. Common Residential Outdoor Living Space. A portion of the above dedicated open space area shall provide common recreation space for the occupants and shall include areas for passive recreation such as outdoor sitting areas and active recreation such as shuffleboard courts, tennis courts, etc. The Commission shall review the proposed location of said recreation areas to determine conformity with the spirit and intent of this Article. Landscaped roof areas which are freely accessible to residents and are in keeping with the quality and character of the project may be included as common residential outdoor living space.
- (b) Signs.
- All proposed signs shall comply with the requirements of Article 25: Sign Regulations of the Zoning Ordinance. Signs within the ARC and OS-ARC Districts shall be further subject to Section 23.11.
- (c) Street Design Standards.
1. Complete Streets. If appropriate, the PUD Option shall include a streetscape that provides for sidewalks, landscaping, street trees, special paving or pavers, irrigation, lighting and pedestrian-scale site furniture. Site furniture includes bicycle parking facilities for all residential uses and may be appropriate for other uses, including recreation, as determined by the Planning Commission.
 2. Building and Street Interface. If appropriate, consideration related to structures adjacent to streets, driveways, and streetscape frontage which address roof overhangs, balconies, awnings and signs shall be incorporated.
 3. Block Length. Unless otherwise justified, the maximum block length shall be established in the PUD to encourage pedestrian-friendly development and promote interconnectivity.
 4. Environmental / Cultural / Historic Considerations. If applicable, the PUD shall identify any existing historic, cultural or environmentally sensitive or unique resource(s) within the PUD and detail how the resource(s) is to be protected, managed and/or enhanced.

3. **Circulation, Interconnectivity, Parking and Loading Standards**

The exterior and interior vehicular and pedestrian circulation system planned for the proposed PUD Option shall be in the best interest of the public health, safety and welfare in regards to the general public and site future users. In reviewing the proposed interior circulation system, the Planning Commission shall determine the necessity for public roads and the potential future extension of such roads to adjacent properties.

The circulation systems proposed shall take into consideration the overall circulation of the community as a whole, egress/ingress to the site, where vehicular joint and/or cross access is necessary and feasible, vehicular turning movements related to interior circulation, street intersections and street gradients, site distance and potential hazards to the normal flow of traffic. The following must be met:

- (a) Access. The PUD shall be located, with respect to major streets and highways, so as to provide direct access to the PUD without increasing significantly the amount of traffic along minor streets.
 - (b) Non-Motorized Network. A description of the proposed, non-vehicular circulation system must be provided for all sidewalks, multi-purpose pathways, bike lanes and running trails. The description shall include the type, width, location, material and design criteria of each pathway. Within and outside the PUD boundary, the street and pathway pattern shall link neighborhoods with roadways, destinations and other pathways. The Planning Commission shall determine the appropriate type and general location of such pathways.
 - (c) Road Standards. All interior roads (both those designated as public and private) shall be constructed in compliance with current "Subdivision Rules and Regulations" as adopted by the Wayne County Department of Public Services. The Township may waive this requirement after review and recommendation by the Township Planner and Township Engineer provided the proposed variance shall not materially impair the intent and purpose of this Ordinance or the public interest.
 - (d) Traffic Calming. Traffic calming techniques, such as horizontal deflections, road narrowing, ripples, pavers, central islands, entry or gateway treatments, raised medians, on-street parking, roundabouts, textured pavements, and other similar treatments are encouraged where appropriate.
 - (e) Parking. Off-street parking shall be provided for all uses as specified in Article 24, except if an ARC or OS-ARC PUD site, as provided in Section 14. Mixed uses may have varied and shared demands; therefore, minor variations may occur if justified by the applicant and approved by the Township. All parking areas shall be screened from public rights-of-way, and where necessary to reduce offsite impacts, in a manner acceptable to the Township. In general, the screened areas shall not be less than twenty (20) feet in width. Planting islands with trees which meet the standards of Section 26.7.2 shall be incorporated into parking areas. A minimum of one (1) tree shall be provided and incorporated within the parking area for each fifteen (15) parking spaces provided.
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- (f) Loading. Off-street loading and unloading as specified in Article 24 of this Ordinance. Mixed uses may have varied and shared demands, therefore, minor variations may occur if justified by the applicant and approved by the Township.

4. Location and Utility Standards

- (a) The PUD shall be so located in relationship to sanitary sewers, water mains, storm and surface drainage systems and other utilities that neither extensions nor enlargement of such systems will be required that would result in a higher net public cost than would ordinarily occur under development within the existing zoning classification provided, however, that the developer may install said facilities at his own expense.
- (b) All utility lines or similar facilities intended to serve any use in a PUD, whether designed for primary service from main lines or for distribution of services throughout the site, shall be placed and maintained underground at all points within the boundaries of the site.

5. Site Area and Density Standards

The site area used to determine eligibility of the site for development shall be the gross site area exclusive of public rights-of-way or street setbacks (as specified in Section 28.22) presently or ultimately equal to eighty-six (86) feet in width or greater.

The area used in computing overall residential density shall be the gross site area including any dedicated interior right-of-way and excluding the following:

- (a) Public rights-of-way, presently or ultimately equal to eighty-six (86) feet in width or greater.
- (b) All submerged bottom land of lakes and ponds.
- (c) Churches, public libraries and schools.

Where residential uses are incorporated into the PUD, the overall density of the particular area used for residential purposes shall in no case exceed twenty-five (25) dwelling units per acre.

6. Modification of Standards

The Planning Commission shall have the authority to vary the specific requirements of Section 23.9, provided that the alternative proposed by the applicant is in accordance with the spirit and intent of this Article and the Ordinance as a whole.

Section 23.10 GENERAL CONDITIONS: SITES IN THE C-2, IND, MR, OS, OR AND TAR ZONING DISTRICTS

- 1. Permitted Uses for Sites only in the C-2, IND, MR, OS, OR, and TAR districts.
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All uses of the underlying zoning district (separate or in combination; and permitted by right and by special use) may be permitted in a PUD upon determination by the Township that the proposed uses meet the criteria established in this Article.

2. Uses and facilities not specified.

Additionally, facilities and uses such as a restaurant, licensed restaurant or bar; residential uses; hotels and motels; civic and recreational facilities; and event facilities may be permitted within the PUD, provided the Commission and the Board of Trustees shall find that the proposed facility is consistent with this Article.

SEC. 23.11 GENERAL CONDITIONS: SITES IN THE ARC AND OS-ARC ZONING DISTRICTS

1. Permitted Uses for Sites only in the ARC district.

All uses from the underlying zoning district (separate or in combination; and permitted by right and by special use) may be permitted in a PUD upon determination by the Township that the proposed uses meet the criteria established in this Article.

Additionally, facilities such as a restaurant, licensed restaurant or bar; residential uses (townhouse dwellings, tacked flats and/or multi-family dwellings); hotels and motels; civic and recreational facilities; and event facilities may be permitted within the PUD, provided the Township shall find that the proposed use is consistent with this Article.

2. Permitted Uses for Sites only in the OS-ARC district.

The following uses (separately or in combination) may be permitted in a PUD in the OS-ARC District upon determination by the Township that the proposed uses meet the criteria established in this Article.

(a) Office Service Uses.

- 1) Medical and dental offices and clinics and other professional offices, including veterinary offices and clinics.
 - 2) Administrative, executive and editorial offices.
 - 3) Real estate and other general business offices, not including exhibiting or storing of products for sale.
 - 4) Banks, credit unions, savings and loan associations and similar financial institutions, with or without drive-through facilities.
 - 5) Schools for arts and crafts, photography and studios for music or dancing; training centers, business schools or private schools operated for profit.
 - 6) Child care centers, subject to the standards of Section 28.64.
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- 7) Commercial, medical and dental laboratories, not including the manufacturing of pharmaceutical or other products for general sale or distribution.

(b) Residential Uses.

- 1) Townhouse dwellings.
- 2) Stacked flats.
- 3) Multiple-family dwellings.

(c) Institutional Uses.

- 1) Municipal facilities including governmental offices, fire stations, post offices, park and ride facilities, libraries, community buildings and municipal parks and playgrounds, provided such facilities do not meet the definition of “large-scale institutional uses.”
- 2) Housing for the elderly, including congregate elderly housing, provided that such uses do not meet the definition of “large scale institutional uses.”
- 3) Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses.”
- 4) Public, charter, and private, including parochial, elementary, intermediate and/or secondary schools offering courses in general education, provided such facilities do not meet the definition of “large-scale institutional uses.”

3. Density and Building Setbacks.

Adjacent land in an R-1 One Family Residential District may be included in a PUD when the Planning Commission finds that such property meets the intent of this Article. Such land area must be included in the overall open space of the PUD and may not be used for any building purposes. The proposed R-1, One Family Residential District area shall assist in providing a transition and buffer area for compatibility with adjacent land uses.

4. Landscaping and Open Space.

All uses in a PUD in the ARC and OS-ARC Districts shall be further subject to the requirements of Section 14.6, ARC Landscaping Standards, and Section 14.7, ARC Landscaping, Screening or Buffering. The Commission shall review these requirements when considering the PUD Option. Modifications can be made by the Commission if its findings are such that a strict interpretation of the ARC standards would adversely impact the development of the parcel.

5. Signs.

- (a) All uses in a PUD in the ARC and OS-ARC Districts shall be subject to the requirements of Section 14.10, ARC Signs. All uses in a PUD in the OS-ARC District shall also be subject to the requirements of Section 11.3.8, OS-ARC Signs.
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- (b) All proposed signs shall be subject to review by the Commission as part of the Development Plan. The Planning Commission, in its review, may modify the specific requirements applicable to the PUD, in order to ensure that all proposed signs are in harmony with the existing land uses of the general area and shall not adversely impact the orderly development of adjacent properties, properties of the general area and the planned development project.
- 6. Streetscape improvements shall be installed consistent with the Ann Arbor Road Corridor Design Plan, as specified in the Charter Township of Plymouth Downtown Development Authority's Streetscape Prototype and Specifications.
- 7. Lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting. The type of lighting shall be consistent with the objectives of the Ann Arbor Road Corridor District development standards.
- 8. All ARC or OS-ARC PUD sites shall be subject to the requirements of Section 14.5, ARC Access Management and Driveway Standards. Mixed uses may have varied demands; therefore, minor variations may occur if justified by the applicant and approved by the Township.
- 9. For ARC or OS-ARC PUD sites, parking area screening and parking lot landscaping shall be provided for all uses as required by Section 14.8, ARC Parking Area Screening, and Section 14.9, ARC Interior Parking Lot Landscaping. Mixed uses may have varied demands; therefore, minor variations may occur if justified by the applicant and approved by the Township.

SEC. 23.12 AMENDMENT, TERMINATION AND REVOCATION

Township Board approval of the development plan and contract signifies the completion of the PUD application process. The applicant shall comply with all conditions and requirements of the Development Plan and contract, which shall be recorded in the record of the Township Board's approval action and shall remain unchanged except upon the mutual consent of the Township and the landowner.

1. Compliance Required

Once an area has been included within a Development Plan for a PUD and such plan has been approved by the Board, no development may take place in such area nor may any use thereof be made, except in accordance with said plan, or in accordance with a Board approved amendment thereto, unless the plan is terminated as provided herein, excluding scope of work which is otherwise permitted by Section 29.4: Administrative Review.

2. Amendment

An approved Development Plan and contract may be amended as provided in this Article.

3. Termination

An approved development plan and contract may be terminated by the applicant prior to any development within the PUD area involved by filing with the Township Clerk and recording in the Wayne County Records an affidavit so stating. The approval of the Development Plan and contract shall terminate upon said recording. No approved Development Plan and contract shall be terminated after any development commences within the PUD area, except with the approval of the Township Board and of all parties of interest in the land.

4. Revocation

A PUD approval may be revoked by the Township Board in any case where the conditions of such approval have not been or are not being complied with. The Township Board shall give the applicant notice of its intention to revoke such permit at least ten (10) days prior to review of said approval by the Board. After conclusion of such review, the Township Board may revoke such approval if it finds that a violation, in fact, exists and has not been remedied prior to such hearing.

SEC. 23.13 CONDOMINIUM PROJECTS

For any condominium proposed as a PUD, the applicant shall provide a copy of the Master Deed and Condominium Association Bylaws for approval by the Township Board of Trustees. The condominium documents shall provide limits on use of common areas or open space for accessory structures such as swimming pools, decks, playground equipment and buildings. A plan shall be provided indicating the limits of such accessory structures within a defined envelope.

At the time of application for Development Plan approval, the applicant shall submit the necessary documents to the Township and Township Attorney review prior to development plan approval by the Board of Trustees. The Association documentation shall include provisions for the following at a minimum:

1. The conditions upon which the PUD Option approval is based.
2. When open space or common areas are indicated in the development plan for use by the residents, the open space or common areas shall be conveyed in fee simple or otherwise committed by dedication to an association of the residents, and the use shall be irrevocably dedicated for the useful life of the residences, and retained as open space for park, recreation or other common uses.
3. A program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping.
4. Assure that trees, waterways and woodlands will be preserved.
5. Assure the construction and maintenance of all streets and necessary utilities (including public water, wastewater collection and treatment) through bonds or other satisfactory means, for any and all phases of the PUD.
6. Address any other concerns of the Township regarding construction and maintenance.

Part II. VIOLATION AND PENALTY. Unless otherwise provided for, any person, corporation, partnership or any other legal entity who violates the provisions of this Ordinance shall be guilty of a misdemeanor and may be fined, at the discretion of the Court.

Part III. SEVERABILITY. If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions

shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereof.

Part IV. REPEAL OF CONFLICTING ORDINANCES. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Part V. SAVINGS CLAUSE. The repeal or amendment provided for herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending litigation or prosecution of any right established, or occurring prior to the effective date of this Ordinance as amended.

Part VI. PUBLICATION. The Clerk of the Charter Township of Plymouth shall cause a Notice of Adoption of this Ordinance to be published in the manner required by law.

Part VII. EFFECTIVE DATE. The provisions of this Ordinance shall be effective seven days after publication.

Part VIII. ADOPTION. This Ordinance was Adopted by the Charter Township of Plymouth Board of Trustees by authority of Act 110, of Public Acts of Michigan, 2006, as amended, at a meeting duly called and held on _____, 2018, and ordered to be given publication in the manner prescribed by law. This Ordinance may be purchased or inspected at the Plymouth Township Hall, Planning and Zoning Department, during regular business hours.

Adopted by the Board of Trustees on: _____

Effective Date: _____

Publish: _____

ARTICLE XXIV

**PARKING REQUIREMENTS, LAYOUT, STANDARDS,
AND OFF-STREET LOADING AND UNLOADING**

SEC. 24.1 SCOPE

In all zoning districts, off-street facilities designed for the parking of self-propelled motor vehicles for occupants, employees and patrons of buildings erected, used, altered or extended after the effective date of adoption or amendment of this Ordinance, shall be provided and maintained in accordance with the provisions of this Article. Such facilities shall be maintained and not encroached upon so long as the main building or use remains, unless an equivalent number of spaces are provided elsewhere in conformance with this Ordinance.

SEC. 24.2 GENERAL REQUIREMENTS

All off-street parking, stacking, loading and unloading facilities shall be subject to the use and development standards of this Article and Ordinance, and the following general requirements:

1. Parking, Loading and Stacking Space Requirements

Required loading, stacking, and parking spaces shall be considered separate and distinct components and requirements. In no case shall facilities provided to satisfy the requirements of this Article or Ordinance for one component be construed as meeting the requirements for another component.

2. Fractional Requirements

Where calculations determining the number of required parking spaces result in a fractional space requirement, any fraction up to one-half shall be disregarded and fractions including one-half (1/2) and over shall require one (1) parking space.

3. Usable Floor Area

Calculations of usable floor area shall be subject to the following:

- (a) Usable floor area shall equal the sum of the gross horizontal floor areas of a building used by or intended to be used by tenants, or for services to the public, or customers, patrons, clients or patients. This shall include areas occupied by fixtures and equipment used for display or sales of merchandise. Measurements shall be taken from the exterior walls.
- (b) Usable floor area shall not include area used principally for non-public purposes, such as storage, incidental repairs, processing or packaging of merchandise, shop windows, offices incidental to the management or maintenance of stores or buildings, toilets or restrooms, utilities or areas for dressing, fitting or alterations.

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

- (c) Applications for approval of required parking shall include floor plans and calculations clearly indicating the areas designated as usable area, and the uses of areas not considered usable floor area. If such information is not submitted, parking requirements shall be based on eighty (80) percent of the sum of the gross horizontal floor areas of the building measured from the exterior faces of the exterior walls.
- (d) The usable floor area of a shopping center shall be based on eighty (80) percent of the sum of the gross horizontal floor areas of the building(s) occupied by the shopping center measured from the exterior faces of the exterior walls. However, if floor plans and calculations of usable floor area are submitted which demonstrate otherwise, usable floor area may be adjusted accordingly.

4. Existing Facilities

Off-street parking, stacking and loading facilities established on or before the effective date of adoption or amendment of this Ordinance shall be upgraded or improved to conform with the provisions of this Article and Ordinance, in accordance with the following:

- (a) **Increases in Floor Area for Existing Uses.** When an existing use requiring off-street parking is increased in floor area and such use is located within an existing building, additional parking, stacking and loading spaces for that use shall be provided and maintained in the amounts hereinafter specified for the additional floor area.
- (b) **Extension of Building into Existing Parking Lot.** Nothing in this Section shall prevent the extension of or an addition to a building into an existing parking area, subject to the following:
 - 1) The same number of spaces taken by the extension or addition is provided by an enlargement of the existing parking facilities, or by other means satisfactory to the Planning Commission.
 - 2) The expanded parking facilities shall not encroach upon required landscaping, screening, open space or setbacks.
- (c) **Use Changes.** When an existing use is replaced by a new use, parking, stacking and loading facilities for the new use shall conform with the requirements of this Article and Ordinance.
- (d) **Safety.** The Chief Building Official may require improvements to existing facilities where necessary to protect the public health, safety or welfare of pedestrians or motorists within the site or on adjacent public streets and sidewalks.

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

5. Collective Parking Facilities

Nothing in this Section shall be construed to prevent collective provision of off-street parking or loading facilities for two (2) or more buildings or uses, provided that such facilities shall not be less than the sum of the individual requirements for the various uses computed separately.

6. Continuing Character of Parking Obligation

The requirements for off-street parking applicable to newly erected or substantially altered structures shall be a continuing obligation of the owner of the parcel upon which any such structure or use is located so long as the structure or use is in existence.

(a) It shall be unlawful for an owner of any building affected by this Ordinance to discontinue, change or dispense with, or cause the discontinuance, sale or transfer of such structure without establishing alternate parking which meets with the requirements of and is in compliance with this Article and Ordinance.

(b) It shall be unlawful for any person, firm or corporation to use such building without acquiring such land for vehicle parking which meets the requirements of and is in compliance with this Article and Ordinance.

SEC. 24.3 APPROVAL REQUIRED

No land shall be used for parking, stacking or loading purposes until approved by the Planning Commission in connection with site plan approval, or by the Department of Building and Code Enforcement for building projects not subject to Planning Commission review. Whenever the parking, stacking or loading facilities do not meet the specifications and/or regulations set forth in this Ordinance, the Department of Building and Code Enforcement shall give notice to the property owner to correct the same within a specified time. If such corrections are not made in accordance with such notice, the Chief Building Official shall order the lot closed forthwith. Such lots shall not be used for parking until corrections have been made and approved by the Department of Building and Code Enforcement.

Plans for the development of any such parking lot shall be approved before construction is started. An application for a permit to construct a parking lot shall be submitted to the Department of Building and Code Enforcement, supplied with three (3) sets of plans for its development. The Department of Building and Code Enforcement shall issue a permit for said lot when it has determined that the requirements of this Article have been met.

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

SEC. 24.4 PERMITTED OFF STREET PARKING LOCATIONS

The location of all required off street parking facilities shall be subject to the following:

1. One and Two Family Dwellings

Parking facilities for one and two family dwellings shall be subject to the following:

- (a) Such facilities shall consist of a driveway, parking strip, parking space and/or private garage located on the same lot or parcel as the dwelling they are intended to serve.
- (b) No parking shall be permitted elsewhere on the lot or abutting public right-of-way, except upon a paved street where such parking is otherwise permitted.
- (c) Not more than fifty (50) percent of the required front yard area of a single family lot may be occupied by driveway or off-street parking facilities used, designed or intended for the parking of motor vehicles:

2. Other Residential Uses including Multiple Family

The off-street parking facilities for other residential uses (including multiple family) shall be located on the same lot or parcel as the uses they are intended to serve. In the case of multiple family residential and similar uses where there are several buildings on one parcel, required parking shall generally be located within three hundred (300) feet of the building that it is intended to serve.

3. All Other Uses

Off-street parking facilities for all other uses shall be located on the same lot, parcel or site as the use they are intended to serve.

SEC. 24.5 TABLE OF REQUIRED OFF-STREET PARKING

The amount of required off-street parking space for new uses or buildings and additions or alterations to existing uses or buildings shall be determined in accordance with the following table. The space so required shall be stated in the application for a building permit and certificate of occupancy, and shall be a continuing obligation of the owner except as provided in Section 24.2.6. above.

For uses not specifically listed in this Section the provisions for a similar listed use shall apply as determined by the Planning Commission:

SEC. 24.4	PERMITTED OFF STREET PARKING LOCATIONS
SEC. 24.5	TABLE OF REQUIRED OFF-STREET PARKING

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
RESIDENTIAL	
Dwellings, including One family, Two family, and Multiple family, dwellings, Terrace apartments, Efficiency apartments, Townhouses and Stacked flats	TWO (2) Per Dwelling Unit
Elderly Housing – Assisted Living	ONE (1) per four (4) units plus ONE (1) per employee based on the greatest number of employees in any one shift.
Elderly Housing –Congregate Care	ONE (1) per two (2) units plus ONE (1) per employee based on the greatest number of employees in any one shift.
Elderly Housing –Independent Living	ONE (1) per unit plus ONE (1) per employee based on the greatest number of employees in any one shift.
Mobile Home Park	TWO (2) per mobile home site plus ONE (1) per each three (3) mobile home sites for visitor parking
INSTITUTIONAL	
Churches, temples, or auditoriums incidental to schools	ONE (1) per three (3) seats or ONE (1) per six (6) feet of bench in main assembly unit based on maximum seating capacity
Hospitals	ONE (1) per two (2) beds plus ONE (1) per employee based on the greatest number of employees in any one shift, including staff doctors and nurses

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Sanitariums, extended care facilities, nursing and convalescent homes or similar uses	ONE (1) per four (4) beds plus ONE (1) per employee based on the greatest number of employees in any one shift, including staff doctors and nurses
Elementary and junior high schools	ONE AND ONE HALF (1 ½) per teacher, employee and administrator plus Requirements for an assembly hall, stadium or sports arena. If no auditorium or assembly hall is provided two (2) spaces per classroom shall provided in addition to the above.
High schools, trade schools, commercial or vocational schools or colleges	ONE AND ONE HALF (1 ½) per teacher, employee and administrator plus ONE (1) per ten (10) students plus Requirements for an assembly hall, stadium or sports arena
Private clubs and lodge halls	ONE (1) per three (3) persons allowed within the maximum occupancy load established by local, county, or state fire, building or health codes
Private golf clubs, gun clubs, swimming pool clubs, tennis clubs, or other similar uses	ONE (1) per two (2) member families or individual members
Golf courses open to the public, other than Par 3 golf courses	EIGHT (8) per hole plus ONE (1) per employee based on the greatest number of employees in any one shift plus Requirements for accessory uses such as restaurant or bar if deemed necessary

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Par 3 Golf Courses	FOUR (4) per hole plus ONE (1) per two (2) employees plus Requirements for accessory uses such as restaurant or bar if deemed necessary
Golf driving ranges	ONE (1) per two (2) practice tees, plus any required parking for other uses
Miniature Golf Courses	TWO (2) per hole, plus ONE (1) per employee based on the greatest number of employees in any one shift.
Stadiums, sports arenas or similar place of outdoor assembly	ONE (1) per three (3) seats or ONE (1) per six (6) feet of bench
Theaters and auditoriums (other than incidental to schools)	ONE (1) per three (3) seats based on maximum seating capacity, plus ONE (1) per two (2) employees based on the greatest number of employees in any one shift
Conference Centers, Exhibit Halls and Similar Facilities	ONE (1) per two (2) persons allowed within the maximum occupancy load established by local, county, or state fire, building or health codes, or TEN (10) per one thousand (1,000) square feet of usable floor area, whichever is greater
Convent, nurses' home or other dormitory	ONE (1) per two (2) bedrooms plus TWO (2) for manager
Orphanage and institutions of philanthropic and charitable nature or similar use	ONE (1) per six (6) beds plus ONE (1) per one (1) employee, including staff members and visiting doctors, based on the greatest number of employees in any one shift

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Libraries or museums	ONE (1) per five hundred (500) square feet of floor space plus ONE (1) per employee based on the greatest number of employees in any one shift
Post Office	ONE (1) per two hundred (200) square feet of usable floor area, plus ONE (1) per employee based on the greatest number of employees in any one shift.
Public utility	ONE (1) per employee based on the greatest number of employees in any one shift
Municipal recreation centers	FIVE (5) per one-thousand (1,000) square feet of usable floor area, plus any required spaces for outdoor courts, fields and facilities, or ONE per three (3) persons allowed within the maximum occupancy load as established by local, county, state fire, building or health codes, whichever is greater
Child care centers, day care centers, nursery schools	ONE (1) per four hundred (400) square feet of useable floor area plus ONE (1) per employee
COMMERCIAL	
Animal hospitals and commercial kennels	ONE (1) per four hundred (400) square feet of usable floor area, plus ONE (1) per employee based on the greatest number of employees in any one shift.

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Beauty parlor and barber shops	TWO (2) per chair or station plus ONE (1) per employee based on the greatest number of employees in any one shift
Batting cage	THREE (3) per cage
Bowling alleys	SEVEN (7) per alley plus Requirements for accessory uses
Racquetball or tennis facilities	ONE (1) per one thousand (1,000) square feet of usable floor area, or SIX (6) per court, whichever is greater
Pool or billiard parlors, roller and skating rinks, exhibition halls, dance halls and assembly halls without fixed seats	ONE (1) per three (3) persons allowed within the maximum occupancy load as established by local, county, state fire, building or health codes
Drive through restaurant or ‘fast food’ facilities; i.e. establishments with service windows or similar arrangements for the purpose of serving food to customers in their vehicles	SEVEN (7) stacking spaces per window plus Required off-street parking per designated use
Drive through facilities, other than for restaurants or ‘fast food’	FIVE (5) stacking spaces per window plus Required off-street parking per designated use
Establishments for sale and consumption on the premises of alcoholic beverages, food or refreshments	ONE (1) per two (2) persons allowed within the maximum occupancy load as established by local, county, state fire, building or health codes, or ONE (1) per two (2) seats plus ONE (1) per employee whichever is greater

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Furniture and appliance, household equipment repair shops, showroom of plumber, decorator, electrician or similar trade, clothing and shoe repair, wholesale stores and machinery sales	ONE (1) per eight hundred (800) square feet usable floor area plus ONE (1) per employee based on the greatest number of employees in any one shift
Automobile service stations with or without convenience retail or fast food	TWO (2) per lubrication stall, rack or pit, plus ONE (1) per vehicle fueling position, plus ONE (1) per employee based on the greatest number of employees in any one shift. plus ONE (1) per three hundred fifty (350) square feet of usable floor area in any convenience store area. Requirements for fast food shall be calculated separately.
Quick oil change facility	ONE (1) per employee based on the greatest number of employees in any one shift. plus FOUR (4) stacking spaces per service stall or lane.
Laundromats and coin operated dry cleaners	ONE (1) per each washing and/or dry cleaning machines
Mortuaries or funeral homes	ONE (1) per fifty (50) square feet of floor space in the parlors or individual funeral service rooms
Motel, hotel or other commercial lodging establishments	ONE (1) per unit plus ONE (1) per employee based on the greatest number of employees in any one shift plus Parking required for accessory uses such as restaurant or bar
Service garages, auto repair, collision or bumping shops	ONE (1) per employee based on the greatest number of employees in any one shift plus TWO (2) spaces for each grease rack or stall for servicing automobiles

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Motor vehicle sales and service establishment	ONE (1) per two hundred (200) square feet of sales room floor space, plus ONE (1) per one (1) automobile service stall, plus ONE (1) per employee based on the greatest number of employees in any one shift.
Open air businesses	ONE (1) per eight hundred (800) square feet of land area used for display or permitted business purposes, plus ONE (1) per employee based on the greatest number of employees in any one shift
Shopping centers – for the purpose of this section shopping centers shall be defined as a structure or a group of structures located on the same zoning lot or parcels which provide a variety of commercial uses and also provide common off-street parking facilities, pedestrian areas and vehicular movement areas	ONE (1) per 200 square feet of usable floor area.
Drive in restaurants and roadside stands	ONE (1) per each fifteen (15) square feet of usable floor area plus ONE (1) per employee based on the greatest number of employees in any one shift
Retail stores except as otherwise specified herein	ONE (1) per 200 square feet of usable floor area

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Automobile wash - automatic	ONE (1) per employee based on the greatest number of employees in any one shift plus TWELVE (12) stacking spaces per washing stall, plus A drying line thirty (30) feet long at the exit of each washing stall to prevent undue amounts of water from collecting on the public street and creating a traffic hazard
Automobile wash – self service	ONE (1) per employee based on the greatest number of employees in any one shift. plus THREE (3) stacking spaces per washing stall
Video Rental Establishments	FIFTEEN (15) per one thousand (1,000) square feet of usable floor area.
OFFICE	
Banks, Business or professional offices of lawyers, landscape architects, architects, planners, engineers or similar professions	ONE (1) per two hundred (200) square feet of usable floor area
Professional offices of doctors and dentists	ONE (1) per twenty (20) square feet of floor space in the waiting room plus ONE (1) per examining room or patient treatment station plus ONE (1) per employee based on the greatest number of employees in any one shift
Medical clinics, outpatient care centers, 24 hour medical stations, urgent care centers and similar facilities	TWO (2) per exam, procedure or operating room or patient treatment station plus ONE (1) per laboratory or recovery room

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

USE	REQUIRED NUMBER OF PARKING SPACES PER UNIT OF MEASURE
Drive through facilities, such as banks; i.e. establishments with service windows or similar arrangements for the purpose of serving customers in their vehicles	FIVE (5) stacking spaces per window plus Required off-street parking per designated use
INDUSTRIAL	
Industrial facilities as permitted in an IND district and established for a known user	ONE (1) per four hundred (400) square-feet of usable floor area
Industrial facilities, as permitted in an IND District and established on speculation (not for a known user)	ONE (1) per three hundred fifty (350) square-feet of usable floor area
Mini-warehouses and self-storage establishments	ONE (1) per ten (10) storage units to be equally distributed throughout the storage area, plus ONE (1) per manager or caretaker’s quarters, plus ONE (1) per fifty (50) storage units to be located at the office
Technology and research uses as permitted in a TAR District	ONE (1) space per three hundred (300) square feet of useable floor area
Warehouse and storage buildings	ONE (1) per four hundred (400) square feet of useable floor area

SEC. 24.6 EXEMPTIONS AND MODIFICATIONS

Exemptions, waivers and modifications of the parking requirements of Section 24.5, Table of Required Off-Street Parking, or loading requirements of Section 24.10, Off Street Loading and Unloading Standards, shall be subject to the following:

1. Exemptions

Whenever the Township Board shall establish off-street parking facilities by means of a special assessment district or similar means, the Board may determine that all buildings erected or uses established thereafter within the special assessment district shall be exempt from the requirements of Section 24.5, Table of Required Off-Street Parking, for supplying off-street parking facilities on their individual lot.

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

2. Banked Parking

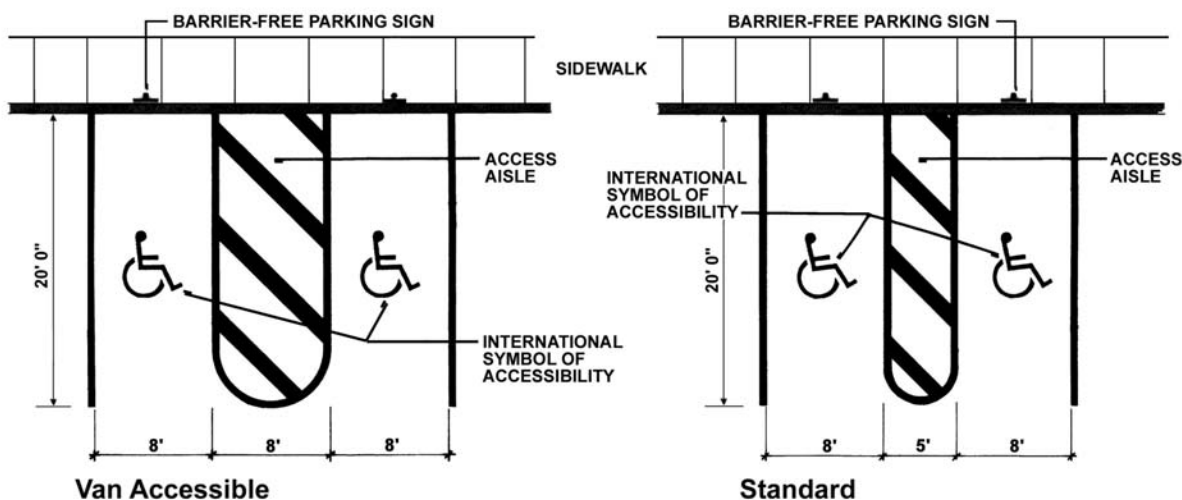
Where an applicant demonstrates to the satisfaction of the Planning Commission that the minimum number of required parking spaces exceeds the amount necessary for the proposed use, the Commission may approve construction of a lesser number of parking spaces, subject to the following:

- (a) The banked parking shall be shown on the site plan and set aside as landscaped open space.
- (b) The banked parking shall be constructed upon request by the Chief Building Official, after the Department of Building and Code Enforcement documents three (3) incidents of problem parking on the site within any one (1) year period.
- (c) Banked parking shall be located in areas which are suitable for future parking and comply with Ordinance requirements.

SEC. 24.7 BARRIER FREE PARKING REQUIREMENTS

Barrier free parking spaces shall be required and included as part of the total parking space requirement of Section 24.5, Table of Required Off-Street Parking, subject to the following:

- 1. A barrier free parking space shall meet the minimum dimensions and design criteria illustrated below. At least one of the required accessible spaces shall meet the design standards for vans as illustrated below, and as required by the Michigan Department of Labor, Construction Code Division, Barrier Free Design Division or Americans with Disabilities Act standards.



Barrier-Free Parking Space Layout

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

2. Barrier free spaces shall be provided in conformance with the following table:

TOTAL PARKING SPACES PROVIDED	REQUIRED NUMBER OF BARRIER FREE SPACES (include barrier free spaces within total required parking)
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	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20, plus 1 per each 100 total spaces over 1,000

If more than eight (8) barrier free spaces are required, one (1) out of every eight (8) barrier free spaces shall be van accessible.

3. The Planning Commission may require additional barrier free spaces to conform with Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division or Americans with Disabilities Act standards or specific use conditions.
4. Barrier free spaces shall be located near elevators, ramps, walkways and entryways. Where a curb exists between a parking lot surface and a sidewalk surface, an inclined curb approach or a curb cut with a gradient of not more than one (1) foot in twelve (12) feet and a width of not less than four (4) feet shall be provided for wheelchair access.

SEC. 24.8 REQUIREMENTS FOR THE DEVELOPMENT, MAINTENANCE AND LAYOUT OF OFF STREET PARKING FACILITIES

In all instances, except private residences, where off-street parking facilities are required or where vehicular parking is provided as an accessory to the lawful use of property, such off-street parking facilities shall be designed, constructed and maintained subject to the following regulations:

SEC. 24.7 BARRIER FREE PARKING REQUIREMENTS
SEC. 24.8 REQUIREMENTS FOR THE DEVELOPMENT, MAINTENANCE AND LAYOUT OF OFF STREET PARKING FACILITIES

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

1. Adequate ingress and egress shall be provided to meet the approval of the Administrative Review Committee or Planning Commission, as applicable, and the agency having jurisdiction of the road right-of-way. Additionally, driveway location, spacing and design shall meet the standards of Section 24.11, Driveway Spacing, Service Roads and Traffic Impacts.
2. The lots shall be graded and proper drainage facilities provided to dispose of all surface water to meet the approval of the Department of Building and Code Enforcement and Township Engineer.
3. Such parking lot, including areas for ingress and egress, shall be constructed in compliance with the standards as adopted by the Department of Building and Code Enforcement. The minimum specifications shall not be construed as a substitute for sufficient pavement thickness where traffic conditions and/or soil conditions require more substantial pavement designs.
4. Screening and land use buffers shall be provided as specified in Article 26 of this Ordinance.
5. Lighting shall comply with the standards specified in Section 28.8, Exterior Lighting.
6. Concrete curbs or other protection against damage to adjoining properties or planting areas shall be provided and maintained.
7. All parking spaces shall be provided adequate access by means of maneuvering lanes. Maneuvering directly on to a street shall be prohibited, except as may be approved by the Planning Commission.
8. Ingress and egress to a parking lot located in an area zoned for non-residential uses shall not be across land zoned for single family residential uses.
9. All parking lots shall be striped and maintained showing the individual parking bays. Said stripes shall conform with the minimum layout requirements of this Section and the approved site plan.
10. Stacking spaces shall be ten (10) feet wide by twenty (20) feet long.
11. Plans for the layout and striping of off-street parking lots shall comply with the following minimum requirements:

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

PARKING PATTERN	MANEUVERING LANE WIDTH (feet)	PARKING SPACE WIDTH (feet)	PARKING SPACE LENGTH (feet)	TOTAL WIDTH OF ONE TIER OF SPACES PLUS MANEUVERING LANE (feet)	TOTAL WIDTH OF TWO TIERS OF SPACES PLUS MANEUVERING LANE (feet)
0°	12	9	23	21	30* 38**
30° to 53°	12	9	20	33	54
54° to 74°	15	9	20	36.5	58
75° to 90°	20	9	20	40	60

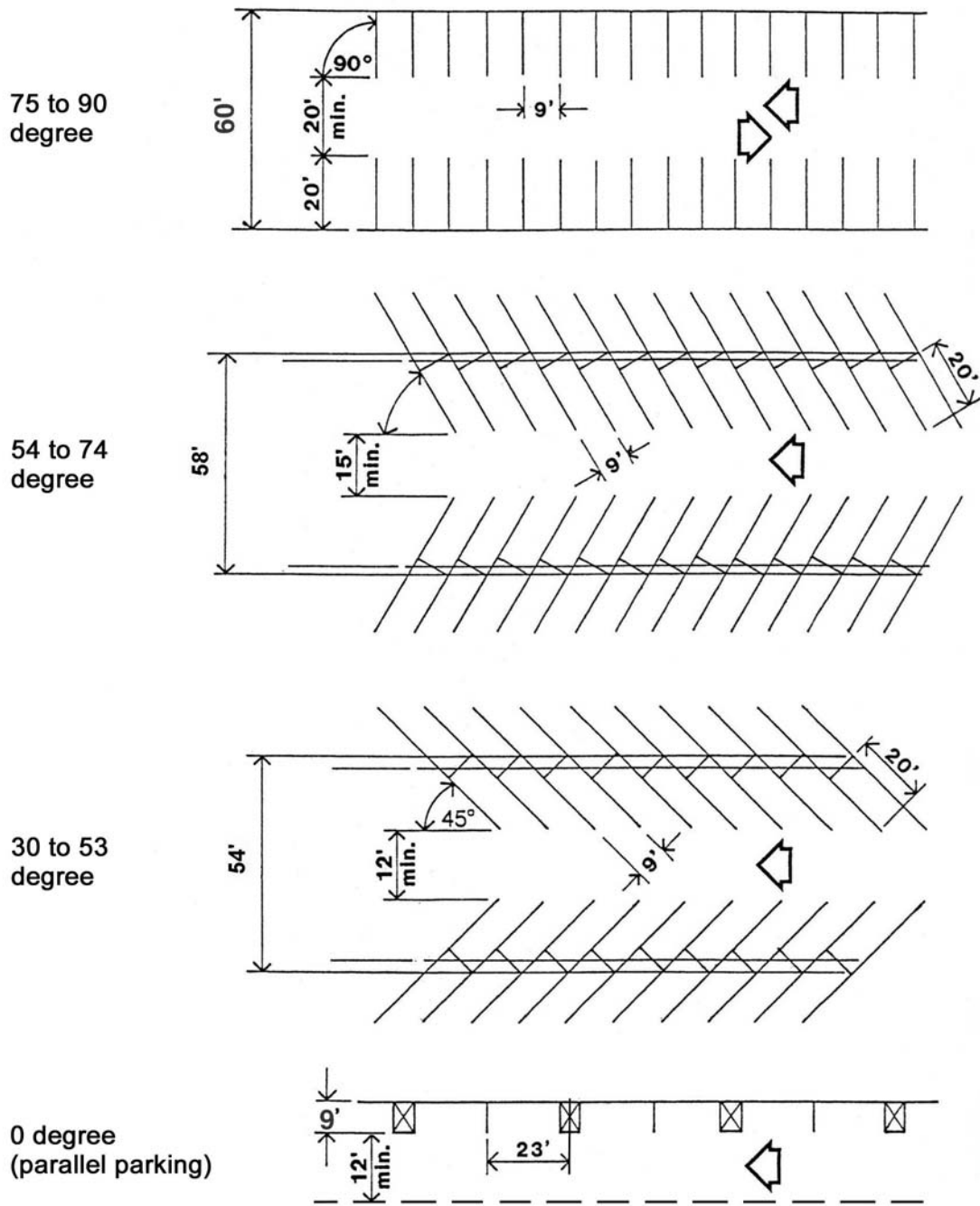
* One way aisle

** Two way aisle

12. Prohibited Activities: Parking lots shall be used solely for parking private passenger vehicles for periods of less than one (1) day. Washing, greasing or servicing of any kind, repair work, or sale of merchandise shall be prohibited within parking lots, unless otherwise permitted by provisions of this Ordinance.

13. All parking areas shall be maintained so that the surface of the lot shall be safe and clean. Cracks, pot holes or litter found on the lot shall be repaired and/or removed after notification by Chief Building Official. All parking facilities and business establishments shall keep the exterior lot and grounds free of debris and flying paper.

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:



Parking Layouts

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

SEC. 24.9 PARKING DECKS AND STRUCTURES

Parking decks and similar structures used, designed or intended for the parking of motor vehicles shall conform with the requirements of this Ordinance for principal buildings in the district where they are located, and with the requirements of this Article and Ordinance for off street parking facilities. All applications for site plan review of such structures shall include a detailed maintenance and security plan for review by the Township.

SEC. 24.10 OFF-STREET LOADING AND UNLOADING STANDARDS

On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, goods, display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly involving the receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained on the same lot adequate space for standing, loading, and unloading services to avoid undue interference with public use of the streets or alleys and parking areas.

1. Such space shall be provided according to the following table, unless determined by the Planning Commission that a lesser or greater standard is appropriate based on the documented characteristics of the use:

GROUND FLOOR AREA (square feet)	LOADING AND UNLOADING SPACES
1 – 2,000	None required
2,000 – 20,000	One (1) space
20,000 – 100,000	One (1) space plus one (1) space for each 20,000 square feet in excess of 20,000 square feet
100,000 – 500,000	Five spaces plus one (1) space for each 40,000 square feet in excess of 100,000 square feet
Over 500,000	Fifteen (15) spaces plus one (1) for each 80,000 square feet in excess of 500,000

2. Unless otherwise adequately provided for, loading spaces shall be ten (10) feet by fifty (50) feet with fourteen (14) feet of height clearance.
3. The location of loading and unloading areas shall be reviewed at the time of site plan submission to ensure that adequate protection from noise and other disruptive elements normally associated with such facilities is afforded to adjacent districts, in particular to residential districts.

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

SEC. 24.11 DRIVEWAY SPACING, SERVICE ROADS AND TRAFFIC IMPACTS

The purpose of this section is to provide access standards which will facilitate through traffic operations, ensure public safety along roadways, and protect the public investment in the street system; while providing property owners with reasonable, through not always direct, access. The standards are specifically designed for streets whose primary function is the movement of through traffic, as opposed to local streets whose primary function is access to adjacent properties. The following requirements shall apply to all sites, uses and developments which are subject to Planning Commission review, to the extent determined reasonable and appropriate by the Planning Commission:

1. Driveway Location

Driveways shall be located so as to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade.

2. Number of Non-Residential Driveways

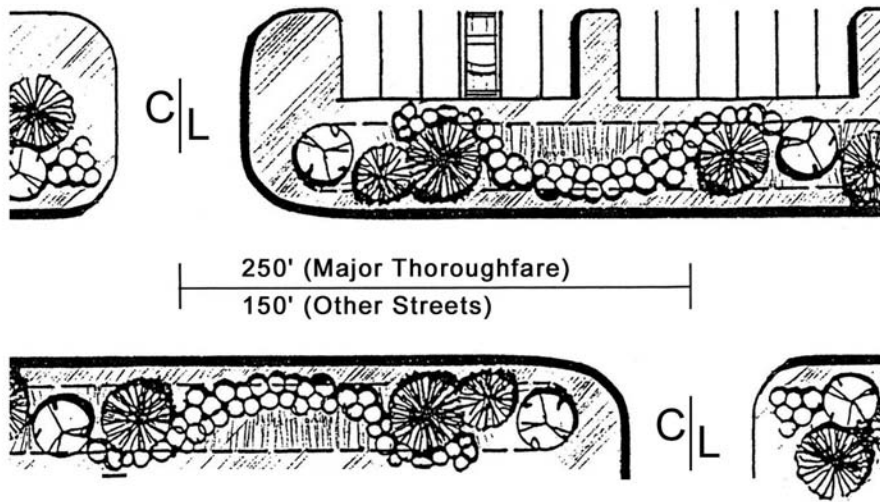
The number of non-residential driveways shall be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles, while preserving traffic operations and safety along the public roadway.

- (a) Where feasible, access shall be provided by a shared driveway or a service drive.
- (b) Where shared access is not feasible, access may be provided by separate driveways.
- (c) Additional driveways may be permitted for larger sites where additional driveways are needed to adequately accommodate traffic and to provide a second means of access for public safety.

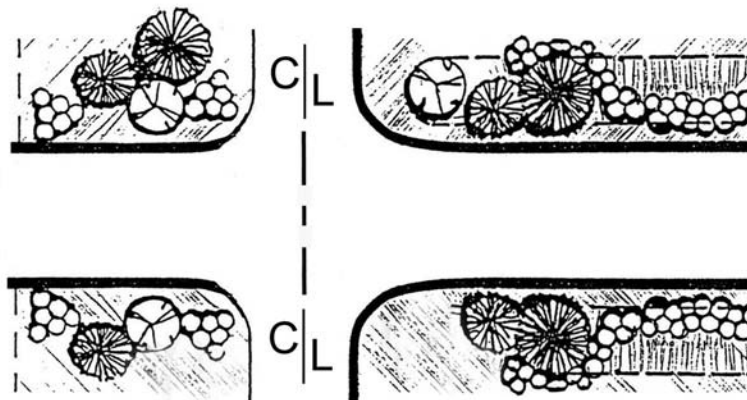
3. Driveway Offsets along Public Rights-of-Way

Where feasible, new non-residential driveways shall be aligned with driveways or streets on the opposite side of the street, or offset a minimum of two hundred fifty (250) feet along major thoroughfares and one hundred fifty (150) feet along other streets. Greater offsets may be required depending on the expected inbound left-turn volumes of the driveways, or sight distance limitations.

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:



Minimum Horizontal Separation Distance Along Street Right-of-Way



Aligned on Driveway Centerline Across Street Right-of-Way

Non-Residential Driveway Offsets

Article 24: Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading Amendments:

4. Shared Driveways and Cross Access Drives

The use of cross access drives, in conjunction with driveway spacing, preserves traffic flow and minimizes traffic conflicts, while retaining reasonable access to the property. Where the Planning Commission determines that reducing the number of access points may have a beneficial impact on traffic operations and safety while preserving the right to reasonable access, access from a side street, a shared driveway or cross access drive connecting two or more properties or uses may be required.

- (a) **Location.** Shared driveways or cross access drives shall generally be parallel or perpendicular to the front property line and may be located either in front of, adjacent to, or behind, principal buildings. In considering the most appropriate alignment, the Planning Commission shall consider the setbacks of existing buildings and anticipated traffic flow for the site.
- (b) **Access Easement.** Shared driveways and cross access drives shall be within an access easement which permits traffic circulation between properties. The easement area shall remain clear of obstructions, and shall not be used for parking unless otherwise approved by the Planning Commission.
- (c) **Maintenance.** Each property owner using a shared driveway or cross access drive shall be responsible for its maintenance, subject to a maintenance agreement between all property owners responsible for the shared facility.

5. Traffic Impact Studies

When determined necessary by the Planning Commission, a traffic impact study (TIS) shall be prepared by an applicant to determine the potential future traffic conditions on the adjacent roadways once a proposed development is finished. If required, the TIS shall predict the peak-hour operational conditions at site driveways and road intersections affected by the development. The results of the TIS shall be used in the final design of access points and internal circulation and may identify necessary off-site road improvements. As a minimum, the TIS shall meet standards as published by SEMCOG and MDOT in the handbook titled “Evaluating Traffic Impact Studies,” however the Planning Commission may modify the analysis required based upon site and use location and conditions.

Article 25: Sign Regulations

Amendments:

ARTICLE XXV

SIGN REGULATIONS

PURPOSE

The purpose of this article is to provide a framework within which the identification and informational needs of business and industry can be harmonized with the desires and aesthetic standards of the general public. It is intended by this Ordinance to give recognition to the legitimate needs of business, industry and other activities, through appropriate guidelines, in attaining their identification and informational objectives. It is a basic tenet of this article that unrestricted signage does not benefit either business or the community.

(as amended 10/25/07)

It is further the intent of this Article to regulate the construction, alteration, repair and maintenance of all signs with respect to structural and fire safety, location, type of sign, dimensions, height and method of illumination; to avoid visual clutter that obstructs vision or misleads motorists; to protect the general public from damage and injury caused by distractions, hazards or obstructions caused by poorly designed or improperly constructed signage; to authorize the use of signs that are compatible with their surroundings, appropriate to the use that displays them and legible under the circumstances in which they are seen; to seek the removal of illegal signs; and to encourage the replacement or removal of nonconforming signs that are incompatible with the purpose of this Article.

Further, the control of signs is necessary to prevent hazards to life and property and ensure the continued attractiveness and protect property value within the Township. The Township has determined that, in general, the use of animated, electronic changeable copy, flashing, or moving signs would lead to visual clutter, negatively impact traffic safety, and would be inconsistent with the purposes of this Ordinance.

SEC. 25.1 DEFINITIONS (as amended 10/25/07)

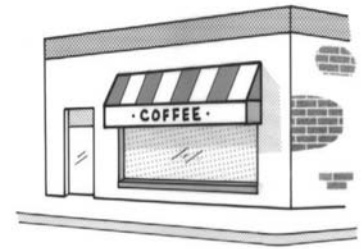
As used in this article, the following words shall have the meanings as set forth in this section.

1. **ABANDONED SIGN:** A sign which, for ninety (90) consecutive days, fails to direct a person to or advertise a bona fide business, tenant, owner, product or activity conducted, or product available on the premises where such a sign is displayed.
2. **ANIMATED SIGN.** Any sign, display, device, or portion of a sign which is designed to provide apparent movement of any part of the sign. Animated signs also include any portion of a sign that displays any artificial light which is not maintained stationery or constant in intensity and/or color at all times when the sign is in use through some other automated method resulting in the appearance of movement, excluding Time-Temperature and Changeable Copy Signs (Electronic).

Article 25: Sign Regulations

Amendments:

3. **AWNING:** A protective, rooflike covering, attached to the face of a building, as might be located over a window or door.
4. **AWNING OR CANOPY SIGN:** A sign which is painted on, printed on or attached flat against the surface of an awning or canopy.
5. **BANNER:** A sign made of fabric, cloth, paper, or other non-rigid material that is typically not enclosed in a frame.
6. **CANOPY:** A rooflike architectural structure, typically attached to the face of a building, and used to provide protection from the elements (e.g., a canopy over a walkway or a gas station canopy).
7. **CHANGEABLE COPY SIGN (MANUAL):** A sign or part of a sign that is designed so that the message can be changed or rearranged without altering the face or surface of the sign, by physically replacing the characters, letters, or illustrations, but not by electric or electronic means.
8. **CHANGEABLE COPY SIGN (ELECTRONIC).** A sign or part of a sign where the individual numbers or letters can be changed electronically in display. Such signs do not include animated signs or flashing or moving signs, as defined herein. A sign on which the only copy that changes is an electronic indication of the time and temperature shall be considered a Time-Temperature Sign and not an electronic changeable copy sign
9. **CONSTRUCTION SIGN:** See “real estate development or construction sign.”
10. **DIRECTIONAL SIGN, OFF-PREMISES:** A monument sign, the sole purpose of which is to direct traffic to one or more commercial businesses which are located on premises without frontage on or visual exposure to a major thoroughfare or collector road. Such businesses shall front on a road or easement which is used for their primary public ingress and egress from the major thoroughfare or collector road. The purpose of the off-premises directional sign is to facilitate the flow of traffic, encourage the concentration of commercial uses, discourage strip commercial development, and not to advertise the business or products or services offered.
11. **DIRECTIONAL SIGN, ON-PREMISES:** A ground sign located at the entry or exit of a business or commercial establishment which indicates traffic flow. On-premise direction signs may be located on buildings.
12. **FLAG:** A piece of cloth having a distinctive size, color and design, used as a symbol, standard or emblem.
13. **FLASHING OR MOVING SIGN:** A sign or any part of a sign that has intermittently reflecting lights, or a sign which uses intermittent, flashing, scintillating, or varying intensity of illustration or color to create the appearance of movement, or a sign that has any visible portions in motion, either constantly or at intervals, whether caused by artificial or natural sources (See also ANIMATED SIGN).



Awning Sign

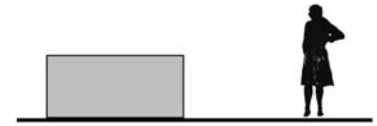


Canopy Sign

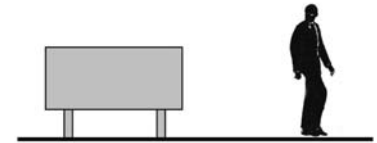
Article 25: Sign Regulations

Amendments:

14. **GROUND SIGN:** A sign supported by one or more uprights, poles, braces, a masonry base, or a monument placed in or upon the ground, fastened to a secure and permanent foundation, and not attached to any building. Ground signs shall include monument signs and pole signs.



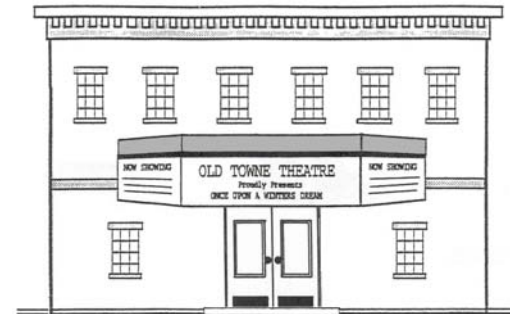
15. **INFLATABLE SIGN:** A sign that is either expanded or its full dimensions are supported by gases contained within the sign, or a sign part, at a pressure greater than atmospheric pressure.



Ground Signs

16. **ILLUMINATED SIGN:** A sign that is illuminated by a direct or indirect source of light so shielded that no direct rays from it are visible from any public right-of-way or from the abutting property.

17. **INSTITUTIONAL BULLETIN BOARD:** A structure containing a surface area upon which is displayed the name of a religious institution, school, library, community center or similar institutions, and the announcement of its services or activities. Such signs shall exclude animated, flashing, moving or electronic changeable copy signs, as defined herein.



Marquee Sign

18. **MARQUEE:** A rooflike structure, often bearing a sign, projecting over an entrance to a theater.

19. **MARQUEE SIGN:** A sign attached to a marquee projecting from and supported by the building.

20. **MENU BOARD OR ORDER BOARD:** A sign which is intended to service patrons using a drive thru facility.

21. **MONUMENT SIGN:** A ground sign mounted on a base that is in contact with or close to the ground. The base of a monument sign shall be no less than 75% of the greatest horizontal dimensions of the sign face, and the vertical separation between the lowest point of the sign face and the highest point of the sign base shall be not greater than twelve (12) inches.



Monument Sign

22. **MONUMENT SIGN BASE:** The lower part of a monument sign, which may appear as a separate architectural feature, and serves as its ground support.

23. **NAMEPLATE:** A wall sign identifying the occupant, business name and/or address of a building or parcel of land.

24. **NEON SIGN:** A sign consisting of glass tubing, filled with neon or another gas, which glows when electric current is sent through it.

Article 25: Sign Regulations

Amendments:

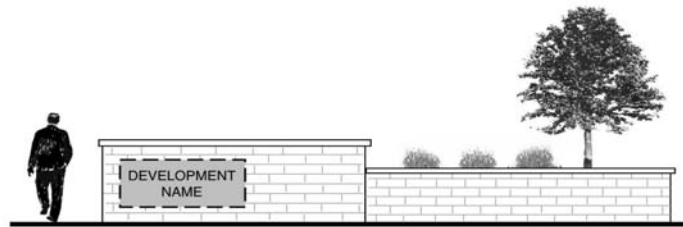
- 25. **NONCONFORMING SIGN:** Any advertising structure or sign that was lawfully erected and maintained prior to the effective date of this Ordinance, and any amendments thereto, and that fails to conform to all applicable regulations and restrictions of this Article.
- 26. **OFF-PREMISES SIGN:** A sign which contains a message unrelated to a business or profession conducted on the premises, or to a commodity, service or activity, not sold or offered upon the premises where such sign is located.
- 27. **OUTDOOR ADVERTISING SIGN:** A sign calling attention to a product or service not available on the same premises upon which the sign is located. This definition includes, but is not limited to, signs commonly known as billboards.
- 28. **PANEL SIGN:** A sign whose letters and/or symbols are on a panel contained within a frame, which is an integral part of the sign. This definition is intended to distinguish between panel signs and signs consisting of individual freestanding letters and/or symbols.
- 29. **PENNANT:** A long, triangular, tapering flag, often bearing an emblem.
- 30. **POLE SIGN:** A ground sign mounted on a freestanding pole(s) or other support(s) with a clear space between the bottom of the sign face and the grade.
- 31. **POLITICAL SIGN:** A temporary sign, relating to the election of a person or persons to public office, or relating to a political party, or relating to matters to be voted upon in a local, state or national election or referendum.
- 32. **PORTABLE SIGN:** A free standing sign not permanently anchored or secured to either a building or the ground, such as, but not limited to "A" frame, "T" shaped, or inverted "T" shaped structures, including those mounted on wheeled trailers.
- 33. **PROJECTING SIGN:** A sign that is attached to and projects from a building wall at an angle of up to 90° (not including a marquee, canopy or awning sign).
- 34. **REAL ESTATE DEVELOPMENT OR CONSTRUCTION SIGN:** A temporary ground or wall sign listing the name of the project developers, contractors, engineer and architects, on the site being developed, or located at the entrance of a residential development under construction, listing the name of the development and general information, such as the number and types of units to be built, price range and similar data. Such signs include “subdivision business sign” and “construction sign.”
- 35. **REAL ESTATE SIGN:** A non-illuminated sign for the purpose of advertising or promoting the sale, lease or rent of real estate. A PERMANENT LEASING SIGN is a real estate sign that is erected for an indefinite period of time for the purpose of offering space in a building for lease.
- 36. **ROOF SIGN:** A sign erected, constructed and maintained wholly upon or over the roof of any building, with its principal support on the roof structure. For purposes of this section, any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type, shall be

Article 25: Sign Regulations

Amendments:

considered as a roof. A vertical plane or fascia which is attached to and located below the angled plane of a sloped roof and which is less than 6 inches in height, shall be considered part of the roof.

- 37. **SERVICE CLUB ENTRANCE SIGN:** A sign, usually located along a main entrance way to a community, displaying the names of service clubs and organizations, their meeting schedules, and usually including the service clubs’ symbols or logos. The name of the community and a short salutatory message may also be included.
- 38. **SETBACK OF SIGN:** Setback is the distance measured from the street setback line from which the sign is to be primarily viewed to the nearest edge of the sign.
- 39. **SIGN:** The name, identification, description, object, device, structure, display or illustration that is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, service, event, organization or business by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.
- 40. **SIGNABLE AREA:** The area in which a sign is to be located and which is used to determine the permitted size of that sign, pursuant to Section 25.2.1.(d). The signable area shall be a continuous surface or wall unobstructed by windows, doors, other major architectural details or a change in material color.



Site Entry Feature With Signage

- 41. **SITE ENTRY FEATURE WITH SIGNAGE:** An architectural feature that defines, delineates and differentiates the entrance to a residential subdivision, apartment community, condominium development, mobile home park or office, business or industrial park, or similar development from a major thoroughfare without being a visual intrusion or distraction to the general public and the traveling motorist. Signage identifying the name of the development may be incorporated into the architectural feature.
- 42. **SPINNER:** A spinning disc-like sign that is typically thread on a line with other spinners to attract attention.
- 43. **STREAMER:** A long narrow banner or flag.
- 44. **SUBDIVISION BUSINESS SIGN:** See “real estate development or construction sign.”

Article 25: Sign Regulations

Amendments:

- 45. **TEMPORARY SIGN:** A sign that is not permanently fastened to any structure and is intended for a limited period of display, including, but not limited to inflatable signs, banners, pennants, spinners and streamers, window signs and decorative displays for holidays or public demonstrations.
- 46. **TIME-TEMPERATURE SIGN:** A sign, electronic or otherwise, which displays the current time or outdoor temperature or both and which displays no material except for the name of a business, product or service. For purposes of this ordinance, a Time-Temperature sign shall be considered a public service.
- 47. **VEHICLE BUSINESS SIGN:** A sign painted or attached to a vehicle which is located on a premise primarily for purposes of advertising the business or product for sale on the premises. Commercially licensed vehicles which are generally used daily off-site are not included in this definition.
- 48. **VOICE MESSAGE SIGN:** A sign that either 1) conveys a recorded message to someone located nearby, or 2) provides for two-way voice communication (such as with a menu board at a drive-through restaurant). A voice message sign may also be known as a talking sign.
- 49. **WALL SIGN:** A sign which is attached directly to or painted upon a building wall and does not extend above the height of the wall to which it is attached, nor more than twelve (12) inches therefrom, with the exposed face of the sign in a plane parallel to the building wall. Included in the definition of wall signs are signs mounted flat against the building fascia, provided the sign does not protrude beyond any boundary of the fascia.
- 50. **WINDOW SIGN:** A temporary or permanent sign painted on or affixed to a window surface, suspended so as to hang more or less parallel with the window surface, or otherwise displayed in a manner intended to be viewed from outside the window.

SEC. 25.2 GENERAL STANDARDS (as amended 10/25/07)

The following general standards shall apply:

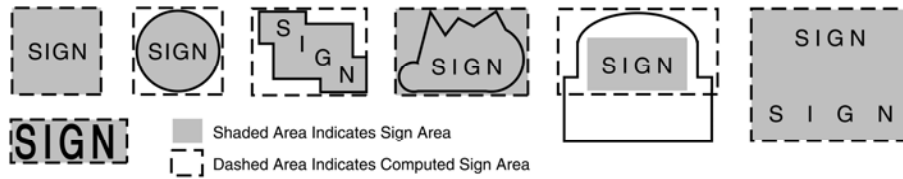
1. Standards of Measurement for Signs

Dimensional standards and measurements for signs shall be subject to the following:

- (a) **Sign Area.** The entire area within a rectangle or square enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame, tower, or other material, color or internally illuminated area forming an integral part of the display or used to differentiate such sign, shall be included in the measurement. Parts of a sign shall be deemed to be a single sign whenever the proximity, design, content or continuity reasonably suggests a single unit, notwithstanding any physical separation between parts.

Article 25: Sign Regulations

Amendments:



Computation of Sign Area

- 1) Where a sign has two or more faces, the area of all faces shall be included in determining the sign area, except that where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as either:
 - a) the area of one face, if the two faces are of equal area, or
 - b) the area of the larger face, if the two faces are of unequal area.

- 2) For ground signs, the area shall include the entire area of the sign upon which copy, lettering, drawings or photographs could be placed, excluding necessary uprights or supports. For monument signs, the base of a monument sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade. Streetscape and landscape features which in the determination of the Planning Commission, are an integral part of the sign design shall also be excluded from the calculation of sign area.

- 3) For internally-illuminated awnings or canopies, the entire flat surface of the awning or canopy upon which the message is written shall be included in the sign area calculation. Signs mounted on awnings and canopies that are not internally-illuminated shall be subject to the sign area standards of measurement specified in paragraph (a), above.

- 4) For paper window signs, the area shall include, the entire area of the paper. Where adjacent paper window signs are within eight (8) inches of each other they shall be measured as a single sign.

- (b) Sign Height. The distance from the average level of the ground or pavement directly below the sign to the highest point of the sign structure, including any supportive or decorative appendages, without including any berm, landscaping, grading, or artificially or unnaturally constructed raised portion of land at the point of measurement.

Article 25: Sign Regulations

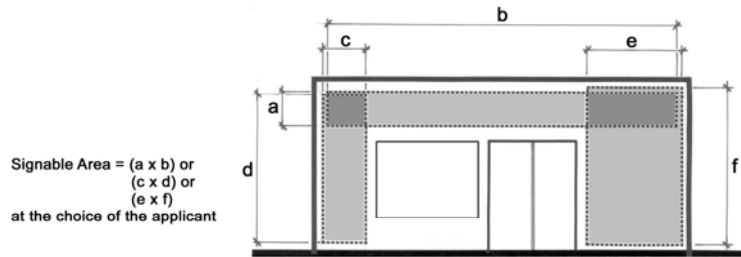
Amendments:

- (c) Sign Setback. Setback is the distance measured from the street setback line from which the sign is to be primarily viewed to the nearest edge of the sign.



Sign Setback

- (d) Signable Area. Where it is specified that the size of a sign shall be based on the signable area, signable area shall be delineated as the area of a continuous surface, or wall unobstructed by windows, doors, other major architectural details, or a change in materials or color. The signable area shall equal the area of (a x b) or (c x d) or (e x f) in the following illustration, at the choice of the applicant:



Signable Area

The signable area for a gable shall be determined by calculating the actual area of the surface or wall of the gable, unobstructed by any architectural features.

2. **Illumination**

Sign illumination shall be subject to the following:

- (a) Sign illumination shall be designed, installed and maintained in a manner that minimizes off-site glare, light trespass and light pollution. Illumination shall be concentrated within the area of the sign to prevent glare upon the street or adjacent property. Sign illumination shall be provided solely by electrical means or devices, shall not be of a flashing, intermittent, moving or animated type, and shall further comply with the specific standards defined in Section 25.9, Area, Height and Placement Regulations.
- (b) Signs shall not be illuminated between the hours of 11 P.M. and 7 A.M., except those pertaining to a business open during these hours, and except time/temperature signs located in C-2 districts.

Article 25: Sign Regulations

Amendments:

3. Maintenance Contract

A contract for maintenance of all new permanent signs may be required by the Department of Building and Code Enforcement.

4. Underground Wiring

Where illumination is desired, underground wiring shall be required for all signs not attached to a building.

SEC. 25.3 ARC and OS-ARC DISTRICT SIGNS

Requirements for signs in the ARC and OS-ARC District are set forth in Section 14.10.

Article 25: Sign Regulations

Amendments:

SEC. 25.4 SPECIAL SIGNS IN C-1 AND C-2 DISTRICTS

The following signs are permitted in a C-1 and C-2 Districts:

1. Flags or Pennants

Flags or pennants bearing the official design of a corporation or award flags or pennants subject to the following:

- (a) Such corporation, or award flags or pennants shall be displayed on flag poles only. For the purposes of this Ordinance, a flagpole is a pole used exclusively to display a flag. Attachment to any other site fixture or feature shall be prohibited.
- (b) A maximum of two (2) such flags or pennants shall be permitted for each flag pole provided.
- (c) The maximum number of flag poles permitted per individual business shall be determined in accordance with the following table:

STREET FRONTAGE IN FEET	MAXIMUM NUMBER OF FLAG POLES PERMITTED
0 - 210	1
211 - 300	3
301 or greater	5

- (d) Placement of flag poles shall be in a manner and location subject to the following requirements:
 - 1) The placement shall not impact adjacent properties, in particular, those of a residential nature.
 - 2) The placement shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic.
 - 3) The size, content, coloring or manner of illumination of said flags shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
 - 4) The height of flagpoles shall conform to the height restrictions of set forth in Article 20 for buildings and structures. A flagpole shall be deemed to be a structure under all provisions of this Ordinance. Flagpoles shall comply with the setback requirements for structures.
 - 5) No flag or flagpole shall be permitted to project into the road right-of-way at full extension of the flag.
 - 6) Flag poles shall not be located on the roof of a building:

Article 25: Sign Regulations

Amendments:

- (e) The size, content, coloring or manner of illumination of said flags or pennants shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.

2. Banners

Banners used to draw attention to vehicle dealerships are permitted, provided that there is a maximum of one (1) banner on each pole, and provided that they have no written message or corporate identity. Each banner shall not exceed a maximum area of twenty (20) square feet.

3. On-Premises Directional Signs

On-Premises Directional Signs may be permitted in the C-1 Neighborhood Shopping District, C-2 General Commercial District, MR Mid-Rise District, OS Office Service District, OR Office Research District, TAR Technology and Research District, and IND Industrial District subject to the following:

- (a) Directional signs shall not exceed two (2) square feet per side, nor exceed two (2) sides.
- (b) Said signs may incorporate a corporation or business logo provided the main theme of the sign shall be to facilitate vehicular traffic flow.
- (c) Placement shall be within the subject property; no such signs shall be permitted within the street setback area or right-of-way.
- (d) The size, content, coloring, placement or manner of illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
- (e) Directional ground signs shall not exceed a height of four (4) feet and shall be limited to one (1) per ingress or egress drive, located at the ingress or egress drive.
- (f) On-premises directional signs may be located on buildings.

4. Off-Premises Directional Signs

Off-Premises Directional Signs may be permitted on a limited basis in the C-2 District, in order to encourage the clustering of businesses, and minimize strip commercial development in accordance with the Township Master Plan, while still allowing necessary and reasonable identification of businesses, facilitating the orderly flow of traffic, and avoiding unnecessary proliferation and excessive size of signs on thoroughfares and collector roads:

- (a) Off-premises directional signs are permitted only upon review and approval of the Planning Commission, and subject to compliance with the following conditions:

Article 25: Sign Regulations

Amendments:

- 1) Approval of the sign would serve to further the purposes of this Section.
- 2) The Planning Commission shall determine that the business is located in the C-2 District; has no frontage on the major thoroughfare from which it takes primary access; is within one thousand two hundred (1,200) feet of said thoroughfare; is not visible from the major thoroughfare or is visible from the major thoroughfare but with no clear indication of how to access the business; and would not reasonably be able to direct traffic to or adequately identify its location without an off-premises directional sign.
- 3) No off-premises directional sign shall be permitted without a recorded easement or executed agreement that accomplishes all of the following:
 - a) states that the owner of the parcel on which the sign is to be placed grants permission for the off-premises directional sign to be located on the parcel,
 - b) stipulates which parcel(s) are entitled to use of the off-premises directional sign, and
 - c) specifies how the sign is to be maintained and establishes a means to assure that maintenance runs with the life of the sign.
- 4) Off-premises directional signs shall be located only on land zoned C-2, and shall direct traffic only to land also zoned C-2.
- 5) Off-premises directional signs shall be permitted only at the intersection of the access road for the business and a major thoroughfare, and only one such sign is permitted at each intersection. The business access road may be a public street, private road, or recorded access easement over which the general public has ingress/egress rights. If multiple businesses served by the same access road require the use of the same intersection for an off-premises business directional sign, the same sign shall be used.
- 6) Off-premises directional signs shall be located entirely on private property and no closer than thirty (30) feet from the centerline of the street, private road, or recorded access easement which provides access to the business. The sign shall be located a minimum of sixty (60) feet from the centerline of the major thoroughfare or collector road. The sign location shall comply with all other setback and visibility requirements of the Township.
- 7) Off-premises directional signs shall be monument signs with the minimum dimensions necessary to accomplish the purpose of directing traffic; however, in no case shall the sign height exceed the following dimensions:

Article 25: Sign Regulations

Amendments:

NO. OF USERS ON SIGN	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT
1	12 sq. ft.	4.5 ft.
2	24 sq. ft.	6 ft.
3 or more	36 sq. ft.	8 ft.

The base of an off-premises directional sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade.

- 8) If multiple businesses served by the same access road require the use of the same intersection for an off-premises business directional sign, the same sign shall be used.
- 9) Space shall be allocated on the sign to allow identification of all businesses which use the same access road to use the off-premises directional sign. A common lettering size and style and no more than one uniform background color shall be used. The sign shall state only the name of the business(es) being identified. A directional arrow may also be included on the sign. The sign base shall be of brick or decorative masonry block.
- 10) The ground within five (5) feet of the base of the off-premises directional sign shall be landscaped in low shrubbery, ground cover or flowers, and said landscaping shall be maintained in presentable condition.
- 11) Off-premises directional signs may be illuminated in accordance with Section 25.2.2, provided the illumination creates no perceptible glare on private property at a distance greater than ten (10) feet from the sign and on public streets and the access drive.
- 12) Off premises directional signs shall be prohibited where a Site Entry Feature with Signage, as defined in Section 25.1, is determined by the Planning Commission to be more appropriate.
 - (a) The off-premises directional sign shall be maintained in a sound and presentable condition. If a business that is identified on the off-premise directional sign ceases to exist at its location or changes its name, the appropriate changes to the copy of the sign shall be made within thirty (30) days of the change in the business.
 - (b) The existence of an off-premises directional sign shall not affect the number and size of other signs permitted by the Township, including any other signs on the same parcel as the off-premises directional sign, and any other signs on the same parcel as the business identified by the off-premises directional sign.

5. **Menu or Order Board**

Menu and/or order board for a drive-thru facility subject to the following:

Article 25: Sign Regulations

Amendments:

- (a) Said signs shall be located on the interior of the lot or parcel and shall not be readable from the exterior of the lot.
- (b) Said signs shall be intended to service the public utilizing the drive-thru facilities only.
- (c) The placement shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow in any manner.
- (d) The size, content, coloring or manner of illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
- (e) The volume on order boards shall be maintained at the minimum level necessary so that it is audible to users, so as to minimize extraneous noise traveling off the site.

6. Gasoline Service Station Signs (as amended 10/25/07)

Because of the nature of the use, gasoline service stations have sign needs that are unique from other uses. Gasoline service stations are relatively high traffic facilities and typically located at very high traffic locations and intersections. Such locations offer limited opportunity for driver indecision, increasing the importance of good signage to communicate and avoid traffic accidents. Further, the public expects to see automotive fuel prices posted in a consistent and clear format. To reflect the above-referenced character and needs of the use, signs for gasoline service stations shall be permitted as follows:

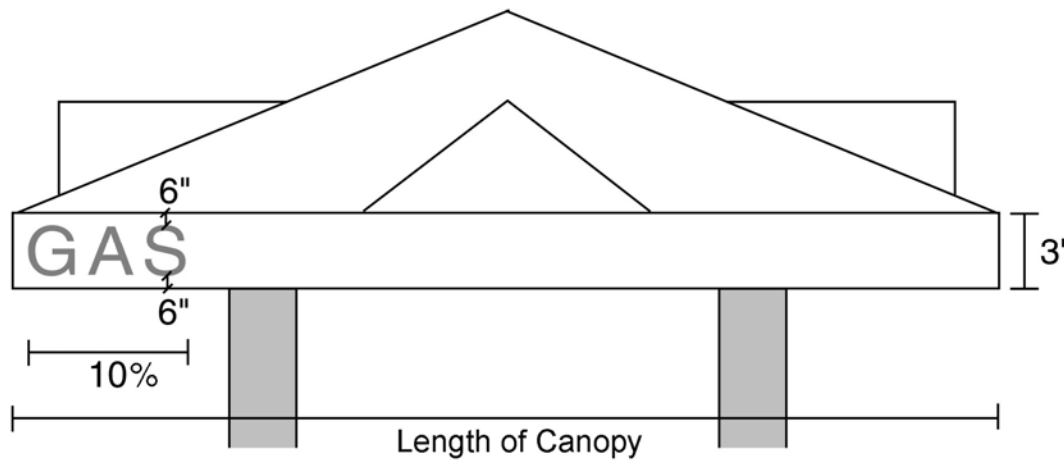
- (a) One (1) monument sign, subject to the requirements of Section 25.9.1.(b). The Township understands that the traveling public expects to see updated, clear, and precise automotive fuel pricing from off-site, and further, that fuel prices change from day to day. If automotive fuel pricing is not visible, or is unavailable or removed, it would cause great inconvenience to residents of the Township. Further, it is documented, by the National Highway Traffic Safety Administration (NHTSA) and others, that it is dangerous to distract a driver's attention from the road. Clear and accurate price numerals may help to reduce the number of traffic accidents associated with the distraction of drivers from inaccurate and unclear gasoline pricing. While in general electronic changeable copy signs are not consistent with the established, planned and desired appearance of the Township, for the limited application of automotive fuel pricing only, the Township finds it acceptable. In consideration of these factors, changeable copy may be permitted as part of a monument sign for a gasoline service station subject to the following:
 - 1) Only the individual fuel price numbers shall be permitted to be changeable copy. The changeable copy portion of the sign shall be manual or electronic.
 - 2) The fuel price number height shall not exceed nine (9) inches.
 - 3) The changeable copy portion of the sign shall consist of no more than 1 background color and 1 numeral color.

Article 25: Sign Regulations

Amendments:

- 4) The base of any monument sign containing fuel price changeable copy shall be brick, with limestone capped brick piers on the two ends of the sign. The sign shall not project above the brick piers by more than one-half of the message area's height.
 - 5) The area of the changeable copy shall be counted toward the maximum sign area.
 - 6) All electronic numerals used in the price of fuel shall be designed to automatically adjust their brightness under varying light conditions to maintain legibility, avoid glare, and eliminate visual impact on nearby areas of the Township.
- (b) One (1) wall sign, subject to the requirements of Section 25.9.2.
 - (c) One (1) canopy sign per street frontage, up to a maximum of two (2), and limited to no more than one (1) sign on any canopy face, subject to the following conditions:
 - 1) The length of the canopy sign shall not exceed 10% of the length of the canopy façade (See diagram).
 - 2) The sign shall be a minimum of six (6) inches from the top and bottom of the canopy façade (See diagram). Further, the sign shall have a minimum separation of six (6) inches from any accent color on the fascia.

(Refer to Section 13.2.11(i) for detailed standards on gas station canopies).



Canopy Sign Example

Article 25: Sign Regulations

Amendments:

SEC. 25.5 SIGNS PERMITTED IN ALL DISTRICTS WITHOUT A SIGN PERMIT

The following signs shall not count toward the maximum permitted sign, and shall be permitted in all districts without obtaining a sign permit prior to installation:

1. For purposes of identification by emergency personnel (fire, police, EMS) all businesses, offices, industrial buildings, apartment complexes, and multiple and single-family residences, shall prominently display their street address on the front side (facing the street) of their building or upon freestanding signs or building entranceways. All street addresses shall be in Arabic numerals, each numeral shall be large enough to be easily read from the street, but in no event smaller than four (4) inches high by two and one-half (2 ½) inches wide, except for numeral one (1) which shall have a width in proportion to its height. Street Address Signs shall not exceed three (3) square feet in area, unless that signs exceeding three (3) square feet are counted in the maximum sign area computations. All numerals shall contrast with the surface they are applied to (light numerals on dark surfaces, dark numerals on light surfaces) shall be mounted high enough to be seen from the street, and shall not be obstructed from view by trees, shrubs or any other material. If the residence or business cannot be seen from the street, an additional street address sign shall be displayed in an area where it can be seen from the street. In all residences with more than one unit, such as apartments, each individual unit shall be clearly marked.
2. House numbers, legible from the street, home occupation signs, nameplates (fraternity, sorority, apartments, and professional) identifying the occupant or address of a parcel of land and not exceeding two (2) square feet in area.
3. Window signs not exceeding two (2) square feet in area indicating the hours of operation for a business, and whether a business is open or closed.
4. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.
5. For Sale signs attached to vehicles.
6. Flags bearing the official design of a nation, state, municipality, educational institution or non-profit organization.
7. Traffic safety and control signs erected by or on behalf of a governmental body, or other municipal signs such as the following: legal notices, railroad crossing, danger and other emergency notices as may be approved by the Township Board or the Township Supervisor.
8. Community special event signs approved by the Township Board or the Township Supervisor.
9. Institutional bulletin boards no more than fifty (50) square feet in area, four (4) feet in height and placed wholly within the property to which the sign pertains.

Article 25: Sign Regulations

Amendments:

10. Private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices published in accord with Section 508 of Public Acts 300 of 1949, as amended.
11. Park and playground signs:
12. Political signs subject to the following:
 - (a) They shall be removed within ten (10) days following the election.
 - (b) They shall not be placed closer than one hundred (100) feet from any polling place entrance.
 - (c) The candidate shall be responsible for compliance with this section.
 - (d) No election sign is to exceed eight (8) square feet in area, and in the case of a ground-mounted election sign, the height may not exceed four and one-half (4 ½) feet.
13. Real estate signs shall be subject to the following:
 - (a) Temporary Real Estate Signs.
 - 1) Such signs shall be limited to ground or wall signs only. One (1) sign shall be permitted per street frontage, regardless whether the property is represented by more than one real estate agent.
 - 2) Area shall not exceed seven (7) square feet in all Residential Districts and shall not exceed forty-two (42) square feet in any other Zoning District.
 - 3) Height shall not exceed four (4) feet in all Residential Districts and seven (7) feet in all other Zoning Districts.
 - 4) Such signs shall be erected only on private property with permission from the property owner. Placement shall be wholly within the property boundaries to which the sign pertains, and such signs shall be located outside of any street setback area or corner clearance area.
 - 5) The sign may be erected at the time the property is offered for sale or lease and shall be removed within ten (10) days following the sale or lease of the property. The property owner, and real estate agent, or other persons responsible for creating the sign and/or placing the sign on the property, shall be responsible for compliance with the provisions of this Section.
 - 6) Temporary off-site real estate signs shall be permitted for the purpose of directing buyers to an open house provided that such signs not exceed four (4) square feet per face and provided further that such signs are removed immediately following the open house.

Article 25: Sign Regulations

Amendments:

- (b) Permanent Leasing Signs. Permanent leasing signs erected for a period of one (1) year a longer shall be subject to the following:
 - 1) If the permanent leasing sign is a ground sign, it shall be a monument sign and it shall be subject to the location, setback, and other applicable standards in Section 25.9.1.
 - 2) If the permanent leasing sign is a wall sign, it shall be subject to the applicable standards in Section 25.9.2.
 - 3) Permanent leasing standards shall comply with the maximum sign area and sign height requirements that apply to temporary real estate signs.
 - 4) Such signs shall be maintained in good repair, and shall be replaced or renovated when weathered or worn.

14. Community entrance signs erected by the municipality.

SEC. 25.6 SIGNS PERMITTED IN ALL DISTRICTS WITH A SIGN PERMIT

The following signs shall be permitted in all districts subject to approval of a sign permit, and provided that they are accessory to a permitted use in the district:

1. Real Estate Development or Construction Signs

Real Estate Development or Construction signs subject to the following:

- (a) Such signs shall be limited to a maximum of one (1) ground or wall sign per development project.
- (b) Sign area shall not exceed thirty-two (32) square feet, except that large scale development projects, such as subdivisions, site condominiums, multiple-family developments and office, business, technology or industrial parks shall be permitted an area not to exceed forty-two (42) square feet.
- (c) Height shall not exceed eight (8) feet.
- (d) Placement shall be wholly within the property boundaries to which the sign pertains.
- (e) For non-residential construction projects, the sign shall not be erected prior to issuance of a building permit for the proposed construction project and shall be removed upon issuance of a Certificate of Occupancy.
- (f) For residential construction projects, the sign shall not be erected prior to approval of the final site plan or final preliminary plat. The permit shall be issued for a period of one year only, subject to renewal after review by the Department of Building and Code Enforcement.

SEC. 25.5	SIGNS PERMITTED IN ALL DISTRICTS WITHOUT A SIGN PERMIT
SEC. 25.6	SIGNS PERMITTED IN ALL DISTRICTS WITH A SIGN PERMIT

Article 25: Sign Regulations

Amendments:

- (g) Only one such sign shall be permitted at the intersection of the major entry to the site from a major thoroughfare or collector road. If the site has an egress/ingress from two separate major thoroughfare or collector roads, one sign may be permitted for each separate thoroughfare or collector road.

2. Service Club Entrance Signs

Service club and community entrance signs are permitted, subject to the following:

- (a) The aggregate of all such signs shall not exceed eight (8) feet in height nor fifty (50) square feet in area.

3. Banners, Pennants, Spinners, and Streamers

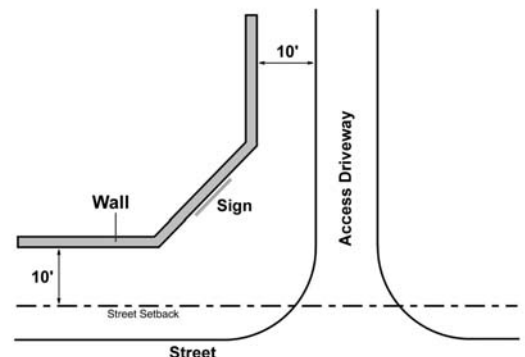
Except as provided under Section 25.4.2. herein, banners, pennants, spinners, and streamers may be allowed only upon approval of the Department of Building and Code Enforcement and Township Supervisor, subject to the following conditions:

- (a) Such signs shall be temporary, and shall be for a specific period of time defined on the written approval.
- (b) Such signs shall not create a traffic hazard or congestion.
- (c) Such signs will not be disturbing to the public peace and tranquility.
- (d) Permit for such signs may be granted for a period not to exceed 72 hours and may be renewed for not more than 48 hours.
- (e) Such permit shall be granted not more than four (4) times per year for any individual lot or parcel.

4. Site Entry Feature

Architectural features with signage may be erected at each entrance to a residential subdivision, apartment community, condominium development, mobile home park or office, business or industrial park, or similar development, subject to the following requirements:

- (a) Maximum Number of Signs on an Architectural Feature. One (1) sign shall be permitted on each side of the entrance from a major thoroughfare.
- (b) Setbacks for an Entry Feature. Site entry features with signage shall be located outside of any street setback area or corner clearance area, and shall further comply with the following minimum setback requirements:
 - 1) Ten (10) feet from any street setback or right-of-way.



Site Entry Feature Setback

Article 25: Sign Regulations

Amendments:

- 2) Ten (10) feet from the curblines of any internal access driveway.
- 3) Five (5) feet from any sidewalk or paved path.
- (c) Site Entry Feature within a Boulevard. Site entry features with signage may be located in the median of a boulevard entrance, subject to the above requirements where applicable, provided that: 1) the entry feature is setback a minimum of ten (10) feet from the intersecting street right-of-way, 2) the entry feature does not block the vision of drivers, and 3) the site entry feature is subject to approval of the road agency that has jurisdiction over the road.
- (d) Maximum Sign Height and Area. The maximum height and area permitted for signs on an architectural feature shall be equal to the maximum permitted for ground signs in the district, as defined in Section 25.9, Area, Height and Placement Regulations.
- (e) Off premises directional signs shall be prohibited where a site entry feature with signage is approved by the Planning Commission.
- (f) The location and design of each site entry feature with signage shall be approved by the Planning Commission as part of site plan or subdivision plat review.

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Amendments:

SEC. 25.7 SIGNS PERMITTED IN SPECIFIC ZONING DISTRICTS

The following illuminated or non-illuminated signs shall be permitted only within the zoning districts specified below.

ZONING DISTRICT	TYPE SIGN PERMITTED				
	GROUND	WALL	PROJECTING	OUTDOOR ADVERTISING	WINDOW
AG, R-1-E, R-1-H, R-1-S, R-1, RM, R-2, R-2-A and PL	yes (a)	yes (a)	no	no	no
OS and VP	yes (b)	yes (b)	yes	no	yes (c)
MR	yes (b)	yes (b)	yes	no	yes (c)
C-1 and C-2	yes (b)	yes (b)	yes	no	yes (c)
OR and TAR	yes (b)	yes (b)	no	no	yes (c)
IND	yes (b)	yes (b)	no	yes (d)	yes (c)

- (a) Refers to identification signs located at the entrance to a subdivision or group of residences. No other permanent type of sign structure is permitted in residential districts, except as provided in Section 25.5, Signs Permitted in All Districts Without a Sign Permit, Section 25.6, Signs Permitted in All Districts with a Sign Permit, or as may be permitted by the Planning Commission for non-single-family dwelling uses. In instances where the applicant desires to erect a sign containing the names and/or professional specialties of the occupants of an office and/or commercial building or complex of office and/or commercial buildings, the sign shall meet all requirements of this Ordinance and provided that only one such wall or ground sign shall be allowed for each main entrance.
- (b) Limited to first floor windows only.
- (c) Limited to areas adjacent to Interstate 275 or Michigan Route 14, a Federal Aid Primary Highway.
- (e) Off-premises directional signs may be permitted in the C-2 district only, subject to the provisions of Section 25.4.4.
- (f) On premises directional signs may be permitted in the C-1, C-2, MR, OS, OR, TAR, and IND districts, subject to the requirements of Section 25.4.3.

SEC. 25.8 SIGNS PROHIBITED IN ALL DISTRICTS (as amended 10/25/07)

The following signs shall not be permitted in any district:

1. Signs not expressly permitted are prohibited.
2. Signs which incorporate in any manner any flashing or intermittent lights.
3. Signs in the public right-of-way or on public property, except as permitted by this Article.

Article 25: Sign Regulations

Amendments:

4. Any sign which revolves or has any scrolling message, visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic pulsations, or by mechanical means, including intermittent electrical pulsations, or by action of normal wind currents, except for those actions associated with time/temperature signs.
5. A sign or sign structure which is determined by the Building Official to be:
 - (a) Structurally unsafe.
 - (b) A hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment.
 - (c) Not kept in good repair.
 - (d) Capable of causing electrical shocks to persons likely to come in contact with it.
6. Any sign which by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, or by obstructing, or detracting from the visibility of any traffic sign or control device on public streets and roads. All signs shall comply with the clear vision regulations in Section 28.25 of the Zoning Ordinance.
7. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
8. Signs which make use of such words as "stop", "look", "danger", or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse vehicular traffic.
9. Any sign, unlawfully installed, erected or maintained.
10. Any sign now or hereafter existing which advertises a product, service or business no longer available at that location.
11. Roof signs: For the purpose of this section any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type shall be considered the same as a roof and no sign shall be permitted upon it. A vertical plane or fascia which is attached to and located below the angled plane of a sloped roof or roof element and which is less than 6 inches in height, shall be considered part of the roof and not used for signage.
12. Portable or inflatable signs unless otherwise provided for in this Ordinance.
13. Banners, pennants, spinners and streamers except as otherwise provided for in this Ordinance.
14. Wall panel signs.
15. Animated signs.
16. Neon, LED, string or rope lights used to highlight architectural features, or to frame a window or door, except as may be permitted under Section 28.8 Exterior Lighting.

Article 25: Sign Regulations

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17. Awning and marquee signs.
18. Canopy signs, except as permitted herein.
19. Electronic changeable copy signs, except as specifically permitted under Section 25.9.
20. Any sign, which requires a permit, that consists of glass tubing, filled with neon or another gas, may only be permitted subject to Planning Commission approval.

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SEC. 25.9 AREA, HEIGHT AND PLACEMENT REGULATIONS

1. Ground Signs

Except as specifically noted, ground signs shall be monument-type signs. All monument signs shall comply with the following standards:

- (a) For AG, R-1-E, R-1-H, R-1-S, R-1, RM, R-2, R-2-A and PL Districts:

Minimum setback required ¹ (feet)	Maximum sign area ² (square feet)	Maximum height (feet)
5.0	50.0	4.0

Footnotes:

¹ Setback measured from the street setback line or street right-of-way line, whichever is greater.

² The base of a monument sign shall be excluded from the calculation of sign area for a distance of 30 inches above grade.

- (b) For OS, MR, C-1, C-2, OR, TAR and IND Districts:

MAXIMUM SIGN AREA PREMISES WITH STREET FRONTAGE LESS THAN 200 FEET		
Distance From Street Setback Line	Maximum Height	Maximum Sign Area ¹
5 ft.	8 ft.	25 sq. ft.
6 ft.	8 ft.	26 sq. ft.
7 ft.	8 ft.	27 sq. ft.
8 ft.	8 ft.	28 sq. ft.
9 ft.	8 ft.	29 sq. ft.
10 ft.	8 ft.	30 sq. ft.
11 ft.	8 ft.	31 sq. ft.
12 ft.	8 ft.	32 sq. ft.
13 ft.	8 ft.	33 sq. ft.
14 ft.	8 ft.	34 sq. ft.
15 ft.	8 ft.	35 sq. ft.
16 ft.	8 ft.	36 sq. ft.
17 ft.	8 ft.	37 sq. ft.
18 ft.	8 ft.	38 sq. ft.
19 ft.	8 ft.	39 sq. ft.
20 ft.	8 ft.	40 sq. ft.
21 ft.	8 ft.	41 sq. ft.
22 ft.	8 ft.	42 sq. ft.
More than 22 ft.	8 ft.	42 sq. ft.

Footnotes: The base of a monument sign shall be excluded from the calculation of sign area for a distance of 30 inches above grade.

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MAXIMUM SIGN AREA PREMISES WITH STREET FRONTAGE 200 FEET OR GREATER		
Distance From Street Setback Line	Maximum Height ²	Maximum Sign Area ¹
10 ft.	10 ft.	42 sq. ft.
11 ft.	10 ft.	43 sq. ft.
12 ft.	10 ft.	45 sq. ft.
13 ft.	10 ft.	46 sq. ft.
14 ft.	10 ft.	48 sq. ft.
15 ft.	10 ft.	49 sq. ft.
16 ft.	10 ft.	51 sq. ft.
17 ft.	10 ft.	52 sq. ft.
18 ft.	10 ft.	54 sq. ft.
19 ft.	10 ft.	55 sq. ft.
20 ft.	10 ft.	57 sq. ft.
21 ft.	10 ft.	58 sq. ft.
22 ft.	10 ft.	60 sq. ft.
More than 22 ft.	10 ft.	60 sq. ft.

Footnotes:

¹ The base of a monument sign shall be excluded from the calculation of sign area for a distance of 30 inches above grade.

² The maximum height of permitted ground signs in the C-1 and C-2 Districts may be increased to fourteen (14) feet where a single premises has a minimum of five hundred (500) feet of frontage on one (1) collector road or thoroughfare, or a minimum of seven hundred (700) feet of total frontage on two (2) collector roads or thoroughfares, provided that all signs on the premises are in compliance with this Article.

(c) Pole signs may be permitted by the Planning Commission upon finding that one of the following conditions exist:

1. A monument sign would block the vision of drivers (see Section 28.25 of Zoning Ordinance).
2. A wall or projecting sign could not be legally established on a side facing a street.

In permitting a pole sign, the Planning Commission shall permit the minimum height necessary to achieve visibility, provided it does not exceed the height of the building to which it is accessory.

(d) Number of Ground Signs. Except where provided for in Section 25.10, a maximum of one (1) ground sign shall be permitted per development parcel or premises.

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- (e) Placement shall be wholly within the boundaries of the property to which the sign relates, exclusive of the street setback or road right-of-way area.
- (f) Institutional Bulletin Boards, Stock Ticker, and Time-Temperature Signs may be incorporated into any permitted ground sign structure.
- (g) Monument signs shall have brick or decorative masonry block base that complements the materials and architecture of the building. The base shall be not less than seventy-five (75) percent of the greatest horizontal dimension of the sign face, and the vertical separation between the lowest point of the sign face and the highest point of the sign base shall be no greater than twelve (12) inches. Sign copy shall be located at least thirty (30) inches above the ground to allow for snow accumulation and plant growth.
- (h) Lettering style shall be clean and simple to assure readability and shall be in harmony with the style of architecture of the building. Generally, no more than two (2) different fonts shall be used on each sign.
- (i) It is the intent of this Ordinance to require signs to be in harmony with the building color and architecture, therefore generally, no more than three (3) colors may be used per sign and one (1) uniform, background color. Established company logos are exempt from color limitations. An established company logo is one that has historically been used as a symbol representing the company. For the purposes of this regulation, black and white shall be considered colors.

2. Wall Signs (as amended 10/25/07)

The maximum permitted sign area and sign height for wall signs in each district shall be as follows:

- (a) For the AG, R-1-E, R-1-H, R-1-S, R-1, R-M, R-2, R-2-A and PL Districts.
 - 1) Maximum signable area of thirty (30) percent for individual letters, up to a maximum of fifty (50) square feet of sign area.
 - 2) Maximum height of twenty (20) feet, or height of wall to which the sign is attached, whichever is less.
- (b) For the OS District.
 - 1) Maximum signable area of forty (40) percent for individual letters, up to a maximum of fifty (50) square feet of sign area.
 - 2) Maximum height of twenty (20) feet, or height of wall to which the sign is attached, whichever is less.

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(c) For the C-1 and C-2 Districts.

- 1) Maximum signable area of forty (40) percent for individual letters, up to a maximum of fifty (50) square feet of sign area for signs in the C-1 district, and ninety (90) square feet of sign area for signs in the C-2 district.
- 2) The maximum sign area for wall signs in the C-2 district may be increased in accordance with the following table where such signs are located on buildings that are set back two hundred (200) feet or more from the street setback line, as measured from the closest building point to the nearest street setback line:

Distance of Sign from Street Setback Line (feet)	Percentage Increase in Maximum Sign Area (%)	Maximum Wall Sign Area (square feet)
200.0 - 299.0	25%	112.5
300.0 - 399.0	30%	117.0
400.0 - 499.0	35%	121.5
500.0 +	40%	126.0

- 3) Maximum height of thirty-five (35) feet, or height of wall to which the sign is attached, whichever is less.

(d) For the MR District.

- 1) Maximum signable area of forty (40) percent for individual letters, up to a maximum of ninety (90) square feet of sign area.
- 2) Maximum height shall be equal to the height of the bottom edge of the second story windowsills.

(e) For the OR, TAR and IND Districts.

- 1) Maximum signable area of forty (40) percent for individual letters and thirty (30) percent for a panel sign, up to a maximum of ninety (90) square feet of sign area.
- 2) Maximum height shall be equal to the height of the wall to which the sign is attached.
- 3) Buildings that face I-275 or M-14 are permitted to have one (1) wall sign on the front, facing the road that provides access, and one (1) sign facing the freeway, up to an additional ninety (90) square feet.

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- (f) Number of Wall Signs. One (1) wall sign shall be permitted on each façade which has a separate public means of ingress and egress. In the case of a building located on a corner lot, one (1) additional wall sign shall be permitted on a separate façade that faces a public or private street, regardless of a separate public means of ingress and egress. In the case of a building with more than one tenant (multi-tenant), shopping center or business center, one (1) wall sign shall be permitted for each tenant having a separate, direct means of public access from the outside.
- (g) Institutional bulletin boards and time-temperature signs may be incorporated into any permitted wall sign structure.
- (h) The wall sign must be located within the signable area selected as the basis for the size of that wall sign.

3. Projecting signs

For OS, MR, C-1, C-2 and IND Zoning Districts.

Instead of a wall sign, a business may be permitted to have a projecting sign, subject to the following specifications:

- (a) The maximum area of a projecting sign shall be twenty-five (25) square feet on buildings located ten (10) feet or less from the street setback line. The maximum area of a projecting sign shall be permitted to increase one (1) square foot for each additional foot of setback greater than ten feet (10) to a maximum area of forty-two (42) square feet.
- (b) Number of Projecting Signs. One (1) projecting sign shall be permitted on each facade which has a separate public means of ingress and egress.
- (c) Placement. Projecting signs shall be permitted only on zoning lots with frontage of fifty (50) feet or more on the side on which the sign is to be mounted.
- (d) Maximum Height. Maximum height shall be the height of the wall to which the sign is attached.
- (e) Signs must project at a ninety (90) degree angle to the building surface to which it is attached. Angular projection at the corner of a building is prohibited.
- (f) Signs shall not project more than five (5) feet from the face of the building, and shall not project into any street setback or right-of-way.
- (g) Minimum clearance beneath a projecting sign shall be eight (8) feet six (6) inches.
- (h) Projecting signs shall be attached directly to a building through building mounts or hung from a mast arm. These support members may also include decorative appurtenances, but external bracing such as guy wires and metal framework shall be prohibited.

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4. Window Signs (as amended 10/25/07)

- (a) Window signs shall be limited in area to twenty (20) percent of the total surface area of the window to which the sign is attached or visible from.
- (b) Permanent window signs, internally-illuminated window signs, and window signs with words or symbols three (3) inches or more in height shall be deemed a wall sign for purposes of calculating sign area.
- (c) Open/Closed signs shall not be larger than two (2) square feet in area, and shall not be counted towards the maximum permitted wall sign area.

5. Underhanging Signs (as amended 10/25/07)

Where the roof structure of the building is extended over a walkway along the outer edge of a building, one nameplate for each business or use may be attached to the underside of the overhang, provided that all such signs shall be of identical size, shape, configuration, lettering style and color scheme, shall contain only the name of the business, and shall provide a vertical clearance of at least eight (8) feet six (6) inches between the sign and the surface of the walkway.

6. Changeable Copy Signs (as amended 10/25/07)

Manual changeable copy ground monument and wall signs may be permitted, subject to all of the requirements for ground and wall signs specified herein, and the following additional requirements:

- (a) Letter height shall not exceed four (4) inches except that numbers up to nine (9) inches, in height may be permitted for fuel prices on gas station signs.
- (b) Electronic changeable copy monument and wall signs are prohibited.
- (c) The area of the changeable copy sign shall be counted toward the maximum ground sign area, as applicable.
- (d) The base of a ground sign containing changeable copy shall be brick, with limestone capped brick piers on the two ends of the sign. The changeable copy sign shall not project above the brick piers by more than one-half of the message area's height.

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7. Time-Temperature Signs. (as amended 10/25/07)

Time and Temperature signs subject to the following:

- (a) Time-Temperature signs incorporate information that is considered a public service for the benefit of the traveling public, and therefore may be permitted as part of the sign face of a ground sign.
- (b) The electronic numerals used in the Time and Temperature portion of the sign shall not scroll, blink, move, flash, exit or enter from the outside area of the copy or across the face of the sign or otherwise create a sense of movement. The sign may display either the time or the temperature or both together, but shall not switch between time and temperature. The electronic numerals shall only change when there is an actual change in time or temperature. In no case shall any such change occur in intervals of less than one minute.

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SEC. 25.10 SIGN REQUIREMENTS RELATED TO SHOPPING CENTERS AND OTHER MULTI-TENANT BUILDINGS

The following requirements shall apply to shopping centers and other multi-tenant buildings occupied by a minimum of three (3) tenants in the C-1 and C-2 districts.

1. Ground Signs

The sign area of one (1) ground sign may be increased to one hundred fifty (150) percent of the maximum permitted by Section 25.9, Area, Height and Placement Regulations. This Section shall not apply unless all signs on the premises are in compliance with this Article.

2. Number of Signs

The maximum number of permitted ground signs may be increased from one (1) to two (2), for a shopping center or other multi-tenant building that has a minimum of five hundred (500) feet of frontage on one (1) major thoroughfare, or a minimum of seven hundred (700) feet of total frontage on two (2) major thoroughfares, subject to the following:

- (a) Only one (1) sign shall be permitted on premises having frontage on more than one street if a single sign can be located such that it is visible from both streets.
- (b) Any permitted second ground sign shall be located such that it is not in direct line of sight from the first permitted ground sign.
- (c) All signs on the premises shall be in compliance with this Article.

SEC. 25.11 ABANDONED, DAMAGED, ILLEGAL AND UNSAFE SIGNS

The Township shall undertake to remove and dispose of any signs determined by the Chief Building Official to be abandoned, damaged, unsafe or illegal. If necessary, the Township shall seek Circuit Court approval to remove such signs at the expense of the property owner. All expenses related to such enforcement action shall be placed upon the tax rolls for the property unless immediately reimbursed by the property owner, and any sign removal deposit with the Township shall be considered forfeited.

1. Damaged Signs

Damaged signs shall be repaired, replaced or removed within ten (10) days of the damage by the owner, agent or person having the beneficial use of the building or structure upon which said sign is found. Such signs may be removed by the Building Official at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Building Official and has not done so within ten (10) days.

SEC. 25.10	SIGN REQUIREMENTS RELATED TO SHOPPING CENTERS AND OTHER MULTI-TENANT BUILDINGS
SEC. 25.11	ABANDONED, DAMAGED, ILLEGAL AND UNSAFE SIGNS

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2. Illegal Signs

Illegal signs may be removed by the Building Official at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Building Official and has not done so within thirty (30) days.

3. Unsafe Signs

Unsafe signs shall be immediately removed or made to conform to the provisions of this ordinance by the owner, agent or person having the beneficial use of the building or structure upon which said sign is found. If such action is not taken within twenty-four (24) hours of notice by the Building Official, the unsafe signs may be removed by the Building Official at the expense of the sign owner.

SEC. 25.12 PERMIT APPLICATION

1. Permits Required

Permits are required for the construction, alteration or relocation of all permanent, portable and temporary signs, excluding the following:

- (a) Signs specified in Section 25.5, Signs Permitted in All Districts Without a Sign Permit.
- (b) A permit is not required for minor repairs, painting, servicing or cleaning of an existing sign, provided that the sign is restored to its original design and all work is in compliance with this Ordinance and other Township Codes and Ordinances.
- (c) Traffic safety and control signs erected by or on behalf of a governmental body.
- (d) Real estate signs.

2. Application Form and Fee

Applicants for sign permits shall complete an application form supplied by the Department of Building and Code Enforcement. An application fee shall accompany the application form. Said fee shall be determined by the Township Board and shall be sufficient to cover the cost of reviewing the application.

3. Sign Removal Deposit

A performance guarantee shall be submitted with the application for a permit, in an amount sufficient to cover the cost of removing the sign. The performance guarantee shall be in a form acceptable to the Township. It shall be retained by the Township throughout the life of the sign, and shall be returned to the owner as soon as practical after the sign has been completely removed from the premises at owner's expense. If the

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Township removes the sign because of inaction by the owner, then the cost of removal shall be subtracted from the amount of deposit returned to the owner.

4. Inspection Fees

At the time of issuance of the permit, the applicant shall pay an inspection fee as established by the Township Board per sign to defray the cost of inspecting signs for compliance with this Ordinance. This fee shall be paid as set forth in the application form. Inspection fees will be waived for the balance of the first calendar year and will become due and payable on January 1 of each succeeding year.

5. License and Insurance

Every person who engages in the business of erecting, altering or dismantling signs in the Township shall first submit proof of appropriate licenses and a liability insurance policy that indemnifies the Charter Township of Plymouth and its prior, present and future officials, representatives and employees from all damage suits or actions of every nature brought or claimed against the erector for injuries or damages to persons or property sustained by any person or persons through any act of omission or negligence of said erector, his servants, agents or employees. Said policy shall contain a clause whereby it cannot be canceled or changed until after written notice has been filed with the Department of Building and Code Enforcement at least thirty (30) days prior to the date of cancellation.

6. The Township Building Inspector shall issue a permit for the sign upon determining that the proposed sign meets the requirements of this and any other applicable Township Ordinance and after payment of the prescribed fees and deposit.

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SEC. 25.13 VARIANCE AUTHORITY

The Township Zoning Board of Appeals shall have the authority to vary the restrictions contained in this Article upon finding that a genuine hardship exists and that the strict application of this Ordinance would place the applicant at a substantial and significant disadvantage with respect to other signs controlled by this Ordinance. Any alleged disadvantage resulting from comparison of applicant's sign to any nonconforming sign shall not constitute a hardship within the meaning of this Ordinance.

SEC. 25.14 NONCONFORMING SIGNS

Any sign lawfully existing at the time of the adoption of this amendment which does not fully comply with all provisions shall be considered a legal nonconforming sign and shall be permitted to remain as long as the sign is properly maintained, and is not detrimental to the health, safety and welfare of the community, subject to the following:

1. **Nonconforming signs** shall not be:
 - (a) Expanded or changed to another nonconforming sign.
 - (b) Relocated, or altered so as to prolong the life of the sign, or so as to change the shape, size, type, placement, or design of the sign's structural or basic parts.
 - (c) Enhanced with any new feature including the addition of illumination.
 - (d) Repaired, except if such repair brings the sign into conformance with this ordinance, if such repair necessitates:
 - 1) An expense that exceeds fifty (50) percent of the sign's appraised value, as determined by the Chief Building Official.
 - 2) The replacement of the sign frame.
 - 3) The replacement of the sign's primary support pole(s) or other support structure.
 - (e) Replaced.
 - (f) Re-established after the activity, business, or use to which it related has been discontinued for ninety (90) days or longer.

2. **Permitted Modifications**

A nonconforming sign may be modified in the following ways:

- (a) A change solely in the wording of the copy.
- (b) Routine repair to maintain the sign in a safe and aesthetically attractive condition exactly as it existed at the time of the enactment of this amendment.

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3. Elimination of Nonconforming Signs

The Township may acquire by purchase, condemnation, or by other means any nonconforming sign which it deems necessary to preserve the health, safety, and welfare of the residents.

SEC. 25.15 NONCOMMERCIAL MESSAGE PERMITTED

Anything in this Article to the contrary notwithstanding, a sign structure permitted in this Article as an on-premise advertising sign or an off-premises advertising sign may contain a non-commercial message.

END OF ARTICLE 25.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 25: Sign Regulations
Amendments:

ALL AMENDMENTS TO
ARTICLE XXV (25)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 25: Sign Regulations

Amendments:

ALL AMENDMENTS TO ARTICLE XXV (25)

The following language was amended on 10/25/07

PURPOSE

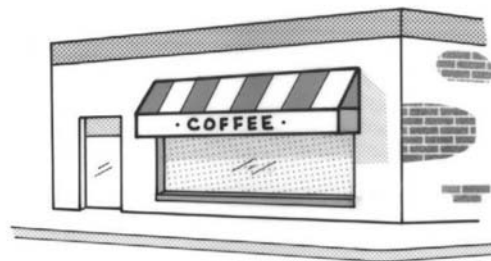
The purpose of this article is to provide a framework within which the identification and informational needs of business and industry can be harmonized with the desires and aesthetic standards of the general public. It is intended by this Ordinance to give recognition to the legitimate needs of business, industry and other activities, through appropriate guidelines, in attaining their identification and informational objectives. It is a basic tenet of this article that unrestricted signage does not benefit either business or the community.

It is further the intent of this Article to regulate the construction, alteration, repair and maintenance of all signs with respect to structural and fire safety, location, type of sign, dimensions, height and method of illumination; to avoid visual clutter that obstructs vision or misleads motorists; to protect the general public from damage and injury caused by distractions, hazards or obstructions caused by poorly designed or improperly constructed signage; to authorize the use of signs that are compatible with their surroundings, appropriate to the activity that displays them and legible under the circumstances in which they are seen; to seek the removal of illegal signs; and to encourage the replacement or removal of nonconforming signs that are incompatible with the purpose of this Article.

SEC. 25.1 DEFINITIONS

As used in this article, the following words shall have the meanings as set forth in this section.

1. **ABANDONED SIGN:** A sign which, for ninety (90) consecutive days, fails to direct a person to or advertise a bona fide business, tenant, owner, product or activity conducted, or product available on the premises where such a sign is displayed.
2. **AWNING:** A protective, rooflike covering, attached to the face of a building, as might be located over a window or door.
3. **AWNING OR CANOPY SIGN:** A sign which is painted on, printed on or attached flat against the surface of an awning or canopy.
4. **BANNER:** A sign made of fabric, cloth, paper, or other non-rigid material that is typically not enclosed in a frame.



Awning Sign

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5. **CANOPY:** A rooflike architectural structure, typically attached to the face of a building, and used to provide protection from the elements (e.g., a canopy over a walkway or a gas station canopy).

6. **CHANGEABLE COPY:** Moveable letters or other forms of sign copy, not including animated copy, that can be altered by physical, mechanical or electrical means without replacing the sign copy area.

7. **CONSTRUCTION SIGN:** See “real estate development or construction sign.”

8. **DIRECTIONAL SIGN, OFF-PREMISES:** A monument sign, the sole purpose of which is to direct traffic to one or more commercial businesses which are located on premises without frontage on or visual exposure to a major thoroughfare or collector road. Such businesses shall front on a road or easement which is used for their primary public ingress and egress from the major thoroughfare or collector road. The purpose of the off-premises directional sign is to facilitate the flow of traffic, encourage the concentration of commercial uses, discourage strip commercial development, and not to advertise the business or products or services offered.

9. **DIRECTIONAL SIGN, ON-PREMISES:** A ground sign located at the entry or exit of a business or commercial establishment which indicates traffic flow. On-premise directional signs may be located on buildings.

10. **FLAG:** A piece of cloth having a distinctive size, color and design, used as a symbol, standard or emblem.

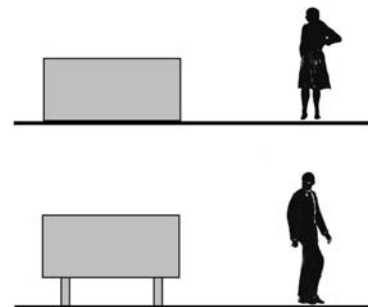
11. **FLASHING, ANIMATED, OR MOVING SIGN:** A sign that has intermittently reflecting lights, or a sign which uses intermittent, flashing, scintillating, or varying intensity of illustration to create the appearance of movement, or a sign that has any visible portions in motion, either constantly or at intervals, whether caused by artificial or natural sources.

12. **GROUND SIGN:** A sign supported by one or more uprights, poles, braces, a masonry base, or a monument placed in or upon the ground, fastened to a secure and permanent foundation, and not attached to any building. Ground signs shall include monument signs and pole signs.

13. **INFLATABLE SIGN:** A sign that is either



Canopy Sign



Ground Signs

Charter Township of Plymouth Zoning Ordinance No. 99

Article 25: Sign Regulations

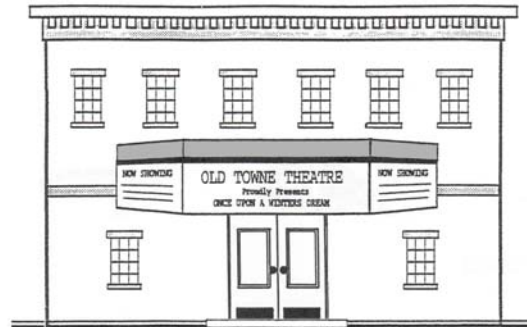
Amendments:

expanded or its full dimensions are supported by gases contained within the sign, or a sign part, at a pressure greater than atmospheric pressure.

14. **ILLUMINATED SIGN:** A sign that is illuminated by a direct or indirect source of light so shielded that no direct rays from it are visible from any public right-of-way or from the abutting property.

15. **INSTITUTIONAL BULLETIN BOARD:**
A structure containing a surface area upon which is displayed the name of a religious institution, school, library, community center or similar institutions, and the announcement of its services or activities.

16. **MARQUEE:** A rooflike structure, often bearing a sign, projecting over an entrance to a theater.



Marquee Sign

17. **MARQUEE SIGN:** A sign attached to a marquee projecting from and supported by the building.

18. **MENU BOARD OR ORDER BOARD:** A sign which is intended to service patrons using a drive thru facility.

19. **MONUMENT SIGN:** A ground sign mounted on a base that is in contact with or close to the ground. The base of a monument sign shall be no less than 75% of the greatest horizontal dimensions of the sign face, and the vertical separation between the lowest point of the sign face and the highest point of the sign base shall be not greater than twelve (12) inches.



Monument Sign

20. **MONUMENT SIGN BASE:** The lower part of a monument sign, which may appear as a separate architectural feature, and serves as its ground support.

21. **NAMEPLATE:** A wall sign identifying the occupant, business name and/or address of a building or parcel of land.

22. **NEON SIGN:** A sign consisting of glass tubing, filled with neon or another gas, which glows when electric current is sent through it.

23. **NONCONFORMING SIGN:** Any advertising structure or sign that was lawfully erected and maintained prior to the effective date of this Ordinance, and any amendments thereto, and that fails to conform to all applicable regulations and restrictions of this Article.

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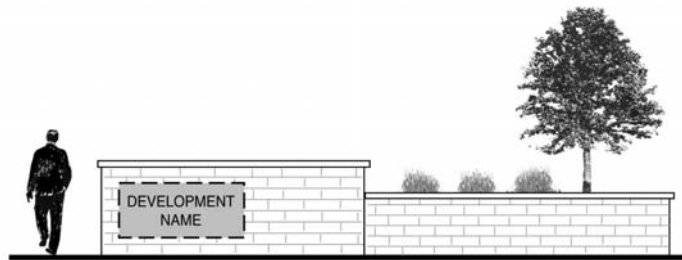
24. **OFF-PREMISES SIGN:** A sign which contains a message unrelated to a business or profession conducted on the premises, or to a commodity, service or activity, not sold or offered upon the premises where such sign is located.
25. **OUTDOOR ADVERTISING SIGN:** A sign calling attention to a product or service not available on the same premises upon which the sign is located. This definition includes, but is not limited to, signs commonly known as billboards.
26. **PANEL SIGN:** A sign whose letters and/or symbols are on a panel contained within a frame, which is an integral part of the sign. This definition is intended to distinguish between panel signs and signs consisting of individual freestanding letters and/or symbols.
27. **PENNANT:** A long, triangular, tapering flag, often bearing an emblem.
28. **POLE SIGN:** A ground sign mounted on a freestanding pole(s) or other support(s) with a clear space between the bottom of the sign face and the grade.
29. **POLITICAL SIGN:** A temporary sign, relating to the election of a person or persons to public office, or relating to a political party, or relating to a matters to be voted upon in a local, state or national election or referendum.
30. **PORTABLE SIGN:** A free standing sign not permanently anchored or secured to either a building or the ground, such as, but not limited to "A" frame, "T" shaped, or inverted "T" shaped structures, including those mounted on wheeled trailers.
31. **PROJECTING SIGN:** A sign that is attached to and projects from a building wall at an angle of up to 90° (not including a marquee, canopy or awning sign).
32. **REAL ESTATE DEVELOPMENT OR CONSTRUCTION SIGN:** A temporary ground or wall sign listing the name of the project developers, contractors, engineer and architects, on the site being developed, or located at the entrance of a residential development under construction, listing the name of the development and general information, such as the number and types of units to be built, price range and similar data. Such signs include “subdivision business sign” and “construction sign.”
33. **REAL ESTATE SIGN:** A non-illuminated sign for the purpose of advertising or promoting the sale, lease or rent of real estate. A PERMANENT LEASING SIGN is a real estate sign that is erected for an indefinite period of time for the purpose of offering space in a building for lease.
34. **ROOF SIGN:** A sign erected, constructed and maintained wholly upon or over the roof of any building, with its principal support on the roof structure. For purposes of this section, any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type, shall be considered as a roof. A vertical plane or fascia which is attached to and located below the angled plane of a sloped roof and which is less than 6 inches in height, shall be considered part of the roof.

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35. **SERVICE CLUB ENTRANCE SIGN:** A sign, usually located along a main entrance way to a community, displaying the names of service clubs and organizations, their meeting schedules, and usually including the service clubs' symbols or logos. The name of the community and a short salutatory message may also be included.
36. **SETBACK OF SIGN:** Setback is the distance measured from the street setback line from which the sign is to be primarily viewed to the nearest edge of the sign.
37. **SIGN:** The name, identification, description, object, device, structure, display or illustration that is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, service, event, organization or business by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.
38. **SIGNABLE AREA:** A continuous surface or wall unobstructed by windows, doors and other major architectural details.



Site Entry Feature With Signage

39. **SITE ENTRY FEATURE WITH SIGNAGE:** An architectural feature that defines, delineates and differentiates the entrance to a residential subdivision, apartment community, condominium development, mobile home park or office, business or industrial park, or similar development from a major thoroughfare without being a visual intrusion or distraction to the general public and the traveling motorist. Signage identifying the name of the development may be incorporated into the architectural feature.
40. **SPINNER:** A spinning disc-like sign that is typically thread on a line with other spinners to attract attention.
41. **STREAMER:** A long narrow banner or flag.
42. **SUBDIVISION BUSINESS SIGN:** See “real estate development or construction sign.”
43. **TEMPORARY SIGN:** A sign that is not permanently fastened to any structure and is intended for a limited period of display, including, but not limited to inflatable signs,

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banners, pennants, spinners and streamers, window signs and decorative displays for holidays or public demonstrations.

44. **TIME-TEMPERATURE SIGN:** A sign which displays the current time or outdoor temperature or both, and which displays no other material except for the name of a business, product or service.
45. **VEHICLE BUSINESS SIGN:** A sign painted or attached to a vehicle which is located on a premises primarily for purposes of advertising the business or product for sale on the premises. Commercially licensed vehicles which are generally used daily off-site are not included in this definition.
46. **VOICE MESSAGE SIGN:** A sign that either 1) conveys a recorded message to someone located nearby, or 2) provides for two-way voice communication (such as with a menu board at a drive-through restaurant). A voice message sign may also be known as a talking sign.
47. **WALL SIGN:** A sign which is attached directly to or painted upon a building wall and does not extend above the height of the wall to which it is attached, nor more than twelve (12) inches therefrom, with the exposed face of the sign in a plane parallel to the building wall. Included in the definition of wall signs are signs mounted flat against the building fascia, provided the sign does not protrude beyond any boundary of the fascia.
48. **WINDOW SIGN:** A temporary or permanent sign painted on or affixed to a window surface, suspended so as to hang more or less parallel with the window surface, or otherwise displayed in a manner intended to be viewed from outside the window.

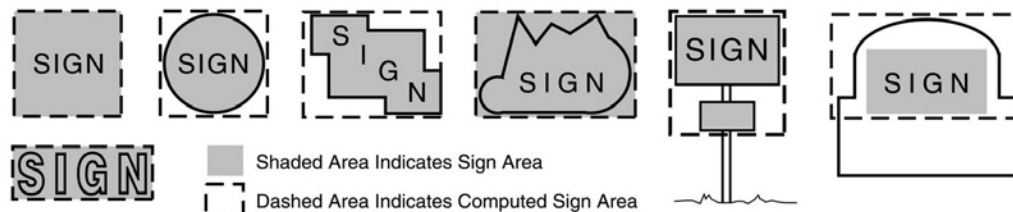
SEC. 25.2 GENERAL STANDARDS

The following general standards shall apply:

1. Standards of Measurement for Signs

Dimensional standards and measurements for signs shall be subject to the following:

- (a) **Sign Area.** The entire area within a rectangle or square enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame, tower, or other material, color or internally illuminated area forming an integral part of the display or used to differentiate such sign, shall be included in the measurement. Parts of a sign shall be deemed to be a single sign whenever the proximity, design, content or continuity reasonably suggests a single unit, not withstanding any physical separation between parts.



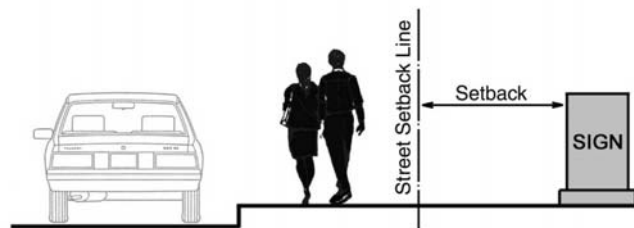
Computation of Sign Area

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- 1) Where a sign has two or more faces, the area of all faces shall be included in determining the sign area, except that where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as either:
 - a) the area of one face, if the two faces are of equal area, or
 - b) the area of the larger face, if the two faces are of unequal area.
 - 2) For ground signs, the area shall include the entire area of the sign upon which copy, lettering, drawings or photographs could be placed, excluding necessary uprights or supports. For monument signs, the base of a monument sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade. Streetscape and landscape features which in the determination of the Planning Commission, are an integral part of the sign design shall also be excluded from the calculation of sign area.
 - 3) For internally-illuminated awnings or canopies, the entire flat surface of the awning or canopy upon which the message is written shall be included in the sign area calculation. Signs mounted on awnings and canopies that are not internally-illuminated shall be subject to the sign area standards of measurement specified in paragraph (a), above.
 - 4) For paper window signs, the area shall include, the entire area of the paper. Where adjacent paper window signs are within eight (8) inches of each other they shall be measured as a single sign.
- (b) Sign Height. The distance from the average level of the ground or pavement directly below the sign to the highest point of the sign structure, including any supportive or decorative appendages, without including any berm, landscaping, grading, or artificially or unnaturally constructed raised portion of land at the point of measurement.
- (c) Sign Setback. Setback is the distance measured from the street setback line from which the sign is to be primarily viewed to the nearest edge of the sign.



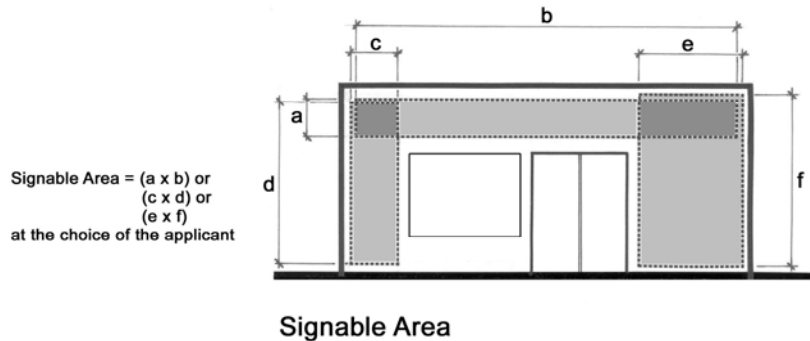
Sign Setback

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- (d) **Signable Area.** The signable area shall equal the area of (a x b) or (c x d) or (e x f) in the following illustration, at the choice of the applicant:



2. **Illumination**

Sign illumination shall be subject to the following:

- (a) Sign illumination shall be designed, installed and maintained in a manner that minimizes off-site glare, light trespass and light pollution. Illumination shall be concentrated within the area of the sign to prevent glare upon the street or adjacent property. Sign illumination shall be provided solely by electrical means or devices, shall not be of a flashing, intermittent, moving or animated type, and shall further comply with the specific standards defined in Section 25.9, Area, Height and Placement Regulations.
- (b) Signs shall not be illuminated between the hours of 11 P.M. and 7 A.M., except those pertaining to a business open during these hours, and except time/temperature signs located in C-2 districts.

3. **Maintenance Contract**

A contract for maintenance of all new permanent signs may be required by the Department of Building and Code Enforcement.

4. **Underground Wiring**

Where illumination is desired, underground wiring shall be required for all signs not attached to the building.

The following was amended on 10/27/09

SEC. 25.4 SPECIAL SIGNS IN C-1 AND C-2 DISTRICTS

The following signs are permitted in a C-1 and C-2 Districts:

1. **Flags or Pennants**

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Flags or pennants bearing the official design of a corporation or award flags or pennants subject to the following:

- (a) Such corporation, or award flags or pennants shall be displayed on flag poles only. For the purposes of this Ordinance, a flagpole is a pole used exclusively to display a flag. Attachment to any other site fixture or feature shall be prohibited.
- (b) A maximum of two (2) such flags or pennants shall be permitted for each flag pole provided.
- (c) The maximum number of flag poles permitted per individual business shall be determined in accordance with the following table:

STREET FRONTAGE IN FEET	MAXIMUM NUMBER OF FLAG POLES PERMITTED
0 - 210	1
211 - 300	3
301 or greater	5

- (d) Placement of flag poles shall be in a manner and location subject to the following requirements:
 - 1) The placement shall not impact adjacent properties, in particular, those of a residential nature.
 - 2) The placement shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic.
 - 3) The size, content, coloring or manner of illumination of said flags shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
 - 4) The height of flagpoles shall conform to the height restrictions of set forth in Article 20 for buildings and structures. A flagpole shall be deemed to be a structure under all provisions of this Ordinance. Flagpoles shall comply with the setback requirements for structures.
 - 5) No flag or flagpole shall be permitted to project into the road right-of-way at full extension of the flag.
 - 6) Flag poles shall not be located on the roof of a building:
- (e) The size, content, coloring or manner of illumination of said flags or pennants shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.

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2. Banners

Banners used to draw attention to vehicle dealerships are permitted, provided that there is a maximum of one (1) banner on each pole, and provided that they have no written message or corporate identity. Each banner shall not exceed a maximum area of twenty (20) square feet.

3. On-Premises Directional Signs

On-Premises Directional Signs may be permitted in the C-1 Neighborhood Shopping District, C-2 General Commercial District, MR Mid-Rise District, OS Office Service District, OR Office Research District, TAR Technology and Research District, and IND Industrial District subject to the following:

- (a) Directional signs shall not exceed two (2) square feet per side, nor exceed two (2) sides.
- (b) Said signs may incorporate a corporation or business logo provided the main theme of the sign shall be to facilitate vehicular traffic flow.
- (c) Placement shall be within the subject property; no such signs shall be permitted within the street setback area or right-of-way.
- (d) The size, content, coloring, placement or manner of illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
- (e) Directional ground signs shall not exceed a height of four (4) feet and shall be limited to one (1) per ingress or egress drive, located at the ingress or egress drive.
- (f) On-premises directional signs may be located on buildings.

4. Off-Premises Directional Signs

Off-Premises Directional Signs may be permitted on a limited basis in the C-2 District, in order to encourage the clustering of businesses, and minimize strip commercial development in accordance with the Township Master Plan, while still allowing necessary and reasonable identification of businesses, facilitating the orderly flow of traffic, and avoiding unnecessary proliferation and excessive size of signs on thoroughfares and collector roads:

- (a) Off-premises directional signs are permitted only upon review and approval of the Planning Commission, and subject to compliance with the following conditions:
 - 1) Approval of the sign would serve to further the purposes of this Section.

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- 2) The Planning Commission shall determine that the business is located in the C-2 District; has no frontage on the major thoroughfare from which it takes primary access; is within one thousand two hundred (1,200) feet of said thoroughfare; is not visible from the major thoroughfare or is visible from the major thoroughfare but with no clear indication of how to access the business; and would not reasonably be able to direct traffic to or adequately identify its location without an off-premises directional sign.
- 3) No off-premises directional sign shall be permitted without a recorded easement or executed agreement that accomplishes all of the following:
 - a) states that the owner of the parcel on which the sign is to be placed grants permission for the off-premises directional sign to be located on the parcel,
 - b) stipulates which parcel(s) are entitled to use of the off-premises directional sign, and
 - c) specifies how the sign is to be maintained and establishes a means to assure that maintenance runs with the life of the sign.
- 4) Off-premises directional signs shall be located only on land zoned C-2, and shall direct traffic only to land also zoned C-2.
- 5) Off-premises directional signs shall be permitted only at the intersection of the access road for the business and a major thoroughfare, and only one such sign is permitted at each intersection. The business access road may be a public street, private road, or recorded access easement over which the general public has ingress/egress rights. If multiple businesses served by the same access road require the use of the same intersection for an off-premises business directional sign, the same sign shall be used.
- 6) Off-premises directional signs shall be located entirely on private property and no closer than thirty (30) feet from the centerline of the street, private road, or recorded access easement which provides access to the business. The sign shall be located a minimum of sixty (60) feet from the centerline of the major thoroughfare or collector road. The sign location shall comply with all other setback and visibility requirements of the Township.
- 7) Off-premises directional signs shall be monument signs with the minimum dimensions necessary to accomplish the purpose of directing traffic; however, in no case shall the sign height exceed the following dimensions:

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NO. OF USERS ON SIGN	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT
1	12 sq. ft.	4.5 ft.
2	24 sq. ft.	6 ft.
3 or more	36 sq. ft.	8 ft.

The base of an off-premises directional sign shall be excluded from the calculation of sign area for a distance of thirty (30) inches above grade.

- 8) If multiple businesses served by the same access road require the use of the same intersection for an off-premises business directional sign, the same sign shall be used.
- 9) Space shall be allocated on the sign to allow identification of all businesses which use the same access road to use the off-premises directional sign. A common lettering size and style and no more than one uniform background color shall be used. The sign shall state only the name of the business(es) being identified. A directional arrow may also be included on the sign. The sign base shall be of brick or decorative masonry block.
- 10) The ground within five (5) feet of the base of the off-premises directional sign shall be landscaped in low shrubbery, ground cover or flowers, and said landscaping shall be maintained in presentable condition.
- 11) Off-premises directional signs may be illuminated in accordance with Section 25.2.2, provided the illumination creates no perceptible glare on private property at a distance greater than ten (10) feet from the sign and on public streets and the access drive.
- 12) Off premises directional signs shall be prohibited where a Site Entry Feature with Signage, as defined in Section 25.1, is determined by the Planning Commission to be more appropriate.
 - (a) The off-premises directional sign shall be maintained in a sound and presentable condition. If a business that is identified on the off-premise directional sign ceases to exist at its location or changes its name, the appropriate changes to the copy of the sign shall be made within thirty (30) days of the change in the business.
 - (b) The existence of an off-premises directional sign shall not affect the number and size of other signs permitted by the Township, including any other signs on the same parcel as the off-premises directional sign, and any other signs on the same parcel as the business identified by the off-premises directional sign.

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5. Menu or Order Board

Menu and/or order board for a drive-thru facility subject to the following:

- (a) Said signs shall be located on the interior of the lot or parcel and shall not be readable from the exterior of the lot.
- (b) Said signs shall be intended to service the public utilizing the drive-thru facilities only.
- (c) The placement shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow in any manner.
- (d) The size, content, coloring or manner of illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow.
- (e) The volume on order boards shall be maintained at the minimum level necessary so that it is audible to users, so as to minimize extraneous noise traveling off the site.

6. Gasoline Price Signs

Gasoline price signs shall be permitted subject to the following standards:

- (a) One (1) gasoline price sign shall be permitted for each gas station.
- (b) Gasoline price signs shall not exceed twelve (12) square feet in area. Gasoline price signs shall be not counted in determining compliance with the standards for total area of wall or freestanding signs permitted on the parcel.
- (c) Gasoline price signs shall comply with the setback and height requirements specified for freestanding signs in the district in which the signs are located.

The following language was amended on 10/25/07

SEC. 25.8 SIGNS PROHIBITED IN ALL DISTRICTS

The following signs shall not be permitted in any district:

1. Signs not expressly permitted are prohibited.
2. Signs which incorporate in any manner any flashing or intermittent lights.
3. Signs in the public right-of-way or on public property, except as permitted by this Article.
4. Any sign which revolves or has any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic pulsations, or by mechanical means, including intermittent electrical pulsations, or by action of normal wind currents, except for those actions associated with street time/temperature signs.

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5. A sign or sign structure which is determined by the Building Official to be:
 - (a) Structurally unsafe.
 - (b) A hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment.
 - (c) Not kept in good repair.
 - (d) Capable of causing electrical shocks to persons likely to come in contact with it.
6. Any sign which by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, or by obstructing, or detracting from the visibility of any traffic sign or control device on public streets and roads. All signs shall comply with the clear vision regulations in Section 28.25 of the Zoning Ordinance.
7. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
8. Signs which make use of such words as "stop", "look", "danger", or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse vehicular traffic.
9. Any sign, unlawfully installed, erected or maintained.
10. Any sign now or hereafter existing which advertises a product, service or business no longer available at that location.
11. Roof signs: For the purpose of this section any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type shall be considered the same as a roof and no sign shall be permitted upon it. A vertical plane or fascia which is attached to and located below the angled plane of a sloped roof or roof element and which is less than 6 inches in height, shall be considered part of the roof and not used for signage.
12. Portable or inflatable signs unless otherwise provided for in this Ordinance.
13. Banners, pennants, spinners and streamers except as otherwise provided for in this Ordinance.
14. Wall panel signs.
15. Electronic or electric changeable copy signs, except as permitted Time-Temperature signs.
16. Neon, string or rope lights used to highlight architectural features, or to frame a window or door, except as may be permitted under Section 28.8 Exterior Lighting.

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Amendments:

The following language was amended on 10/25/07

SEC. 25.9 AREA, HEIGHT AND PLACEMENT REGULATIONS

1. Ground Signs

Except as specifically noted, ground signs shall be monument-type signs. All monument signs shall comply with the following standards:

(a) For AG, R-1-E, R-1-H, R-1-S, R-1, RM, R-2, R-2-A and PL Districts:

Minimum setback required ¹ (feet)	Maximum sign area ² (square feet)	Maximum height (feet)
5.0	50.0	4.0

Footnotes:

¹ Setback measured from the street setback line or street right-of-way line, whichever is greater.

² The base of a monument sign shall be excluded from the calculation of sign area for a distance of 30 inches above grade.

(b) For OS, MR, C-1, C-2, OR, TAR and IND Districts:

MAXIMUM SIGN AREA PREMISES WITH STREET FRONTAGE LESS THAN 200 FEET		
Distance From Street Setback Line	Maximum Height	Maximum Sign Area ¹
5 ft.	8 ft.	25 sq. ft.
6 ft.	8 ft.	26 sq. ft.
7 ft.	8 ft.	27 sq. ft.
8 ft.	8 ft.	28 sq. ft.
9 ft.	8 ft.	29 sq. ft.
10 ft.	8 ft.	30 sq. ft.
11 ft.	8 ft.	31 sq. ft.
12 ft.	8 ft.	32 sq. ft.
13 ft.	8 ft.	33 sq. ft.
14 ft.	8 ft.	34 sq. ft.
15 ft.	8 ft.	35 sq. ft.
16 ft.	8 ft.	36 sq. ft.
17 ft.	8 ft.	37 sq. ft.
18 ft.	8 ft.	38 sq. ft.
19 ft.	8 ft.	39 sq. ft.
20 ft.	8 ft.	40 sq. ft.
21 ft.	8 ft.	41 sq. ft.
22 ft.	8 ft.	42 sq. ft.
More than 22 ft.	8 ft.	42 sq. ft.

Footnotes:

¹ The base of a monument sign shall be excluded from the calculation of sign area for a distance of 30 inches above grade.

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MAXIMUM SIGN AREA PREMISES WITH STREET FRONTAGE 200 FEET OR GREATER		
Distance From Street Setback Line	Maximum Height²	Maximum Sign Area¹
10 ft.	10 ft.	42 sq. ft.
11 ft.	10 ft.	43 sq. ft.
12 ft.	10 ft.	45 sq. ft.
13 ft.	10 ft.	46 sq. ft.
14 ft.	10 ft.	48 sq. ft.
15 ft.	10 ft.	49 sq. ft.
16 ft.	10 ft.	51 sq. ft.
17 ft.	10 ft.	52 sq. ft.
18 ft.	10 ft.	54 sq. ft.
19 ft.	10 ft.	55 sq. ft.
20 ft.	10 ft.	57 sq. ft.
21 ft.	10 ft.	58 sq. ft.
22 ft.	10 ft.	60 sq. ft.
More than 22 ft.	10 ft.	60 sq. ft.

Footnotes:

¹ The base of a monument sign shall be excluded from the calculation of sign area for a distance of 30 inches above grade.

² The maximum height of permitted ground signs in the C-1 and C-2 Districts may be increased to fourteen (14) feet where a single premises has a minimum of five hundred (500) feet of frontage on one (1) collector road or thoroughfare, or a minimum of seven hundred (700) feet of total frontage on two (2) collector roads or thoroughfares, provided that all signs on the premises are in compliance with this Article.

(c) Pole signs may be permitted by the Planning Commission upon finding that one of the following conditions exist:

1. A monument sign would block the vision of drivers (see Section 28.25 of Zoning Ordinance).
2. A wall or projecting sign could not be legally established on a side facing a street.

In permitting a pole sign, the Planning Commission shall permit the minimum height necessary to achieve visibility, provided it does not exceed the height of the building to which it is accessory.

(d) Number of Ground Signs. Except where provided for in Section 25.10, a maximum of one (1) ground sign shall be permitted per development parcel or premises.

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- (e) Placement shall be wholly within the boundaries of the property to which the sign relates, exclusive of the street setback or road right-of-way area.
- (f) Institutional Bulletin Boards, Stock Ticker, and Time-Temperature Signs may be incorporated into any permitted ground sign structure.
- (g) Monument signs shall have brick or decorative masonry block base that complements the materials and architecture of the building. The base shall be not less than seventy-five (75) percent of the greatest horizontal dimension of the sign face, and the vertical separation between the lowest point of the sign face and the highest point of the sign base shall be no greater than twelve (12) inches. Sign copy shall be located at least thirty (30) inches above the ground to allow for snow accumulation and plant growth.
- (h) Lettering style shall be clean and simple to assure readability and shall be in harmony with the style of architecture of the building. Generally, no more than two (2) different fonts shall be used on each sign.
- (i) It is the intent of this Ordinance to require signs to be in harmony with the building color and architecture, therefore generally, no more than three (3) colors may be used per sign and one (1) uniform, background color. Established company logos are exempt from color limitations. An established company logo is one that has historically been used as a symbol representing the company. For the purposes of this regulation, black and white shall be considered colors.

2. Wall Signs

The maximum permitted sign area and sign height for wall signs in each district shall be as follows:

- (a) For the AG, R-E, R-1-H, R-1-S, R-1, R-M, R-2, R-2-A and PL Districts.
 - 1) Maximum signable area of thirty (30) percent for individual letters, up to a maximum of fifty (50) square feet of sign area.
 - 2) Maximum height of twenty (20) feet, or height of wall to which the sign is attached, whichever is less.
- (b) For the OS District.
 - 1) Maximum signable area of forty (40) percent for individual letters, up to a maximum of fifty (50) square feet of sign area.
 - 2) Maximum height of twenty (20) feet, or height of wall to which the sign is attached, whichever is less.

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Amendments:

(c) For the C-1 and C-2 Districts.

- 1) Maximum signable area of forty (40) percent for individual letters, up to a maximum of fifty (50) square feet of sign area for signs in the C-1 district, and ninety (90) square feet of sign area for signs in the C-2 district.
- 2) The maximum sign area for wall signs in the C-2 district may be increased in accordance with the following table where such signs are located on buildings that are set back two hundred (200) feet or more from the street setback line, as measured from the closest building point to the nearest street setback line:

Distance of Sign from Street Setback Line (feet)	Percentage Increase in Maximum Sign Area (%)	Maximum Wall Sign Area (square feet)
200.0 - 299.0	25%	112.5
300.0 - 399.0	30%	117.0
400.0 - 499.0	35%	121.5
500.0 +	40%	126.0

- 3) Maximum height of thirty-five (35) feet, or height of wall to which the sign is attached, whichever is less.

(d) For the MR District.

- 1) Maximum signable area of forty (40) percent for individual letters, up to a maximum of ninety (90) square feet of sign area.
- 2) Maximum height shall be equal to the height of the bottom edge of the second story windowsills.

(e) For the OR, TAR and IND Districts:

- 1) Maximum signable area of forty (40) percent for individual letters and thirty (30) percent for a panel sign, up to a maximum of ninety (90) square feet of sign area.
- 2) Maximum height shall be equal to the height of the wall to which the sign is attached.
- 3) Buildings that face I-275 or M-14 are permitted to have one (1) wall sign on the front, facing the road that provides access, and one (1) sign facing the freeway, up to an additional ninety (90) square feet.

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- (f) Number of Wall Signs. One (1) wall sign shall be permitted on each façade which has a separate public means of ingress and egress. In the case of a building with more than one tenant (multi-tenant), shopping center or business center, one (1) wall sign shall be permitted for each tenant having a separate, direct means of public access from the outside.
- (g) Institutional bulletin boards and time-temperature signs may be incorporated into any permitted wall sign structure.

3. Projecting signs

For OS, MR, C-1, C-2 and IND Zoning Districts.

Instead of a wall sign, a business may be permitted to have a projecting sign, subject to the following specifications:

- (a) The maximum area of a projecting sign shall be twenty-five (25) square feet on buildings located ten (10) feet or less from the street setback line. The maximum area of a projecting sign shall be permitted to increase one (1) square foot for each additional foot of setback greater than ten feet (10) to a maximum area of forty-two (42) square feet.
- (b) Number of Projecting Signs. One (1) projecting sign shall be permitted on each facade which has a separate public means of ingress and egress.
- (c) Placement. Projecting signs shall be permitted only on zoning lots with frontage of fifty (50) feet or more on the side on which the sign is to be mounted.
- (d) Maximum Height. Maximum height shall be the height of the wall to which the sign is attached.
- (e) Signs must project at a ninety (90) degree angle to the building surface to which it is attached. Angular projection at the corner of a building is prohibited.
- (f) Signs shall not project more than five (5) feet from the face of the building, and shall not project into any street setback or right-of-way.
- (g) Minimum clearance beneath a projecting sign shall be eight (8) feet six (6) inches.
- (h) Projecting signs shall be attached directly to a building through building mounts or hung from a mast arm. These support members may also include decorative appurtenances, but external bracing such as guy wires and metal framework shall be prohibited.

The following language was amended on 10/25/07

4. Awning, Canopy and Marquee signs

Instead of a wall sign, a business may be permitted to have an awning, canopy, or marquee sign, subject to the following:

Charter Township of Plymouth Zoning Ordinance No. 99

Article 25: Sign Regulations

Amendments:

- (a) Marquee signs. Marquee signs may be permitted in the C-2 district, subject to the following:
 - 1) The maximum area shall not exceed that which is permitted for a wall sign in the C-2 district. Signable area shall be calculated as if the marquee did not exist.
 - 2) Placement. The display surface of the sign shall be attached flat against, and shall not extend above, below, or beyond the vertical surface of the marquee structure.
 - 3) Maximum height. No portion of a marquee sign shall be higher than the eave line of a building.
- (b) Awning and Canopy Signs. Awning and canopy signs may be permitted in the MR, C-1, C-2 and IND districts, subject to the following:
 - 1) The maximum area shall not exceed that which is permitted for a wall sign within the specified zoning district, based on using the vertical face of the awning or canopy for calculation of signable area.
 - 2) Placement. Awning and canopy signs shall be affixed or attached flat against a vertical surface of the awning or canopy, and shall not extend above, below, or beyond the vertical surface of the awning or canopy.
 - 3) Maximum height. No portion of an awning or canopy sign shall be higher than the eave line of a building.

5. Window Signs

- (a) Window signs shall be limited in area to twenty (20) percent of the total surface area of the window to which the sign is attached or visible from.
- (b) Permanent window signs, internally-illuminated window signs, and window signs with words or symbols three (3) inches or more in height shall be deemed a wall sign for purposes of calculating sign area.
- (c) Open/Closed signs shall not be larger than two (2) square feet in area, and shall not be counted towards the maximum permitted wall sign area.

The following language was amended on 10/25/07

6. Underhanging Signs

Where the roof structure of the building is extended over a walkway along the outer edge of a building, one nameplate for each business or use may be attached to the underside of the overhang, provided that all such signs shall be of identical size, shape, configuration, lettering style and color scheme, shall contain only the name of the business, and shall provide a vertical clearance of at least eight (8) feet six (6) inches between the sign and the surface of the walkway.

Charter Township of Plymouth Zoning Ordinance No. 99

Article 25: Sign Regulations

Amendments:

The following language was amended on 10/25/07

7. Changeable Copy Signs

Changeable copy ground monument signs shall be permitted, subject to all of the requirements for ground signs specified herein, and the following additional requirements:

- (a) Letter height shall not exceed four (4) inches,
 - (b) Electronic or electric changeable copy signs are not permitted.
 - (c) The area of the changeable copy sign shall be counted toward the maximum ground sign area.
 - (d) The base of the sign shall be brick, with limestone capped brick piers on the two ends of the sign. The changeable copy sign shall not project above the brick piers by more than one-half of the message area's height.
-

Article 26: Landscaping, Screening and Land Use Buffers

Amendments:

ARTICLE XXVI

LANDSCAPING, SCREENING AND LAND USE BUFFERS

PURPOSE

The purpose of this Article is to:

1. Promote the public health, safety, and welfare by protecting the character, appearance and value of land and neighborhoods.
2. Protect the integrity of each land parcel by requiring buffering between non-contiguous land uses.
3. Enhance the appearance of commercial development, vehicular use areas, off-street parking and property abutting rights-of-way thereby reducing conditions that may lead to blighted conditions.
4. Improve and preserve the environmental quality and residential atmosphere of the Township through the judicious and thoughtful use of landscaping and buffering techniques.
5. Promote the use of landscape materials that present a finished and aesthetically pleasing appearance, and enhance the visual character of the site and the surrounding neighborhood.
6. Encourage the incorporation of pre-existing site conditions, such as existing vegetation or topography, into the design and placement of landscaping, where possible. Where this cannot be achieved, require replacement landscaping to mitigate the loss of substantial or significant vegetation to the maximum extent possible.
7. Moderate, buffer or filter the visual impact of buildings and parking lots from street rights-of-way and adjacent properties.
8. Implement Master Plan recommendations for enhanced landscaping at major and minor community entry points, or along major roads and key open space corridors.

SEC. 26.1 STATEMENT OF PRINCIPLES

Consideration by the Planning Commission of proposed landscape plans shall reflect the following basic principles:

1. Within reasonable limits, land uses can be made compatible through the proper treatment of perimeter areas, be they abutting other property or facing major or minor thoroughfares.

PURPOSE

SEC. 26.1

STATEMENT OF PRINCIPLES

Article 26: Landscaping, Screening and Land Use Buffers

Amendments:

- 2. Quality of community development and growth can be enhanced by reasonable and comprehensive standards for buffering or screening through the use of plant material and other techniques.
- 3. Every property owner and/or developer has the responsibility to ensure that the use and treatment of the parcel in question does not adversely impact adjacent property and is consistent with community planning goals and the use of resources in accordance with their character and adaptability.

SEC. 26.2 APPROACH

The orientation of this Article is focused on the establishment of "Performance Standards", the specification of objectives and the identification of alternative methods (non-inclusive) of accomplishing the objectives. The standards of this Section are considered the minimum necessary to achieve the purposes of the ordinance. Flexibility is allowed, where determined appropriate by the Planning Commission, to encourage innovative and creative design and to reflect individual site conditions. The measure of performance will be based on:

- 1. Planning Commission determination that the site design is in accordance with the Purpose and Statement of Principles Sections of this Article.
- 2. Planning Commission determination that all landscaping, screening and buffering elements are in compliance with applicable provisions, design parameters and standards of this Article, as appropriate.

SEC. 26.3 SCOPE

- 1. The provisions of this Article shall apply to all parcels which are hereafter developed, altered or redeveloped within the statutory boundaries of the Charter Township of Plymouth, including changes in lot frontages caused by road widening or reconditioning. Such altered, developed or redeveloped parcels shall be required to comply with all applicable provisions of this Article, except as may be approved by the Planning Commission under extreme circumstances.
- 2. No development shall be approved unless development plans show landscaping consistent with this Article.

SEC. 26.4 EFFECTIVENESS

Landscaping, screening and buffering elements shall be effective in meeting the objectives of this Article at the time of installation of such elements, and shall maintain that effectiveness as the plant materials mature. The Planning Commission may require that additional plant materials be provided, as a temporary measure to supplement permanent plant materials to achieve immediate effectiveness. Supplemental plant materials shall be provided in accordance with the following:

	SEC. 26.2	APPROACH
	SEC. 26.3	SCOPE
	SEC. 26.4	EFFECTIVENESS

Article 26: Landscaping, Screening and Land Use Buffers

Amendments:

1. Supplemental plant materials shall be located and arranged in a manner that provides immediate screening or buffering without inhibiting the long-term growth potential of permanent plant materials.
2. Supplemental plant materials shall be clearly identified as such on the landscape plan and illustrated at their size at time of planting.
3. If appropriate for the particular installation, a schedule for the thinning or eventual removal of supplemental plant materials from a site shall be provided on the landscape plan. No changes to site landscaping shall occur without prior Township approval.
4. Based upon the schedule approved with the landscape plan, the Township may inspect and re-evaluate the effectiveness of the landscaping, screening or buffering to determine whether:
 - (a) The permanent plant materials have matured to the point that the supplemental plant materials may be thinned or removed.
 - (b) The supplemental plant materials should be retained permanently to ensure the continuing effectiveness of the screen or buffer.
5. Supplemental plant materials shall be thinned or removed from the site in accordance with the approved schedule, or upon determination by the Township that they are no longer necessary to achieve the objectives of this Article. The property owner shall be responsible for notifying the Township when required landscaping has matured and the supplemental landscaping can be removed.
6. Pruning shall comply with the provisions of Section 26.8 to ensure that the intended effectiveness is maintained.

SEC. 26.5 LANDSCAPE PLAN REVIEW

1. Landscape plans shall be required as part of the Site Plan Review and Subdivision Plat review processes. The landscape plan shall be submitted and approved or approved with conditions by the Planning Commission prior to Final Site Plan Approval, or prior to the Planning Commission recommendation on the Final Preliminary Plat to the Township Board.
2. For developments not subject to Site Plan approval by the Planning Commission, as defined in Section 29.4.2 of this Ordinance, a detailed landscape plan substantially conforming to the requirements of this Article shall be submitted to the Department of Building and Code Enforcement for review and approval by the Administrative Review Committee prior to issuance of a building permit.
3. All landscape plans shall include the following:
 - (a) Scale. The plan shall be drawn at a scale of not less than one inch equals twenty feet (1" = 20'). Enlargements shall be required to permit adequate evaluation of

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areas with extensive landscaping or unusual site features. Plants, other than supplemental plantings, shall be illustrated at their size at mid-maturity to facilitate evaluation of immediate effectiveness. For larger sites, an overall plan sheet shall be provided, in addition to the detail sheets, to show the relationship of the individual pages and the overall planting plan.

- (b) Seal. All landscape plans shall be signed and sealed by a registered landscape architect.
- (c) Landscape Schedule. A list of all proposed landscaping elements, including but not limited to trees, shrubs, perennials, grasses and other groundcover, and any existing vegetation used to satisfy requirements of this Article, shall be provided on the plan, with the quantity, botanical name, common name and size at installation.
- (d) Maintenance Plan. Landscape maintenance procedures shall be specified on the landscape plan, in accordance with Section 26.8 (Maintenance). The plan must also specify the proposed procedures for snow removal and storage.
- (e) Location and description of other landscape improvements, including but not limited to mulch, berms, walls, fences, paving etc. as necessary to allow the Planning Commission or the Administrative Review Committee to fully evaluate the landscape treatment proposed to ensure conformity with the spirit and intent of this Article.

SEC. 26.6 INSTALLATION

- 1. All landscaping shall be installed in a manner consistent with the standards of the American Association of Nurserymen and the approved landscape plan. This shall include quantity, size, type and location of plantings proposed:
 - (a) Major deviations in quantity, type, size and location of plant materials from the approved landscape plan shall be subject to review and approval in the same manner as provided in this Article for the approved landscape plan.
 - (b) Minor revisions or deviations from the approved landscape plan may be permitted after affirmative recommendation by the Township's designated expert that such changes are consistent with the spirit and intent of this Article and the previously approved landscape plan.
- 2. Installation of all landscaping, screening and buffering elements shown on the approved landscape plan shall be completed prior to issuance of a Certificate of Occupancy for the proposed development; subject to the following:
 - (a) If it is determined that the landscape materials would be jeopardized by weather conditions, a temporary Certificate of Occupancy may be issued, provided that the developer submits a completion date and cost estimate for the completion of the

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landscape plan, subject to review and approval by the Chief Building Official a cash deposit, certified check or irrevocable letter of credit in the amount of the Township-approved cost estimate to the Charter Township of Plymouth.

- (b) In no case shall the Department of Building and Code Enforcement issue a Certificate of Occupancy or a temporary Certificate of Occupancy without the aforementioned submission or completion of installation.
- (c) Failure of the developer to comply with the completion date shall result in forfeiture of the deposit to the Charter Township of Plymouth, but shall not release the developer from the obligation for installation and completion of the landscaping consistent with the approved plan. The Chief Building Official may grant one extension for sixty (60) days upon receipt of a written request from the developer, provided circumstances warrant such an extension.

SEC. 26.7 MATERIALS

1. Plant Material Standards

- (a) All plant material shall:
 - 1) Conform to size and description set forth in the current edition of "American Standard for Nursery Stock" sponsored by the American Association of Nurserymen, Inc. and approved by the American National Standards Institute, Inc. (ANSI)
 - 2) Be true to name in conformance to the current edition of "Standardized Plant Names", established by the American Joint Committee on Horticultural Nomenclature, or other source accepted by the Township.
 - 3) Be a typical example of its species or variety, with normal growth habits and be, well-branched and densely foliated when in leaf.
 - 4) Be of sound health, vigorous and uniform in appearance with a well developed root system, and free from disease, insect pests, eggs or larvae.
 - 5) Be freshly dug and nursery grown.
 - 6) Be chosen according to soil, climatic conditions and environmental factors for the proposed development.
- (b) Trees shall have straight trunks with leaders intact, undamaged and uncut.
- (c) The following trees, because of various problems, are not considered to be desirable landscaping elements and therefore shall, in most cases, not be permitted. If it is demonstrated that such trees are, associated with an appropriate wetland or other ecosystem to be preserved, or where removal of existing trees

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would result in a substantial loss of screening or buffering of adjacent lands, uses or public rights-of-way the Commission may permit their use:

SPECIES	COMMON NAME	NOTES
<i>Acer negundo</i>	Box Elder	
<i>Ulmus x</i>	Elm varieties	Except disease-resistant cultivars, such as 'Regal', 'Pioneer', 'Homestead', 'Jacan' and 'Accolade'
<i>Aesculus x</i>	Horse Chestnut	Restrict use to greenbelts and transition zones between developed and undeveloped areas of a site
<i>Populus x</i>	Poplar varieties	
<i>Elaeagnus x</i>	Olive varieties	
<i>Salix x</i>	Willow varieties	Restrict use to appropriate wetland ecosystems
<i>Catalpa x</i>	Catalpa varieties	
<i>Ailanthus altissima</i>	Tree of Heaven	
<i>Ginkgo biloba</i>	Ginkgo (female)	Male trees are acceptable
<i>Robinia pseudoacacia</i>	Black locust	
<i>Acer saccharinum</i>	Silver Maple	
<i>Fraxinus x</i>	Ash	Only varieties susceptible to Emerald Ash borer

(d) Ground cover plantings shall be subject to the following:

- 1) Lawn areas shall be planted in species of grass normally grown as permanent lawns in southeast Michigan. Grass may be sodded or hydroseeded and mulched, except that solid sod shall be used in swales or other areas subject to erosion. Sod or seed shall be clean, free of weeds and noxious pests or disease.
- 2) The creative use of groundcover alternatives is encouraged. Groundcover used in lieu of grass in whole or part shall be planted in such a manner as to present a finished appearance that is reasonably complete after one complete growing season. Prairie grass and natural wildflower mix may be used where appropriate.

(e) Stone and synthetic materials shall not be used as a groundcover.

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- (f) Mulch. Planting beds shall present a finished appearance, with shredded hardwood bark mulch or similar natural material at a minimum depth of three (3) inches. Mulch used around trees and shrubs shall be a minimum of four (4) inches deep, and shall be pulled one (1) inch away from tree trunks. Pine bark mulch shall be prohibited. An effective edge treatment must be provided to minimize the migration of the mulch.
- (g) Hedges, where provided, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within one full planting season. Where plants are to be used as a hedge for screening purposes, the maximum permitted spacing will be determined by the plant proposed.
- (h) Topsoil. A minimum four (4) inches of topsoil shall be provided for all lawn areas, ground covers and planting beds.
- (i) Artificial plant material shall be prohibited.
- (j) Landscaping shall be located and maintained in a manner that minimizes conflicts with overhead or underground utilities.
- (k) Existing vegetation to be preserved shall be protected during construction through the use of temporary fencing around the drip line.
- (l) Where pavement and landscape areas interface, adequate measures shall be taken to protect plants from vehicle encroachment.
- (m) Tree sizes are determined using the following two definitions: Caliper shall be defined as the diameter of the trunk of a tree at eighteen (18) inches above the ground. Diameter breast height (D.B.H.) is the diameter in inches of a tree measured at four and one-half (4½) feet above the existing grade.
- (n) Minimum sizes of plant materials:
 - 1) Deciduous shade trees: Shall be species having a trunk that can be maintained with over seven (7) foot clear stem. Deciduous trees shall have a minimum caliper of three (3) to three and one-half (3½) inches at the time of planting.
 - 2) Small deciduous ornamental trees: Ornamental trees shall have a minimum caliper of two (2) inches at time of planting, or six (6) feet height in clump form.
 - 3) Evergreen trees: Evergreen trees shall be a minimum of eight (8) feet in height at time of planting.
 - 4) Deciduous and Upright Evergreen Shrubs: Shall be a minimum of thirty (30) inches in height at the time of planting.

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- 5) Spreading Evergreen Shrubs and Dwarf Species Shrubs: Shall be a minimum of eighteen (18) to twenty-four (24) inches in height or five (5) gallon container size at time of planting.
- 6) Vines: Vines shall be a minimum of thirty (30) inches in length after one (1) growing season and may be used in conjunction with fences, screens, or walls to meet buffer requirements.

2. Variety of Plant Material Sizes at Installation

To ensure adequate variety, and to avoid monotony and uniformity within the site, the overall landscape plan shall comply with the following:

LANDSCAPING MATERIALS	PERCENTAGE OF TOTAL	MINIMUM SIZE AT INSTALLATION
Deciduous Shade Trees	50%	3.0 – 3.5 inches caliper
	30%	3.5 – 4.0 inches caliper
	20%	4.0 inches caliper
Evergreen Trees	50%	8.0 feet high
	30%	10.0 feet high
	20%	12.0 feet high
Deciduous Ornamental Trees (Clump Form)	50%	6.0 feet high
	50%	8.0 feet high
Deciduous Ornamental Trees	50%	2.0 inches caliper
	30%	2.5 inches caliper
	20%	3.0 inches caliper
Deciduous Shrubs	50%	30.0 inches high
	50%	36.0 inches high
Upright Evergreen Shrub	50%	30.0 inches high
	50%	36.0 inches high
Spreading Evergreen Shrubs	50%	24.0 inch spread
	50%	30.0 inch spread

3. Modifications

For specific landscape installations that require uniformity of plant size, such as hedges, mass plantings of shrubs as groundcover, and planted used as ornamental design accents, the Commission may approve variations in the above percentages. Also, for reforestation, wooded area infill, and other applications determined appropriate by the Planning Commission, small caliper, park-grade trees may be approved.

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SEC. 26.8 MAINTENANCE

The owner of the property shall be responsible for all maintenance of site landscaping, as follows:

1. Landscape maintenance procedures and frequencies to be followed shall be specified on the landscape plan, along with the manner in which the effectiveness, health and intended functions of the various landscape areas on the site will be ensured.
2. Landscaping shall be kept in a neat, orderly and healthy growing condition, free from debris and refuse.
3. Pruning shall be minimal at the time of installation, only to remove dead or diseased branches. Subsequent pruning shall assure proper maturation of plants to achieve their approved purpose.
4. All dead or diseased plant material shall be removed and replaced within six (6) months after it dies or in the next planting season, whichever occurs first. For purposes of this Section 26.8.4, the planting season for deciduous plants shall be between March 1 and June 1 and from October 1 until the prepared soil becomes frozen. The planting season for evergreen plants shall be between March 1 and June 1. Plant material installed to replace dead or diseased material shall be as close as practical to the size of the material it is intended to replace.
5. The approved landscape plan shall be considered a permanent record and integral part of the Site Plan Approval. Unless otherwise approved in accordance with the aforementioned procedures, any revisions to, or removal of, plant materials will place the parcel in non-conformity with the approved landscape plan, and shall be viewed as a violation of this Ordinance and the agreed upon terms of the Final Site Plan Approval.
6. The developer, at the time of submission of the final site plan shall demonstrate that adequate provisions have been made to supply water to all landscape areas. This shall be accomplished by installation of an underground irrigation system to provide water for the landscape areas specified on the landscape plan. The Commission shall have the authority to waive or modify this requirement, where the Commission determines that such action would be in accordance with the purpose and objectives of this Article.

SEC. 26.9 EXISTING NATURAL RESOURCES

1. The existence of significant natural resources, including but not limited to trees, ponds, water, steep slopes, and wetlands, shall be protected and reinforced with sufficient landscaping to protect their environmental quality and prevent deterioration. To adequately review the proposed development, a topographic survey shall be provided that identifies the following:

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- (a) Perimeters of areas of existing vegetation, such as tree-rows, hedgerows and woodlands, with notes describing the character of each area (i.e. “wooded wetland,” “oak-hickory,” etc.).
 - (b) When outside of wooded areas, the location, size, and name of all individual trees eight (8) inches D.B.H. or larger. Within wooded areas, all trees twenty-four (24) inches D.B.H. or larger shall be identified.
 - (c) All intermittent and perennial streams, floodplain and floodway limits, wetlands, steep slopes and soils with structural limitations (such as hydric or muck soils).
2. Where healthy trees exist on a site prior to development, expansion, redevelopment or change in use, landscape standards may be adjusted to allow for preservation of quality trees, in accordance with the purpose and objectives of this Article, and the following:
- (a) All existing trees and wooded areas to be preserved shall be delineated on the site by the applicant for field inspection by the Township to verify that the trees are of high quality and will fulfill the requirements of this Article.
 - (b) The landscape plan submission shall include a recent aerial photograph of the site upon which is delineated the wooded areas and individual trees. Points along the perimeter of all wooded areas and regularly spaced within wooded areas shall be marked on the aerial photo. Site photographs shall be submitted to establish the quality and general density of vegetation at each such point.
 - (c) All trees and wooded areas must be labeled “to be removed” or “to be saved” on the landscape plan. If existing plant material is to be saved, protective measures shall be implemented and described on the landscape plan. Such measures may include the installation of snow fencing and stakes at the dripline of each area to be saved. 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.
 - (d) Prior approval from the Township is required before any de-limbing, root pruning or other work is performed on preserved trees or wooded areas. No earthwork shall be permitted prior to field verification by the Township of the limits of areas to be preserved.
 - (e) If as a result of site conditions, a substantial quantity of trees or individual significant specimen trees must be removed as part of the landscape plan, then replacement trees shall be provided at a ratio of one (1) inch caliper for each four (4) inches D.B.H., or in an amount considered sufficient by the Planning Commission.
 - (f) In the event that healthy plant materials that are intended to be saved to meet the requirements of the Ordinance are cut down or otherwise damaged or destroyed during construction, said plant material shall be replaced in accordance with the

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following schedule, unless otherwise approved by the Township Planning Commission based upon the site and building configuration, available planting space, and similar considerations:

REPLACEMENT TREE SPECIFICATIONS	
TYPE OF TREE	REPLACEMENT RATIO
Deciduous	One inch caliper for each inch D.B.H. of tree damaged
Evergreen	One foot for each foot in height of tree damaged

- 1) Each replacement deciduous tree shall be a minimum of four inches caliper; larger trees may be permitted.
- 2) Each replacement evergreen tree shall be a minimum of eight feet in height; larger trees may be permitted.

SEC. 26.10 CHARACTER OF LANDSCAPING, SCREENING OR BUFFERING AREAS

The selection and placement of plant materials shall be such that the general maintenance and upkeep of the areas shall be low, so that the success of the planting area can be anticipated without placing undue hardship on the landowner or lessee.

1. Where landscape treatment is required for screening purposes, the Planning Commission shall insure that the plan proposed meets the following objectives:
 - (a) The proposed plan effectively forms a complete visual and physical separation between the two unlike land uses.
 - (b) The proposed plan effectively forms a transition zone between the unlike uses and affords sufficient protection and is compatible with the character of the adjacent residential area.
 - (c) The proposed plan effectively reduces the adverse effects of the proposed use, in particular, glare of headlights, lighting from parking areas, noise, unsightly areas such as trash pickup points and contrasting views such as parking areas and access drives.
2. When the landscape treatment is required as a buffer or green area, the Planning Commission shall insure that the plan proposed meets the following objectives:
 - (a) The proposed plan breaks up the area and the proposed plant material creates a partial visual separation.

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- (b) The proposed plan forms a transition zone which helps break up the visual pattern of paving areas.
- (c) The proposed plan, through the use of plant material, creates a ground and overhead area which consists of plant material which is more compatible with the general character of the Township, and with the residential districts in the Township.

SEC. 26.11 METHODS OF SCREENING

1. Solid Wall with Planting Strip

- (a) A solid wall, six (6) feet in height, constructed of brick shall be required. The solid wall shall be located at the property line.
- (b) A six to eight (6 - 8) foot wide planting strip shall be provided abutting the base on the interior side of the wall. The strip shall be planted with deciduous shade trees planted thirty-five (35) feet on center and a mixture of shrubs and perennials.
- (c) The Planning Commission shall have the authority to modify the wall height, material and location standards of this Section, provided that the alternative meets the screening objectives of this Article, and to require that the masonry materials, colors and wall design be consistent with adjacent building facades or adjacent existing walls.

2. Screening Mound or Berm

A screening mound or berm shall have a minimum height five (5) to six (6) feet with side slopes no steeper than 3:1 (three (3) feet horizontal to one (1) foot vertical). The top of all berms shall have a level horizontal area of at least three (3) feet in width. The mound or berm shall be designed and graded to blend with existing topography, shall be graded smooth, and shall be appropriately sodded, hydro-seeded and mulched, or planted. Deciduous shade and ornamental trees, evergreen trees and shrubs shall be planted along the berm area.

3. Evergreen Screen

Evergreen screening shall consist of evergreen trees with year-round screening characteristics that meet the objectives of this Article. Such trees shall be planted ten to fifteen (10 – 15) feet on center in two (2) staggered rows ten (10) feet apart.

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SEC. 26.12 AREAS REQUIRING SCREENING AND/OR BUFFERING

1. Non-residential Uses or Districts adjacent to Residential Use or District

- (a) Screening shall meet the aforementioned objectives of this Article and shall be accomplished by any of the following:
 - 1) A solid wall with planting strip.
 - 2) Screening mound or berm.
 - 3) Evergreen screen.
 - 4) A combination of the above.

2. Abutting Residential Uses, Districts or Developments

- (a) When the proposed development is a special land use or residential use, and is of a nature that requires substantial parking areas, access drives, mechanical unit locations, solid waste pickup points, concentrations of people for recreation (pools, tennis courts, etc.), or is of a significantly different scale or character than the abutting residential district or use, screening and/or buffering is required and shall be reviewed by the Planning Commission to insure that it that accomplishes the following objectives:
 - 1) The screen effectively forms a visual and physical separation between the residential use and the abutting use areas that are of a significantly different scale or character that would adversely affect the residential use.
 - 2) The buffer, when visual and physical separation is not a necessity, forms a sufficient transition zone between the two uses to afford sufficient protection of the adjacent residential district or use.
- (b) Screening or buffering shall meet the aforementioned objectives for this Section and Article and shall be accomplished by any of the following:
 - 1) A solid wall with planting strip.
 - 2) Screening mound or berm.
 - 3) Evergreen screen.
 - 4) A combination of the above methods, or an alternative the Commission determines would be best suited for the existing conditions, meets the objectives of this Article and results in reduction of the impacts of the proposed facilities on the adjacent properties.

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3. Off-Street Parking, Vehicular Use Areas and Service Areas

- (a) All off-street parking areas, vehicular use areas and service areas shall be screened or buffered in a manner that meets the aforementioned objectives of this Article and shall meet the following specific objectives:
 - 1) Off-street parking and vehicular use areas shall be buffered in a manner that separates the proposed facility from the public right-of-way, the view of the general public, and abutting existing or proposed public walks, and creates a scale more appropriate to the individual.
 - 2) Service areas shall be completely screened from adjacent residential areas and view from the public right-of-way.
 - 3) All screening or buffer areas shall be contained within the subject property.
- (b) Screening or buffering shall meet the aforementioned objectives of this Section and Article, and shall be accomplished by the following:
 - 1) A minimum ten (10) foot buffer area between off-street parking or vehicular use areas and the street setback line. The buffer area shall include deciduous trees, flowering trees and shrubs located in a manner to meet the aforementioned objectives.
 - 2) Service areas shall be screened by appropriate plant materials, and/or architectural materials, such as a decorative fence or wall, or a combination of both, to meet the screening objectives of this Section.
 - 3) The ten (10) foot buffer area shall be increased five (5) feet in width for each sixty (60) feet or part thereof which the parking area and/or vehicular use area exceeds sixty-five (65) feet when measured perpendicular to the street setback line up to a maximum buffer width of thirty (30) feet, in accordance with the following table:

DEPTH OF PARKING/VEHICULAR USE AREA	WIDTH OF BUFFER
Up to 65 ft.	10 ft.
66 – 120 ft.	15 ft.
121 – 180 ft.	20 ft.
181 – 240 ft.	25 ft.
241 ft. or greater	30 ft.

Article 26: Landscaping, Screening and Land Use Buffers

Amendments:

4. Public Utilities and Communication Facilities

- (a) Communication facilities (not including buildings), public utility transformer stations, sub-stations and gas regulator stations shall be screened. The screen shall be reviewed by the Planning Commission to insure that it accomplishes the following objectives:
 - 1) The proposed screen effectively separates the facility from the public right-of-way and the view of the general public.
 - 2) The proposed screen effectively establishes some form of separation and human scale between the facility and abutting public walks.
- (b) Screening shall meet the aforementioned objectives and shall be accomplished by any the following:
 - 1) Screening mound or berm.
 - 2) Solid wall with planting screen.
 - 3) Fence with evergreen screen.
 - 4) A combination of the above.

5. Development Adjacent to a Major Thoroughfare or Expressway

- (a) Residential Development. Where a residential development abuts a major thoroughfare or expressway, a buffer area shall be provided between the thoroughfare and/or expressway and the proposed development, subject to the following:
 - 1) The buffer area shall include a combination of deciduous shade trees, evergreen trees, flowering and ornamental trees, and shrubs as deemed necessary by the Planning Commission to meet the objectives of this Article, and located in a manner to reduce the impact of said thoroughfare or expressway on the development.
 - 2) The plant materials used are hardy characterized by low maintenance requirements and suitable for severe conditions.
 - 3) The buffer area along a major thoroughfare shall be no less than twenty (20) feet wide, and may include berming to increase the effectiveness of the screening and buffering provided.

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Amendments:

- 4) The buffer area along an expressway shall be a minimum of sixty (60) feet wide, exclusive of any lot or condominium unit and exclusive of any road right-of-way. The expressway buffer area shall include the landscaping required above, and either a solid masonry noise wall or landscaped berm, each with a minimum height of twelve (12) feet above grade.
 - 5) The Commission shall have the authority to waive or modify this requirement, where the Commission determines that such action would be in accordance with the purpose and objectives of this Article.
- (b) Nonresidential Development. A buffer area shall be provided between an expressway and any industrial or other nonresidential development abutting the expressway. This buffer shall be provided in addition to all required screening for parking, loading, vehicle use and service areas, subject to the following:
- 1) The buffer area shall be a minimum of twenty (20) feet wide, exclusive of road right-of-way.
 - 2) The buffer area shall include a combination of trees, and shrubs as deemed necessary by the Planning Commission to meet the objectives of this Article, and located in a manner to enhance the appearance of said development from the road. A solid wall and/or berming may be included to improve the screening and buffering provided.
 3. The plant materials used are hardy, characterized by low maintenance requirements and suitable for severe conditions.
 - 4) The Commission shall have the authority to waive or modify this requirement, where the Commission determines that such action would be in accordance with the purpose and objectives of this Article.

SEC. 26.13 PLANTING ISLANDS FOR PARKING LOTS

1. Parking lots shall be broken up by the use of planting strips, islands or staggering of-trees. The location and design of the proposed planting strips and islands shall be reviewed by the Planning Commission to insure that the following objectives are accomplished:
 - (a) The planting islands are designed in a manner that will ensure proper protection of the plant material located within the island.
 - (b) The plant materials used are hardy, characterized by low maintenance requirements and suitable for severe conditions.
 - (c) The planting islands and proposed plantings will successfully create visual breaks within the large paving area, are in scale with the overall site.

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Amendments:

- (d) The planting islands clearly defines the egress/ingress points, the interior circulation system and fire lanes.

2. Planting island standards

- (a) Planting islands shall have a minimum width of ten (10) feet, and a minimum area of one hundred sixty (160) square feet. To improve maneuvering, the length of the islands shall be two (2) feet shorter than the adjacent parking spaces.
- (b) Planting islands shall be protected by curbing, and dimensions shall be shown on the landscape plan.
- (c) A minimum of one (1) deciduous shade tree shall be provided for each eighty (80) square feet of planting area within the island. Ornamental trees, shrubs, mulch or groundcover shall be used to cover all unplanted areas of the island.
- (d) Planting islands shall be provided with an automatic underground irrigation system, unless an alternate form of irrigation is approved by the Planning Commission.

SEC. 26.14 ISLAND TURNAROUNDS

Where, non-through streets are planned within a residential development, adequate provision must be made for landscape and maintenance of turnaround islands. Such provisions shall be included in the landscape plan with an indication of the date by which the work will be completed, how the landscaping will be maintained, proposed maintenance funding sources, and who will be responsible for long-term maintenance of the landscaping.

SEC. 26.15 STREET YARD LANDSCAPING

Street yard areas are hereby defined as the area between the curb or edge of pavement of a street and the street setback line, combined with any required setback area from the street setback line. Street yard landscaping shall be provided in addition to any required screening for parking, loading, vehicle use and service areas, subject to the following:

- 1. Street yard areas of sites that are developed, altered or redeveloped shall be landscaped in a manner that meets the objectives of this Article, and the following specific objectives:
 - (a) To enhance the visual character of streets and roads in the Township.
 - (b) To effectively minimize the adverse impacts of vehicular traffic on adjacent uses or districts.
 - (c) To satisfy applicable design guidelines or recommendations contained in the Master Plan.

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Amendments:

2. Street yard area landscaping within the street setback area shall be accomplished by the following:
 - (a) Street tree plantings shall consist of deciduous shade trees planted in one (1) or more rows at regular intervals, or in informal groupings, along the margins of street rights-of-way.
 - 1) Such trees shall be planted along the entire length of the site frontage, in an amount equal to a minimum of one (1) street tree per forty (40) feet of site frontage, as measured at the street setback line.
 - 2) Street trees shall be located in planting strips within the street right-of-way, or, if utilities or circumstances prevent planting within the right-of-way, shall be located directly adjacent to the right-of-way in a manner acceptable to the Planning Commission.
 - (b) The use of appropriate plant materials, including ornamental trees, shrubs and perennials, to meet the objectives of this Section.
 - (c) The location and type of street yard landscaping within the right-of-way must meet the standards of and be approved by the Wayne County Department of Public Services or the Michigan Department of Transportation.

3. Street yard area landscaping within any required setback area from the street right-of-way shall be accomplished by any of the following:
 - (a) Street trees.
 - (b) Screening mound or berm.
 - (c) Architectural materials, such as a decorative fence or low decorative wall, or a combination of both, to meet the objectives of this Section.
 - (d) Use of appropriate plant materials, including deciduous shade and ornamental trees, shrubs and perennials, to meet the objectives of this Section.
 - (e) A combination of the above.

SEC. 26.16 DETENTION AND RETENTION BASIN LANDSCAPING

Where a detention or retention basin, or similar stormwater management facility, is required, landscaping shall be provided, subject to the following:

SEC. 26.15	STREET YARD LANDSCAPING
SEC. 26.16	DETENTION AND RETENTION BASIN LANDSCAPING

Article 26: Landscaping, Screening and Land Use Buffers

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1. To the extent possible, basin configurations shall be incorporated into the natural topography. Where this is not practical, the basin shall be shaped to emulate a naturally formed or free-form depression.
2. The basin edge shall consist of sculptured landforms to filter and soften views of the basin.
3. Plantings shall replicate a natural environment. Deciduous shade and ornamental trees, shrubs, perennials, grasses and other groundcover shall be clustered around the basin to achieve a variety of plant materials.
4. Trees shall be planted above the freeboard line of the basin. Any plantings proposed below the freeboard line shall be tolerant of wet or moist soil conditions. The location of plant materials shall take into consideration the need to provide access for routine basin maintenance.
5. Basins may be planted with a mixture of groundcover plantings native to southeast Michigan, such as native grasses or wildflowers, provided that such plantings present a finished appearance with minimal maintenance.
6. Basins shall be designed to avoid the need for perimeter fencing; however, if such fencing is required it shall be decorative, in the determination of the Planning Commission.

SEC. 26.17 EXCEPTIONS

1. Where buffering has been accomplished along adjacent perimeters by means of earlier development, the Planning Commission may waive the requirement for additional screening.
2. Within the intent of this Article, the Planning Commission may approve alternatives it determines to be necessary to accommodate peculiar circumstances or unforeseen problems, or to carry out the spirit, intent and purpose of this Article.
3. Where land is used, but not zoned or master planned for residential purposes, the Commission may substitute a lesser standard reflective of the temporary nature of the residential use.

Article 27: Nonconformities

Amendments:

**ARTICLE XXVII
NONCONFORMITIES**

PURPOSE

This Article is hereby established for the following purposes:

1. Recognition of Nonconformities

To recognize that, within the districts established by the adoption or amendment of this Ordinance there exists lots, parcels, structures, and uses which were lawful before this Ordinance was adopted or amended, but which would be prohibited, regulated, or restricted under the terms of this Ordinance.

2. Regulation of Nonconformities

To regulate the completion, restoration, and reconstruction of nonconforming structures, the extension, enlargement, and substitution of nonconforming uses and the circumstances and conditions under which nonconformities shall be permitted to continue.

3. Classification of Nonconforming Structures and Uses

To establish two classes (Class A and Class B) of nonconforming structures and uses that distinguish between those that are no desirable (Class B), and those that may not have a significant adverse impact upon nearby properties or the public health, safety, and welfare (Class A).

4. Elimination of Class B Nonconforming Structures and Uses

To declare that Class B nonconforming structures and uses are incompatible with permitted uses in the district, and are likely to have a negative impact on neighboring properties. It is the intent of this Article to eliminate Class B nonconforming structures and uses as rapidly as is permitted by law without payment of compensation.

5. Continuation of Nonconformities

To permit the continuance of nonconformities subject to requirements of this Article, but not to permit their enlargement, expansion, or extension, except where provided for in this Article.

SEC 27.1 NONCONFORMING LOTS OR PARCELS OF RECORD IN THE R-1 DISTRICT

It is recognized that within the R-1 District, there are recorded lots or parcels of record, which lawfully existed at the time of adoption of this Ordinance, which do not meet the minimum

**PURPOSE
27.1 NONCONFORMING LOTS OR
PARCELS OF RECORD IN THE R-1
DISTRICT**

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requirements for width or area. The purpose of this Article is to allow such lots or parcels of record to be utilized as long as reasonable living standards can be provided.

The following regulations shall apply to nonconforming lots or parcels of record within the R-1 District:

1. **Development of Nonconforming Lots or Parcels of Record within the R-1 District**

A single-family dwelling and customary accessory structures may be erected on any single lot or parcel of record in the R-1 District that was in existence at the effective date of adoption or amendment of this Article. This provision shall apply even if the lot or parcel does not meet the minimum area or width requirements of the R-1 District, provided that any principal or accessory structure constructed on the lot or parcel complies with all other yard, floor area, height, and access requirements of the R-1 District.

2. **Review and Approval Procedure**

An application for the construction of a single-family residence on a nonconforming lot or parcel of record in the R-1 District shall be submitted to the Chief Building Official for review and approval prior to the issuance of a building permit. In reviewing the application, the Chief Building Official shall determine that all other requirements not involving area or width have been met. In addition, the Chief Building Official shall determine whether any additional information and/or approvals must be obtained to ensure compliance with this Article, and to preserve the general public health, safety, and welfare.

3. **Variation to Yard Requirements**

If the nonconforming lot or parcel of record in the R-1 District requires a variation of the yard 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.

SEC. 27.2 DEFINITION AND CLASSIFICATION OF NONCONFORMING STRUCTURES AND USES

Two (2) different classes of nonconforming structures and uses (Class A and Class B) are hereby established by this Article, with the terms for completion, restoration, reconstruction, extension or substitution different for each applicable class. The classes shall distinguish between those that are not desirable and should be eliminated as rapidly as possible (Class B), and those that may not have a significant adverse impact upon nearby properties or the public health, safety and welfare (Class A). All nonconforming structures and uses not designated Class A by the Planning Commission shall be classified as Class B nonconforming structures or uses.

27.1 **NONCONFORMING LOTS OR PARCELS OF RECORD IN THE R-1 DISTRICT**

27.2 **DEFINITION AND CLASSIFICATION OF NONCONFORMING STRUCTURES AND USES**

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Amendments:

SEC. 27.3 CLASS B NONCONFORMITIES

Nonconforming structures and uses that have been designated Class A shall not be subject to the requirements of this Section, but rather shall be subject to the provisions of Section 27.3, Class A Nonconforming Designation. Class B nonconforming structures and uses may be continued, subject to the following regulations and restrictions:

1. Class B Nonconforming Structures

Class B nonconforming structures shall be allowed to continue after the effective date of adoption or amendment of this Ordinance, subject to the following conditions:

- (a) Expansion and Alteration Restricted. Class B nonconforming structures shall not be enlarged upon, expanded, extended, altered in a way which increases their nonconformity, or considered as grounds for adding other structures or uses prohibited elsewhere in the same district. Such structures may be enlarged upon, expanded, extended or altered where such work does not increase their nonconformity, where repairs are determined by the Chief Building Official to be necessary for safety or to ensure the continued advantageous use of the Class B nonconforming structure during its natural life.
- (b) Normal Repairs and Maintenance. This Article shall not prevent work required for compliance with the provisions of the State Construction Code or Michigan housing laws regulating the maintenance of buildings or structures. Normal repair, maintenance or replacement of interior non-bearing walls, fixtures, wiring, plumbing or heating and cooling systems in Class B nonconforming structures may be permitted in accordance with applicable code requirements, provided that such improvements do not result in an enlargement of a nonconforming structure or use, and provided that the cost of such improvements does not exceed the state equalized value of the structure at the time such work is proposed.
- (c) Buildings under Construction. Nothing in this Article shall require a change in the plans, construction or designated use of any building or structure for which construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and diligently carried on until completion. Construction shall include the placement of materials in a permanent manner or demolition and removal of an existing structure preparatory to rebuilding in accordance with an approved site plan.
- (d) Damaged Structures. Any Class B nonconforming structure that has been destroyed or damaged by fire, explosion, Act of God, public enemy or other means to the extent that the cost of repairs and restoration exceeds the state equalized value of the structure (as determined through the real property assessment for tax purposes prior to the time such damage occurred) shall not thereafter be reconstructed, except in conformity with the provisions of this Ordinance.

If the cost of repairs and restoration is less than the state equalized value of the structure, then it may be restored to the same configuration as existed before such damage, provided that such restoration shall be subject to site plan approval by the

Article 27: Nonconformities

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Planning Commission. Said restoration shall be commenced within one hundred eighty (180) days of the date of site plan approval and shall be diligently carried on to completion.

- (e) **Unsafe Structures.** Nonconforming structures that are determined by the Chief Building Official to be unsafe shall not thereafter be restored, repaired or rebuilt, but rather shall be immediately removed.
- (f) **Height of Building as Originally Planned.** A building may be erected to its full height of use, as originally planned, when foundations and structured members are designed to carry such building, when said building has been partially erected previous to the adoption or amendment of this Ordinance.
- (g) **Relocation.** Should any Class B nonconforming structure be moved any distance for any reason it shall thereafter conform to the regulations for the district in which it is located.

2. Class B Nonconforming Uses

Class B nonconforming uses shall be allowed to continue after the effective date of adoption or amendment of this Ordinance subject to the following conditions:

- (a) Class B nonconforming uses shall not be enlarged, reconstructed, increased in intensity, extended to occupy a greater area of land or building floor area, altered or moved in whole or in part to any other portion of the lot or parcel or adjoining lot or parcel. No additional structures shall be constructed for a Class B nonconforming use.
- (b) A Class B nonconforming use may be extended throughout any parts of a building which were manifestly arranged or intended for such use 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) No existing structure devoted to a Class B nonconforming use shall be enlarged or extended, except in changing the use of the structure to a use permitted in the district where it is located.
- (d) Where a Class B nonconforming use occupies a structure, removal or destruction of the structure, or damage to the structure to an extent greater than the state equalized value of the structure, shall eliminate the nonconforming use status, and subsequent uses shall conform to the use provisions of the district where it is located.
- (e) If a Class B nonconforming use is changed or superseded by a permitted use, any future use shall be in conformity with the provisions of this Ordinance.
- (f) When a Class B nonconforming use ceases or is discontinued for a period of more than three hundred sixty-five (365) days, it shall not be resumed and subsequent uses shall conform to the regulations of the district where it is located.

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- (g) The use shall be maintained in compliance with all applicable federal, state, county and Township laws, ordinances, regulations and codes, other than the use regulations for the district where the use is located. Failure to do so, or failure to bring the use into compliance with current laws, ordinances, regulations and codes within one-hundred eighty (180) days of their effective date, shall constitute grounds for the Township to seek court approval to terminate or remove the use.

SEC. 27.4 CLASS A NONCONFORMING DESIGNATION

It is the intent of this Section to recognize that certain nonconforming structures and uses may not have a significant adverse impact upon nearby properties or the public health, safety and welfare, and to establish a “Class A” designation that the Planning Commission may approve for these nonconforming structures or uses, subject to the following procedure and standards:

1. Application

A written application shall be filed setting forth the following information:

- (a) The address, parcel identification number and legal description of the total land area of the application.
- (b) Use(s). A map showing the existing and proposed use(s) of the subject property and adjacent lands with sufficient detail to properly define nearby parks, public lands, roads, highways, available discharge points or routes for surface drainage, sewer and water facilities and zoning district boundaries.
- (c) Site Plan. A plan for alterations, enlargements, extensions, and other site improvements, if any, associated with the application for a Class A designation.
- (d) Any information as may be deemed necessary by the Planning Commission to make a determination on the request.

2. Public Hearing (as amended on 9/30/07)

A public hearing shall be held by the Planning Commission on a request for a Class A designation for a nonconforming structure or use, to acquaint the public and particularly adjoining property owners with the request. One (1) notice 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 persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question; and to the occupants of all structures within three hundred (300) feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. This notice shall be given not less than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term “occupant” may be used in mailing notification. The notice shall:

- (a) Describe the nature of the request.

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- (b) Indicate the property which is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- (c) State when and where the request will be considered.
- (d) Indicate when and where written comments will be received concerning the request.

3. Standards for Approval of a Class A Designation

The Planning Commission may approve a Class A designation for a nonconforming structure or use only upon determining that the following conditions exist:

- (a) Continuance of the nonconforming structure or use would not create an immediate danger to public health, safety or welfare of the neighborhood and the community as a whole.
- (b) Continuance of the nonconforming structure or use does not and is not likely to significantly depress the value of nearby properties.
- (c) Continuance of the nonconforming structure or use does not and is not likely to create a general nuisance to the nearby properties.
- (d) No useful purpose would be served by strict application of the provisions of this Ordinance with which the use or structure does not conform.
- (e) The structure or use was lawful at the time of its inception, and is nonconforming as defined in this Ordinance.
- (f) The change of one nonconforming use to another nonconforming use shall result in a change in use which will have less of a negative impact on neighboring properties than the existing nonconforming use of land and would therefore bring the use and development of the property into greater conformity with the spirit and intent of the Ordinance. In permitting such change the Planning Commission may require appropriate conditions and safeguards in keeping with the spirit and intent of other provisions of this Ordinance and to protect the neighboring properties from a negative impact.
- (g) The proposed alteration, extension, expansion or replacement will not have a negative impact on neighboring properties and will bring the use into greater conformity with the spirit and intent of the Ordinance. In permitting such alteration, extension, expansion or replacement the Planning Commission may require appropriate conditions and safeguards in keeping with the purpose of this Article and Section, and to mitigate any negative impacts of the nonconforming structure or use.

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Conditions may include a requirement that all signage on the structure or land in question be brought into compliance with the sign regulations of this Ordinance, improvements to the site to bring the site more into conformance with current Ordinance site design standards, and other improvements as deemed necessary to protect surrounding uses.

4. Planning Commission Decision

Subsequent to a public hearing, the Planning Commission may deny, approve or approve with conditions a request for a Class A designation, after review of the application and the standards established in this Section. The decision of the Planning Commission shall be incorporated in a statement to be made part of the official minutes of the meeting and shall contain the conclusions relative to the application under consideration. The Commission shall specify the basis for the decision and any conditions imposed. No vested interest shall arise out of a Class "A" designation.

5. Effect of Approval of a Class A Designation

Class A nonconforming structures may be permitted to be perpetuated, expanded, enlarged, altered, improved or reconstructed if damaged or destroyed only after approval of the Planning Commission, and in accordance with an approved plan, the provisions of this Section and any conditions of approval. Should such a structure be moved for any reason for any distance whatsoever, it shall conform to the regulations for the district in which it is located after it is moved.

Class A nonconforming uses may be perpetuated, expanded, enlarged, increased or extended, either on the same or adjoining lot or parcel, only after approval of the Planning Commission, and in accordance with an approved plan, the provisions of this Section and any conditions of approval. No such nonconforming use shall 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, except after approval of the Planning Commission.

6. Effect of Denial of a Class A Designation (as amended 4/9/09)

The following shall not be eligible for appeal to the Zoning Board of Appeals:

1. An application for a Class A designation that has been denied by the Planning Commission.
2. An administrative decision made by the Chief Building Official regarding a modification of a Class B structure or use that has been previously denied by the Planning Commission for Class A status.

Notwithstanding the above, a previously denied application for Class A status may be resubmitted for Planning Commission consideration as a new application after a minimum of three hundred sixty five (365) days have elapsed from the date of denial by either the Planning Commission or Chief Building Official.

Article 27: Nonconformities

Amendments:

7. Cessation or Removal of Class A Nonconforming Structures or Uses

If a Class A nonconforming structure is permanently removed, or when a Class A nonconforming use is discontinued or ceases to exist for a period of more than three hundred sixty-five (365) days, the Class A designation may be revoked by the Planning Commission. If the Class A nonconforming use is changed or replaced by a conforming use, the designation shall be deemed removed.

Any subsequent structure or use shall conform with the provisions of this Ordinance for the district where it is located, unless a change to another nonconforming use has been approved by the Planning Commission.

8. Revocation of Class A Designation

Upon a finding that the structure or use no longer qualified for Class A designation, as a result of any change of conditions or circumstances, or failure to maintain or improve a

Class A nonconforming structure or use in accordance with the provisions of this Section, an approved site plan or any conditions of approval, the Planning Commission may take action to revoke the Class A designation. Such action shall be subject to the following:

- (a) Public Hearing. The Planning Commission shall hold a public hearing subject to the notice requirements set forth in Section 27.3.2, at which time the owner, operator or person having use of property occupied by a Class A designated nonconforming structure or use shall be given an opportunity to present evidence in opposition to revocation.
- (b) Determination. Subsequent to the hearing, the decision of the Commission with regard to the revocation shall be made and written notification provided to said operator or person having use of property occupied by a Class A designated nonconforming structure or use.

SEC. 27.5 CHANGE OF TENANCY PERMITTED

There may be a change in tenancy, ownership, or management of an existing nonconformity without affecting its nonconforming status, provided that there is no change in the nature or character of the nonconformity.

SEC. 27.6 REMOVAL OF NONCONFORMITIES BY TOWNSHIP ACTION

The Township may acquire by purchase, condemnation or otherwise, private property or an interest in private property for the purpose of removing nonconformities. The elimination of the nonconformities in a zoning district may be declared to be for a public purpose and for a public use. The Township Board may institute and prosecute proceedings for condemnation of nonconformities under the power of eminent domain in accordance with Public Act 149 of 1911, as amended, being Sections 213.21 to 213.41 of the Michigan-Compiled Laws, or other applicable statute.

SEC. 27.4 CLASS A NONCONFORMING DESIGNATION

SEC. 27.5 CHANGE OF TENANCY PERMITTED

SEC. 27.6 REMOVAL OF NONCONFORMITIES BY TOWNSHIP ACTION

Charter Township of Plymouth Zoning Ordinance No. 99

Article 27: Nonconformities

Amendments:

END OF ARTICLE 27.

**THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO
THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004**

Charter Township of Plymouth Zoning Ordinance No. 99

Article 27: Nonconformities

Amendments:

ALL AMENDMENTS TO

ARTICLE XXVII (27)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 27: Nonconformities

Amendments:

ALL AMENDMENTS TO ARTICLE XXVII (27)

The following language was added on 03/22/15

SEC 27.1 NONCONFORMING LOTS OR PARCELS OF RECORD IN THE R-1 DISTRICT

It is recognized that within the R-1 District, there are recorded lots or parcels of record, which lawfully existed at the time of adoption of this Ordinance, which do not meet the minimum requirements for width or area. The purpose of this Section is to allow such lots or parcels of record to be utilized, as long as reasonable living standards can be provided.

The following regulations shall apply to nonconforming lots or parcels of record within the R-1 District:

1. Development of Nonconforming Lots or Parcels of Record within the R-1 District

A single-family dwelling and customary accessory structures may be erected on any single lot or parcel of record in the R-1 District that was in existence at the effective date of adoption or amendment of this Section. This provision shall apply even if the lot or parcel does not meet the minimum area or width requirements of the R-1 District, provided that any principal or accessory structure constructed on the lot or parcel complies with all other yard, floor area, height, and access requirements of the R-1 District.

2. Review and Approval Procedure

An application for the construction of a single-family residence on a nonconforming lot or parcel of record in the R-1 District shall be submitted to the Chief Building Official for review and approval, prior to the issuance of a building permit. In reviewing the application, the Chief Building Official shall determine that all other requirements not involving area or width have been met. In addition, the Chief Building Official shall determine whether any additional information and/or approvals must be obtained to ensure compliance with this Section, and to preserve the general public health, safety, and welfare.

3. Variation to Yard Requirements

If the nonconforming lot or parcel of record in the R-1 District requires a variation of the yard 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.

The following language was amended on 04/09/09

6. Effect of Denial of a Class A Designation

An application for a Class A designation that has been denied by the Planning Commission shall not be eligible for appeal to the Zoning Board of Appeals, but may be resubmitted for

Charter Township of Plymouth Zoning Ordinance No. 99

Article 27: Nonconformities

Amendments:

Planning Commission consideration as a new application after a minimum of three hundred sixty-five (365) days have elapsed from the date of denial.

The following language was amended on 09/30/07

2. Public Hearing

A public hearing shall be held by the Planning Commission on a request for a Class A designation for a nonconforming structure or use, to acquaint the public and particularly adjoining property owners with the request. One (1) notice shall be published in a newspaper which circulates in the Township, and be sent by mail or personal delivery to the owners of property for which approval is being considered; to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question; and to the occupants of all structures within three hundred (300) feet. This notice shall be given not less than five (5) nor more than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in mailing notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organizations, notice may be given to the manager or owner of the structure who shall be requested to put the notice at the primary entrance to the structure.

At a minimum, the notice shall describe the nature of the request, indicate the property that is the subject of the request, state when and where the request will be considered and indicate where written comments concerning the request may be sent

ARTICLE XXVIII

SPECIAL PROVISIONS

The following special provisions shall be applicable to all zoning districts, unless otherwise indicated in this Article or the district.

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28.67	RESERVED
28.68	RESERVED
28.69	RESERVED
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28.71	BED-AND-BREAKFAST INNS
28.72	VETERINARY CLINICS OR ANIMAL HOSPITALS
28.73	KENNELS
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28.75	RESERVED
28.76	RESERVED
28.77	RESERVED
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DEVELOPMENT RELATED PROVISIONS

SEC. 28.1 CONDOMINIUMS

1. Purpose

Pursuant to the authority conferred by the Condominium Act, P.A. 59 of 1978 (MCL 559.101 et seq., MSA 26.50(101) et seq.), condominium subdivision plans shall be regulated by this Ordinance as site condominiums. The intent of this Section is to ensure that site condominium subdivisions are developed in compliance with all applicable Zoning Ordinance requirements, and standards applicable to subdivision developments established under Chapter 93, Township Subdivision Regulations and the Land Division Act, P.A. 288 of 1967, as amended.

2. General Requirements

(a) Definitions. The terms used in this Section are defined in Article 36, Definitions, and the Condominium Act, P.A. 59 of 1978, as amended. The terms are used in a manner intended to make possible comparison between the provisions of this Section and Ordinance, the Condominium Act, Chapter 93, Township Subdivision Regulations, and other applicable Township Codes and Ordinances. Specifically:

- (1) “Subdivision lot” shall be synonymous with the term “site condominium unit.”
- (2) “Building” or “structure” shall be synonymous with the term “building envelope.”
- (3) “Tentative preliminary plat” shall be synonymous with the term “preliminary condominium subdivision plan.”
- (4) “Final preliminary plat” shall be synonymous with the term “final condominium subdivision plan.”
- (5) “Subdivision” or “single-family residential subdivision” or “industrial subdivision” shall be synonymous with the term “site condominium project.”
- (6) “Proprietor” shall be synonymous with the terms “applicant” or “developer.”

(b) Design and Layout. Site condominium projects shall comply with the design layout and improvement standards of Chapter 93, Township Subdivision Regulations, and all applicable provisions of this Ordinance (including all setback, height, coverage yard setback and area restrictions of Article 20, Schedule of Regulations)

- (c) Use. Each site condominium unit shall be located in a zoning district that permits the proposed use.
- (d) Setbacks. Required yards shall be measured from the street setback or private road easement and site condominium unit boundaries to the nearest edge of the building envelope.
- (e) All condominium projects that are not being developed as site condominiums shall comply with the design standards appropriate to the district in which the project is located and shall be required to obtain site plan approval per Article 29.

Condominium documents shall be submitted to the Township for approval prior to the construction of any condominium project.

3. Condominium Subdivision Plan Review

Township approval of the condominium subdivision plan, condominium documents and construction plans shall be required prior to the start of construction, expansion or conversion of a site condominium project. No permits for construction, grading, or installation of public water or sanitary sewer facilities shall be issued for property in a site condominium project until all necessary approvals have been granted by the Township.

- (a) Review Procedure. Condominium subdivision plan review shall follow the pattern established for traditional subdivisions in Chapter 93, Township Subdivision Regulations. The subdivision condominium plan review process shall be a two step procedure, as follows:
 - (1) Preliminary Condominium subdivision plan: A preliminary condominium subdivision plan shall include all plans, survey, sketches, drawings, statements and additional information required by Chapter 93, Township Subdivision Regulations for tentative approval of a preliminary subdivision plat. In addition, the following information shall be provided:
 - a) Proposed name of condominium project.
 - b) Legal description of the condominium project boundaries.
 - c) Names, address and telephone numbers of the proprietor, the professional seal of the planner, designer, engineer or surveyor who designed the condominium project layout.
 - d) The names of abutting subdivisions and condominium developments, layout of streets indicating street names, right-of-way-widths and connections with adjoining platted or private streets, and locations of alleys, easements and public and private walkways, and lot layouts.

- e) A location map or vicinity sketch showing the relationship of the proposed site condominium to the surrounding area.
- f) Land use and existing zoning of the proposed site condominium project and adjacent properties.
- g) The tentative plan shall be at a scale of 1 inch equals one hundred (100) feet or larger.
- h) Statement of intended use of the proposed condominium project, such as: residential, single family, two-family and multiple housing; commercial, industrial; recreation; or agricultural. Also, proposed sites, if any for multi-family dwellings, shopping centers, churches, industry and other non-public uses exclusive of single-family dwellings. Also, any sites proposed for parks, playgrounds, schools or other public uses.
- i) A map of the entire area scheduled for development, including future street rights-of-way, if the proposed Single Family Condominium is a portion of a larger holding intended for subsequent development.
- j) Layout, numbers and dimensions of units, including building setback lines.
- k) Indication of parcels of land intended to be dedicated or set aside for public use or for the common use of property owners in the site condominium project. The site plan shall show the location of all floodplain and wetland areas.
- l) Location of any existing and proposed sanitary sewers, water mains, storm drains and other underground facilities within or adjacent to the proposed site condominium project, including the location dimensions of easements thereof.
- m) Contours shall be drawn on the Tentative Single Family Condominium Site Plan at five (5) foot intervals where slope is greater than ten (10) percent and two (2) foot intervals where slope is ten (10) percent or less. Topography to be based on U.S.G.S. datum.
- n) The proprietor shall submit preliminary plans for streets, water, sewers, sidewalks and other required public improvements. The plans shall contain sufficient detail to enable the Township Engineer to make preliminary determination as to conformance of the proposed improvements to applicable Township and Wayne County Department of Public Services regulations and standards.

- (2) Public Hearing (as amended on 9/30/07): Any condominium subdivision plan submitted to the Township shall contain the name and address of the applicant or his authorized representative to whom notice of a public hearing shall be sent and no plan shall be acted on by the Commission without affording a hearing thereon. On request of the Commission, notice 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 persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. The notice shall:
 - a) Describe the nature of the condominium subdivision plan request.
 - b) Indicate the property that is the subject of the condominium subdivision plan request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
 - c) State when and where the condominium subdivision plan request will be considered.
 - d) Indicate when and where written comments will be received concerning the subdivision condominium plan request.
- (3) Approval of the Preliminary Condominium Subdivision Plan: A preliminary condominium subdivision plan shall be approved according to the procedures required for approval of a tentative preliminary plat, under Chapter 93, Township Subdivision Regulations.
- (4) Review of Condominium Documents: The applicant shall submit a copy of all condominium documents, including but not limited to the condominium master deed, bylaws and all related exhibits, to the Township Board of Trustee approval. These documents should specify who is responsible for maintenance of common elements and open space, including accessory structures. Prior to final condominium subdivision plan approval, the applicant shall submit the necessary documents to the Township Attorney for review. The required documents shall include the following provisions:
 - a) The conditions upon which the approval is based, with reference to the approved condominium subdivision plan.

- b) When open space or common areas are indicated in the condominium subdivision plan for use by the condominium owners, the open space or common areas shall be conveyed in fee or otherwise committed by dedication to an association of the residents, and the use shall be irrevocably dedicated for the useful life of the residences, and retained as open space for park, recreation, or other common uses.
 - 1. A program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping.
 - 2. Assure that trees, waterways and woodlands will be preserved as shown on the condominium subdivision plan.
 - 3. Assure the construction and maintenance of all streets and necessary utilities, including public water, wastewater collection, and treatment, through bonds or other satisfactory means, for any and all phases of the condominium project.
 - 4. Address and other concerns of the Township regarding construction and maintenance.
 - 5. Revisions may be required to ensure compliance with applicable laws, ordinances and established Township policies.
- 5) Outside Agency Approval: The applicant shall be responsible for forwarding a copy of tentative condominium subdivision plan to all applicable State, County, and local agencies having jurisdiction over specific aspects of the condominium project, such as wetlands, storm drainage, soil erosion and sedimentation, and utilities. All necessary permits or approvals from applicable outside agencies shall be received prior to final condominium subdivision plan approval.
- 6) Final Condominium Subdivision Plan Review: The final condominium subdivision plan shall include all information required for the approved preliminary condominium subdivision plan, and any additional information required in Chapter 93, Township Subdivision Regulations for final approval of a preliminary subdivision plat. Additionally, the following information shall be provided:
 - a) Complete metes and bounds description of the site condominium project boundary.
 - b) Copies of the site condominium subdivision plan from each of the required authorities, after all necessary approvals have been secured.

c) Final Engineering Construction Plans for all improvements to be constructed in connection with the proposed site plan in accordance with Township Construction Standards.

7) Approval of Final Condominium Subdivision Plan. A final condominium subdivision plan shall be approved according to the procedures required for final preliminary plat approval under Chapter 93, Township Subdivision Regulations.

4. Required Improvement

Construction of utilities, streets, sidewalks, and other improvements may commence only after final approval of the development agreement by the Township Board, and approval of construction plans by the Township Engineer. Site condominium projects shall further comply with the following:

(a) Utilities. Each condominium unit shall be connected to the public water, sanitary and storm sewers. To the extent practicable, all utilities, including electric and cable services, shall be underground.

(b) Street lights may be required to be installed at all condominium development entrances.

(c) Monuments shall be set at all boundary corners and deflection points and at all road right-of-way intersection corners and deflection points. Unit irons shall be set at all condominium unit corners and deflection points of condominium unit lines. The Township may grant a delay in the setting of required monuments or irons for a reasonable time, but not to exceed one (1) year, on condition that the developer deposits with the Chief Building Official a performance guarantee equal to the estimated cost of such work. Such deposit shall be returned to the developer upon receipt of a certificate by a surveyor registered in the State of Michigan that the monuments and irons have been set as required, within the time specified. If the developer defaults, the Township Board shall promptly require a registered surveyor to set the monuments and irons in the ground as shown on the site condominium plans.

(d) Streets and Necessary Easements. Condominium projects shall comply with all street requirements applicable to conventional subdivisions, and shall provide all easements necessary to construct, operate, inspect, maintain, repair, alter, replace and/or remove pipelines, mains, conduits and other installations of a similar character for the purpose of providing public utilities. Public utilities shall include, but not be limited to, conveyance of sewage, water and storm water runoff across, through and under the property subject to such easement, and excavating and filling ditches and trenches necessary for the location of such structures.

Streets shall be constructed in conformance with the applicable Township engineering standards. Public street connections shall be provided to all adjacent parcels, as determined necessary by the Township to provide adequate continuity and connectivity to the public street system.

5. Building Permits

Prior to the issuance of building permits for any condominium units, the applicant shall submit the following to the Chief Building Official:

- (a) A copy of the recorded condominium documents (including exhibits).
- (b) A copy of any recorded restrictive covenants.
- (c) A copy of the approved final condominium subdivision plan in a format acceptable to the Township.
- (d) The warranty deed and bylaws, and easement documents for all rights-of-way and easements dedicated to the public.
- (e) Final Acceptance and Submission of As-Built Drawings: After construction, as-built drawings of the completed development shall be submitted, in an acceptable format, to the Township for review. Final acceptance of the development and release of the final certificate of occupancy and any performance guarantees shall not take place until the as-built drawings have been approved by the Township.
- (f) Revision of Condominium Subdivision Plans and Amendments to Condominium Documents:
 - 1) Any revision to the final condominium subdivision plan that would materially alter the approved site design, uses or intent and conditions of final condominium subdivision plan approval shall be submitted for review as a revised final condominium subdivision plan following the procedure in Section 28.1.3, Condominium Subdivision Plan Review.
 - 2) Any revision to the final condominium subdivision plan that would not materially alter the approved site design, uses or intent and conditions of final condominium subdivision plan approval may be reviewed following the procedures for administrative site plan review in Section 29.4.2, Administrative Review.
 - 3) Any revision to the condominium documents or development agreement that affect the approved final condominium subdivision plan shall be reviewed and approved by the Township Attorney and Township Board.

6. Relocation of Boundaries and Subdivision of Condominium Unit

- (a) Relocation of boundaries between adjoining condominium units, if permitted in the condominium documents and provided for in the Condominium Act, as amended, shall comply with all regulations of the zoning district in which located.
- (b) Subdivision of condominium unit sites or units is permitted subject to Planning Commission approval and the submittal of the amended bylaws and master deed to determine the effect of the subdivision on conditions of zoning or site plan

approval, and shall be made as part of the bylaws and recorded as part of the master deed. Each condominium unit that results from a subdivision of another condominium unit shall comply with all regulations of the zoning district in which located.

7. Guarantee of Completion of Improvements

To ensure compliance with the provisions of this ordinance and any conditions imposed there under, a financial guarantee shall be required for any condominium project in accordance with the requirements of Chapter 93, Township Subdivision Regulations.

8. Condominium Conversions

All conversion condominium projects shall be subject to the requirements of the Zoning Ordinance and shall require site plan approval by the Administrative Review Committee prior to the occupancy of any unit converted to a condominium unit. The site plan submitted for a conversion project shall include all existing conditions and clearly identify all proposed site changes. The proposed condominium documents must also be submitted for Township Attorney review prior to final approval by the Administrative Review Committee.

SEC. 28.2 DIVISION OF UNPLATTED LAND

Any division of unplatted land, other than a lot which is described and fixed in a recorded plat, is subject to the provisions of the Land Division Act, Act. 288, P.A. 1967 and Section 28.26 of this Ordinance shall be subject to the following:

1. Application

Applications shall be in writing, in such form as the Community Development Department may determine and accompanied by such fees as the Board of Trustees may determine by resolution, and the following:

- (a) Tentative Parcel Map (Survey). A survey of the total unplatted land to be divided, certified by a registered Land Surveyor, and in conformance with the requirements of the Certified Surveys Act, Public Act 132 of 1970, as amended. The survey shall include:
 - 1) The existing and proposed parcel boundaries, all public utility and other easements and rights-of-way and the proposed boundaries for each resulting parcel dimensioned on the map.
 - 2) Locations and setback for existing structures and improvements dimensioned on the survey, and lot coverage for the existing (pre-split) parcel(s). Front yard setbacks shall be dimensioned from the street setback line, as described in Section 28.22 of this Article.

- 3) Buildable area for each resulting parcel (based upon required setbacks, topography, wetland/floodplain boundaries and other site constraints), proposed setbacks for any existing structures or improvements, and proposed lot coverage for each resulting parcel.
 - 4) The location and conceptual design for vehicle access to each resulting parcel from the street right-of-way.
- (b) Legal descriptions for the existing parcel to be divided, and each resulting parcel.
 - (c) Proof of title ownership and land division rights allowed under the Land Division Act, Public Act 288 of 1967, as amended; and documentation of the parcel's land division history since March 31, 1997.
 - (d) Affidavit stating that the Township is not responsible for the extension of utilities to any parcel created as a result of the land division.

2. Review Procedure

All land division applications shall be subject to the following review and approval procedure prior to such division, and before any Certificate of Occupancy or building permit may be issued for parcels resulting from such division:

- (a) Prior to the Community Development Department's consideration, the application materials shall be distributed to appropriate Township officials, agents, and employees for review and comment.
- (b) The Community Development Department shall review the division of unplatted land application to verify conformance with the standards of this Section and the Ordinance:
 - 1) Denial: Upon determination that an application does not comply with the standards of this Section or Ordinance, or would require extensive revisions to comply with said standards, the application shall be denied. If an application is denied, a written record shall be provided to the applicant listing the reasons for such denial.
 - 2) Tentative Approval: Upon determination that an application is in compliance with the standards of this Section and Ordinance, the Community Development Department shall grant tentative approval of the proposed land division.
 - 3) Conditions: The Community Development Department may grant tentative approval of the land division application subject to one or more conditions, upon determining that minor modifications are necessary to bring the proposed land division into full compliance with the standards of this Section and Ordinance.

- (c) The Township Supervisor shall grant final approval of a land division application upon determination that the proposed division conforms with the requirements of this Section and Ordinance, and any Community Development Department conditions of the tentative approval.

3. Standards for Approval

Each resulting parcel shall meet all applicable requirements of this Ordinance, and the following:

- a) The depth of each resulting parcel shall not be greater than four (4) times the parcel width (4:1) at the front parcel boundary. Land divisions may be approved where the existing parcel and resulting parcels exceed this maximum 4:1 length to width ratio, where the proposed division would improve compliance with this Section.
- b) Each resulting parcel shall abut a dedicated and improved public street, or an approved private road with a dedicated private right-of-way easement and roadway pavement and improvements constructed and maintained in compliance with Chapter 43, Private Road Construction and Maintenance, of the Charter Township of Plymouth Code of Ordinances.
- c) Each resulting parcel shall have access to sufficient right-of-way for utilities and services (including but not limited to water, sanitary sewer, storm sewer, gas, electric, telephone and street lighting), a driveway, sidewalks, road access and other improvements reasonably necessary for the type of development and the circumstances of the particular case.

4. Approval Limitation

Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.

SEC. 28.3 RESIDENTIAL DESIGN STANDARDS

Any new one family detached dwelling unit located outside a mobile home park, erected after the effective date of adoption or amendment of this Ordinance shall be subject to the following conditions prior to issuance of a building permit:

1. Purpose and Intent

The purpose of this Section is to protect the economic welfare and property values of surrounding residential uses, and the Township as a whole, by establishing reasonable and consistent standards governing the design and appearance of all dwellings, including manufactured homes, mobile homes, modular homes or site (“stick”) built homes where developed on individual lots or home sites within the Township. It is the intent of these regulations to allow architectural variation and variation in housing types and styles, while ensuring reasonable compatibility of dwellings in a manner that will not adversely affect

the stability, desirability of, and investment in, existing neighborhoods and to realize development consistent with the Township Master Plan.

2. Dimensional Standards

Such dwelling units shall comply with the minimum standards listed in Article 20 for the zoning district in which it is located, including minimum lot area, minimum lot width, minimum floor area, required setbacks, and maximum building height, except as provided in Section 27.1 for nonconforming lots or parcels of record in the R-1 District.

3. Local, State and Federal Standards

Such dwelling units shall conform to all applicable Township codes and ordinances and the State Construction Code. All construction, plumbing and electrical apparatus and insulation within and connected to a manufactured home shall conform to the "Manufactured Home Construction and Safety Standards" [United States Department of Housing and Urban Development (HUD)]. Additionally all minimum requirements for roof snow load and strength shall be met.

4. Foundation

Such dwelling units shall be firmly attached to a permanent foundation constructed on the site in conformance with the State Construction Code, with a perimeter wall constructed of such type and materials as required in the State Construction Code for one family dwellings. Manufactured homes shall have a perimeter wall as required above, and shall be installed and secured to the premises by an anchoring system or device in conformance with the manufacturer's instructions and the Michigan Manufactured Housing Commission General Rules.

5. Storage Area

Each such dwelling unit shall contain a storage area equal to ten (10) percent of the square footage of the dwelling or one hundred (100) square feet, whichever is less. This storage area shall consist of a basement, attic, attached garage, or a separate detached accessory structure which complies with the standards of this Zoning Ordinance regarding accessory buildings and structures. The intent of these standards is to limit the extent of outdoor storage.

6. Compatibility

Such dwelling unit shall be compatible in design and appearance with other dwellings in the residential development or surrounding residential areas. The compatibility of design and appearance shall be determined by the Chief Building Official, subject to appeal by an aggrieved party to the Zoning Board of Appeals. In reviewing any proposed dwelling for compatibility in design and appearance, the Chief Building Official shall insure that the following provisions are met, based upon a comparison to the character, design and appearance of any dwelling unit on abutting lots, plus a minimum of five (5) dwelling unit on lots in the surrounding neighborhood:

- (a) Exterior finish materials (brick, stone, siding, windows, etc.) shall be similar to dwellings located in the residential development or the surrounding residential neighborhood, and shall be comparable in composition, appearance and durability to exterior material commonly used for site built homes.
- (b) Roof designs and roofing materials shall be similar to dwelling units located within the residential development or in the surrounding neighborhood, subject to the following:
 - 1) The pitch of the main roof shall have a minimum vertical rise of one foot per four feet of horizontal run (1:4).
 - 2) Dwellings shall be designed with overhangs or eaves extending a minimum of one (1) foot from each building wall.
- (c) The dwelling's exterior building wall configuration in regards to width to depth ratio shall reasonably conform to the configuration of dwelling units located within the residential development or in the surrounding neighborhood.
- (d) The minimum width across any front, side or rear elevation shall be twenty four (24) feet.
- (e) The above standards shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or variation from the common or standard designed home.

SEC. 28.4 DWELLING LOCATIONS

1. Principal Buildings

In all AG, R-1-E, R-1-H, R-1-S, R-1, R-M and R-2 Districts, only one (1) principal building shall be placed on a lot of record, including a single lot in a recorded subdivision plat or site condominium development, or a single parcel created by a metes-and-bounds land division.

2. Accessory Structures

Accessory structures are not permitted on a lot without a principal building.

3. Lot Width

Every single family dwelling shall be located on a lot, parcel or tract of land having a width of not less than sixty (60) feet at the front or rear building line, whichever is less, except as provided in Section 27.1 for nonconforming lots or parcels of record in the R-1 District.

4. Street Right-of-Way

Every single family dwelling shall be located on a lot which abuts a dedicated and

improved public street, of not less than sixty (60) feet in width or an approved private road with a private right-of-way easement sufficient in form, description, size, extent and location to provide it and adjoining unplatted lands with right-of-way for water, sanitary sewer, gas, electric, telephone, street lighting, road and sidewalk, utility services and improvements reasonably necessary for the type of development, in compliance with Chapter 43, Private Road Construction and Maintenance, of the Charter Township of Plymouth Code of Ordinances. No stub end of a street right-of-way shall serve as the required sixty (60) foot frontage of any lot.

SEC. 28.5 ENVIRONMENTAL PERFORMANCE REQUIREMENTS

Uses in all districts of the Township shall comply with the following performance standards, which shall be applied using generally accepted methods of collection, measurement and scientific analysis:

1. General Prohibition

There shall not be discharged from any source whatsoever, such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property. The Federal Clean Air Act shall be complied with in all applicable cases.

2. Glare

Glare from any process (such as or similar to arc welding, or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such manner as not to be seen from any point beyond the property line, and as not to create a public nuisance or hazard.

3. Radioactive Materials

Radioactive materials and wastes, and including electromagnetic radiation such as X-ray machines operation, shall not be permitted to exceed quantities established as safe by the U.S. Bureau of Standards, when measured at the property line.

4. Measurable Noise

No operation or activity shall be conducted within any district which results in measurable noise levels beyond the property line of the operation or activity, except in compliance with the Charter Township of Plymouth Noise Control Ordinance (Chapter 34).

The decibel reading shall be the average of five (5) readings taken at intervals approximately five (5) feet apart along the property line, at a height of five (5) feet above the established grade, and taken within a time limit of five (5) minutes.

5. Vibration

No activity shall cause a ground displacement exceeding .003 of one (1) inch as measured at the boundary of the property line. All machinery shall be mounted and operated so as to prevent transmission of ground vibration. Operation of any device that creates vibration above the vibration perception threshold at any adjacent property or street right-of-way line shall be prohibited.

For purposes of this Section, the vibration perception threshold shall be the minimum ground or structure-borne motion necessary to cause the Township Code Enforcement Officer to be aware of the vibration by sensation, touch or visual observation of moving objects.

6. Odor

The emission of noxious odorous matter in such quantities as to be readily detectable at a point along the property line so as to produce a public nuisance or hazard is prohibited.

7. Sewage Wastes

No industrial sewage waste shall be discharged into sewers that will not comply with established standards or that will cause chemical reaction, either directly or indirectly, with the pipe or other structure materials, impair the strength or durability of sewer structures, cause mechanical action that will destroy or damage the sewer structures, cause restriction of the hydraulic capacity of sewer structures, place unusual demands on the sewage treatment equipment or process, limit the effectiveness of the sewage treatment process or cause danger to public health and safety.

8. Drifted and Air Borne Matter, General

The drifting of air borne material (such as dust, particles or debris) beyond the property line shall be unlawful.

9. Fire and Safety Hazards

(a) The storage, utilization or manufacturing of materials or products ranging from incombustible to moderate burning, as determined by the Fire Chief, is permitted subject to compliance with all other performance standards mentioned above and the Fire Prevention Code of the Township of Plymouth.

(b) The storage, utilization, or manufacturing of materials, goods, or products ranging from free, to active burning, to intensive burning, as determined by the Fire Chief is permitted subject to compliance with all other yard requirements and performance standards previously listed, and the Fire Prevention Code of the Township of Plymouth, and provided that the following conditions are complied with:

- 1) All activities shall take place within completely enclosed buildings or structures having noncombustible exterior walls, meeting Michigan State Construction Code requirements.
- 2) All such buildings shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the National Fire Protection Association and the Fire Prevention Code of Plymouth Township.
- 3) The storage and handling of flammable liquids, liquefied petroleum, gases and explosives shall comply with applicable state rules and regulations as established by the Fire Prevention Code, Public Act No. 207 of 1941, as amended, or by the Fire Prevention Ordinance of the Township of Plymouth, whichever is the most stringent.

10. Hazardous Materials

Methods of on- and off-site disposal, handling, or storage of any hazardous waste or materials, including the type of hazardous substances used, stored or disposed of on or off the site, the location of material handling or use, and the method of containment shall comply with federal and state requirements. A pollution incident prevention plan (PIPP) shall be in place, as applicable.

SEC. 28.6 LANDFILL, GRADING, FILLING AND EXCAVATION

1. No filling, dumping, removal, adjusting or balancing of land by reason of which the existing topography of the land is altered, shaped or changed shall be allowed within any zoning district of the Chapter Township of Plymouth, except in the following permitted instances:
 - (a) The amount of material utilized for filling, dumping, removal, adjusting or balancing, whether obtained on the land involved or from outside the premises, does not exceed one hundred (100) cubic yards and the material is composed only of gravel, clay, natural rock, earth, or topsoil, and provided that such material is placed or removed in such a manner as will not adversely affect the existing use or occupancy of abutting lands and the normal development thereof, impair, obstruct, divert or change any drain, creek, river or other water course on the land involved or any abutting lands, or encroach or occur upon the floodway or floodplain thereof; or
 - (b) The filling, dumping, removal adjusting or balancing occurs pursuant to a site plan or plat that has been approved in accordance with Township Ordinances.
 - (c) The filling, dumping, removal, adjusting or balancing occurs pursuant to a Grading, Filling or Excavation Plan approved in conformity with the following procedures:

2. Application and Procedure for Grading, Filling or Excavation Plan approval

The owner of premises may apply to the Department of Building and Code Enforcement for approval of a Grading, Filling or Excavation Plan, upon such forms as may be designated by the Department and payment of such fees as the Board of Trustees may set by resolution, in the following manner:

- (a) Grading, filling or excavation that will disturb an area less than one acre, or to create or alter a pond less than two acres in surface area, or for landscape or ornamental berming, or similar earth change activities may be approved by the Chief Building Official after review by the Township Engineer.
- (b) Grading, filling or removal of soil from any property for purposes of a business enterprise shall be reviewed and approved by the Planning Commission after review by the Township Engineer for conformance with this section and other applicable sections of the Zoning Ordinance.
- (c) The Chief Building Official may refer any application to the Planning Commission for review and approval if, in the Chief Building Official's opinion, the activities proposed in the application may adversely impact the use, or future use, of the property in question, or adjoining lands.
- (d) Preliminary Approval. An applicant may apply for a preliminary approval without a detailed design plan by submitting an application containing the following:
 - 1) Names and addresses of owner of the premises and type of ownership.
 - 2) Legal description of the premises.
 - 3) Name and address of owners of adjacent premises.
 - 4) Written description of the nature of the proposed filling, dumping, removal, adjusting or balancing to be undertaken, including the quantity of fill or removal and the composition of same.
 - 5) A scale drawing of the premises designating property lines and dimensions; adjacent public roads, drains, creeks, rivers or other water courses and the flood area or plain thereof on the premises and on adjacent premises; landmarks and topographical features of the premises; and areas to be filled or subject to removal.
 - 6) Statement of intended land use for the premises following the completion of grading, filling and excavation work and the expected time needed to complete such work.

The Chief Building Official or the Planning Commission at its next regular meeting, will consider the preliminary approval application and determine whether the proposed earth change activity shall be granted preliminary approval.

In determining the same, the Chief Building Official or Planning Commission shall consider the applicable provisions of this Ordinance, the impact of the proposed activity on existing water drainage, detention, flood plain, floodway and flow, the prevention of water pollution and sedimentation, the prevention of wind erosion, wind blown dust and wind blown litter, the composition and compaction qualities of the fill, the provision for ground cover and other flora or constructed improvements to prevent erosion or the collection of stagnant water, and the suitability of the proposed work in relationship to the existing use and occupancy and normal development on the premises and on adjacent neighboring premises so that the earth change activity will not adversely affect the same.

In no event shall the dumping of junk, offal, garbage, rubbish, ashes, slag, industrial wasters, construction materials or other refuse be permitted in any zoning use district other than industrial zoning districts.

If the preliminary approval is granted, the applicant may proceed to apply for final approval. Preliminary approval vests no rights in the applicant, or the applicant's successors, heirs and assigns.

(e) Final Approval. A final approval application shall contain the following information:

- 1) An affirmation that the contents of the same are in accordance with the application and plan granted preliminary approval, if any.
- 2) A map certified by a registered engineer or land surveyor at a scale not less than one hundred (100) feet to one (1) inch showing:
 - a) Boundaries of the premises.
 - b) Outline of the earth change areas.
 - c) Outline of the areas from which material will be removed from the site or from which material will be obtained for filling elsewhere on the site.
 - d) Existing topographical elevations which shall be expressed on U.S.C. & G.S. datum and by accurate contours at intervals not exceeding two (2) feet extending a minimum of fifty (50) feet beyond the site or work limits.

For large sites, the existing topography may be limited to those areas proposed to be altered providing however that adequate surrounding topographic information is provided to evaluate impacts to adjoining areas.

- 3) A map certified by a registered engineer or land surveyor to the same scale as required in Section 28.6.2(e)(2) above showing the surface elevations

and slopes which will be established when the earth change activities are complete.

- 4) A statement of a registered professional engineer certifying the quantities, location and composition of the disturbed material and reference to the map required in Section 28.6.2(e)(3) above.
- 5) If the earth change area is to be included in a plat, subdivision, or other type of development, the maps required in Section 28.6.2 (e) (3) above shall show the proposed subdivision layout including without limitation, the future location of streets, building sites and utility easements.
- 6) A statement specifying the nature and location of ground cover and other flora or constructed improvements sufficient to prevent erosion or the collection of stagnant water.

The Chief Building Official or the Planning Commission at its next regular meeting will consider the final approval application and determine whether the proposed earth change activity shall receive final approval, which determination shall be based on the same criteria as are applicable to the determination of preliminary approval. The final approval may be conditioned upon the applicant posting bond or other security sufficient to guarantee performance of the earth change activity to be undertaken in conformance with the final plans.

3. Permit and Inspection

The permit shall be issued by the Department of Building and Code Enforcement and may incorporate by reference all material contained in the preliminary approval application and the final approval application and may contain such specific terms and conditions as the Chief Building Official or Planning Commission determine reasonably necessary for the circumstances of the particular case to prevent the filling of flood plains, to prevent water pollution, to provide for compaction, to regular the composition of the fill, to provide cover on the disturbed areas for erosion protection, to regulate the hours of work performed, to prevent dust, wind erosion and litter, to insure proper surface and storm water drainage and to prevent an adverse effect upon the existing use or occupancy of abutting property and the normal development thereof. The effective term of the permit shall not exceed one (1) year. Should an applicant propose the actual construction and work pursuant to the permit will be performed by a party other than the applicant, the permit shall be issued to the permit applicant and the contractor, jointly and severally, and each shall be bound by the terms thereof and obligated by any bond or other security required.

Where the Chief Building Official or Planning Commission determines that it is necessary to have the Township Engineer perform inspection or review field test reports of the earth change construction, the applicant will be required to deposit inspection fees to cover the cost of same pursuant to the current rate schedule approved by the Board of Trustees. The Township Engineer shall determine the initial deposit amount based on an

estimate of the time required; if the actual time exceeds this amount, the applicant will be required to deposit subsequent fees to cover the actual inspection costs. The Township Engineer shall keep a written record of the inspections and provide the Chief Building Official with copies on a weekly basis.

Issuance of the permit by the Chief Building Official shall not obviate the applicant from obtaining other County, State or Federal permits that may apply to the proposed work. Copies of such permits shall be provided to the Chief Building Official prior to the commencement of the earth change activity.

The permittee shall notify in writing the Department of Building and Code Enforcement of the commencement of the work and of the completion of the same. The Department of Building and Code Enforcement, its officials, agents and employees, shall at all times be permitted access to and travel upon the premises subject to the permit for the purposes of making such inspections as they may deem necessary. At any time, the Department of Building and Code Enforcement may suspend or cancel the permit if the work being performed fails to timely accord with the terms of the permit or such directions of the Department of Building and Code Enforcement as may be given the permittee for accomplishing the purposes of said permit and conforming with all applicable ordinances.

Upon completion of the earth change activities, the permittee shall supply to the Department of Building and Code Enforcement a plan certified by a registered engineer or land surveyor showing the same mapped information as required by Section 28.6.2.(e)(2) above, and applicable to the premises as of a date on or immediately after completion. Following such written notification of completion and the supplying of such map, the Department of Building and Code Enforcement shall inspect the premises and either issue a certificate of completion to the permittee or in writing detail all deficiencies to the permittee who shall forthwith correct the same.

The Department of Building and Code Enforcement shall keep a record of all permits and certificates of completion.

Failure to accord with the terms and conditions of the permit and the directions of the Department of Building and Code Enforcement in pursuance thereof shall be illegal and no person shall permit or cause any act contrary to the same.

4. Dangerous Excavations Prohibited

The construction, maintenance or existence within the Charter Township of Plymouth of open, unprotected or un-barricaded excavations, holes, pits or wells that are determined by the Department of Building and Code Enforcement to constitute a danger or menace to the public health, safety or welfare are hereby prohibited. This Section shall not prevent construction or excavations under a permit issued by the Department of Building and Code Enforcement, where such excavations are properly protected and appropriate warning signs posted.

5. Dumping Prohibited

In no event shall the dumping of junk, offal, garbage, rubbish, ashes, slag, industrial wastes, construction materials or other refuse be permitted in any zoning use district, except where otherwise permitted by this Ordinance.

6. Encroachment into Drainage Channels and Floodplains Prohibited.

Drainage channels and flood plains, which exist and which are indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Map, are essential for the maintenance of the health and general welfare of the people of the Township. Any encroachment, filling or destruction of these drainage channels or floodplains is a violation of this Ordinance.

However, this shall not prevent the development of the property where adequate facilities, as determined by the Department of Building and Code Enforcement, Township Engineer and appropriate agencies having jurisdiction, have been provided to maintain the uninterrupted flow of surface water (see Article 3, Floodplain District, for regulations concerning drainage channels and flood plains).

SEC. 28.7 WATER SUPPLY AND DISPOSAL SYSTEM

All uses, parcels and lots in the Township shall be served by an adequate and approved supply of sanitary water for human consumption, and an adequate and approved means of disposing of waste water and effluent. No building permit shall be issued under the terms of this Ordinance, until the applicant for such permit has obtained approval from the Wayne County Health Department and Plymouth Township Department of Public Works:

1. Water Supply for Human Consumption

- (a) Public Water Supply. Where available, a public water supply shall be used as the water supply source.
- (b) Private Wells.
 - 1) Where a public water supply system is not available, each well utilized for human consumption shall meet the requirements of the Wayne County Health Department.

2. Waste Water and Effluent Disposal

All lots must be served by a municipal sewer system or an approved disposal system capable of disposing of waste water and effluent, subject to the requirements of the Wayne County Health Department.

- (a) Sanitary Sewer System. Where sanitary sewers are available they shall be used for the disposal of sanitary wastes.

- (b) Private Septic Systems. A building permit may be issued for a parcel or lot with an approved and functional private septic system in areas where a public sanitary sewer system is not available, provided such system meets the approval of the Wayne County Health Department.

3. Unlawful Waste Discharge Prohibited

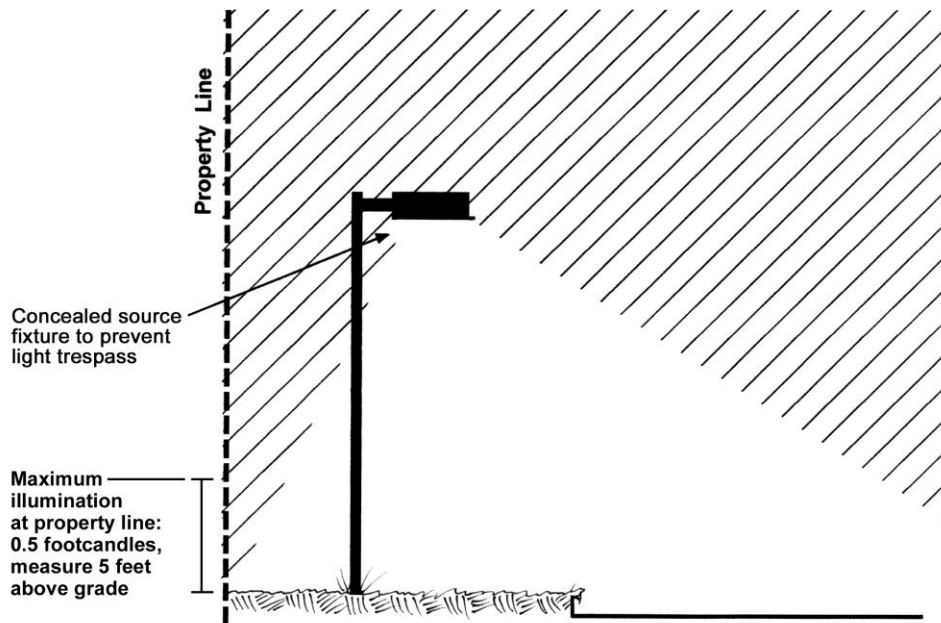
No existing or proposed principal or accessory use shall discharge any quantities of wastes, liquids, water or other materials on open ground or into a septic tank or field that would endanger the general public comfort, health or safety, or would cause injury, detriment, damage or nuisance to any individuals, businesses, properties. Such excess discharge of wastes, liquid, water or other materials must be discharged into a sewer system regulated by Water and Sewer Ordinance as amended.

SEC. 28.8 EXTERIOR LIGHTING

The purpose of this Section is to require sufficient but not excessive exterior lighting for parking areas, walkways, driveways, building entrances, loading areas and common areas, to ensure the security of property and safety of persons and to encourage the use of exterior lighting that complements and enhances the environment and character of the Township. The standards of this Section are intended to prevent the adverse effects of inappropriate lighting, including glare, light trespass onto adjoining properties, light pollution, sky glow and waste of energy.

1. General Requirements

- (a) Exterior lighting shall be provided in an amount sufficient to permit safe movement of vehicles and pedestrians at night.
- (b) All lighting for parking areas, external illumination of buildings or grounds and illumination of signs shall be concealed source fixtures, shielded, directed downward and shielded away from adjacent properties, with particular consideration to protecting residential districts and uses. Such fixtures shall be designed to prevent light from projecting above a horizontal plane.
- (c) Lighting shall be so arranged as to not adversely affect driver visibility on adjacent public rights-of-way.



Lighting Fixture Orientation and Shielding

- (d) The lighting shall be high-pressure sodium, metal halide or other type of lighting approved by the Commission which exhibits the same characteristics and qualities of high pressure sodium or metal halide lights.
- (e) Maximum light intensity shall be a given in the following table:

LIGHT INTENSITY	MAXIMUM (footcandles)
Overall average for the site	5.0
At any point within the site	10.0
At any property line or street setback line	0.5

- (f) Light intensity shall be measured at grade level within a site, and at a height of five (5) feet above grade at any property line or street setback line. A photometric plan may be required to ensure that adequate light levels are provided on the site and that the site conforms with the standards of this Section.
- (g) Non-essential lighting shall be turned off after business hours, except for minimum necessary security lighting.
- (h) The type of lighting utilized shall be consistent through-out a project.

2. **Specific Requirements**

- (a) Lighting under gasoline station canopies and similar structures shall be limited to fully recessed lighting fixtures.
- (b) Freestanding pole lighting fixtures shall not exceed a height of twenty (20) feet, except in the TAR, Technology and Research District, and IND, Industrial District, where such fixtures shall not exceed a height of thirty (30) feet. Such heights shall be measured from the ground level to the top of the light fixture. Fixtures shall be arranged to provide an overlapping pattern of light.
- (c) Where the proposed project is part of an industrial, technology, research or office park development, the type of lighting shall be consistent throughout the development.

3. Prohibited Exterior Lighting

- (a) The installation of mercury vapor fixtures shall be prohibited.
- (b) Unshielded illumination of the exterior of a building or landscaping shall be prohibited.
- (c) The use of laser light sources, strobe lighting, or similar high intensity light for outdoor advertising, promotion or entertainment projected above the horizontal plane shall be prohibited, except where permitted as a temporary use under Section 28.43, Grand Openings, Special Sales or Special Events.
- (d) Neon: Neon accent lighting around and within window and door openings shall be prohibited.

4. Exceptions

- (a) The following types of exterior lighting shall be exempt from the provisions of this Section:
 - 1) Decorative exterior light fixtures for residential dwellings, provided that such fixtures do not cause off-site glare. Each fixture shall be limited to a maximum light intensity equivalent to one (1) 100-watt incandescent lamp.
 - 2) Security lighting for residential dwellings, provided such fixtures are concealed source, directed downward and shielded away from adjacent properties. Each fixture shall be limited to a maximum light intensity equivalent to two (2) 150-watt incandescent lamps.
 - 3) Holiday decorations, provided such lighting is temporary and installed no more than (30) thirty days prior to and fifteen (15) days following the holiday such decorations represent.
 - 4) Street lights that do not cause off-site glare or light pollution.

- 5) Fossil fuel light produced directly or indirectly from the combustion of natural gas or similar fuel (e.g., gas lamps).
 - 6) Lighting for temporary uses permitted under Section 28.41, Carnivals, Fairs, Block Parties and Similar Uses; or Section 28.43, Grand Openings, Special Sales or Special Events.
 - 7) Temporary lighting necessary for construction, security or emergencies.
 - 8) Lighting necessary for civic uses or the illumination of government or political flags, provided that the light intensity is strictly limited and area of illumination is confined to a specific target surface.
- (b) Accent Lighting. The Planning Commission may approve luminous tube (neon) lighting, internally illuminated architectural bands or similar shielded lighting accents as architectural details on the exterior of any building facade, subject to site plan approval and provided that such lighting accents would enhance the aesthetics of the site and would not cause off-site glare or light pollution.
- (c) Uplighting. The Planning Commission may approve uplighting of buildings for aesthetic purposes, subject to site plan approval and provided that the light intensity is strictly limited and area of illumination is confined to a specific target surface.
- (d) Lighting for Gasoline Station Canopies and Dealership Sales Lots. The Planning Commission may approve light intensities of up twenty (20) footcandles under a gasoline station canopy or within a dealership sales lot, subject to site plan approval and provided that site lighting is otherwise in compliance with this Section.
- (e) Additional exceptions may be permitted where the Planning Commission determines that unique or special conditions on the site warrant the exception.

SEC. 28.9 WASTE RECEPTACLES

The regulations in this Section are intended to require sufficient screening of outdoor waste receptacles, minimize adverse effects of trash storage, recycling, and disposal activities on adjacent properties and public rights-of-way and encourage the development and use of appropriate screening structures and measures that complement and enhance the environment and character of the area and the Township as a whole.

1. Requirements

The owner, lessee, or their agent, and occupants of every building where waste, garbage or recyclable materials accumulate shall be jointly and severally responsible for providing clean, and proper locations and receptacles for storage, disposal and recycling of such wastes, subject to the following:

- (a) No occupant, owner, lessee, or their agent, shall permit the storage or accumulation of waste, garbage or recyclable materials in open yards or lots.
- (b) All waste, garbage or recyclable materials shall be contained within properly designed receptacles located in designated storage areas, and regularly removed from the site.
- (c) Outdoor storage areas for such materials shall be kept free of loose litter and debris, and maintained in a neat, orderly and sanitary condition.
- (d) Waste receptacle enclosure gates shall be closed and secured when not in use.
- (e) Receptacles for storage of food wastes, grease and other restaurant or food service garbage shall be properly sealed and secured to minimize odors and prevent animal or insect infestations.

2. Enclosures

Where required by this Ordinance or otherwise deemed necessary by the Planning Commission, waste receptacle enclosures shall conform with the following:

- (a) Waste receptacles shall be completely enclosed and secured by a decorative masonry screen wall on three sides, and steel reinforced, opaque and lockable wooden gates. Bollards or other protective devices may be required to prevent damage to the screen walls.
- (b) The type, color and pattern of enclosure materials shall match or complement the exterior façade materials of the principal building.
- (c) The height of the enclosure shall be sufficient to completely screen all waste receptacles and materials, up to a maximum of six (6) feet.
- (d) The surface within waste receptacle enclosures shall be constructed of concrete, and shall extend a minimum of ten (10) feet in front of the enclosure.
- (e) Waste receptacle enclosures shall be screened to the satisfaction of the Planning Commission, in accordance with Section 26.11, Methods of Screening.
- (f) Waste receptacle enclosures shall be located a minimum of five (5) feet away from doors, building overhangs, eaves and similar features, and shall not block pedestrian or vehicle access. If the building is of non-combustible construction, the waste receptacle enclosure may be placed against the building subject to the approval of the Township Fire Department. Such enclosures shall be located in a side or rear yard to minimize visibility from adjacent properties and street rights-of-way.
- (g) The Planning Commission shall have the authority to modify waste receptacle enclosure height, material and location standards, provided that the alternative meets the screening objectives of this Section.

3. Trash Compactor Screening

Outdoor trash compactors and dumpsters for storage of compacted wastes shall be located in a side or rear yard to minimize visibility from adjacent properties and street rights-of-way. Screening for such facilities shall be in accordance with Section 26.11, Methods of Screening, and subject to Planning Commission approval.

SEC. 28.10 UNDERGROUND UTILITIES

Subject to applicable State and Federal regulations, all utilities, including but not limited to electric, natural gas, cable TV and telephone, shall be located underground to the extent feasible. Significant upgrades or re-construction of existing above-ground utilities shall include relocation of such utilities underground where feasible. All such facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission or other agency with jurisdiction.

SEC. 28.11 WIRELESS COMMUNICATION FACILITIES AND SERVICES

A zoning ordinance can only regulate new technology after its discovery and use. Therefore, as scientific discovery creates new possibilities, a community must look to its Master Plan and community image to guide the manner in which technological advancements are accommodated. Over time, some discoveries that at first seem to be only novelties, such as electricity, become fundamental to our way of life. These public necessities or “essential services,” if unavailable or removed, would cause great inconvenience, negatively impact the public health, safety, and/or general welfare, and result in revised patterns of development. Because our standard of living and the public health, safety and general welfare depend on the provision of essential services, zoning ordinances often allow essential services providers to follow more lenient design standards than would be applied to private developers.

Other technological advancements are not essential, but have become convenient to our way of life. We would like to accommodate these conveniences efficiently, but with greater concerns for aesthetics and location. We have seen that wireless communication has evolved to be a public convenience and that as public acceptance and use of wireless communication systems increased, the equipment required to provide this convenience has become smaller and/or less obtrusive on the environment. We believe that wireless communication will continue to grow and that as it grows, the trend to smaller and/or less obtrusive equipment will continue.

1. Purpose

The purpose of this Section is to:

- (a) Carry out the will of the United States Congress by permitting facilities within the Township that are necessary for the operation of wireless communications systems.

- (b) Reduce the need for additional facilities by encouraging co-location of multiple antennae on a single tower, and permitting facility heights that can maximize service while being as unobtrusive as possible.
- (c) Enable the highest level of wireless communication to be available to and within Plymouth Charter Township while addressing the concerns of the community regarding visual intrusion into residential areas by ensuring that wireless communication systems are situated in appropriate locations in relation to other land uses, structures and buildings.
- (d) Limit visual impacts by promoting the use of screening and innovative designs for such facilities, prevent potential damage to adjacent properties from tower failure, and promote the timely removal of facilities upon the discontinuance of use.
- (e) Provide development standards that protect the aesthetic and health, safety and general welfare interests of the Township, while allowing requests for wireless communication systems to be processed efficiently.

2. Prohibited Structures and Locations

- (a) Wireless communication facilities shall not be permitted in the area bounded by Joy Road, Lilley Road, Ann Arbor Road and Haggerty Road due to the proximity of the Mettetal Airport.
- (b) A lattice tower, guy-wired tower or a wooden pole shall not be permitted as an antenna support structure or a facility for wireless communication within the Township.

3. Approval Requirements – Process and Permit Requirements

Wireless communication systems may be provided in the zoning districts in accordance with the following table, subject to compliance with the following approval process, development standards and building permit requirements, below:

APPROVAL PROCESS FOR WIRELESS COMMUNICATION SYSTEMS

ZONING DISTRICT	ATTACHED ANTENNA ON EXISTING STRUCTURE	TYPE OF FACILITY	
		FEATURE TOWER	MONOPOLE
PL	A	S	S
R-1-E, R-1-H, R-1-S, R-1, RM	A		
R-2, R-2-A	A		
VP, OS, OS-ARC	A		
C-1, C-2	A		
ARC	A	S	

MR, OR, TAR	A	S	
IND	A	S	A

A = Administrative Approval

S = Special Land Use

[Blank] = Not Permitted

4. Administrative Approval

Applications under the administrative approval process shall be made by the property owner or his agent filing an application for a building permit with the Department of Building and Code Enforcement for an attached antenna as provided above, or a monopole facility in the IND, Industrial District, payment of fees as indicated in the Schedule of Fees and submission of all information that is needed to permit the Chief Building Official to determine compliance with the requirements of this Section and Ordinance, including Section 28.11.6, Building Permit Requirements.

5. Approval of Special Land Uses

(a) Applications for approval under the special land use process shall be made by the property owner or agent by filing the appropriate application for Planning Commission approval, and the following:

- 1) Payment of fees as indicated in the Schedule of Fees.
- 2) Submission of a site plan which meets the requirements of Article 29, Site Plan and Development Approval and the additional requirements of this ordinance.
- 3) Submission of all other necessary information, including information required by Section 2.7, Special Land Uses, to allow the Planning Commission to hold a public hearing on the request and determine compliance with the requirements of Section 2.7, this Section and this Ordinance.

(b) After receiving approval of the special land use and site plan from the Planning Commission, the property owner or his agent must file a building permit application with the Department of Building and Code Enforcement for review and approval consistent with the requirements of this Section, the State Construction Code enforced by the Township and any other requirement of the Chief Building Official.

6. Building Permit Requirements

Prior to approval of a building permit for a wireless communication system, the Chief Building Official must find that the proposal satisfies the following requirements, in addition to all other building permit requirements.

- (a) The nature and extent of the applicant's ownership or lease interest in the property or structure has been submitted.
- (b) Facilities shall be self-collapsing, where any collapse will be completely contained within the subject property, and shall comply with all State Construction Code and Electrical Code regulations. The applicant shall provide all necessary engineering information, site plans, and drawings to make these determinations with the application. No structure, (other than the associated support building) sidewalk, parking lot or other pedestrian or vehicular traffic area shall be permitted within the self-collapsing or "safe fall" area.
- (c) No part of any antenna or facility shall project over, or be constructed, located or maintained at any time, permanently or temporarily within any setback area required in the zoning district.
- (d) Antennas and metal towers shall be grounded for protection against lightning strikes, and shall comply with all State Electrical Code requirements, and with all applicable local statutes, regulations, and standards.
- (e) Facilities with antennas shall be designed to withstand a uniform wind loading as prescribed in the State Construction Code or other applicable engineering standard.
- (f) The facility construction plans shall be certified by a registered structural engineer, who shall verify that the antenna mount and structure have been reviewed, and that the structure and installation are in compliance with all applicable engineering standards.
- (g) All antennas and facilities must meet the standards of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC).
- (h) All signal and remote control conductors of low energy extending substantially horizontally above the ground between towers, or between a tower or antenna and a structure, shall be at least eight (8) feet above the ground at all points, unless buried underground.
- (i) Structures shall be subject to current State and Federal regulations concerning non-ionizing electromagnetic radiation. If more restrictive State or Federal standards are adopted in the future, the system shall be upgraded to conform within one hundred eighty (180) days of their effective date. Failure to make such required upgrades shall constitute grounds for the Township Board to revoke any special use permit. Costs for testing and verification of compliance shall be borne by the operator of the antenna.
- (j) All new wireless communication systems shall be designed within the applicable ANSI standards and N.E.C. standards.
- (k) Metal facilities shall be constructed of (or treated with) corrosion resistant materials.

- (l) Any proposed facility shall be designed, constructed and maintained in a manner that accommodates co-location of multiple antenna arrays on a single tower mounted at varying heights.
- (m) The issuance of a Building Permit by the Plymouth Charter Township Building Department and compliance with any other requirements of the Township and or any other required body shall be required.
- (n) Financial guarantees (in the form of a cash bond or irrevocable letter of credit) shall be provided in an amount sufficient to guarantee removal of a vacant or abandoned system, and to ensure that the site is restored to its original condition.
- (o) The wireless communication provider shall provide proof of insurance for liability and property damage of not less than \$1,000,000, or as otherwise required by the Township.

7. Development Requirements

- (a) An attached wireless communication antenna (as defined in Section 36.2) shall be approved administratively by the Chief Building Official, subject to compliance with this Section and the following:
 - 1) The proposal will not materially alter the appearance of the existing structure.
 - 2) An agreement between the titleholder of the property and the antenna provider shall be submitted to show that it would require co-location.
 - 3) A coverage area map shall be submitted of the area served by the provider's existing wireless communications facilities, along with a map of the same area showing the coverage provided by the addition of any proposed facilities and sufficient documentation to demonstrate the need for the antenna.
 - 4) The wireless communication provider's master plan (as defined in Section 36.2) shall be submitted.
 - 5) Any accessory equipment for the antenna shall be placed inside the structure to which the antenna is attached, or in the rear yard with screening provided so that the equipment is not visible from adjacent properties and public rights-of-way.
 - 6) The issuance of a Building Permit by the Plymouth Charter Township Building Department and compliance with any other requirements of the Township and or any other required body shall be required.
- (b) A wireless communication facility (as defined in Section 36.2) shall be approved subject to compliance with this Section 28.11 and the following:

- 1) Coverage Area Maps and Master Plan: The coverage area map and wireless communication master plan (as defined in Section 36.2) shall be submitted for review. The coverage area map for the proposed site shall include documentation for a minimum of three (3) antenna heights; one (1) at the proposed height, the second at a height that is no less than twenty-five feet lower and the third at no less than twenty-five (25) feet higher than the proposed height. The applicant shall demonstrate a justification for the proposed structure height and provide an evaluation of the impacts of such alternative designs on coverage and co-location options, which might result in a different height from the proposed height being approved.
- 2) Existing Locations and Co-Location: Wherever possible, systems shall locate on existing buildings, structures and existing wireless communication facilities. Further, no new pole or tower shall be permitted unless the applicant demonstrates to the satisfaction of the Planning Commission that no existing building, structure, facility or alternative technology that does not require the use of towers can accommodate the proposed antenna. The agreement between the property titleholder and the wireless communication facility provider shall be submitted to show that co-location shall be required and that a total of three antenna arrays shall be allowed to co-locate, and shall limit accessory utility buildings on the site to one (1) that shall be designed to accommodate all current, proposed and future providers. If a provider fails to or refuses to permit co-location, said structure and its' existing wireless communication systems shall become a nonconforming structure and shall not be altered or expanded in any way. No lattice towers, guy-wired poles or wooden poles shall be permitted.
- 3) Site Plan: The site plan must address the wireless communication facility plus the existing site development. A condition of any site plan approval shall be that the entire site, and not just the area proposed for the wireless communication facility shall be reviewed so that any necessary improvements to existing nonconforming aspects are modified to bring the site into compliance with the Ordinance to the fullest that is practical extent. Also, any delayed maintenance shall be completed to the satisfaction of the Chief Building Official.
- 4) Height: Maximum height of a wireless communication facility shall be one hundred fifty (150) feet. A height no greater than two hundred (200) feet may be considered by the Planning Commission for approval as a special land use, where the applicant has sufficiently demonstrated that the additional height will reduce the total number of potential communication facilities in the Township. Further, the maximum height shall be the minimum demonstrated to be necessary for reasonable communication by the applicant, including co-location. The accessory utility building shall be limited to the maximum height permitted for an accessory structure in the zoning district.

- 5) Setbacks: Minimum yard setbacks shall be equal to no less than one and one-half (1½) times the height of the facility, unless documentation is submitted that confirms the facility has been designed to eliminate all safety concerns from falling or collapse of a structure. However, in no case shall any setback be less than the setback that would be required for a primary structure in the zoning district.

A wireless communication facility must be located a minimum of one thousand (1,000) feet from any property that is zoned or used for residential purposes.

- 6) The facility and all equipment shall be located in the rear yard, in an area of the site where the visual impact to the public is minimized. Alternate locations may be approved by the Planning Commission upon determining that an alternate location provides better screening of the facility and equipment from public view.
 - 7) Commercial signs, advertising, and logos, and artificial lighting such as strobe lights (other than lighting or other identification required by the FAA or FCC) shall be prohibited on the facility. However, the Planning Commission may approve signage that identifies the community, logos and/or lighting that is designed to accent a feature tower.
 - 8) Proposed access to the facility and overall circulation shall be reviewed and approved. An access road that serves only the facility may be constructed of gravel and/or aggregate sufficient to maintain adequate access to the site. The Planning Commission may require the access to be paved if it determines that paving is needed to satisfy overall circulation needs. A driveway permit, where required, must be submitted by the applicant prior to a building permit being issued.
 - 9) The need for anti-climbing devices and/or other security measures must be addressed and shall be provided if required.
 - 10) The issuance a Building Permit by the Plymouth Charter Township Building Department and compliance with any other requirements of the Township and or any other required body shall be required. Facilities shall not be demonstrably injurious to neighborhoods or otherwise detrimental to the public safety and welfare, and shall be located and designed to be harmonious with the surrounding areas.
- (c) A wireless communication monopole (as defined in Section 36.2) proposed in the IND, Industrial District, may be approved administratively by the Chief Building Official subject to the following:
- 1) The monopole and equipment shall meet all setbacks in Article 20, Schedule of Regulations for a primary structure in the zoning district.

- 2) The monopole and all equipment shall be located in the rear yard and screened from public view.
- (d) A wireless communication monopole may be approved by the Planning Commission as a special land uses in the PL, Public Lands District provided that the proposal complies with all requirements for a monopole specified in Section 28.11.7(c) above, and will be placed a minimum of one thousand (1,000) feet from any property that is used or zoned for residential purposes.
- (e) A wireless communication feature tower (as defined in Section 36.2) proposed in the ARC, Ann Arbor Road Corridor District, MR, Mid-Rise District, PL, Public Lands District, TAR, Technology and Research District and IND, Industrial District may be approved by the Planning Commission as a special land use, subject to compliance with the following:
 - 1) The height of the feature tower shall not exceed one hundred fifty (150) feet. The Planning Commission may grant special land use approval for a height of up to two hundred (200) feet, provided the applicant submits documentation to show that no other option is feasible.
 - 2) The tower and all equipment shall meet all setback requirements for a primary structure in the zoning district as shown in Article 20, Schedule of Regulations. A feature tower shall be located in the rear yard of the site so that the feature tower appears to be more in scale with the area. However, the Planning Commission may approve an alternate location upon determining that the feature tower design and location conceals its utilitarian function, offers an aesthetic benefit to the public, avoids a concentration of support structures and minimizes negative views from residential areas and public rights-of-way.

8. Co-Location Required

- (a) Feasibility. It is the policy of the Township to minimize the overall number of newly established locations for wireless communication facilities within the community, by requiring co-location and the use of existing structures for attached wireless communication antennas. The provisions of this subsection are designed to carry out and encourage conformity with this policy. Co-location shall be deemed to be feasible for purposes of this Section where all of the following are met:
 - 1) The provider under consideration for co-location will undertake to pay market rent or other market compensation for co-location.
 - 2) The site on which co-location is being considered is able to provide structural support, taking into consideration reasonable modification or replacement of a facility.

- 3) The co-location being considered is technologically reasonable, and will not result in unreasonable interference, in relation to the structure and existing antennas.
 - 4) Any proposed increase in structure height necessary for co-location will not exceed that deemed permissible by the Township.
- (b) Process and Conditions.
- 1) A special land use permit for a new wireless communication facility shall not be granted unless the applicant demonstrates that a feasible co-location is not available for the coverage area and capacity needs.
 - 2) All new and modified wireless communication facilities shall accommodate co-location. If a party who owns or otherwise controls a wireless communication facility shall fail or refuse to alter a structure so as to accommodate a proposed and otherwise feasible co-location, such facility shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded or extended in any respect.
 - 3) Co-location of a wireless communication antenna upon an existing monopole or feature tower shall be approved administratively by the Chief Building Official, subject to compliance with the above items and the requirements for a wireless communication antenna.

9. Maintenance

- (a) Routine maintenance shall be provided to ensure the continued soundness of the wireless communication system, and to ensure that the site will be kept in a safe condition. Any system that is determined to be unsafe, unlawfully erected or not maintained shall be in violation of this Section and Ordinance. The use of said system shall be discontinued until all violations are corrected, or it shall be immediately removed.
- (b) All facilities shall be inspected by the provider at least once per year, and serviced as necessary to maintain the facilities in a safe condition. Reports regarding inspections and servicing shall be made available to the Chief Building Official upon written request.
- (c) Wireless communication systems shall not interfere with reception in nearby residential areas. In the event such interference occurs, the provider shall take all steps necessary to eliminate such interference.

10. Removal

- (a) All abandoned or unused (as defined in Section 36.2) wireless communication antennas, equipment, facilities or systems shall be removed within one hundred eighty (180) days of the cessation of operations on the site, unless a time

extension is approved by the Chief Building Official. In the event that a tower is not removed within one hundred eighty (180) days of the cessation of operations, the tower and associated facilities may be removed by the Township and the costs of removal assessed against the property.

- (b) It shall be the obligation of the wireless communications provider to inform the Department of Building and Code Enforcement of any wireless communication system termination or upgrade.
- (c) The Township shall require a bond, satisfactory to the Chief Building Official, to secure the future removal of any abandoned or unsafe wireless communication system or structure.
- (d) Plymouth Township may secure the removal of the structure if it is still standing thirty days after the Township has sent a notice to the operator stating the need to remove the structure.
- (e) Unused portions of towers located above a manufactured connection shall be removed within one hundred eighty (180) days of the time of antenna relocation. The replacement of portions of a tower previously removed shall be subject to a new special land use approval.
- (f) The base of any tower and/or support anchors shall be removed to a point no less than twelve (12) feet below grade. The excavation shall be filled with suitable soil, than covered with topsoil and hydroseeded.

SEC. 28.12 NATURAL GAS, OIL AND OTHER PETROLEUM RELATED FACILITIES

Natural gas or oil processing facilities, including but not limited to “sweetening” plants, shall be permitted only if the proposed facility satisfies all of the conditions and requirements of this Section and Ordinance. Oil or petroleum refineries as defined herein are specifically excluded from these provisions. It has been determined that it is reasonably foreseeable that sour gas will be produced in the Township or conveyed via pipeline into the Township for sweetening (removal of hydrogen sulfide) and other processing. The transmission or processing of sour gas in the Township poses health risks to Township residents from accidental releases of hydrogen sulfide from pipelines or at the processing facility. The following standards have been established to protect the health and safety of Township residents from such events:

1. Application Requirements

The following application requirements must be met, in addition to other application requirements of this Ordinance:

- (a) Environmental Impact Report. A report shall be provided that evaluates the likely adverse environmental and health, safety and welfare impacts from a proposed facility or equipment, and any feasible and prudent alternative locations,

techniques, and methods. The report shall address any secondary or cumulative impacts from any related facilities, processes or activities. The minimum contents of this report shall include:

- 1) Name(s) and address(es) of person(s) or firm(s) responsible for preparation of the impact assessment and a brief statement of their qualifications.
- 2) An aerial photograph and narrative illustrating the entire site, areas within one-half (1/2) mile of the site, adjacent uses, zoning, public roadways, utilities, significant woodlands, soils types, wetlands and floodplains, drainageways and general topography.
- 3) A conceptual site plan illustrating a general layout of proposed facilities, and describing the proposed uses, facilities and project phasing. A detailed description of any treatment or processing to be done on the site and at any other related locations within the Township must be included.
- 4) A description of the extent of compatibility between the proposed uses, existing land uses in the area surrounding the site, and the goals, objectives and future land uses included in the Township Master Plan.
- 5) A description of any potential increases in light, noise, air, water or other pollution levels, including anticipated methods of compliance with established environmental standards.
- 6) Results of the required air dispersion model [see subsection (b) below] shall be provided, along with the following documentation:
 - a) The maximum concentration of hydrogen sulfide gas to be contained in or the flow through any pipeline, facility or equipment during its lifetime; and
 - b) The estimated volume or rate of hydrogen sulfide that would enter the atmosphere in the event of a credible release.
 - c) A detailed description of any credible accidental or deliberate releases reasonably possible as a result of the construction, operation, maintenance, repair, monitoring or termination, closure, abandonment and removal of any facility, equipment or of the proposed facility.
 - d) A safety study for any facility, or equipment to be used in the system, certifying that credible accidental releases for the site will not result in health hazards in areas accessible to the public.

- e) Proof that the system and structures, or any use thereof, shall meet any hydrogen sulfide public health and safety criteria or standards of federal or state public health officials.
 - f) A detailed description of all proposed monitoring and warning systems, equipment, or devices, including but not limited to operation, installation and maintenance, and how information from such equipment will be made known to the public.
- 7) A detailed statement of measures to be taken to control truck traffic, noise, vibration, dust, odors, erosion, emissions, discharges, releases or other adverse environmental impacts.
 - 8) A description of any impacts expected to wildlife areas, lakes, streams, ponds and regulated wetlands. Documentation by a qualified wetland specialist shall be required where a regulated wetland may be impacted by the proposed project. Conceptual mitigation or replacement measures under consideration shall be described.
 - 9) Methods of on-and-off site disposal of solid wastes shall be identified. The information shall describe the types of hazardous substances expected to be used, stored or disposed of on the site, general locations within the site and methods of containment. A Pollution Incident Prevention Plan (PIPP) shall be submitted with documentation of compliance with applicable federal and state requirements.
 - 10) Describe the anticipated impact on police and fire protection. In particular, describe the relationship of the use to municipal fire stations and the need for any new facilities or equipment.
- (b) Air Dispersion Model. An air dispersion model which evaluates the effects of a credible release of natural gas on the general population shall be performed by an independent consultant selected by and reporting to the Township. The applicant shall be responsible for all costs associated with the required air dispersion modeling. To be considered eligible for approval as a use subject to special conditions, the results of the model must demonstrate that the proposed processing facility, including any sweetening or compressing, does not present an unacceptable risk to the public health or safety. The dispersion model shall be consistent with the best available model or technique sanctioned by the United States Environmental Protection Agency, 40 CFR Sec. 68, for atmospheric dispersion of turbulent, heavier-than-air gas releases.

Any proposed facility with an average predicted exposure at any point off the site greater than 0.1 ppm for more than ten (10) minutes shall not be permitted. The predicted exposure that occurs on the site shall comply with all Township, County, State, and Federal laws and regulations.

Sufficient information to conduct the air dispersion model analysis, including equipment specifications and the volume, temperature, pressure, and chemical composition of the gas being delivered to the facility shall be provided in the application. If the information is unknown, the modeling will assume the gas contains 10,000 ppm hydrogen sulfide, at 1800 psi, at a temperature of 70°F., at a rate of 500 million cubic feet per day.

If the application contains information regarding the concentration of hydrogen sulfide in the gas being delivered to the facility, such information shall be determined using tests modeled and conducted in accordance with the American Society for Testing and Materials Standard D-2385-66, the Gas Processors Association plant operation test manual, GPA publication 2265-68, or other methods as may be approved by the Township.

- (c) The applicant shall submit proof of permits and approvals from all Federal, State, and County agencies with jurisdiction.
- (d) An application may be amended if the applicant obtains additional adjacent property sufficient to contain the modeled release within the site boundary.

2. Exceptions

The permitting and application requirements of this Section shall not apply to oil or gas wells that have been lawfully permitted under Part 615 of the Natural Resources and Environmental Protection Act, MCL 324.101, *et seq.* (“NREPA”) and injection wells permitted under the Safe Drinking Water Act, 42 USC 300f *et seq.*, for the disposal of salt water or spent brine into the same formation from which it was withdrawn after extraction of halogens or their sales, unless (1) a federal or state permit has been revoked or terminated, or (2) hydrogen sulfide is present in the formation in quantities greater than 100 parts per million. Further, even though a permit is not required under this Ordinance for such activity, the owner or operator of the injection well must file a copy of federal and state permits, applications and supporting documentation with the Township.

3. Setbacks

In no instance shall any equipment or facility regulated by this Section be located less than 1,320 feet from the site’s property line or leased area boundary, or less than 2,640 feet from the zoning district boundary of any AG, R-1-E, R-1-H, R-1-S, R-1, R-M, R-2, R-2-A, or OS District or property line of the nearest dwellings, schools, churches, hospitals, nursing homes or care facilities or similar places where there may be a concentration of population. No equipment or facility regulated by this Section shall be located less than 660 feet from any wetlands or surface water.

4. Access

Any site regulated by this Section shall be directly accessible from a major thoroughfare via a paved drive capable of supporting 50,000 pound vehicles. Additionally, the truck haul route for transporting any natural gas or oil to/from the facility shall be reviewed and approved by the Township.

5. Hours of Operation

Any facility regulated by this Section shall not operate between the hours of 10:00 P.M. and 7:00 A.M.

6. Processing Facility Design and Construction Standards

All sweetening, processing, and compressing facilities shall be constructed in accordance with the Canadian Standards Association standard CSA Z662-96, Oil and Gas Pipeline Systems or by using alternative standards and design which exceeds the standards contained in CSA Z662-96.

7. Number of Facilities and District

There shall be no more than one (1) facility for the processing of oil or natural gas in the Township, and such facility may be permitted only in the IND, Industrial District.

8. Sulphur Storage

There shall be no open storage of elemental sulphur on any site regulated by this Section. Storage of sulphur shall also comply with applicable building and fire code regulations.

9. Measurable Noise

Noise emissions of any facility regulated by this Section shall comply with the requirements of Section 28.5, Environmental Performance Requirements.

10. Maximum Height

Any facility regulated by this Section shall not exceed thirty-five (35) feet, including stacks at processing facilities.

11. Screening

Any facility regulated by this Section shall be adequately and continuously screened on all sides in accordance with Section 26.11, Methods of Screening.

12. Monitoring and Alarm Systems

All processing facilities shall have an effective monitoring system capable of detecting any release of natural gas containing concentrations of hydrogen sulfide in gaseous or vapor form that exceed 0.1 ppm at the site boundary. Any such release shall trigger an alarm which shall be transmitted to the Township emergency dispatcher, who shall notify

the Fire Department. The system shall also activate an alarm audible one (1) mile from the site. The system shall be designed such that discontinuance of the alarm and warning system can be performed only at the site. All monitors/sensors shall be maintained in working order at all times.

Within thirty (30) days of any alarm, a report shall be provided by the Plant Operator to the Township which shall include remedial actions taken to prevent the recurrence of the event that triggered the alarm. The Plant Operator shall also maintain an ongoing record of all emissions which trigger a response by the system, the cause of such emissions, and the response and remedial actions taken to prevent a recurrence and make this record available to the Township upon request. The Plant Operator also shall maintain a record of the maintenance and testing of the monitors/sensors and provide a copy of the record to the Township no later than January 10 of each year and immediately upon demand.

The monitoring system shall be effective to an accuracy of 0.1 ppm at a temperature range of -20⁰ F to 110⁰ F. The monitoring system shall be designed to detect a release effectively at the property line and at the point where a vertically oriented release from the greatest of the processing equipment would fall to ground under average weather conditions if groundfall is beyond the property lines or leasehold boundary.

Sensors shall be placed no more than one hundred linear (100) feet apart along the site perimeter and at the boundary of the groundfall if it is beyond the perimeter of the site.

13. Emergency Preparedness and Evacuation Plan

The Plant Operator shall prepare and maintain an Emergency Preparedness and Evacuation Plan acceptable to the Township. The Plant Operator shall be responsible for all costs related to Emergency Preparedness Plans, Evacuation Plans, and the equipment needed to implement the plans. The Plant Operator shall be responsible for all costs associated with implementing the provisions of the Emergency Preparedness Plans and Evacuation Plans, including lodging and food for persons displaced by an emergency.

14. Site Security

The Plant Operator shall provide and maintain the following security measures, at a minimum in addition to the requirements for fencing and screening contained in this Section:

- (a) Any facility regulated by this Section shall provide adequate protective or security fencing around the entire perimeter.
- (b) All doors and gates shall be kept closed and locked.
- (c) "Poisonous Gas" or other appropriate warning signs with reflective surfaces shall be placed at fifty (50) foot intervals around the perimeter of the site.

- (d) Lighting shall be provided in accordance with the requirements of Section 28.8, Exterior Lighting.
- (e) In the event of a break-in or other security lapse, a bonded alarm system shall automatically become operative, and operating personnel shall notify local law enforcement officials.

15. Site Closure

Whenever any facility used to obtain, transport, or process natural gas or oil is not used for a period exceeding one hundred eighty (180) days, all equipment, foundations, and piping shall be removed. The site shall be graded and seeded.

16. Hydrogen Sulfide

Pipelines expected to carry or contain natural gas or oil with a concentration of hydrogen sulfide greater than eighty (80) ppm during its lifetime shall be subject to the following restrictions:

- (a) Such pipelines shall be setback at least 400 feet from the boundary of any AG, R-1-E, R-1-H, R-1-S, R-1, R-M, R-2, R-2-A, or OS District and the property line of the nearest dwellings, schools, churches, hospitals, nursing homes or care facilities or similar places where there may be a concentration of population.
- (b) Such pipelines shall be subject to meeting the air dispersion modeling requirements of this Section. The air dispersion model shall test the predicted exposure from a worst-case event as determined by the professional consultant preparing the model. Any proposed pipeline with an average predicted exposure greater than 0.1 ppm for more than ten (10) minutes, measured at the 400 foot minimum required setback, shall not be permitted.
- (c) All pipelines shall be constructed to the standards set forth in the National Association of Corrosion Engineers standard MR-01-75, 1996 edition, entitled "Sulfide Stress Cracking Resistant Metallic Material for Oil Field Equipment," except when more rigorous construction guidelines are required for Class 4 districts in the Michigan Gas Safety Code, P.A. 165 of 1969, as amended, in which case these standards shall apply.
- (d) The pipeline operator shall cause an annual inspection of all transmission equipment, using a camera or other equipment as needed, by an independent consultant acceptable to the Township and provide a copy of the report to the Township within three (3) calendar days of its receipt.

17. Drilling Operations

All drilling operations shall be subject to the following restrictions:

- (a) Seismic testing shall be required during all drilling operations to assure compliance with Section 28.5, Environmental Performance Requirements. These

results shall be provided to the Township on a daily basis. Seismic testers shall be licensed by the Township.

- (b) All drilling mud shall be removed from the site daily and disposed of in accordance with applicable laws and regulation.
- (c) Drilling operations must comply with Section 28.5, Environmental Performance Requirements, including restrictions regarding measurable noise and the Plymouth Charter Township Noise Control Ordinance (Chapter 34).
- (d) No drilling operation shall be allowed to operate between the hours of 10:00 P.M. and 7:00 A.M.

SEC. 28.13 OPEN SPACE PRESERVATION DEVELOPMENT

Open Space Preservation developments may be approved in the AG, R-1-E, and R-1-H Districts, subject to the following standards and review procedures.

1. Purpose (as amended on 9/30/07)

The purpose of Open Space Preservation Development is to preserve undeveloped land. The regulations in this Section are intended to accomplish this purpose by providing for grouping of homes onto the most buildable portions of a site, so that the remainder of the site can be preserved in an undeveloped state.

As used in this subsection, the term “undeveloped state” shall have the meaning given to it in Section 506, of the Michigan Zoning Enabling Act, Michigan Public Act 110 of 2006, as amended, which is a natural state intended to preserve natural resources, natural features, or scenic or wooded conditions; agricultural uses; open space; or a similar use or condition. Land in an undeveloped state shall not include a golf course but may include a recreational trail, picnic area, children’s play area, greenway, or linear park. Land in an undeveloped state may be privately held or dedicated to the use of the public.

2. Applicability

Property in the AG, R-1-E, R-1-H Districts are eligible to be developed according to the Open Space Preservation development standards of this Section, and the other applicable requirements of this Ordinance.

3. Review and Approval Process

- (a) An application for approval shall be made by the owner or owners of any parcel where use of an Open Space Preservation development is contemplated. The application shall be accompanied by a fee determined by Township Board resolution to cover the cost of evaluating the application.
- (b) Proposals for Open Space Preservation development shall be reviewed following the same procedures and include the same information used for conventional

subdivision or condominium proposals. The application shall include the following:

- 1) A site analysis, which identifies the character, structure and potential of the site as it relates to this development option. The analysis shall include maps and written analysis which shall identify, describe and quantify the following features, at minimum: existing vegetation, topography at two-foot contour intervals, water courses, drainage patterns, wildlife habitats, roads and road rights-of-way, easements, soils (based on U.S. Soil Conservation Survey or soil borings), MDEQ-regulated wetlands, floodplains, woodlands and tree lines, rare and endangered species habitats, and any additional features uniquely affecting the site.
- 2) A metes and bounds and legal description of the acreage comprising the proposed Cluster Housing Development, including a disclosure of mineral rights ownership.
- 3) Topographic survey, including natural and manmade features at a scale of one inch equals fifty feet (1"=50'), with a contour interval not to exceed two (2) feet.
- 4) Adjacent Land Uses: Indicate type and impact on adjoining lands, direction and distance to community facilities; show transportation routes related to site.
 1. Drainage: Natural watershed (direction), drainage swales and swamp areas.
 2. Soils: Depth of topsoil and type of soils.
 3. Vegetation: Locate and identify existing tree masses, locate and identify specimen plant material and indicate type of ground cover.
 4. Existing Conditions: Structures, utilities and circulation.
 5. Special Features: Lakes, streams, ponds and wetlands, dramatic views and significant natural, archeological, historical or cultural features.
 6. General Development Plan: A plan of sufficient detail to define the proposed location of buildings, parking, interior circulation, landscape areas and method of handling storm water run-off, sanitary sewer and water facilities. (Scale 1"=50' minimum).
 7. Proposed method of ownership.
 8. Any other pertinent information deemed necessary by the Planning Commission or Township Board to make a determination

concerning the desirability of applying the provisions of this Section.

4. Permitted Density

The overall density of residential uses in an Open Space Preservation development shall not exceed the density that would be permitted if the site was developed as a conventional single family subdivision.

- (a) The permitted density shall be based on the net buildable area of the site which consists of the portions of the site that are not encumbered by regulated wetlands, steep slopes, existing and proposed road rights-of-way, easements, existing structures or lots, or other existing or proposed features that would prevent construction of a building or use of the site for residential purposes.
- (b) To assist the Planning Commission in determining net buildable area, the applicant shall submit a parallel plan, consistent with State, County, and Township requirements that shows how the site could be developed under conventional zoning. The parallel plan shall meet all standards for lot area, lot width, roadway improvements, and an area sufficient for storm water retention.
- (c) Modifications permitted under Open Space Preservation Development that result in reduction in land area dedicated to individual dwelling units shall be compensated for by an equivalent amount of open space, which shall be maintained and preserved in accordance with the standards specified in this subsection.

5. Dimensional Standards

- (a) **Building Setbacks.** The minimum front, rear and side yard setback for detached single family structures and accessory structures thereto shall be based on sound planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and the need for proper amounts of open space for the use of residents on the site.
- (b) **Minimum Lot Size.** Open Space Preservation developments shall generally comply with the following minimum lot size requirements:

ZONING DISTRICT	MINIMUM LOT SIZE
R-1-H	12,000 square feet
R-1-E	20,000 square feet
AG	2.0 acres

Variation from these lot size standards may be required or permitted where the Planning Commission finds that either of the following circumstances exist:

- 1) A larger lot size may be required to satisfy established private well and/or septic system standards.
 - 2) A smaller lot size may be required to achieve the density permitted under this Section.
- (c) Distances between Buildings. Any detached single family structure (or accessory structure thereto) shall be located at least ten (10) feet from any other detached single family structure or accessory structure. The Planning Commission may require additional distance between buildings to ensure compatibility with adjacent residential developments.
- (d) Floor Area and Height Standards. Buildings in an Open Space Preservation development shall comply with the floor area and height standards for the district in which the development is located.

6. Open Space Requirements

Open Space Preservation developments shall provide and maintain open space in an undeveloped state, which shall comply with the following requirements:

- (a) Open Space Preservation developments shall reserve at least fifty (50) percent of the parcel in an undeveloped state.
- (b) Open space shall be located on the parcel to meet the following objectives:
 - 1) To preserve distinctive natural features, scenic or wooded conditions, and rural characteristics.
 - 2) To minimize impact from development on wetlands, streams, and other sensitive environmental areas.
 - 3) To maintain open, rural character along main roads.
- (c) In addition, no more than twenty-five (25) percent of the open space may be developed with children's play facilities, picnic facilities, trails, and similar passive recreational facilities to satisfy the needs of future residents of the development, provided that all such facilities shall be compatible in design with other open space requirements and objectives.
- (d) Required open space shall not include the area of any public or private road, the area of any easement providing access to the site, the area of any commercial recreation use.
- (e) The required open space shall be set aside by the developer through an irrevocable conveyance, such as a deed restriction, conservation easement, plat

dedication, restrictive covenant, or other means that runs with the land, whereby all rights to develop the land are conveyed to a land conservation organization or other public body, assuring that the open space will remain undeveloped. Such conveyance shall:

- 1) Indicate the proposed use(s) of the required open space.
- 2) Provide for the privately-owned open space to be maintained by private property owners having an interest in the open space.
- 3) Provide maintenance standards and a maintenance schedule.
- 4) Provide notice of possible assessment to the private property owners by Plymouth Township for the maintenance of the open space in the event that it is inadequately maintained and becomes a public nuisance.
- 5) After approval from the Township, the developer shall record the irrevocable conveyance with the Wayne County Register of Deeds to provide record notice of the restrictions to all persons having or seeking an interest in the property contained in the Open Space Preservation development. Evidence that the document has been recorded shall be provided to the Township prior to issuance of any permits to commence construction.

7. Building Location

The Planning Commission shall review and the Township Board of Trustees approve building and/or lot locations as part of the review process, in relation to topography, existing trees or vegetation, proposed grading or landscaping, or other existing or proposed site features or conditions.

8. Roads and Driveways

The amount of site disruption caused by road and driveway construction and associated grading required for construction shall be minimized in Open Space Preservation developments. Accordingly, Open Space Preservation developments shall comply, to the greatest extent feasible, with the following standards:

- (a) All open space developments shall provide improvements for streets as provided in the Subdivision Rules and Regulations for the Township. All interior roads, both those designed for the public and private, shall be constructed in compliance with the existing construction standards as adopted by Wayne County Department of Public Services for residential streets. The Planning Commission may waive this requirement after review and recommendation by the Township Engineer provided the proposed waiver shall not materially impair the intent and purpose of this Section or the public interest.
- (b) Roads shall follow existing contours to minimize the amount of cut and fill.

- (c) Where sites include linear features, such as existing access roads, tree lines, and stone rows, roads shall follow these features to minimize the visual impact of the roads.
- (d) Use of common driveways to serve up to two (2) units is permitted to minimize the amount of paving and reduce the number of curb cuts onto public roads.

9. Stormwater Management

- (a) Existing natural drainage shall be maintained to the maximum extent feasible.
- (b) Retention and detention basins, where proposed or required, shall resemble natural ponds with gradual slopes and shall be landscaped with plant material that enhances the wildlife habitat.

10. Landscaping and Lawns

- (a) Existing trees and other plant growth shall be preserved in areas where disturbance is not necessary outside of the building envelope.
- (b) Conversion of woods, meadows, and other natural features into lawns shall be avoided, except where lawn areas are a part of the open space design or serve as residential yard space.
- (c) Landscaping shall be required as specified in Article 26.

11. Existing Structures

- (a) When a parcel contains existing structures deemed by the Planning Commission or Township Board to be of historic, cultural or architectural significance (such as farm structures), and where these structures are suitable for rehabilitation, the structures shall be retained.
- (b) Adaptive reuse of existing structures for residential use or permitted accessory residential uses shall be permitted.

SEC. 28.14 BUILDING DESIGN STANDARDS

1. Purpose and Construction

The purpose of this Article is to establish a consistent set of standards for the design and appearance of non-single-family residential structures, which includes buildings, canopies, or gateway structures, within each zoning district of the Township, in order to improve and enhance the overall visual character of the community. These standards are also intended to encourage architectural variety within the context of creating a high-quality and harmonious aesthetic environment. This Article shall apply to new construction as well as additions or alterations to existing non-single-family residential structures. All new construction, and/or all additions or alterations to existing non-single-

family residential structures that require site plan and/or administrative review shall conform to the requirements of this Section. This Article shall be construed consistently with the design and development requirements set forth in other Articles; however, to the extent that there is a conflict between a provision of another Article and this Article, the requirements of this Article shall control.

2. Building Massing and Form

- (a) All buildings shall incorporate architectural features, including, but not limited to: arches, arcades, porticos, cornices, peaked rooflines, or towers.
- (b) Building walls over 100 feet in length shall be broken up by varying rooflines, projections, recesses, wall insets, arcades, windows or faux windows, architectural accents, and other details to create rhythm and interest in building facades. Repeating patterns of changes in color, texture, and materials are encouraged.

3. Facade Materials

- (a) A minimum of 75% of all building facades, excluding the roof and windows, shall consist of masonry products, such as: brick, cut stone, integral colored split face block, cast stone, limestone, granite, or an equivalent material, as determined by the Planning Commission or the Administrative Review Committee. The use of aluminum metal panel systems may be permitted for buildings located within the Industrial District or an industrial area of a nonresidential district, or for buildings of a high-technology or industrial nature. Aluminum metal panel systems may also be permitted for automobile dealerships. The Planning Commission or Administrative Review Committee may modify the 75% exterior finish requirement, if the proposed project is found to meet the objectives of this Article.
- (b) The remaining maximum 25% of the building facade may utilize other materials such as: fiberglass-reinforced concrete, cement board siding, stucco, polymer plastic (Fypon), or EIFS, provided that such materials do not constitute the base of the building.
- (c) The facade materials for any screening structure, which may be used to screen elevators, stairways, tanks, heating and air conditioning equipment, vents, ducts, pipes, or other similar apparatus, shall complement the facade materials of the principal building.

4. Color and Texture

- (a) Variations in color shall be kept to a minimum.

- (b) Building colors shall be in harmony with the surrounding area. Traditional colors, such as: red, subtle earth tones, or neutral colors shall be used for the building facade material. Roof colors shall complement the color of the building facade. The use of high-intensity, metallic, or fluorescent colors is prohibited.
- (c) Accent colors may be permitted if considered by the Planning Commission, or the Administrative Review Committee, to be part of the overall architectural theme for the project.
- (d) Awnings located above windows and doors shall consist of a solid color and shall not incorporate stripes or patterns. Dark colors, such as: dark brown, navy blue, black, maroon, dark green, or dark red, are encouraged. Backlit or underlit awnings are prohibited.
- (e) Simple and uniform texture patterns within the building facade materials are encouraged.

5. Roof Design

- (a) Variations in the roofline are required to reduce the scale of the structure and add visual interest.
- (b) Rooftop equipment shall be screened from view by parapet walls or other architectural elements which complement the overall building design.

6. Canopies

Overhead canopies for gasoline service stations or other uses shall be designed to be compatible with the architectural characteristics and color of the principal building. Canopies shall incorporate peaked, hipped, or gabled roofs with shingles, support structures which match or simulate the materials of the principal building, and fully recessed lighting fixtures.

7. Alterations or Additions to Existing Buildings

- (a) For an alteration proposed to an existing building facade, the entire façade shall be subject to this Article. However, the Planning Commission or the Administrative Review Committee may limit compliance with this Article to only the portion of the building affected by the proposed alteration, provided that the materials and colors of the altered portion of the building complement the materials and colors of the existing unaltered portion of the building.
- (b) For an addition proposed to an existing building, the materials of the existing portion of the building may be utilized for the proposed addition, provided that the following conditions are met:

- 1) The addition does not exceed one hundred percent (100%) of the existing building floor area.
 - 2) The facade of the existing portion of the building does not consist of materials or colors that would be prohibited under Section 3 or 4 of this Article.
 - 3) All new facades substantially constitute a continuation of the existing facades relative to color, texture, size, height, and location of materials.
 - 4) The visual effect is to make the addition appear as part of the existing building.
- (c) If the alteration or addition is proposed for an existing building located within the Ann Arbor Road Corridor (ARC) District, then the entire building shall be brought into full compliance with this Article. The Planning Commission or the Administrative Review Committee may modify this requirement if the proposed project is found to meet the objectives of the ARC District.

8. Façade Modification

The Planning Commission or the Administrative Review Committee may approve alternatives to the exterior building design or materials, provided that the proposed project is found to be consistent with the intent and purpose of this Article.

SEC. 28.15 YARD GRADING AND DRAINAGE

All yard and open space areas in the Township shall be graded in a manner which shall avoid the ponding of stormwater unless said conditions have been designed to occur as part of a storm detention plan which has been approved by the Township and such grading shall comply with the engineering design standards for the Township prior to issuance of a permit.

Drainage channels and flood plains, which exist and which are indicated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Map, are essential for the maintenance of the health and general welfare of the people of the Township. Any encroachment, filling or destruction of these drainage channels or floodplains is a violation of this Ordinance.

However, this shall not prevent the development of the property where adequate facilities, determined by the Department of Building and Code Enforcement, Township Engineer and the appropriate agencies having jurisdiction, have been provided to maintain the uninterrupted flow of surface water (see Article 3, Floodplain District for regulations concerning drainage channels and flood plains).

SEC. 28.16 SIDEWALKS

1. Sidewalks shall be installed along all public street frontages and within the interior of any project which requires site plan or subdivision plat approval. Required sidewalks shall meet the following standards:
 - (a) Sidewalks along street frontages shall be a minimum of five (5) feet in width.
 - (b) Interior sidewalks shall be a minimum of four (4) feet in width. Interior sidewalks adjacent to a parking space must be a minimum of six (6) feet in width.
 - (c) All sidewalks shall conform to the standards as established by the Department of Building and Code Enforcement and the Township Engineer.

2. Sidewalk Feasibility Determination

- (a) Engineering review. If the owner of one or more lots, units or parcels for which sidewalk installation is required, believes the sidewalk installation is impractical or not feasible, said owner may apply to the Township for a Sidewalk Feasibility Determination and a review by the Township Engineer. A fee for this review shall be paid in accordance with the Township's adopted fee schedule.

The Township Engineer shall review the site to determine the feasibility and practicality of the installation of a sidewalk as required by the Ordinances of the Township. The review shall consider the following features of the site and the surrounding area as well as planned future development:

- 1) The grade of any proposed sidewalk installation, especially referencing pertinent structures and proposed future development;
- 2) The apparent and expected use by pedestrians;
- 3) Site specific features impacting the feasibility of the installation of a sidewalk;
- 4) Future and/or expected utility, structure, road or railroad installations, improvements or modifications;
- 5) A plan created by or utilized by the Township concerning the installation of sidewalks, walking paths, bike paths or other pedestrian resources in the area;
- 6) Alternative installations, i.e. elevated boardwalks, bridges or pedestrian resources in the area; and
- 7) Any other engineering consideration or environmental feature likely to impact the practicality and feasibility of the installation of sidewalks.

The Township Engineer shall determine whether the installation of a sidewalk on any given site or parcel is practical or feasible based on the above factors

- (b) Payment in lieu of installation. Upon a determination that the installation of a sidewalk on a particular lot, unit or parcel is impractical or not feasible, a sum shall be paid, equivalent to the estimated cost of providing such sidewalk improvement as determined by the following formula:

Sum equals the running feet of sidewalk multiplied by the dollar amount per running foot as established annually by the Township Engineer.

The estimated amount shall be paid by the applicant to the Township in lieu of the installation of the sidewalk based upon the recommendation of impracticality or unfeasibility.

- (c) Escrow. Any monies delivered to the Township as payment in lieu of installation based upon a determination of impracticality or infeasibility shall be separately tracked in the Township general fund or a separately maintained sidewalk installation/repair fund being utilized by the Township for sidewalk installations only.
- (d) Change in Conditions. Upon any change of the conditions used to make a sidewalk feasibility determination, the result of which is a change in the Township Engineer's recommendation as to the practicality or feasibility of the installation of a sidewalk(s), the Township shall utilize such payment in lieu of installation to construct sidewalks on the affected sites or parcels.

SEC. 28.17 FIRE APPARATUS ACCESS (added 4/9/09)

1. Definition

A fire apparatus access is defined as a road (this is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot land and access roadway) that provides fire vehicles access to a facility, building and portions thereof.

2. Fire Apparatus Access Requirement

All buildings, facilities and all portions thereof shall be located within 150 feet of a fire apparatus access. This distance shall be considered the maximum distance unless otherwise modified and approved by the Township Fire Chief or his designee.

3. Additional Fire Apparatus Access Required

- (a) Multiple Family Residential

Every multiple family residential development with more than 100 units must include a second separate fire apparatus access. Subject to the approval of the Township Fire Chief or his designee, the second access road may be permitted to be closed to public access, and may be a locked, gated entrance accessible only by fire and emergency vehicles.

- (b) Commercial and Industrial

Every commercial or industrial development with a building exceeding 62,000 square feet, including every facility, building, or portion of a building constructed or moved within the Township, must include a second separate fire apparatus access in the determination of the Fire Chief or his designee.

4. Length, Width and Turnaround Requirements

In addition to the requirements above, all access roads shall meet the following requirements:

Length	Width	Turnaround Required
0-150 ft.	20 ft.	None
151-500 ft	20 ft. If a hydrant is present, the width shall be increased to 26 ft. for a distance of 20 ft. on either side of the hydrant.	Must have one of the following turnarounds: 1. 120 ft hammerhead; 2. Y turn; or 3. 96 ft. diameter cul-de-sac
501-750 ft.	26 ft.	Must have one of the following turnarounds: 1. 120 ft. hammerhead; 2. Y turn; or 3. 96 ft. diameter cul-de-sac
Over 750 ft.	Special Approval Required	

5. Vertical Clearance

The vertical clearance above the fire apparatus access shall be a minimum height of thirteen feet and six inches (13'6") and maintained as such.

SEC. 28.18 - 28.19 RESERVED.

DIMENSIONAL PROVISIONS AND EXCEPTIONS

SEC. 28.20 BUILDING PROJECTIONS AND YARD AREA ENCROACHMENTS

1. Yard Area Encroachments

SEC. 28.17 FIRE APPARATUS ACCESS
SEC. 28.18-SEC. 28.19 RESERVED
SEC. 28.20 BUILDING PROJECTIONS AND YARD AREA ENCROACHMENTS

Buildings. No building shall be erected, nor shall an existing building be altered, enlarged or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations hereby established for the district in which such building is located.

- (a) **Lot Area.** No portion of a lot used in complying with the area, height or bulk requirements of this Ordinance (such as required yard setbacks, open space dwelling unit density, or lot coverage) in connection with an existing or proposed building or structure shall be used to satisfy the lot requirements for another use or structure (including tents and permitted temporary structures) on the same lot.
- (b) **Access Drives.** Access drives may be placed in the required front or side yards, subject to the requirements of Section 24.4 of this Ordinance, so as to provide access to rear yard, and/or accessory or attached structures. These drives shall not be considered as structural violations in front and side yards. Further, any walk, terrace or other pavement serving a like function that is less than nine inches (9”) above grade shall not be considered a structure and shall be permitted in any required yard.

MAXIMUM PERMITTED YARD ENCROACHMENTS			
PERMITTED BUILDING PROJECTIONS	FRONT	SIDE	REAR
Decks, patios and terraces above grade, porches, steps, unenclosed and unroofed platforms, other ground or first floor projections	12 feet but no nearer than 20 feet to street setback line	No nearer than 4 feet to side lot line	No nearer than 20 feet to rear lot line
Fireplace/chimney	12 inches	12 inches	12 inches
Bay window	18 inches	18 inches	18 inches
Roof overhangs	18 inches	18 inches	18 inches

2. Building Projections

Outside stairways, fire escapes, porches, unenclosed and unroofed platforms, balconies, decks, chimneys, bay windows and similar projections shall be considered as part of the principal building and therefore shall not encroach into the minimum yard setback requirements, except as provided in the table “Maximum Permitted Yard Encroachments”, above and for the following:

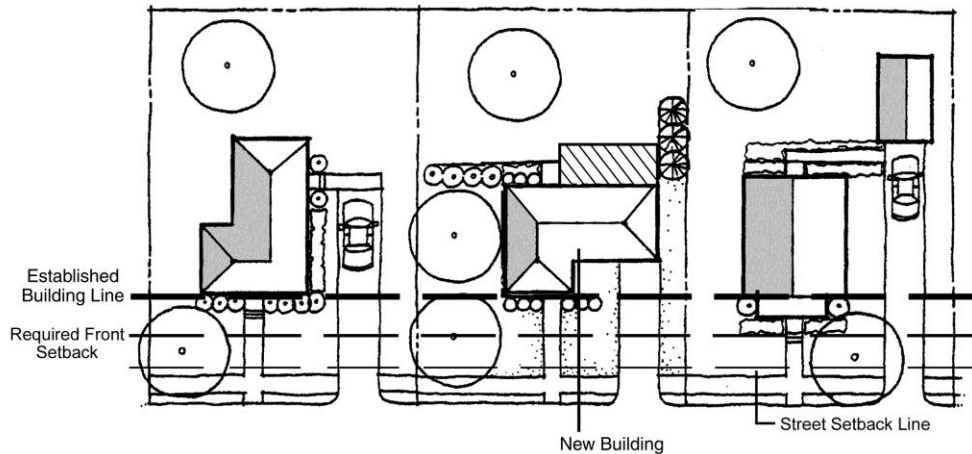
- (a) All permitted building projections and encroachments shall conform with the maximum lot coverage requirements of this Ordinance.
- (b) Permitted fireplace or chimney projections into required setbacks shall not exceed eight (8) feet in length.
- (c) The permitted depth of roof overhang projections into required setbacks shall include the gutter.

- (d) Decks, patios, balconies and terraces nine (9) inches or more above grade, permitted to encroach into required setbacks shall not be enclosed or covered by a permanent roof structure. Front porches permitted to encroach into the required front yard setback shall not be enclosed, but may be covered by a permanent roof structure.
- (e) Fire Department Review: The Chief Building Official shall refer all proposed projections or encroachments to the Fire Department for review. Projections or encroachments determined by the Office of Fire Prevention to present a public health, safety or welfare hazard shall not be permitted.

SEC. 28.21 FRONT YARD EXCEPTION

Where a discernable building line has been established by the location of a majority of residential or business buildings in a block built prior to the adoption or amendment of this Ordinance, no building erected or altered shall project beyond the setback of the established building line, subject to the following:

- 1. The established building line shall be based upon the pattern of existing building orientations and distances from the street setback for buildings with frontage in the same block within two hundred (200) feet of the subject lot.
- 2. For developments subject to site plan review, the Planning Commission shall have the authority to determine whether an established building line exists in a particular location. The Chief Building Official shall make such determinations for building projects not subject to Planning Commission review.
- 3. No building shall be required by this Section to be set back more than fifty (50) feet.
- 4. This requirement shall be waived where compliance would reduce the buildable width of a corner lot.



Established Building Line

SEC. 28.22 STREET SETBACK AND RIGHT-OF-WAY REQUIREMENTS

1. Street Setback

In all districts there shall be provided a street setback as measured from the centerline of the road for the purpose of determining the lot line for each specific district as follows:

- (a) Thirty (30) feet from the centerline of all streets not otherwise mentioned.
- (b) The edge of the private road easement or thirty (30) feet from the centerline of any private road, whichever is greater, unless otherwise permitted by this Ordinance.
- (c) Forty-three (43) feet from the centerline of McClumpha, Wilcox, Canton Center, Gottschalk, Ann Arbor Trail (from Mill Street to Eckles), Bradner (from Schoolcraft to Five Mile), Powell (west of Ridge Road), Rollins, Keel (from Five Mile to Helm), Helm, and Halyard.
- (d) Fifty-three (53) feet from centerline of Ann Arbor Road (from Rocker Avenue to General Drive).
- (e) Sixty (60) feet from the centerline of Schoolcraft (from Wilcox to Five Mile), Ann Arbor Road (from Joy Road to Rocker Avenue and east of General Drive), Ann Arbor Trail (from Ann Arbor Road to Sheldon), Beck, Five Mile, Northville, Joy, Lilley, Napier, North Territorial, Phoenix, Plymouth, Powell, Ridge, Sheldon, Edward Hines Drive, South Main, Eckles, Powell (east of Ridge Road) and Haggerty.
- (f) One hundred and two (102) feet from the centerline of Schoolcraft (from Wilcox to Eckles).

2. Required Right-Of-Way

In all districts, there shall be provided adequate street rights-of-way in accordance with the Master Plan Circulation Plan for the Charter Township of Plymouth, and any projected future rights-of-way requirements as may be established by the Wayne County Division of Roads, Michigan Department of Transportation or other appropriate agency with jurisdiction. No building permit shall be issued for any building or structure located in any position which might circumvent the continuation or extension of any existing or proposed street, or the widening of any street right-of-way to its ultimate required width.

SEC. 28.23 HEIGHT EXCEPTIONS

The following exceptions to maximum height requirements shall be permitted:

1. Chimneys, cooling towers, elevators, bulkheads, fire towers, silos, penthouses, stacks, stage or scenery lofts, water towers, pumping towers, radio or television reception antennae, monuments, steeples and cupolas accessory to the principal use(s) of the building shall not be included in calculating the height of the principal structure.

Where an energy saving windmill is proposed as a free-standing structure, the height of said structure shall be limited to the specified maximum height allowed within the specific zoning district it is to be located.

2. Amateur (Ham) Radio Antennas

Amateur (Ham) radio antennas for reception and/or transmission shall be permitted in all zoning districts, subject to the following:

- (a) A maximum of one (1) such antenna shall be permitted per lot.
- (b) The antenna shall be accessory to a principal use and building on the same lot, and shall be located in the rear yard of the lot.
- (c) The antenna shall have a maximum height of sixty (60) feet, and shall be set back from all lot boundaries a minimum distance equal to its height.

3. Wireless Communications Facilities

The height of wireless communication facilities as defined by this Ordinance shall be as regulated by Section 28.11 of this Ordinance.

4. Mechanical Appurtenances

Rooftop mechanical appurtenances accessory to the principal use of the lot (such as cooling towers, air conditioners, heating apparatus, dust collectors, filters, transformers, satellite dishes and similar apparatus) may extend not more than five (5) feet above the maximum permitted building height, subject to the following:

- (a) Opaque screens or parapet walls shall be provided with sufficient height to completely screen the apparatus.
- (b) The screening device design shall be compatible with the architectural design of the building.

5. Parapet Walls

Parapet walls may extend not more than five (5) feet above the maximum permitted building height.

6. Public Buildings

The height of public or semi-public buildings, churches, cathedrals, temples, hospitals, sanitariums, or schools shall not exceed fifty five (55) feet, unless otherwise permitted in the district. If the height of any such building exceeds the maximum height allowed in the district, then the building shall be set back from all lot lines a minimum distance equal to the required yard dimensions concerned, plus not less than one (1) foot per foot of height in excess of the maximum height allowed in the district.

SEC. 28.24 LOTS ADJOINING ALLEYS

In calculating the area of a lot that adjoins a dedicated alley or lane, for the purpose of applying lot area requirements of this Ordinance, one-half (1/2) of the width of such alley abutting the lot shall be considered as part of such lot.

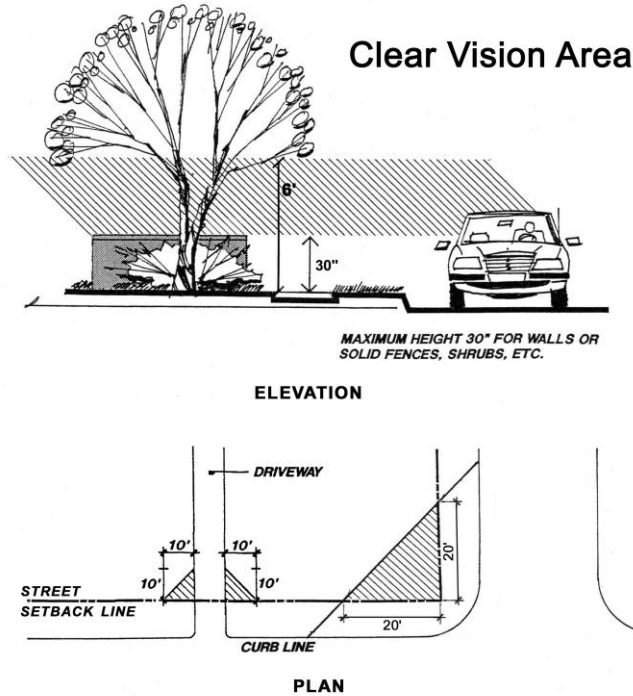
SEC. 28.25 CORNER VISIBILITY AND CLEAR VISION ZONES

No wall, fence, planting or other obstruction shall be established or maintained or planted on any lot which creates a public hazard and which will unreasonably obstruct or interfere with traffic visibility on a curve or at any street intersection.

1. Standards

Clear vision zones shall be provided as follows:

- (a) Intersecting Streets or Roads. The clear vision zones shall consist of triangular areas defined by the street setback lines and a line connecting two points located on the street setback lines set back a distance of twenty (20) feet from their point of intersection.
- (b) Intersection of a Driveway and a Street or Road. The clear vision zones shall consist of triangular areas defined by the street setback line, the access easement line (or edge of driveway pavement where no easement is provided), and a line connecting two points located on these lines set back a distance of ten (10) feet from their point of intersection.



2. Vision Obstructions Prohibited

Within these clear vision zones, the area extending from a height of thirty (30) inches above grade to six (6) feet above grade shall remain clear and unobstructed, with the intent of permitting clear visibility for pedestrians and motorists. Shade trees up to thirty (30) inches in caliper, provided that all branches are at least six (6) feet in height above the ground and non-obscuring streetscape elements which do not obstruct vision, such as individual brick piers, and non-obscuring fencing, may be permitted within the clear vision zone.

3. Additional Requirements

A larger clear vision area may be required where determined to be necessary by the Planning Commission in view of anticipated traffic volumes, traffic speeds, geographic or topographic conditions, or a traffic engineering analysis using the standards of the American Association of State and Highway Transportation Officials (AASHTO).

SEC. 28.26 ESTABLISHED SINGLE FAMILY RESIDENTIAL PATTERN PRESERVATION

It is recognized that there are portions of the Township that have been platted and developed as single family residential subdivisions with lots of width or area, or both, which exceed the minimum dimensions required by this Ordinance under Article 20. Over time, these subdivision

SEC. 28.25 CORNER VISIBILITY AND CLEAR VISION ZONES

SEC. 28.26 ESTABLISHED SINGLE FAMILY RESIDENTIAL PATTERN PRESERVATION

neighborhoods have matured and established a character of single family dwellings on a specific pattern of lot width and area, resulting in a stable character consistent with the spirit and intent of this Ordinance. To maintain the stability, established character, and quality of single family residential life, and to protect property values and existing investments, while allowing some flexibility, the following standards shall apply:

1. Lot Width

No subdivision lot zoned R-1, R-1-S, R-1-H, R-1-E or R-2 shall be divided to create a lot width less than eighty (80) percent of its width existing as of the date of adoption of this section; nor shall any lot be created which would have a lot width less than the average of the two (2) adjacent lots (one (1) on each side) with frontage on the same side of the street.

2. Public Street Frontage

A subdivision lot shall not be further divided unless it has frontage on a public street for the entire minimum lot width required by Section 28.22.1, above.

SEC. 28.27 RESIDENTIAL NONCONFORMING LOT HEIGHT LIMIT

On any single family residentially zoned lot which does not meet the requirements of this Ordinance for lot width or area, or both, and which shares a common side yard with one or more lots occupied by an existing single family dwelling(s), the height of the proposed single family building shall not be more than 190% of the average of the height(s) of the dwelling(s) on the lot(s) sharing a common side yard.

SEC. 28.28 – 28.29 RESERVED

GENERAL PROVISIONS

SEC. 28.30 ACCESSORY USES AND BUILDINGS IN BUSINESS AND INDUSTRIAL DISTRICTS

In business and industrial districts, accessory buildings and uses may occupy any of the ground area which the principal buildings are permitted to cover, provided such accessory building meets any required setback, yard, or separation requirement for principal buildings. Accessory buildings for parking attendants, guard shelters, gate houses, transformer shelters and similar buildings may be located in the front or side yard in IND Districts.

SEC. 28.26	ESTABLISHED SINGLE FAMILY RESIDENTIAL PATTERN PRESERVATION
SEC. 28.27	RESIDENTIAL NONCONFORMING LOT HEIGHT LIMIT
SEC. 28.28-SEC. 28.29	RESERVED
SEC. 28.30	ACCESSORY USES AND BUILDINGS IN BUSINESS AND INDUSTRIAL DISTRICTS

SEC. 28.31 PLACEMENT OF AIR CONDITIONING CONDENSER UNITS AND SIMILAR ACCESSORIES

1. Placement

For the purpose of this Ordinance, air conditioning condenser units, heat pumps or similar accessories installed outside of one and two family residential dwellings, including the concrete slab upon which the condenser is mounted, shall be located in accordance with the following:

- (a) Front Yards. Such units shall be prohibited in any front yard area.
- (b) Rear Yards. Such units shall be permitted in the rear yard, provided the unit is located between and not less than five (5) feet from an extension of the side building lines, and not more than two (2) feet from the rear building line or overhang, as measured from the nearest surface of the unit to a vertical line extended down from the building line or edge of the overhang, as measured from the nearest surface of the unit to a vertical line extended down from the building line or edge of the overhand.
- (c) Side Yards. Such units shall be permitted in any side yards, subject to the following:
 - Adjacent to a Window: Where the side yard is located adjacent an adjacent dwelling wall with a window (other than a basement window), the following minimum separation distance between dwelling the adjacent dwelling and the unit shall be provided:

DISTANCE BETWEEN UNIT AND ADJACENT DWELLING	LOCATION
0 - 30 feet	Placement of the unit in the side yard is prohibited.
30 - 100 feet	Placement of the unit in the rear one-third of the side yard not more than two (2) feet from the roof overhang shall be permitted with written consent from the adjacent property owner.
Greater than 100 feet	Placement of the unit in the rear one-third of the side yard not more than two (2) feet from the roof overhang shall be permitted

- 2) No Adjacent Windows: Where the side yard is located adjacent to an adjacent dwelling wall with no windows (other than basement windows), the following separation distance between the adjacent residence and the unit shall be provided:

DISTANCE BETWEEN UNIT AND ADJACENT DWELLING	LOCATION
0 – 100 feet	Placement of the unit in the rear one-third of the side yard not more than two (2) feet from the roof overhang nor less than ten (10) feet from the side lot line shall be permitted with written consent from the adjacent property owner.
Greater than 100 feet	Placement of the unit in the rear one-third of the side yard not more than two (2) feet from the roof overhang may be permitted.

Non-residential Development Placement: For purposes of this Ordinance, mechanical equipment including air conditioning units, transformers, and generators, including the slab upon which the equipment is mounted shall be located in accordance with the following:

- (a) Front Yards. Equipment shall not be located in the front yard area. The Planning Commission may permit equipment to be located in the front yard upon finding that such location will meet the spirit and intent of the zoning district in which the building is located provided such equipment is not located closer than twenty (20) feet from an adjacent residential dwelling or district.
- (b) Side and Rear Yards. Equipment shall be permitted in a side or rear yard provided such equipment is not located closer than twenty (20) feet from an adjacent residential dwelling or district.
- (d) Equipment shall be screened from public rights-of-way and adjacent uses by evergreen trees or shrubs, walls, or a berm. Alternative methods of screening may be approved by the Planning Commission.
- (e) Equipment shall not have measurable noise levels beyond the property line, except in compliance with the Charter Township of Plymouth Noise Control Ordinance (Chapter 34).
- (f) The Planning Commission shall have the authority to waive or modify the above requirements upon the determination that such waiver or modifications meets the spirit and intent of the District in which the equipment is located.

2. Screening and Buffering

Each unit shall be screened by evergreen shrubs or trees placed in a manner that will reduce the noise output of the unit, and screen the unit from the public right-of-way and the adjacent residence. All planting shall be rooted in the ground, and portable planters shall not be acceptable.

SEC. 28.32 RESERVED

SEC. 28.33 DANGEROUS OR OBNOXIOUS ANIMALS OR INSECTS

The keeping, breeding or boarding of any animal that is considered dangerous, has caused injury or is obnoxious because of noise or odor shall be prohibited. The keeping, breeding or boarding of any animal or insect in any manner that results in a dangerous, injurious, obnoxious or other nuisance condition because of noise or odor, the number being kept, bred or boarded or their location in relationship to neighboring dwellings or other uses shall be prohibited.

SEC. 28.34 STORAGE OF DISABLED VEHICLES

The storage or parking of automobiles, trucks, tractors, trailers or similar vehicles, equipment or machinery that are wrecked, disabled, abandoned, worn out, unlicensed, or otherwise incapable of movement under their own power, outside of a completely enclosed garage, barn or other such structure is prohibited, and shall be a violation of this Ordinance.

SEC. 28.35 – 28.39 RESERVED

TEMPORARY STRUCTURES AND USES

SEC. 28.40 TEMPORARY CONSTRUCTION TRAILERS

Manufactured homes, portable buildings and similar temporary facilities used during construction of subdivisions or other developments shall be permitted, subject to the following:

1. The applicant shall obtain a permit from the Department of Building and Code Enforcement. The permit application shall describe the size, location and use of the temporary facility in sufficient detail to determine compliance with the applicable provisions of this Ordinance, and shall be accompanied by the application fee prescribed by the Township Board.
2. The applicant shall post a bond in the amount of \$500.00 to guarantee the removal of the temporary facility. All temporary facilities shall be removed from the development site within forty-eight (48) hours of completion of the final unit in the subdivision or development.
3. There shall not be more than one (1) temporary facility for each builder in the development.
4. All temporary facilities shall be parked off the paved portion of the subdivision or development streets.

SEC. 28.32	RESERVED
SEC. 28.33	DANGEROUS OR OBNOXIOUS ANIMALS OR INSECTS
SEC. 28.34	STORAGE OF DISABLED VEHICLES
SEC. 28.35-SEC.28.39	RESERVED
SEC. 28.40	TEMPORARY CONSTRUCTION TRAILERS

5. Outside storage of tools and small equipment is prohibited. All such items shall be stored off site or inside the temporary facility.
6. Placement shall be subject to review and approval of the Department of Building and Code Enforcement. Temporary facilities shall only be parked on lots that are vacant or under construction, and as far from occupied houses as possible.
7. Installation of utilities and service for the temporary facilities shall be subject to inspection and approval by the Department of Building and Code Enforcement. To provide for adequate safety, such utilities shall be secured during non-working hours.

SEC. 28.41 CARNIVALS, FAIRS, BLOCK PARTIES AND SIMILAR USES

Fairs, carnivals, block parties, and similar uses shall be allowed in any district where permitted only upon administrative approval by the Chief Building Official and Township Supervisor, subject to the following:

1. Such uses shall be sponsored by schools, churches, fraternal societies and similar nonprofit organizations as an accessory use for the sole purpose of fundraising to support their primary functions or objectives.
2. Such use and occupancy shall be temporary and/or seasonal.
3. Such use and occupancy shall not be detrimental to adjacent surrounding property.
4. Such use and occupancy shall not be disturbing to the public peace and tranquility.
5. Such use and occupancy shall not create undue traffic hazard and congestion.
6. Such use shall not be detrimental to the public health, safety and welfare of the community as a whole or surrounding land uses.
7. Permit for such use may be granted for periods not to exceed eight (8) consecutive days, and may be renewable for a maximum of eight (8) additional days.

SEC. 28.42 TENT SALES OR SIMILAR USES

Tent sales or similar uses may be allowed in the C-1, C-2, ARC, IND and TAR Districts only upon administrative approval by the Chief Building Official and Township Supervisor. Such approval shall be contingent upon the following:

1. Such use and occupancy shall be temporary. Permit for such use may be granted for periods not to exceed fourteen (14) consecutive days, plus one (1) renewal, upon written request, for not more than ten (10) additional days. Such permits shall not be issued more than two (2) times per calendar year for any one (1) business, parcel or lot.

2. Such use and occupancy shall not impact adjacent and surrounding properties.
3. Such use and occupancy shall not disturb public peace and tranquility.
4. Such use and occupancy shall not create a traffic hazard and congestion.
5. Such use shall not be detrimental to the public health, safety and welfare of the surrounding neighborhood or community as a whole.

SEC. 28.43 GRAND OPENINGS, SPECIAL SALES OR SPECIAL EVENTS

Grand openings, special sales or special events may be permitted in a C-1, C-2, ARC, IND, OR or TAR District or for any special land use in a Residential District only upon approval of the Chief Building Official and Township Supervisor provided the following conditions shall apply:

1. Such use shall be temporary. Permit for such use may be granted upon written request for periods not to exceed ten (10) days. Such permit shall not be issued more than two (2) times per calendar year for any one (1) business, parcel or lot.
2. All merchandise offered for sale shall be a product(s) normally offered or sold by the principal business or occupant of the subject business, parcel or lot.
3. Such use shall not impact adjacent or surrounding properties.
4. Such use shall not be disturbing to the public peace and tranquility.
5. Such uses shall not create a traffic hazard and congestion or exceed any height restrictions within airport influence zones.
6. Such use shall not be detrimental to the public health, safety and welfare of the community as a whole or surrounding lands.
7. Signs and lighting beyond the limits of this ordinance may be approved. Signs and lighting of a flashing, blinking, alternating or intermittent type shall be prohibited. Signs and lighting shall not be glaring or intrusive to neighbors.
8. Time limitations regarding hours of operation shall be placed on lighting, including the use of searchlights, lasers or similar high-intensity light sources for advertising purposes. At a minimum, such lighting shall be prohibited between the hours of 11:00 P.M. and 7:00 A.M.

Sec. 28.44 SALE OF CHRISTMAS TREES

Christmas trees may be sold without the use of a building in the C-1, C-2, ARC or IND Districts, subject to obtaining an appropriate permit from the Township Clerk. Christmas trees may be displayed and sold by churches, schools, or other non-profit organizations on property owned by

SEC. 28.42	TENT SALES OR SIMILAR USES
SEC. 28.43	GRAND OPENINGS, SPECIAL SALES OR SPECIAL EVENTS
SEC. 28.44	SALE OF CHRISTMAS TREES

such institution or organization in any district. All trees, parts of trees, signs and any other refuse or debris resulting from this use shall be removed from the property not later than the 28th day of December of the year the property is so used.

SEC. 28.45 TEMPORARY COMMERCIAL AND INDUSTRIAL BUILDINGS

The Planning Commission may permit the owner of any premises in commercial or industrial districts to erect a temporary pre-constructed building or prefabricated structure or a building having the appearance of being temporary in nature, subject to the following:

1. The building or structure shall not be objectionable because of design, material or workmanship, or out of character with adjoining properties.
2. The Commission shall condition any permit on a specific time limitation and shall require a cash bond to be posted to guarantee the removal of the structure at the expiration of the permit.
3. The Commission may permit an extension of the time limit when applied for in writing prior to the expiration date of the approval, provided that the Commission finds the circumstance involved in the original approval to still be valid and that the spirit and intent of this Ordinance would not be impaired by such extension.

SEC. 28.46 RECREATIONAL VEHICLE PARKING

1. Parking of recreational vehicles, campers, motor homes, snowmobiles, boats, accessory trailers or other recreational apparatus, is permitted in the rear yard of single family residences, provided the following conditions are met:
 - (a) The recreational vehicle or apparatus must be owned or leased by the persons occupying the principal residence of the and where the vehicle or apparatus will be parked. Persons other than the owners or leasers of the land where the vehicle or apparatus will be parked may obtain a permit from the Department of Building and Code Enforcement to park the vehicle or apparatus for a period not to exceed two (2) weeks, or up to twenty-four (24) hours without a permit.
 - (b) The recreational vehicle or apparatus must be parked wholly within the rear yard, within the side building lines extended and a minimum of twenty feet (20') from the rear property line. Where parked on a corner lot, a landscape screen shall be provided in the side yard abutting the street. Said screen shall consist of evergreen trees and deciduous or evergreen shrubs sufficient in height and quantity to provide an immediate and continuing separation between the storage area and the public right-of- way, without adversely impacting the visibility of vehicular traffic flow on the street right-of-way or adjacent properties.
 - (c) Parking of manufactured homes on a single family residential lot is specifically prohibited.

SEC. 28.44	SALE OF CHRISTMAS TREES
SEC. 28.45	TEMPORARY COMMERCIAL AND INDUSTRIAL BUILDINGS
SEC. 28.46	RECREATIONAL VEHICLE PARKING

2. Notwithstanding the requirements above, temporary parking of recreational vehicles, campers, motor homes or other recreation apparatus, such as snowmobiles, boats and trailers is permitted in the driveway of a single family residence prior to or after a trip for the purposes of loading, unloading or cleaning provided the following conditions are met:
- (a) The item(s) must be safely parked wholly within the driveway of the single family residence of the person owning or leasing the parked item(s).
 - (b) Parking of the vehicle or other recreational equipment shall not encroach on, over or above any sidewalk or other vehicular or pedestrian way.
 - (c) Temporary parking of the recreation vehicle or recreation apparatus as defined above shall be limited to a maximum of three (3) parking occurrences within a seven (7) day period. In addition, the combined number of hours the recreation vehicle or recreation apparatus may be temporarily parked during the same seven (7) day period shall not exceed 48 hours. A parking occurrence shall be defined as any time the recreation vehicle or recreation apparatus is brought on to the driveway from off site and parked.

SEC. 28.47 VOTING PLACE

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

SEC. 28.48 – 28.59 RESERVED

DESIGN STANDARDS FOR SPECIFIC USES

SEC. 28.60 ESSENTIAL SERVICES

Essential services, as defined in this Ordinance, shall be permitted as authorized and regulated by franchise, law or ordinance of the Charter Township of Plymouth. It is the intent of this Section that all essential service structures and uses shall conform with the requirements of this Ordinance wherever practicable and not in conflict with the specific requirements of the applicable franchise, law or ordinance. Where such conflict exists, such essential services shall be exempt from the conflicting provision(s) of this Ordinance. Wireless communication facilities, as defined in this Ordinance, shall not be classified as essential services.

SEC. 28.61 WIND ENERGY (Added 10/16/11)

It is the purpose of this Section to promote the safe, effective, and efficient use of wind energy systems to reduce or replace on-site consumption of utility supplied electricity. It is further the purpose of this Section to standardize and streamline the review and permitting process for small wind energy systems.

SEC. 28.46	RECREATIONAL VEHICLE PARKING
SEC. 28.47	VOTING PLACES
SEC. 28.48-SEC. 28.50	RESERVED
SEC. 28.60	ESSENTIAL SERVICES
SEC. 28.61	WIND ENERGY

Wind energy is a renewable and nonpolluting energy resource and that its conversion to electricity will reduce dependence on non-renewable energy resources and decrease air and water pollution that results from the use of conventional fossil-fuel inputs. Wind energy systems will also enhance the reliability and power quality of the power grid, reduce peak power demands, and help diversify the Township's energy supply portfolio.

1. **Definitions**

The terms used in this section have the following meanings:

HEIGHT: For purposes of this section, height shall mean the vertical distance from grade level adjacent to the base of the structure to the center of the hub for a horizontal axis wind turbine or the highest point of a vertical-axis wind turbine.

ROOF-MOUNTED ENERGY SYSTEM: A type of small wind energy conversion system that is mounted on a roof with a height not greater than 15 feet above the ridgeline of a pitched roof or parapet of a flat roof.

SHADOW FLICKER: Alternating changes in light intensity caused by the moving blade of a Wind Energy System casting shadows on the ground and stationary objects.

SMALL WIND ENERGY SYSTEM: A wind energy conversion system consisting of a wind turbine, tower or axis, blades or blade system, and associated control or conversion electronics primarily intended to reduce on-site consumption of utility power.

TOWER MOUNTED WIND ENERGY SYSTEM: A wind energy conversion system that is mounted on a freestanding or guyed tower attached to the ground, and not attached to any other permanent or temporary structure.

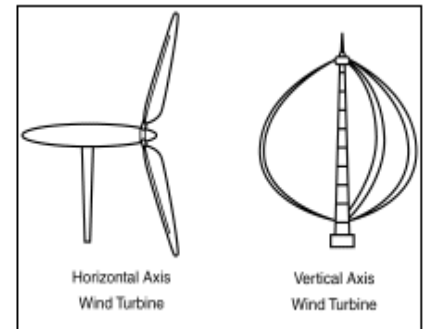
WIND ENERGY SYSTEM: Any wind energy conversion device including all associated control or conversion electronics.

2. **Where Permitted**

A tower-mounted Small Wind Energy System may be permitted as an accessory use in the PL, TAR and IND districts, subject to special land use approval and the requirements of this Section.

A roof-mounted Small Wind Energy System may be permitted as an accessory use in the PL, TAR, IND, ARC, C-2 and MR districts subject to special land use approval and the requirements of this section.

3. **Review Procedures and Standards**



Horizontal and Vertical Axis Systems

- (a) Small Wind Energy Systems. The review process for any Small Wind Energy System shall follow the special land use review process set forth in Section 2.7 SPECIAL LAND USES. One system may be permitted per site.
- (b) General Standards. The following requirements are applicable to all wind energy systems.
 - 1) Noise. A wind energy system shall not generate a noise level of 55 dB(A), measured at the property line, for more than three minutes in any hour of the day. EXCEPTION: if the constant ambient sound pressure level exceeds 55 dB(A), measured at the base of the wind energy system, a decibel level of the ambient dB(A) plus 5 dB(A) shall not be exceeded for more than three minutes in any hour of the day.
 - 2) Shadow Flicker. The application for a wind energy system shall include a shadow flicker analysis demonstrating locations where shadow flicker will occur at sunrise and sunset, along with measures the applicant will take to eliminate or mitigate the effects of shadow flicker on adjacent or nearby affected properties.
 - 3) Lighting. No wind energy system shall be artificially lighted unless required by the Federal Aviation Administration.
 - 4) Appearance, Color, and Finish. The wind energy system shall be maintained in the color or finish that was originally applied by the manufacturer, unless otherwise approved by the Planning Commission. All wind energy systems shall be finished in a non-reflective matte finished color.
 - 5) Signs. All signs other than the manufacturer or installer's identification, appropriate warning signs, or owner identification signs are prohibited. No signs shall be permitted on the blades of a wind turbine.
 - 6) Electrical Wires. All electrical wires associated with a wind energy system other than wire necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and grounding wires shall be located underground.
 - 7) Compliance with Electrical Code. Building permit applications for wind energy systems shall be accompanied by line drawings of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.
 - 8) System Access. The tower shall be designed and installed such that step bolts, ladders, or other means of access readily accessible to the public are located at least 8 feet above grade level.

- 9) Sufficient Wind Resources. An application for installation shall require documentation that the wind resources at the site are sufficient for the operation of the proposed wind turbine. A one year study of sufficient wind resources shall be included with the application
- 10) Safety. A wind energy system shall have automatic braking, governing, or a feathering system to prevent uncontrolled rotation or over speeding. All wind towers shall have lighting protection.
- 11) Minimum Ground Clearance. The lowest point of the arc created by rotating wind blades or other exposed moving component of a wind energy system shall be at least 20 feet above ground (the highest point of the natural grade within 30 feet of the base of the tower.
- 12) Type of Tower. Each stand alone small energy wind systems shall be a monopole or monopole style of construction and shall not utilize guy lines.
- 13) Building Mounted Wind Energy Systems. Building mounted wind energy systems shall be limited to roof mounting and shall not be mounted on any other building wall or surface.

4. Standards Specific to the Type of Wind Energy System.

- (a) Tower-Mounted Small Wind Energy Systems. The following standards are applicable to tower-mounted small wind energy systems:
 - 1) No minimum lot area
 - 2) The maximum height is one foot of height for each 2.5 feet of setback from the base of the tower to the nearest residential zoning district, or 125 feet; whichever is lower.
 - 3) The minimum setback from any property line shall be the height of the wind energy system plus 5 feet.
 - 4) The minimum setback from any road or overhead utility right-of-way or easement shall be equal to 1½ times the height of the wind energy system.
 - 5) Tower-mounted wind energy systems may not be located in the front yard of any lot.
 - 6) Wind Energy Systems shall not be permitted in the area bounded by Joy Road, Lilley Road, Ann Arbor Road, and Haggerty Road due to the proximity of the Mettetal Airport.
- (b) Roof-Mounted Small Wind Energy Systems. The following standards are applicable to roof-mounted small wind energy systems:
 - 1) No minimum parcel area.

- 2) The maximum height is 15 feet above the top of roof elevation of the building for any building located within 250 feet of a residentially zoned district, or 150% of the building height, whichever is lower.
- 3) Roof-mounted wind energy systems shall be set back a minimum of 20 feet from the property line, or the height of the system above the top of roof elevation multiplied by 1.25, whichever is greater.
- 4) May not be attached to the front of the building.

5. Site Reclamation.

Inoperable. A wind turbine shall be declared inoperable if it has not generated power for six (6) months and shall be promptly dismantled and removed from the property.

- (a) Unsafe. Any wind turbine that is found to present an imminent physical threat to life or property shall be immediately shut down and repaired or otherwise made safe and certified by a qualified engineer prior to resumption of operation.
- (b) Removal and Site Restoration. The owner/operator shall remove all equipment, above and below ground, and restore the site to its original condition when the wind energy system is considered inoperable or unsafe.

6. Certificate of Insurance.

The owner/operator shall maintain liability and other insurances for the duration of the use including decommissioning and reclamation of the property for any non-residential wind energy system. The insurance carrier shall be instructed to notify all applicable governmental authorities of any delinquency in payment of premiums. Failure to provide such insurance shall be considered abandonment and full and sufficient grounds for termination of the special use approval and disposal of the equipment as stated herein.

SEC. 28.62 RESERVED

SEC. 28.63 LARGE SCALE INSTITUTIONAL USES, INCLUDING LARGE SCALE CHURCHES

Large scale institutional uses and large scale churches (as defined in Section 36.2) have negative impacts on single family residential areas because of the scale of buildings, parking, traffic and frequency of use, which are different from similar smaller uses and smaller churches that have traditionally been compatible with single family areas. Because of these impacts, large scale institutional uses and large scale churches are more compatible with non-residential districts, subject to conditions which minimize these impacts. Large scale institutional uses, and large scale churches are permitted as special land uses in zoning districts, in accordance with the following schedule and conditions:

SEC. 28.61	WIND ENERGY
SEC. 28.62	RESERVED
SEC. 28.63	LARGE SCALE INSTITUTIONAL USES, INCLUDING LARGE SCALE CHURCHES

LARGE SCALE USE	ZONING DISTRICT															
	PL	AG	R-1-E	R-1-H, R-1-S, R-1, RM	R-2	R-2-A	OS	OS- ARC, PUD, OS- ARC	C-1	C-2	ARC, PUD, ARC	MR	VP, OR	TAR	IND	Other PUD
Church										S	S	S			S	S
School			S			S	S				S	S				S
Library						S	S			S	S	S				S
Community Building						S	S			S	S	S				S
Hospital										S	S	S				S
Convalescent Home										S	S	S				S
Mortuary										S	S	S				S
Municipal Facilities	S					S	S			S	S	S			S	S

S = Special Land Use
 [Blank] = Not Permitted

Each large scale use permitted as a special land use shall meet the following conditions in addition to all other provisions of this Ordinance. These standards are intended to restrict large scale uses to suitable locations, and to mitigate any adverse impacts of the uses on the community.

1. The site shall have at least one hundred fifty (150) feet of frontage on a major thoroughfare with an existing or planned right-of-way of not less than one hundred twenty feet (120). All ingress and egress to the site shall be directly onto such major thoroughfares.
2. The site shall be located within one-half (1/2) mile of interchange access to M-14 or I-275, as measured along major thoroughfares.
3. All buildings, structures, and parking and loading areas shall be set back a minimum of one hundred (100) feet from any abutting residential zoning district. Such setback area shall be heavily landscaped so as to create a complete visual and physical separation between the two unlike land uses, forming an effective screen in compliance with the provisions of Article 26 of this Ordinance.
4. Traffic from events (including church worship services) and other large assemblies shall be controlled by the institution or church, or by its agents, so as to not create congestion or unreasonable delays on the public street. A schedule of expected frequency of events (including church worship services) and assemblies, a description of the method(s) of traffic control and a traffic impact study shall be presented to the Planning Commission for approval after review and comment on the plan by the Township Police Department.
5. Associated uses on the site such as recreation centers, retreat facilities, conference centers, schools (if not the primary use), convents, and others shall meet all requirements of this Ordinance for such uses.

Article 28: Special Provisions

6. All parking spaces and aisles shall be screened from off-site view by any one (1) or a combination of the following, in accordance with Section 26.11, Methods of Screening:
 - (a) Screening mound or berm.
 - (b) Dense evergreen screen.
 - (c) Solid wall with planting strip.
 - (d) Changes in grade through the use of retaining walls, or topographic features.
7. There shall be no outside loudspeakers or amplified sound outside of a totally enclosed building.
8. Storage of buses, trucks, and maintenance equipment shall be entirely within a totally enclosed building.

SEC. 28.64 STATE LICENSED CHILD AND ADULT CARE FACILITIES

State licensed residential facilities, and child and adult day care facilities (as defined in Section 36.2 and as licensed by the State of Michigan) shall be permitted in zoning districts in accordance with the following table and development standards:

TYPE OF FACILITY	DISTRICTS					
	AG, PL	R-1-E, R-1-H, R-1-S, R-1, RM	R-2 R-2-A	OS, OS-ARC, ARC, C-1, C-2, OR, TAR	MR	IND
Adult foster care family home	P	P	P			
Adult foster care small group home	S	S	S			
Adult foster care large group home	S		S			
Foster family home	P	P	P			
Foster family group home	P	P	P			
Family day care home	P	P	P			
Group day care home		S	S			
Child care centers		S	S	S	S	S

P = Principal Permitted Use

S = Special Land Use

[Blank] = Not Permitted

1. Development Standards for Child Care Facilities With More Than Six (6) Children, as Licensed by the State of Michigan:

- (a) A fenced, outdoor play area shall be provided and maintained, with a total area equal to a minimum of five hundred (500) square feet of per child at the maximum licensed capacity of the facility. Fencing shall be decorative, as determined by the Planning Commission.
 - (b) All child care facilities shall be registered with or licensed by the State of Michigan where required, and shall comply with the minimum state standards for such facilities, in addition to those standards specified in this Ordinance. Proof of compliance shall be provided to the Township upon request.
 - (c) Child care centers located in a residential district shall be located on the exterior of the district. The site shall abut non-residential zoning on at least one (1) side of the lot. No such facility shall be permitted in the interior of a residential block.
 - (d) Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads. Adequate stacking space for the pick-up/drop-off area shall be provided. Parking spaces shall be provided in accordance with Article 24, Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading.
 - (e) Group day care homes shall not exceed sixteen (16) hours of operation during a 24-hour period. The Township may place limits on the operation of a group day-care home between the hours of 10:00 P.M. and 6:00 A.M.
 - (f) Such facilities shall be located at least fifteen hundred (1,500) feet from any other state-licensed residential facilities or child or adult care facilities, as measured from the nearest lot boundaries. The Planning Commission may permit a smaller separation upon determining that such action will not result in an excessive concentration of such facilities in the neighborhood.
2. Development Standards for Adult Care Facilities With More Than Six (6) Adults, as Licensed by the State of Michigan:
- (a) All adult care facilities shall be certified by the Michigan Association of Day Care Providers (or other agency with jurisdiction) to ensure the safety and quality of the care provided. Each facility shall comply with the operating standards outlined by the Michigan Office of Services to the Aging, Michigan Association of Day Care Providers, or other agency with jurisdiction. Proof of compliance shall be provided to the Township upon request.
 - (b) Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads. Adequate stacking space for the pick-up/drop-off area shall be provided. Parking spaces

shall be provided in accordance with Article 24, Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading.

- (c) Each facility shall provide adequate recreational facilities, including a usable outdoor recreation area equal to a minimum of five hundred (500) square feet per person at the maximum licensed capacity of the facility.
- (d) Any fencing provided shall be decorative, subject to Planning Commission approval.
- (e) Maintenance of the facility and property must be consistent with the visible characteristics of the neighborhood.
- (f) Such facilities shall be landscaped and screened in accordance with the requirements of Section 26.12.
- (g) Such facilities shall be located at least fifteen hundred (1,500) feet from any other state-licensed residential facilities or child or adult care facilities, as measured from the nearest lot boundaries. The Planning Commission may permit a smaller separation upon determining that such action will not result in an excessive concentration of such facilities in the neighborhood.

SEC. 28.65 ELDERLY HOUSING

All types of elderly housing (as defined in Section 36.2) shall comply with the following:

- 1. Common outdoor recreation space for residents shall be provided, subject to the following:
 - (a) The total area shall equal or exceed ten (10) percent of the gross floor area of all buildings in the project.
 - (b) Recreation space shall include areas for both passive and active recreation.
 - (c) If developed in phases, the recreation space improvements shall be completed in proportion to the gross floor area constructed in each phase.
 - (d) Off-street parking areas, street rights-of-way or street setback areas, access drives, perimeter yard setbacks and submerged land areas of a pond, lake, river or stream shall not be counted as recreation space.
- 2. Private outdoor living space shall be provided for each independent or congregate dwelling unit. Such space shall be located adjacent to the unit with direct access, and the total area shall equal or exceed ten (10) percent of the gross floor area of the unit. Assisted living elderly housing shall not require private outdoor living space.

3. No housing for the elderly shall be converted to any other use without complying with all provisions of this Ordinance in effect at the time of conversion.
4. All vehicular access to the site shall be from a paved collector or primary road classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
5. Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
6. **Minimum Building Separation**

Where dwelling units change direction in a building grouping and such units are connected or tied together by a gate opening or similar structure not more than six (6) feet in width, such units shall be considered together as one (1) building. Separation distance between buildings shall be subject to the following:

BUILDING RELATIONSHIP	MINIMUM BUILDING SEPARATION
Front to Front	70.0 feet
Front to Side	50.0 feet
Side to Side	20.0 feet
Side to Rear	50.0 feet
Front to Rear	70.0 feet
Rear to Rear	70.0 feet

7. **Independent Elderly Housing**

The following additional standards shall apply to independent elderly housing (as defined in Section 36.2):

- (a) All dwelling units shall meet the following minimum floor area requirements:

UNIT TYPE	MINIMUM FLOOR AREA
Studio or Efficiency	400 square feet
1 bedroom	600 square feet
2 or more bedrooms	800 square feet

- (b) Meeting and activity facilities, laundry rooms and similar accessory facilities for occupants and their guests shall be permitted.

- (c) The maximum density of the dwelling units shall not exceed the density permitted in the zoning district.

8. Dependent Elderly Housing

The following additional standards shall apply to dependent elderly housing (as defined in Section 36.2):

- (a) All dwelling units shall meet the following minimum floor area requirements:

UNIT TYPE	MINIMUM FLOOR AREA
Studio or Efficiency	350 square feet
1 bedroom	500 square feet
2 or more bedrooms	600 square feet

- (b) Meeting and activity facilities, dining room facilities, beauty or barber shops exclusively for facility residents, laundry rooms and similar accessory facilities for occupants and their guests shall be permitted.
- (c) The dependent housing dwelling unit density shall be based upon the maximum density permitted in the zoning district and the following:

TYPE OF DEPENDENT HOUSING	RATIO OF PERMITTED DEPENDENT ELDERLY HOUSING UNITS TO MAXIMUM PERMITTED UNITS IN THE DISTRICT
Assisted Living	2 units : 1 unit
Congregate Care	1 unit : 1 unit

SEC. 28.66 – 28.69 RESERVED

SEC. 28.70 HOME OCCUPATIONS

1. Permitted Home Occupations

The following home occupations shall be permitted in any residential dwelling, subject to the standards of this Section:

- a) Dressmaking, sewing and tailoring.
- b) Painting, sculpturing, writing or other fine art.
- c) Telephone answering or telemarketing.
- d) Home crafts, such as model making, rug weaving, and lapidary work.
- e) Tutoring, music lessons and dance lessons, limited to not more than four students at a time.

- f) Computer program development.
- g) Salesperson's office or home office of a professional person, provided that no sales or direct customer contact is permitted on the premises.
- h) Repair of small instruments and appliances (such as clocks, computers, VCR/CD/DVD players, stereo equipment, lamps, microwave ovens and similar items) that do not create a nuisance due to noise, vibration, glare, fumes, odor or electrical interference.
- i) Similar home occupations, as determined by the Administrative Review Committee.

2. Standards

- (a) Home occupations shall not occupy more than twenty (20) percent of the gross floor area of the principal dwelling, and shall not be located in an accessory structure.
- (b) There shall be no visible change to the outside appearance of the dwelling.
- (c) Traffic, parking, sewage, trash or garbage storage and removal or water use shall not be noticeably different from typical homes in the neighborhood.
- (d) The use shall not generate noise, vibration, glare, fumes, toxic substance, odors or electrical interference at levels greater than normally associated with a single family home.
- (e) Outside storage or display related to the home occupation is prohibited.
- (f) Signs shall be subject to the requirements of Article 25, Sign Regulations.
- (g) Only residents of the dwelling may be employed or involved in the home occupation. No person living outside of the residence shall participate in the home occupation.
- (h) All shipping/receiving, deliveries, and other activities visible or audible from adjacent properties or the street setback shall occur only between 8:00 A.M. and 6:00 P.M. The number of deliveries or other activities associated with the home occupation should not exceed the number of deliveries normally associated with a single family residences.
- (i) No home occupation shall cause interior or exterior alterations of the dwelling from its residential appearance, or the use of any equipment, machinery, supplies or other materials that would change the fire rating of the structure.

3. Prohibited Home Occupations

- (a) Private clubs, restaurants and similar eating or drinking establishments.
- (b) Hospitals and other medical and dental clinics.
- (c) Automobile, truck, recreation vehicle, boat machinery or small engine repair maintenance, painting or storage, or similar activities that may create a nuisance due to noise, vibration, glare, fumes, odors or electrical interference.

- (d) Stables, kennels, veterinary clinics or animal hospitals.
- (e) Bed and breakfast operations, except as may otherwise be permitted in the district.
- (f) Beauty parlors and barber shops.
- (g) Retail sale of merchandise, except produce grown on the premises.
- (h) Undertaking and funeral homes.
- (i) Adult uses and sexually-oriented businesses.
- (j) Gun or other weapon sales.

SEC. 28.71 BED-AND-BREAKFAST INNS

All bed-and-breakfast facilities (as defined in Section 36.2) shall be subject to the following:

1. The use shall be limited to the principal dwelling, and shall be prohibited from operating within any permitted accessory structure, except for incidental storage.
2. The use shall be operated by the persons who own and occupy the premises, and be incidental and subordinate to the principal single-family residential dwelling use.
3. The use shall not involve alteration or construction not customarily found in a residential dwelling, or have any exterior evidence (other than a permitted sign) to indicate that the residence is being utilized for any purpose other than that of a dwelling.
4. The use shall not create a nuisance to adjoining residents by reason of noise, smoke, odor, electrical disturbance, exterior lighting or creation of excessive traffic in the neighborhood.
5. Rental sleeping rooms shall occupy a maximum of twenty five (25) percent of the gross floor area of the dwelling.
6. Guests shall be limited to a maximum stay of fourteen (14) consecutive days, or thirty (30) days in any one (1) calendar year. A guest register shall be maintained with all guests legibly registered.
7. The use shall comply with all applicable state and local laws and regulations.
8. No parking shall be permitted within any required setback area, other than on an approved driveway or within an accessory garage.
9. Cooking facilities and food service shall be limited to dwelling residents and guests.

SEC. 28.72 VETERINARY CLINICS OR ANIMAL HOSPITALS

Veterinary clinics, and animal hospitals shall be subject to the following:

1. Any building designed or constructed for such uses shall be used for the sole purpose of providing medical care for household pets, and shall not be constructed or used as a boarding establishment for household pets.

2. If animals eligible for treatment at such establishment are kept overnight on the premises for a period longer than regular professional business hours, then a full-time, duly qualified attendant shall be stationed in charge of said premises.
3. Open or outdoor runs, kennels or pens shall be prohibited.
4. Rubbish and litter disposal areas and methods shall be designed to prevent obnoxious or offensive conditions. In no case shall there be any harboring of vermin or decaying matter on the premise.
5. The building and ventilation system shall be constructed to prevent any noise and odors emanating from the area used for treatment and temporary keeping of household pets from reaching the building exterior.
6. No building shall be located within one hundred (100) feet of any property line.
7. No building for such uses shall be located on any parcel(s) or lot(s) adjacent to or across a public roadway from any single family residential district.

SEC. 28.73 KENNELS

Kennels (as defined in Section 36.2) for the breeding and/or boarding (keeping) of animals shall be subject to the following:

1. Kennels for the boarding (keeping) of animals shall have a minimum lot area of one (1) acre. Kennels that provide animal breeding services shall have a minimum lot area of five (5) acres.
2. Structures and outdoor areas where animals are kept, outdoor runs and exercise areas shall be set back a minimum of one hundred (100) feet from any adjacent property line, shall be screened in accordance with Section 26.11, and shall have impervious surfaces and a system for runoff, waste collection and disposal approved by the Planning Commission, Health Department approval shall be required for animal waste collection and disposal facilities and procedures.
3. All structures and ventilation systems used for kennel purposes shall be constructed to prevent noise and odors from reaching the building exterior.
4. Kennels shall meet the requirements of the Township Dog Ordinance, and all permit and operational requirements established by regulatory agencies with jurisdiction.
5. Kennels shall be kept clean, and waste shall be treated and handled in such a manner as to control odor and flies.

SEC. 28.74 - 28.99 RESERVED

END OF ARTICLE 28.

SEC. 28.72 VETERINARY CLINICS OR ANIMAL HOSPITALS

SEC. 28.73 KENNELS

SEC. 28.74-SEC. 28.99 RESERVED

Charter Township of Plymouth Zoning Ordinance No. 99
Article 28: Special Provisions
Amendments

**THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO
THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004**

ALL AMENDMENTS TO

ARTICLE XXVIII (28)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 28: Special Provisions

Amendments

ALL AMENDMENTS TO ARTICLE XXVIII (28)

The following language was amended on 03/22/15

SEC. 28.3 RESIDENTIAL DESIGN STANDARDS

2. Dimensional Standards

Such dwelling units shall comply with the minimum standards listed in Article 20 for the zoning district in which it is located, including minimum lot area, minimum lot width, minimum floor area, required setbacks, and maximum building height, except as provided in Section 27.1 for nonconforming lots or parcels of record in the R-1 District.

SEC. 28.4 DWELLING LOCATIONS

3. Lot Width

Every single family dwelling shall be located on a lot, parcel or tract of land having a width of not less than sixty (60) feet at the front or rear building line, whichever is less, except as provided in Section 27.1 for nonconforming lots or parcels of record in the R-1 District.

The following language was amended on 10/16/11

28.32	RESERVED
28.33	DANGEROUS OR OBNOXIOUS ANIMALS OR INSECTS
28.34	STORAGE OF DISABLED VEHICLES
28.35-28.39	RESERVED
TEMPORARY STRUCTURES AND USES	
28.40	TEMPORARY CONSTRUCTION TRAILERS
28.41	CARNIVALS, FAIRS, BLOCK PARTIES AND SIMILAR USES
28.42	TENT SALES OR SIMILAR USES
28.43	GRAND OPENINGS, SPECIAL SALES OR SPECIAL EVENTS
28.44	SALE OF CHRISTMAS TREES
28.45	TEMPORARY COMMERCIAL AND INDUSTRIAL BUILDINGS
28.46	RECREATIONAL VEHICLES OR CAMPER PARKING
28.47	VOTING PLACE
28.48-28.59	RESERVED
DESIGN STANDARDS FOR SPECIFIC USES	
28.60	ESSENTIAL SERVICES
28.61	RESERVED

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28.62	RESERVED
28.63	LARGE SCALE INSTITUTIONAL USES, INCLUDING LARGE SCALE CHURCHES
28.64	STATE LICENSED CHILD AND ADULT CARE FACILITIES
28.65	ELDERLY HOUSING
28.66	RESERVED
28.67	RESERVED
28.68	RESERVED
28.69	RESERVED
28.70	HOME OCCUPATIONS
28.71	BED-AND-BREAKFAST INNS
28.72	VETERINARY CLINICS OR ANIMAL HOSPITALS
28.73	KENNELS
28.74	RESERVED
28.75	RESERVED
28.76	RESERVED
28.77	RESERVED
28.78	RESERVED
28.79-28.99	RESERVED

SEC. 28.61 – 28.62 RESERVED

The following language was amended on 4/09/09

SPECIAL PROVISIONS	
DEVELOPMENT RELATED PROVISIONS	
28.1	CONDOMINIUM SUBDIVISIONS
28.2	DIVISION OF UNPLATTED LAND
28.3	RESIDENTIAL DESIGN STANDARDS
28.4	DWELLING LOCATIONS
28.5	ENVIRONMENTAL PERFORMANCE REQUIREMENTS
28.6	LANDFILL, GRADING AND EXCAVATION
28.7	WATER SUPPLY AND DISPOSAL SYSTEM
28.8	EXTERIOR LIGHTING
28.9	WASTE RECEPTACLES
28.10	UNDERGROUND UTILITIES
28.11	WIRELESS COMMUNICATION FACILITIES AND SERVICES
28.12	NATURAL GAS, OIL AND OTHER PETROLEUM RELATED FACILITIES
28.13	OPEN SPACE PRESERVATION OPTION
28.14	BUILDING DESIGN STANDARDS

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SPECIAL PROVISIONS	
28.15	YARD GRADING AND DRAINAGE
28.16	SIDEWALKS
28.17 - 28.19	RESERVED
DIMENSIONAL PROVISIONS AND EXCEPTIONS	
28.20	BUILDING PROJECTIONS AND YARD AREA ENCROACHMENTS
28.21	FRONT YARD EXCEPTIONS
28.22	STREET SETBACK AND RIGHT-OF-WAY REQUIREMENTS
28.23	HEIGHT EXCEPTIONS
28.24	LOTS ADJOINING ALLEYS
28.25	CORNER VISIBILITY AND CLEAR VISION ZONES
28.26	ESTABLISHED SINGLE FAMILY PATTERN PRESERVATION
28.27	RESIDENTIAL NONCONFORMING LOT HEIGHT LIMIT
28.28 -28.29	RESERVED
GENERAL PROVISIONS	
28.30	ACCESSORY USES AND BUILDINGS IN BUSINESS AND INDUSTRIAL DISTRICTS
28.31	PLACEMENT OF AIR CONDITIONING CONDENSER UNITS AND SIMILAR ACCESSORIES
28.32	RESERVED

SEC. 28.17 - 28.19 RESERVED

DIMENSIONAL PROVISIONS AND EXCEPTIONS

The following language was amended on 9/30/07

- 2) Public Hearing: Any condominium subdivision plan submitted to the Township shall contain the name and address of the applicant or his authorized representative to whom notice of a public hearing shall be sent and no plan shall be acted on by the Commission without affording a hearing thereon. On request of the Commission, notice 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 persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the application will be considered. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organizations,

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notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

The following language was amended on 9/30/07

1. Purpose

The purpose of Open Space Preservation Development is to preserve undeveloped land. The regulations in this Section are intended to accomplish this purpose by providing for grouping of homes onto the most buildable portions of a site, so that the remainder of the site can be preserved in an undeveloped state.

As used in this subsection, the term “undeveloped state” shall have the meaning given to it in Section 40, subsection (o), of the Township Zoning Act, Michigan Public Act 184 of 1943, as amended, which is a natural state intended to preserve natural resources, natural features, or scenic or wooded conditions; agricultural uses; open space; or a similar use or condition. Land in an undeveloped state shall not include a golf course but may include a recreational trail, picnic area, children’s play area, greenway, or linear park. Land in an undeveloped state may be privately held or dedicated to the use of the public.

The following language was amended on 5/12/16

SEC. 28.14 BUILDING DESIGN STANDARDS

1. Purpose and Construction

The purpose of this Article is to establish a consistent set of standards for the design and appearance of non-single-family residential structures, which includes buildings, canopies, or gateway structures, within each zoning district of the Township, in order to improve and enhance the overall visual character of the community. These standards are also intended to encourage architectural variety within the context of creating a high-quality and harmonious aesthetic environment. This Article shall apply to new construction as well as additions or alterations to existing non-single-family residential structures. All new construction, and/or all additions or alterations to existing non-single-family residential structures that require site plan and/or administrative review shall conform to the requirements of this Section. This Article shall be construed consistently with the design and development requirements set forth in other Articles; however, to the extent that there is a conflict between a provision of another Article and this Article, the requirements of this Article shall control.

2. Building Massing and Form

- (a) All buildings shall incorporate architectural features, including, but not limited to: arches, arcades, porticos, cornices, peaked rooflines, or towers.
- (b) Building walls over 100 feet in length shall be broken up by varying rooflines, projections, recesses, wall insets, arcades, windows or faux windows, architectural accents, and other details to create rhythm and interest in building facades. Repeating patterns of changes in color, texture, and materials are encouraged.

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3. Facade Materials

- (a) A minimum of 75% of all building facades, excluding the roof and windows, shall consist of masonry products, such as: brick, cut stone, integral colored split face block, cast stone, limestone, granite, or an equivalent material, as determined by the Planning Commission or the Administrative Review Committee. The use of aluminum metal panel systems may be permitted for buildings located within the Industrial District or an industrial area of a nonresidential district, or for buildings of a high-technology or industrial nature. Aluminum metal panel systems may also be permitted for automobile dealerships. The Planning Commission or Administrative Review Committee may modify the 75% exterior finish requirement, if the proposed project is found to meet the objectives of this Article.
- (b) The remaining maximum 25% of the building facade may utilize other materials such as: fiberglass-reinforced concrete, cement board siding, stucco, polymer plastic (Fypon), or EIFS, provided that such materials do not constitute the base of the building.
- (c) The facade materials for any screening structure, which may be used to screen elevators, stairways, tanks, heating and air conditioning equipment, vents, ducts, pipes, or other similar apparatus, shall complement the facade materials of the principal building.

4. Color and Texture

- (a) Variations in color shall be kept to a minimum.
- (b) Building colors shall be in harmony with the surrounding area. Traditional colors, such as: red, subtle earth tones, or neutral colors shall be used for the building facade material. Roof colors shall complement the color of the building facade. The use of high-intensity, metallic, or fluorescent colors is prohibited.
- (c) Accent colors may be permitted if considered by the Planning Commission, or the Administrative Review Committee, to be part of the overall architectural theme for the project.
- (d) Awnings located above windows and doors shall consist of a solid color and shall not incorporate stripes or patterns. Dark colors, such as: dark brown, navy blue, black, maroon, dark green, or dark red, are encouraged. Backlit or underlit awnings are prohibited.
- (e) Simple and uniform texture patterns within the building facade materials are encouraged.

5. Roof Design

- (a) Variations in the roofline are required to reduce the scale of the structure and add visual interest.

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- (b) Rooftop equipment shall be screened from view by parapet walls or other architectural elements which complement the overall building design.

6. Canopies

Overhead canopies for gasoline service stations or other uses shall be designed to be compatible with the architectural characteristics and color of the principal building. Canopies shall incorporate peaked, hipped, or gabled roofs with shingles, support structures which match or simulate the materials of the principal building, and fully recessed lighting fixtures.

7. Alterations or Additions to Existing Buildings

- (a) For an alteration proposed to an existing building facade, the entire façade shall be subject to this Article. However, the Planning Commission or the Administrative Review Committee may limit compliance with this Article to only the portion of the building affected by the proposed alteration, provided that the materials and colors of the altered portion of the building complement the materials and colors of the existing unaltered portion of the building.
- (b) For an addition proposed to an existing building, the materials of the existing portion of the building may be utilized for the proposed addition, provided that the following conditions are met:
 - 1) The addition does not exceed one hundred percent (100%) of the existing building floor area.
 - 2) The facade of the existing portion of the building does not consist of materials or colors that would be prohibited under Section 3 or 4 of this Article.
 - 3) All new facades substantially constitute a continuation of the existing facades relative to color, texture, size, height, and location of materials.
 - 4) The visual effect is to make the addition appear as part of the existing building.
- (c) If the alteration or addition is proposed for an existing building located within the Ann Arbor Road Corridor (ARC) District, then the entire building shall be brought into full compliance with this Article. The Planning Commission or the Administrative Review Committee may modify this requirement if the proposed project is found to meet the objectives of the ARC District.

8. Façade Modification

The Planning Commission or the Administrative Review Committee may approve alternatives to the exterior building design or materials, provided that the proposed project is found to be consistent with the intent and purpose of this Article.

Article 29: Site Plan and Development Approval

Amendments:

ARTICLE XXIX

SITE PLAN AND DEVELOPMENT APPROVAL

SEC. 29.1 PURPOSE

1. The purpose of site plan and development approval is to determine compliance with this Ordinance and Township standards and specifications, to ensure the orderly development of the Township, proper pedestrian and vehicle ingress and egress for all sites, adequate screening of certain uses, sufficient highway, street and parking capacity, to prevent the impairment or depreciation of land values, investments or the general welfare, to afford protection to related or adjoining uses, especially residential properties, and to prohibit the establishment or maintenance of uses or the erection or alteration of structures or other site improvements without proper attention to their location, arrangement, appearance and functionality, and their relationship to adjacent properties, the surrounding neighborhood and the Township as a whole.
2. It is the intent of this Ordinance that any control of architectural design exercised be the minimum necessary to achieve the overall objectives of the Ordinance without suppressing individual initiative and design creativity. Good architectural character is based upon the appropriate use of sound materials and the principles of harmony and proportion in coordinating the building elements.
3. It is also the purpose of this Ordinance to regulate the development of unsubdivided or unplatted properties, multiple residences, and office, business, commercial, shopping center, manufacturing, industrial and other sites and uses in a manner suitable for the intended site and use. It is the further purpose of this Article to ensure that the design, construction, engineering, and installation of such uses, structures and site improvements would preserve and protect the needs of public safety, health and welfare, adjacent properties and the surrounding neighborhood, and would be in correct and proper proportion to the availability of municipal services, including fire and police protection, surface water and sanitary sewerage drainage, water supply, traffic control and maintenance services as furnished or may be required by the Township, and to preserve and protect property rights.-

SEC. 29.2 STATEMENT OF PRINCIPLES

In carrying out the purpose of this Article, the following principles shall be given primary consideration:

1. Site Design

The siting of all structures and all elements of the site design shall be harmoniously and efficiently organized in relation to topography, parcel configuration, adjacent properties, traffic operations, adjacent streets and driveways, pedestrian access, and the type and size of buildings. The site design shall ensure that adequate light and air are preserved so as not to be detrimental to the orderly and harmonious development of the Township.

Article 29: Site Plan and Development Approval

Amendments:

2. Site Appearance and Coordination

Site elements and the relationship between the various uses on the site shall be designed and located so that the proposed development is aesthetically pleasing and harmonious with adjacent existing and prospective development of contiguous properties and the general planning area. All site features, including vehicle and pedestrian circulation, building orientation, landscaping, lighting, utilities, recreation facilities, and open space shall be designed to coordinate with adjacent properties and uses.

3. Preservation of Site Features

The site design shall, to the extent feasible, conserve natural, cultural, historical and architectural site features, including but not limited to architecturally or historically significant buildings, archeological sites, wetlands, topography and wooded areas.

4. Impact upon Public Services

Utility services, including sanitary, water and storm runoff, shall not exceed the existing or planned capacity of such services, and shall be developed in the best interest of the public health, safety and welfare of the community. The proposed development shall be designed and located so that public services, including streets and sidewalks, police and fire protection, and public schools have sufficient capacity to properly serve the development, and so that such services will not be adversely affected by the proposed development.

5. Vehicular Access and Circulation

The vehicular circulation system planned for the proposed development shall be in the best interest of the public health, safety and welfare in regards to on site circulation, on-site parking, the overall circulation of the neighborhood and community, egress/ingress to the site, vehicular turning movements related to parking areas, loading areas, street intersections, street gradient, site distance and potential hazards to the normal flow of traffic both on and off site.

6. Pedestrian Access and Circulation

The pedestrian circulation system planned for the proposed development shall be in the best interest of the public health, safety and welfare in regards to on site circulation and the overall pedestrian circulation of the neighborhood and community.

7. Emergency Access and Vulnerability to Hazards

All sites and buildings shall be designed to allow convenient and direct emergency access, and the emergency response needs of the proposed use(s) shall not exceed the Township's emergency response capabilities.

Article 29: Site Plan and Development Approval

Amendments:

8. Landscaping, Screening and Buffering

Proposed landscaping, screening and buffer areas shall be appropriate and of such size, location, height and quantity to insure that the proposed development will not be objectionable to nearby development or properties by reason of noise, fumes, flash of lights from automobiles or other lighting, interference with an adequate supply of light and air, an increase in the danger of fire, or other public safety hazard. Screening shall be provided in a manner that adequately buffers adjacent land uses and screens off-street parking, mechanical appurtenances, loading and unloading areas and storage areas from adjacent residential areas and public rights-of-way.

9. Parking and Loading

The parking pattern proposed shall be in the best interest of the public health, safety and welfare in regards to size, layout and quantity, and the location of parking and loading facilities will not be detrimental to nearby developments, properties or public streets.

10. Building Design and Architecture

Building design and architecture shall relate to and be harmonious with the surrounding neighborhood in terms of texture, scale, mass, proportion, materials and color.

11. Exterior Lighting

All exterior lighting fixtures shall be designed, arranged and shielded to minimize glare and light pollution, prevent night blindness and vision impairments, and maximize security.

12. Adequacy of Information and Compliance with Ordinance Requirements

Site plans shall include all required information in a complete and understandable form that provides an accurate description of the proposed uses, structures and site improvements.

SEC. 29.3 SURVEYS AND PLANS

Where the Planning Commission is empowered to approve or recommend approval of site plans for the development, improvement or use of certain premises and sites under the provisions of this Ordinance, the applicant shall furnish such surveys, plans or additional information as may be reasonably required by said Commission for the proper evaluation and consideration of the matter. Additional information may include traffic studies to assess the off-site impact of proposed plans on public roads, or studies to determine the environmental impact of the project on natural resources.

Article 29: Site Plan and Development Approval

Amendments:

SEC. 29.4 APPROVAL REQUIRED

1. Site plan and development approval shall be required for all uses in all zoning districts except for one (1), single-family residence constructed on one (1) individual parcel or lot, and for residential subdivisions subject to the Subdivision Control Act and the Township Subdivision Ordinance.

2. Administrative Review: When the proposed development involves only minor exterior changes or additions to an existing building, minor changes to an existing, previously-developed site, or re-occupancy of a vacant building, or is specified as a use subject to administrative site plan approval in this Ordinance, the site plan review procedure may be modified to allow the Administrative Review Committee to administratively review and approve a proposed site plan. The site plan shall be accompanied by a review fee as established by the Township Board. The proposed development shall comply with all requirements of this Ordinance except where, in the determination of the Administrative Review Committee, strict adherence to the requirements of this Ordinance would place an undue hardship on the property owner because of existing conditions or the necessary improvements would be far beyond the scope of the project proposed. The Administrative Review Committee shall verify that the proposed development complies with all requirements of this Ordinance, consistent with its determination.

The Administrative Review Committee shall have the authority to administratively approve a site plan that would bring the site into substantial conformity with the spirit and intent of the Zoning Ordinance requirements.

Where a mutual agreement cannot be reached, or where, in the opinion of the Administrative Review Committee, the proposed development warrants a more intensive review, the Administrative Review Committee shall require formal application for site plan review by the Planning Commission.

SEC. 29.5 INFORMAL REVIEW OF CONCEPTUAL PLANS

Applicants may meet with the Township Planner for informal review of conceptual site plans. The purpose of this informal review is to discuss applicable standards and technical issues, comment on the project's compliance with the standards of this Ordinance, and determine the appropriate type of review process. The applicant may also request input from the Chief Building Official and other Township officials, agents and employees. Conceptual plans should, at minimum, include the proposed use, building footprint, existing conditions, general site layout and conceptual grading. Conceptual plan review comments are non-binding, and should be considered by the applicant to be suggestions and recommendations only. A review fee may be required for conceptual plan review, as determined by Township Board resolution.

Article 29: Site Plan and Development Approval

Amendments:

SEC. 29.6 APPLICATION

Application for site plan approval shall be made by the title holder for the property, or the title holder's designated agent, on a form prescribed for this purpose by the Township Board. The application shall be accompanied by a fee, as indicated in the schedule of fees adopted by the Township Board of Trustees.

SEC. 29.7 APPLICATION INFORMATION

All tentative and final site plans submitted to the Planning Commission shall contain such information as required in the site plan and engineering check lists adopted by the Planning Commission, and as deemed necessary by the Planning Commission to make appropriate determinations concerning conformance with the Purpose and Statement of Principles of this Article and the requirements of this Ordinance.

SEC. 29.8 ACTION BY PLANNING COMMISSION

The Planning Commission shall have the duty and power to approve site plans, subject to compliance with such modifications or conditions as it may deem necessary to carry out the purpose of these regulations. The site plan review process shall be as follows:

1. Tentative Site Plan Approval

The Planning Commission shall review all site plan submissions to insure compliance with the provisions and requirements of this Article and Ordinance. Tentative site plan approval shall confer approval of the proposed layout and general landscape areas, and shall establish any conditions necessary for granting final site plan approval.

- (a) **Technical Review.** Prior to Planning Commission consideration, the site plan and application shall be distributed to appropriate Township officials, agents, and employees for review and comment.
- (b) **Planning Commission Consideration of the Tentative Site Plan.** The Planning Commission shall review the application for site plan approval, together with any reports and recommendations and any public comments. The Planning Commission shall then make a determination based on the requirements of this Ordinance and the Purpose and Statement of Principles of this Article. The Planning Commission is authorized to postpone action on the site plan, or approve, approve subject to conditions or deny the site plan as follows:
 - (1) **Postponement:** Upon determination by the Planning Commission that a site plan is not sufficiently complete for approval or denial, or upon a request by the applicant, the Planning Commission may postpone consideration until a later meeting.

SEC. 29.6	APPLICATION
SEC. 29.7	APPLICATION INFORMATION
SEC. 29.8	ACTION BY PLANNING COMMISSION

Article 29: Site Plan and Development Approval

Amendments:

- (2) Denial: Upon determination that a site plan does not comply with the standards and regulations set forth in this Ordinance, or would require extensive revisions to comply with said standards and regulations, the site plan shall be denied. If a site plan is denied, the meeting minutes shall list the reasons for such denial. The site plan may be denied by the Planning Commission upon failure of the applicant, or the applicant's designated representative, to attend two or more meetings.
 - (3) Approval: Upon determination that a site plan is in compliance with the requirements of this Ordinance and other applicable Township codes and ordinances, the site plan shall be approved.
 - (4) Approval Subject to Conditions: The Planning Commission may approve a site plan subject to one or more conditions necessary to address minor modifications to the site plan, ensure that public services and facilities can accommodate the proposed use, protect significant natural features, ensure compatibility with adjacent land uses, or otherwise meet the intent and purpose of this Ordinance. Such conditions may include the need to obtain variances or approvals from other agencies.
- (c) Recording of Tentative Site Plan Action. Planning Commission action on the tentative site plan shall be recorded in the Commission meeting minutes, including any conditions or grounds for the Commission's action.

2. Final Site Plan Approval

Final site plan approval shall be granted when all of the requirements of this Article and Ordinance are met, and all conditions of tentative approval have been addressed. The Planning Commission shall require and review all pertinent final plans, drawings and written approvals and recommendations from any authorities having jurisdiction (Wayne County Department of Public Services, Michigan Department of Environmental Quality, Michigan Department of Transportation, etc.) to:

- (a) Ensure that all conditions of the tentative approval have been met.
- (b) Receive recommendation for approval from the Township Engineer for the proposed water, storm and sanitary system and proposed grading and paving for the project.
- (c) Receive recommendation for approval from the Township Office of Fire Prevention for the proposed fire protection systems and compliance with the Township Fire Prevention Ordinance.
- (d) Verify that the planning and construction of streets, roads and alleys, structures, drainage, curbs, gutters, fences, screening walls, landscaping, walks and other site improvements comply with the requirements and specifications of this Ordinance and the Engineering Design Standards adopted by the Township Board.

Article 29: Site Plan and Development Approval

Amendments:

- (e) Verify that the use and site design shown on the final site plan are consistent with the approved tentative site plan, except for changes that address any conditions of approval or do not materially alter the approved site design.
- (f) Verify that all applicable Ordinance requirements that apply to the site or proposed use have been satisfied, and all necessary Township and all necessary outside agency permits or approvals have been obtained by the applicant.

SEC. 29.9 REVISIONS TO APPROVED SITE PLANS

1. Minor Revisions

Minor revisions to an approved site plan may be administratively reviewed and approved by the Administrative Review Committee, provided that such changes do not materially alter the approved site design, intensity of use or demand for public services. For purposes of interpretation, the following shall be used as guidelines by the Administrative Review Committee to determine of a minor change:

- (a) The size of structures may be generally reduced, or increased by up to five (5) percent provided the overall density of units does not increase.
- (b) Movement of a building or buildings by generally no more than ten (10) feet.
- (c) Plantings approved in the landscape plan may be replaced by similar types and sizes of landscaping which provides a similar screening effect on a one-to-one or greater basis.
- (d) Changes in floor plans which do not alter the character of the use.
- (e) Slight modification of sign placement.
- (f) Changes required or requested by the Township, County, State or Federal agency for safety reasons.
- (g) Other situations similar to those identified above.

2. Major Revisions

Major revisions to an approved site plan shall be reviewed by the Planning Commission as an amended site plan.

SEC. 29.10 SITE PLAN APPEALS, RESUBMISSION AND REVOCATION

1. Appeals

The determination of the Planning Commission with respect to site plan and development approval shall be final, and shall not be appealed to the Zoning Board of Appeals.

Article 29: Site Plan and Development Approval

Amendments:

2. Resubmission

A site plan that has been denied may be revised by the applicant to address the reasons for the denial and then filed as a new application for further consideration. The revised and resubmitted site plan shall be subject to the same requirements and review procedures as a new site plan submitted in accordance with this Article.

3. Rescinding Site Plan Approval

Approval of a final site plan may be rescinded by the Planning Commission upon determination that the site has not been improved, constructed or maintained in compliance with approved permits, site plans or any conditions of approval. Such action shall be subject to the following:

- (a) Public Hearing. Such action may be taken only after a public hearing has been held by the Planning Commission, at which time the applicant for site plan approval, property owner or other designated agent shall be given an opportunity to present evidence in opposition to rescission.
- (b) Determination. Subsequent to the hearing, the decision of the Commission with regard to the rescission shall be made and written notification provided to said applicant, property owner or other designated agent.

SEC. 29.11 EXPIRATION OF SITE PLAN APPROVAL

Tentative and final site plan approval for any project shall each be effective for a period of three hundred sixty five (365) days from the date of the approval. The Planning Commission may, upon written request from the title holder, or his authorized agent received before the expiration date, grant one (1) extension of tentative site plan approval and one (1) extension of final site plan approval for any project for up to three hundred sixty five (365) days, provided that site conditions have not changed in a way that would affect the character, design or use of the site, and that the approved site plan remains in conformance with all applicable provisions of this Ordinance.

If construction has not commenced in conjunction with the issuance of a valid building permit by the Department of Building and Code Enforcement within three hundred sixty five (365) days from the date of final site plan approval, the site plan shall automatically expire, and any permits issued shall be revoked by the Chief Building Official. Written notice shall be given to the persons affected by the site plan expiration and permit revocation(s).

SEC. 29.12 DEVELOPMENT AND MAINTENANCE IN ACCORDANCE WITH AN APPROVED FINAL SITE PLAN

It shall be the responsibility of the owner of the property for which final site plan approval has been granted to develop, improve and maintain the site, including the use, buildings and all site elements in accordance with the approved final site plan and all conditions of approval until the

SEC. 29.11	EXPIRATION OF SITE PLAN APPROVAL
SEC. 29.12	DEVELOPMENT AND MAINTENANCE IN ACCORDANCE WITH AN APPROVED FINAL SITE PLAN

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property is razed, or until a new site plan is approved. Failure to comply with the provisions of this Article shall be a violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation. Noncompliance with the requirements and conditions of the approved final site plan shall constitute grounds for the Planning Commission to rescind site plan approval.

SEC. 29.13 PERFORMANCE GUARANTEE

To insure compliance with the Zoning Ordinance and any conditions imposed there under, the Township Planning Commission may recommend to the Township Board that a cash deposit, certified check or irrevocable bank letter of credit acceptable to the Township be deposited with the Clerk of the Township to insure faithful completion of the improvements. For the purpose of this Ordinance, improvements shall mean those features and actions associated with a project which are considered by the Township Planning Commission to protect natural resources, or the health, safety and welfare of the residents of the Township and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, landscaping, screening and drainage. Such improvements shall not include the project as a whole. The performance guarantee shall be deposited at the time of issuance of the permit authorizing the activity or project. In a case where a performance guarantee is required, the Township shall establish procedures whereby a rebate of any cash deposits will be made as work progresses in reasonable proportion to the ratio of work completed on the required improvements.

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ADMINISTRATION

SEC. 30.1 ENFORCEMENT

The standards and requirements found in this Ordinance reflect obligations to the community at large. The provisions of this Ordinance shall be administered and enforced by the authorized officials, agents and employees of the Department of Building and Code Enforcement, except where otherwise specified in this Ordinance.

1. Authorized officials, agents and employees of the Department of Building and Code Enforcement shall have the authority to issue building permits, and certificates of occupancy, inspect buildings, premises, and sites for compliance with approved final site plans and any conditions of approval, and to perform such other functions necessarily incidental to the enforcement and administration of this Ordinance.
2. Officials, agents and employees of the Department of Building and Code Enforcement authorized to enforce this Ordinance shall, upon determining that any provision of this Ordinance has been violated, take any actions authorized by this Ordinance necessary to ensure compliance with the provisions of this Ordinance.
3. Officials, agents and employees of the Department of Building and Code Enforcement authorized to enforce this Ordinance shall have the authority to order the discontinuance of illegal uses of land, buildings, or structures; removal of illegal buildings, structures, additions, alterations, or structural changes; and discontinuance of any illegal work being done.
4. Officials, agents and employees of the Department of Building and Code Enforcement authorized to enforce this Ordinance shall not modify or vary the terms of this Ordinance, nor grant exceptions to the actual meaning of any clause, order or regulation contained in this Ordinance.

SEC. 30.2 ENFORCEMENT OF SUBDIVISION OR DEED RESTRICTIONS

Subdivisions and other developments may subject individual property owners within the development to private covenants, restrictions, limitations or standards commonly referred to as deed or subdivision restrictions, these are separate obligations of parties to a private contract, of which the Township is not a party.

The Township shall not be responsible for the enforcement of private contracts, such as subdivision or deed restrictions. If all conditions established by Township Ordinances are met, the Township, through its Building and Code Enforcement Department, shall issue appropriate permits for construction and other permitted activities. The Township shall not be responsible for review and enforcement of subdivision or deed restrictions as part of this process.

SEC. 30.1 ENFORCEMENT

**SEC. 30.2 ENFORCEMENT OF SUBDIVISION
OR DEED RESTRICTIONS**

Article 30: Administration

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SEC. 30.3 DEVELOPMENT AND MAINTENANCE IN ACCORDANCE WITH AN APPROVED FINAL SITE PLAN

It shall be the responsibility of the owner of the property for which final site plan approval has been granted to obtain required permits and to develop, improve and maintain the site, including the use, buildings and all site elements in accordance with the approved final site plan and all conditions of approval until the property is razed, or until a new site plan is approved. Failure to comply with the provisions of this Article shall be a violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation. Noncompliance with the requirements and conditions of the approved final site plan shall constitute grounds for the Planning Commission to rescind site plan approval.

SEC. 30.4 CERTIFICATES OF OCCUPANCY

No land, building or part thereof, shall be occupied by any use until a certificate of occupancy has been issued for such use by the Department of Building and Code Enforcement.

1. No certificate of occupancy shall be issued for any land, building or part thereof, which is not in accordance with the provisions of this Ordinance.
2. It shall be unlawful to change, expand or extend the use or occupancy of any land, building or part thereof, until a certificate of occupancy has been issued for such intended use or occupancy.
3. It shall be unlawful to begin mass grading, excavation, construction, or the moving, alteration, or repair (except ordinary and minor repairs) of any building or part thereof (including accessory structures) valued at more than five hundred dollars (\$500.00) or exceeding two hundred (200) square feet in area until a building permit has been issued.
4. A certificate of occupancy shall be required in addition to any other permit, certificate or license required under the provisions of this or any other Ordinance. The certificate of occupancy required by the State Construction Code enforced by the Township for new buildings, changes of use, or alterations to existing buildings shall also constitute a certificate of occupancy as required by this Ordinance.
5. A certificate of occupancy shall be issued for existing lands, buildings or parts thereof if, after inspection, the authorized official, agent or employee of the Department of Building and Code Enforcement determines that the land, building or parts thereof, and the occupation or use thereof, are in conformity with all Township Ordinances.
6. An accessory building, shown on the same application and erected at the same time as the principal building, shall not require a separate certificate of occupancy.

SEC. 30.3	DEVELOPMENT AND MAINTENANCE IN ACCORDANCE WITH AN APPROVED FINAL SITE PLAN
SEC. 30.4	CERTIFICATES OF OCCUPANCY

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SEC. 30.5 TEMPORARY CERTIFICATES OF OCCUPANCY

A temporary certificate of occupancy may be issued for lands, buildings or parts thereof, provided that the intended use or occupancy of the land, building or part thereof, is in conformity with the provisions of this Ordinance. Whenever the plans for the land, building, or part thereof, as set forth on the application, are in conformity with the provisions of this Ordinance, it shall be the duty of the Department of Building and Code Enforcement, and its officials, agents and employees, to issue a temporary certificate of occupancy within ten (10) days after the receipt of an application. An official of the Department of Building and Code Enforcement shall place his stamp or approval on the plans submitted to the Department, with the date of approval indicated thereon. One copy of such plans shall be returned to the applicant and the second copy shall be placed on file in the office of the Department of Building and Code Enforcement.

A temporary certificate of occupancy shall not remain in force for a period in excess of one hundred eighty (180) days after the date set forth on the face thereof, and five (5) days after the building or part thereof is fully completed and ready for occupancy. No temporary certificate of occupancy shall vest any rights in the holder, successors, heirs or assigns. The temporary certificate of occupancy shall immediately expire upon determination by the Department of Building and Code Enforcement that the intended use or occupancy has ceased to be in conformity with the provisions of this Ordinance.

SEC. 30.6 APPLICATIONS FOR CERTIFICATES OF OCCUPANCY

An application for a certificate of occupancy shall be made to the Department of Building and Code Enforcement. The Chief Building Official may require applications for a certificate of occupancy to be accompanied by a written statement and scaled plans or plats showing the following in sufficient detail to enable the Department of Building and Code Enforcement to determine whether the proposed or existing use or occupancy is in conformance with the provisions of this Ordinance:

1. The shape, location and dimensions of the land; and sufficient survey data to locate the land on the ground.
2. The area, size, height, shape, and location of all buildings, structures or parts thereof existing, erected or altered on the land, or to be moved to the land.
3. The property lines of all lots or parcels constituting the land to which the certificate of occupancy is to apply.
4. The right-of-way and pavement width and alignment of all abutting streets, alleys, sidewalks, access easements and public places.
6. Scaled plans for any proposed structures not already on the land.

SEC. 30.5 TEMPORARY CERTIFICATES OF OCCUPANCY

SEC. 30.6 APPLICATIONS FOR CERTIFICATES OF OCCUPANCY

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- 7. The existing and intended use of the land and of all buildings, structures and parts thereof.
- 8. Other information deemed necessary by an authorized official, agent or employee of the Department of Building and Code Enforcement for the proper enforcement of this Ordinance.

SEC. 30.7 SCHEDULE OF FEES FOR CERTIFICATES OF OCCUPANCY

Before any certificate of occupancy shall be issued, an inspection fee shall be paid by the applicant in an amount fixed by resolution of the Township Board of Trustees. Before reissuing a second permit, the Department of Building and Code Enforcement may require the payment of a second fee for inspection.

SEC. 30.8 INSPECTION OF BUILDING OR LAND USE

It shall be the duty of the applicant for any certificate of occupancy to notify the Department of Building and Code Enforcement in writing of the time when the land, building, structure or part thereof will be ready for inspection. Two (2) inspections shall be required on all buildings, structures or parts thereof that are proposed for or under construction, or are altered, repaired or to be moved to the land. The first of such inspections shall coincide with the first inspection required under the State Construction Code enforced by the Township. Upon completion of construction, moving, alteration or repair, or a change in the use of lands, buildings, structures or parts thereof, an inspection shall be required when such land use or building has been completed. Failure to notify the Department of Building and Code Enforcement of the time for such inspections may result in the revocation of any permits or certificates of occupancy.

SEC. 30.9 BUILDING PERMITS ISSUED PRIOR TO EFFECTIVE DATE

Any building or structure for which a building permit has been issued and the construction of the whole or a part of which has been entered into pursuant to a building permit issued prior to the effective date of this Ordinance may be completed and used in accordance with the plans and applications on which said building permit was granted.

SEC. 30.10 BUILDING TO BE MOVED

Any building or structure, which has been wholly or partially erected on any premises, located either within or outside of the Township, shall not be moved to and be placed upon any other premises in this Township until a permit to use such building or structure, after being moved, shall have been secured. Any such building or structure shall fully conform to all the provisions of this Ordinance in the same manner as a new building or structure.

SEC. 30.7	SCHEDULE OF FEES FOR CERTIFICATES OF OCCUPANCY
SEC. 30.8	INSPECTION OF BUILDING OR LAND USE
SEC. 30.9	BUILDING PERMITS ISSUED PRIOR TO EFFECTIVE DATE
SEC. 30.10	BUILDING TO BE MOVED

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Before a permit may be issued for moving a building or structure, a building official of the Department of Building and Code Enforcement shall inspect same and shall determine if it is in a safe condition to be moved, whether it may be reconditioned to comply with the State Construction Code and other Township requirements for the use and occupancy for which it is to be used, and whether it will be of similar character with the buildings in the area where it is to be moved. Providing these conditions can be complied with and suitable bond posted, a permit may be issued for the moving of said building or structure.

SEC. 30.11 GENERAL**Section 30.11.1 Intent and scope of requirements.**

To ensure compliance with the provisions of the Zoning Ordinance and an approved site plan, the site plan applicant shall post a performance guarantee with the Township to guarantee faithful completion of the approved improvements, in accordance with Section 505 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

Section 30.11.2. General requirements.

The performance guarantee shall meet the following requirements:

1. The performance guarantee shall be in the form of an irrevocable letter of credit, performance bond, or cash bond. If the applicant posts an irrevocable letter of credit, the credit shall require only that the Township present the credit with a sight draft and an affidavit signed by the Township Attorney attesting to the Township's right to draw funds under the credit. If the applicant posts a performance bond and the improvements are not complete by the time a certificate of occupancy is requested in the case of a building project, or by the time a building permit is requested on a lot in a new subdivision or condominium, then the performance bond shall be replaced by a cash escrow prior to the issuance of the certificate of occupancy.
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 a financial institution with which the township regularly conducts business.
3. The amount of the performance guarantee shall be no less than 100 percent of the estimated cost for which the guarantee is required. The applicant shall provide an itemized schedule of estimated costs to complete all such improvements. The exact amount of the performance guarantee shall be determined by the building official.
4. The entire performance guarantee shall be returned to the applicant following inspection and approval by the Building Official, Planner, and/or any other Township official that the improvements set forth in the approved site plan have been completed satisfactorily. The performance guarantee may be released to the applicant in proportion to the work completed on various elements, provided that a minimum of ten percent shall be held back on each element until satisfactory completion of the entire project.

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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.

Section 30.11.3. Unsatisfactory completion of improvements: performance bond or irrevocable letter of credit.

Whenever required improvements are not installed or maintained within the time stipulated and/or in accordance with the standards set forth in the approved site plan, and the performance guarantee is in the form of a performance bond or irrevocable letter of credit, 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 irrevocable letter of credit. Prior to completing said improvements, the township shall notify the site plan review applicant via first class mail of the deficiency and of the Township's intent to file a claim on the bond or the irrevocable letter of credit.

Section 31.11.4. Unsatisfactory completion of improvements: cash bond.

Whenever required improvements are not installed or maintained within the time stipulated and/or in accordance with the standards set forth in the approved site plan, and the performance guarantee is in the form of a cash bond, the Township shall notify the site plan review applicant via first class mail of the deficiency, and the Township shall forfeit the cash bond to the general fund of the Township. Such forfeiture of a cash bond does not relieve the site plan applicant of its obligation to comply with the approved site plan, and the Township may require that the cash bond be replaced by an irrevocable letter of credit to ensure compliance with the approved site plan.

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ARTICLE XXXI

ZONING BOARD OF APPEALS

SEC. 31.1 MEMBERSHIP, TERMS, REMOVALS

There shall be a Charter Township of Plymouth Zoning Board of Appeals which shall have five (5) members appointed by the Township Board, subject to the following:

1. Membership

One (1) member of the Zoning Board of Appeals shall also be a member of the Charter Township of Plymouth Planning Commission. One (1) member may also be a member of the Township Board. The remaining members shall be selected from among electors residing in the Charter Township of Plymouth. An elected officer of the Township shall not serve as Chair of the Zoning Board of Appeals. An employee or contractor of the Township Board shall not serve as a member or an employee of the Zoning Board of Appeals.

2. Removal

Members of the Zoning Board of Appeals may be removed by the Township Board for nonperformance of duty or misconduct in office after written charges have been filed with the Township Clerk, and after public hearing has been held on the charges by the Township Board. Failure of a member to disqualify himself/herself from deliberations and action on any questions, interpretations, appeals or other requests for action in which he/she has a conflict of interest shall constitute misconduct in office.

3. Term

The term of each member shall be for three (3) years, except that of the members first appointed, two (2) shall serve for two (2) years and the remaining members for three (3) years. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. All vacancies for un-expired terms shall be filled for the remainder of the term.

4. Alternates (as amended 9/30/07)

Up to (2) alternate members may be appointed to serve on the Zoning Board of Appeals in the same manner as appointments of regular members. An alternate may be called on a rotating basis to serve as a member of the Zoning Board of Appeals, with the same voting rights as a regular member, in the absence of a regular member if the regular member will be unable to attend one (1) or more meetings, or for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. Whenever an alternate serves as a member of the Zoning Board of Appeals on a case, the alternate member shall continue to serve in the case until a final decision is made.

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SEC. 31.2 OFFICERS AND RULES OF PROCEDURE

The members of the Zoning Board of Appeals shall annually elect a Chair, Vice-Chair and Secretary. The member of the Zoning Board of Appeals who is a member of the Board of Trustees shall not serve as Chair of the Zoning Board of Appeals.

1. Rules of Procedure

The Zoning Board of Appeals shall annually fix and adopt rules and regulations to govern its procedures.

2. Quorum

The Zoning Board of Appeals shall not conduct business unless a majority of the members of the Zoning Board of Appeals are present.

SEC. 31.3 MEETINGS

Meetings of the Zoning Board of Appeals shall be held at the call of the Chair, and at such other times as the Zoning Board of Appeals may specify in its rules of procedure. The Chair, or (in the absence of the Chair) the Vice-Chair, shall conduct the meeting, and may administer oaths and compel the attendance of witnesses.

All meetings of the Zoning Board of Appeals shall be open to the public. A record of the proceedings of the Zoning Board of Appeals shall be a public record made by the Secretary and filed and maintained in the office of the Township Clerk.

SEC. 31.4 DUTIES (as amended 9/30/07)

In accordance with Public Act 110 of 2006, as amended, the Zoning Board of Appeals shall act upon all questions as they may arise in the administration of the Zoning Ordinance, including interpretation of the Zoning Map. The Zoning Board of Appeals shall hear and take action upon requests for variances from the strict provisions of this Ordinance, appeal of any order, requirement, decision or determination made by an administrative official of the Department of Building and Code Enforcement charged with enforcement of the Zoning Ordinance, and all other matters referred to it or upon which it is required to pass by the provisions of the Zoning Ordinance.

SEC. 31.5 STAY OF PROCEEDINGS

The submittal of a complete and accurate application for appeal shall stay all proceedings in furtherance of the action appealed from, unless the administrative official from which the appeal is taken certifies to the Zoning Board of Appeals that a stay would cause imminent peril to life or property by reason of facts stated in the certificate. Upon acceptance of the administrative official's certificate by the Zoning Board of Appeals, proceedings shall not be stayed, except by a restraining order granted by the Circuit Court.

SEC. 31.2	OFFICERS AND RULES OF PROCEDURE
SEC. 31.3	MEETINGS
SEC. 31.4	DUTIES
SEC. 31.5	STAY OF PROCEEDINGS

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SEC. 31.6 FEES FOR APPEALS

The Board of Trustees of the Charter Township of Plymouth shall by resolution from time to time determine fees applicable to proceedings before the Zoning Board of Appeals.

SEC. 31.7 RIGHTS AND REMEDIES CUMULATIVE

The rights and remedies provided in this Ordinance are cumulative and in addition to any other remedies provided by law.

SEC. 31.8 REVIEW PROCEDURE

Variance requests, use decisions permitted requiring approval of the Zoning Board of Appeals, requests for interpretation of provisions of this Ordinance, including district boundaries or other elements shown on the official Zoning Map, and appeals from the order, requirement, decision or determination of an administrative official of the Department of Building and Code Enforcement concerning the administering and enforcing of the provisions of the Zoning Ordinance may be taken by any person aggrieved, or by any officer, department, board or bureau of the Township, County or State, to the Zoning Board of Appeals, in accordance with the following procedure:

1. Scope

The appellant shall file with the Department of Building and Code Enforcement and the Zoning Board of Appeals a notice of appeal, specifying the grounds thereof, within such time as shall be prescribed by the Zoning Board of Appeals by general rule, but in no event later than fifteen (15) days after the date of the order, requirement, decision or determination from which the appeal is taken. The administrative official of the Department of Building and Code Enforcement from whom the appeal is taken shall forthwith transmit to the Zoning Board of Appeals all papers constituting the record upon which the action appealed from was taken.

2. Public Hearing Requirement (as amended 9/30/07)

(a) Public Hearing Requirement for Variances (Use and Non-use)

The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney. Notice of the hearing shall be published in a newspaper which circulates in the Township and sent by first-class mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. If the name of the occupant is not known, the

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term “occupant” may be used in making notification. The notice shall be given not less than fifteen (15) days before the date the appeal will be considered. The notice shall:

1. Describe the nature of the appeal.
2. Indicate the property which is the subject of the appeal. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
3. State when and where the appeal will be considered.
4. Indicate when and where written comments will be received concerning the appeal.

(b) Public Hearing Requirements for Appeals Interpretations

The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal or interpretation, give due notice thereof to the parties, and decide the appeal within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney. A notice of the hearing shall be published in a newspaper which circulates in the Township and sent by first-class mail or personal delivery to the person requesting the interpretation or appeal. If the request for interpretation or appeal involves a specific parcel, written notice shall be sent by first-class mail or personal delivery to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet of the boundary of the property in question. If the name of the occupant is not known, the term “occupant” may be used in making notification. The notice shall be given not less than fifteen (15) days before the date the interpretation or appeal will be considered. The notice shall:

1. State the nature of the request.
2. State the time, date, and place of the public hearing.
3. Indicate when and where written comments will be received concerning the appeal or interpretation.

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3. Determinations (as Amended 9/30/07)

The Zoning Board of Appeals shall make no determination in any specific case until it shall have conducted a public hearing. The concurring vote of a majority of the total regular membership (not less than three (3) of the Zoning Board of Appeals shall be necessary to act on any appeal, interpretation, non-use variance request or other matter referred to it or upon which it is required to pass by the provisions of the Zoning Ordinance. A concurring vote of a 2/3 majority of the total regular membership (not less than four (4) members) of the Zoning Board of Appeals shall be required to grant a use variance. The grounds of every determination shall be stated, and the decision of the Zoning Board of Appeals shall be final.

- (a) Appeal decisions shall be in accordance with Section 31.9, Appeals of Administrative Decisions.
- (b) Interpretation decisions shall be in accordance with Section 31.10, Interpretations.
- (c) Variance decisions shall be in accordance with Section 31.11, Variances or Section 31.12, Use Variances, as appropriate.
- (d) Decisions regarding uses subject to Zoning Board of Appeals approval shall be in accordance with the standards of Section 2.8, Uses Permitted Requiring Approval of the Zoning Board of Appeals.
- (e) Rear yard setback reductions in single family residential districts shall be in accordance with Section 20.2(bb).

SEC. 31.9 APPEALS OF ADMINISTRATIVE DECISIONS

The Zoning Board of Appeals may take any of the following actions regarding an appeal from an administrative decision of the Department of Building and Code Enforcement concerning the administering and enforcing of the provisions of the Zoning Ordinance. To that end, the Zoning Board of Appeals shall have the same authority as the administrative official from whom the appeal was taken, and may direct or deny the issuance of a permit:

- 1. The Zoning Board of Appeals may affirm the administrative order, requirement, decision or determination.
- 2. The Zoning Board of Appeals may modify the administrative order, requirement, decision or determination where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of the Zoning Ordinance, so that the spirit of the Zoning Ordinance shall be observed, public safety secured and substantial justice done.
- 3. The Zoning Board of Appeals may reverse the administrative order, requirement, decision or determination only after determining that it was arbitrary or capricious, was based upon an erroneous finding of a material fact, constituted an abuse of discretion, or was based upon an erroneous interpretation of the Zoning Ordinance.

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SEC. 31.10 INTERPRETATIONS

The Zoning Board of Appeals shall interpret the provisions of this Ordinance in such a way as to carry out the intent and purpose of this Ordinance and the Township Master Plan. In the interpretation and application of the provisions of this Ordinance, the minimum requirements for the public health, safety, morals and general welfare shall be held to be adopted as and for said provisions. This Ordinance is not intended to repeal, abrogate, annul or in any way impair or interfere with any existing provision of law, other than those portions of or applications of conflicting ordinances hereby repealed. In such instances when this Ordinance imposes a greater restriction than is otherwise provided by law or by existing ordinances, rules, regulations or permits, the provisions of this Ordinance shall apply and control.

The Board shall interpret the boundaries of the zoning districts, as shown upon the official Township Zoning Map made a part of this Ordinance, in those cases where the street layout or other physical features on the ground that are used as reference points for district boundaries vary from the layout as shown on the official Zoning Map.

SEC. 31.11 VARIANCES (as amended on 9/30/07)

In accordance with Public Act 110 of 2006, as amended, the Zoning Board of Appeals shall have the authority to vary or adapt the strict application of any of the requirements of this Ordinance, where strict application would result in practical difficulty or unnecessary hardship due to the conditions peculiar to the land, so that the land cannot be used or developed within the terms of the Ordinance. Consideration of variance requests shall be in accordance with the following:

1. The appellant shall have the burden of proof to provide sufficient justification and/or evidence to find that the request meets the criteria for granting variances, as specified in Section 31.11.3.
2. The Zoning Board of Appeals may determine that the granting of a lesser variance than requested would provide substantial relief to the appellant and be more consistent with the criteria for granting variances, as specified in Section 31.11.3.
3. No variance from the provisions or requirements of this Ordinance shall be authorized unless the Zoning Board of Appeals determines that the following facts and conditions exist:
 - (a) Practical Difficulties. 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.

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- (b) Substantial Justice. Granting of a requested variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same district and in the same vicinity, and would provide substantial justice to the applicant as well as to other property owners in the district.
- (c) Public Safety and Welfare. The variance will not endanger public safety or create a public nuisance, be of substantial detriment to adjacent property, or materially impair the intent and purpose of this Ordinance or the public interest.
- (d) Exceptional Circumstances. There are exceptional or extraordinary circumstances or conditions applying to the property in question, as 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.
- (e) Not a General or Recurrent Nature. The condition, situation or intended use of the specific piece of property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of general regulations for such conditions or situations.
- (f) The conditions resulting in a variance request are not self-created.
- (g) The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

SEC. 31.12 USE VARIANCES

Granting a use variance is a serious matter that if used improperly, could undermine the integrity, purpose and intent of the zoning ordinance. A use variance shall not be used as a substitute for the amendment process, but only under very unique circumstances which create unnecessary hardship. A use variance may, on the other hand, provide a resolution to an existing land use problem which would be within the spirit and intent of the zoning ordinance. The use variance may also, provide stability to an area that would otherwise become unstable. Any request for a use variance should be weighed very carefully to insure that there are no other solutions to resolve the problem and that the criteria for unnecessary hardship are met. In almost all cases a use variance request will include an existing building that was constructed as part of a special use approval and the previous use is no longer viable. The type and size of the existing building is not conducive to the permitted or special uses for the existing zoning district (Example: a vacant school building in middle of single family residential neighborhood). In addition the net worth of the building would not make it economically viable to purchase the site and tear down the building to build something that would be compatible within the zoning ordinance.

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The Zoning Board of Appeals shall have the authority to grant a variance from the use provisions of this Ordinance after fully and carefully considering all of the facts of the case and upon finding that all of the following conditions are met:

1. Prior to considering any requested use variance, the application shall be forwarded to the Planning Commission for its review and comment. The Planning Commission shall review the application, and report its findings regarding the proposal's impact on the Master Plan, compatibility with existing or planned uses on surrounding properties, and other factors it considers relevant to the request.
2. The property cannot reasonably be used for any principal permitted or special use in the zoning district in which it is located. The variance granted shall be the minimum necessary to permit a reasonable use of the land.

(as amended on 9/30/07)

3. The landowner's plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions. The Zoning Board of Appeals must find that circumstances common to the larger neighborhood are not applicable to the property itself. There must be a showing of unnecessary hardship.
4. The use variance, if granted, would not alter the essential character of the neighborhood. The Zoning Board of Appeals must consider whether the intent and purpose of the Zoning Ordinance and the Zoning District in which the site is located will be preserved, and whether the essential character of the neighborhood will be maintained or preserved.
5. The hardship is not a result of the applicant's actions. The Zoning Board of Appeals must determine that the hardship that led to the use variance request was not self-created by the applicant.
6. The variance would not be contrary to the spirit and intent of the Master Plan.
7. The variance would be compatible with the existing or planned uses on surrounding properties, would be within the spirit and intent of the zoning ordinance and would provide stability to an area that would otherwise become unstable.

SEC. 31.13 LIMITS ON AUTHORITY (as amended 4/09/09)

The Zoning Board of Appeals shall not have the authority to alter or change the zoning district classification of any property. No variance shall be made in connection with a special land use decision by the Planning Commission, or planned unit development, single-family cluster or residential unit development option decision by the Township Board.

Article 31: Zoning Board of Appeals

Amendments:

31.14 APPEAL OF DECISION (as amended on 9/30/07)

Any party aggrieved by a decision of the Zoning Board of Appeals may appeal to the Wayne County Circuit Court. The Circuit court shall review the record and decision to ensure that the decision meets all of the following requirements:

1. Complies with the constitution and laws of the state.
2. Is based upon proper procedure.
3. Is supported by competent material, and substantial evidence on the record.
4. Represents the reasonable exercise of discretion granted by law to the Zoning Board of Appeals.

If the court finds the record inadequate to make the required review or finds that additional material evidence exists that with good reason was not presented, the court shall order further proceedings on conditions that the court considers proper. The Zoning Board of Appeals may modify its findings and decision as a result of the new proceedings or may affirm the original decision. The supplementary record and decision shall be filed with the court. The court may affirm, reverse, or modify the decision.

An appeal shall be filed within thirty (30) days after the Zoning Board of Appeals certifies its decisions in writing or approves the minutes of its decision. The court shall have jurisdiction to make such further orders as justice may require. An appeal may be had from the decision of any circuit court to the court of appeals.

SEC. 31.15 PETITIONS PREVIOUSLY DENIED (as amended 4/9/09)

Where a prior petition for an appeal applying to a specific piece of property or a part of such property was denied by the Zoning Board of Appeals, a new application for the same appeal shall not be accepted by the Zoning Board of Appeals for consideration for a period of three hundred sixty five (365) days, unless the Zoning Board of Appeals determines that one or more of the following conditions has been met:

1. There is a substantial change in circumstances relevant to the issues or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application.

Article 31: Zoning Board of Appeals

Amendments:

2. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed.
3. The new application is materially different from the prior application.

END OF ARTICLE 31.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 31: Zoning Board of Appeals
Amendments:

ALL AMENDMENTS TO
ARTICLE XXXI (31)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 31: Zoning Board of Appeals

Amendments:

ALL AMENDMENTS TO ARTICLE XXXI (31)

The following language was amended on 4/9/09

SEC. 31.13 LIMITS ON AUTHORITY

The Zoning Board of Appeals shall not have the authority to alter or change the zoning district classification of any property. No variance shall be made in connection with a special land use decision by the Planning Commission, or planned unit development, single-family cluster or residential unit development option decision by the Township Board.

The following language was amended on 9/30/07

SEC. 31.1

4. Alternates

Up to two (2) alternate members may be appointed to serve on the Zoning Board of Appeals in the same manner as appointments of regular members. An alternate may be called on a rotating basis to serve as a member of the Zoning Board of Appeals, with the same voting rights as a regular member, in the absence of a regular member, or for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. Whenever an alternate serves as a member of the Zoning Board of Appeals on a case, the alternate member shall continue to serve in the case until a final decision is made.

The following language was amended on 9/30/07

SEC. 31.4 DUTIES

In accordance with Public Act 184 of 1943, as amended, the Zoning Board of Appeals shall act upon all questions as they may arise in the administration of the Zoning Ordinance, including interpretation of the Zoning Map. The Zoning Board of Appeals shall hear and take action upon requests for variances from the strict provisions of this Ordinance, appeals of any order, requirement, decision or determination made by an administrative official of the Department of Building and Code Enforcement charged with enforcement of the Zoning Ordinance, and all other matters referred to it or upon which it is required to pass by the provisions of the Zoning Ordinance.

Charter Township of Plymouth Zoning Ordinance No. 99

Article 31: Zoning Board of Appeals

Amendments:

The following language was amended on 9/30/07

SEC. 31.8

2. Public Hearing Requirement

The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney. Notice of the 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 persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the appeal will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased, by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:

- (a) Describe the nature of the appeal.
- (b) Indicate the property which is the subject of the appeal.
- (c) State when and where the appeal will be considered.
- (d) Indicate when and where written comments will be received concerning the appeal.

3. Determinations

The Zoning Board of Appeals shall make no determination in any specific case until it shall have conducted a public hearing. The concurring vote of a majority of the total regular membership (not less than three (3)) of the Zoning Board of Appeals shall be necessary to act on any appeal, interpretation, variance request or other matter referred to it or upon which it is required to pass by the provisions of the Zoning Ordinance. The grounds of every determination shall be stated, and the decision of the Zoning Board of Appeals shall be final.

- (a) Appeal decisions shall be in accordance with Section 31.9, Appeals of Administrative Decisions.
- (b) Interpretation decisions shall be in accordance with Section 31.10, Interpretations.
- (c) Variance decisions shall be in accordance with Section 31.11, Variances or Section 31.12, Use Variances, as appropriate.

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- (d) Decisions regarding uses subject to Zoning Board of Appeals approval shall be in accordance with the standards of Section 2.8, Uses Permitted Requiring Approval of the Zoning Board of Appeals.
- (e) Rear yard setback reductions in single family residential districts shall be in accordance with Section 20.2.(bb).

The following language was amended on 9/30/07

SEC. 31.11 VARIANCES

In accordance with Public Act 184 of 1943, as amended, the Zoning Board of Appeals shall have the authority to vary or adapt the strict application of any of the requirements of this Ordinance, where strict application would result in practical difficulty or unnecessary hardship due to the conditions peculiar to the land, so that the land cannot be used or developed within the terms of the Ordinance. Consideration of variance requests shall be in accordance with the following:

The appellant shall have the burden of proof to provide sufficient justification and/or evidence to find that the request meets the criteria for granting variances, as specified in Section 31.11.3.

1. The Zoning Board of Appeals may determine that the granting of a lesser variance than requested would provide substantial relief to the appellant and be more consistent with the criteria for granting variances, as specified in Section 31.11.3.
3. No variance from the provisions or requirements of this Ordinance shall be authorized unless the Zoning Board of Appeals determines that the following facts and conditions exist:
 - (a) **Practical Difficulties.** 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.
 - (b) **Substantial Justice.** Granting of a requested variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same district and in the same vicinity, and would provide substantial justice to the applicant as well as to other property owners in the district.
 - (c) **Public Safety and Welfare.** The variance will not endanger public safety or create a public nuisance, be of substantial detriment to adjacent property, or materially impair the intent and purpose of this Ordinance or the public interest.
 - (d) **Exceptional Circumstances.** There are exceptional or extraordinary circumstances or conditions applying to the property in question, as or to the intended use of the

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Amendments:

property that do not apply generally to other properties or other similar uses in the same zoning district.

- (e) Not of a General or Recurrent Nature. The condition, situation or intended use of the specific piece of property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of general regulations for such conditions or situations.
- (f) The conditions resulting in a variance request are not self-created.
- (g) The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

The following language was amended on 9/30/07

SEC. 31.12

- 3. The landowner's plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions. The Zoning Board of Appeals must find that circumstances common to the larger neighborhood are not applicable to the property itself.

The following language was added on 9/30/07

31.14 APPEAL OF DECISION

Any party aggrieved by a decision of the Zoning Board of Appeals may appeal to the Wayne County Circuit Court. The Circuit court shall review the record and decision to ensure that the decision meets all of the following requirements:

- 1. Complies with the constitution and laws of the state.
- 2. Is based upon proper procedure.
- 3. Is supported by competent material, and substantial evidence on the record.
- 4. Represents the reasonable exercise of discretion granted by law to the Zoning Board of Appeals.

If the court finds the record inadequate to make the required review or finds that additional material evidence exists that with good reason was not presented, the court shall order further proceedings on conditions that the court considers proper. The Zoning Board of Appeals may modify its findings and decision as a result of the new proceedings or may affirm the original decision. The supplementary record and decision shall be filed with the court. The court may affirm, reverse, or modify the decision.

Charter Township of Plymouth Zoning Ordinance No. 99

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Amendments:

An appeal shall be filed within thirty (30) days after the Zoning Board of Appeals certifies its decisions in writing or approves the minutes of its decision. The court shall have jurisdiction to make such further orders as justice may require. An appeal may be had from the decision of any circuit court to the court of appeals.

The following language was amended on 08/29/04

SEC. 31.8 REVIEW PROCEDURE

2. Public Hearing Requirement

The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney. Notice of the 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 persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the appeal will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased, by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:

- (a) Describe the nature of the appeal.
- (b) Indicate the property which is the subject of the appeal.
- (c) State when and where the appeal will be considered.
- (d) Indicate when and where written comments will be received concerning the appeal.

Article 32: Planning Commission

Amendments:

ARTICLE XXXII

PLANNING COMMISSION

SEC. 32.1 COMPOSITION AND APPOINTMENTS

The Planning Commission shall consist of nine (9) members representing (to the extent possible) different professions or occupations, who shall be appointed by the Township Supervisor, subject to the approval of the Township Board. Commission members may be compensated at a rate determined by resolution of the Township Board. One (1) commissioner shall be a member of the Township Board, and one (1) may also be a member of the Zoning Board of Appeals. The term of each member shall be three (3) years.

SEC. 32.2 REMOVAL (as amended 9/30/07)

Members of the Planning Commission may be removed by the Township Supervisor for neglect of duty, or misfeasance, malfeasance or nonfeasance in office, including failure of a member with a conflict of interest to abstain from deliberations or voting on the matter, upon written charges and after a public hearing held by the Township Board, and subject to the approval of the Township Board.

SEC. 32.3 ORGANIZATION

The Planning Commission shall elect a Chair, Vice-Chair and Secretary from among the appointed members, and shall create and fill such other offices as it may deem necessary. The term of such officers shall be one (1) year, with eligibility for reelection. The Commission shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record.

SEC. 32.4 POWERS AND DUTIES (as amended 09/30/07)

1. The Township Planning Commission is hereby designated the Commission as specified in Section 2, Act 285 P.A. of 1931, as amended, and shall perform the duties of said Commission as provided in the Ordinance.
2. The Plymouth Township Planning Commission is hereby constituted and designated as the Planning Commission to which reference is made in Public Act 168 of 1959, as amended, and the Zoning Board to which reference is made in Public Act 110 of 2006, as amended. The Planning Commission shall perform the duties of said commission or board provided in these Acts, together with the powers and duties enumerated in this Ordinance.
3. The Planning Commission shall have the authority to prepare, adopt and amend the Township Master Plan, prepare and recommend adoption or amendment of the Zoning Ordinance or subdivision regulations, and other such rights, powers, duties and

SEC. 32.1	COMPOSITION AND APPOINTMENT
SEC. 32.2	REMOVAL
SEC. 32.3	ORGANIZATION
SEC. 32.4	POWERS AND DUTIES

Article 32: Planning Commission

Amendments:

responsibilities as are provided for in this Ordinance, the Township Subdivision Regulations or other Township ordinances.

4. The Planning Commission shall at least once per year prepare for the Township Board a report on the administration and enforcement of the Zoning Ordinance and recommendations for amendments or supplements to the Ordinance.

END OF ARTICLE 32.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 32: Planning Commission
Amendments:

ALL AMENDMENTS TO
ARTICLE XXXII (32)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 32: Planning Commission

Amendments:

ALL AMENDMENTS TO ARTICLE XXXII(32)

The following language was amended on 9/30/07

SEC. 32.2 REMOVAL

Members of the Planning Commission may be removed by the Township Supervisor for neglect of duty or malfeasance in office, including failure of a member with a conflict of interest to abstain from deliberations or voting on the matter, after a public hearing held by the Township Board, and subject to the approval of the Township Board.

The following language was amended on 9/30/07

SEC. 32.4 POWERS AND DUTIES

1. The Township Planning Commission is hereby designated the Commission as specified in Section 2, Act 285 P.A. of 1931, as amended, and shall perform the duties of said Commission as provided in the Ordinance.
2. The Plymouth Township Planning Commission is hereby constituted and designated as the planning commission to which reference is made in Public Act 168 of 1959, as amended, and the zoning board to which reference is made in Public Act 184 of 1943, as amended. The Planning Commission shall perform the duties of said commission or board provided in these Acts, together with the powers and duties enumerated in this Ordinance.
3. The Planning Commission shall have the authority to prepare, adopt and amend the Township Master Plan, prepare and recommend adoption or amendment of the Zoning Ordinance or subdivision regulations, and other such rights, powers, duties and responsibilities as are provided for in this Ordinance, the Township Subdivision Regulations or other Township ordinances.

Article 33: Amendments

Amendments:

ARTICLE XXXIII

AMENDMENTS

SEC. 33.1 TEXT AND MAP AMENDMENTS (as amended 09/30/07)

The Township Board may, from time to time, on recommendation from the Township Planning Commission, on its own motion, or on petition amend, supplement, modify or change the regulations of this Ordinance, including the district boundaries or other elements of the Official Zoning Map, in accordance with the Authority of Public Act 110 of 2006, as amended. Such actions shall be subject to the following procedure:

1. Initiation of Amendment

Amendments to the provisions of this Ordinance may be initiated by the Township Board or Planning Commission, or by petition from one (1) or more titleholders of property in the Township. An amendment to the zoning district boundaries contained on the official Zoning Map may be initiated by the Township Board or Planning Commission, or by the titleholder(s) of property subject to the proposed amendment.

2. Application

An amendment to this Ordinance, except those initiated by the Township Board or Planning Commission, shall be initiated by submission of a completed application form to the Township. In the case of an amendment to the official Zoning Map, the following information shall accompany the application form and fee:

- (a) A legal description and street address of the subject property, together with a survey and location map identifying the subject property in relation to surrounding properties.
- (b) The name and address of the titleholder(s) of the subject property, and a statement of the applicant's interest in the subject property, if not the owner in fee simple title.
- (c) The existing and proposed zoning district designation of the subject property.

3. Amendment Review Procedure

The amendment and application materials shall be reviewed in accordance with the following procedure:

- (a) **Technical Review.** Prior to Planning Commission consideration, if deemed necessary the proposed amendment and application materials shall be distributed to appropriate Township officials and staff for review and comment. If deemed necessary by the Planning Commission, the proposed amendment and application

Article 33: Amendments

Amendments:

materials shall also be distributed to applicable outside agencies and designated Township consultants for review.

- (b) Public Hearing. **(as amended 9/30/07)** At least one (1) Public Hearing shall be held by the Planning Commission on a proposed amendment in order to acquaint the public and adjoining property owners with the proposal, and any party may appear in person or by agent or by attorney. Notice of the Public Hearing shall be published in a newspaper which circulates in the Township for the initial adoption of a Zoning Ordinance. Notice of subsequent text or map amendments shall take place in the following manner:

- 1) If an individual property or ten (10) or fewer adjacent properties are proposed for rezoning, the Planning Commission shall publish a notice of the rezoning 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 persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term “occupant” may be used in making notification. The notice shall:

- a) Describe the nature of the rezoning request.
- b) Indicate the property that is the subject of the rezoning request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- c) State when and where the rezoning request will be considered.
- d) Indicate when and where written comments will be received concerning the request.
- e) Include the places and times at which the proposed text and any maps of the zoning ordinance may be examined.

- 2) If eleven (11) or more adjacent properties are proposed for rezoning, the Planning Commission shall publish a notice of the rezoning in a newspaper which circulates in the Township. The notice shall be given not less than fifteen (15) days before the date the application will be considered. The notice shall:

- a) Describe the nature of the rezoning request.

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- b) Indicate the property that is the subject of the rezoning request.
 - c) State when and where the rezoning request will be considered.
 - d) Indicate when and where written comments will be received concerning the request.
 - e) Include the places and times at which the proposed text and any maps of the zoning ordinance may be examined.
- 3) Notice of the time and place of the Public Hearing shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the clerk of the Charter Township of Plymouth for the purpose of receiving the notice of Public Hearing. The notice shall include the places and time at which the proposed text and any maps of the zoning ordinance may be examined.
- (c) **Planning Commission Recommendation.** Subsequent to the hearing, the Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the amendment, and shall forward its findings and recommendations to the Township Board, including any recommendations for modifications to the proposed amendment.
- (d) **Township Board Action.** Upon receipt of the report and recommendations from the Planning Commission, the Township Board shall consider the proposed amendment. The Township Board may approve or deny the amendment, or may make changes and refer the amendment back to the Planning Commission for further consideration.

SEC. 33.2 PETITIONS PREVIOUSLY DENIED

Where a prior petition for a change or amendment applying to a specific piece of property or a part of such property was denied by the Township Board, a new application for the same amendment shall not be accepted by the Planning Commission for consideration for a period of three hundred sixty five (365) days, unless the Planning Commission determines that one or more of the following conditions has been met:

- 1. There is a substantial change in circumstances relevant to the issues or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application.

Article 33: Amendments

Amendments:

2. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed.
3. The new application is materially different from the prior application.

SEC. 33.3 FEES

A fee as shall be determined by resolution of the Township Board shall be paid with each petition presented for a change or amendment to the Zoning Ordinance. Said fee shall cover the cost of preparing the amendment, review costs, notice of public hearing and advertising and printing.

END OF ARTICLE 33.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 33: Amendments
Amendments:

ALL AMENDMENTS TO
ARTICLE XXXIII (33)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 33: Amendments

Amendments:

ALL AMENDMENTS TO ARTICLE XXXIII (33)

The following language was amended on 9/30/07

SEC. 33.1 TEXT AND MAP AMENDMENTS

The Township Board may, from time to time, on recommendation from the Township Planning Commission, on its own motion, or on petition amend, supplement, modify or change the regulations of this Ordinance, including the district boundaries or other elements of the official Zoning Map, in accordance with the authority of Public Act 184 of 1943, as amended. Such actions shall be subject to the following procedure:

The following language was amended on 9/30/07

- (b) Public Hearing. A Public Hearing shall be held by the Planning Commission on a proposed amendment in order to acquaint the public and adjoining property owners with the proposal, and any party may appear in person or by agent or by attorney.
 - 1) Notice of the hearing shall be given by two (2) publications in a newspaper which circulates in the Township; the first to be printed not more than thirty (30) days nor less than twenty (20) days before the hearing date; and the second not more than eight (8) days before the hearing date.
 - 2) If an individual property or several adjacent properties are proposed for rezoning, notice shall also be sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within a minimum of three hundred (300) feet of the boundary of the property in question, and to the occupants of all single- and two-family dwellings within three hundred (300) feet. The notice shall be given not less than eight (8) days before the date the amendment will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a dwelling, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased, by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

Charter Township of Plymouth Zoning Ordinance No. 99

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Amendments:

- 3) The notice shall:
 - a) Describe the purpose of the hearing and nature of the proposed amendment.
 - b) Indicate the property which is the subject of any rezoning request.
 - c) State when and where the amendment will be considered.
 - d) Indicate when and where written comments will be received concerning the amendment.

Article 34: Violations and Penalties

Amendments:

ARTICLE XXXIV

VIOLATIONS AND PENALTIES

SEC. 34.1 PENALTIES FOR VIOLATION

Any person, persons, firm or corporation or anyone acting in behalf of the same, who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to punishment by a fine not to exceed five hundred dollars (\$500.00) plus the costs of prosecution, by ninety (90) days imprisonment, or by any combination thereof at the discretion of the court.

SEC. 34.2 EACH DAY A SEPARATE OFFENSE

Each day that a violation is committed or permitted to exist or continue shall constitute a separate offense.

SEC. 34.3 PUBLIC NUISANCE PER SE

Any violation of the provisions of this Ordinance is hereby declared to be a public nuisance per se. The court shall order such nuisance abated, and the person, persons, firm or corporation violating said provisions, or anyone acting in behalf of the same, shall be adjudged guilty of maintaining a nuisance per se.

SEC. 34.4 RELIEF FROM PERSONAL RESPONSIBILITY

Charter Township of Plymouth officials, representatives, employees, boards, commissions and agents shall not be personally liable while acting for the Township, and are hereby relieved from all personal liability from any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of official duties.

SEC. 34.1	PENALTIES FOR VIOLATION
SEC. 34.2	EACH DAY A SEPARATE OFFENSE
SEC. 34.3	PUBLIC NUISANCE PER SE
SEC. 34.4	RELIEF FROM PERSONAL RESPONSIBILITY

Article 35: Severance, Vested Right

Amendments:

ARTICLE XXXV

SEVERANCE, VESTED RIGHT

SEC. 35.1 SEVERANCE

If any portion of this Ordinance, or the application thereof to any person or circumstance, shall be found invalid by a court, such invalidity shall not affect the remaining portion or application, or validity of this Ordinance as a whole, provided such remaining portions are not determined by the court to be invalid. It is hereby declared to be the legislative intent that this Ordinance would have been adopted, had such invalid provision not been included.

SEC. 35.2 VESTED RIGHT

Nothing in this Ordinance should be interpreted or construed to grant, endorse or extend any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein. Any of the same may be amended by the Township when reasonable to the preservation of the public health, safety, morals and general welfare.

Article 36: Definitions

Amendments:

ARTICLE XXXVI

DEFINITIONS

SEC. 36.1 CONSTRUCTION OF LANGUAGE

The following rules of construction shall apply to the text of this Ordinance:

1. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such, as may have acquired a peculiar and appropriate meaning in the law, shall be construed and understood according to such peculiar and appropriate meaning.
2. The particular shall control the general.
3. In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
4. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
5. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
6. The word "building" includes the word "structure." A "building" or "structure" includes any part thereof.
7. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
8. The word "person" includes any individual, a corporation, a partnership, an incorporated association, or any other similar entity.
9. The word "dwelling" includes the word "residence," and the word "lot" includes the words "plot" or "parcel".
10. 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," "either ... or," the conjunction shall be interpreted as follows:
 - (a) "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - (b) "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.

Article 36: Definitions

Amendments:

- (c) "Either ... or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- 11. Every word importing the singular number only may extend to and embrace the plural number, and every word importing the plural number may be applied and limited to the singular number. Every word importing the masculine gender only may extend and be applied to females as well as males.
- 12. The words "written" and "in writing" may be construed to include printing, engraving and lithographing; except that in all cases where the written signature of any person is required, it shall always be the proper handwriting of such person; or in case he is unable to write, his proper mark.
- 13. Whenever a reference is made to several sections and the section numbers are connected by the word "to," the reference includes both sections whose numbers are given and all intervening sections.
- 14. The words "include" or "including" shall mean "including, but not limited to."
- 15. In computing a period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.
- 16. The word "Commission" shall refer to the Charter Township of Plymouth Planning Commission.

SEC. 36.2 DEFINITIONS

- 1. **ACCESSORY BUILDING OR STRUCTURE:** A building or structure, or portion of a main building, on the same lot as the main building(s) and use(s), the use of which is incidental to, customarily associated with, and subordinate to that of the main building and use, but not including dwellings, residential or lodging facilities or sleeping quarters for human beings, except for a caretaker's residence permitted as an accessory use to a mortuary under Sections 5.2 and 6.2.
- 2. **ACCESSORY USE:** A use which is located on the same lot and clearly serving a purpose incidental to, customarily associated with, and subordinate to the principal use to which it is related, but not including dwellings, residential or lodging facilities or sleeping quarters for human beings, except for a caretaker's residence where permitted as an accessory use.
- 3. **ACHROMATIC:** Colorless or lacking in saturation or hue. The term includes but is not limited to grays, tans and light earth tones. The term does not include white, black or any bold coloration that attracts attention.

Article 36: Definitions

Amendments:

4. **ADMINISTRATIVE REVIEW COMMITTEE:** A group of five (5) persons, consisting of the Chief Building Official, Community Development Director, Chairman of the Planning Commission, Planning Consultant, and Engineering Consultant which shall conduct administrative reviews, as specifically permitted by provisions of this Ordinance. Approval of no fewer than three (3) members of the Committee shall be required to take action.

5. **ADULT FOSTER CARE FACILITY:** A residential structure licensed by the State of Michigan to provide room, board and supervised care, but not continuous nursing care, for unrelated adults (18 years or older), in accordance with the Adult Foster Care Facility Licensing Act, Public Act 218 of 1979, as amended, and the Adult Foster Care Administrative Rules. The following four (4) types of adult foster care facilities are provided for by these rules:
 - (a) **ADULT FOSTER CARE FAMILY HOME:** Private residence for six (6) or fewer unrelated adults. Licensee must live in the home, and local zoning approval is not required prior to issuance of a license.

 - (b) **ADULT FOSTER CARE SMALL GROUP HOME:** Residence for twelve (12) or fewer unrelated adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license only if seven (7) or more residents will live in the home.

 - (c) **ADULT FOSTER CARE LARGE GROUP HOME:** Residence for thirteen (13) to twenty (20) unrelated adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license.

 - (d) **ADULT FOSTER CARE CONGREGATE CARE FACILITY:** Residences for more than twenty (20) unrelated adults. Local zoning approval is required prior to issuance of a license.

6. **ADULT DAY CARE:** A facility which provides care for over twelve (12) adults for less than twenty-four (24) hours.

7. **AGRICULTURE:** Agriculture shall mean the use of land for agricultural purposes, including farming, dairying, pasturage, raising of fowl, rabbits, livestock or large domesticated animals, nurseries, orchards, poultry farms and bona fide greenhouses operated on contiguous, neighboring or associated land as a single unit carried on by the owner-operator, manager or tenant farmer by his own labor or with assistance of members or his household or hired employees; provided, however, that land to be considered a farm hereunder shall include a continuous parcel of five (5) acres or more in area.

8. **ALLEY:** Is any way dedicated to the public which affords a secondary means of access to abutting property, and which is not intended for general traffic circulation.

Article 36: Definitions

Amendments:

9. **ALTERATIONS:**

- (a) Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as bearing walls or partitions, columns, beams or girders.
- (b) Any substantial change in the roof or in the interior walls or any changes in size or location of any window or door.
- (c) Any change, enlargement or modification to any part of a sign, including the sign copy area, unless designed and approved by the Township as a changeable copy sign.

10. **APARTMENT:** A suite of rooms or a room arranged and intended for a place of residence for a single family commonly located in a multiple-family dwelling or accessory to another use as may be permitted by this Ordinance, and which is typically rented rather than owned by the occupant(s).

11. **APARTMENT, EFFICIENCY:** A dwelling unit consisting of not more than one room in addition to a kitchen and necessary sanitary facilities

12. **AUTOMOBILE:** Any motorized vehicle intended to be driven on roads or trails, such as cars, trucks, vans and motorcycles. An automobile shall not include commercial vehicles as defined herein.

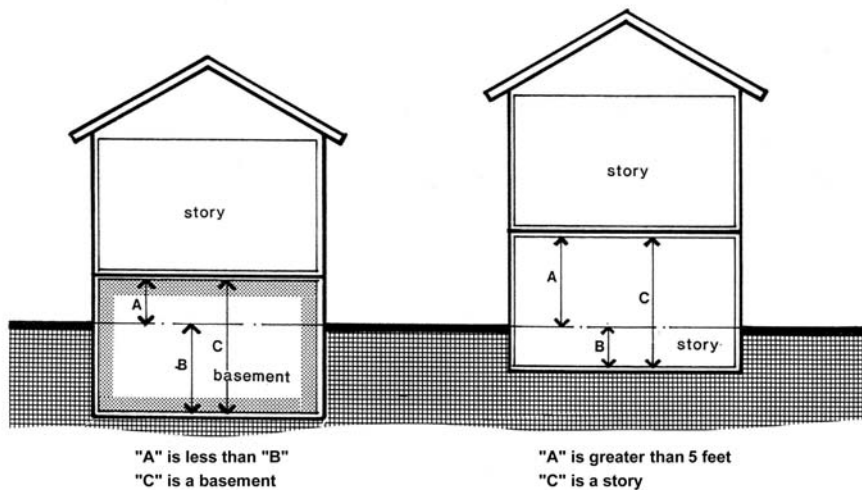
13. **AUTOMOBILE COMMERCIAL GARAGE (ROUTINE MAINTENANCE AND MINOR REPAIR):** A building or premises used primarily to provide general maintenance on automobiles such as oil change and lubrication; servicing and repair of spark plugs, batteries, pumps, belts, hoses, air filters, windshield wipers and distributors; mufflers and exhaust replacement, brakes and shock absorbers; radiator cleaning and flushing; sale and installation of automobile accessories such as tires, radios and air conditioners; wheel alignment, balancing and undercoating, excluding tire recapping or grooving or any major mechanical repairs, collision work or painting. An automobile maintenance/service establishment may also sell gasoline, but is distinct from an automobile service station.

14. **AUTOMOBILE MAJOR REPAIR OR BODY SHOP:** A building or enclosed structure where the following services may be carried out: general repair and refinishing, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair, overall painting and undercoating of automobiles, major overhauling of engines requiring the removal of engine cylinder head or crankcase pan; repairs to radiators requiring the removal thereof; or complete recapping or retreading of tires.

Article 36: Definitions

Amendments:

- 15. **AUTOMOBILE WASH:** Any building or premises or portion thereof either as a principal or accessory use containing facilities for washing motor vehicles using production line methods with a conveyor, blower, steam cleaning device or other mechanical washing devices; and may also include coin and attendant operated drive-through, automatic self-serve, track mounted units and similar high volume washing establishments, including hand washing operations and detailing shops.
- 16. **BAR, LOUNGE OR NIGHTCLUB:** An establishment licensed by the State of Michigan to sell at retail and serve alcoholic beverages on the premises. Such establishment is operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food and snacks may also be permitted.
- 17. **BASEMENT:** That portion of a building which is wholly or partly below the average grade of the ground level adjoining the building is a basement when the height from the grade up to the first floor tier of floor beams or joists is less than the height from the grade level down to the floor, provided, however, that if the height from the grade level to the floor beams or joists is five (5) feet or more, such basement shall be considered a story. A basement shall not be counted as a story and a basement shall not be used in computing the minimum required floor area (also see Story).



Basement and Story

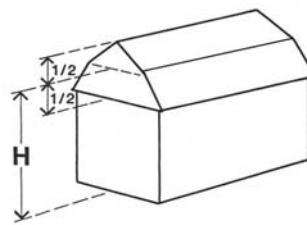
- 18. **BED-AND-BREAKFAST INN:** A single family dwelling which is owner occupied in which overnight accommodations are provided or offered for transient guests for compensation, often including provisions for a meal only for overnight guests.

Article 36: Definitions

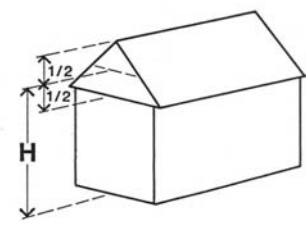
Amendments:

- 19. **BERM:** A man-made formed earth mound of definite height and width used for obscuring or aesthetic purposes.
- 20. **BLOCK:** A block shall include the property having frontage on the side of a street and lying between the two (2) nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way. In case of a cul-de-sac street, a block shall include the property on one side of the street lying between the one intersecting street and the extension of the center line of the cul-de-sac street through the property facing the turnaround at the closed end of the street.
- 21. **BOARD:** The Township Board of Trustees of the Charter Township of Plymouth.

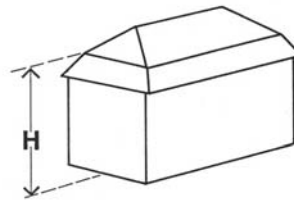
22. **BUILDING:** A structure having a roof supported by columns or walls for shelter, support or enclosure of persons, animals, chattels or personal property. When any portion thereof is completely separated from every other part thereof by masonry or fire wall from the ground up, and without openings,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



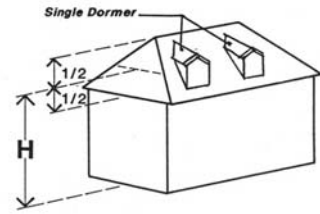
GAMBREL



GABLE

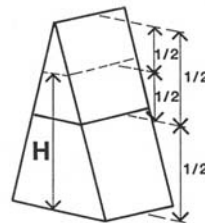


MANSARD

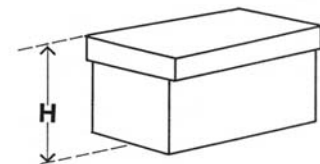


HIP

23. **BUILDING ALTERATIONS:** Any change to the supporting members of a building such as bearing walls, columns or girders, any alteration or relocation of a building and any change in use.



A-FRAME



FLAT

24. **BUILDING HEIGHT:** The height of a building is the vertical distance measured from the established grade to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, to the mean height level between the eaves and ridge for hip, gabled and gambrel roofs.

Building Height

25. **BUILDING LINE:** A line formed by the face of the principal building, and for the purposes of this Ordinance a building line is the same as the front setback line.

Article 36: Definitions

Amendments:

- 26. **BUILDING, MAIN OR PRINCIPAL:** A building in which is conducted the main or principal use of the lot upon which the building is situated.
- 27. **BUILDING OFFICIAL, CHIEF:** The designated head of the Department of Building and Code Enforcement Township, or his or her authorized representative.
- 28. **BUILDING PERMIT:** The written authority issued by the Chief Building Official permitting the construction, removal, moving, alteration or use of a building in conformity with the State Construction Code.
- 29. **CARETAKER’S RESIDENCE:** An independent residential dwelling unit designed for and occupied by no more than one family, where at least one person is employed to look after goods, buildings, or property on the parcel on which the living quarters are located.
- 30. **CARPORY:** A partially open shelter for housing of vehicles. Such structure shall comply with all yard requirements applicable to private garages.
- 31. **CEMETERY:** Land used, dedicated or intended for the burial of human remains, including columbariums and mausoleums.
- 32. **CHILD CARE FACILITIES:** A location and organization designed for the temporary care of children under eighteen (18) years of age, as licensed and regulated by the State of Michigan under the Child Care Organizations Act, Public Act 116 of 1973, as amended, and the Adult Foster Care Facility Licensing Act, Public Act 218 of 1979, as amended. Such organizations shall be further defined as follows:
 - (a) **CHILD CARE CENTER or DAY CARE CENTER:** A non-residential facility designed to provide temporary day care for one or more preschool or school age children for periods of less than twenty-four (24) hours per day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less that two (2) consecutive weeks, regardless of the number of hours of care per day. This facility is also described as a nursery school, parent cooperative preschool, or drop-in center, but does not include a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.
 - (b) **FAMILY FOSTER CARE HOME:** A private residence, as licensed by the State of Michigan, in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.

Article 36: Definitions

Amendments:

- (c) **GROUP FOSTER CARE OR FAMILY GROUP HOME:** A private residence licensed by the State of Michigan to care for more than four (4) but less than seven (7) children not related to an adult member of the household by blood, marriage, or adoption and unattended by a parent or legal guardian, for periods of two (2) or more consecutive weeks, twenty-four (24) hours per day and four (4) or more days per week.
 - (d) **FAMILY CHILD DAY CARE HOME:** A private residence licensed by the State of Michigan to provide temporary day care for up to six (6) minor children for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Licensee must live in the residence.
 - (e) **GROUP CHILD DAY CARE HOME:** A private residence licensed by the State of Michigan to provide temporary day care for up to twelve (12) children for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Licensee must live in the residence.
33. **CHURCHES, TEMPLES AND SIMILAR PLACES OF WORSHIP:** A building for the sole purpose of holding religious services. A site used for the regular assembly of persons, for the conducting of religious services, and for accessory uses therewith. Such accessory uses may include rectories, living quarters for church ministry and other members of the religious order who carry out their duties primarily on the site, religious education classes, day care, outdoor recreation facilities (unlighted), religious office space youth centers and others. Rescue missions, tent revivals and other temporary assemblies are not included in this definition.
34. **CHURCH, LARGE SCALE:** A religious institution with a seating capacity of one thousand five hundred (1,500) people or more in its sanctuary or main area of assembly. A large scale church may also be characterized by any one (1) or more of the following features:
- (a) Region-serving accessory facilities, such as high schools, colleges and seminaries;
 - (b) Parking for five hundred (500) passenger vehicles or more;
 - (c) One (1) or more buildings with 100,000 square feet or more of gross floor area; or
 - (d) Other features, such as: large size of assemblies and resultant traffic surges, large off-street parking lots, retreat and conference centers or a major institutional character.
35. **CLEAR CUTTING:** The clearance of all or a substantial portion of the trees and other woody vegetation from a site.

Article 36: Definitions

Amendments:

- 36. **CLINIC:** A public or proprietary medical or dental institution or laboratory providing diagnostic, therapeutic or preventive treatment of ambulatory patients on an out-patient basis.

- 37. **COMMERCIAL VEHICLE:** Any vehicle bearing, or required to bear, commercial license plates such as a truck tractor, a semi-trailer, flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures; vehicles of a type that are commonly used for the delivery, hauling or construction oriented contractors; tow trucks; vehicle repair service trucks; snow plowing trucks and any other vehicle with a commercial license plate having a gross vehicle weight in excess of 10,000 pounds or a total length in excess of 22 feet.

- 38. **COMMISSION or PLANNING COMMISSION:** The Planning Commission of the Charter Township of Plymouth.

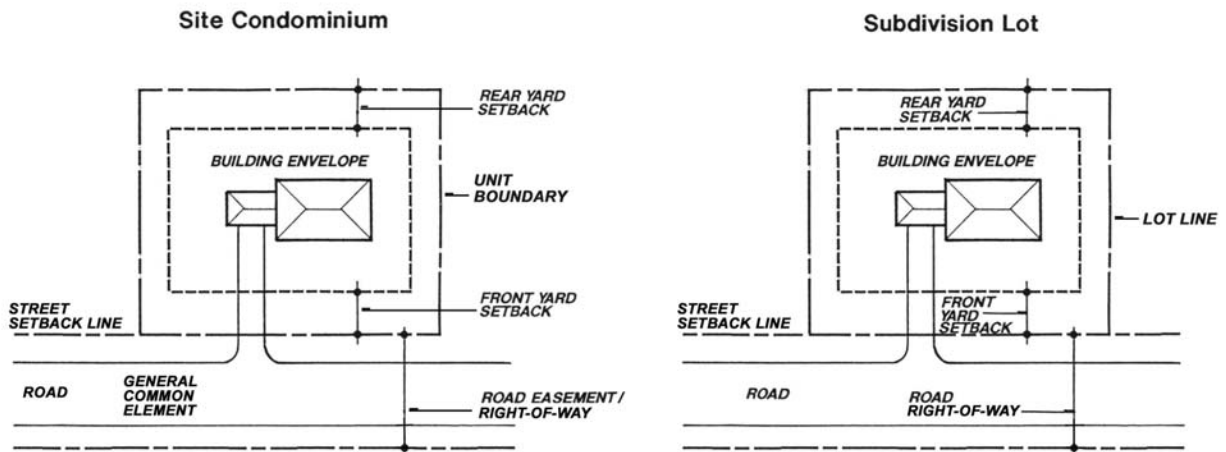
- 39. **COMMUNITY CENTER:** A building and/or grounds created to provide common recreation, meeting or other space for residents of the neighborhood or community.

- 40. **COMPREHENSIVE DEVELOPMENT PLAN:** A plan including graphics and written proposals indicating the general development standards and general location of streets, parks, schools, and all physical development of the Township and includes any unit or part of such plan and any amendment to such plan or parts thereof, also called a Master Plan. Such plan or amendment is adopted by the Planning Commission and/or Board.

- 41. **CONDOMINIUM TERMINOLOGY:**
 - (a) **COMMON ELEMENT, GENERAL:** The common elements other than the limited common elements intended for the common use of all co-owners.
 - (b) **COMMON ELEMENT, LIMITED:** A portion of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.
 - (c) **CONDOMINIUM:** A condominium is a system of separate ownership of individual units and/or multiple-unit projects according to Public Act 59 of 1978, as amended.
 - (d) **CONDOMINIUM ACT:** State of Michigan Public Act 59 of 1978, as amended.
 - (e) **CONDOMINIUM MASTER DEED:** The condominium document recording the condominium project including attached exhibits and incorporating by reference the approved by-laws for the project and the approved condominium subdivision plan for the project.

Article 36: Definitions

Amendments:



Site Condominium Unit vs. Subdivision Lot

- (f) **CONDOMINIUM SUBDIVISION PLAN:** Drawings and information which show the size, location, area, and boundaries of each condominium unit, building locations, the nature, location, and approximate size of common elements, and other information required by Section 66 of Public Act 59 of 1978, as amended.
 - (g) **CONDOMINIUM UNIT:** The portion of the condominium project designed and intended for separate ownership as described in the Master Deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.
 - (h) **CONDOMINIUM LOT:** That portion of a site condominium project designed and intended to function similar to a platted subdivision lot for purposes of determining minimum yard setback requirements and other requirements set forth in this ordinance.
 - (i) **SITE CONDOMINIUM PROJECT:** A condominium project designed to function in a similar manner, or as an alternative, to a platted subdivision. A residential site condominium project shall be considered as equivalent to a platted subdivision for purposes of regulation in this Ordinance.
42. **CONVALESCENT OR NURSING HOME:** A nursing care facility, but excluding a hospital or a facility created by Act No. 152 of the Public Acts of 1985, as amended, being Sections 36.1 to 36.12 of the Michigan Compiled Laws, which provides organized nursing care and medical treatment to seven or more unrelated individuals suffering or recovering from illness, injury or infirmity.

Article 36: Definitions

Amendments:

- 43. **COURT:** A court is an open unoccupied space other than a yard, and bounded on at least two sides by a building. A COURT extending to the front lot line or front yard, or to a rear lot line or rear yard, is an OUTER COURT. Any other court is an INNER COURT.
- 44. **CUL-DE-SAC:** A dead-end public or private street which terminates in a circular or semicircular section of street which allows for vehicle turnaround.
- 45. **CURB CUT:** An opening from the public street to a private driveway or public drive serving an individual site or group of sites.
- 46. **DEALERSHIP:** A building or premises used primarily for the sale or rental of new and used automobiles, trucks, boats, recreational vehicles and other motor vehicles, and which may include accessory repair facilities and outside storage and display areas.
- 47. **DEVELOPMENT:** The construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use.
- 48. **DISTRICT:** Any section of the unincorporated parts of the Charter Township of Plymouth for which the regulations governing the use of buildings and premises or the height and area of buildings are uniform.
- 49. **DOMESTIC EMPLOYEES:** Shall mean only those persons hired by the householder for the purpose of performing domestic services and maintenance of the household.
- 50. **DRIVE-IN BUSINESS/RESTAURANT:** A business or restaurant establishment so developed to serve patrons while within the motor vehicle rather than within a building or structure. A drive-in restaurant is distinct from a drive-through restaurant in that the majority of drive-in patrons consume food and beverages while in the vehicle and parked on the premises.
- 51. **DRIVE-THROUGH BUSINESS/RESTAURANT:** A business or restaurant establishment so developed to serve patrons from a drive-through window. A drive-through restaurant may or may not also have indoor seating and is distinct from a drive-in business.
- 52. **DRIVEWAY:** A private hard surfaced area that provides access to a house, garage, or other building from a street.

Article 36: Definitions

Amendments:

- 53. **DWELLING:** A dwelling is any house or building or portion thereof which is occupied wholly as the home, residence or sleeping place of one or more human beings, either permanently or transiently. In case of mixed occupancy where a building is occupied in part as a dwelling, with a commercial or other use, the part so occupied as a dwelling shall be deemed a dwelling for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings. Garage space, whether in an attached or detached garage, shall not be deemed a part of livable floor area. Automobile trailers or similar portable dwellings, tourist cabins or tents, shall not be considered dwellings under this definition.
- 54. **DWELLING, ONE FAMILY:** A dwelling occupied by one (1) family and so designed and arranged as to provide cooking and kitchen accommodations and sanitary facilities for one (1) family only.
- 55. **DWELLING, ONE FAMILY CLUSTER:** A group of two (2) or more detached one family dwellings located on a common parcel of land held in one ownership and having any yard or court in common, or in condominium ownership pursuant to the Condominium Act, Public Act 59 of 1978, as amended.
- 56. **DWELLING, MULTIPLE FAMILY:** A building used or intended to be used as a dwelling by three (3) or more families, living independently and so designed and arranged as to provide cooking and kitchen accommodations and sanitary facilities for three (3) or more families.
- 57. **DWELLING, STACKED FLATS:** A building occupied by three (3) or more families, where dwellings are divided by party walls in the horizontal plane and floor-ceiling assemblies in the vertical plane in an appropriate manner for multiple-family uses. Each dwelling unit is capable of individual use and maintenance without trespassing upon adjoining properties, and utilities and service facilities are independent for each property.
- 58. **DWELLING, TOWNHOUSE:** A building or structure occupied by three (3) or more families, where each dwelling unit is divided from the one adjacent to it by a party wall extending the full height of the building. Each dwelling unit is capable of individual use and maintenance without trespassing upon adjoining properties, and utilities and service facilities are independent for each property.
- 59. **DWELLING, TWO FAMILY or DUPLEX:** A dwelling occupied by not more than two (2) families, and so designed and arranged as to provide cooking and kitchen accommodations and sanitary facilities for two (2) families.
- 60. **DWELLING, UNIT:** Dwelling unit shall mean one (1) or more main rooms designed for or used by one (1) family for living and sleeping purposes and having a kitchen or kitchenette, plus a separate bathroom.

Article 36: Definitions

Amendments:

- 61. **DWELLING UNIT, MANUFACTURED:** Is any residential building, transportable in one (1) or more sections, which is built on a chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. Manufactured home does not include a recreational vehicle.
- 62. **DWELLING UNIT, MODULAR:** Is a dwelling unit which is partially constructed off the premises upon which it is intended to be located, and is delivered to the premises in sections for assembly and finishing.
- 63. **DWELLING UNIT, SITE BUILT:** Is a dwelling unit that is substantially built, constructed, assembled, and finished on the premises which is intended to serve as its final location. Site built dwelling units shall include dwelling units constructed of pre-cut materials, and panelized wall, roof and floor sections when such sections require substantial assembly and finishing on the premises which-are intended to serve as its final location.
- 64. **EASEMENT:** A grant of one (1) or more of the property rights by a property owner to and/or for use by the public, or another person or entity.
- 65. **ELDERLY HOUSING:** An institution other than a hospital or hotel, which provides housing or room and board to non-transient persons primarily sixty (60) years of age or older. Housing for the elderly may include:
 - (a) **ELDERLY HOUSING – INDEPENDENT:** Is a multiple-family housing form with full facilities for self-sufficiency in each individual dwelling unit.
 - (b) **ELDERLY HOUSING – DEPENDENT:** Is a multiple-family housing form with central dining facilities provided as a basic service to each dwelling unit. Each dwelling unit may not contain cooking facilities, but must contain sanitary facilities.
 - (c) **CONGREGATE CARE:** A dependent elderly housing facility with cooking facilities within the unit, but the a central dining service option. Limited medical care is available.
 - (d) **ASSISTED LIVING:** A dependent elderly housing facility without cooking facilities and only central dining service. Limited medical care is available.
 - (e) **SENIOR APARTMENTS:** Multiple-family dwelling units for independent living.
- 66. **ERECTED:** Erected shall mean built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for the construction. Excavation, fill, drainage and the like shall be considered a part of erection.

Article 36: Definitions

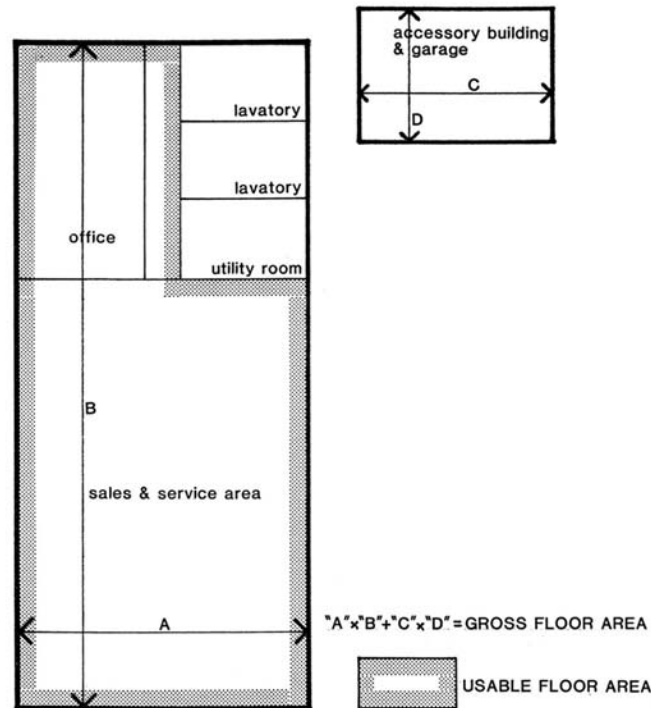
Amendments:

- 67. **ESSENTIAL SERVICES:** The phrase "essential services" means the erection, construction, alteration or maintenance of public utilities or municipal departments or commissions, of underground or overhead gas, electrical, communications, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith (but not including buildings) reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions for the public health, safety or general welfare.
- 68. **EXCAVATION:** Excavation shall mean any breaking of ground, except common household gardening and ground care.
- 69. **FAMILY:**
 - (a) An individual or group of two (2) or more persons related by blood, marriage or adoption, such as a man and wife or a father or a mother and their children, the parents of either or both, together with foster children or servants of the principal occupants, with not more than two (2) additional unrelated persons, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit; or
 - (b) A functional equivalent of the domestic family which is collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuous, non-transient, domestic character and who are cooking and living as a single, nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms of other similar determinable periods.
- 70. **FENCE, DECORATIVE:** A structure intended primarily for ornamental purposes. A decorative fence shall be any fence which, by definition, is not to be considered a protective or security fence or a privacy fence.
- 71. **FENCE, DOG RUNS AND OUTDOOR SERVICE AREAS:** A structure intended to contain an animal permitted within a single family area or to screen an outdoor service area.
- 72. **FENCE, PRIVACY SCREEN:** A structure intended to form a visual screen or wind-break for a patio or outdoor living area located in the rear yard only.
- 73. **FENCE, PROTECTIVE OR SECURITY:** Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous lands either in whole or part serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within.
- 74. **FILL:** To deposit or dump any matter on to or into the ground, except common household gardening and ground care.

Article 36: Definitions

Amendments:

75. FLOOR AREA:



Floor Area

- (a) **FLOOR AREA, GROSS:** The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The “floor area” of a building, which is what this normally is referred to as, includes the basement floor area if its ceiling is over five (5) feet above the average established grade. Any space devoted to off-street parking or loading shall not be included in floor area. Areas of basements, utility rooms, breezeways, unfinished attics, porches (enclosed or unenclosed) or attached garages are not included.
- (b) **FLOOR AREA, USABLE:** That portion of the floor area, measured from the interior face of the exterior walls, used for or intended to be used for services to the public or to customers, patrons, clients or patients, including areas occupied by fixtures or equipment used for the display or sale of goods or merchandise, but not including areas used or intended to be used for the storage of merchandise, utility or mechanical equipment rooms or sanitary facilities. In the case of a half story, the usable floor area shall be considered to be only that portion having a clear height above it of four (4) feet or more. Where the usable floor area of a building is unknown, eighty (80) percent of the gross floor area shall be used for calculating required parking.

Article 36: Definitions

Amendments:

- 76. **GARAGE, COMMUNITY:** A community garage is a structure, or a series of structures, for the storage of motor vehicles, having no public sales or repair shop or services in connection therewith, and separated into compartments or sections with separate vehicular entrances, for the use of two or more owners or occupants of property in the vicinity.
- 77. **GARAGE, PRIVATE:** A private garage is a structure for the storage principally of non-commercial vehicles, having no public sales or shop services in connection therewith.
- 78. **GASOLINE SERVICE STATION WITH OR WITHOUT THE SALE OF CONVENIENCE GOODS: (as amended 5/24/09)**
An establishment that includes buildings and premises for the primary purpose of retail gasoline sales. An automobile convenience/gasoline service station may also include an area devoted to sales of automotive items and convenience goods primarily sold to patrons purchasing gasoline. A service station is not an automobile repair or body shop. The retail sale of foods, drinks and other convenience goods may be included in addition to the sale of fuel, however, the sale of packaged alcoholic beverages is prohibited.
- 79. **GRADE:** A ground elevation establishment for the purpose of regulating the number of stories and the height of buildings. 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 computing the average elevation of the ground for each foot of the building and taking the average of the several averages.
- 80. **GREENBELT:** For the purpose of complying with the requirements of this Ordinance a greenbelt shall consist of planting of deciduous and/or evergreen trees and shrubs spaced to comply with the density requirements of Article 26 related to opacity.
- 81. **HAZARDOUS USES:** All uses which involve the storage, sale, manufacture or processing of materials which are dangerous, risky and combustible and are likely to burn with moderate rapidity and with a considerable volume of smoke, but from which neither poisonous fumes nor explosions are to be anticipated in the event of fire. A hobby shall not be considered a home occupation.
- 82. **HOBBY:** An accessory use carried on by the occupant of the premises in a shop, studio or other workroom, purely for personal enjoyment, amusement or recreation; provided that the articles produced or constructed in said shop, studio, or workroom are not sold either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes.
- 83. **HOME OCCUPATION:** Any business, occupation, or activity undertaken for compensation within a dwelling unit that is incidental and secondary to the use of the structure as a dwelling unit. A hobby shall not be considered a home occupation.

Article 36: Definitions

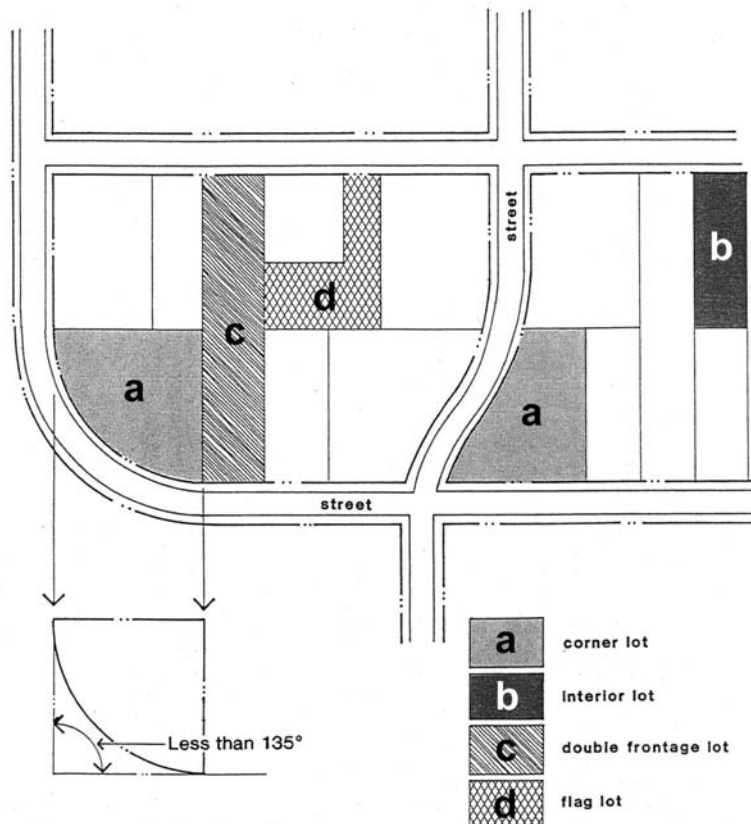
Amendments:

- 84. **HOME OFFICE:** An accessory use within a dwelling unit that is incidental and secondary to the use of the structure as dwelling unit, in which work for compensation is undertaken, including, but not limited to: receiving or initiating correspondence, such as telephone calls, mail, facsimiles, or electronic-mail; preparing or maintaining business records; word or data processing; and telephone, mail order, and off-premise sales.
 - 85. **HOSPITAL:** A building, structure or institution, licensed by the Health Department of the State of Michigan, in which sick or injured persons are given medical or surgical treatment.
 - 86. **HOTEL:** A business that provides temporary abiding overnight accommodations for transient individuals with or without meals in rooms occupied for hire, not to exceed thirty (30) days continuous occupancy, and which provides customary maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture, concierge services, and a dining room and general kitchen.
 - 87. **IMPERVIOUS SURFACE:** A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.
 - 88. **INDUSTRIAL PARK:** An area under common ownership subdivided for cohesive industrial development, usually having shared facilities, such as storm water retention and drainage, and covenants restricting appearance, signage and uses.
 - 89. **INSTITUTIONAL USES, LARGE SCALE:** Public, parochial and private schools including nursery schools, churches, libraries, community buildings, hospitals, convalescent Homes, municipal facilities or mortuaries, which have either one or both of the following characteristics:
 - (a) Five hundred (500) or more parking spaces are required based on the parking requirements in the Zoning Ordinance.
 - (b) The seating capacity of the main area of assembly is one thousand five hundred (1,500) or more.
 - 90. **KENNEL:** Any lot or premises on which four (4) or more dogs, cats or other small and medium domesticated pets (excluding horses and other large domesticated animals), fur bearing animals or animals for medical experimentation are trained, kept, permanently or temporarily boarded, or used for breeding purposes.
 - 91. **LANDSCAPING:** Improvements to a site, usually consisting of trees and other vegetation, but also including other structural elements such as earth forms, decorative walls, seating, lighting fountains, ground cover, natural areas, wetlands, bodies of water and other enhancements intended to improve the appearance and environmental quality of a site.
 - 92. **LIVESTOCK:** Animals, such as cattle, sheep, ostrich and bison, kept for commercial purposes.
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Article 36: Definitions

Amendments:

- 93. **LOADING SPACE:** Loading space shall mean an off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.
- 94. **LOT (OR ZONING LOT OR PARCEL):** A piece of land under one ownership described and control, occupied or to be occupied by a building, structure, or use, or by other activity permitted thereon and including the open spaces required under this Ordinance.
 - (a) **CORNER LOT:** A lot of which at least-two adjacent sides abut for their full length upon a street at an interior angle of less than 135 degrees.
 - (b) **DOUBLE FRONTAGE LOT:** Any interior lot having frontage on two streets as distinguished from a corner lot. In the case of a row of double frontage lots, all sides of said lots adjacent to streets shall be considered frontage, and front yards shall be provided as required.
 - (c) **INTERIOR LOT:** Any lot other than a corner lot.



Corner, Interior & Double Frontage Lots

Article 36: Definitions

Amendments:

- 95. **LOT AREA:** For the purpose of this Ordinance in determining minimum lot area requirements the lot area shall be the total horizontal area within the lot lines exclusive of all right-of-way, private road easement, and the area located within the street setback.
- 96. **LOT COVERAGE:** That part or percentage of the lot occupied by buildings or structures, including accessory building or structures.
- 97. **LOT DEPTH:** Is the horizontal distance between the front and rear lot lines as measured along the median between the side lot lines.
 - (a) **FRONT LOT LINE:** In the case of a lot abutting upon one street, the front lot line is the line separating such lot from such street. In the case of any other lot one such line shall be elected to be the front lot line for the purpose of this Ordinance, provided it is so designated in the building plans filed for approval with the Department of Building and Code Enforcement.
 - (b) **REAR LOT LINE:** The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be that assumed line parallel to the front line, not less than ten (10) feet long, lying most distant from the front lot line and wholly within the lot.
 - (c) **SIDE LOT LINE:** A side lot line is any lot boundary line not a front lot line or a rear-lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior lot line.
- 98. **LOT OF RECORD:** A parcel of land, the dimensions of which are shown on a document or maps on file with the Wayne County Register of Deeds, and which actually exists as so shown, or any part of such parcel held in a recorded ownership separate from that of the remainder thereof, whether platted or described by metes and bounds.
- 99. **LOT WIDTH:** Is the horizontal distance between the side lot lines, measured at the two points where the required minimum front yard setback line (set forth in the Schedule of Regulations) intersects the side lot lines. Said front lot line shall in every instance abut a public or private street by being contiguous with the public street right-of-way line or the private street easement line.
- 100. **MAIN BUILDING:** A building in which is conducted the principal use of the lot upon which it is situated.
- 101. **MAIN USE:** The principal purpose for which the premises, land or building(s) may be occupied, or are arranged, designed or intended.

Article 36: Definitions

Amendments:

- 102. **MAJOR THOROUGHFARE:** An arterial street which is intended to serve as a large volume traffic-way for both the immediate area and the region beyond, and may be designated as a major thoroughfare, parkway, freeway, express- way or equivalent term to identify those streets comprising the basic structure of the street plan. Any street with a width, existing or proposed, of one hundred twenty (120) feet shall be considered a major thoroughfare.

- 103. **MANUFACTURED HOME:** (See Manufactured Dwelling Unit)

- 104. **MANUFACTURED HOUSING PARK (MOBILE HOME PARK):** A parcel or tract of land under the control of a person or entity upon which manufactured homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a change is made, therefore, together with any building, structure enclosure, street, equipment or facility used or intended for use incidental to the occupancy of a manufactured home and which is not intended for use as a temporary recreational vehicle park.

- 105. **MANUFACTURED HOUSING PARK LOT (MOBILE HOME LOT):** An area within a manufactured housing park which is designated for the exclusive use of a specific manufactured home.

- 106. **MASSAGE:** The manipulation of body muscle or tissue, by rubbing, stroking, kneading, tapping or vibrating, through the use of a physical, mechanical or other device, of the body of another for a fee.
 - (a) **MASSAGE THERAPIST:** An individual specifically trained and licensed or certified in therapeutic massage by the American Massage and Therapy Association, International Myomassethics Federation or successor organizations.

 - (b) **THERAPEUTIC MASSAGE:** A method by which a person utilizes his or her hands, feet or an instrument for treating the superficial parts of a customer’s body for medical, hygienic, relaxation or therapeutic purposes by rubbing, stroking, kneading, tapping, pounding or vibrating.

- 107. **MECHANICAL AMUSEMENT DEVICE:** Shall mean any electronic or mechanical machine, device or contrivance which is operated by the insertion of a coin, slug, token, plate, disc or the payment of a fee and is operated by the public generally for amusement only, and does not dispense any form of payoff, prize or reward. A mechanical amusement device which only provides a free-game upon accumulation of a required score shall be deemed to be for amusement purposes and not prohibited herein.

- 108. **MEZZANINE:** An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-half (½) of the floor area of the story in which the level or levels are located.

Article 36: Definitions

Amendments:

- 109. **MINI- OR SELF-STORAGE WAREHOUSE:** A building or group of buildings in a that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of customer’s goods or wares.
- 110. **MOTEL:** A a business comprised of a group of dwelling units without a dining room or kitchen facilities, so arranged as to furnish overnight accommodations for transient guests, not to exceed thirty (30) days continuous occupancy.
- 111. **NATURAL GAS OR OIL FACILITY OR EQUIPMENT:** Any building, structure, machinery, and/or equipment used for or in connection with the production, processing or transmitting of natural gas, oil or allied products or substances, which includes but is not limited to any pipeline, storage wells, sweetening plants or similar treatment facilities, bulk storage plants, hydrogen sulfide removal facilities, dehydration facilities, compressor stations, pigging stations, metering facilities or any other facility distinguished from mere pipes, fittings and valves, oil and gas mud pits or brine disposal pits, devices, and auxiliary components, including pollution control equipment, flares, stacks, etc. Processing or related oil and gas facility may also be referred to as any type of on-site or off-site “separating facilities” or “sweetening facilities” intended or designed to remove hydrogen sulfide.
- 112. **NONCONFORMITIES:** A lot, structure, or use of land, structure or combination of both that lawfully existed prior to the effective date of adoption or amendment of this Ordinance, and which would be prohibited, regulated or restricted under the terms and provisions of this Ordinance.
 - (a) **CLASS A NONCONFORMING DESIGNATION:** A nonconforming structure or use of land that has been designated by the Planning Commission to be allowed to be perpetuated and improved in accordance with the provisions of this Ordinance and any conditions of approval of the designation.
 - (b) **CLASS B NONCONFORMING STATUS:** Nonconforming structures or uses, other than those designated as Class A, are classified as Class B and are allowed to continue within the restricted provisions of this Ordinance.
 - (c) **NONCONFORMING LOT OF RECORD:** A platted or unplatted parcel of land lawfully existing at the effective date of adoption or amendment of this Ordinance that does not conform to Ordinance provisions for the district in which it is located.
 - (d) **NONCONFORMING SIGN:** See SIGNS.
 - (e) **NONCONFORMING STRUCTURE:** A structure or portion thereof lawfully existing at the effective date of this Ordinance or amendments thereto that does not conform to Ordinance provisions for the district in which it is located, but is otherwise in compliance with all other applicable federal, state, county and Township laws, ordinances, regulations and codes.

Article 36: Definitions

Amendments:

- (f) **NONCONFORMING USE:** A use that lawfully occupied a parcel or contiguous parcels of land or structure and land in combination at the effective date of this Ordinance or amendments thereto that does not conform to the use regulations of the district in which it is located, or does not have special approval where provisions of this Ordinance require such approval, but is otherwise in compliance with all other applicable federal, state, county and Township laws, ordinances, regulations and codes.

- 113. **OCCUPANCY LOAD:** The number of individuals normally occupying the building or part thereof, or for which the existing facilities have been designed.

- 114. **OCCUPIED:** Used in any manner at the time in question.

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

- 116. **OIL AND/OR GAS WELL:** An exploratory or production well subject to or authorized under the authority of the Michigan Department of Environmental Quality – Supervisor of Wells as provided by law, or other federal or state regulatory agency as provided by law.

- 117. **OIL OR PETROLEUM REFINERY:** A facility that takes in crude oil and transforms it into gasoline and/or other petroleum related products.

- 118. **OPEN AIR BUSINESS USES:** “Open air business uses” include, but are not limited to, the following:
 - (a) The retail sale of trees, shrubbery, plants, flowers, seeds, topsoil, humus, fertilizers, trellises, lawn furniture, playground equipment and other home garden supplies and equipment;
 - (b) The retail sale of fruit and vegetables;
 - (c) Tennis courts, archery courts, shuffleboard courts, horseshoe courts, miniature golf, golf driving ranges, children’s amusement parks and/or similar recreation uses;
 - (d) Bicycle, utility truck or trailer, motor vehicle, boat or home equipment sale, rental or repair services; and
 - (e) The outdoor display and sale of garages, swimming pools, playscapes, motor homes, mobile homes, snowmobiles, farm implements and similar products.

Article 36: Definitions

Amendments:

- 119. **OPEN SPACE, COMMON:** Shall mean open space or recreational use set aside for the use of the owners of lots participating in a unit development of residential lots. Such space may include private recreational facilities such as golf courses or swimming pools, historic building sites, parks, parkway areas, ornamental parks, extensive areas with tree cover, low land along streams or areas of rough terrain which have natural features worthy of scenic preservation.
- 120. **OUTDOOR STORAGE:** The storage of any goods, materials or waste, including goods and materials offered for sale in an unenclosed or partially enclosed space. The storage of new or used vehicles in inventory shall be included as outdoor storage, however, the parking of fleet vehicles when not in use that associated with an otherwise permitted use shall not be included as outside storage.
- 121. **PARCEL:** A contiguous area or acreage of land which can be described as provided for in Public Acts 288 of 1967, as amended.
- 122. **PARKING SPACE:** Is an area of definite length and width, said area shall be exclusive of drives, aisles, or entrances giving access thereto and shall be fully accessible for the parking of the permitted vehicles.
- 123. **PLANNED UNIT DEVELOPMENT:** A form of land development and comprehensively planned as an entity via a site plan which permits flexibility in building, siting, usable open spaces, and the preservation of significant natural features, which may contain a mixture of housing units and nonresidential uses, if allowed by the specific provisions of the ordinance.
- 124. **PLANTING STRIP:** A planting strip for the purpose of this Ordinance shall consist of a combination of "natural" plant materials such as ground cover, deciduous and/or evergreen shrubs, deciduous and/or evergreen trees, and/or deciduous small ornamental trees.
- 125. **PLANT NURSERY:** A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables, or christmas trees otherwise regulated by this ordinance.
- 126. **PORCH, ENCLOSED:** A covered entrance to a building or structure which is totally enclosed, which projects out from the main wall of such building or structure and which has a separate roof or an integral roof with the principal building or structure to which it is attached.

Article 36: Definitions

Amendments:

- 127. **PORCH, OPEN:** A covered entrance to a building or structure which is unenclosed, except for columns supporting the porch roof, which projects out from the main wall of such building or structure and which has a separate roof or an integral roof with the principal building or structure to which it is attached.
- 128. **PREMISES:** Any lot or parcel of land, or building or site as otherwise used in this Ordinance; a unit of contiguous real property under common ownership.
- 129. **PRINCIPAL USE:** The principal purpose for which the premises, land or building(s) may be occupied, or are arranged, designed or intended.
- 130. **PUBLIC UTILITY:** A person, firm, corporation, municipal department or board duly authorized to furnish, and furnishing to the public, under federal, state or municipal regulations, electricity, gas, steam, communication, telegraph, transportation or water.
- 131. **PUBLIC USE:** A use operated by a public body, said use having the purpose of serving the public health, safety, or general welfare and including uses such as public schools, parks, playgrounds, hospitals and administrative and service facilities.
- 132. **RAILROAD CLASSIFICATION YARD:** A railroad yard area used solely for classifying railroad freight cars into train loads, to be delivered to distant railroad centers for disbursement, or the receiving of train loads for disbursements to local centers.
- 133. **RECREATION VEHICLE:** A vehicle primarily designed and used as temporary living quarters or for recreational, camping or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle. Recreational Vehicles shall include the following:
 - (a) **TRAVEL TRAILER:** A portable vehicle on a chassis, 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.
 - (b) **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.
 - (c) **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.
 - (d) **FOLDING TENT TRAILER or POP-UP TRAILER:** A folding structure, mounted on wheels and designed for travel and vacation use.

Article 36: Definitions

Amendments:

- (e) **BOATS AND BOAT TRAILERS:** “Boats” and “boat trailers” shall include boats, floats, personal watercraft, rafts, canoes, plus the normal equipment to transport them on the highway.
 - (f) **OTHER RECREATIONAL EQUIPMENT:** Other recreational equipment includes snowmobiles, all terrain or special terrain vehicles, utility trailers, plus normal equipment to transport them on the highway.
134. **RECYCLING CENTER:** A facility at which used material is separated and processed prior to shipment to others who will use the materials to manufacture new products. This use is distinct from a junkyard or a salvage yard.
135. **RECYCLING COLLECTION STATION:** A facility for the collection and temporary storage of recoverable resources, prior to shipment to a recycling center for processing.
136. **RESTAURANT, CARRY-OUT:** Any establishment whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready-to-consume state, and whose design or method of operation includes both of the following characteristics:
- (a) Foods, frozen desserts or beverages are usually served in edible containers, or in paper, plastic or other disposable containers.
 - (b) The consumption of foods, frozen desserts or beverages within the restaurant building, within a motor vehicle parked upon the premises or at other facilities in the premises outside the restaurant building is posted as being prohibited, and such prohibition is strictly enforced by the restaurateur.
137. **RESTAURANT, DRIVE-IN or DRIVE-THROUGH:** (See Drive-In and Drive-Through Business/Restaurant).
138. **RESTAURANT, FAST-FOOD:** Any establishment whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises, and whose design or principal method of operation includes both the following characteristics:
- (a) Foods, frozen desserts or beverages are usually served in edible containers, or in paper, plastic or other disposable containers.
 - (b) The consumption of foods, frozen desserts or beverages within a motor vehicle parked upon the premises or at other facilities on the premises outside the restaurant building is posted as being prohibited, and such prohibition is strictly enforced by the restaurateur.

Article 36: Definitions

Amendments:

- 139. **RESTAURANT, STANDARD OR “SIT-DOWN”:** Any establishment whose principal business is the sale of food, frozen desserts or beverages to the customer in a ready-to-consume state, and whose design or principal method of operation includes one or both of the following characteristics:
 - (a) Customers, normally provided with an individual menu, are served their foods, frozen desserts or beverages by a restaurant employee at the same table or counter at which such items are consumed usually while being seated; or
 - (b) A cafeteria-type operation where foods, frozen desserts or beverages generally are consumed within the restaurant building.

- 140. **RETAINING WALL:** A permanent solid barrier of brick, stone, or other material intended to support the ground along the line of a change of elevation or to enclose an area.

- 141. **ROADSIDE STAND, PERMANENT:** A structure operated for the purpose of selling only fresh produce, which shall be of temporary construction and shall not be more than one (1) story in height and shall be capable of being completely enclosed when not in use.

- 142. **ROADSIDE STAND, TEMPORARY:** A structure operated for the purpose of selling only fresh produce, which shall be of temporary construction and shall be removed and stored from view during the period when the stand is not in use.

- 143. **SALVAGE YARDS or JUNK YARDS:** An open area where waste, used, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled or stored, including, but not limited to scrap iron, and other metals, paper, rags, rubber tires and bottles, and including automobile wrecking yards-and any area of more than two hundred (200) square feet for storage keeping or abandonment of junk, but does not include uses established entirely in an enclosed building.

- 144. **SATELLITE DISH ANTENNA:** A device incorporating a reflective surface that is solid, open mesh, or bar configured, and is in the shape of a shallow dish, parabola, cone or horn used to transmit and/or receive television, radio, or other electromagnetic communication signals between terrestrially and/or extraterrestrially based sources. This definition includes, but is not limited to, what are commonly referred to as satellite earth stations, television reception only satellite antennas (TVRO), and satellite microwave antennas.

- 145. **SCHOOL:**
 - (a) **CHARTER SCHOOL (PUBLIC SCHOOL ACADEMY):** A charter school or public school academy is a public school and a school district, and is subject to the leadership and general supervision of the Michigan State Board of Education. A public school academy is authorized by the executive action of an authorizing body with jurisdiction.

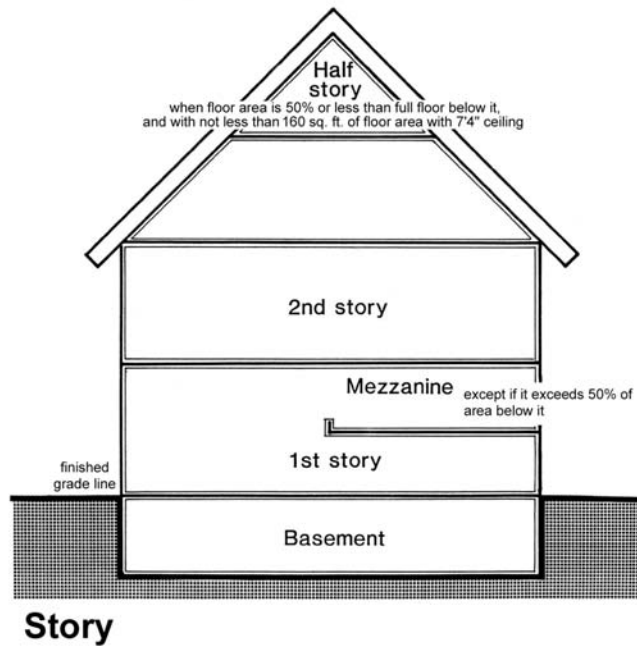
Article 36: Definitions

Amendments:

- (b) **PRIVATE SCHOOL:** Any school other than a public school giving instruction to children below the age of sixteen (16) years and not under the exclusive supervision and control of the officials having charge of the public schools of the state. Nonpublic schools include private, denominational, and parochial schools.
 - (c) **PUBLIC SCHOOL:** An elementary or secondary educational entity or agency that has as its primary mission the teaching and learning of academic and vocational-technical skills and knowledge, and is operated by a school district, local act school district, special act school district, intermediate school district, public school academy corporation, public state university, or department or state board with jurisdiction.
146. **SETBACK, STREET:** Is the distance as measured from the centerline of the road to establish the front, rear and/or side lot line and lot area for the purpose of establishing yard and/or other requirements of this Ordinance.
 147. **SETBACK, YARD:** Is the distance required to obtain minimum front, side or rear yard open space as required by this Ordinance.
 148. **SHOPPING CENTER:** A grouping of individual retail businesses and service uses not owned or operated in common, but located on a single site with common parking facilities.
 149. **SOIL REMOVAL:** The removal of any kind of soil or earth matter, including topsoil, sand, gravel, clay, or rock to a depth greater than twelve (12) inches.
 150. **SOUND LEVEL:** Sound level, indicated in decibels, is defined as the sound pressure level above the reference level of 0.0002 microbar which would be read on any sound level meter set to the "c" or "Flat" weighting network meeting the latest standards of the American Standards Association.
 151. **SPECIAL LAND USE:** Shall mean a use of land for which special land use approval and permit is required. (See Section 2.7)
 152. **STABLE, PRIVATE:** A stable for the keeping, breeding, boarding or training of horses, donkeys, mules, ponies, llamas or similar large domesticated animals which are owned by the residents of the principal use for private use.
 153. **STABLE, RIDING:** A stable other than a private stable for the keeping, breeding, boarding, selling, training or renting of horses, ponies, or similar large domesticated animals, with a capacity of more than two (2) animals.

Article 36: Definitions

Amendments:



- 154. **STORY:** That portion of a building included between the surface of any floor and the surface of the floor next above, or if there should be no floor above, then the space between such floor and the ceiling next above. A basement may be considered a story if its ceiling is over five (5) feet above the average established grade.
- 155. **STORY-HALF:** A half story is an uppermost story lying between the uppermost floor and the roof, the useable floor area of which does not exceed fifty (50%) percent of the floor area of the story immediately below it and which contains not less than one hundred sixty (160) square feet of livable floor area with a clear ceiling height of not less than seven feet four inches (7'4").
- 156. **STREET:**
 - (a) **PUBLIC STREET:** A thoroughfare or way, other than an alley, dedicated to the use of the public and/or open to public travel.
 - (b) **PRIVATE STREET:** A street not dedicated to the use of the public and/or open to public travel, or any street approved as a private road by the Township or designated as private street upon a recorded plat.
- 157. **STRUCTURE:** Structure shall mean any construction, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Article 36: Definitions

Amendments:

- 158. **TEMPORARY BUILDING OR USE:** A temporary building or use shall mean a building or use permitted to exist during periods of construction of the principal building or use, or for special events.
- 159. **TOWNSHIP:** Means the Charter Township of Plymouth, Wayne County, Michigan.
- 160. **TOWNSHIP ENGINEER:** The person(s) or entity designated by the Township Board of Trustees to provide professional engineering services for the Charter Township of Plymouth.
- 161. **TOWNSHIP PLANNER:** The person(s) or entity designated by the Township Board of Trustees to provide professional community planning services for the Charter Township of Plymouth.
- 162. **TRUCK TERMINAL:** A structure to which goods, materials, equipment or other products are delivered for immediate distribution to other parts of the Township or region; amalgamation for delivery in larger units to intrastate, interstate or international destinations or distribution or amalgamation involving transfer to other modes of transportation.
- 163. **ULTIMATE RIGHT-OF-WAY LINE:** The street line as established in the Thoroughfare Plan of the Township and as established by the Inter-County Highway Plan and right-of-way requirements for southeastern Michigan Wayne County segment, Plymouth portion.
- 164. **UTILITY ROOM:** A utility room, or space, is a room, or space, located other than in the basement, specifically designed and constructed primarily to house any home utilities such as the heating unit and laundry facilities.
- 165. **USE:** The purpose for which land or buildings thereon are designed, arranged, or intended to be occupied or used, or for which they are occupied or maintained.
 - (a) **CHANGE OF USE:** A discontinuance of an existing use and the substitution of a use of a similar or different kind or class, or, the expansion of a use.
- 166. **USE, SPECIAL LAND:** A use that may be permitted within a zoning district but only in specific locations, under specific conditions and when developed in accordance with sound planning and site plan principles.
- 167. **VARIANCE:** A permitted modification of the literal provisions of the Zoning Ordinance granted when strict enforcement of the Zoning Ordinance would cause practical difficulties or undue hardship owing to circumstances unique to the individual property on which the variance is granted.

Article 36: Definitions

Amendments:

- 168. **VETERINARY CLINIC OR HOSPITAL:** An office of a duly licensed veterinary professional for diagnosis, treatment, surgery and other veterinary care of domestic animals, horses, livestock and other animals.
- 169. **WALL:** A structure of definite height and location to serve as an obscuring screen in carrying out the requirements of the Ordinance.
- 170. **WAREHOUSE:** A building or part of a building used or intended to be used primarily for the storage of goods or chattels that are to be sold retail or wholesale from other premises or sold wholesale from the same premises; for the storage of goods or chattels to be shipped on mail order; for the storage of equipment or materials to be used or installed at other premises by the owner or operator of the warehouse; or for similar storage purposes.
- 171. **WETLAND:** Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the land surface or the land is saturated with or covered by water. Some wetland areas are more commonly referred to as bogs, swamps, or marshlands. Wetlands shall also have one (1) or more of the following attributes:
 - (a) At least periodically, the land supports predominantly hydrophytes.
 - (b) The substrate is predominantly un-drained hydric soil.
 - (c) The substrate is saturated with water, or covered by shallow water at some time during the growing season of each year.
- 172. **WETLAND, REGULATED:** Certain wetlands as regulated by the Michigan Department of Environmental Quality (MDEQ) under the provisions of Public Act 203 of 1979, as amended, that have any of the following characteristics:
 - (a) Contiguous to an inland lake, pond, river or stream;
 - (b) Not contiguous to an inland lake, pond, river or stream, and more than five (5) acres in size;
 - (c) Other wetlands where the MDEQ determines, with notification to the property owner, that protection is essential to preserve natural resources of the state from pollution, impairment or destruction.
- 173. **WHOLESALE SALES:** The sales of goods generally in large quantities and primarily to customers engaged in the business of reselling the goods.

Article 36: Definitions

Amendments:

174. **WIRELESS COMMUNICATION:** Use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. Structures used in wireless communication may include, but are not limited to, radio and television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment buildings and commercial mobile radio service facilities. Not included within this definition are citizen band radio facilities, short-wave facilities, ham and amateur radio facilities, television reception antennas, satellite dishes and governmental facilities that are subject to state and federal law or regulations that preempt municipal regulatory authority. Wireless communication shall not be included under the definition of “essential services”.

- (a) **ABANDONED OR UNUSED:** An antenna, equipment, facility or system that has not been used for a period of ninety (90) consecutive days, or ninety (90) days after new technology is available which permits the operation of the system without the necessity of a wireless communication structure. Removal of antennas or other equipment from the structure or cessation of reception or transmission of radio signals shall be considered non-use.
- (b) **ATTACHED WIRELESS COMMUNICATION ANTENNA:** A wireless communication device that is attached to an existing structure, such as a building, steeple, utility pole, water tank, etc., for support, that does not materially alter or materially change the appearance of the existing structure, that is used to receive and transmit federally or state licensed communications services via licensed segments of the radio frequency spectrum. The antenna shall be small in scale and unobtrusive to the area in which it is located, such as a single rod or a small box.
- (c) **CO-LOCATION:** The use or attachment of two or more wireless communication antennas or antenna arrays to one support structure, the approval of which is intended to reduce the number of overall structures required to support wireless communication antennas within the Township.
- (d) **COVERAGE AREA MAP:** A map that identifies the location, height, ownership and capacity details of all existing and known proposed wireless communication antennas and facilities within Plymouth Township and all areas within one-half mile of Plymouth Township’s boundaries. Capacity details shall include the number of antennas and/or antenna arrays the support structure can accommodate along with details related to any existing co-locations, and any modifications that would be needed to the proposed equipment or service area to allow the provider to co-locate on an existing support structure.

Article 36: Definitions

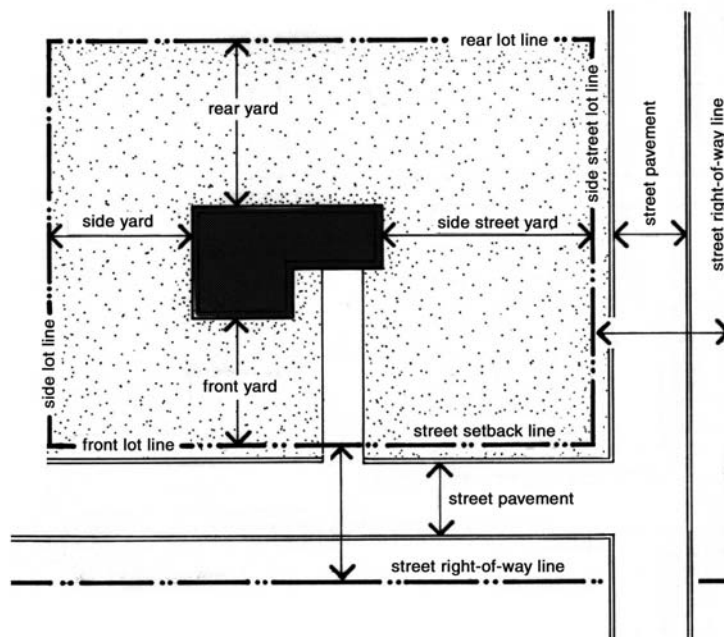
Amendments:

- (e) **FEATURE TOWER:** A structure, designed to accommodate wireless communication antennas and equipment, which has the appearance of a bell tower, clock tower, tree, architectural element of a building, landmark feature, or other structure which disguises its primary function as part of a wireless communication system and that is compatible with the existing character of the proposed site and general area, as approved by the Planning Commission. Monopoles, lattice, or guy wired towers shall not be considered feature towers.
 - (f) **WIRELESS COMMUNICATION EQUIPMENT:** All wires, bracing, utility boxes and accessory buildings etc., that are used in conjunction with wireless communication antennas and facilities.
 - (g) **WIRELESS COMMUNICATION FACILITY:** A type of wireless communication system that is visually apparent and may be accessory, freestanding, or otherwise, that is used to enable wireless communication to function. This shall include feature towers and monopoles along with any antennas and required equipment. A lattice tower, guy-wired tower, or wooden pole shall not be considered as a wireless communication facility. An attached wireless communication antenna, as defined herein, is not a facility.
 - (h) **WIRELESS COMMUNICATION MASTER PLAN:** A map of the Township that shows one provider’s existing and planned cell sites within the Township boundaries, any existing and/or planned cell sites that would serve the Township but are not located within the Township, and identification of the geographical area each cell site would serve at the provider’s full development. The anticipated activation date of each proposed cell site should be noted. The Master Plan also includes a written description of the type of consumer services and products that will be offered and of each type of technology along with its’ radio frequencies that the provider anticipates using over the next five years.
 - (i) **WIRELESS COMMUNICATION SUPPORT STRUCTURE:** Any structure erected or modified to support one or more wireless communication antennas, either as a primary or as an ancillary function.
 - (j) **WIRELESS COMMUNICATION SYSTEM:** Wireless communication antennas and their support structures, facilities, and equipment that are used to enable wireless communication to function.
175. **YARD:** An open space at grade line between a building and the adjoining lot lines, unoccupied and unobstructed from the ground upward, except for certain architectural features specified in this Ordinance equal to the minimum horizontal distance between a lot line or street setback line and the nearest line of the main building.

Article 36: Definitions

Amendments:

- (a) **YARD, FRONT:** A yard extending across the full width of the lot between the front lot line and the nearest line of a building.
- (b) **YARD, REAR:** A yard extending across the full width of the lot between the rear lot line and the nearest line of a building.
- (c) **YARD, SIDE:** A yard extending from the front yard to the rear yard between the side lot line and the nearest line of a building.
- (d) **YARD, SIDE STREET:** A yard extending from the side street lot line and the nearest line of a building.



Yard Terms

176. **ZONING COMPLIANCE PERMIT:** The written authority issued by the Chief Building Official, or their designee, permitting the construction, removal, or alternation of a building, structure, or fence in conformity with this Zoning Ordinance.

END OF ARTICLE 36.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004.

Charter Township of Plymouth Zoning Ordinance No. 99
Article 36: Definitions
Amendments:

ALL AMENDMENTS TO
ARTICLE XXXVI (36)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 36: Definitions

Amendments:

ALL AMENDMENTS TO ARTICLE XXXVI (36)

The following language was amended on 5/24/09

78. **GASOLINE SERVICE STATION WITH OR WITHOUT THE SALE OF CONVENIENCE GOODS:** An establishment that includes buildings and premises for the primary purpose of retail gasoline sales. An automobile convenience/gasoline service station may also include an area devoted to sales of automotive items and convenience goods primarily sold to patrons purchasing gasoline. A service station is not an automobile repair or body shop. The retail sale of foods, drinks and other convenience goods may be included in addition to the sale of fuel.

ARTICLE XXXVII

CONFLICTING ORDINANCES

SEC. 37.1 CONFLICTING ORDINANCES

All previous zoning ordinances adopted by the Township of Plymouth, and all amendments thereto, that were made effective prior to the date of adoption of this Ordinance are hereby repealed as at the effective date of this Ordinance, together with all previous ordinances, or parts thereof, that conflict or are inconsistent with this Ordinance. However, no act done, offense committed, right, liability or restriction accruing, accrued or acquired, or penalty, forfeiture or punishment incurred prior to the effective date of this Ordinance shall be affected or impaired. Any prosecution pending at the time this Ordinance becomes effective, or any prosecution which may be started within one (1) year after the effective date of this Ordinance in consequence of any violation of any ordinance repealed herein, which violation was committed previous to the effective date of this Ordinance, shall be tried and determined exactly as if such ordinance has not been repealed.

Article 38: Effective Date

Amendments:

ARTICLE XXXVIII

EFFECTIVE DATE

SEC. 38.1 EFFECTIVE DATE

This Ordinance is hereby declared to be effective on the 7th day of June, 2004.

SEC. 38.2 ADOPTION

This Ordinance was adopted by the Township Board of Trustees of the Township of Plymouth, following compliance with all procedures required by the Township Zoning Act, at its regular meeting duly held on the 25th day of May, 2004, and ordered to be given publication in the manner prescribed by law.