MOTION BY: TRUSTEE KING

SUPPORTED BY: CLERK MELTZER

TO INTRODUCE AND PUBLISH THE FOLLOWING ORDINANCE WITH THE INTENT TO ADOPT AT THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES AN AMENDMENT REVISING AND RESTATING TITLE EIGHT OF PART TWELVE AND MOVING IT TO PART 11 – ZONING.

MOTION BY: TREASURER AIELLO

SUPPORTED BY: TRUSTEE WADE

TO ADOPT AND PUBLISH THE FOLLOWING ORDINANCE AN AMENDMENT REVISING AND RESTATING TITLE EIGHT OF PART TWELVE AND MOVING IT TO PART 11 – ZONING, AND TO PROVIDE FOR REPEALER, SEVERABILTY AND EFFECTIVE DATE.

CHARTER TOWNSHIP OF CLINTON
MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 260-A-499

THE CHARTER TOWNSHIP OF CLINTON ORDAINS:

Section 1. Preamble. The purpose of this ordinance is to promote and protect the public health, safety and welfare and provide for the consistent and safe regulation of engineering design, preparation of engineering plans and specifications and for construction of site improvements in order to preserve public health, safety and welfare, promote efficient feasible and safe processes, provide for the harmonious and reliable development of property in a cost effective, efficient and safe manner.

Section 2. The Code of Ordinances for the Charter Township of Clinton, is hereby revised, amended and readopted as follows by moving from Title Eight of Part Twelve to Part 11 – Zoning and readopting these provisions are stated.

Chap. 1110. Purpose and Definitions.

Chap. 1112. Administration, Enforcement and Penalty.

Chap. 1114. Board of Appeals.

Chap. 1116. Districts Generally and Zoning Map.

Chap. 1118. R-1 Through R-5 One-Family Residential Districts.

Chap. 1120. RT Two-Family Residential District.

Chap. 1122. RML Multiple-Family Residential Low-Rise District.

Chap. 1124. RMH Multiple-Family Residential High-Rise District.

Chap. 1126. MH Manufactured Home Community District.

Chap. 1128. OS-1 Office/Service Low-Rise District.

Chap. 1130. OS-2 Office/Service Mid-Rise District.

Chap. 1132. OS-3 Office/Service High-Rise District.

Chap. 1134. B-1 Neighborhood Business District.

Chap. 1136. B-2 Community Business District.

Chap. 1138. B-3 General Business District.

Chap. 1139. B-4 Regional Business District.

Chap. 1140. I-1 Light Industrial District.

Chap. 1142. I-2 General Industrial District.

Chap. 1143. TR Technical Research District.

Chap. 1144. P Parking District.

Chap. 1146. SP Special Purpose Districts.

Chap. 1147. GB Groesbeck Highway Overlay District.

Chap. 1148. PUD Planned Unit Development District.

Chap. 1150. FW Floodway District, Flood Hazard Areas and Wetlands.

Chap. 1153. Use Standards.

Chap. 1154. General Site Development Regulations.

Chap. 1155. Landscaping Standards.

Chap. 1156. Performance Standards.

Chap. 1157. Development and Approval Procedures.

Chap. 1158. Nonconforming Uses.

Appendix I - Sketches.

Appendix II - Zoning Map Changes.

CHAPTER 1110
General Provisions and Definitions

1110.01 Short title.

1110.02 Purpose and intent.

1110.03 Rules of construction.

1110.04 Compliance required.

1110.05 Amendments.

1110.06 Rezoning procedures and standards.

1110.07 Severability.

1110.08 Application of language.

1110.09 Essential services.

1110.10 Voting places.

1110.11 Definitions.

1110.01 SHORT TITLE.

This Part Eleven of these Codified Ordinances shall be known and may be cited as the "Clinton Township Zoning Code" and shall be referred to herein as "this Zoning Code" or "this Code."

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1110.02 PURPOSE AND INTENT.

This Zoning Code is adopted with the purpose of promoting and protecting the public health, safety, and general welfare of the community as well as achieving the purposes as set forth by a legislative enactment amending or replacing the Michigan Zoning Enabling Act in M.C.L.A. 125.3201, Sec. 201 of P.A. 110 of 2006, establishing the same purposes for a zoning ordinance. The Zoning Code, in general, seeks to:

(1) Further the implementation of the goals of the Clinton Township Master Plan, including the arrangement of land uses as described in the Future Land Use Map.

(2) Provide a guide for the physical development of the Township.

(3) Foster harmonious and appropriate relationships among land uses and compatibility with the environment.

(4) Preserve the quality and character of residential neighborhoods.

(5) Promote the economic stability of existing land uses and protect them from intrusions by harmful land uses.

(6) To limit inappropriate overcrowding of the land and congestion of population, transportation systems, and other public facilities.

(7) To facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public facility and service needs.

(8) To establish adequate standards for the provision of light, air, and open spaces.

(9) To provide for adequate drainage, curbing of erosion, and reduction of flood damage.

(10) Foster pedestrian-friendly environments.

(11) Define the power and duties of administrative and enforcement officers and the Zoning Board of Appeals.

(12) To provide regulations and standards upon which decisions for special land use are issued pursuant to M.C.L.A. 125.3504 of the Michigan Zoning Enabling Act.

(13) Provide penalties for violations of the provisions of the Clinton Township Zoning Code, or of any amendment thereto.

(Ord. Passed 10-30-23.)

1110.03 RULES OF CONSTRUCTION.

(a) Vested Rights. This Zoning Code and any of the regulations hereof are not intended and shall not be construed to establish any vested right in or on behalf of any person, firm or corporation in and to the continuation of any particular use, district, zoning classification or any activity therein, and each of such matters is hereby declared to be subject to later amendments to this Zoning Code as may be necessary or appropriate for the further preservation and protection of the public health, safety, welfare and morals.

(b) Compliance With Other Laws. No provision of this Zoning Code shall, in any way, relieve any person, firm or corporation of compliance with or adherence to any other ordinance, regulation or requirement of the Township of Clinton relative to the use, occupancy, construction or improvement of lands, buildings. dwellings or structures within the Township not in conflict with regulations of this Zoning Code.

(c) Conflict of Laws. Wherever any provision of this Zoning Code imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the provisions of this Zoning Code shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Zoning Code, the provisions of such law or ordinance shall govern.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1110.04 COMPLIANCE REQUIRED.

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

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1110.05 AMENDMENTS.

Amendments to this Zoning Code may be made from time to time in the manner provided in the Michigan Zoning Enabling Act 110 of 2006, as amended. Amendments may be initiated by the Township Board, upon written directive to the Planning Commission, or the Planning Commission may initiate amendments upon its own motion. Any person, firm or corporation may initiate an amendment hereto in accordance with the statute and the Planning Commission rules of procedure.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1110.06 REZONING PROCEDURES AND STANDARDS.

(a) Procedures for rezoning (amending) the zoning map.

(1) An applicant seeking the rezoning of property shall file an application with the Department of Planning and Community Development. The Department shall review the request and transmit it to the Planning Commission for review and action.

(2) The Department for Planning and Community Development shall establish a date for a public hearing on the application by one publication in a newspaper of general circulation, printed not less than 15 days before the date of the hearing. The notice contains the time, date, place, and purpose of the meeting. Notice shall also be given, no less than 15 days prior to the public hearing, to all persons owning real property within 300 feet of the property in question.

(b) The applicant shall submit the following information for the requested Zoning Map Amendment:

(1) Legal description of the property.

(2) A scaled map of the property that shows the property's location within the Township.

(3) Name, address, and contact information of the petitioner.

(4) If the petitioner is not the owner, the name, address, and contact information of the owner shall also be included.

(5) Date of filing with the Department of Planning and Community Development.

(6) Signature of the petitioner and all owners.

(7) The existing zoning classification of the property.

(8) The requested zoning classification of the property.

(9) Reasons for the requested change.

(Ord. Passed 10-30-23.)

1110.07 SEVERABILITY.

This Zoning Code and each section, paragraph, part, regulation, requirement, provision, sentence, word and portion hereof, are hereby declared to be separable. If any section, paragraph, part, regulation, requirement, provision, sentence, word or portion is adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason whatsoever, it is hereby provided that the remainder of this Zoning Code shall not be affected thereby.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1110.08 APPLICATION OF LANGUAGE.

The following rules of construction and interpretation shall apply to language in the text of this Zoning Code.

(a) All words and phrases shall be construed and understood according to the common and approved usage of the language. Technical words and phrases and those which may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(b) The particular shall control the general.

(c) In case of any difference of meaning or implication between the text of this Zoning Code and any caption or illustration, the text shall control.

(d) The word “shall” is mandatory and not discretionary. The word “may” is discretionary and permissive.

(e) 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.

(f) The word “structure” includes the word “building,” and reference to “structure” or “building” includes any part thereof.

(g) The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for" and "occupied for."

(h) The word "person" includes any individual, corporation, partnership, incorporated association or other similar entity.

(i) The word "dwelling" includes the word "residence," and the word "lot" includes the word "parcel."

(j) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunctions "and," "or," or "either . . . or," the conjunction shall be interpreted as follows:

(1) "And" indicates that all the connected items, conditions, provisions or events shall apply.

(2) "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.

(3) "Either . . . or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

(k) Accessory shall have the same meaning as accessory use.

(l) 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 or proper mark of such person.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1110.09 ESSENTIAL SERVICES.

(a) Essential services are subject to classification by the Director of Planning and Community Development into the following three (3) categories:

(1) Township Focused Essential Services. Shall be essential services which are established to serve areas within the Township and which only serve a minor area outside of the Township consisting of less than 10% of the area served.

(2) Township Wide Essential Services. Shall mean essential services which serve a large area of the Township meaning at least 50% of the geographic area, and which also serve other large areas outside of the Township.

(3) Essential Services. Essential services which are not Township focused or primarily Township or other essential services which may serve none or only small areas of the Township in which otherwise serve areas outside of the Township, consisting of a greater geographic area than that served within the Township.

(b) In assessing the relative need for the essential service in relation to the impact of the essential service, the impact versus need will be weighted more heavily in descending order of paragraphs (1) to (3) listed above.

(1) Minor Essential Services. Minor essential services shall be considered as a structure or structures two (2) feet in height or less with a total area, including any pad, for the parcel upon which situated not exceeding twenty-four (24) square feet. Plans shall be submitted which shall consist of a rendering which may be a photograph, a detail sheet which includes a drawing with dimensions of the structure and a site plan showing the site and location of the improvement perpendicular and with dimensions to at least two (2) preexisting, permanent structures (such as a sidewalk, curb, sign, building, or other placement) in different directions. Documents submitted shall be reviewed and approved by the Planning Director who may refer to other departments for further recommendation. Where reasonably possible, compliance with setbacks and building frontage lines shall occur. Screening where practicable shall occur. Information regarding noise, such as existence of engines or fans shall be furnished. All lighting shall be described. Where noise and lighting likely will impact adjoining properties, screening or location to eliminate such impact shall be provided. Security measures, if any, shall be furnished. Site distance shall be maintained for convergence of driveways, sidewalks, or other paved surfaces to avoid potential collision.

(2) Major Essential Services. Major essential services shall be considered as a structure or structures greater than two (2) feet and six (6) feet in height or less with a total area, including any pad, for the parcel upon which situated not exceeding fifty (50) square feet. Plans shall be submitted which shall consist of a rendering which may be a photograph, a detail sheet which includes a drawing with dimensions of the structure and a site plan showing the site and location of the improvement perpendicular and with dimension to two (2) preexisting, permanent structures (such as a sidewalk, curb, sign, building, or other placement) in different directions. Documents submitted shall be reviewed and approved by the Planning Director, and after review and recommendation, submitted for approval to the Planning Commission. Where reasonably possible, compliance with setbacks and building frontage lines shall occur. Screening shall occur which may include fencing and vegetation. Information regarding noise, such as existence of engines or fans shall be furnished. All lighting shall be described. Where noise and lighting likely will impact adjoining properties, noise abatement and/or location to eliminate such impact shall be provided. Security measures shall be furnished. Site distance shall be maintained for convergence of driveways, sidewalks, or other paved surfaces to avoid potential collision.

(3) Extreme Essential Services. Extreme essential services shall be considered as a structure or structures greater than six (6) feet in height with a total area, including any pad, for the parcel upon which situated exceeding fifty (50) square feet. The site plans shall be submitted by a licensed engineer or architect, drawn to scale with dimensions noted to surrounding property lines and surrounding structures. Applications shall be submitted upon an application form, approved by the Planning Department with all fees paid as prescribed pursuant to the general fee schedule, Section 209.11. Plans shall be submitted which shall consist of a rendering which may be a photograph, a detail sheet which includes a drawing with dimensions of the structure and a site plan drawn to scale showing

the site. Documents submitted shall be reviewed and approved by the Planning Director, and after review and recommendation, submitted for approval to the Planning Commission and final approval by the Township Board. Where reasonably possible, compliance with setbacks and building frontage lines shall occur. Screening where practicable shall occur. Information regarding noise, such as existence of engines or fans shall be furnished. All lighting shall be described. Where noise and lighting likely will impact adjoining properties, noise abatement and/or location to eliminate such impact shall be provided. Security measures shall be furnished. Site distance shall be maintained for convergence of driveways, sidewalks, or other paved surfaces to avoid potential collision. General standards for approval of special land use shall be applied and utilized by the Planning Director, Planning Commission and Township Board. Where reasonably practicable, extreme essential services shall be located in areas to minimize the impact upon residentially zoned or occupied areas within three hundred (300) feet or five (5) times the height of the proposed major essential service, whichever is greater.

(Ord. Passed 10-30-23; Ord. 260-. Passed 10-30-23.)

1110.10 VOTING PLACES.

The provisions of this Zoning Code shall not be construed as to interfere with the temporary use of any property in full compliance of applicable laws as a voting place in connection with a Township or other public election.

(Ord. Passed 10-30-23.)

1110.11 DEFINITIONS.

As used in this Zoning Code:

(1) "Abandoned" means to cease or discontinue a use or activity without intent to resume but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

(2) "Abutting" means having a common border with, or being separated from such a common border by, a right-of-way, alley or easement.

(3) "Access management" means a technique to improve traffic operations along a roadway and decrease the potential for accidents through the control of driveway locations and design.

(4) "Accessory use, building or structure" means a use, building or structure which is clearly incidental to, customarily found in connection with, and located on the same site as the principal use to which it is related (except in the case of accessory off-street parking spaces), and devoted exclusively to the main use of the premise.

(5) "Accessory or ancillary oil and gas well use or structure" shall be defined and mean a use or structure used in association with or incidental to the exploration, drilling, operation, completion or abandonment of an oil or gas well in production or drilled for exploration, or a use or structure used for or incidental to or in association with the processing, production, handling, loading/unloading, or transmission of natural gas, oil, related hydrocarbons, or other associated substances; including but not limited to water wells, pipelines, flowlines, gathering lines, storage, handling, mixing, hauling, transporting, transporting structures, production or sweetening facilities, processing or compression facilities, or other ancillary or accessory building, structures, facilities, or equipment. Inclusive are all ancillary uses or structures regardless of whether the structure or use is located on the same legally described property with the oil and gas well, or other principal use, building, or structure.

(Ord. 260-A-454. Passed 1-11-16.)

(6) Adult Uses.

(6a) "Adult use" means a parlor, nude body painting or modeling studio, adult bookstore, adult novelty store, adult video store, cabaret, adult motion picture theater, adult outdoor motion picture theater, adult mini motion picture theater, escort services.

(6b) "Establishment of an adult use" means and includes any of the following:

A. The opening or commencement of any sexually oriented business as a new business;

B. The conversion of an existing business, whether or not sexually oriented, to any sexually oriented business;

C. The addition of any sexually oriented business to any other existing sexually oriented business; or

D. The relocation of any sexually oriented business.

(6c) "Adult book store" means a commercial establishment which offers for sale or rental for any form of consideration, and which has more than 10% of its stock in trade, books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes, slides or other visual representations, recordings, other audio matter, and novelties or devices which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," as defined herein. Other business purposes shall not exempt an establishment from being categorized as an adult bookstore, adult novelty store or adult video store so long as more than 10% of its business includes the offering for sale or rental for consideration of the specified materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," as defined herein.

(6d) "Adult video store" means an establishment having as a substantial or significant portion of its stock in trade, pictures, films or videotapes which are characterized or

distinguished by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" (as further defined).

(6e) "Adult cabaret" features semi-nude or nude dancers, female or male impersonators or similar entertainers.

(6f) "Massage parlor" means an establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the State of Michigan. Massage therapists licensed by the State of Michigan are excluded. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, beauty salon or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

(6g) "Nude model studio" means any place where a person appears in a state of nudity or displays specified anatomical areas to be observed, sketched, drawn, painted, sculpted, photographed or similarly depicted by any other person who pays money or any other form of consideration.

(6h) "Nudity" or "state of nudity" means the exposure of the human male or female genitals, pubic area or anus with less than a fully-opaque covering, the showing of the female breasts with less than a fully-opaque covering of any part of the nipple or areola, or the showing of the covered male genitals in a discernibly turgid state.

(6i) "Semi-nude" means a state of dress in which clothing covers no more than the genitals, pubic region and areola of the female breast as well as portions of the body covered by supporting straps or devices.

(6j) "Sexual encounter center" means a business or commercial enterprise which, as one of its principal business purposes, offers, for any form of consideration:

A. Contact in the form of wrestling or tumbling between seminude or nude persons of the opposite sex; or

B. Physical contact between male and female persons and/or persons of the same sex, where one or more of the persons is in a state of nudity and the contact includes actual or simulated specified sexual activity.

(7) "Alley" means any way dedicated to the public and accepted by the governmental entity having jurisdiction and authority of the same, which affords a secondary means of access to abutting property and which is not intended for general traffic circulation and not more than 20 feet wide.

(8) "Alteration" means any change, addition, renovation or modification in the structural members of a structure or a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or

"reconstructed," or any change which is commenced with the purpose of creating, or which results in, a variation of the type of occupancy on the property.

(9) "Apartment" means a dwelling unit in a multiple-family development, including the following:

(9a) Efficiency apartment: A dwelling unit containing a minimum of 400 square feet of floor area and consisting of not more than one room in addition to kitchen and necessary sanitary facilities.

(9b) One-bedroom unit: A dwelling unit containing a minimum of at least 500 square feet of floor area consisting of not more than two rooms in addition to kitchen, dining and necessary sanitary facilities.

(9c) Two-bedroom unit: A dwelling unit containing a minimum of at least 700 square feet of floor area and consisting of not more than three rooms in addition to kitchen, dining and necessary sanitary facilities.

(9d) Three or more bedroom unit: A dwelling unit wherein, for each room in addition to the three rooms permitted in a two-bedroom unit, there shall be provided an additional minimum of at least 200 square feet of floor area to the required minimum of 700 square feet.

(10) "Arcade" means any place of business or establishment containing mechanical or electrical devices which provide amusement or entertainment, and which may be operated or set in motion upon the insertion of a coin or token.

(10a) Type "A" Arcade: A principal use of a business or establishment containing six or more devices and is subject to all requirements of Chapter 814 of the Business Regulation and Taxation Code.

(10b) Type "B" Arcade: Any place of business or establishment containing five or fewer devices.

(11) "Area of shallow flooding" means a designated AO zone on the Flood Insurance Rate Map (FIRM) for Clinton Township, with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate and where velocity flow may be evident.

(12) "Area of special flood hazard" means the land in the floodplain within the Township of Clinton subject to a one percent or greater chance of flooding in any given year.

(13) "Automotive repair garage" means a building or enclosed structure where services such as general repair, refinishing, engine rebuilding, rebuilding or reconditioning of motor vehicles and collision service, including body, frame or fender straightening, repair, painting and undercoating of vehicles, can be performed.

(14) "Automotive service station" means a space, building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, including the customary space and facilities for the installation of such

commodities in or on such vehicles, but not including space or facilities for the storage, repair or refinishing thereof, except that minor repairs of vehicles shall be permitted, but not including space or facilities for open storage, engine overhaul, major body repair, refinishing or other such service.

(15) "Automotive service center" means that portion of, or accessory to, a designated retail outlet located within a planned commercial shopping center wherein automotive products, such as motor oils, lubricants and various automotive parts, are retailed directly to the public by said retail outlet and may be serviced or installed in a vehicle.

(16) "Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

(17) "Basement" means that portion of a building which is partly or wholly below grade level, but is so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story and a basement shall not be used in computing the minimum required floor area. (See Appendix I, Sketch 1.)

(18) "Berm" means a man-formed earthen mound with landscaping of definite height and width used for screening purposes. (See Appendix I, Sketch 3.)

(19) "Block" means the property abutting one side of a thoroughfare and lying between the two nearest intersecting thoroughfares (crossing or terminating), between the nearest such thoroughfare and any railroad right-of-way, unsubdivided acreage, lake, river or live stream, or between any of the foregoing and any other barrier to the continuity of the development or corporate boundary lines of the Municipality.

(20) "Board" means the Township Board of the Township of Clinton, Macomb County, Michigan.

(Ord. 260. Passed 7-9-79.)

(21) "Body art studio" means a business engaged in the practice of providing an indelible mark or figure fixed upon the human body by insertion of pigment on or under the skin or by the production of scars.

(22) "Bottomlands" means the land area of a lake, stream or watercourse which lies below the ordinary high-water mark and which may or may not be covered by water.

(Ord. 260-A-204. Passed 8-13-90.)

(23) "Building" means a structure used for or intended for the support or shelter of any use or occupancy as permitted in this Zoning Code and includes any structure having columns or walls and covered, wholly or partially, by a roof consisting of any material.

(23a) "Accessory building" means a building located on the same lot as a principal building and includes garages, sheds and other structures that require building permits.

(23b) "Temporary building" means a structure without any foundation or footings to be used for a limited period of time and shall include awnings, canopies, tents and trailers or other vehicles which are intended to serve the purpose of a building.

(Ord. 260-A-381. Passed 10-6-03.)

(24) "Building height" means the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, to the deck line of mansard roofs and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a structure is located on sloping terrain, the height may be measured from the average grade at the wall. In a structure having a flat roof, the parapet, if provided, may exceed the maximum building height by three feet.

(25) "Building Official" means the Superintendent of the Township of Clinton Building Department.

(26) "Building line" means a line formed by the face of the principal building, and, for the purposes of this Zoning Code, means the same as a front setback line. (See Appendix I, Sketch 3.)

(Ord. 260. Passed 7-9-79.)

(27) "Building permits" is the written authority issued by the building official permitting the construction, removal, moving, alteration or use of a building in conformity with the provisions of this Zoning Code and as further defined under the State Construction Code.

(28) "Canopy" means a suspended covering, often movable, placed above a door, window, or other entranceway constructed of cloth, metal, wood, or other materials.

(29) "Carnival" means a recreational or entertainment activity not contained in a building, whether publicly or privately owned, operated or sponsored, which includes amusement rides.

(Ord. 260-A-107. Passed 12-9-85.)

(30) "Car wash" means an automatic or self-service facility designed for the cleaning of automobiles.

(31) "Cemetery" means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, mausoleums and mortuaries, when operated in conjunction with and within the boundaries of such cemetery.

(32) "Channel" means the geographical area within the natural or artificial banks of a watercourse required to convey continuously or intermittently flowing water.

(Ord. 260-A-204. Passed 8-13-90.)

(33) "Child foster care facility" means a facility providing for the care and keeping of displaced children, such as an orphanage.

(34) "Child care center" means a facility, other than a private residence, receiving one or more preschool or school-age children for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child.

(35) "Church or place of religious worship" means a site used for or intended for the regular assembly of persons for the conducting of religious services and accessory uses therewithin.

(36) "Clinic" means a public or proprietary establishment providing diagnostic, therapeutic or preventive medical, osteopathic, chiropractic, dental and psychological treatment to ambulatory patients on an out-patient basis by a group of practitioners licensed to perform such services and acting conjointly and in the same building for the aforesaid purpose.

(Ord. 260. Passed 7-9-79.)

(37) "Commission" means the Planning Commission of the Township of Clinton, Macomb County, Michigan. (Ord. 260. Passed 7-9-79.)

(38) "Congregate care facility" means group living facility for seniors who may or may not require assistance with daily living. Typically provide more intensive services than assisted living facilities, but require residents to have at least partial mobility and reasonably good health.

(39) "Construction, new" means a structure or building for which the start of construction is commenced on or after the effective date of this Zoning Code.

(40) "Crematory" means an enclosed facility wherein human remains are cremated in a cremation retort.

(41) "Deposit" means to fill, place or dump. (Ord. 260-A-204. Passed 8-13-90.)

(42) "Density" means the number of families residing on, or dwelling units developed on, an acre of land.

(43) "Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, and mining, dredging, filling, grading, paving, excavation or drilling operations.

(44) "District" means a portion of the unincorporated area of the Township of Clinton within which certain regulations and requirements or various combinations thereof apply under the provisions of this Zoning Code.

(Ord. 260. Passed 7-9-79.)

(45) "Drainage Map" means the official Charter Township of Clinton Drainage, Flood Plain and Wetlands Maps, which delineate the 100-year flood plains, wetlands and watercourses in Clinton Township, the composite of which is the Master Drainage Plan, as amended and/or updated from time to time.

(Ord. 260-A-204. Passed 8-13-90.)

(46) "Drive-in" and "drive-through" mean an establishment developed so that its retail or service character provides a driveway approach or parking spaces for motor vehicles so as to serve patrons while they are in the motor vehicle. Such establishments may also serve patrons within a building.

(47) "Dwelling unit" means a building designed for occupancy by one family for residential purposes and having cooking and sanitary facilities solely designed for utilization by that family.

(48) "Dwelling, one-family" means a building designed exclusively for, and occupied exclusively by, one family as a dwelling unit.

(49) "Dwelling, two-family" means a building designed exclusively for occupancy by two families living independently of each other.

(50) "Dwelling, multiple-family" means a building designed exclusively for occupancy by three or more families living independently of each other.

(51) "Electric vehicle" means any vehicle that is licensed and registered for operation on public and private highways, roads and streets and operates either partially or exclusively, on electrical energy that is stored on-board via a battery for motive purpose. Electric vehicle includes:

A. A battery electric vehicle; and

B. A plug-in hybrid electric vehicle.

(52) "Electric vehicle charging stations" means a public or private parking space that is served by battery charging station equipment for the purpose of transferring electric energy to a battery or energy storage device in an electric vehicle.

(53) "Electric charging station charging levels" means the standardized indicators of electrical force or voltage, that an electric vehicle's battery is recharged. The standard levels of charge include:

A. Level-1 is slow charging and operates on a low amp breaker on a voltage range of 0 to 120.

B. Level-2 is medium charging and operates on a mid-range amp breaker on a voltage range of 120 to 240.

C. Level-3 is fast or rapid charging and operates on a high amp breaker on a voltage range higher than 240. Level-3 charging is primarily for commercial and public use and are characterized by having industrial grade electrical outlets.

(54) "Erection" means building, construction, alteration, reconstruction, movement upon or any physical operations on the premises which are required for construction. Excavation, fill, drainage and any other work requiring mechanical or hand tools or implements shall be considered a part of erection.

(55) "Escort" means a person who, for monetary or other consideration, agrees or offers to act as a companion, guide or date for another person or who agrees to privately model lingerie or to privately perform a striptease for another person.

(56) "Escort agency" means a person or business association who or which furnishes, offers to furnish or advertises to furnish escorts as one of his, her or its primary business purposes for a fee, tip or other consideration.

(57) "Essential services" means the erection, construction, alteration, maintenance and use by public utilities or municipal departments of underground, surface or overhead gas, electrical, steam, fuel or water transmission or distribution systems, or collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or Municipal departments for the general health, safety or welfare.

(58) "Excavation" means any breaking of ground, except common household gardening and ground care.

(59) "Family" means any number of persons living together, comprising a single housekeeping unit, related by blood or marriage and including adopted and foster children and wards, as well as the domestic employees thereof, with not more than two additional persons not so related. Each additional person living in such housekeeping unit shall be considered a separate family for the purposes of this Zoning Code.

(60) "Fence" means any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

(61) "Festival" means any recreational or entertainment activity involving the assembly of more than 50 persons either out of doors, in a temporary structure or in a building that is customarily used for another purpose and for which an admission fee is charged or a donation received. A festival may include such activities as games or contests for the purpose of winning a prize and for which participants are charged a fee. A festival may include displays or performances of holiday-related activities such as haunted houses, hay rides, egg hunts and similar events, but shall not include amusement rides. Festivals are subject to a special approval process in accordance with Section 1157.04 of this Zoning Code.

(Ord. 260-A-314. Passed 8-10-98.)

(62) "Filling" means the depositing or dumping of any matter onto or into the ground, except common household gardening and ground care.

(63) "Flood hazard area" means land which, on the basis of available floodplain information, is subject to a one percent or greater chance of flooding in any given year.

(Ord. 260. Passed 7-9-79.)

(64) "Flood/flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or run-off of surface waters from any source.

(Ord. 260-A-204. Passed 8-13-90.)

(65) "Flood Boundary and Floodway Map" means an official map of the Township of Clinton, issued by the Federal Insurance Administration, where the boundaries of the areas of special flood hazards have been designated.

(66) "Flood Insurance Rate Map (FIRM)" means an official map of the Township of Clinton on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the Township of Clinton.

(Ord. 260. Passed 7-9-79.)

(67) "Flood Insurance Study" means the Flood Insurance Study for the Charter Township of Clinton, Macomb County, dated December 30, 2020, which contains a Flood Insurance Rate Map, and which provides the flood plain information used on these maps.

(68) "Floodproofed" means watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(Ord. 260-A-204. Passed 8-13-90.)

(69) "Floodway" means the channel of the Clinton River or other watercourse and the adjacent land areas designated on the Flood Boundary and Floodway Map which must be reserved in order to discharge the base flood.

(Ord. 260. Passed 7-9-79.)

(70) "Floodway obstruction, artificial" means obstructions, such as any dam, wall, wharf, embankment, levee, dike, pile, abutment, excavation, channel rectification, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill or other analogous structure or matter in, along, across or projecting into any floodway which may impede, retard, change the direction of the flow of water or increase the flooding height, either in itself or by catching or collecting debris carried by such water, or that is placed where the natural flow of the water would carry the same downstream to the damage or detriment of either life or property.

(71) "Floodway obstruction, natural" means any rock, tree, gravel or analogous natural matter in which is an obstruction and has been located within a floodway by a non-human cause.

(72) "Floodway operation" means the removal or deposition of materials, or any construction, use or activity, or a combination thereof, which in any way modifies the condition of watercourses or lands subject to this Zoning Code as they exist on the effective date hereof.

(Ord. 260-A-204. Passed 8-13-90.)

(73) "Floor area" means, for the purposes of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building measured from the exterior faces of the exterior walls, exclusive of areas of basements, unfinished attics, attached garages, breezeways, utility rooms and enclosed and unenclosed porches. (See Appendix I, Sketch 2.)

(74) "Floor area, gross" means the sum of the horizontal areas of the floors of the building, measured from the interior faces of the exterior walls, including hallways, elevators, stairs, utilities, etc., but excluding basements or floors used exclusively for storage. For those uses not enclosed within a building, the area for sales, display or service shall be measured to determine equivalent gross floor area.

(75) "Floor area, usable" means the area intended to be used for the sale of merchandise or services and for service to patrons, clients or customers and all the area used for employee work space. Such floor area which is to be used principally for the storage or processing of merchandise, hallways, elevators, stairs, bulkheads, utilities or sanitary facilities, shall be excluded from usable floor area. Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls. For those uses not enclosed within a building, the area for sales, display or service shall be measured to determine equivalent usable floor area.

(76) "Foot candle" means the unit of illumination when the foot is taken as the unit of length. It is the illumination on a surface one square foot in area on which there is a uniformly distributed flux of one lumen, or the illumination produced on a surface all points of which are at a distance of one foot from a directionally uniform point source of one candela.

(77) "Frontage" means the front or frontage is that side of a lot abutting on a street or way and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side line of a corner lot.

(78) "Funeral home" means a building, or part thereof, used for human funeral services. Such building may contain space and facilities for: a) embalming and the performance of other services used in preparation of the dead for burial; b) the performance of autopsies and other surgical procedures; c) the storage of caskets, funeral urns and other related funeral supplies; and d) the storage of funeral vehicles. Where a funeral home is permitted, a funeral chapel shall also be permitted. A crematory may be accessory to the funeral home, but may not be adjacent to any residentially zoned or occupied property.

(79) "Gasoline service station" means a place for the dispensing, sale or offering for sale of motor fuels directly to users of motor vehicles, together with the sale of minor accessories and services for motor vehicles, but not including major automobile repair as herein defined for automobile repair stations.

(80) "Grade" means the ground elevation established 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 face of the building and taking the average of the several averages. (See Appendix I, Sketches 1, 2 and 3.)

(81) "Greenbelt" means a strip of land of definite width and location reserved for the planting of shrubs and/or trees to serve as an obscuring screen or buffer to comply with the requirements of this Zoning Code.

(Ord. 260. Passed 7-9-79.)

(82) "High water elevation" means the line between upland and bottomland which persists through successive changes in water levels, below which the precedence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation.

(83) "High water elevation: inland lake" means the established high-water level on an inland lake which has a water level established by law.

(84) "High water elevation: undammed" means the natural ordinary high-water mark where water returns to its natural level as the result of the permanent removal or abandonment of a dam.

(Ord. 260-A-204. Passed 8-13-90.)

(85) "Home occupation" means an activity carried on by an occupant of a dwelling unit as a secondary use which is clearly incidental to the use of the dwelling unit for residential purposes.

(86) "Hospital" means an institution providing health services primarily for in-patient medical or surgical care of sick or injured humans and including related facilities, such as laboratories, out-patient departments, training facilities, central service facilities and staff offices which are an integral part of the facilities.

(87) "Hotel" means a series of attached, semi-detached or detached rental units which provide overnight lodging and are offered to the public for compensation. Hotels may include a restaurant or cocktail lounge, public banquet halls, ballrooms or meeting rooms.

(88) "Impervious surface" means a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, lime rock or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar improvements and structures.

(89) "Industrial park" means a planned, coordinated development of a tract of land with two or more separate industrial buildings. Such development is planned, designed, constructed and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation, and open space.

(90) "Intermodal transportation facility" means a hub or other facility that gathers many modes of transportation together, such as transit, bikes, and cars. The hub or facility is typically located in a strategic location near denser areas to help increase access to mobility.

(91) "Internet sales establishment" means an establishment that solely sells goods and services via the internet to customers off-premises. Goods and services provided are received digitally or delivered by delivery service to off-premises customers.

(92) "Junk yard" means an open area where waste, used or second-hand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. A junk yard includes automobile wrecking yards and any area of more than 120 square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within wholly enclosed buildings.

(Ord. 260. Passed 7-9-79.)

(93) "Kennel, commercial" means any lot or any premises on which five or more dogs or cats are either permanently or temporarily boarded, used for breeding purposes or kept for purchase or sale.

(Ord. 260-A-221. Passed 1-20-92.)

(94) "Lake" means an area of inland depression, consistently filled with water which is supplied by ground water or artesian springs and exhibits inflow and outflow characteristics.

(95) "Lake, closed" means an area of inland depression, being mainly a pothole or seepage lake without inflowing or outflowing characteristics.

(Ord. 200-A-204. Passed 8-13-90.)

(96) "Loading space" means an off-street space on the same site with a building or group of buildings for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

(Ord. 260. Passed 7-9-79.)

(97) "Locate" means to construct, place, insert or excavate.

(Ord. 260-A-204. Passed 8-13-90.)

(98) "Lot" means a parcel of land occupied or to be occupied by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such open spaces as are required under the provisions of this Zoning Code.

(Ord. 260. Passed 7-9-79.)

(99) "Lot of record" means a parcel of land, the dimensions of which are shown on a plat on file with the Macomb County Register of Deeds and recorded prior to July 9, 1979, or any parcel which has been separated therefrom prior to July 9, 1979, in accordance with the provisions of the Subdivision Control Act and which exists as described.

(Ord. 260-A-292. Passed 8-18-97.)

(100) "Lot area" means the total horizontal area within boundaries of the lot.

(101) "Lot, corner" means a lot where the interior angle of two adjacent sides at the intersection of two thoroughfares is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this Zoning Code if the arc is of less radius than 150 feet and the tangents to the curve at the two points where the lot lines meet the curve, or the straight street line extended, form an interior angle of less than 135 degrees. (See Appendix I, Sketch 4.)

(102) "Lot coverage" means that part or percent of the lot occupied by any main and accessory buildings.

(103) "Lot depth" means the horizontal distance between the front and rear lot lines measured along the median between the side lot lines.

(104) "Lot, double frontage (through lot)" means any interior lot having frontages on two more-or-less parallel thoroughfares. In the case of a row of double-frontage lots, all sides of said lots adjacent to thoroughfares shall be considered frontage and front yards shall be provided as required. (See Appendix I, Sketch 4.)

(105) "Lot, interior" means any lot other than a corner lot. (See Appendix I, Sketch 4.)

(106) "Lot lines" means the boundaries of a lot defined as:

(106a) Front lot line: In the case of an interior lot, it is that line separating said lot from the thoroughfare. In the case of a corner lot or double-frontage lot, it is that line separating said lot from that thoroughfare designated as the fronting thoroughfare in the plat.

(106b) Rear lot line: That lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long, lying farthest from the front lot line and wholly within the lot.

(106c) Side lot line: Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is an exterior side lot line. A side lot line separating a lot from any other lot is an interior side lot line. (See Appendix I, Sketch 4.)

(107) "Lot width" means the horizontal distance between the side lot lines, measured at the two points where the required minimum front yard setback line intersects the side lot lines. The front lot line shall, in every instance, abut a public thoroughfare or private trafficway by being contiguous with the public right-of-way line or the private trafficway easement line.

(108) "Main building" means a building in which the principal use of the lot upon which it is situated is conducted.

(109) "Main use" means the principal use to which the premises are devoted and the principal purpose for which the premises exist.

(110) "Major thoroughfare" means an arterial trafficway intended to serve as a large-volume conductor for both the immediate area and the region beyond and which may be designated as a major thoroughfare, parkway, freeway, expressway or equivalent term to identify those trafficways comprising the basic structure of the Township Major Thoroughfare Plan. Any thoroughfare with a width, existing or proposed, of 120 feet or greater, shall be considered a major thoroughfare.

(111) "Manufactured home" means a vehicular, detached, portable structure built on a chassis and designed to be used without a permanent foundation as a dwelling when connected to required utilities and which is, or is intended to be, attached to the ground, to another structure, or to a utility system on the same premises for more than 30 consecutive days. Manufactured home shall also mean a structure, transportable in one or more sections, which is built on a chassis and is designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. Manufactured home may, but need not, include the real property to which the manufactured home may be attached. Manufactured home does not include a recreational vehicle.

(112) "Manufactured home park" means a parcel or tract of land under the control of a person upon which two or more manufactured homes are located on a continual nonrecreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a manufactured home and which is not intended for use as a temporary trailer park and licensed pursuant to the provisions of Public Act No. 59 of 1978 (M.C.L.A. 559.101 et seq., MSA 26.50(101) et seq.).

(113) "Marginal access road" means a service trafficway parallel to a major thoroughfare, which trafficway provides access to abutting properties and protection from through traffic.

(Ord. 260. Passed 7-9-79.)

(114) "Master Drainage Plan" means a plan adopted by the Township showing flood plains, floodways, watercourses and wetlands in the Charter Township of Clinton.

(Ord. 260-A-204. Passed 8-13-90.)

(115) "Master Plan" means the comprehensive future land use plan of and for the Township, including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and all physical development of the Township, and

including any unit or part of such plan and any amendment to such plan or parts thereof. Such plan may be adopted by the Planning Commission and/or the Township Board.

(116) "Mezzanine" means an intermediate or fractional floor in any story occupying not more than one-third of the floor area of such story. (See Appendix I, Sketch 2.)

(117) "Mixed-use building" means a single structure containing two or more principal uses, which could include retail and multi-family, retail and office and multi-family. These uses are physically attached either vertically or horizontally.

(118) "Mobile food vendor" means a vendor vending, serving or offering for sale food and/or beverages from a movable vehicle and/or trailer.

(119) "Motel" means a series of attached, semi-detached or detached rental units containing a bedroom, a bathroom and closet space. Units shall provide for overnight lodging, shall be offered to the public for compensation and shall cater primarily to the public traveling by motor vehicle. Motels that rent by the hour are prohibited.

(120) "Municipality" means the Township of Clinton, Macomb County, Michigan.

(Ord. 260. Passed 7-9-79.)

(121) "Nonconforming structure" means a structure lawfully existing on the effective date of this Zoning Code, or any amendment thereto, which does not conform to the regulations of this Zoning Code, or amendments at the time of adoption, in the district in which it is located or otherwise pursuant to law is deemed nonconforming.

(122) "Nonconforming use" means a use which lawfully occupied a building or land on the effective date of this Zoning Code, or any amendment thereto, which does not conform to the use regulations of the district in which it is located or otherwise pursuant to law is deemed nonconforming.

(Ord. 260. Passed 7-9-79.)

(123) "Nursery, plant material" means 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, not including any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

(124) "Nursing or convalescent home" means a nursing care facility, including a county medical 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 unrelated individuals suffering or recovering from illness, injury, or infirmity. Nursing or convalescent home provides a place of residence for people who require constant nursing care and have significant deficiencies with activities of daily living.

(125) "Nuisance factors" means an offensive, annoying, unpleasant or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of an activity or use across a property line which can be

perceived by or which adversely affects a human being, or the generation of an excessive or concentrated movement of people or things such as, but not limited to, noise, dust, smoke, odor, glare, fumes, flashes, vibration, shock waves, heat, electronic or atomic radiation, objectionable effluent, noise of congregation of people, particularly at night, and passenger traffic.

(126) "Off-street parking lot" means a facility providing more than two parking spaces and adequate drives and aisles for maneuvering, as well as ingress to and egress from a public right of way or private trafficway. (See Appendix I, Sketch 5.)

(127) "Oil and gas well" means any natural gas, oil or related hydrocarbon well, or other wells drilled for oil or gas exploration purposes. It does not include mineral mining or extractive operations subject to regulation under State law.

(Ord. 260-A-454. Passed 1-11-16.)

(128) "Open space" means land used for recreation, resource protection, amenity and/or buffers. In no event shall any area of a lot constituting the minimum lot area nor any part of an existing or future road or right-of-way be counted as constituting open space.

(129) "Open storage" means the keeping in the open, for a period exceeding three days or 72 hours, of any material which is man-made or man-assembled, fabricated or treated in any manner, not anchored to the ground and which has not received Township approval or which is not permitted by this Zoning Code. In residential areas, materials used in the landscape improvement of the specific property on which used, as well as firewood and lawn furniture, shall not be considered as open storage.

(130) "Parking" means to put or leave, for a period of time, a motor vehicle upon land unattended by an operator thereof.

(Ord. 260-A-450. Passed 5-4-15.)

(131) "Parking space" means an area of definite length and width, exclusive of drives, aisles or entrances giving access thereto, which is fully accessible for the parking of permitted vehicles. (See Appendix I, Sketch 5.)

(Ord. 260. Passed 7-9-79.)

(132) "Pawnbroker use" means a pawnbroker business that loans money on deposit, or pledge of personal property or other valuable thing other than securities or printed evidence of indebtedness, or which deals with the purchasing of personal property or other valuable things on condition of selling the same back again at a stipulated price.

(133) "Permittee" and/or "licensee" means a person in whose name a permit and/or license to operate a business has been issued, as well as the individual listed as the applicant on the application for a permit and/or license.

(134) "Person" means any individual, proprietorship, partnership, corporation, association, limited liability company, or any other legal entity.

(Ord. 260-A-277. Passed 9-30-96.)

(135) "Planned shopping center" means a business development consisting of four or more retail units on five or more acres of land, characterized by a unified grouping of stores and served by a common traffic circulation pattern and off-street parking area.

(Ord. 260-A-122. Passed 7-7-86; Ord. 260-A-402. Passed 12-20-04.)

(136) "Planned unit development (PUD" means a development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.

(137) "Principal building" means a building which contains the primary use of the lot.

(138) "Principal use" means the principal purpose for which land or a building is arranged, designed or intended or for which land or a building is or may be occupied.

(139) "Public utility" means any person, firm, corporation or municipal department, board or commission duly authorized to furnish to the public, under Federal, State or Municipal regulations, gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

(140) "Quarry" means any tract or parcel of land or part thereof used for the purpose of searching for or the extraction of stone, gravel, marl, sand, peat, topsoil or similar materials, including stripping and pit operations.

(141) "Recreation vehicle" means a vehicle designed or constructed for recreational purposes and which may permit occupancy thereof as a dwelling or sleeping place, such as, but not limited to, motor homes, campers, camper trailers, off-road vehicles and boats.

(142) "Remove" means to dig, dredge, suck, pump, bulldoze, dragline or blast.

(Ord. 260-A-204. Passed 8-13-90.)

(143) "Restaurant" is defined as follows:

(143a) Bar/lounge: A building or part thereof designed, maintained and operated primarily for the dispensing of alcoholic beverages. The selling of food and/or snacks may also be permitted. If the bar/lounge area is part of a larger dining facility, it shall be defined as that part of the structure so designated and/or operated.

(143b) Carry-out: A building maintained. operated and/or advertised as a place where food, beverage and/or desserts are served in disposable containers or wrappers from a serving counter for consumption exclusively off the premises.

(143c) Dining room: A building maintained, operated and/or advertised as a place where food and beverage are served and consumed primarily within the structure. Such food and beverage are served primarily in non-disposable (reusable by the restaurant) containers.

(143d) Drive-in/drive-through fast-food: A building maintained, operated and/or advertised as a place where food, beverage and/or desserts are ordered through a speaker system and served to customers from window while in a motor vehicle. Such food, beverage and/or desserts may be consumed inside the building or outside the building at facilities provided or carried out for consumption off the premises.

(Ord. 260. Passed 7-9-79.)

(144) "Retail, general" means a commercial enterprise devoted in whole or in part to the sale, rental, and/or servicing of goods or commodities, where such goods or commodities are available for immediate purchase and removal from the premises by the purchaser.

(145) "Right-of-way" shall be the line established by the Macomb County Road Department or Michigan Department of Transportation in their right-of-way requirements established for Clinton Township or the Township's adopted Master Plan.

(146) "Satellite dish antenna" means an apparatus capable of receiving communications from a transmitter or transmitter relay located in a planetary orbit.

(Ord. 260-A-119. Passed 5-27-86.)

(147) "Screening" means the method by which a view of one site from another adjacent site is shielded, concealed or hidden. Screening techniques include fences, walls, hedges, berms or other features. Screening may include one or a combination of the following materials of sufficient mass to be opaque or that shall become opaque after 12 months and which shall be maintained in an opaque condition: walls, berms or plantings.

(148) "Secondary thoroughfare" means a trafficway which collects vehicles from local streets and distributes them to either local destinations or major thoroughfares and which has an existing or proposed right of way of 86 feet or more but less than 120 feet.

(Ord. 260. Passed 7-9-79.)

(149) "Self-storage facility" means a building or group of buildings divided into separate units or compartments used to meet the temporary storage needs of businesses, apartment dwellers and other individuals or firms, and is also known as a mini-warehouse.

(Ord. 260-A-119. Passed 5-27-86.)

(150) "Setback" means the distance regulated to obtain the minimum front, side or rear yard open space requirements of this Zoning Code. (See Appendix I, Sketches 3 and 6.)

(Ord. 260. Passed 7-9-79.)

(151) "Sexual encounter center" means a business or commercial enterprise which, as one of its principal business purposes, offers, for any form of consideration:

A. Contact in the form of wrestling or tumbling between seminude or nude persons of the opposite sex; or

B. Physical contact between male and female persons and/or persons of the same sex, where one or more of the persons is in a state of nudity and the contact includes actual or simulated specified sexual activity.

(152) "Sign" means the use of any words, numerals, figures, devices, designs or trademarks by which anything is made known (other than billboards) such as are used to show an individual firm, profession or business, and which are visible to the general public.

(153) "Sign, accessory" means a sign which is accessory to the principal use of the premises.

(154) "Sign, non-accessory" means a sign which is not accessory to the principal use of the premises.

(155) "Site plan" means a plan showing all salient features of a proposed development so that it may be evaluated to determine if it meets the regulations of this Zoning Code.

(156) "Solar panel" means a group of connected solar cells combined to form a panel contained by perimeter frame.

(157) "Solar cell" means an electrical device that converts sunlight, or other form of visible light, directly into electricity and is a building block of a solar panel.

(158) "Solar energy system (SES)" means two or more solar panels linked or connected for the purpose of storing, collecting and/or distributing solar energy.

(159) "Solid waste" means garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, Municipal and industrial sludges, solid commercial and solid industrial waste and animal waste, but does not include human body waste, liquid or other waste regulated by statute or ferrous or nonferrous scrap directed to a scrap metal processor or to a re-user of ferrous or nonferrous products.

(Ord. 260. Passed 7-9-79.)

(160) "Specified anatomical areas" means the less than completely and opaquely-covered human genitals, pubic region, buttock, female breast below the point immediately above the top of the areola and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(161) "Specified sexual activities" means and includes any of the following:

A. The fondling or other erotic touching of the human genitals, pubic region, buttocks, anus or female breasts.

B. Sex acts, actual or simulated, including intercourse or oral copulation, masturbation or sodomy.

C. Excretory functions as part of or in connection with any of the activities set forth in paragraphs A. or B. hereof.

(Ord. 260-A-277. Passed 9-30-96.)

(162) "State licensed residential facility" means a building constructed for residential purposes which is licensed by the state under the Adult Foster Care Facility Licensing Act (P.A. 218 of 1979, as amended) or the Child Care Organizations Act (P.A. 116 of 1973, as amended) and provides residential services for six or fewer individuals under 24-hour supervision or care.

(163) "Storage" means to put or leave, for future use, a motor vehicle upon land unattended by the operator thereof.

(Ord. 260-A-450. Passed 5-4-15.)

(164) "Story" means that part of a building, except a mezzanine as defined herein, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. A story thus defined shall not be counted as a story when more than 50%, by cubic content, is below the height level of the adjoining ground. (See Appendix I, Sketches 1 and 2.)

(165) "Story, half" means an uppermost story lying under a sloping roof, the usable floor area of which, at a height of four feet above the floor, does not exceed two-thirds of the floor area of the story directly below, and at least 200 square feet of such floor area shall have a height of not less than seven feet, six inches.

(Ord. 260. Passed 7-9-79.)

(166) "Streams" means natural estuary flow systems of surface waters occurring at the lowest points of the system, exhibiting consistent water flow patterns from the highest levels of collection to the mouth or outflow points.

(Ord. 260-A-204. Passed 8-13-90.)

(167) "Structure" means anything constructed or erected, the use of which requires temporary or permanent location on the ground or attachment to something having location on the ground and includes all buildings as defined herein but does not include, for purposes of this Code, pavement, curbs, fences, swimming pools, playground equipment, landscaping features or ornamental statuary.

(Ord. 260-A-381. Passed 10-6-03.)

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

(Ord. 260. Passed 7-9-79.)

(169) "Temporary use" means a use permitted by the Township Board to exist for a limited period of time.

(Ord. 260. Passed 7-9-79; Ord. 260-A-381. Passed 10-6-03.)

(170) "Usable satellite signal" means a satellite signal which, when viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations or by way of cable television.

(Ord. 260-A-119. Passed 5-27-86.)

(171) "Use, principal" means the principal purpose for which land or a building is arranged, designed or intended or for which land or a building is or may be occupied.

(172) "Wall, obscuring" means a structure of definite height and location to serve as an obscuring screen in meeting the requirements of this Zoning Code.

(Ord. 260. Passed 7-9-79.)

(173) "Watercourse" means any waterway or other body of water having reasonably well defined banks, including rivers, streams, creeks and brooks, whether continually or intermittently flowing, and lakes and ponds as shown on the Charter Township of Clinton Master Drainage Plan Maps.

(174) "Warehousing and distribution" means the storage, wholesale and distribution of manufactured products, supplies and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

(175) "Wireless communication equipment" means the set of equipment and network components used in the provision of wireless communication services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.

(176) "Yards" means the open spaces on the same lot with a main building, unoccupied and unobstructed from the ground upward, except as otherwise provided in this Zoning Code, and as defined herein. (See Appendix I, Sketches 3 and 6.)

(176a) Front yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building.

(176b) Rear yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard is opposite the front yard.

(176c) Side yard: An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building.

(Ord. 260. Passed 7-9-79.)

(177) "Zoning variance" and "variance" means a modification of the literal provisions of this Zoning Code granted when strict enforcement of this Zoning Code would cause practical difficulties or unnecessary hardship due to circumstances unique to the individual property as a lawfully granted variance in full force and effect.

(Ord. 260-A-31. Passed 5-4-81; Ord. Passed 10-30-23.)

CHAPTER 1112
Administration, Enforcement and Penalty

1112.01 Planning and Community Development Department.

1112.02 Building Department.

1112.03 Enforcement by Building Department; appeals.

1112.04 Duties of Planning Commission.

1112.05 Certificate of zoning compliance.

1112.06 Nuisance and abatement.

1112.99 Penalty.

CROSS REFERENCES

City zoning ordinances; public hearing, notice; report of Planning

Commission; amendment; vote required - see M.C.L.A. Sec. 125.584

Board of Appeals - see M.C.L.A. Sec. 125.585; P. & Z. Ch. 1154

Conflicting laws; governing law - see M.C.L.A. Sec. 125.586

Violations; nuisance per se; abatement - see M.C.L.A. Sec. 125.587

Amendments - see P. & Z. 1110.05

Appeals - see P. & Z. 1114.05 et seq.

Variances - see P. & Z. 1114.09

1112.01 PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.

The Planning Director and such deputies or assistants that shall be duly appointed, shall enforce this chapter and any additions thereto, and in furtherance of such authority shall:

(a) Have possession of permanent and current records of this chapter, including, but not limited to, all maps, amendments, conditional uses, site plan approvals, special approvals, lot splits, subdivision plats, and applications thereof.

(b) Issue all certificates for zoning compliance and make and maintain records thereof.

(c) Assist in providing public information relative to this chapter.

(d) Review and approve, approve with conditions, or disapprove all applications that are categorized under administrative approval duties per Chapter 1155 Development and Approval Procedures.

(e) Forward to the Planning Commission all applications for site plan approval, special land use approval, planned unit developments, and amendments to this chapter that are initially filed with the Planning and Community Development Department.

(f) Forward to the Board of Appeals applications for appeals, variances, non-listed uses, or other matters on which the Board of Appeals is required to consider under this chapter.

(g) Forward to the Township Board recommendations of the Planning Commission on special land use approvals, planned unit developments, site plan approval and zoning ordinance amendments.

(h) The Planning Director and such deputies or assistances per M.C.L.A. 764.9c(2), may issue appearance tickets requiring compliance and advising suspected violators of right of appeal.

(Ord. Passed 10-30-23.)

1112.02 BUILDING DEPARTMENT.

The Building Director, as the zoning enforcement officer and such deputies or assistants that shall be duly appointed shall enforce this chapter and any additions thereto, and in furtherance of such authority shall:

(a) Issue all certificates of occupancy and temporary certificates of occupancy and make and maintain records thereof.

(b) Conduct inspections of buildings, structures, and uses of land to determine compliance with the terms of this chapter, approved site plans, or special approvals.

(c) Issue appearance tickets requiring compliance and advising suspected violators of right to appeal.

(d) Require that all construction work of any type be stopped when such work is not in compliance with this chapter; and revoke any permit which was unlawfully issued, or any permit wherein work not in compliance with this chapter has been performed, and such work has not been corrected within 30 days of notification of such defects.

(e) Have possession of permanent and current records of all building permits and other approvals relative to this chapter.

(f) Assist in providing public information relative to this chapter.

(g) Enforce all orders of the Township Board and Board of Appeals regarding actions pertaining to this chapter.

(h) Enforce all rules, regulations and standards of this chapter.

(Ord. Passed 10-30-23.)

1112.03 ENFORCEMENT BY BUILDING DEPARTMENT; APPEALS.

This Zoning Code shall be administered and enforced by the Department of Building which is hereby authorized and empowered to issue a stop order and/or revoke the license or permit of any person found in violation of this Code and in any case found necessary where there is imminent peril to public health, safety, welfare or morals of the citizens of the Township of Clinton. Any person aggrieved by such action may appeal to the Township Board in accordance with the following procedure:

(a) The appellant shall file a written claim of appeal with the Township Clerk within 15 days after receipt of a stop order or license or permit revocation, setting forth therein, in reasonable detail, the basis of the appeal.

(b) The Township Clerk shall cause the appeal to be placed on the agenda of a regular Township Board meeting within 20 days after receipt of the appeal.

(c) The Township Board shall conduct a hearing on the appeal at which time the applicant and/or representative may appear to present the case.

(d) The Board shall render its decision on the appeal within 15 days after the aforesaid hearing.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1112.04 DUTIES OF PLANNING COMMISSION.

The Clinton Township Planning Commission, as established under the Planning Enabling Act 33 of 2008, as amended, shall perform all of the duties of such Commission as provided by law, including amendments to this Zoning Code and such other duties as may be established under this Code.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1112.05 CERTIFICATE OF ZONING COMPLIANCE.

(a) The Department of Planning and Community Development shall review all premises, structures and buildings in the Township to determine that the use of the premises and/or buildings is consistent with this Zoning Code.

(b) Uses which are found to be consistent with this Zoning Code shall be issued a certificate of zoning compliance, which shall be publicly displayed and contain the name and signature of the user and, to the extent possible, the name and signature of the owner of the structure and/or premises.

(c) The certificate shall constitute notice to those persons knowing of the certificate that the certificate is personal to the holder thereof and that a subsequent occupancy or change of use will require the issuance of a new certificate.

(d) The user shall maintain and display the certificate at all times in such a manner that the same shall be readable by any member of the public, invitees or persons coming upon the premises. The user shall be required to return the certificate to the Department of Building when there is a change in occupancy or the use is discontinued.

(e) Certificates shall not be issued for premises used strictly for residential purposes.

(f) A Township Certification, as reviewed and approved by the Department of Building, shall be required when occupancy of a property changes, but no reconfiguration of the space occurs. A Certificate of Occupancy shall be granted once the application is approved.

(g) A Building Permit, as reviewed and approved by the Department of Building, shall be required when occupancy of a property changes and when reconfiguration of a building occurs. A Certificate of Occupancy shall be granted once the application is approved.

(Ord. 260-A-22. Passed 7-14-80; Ord. Passed 10-30-23.)

1112.06 NUISANCE AND ABATEMENT.

Uses of land, dwellings, buildings and structures, including tents and trailer coaches, that are used, erected, altered, razed or converted in violation of any regulation of this Zoning Code, are hereby declared to be a nuisance per se and may be abated by order of a court of competent jurisdiction.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1112.99 PENALTY.

Any violation of any regulation of this Zoning Code shall constitute a misdemeanor. Each day a violation exists shall constitute a separate offense. Any person, firm or corporation who or which violates any provision of this Zoning Code shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding five hundred dollars ($500.00) or ninety days in jail, or both, in the discretion of the court.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

CHAPTER 1114
Board of Appeals

1114.01 Establishment.

1114.02 Membership.

1114.03 Meetings, oaths and records.

1114.04 Powers and duties.

1114.05 Appeals generally.

1114.06 Jurisdiction.

1114.07 Decision process.

1114.08 Decisions final unless appealed.

1114.09 Standard conditions for all variances.

CROSS REFERENCES

Board of Appeals - see M.C.L.A. Sec. 125.585

Meetings of the Board; freedom of information - see M.C.L.A. Sec. 125.585a

Review by Circuit Courts; appeals to Supreme Court; procedure - see M.C.L.A. Sec. 125.590

Actions for review; proper and necessary parties; notice; failure to appear - see M.C.L.A. Sec. 125.591

1114.01 ESTABLISHMENT.

A Board of Appeals is hereby established in accordance with and pursuant to the provisions of the Michigan Zoning Enabling Act 110 of 2006, as amended.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1114.02 MEMBERSHIP.

(a) The Board of Appeals shall consist of seven members. One member of the Board of Appeals shall be a member of the Township Planning Commission and the remaining members shall be selected from among the electors residing in the unincorporated area of the Township and shall be appointed by the Township Board. Per M.C.L.A. 125.3815(4)(c),

of those seven members, one member of the Board of Appeals may be appointed who is not a resident of the Township.

One member may be a member of the Township Board, provided that such member shall not serve as Chairperson of the Board of Appeals, nor shall any employee or contractor of the Township Board serve as a member or an employee of the Board of Appeals.

(b) All members of the Board of Appeals shall be representative of the population distribution and various interests present in the Township of Clinton.

(c) The term of each member shall be for three years, except that of the five members first appointed, two shall serve for two years and the remaining three members for three years.

(1) A successor shall be appointed not more than one month after the term of the preceding member has expired.

(2) All vacancies for unexpired terms shall be filled for the remainder of the term.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1114.03 MEETINGS, OATHS AND RECORDS.

(a) All meetings of the Board of Appeals shall be open to the public, excluding closed sessions legally called.

(b) Meetings of the Board of Appeals shall be held at the call of the Chairperson and at such other times as the Board, in its Rules of Procedure, may specify.

(c) The Board of Appeals shall not conduct business unless a majority of the members of the Board are present.

(d) When a meeting is adjourned for more than 48 hours or rescheduled, or when a special meeting is called, a public notice, stating the date, time and place of a meeting and the address and telephone number of the Board of Appeals, must be posted at least 18 hours prior to the meeting, all in accordance with the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended.

(e) The Chairperson, or the acting Chairperson, in the absence of the Chairperson, may administer oaths and compel the attendance of witnesses.

(f) The Board of Appeals shall maintain a record of its proceedings which shall be filed in the office of the Township Clerk and shall be made a public record.

(Ord. 260. Passed 7-9-79; Ord. 260-A-31. Passed 5-4-81; Ord. Passed 10-30-23.)

1114.04 POWERS AND DUTIES.

(a) The Board of Appeals shall act upon all questions as they may arise in the administration of this Zoning Code, including the interpretation of the Zoning Map, and may fix rules and regulations to govern its procedures as a Board of Appeals.

(b) The Board shall hear and decide appeals from and review any order, requirement, decision or determination made by an administrative official or body charged with enforcement of this Zoning Code.

(c) The Board of Appeals shall hear and decide all matters upon which it is required to pass under the regulations of this Zoning Code or as may be referred to it under any ordinance adopted by the Township Board.

(d) The concurring vote of a majority of the members of the Board shall be necessary to reverse any order, requirement, decision or determination of such administrative official or body, to decide in favor of the applicant on any matter upon which the Board is required to pass under this Zoning Code, or to affect a variance from any regulation of this Code.

(e) The decision of the Board of Appeals shall specifically set forth the basis upon which any determination it may make is made.

(f) The Board shall have the power to permit the erection and use of a building or an addition to an existing building or a public service corporation for public utility purposes in any permitted district to a greater height or of a larger area than the district requirements herein established, and may permit the location in any use district of a public utility building, structure or use if the Board of Appeals shall find a use, height, area, building or structure reasonably necessary for the public convenience and service.

(g) The Board of Appeals, in deciding any matter on which it is requested to pass under this Zoning Code, may establish such reasonable requirements for the use of a site or structure on such site as will assure reasonable protection to abutting properties and adjacent districts.

(h) Members shall disqualify themselves from voting on any matter in which they may have a conflict of interest.

(1) Failure of members to so disqualify themselves from voting on any matter in which they may have a conflict of interest shall constitute misconduct in office.

(2) Members of the Board of Appeals shall be removable by the Township Board for nonperformance of duty or misconduct in office upon written charges and after public hearing.

(Ord. 260. Passed 7-9-79; Ord. 260-A-31. Passed 5-4-81; Ord. Passed 10-30-23.)

1114.05 APPEALS GENERALLY.

(a) Who May Appeal. An appeal may be taken by any person aggrieved or by any officer, department, board or bureau of the Township, County or State.

(b) Procedures and Fees.

(1) An appeal shall be taken by filing, with the Board of Appeals an application for hearing, specifying the basis of the appeal and paying such fee as may be established by resolution of the Township Board.

A. The Township Board may. by resolution, establish a fee to be paid by any person filing an appeal for a variance to any regulation of this Zoning Code in all cases except those cases where a particular use under this Zoning Code may be permitted only after approval by the Board of Appeals.

B. The Township Board may, by resolution, establish such additional fees as it may deem reasonable to be paid by any person filing an appeal in the event such appellant shall request a special meeting of the Board of Appeals.

(2) The Board of Appeals shall be furnished with all documents constituting the records upon which the action appealed from was taken.

(c) Time and Notice of Appeal.

(1) The Board of Appeals shall schedule a hearing within and at a reasonable time and give due notice thereof to the parties and to any person shown on the latest tax roll as owner of any property within 300 feet of the premises in question and to the occupants of any one-family and two-family dwellings within 300 feet of the premises in question by personal service or by mail.

(2) Upon the hearing, any party may appear in person or by agent or attorney.

(3) The Board of Appeals shall decide upon the appeal within a reasonable time.

(4) The decision of the Board of Appeals shall not become final until the expiration of seven days from the date of determination, unless the Board of Appeals shall find the immediate effect of the order is necessary for the preservation of property or personal rights and shall so certify on the record. The date of determination shall be deemed to be the date the motion is passed.

(d) Stay of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Appeals, after the application for hearing has been filed and of which notice has been made to said officer, that, by reason of fact stated in a certificate, a stay would, in his or her opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order. Such restraining order may be granted by the Board of Appeals or by the Circuit Court, on application, on due notice to the officer from whom the appeal is taken and on due cause shown.

(e) Dimensional or non-use variances may be allowed by the Board of Appeals. Use variances are not authorized in this Zoning Code. Dimensional or non-use variances may be allowed only in cases where there is evidence of practical difficulty and where all of the following standards have been met:

(1) There are extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district. Extraordinary circumstances may include the following:

A. Exceptional narrowness, shallowness or shape of a specific property; or

B. By reason of exceptional topographic or environmental conditions on the land, building, or structure; or

C. The use or development of the property immediately adjoining the property in question would cause practical difficulties of enforcing the requirements of the ordinance.

(2) The variance is necessary for the preservation and enjoyment of a substantial property right similar to that held by other properties in the same zoning district and/or vicinity.

(3) The variance will not be detrimental to adjacent properties and the surrounding neighborhood.

(4) The variance will not impair the intent and purpose of the Zoning Code.

(5) The immediate practical difficulty causing the need for the request was not created by the applicant or the applicant's predecessor in interest.

(Ord. 260. Passed 7-9-79; Ord. 260-A-31. Passed 5-4-81; Ord. Passed 10-30-23.)

1114.06 JURISDICTION.

(a) The Board of Appeals may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination as, in its opinion, ought to be done, and to that end shall have all the powers of the officer from whom the appeal is taken.

(b) Where there are practical difficulties in the way of carrying out the strict letter of this Zoning Code, the Board of Appeals shall have the power, in passing upon appeals, to vary or modify any of its rules, regulations or provisions so that the spirit of the Zoning Code shall be observed, public safety secured and substantial justice done.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1114.07 DECISION PROCESS.

The Zoning Board of Appeals shall approve, with or without conditions, or deny the application. The decision on an application shall be incorporated into a statement of findings and conclusions relative to the request which specifies the basis for the decision and any conditions imposed. Reasonable conditions may be required with the approval of an application. Conditions may include conditions necessary to ensure that public services and facilities affected by a variance will be capable of accommodating increase services and

facilities affected or caused by the variance activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent properties and to promote the use of land in a socially and economically desirable manner.

Decisions shall be communicated to the applicant, the Township Board, the Planning Commission, and the Planning and Community Development Director within one week from the time of the meeting occurring.

(Ord. Passed 10-30-23.)

1114.08 DECISIONS FINAL UNLESS APPEALED.

The decision of the Board of Appeals shall be final, provided that any person having lawful standing by any such decision shall have the right to appeal to the Circuit Court as provided under State law.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1114.09 STANDARD CONDITIONS FOR ALL VARIANCES.

All variances granted by the Board of Appeals are subject to several standard conditions. These conditions are to be included in the Certificate of Approval issued to the petitioner. The standard conditions are as follows:

(a) The petitioner must comply with all applicable requirements of Township ordinances.

(b) The project work requiring the variance must be completed within two years of the date that the variance was granted. A petitioner requiring an extension to the two-year period may petition for a request for reconsideration.

(c) The project work must be completed substantially in accordance with the plans submitted to the Board of Appeals. Plans that require revision in order to meet engineering standards and/or minor dimensional changes not affecting the variance are considered to be substantially in accordance with the plans submitted to the Board of Appeals. If there is a question of interpretation, the matter shall be placed on the next available agenda of the Board of Appeals.

(d) The variance is valid only for the useful life of any structure(s) on the property for which variance was granted. The useful life of a structure is deemed to be ended if said structure is destroyed, by any means, to an extent beyond 50% of its reasonable market value.

(Ord. 260-A-393. Passed 6-1-04; Ord. Passed 10-30-23.)

CHAPTER 1116
Districts Generally and Zoning Map

1116.01 Establishment of districts.

1116.02 Zoning Map; district boundaries.

1116.03 Zoning of vacated areas.

1116.04 Conflict of laws; general exceptions.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Use of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1116.01 ESTABLISHMENT OF DISTRICTS.

For the purpose of this Zoning Code, the Township of Clinton is hereby divided into the following districts:

(a) Residential Districts.

R-1 One-Family Residential District

R-2 One-Family Residential District

R-3 One-Family Residential District

R-4 One-Family Residential District

R-5 One-Family Residential District

RT Two-Family Residential District

RML Multiple-Family Residential District, Low-Rise

RMH Multiple-Family Residential District, High-Rise

MH Manufactured Home Community District

(b) Nonresidential Districts.

OS-1 Office/Service Low-Rise District

OS-2 Office/Service Mid-Rise District

OS-3 Office/Service High-Rise District

A-1 Neighborhood Business District

B-2 Community Business District

B-3 General Business District

B-4 Regional Business District

I-1 Light Industrial District

I-2 General Industrial District

TR Technical Research District

P Parking (Vehicular) District

(c) Special Districts.

SP-1 Special Purpose Senior Care Facilities District

SP-2 Special Purpose Hospitals District

GH Groesbeck Highway Overlay District

PUD Planned Unit Development District

FW Floodway District and Flood Hazard Area Zone

(Ord. 260. Passed 7-9-79; Ord. 260-A-37. Passed 2-8-82; Ord. 260-A-163. Passed 6-6-88; Ord. 260-A-221. Passed 1-20-92; Ord. 260-A-265. Passed 9-7-95; Ord. 260-A-305. Passed 3-23-98; Ord. Passed 10-30-23.)

1116.02 ZONING MAP; DISTRICT BOUNDARIES.

(a) The boundaries of the districts provided for in Section 1116.01 are hereby established as shown on the Zoning Map, which accompanies this Zoning Code, and such Map, with all notations, references and other information shown thereon, shall be as much a part of this Code as if fully described herein.

(b) Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Map, the following rules shall apply:

(1) Boundaries indicated as approximately following the centerline of any street, highway or alley shall be construed to follow such centerline.

(2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

(3) Boundaries indicated as approximately following Municipal limits shall be construed as following such Municipal limits.

(4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

(5) Boundaries indicated as following the centerline of any stream, river, canal or other body of water shall be construed to follow such centerline and, in the event of change in said waterway, shall be construed as moving with the waterway.

(6) Boundaries indicated as parallel to or extensions of features indicated in paragraphs (b)(1) through (b)(5) hereof shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the Map.

(7) Where physical or natural features exist and are at variance with those shown on the Zoning Map, or, in other circumstances not covered by paragraphs (b)(1) through (b)(6) hereof, the Board of Appeals shall determine the district boundaries.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1116.03 ZONING OF VACATED AREAS.

Whenever any street, alley or other public way within the Municipality shall be vacated, such street, alley or other public way, or portion thereof, shall automatically be classified in the same zoning districts as the property to which it attaches. Where two zoning districts exist, one on each side of such street, alley or other public way to be vacated, the zoning district shall apply to the centerline of the street, alley or other public way.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1116.04 CONFLICT OF LAWS; GENERAL EXCEPTIONS.

All buildings and uses in any district shall be subject to the provisions of Chapters 1110, 1153, 1154, 1155, 1156, 1157 and 1158 .

(Ord. 260. Passed 7-9-79; Ord. Passed 10-0-23.)

CHAPTER 1118
R-1 Through R-5 One-Family Residential Districts

1118.01 Purpose.

1118.02 Principal uses permitted.

1118.03 Uses requiring special approval.

1118.04 Open storage of vehicles.

1118.05 Height, bulk, area, density and setback requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs.125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property -see M.C.L.A. Sec. 125.583a

1118.01 PURPOSE.

R-1 through R-5 Residential Districts are designed to provide for one-family dwelling sites and residentially related uses in keeping with the existing low-density character and the Master Plan for residential development in the Township of Clinton.

(Ord. 260-A-265. Passed 9-7-95; Ord. Passed 10-30-23.)

1118.02 PRINCIPAL USES PERMITTED.

In a One-Family Residential District (R-1 through R-5), 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) One-family detached dwellings.

(b) Publicly-owned and operated libraries, parks, parkways and recreational facilities.

(c) Colleges, universities and other such institutions of higher learning, public or private, offering courses in general, technical or religious education and not operated to train manual trades or for profit

(d) Public, parochial and other private elementary, intermediate and/or high school offering courses in general education and not operated for profit.

(e) Municipal buildings and uses.

(f) State-licensed residential facilities.

(g) Models of one-family detached dwellings, with accessory sales offices.

(h) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations.

(i) Swimming pool and club houses, when incorporated as a nonprofit club or organization maintaining a swimming pool for the exclusive use of members and their guests.

(j) Manufactured home dwellings, subject to the following conditions:

(1) All requirements of pertaining to one-family dwellings, shall be required of manufactured home dwellings.

(2) The manufactured home shall be aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six inches on all sides or, alternatively, with window sills or roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling. It shall have not less than two exterior doors, with the second door being on either the rear or side of the dwelling, and shall contain steps connected to said exterior door areas or to porches connected to said exterior door areas where a difference in elevation requires the same.

The compatibility of design and appearance shall be determined, in the first instance, by the Department of Building upon review of the plans submitted for a particular dwelling, subject to appeal, by any party, to the Board of Appeals within a period of 15 days from receipt of notice of decision by the Department of Building.

Determination of compatibility shall be based upon the character, design and appearance of residential dwellings located outside of mobile home parks within 300 feet of such particular dwelling. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour or relief from the common or standard-designed home.

(3) The manufactured home shall comply with all construction standards and all plumbing, electrical and insulation requirements of Mobile Home Construction and Safety Standards, as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, as amended.

(4) Any on-site improvements or construction required herein shall be commenced only after a building permit has been obtained from the Township Department of Building.

(5) All manufactured homes must be permanently fastened to a minimum eight-inch wide masonry foundation, which is continuous around the perimeter of the unit to a depth of at least 42 inches below ground surface, with anchors placed every six feet. In no instance shall concrete piers, concrete blocks without a footing or other type of foundation be permitted. The wheels shall be removed and the underside or chassis of the mobile home shall be completely enclosed by the poured concrete, block or brick foundation.

(6) A five-foot wide concrete sidewalk, located one foot from the property line on the side of the roadway, shall be required along the entire width of the property, unless the Township Board grants a waiver to this requirement.

(k) Medical Marijuana Cultivation, Growth, Storage, Exchange and Processing.

(1) The growth cultivation, processing storage and exchange of medical marijuana by a qualifying patient or by a primary caregiver as defined pursuant to State law including M.C.L.A. 333.26423 and any subsequent amendment or replacement, shall be permitted only in single-family or multi-family zoning districts within a single-family dwelling which is owned or rented and occupied by the qualifying patient or primary caregiver for their residential use.

(2) The foregoing activities shall be in full compliance with all applicable Township ordinances and other applicable state and county laws and shall not occupy more than 25% of the usable area as measured by interior floor space of the dwelling unit excluding the basement square footage, or 200 square feet whichever is less.

(3) Provisionary centers or dispensaries where marijuana is exchanged for a qualified patient or 250 square feet for a primary caregiver between qualified patients or caregivers are unlawful. Exchanges between qualified patients and caregivers may only occur at the principal home residence of the primary caregiver or qualifying patient. Exchanges between 9:00 p.m. and 8:00 a.m. are prohibited.

(l) Accessory uses customarily associated with an above permitted principal use.

(m) Home occupations, activities and hobbies traditionally or customarily conducted within the walls of a dwelling unit, subject to the following conditions:

(1) The use is conducted only by permanent residents of the dwelling.

(2) The use is wholly confined to the interior of the dwelling and does not include attached or detached garages or other accessory structures.

(3) No article or service, other than that which is produced by such home occupation, shall be sold or offered for sale on the premises.

(4) Such occupation shall not require internal or external alteration or construction to the dwelling, or equipment or machinery, not customary to a residential use.

(5) Such occupation is incidental to the residential use to the extent that not more than 20% of the floor area of the principal building shall be engaged by such home occupation.

(6) No sign advertising the home occupation shall be displayed on the premises.

(7) Such use does not generate traffic or a need for parking beyond that required for the dwelling unit, nor shall such use create any external effect not normally associated with a single-family use.

(n) Land condominiums, as regulated in Chapter 1157.03.

(o) Churches.

(p) Swimming pools, located either above or below grade intended for swimming or bathing, having a depth of two feet or more at any point.

(q) Festivals. These shall meet the conditions set forth in Chapter 1153.01(20).

(r) Group daycare home.

(s) Adult foster care home.

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-265. Passed 9-7-95; Ord. 260-A-292. Passed 8-18-97; Ord. 260-A-431. Passed 6-25-07; Ord. 260-A-441. Passed 8-10-09; Ord. 260-A-467. Passed 9-25-17; Ord. Passed 10-30-23.)

1118.03 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the R-1 through R-5 Districts, subject to the requirements and conditions set forth in Chapter 1153:

(a) Golf courses and country clubs, subject to the conditions in 1153.01(a)(30).

(b) Cemeteries, subject to the conditions in 1153.01(a)(21).

(c) Riding and boarding stables, subject to conditions in 1153.01(a)(58).

(d) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to conditions in 1153.01(a)(71).

(Ord. 260-A-221. Passed 1-20-92; Ord. 260-A-277. Passed 9-30-96. Ord. Passed 10-30-23.)

1118.04 OPEN STORAGE OF VEHICLES.

(a) The open storage or parking of vehicles on one-family residential zoned land shall be subject to the following provisions:

(1) Parking or storing of operable and licensed private passenger vehicles may be permitted when the vehicle is used and/or licensed by the family or person occupying the principal use. The parking or storing of inoperative vehicles is prohibited. The term "licensed private passenger vehicles" shall not include conveyances or vehicles equipped for living or camping purposes, nor conveyances or vehicles capable of transporting more than ten passengers.

(2) Recreational vehicles, including, but not limited to, boats, personal watercraft, snowmobiles, truck campers, travel trailers, motor homes and utility trailers (as well as their trailers for carriage or storage) may be stored or parked on any lot or parcel in the R or RT Residential Districts subject to the following requirements:

A. Recreational vehicles stored or parked shall not have fixed connections to electricity, water, gas or a sanitary sewer, and at no time shall such vehicles be used for living, sleeping or housekeeping purposes.

B. Recreational vehicles not stored or parked in a garage shall be stored or parked in a rear yard or non-required side yard, provided that the minimum required side yard shall be maintained from the vehicle to the side lot line.

C. Other than in an enclosed building, no person shall park or store more than two recreational vehicles upon any R or RT residential lot or parcel. Vehicles used in conjunction with one another, such as a boat mounted on a trailer, shall be considered one recreational vehicle.

D. Recreational vehicles may occupy a required side yard or front yard for a period not to exceed 48 hours for loading and unloading purposes, provided that such location does not obstruct the view of driveways from vehicular or pedestrian traffic.

E. The storage or parking of recreational vehicles on a residential lot or parcel for more than 48 hours shall be limited to only those vehicles owned by, and licensed or registered to, the occupant of the residential lot or parcel on which the vehicle is parked or stored.

F. The recreational vehicle must be fully operable, insured, readily movable, kept in good repair, and must display the current license plate and/or registration, if required by the State of Michigan.

G. Recreational vehicles must be parked or stored on a storage pad, constructed of either concrete, asphalt, patio blocks, stone, gravel or similar materials, and shall be of sufficient size to be totally under the vehicle. The storage pads shall be constructed and maintained in order to properly hold the vehicle, and to prohibit the possibility of any vegetation growing under the vehicle.

H. No person shall park or store any recreational vehicle upon any public property, including the planting area between the sidewalk and the curb, sidewalks, rights-of-way and public streets, except for the purpose of loading and unloading, as specified in paragraph (a)(2)D. hereof.

(3) In residential areas, storage or parking of no more than one commercial vehicle of a rated capacity not exceeding three-quarter ton is permitted.

(4) In the case of multiple-family developments, the Planning Commission and Township Board, after site plan review, may require a screened area, in addition to required off-street parking spaces, for the parking or storage of recreation vehicles within the site.

(5) A. Definition of parking. "Parking means to put or leave, for a period of time, a motor vehicle upon land unattended by an operator thereof.

B. Definition of storage. "Storage" means to put or leave, for future use, a motor vehicle upon land unattended by the operator thereof.

(Ord. Passed 10-30-23.)

1118.05 HEIGHT, BULK, AREA, DENSITY AND SETBACK REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Minimum Size Lot Per Unit			*Maximum Height of Building*		*Minimum Yard Setback (Per Lot in Feet)*			*Minimum Floor Area Per Unit (sq. ft.)*
Use Districts	*Area (sq. ft.)*	*Width (ft.)*	*In Stories*	*In Feet*	*Front*	*Side*	*Rear*	
R-1	15,000	100	2	35	30b	10c	40	1,600d,e
R-2	12,000 a	90	2	35	30b	10c	40	1,500d,e
R-3	9,600a	80	2	35	25b	8c	35	1,400d,e
R-4	8,400a	70	2	35	25b	8c	35	1,300d,e
R-5	7,800a	65	2	35	25b	8c	35	1,200d,e

Figure 1. R-1 Dimensional Standards Diagram:

15,000 sq. ft.
Minimum Size Lot
Per Unit
2 Stories / 35 ft. Maximum
Height of Building
100 ft. Minimum Yard Width
40 ft. Minimum Rear
Yard Setback
10 ft. Minimum Side
Yard Setback
Street
30 ft. Minimum Front Yard
Setback

Minimum Size Lot Per Unit

Maximum Height of Building

Minimum Yard Setback (Per Lot in Feet)

Minimum Floor Area Per Unit (sq. ft.)

Use Districts

Area (sq. ft.)

Width (ft.)

In Stories

In Feet

Front

Side

Rear

R-1

15,000

100

2

35

30b

10c

40

1,600d,e

R-2

12,000 a

90

2

35

30b

10c

40

1,500d,e

R-3

9,600a

80

2

35

25b

8c

35

1,400d,e

R-4

8,400a

70

2

35

25b

8c

35

1,300d,e

R-5

7,800a

65

2

35

25b

8c

35

1,200d,e

Figure 1. R-1 Dimensional Standards Diagram:

Figure 2. R-2 Dimensional Standards Diagram:

Figure 3. R-3 Dimensional Standards Diagram:

Figure 4. R-4 Dimensional Standards Diagram:

Figure 5. R-5 Dimensional Standards Diagram:

FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) The minimum land area requirement per residential structure in those areas with neither Township Board approved public sewer nor water systems shall be at least 15,000 square feet. When either approved system is available, the minimum lot area shall be at least 12,000 square feet.

(b) Where the front yards of two or more permitted principal structures in any block in existence on the effective date of this Zoning Code, within the district zoned and on the same side of the thoroughfare, are less than the required minimum front yard, any building subsequently erected on that side of the thoroughfare shall not be less and need not be greater than the average depth of the front yards of said two or more buildings. All required front yard setbacks shall be measured from the proposed right-of-way lines of abutting thoroughfares as designated on the Master Plan for Future Land Use of 1990, as amended.

(c) The side yard abutting a thoroughfare shall not be less than ten feet when there is a common rear yard. In the case of a rear yard abutting a side yard of an adjacent lot, the side yard abutting the street shall not be less than the required front yard of the district. Except as otherwise provided herein, uses permitted subject to special conditions shall have each side yard at least equal to the height of the building. Lots of record platted prior to July 9, 1979, having 64 feet of width or less at the building line shall provide minimum side yards totaling 12 feet with the least side being three feet. Lots of record platted prior to July 9, 1979, having 65 to 74 feet of width at the building line shall provide minimum side yards totaling 15 feet, with the least side being five feet.

(d) In any one-family dwelling having more than one level, at least one level shall provide a minimum of 800 square feet of living space. A basement, as defined in Section

1110, shall not be considered a level. A one-family dwelling, constructed without a basement, shall provide an additional 150 square feet to the minimum floor area requirements to provide space for utilities such as, but not limited to, a furnace, water heater, laundry tub, and the like. Storage space shall be provided by means of an attic, basement, shed, garage or utility area equal to at least 15% of the total floor area of the structure. The floor area of an attached garage shall not exceed the area of the first floor of the principal dwelling unit and shall not exceed 1,500 square feet in any case.

(e) Each residential dwelling in the R and RT Districts shall be a minimum width of 24 feet, exclusive of attached garage, if any, measured from exterior corner to exterior corner of the front portion of the building facing the abutting street.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

CHAPTER 1120
RT Two-Family Residential District

1120.01 Purpose.

1120.02 Principal uses permitted.

1120.03 Uses requiring special approval.

1120.04 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1120.01 PURPOSE.

The RT Two-Family Residential District is designed to provide sites for two-family dwelling structures and will generally serve as zones of transition between the higher density Residential Districts or nonresidential districts and lower density One-Family Districts.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1120.02 PRINCIPAL USES PERMITTED.

In an RT Two-Family Residential District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) One-family detached dwellings. The requirements of Section 1118.05 applicable to the R-5 One-Family Residential District shall apply as minimum standards when one-family detached dwellings are erected.

(b) Two-family dwellings.

(c) Models of two-family dwellings, with accessory sales offices, only if located in the development within which the model is offered for sale or lease.

(d) Publicly-owned and operated libraries, parks, parkways and recreational facilities.

(e) Municipal buildings and uses.

(f) State-licensed residential facilities.

(g) Public, parochial and other private elementary, intermediate and/or high school offering courses in general education and not operated for profit.

(h) Colleges, universities and other such institutions of higher learning, public or private, offering courses in general, technical or religious education and not operated to train manual trades or for profit.

(i) Models of one-family detached dwellings, with accessory sales offices.

(j) Accessory buildings and uses customarily incident to any of the permitted uses.

(k) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations.

(l) Swimming pool and club houses, when incorporated as a nonprofit club or organization maintaining a swimming pool for the exclusive use of members and their guests.

(m) Medical Marijuana Cultivation, Growth, Storage, Exchange and Processing.

(1) The growth cultivation, processing storage and exchange of medical marijuana by a qualifying patient or by a primary caregiver as defined pursuant to State law including M.C.L.A. 333.26423 and any subsequent amendment or replacement, shall be permitted only in single-family or multi-family zoning districts within a single-family dwelling which is owned or rented and occupied by the qualifying patient or primary caregiver for their residential use.

(2) The foregoing activities shall be in full compliance with all applicable Township ordinances and other applicable state and county laws and shall not occupy more than 25% of the usable area as measured by interior floor space of the dwelling unit excluding the basement square footage, or 200 square feet whichever is less.

(3) Provisionary centers or dispensaries where marijuana is exchanged for a qualified patient or 250 square feet for a primary caregiver between qualified patients or caregivers are unlawful. Exchanges between qualified patients and caregivers may only occur at the principal home residence of the primary caregiver or qualifying patient. Exchanges between 9:00 p.m. and 8:00 a.m. are prohibited.

(n) Home occupations, activities and hobbies traditionally or customarily conducted within the walls of a dwelling unit.

(o) Land condominiums, as regulated in Chapter 1157.03.

(p) Churches.

(q) Swimming pools, located either above or below grade intended for swimming or bathing, having a depth of two feet or more at any point, can be located in a residential district.

(r) Festivals. These shall meet the conditions set forth in Chapter 1153.01(a)(20).

(s) Group daycare home.

(t) Adult foster care home.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1120.03 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the RT District, subject to the requirements and conditions set forth in Section 1153:

(a) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to conditions in 1143.01(a)(71).

(Ord. 260-A-277. Passed 9-30-96; Ord. Passed 10-30-23.)

1120.04 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Minimum Size Lot Per Unit			*Maximum Height of Building*		*Minimum Yard Setback (Per Lot in Feet)*			*Minimum Floor Area Per Unit (sq. ft.)*
Use District	*Area (sq. ft.)*	*Width (ft.)*	*In Stories*	*In Feet*	*Front*	*Side*	*Rear*	
RT	9,600a	80	2	35	25b	8c	35	850d

Figure 1. R-T Dimensional Standards Diagram:

FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) The minimum land area requirement per residential structure in those areas with neither Township Board approved public sewer nor water systems shall be at least 15,000 square feet. When either approved system is available, the minimum lot area shall be at least 12,000 square feet.

(b) Where the front yards of two or more permitted principal structures in any block in existence on the effective date of this Zoning Code, within the district zoned and on the same side of the thoroughfare, are less than the required minimum front yard, any building subsequently erected on that side of the thoroughfare shall not be less and need not be greater than the average depth of the front yards of said two or more buildings. All required front yard setbacks shall be measured from the proposed right-of-way lines of abutting thoroughfares as designated on the Master Plan for Future Land Use of 1990, as amended.

(c) The side yard abutting a thoroughfare shall not be less than ten feet when there is a common rear yard. In the case of a rear yard abutting a side yard of an adjacent lot, the side yard abutting the street shall not be less than the required front yard of the district. Except as otherwise provided herein, uses permitted subject to special conditions shall have each side yard at least equal to the height of the building. Lots of record platted prior to July 9, 1979, having 64 feet of width or less at the building line shall provide minimum side yards totaling 12 feet with the least side being three feet. Lots of record platted prior to July 9, 1979, having 65 to 74 feet of width at the building line shall provide minimum side yards totaling 15 feet, with the least side being five feet.

(d) Each residential dwelling in the R and RT Districts shall be a minimum width of 24 feet, exclusive of attached garage, if any, measured from exterior corner to exterior corner of the front portion of the building facing the abutting street.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

CHAPTER 1122
RML Multiple-Family Residential Low-Rise District

EDITOR'S NOTE: This chapter was previously titled "RM-1 and RM-2 Multiple-Family Residential Low-Rise Districts." The title of the chapter was changed to conform to the name of the district established by Ordinance 260-A-265, passed September 7, 1995.

1122.01 Purpose.

1122.02 Principal uses permitted.

1122.03 Uses requiring special approval.

1122.04 Height, bulk, area and density setback requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property -see M.C.L.A. Sec. 125.583a

1122.01 PURPOSE.

The RML Multiple-Family Residential Low-Density District as herein established is intended to provide sites for multiple-family dwelling structures which may serve as zones of transition between high-traffic-carrying thoroughfares and One-Family Residential Districts.

(Ord. 260-A-265. Passed 9-7-95; Ord. 260-A-340. Passed 12-4-00; Ord. Passed 10-30-23.)

1122.02 PRINCIPAL USES PERMITTED.

In the RML Multiple-Family District, no building or land may be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards.

(a) All principal and special condition uses permitted and as regulated in the immediately abutting One-Family Residential District. Where more than one One-Family Residential District is involved, the larger lot width and area requirement shall apply.

(b) Multiple-family dwellings.

(c) Two-family dwellings as regulated in the RT Two-Family Residential District.

(d) Models, with accessory retail or sales offices, of multiple-family units, only if located within the development for which the model is offered for sale or lease.

(e) Public, parochial and other private elementary, intermediate and/or high school offering courses in general education and not operated for profit.

(f) Colleges, universities and other such institutions of higher learning, public or private, offering courses in general, technical or religious education and not operated to train manual trades or for profit.

(g) Churches.

(h) Medical Marijuana Cultivation, Growth, Storage, Exchange and Processing.

(1) The growth cultivation, processing storage and exchange of medical marijuana by a qualifying patient or by a primary caregiver as defined pursuant to State law including M.C.L.A. 333.26423 and any subsequent amendment or replacement, shall be permitted only in single-family or multi-family zoning districts within a single-family dwelling which is owned or rented and occupied by the qualifying patient or primary caregiver for their residential use.

(2) The foregoing activities shall be in full compliance with all applicable Township ordinances and other applicable state and county laws and shall not occupy more than 25% of the usable area as measured by interior floor space of the dwelling unit excluding the basement square footage, or 200 square feet whichever is less.

(3) Provisionary centers or dispensaries where marijuana is exchanged for a qualified patient or 250 square feet for a primary caregiver between qualified patients or caregivers are unlawful. Exchanges between qualified patients and caregivers may only occur at the principal home residence of the primary caregiver or qualifying patient. Exchanges between 9:00 p.m. and 8:00 a.m. are prohibited.

(i) Accessory uses customarily associated with an above permitted principal use.

(j) Group daycare home.

(k) Adult foster care home.

(l) Festivals. These shall meet the conditions set forth in Chapter 1153.01(a)(20).

(Ord. 260. Passed 7-9-79; Ord. 260-A-265. Passed 9-7-95; Ord. Passed 10-30-23.)

1122.03 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the RML Multiple-Family District, subject to the requirements and conditions set forth in Chapter 1153:

(a) Accessory buildings and uses customarily incidental to any of the above uses, subject to conditions in 1153.01(a)(1).

(b) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to conditions in 1153.01(a)(71).

(Ord. 260. Passed 7-9-79; Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-221. Passed 1-20-92; Ord. 260-A-265. Passed 9-7-95; Ord. 260-A-277. Passed 9-30-96; Ord. Passed 10-30-23.)

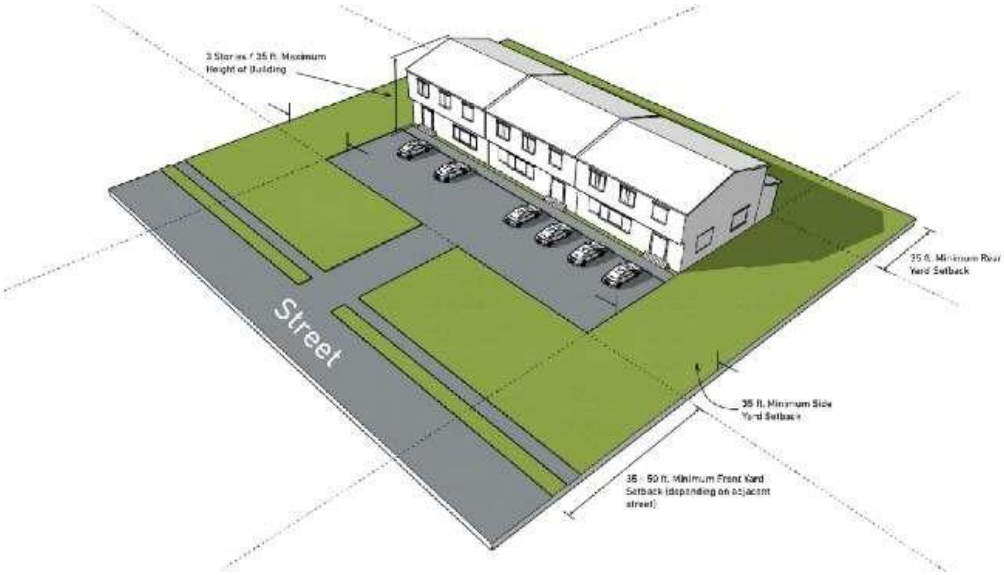
1122.04 HEIGHT, BULK, AREA, DENSITY AND SETBACK REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Minimum Size Lot Per Unit			*Maximum Density*		
Use District	***Area (sq. ft.)***	***Width (ft.)***	***Units per Acre for One- Bedroom***	***Units per Acre for Two- Bedroom***	***Units per Acre for Three- Bedroom***
RML	15,000	100	7.26a	6.70a	6.22a

Maximum Height of Building		*Minimum Yard Setback (Per Lot in Feet)*				*Minimum Floor Area Per Unit (sq. ft.)*
In Stories	***In Feet***	***Front adjacent to Major or Secondary Thoroughfare***	***Front adjacent to all other public streets***	***Side***	***Rear***	
3	35	50b	35b	35c	35c	d

Figure 1. RML Dimensional Standards Diagram:



FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Plans presented which include a den, library or extra room, for purposes of this Zoning Code, shall have such extra room counted as a bedroom.

(b) No off-street parking shall be permitted within these required setbacks.

(c) The minimum distance between any two buildings shall be 30 feet or the height of the building, whichever is greater.

(d) Minimum floor areas for multiple family units shall be as follows:

(1) Efficiency unit: A dwelling unit containing a minimum floor area of 500 square feet and consisting of not more than one room in addition to a kitchen, dining room and necessary sanitary facilities. All units shall have at least one living room and one bedroom, except that not more than 10% of the units may be an efficiency type.

(2) One bedroom unit: A dwelling unit containing a minimum floor area of at least 600 square feet and consisting of not more than two rooms in addition to a kitchen, dining room and necessary sanitary facilities.

(3) Two bedroom unit: A dwelling unit containing a minimum floor area of at least 700 square feet per unit and consisting of not more than three rooms in addition to a kitchen, dining room and necessary sanitary facilities.

(4) Three or more bedroom unit: A dwelling unit wherein for each room in addition to the three rooms permitted in a two bedroom unit, there shall be provided an additional

area of 200 square feet to the minimum floor area of 900 square feet. Dens, libraries or extra rooms shall be counted as a bedroom for the purpose of this Zoning Code.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

CHAPTER 1124
RMH Multiple-Family Residential High-Rise District

1124.01 Purpose.

1124.02 Principal uses permitted.

1124.03 Required conditions.

1124.04 Uses requiring special approval.

1124.05 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1124.01 PURPOSE.

The RMH Multiple-Family Residential High-Rise District as herein established is intended to provide sites for higher density multiple-family dwelling structures. This District is further intended to provide for extensive open-space settings for multiple-story structures.

(Ord. 260-A-340. Passed 12-4-00; Ord. Passed 10-30-23.)

1124.02 PRINCIPAL USES PERMITTED.

In RMH Multiple-Family Residential District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Multiple-family dwelling units.

(b) Business uses, when developed as retail or service uses clearly accessory to the main use, within the walls of the main structure and obscured from view so as not to encourage patronage from beyond the RMH development, and having no advertising signs visible from outside the building.

(c) Churches.

(d) Medical Marijuana Cultivation, Growth, Storage, Exchange and Processing.

(1) The growth cultivation, processing storage and exchange of medical marijuana by a qualifying patient or by a primary caregiver as defined pursuant to State law including M.C.L.A. 333.26423 and any subsequent amendment or replacement, shall be permitted only in single-family or multi-family zoning districts within a single-family dwelling which is owned or rented and occupied by the qualifying patient or primary caregiver for their residential use.

(2) The foregoing activities shall be in full compliance with all applicable Township ordinances and other applicable state and county laws and shall not occupy more than 25% of the usable area as measured by interior floor space of the dwelling unit excluding the basement square footage, or 200 square feet whichever is less.

(3) Provisionary centers or dispensaries where marijuana is exchanged for a qualified patient or 250 square feet for a primary caregiver between qualified patients or caregivers are unlawful. Exchanges between qualified patients and caregivers may only occur at the principal home residence of the primary caregiver or qualifying patient. Exchanges between 9:00 p.m. and 8:00 a.m. are prohibited.

(e) Accessory uses customarily associated with an above permitted principal use.

(f) Festivals. These shall meet the conditions set forth in Chapter 1153.01(a)(20).

(g) Group daycare home.

(h) Adult foster care home.

(Ord. 260. Passed 7-9-79; Ord. 260-A-37. Passed 2-8-82; Ord. 260-A-265. Passed 9-7-95; Ord. 260-A-453. Passed 1-11-16; Ord. 260-A-462. Passed 4-10-17; Ord. 260-A-467. Passed 9-25-17; Ord. Passed 10-30-23.)

1124.03 REQUIRED CONDITIONS.

(a) Any development in the RMH Multiple-Family Residential District shall have one property line abutting an existing or planned major thoroughfare of 120 feet or greater and shall have direct access from such major thoroughfare.

(b) The minimum height of any residential building in the RMH Multiple-Family Residential District shall be one story above grade level.

(c) The entire area of the site shall be treated so as to service only the residents of the multiple-family development, and any accessory buildings, uses or services shall be developed solely for the use of residents of the main building. Uses considered herein as accessory uses include parking, parking structures, service equipment storage buildings, swimming pools, recreation areas, pavilions, cabanas and other similar uses.

(d) Recreation areas shall be provided at a ratio of 100 square feet of land area for each dwelling unit, with a minimum of 50% of such area in outdoor passive recreation. The remaining 50% of the required recreation area may be indoor or outdoor. However, all such recreation areas shall be subject to the approval of the Planning Commission and the Township Board.

(e) Adjacent to any lot line abutting a public right-of-way, there shall be provided a continuous landscaped area not less than 25 feet wide, excluding existing or proposed rights-of- way, except at points of approved vehicular access to the site.

(f) The following regulations shall govern the density of multiple-family dwelling units in the RMH Multiple-Family Residential District:

Stories	***Land Area/Room (sq. ft.)***	***Rooms/Acre***

Stories	***Land Area/Room (sq. ft.)***	***Rooms/Acre***
10 or more	325	134
9	400	108
8	485	89
7	560	77
6	640	68
5	725	60
4	805	54
3	890	48

2	950	44
1	925	40

In computing rooms per acre, any room consisting of 80 square feet or more shall be counted.

(g) The following regulations shall govern the density of multiple-family dwelling units for senior citizens (persons who have attained the age of 65 years) in the RMH Multiple-Family Residential District:

Stories	***Land Area/Room (sq. ft.)***	***Rooms/Acre***

Stories	***Land Area/Room (sq. ft.)***	***Rooms/Acre***
10 or more	230	189
9	285	152
8	345	126
7	420	111
6	465	93
5	520	83
4	580	75
3	640	68
2	710	55
1	750	50

In computing rooms per acre, any room consisting of 80 square feet or more shall be counted.

(Ord. 260. Passed 7-9-79; Ord. 260-A-37. Passed 2-8-82; Ord. 260-A-265. Passed 9-7-95; Ord. 260-A-340. Passed 12-4-00; Ord. Passed 10-30-23.)

1124.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the RMH District, subject to the requirements and conditions set forth in Chapter 1153:

(a) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to conditions in 1153.01 (a)(71).

(Ord. 260-A-277. Passed 9-30-96; Ord. Passed 10-0-23.)

1124.05 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Minimum Size Lot Per Unit		
Use District	***Area (sq. ft.)***	***Width (ft.)***
RMH	15,000a	100a

Maximum Height of Building		***Minimum Yard Setback (Per Lot in Feet)***				***Minimum Floor Area Per Unit (sq. ft.)***
In Stories	***In Feet***	***Front adjacent to Major or Secondary Thoroughfare***	***Front adjacent to all other public streets***	***Side***	***Rear***	

Unlimited	N/A	50c	35b, c or height of building, whichever is greater	35b, d or height of building, whichever is greater	35b, d or height of building, whichever is greater	e

FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Plans presented which include a den, library or extra room, for purposes of this Zoning Code, shall have such extra room counted as a bedroom.

(b) As measured from the proposed right-of-way line of any abutting thoroughfares and from all other property lines.

(c) No off-street parking shall be permitted within these required setbacks.

(d) The minimum distance between any two buildings shall be 35 feet or the height of the building, whichever is greater.

(e) Minimum floor areas for multiple family units shall be as follows:

(1) Efficiency unit: A dwelling unit containing a minimum floor area of 500 square feet and consisting of not more than one room in addition to a kitchen, dining room and necessary sanitary facilities. All units shall have at least one living room and one bedroom, except that not more than 10% of the units may be an efficiency type.

(2) One bedroom unit: A dwelling unit containing a minimum floor area of at least 600 square feet and consisting of not more than two rooms in addition to a kitchen, dining room and necessary sanitary facilities.

(3) Two bedroom unit: A dwelling unit containing a minimum floor area of at least 700 square feet per unit and consisting of not more than three rooms in addition to a kitchen, dining room and necessary sanitary facilities.

(4) Three or more bedroom unit: A dwelling unit wherein for each room in addition to the three rooms permitted in a two bedroom unit, there shall be provided an additional area of 200 square feet to the minimum floor area of 900 square feet. Dens, libraries or extra rooms shall be counted as a bedroom for the purpose of this Zoning Code.

(Ord. Passed 10-30-23.)

CHAPTER 1126
MH Manufactured Home Community District

1126.01 Purpose.

1126.02 Principal uses permitted.

1126.03 Required conditions.

1126.04 Manufactured home site requirements.

1126.05 Parking, service drives, sidewalks and lighting.

1126.06 Utilities.

CROSS REFERENCES

Regulation of location of trades, buildings and uses by local authorities; authority to zone; acquisition of property - see M.C.L.A. Secs. 125.581, 125.582, 125.583a

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Effect of zoning ordinance or zoning decision in presence of demonstrated need for certain land use - see M.C.L.A. Sec. 125.592

Sale of manufactured homes - see B.R. & T. 886.15 et seq.

Manufactured home inspection and permit fees - see B. & H. 1440.01

1126.01 PURPOSE.

The MH Manufactured Home Community District is intended to provide a suitable environment with adequate space and proper supporting facilities for families and persons to live in manufactured home communities.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1126.02 PRINCIPAL USES PERMITTED.

Unless hereinafter provided, no building or premises shall be used and no building shall be erected or altered within the MH Manufactured Home Community District, except for one or more of the following uses. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Manufactured home communities.

(b) Accessory uses customarily associated with an above permitted principal use.

(c) Festivals. These shall meet the conditions set forth in Chapter 1153.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1126.03 REQUIRED CONDITIONS.

(a) Manufactured home communities are to be located on a parcel of land of not less than 20 acres. A minimum of 100 manufactured home spaces shall be available at first occupancy, together with any buildings, structures, enclosures, streets, drives, equipment, recreation area or facilities used or intended for use incidental to the development and occupancy of such manufactured homes.

(b) The manufactured home community site shall abut a minimum of a secondary thoroughfare having an existing or planned right-of-way of at least 86 feet and shall have direct access onto such thoroughfare.

(c) In each manufactured home community, there shall be provided a recreation area equal in size to at least 200 square feet per manufactured home site, which area shall be no longer than one and one-half times its width. Such area shall be graded, developed, sodded and maintained by the management so as to provide recreation for residents of the manufactured home community and shall be developed in one or more common uses areas. Required berm or greenbelt areas may not be counted in meeting the requirement.

(d) The manufactured home community site as adjacent to all abutting properties and public rights-of-way shall be enclosed with a four-foot, eight-inch high masonry wall, berms, landscaping or any combination thereof, subject to review and recommendation by the Planning Commission and approval by the Township Board.

(e) No business of any kind, with the exception of home occupations, shall be conducted in any manufactured home community, except for separate, permanent structures which contain facilities such as the management office, laundry, club houses or similar uses which are designed to serve only the residents of the manufactured home community.

(f) One identification sign may be approved in conjunction with the final site plan for the manufactured home community. The sign shall not be larger than 50 square feet in surface area nor stand higher than 15 feet from the ground to the top of the sign. Such sign shall be no closer to the public right-of-way than 20 feet. Flashing illumination of the sign shall be prohibited.

(g) Not more than one entry or one exit sign at each access drive onto the public right-of-way approved in conjunction with the final site plan approval may be allowed. In no case shall the sign be larger than two square feet in surface area, nor stand higher than five feet from the ground to the top of the sign.

(h) All manufactured home development shall further comply with Act 96 of the Public Acts of 1987, as amended.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1126.04 MANUFACTURED HOME SITE REQUIREMENTS.

(a) Manufactured home lots shall not be less than 4,000 square feet in area, exclusive of service drives, open space in the manufactured home community or other open areas not

specifically for manufactured home occupancy. The minimum width for manufactured home lots shall be 44 feet and the minimum depth shall be 90 feet.

(b) No manufactured home shall be located closer than 50 feet from any building within the community nor closer than ten feet from any property line bounding the park. No building or manufactured home shall be located closer than 25 feet from any public right-of-way.

(c) Each manufactured home site shall have the following minimum yard requirements:

(1) Front yard. Fifteen (15) feet.

(2) Side yards. Ten (10) feet.

(3) Rear yard. Ten (10) feet.

A. Hitches shall not extend beyond the boundary lines of the site. No outdoor storage or any kind shall be permitted within the manufactured home community.

(d) Each manufactured home site shall be provided with a concrete apron not less than ten feet wide by 50 feet in length and six inches in depth, subsurface drainage and assurance by a registered engineer that the foundation will not heave. In lieu of the foregoing apron requirements, concrete piers, to a minimum depth of 42 inches, shall be permitted subject to compliance with applicable Township codes and ordinances.

(e) There shall not be less than 360 square feet of floor space within each manufactured home.

(f) No structure shall exceed a height of two stories.

(Ord. 260. Passed 7-9-79; Ord. 260-A-22. Passed 7-14-80; Ord. Passed 10-30-23.)

1126.05 PARKING, SERVICE DRIVES, SIDEWALKS AND LIGHTING.

(a) Two concrete automobile parking spaces shall be required for each manufactured home site. One such space must be placed on the manufactured home site. The second space may be provided within off-street parking bays and shall measure ten feet wide by 20 feet long.

(b) All manufactured home pads and driveways shall be constructed of concrete and shall abut a service drive in accordance with the Subdivision Regulations and the Land Development Regulations.

(c) All service drive widths shall permit two-way traffic and be a minimum of 24 feet. On-street parking shall not be permitted.

(d) All service drives shall be provided with curbs and gutters and shall be properly drained.

(e) The manufactured home community shall be designed to provide a public sidewalk at least four feet wide from the entrance of the park to all manufactured home sites and all service facilities.

(f) Street and yard lights, sufficient to permit safe movement of vehicles and pedestrians at night, shall be provided and shall be so located and shaded as to direct the light away from adjacent properties.

(g) Mail boxes shall be located to permit central mail delivery.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1126.06 UTILITIES.

(a) Arrangements shall be made for all local distribution lines for telephone or electric services, exclusive of main supply and perimeter feed lines when located on section or quarter-section lines, to be placed entirely underground throughout the manufactured home community area, provided, however, that when a manufactured home community overlaps a section or quarter-section line, main supply and perimeter feed lines located on such section or quarter-section line shall be placed underground. The Township Board may waive or modify this requirement where, in its judgment, circumstances exist which render compliance impractical.

(b) Conduits or cables shall be placed within private easements provided to the service companies by the proprietor and/or developer or within public ways. Those telephone and electrical facilities placed in dedicated public ways shall be planned so as not to conflict with other underground utilities. All telephone and electrical facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission.

(c) All manufactured home communities shall be served by an approved municipal water and sewerage system.

(d) The plumbing connections to each manufactured home lot shall be constructed so that all lines are protected from freezing, from accidental bumping or from creating any type of nuisance or health hazard.

(e) An adequate amount of running water to individual sites shall be piped to and meet the requirements of the County and State Health Departments.

(f) Facilities for the storage and disposal of trash and garbage shall be provided in each manufactured home community. All refuse shall be stored in fly-tight, watertight, and rodent-proof containers. These shall be located not more than 150 feet from any manufactured home lot. Refuse collection areas shall be provided for all refuse containers. These areas shall be designed to prevent containers from being tipped, minimize spillage, and container deterioration. Refuse areas shall be screened by a six foot wooden fence with a gate.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

CHAPTER 1128
OS-1 Office/Service Low-Rise District

1128.01 Purpose.

1128.02 Principal uses permitted.

1128.03 Required conditions.

1128.04 Uses requiring special approval.

1128.05 Height, bulk, area and setback requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1128.01 PURPOSE.

The OS-1 Office/Service Low-Rise District, as herein established, is intended to accommodate office uses, office sales uses and services. This District is further intended to serve the function of land use transition between commercial districts, major thoroughfares having rights of way of 120 feet or greater and adjacent One-Family Residential Districts.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1128.02 PRINCIPAL USES PERMITTED.

In the OS-1 Office/Service Low-Rise District, no building or land shall be used and no building shall be erected except for one or more of the following uses, unless otherwise provided in this Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic and drafting, subject to limitations contained in Section 1128.03.

(b) Medical offices, including clinics only for human care.

(c) Banks, credit unions, savings and loan associations, loan companies, insurance offices, real estate offices and similar uses.

(d) Drive-in or drive-through facilities, when accessory or incidental to the above uses.

(e) Commercial television and radio towers accessory to uses permitted in this section.

(f) Funeral homes.

(g) Child care centers or adult daycare centers.

(h) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations (without storage yards).

(i) Private or public athletic clubs, health spas or figure salons.

(j) Veterinary clinics and hospitals, including facilities for overnight keeping of animals.

(k) Restaurants and other similar places serving food or beverages, excluding catering and banquet halls and drive-in/drive-through fast-food restaurants.

(l) Business or professional schools, operated for profit.

(m) Churches.

(n) Other uses similar to the above uses.

(o) Accessory uses customarily associated with an above permitted principal use.

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-80. Passed 11-13-84.)

(p) Festivals. These shall meet the conditions set forth in Chapter 1153.01(a)(20).

(Ord. 260-A-415. Passed 12-5-05; Ord. Passed 10-30-23.)

1128.03 REQUIRED CONDITIONS.

(a) The outdoor storage of goods or materials shall be prohibited irrespective of whether or not they are for sale.

(b) Warehousing or indoor storage of goods or materials, beyond that normally incidental to the above-permitted uses, shall be prohibited.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1128.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the OS-1 District, subject to the requirements and conditions set forth in Chapter 1153:

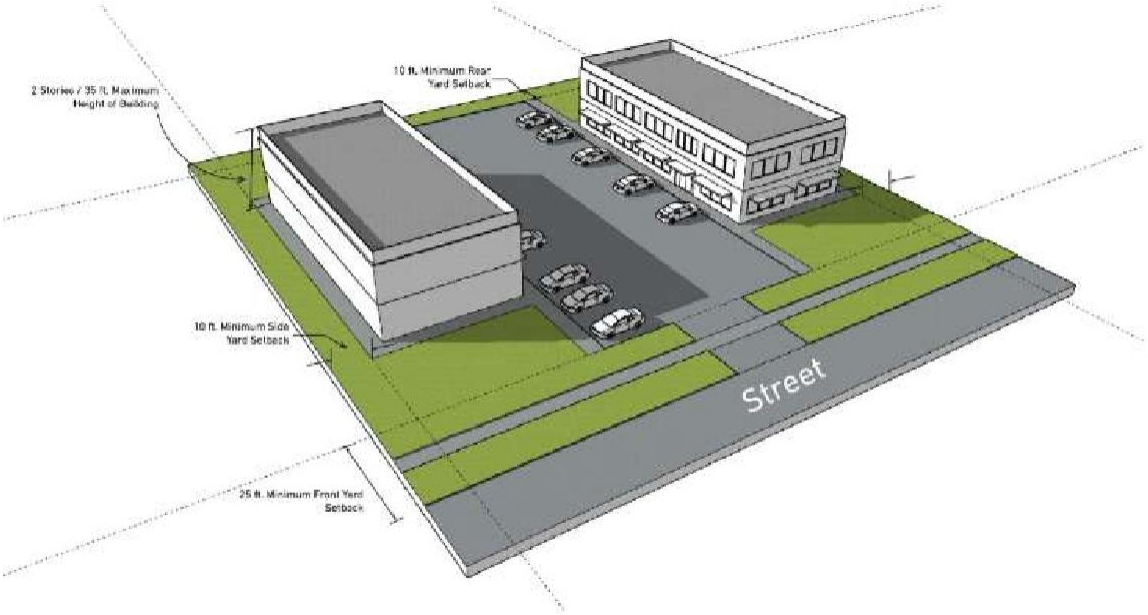
(a) Commercial television and radio broadcasting towers and cellular telephone antennae. (Ord. 260-A-277. Passed 9-30-96; Ord. Passed 10-30-23.)

1128.05 HEIGHT, BULK, AREA AND SETBACK REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building		***Minimum Yard Setback (Per Lot in Feet)***		
In Stories	***In Feet***	***Front***	***Side***	***Rear***
2	35a	25b	10c	10c, d

Figure 1: OS- 1 Dimensional Standards Diagram:



FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Modifications in height requirements above the 35 feet allowed within the district may be permitted subject to the requirements and conditions set forth in Chapter 1153.

(b) All required front yard setbacks shall be measured from the proposed right-of-way line of any abutting thoroughfare. In the instance of a corner lot or parcel of land abutting more than one public thoroughfare, all frontages shall require the minimum front yard setback specified in the district. Off-street parking shall be permitted to occupy a front yard setback in excess of the minimum setback of 25 feet.

(c) The minimum distance between any two buildings shall be 20 feet. In no instance shall a building be located closer than 25 feet to a residentially-zoned district.

(d) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Chapter 1156. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

CHAPTER 1130
OS-2 Office/Service Mid-Rise District

1130.01 Purpose.

1130.02 Principal uses permitted.

1130.03 Uses subject to special conditions.

1130.04 Height, bulk, area and setback requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1130.01 PURPOSE.

(a) The OS-2 Office/Service Mid-Rise District, as herein established, is intended to accommodate office uses performing administrative, professional and technical services within a structure having a height of at least three stories with a maximum of five stories.

(b) The District is further intended to serve as a transitional district between major thoroughfares and less intense uses of land, such as commercial, office/service (low-rise) and multiple-family residential.

(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

1130.02 PRINCIPAL USES PERMITTED.

In the OS-2 Office/Service Mid-Rise District, no land or building shall be used and no building shall be erected except for one or more of the following uses, unless otherwise provided in this Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic and drafting, subject to the limitations contained in Section 1130.04.

(b) Medical offices, including clinics only for human care solely serving patients on an out-patient basis.

(c) Banks, credit unions, savings and loan associations, loan companies, insurance offices, real estate offices and similar uses.

(d) Drive-in or drive-through facilities when accessory to the above uses.

(e) Child care centers or adult daycare centers.

(f) Other uses similar to the above uses.

(g) Accessory uses customarily associated with an above permitted principal use.

(h) Festivals. These shall meet the conditions set forth in Chapter 1153.

(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

1130.03 USES SUBJECT TO SPECIAL CONDITIONS.

The following uses shall be permitted subject to the conditions hereinafter imposed for each use and in Section 1130.04.

(a) Personal service establishments such as beauty parlors, barber shops and other similar uses may be permitted, provided that such uses are an integral part and wholly contained within the office structure of which they are a part.

(b) Restaurants or other places serving food or beverages, except banquet and catering halls and those having drive-ins or drive-throughs, provided that such uses are an integral part and wholly contained within the office structure of which they are a part and are subject to the conditions in 1113.01(a)(57).

(c) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations (without storage yards), when operation requirements necessitate the location of said building within the District in order to serve the immediate vicinity. The Planning Commission and the Township Board may require walls and landscaping in order to screen such uses where they deem the same to be necessary. This is also subject to the conditions in 1153.01(a)(53).

(Ord. 260-A-163. Passed 6-6-88.)

(d) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to conditions in 1153.01(a)(72).

(Ord. 260-A-277. Passed 9-30-96; Ord. Passed 10-30-23.)

1130.04 REQUIRED CONDITIONS.

(a) The outdoor storage of goods or materials shall be prohibited irrespective of whether or not they are for sale.

(b) Warehousing or indoor storage of goods or materials, beyond that normally incidental to the above-named permitted uses, shall be prohibited.

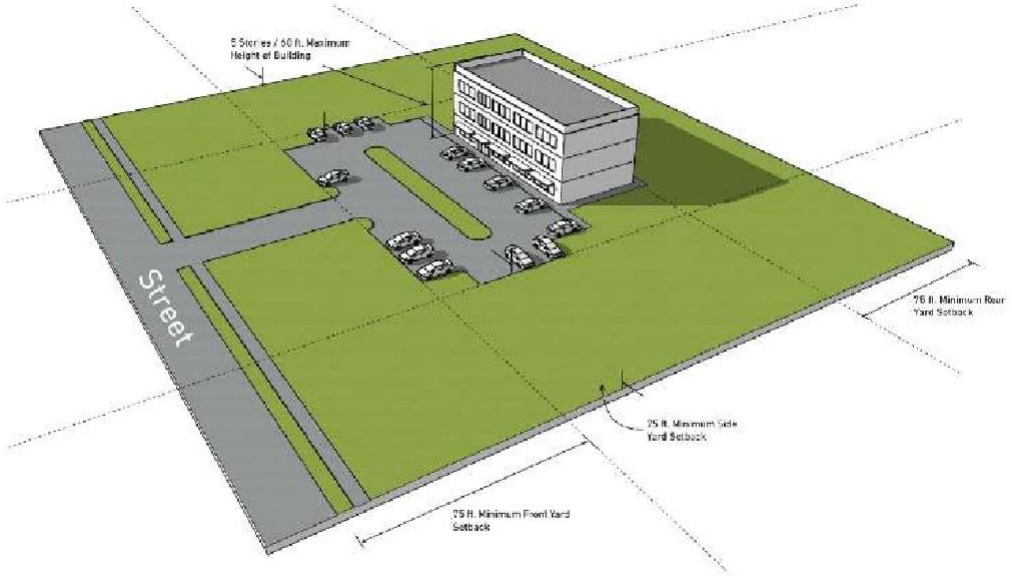
(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

1130.05 HEIGHT, BULK, AREA AND SETBACK REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building		*Minimum Yard Setback (Per Lot in Feet)*		
In Stories	***In Feet***	***Front***	***Side***	***Rear***
5	60	75	75	75

Figure 1: OS-2 Dimensional Standards Diagram:



(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

CHAPTER 1142
OS-3 Office/Service High-Rise District

1132.01 Purpose.

1132.02 Principal uses permitted.

1132.03 Uses subject to special conditions.

1132.04 Required conditions.

1132.05 Height, bulk, area and setback requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1132.01 PURPOSE.

(a) The OS-3 Office/Service High-Rise District, as herein established, is intended to accommodate office uses performing administrative, professional and technical services within a structure having a height of at least six stories with a maximum of nine stories.

(b) The District is further intended to serve as a transitional district between major thoroughfares and less intense uses of land, such as commercial, office/service (low-rise) and multiple-family residential.

(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

1132.02 PRINCIPAL USES PERMITTED.

In the OS-3 Office/Service High-Rise District, no land or building shall be used and no building shall be erected except for one or more of the following uses, unless otherwise provided in this Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic and drafting, subject to the limitations contained in Section 1132.04.

(b) Medical offices, including clinics only for human care solely serving patients on an out-patient basis.

(c) Banks, credit unions, savings and loan associations, loan companies, insurance offices, real estate offices and similar uses.

(d) Drive-in or drive-through facilities when accessory to the above uses.

(e) Child care centers or adult daycare centers.

(f) Other uses similar to the above uses.

(g) Accessory uses customarily associated with an above permitted principal use.

(h) Railroad rights-of-way.

(i) Carnivals and festivals. These shall meet the conditions set forth in Chapter 1153

(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

1132.03 USES SUBJECT TO SPECIAL CONDITIONS.

The following uses shall be permitted subject to the conditions hereinafter imposed for each use and in Section 1132.04 and Chapter 1153 .

(a) Personal service establishments such as beauty parlors, barber shops and other similar uses may be permitted, provided that such uses are an integral part and wholly contained within the office structure of which they are a part.

(b) Restaurants or other places serving food or beverages, except banquet and catering halls and those having drive-ins or drive-throughs, provided that such uses are an integral part and wholly contained within the office structure of which they are a part and are subject to the conditions in 1153.01(a)(57).

(c) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations (without storage yards), when operation requirements necessitate the location of said building within the District in order to serve the immediate vicinity. The Planning Commission and the Township Board may require walls and landscaping in order to screen such uses where they deem the same to be necessary. This is also subject to the conditions in 1153.01(a)(53).

(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

1132.04 REQUIRED CONDITIONS.

(a) The outdoor storage of goods or materials shall be prohibited irrespective of whether or not they are for sale.

(b) Warehousing or indoor storage of goods or materials, beyond that normally incidental to the above permitted uses, shall be prohibited.

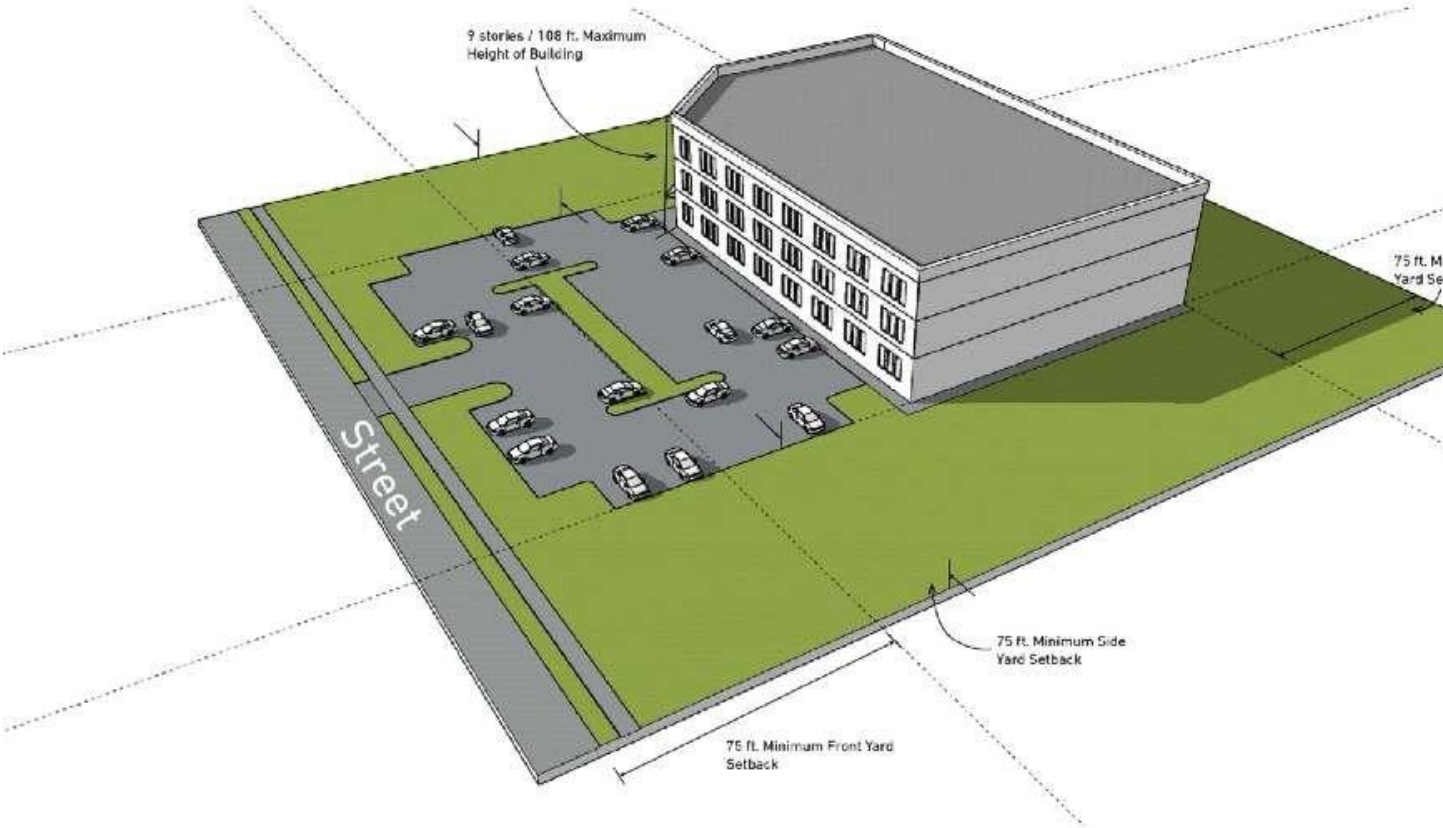
(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

1132.05 HEIGHT, BULK, AREA AND SETBACK REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building		*Minimum Yard Setback (Per Lot in Feet)*		
In Stories	***In Feet***	***Front***	***Side***	***Rear***
9	108	75a	75a	75a

Figure 1: OS-3 Dimensional Standards Diagram:



FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) The minimum setback from all property lines shall be the height of the building or 75 feet, whichever is greater. Parking may be permitted in all rear and side yard setbacks and in all but the front 25 feet of the front yard setback.

(Ord. 260-A-163. Passed 6-6-88; Ord. Passed 10-30-23.)

CHAPTER 1134
B-1 Neighborhood Business District

1134.01 Purpose.

1134.02 Principal uses permitted.

1134.03 Required conditions.

1134.04 Uses requiring special approval.

1134.05 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1134.01 PURPOSE.

The B-1 Neighborhood Business District, as herein established, is intended to permit those uses as are necessary to satisfy the basic convenience shopping and/or service needs of persons residing in nearby residential areas.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1134.02 PRINCIPAL USES PERMITTED.

In the B-1 Neighborhood Business District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Office buildings.

(b) Medical offices, including clinics only for human care.

(c) Banks, credit unions, savings and loan associations, loan companies, insurance offices, real estate offices and similar uses.

(d) Drive-in or drive-through facilities, when accessory or incidental to the above uses.

(e) Commercial television and radio towers accessory to uses permitted in this section.

(f) Funeral homes.

(g) Child care centers.

(h) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations (without storage yards).

(i) Business or professional schools, operated for profit.

(j) Schools, operated for profit, for the training or instruction of non-academic subjects such as, but not limited to, dance, music, martial arts and similar artistic or athletic pursuits

(k) Private or public athletic clubs, health spas or figure salons.

(l) Veterinary clinics and hospitals, including facilities for overnight keeping of animals.

(m) Restaurants or other similar places serving food or beverages, excluding catering and banquet halls and drive-in/drive-through fast-food restaurants.

(n) Retail businesses.

(o) Personal service establishments which perform services on the premises, such as repair shops for watches, radios, televisions, shoes, etc., tailor shops, beauty parlors, barber shops, photographic and interior decorating studios and self-service laundries, but excluding repair shops such as for lawnmowers, large appliances, furniture, etc.

(p) Dry cleaning establishments or pick-up stations dealing directly with the consumer.

(q) Florists and card and gift shops.

(r) Carry-out restaurants.

(s) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transfer stations and substations, gas regulator stations with service yards, but without storage yards, and water and sewer pumping stations, when operation requirements necessitate the locating of said buildings within the District in order to serve the immediate vicinity. The Planning Commission and the Township Board may require walls and landscaping in order to screen such uses where they deem the same to be necessary.

(t) Other uses similar to the above uses.

(u) Accessory uses customarily associated with an above permitted principal use.

(v) Schools, operated for profit, for the training or instruction of non-academic subjects such as, but not limited to, dance, music, martial arts and similar artistic or athletic pursuits, provided that the Department of Planning and Community Development determines that available off-street parking is adequate to serve the use.

(w) Churches.

(x) Internet sales establishments.

(y) Mixed-use buildings. If residential is a component of a mixed-use building, it shall be located above the first (1st) floor.

(z) Festivals. These shall meet the conditions set forth in Chapter 1153.01(a)(20).

(aa) Outdoor sales and display of goods which are accessory to a principal permitted use. These shall meet the conditions set forth in Chapter 1153.

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-80. Passed 11-13-84; Ord. 260-A-221. Passed 1-20-92; Ord. 260-A-292. Passed 8-18-97; Ord. 260-A-393. Passed 6-1-04; Ord. Passed 10-30-23.)

1134.03 REQUIRED CONDITIONS.

(a) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.

(b) All business, servicing or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building.

(c) The outdoor storage of goods or materials shall be prohibited irrespective of whether or not they are for sale.

(d) Warehousing or indoor storage of goods or materials, beyond that normally incidental to the above-permitted uses, shall be prohibited.

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-292. Passed 8-18-97; Ord. Passed 10-30-23.)

1134.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the B-1 District, subject to the requirements and conditions set forth in Chapter 1153:

(a) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to conditions in 1153.01(a)(72). (Ord. 260-A-277. Passed 9-30-96; Ord. 260-A-438. Passed 10-6-08; Ord. 260-A-440. Passed 7-13-09; Ord. Passed 10-30-23.)

1134.05 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements.

Maximum Height of Building	***Minimum Yard Setback (Per Lot in Feet)***		
In Feet	***Front***	***Side***	***Rear***
35a	25b	10c, d	10c, d

Figure 1: B-1 Dimensional Standards Diagram :

FOOT NOTES TO SCHEDULE OF REGULATIONS CHART

(a) Modifications in height requirements above the 35 feet allowed within the district may be permitted subject to the requirements and conditions set forth in Chapter 1153.

(b) All required front yard setbacks shall be measured from the proposed right-of-way line of any abutting thoroughfare. In the instance of a corner lot or parcel of land abutting

more than one public thoroughfare, all frontages shall require the minimum front yard setback specified in the district. Off-street parking shall be permitted to occupy a front yard setback in excess of the minimum setback of 25 feet.

(c) The minimum distance between any two buildings shall be 20 feet. In no instance shall a building be located closer than 25 feet to a residentially-zoned district.

(d) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Chapter 1123. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

CHAPTER 1136
B-2 Community Business District

1136.01 Purpose.

1136.02 Principal uses permitted.

1136.03 Required conditions.

1136.04 Uses requiring special approval.

1136.05 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1136.01 PURPOSE.

The B-2 Community Business District is established to cater to the needs of a larger consumer population than is served by the B-1 Neighborhood Business District, and is

characterized by an integrated or planned cluster of establishments served by a common parking area and generating large volumes of vehicular and pedestrian traffic.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1136.02 PRINCIPAL USES PERMITTED.

In the B-2 Community Business District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Office buildings.

(b) Medical offices, including clinics only for human care.

(c) Banks, credit unions, savings and loan associations, loan companies, insurance offices, real estate offices and similar uses.

(d) Drive-in or drive-through facilities, when accessory or incidental to the above uses.

(e) Commercial television and radio towers accessory to uses permitted in this section.

(f) Funeral homes.

(g) Child care centers.

(h) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations (without storage yards).

(i) Schools, operated for profit, for the training or instruction of non-academic subjects such as, but not limited to, dance, music, martial arts and similar artistic or athletic pursuits.

(j) Private or public athletic clubs, health spas or figure salons.

(k) Veterinary clinics and hospitals, including facilities for overnight keeping of animals.

(l) Restaurants or other similar places serving food or beverages, excluding catering and banquet halls and drive-in/drive-through fast-food restaurants.

(m) Business or professional schools, operated for profit.

(n) Dry cleaning establishments or pick-up stations dealing directly with the consumer.

(o) Florists and card and gift shops.

(p) Carry-out restaurants.

(q) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transfer stations and substations, gas regulator stations with service yards, but without storage yards, and water and sewer pumping stations, when operation requirements necessitate the locating of said buildings within the District in order to serve the immediate vicinity. The Planning Commission and the Township Board may require walls and landscaping in order to screen such uses where they deem the same to be necessary.

(r) Internet sales establishments.

(s) Mixed-use buildings. If residential is a component of a mixed-use building, it shall be located above the first (1st) floor.

(t) Festivals. These shall meet the conditions set forth in Chapter 1153.01(a)(20).

(u) Outdoor sales and display of good which are accessory to a Principal Permitted Use. These shall meet the conditions set forth in Chapter 1153.

(v) All retail businesses and service establishments.

(w) Churches worship.

(x) An open-air business may be permitted within a planned shopping center.

(y) Printing and publishing establishments.

(z) Body art studios.

(aa) Other uses similar to the above.

(bb) Accessory uses customarily associated with an above permitted principal use.

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-221. Passed 1-20-92; Ord. Passed 10-30-23.)

1136.03 REQUIRED CONDITIONS.

(a) All business establishments shall be retail or service establishments dealing directly with consumers, unless otherwise provided herein. All goods produced on the premises shall be sold at retail on the premises where produced.

(b) All business, servicing and processing, except for off-street parking, loading and unloading, and those open-air uses indicated as being permissible, shall be conducted within completely enclosed buildings.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1136.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the B-2 District, subject to the requirements and conditions set forth in Chapter 1153:

(a) Open air sales which are accessory to a principal permitted use.

(b) Automotive service centers, including the service and sale of such items as batteries, brakes, tires, exhaust systems, engines, transmissions, etc., subject to the conditions in 1153.01(a)(12).

(c) Banquet and catering halls, subject to the conditions in 1153.01(a)(14).

(d) Commercial outdoor recreation subject to the conditions in 1153.01(a)(25).

(Ord. 260-A-58. Passed 8-22-83.)

(e) Full-service auto wash with no gasoline dispensing facilities, subject to conditions in 1153.01(a)(8).

(Ord. 260-A-122. Passed 7-7-86.)

(f) Automobile dealerships offering new car sales subject to the conditions in 1153.01(a)(9).

(Ord. 260-A-242. Passed 10-18-93.)

(g) Billiard halls and coin and/or token-operated amusement arcades, subject to the conditions in 1153.01(a)(15).

(Ord. 260-A-249. Passed 8-22-94.)

(h) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to conditions in 1153.01(a)(72).

(Ord. 260-A-277. Passed 9-30-96.)

(Ord. 260-A-438. Passed 10-6-08; Ord. 260-A-440. Passed 7-13-09; Ord. Passed 10-0-23.)

1136.05 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and building shall meet the following dimensional requirements:

Maximum Height of Building	***Minimum Yard Setback (Per Lot in Feet)***		
In Feet	***Front***	***Side***	***Rear***
35a	75b, c	30c, d	60c, d

Figure 1: B-2 Dimensional Standards Diagram:

FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Modifications in height requirements above the 35 feet allowed within the district may be permitted subject to the requirements and conditions set forth in Section 1158.02; Uses Requiring Special Approval; Procedure.

(b) In the instance of a corner lot or parcel of land abutting more than one public thoroughfare, all frontages shall require the minimum front yard setback specified in the district. No off-street parking or maneuvering lanes shall be permitted within the 25 foot front yard setback measured from the proposed right-of-way line. Parking shall be permitted to occupy the remaining 50-foot setback.

(c) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those

instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Section 1154. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(d) Setback applies only to planned shopping center. Other developments shall meet the minimum requirements of the B-1 Neighborhood Business District.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-0-23.)

CHAPTER 1138
B-3 General Business District

1138.01 Purpose.

1138.02 Principal uses permitted.

1138.03 Required conditions.

1138.04 Uses requiring special approval.

1138.05 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1138.01 PURPOSE.

The B-3 General Business District is characterized by more diversified business uses that are often located so as to serve the passersby, which uses would often be incompatible with pedestrian movement in the B-1 Neighborhood Business District or B-2 Community Business District.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1138.02 PRINCIPAL USES PERMITTED.

In the B-3 General Business District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Office buildings.

(b) Medical offices, including clinics only for human care.

(c) Banks, credit unions, savings and loan associations, loan companies, insurance offices, real estate offices and similar uses.

(d) Drive-in or drive-through facilities, when accessory or incidental to the above uses.

(e) Commercial television and radio towers accessory to uses permitted in this section.

(f) Funeral homes.

(g) Child care centers.

(h) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations (without storage yards).

(i) Schools, operated for profit, for the training or instruction of non-academic subjects such as, but not limited to, dance, music, martial arts and similar artistic or athletic pursuits.

(j) Business or professional schools, operated for profit.

(k) Business schools or private schools operated for profit.

(l) Catering or banquet halls.

(m) Private or public athletic clubs, health spas or figure salons.

(n) Veterinary clinics and hospitals, including facilities for overnight keeping of animals.

(o) Restaurants or other similar places serving food or beverages, excluding catering and banquet halls and drive-in/drive-through fast-food restaurants.

(p) Dry cleaning establishments or pick-up stations dealing directly with the consumer.

(q) Florists and card and gift shops.

(r) Carry-out restaurants.

(s) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transfer stations and substations, gas regulator stations with service yards, but without storage yards, and water and sewer pumping stations, when operation requirements necessitate the locating of said buildings within the District in order to serve the immediate vicinity. The Planning Commission and the Township Board

may require walls and landscaping in order to screen such uses where they deem the same to be necessary.

(t) All retail businesses and service establishments.

(u) An open-air business.

(v) Automotive service center.

(w) Printing and publishing establishments.

(x) Body art studios.

(y) Business schools or private schools operated for profit.

(z) Catering or banquet halls.

(aa) Home modernization sales, residential garage sales and swimming pool sales, excluding manufacturing and processing facilities and outdoor storage.

(bb) Lawn and garden supply sales, including an accessory outdoor sales area, provided such outdoor sales area is completely fenced and obscured from public view.

(cc) Accessory or ancillary oil and gas well or use structures.

(dd) Hotels or motels.

(ee) Churches.

(ff) Billiard halls, coin and/or token-operated amusement arcades, nightclubs and skating rinks.

(gg) Auto wash rack or motor vehicle laundry.

(hh) New vehicle sales showrooms and service facilities.

(ii) Bus passenger stations.

(jj) Massage parlors, subject to the following: The use shall comply with Chapter 850 of these Codified Ordinances.

(kk) Other uses similar to the above.

(ll) Accessory uses customarily associated with an above permitted principal use.

(mm) Festivals. These shall meet the conditions set forth in Chapter 1153.

(nn) Intermodal transportation facility.

(oo) Internet sales establishments.

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-80. Passed 11-13-84; Ord. 260-A-217. Passed 5-13-91; Ord. 260-A-221. Passed 1-20-92; Ord. 260-A-277. Passed 9-30-96; Ord. 260-A-

314. Passed 8-10-98; Ord. 260-A-361. Passed 1-28-02; Ord. 260-A-399. Passed 10-4-04; Ord. 260-A-454. Passed 1-11-16; Ord. 260-A-483. Passed 6-15-20; Ord. Passed 10-30-23.)

1138.03 REQUIRED CONDITIONS.

(a) All business establishments shall be retail or service establishments dealing solely with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.

(b) All business, servicing or processing, except for off-street parking or loading, and those uses otherwise permitted in this chapter, shall be conducted within a completely enclosed building.

(c) The outdoor storage of goods or materials shall be prohibited irrespective of whether or not they are for sale, unless otherwise permitted in this District.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1138.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the B-3 District, subject to the requirements and conditions set forth in Chapter 1153:

(a) Adult foster care homes, subject to the conditions in 1153.01(a)(4).

(b) Commercial outdoor recreation, subject to the conditions in 1153.01(a)(25).

(c) Automobile painting, bumping and welding shops, subject to the conditions in 1153.01(a)(10).

(d) Open outdoor sales which are accessory to a principal permitted use.

(e) Automotive service stations or other facilities dispensing gasoline on a retail basis, subject to the conditions in 1153.01(a)(11).

(f) Fast-food restaurants with drive-thru, subject to the conditions in 1153.01(a)(27).

(g) Open-air business uses, including outdoor space for the sale or rental of automobiles, agricultural implements, boats or mobile homes, subject to the conditions in 1153.01(a)(44).

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-217. Passed 5-13-91; Ord. 260-A-221. Passed 1-20-92; Ord. 260-A-249. Passed 8-22-94.)

(h) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to the conditions in 1153.01(a)(72).

(Ord. 260-A-277. Passed 9-30-96.)

(i) Recreational vehicle storage facilities, subject to the conditions in 1153.01(a)(56).

(Ord. 260-A-361. Passed 1-28-02.)

(j) Private clubs and/or lodge halls, subject to the conditions in 1153.01(a)(51).

(k) Adult use businesses, pawnbrokers, payday advance/check-cashing businesses, resale shops, second-hand dealers, gold sell/buy businesses, precious gems and metals sell/buy businesses, used goods businesses, and other similar uses to the above, subject to the conditions in 1153.01(a)(5).

(Ord. 260-A-438. Passed 10-6-08; Ord. 260-A-440. Passed 7-13-09; Ord. Passed 10-30-23.)

1138.05 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building	***Minimum Yard Setback (Per Lot in Feet)***		
In Feet	***Front***	***Side***	***Rear***
35a	25b	10c, d	10c, d

Figure 1: B-3 Dimensional Standards Diagram:

FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Modifications in height requirements above the 35 feet allowed within the district may be permitted subject to the requirements and conditions set forth in Chapter 1153.

(b) All required front yard setbacks shall be measured from the proposed right-of-way line of any abutting thoroughfare. In the instance of a corner lot or parcel of land abutting more than one public thoroughfare, all frontages shall require the minimum front yard setback specified in the district. Off-street parking shall be permitted to occupy a front yard setback in excess of the minimum setback of 25 feet.

(c) The minimum distance between any two buildings shall be 20 feet. In no instance shall a building be located closer than 25 feet to a residentially-zoned district.

(d) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Chapter 1156. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

CHAPTER 1139
B-4 Regional Business District

1139.01 Purpose.

1139.02 Principal uses permitted.

1139.03 Required conditions.

1139.04 Uses requiring special approval.

1139.05 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1139.01 PURPOSE.

The B-4 Regional Business District is established to accommodate the needs of a regionally based consumer population, within an aesthetically attractive and well-integrated district. (Ord. 260-A-305. Passed 3-23-98; Ord. Passed 10-30-23.)

1139.02 PRINCIPAL USES PERMITTED.

In the B-4 Regional Business District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Planned shopping centers, as defined in Section 1110.11, and exceeding 100,000 square feet. All uses within a planned shopping center must meet the conditions established under Sections 1134.02 and 1136.02.

(b) Department stores and other retail businesses which exceed 50,000 square feet, and which offer the sale of merchandise, including such items as apparel, home furnishings, food, jewelry, pets, appliances, sporting goods and toys, and whose activities are completely conducted within an enclosed building.

(c) Office buildings exceeding 50,000 square feet which are used for medical, professional, administrative or research purposes.

(d) Full-service restaurants serving food and beverages and whose primary purpose is for the food or beverage to be consumed within the building. No "drive thru" windows shall be permitted.

(e) Indoor theaters, auditoriums, concert halls or other similar indoor places of assembly.

(f) Business and technical schools.

(g) Health and athletic clubs.

(h) Indoor commercial recreation uses, such as bowling alleys, indoor archery, indoor soccer, ice skating, roller skating, racquet clubs or similar establishments. However, billiard halls and coin or token-operated amusement arcades, and adult-use oriented businesses, are expressly prohibited.

(i) Hotels and motels, provided that units shall not be occupied as a place of permanent residence and a guest register shall be maintained by the hotel or motel.

(j) Banquet and catering halls.

(k) Internet sales establishments.

(l) Festivals. These shall meet the conditions set forth in Chapter 1153.

(Ord. 260-A-305. Passed 3-23-98; Ord. Passed 10-30-23.)

1139.03 REQUIRED CONDITIONS.

(a) All business establishments shall be retail or service establishments dealing directly with consumers, unless otherwise provided herein. All goods produced on the premises shall be sold at retail on the premises where produced.

(b) All business, except for off-street parking, loading and unloading, and those open- air uses indicated as being permissible, shall be conducted within completely enclosed buildings.

(c) Direct access to each parcel must be from an internal marginal access road having a width of 30 feet, and not from the abutting thoroughfare. The Township Board may waive this requirement if such parallel access drive is impractical to construct and would serve no useful purpose.

(d) Curb cuts for vehicular ingress and/or egress from a marginal access road to a major or secondary thoroughfare shall be no closer than 500 feet from each other.

(e) In addition to the minimum landscape requirements specified in this Zoning Code, all landscaping must be consistent with any corridor landscape plan adopted by the Township.

(f) All buildings shall be constructed of brick or scored block on all sides.

(g) All buildings shall be designed to give the appearance of having sloped roofs with a pitch of not less than three/twelve, as reviewed from all public rights of way.

(Ord. 260-A-305. Passed 3-23-98; Ord. Passed 10-30-23.)

1139.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the B-4 District, subject to the requirements and conditions set forth in Chapter 1153:

(a) Automobile dealerships offering new car sales, subject to the conditions in 1153.01(a)(9). (Ord. 260-A-305. Passed 3-23-98.)

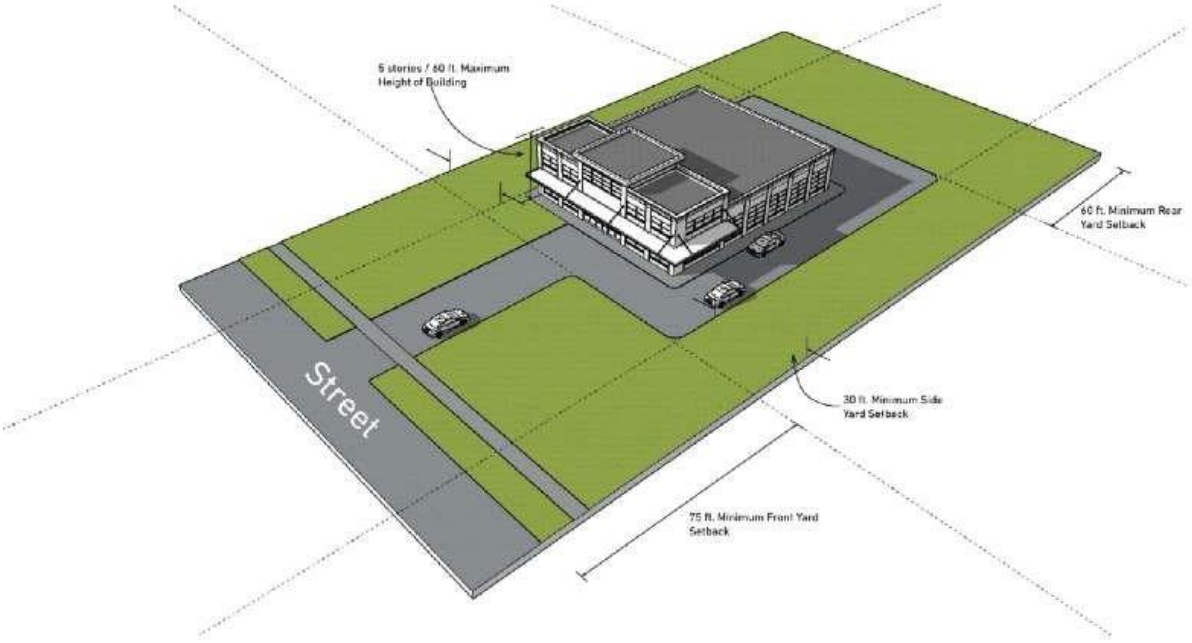
(b) Accessory or ancillary oil and gas uses and structures, subject to the conditions in 1153.01(a)(6). (Ord. 260-A-454. Passed 1-11-16; Ord. Passed 10-30-23.)

1139.05 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building		***Minimum Yard Setback (Per Lot in Feet)***		
In Stories	***In Feet***	***Front***	***Side***	***Rear***
5	60	75a	30b, c	60b, c

Figure 1: B-4 Dimensional Standards Diagram:



FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) In the instance of a corner lot or parcel of land abutting more than one public thoroughfare, all frontages shall require the minimum front yard setback specified in the district. No off-street parking or maneuvering lanes shall be permitted within the 25 foot front yard setback measured from the proposed right-of-way line. Parking shall be permitted to occupy the remaining 50-foot setback.

(b) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Chapter 1156. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(c) Parking may be permitted to occupy the rear and side yard setbacks. However, a minimum landscaped setback of 20 feet shall be maintained from the rear and side property lines.

(Ord. 260-A-305. Passed 3-23-98; Ord. Passed 10-30-23.)

CHAPTER 1140
I-1 Light Industrial District

1140.01 Purpose.

1140.02 Principal uses permitted.

1140.03 Required conditions.

1140.04 Uses requiring special approval.

1140.05 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1140.01 PURPOSE.

(a) The I-1 Light Industrial District is designed to primarily accommodate industrial operations conducted wholly within a building, the physical effects of which operation are restricted to the District and in no manner affect, in a detrimental way, any of the surrounding districts.

(Ord. 260-A-314. Passed 8-10-98.)

(b) It is the intent of the Township of Clinton to carefully preserve land in the I-1 Light Industrial District for manufacturing and related uses. Therefore, only in exceptional circumstances will certain convenience services, necessary to serve the basic light industrial and related uses, be permitted. It is also the intent of this chapter that manufacturing, processing and assembly from raw materials shall be prohibited.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1140.02 PRINCIPAL USES PERMITTED.

In an I-1 Light Industrial District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Educational, research and design facilities charged with the principal function of research and development of new products and processes and technical training.

(b) Industrial, scientific or commercial research, development and testing laboratories.

(c) Executive and administrative offices.

(d) Industrial, medical and dental clinics, medical, optical, pharmaceutical and dental laboratories and veterinary hospitals and clinics.

(e) Data processing and computer centers, including service and maintenance of electronic data processing equipment.

(f) Legal, engineering, surveying, accounting, architectural and similar professional offices.

(g) Trade, industrial or technical schools.

(h) Radio and television broadcasting stations, excluding towers.

(i) Printing, publishing, photographic processing or allied industries.

(j) Limited retail sales of products customarily incidental to the principal uses.

(k) The manufacturing, compounding, assembling or treatment of articles from previously prepared materials, such as: electronics, food goods, candy, pharmaceuticals, cosmetics, toiletries, optical goods, toys, electrical equipment, appliances, pottery, hardware, cutlery, and small auto parts. This is provided that such activity is completely contained within the building. Outside storage is prohibited in the District.

(l) Laboratories for experiments, filming or testing.

(m) The manufacture and repair of electric or neon signs, light sheet-metal products, including heating and ventilating equipment, cornices, eaves and the like.

(n) Warehousing and wholesale establishments.

(o) Greenhouses with retail adjuncts.

(p) Central dry-cleaning plants or laundries.

(q) Fence, awning, roofing and landscaping sales uses, including outdoor display areas.

(r) Automotive painting, bumping and welding shops and tire recapping, when completely enclosed.

(s) Metal plating, buffing and polishing.

(t) Lumber yards.

(u) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, gas regulator stations with service yards, but without storage yards, and water and sewer pumping stations, when operational requirements necessitate the locating of said buildings within the District in order to serve the immediate vicinity. The Planning Commission and the Township Board may require walls and landscaping in order to screen such uses where they deem the same to be necessary.

(v) Churches.

(w) Other uses similar to the above.

(x) Accessory uses customarily associated with an above permitted principal use.

(y) Indoor commercial recreation facilities such as bowling alleys, archery ranges, sports arenas, skating rinks, racquet ball courts and similar establishments. However, billiard halls, coin or token-operated amusement arcades and adult-use businesses are expressly prohibited.

(z) Schools, operated for profit, for the training or instruction of non-academic subjects such as, but not limited to, dance, music, martial arts and similar artistic or athletic pursuits provided that the Department of Planning and Community Development determines that available off-street parking is adequate to serve the use.

(aa) Automotive service and repair of such items as batteries, brakes, tires, glass, exhaust systems, upholstery, undercoating, transmissions and engines.

(bb) Internet sales establishments.

(cc) Accessory or ancillary oil and gas uses or structures shall be permitted subject to the further provisions of Chapter 1153.01(a)(6).

(dd) Carnivals and Festivals. These shall meet the conditions set forth in Chapter 1153.01(a)(20).

(ee) Outdoor Sales and Display of Goods which are accessory to a Principal Permitted Use. These shall meet the conditions set forth in Chapter 1153.01(a)(46)

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-292. Passed 8-18-97; Ord. 260-A-314. Passed 8-10-98; Ord. 260-A-393. Passed 6-1-04; Ord. 260-A-402. Passed 12-20-04; Ord. 260-A-414. Passed 11-7-05; Ord. 260-A-454. Passed 1-11-16.)

1140.03 REQUIRED CONDITIONS.

(a) Any use established in the I-1 District, after the effective date of this Zoning Code, shall be operated so as to comply with the performance standards set forth in Chapter 1156: (Ord. 260-A-58. Passed 8-22-83.)

(b) All industrial type uses as identified in 1140.02 must be conducted wholly within a completely enclosed building. Outdoor storage of any goods, materials or products accessory to the principal use may be permitted to occupy a non-required rear yard or interior side yard, provided that such storage area is adequately screened from all property lines in a manner approved by the Township Board, upon recommendation from the Planning Commission. Such outdoor storage shall not occupy an area greater than 50% of the floor area of the principal use, or 5,000 square feet, whichever is less. (Ord. 260-A-163. Passed 6-6-88.)

(c) Parking facilities, other than for customer or employee parking, of operational vehicles incidental to all permitted uses in the I-1 Light Industrial District, shall conform to the following:

(1) All such parking of vehicles shall be in the rear yard.

(2) The Planning Commission and the Township Board shall approve the location and layout of such parking areas.

(3) Outdoor storage of inoperative or wrecked vehicles is prohibited.

(Ord. 260-A-58. Passed 8-22-83.)

(d) For all parcels directly abutting a major thoroughfare, access to the parcel shall be from an internal marginal access road having a width of 30 feet and not directly from the abutting thoroughfare. The Township Board, upon recommendation from the Planning Commission, may waive this requirement if such marginal access road is impractical to construct or would serve no useful purpose. In granting such waiver, the Township Board may require easements to provide for vehicular access to existing or proposed adjacent parking lots in order to minimize the need for driveways to each facility and thereby decreasing hazards to vehicle traffic. In such instances, a reciprocal use agreement shall be signed by each owner in a form satisfactory to the Township Attorney and shall be recorded with the Macomb County Register of Deeds.

(e) Curb cuts for vehicular access to and from a marginal access road to and from the abutting major thoroughfare shall be no closer than 300 feet to each other.

(Ord. 260-A-314. Passed 8-10-98; Ord. Passed 10-30-23.)

1140.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the I-1 District, subject to the requirements and conditions set forth in Section 1153:

(a) Golf courses and country clubs, subject to the conditions in 1153.01(a)(30).

(b) Commercial outdoor recreation, subject to the conditions in 1153.01(a)(25).

(c) Commercial kennels, subject to the conditions in 1153.01(a)(24).

(d) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to the conditions in 1153.01(a)(71).

(e) Banks, savings and loan associations and credit unions, subject to the conditions in 1153.01(a)(13).

(f) Outdoor theaters, subject to the conditions in 1153.01(a)(47).

(g) Horse and dog tracks, subject to the conditions in 1153.01(a)(32).

(h) Private clubs and/or lodge halls, subject to the conditions in 1153.01(a)(50).

(i) Recreational vehicle storage facilities, subject to the conditions in 1153.01(a)(56).

(j) Truck repair (minor) facilities, subject to the conditions in 1153.01(a)(68).

(k) Mini-warehouse or self-storage facilities, subject to the conditions in 1153.01(a)(39).

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-221. Passed 1-20-92; Ord. 260-A-239. Passed 8-23-93; Ord. 260-A-277. Passed 9-30-96; Ord. 260-A-314. Passed 8-10-98; Ord. 260-A-361. Passed 1-28-02; Ord. 260-A-483. Passed 6-15-20; Ord. Passed 10-30-23.)

1140.05 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building	***Minimum Yard Setback (Per Lot in Feet)***			
In Feet	Front (adjacent to right- of-way having width of 120 feet or greater)	Front (adjacent to right- of-way having width of less than 120 feet)	Side	Rear
35a	60b	25b	10c, d	10c, d

Figure 1: I-1 Dimensional Standards Diagram:

FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Modifications in height requirements above the 35 feet allowed within the district may be permitted subject to the requirements and conditions set forth in Chapter 1153.

(b) In the instance of a corner lot or parcel of land abutting more than one public thoroughfare, all frontages shall require the minimum front yard setback as specified above.

(c) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Section 1154. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(d) The minimum distance between any two buildings shall be 20 feet. In no instance shall a building be located closer than 50 feet to a residentially-zoned district.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

CHAPTER 1142
I-2 General Industrial District

1142.01 Purpose.

1142.02 Principal uses permitted.

1142.03 Required conditions.

1142.04 Uses requiring special approval.

1142.05 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1142.01 PURPOSE.

(a) The I-2 General Industrial District is established primarily for manufacturing, assembly and fabrication activities including large-scale or specialized industrial operations whose external physical effects will be felt, to some degree, by surrounding districts. The I-2 District is structured so as to permit, in addition to I-1 Light Industrial uses, the manufacturing, processing and compounding of semi-finished or finished products from raw materials.

(b) It is the intent of the Township of Clinton to carefully preserve land in the I-2 General Industrial District for manufacturing and related uses. Therefore, only in exceptional circumstances will certain convenience services necessary to serve the industrial uses be permitted.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1142.02 PRINCIPAL USES PERMITTED.

In an I-2 General Industrial District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Educational, research and design facilities charged with the principal function of research and development of new products and processes and technical training.

(b) Industrial, scientific or commercial research, development and testing laboratories.

(c) Executive and administrative offices.

(d) Industrial, medical and dental clinics, medical, optical, pharmaceutical and dental laboratories and veterinary hospitals and clinics.

(e) Data processing and computer centers, including service and maintenance of electronic data processing equipment.

(f) Legal, engineering, surveying, accounting, architectural and similar professional offices.

(g) Trade, industrial or technical schools.

(h) Radio and television broadcasting stations, excluding towers.

(i) Printing, publishing, photographic processing or allied industries.

(j) The manufacturing, compounding, assembling or treatment of articles from previously prepared materials, such as: electronics, food goods, candy, pharmaceuticals, cosmetics, toiletries, optical goods, toys, electrical equipment, appliances, pottery, hardware, cutlery, and small auto parts. This is provided that such activity is completely contained within the building. Outside storage is prohibited in the District.

(k) Laboratories for experiments, filming or testing. The manufacture and repair of electric or neon signs, light sheet-metal products, including heating and ventilating equipment, cornices, eaves and the like.

(l) Warehousing and wholesale establishments.

(m) Greenhouses with retail adjuncts. The Township Board may establish such conditions as it deems necessary to insure the compatibility of the development with surrounding uses or districts.

(n) Mini-warehouse or self-storage facilities subject to conditions set forth in Chapter 1153, Use Standards.

(o) Central dry-cleaning plants or laundries.

(p) Fence, awning, roofing and landscaping sales uses, including outdoor display areas.

(q) Automotive painting, bumping and welding shops and tire recapping, when completely enclosed.

(r) Metal plating, buffing and polishing.

(s) Lumber yards.

(t) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, gas regulator stations with service yards, but without storage yards, and water and sewer pumping stations, when operational requirements necessitate the locating of said buildings within the District in order to serve the immediate vicinity. The Planning Commission and the Township Board may require walls and landscaping in order to screen such uses where they deem the same to be necessary.

(u) Other uses similar to the above.

(v) Accessory buildings and uses customarily incidental to any of the above-permitted uses.

(w) Indoor commercial recreation facilities such as bowling alleys, archery ranges, sports arenas, skating rinks, racquet ball courts and similar establishments. However, billiard halls, coin or token-operated amusement arcades and adult-use businesses are expressly prohibited.

(x) Schools, operated for profit, for the training or instruction of non-academic subjects such as, but not limited to, dance, music, martial arts and similar artistic or athletic pursuits provided that the Department of Planning and Community Development determines that available off-street parking is adequate to serve the use.

(y) Automotive service and repair of such items as batteries, brakes, tires, glass, exhaust systems, upholstery, undercoating, transmissions and engines.

(z) Heating and electric power-generating plants and all accessory uses.

(aa) Any production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products which shall conform with the performance standards set forth in Section 1156.

(bb) Storage facilities for building materials, sand, gravel, stone or lumber or for contractors' equipment and supplies. The Planning Commission and Township Board may require walls, berms or landscaping where they deem the same to be necessary to minimize the effect of the use upon surrounding properties.

(cc) Storage facilities for operative boats, trailers, recreation vehicles and other such vehicles. The Planning Commission and Township Board may require walls, berms or landscaping where they deem the same to be necessary to minimize the effect of the use upon surrounding properties.

(dd) Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.

(ee) Storage and transfer for electric and gas service buildings and yards, water supply and sewage disposal plants, water and propane tank holders, railroad transfer and storage tracks, railroad rights of way and freight terminals.

(ff) Other uses similar to the above uses.

(gg) Accessory uses customarily associated with an above permitted principal use.

(hh) Trucking operations, including sales, service and repair subject to the conditions set forth in Chapter 1153, Use Standards.

(ii) Accessory or ancillary oil and gas uses or structures shall be permitted subject to the further provisions of the Code Section 1154.

(jj) Carnivals and Festivals. These shall meet the conditions set forth in Chapter 1153.

(kk) Limited retail sales of products customarily incidental to the principal uses.

(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-314. Passed 8-10-98;(Ord. 260-A-454. Passed 1-11-16; Ord. 260-A-483. Passed 6-15-20; Ord. Passed 10-0-23.)

1142.03 REQUIRED CONDITIONS.

(a) Any use established in the I-2 District, after the effective date of this Zoning Code, shall be operated so as to comply with the performance standards set forth in Section 1156.

(b) Open storage of any equipment, vehicles, boats, airplanes and other natural and man-made materials shall be permitted in the I-2 General Industrial District, subject to the following regulations, unless otherwise provided in this Zoning Code:

(1) Open storage shall be only in a side or rear yard and shall be screened from public view, from public rights-of-way and front yards of adjoining Residential Districts by an enclosure consisting of an obscuring masonry wall six feet in height.

(2) Open storage facilities shall be kept orderly in appearance and shall be maintained in a clean and safe condition so as to promote and protect the public health, safety and general welfare of the inhabitants of the Township of Clinton.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

1142.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the I-2 District subject to the requirements and conditions set forth in Section 1153:

(a) Commercial outdoor recreation, subject to the conditions in 1153.01(a)(25).

(b) Commercial kennels, subject to the conditions in 1153.01(a)(24).

(c) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to the conditions in 1153.01(a)(71).

(d) Outdoor theaters, subject to the conditions in 1153.01(a)(47).

(e) Auto race tracks, subject to the conditions in 1153.01(a)(7).

(f) Horse and dog tracks, subject to the conditions in 1153.01(a)(32).

(g) Junk yards, subject to the conditions in 1153.01(a)(34).

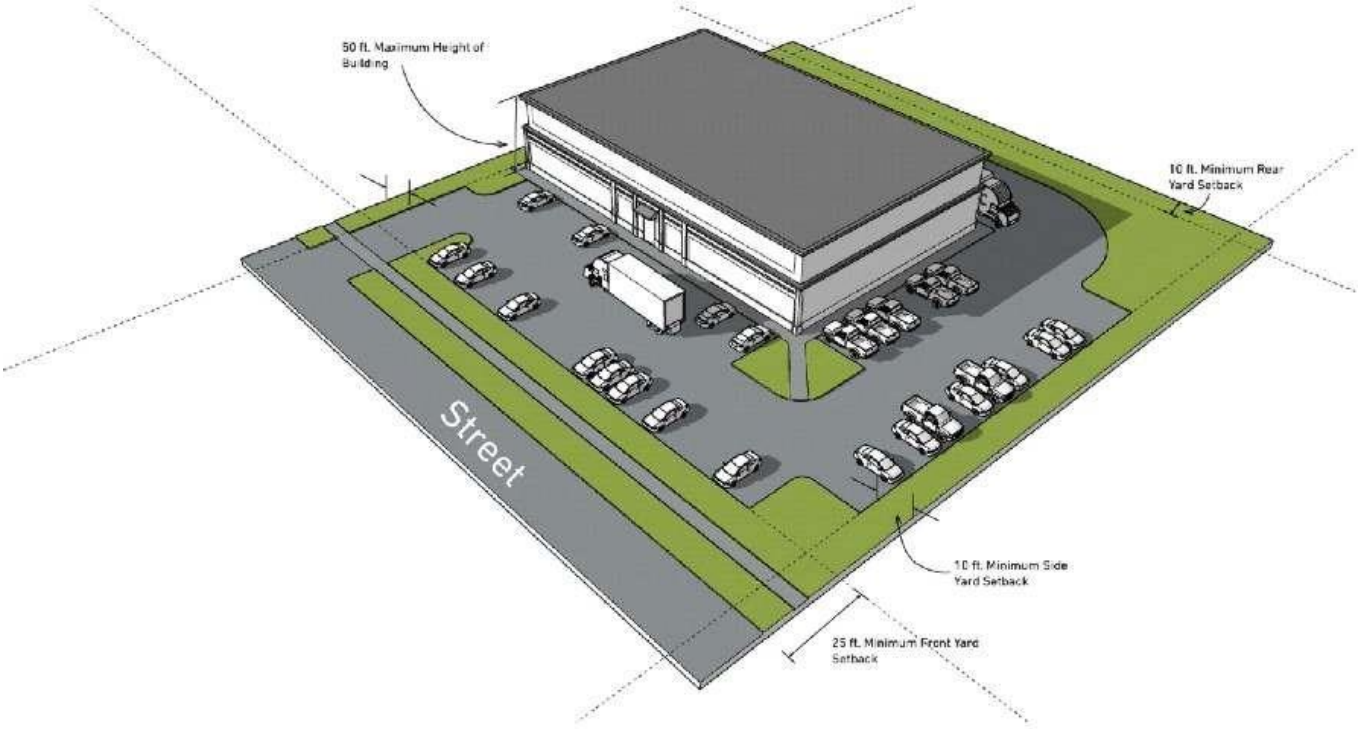
(Ord. 260-A-58. Passed 8-22-83; Ord. 260-A-265. Passed 9-7-95; Ord. 260-A-277. Passed 9-30-96; Ord. Passed 10-30-23.)

1142.05 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building	***Minimum Yard Setback (Per Lot in Feet)***			
In Feet	Front (adjacent to right-of-way having width of 120 feet or greater)	Front (adjacent to right-of-way having width of less than 120 feet)	Side	Rear
50a	60b	25b	10c, d	10c, d

Figure 1: I-2 Dimensional Standards Diagram:



FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Modifications in height requirements above the 35 feet allowed within the district may be permitted subject to the requirements and conditions set forth in Chapter 1153.

(b) In the instance of a corner lot or parcel of land abutting more than one public thoroughfare, all frontages shall require the minimum front yard setback as specified above.

(c) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Section 1154. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(d) The minimum distance between any two buildings shall be 20 feet. In no instance shall a building be located closer than 50 feet to a residentially-zoned district.

(Ord. 260-A-58. Passed 8-22-83; Ord. Passed 10-30-23.)

CHAPTER 1143
TR Technical Research District

1143.01 Purpose; restrictions.

1143.02 Principal uses permitted.

1143.03 Required conditions.

1143.04 Uses requiring special approval.

1143.05 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1143.01 PURPOSE; RESTRICTIONS.

(a) The TR Technical Research District is intended to accommodate research, technical, office, manufacturing and related storage activities which serve the needs of nearby commercial, industrial and educational establishments. The primary characteristic of uses permitted in this District is the pursuit of scientific and technical knowledge and the provision of facilities to serve the needs generated by those endeavors.

(Ord. 260-A-265. Passed 9-7-95.)

(b) Any use in the TR District shall not emit smoke, dust, dirt, odor, gas particles or energy radiation in amounts which would be detrimental to the environmental quality.

(c) Any use in the TR District shall be designed and operated so as to produce no sound, glare or vibration discernible at the property lines in excess of the normal intensity of street or traffic noises or vibration noticeable at such points.

(Ord. 260-A-221. Passed 1-20-92; Ord. Passed 10-30-23.)

1143.02 PRINCIPAL USES PERMITTED.

In a TR Technical Research District, 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 Zoning Code. These uses may be subject to additional standards as specified in Chapter 1153 Use Standards:

(a) Educational, research and design facilities charged with the principal function of research and development of new products and processes and technical training.

(b) Industrial, scientific or commercial research, development and testing laboratories.

(c) Executive and administrative offices for concerns whose plants or other facilities are not permitted in the TR District.

(d) Industrial, medical and dental clinics, medical, optical, pharmaceutical and dental laboratories and veterinary hospitals and clinics.

(e) Data processing and computer centers, including service and maintenance of electronic data processing equipment.

(f) Legal, engineering, surveying, accounting, architectural and similar professional offices.

(g) Trade, industrial or technical schools.

(h) Radio and television broadcasting stations, excluding towers.

(i) Printing, publishing, photographic processing or allied industries.

(j) Warehouse and wholesale establishments used in conjunction with any of the principal uses permitted, excluding truck terminals.

(k) Limited retail sales of products customarily incidental to the principal uses permitted.

(l) The manufacturing, compounding, assembling or treatment of articles from previously prepared materials, provided that such activity is completely contained within the building. Outside storage is prohibited in the District.

(m) Festivals. These shall meet the conditions set forth in Chapter 1153.

(Ord. 260-A-265. Passed 9-7-95; Ord. Passed 10-30-23.)

1143.03 REQUIRED CONDITIONS.

Any use established in the TR District, after the effective date of this chapter, shall be operated so as to comply with the performance standards set forth in Section 1156. (Ord. 260-A-221. Passed 1-20-92; Ord. Passed 10-30-23.)

1143.04 USES REQUIRING SPECIAL APPROVAL.

The following uses may be permitted within the TR Technical Research District, subject to the requirements and conditions set forth in Chapter 1153:

(a) Commercial television and radio broadcasting towers and cellular telephone antennae, subject to the conditions in 1153.01(a)(71).

(Ord. 260-A-277. Passed 9-30-96; Ord. Passed 10-30-23.)

1143.05 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building	***Minimum Yard Setback (Per Lot in Feet)***		
In Feet	**Front**	**Side**	**Rear**
35a	25b	10c, d	10c, d

Figure 1: TR Dimensional Standards Diagram :

FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Modifications in height requirements above the 35 feet allowed within the district may be permitted subject to the requirements and conditions set forth in Chapter 1153.

(b) All required front yard setbacks shall be measured from the proposed right-of-way line of any abutting thoroughfare. In the instance of a corner lot or parcel of land abutting more than one public thoroughfare, all frontages shall require the minimum front yard setback specified in the district. Off-street parking shall be permitted to occupy a front yard setback in excess of the minimum setback of 25 feet.

(c) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when

the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Section 1154. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(d) The minimum distance between any two buildings shall be 20 feet. In no instance shall a building be located closer than 50 feet to a residentially-zoned district.

(Ord. 260-A-221. Passed 1-20-92; Ord. Passed 10-30-23.)

CHAPTER 1144
P Parking District

1144.01 Purpose.

1144.02 Principal uses permitted.

1144.03 Required conditions.

1144.04 Setbacks when contiguous to Residential Districts.

1144.05 Screening and landscaping.

1144.06 Parking space layout, standards, construction and maintenance.

CROSS REFERENCES

Regulation of location of trades, buildings and uses by local authorities; authority to zone; acquisition of property - see M.C.L.A. Secs. 125.581, 125.582, 125.583a

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Effect of zoning ordinance or zoning decision in presence of demonstrated need for certain land use - see M.C.L.A. Sec. 125.592

Parking - see TRAF. Ch. 420

1144.01 PURPOSE.

The P Parking District, as herein established, is intended to accommodate the off-street parking for uses, except one-family residential, which are not able to provide adequate space within their own district boundaries. The P Parking District shall only be a permitted use for uses which are located completely within the boundaries of the Charter Township of Clinton, except for uses situation in an adjoining community, in whole or in part, which involve solely schools, providing education K-12, churches and uses owned or operated by a governmental entity.

(Ord. 260. Passed 7-9-79.)

1144.02 PRINCIPAL USES PERMITTED.

Premises in P Districts shall be used only for an off-street vehicular parking area and shall be developed and maintained subject to reasonable conditions, such as by illustration not limitation, fencing, pavement type selection, vegetation, irrigation, gates, and lighting. (Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1144.03 REQUIRED CONDITIONS.

(a) The parking area shall be accessory to and for use in connection with one or more use, other than one family residential which is located completely within the boundaries of Clinton Township, except for uses situated in an adjoining community, in whole or in part, which involve solely schools providing education K-12, churches and uses owned or operated by a governmental entity.

(b) Such parking lots shall be contiguous to an RM or nonresidential district on at least one side. Parking areas may be approved when adjacent to said districts or on the end of a block where such areas front on a street which is perpendicular to that street servicing the district. There may be a private driveway, public street or public alley between such P Parking District and any RM or nonresidential district.

(c) The parking area shall be used solely for the parking of private passenger vehicles for periods of less than 72 hours and shall not be used as an off-street loading area or for outdoor storage.

(d) No commercial repair work or service of any kind or sales or displays shall be conducted in such parking area.

(e) No signs of any kind, other than signs designating entrances, exits and conditions of use, shall be maintained on such parking area.

(f) No building, other than for the shelter of attendants, shall be erected upon the premises, and such building shall not exceed 14 feet in height.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1144.04 SETBACKS WHEN CONTIGUOUS TO RESIDENTIAL DISTRICTS.

Where a P Parking District is contiguous to a residentially zoned district which has a common frontage on the same block with residential structures, or wherein no residential structures have yet been erected, there shall be a setback equal to the required residential setback for said Residential District, or a minimum of 25 feet, whichever is the greater. The required wall shall be located on this minimum setback line.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1144.05 SCREENING AND LANDSCAPING.

The parking area shall be landscaped in accordance with Chapter 1155. The Board of Trustees of the Charter Township of Clinton may substitute for screening and landscaping, fencing, and vegetation intended to create an obscuring separation of parking from surrounding uses.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1144.06 PARKING SPACE LAYOUT, STANDARDS, CONSTRUCTION AND MAINTENANCE.

P Parking Districts shall be developed and maintained in accordance with the requirements of Chapter 1154.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

CHAPTER 1146
SP Special Purpose Districts

1146.01 Purpose.

1146.02 Principal uses permitted.

1146.03 Required conditions.

1146.04 Height, bulk and area requirements.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1146.01 PURPOSE.

(a) SP Special Purpose Districts are designed to accommodate specific uses which are generally compatible with single-family areas, but which, because of particular characteristics of size and/or use, should not be permitted in a Residential District without review and rezoning by the Township Board.

(b) The purpose of this District is to permit the use of land and/or buildings for specific purposes in order that a high degree of control over the use to be provided for can be maintained.

(c) The Special Purpose Districts are split into two subdistricts, SP- and SP-2. See Section 1146.02 for specific permitted uses related to each subdistrict.

(Ord. 260. Passed 7-9-79; Ord. Passed 10-30-23.)

1146.02 PRINCIPAL USES PERMITTED.

(a) In an SP-1 Special Purpose Senior Care Facilities District, no building or land shall be used and no building shall be erected except for convalescent homes, nursing homes, rest homes, assisted care facilities or homes for the aged, subject to the following conditions:

(1) The site shall be developed so as to create a land-to-building ratio on the parcel whereby for each one bed in the principal use there shall be provided not less than 600 square feet of open space. The open space land area per bed shall provide landscaped setting, off-street parking, service drives, loading space, yard requirements and any space required for accessory uses. The 600 square foot requirement is in addition to the building coverage area.

(2) In an SP-1 Special Purpose Senior Care Facilities District, buildings shall not exceed three stories or 35 feet in height.

(b) In an SP-2 Special Purpose Hospitals District, no building or land shall be used and no building shall be erected except for a hospital or clinic for human care.

(c) Accessory buildings and uses customarily incidental to any of the principal uses permitted in the SP Districts shall also be permitted.

(Ord. 260. Passed 7-9-79; Ord. 260-A-33. Passed 9-8-81; Ord. 260-A-314. Passed 8-10-98; Ord. 260-A-399. Passed 10-4-04; Ord. 260-A-412. Passed 10-24-05; Ord. Passed 10-30-23.)

1146.03 REQUIRED CONDITIONS.

(a) All access to the site shall be directly from a major thoroughfare.

(b) Whenever the parking plan is designed so as to cause automobile headlights to be directed toward any Residential District within 100 feet of the parking areas, an obscuring wall, fence or berm may be required, as recommended by the Planning Commission and approved by the Township Board, along that entire side of the parking area.

(c) The lot area covered by all buildings shall not exceed thirty-five percent.

(Ord. 260. Passed 7-9-79.)

(d) For all parcels directly abutting a major thoroughfare, access to the parcel shall be from an internal marginal access road having a width of thirty feet and not directly from the abutting Clinton Township thoroughfare. The Township Board, upon recommendation from the Planning Commission, may waive this requirement if such marginal access road is impractical to construct or would serve no useful purpose. In granting such waiver, the Township Board may require easements to provide for vehicular access to existing or proposed adjacent parking lots in order to minimize the need for driveways to each facility and thereby decreasing hazards to vehicle traffic. In such instances, a reciprocal use agreement shall be signed by each owner in a form satisfactory to the Township Attorney and shall be recorded with the Macomb County Register of Deeds.

(e) Curb cuts for vehicular access to and from a marginal access road to and from the abutting major thoroughfare shall be no closer than 300 feet to each other.

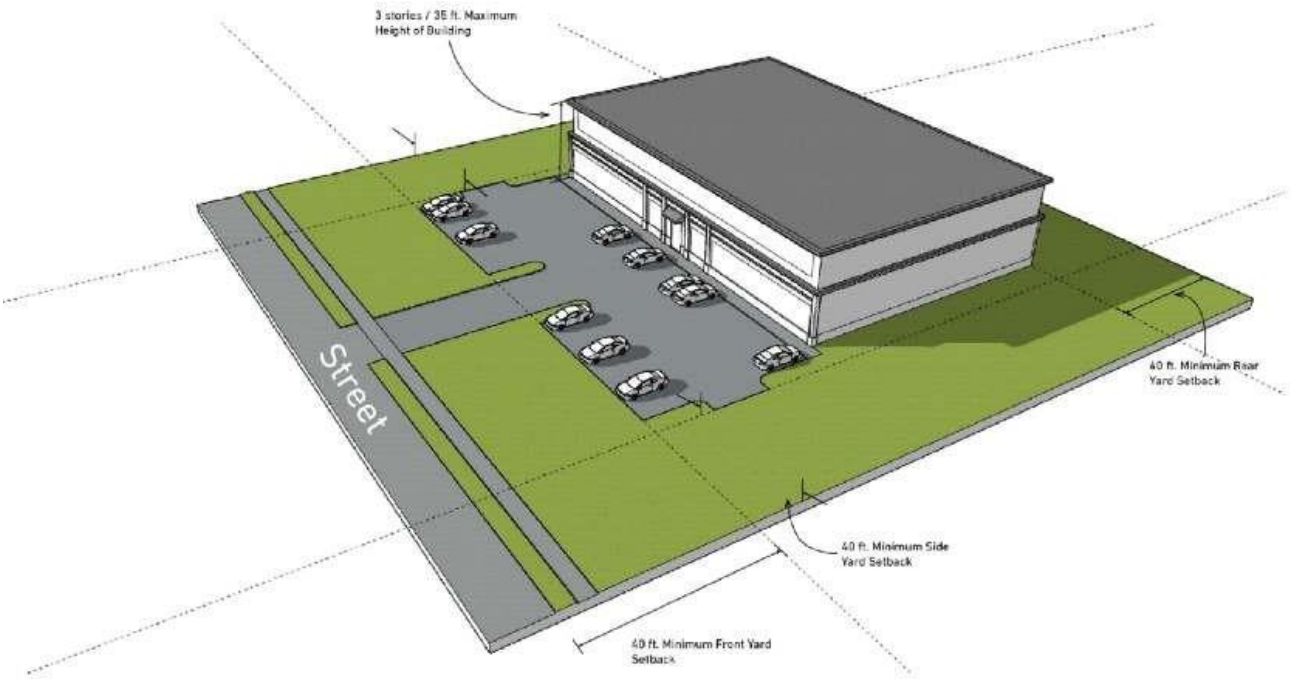
(Ord. 260-A-314. Passed 8-10-98; Ord. Passed 10-30-23.)

1146.04 HEIGHT, BULK AND AREA REQUIREMENTS.

All lots and buildings shall meet the following dimensional requirements:

Maximum Height of Building	***Minimum Yard Setback (Per Lot in Feet)***		
In Feet	***Front***	***Side***	***Rear***
35a	25b	10c, d	10c, d

Figure 1: SP-1 and SP-2 Dimensional Standards Diagram:



FOOTNOTES TO SCHEDULE OF REGULATIONS CHART

(a) Modifications in height requirements above the 35 feet allowed within the district may be permitted subject to the requirements and conditions set forth in Chapter 1153.

(b) All required front yard setbacks shall be measured from the proposed right-of-way line of any abutting thoroughfare. In the instance of a corner lot or parcel of land abutting more than one public thoroughfare, all frontages shall require the minimum front yard setback specified in the district. Off-street parking shall be permitted to occupy a front yard setback in excess of the minimum setback of 25 feet.

(c) Off-street loading and unloading space shall be provided in the rear yard or an interior side yard, unless the side yard abuts a Residential District and shall, in no instance, be permitted in a front yard. In those instances where exterior side yards abut an Industrial District, loading and unloading may take place in the exterior side yard, except that in those instances where exterior side yards have a common relationship with an Industrial District across a public thoroughfare, loading and unloading may take place in the side yard when the setback is equal to at least 50 feet. Off-street loading space shall further meet the requirements of Section 1154. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the centerline of such alley, but separately from the off-street parking requirements.

(d) The minimum distance between any two buildings shall be 20 feet. In no instance shall a building be located closer than 50 feet to a residentially-zoned district.

(Ord. Passed 10-30-23.)

CHAPTER 1147
GB Groesbeck Highway Overlay District

1147.01 Purpose and objectives.

1147.02 Application of chapter.

1147.03 General requirements in flood hazard areas.

1147.04 Watercourse and wetland protection.

1147.05 Site plan review; drawings.

1147.01 PURPOSE AND INTENT.

(a) The purpose of this section is to establish design standards for new development, significant redevelopment, or changes to a more intense use or expansion for commercially and industrially zoned properties along Groesbeck/M-97 Highway in Clinton Township.

(b) Groesbeck Highway has been targeted by the Township as a reinvestment opportunity to help bring cohesiveness, economic development, aesthetic value, and pedestrian-friendly design to the corridor that is consistent with the Township Master Plan's goals.

(c) The standards herein are based on the Design Guidelines and have some level of flexibility to respond to opportunities and adjust to the scale and location of the development. Refer to the M-97/Groesbeck Highway Design Guidelines for representative illustrations of the standards. The Design Guidelines ensure that the standards meet the intent of this Overlay District regarding landscaping, screening and buffering, access and circulation, building scale/placement, parking placement, building design and materials, signage, and lighting.

The goals of this overlay district include the following:

(1) Provide for functional and attractive new development/redevelopment of a site.

(2) Encourage reinvestment in vacant and underutilized properties.

(3) Enhance the public realm and pedestrian experience through aesthetic improvements.

(4) Provide a transparent and consistent framework for decision-making.

(Ord. Passed 10-30-23.)

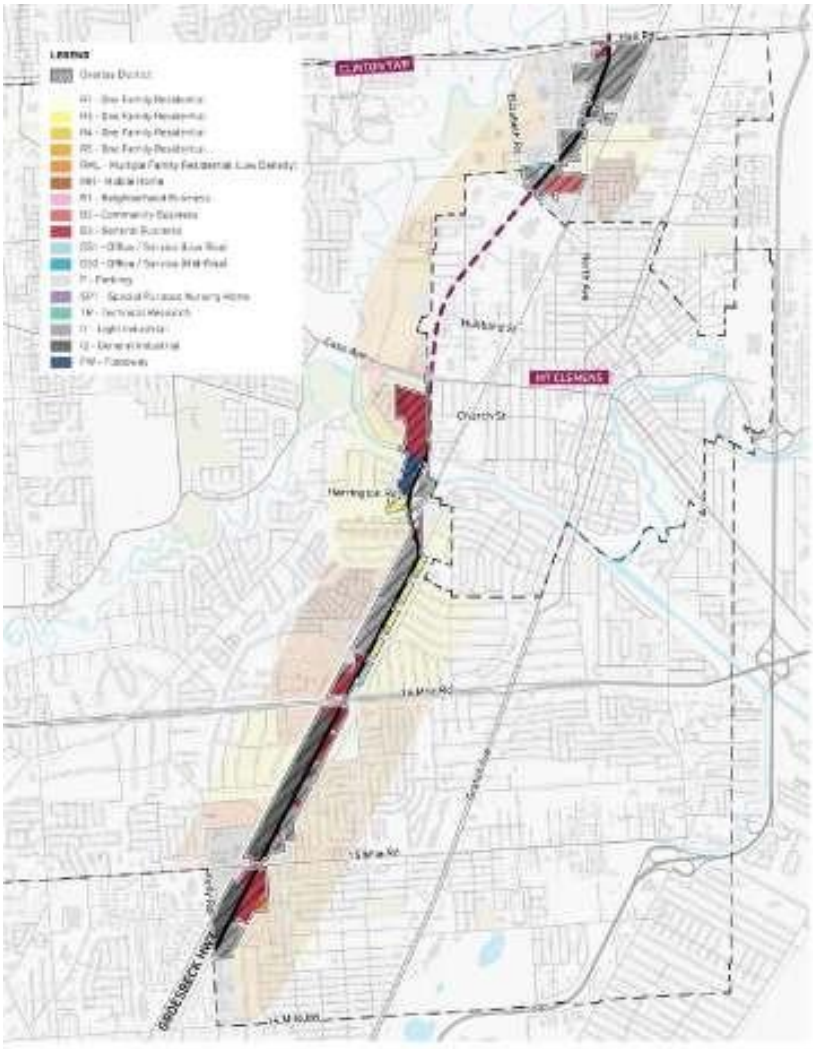
1147.02 APPLICABILITY OF STANDARDS.

(a) These standards are applicable to all new commercial and industrial development and substantial building expansions or alterations (results in expanding a building in excess of 125% of the existing Gross Floor Area), or major changes in use that increases the intensity of the use (i.e. results in more traffic, parking, noise, and other external impacts) along M-97/Groesbeck Highway in Clinton Township (see Figure 1).

(b) All requirements of the Zoning Code shall apply, except as modified by this Section. When applying the regulations of this Overlay, if regulations elsewhere within the Zoning Code conflict or appear to conflict with the regulations in this Overlay, the regulations of this Overlay shall apply.

(c) Groesbeck Highway, or M-97, is under jurisdiction of the Michigan Department of Transportation. The land uses of parcels along the corridor in Clinton Township are under jurisdiction of the Township. While most of the standards apply to the area outside of the Groesbeck Highway right-of-way, some of the features, such as sidewalks and street trees, may be within those areas that require a permit from Michigan Department of Transportation (MDOT). In such cases, coordination with the Township and MDOT is necessary.

Figure 1: Groesbeck Highway /M-97 Overlay District Applicability Map



(Ord. Passed 10-30-23.)

1147.03 EXEMPTIONS.

(a) For expansion or redevelopment of existing sites, the Planning and Community Development Director, Planning Commission, or Township Board may determine that compliance with standards of this section are difficult to meet based on factors such as the amount of the overall improvement to the site or the extent of change compared to existing conditions but that the standards shall be applied to the site to the maximum extent possible. Full compliance is required for new development. The following list is a hierarchy of priority design standards (with (1) being the highest priority standard to be met and (8) being the lowest priority standard to be met):

(1) Frontage landscaping.

(2) Sidewalks along Groesbeck Highway.

(3) Internal sidewalk connections.

(4) Buffers and Screening.

(5) Lighting.

(6) Access consolidations.

(7) Signage.

(8) Interior Landscaping.

(b) The applicant shall provide justification for why particular standards could not be met. Higher priority design standards will require thorough justification and are discouraged from being altered. The applicant shall also state how the site plan still meets the general intent of the Township Master Plan, Strategic Plan, Zoning Code, and the overall purpose of these Design Standards.

(Ord. Passed 10-30-23.)

1147.04 REVIEW PROCESS.

(a) When an applicant submits a site plan, the Director of Planning and Community Development or the Planning Commission will oversee the review of compliance with the standards set forth in this section. The review process shall adhere to the Site Plan Review Process as set forth in Chapter 1157. Other Township departments and agencies (i.e. MDOT) may also be involved with the review process.

(Ord. Passed 10-30-23.)

1147.05 DESIGN STANDARDS.

(a) Frontage and Interior Landscaping. Landscaping along the corridor should be cohesive to enhance the streetscape and be easy to maintain for property owners. Additional landscaping standards apply, including buffers and screening and parking lot landscaping, and can be found in Chapter 1155 . Where there are conflicts, the standards in this overlay district shall apply.

(1) Frontage Landscaping along Groesbeck. Proper landscaping in front yard areas that are visible from the corridor shall be implemented to maintain consistency along street frontage on Groesbeck Highway.

A. Landscaped Front Yards. Enhanced landscaping shall be applied as gateway treatments at entry points of the property. Consistently spaced trees shall be planted along the property's frontage with a minimum of one tree per 20 linear feet, interspersed with low maintenance shrubs.

B. Front Yard Screening for Commercial/Retail Properties. Front yards shall be landscaped and screened using a minimum of a ten-foot-wide landscape area with a continuous hedge, no more than three feet in height. One canopy or evergreen tree shall be planted every 20 linear feet.

C. Front Yard Screening for Industrial Properties. Front yards for industrial properties shall be landscaped and screened using a minimum of a 25-foot-wide landscape area with a continuous hedge, no more than three feet in height. One canopy and one evergreen tree shall be staggered and planted every 20 linear feet.

D. Other Plantings. Low shrubs, perennials, and ornamental grasses shall be kept below three feet in height for natural surveillance. Landscape areas shall include a combination of low shrubs, perennials and/or ornamental grasses with one low shrub being equivalent to two perennials or ornamental grasses. The table below describes additional number of plants required in the front yard landscaping:

Number of Plants Required	
Street frontage landscape area	4 low shrubs or 8 perennials/ornamental grasses per 20 linear feet

(2) Site Design Amenities. These elements will create better pedestrian conditions, establish enhanced open spaces and sustainable design features, a more appealing overall appearance of each site. Some of these standards may not apply to certain sites where they do not exist or are not already required (i.e. detention ponds, outdoor dining, etc.).

A. Foundation plantings shall be installed along building edges to screen the appearance of building foundations from public view. Foundation planting areas adjacent to the building edges shall be at least five feet wide. Plantings should be low maintenance species and may include a combination of small canopy or ornamental trees, evergreen trees, shrubs, and ornamental grasses. Foundation plantings must not block the building's windows, doors, or entryways. Planting areas shall be mulched and edged to create a clean and well-kept appearance.

B. Detention ponds shall be designed as natural free-form in shape. Side slopes must not exceed one vertical foot for every three horizontal feet. Plantings around detention ponds shall include at minimum one canopy or evergreen tree and either ten shrubs or groupings of ornamental grasses for every 50 linear feet of pond perimeter. Plantings should be in a random, natural pattern. Any security fencing around the perimeter shall be

decorative. Shrubs shall be planted around the outside of fencing to soften the appearance at a maximum spacing of five feet between shrubs.

C. Waste receptacles shall be completely enclosed by opaque screening on three sides and operable opaque doors for access on one side.

D. Service and mechanical areas shall be located in the rear or on the side of buildings in a way that their appearance is minimized or eliminated from the roadway and public areas.

E. Opaque fencing or a combination of opaque fencing and masonry shall be used. Materials for screening or enclosures shall be high quality and durable, yet visually appealing and they may include the following: Corrugated or ribbed metal (more appropriate for industrial contexts); Powder-coated extruded aluminum slats; Treated hardwood; Brick; Stone; Metal screen. Screening shall be at least six feet tall. Prohibited types of fencing includes chain link with slats and barbed wire. Landscaping and planting around screening and enclosures for these areas is highly encouraged, especially if the area is visible from public parking areas or from the street.

F. Outdoor Dining spaces shall include defined seating areas. These should remain consistent and complementary to the building with which the outdoor dining space is associated. Barrier styles shall include one or a combination of the following: (1) free standing decorative fences or railings; (2) low masonry walls; (3) planters; (4) planting areas inclusive of ornamental grass, hedges, shrubs, and/or ornamental trees. Fences or walls shall be a maximum height of 36" above the outdoor patio surface.

G. Screening of outdoor dining areas adjacent to parking areas shall include an opaque area of at least four feet in height to protect the space from headlights of cars maneuvering and parking. Outdoor dining areas shall provide at least one exterior exit/entrance point that is connected to the sidewalk and/or parking areas. When located on public sidewalks, a minimum sidewalk clearance of six feet shall be retained for unrestricted pedestrian access.

H. For industrial sites two acres or larger in size, a minimum of 10% of the site shall contain useable open space. This is internal space and does not include required buffer and greenbelt areas, though some flexibility to include non-required amenities in those areas, such as seating, could meet the intent. At least 5% of any new commercial development shall contain useable open space, with exceptions allowed for very small lots (less than ½ acre) or where existing buildings and parking will not easily accommodate that much open space. In those cases, some amenities should be provided in other locations in the site. Usable open space should be designed to include amenities like picnic areas, pocket parks, courtyards, patios, pathways, benches, and water features. Open space and associated amenities are to be maintained by the property owner. Where multiple open spaces occur on the property, pedestrian connections (i.e. a pathway), should be made to connect them. Existing natural features on the property are encouraged to be preserved, including mature trees, wetlands, and ponds. If designed with associated public amenities, these features can count towards useable open space.

I. Maintenance. All landscaping shall be properly maintained and irrigated. Diseased, dying, or dead landscaping shall be replaced.

(b) Rear Screening and Buffers.

(1) Rear yard design standards for commercial properties. The rear yard shall be landscaped and screened with a minimum five-foot-wide landscaped area with evergreen trees and/or tall shrubs with a four-foot-eight-inch tall masonry wall. Wall materials shall match or complement the building materials.

(2) Rear yard design standards for industrial properties. The rear yard shall be landscaped and screened with a minimum five-foot-wide landscaped area with evergreen trees and/or tall shrubs with a six-foot-tall masonry wall. Wall materials shall match or complement the building materials.

(c) Access and Circulation. Access management along the corridor is necessary to ensure safe and efficient travel for all users of the roadway. Proper access management can minimize traffic conflicts and provide clear accessibility to properties for vehicles, pedestrians, and bicycles. Pedestrians, in particular, need safe passageway between the right-of-way and the building entrance. A properly designed circulation system is a key component to encouraging a walkable environment.

(1) The number of driveways along Groesbeck Highway shall be minimized as much as is practical.

(2) Shared access between adjoining properties should be encouraged, with cross-access easements provided.

(3) Driveways shall either be aligned with those across the street, or spaced at least 150 feet from them, to avoid left turn conflicts in the center turn lane.

(4) Driveways shall be spaced as far apart as possible. It is recommended by MDOT to space driveways 455 feet apart on the same side of the road for roads that have a posted speed limit of 50 mph (like Groesbeck Highway). Driveways shall also be kept as far as possible from signalized intersections to reduce traffic conflicts.

(5) Driveways shall be designed for the typical vehicle in terms of radii and width. For uses that generate higher traffic volumes or with significant truck movements, MDOT may require a deceleration taper or lane.

(6) Where a site is adjacent to an undeveloped property, the site shall be designed to accommodate a future parking lot connection.

(7) Loading areas shall not interfere with on-site pedestrian and vehicle circulation.

(8) Pedestrian crosswalks and pathways shall be provided within parking areas of more than 25 parking spaces to ensure safe passage between vehicles and the building entrance.

(9) Where sidewalks do not currently exist along the public roadway, sidewalks with a minimum five feet of width should be installed. Sidewalks should generally be placed one foot inside the property line. Since Groesbeck Highway is a state roadway, approval of MDOT is required.

(10) A safe and convenient connection should be provided between the sidewalk along Groesbeck Highway and the building's front entrance. In some cases, islands and crosswalk-type markings may be needed, especially for restaurants and other businesses that will have relatively high pedestrian volumes.

(d) Building Scale/Placement and Parking Placement. Buildings should typically be oriented to face the street, and setbacks along the corridor should be consistent to provide a more cohesive street wall and pedestrian-oriented environment. Similarly, parking placement is crucial to site design; side and rear parking areas are highly encouraged not only for aesthetic reasons, but to also encourage walkability and decrease the potential for vehicle and pedestrian/bicycle conflicts.

(1) Industrial and Commercial Building Design Standards.

A. For industrial buildings, the minimum setback shall be 60 feet to accommodate for pedestrian amenities, open space, and landscaped buffers. Commercial buildings shall be setback at least 35 feet, but no more than 50 feet along the corridor.

B. Buildings shall be oriented so that at least one main entrance faces the road. The main entrances of a building shall be ADA compliant.

C. For larger buildings with multiple tenants, multiple entries along the street frontage should be incorporated into the site plan.

D. Parking shall be located along the side and rear yards to avoid dominating the streetscape. Where this is not possible, a limit of two rows of parking is permitted in the front yard. If front yard parking is implemented, then additional landscaping is required to properly screen the parking area.

E. Shared parking is encouraged between adjacent sites or mixed-use developments on the same site.

F. Parking per use shall not exceed 110% of the minimum parking spaces required as stated in the Zoning Code.

G. For corner lots, buildings or landscaping shall be located nearest the intersection. Parking areas are discouraged at this location.

H. Outdoor storage areas shall not be visible from the roadway. Ideally, storage areas and loading facilities are located to the rear of the building. Proper screening and landscaping shall be implemented where these storage and/or loading areas abut residential properties.

(2) Multi-Family Residential Building Design Standards.

A. Multi-family residential buildings shall be setback a minimum of 60 feet from the right-of-way along Groesbeck Highway. Setbacks for any internal roads as part of a development shall be at least 20 feet.

B. Any development with multiple buildings shall allow a minimum of 30 feet spacing between buildings.

C. Developments with multiple residential buildings shall include an open space for residents that is central to and accessible from all buildings.

D. Pathways and driveways shall be paved. Pathways for pedestrians shall connect to sidewalks along the roadway and lead directly to building or individual unit entrances, whichever applies to the residential building.

E. Parking may consist of surface parking, garages (attached or detached) or carports and shall be adjacent or close to the primary structure. Parking for multi-family residential units may be front, side, or rear entry in relation to each unit. It is encouraged that parking is not visible from the roadway. If a residential building is facing the corridor, it is encouraged that parking is located behind the building. If a residential building is facing a direction other than toward the corridor, parking shall be screened from view.

F. Access to multi-family residential parking areas is encouraged on side streets or consolidated along internal roads of a development wherever possible.

G. Where a parking lot is adjacent to a single family-zoning district, a screening wall or landscape buffer is required.

(e) Building Design and Materials. Building massing and façade treatments, especially along sides that are visible from the roadway and adjacent residential uses, should have a consistent architectural quality along the corridor.

(1) If a building is more than one story, a different architectural treatment may be used on the ground floor façade than on the upper floors.

(2) Climbing vegetation and green walls are encouraged as a method to provide visual interest to building façades.

(3) The following building materials and designs are discouraged as their features can negatively affect the overall look and feel of the corridor:

A. Aluminum siding.

B. Asphalt shingles.

C. Larger and blank wall façades.

D. Brightly-colored roofs.

E. Pre-fabricated metal walls.

F. Highly reflective surfaces.

(4) Building Design for Commercial Buildings.

A. 65% of the total front façade of a building shall be of brick or similar material (excluding window and doorway openings, as well as decorative trim). Side and rear façades shall be at least 50% each of brick or similar material, in coordination with the front façade treatment.

B. For building front and side façades that are 100 feet or greater in length, these shall be designed with offsets at intervals of every 50 feet.

C. Building sides visible from Groesbeck Highway or internal parking lots or adjacent residential uses, shall also be at least 50% brick, with the same exclusions.

D. Modulation of roofs and roof lines are encouraged to eliminate the look of box-shaped buildings.

(5) Building Design for Industrial Buildings.

A. Exterior façade materials shall consist of high quality and durable materials on the building frontage and corner articulations. If a façade faces residential, then that façade should also consist of similar types of materials, including brick, concrete block, and pre-cast concrete.

B. Blank walls are discouraged. Building articulation can be met through providing transparency and varying building materials and finishes to create a more welcoming feel to the overall building.

C. For buildings that are 100 feet in length or longer, a material change and shift in the wall façade shall be applied to the front façade for every 40 feet. If side and rear façades face either another roadway or residential use, then the same standard applies.

(6) Building Design for Multi-Family Buildings.

A. Architectural features and façade variation are required for buildings with a length greater than 100 feet to break up expansive façades.

B. For street-facing exterior elevations, 75% of the total area for each façade may be brick, face brick, or stone (excluding windows, doorways, and decorative trim.) Permitted materials for the remaining 25% of the building include wood, vinyl, or fiber cement siding.

C. Side and rear façades that do not face a street may be brick, face brick, stone, wood, vinyl, or fiber cement siding, but using the same materials and treatment as street-facing façades is encouraged.

D. Permitted materials for foundation walls include concrete block, score block, precast concrete, and cast-in-place concrete.

E. Detached garages, carports or accessory building exteriors shall use a similar treatment and materials that are coordinated with the primary residential structure.

F. All exterior utility equipment, such as air conditioning units and utility boxes, shall be screened from view from the roadway.

(f) Signs. Signage can hold a significant influence upon the general aesthetics and safety of the roadway. The placement, type, and number of signs permitted on a site, if executed properly, can keep signs from distracting and interfering with traffic and other users of the road.

(1) Locate signage on the site to not obstruct the sightlines of vehicles entering and exiting the property. Signs shall also be placed so that they do not dominate the architectural features of the building.

(2) Signage shall be sized to be visible to pedestrians and makes access to the entrance of the building obvious.

(3) For multi-tenant signs, similar color schemes should be utilized to avoid signage clutter. Varying fonts can be used to differentiate between business logos.

(4) Signs can be illuminated, but only to the minimum required for readability at night.

(g) Lighting. Proper lighting on a site should minimize light trespass onto adjacent properties (particularly residential properties) as well as serve the purpose of providing a safe and secure environment for users and visitors to the property. Well-designed lighting will also not contribute to nighttime pollution, helping to preserve the natural quality of the nighttime sky.

(1) The height and direction of lighting on a site shall light the property it's intended for, but avoid light pollution spilling onto adjacent properties. Lighting shall not exceed 25 feet in height from the parking lot grade and should be particularly sensitive to adjacent residential properties.

(2) Ornamental lighting shall be used along pedestrian walkways (both within the site and along the street side of the property) and adjacent to building entrances to provide for a safe and pedestrian-scaled environment.

(3) Exterior lighting should complement the architectural style of the building and contribute to the overall design of the site. Wall mounted and pole mounted lights shall direct light downward. Where uplighting is desired on a building façade to highlight architectural features, it shall be angled or shielded to avoid unnecessary light pollution.

(Ord. Passed 10-30-23.)

CHAPTER 1148
PUD Planned Unit Development District

1148.01 Intent.

1148.02 Township Board Approval.

1148.03 Permitted Uses.

1148.04 Eligibility.

1148.05 Approval Procedure.

1148.06 Preliminary Phase PUD Plan.

1148.07 Final Phase PUD Plan.

1148.08 Minor Amendments to Final Phase PUD Plan.

1148.01 INTENT.

The intent of the Planned Unit Development ("PUD") District is to permit flexible regulation of land development for a site containing unique natural features which the developer and Township desires to preserve and/or for property in an area adjacent to a major thoroughfare which is undergoing redevelopment. The standards of the PUD District are intended to encourage innovative design and create opportunities which may not be obtainable through more rigid standards within other zoning districts. The PUD District is intended to accommodate developments with potential mixed or varied uses, sites with unusual topography or unique settings within the community and/or on land exhibiting difficult or costly development problems. The PUD District classification is not permitted where this zoning classification is sought primarily to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purpose above.

(Ord. Passed 10-30-23.)

1148.02 TOWNSHIP BOARD APPROVAL.

The Board of Trustees of the Charter Township of Clinton shall review Planning Commission recommendations on all applications for PUD, permit public comment thereon and make final decisions to grant approval, deny approval or grant approval with conditions as provided within the ordinance. No issuance of any zoning certificate or building permit shall occur prior to Township Board approval.

(Ord. Passed 10-30-23.)

1148.03 PERMITTED USES.

(a) Permitted Uses.

(1) Permitted Principal Uses. Any combination of uses permitted in any residential, office, business, technical research or industrial classification pursuant to this chapter. No marihuana related uses shall be permitted pursuant to this chapter.

(2) Permitted Accessory Uses. Any use which is accessory to the uses allowed as permitted principle uses.

(Ord. Passed 10-30-23.)

1148.04 ELIGIBILITY.

(a) A PUD may be allowed by the Township Board following a recommendation by the Planning Commission based upon review and consideration of the following applicable criteria:

(1) The subject site shall be a minimum size of one acre of contiguous land. All such land shall be under the control of one owner, or a group of owners. All applications must be made with written authorization of all property owners and any parties to executory purchase agreements, options to purchase, or holding some prospective or beneficial interest in the subject property.

(2) The proposed site contains significant natural or historic features to be preserved through development under the PUD standards, or the PUD will provide a complimentary mixture of uses or housing types with unique, high quality design, and is suitable for the blending of existing and proposed uses.

(3) The PUD District will result in the recognizable and substantial benefit to the ultimate users of the project and to the Township, where such benefit would otherwise be unfeasible or unlikely to be achieved. These benefits shall be demonstrated in terms of the preservation of natural features, unique architecture, extensive landscaping, integration of various site features into a unified development, provision of useful open space and/or shall expand the supply of affordable housing or provision of employment and shopping opportunities.

(4) A finding that the proposed type and density of use shall not result in an unreasonable increase of traffic, use of public services, facilities and utilities; that the natural features of the subject site have the capacity to accommodate the intended development; and that the development shall not place an unreasonable burden upon surrounding land or land owners.

(5) The proposed PUD District shall be consistent with the Master Plan of the Township.

6) Useable open space and off street parking shall be furnished at least equal to the minimum requirements for each of the component uses of the PUD District. The Township may require, depending on the configuration and location of the proposed PUD District, more or less useable open space and parking than required otherwise within other provisions of this chapter.

(7) Landscaping and screening shall be furnished to ensure that the proposed use or uses shall be adequately buffered from one and another and from surrounding public and

private property. The Township may require more or less landscaping and screening than required otherwise by this chapter.

(8) Vehicular and pedestrian circulation allowing safe, convenient, uncongested and well defined circulation within and to the PUD District shall be provided.

(Ord. Passed 10-30-23.)

1148.05 APPROVAL PROCEDURE.

(a) The following approval procedures shall apply to the PUD District:

(1) The PUD District approval involves two phases. The preliminary phase involves a review of the conceptual PUD District to determine its suitability for inclusion in the land use and zoning plans of the Township and adoption by the Township as part of the Zoning Code. The final phase shall require detailed site plans for any part of the conceptual PUD Plan prior to the issuance of building permits. The two phases may be combined and considered for approval as a preliminary and final PUD Plan.

(2) The Planning Commission may hold an informational meeting where the petitioner presents the proposed PUD Plan. The Planning Commission shall provide the petitioner with its comments within 30 days after holding such a meeting. Notice of the meeting shall be given to the Board of Trustees. No fees shall be charged for said informational meeting.

(3) Petitioner shall submit to the Director of Planning and Community Development sufficient copies of the PUD Plans with review fees following such informational meeting. Copies of plans as submitted shall be distributed to appropriate Township agencies for review and comment to determine the impact of the proposed PUD District upon Township services and surrounding properties and to determine if any additions to or extensions of facilities are necessary for the project.

(4) The Director of Planning and Community Development shall notify the petitioner of questions raised by Township agencies during said review submitting like information to the Planning Commission for its consideration along with a report evaluating the planning aspects of the project and its impact on the present and future development of the Township.

(5) The Planning Commission shall, after holding a public hearing or hearings on the proposed PUD Plan and reviewing reports, make its recommendation to the Township Board upon such plan within 60 days of its date of filing, unless an agreement to extend by petitioner occurs in writing. The Planning Commission may extend this time period for a period not to exceed 30 days each if such extension is necessary for adequate review as a result of materials being considered incomplete by the Director of Planning and Community Development or the Planning Commission. Public hearing notice shall be furnished in the same manner as for rezoning and special land use, including publication in a newspaper of general circulation and notice by mail or personal delivery to owners of property for which approval is considered and to all persons to whom real property is

assessed within 300 feet of the property and occupants of all structures within 300 feet of the property.

(6) If the preliminary phase or final phase of the PUD Plan is rejected by the Planning Commission, reasons for such rejection shall be specified in writing and approved by the Planning Commission.

(7) The Planning Commission's recommendations and reports shall be submitted to the Township Board for its consideration. The Township Board shall, after allowing public comment on the preliminary phase and final phase PUD Plan, take final action on said plan and petition within 90 days from the date they receive a report from the Planning Commission or such reasonable extension of time as determined necessary for adequate review by the Township Board as a result of incomplete information being submitted, modifications proposed or delay in the submittal of additional information for consideration.

(8) Any conditions of approval required by the Township Board shall be satisfied by petitioner, owner, or other parties submitting the application prior to subsequent final phase site plan approval and prior to the issuance of any building permits and the commencement of any work on the subject property. The Township Clerk and Department of Planning and Community Development each shall keep a special record of all approved PUD Plans and approved conditions.

(9) Approval of the preliminary phase PUD Plan by the Township Board shall rezone the property to a "PUD" zoning classification for uses as shown on the PUD Plan and shall confer upon the owner the right to proceed through the subsequent planning phase in accordance with regulations and ordinances in effect at the time of the Township Board's approval for a period not to exceed 18 months from the date of approval, unless subsequent regulations or ordinances are specifically made applicable to developments which have been so approved. If final phase PUD Plans have not been submitted for approval before the termination of the aforesaid 18 month period, subsequent site planning must conform to the regulations, ordinances and laws in effect at the time such site plan is submitted upon request of the petitioner. The Township Board may extend the approval for a maximum of an additional 18 months. Any such extension shall be granted only if existing site conditions have not substantially changed, and provided further that there are no revisions to the PUD Plan. If, after the 18 month extension a building permit has still not been issued, the petitioner must resubmit the PUD Plan for normal review as provided herein.

(10) An approved PUD District runs with the land, not with the owner. If the land is sold or otherwise exchanged, the approved PUD District shall remain in effect, unless a petitioner submits and is granted a request to amend or terminate the PUD District.

(Ord. Passed 10-30-23.)

1148.06 PRELIMINARY PHASE PUD PLAN.

(a) The petitioner shall prepare and submit the following to the Planning Director:

(1) All information in a preliminary form that is required for a site plan pursuant to this chapter.

(2) Copies of elevation plans, photographs of proposed exterior finished materials and materials specification documents.

(3) A list of anticipated deviations from standard zoning regulations which would otherwise be applicable.

(4) The petitioner shall present material as to the PUD District's objectives and purposes to be served; its economic feasibility; its conformity to plans and policies of the Township; market needs; impact on schools, utilities and circulation facilities; impact on natural resources; impact on the general area and adjacent properties; and estimated costs. The petitioner shall present a staging plan showing the general time schedule of and expected completion dates of various elements of the plan.

(5) Any other information which the Planning Commission or Township Board requires to determine if the proposed Preliminary Phase PUD Plan meets the eligibility criteria which may include but is not limited to building elevations, floor plans, sign plans and traffic studies.

(6) Copies of all signs, photographs of proposed signs, sign specifications and details, lighting and illumination details, scaled elevation plans with signs situated on the plan and scaled site plans for signs situated on the plan.

(7) Floor plans with details showing physical characteristics and structures.

(Ord. Passed 10-30-23.)

1148.07 FINAL PHASE PUD PLAN.

(a) For each Final Phase PUD Plan, the petitioner shall submit the following to the Planning Director:

(1) All information required for a site plan pursuant to the Zoning Code.

(2) All the materials in final form consistent with the Preliminary Phase PUD Plan.

(3) A detailed rendering indicating the three-dimensional character of the proposal. All applications shall include all photographs of all sides of any existing buildings. Any additional graphics or written materials requested by the Planning Commission or Township Board or Planning Director to assist the Township in visualizing and understanding the proposal.

(4) Approval of the Final Phase PUD Plan shall be conditioned upon execution of the development agreement which secures completion of all public and private improvements

shown on the PUD Plan and describes how conditions required as part of the PUD approval are to be met.

(5) The approved Final Phase PUD Plan shall entitle the owner to apply for building permits and engineering.

(6) The proposed PUD District and all proposed improvements, including but not limited to parking spaces, landscaping, open spaces and amenities, must be started within three years of the establishment of the PUD District and work must be continued in a reasonably diligent manner and completed within five years of the establishment of the PUD District. Said five year period may be extended if applied for by the petitioner and granted by the Township Board in writing following public notices and a public hearing. Failure on the part of the owner to secure the enrichment shall result in the stoppage of all construction. (Ord. Passed 10-30-23.)

1148.08 MINOR AMENDMENTS TO FINAL PHASE PUD PLAN.

(a) Minor Amendments to Final Phase PUD Plan. Minor alterations or revisions to a previously approved Final Phase PUD Plan may be approved by the Township Board after review by the Planning Director, Fire Chief, Building Director, Director of Public Works, City Engineer and Police Chief. Each Department must certify in writing that the proposed revisions meet all requirements of this chapter and that they constitute a minor alteration which does not alter basic design nor any specific conditions of the PUD Plan as agreed upon by the developer and Township Board. The Planning Director shall record all such alterations and revisions on the original final Phase PUD Plan and advise the Planning Commission of all said minor revisions. Such revisions shall be filed and maintained by the Township Clerk and the Department of Planning and Community Development. Minor alterations or revisions shall include but not be limited to:

(1) Changes in building height which do not add new floor area.

(2) Relocation of sidewalks, if any.

(3) Rearrangement of parking lots and driveways.

4) Decrease in building size.

(5) Moving a building not more than 20 feet or 20% of the distance to the closest property line (whichever is smaller).

(6) Other proposed amendments must follow the approval procedure for a new PUD Plan.

(Ord. Passed 10-30-23.)

CHAPTER 1150
FW Floodway District, Flood Hazard Areas and Wetlands

1150.01 Purpose and objectives.

1150.02 Application of chapter.

1150.03 General requirements in flood hazard areas.

1150.04 Watercourse and wetland protection.

1150.05 Site plan review; drawings.

1150.06 Evaluation of site plan for development permits.

1150.07 Construction standards.

1150.08 Variances.

1150.09 Mapping disputes.

1150.10 Disclaimer of liability.

1150.11 Remedies; presumptions; liability to Township.

CROSS REFERENCES

Municipal bond issues - see M.C.L.A. Sec. 135.3

Drains and drainage; flood control projects - see M.C.L.A. Secs. 280.429, 280.431

Floodplain easements - see M.C.L.A. Sec. 281.628

Flood plains in subdivisions - see P. & Z. 1126.07

General provisions and definitions - see P. & Z. Ch. 1150

Drainage generally - see B. & H. Ch. 1470

1150.01 PURPOSE AND OBJECTIVES.

(a) It is the purpose of this chapter to protect the health, safety and general welfare of persons and property by protecting the flood plains, floodway, watercourses and wetlands of the Charter Township of Clinton, Macomb County, Michigan; to regulate the use of land areas subject to periodic flooding; to protect economic property values, aesthetic and recreational values and other natural resource values associated with the flood plains and wetlands of this Township; to provide for review procedures for the use of these resource areas; and to provide for penalties for the violation of this chapter adopted to secure the public health, safety and general welfare under the combined authority of Act 246 of the Public Acts of 1945 (Township Regulatory Ordinances), as amended; Act 184 of the Public Acts of 1943 (Township Rural Zoning Act), as amended; Act 127 of the Public Acts of 1970 (Environmental Protection Act), as amended; Act 347 of the Public Acts of 1972 (Soil and Sedimentation Control Act), as amended; Act 346 of the Public Acts of 1972 (Inland Lakes and Streams Act), as amended; Act 167 of the Public Acts of 1968 (Flood Plain Control Act), an amendment to Act 245 of the Public Acts of 1929 (Water Resource Commission Act); the

National Flood Insurance Act of 1968, as amended; the Flood Disaster Protection Act of 1973, as amended; and Act 203 of the Public Acts of 1979 (Wetland Protection Act), as amended.

(b) The objectives of this chapter are to:

(1) Provide for the protection, preservation, proper maintenance and use of Township watercourses and wetlands in order to minimize disturbance to them and to prevent damage from erosion, turbidity or siltation, a loss of fish or other beneficial aquatic organisms, a loss of wildlife and vegetation and/or from the destruction of the natural habitat thereof.

(2) Provide for the protection of the Township potable fresh water supplies from the dangers of drought, overdraft, pollution or mismanagement which will affect human, animal or plant life.

(3) Secure safety from damaging flood heights and velocities caused by obstructed flows and reduced storage; reduce the financial burdens imposed upon the community through rescue and relief efforts occasioned by the occupancy or use of areas subject to periodic flooding; prevent loss of life, property damage and other losses and risks associated with flood conditions; and preserve the location, character and extent of natural drainage courses.

(4) Promote the public health, safety and general welfare and minimize public and private losses due to flood conditions in specific areas by provisions designed to:

A. Protect human life and health.

B. Minimize expenditure of public money for costly flood-control projects.

C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.

D. Minimize prolonged business interruptions.

E. Minimize damage to public facilities and utilities, such as water and gas mains, electric, telephone and sewer lines, and streets and bridges located in areas of special flood hazard.

F. Ensure that potential buyers are notified that property is in an area of special flood hazard.

G. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

(c) In order to accomplish its purposes, this chapter includes methods and provisions for:

(1) Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities.

(2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

(3) Controlling the alteration of natural flood plains, stream channels and natural protective barriers which help accommodate or channel flood waters.

(4) Controlling filling, grading, dredging and other development which may increase flood damage.

(5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.02 APPLICATION OF CHAPTER.

This chapter shall apply to all of the following lands within the jurisdiction of the Charter Township of Clinton:

(a) All areas of special flood hazard as shown on the Flood Insurance Rate Map, dated August 17, 1998, designated as Zone A and subject to 100-year flooding and flood hazards.

(b) Watercourses as defined in this chapter and/or as identified on an official Charter Township of Clinton Drainage, Flood Plain and Wetland Map.

(c) Wetlands, as defined in this chapter and/or as identified on an official Charter Township of Clinton Master Drainage Plan, consisting of flood plains and wetlands maps with specific reference to soil types herein identified.

(d) Wetlands, as identified in the Soil Conservation Service Soil Survey of Macomb County, Michigan, issued September, 1971.

(Ord. 260-A-204. Passed 8-13-90; Ord. 260-A-249. Passed 8-22-94; Ord. 260-A-314. Passed 8-10-98; Ord. Passed 10-30-23.)

1150.03 GENERAL REQUIREMENTS IN FLOOD HAZARD AREAS.

(a) Except as hereinafter provided in this section, it shall be unlawful for any person to do any of the following without obtaining a development permit from the Charter Township of Clinton:

(1) Locate any operation, obstruction or structure on lands in a 100-year flood plain.

(2) Make substantial improvements to any obstruction or structure in a 100-year flood plain. Maintenance of an obstruction or structure shall not be construed to be a substantial improvement.

(3) Locate any public or private institution or place of assembly in a flood plain.

(b) Dredging and filling and/or dumping or backfilling with any material in any manner is prohibited, unless through compensating excavation and shaping of the flood plain, the flow and impoundment capacity of the flood plain will be maintained or improved.

(c) It shall be unlawful to locate off-street parking streets, roads, bridges, outdoor play equipment, sheds, garages, boathouses, boat hoists, utility lines, public utilities and facilities, pumphouses, bleachers, bank protection structures, signs, fences, gazebos and similar outdoor equipment and appurtenances, in a flood plain, unless each of the following requirements is met:

(1) The structure would not cause an increase in water surface elevation, obstruct flow or reduce the impoundment capacity of the flood plain.

(2) All equipment and structures shall be anchored to prevent flotation and lateral movement.

(3) Compliance with these requirements is certified by a registered engineer.

(d) Uses which may be permitted in the 100-year flood plain are as follows:

(1) Cultivation and harvesting of crops according to recognized soil conservation practices.

(2) Pasture, grazing land, forestry, outdoor plant nursery, orchard and harvesting of any wild crops.

(3) Wildlife sanctuary, woodland preserves and arboretums.

(4) Recreational uses, such as parks, day camps, picnic groves and golf courses, provided that no principal building is located in the floodway.

(5) Open-space portions of any use district.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.04 WATERCOURSE AND WETLAND PROTECTION.

(a) Except as hereinafter provided in this section, it shall be unlawful for any person to do any of the following without obtaining a development permit from the Charter Township of Clinton:

(1) Deposit or permit to be deposited any material, including structures, into, within or upon any watercourse or wetland area or within twenty-five feet of the edge of any watercourse or wetland designated on the Charter Township of Clinton Master Drainage Plan.

(2) Dredge, fill or land-balance bottomlands, flood plains or wetlands.

(3) Enlarge, diminish or alter a lake, stream or any other naturally occurring waterway.

(4) Create, enlarge or diminish any natural or artificially constructed canal, channel, lagoon, lake or other waterway for navigation or any other purpose whether or not connected to an existing lake, stream or watercourse.

(5) Construct, place, enlarge, extend or remove a temporary or permanent operation or structure upon bottomlands or wetlands.

(6) Construct, extend, enlarge or connect any conduit, pipe, culvert or open or closed drainage facility erected for the purpose of carrying storm water run-off from any residential site of two or more one-family or multiple-family dwelling units, nonresidential sites, parking areas, paved or unpaved private or public roads or any other land use permitting discharge of silt, sediment, organic or inorganic materials, chemicals, fertilizers, flammable liquids or any substance producing turbidity, except through an interceptor, retention or settling basin, filter or treatment facility designed to control and eliminate the pollutant before discharge to any lake, pond, stream or watercourse.

(7) Construct, enlarge, extend or connect any private or public sewage or waste treatment plant to discharge to any lake, pond, stream, water or drainage course or wetland, except in accordance with the latest requirements of the County of Macomb, State of Michigan, and the Federal Pollution Control Acts, for improving and maintaining clean natural waters.

(b) The following operations and uses are permitted in the watercourse and wetland areas of the Charter Township of Clinton, subject to the conditions of this section.

(1) Conservation of natural habitats, soil, vegetation, water, fish and wildlife.

(2) Outdoor recreation, including play and sporting areas, field trails for nature study, hiking, horseback riding, swimming, skin diving, boating and fishing, where otherwise legally permitted and regulated.

(3) Grazing, farming, gardening and harvesting of crops and forestry and nursery practices, where otherwise legally permitted and regulated.

(4) Operation and maintenance of existing dams and other water control devices and temporary alteration or diversion of water levels or circulation for emergency maintenance or aquaculture purposes, if in compliance with State statutes.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.05 SITE PLAN REVIEW; DRAWINGS.

(a) In conformance with the provisions of this section, all operations affecting the flood plain, floodway, watercourses and wetlands shall require approval pursuant to the provisions of this chapter for site plan review as herein otherwise contained.

(b) In addition to the provisions of this chapter for site plan review, as herein otherwise contained, an accurate drawing, prepared by an architect, land surveyor or civil engineer

registered with the State of Michigan, shall be submitted and shall include the following information:

(1) Name and mailing address of the owner of record of the affected property and of the applicant, if other than the owner.

(2) Names and mailing addresses of owners of record of all properties adjoining the affected property, including properties directly across any road.

(3) Date.

(4) Scale of not less than one foot equals fifty feet.

(5) Location and dimensions of all property boundary lines.

(6) Location of proposed buildings, structures, driveways and septic fields.

(7) Location map at a scale of not less than one inch equals 2,000 feet, showing property boundary lines and the general relationship of the affected property to the surrounding area within one-half mile.

(8) An area map, at a scale of not less than one inch equals 200 feet, showing property boundary lines, the normal high-water line boundary and elevation, wetlands, proposed changes in location and the extent of existing watercourses, flood lands and drainage courses.

(9) Existing contour data for the entire affected property with a vertical contour interval of no more than five feet and vertical contour data at an interval of no more than two feet for all areas to be disturbed by the proposed operation, extending for a distance of at least fifty feet beyond the limits of such areas.

Indicated elevations shall be based on United States Geological Survey datum.

(10) Proposed contours at an interval of no more than two feet.

(11) Soil borings to determine the extent of poorly drained and very poorly drained soils. (See provisions as herein otherwise contained for wetlands, as defined in Section 1150.07(136).)

(12) Elevation, in relation to mean sea level, of the lowest floor, including the basement, of all structures.

(13) Base flood elevation data where the proposed development is subject to Act 288 of the Public Acts of 1967 (the Subdivision Control Act), as amended, or if the area is greater than five acres in size.

(14) Specification of the extent of all areas to be disturbed, the depth to which removal or deposition operations are proposed and the angle of repose of all slopes of deposited materials and/or sides of channels or excavations resulting from removal operations.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.06 EVALUATION OF SITE PLAN FOR DEVELOPMENT PERMITS.

The Planning Commission and Township Board shall consider the following criteria when evaluating a site plan for a development permit:

(a) The danger that materials may be swept onto other lands to the injury of others.

(b) The danger to life and property due to flooding or erosion damage.

(c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.

(d) The importance of the services provided by the proposed facility to the community.

(e) The necessity of the facility for a waterfront location, where applicable.

(f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

(g) The compatibility of the proposed use with existing and anticipated development.

(h) The relationship of the proposed use to the Charter Township of Clinton Master Plan for Future Land Use and the Charter Township of Clinton Master Drainage Plan.

(i) The safety of access to the property in times of flood for ordinary and emergency vehicles.

(j) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters at the site.

(k) The costs of providing governmental services during the after-flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical and water systems, and streets and bridges.

(l) The impact on water quality, including filtering action.

(m) Impacts on fish and wildlife, including habitat damage or changes.

(n) The effect on adjoining wetland or drainage areas and water tables.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.07 CONSTRUCTION STANDARDS.

(a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement.

(b) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(c) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage and shall have the lowest floor, including the basement, elevated to at least one foot above the 100-year flood elevation.

(d) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(e) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(f) New and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

(g) Any alteration, repair, reconstruction or improvement to a structure, on which the start of construction was begun after the effective date of this chapter, shall meet the requirements of "new construction" as contained in this Zoning Code.

(h) Construction, substantial improvements and encroachments, including fill, are prohibited in a regulatory floodway unless certification by a registered professional engineer is provided which demonstrates that the development will not result in any increase in the 100-year flood elevation.

(i) This section does not obviate the necessity for the applicant to obtain a permit required by any other agency before proceeding with operations approved under this chapter. Obtaining such other approval of permits as may be required is solely the responsibility of the applicant, and no operations shall be initiated by the applicant until such permits have been issued. The Michigan Department of Natural Resources shall be contacted by the applicant regarding acts under the jurisdiction and authority of the Michigan Department of Natural Resources.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.08 VARIANCES.

(a) Variances from any provision relevant to this chapter may be granted by the Township Board, after review by the Planning Commission, only upon determination of compliance with the general standards for grants of variances as contained within this Zoning Code and with each of the following specific standards.

(b) A variance shall not be granted within the flood hazard area when the result would cause any increase in flood level during a base flood discharge. Further, no variance shall be granted unless all provisions of Section 1150.03 are met and:

(1) There has been a determination that failure to grant the variance would result in exceptional hardship to the applicant;

(2) There has been a determination that the grant of a variance will not result in flood heights in excess of those permitted by this chapter, additional threats to public safety or extraordinary public expense, and that such variance will not create nuisances, cause fraud on or victimization of the public or conflict with existing laws or ordinances; and

(3) The variance granted shall be the minimum necessary, considering the flood hazard, to afford relief to the applicant.

(c) The Township Board may impose conditions to the grant of a variance to ensure compliance with the standards contained in this chapter.

(d) Variances may be granted for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, the Michigan Historic Markers listing of historic sites or any other State register of historic places, without regard to the requirements of this section governing variances in flood hazard areas.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.09 MAPPING DISPUTES.

(a) When disputes arise as to the location of the flood hazard area boundary or the limits of the floodway, the Township Board, after Planning Commission review and recommendation by the Township Engineer, shall resolve the dispute and establish the boundary location.

(1) In all cases, the decision of the Township Board shall be based upon the most current flood plain studies issued by the Federal Insurance Administration.

(2) When Federal Insurance Administration information is not available, the best available flood plain information shall be used.

(b) When a dispute involves an allegation that the boundary is incorrect as mapped and Federal Insurance Administration flood plain studies are being questioned, the Township Board, after Planning Commission review, shall modify the boundary of the flood hazard area or the floodway only upon receipt of an official letter of map amendment issued by the Federal Insurance Administration.

(c) All parties to a map dispute may submit technical evidence to the Planning Commission and Township Board.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.10 DISCLAIMER OF LIABILITY.

(a) The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based upon engineering and scientific methods of study.

(b) Larger floods may occur on rare occasions.

(c) Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris.

(d) Approval for the use of land under these provisions shall not be considered a guarantee or warranty of safety from flood damage.

(e) This chapter does not imply that areas outside the flood hazard area will be free from flood damage.

(f) This chapter does not create liability on the part of the Charter Township of Clinton, or any officer or employee thereof, for any flood damage which results from reliance upon this chapter or any administrative decision lawfully made thereunder.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

1150.11 REMEDIES; PRESUMPTIONS; LIABILITY TO TOWNSHIP.

(a) The grant or denial of a developmental permit shall not have any effect on any remedy or on any person, at law or in equity, provided that where it is shown that there is a wrongful failure to comply with this chapter there shall be a rebuttable presumption that the obstruction was the proximate cause of the flooding of the land of any person bringing suit.

(b) Any person violating the provisions of this chapter shall become liable to the Township for any expense, loss or damage occasioned to the Township by reason of such violation.

(Ord. 260-A-204. Passed 8-13-90; Ord. Passed 10-30-23.)

CHAPTER 1153
Use Standards

1153.01 Use standards.

1153.01 USE STANDARDS.

(a) Each use listed in this section, whether permitted by right or subject to approval as a special land use, shall be subject to the supplemental regulations specified, in addition to applicable standards and requirements for the district in which the use is located. These standards are intended to alleviate the impact from a use that is of a size or type, or that possesses characteristics which are unique or atypical in the district in which the use is located. These will help ensure that such uses will be compatible with surrounding properties.

(1) Accessory buildings, except as otherwise permitted in the Zoning Code, shall be subject to the following regulations:

A. When an accessory building is attached to the main structure, it shall be subject to and must comply with all regulations applicable to the main structure.

B. In One-Family Residential Districts, each dwelling shall be limited to two detached accessory buildings, provided that the combined total floor area of the detached buildings shall not exceed 650 square feet or one-half the floor area of the principal dwelling or 2% of the total land area of the lot or parcel, whichever is greater. In no instance shall the combined floor area of the detached accessory buildings exceed 2,500 square feet.

C. In One-Family and Two-Family Residential Districts, detached accessory buildings shall be erected only in the rear yard.

D. In the RM, OS, B, I and SP Districts, accessory buildings shall not be erected in any front yard.

E. Detached accessory buildings shall not be located closer than three feet to any side lot line nor closer than six feet to any rear lot line. At the discretion of the Superintendent of Public Works or the Superintendent of the Department of Building, larger setbacks may be required for drainage purposes.

F. No accessory building shall be located in any public utility easement. Where public utility easements have not been granted, such easements may be required. The Department of Public Works shall describe and prepare the easement for recording with the Macomb County Register of Deeds.

G. No detached accessory building shall be located closer than three feet to any main building.

H. When an accessory building is located on a corner lot or parcel having a rear yard which abuts the side yard of the adjacent lot or parcel, the accessory building shall be placed so that the side yard abutting the public right-of-way shall not be less than required front yard of the district. When an accessory building is located on a corner lot or parcel having a rear yard which abuts the rear yard of the adjacent lot or parcel, the accessory building shall be placed so that the side yard abutting a public right-of-way shall be not less than ten feet.

I. In those instances where the rear lot line abuts a public alley right-of-way, the accessory building shall not be closer than one foot to such rear lot line.

J. No detached accessory building shall exceed one story or 14 feet in height.

K. In the RM, OS, B, P, I and SP Districts, all accessory buildings proposed to be added to a lot or parcel of land containing an existing principal use or building shall be subject to site plan review and approval by the Planning Commission.

(2) Accessory minor automotive repair and servicing of vehicles owned by the occupants of a residence is permitted in R-1 through R-5, R-T, and RML districts. However,

major automotive repairs, including bumping and/or painting, and any repairs on vehicles not owned by occupants of the residence, are prohibited.

(3) Accessory open-air sales areas may be permitted by special use approval in any B-1, B-2 or B-3 District, subject to the following minimum requirements:

A. The open-air sales area must be accessory to a principal use permitted in the District.

B. All side and rear yards of such use shall be adequately screened from any abutting Residential District in a manner approved by the Township Board upon recommendation by the Planning Commission.

(4) Adult foster care homes may be permitted in any Residential District and by Special Land Use in the B-3 District, subject to the following minimum requirements:

A. No less than seven nor more than 12 persons, of which no more than six shall be of age 65 or older, shall be cared for at one time.

B. A minimum of 80 square feet of floor area shall be provided for each one person in one bedroom. Where two or more persons are housed in one bedroom or sleeping area, a minimum of 50 square feet of floor area per person shall be provided.

C. Adequate dining and indoor recreation area shall be provided in a manner which will accommodate all residents assembled at one time.

D. Hard-surfaced off-street parking shall be provided on the site at a ratio of one space per three residents.

E. All State, County and other local ordinances or regulations, governing the establishment and operation of an adult foster care home, shall be met.

(5) Adult Use businesses are permitted in B-3 General Business District, subject to the following conditions:

A. No Adult Use business shall be located closer than 1,000 feet to any other adult use business.

B. It shall be unlawful to establish any such use in a B-3 District, unless prohibition is waived upon presentation to the Clinton Township Planning Department of a validated petition requesting such waiver. Such petition shall describe the business as being of an adult use nature and shall be signed by at least 51% of those persons owning residentially-zoned property and by 51% of the occupants of any residential rental units and by 51% of those owning or conducting business within 300 feet of the proposed location. Such petition must also be signed by the legal representative of any church or school located within 300 feet of the proposed location.

C. The site shall be located so as to abut a major thoroughfare, and all ingress and egress to the site shall be directly from such major thoroughfare.

D. The use shall not be located within a planned shopping center, as defined in Section 1150.

(6) Ancillary oil and gas uses shall be permitted subject to special land use approval in the B-3 and B-4 Districts. Accessory or ancillary oil and gas well uses or structures shall be permitted as principal uses in the I-1 Light Industrial District and I-2 General Industrial District. All such uses shall be subject to the provisions of this section and all other applicable ordinances and laws.

A. Ancillary oil and gas well or use structures may be permitted in B-3 General Business District subject to the following minimum requirements:

1. Such uses in facilities shall be placed completely to the rear of any existing principal structure or building.

2. The property upon which any structures are situated above ground shall be at least two acres.

3. Any above ground structures shall be situated at least 150 feet from any adjacent property line unless all occupants and owners of adjacent property consent in writing to a closer location and in no event shall such structures be located any closer than 50 feet to adjacent lot lines.

4. The provision of Chapter 1494 all apply except in direct conflict.

B. Setbacks and locations shall be provided as follows:

1. Lot size shall be a minimum of one acre in the B-3 General Business District and at least two acres in the B-4 Regional Business District, I-1 Light Industrial District and I-2 General Industrial District.

2. Setbacks shall be at least 150 feet from adjacent lot lines in the B-3 General Business District and B-4 Regional Business District unless all owners and occupants of adjoining property agree in writing to a lesser set back which in no case shall be less than 50 feet from adjoining property lines.

3. In all cases any accessory structures shall be located behind any existing principal building or structure.

4. In all cases any accessory structures or uses shall be set back at least 100 feet from any right-of-way.

5. In all cases where adjacent to property zoned for residential uses or upon which any residential use exists, hours of operation involving the use of any artificial lighting or motor whether electrical, combustible engine or otherwise shall not be permitted prior to 9:00 a.m. or after 5:00 p.m.

6. No accessory structure shall be permitted temporary or permanent which is at a height greater than 20 feet measured from the ground to the highest point of the structure.

7. Distance from residential zoned or property occupied for any residential use of 660 feet shall be maintained for any above ground accessory structure.

C. Performance Standards.

1. An impact statement shall be required if accessory structures are to be used to transport water from the site in quantities exceeding 100,000 gallons or more per day over a 30 day average. To demonstrate that the proposed quantity, nature, scope and extent of the proposed removal, use, or transfer will not materially diminish adjacent ground water or impair any ground water or surface water, an impact statement shall be filed. Such impact statement shall be prepared by a registered professional engineer licensed in the State of Michigan.

2. Detailed plans for the transporting handling, storage, mixing or use of chemicals or mixtures of water, chemicals or other materials shall be submitted. Information prepared by a registered professional engineer shall be submitted identifying the ground water flow direction in any potential pathway by ground water to surface water or any adjacent wetland, creek, lake or stream. A ground water monitoring plan shall be submitted.

3. Storm water control compliant with all applicable ordinances of the Township and otherwise as provided by law shall be provided.

4. The routes for vehicular access and a description including the class, axels, weight and photographs of vehicles which will be used at the site shall be provided.

5. A restoration plan demonstrating how the property will be brought back to its state as existed prior to the use of accessory structures shall be furnished. A performance bond issued by a best A rated surety or better shall be furnished in an amount as determined by the Township Engineer as adequate to offset restoration expenses before any approval is granted. The Township may use the bond for restoration following a demand for restoration and a failure to timely complete restoration.

6. A site plan shall be provided showing the location of accessory structures above and below ground, the location of wells and the location of access roads. Site plans shall be compliant with the site provisions of this section.

(7) Auto race tracks (including midget auto and go-kart tracks) may be permitted by special use approval in any I-2 District, subject to the following minimum conditions:

A. The proposed site shall be surrounded only by lands zoned I-1 or I-2.

B. All ingress and egress to and from such site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width.

C. All development perimeters shall be provided with a 20-foot greenbelt planting and a six-foot high masonry wall so as to obscure from view all activities within the development.

(8) Auto wash rack or motor vehicle laundry are permitted in B-3 General Business District, subject to the following:

A. Vehicular ingress and egress shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width, except that it shall be permissible to allow vehicles to exit from the facility onto a public alley.

B. All vehicles standing and waiting to enter the facility shall be provided off-street waiting space, and no vehicle shall be permitted to wait on the public right-of-way as part of the traffic approach.

(9) Automobile dealerships offering new car sales may be permitted by special use approval in the B-2 Community Business District and the B-4 Regional Business District, subject to the following minimum conditions:

A. The site shall be located on and have direct access, or have access by means of a marginal access road, to a thoroughfare under the jurisdiction of the Michigan Department of Highways and Transportation.

B. Curb cuts, for vehicular ingress/egress from a marginal access road to a major or secondary thoroughfare, shall be no closer than 500 feet from each other.

C. No building or structure shall be located closer than 100 feet to any residentially-zoned property.

D. Ingress and egress points shall be located at least 150 feet from the intersection of any two streets.

E. Noise, whether amplified or otherwise, shall be muffled and directed so as not to be heard from any adjoining residential property.

F. All signage shall be in compliance with Chapter 1488 of the Building and Housing Code.

(10) Automobile painting, bumping and welding shops may be permitted by special use approval in any B-3 District and are permitted in the I-1 Light Industrial District, subject to the following minimum conditions:

A. All activity must be conducted within a completely enclosed building.

B. Where the use is in the B-3 district, these additional standards shall apply:

i. Storage of vehicles to be serviced shall be located in the rear yard and shall be adequately screened in a manner approved by the Planning Commission and the Township Board. However, such uses shall not be permitted outdoor storage of such vehicles when the use abuts residentially-zoned land.

ii. All ingress and egress to and from said site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width.

C. Where the use is in the I-1 district, these additional standards shall apply:

i. The storage of vehicles to be serviced shall be located in the rear yard and shall be adequately screened by a method approved by the Planning Commission and the Township Board.

ii. Such uses shall not be permitted outdoor storage of such vehicles when the use abuts residentially zoned land.

(11) Automobile service stations or other facilities dispensing gasoline on a retail basis may be permitted by special use approval in the B-3 General Business District, subject to the following minimum conditions:

A. One hundred fifty feet of frontage on the property proposed for a service station shall be provided on the principal street serving such station.

B. The property shall maintain not less than 22,500 square feet of area.

C. All buildings, including canopy and awning structures, shall be set back not less than 40 feet from all public right-of-way lines.

D. Gasoline pumps, air and water stations and other such accessories shall be set back not less than 40 feet from all right-of-way lines.

E. Only one driveway for ingress and egress purposes shall be permitted for each public thoroughfare on which the site has frontage. Such driveway shall be located at least 50 feet from the intersection of any two streets.

F. In order to facilitate pedestrian safety, no standing or parking shall be permitted in an area immediately adjacent to any customer entrance or payment window.

G. Prohibited activities include automobile painting, bumping, welding and tire recapping and such other similar activities whose external physical effects could adversely extend beyond the property line.

(12) Automotive service and repair of such items as batteries, brakes, tires, glass, exhaust systems, upholstery, undercoating, transmissions and engines, are permitted in the I-1 Light Industrial District and B-3 General Business District, and may be permitted by special use approval in the B-2 District, subject to the following conditions:

A. Where the use is located in the B-2 District, the following standards shall apply:

i. All activity must be completely conducted within an enclosed building.

ii. Bumping, painting and major body repair shall be prohibited.

iii. Outdoor storage of wrecked vehicles, non-accessory vehicles, junk or supplies shall be prohibited.

iv. No building shall be located closer than 50 feet from residentially-zoned land.

B. Where the use is located in the B-3 District, the following standards shall apply:

i. In no instance shall the building be located closer than 50 feet to residentially zoned land.

ii. Overhead doors shall not face or abut residentially zoned land.

iii. Outdoor storage of wrecked vehicles or junk shall be prohibited.

C. Where the use is located in the I-1 District, the following standards shall apply:

i. Outdoor storage of vehicles, auto parts or junk shall be prohibited.

(13) Banks, savings and loan associations and credit unions may be permitted by special use approval in the I-1 District, subject to the following minimum condition: the use must be shown to serve an exceptional convenience need within the District.

(14) Banquet and catering halls may be permitted in any B-2 District by special use approval, subject to the following minimum conditions:

A. All ingress and egress to and from such site shall be directly onto a major thoroughfare having an existing or planned right-of-way at least 120 feet in width.

B. The proposed use shall be adequately screened from any abutting Residential District in a manner approved by the Township Board upon recommendation by the Planning Commission.

(15) Billiard halls and coin and/or token-operated amusement arcades may be permitted by special use approval in any B-2 Community Business District, subject to the following minimum conditions:

A. Such use must be contained within a fully enclosed building.

B. Such building shall be located at least 50 feet from any property or district line of any Residential District.

C. No gambling, except that as regulated by the State, shall be allowed.

(16) Billiard halls, coin and/or token-operated amusement arcades, nightclubs and skating rinks are permitted in the B-3 General Business District, subject to the following conditions:

A. When entirely contained within an enclosed building. Such building shall be located at least 100 feet from any property line of any Residential District.

(17) Bus passenger stations are permitted in B-3 General Business District, subject to the following conditions:

A. Buses shall not be parked or stored overnight at the station.

B. The station shall be used only for parking of vehicles of patrons and employees, ticket sales and waiting and pick-up areas.

(18) Business or professional schools, operated for profit, are permitted in OS Office/Service District, B-1 Neighborhood Business District, and B-2 Community Business District subject to the following conditions:

A. The site shall be located so as to have one property line abutting a major thoroughfare of 120 feet existing or proposed right-of-way and all ingress and egress shall be to and from such thoroughfare.

B. The Department of Planning and Community Development shall determine that off-street parking facilities are adequate to accommodate such use.

(19) Business uses may be permitted in the RMH district if the following conditions are met:

A. The uses are developed as retail or service uses clearly accessory to the main uses.

B. The use is within the walls of the main structure and obscured from view so as not to encourage patronage from beyond the RMH development.

C. No advertising signs shall be visible from outside the building.

(20) Carnivals and Festivals may be permitted in any I-1 or I-2 District, and festivals may be permitted in any district, subject to the procedure and minimum requirements and regulations as herein provided for:

A. Procedure. Applicants shall submit a written application, upon forms to be provided by the office of the Township Clerk, accompanied by such non-refundable fee as may be established by the Township Board by resolution, which application shall contain the following minimum information:

i. The name and address of the applicant.

ii. The name and address of any sponsor organization.

iii. The street address or other specific location where the carnival or festival is to be conducted, together with the dates of its proposed operation and the name and address of the owner of such premises or other person authorized to grant permission for use thereof.

iv. A general description of existing business or land use of the premises, if any use exists.

v. A brief description and number of any licenses, permits or other approvals required under the laws of the State of Michigan or by any governmental agency, together with a copy of each such license, permit or approval.

B. A copy of a written lease or other authorization to use such premises shall accompany the application.

C. A sketch or other drawing, depicting the location on the premises where the carnival is to be conducted, including the number and location of all toilet facilities and fencing as required under this Zoning Code, shall accompany the application.

D. The Township Clerk shall forthwith forward such application to the Department of Planning and Community Development for its review to assure compliance with this Zoning Code and the Department shall return such application to the Township Clerk within seven days with its recommendation and reasons therefor.

E. The Township Clerk shall forthwith forward such application to the Department of Building, Fire, Police and Public Works for their review and/or inspection of the premises and submittal of their recommendations thereon to the Township Clerk.

F. Such application and such recommendations shall then be placed upon the agenda of the next regularly scheduled Township Board meeting for its action in granting or denying such uses, provided that the Township Board may postpone final action for good cause, which would include the finding of a necessity to obtain additional information to assure compliance with this Zoning Code and other ordinances or other laws.

G. In addition to the information herein required, an application for a carnival or a festival involving the live performance of amplified music or music played out of doors shall include the following:

i. A statement verifying the capability of personnel to accommodate the potential increase in vehicle and pedestrian traffic.

ii. A statement verifying that levels of artificial light and noise generated by the proposed use will not have a negative impact upon surrounding properties.

iii. A statement verifying that the nature of the proposed entertainment will not have a negative impact upon the health, safety and welfare of patrons and participants.

H. Minimum requirements and regulations. Each carnival and festival shall comply with the following minimum requirements and regulations:

i. Permits and approvals. Any and all permits or approvals required by any governmental agency, Federal, State or Municipal, shall be obtained and maintained in force.

ii. Insurance. A policy of public liability insurance of not less than $500,000 per person and $1,000,000 per incident, together with property damage of not less than $100,000 shall be maintained, a copy of which policy shall be furnished to the Township Clerk prior to commencement of operation of the carnival or festival.

iii. Parking. Adequate parking shall be provided to reasonably ensure that people attending the carnival or festival or the other existing business conduct on the premises will not find it necessary to park on the public right-of-way of other lands.

iv. Hours of operation. Carnivals shall not operate prior to 10:00 a.m. and shall close not later than 11:00 p.m., Eastern Standard Time or Eastern Daylight Savings Time, as the

case may be. Festivals shall not operate prior to 10:00 a.m. and shall close not later than 2:00 a.m. Eastern Standard Time or Eastern Daylight Savings Time, as the case may be.

v. Toilet facilities. Each carnival or festival shall have adequate permanent or portable toilet facilities available on the premises.

vi. Refuse containers and daily clean-up. Each carnival and festival shall maintain, about the premises, sufficient refuse containers to reasonably ensure that all paper and other debris from products sold or made available to persons in attendance will not be thrown on the ground. Such containers shall promptly be emptied when full into dumpsters or other containers as approved by the Township Department of Public Works. Immediately upon closing each day, the entire premises of the carnival or festival shall be cleaned in a manner to remove and dispose of all debris and refuse on and about the grounds.

vii. Fencing. The entire perimeter of the portion of the premises where the carnival or festival is to be conducted shall be fenced with a temporary fencing of such type and height as to reasonably ensure the segregation of this use from the remainder of the premises and to prohibit persons from entering or leaving except through designated entrances and exits.

viii. Security. Each carnival or festival shall provide sufficient professional security guards to reasonably ensure the maintenance of peace and order on the premises and to otherwise protect the public in attendance thereat. "Professional security guard" is hereby defined to mean a person who has received training and/or is licensed as a security guard.

ix. Residing on premises. Employees or other persons shall not be permitted to reside upon the premises on which the carnival or festival is conducted, except one person for security purposes who may reside overnight therefor. All other employees and persons participating in such carnival or festival shall reside off the premises and in other duly authorized and lawful locations for residence purposes. They may not occupy manufactured homes, trailers or other vehicles situated in any location in the Township except in a duly licensed manufactured home park, travel trailer park or campground.

x. Gambling games prohibited. Games of chance or other contests, which are construed as gambling prohibited under the laws of the State of Michigan, shall not be permitted.

xi. Clean-up bond. Each applicant for a carnival shall deposit with the Township Clerk a cash bond in the sum of $1,000 and each applicant for a festival shall deposit with the Township Clerk a cash bond in the sum of $500 prior to commencement of operation, such cash bond to be held by the Township Clerk as security for cleaning up and removal of all debris from the premises upon termination of the carnival or festival. This bond shall be refunded to the applicant upon request therefor and written certification by the Township Department of Public Works that all debris emanating from such carnival or festival has been removed from the premises. In the event no written request for refund of such bond is received within 30 days following the removal of the carnival or festival from the premises,

such bond shall be presumed abandoned and transferred to the Township General Fund as public money.

I. Waiver of fees. Any bona fide charitable or non-profit organization, which is not established or operated for political purposes, may apply for waiver of fees at the time it submits its application pursuant to the procedure hereinbefore cited, and the Township Clerk shall process such application without the fee paid in advance, and, at the time it is submitted to the Township Board, a determination shall be made by the Township Board as to whether or not the fee should be waived. Any approval of the application by the Township Board without waiver of fee shall be conditioned upon payment of the fee in advance of conducting the carnival or festival.

(21) Cemeteries and customarily related uses may be permitted by special use approval in any R-1 through R-5 District, subject to the following minimum requirements:

A. The location of the cemetery shall be permitted in any quarter section of an R District when the quarter section does not have more than 51% of its land in recorded plats.

B. All access shall be provided from major or secondary thoroughfares having an existing or planned right-of-way of at least 86 feet in width.

C. All sides of the cemetery shall be screened from any residential view by a method approved by the Township Board upon recommendation by the Planning Commission.

D. Crematorium buildings shall not be located closer than 300 feet to any Residential District.

E. Bodies to be cremated shall not be stored or kept on the premises for a period exceeding five calendar days.

F. Any building used as a crematorium shall provide an auxiliary means of electrical service in the event of a power failure.

G. Any crematorium on the cemetery premises shall, at all times, be operated in full compliance with any and all other applicable laws and regulations.

(22) Child care centers are permitted in the OS Office/Service District, B-1 Neighborhood Business District, B-2 Community Business District, and B-3 General Business District, subject to the following conditions:

A. Such centers shall comply with applicable laws of the State of Michigan or the Federal Government.

B. All outdoor play areas provided shall be fenced on all sides with a minimum of a four-foot high fence.

C. The site shall be located so as to have one property line abutting a major or secondary thoroughfare and shall have all access provided to said thoroughfare.

(23) Colleges, universities and other such institutions of higher learning, public or private, offering courses in general, technical or religious education and not operated to train manual trades or for profit are permitted in One-Family Residential Districts (R-1 through R-5), Two-Family Residential District (R-T), and the Multiple Family Residential Low-Density District (RML), subject to the following conditions:

A. Any use permitted herein shall be developed only on sites of at least 40 acres in area and shall not be permitted on any portion of a recorded subdivision plat.

B. All ingress to and egress from said site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet of width.

C. No building shall be closer than 75 feet to any property line.

D. Fraternities and sororities shall be permitted when constructed on the college campus proper.

E. The height of such residential buildings in excess of the minimum requirements may be allowed, provided that minimum yard setbacks, where yards abut land zoned for residential purposes, are increased for each yard by not less than 30 feet for each 12 feet, or fraction thereof, by which said building exceeds the minimum height requirements of the zoning district.

F. Those buildings to be used for servicing or maintenance, such as heating plants, garages. storage structures and the like, shall not be located on the outer perimeter of the site where abutting property is zoned for residential purposes.

(24) Commercial kennels may be permitted by special use approval in any I-1 or I-2 District, provided the following minimum condition is met: all buildings, including pens, cages and runs, shall be located not less than 100 feet from any property line and not less than 200 feet from any Residential District.

(25) Commercial outdoor recreation may be permitted by special use approval in any B-2, B-3, I-1 or I-2 District, subject to the following minimum conditions:

A. The proposed recreational use shall be fenced on all sides.

B. All recreational buildings or facilities shall be located at least 100 feet from a Residential District.

C. All ingress and egress to and from such site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width.

(26) Dumping of soil, clay, gravel or other materials may be permitted by special use approval in any district, subject to the following minimum conditions:

A. Prior to the issuance of a dumping permit for a Floodway District and Flood Hazard Area Zone, the applicant shall conform to all requirements of Chapter 1150 and the requirements of Section 1158.10.

B. Prior to the issuance of a dumping permit for other than the Floodway District and Flood Hazard Area Zone, the applicant shall submit an engineering grading plan for review and approval by the Township Department of Public Services. Such engineering grading plan shall include all the requirements listed in Section 1158.10(c)(1) through (8) and shall also show all existing and proposed grades of the fill site and all surrounding area within 100 feet of such site.

C. Within six months following Township Board approval, such land shall be graded in a manner so as to prevent the collection of water, to provide proper drainage and to leave the ground surface fit for the growing of turf and/or development of other land uses permitted in the district.

D. A surety bond shall be required by the Township Board to insure adherence to the provisions specified herein. Such bond shall be in an amount required to restore the site to a safe, healthy, sightly and satisfactory condition.

E. Where the dumping of the aforesaid materials is a necessary and planned activity associated with the erection, addition or alteration of a structure or structures, which activity is carried on pursuant to the issuance of a valid building permit for such erection, addition or alteration by the Township Department of Building, and, as a requisite for such permit, a grading plan of the site and building grades thereon is approved by said Department, or where such dumping activities are a part of the normal landscaping and farming activity, no permit for dumping shall be required.

(27) Fast-food restaurants may be permitted by special use approval in any B-3 District, subject to the following minimum conditions:

A. The site shall be located on a major thoroughfare having a right-of-way at least 120 feet wide.

B. A landscaped setback of at least 25 feet shall be maintained from all road rights-of-way.

C. Ingress and egress points shall be located at least 50 feet from the intersection of any two streets.

D. Fast-food restaurants shall not be located within 500 feet of an existing fast-food restaurant, except if the fast-food restaurants are separated by a public thoroughfare having a right-of-way at least 120 feet wide.

E. Fast-food restaurants shall not be located within 300 feet of any One-Family Residential District.

F. Vehicle stacking lanes shall not cross any maneuvering lane, drive or sidewalk.

G. Devices for electronically-amplified voices or music shall be directed or muffled to prevent any such noises from being audible at any lot line.

(28) Full-service auto wash may be permitted by special use approval in the B-2 Community Business District, subject to the following conditions:

A. All ingress and egress to and from such site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width.

B. All side and rear yards of such use shall be adequately screened from any abutting Residential District in a manner approved by the Township Board upon recommendation of the Planning Commission.

C. Self-service, coin-operated units shall be prohibited.

D. Gasoline and all other petroleum fuel-dispensing facilities shall be prohibited.

E. No side property line of such use shall be less than 150 feet from any Residential District.

F. Buildings shall be located not closer than 100 feet from any Residential District.

(29) Funeral homes are permitted in the OS Office/Service District, B-1 Neighborhood Business District, B-2 Community Business District, and B-3 General Business District if they meet the following conditions:

A. Sufficient assembly area for vehicles to be used in a funeral procession shall be provided in addition to required off-street parking. Sufficiency of such assembly area shall be subject to the discretion of the Planning Commission and the Township Board.

B. The site shall be located so as to have one property line abutting a major thoroughfare of 120 feet existing or proposed right-of-way.

C. Adequate ingress and egress shall be provided to and from said major thoroughfare.

D. No building shall be located closer than 50 feet to the outer perimeter of the District when said District abuts any One-Family Residential District.

E. Loading and unloading areas used by ambulance, hearse or other such service vehicles shall be obscured from all residential view with a six-foot high masonry wall.

F. A crematorium is permitted as accessory to the funeral home if said crematorium does not directly abut any residentially zoned or residentially occupied property.

(30) Golf courses and country clubs may be permitted by special use approval in any R-1 through R-5 District and in the I-1 District, subject to the following minimum requirements:

A. No building or structure shall be constructed or located closer than 200 feet from a property line of any abutting residential property.

B. All ingress and egress to and from said site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width.

(31) Group daycare home shall be permitted in any Residential District if it meets all of the following standards:

A. Is located not closer than 1,500 feet to another licensed group daycare home, adult foster care small group home or large group home licensed under P.A. 218 of 1979, M.C.L.A. 400.701 to 4737, a facility offering substance abuse treatment and rehabilitation services to seven or more people licensed under Art. 6 of the Public Health Code, P.A. 368 of 1978, M.C.L.A. 333.6101 to M.C.L.A. 33.6523, or a community correction center, resident home, halfway house or similar facility which houses an inmate population under the jurisdiction of the Department of Corrections.

B. Has fully-closed (around perimeter of lot) minimum four-foot-high vinyl coated chain link fence with three quarter (3/4) inch openings or other approved vinyl fencing for the safety of children in the group daycare home which fencing shall be designed to avoid injury to children, impede the ability of children to climb the fencing. Fence color shall be white, brown, green, beige or black. Group daycare homes licensed prior to the effective date (adoption) of Ordinance 260-A-441 are grandfathered from this provision.

C. Maintains the property consistent with the visible characteristics of the neighborhood.

D. Does not exceed 16 hours of operation during a 24-hour period and does not allow for the pick up or drop off of children between the hours of 10:00 p.m. and 6:00 a.m. or for children to be situated outside of the dwelling unit itself between the hours of 10:00 p.m. and 6:00 a.m.

E. One sign which is not illuminated shall be permitted using block or script black letters occupying not more than 25% of a window within the window of the dwelling unit not exceeding 18 inches by 24 inches which designates the name of the group daycare home.

F. Off-street parking consists of and may be located in a driveway or garage or combination thereof and shall be located on the premises which they are intended to serve. Such parking shall be restricted to the paved areas beyond the right-of-way completely located on private property. One space shall be provided for every two occupants. In the event there are an odd number of occupants beyond a single occupant an additional space shall be provided. Employee parking for employees of the group daycare home shall be provided off-street. One space for every employee shall be provided.

(32) Horse and dog tracks may be permitted by special use approval in any I-1 or I-2 District, subject to the following minimum conditions:

A. The proposed site shall be surrounded only by lands zoned I-1 or I-2.

B. All ingress and egress to and from said site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width.

C. All sides of the development not abutting a major thoroughfare shall be provided with a 20-foot greenbelt planting and a six-foot high masonry wall so as to obscure from view all activities within the development.

(33) Hotels or motels are permitted in B-3 General Business District, subject to the following conditions:

A. Vehicular ingress and egress to and from the site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width.

B. No kitchen or cooking facilities are to be provided, with the exception of units for use by the manager or caretaker.

C. Each unit shall contain no less than 250 feet of floor area.

D. Units shall not be occupied as a place of permanent residence and a guest register shall be maintained by the motel or hotel.

(34) Junk yards may be permitted by special use approval in any I-2 District, subject to the following minimum conditions:

A. The site shall be entirely enclosed with an eight-foot obscuring masonry wall of sufficient strength to serve as a retaining wall.

B. There shall be no burning on the site.

C. Material for processing or storage shall not be piled higher than the eight-foot obscuring wall, and there shall be maintained a walkway around the fence area.

D. Such site shall, except for frontage on a public thoroughfare, abut land only zoned I-2.

(35) Limited retail sales of products customarily incidental to the principal uses are permitted in the I-1 Light Industrial District and TR Technical Research District, subject to the following:

A. The total floor area within the structure devoted to sales and display shall not exceed 10% of the floor area of the entire building.

B. The display of products for sale shall not be visible from outside the building.

(36) Lumber yards are permitted in the I-1 Light Industrial District, subject to the following conditions:

A. Such site shall abut only land within a B-3, I-1 or I-2 District.

B. All incidental storage shall be screened by a berm or wall, and such screening shall be approved by the Planning Commission and the Township Board.

37) Massage parlors are permitted in B-3 General Business District, subject to the following conditions:

A. The use shall comply with Chapter 850 of the Codified Ordinance.

(38) Medical offices, including clinics only for human care, are permitted in the OS Office/Service District, B-1 Neighborhood Business District, B-2 Community Business

District, and B-3 General Business District if they solely serve patients on an out-patient basis.

(39) Mini-warehouse or self-storage facilities are permitted in I-2 General Industrial District and may be permitted as a special land use in the I-1 Light Industrial District, subject to the following conditions:

A. Vehicular ingress and egress to and from the site shall be directly to and from a major or secondary thoroughfare.

B. No storage of combustible or flammable liquids or fibers, or explosive materials, as defined in the Fire Prevention Code, or hazardous or toxic materials shall be permitted within the mini-warehouse or self-storage facilities/buildings or upon the premises of the mini-warehouse or self-storage property.

C. No outdoor storage of any kind shall be permitted.

D. Except for rental offices and/or manager living quarters, the use of the facility/building shall be limited to the storage of non-hazardous personal items only.

E. Facilities/buildings shall not be used for the operation of any other business, nor for vehicle or equipment maintenance and repair.

F. Retail sales to tenants of products and supplies incidental to the principal use shall only be permitted, such as packing materials, labels, tape, twine, locks, chains and similar products.

G. No facility/building shall be located closer than 25 feet to any property line.

H. Each facility/building shall have a façade of brick or decorative block and shall have a gable, hip or other type of sloped roof.

I. No site shall be permitted which is adjacent to residentially zoned property or property occupied for residential purposes.

J. Additional screening to provide adequate separation from nearby parcels may be required utilizing vegetation, manmade materials, or both.

(40) Models of One-family detached dwellings, with accessory sales office are permitted in One-Family Residential Districts (R-1 through R-5), Two-Family Residential District (R-T), and the Multiple Family Residential Low-Density District (RML), subject to the following conditions:

A. Only if it is located in the subdivision within which the model is offered for sale.

(41) Municipal Buildings and related uses are permitted in One-Family Residential Districts (R-1 through R-5), Two-Family Residential District (R-T), and the Multiple-Family Residential Low-Density District (RML) subject to the following conditions:

A. There shall be no outdoor storage yards.

(42) New vehicle sales showrooms and service facilities are permitted in B-3 General Business District, subject to the following conditions:

A. In no instance shall the building be located closer than 100 feet to residentially zoned land.

B. Related service facilities shall be an integral part of the vehicle dealership.

(43) Office Buildings are permitted in the OS Office/Service District, B-1 Neighborhood Business District, B-2 Community Business District, and B-3 General Business District for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic and drafting, subject to limitations contained in Section 1128.03.

(44) Open-air business uses shall meet the following conditions:

A. Open-air businesses that include outdoor space for the sale or rental of automobiles, agricultural implements, boats or manufactured homes, may be permitted by special use approval in a B-3 General Business District, subject to the following minimum conditions:

i. The site shall be located on and have direct access to a thoroughfare under jurisdiction of the Michigan Department of Highways and Transportation.

ii. Ingress and egress points shall be located at least 150 feet from the intersection of any two streets.

iii. A landscaped setback of at least 25 feet shall be maintained from any abutting public right-of-way.

iv. Noise, whether amplified or otherwise, shall be muffled and directed so as not to be heard from any adjoining residential property.

v. No major repair or refinishing shall be done on the property.

vi. All signage shall be in compliance with Chapter 1488 of the Building and Housing Code.

B. Open-air businesses that are intended for the retail sales of plant material not grown on the site and sales of lawn furniture, playground equipment and garden supplies, may be permitted in B-2 Community Business District and B-3 General Business District, subject to the following conditions:

i. The use is located within a planned shopping center and connected with an existing business, as defined in Section 1150.

ii. The use is enclosed with a fence.

iii. Said area shall not be used for bulk storage.

iv. The Planning Commission and the Township Board may require walls and landscaping in order to screen such uses where they deem necessary.

(45) Other Temporary Uses and Structures may be permitted by the Superintendent of the Charter Township of Clinton Building Department for a period not to exceed 180 days provided that such use or structure is permitted in the district and adequate parking facilities are provided. Additional limitations or conditions are deemed necessary to protect the health, safety and welfare of the users and/or the general public may further be imposed by the Superintendent. The Superintendent is authorized to grant one extension for up to an additional 180 days for demonstrated cause. In the event the request for a temporary use or structure is denied, the applicant within ten days of the denial may apply to the Township Board, appealing the denial through submitting a written letter requesting an appeal to the Township Clerk. The reasons for the appeal shall be set forth in the letter. In the event the license is issued and the licensee fails to comply with additional limitations or conditions within the license or otherwise fails to comply with additional limitations or conditions within the licensee or otherwise fails to conform to Township ordinances or interferes with adjoining property owners rights or creates hazards, the Superintendent or his or her designee may request that the Township Board revoke, suspend, or modify the approval for the temporary use and/or structure. A copy of the application to the Township Board shall be furnished to the party receiving the approval who shall appear before the Township Board and show cause why relief as requested should not be granted. The Superintendent is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation is fully completed and the final approval has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the current edition of the National Electrical Code (NEC) or as otherwise provided in any applicable Building Code adopted by the Township. The Superintendent is authorized to terminate any permit for a temporary structure or use and to order the temporary structure or use to be discontinued. Applications for concrete or asphalt batch plants as temporary uses may be approved solely by the Township Board and may be extended for additional periods of time up to 180 days.

(46) Outdoor Sales and Displays of Goods. The Township Board may grant a special permit for Outdoor Sales and Displays of Goods which are either accessory or not accessory to a principal uses such as, but not limited to fruits, vegetables, dairy products, plants, flowers, Christmas trees, etc. and such other goods which are readily accessible for inspection and removal by the potential customer, subject to the following conditions:

A. No such use shall be permitted on any lands within the Township except those properties which abut a major or secondary thoroughfare and are located in the OS, B-1, B-2, B-3, I-1, I-2, or RM District.

B. Adequate off street parking shall be provided on the site to accommodate both the proposed additional use and any existing uses and shall not be located within any public right-of-way or required set back.

C. All such outdoor sales and display areas shall comply with Commercial and Noncommercial Solicitors Chapter 882 of these Codified Ordinances.

D. Metal shipping containers or other similar containers shall not be placed upon the site in order to store goods which are sold, or available for sale other than within a fully enclosed building, or as regulated by Sect. 1159.01(l), Other Temporary Uses and Structures.

E. No tent or other temporary structure shall be erected more than two days prior to the permitted date for the sale and display of goods. Tents and other temporary structures shall be removed within two days upon the expiration of the date for the permitted sale and/or display of goods. As a cumulative remedy, further approvals by the applicant and at the property involved may be withheld.

F. The Township shall not grant permission for outdoor sales and display permitting simultaneously in excess of 15 temporary uses and display of goods within the Township in total per calendar year.

G. The Township shall not permit in excess of two temporary structures for outdoor sales and/or display of goods per legally described parcel and per any site which consists of a shopping center, or other site where a common use of the parking lot occurs amongst parcels at one time. Common use of the parking lot refers to the parking area being open and available for the public since the vehicles may be parked and the parking surface crossed without obstruction to access businesses.

H. No separate legally described parcel, or parking lot which is accessible to businesses shall have in excess of four permitted temporary outdoor sales and display of goods in any calendar year.

I. In granting an approval, the Township Board may select the setback location for temporary structures such as tents from roadways and buildings and provide for tents not to obstruct existing drives and driveways within parking areas.

J. No temporary uses shall be permitted in any shopping plaza which has in excess of 20% vacancy of available gross floor area for all sites within the shopping center.

K. Scaled drawings shall be furnished showing the proposed location of temporary uses and structures. Manufacturers information and fire safety information shall be furnished with respect to all temporary structures, such as tents. An elevation drawing of any temporary structure, including tents, shall be furnished.

L. Except as provided, all sales shall be rung up within one of the existing permanent buildings on site with temporary structures being for display only. At the discretion of the Township Board of Trustees, outdoor sales may be approved when all of the following conditions are met:

i. An entity conducting such sales maintains a physical presence at the parcel proposed for outdoor sales, either through ownership of a building or a lease of at least one

year and has been previously approved for operation by the township having complied with all building, fire and police regulations.

ii. All taxes are current and all water bills, or other township fees are paid.

iii. Such sales are accessory to the principal use and involve a product which consistently makes up at least 10% of the sales occurring within the permanent structure to which the proposed temporary outdoor use is accessory and permitted.

M. Temporary structures shall comply with requirements set forth in the current edition of the International Fire Code and the Michigan Building Codes, with applicants obtaining the necessary permits from each department and fully complying with all other Township ordinances.

N. Signs shall comply with Chapter 1488. Sign permits shall be secured through the Building Department. Balloons, pennants, streamers, spinners, message boards, manikins, inflatable and windblown devices are not permitted. Applicant shall fully comply with all other Township ordinances.

(47) Outdoor theaters may be permitted by special use approval in any I-1 or I-2 District, subject to the following minimum conditions:

A. The proposed site shall be surrounded only by lands zoned I-1 or I-2.

B. All ingress and egress to and from such site shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least 120 feet in width.

C. All vehicles, standing or waiting to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to stand or wait within a public right-of- way.

D. The area shall be designed so as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting to illuminate the area shall be installed so as to be confined within and directed onto the premises of the outdoor theater site.

(48) Pawnbrokers or Used Good Dealers are permitted in B-3 General Business District, subject to the following requirements and conditions:

A. No pawnbroker or used good dealer shall be located closer than 1,000 feet to any other pawnbroker.

B. It shall be unlawful to establish any such use in a B-3 District, unless prohibition is waived upon presentation to the Clinton Township Planning Department of a validated petition requesting such waiver. Such petition shall describe the exact nature of the business and shall be signed by at least 51% of those persons owning residentially-zoned property and by 51% of the occupants of any residential rental units and by 51% of those owning or conducting business within 300 feet of the proposed location. Such petition must also be signed by the legal representative of any church or school located within 300 feet of the proposed location.

C. The site shall be located so as to abut a major thoroughfare, and all ingress and egress to the site shall be directly from such major thoroughfare.

(49) Places of assembly, including places of worship or churches, schools, theaters, etc., are subject to the following minimum conditions:

A. All ingress to and egress from the site shall be directly onto a major or secondary thoroughfare having a right-of-way of at least 86 feet in width.

B. Front, rear and side yards shall be equal to at least one and one-half times the height of the structure. The height limitations set forth in Section 1152.01 shall not apply to this section.

C. Accessory structures shall not exceed one story in height and shall provide yards equal to at least those required for the principal use.

D. Parking shall not be permitted in any required or nonrequired front yard.

E. The Planning Commission may require walls, berms or landscaping where it deems the same to be necessary to minimize the impact of the use upon surrounding properties.

(50) Printing and publishing establishments are permitted in the B-2 Community Business District and B-3 General Business District subject to the following conditions:

A. Provided that the building housing, such an establishment, shall be free-standing and not attached to any other building or use.

B. That the use is designed and operated so as to provide no sound or vibration discernible at the property lines in excess of the normal intensity of street or traffic noises or vibration noticeable at such points.

(51) Private clubs and/or lodge halls are subject to the following conditions:

A. Private clubs and/or lodge halls may be permitted by special use approval in the I-1 Light Industrial District, subject to the following conditions:

i. In no instance shall the building, or any portion of the building, be located closer than 50 feet to any residentially zoned land.

ii. All activities, other than off-street parking, shall be conducted within a completely enclosed building.

B. Private clubs and/or lodge halls are permitted in B-3 General Business District, subject to the following:

i. All activities, other than off-street parking, shall be conducted within a completely enclosed building.

ii. No building shall be closer than 40 feet to any property line.

iii. Buildings shall not exceed two stories or 25 feet in height.

(52) Private or public athletic clubs, health spas or figure salons are permitted within the OS Office/Service District, B-1 Neighborhood Business District, B-2 Community Business District, and B-3 General Business District when conducted within a completely enclosed building and the proposed use is of such size and character that it will be in harmony with the orderly development of the immediate area and is designed to eliminate any possible nuisance which might be adverse to occupants of any other nearby permitted uses.

(53) Publicly-owned buildings, public utility buildings, telephone exchange buildings and repeater stations, electric transformer stations and substations, and gas regulator stations office are permitted in One-Family Residential Districts (R-1 through R-5), Two-Family Residential District (R-T), and the Multiple Family Residential Low-Density District (RML), OS Office/Service District, B-1 Neighborhood Business District, B-2 Community Business District, and B-3 General Business District, subject to the following conditions:

A. There shall be no storage yards permitted.

B. The operation requirements necessitate locating of said building within the District in order to serve the immediate vicinity.

C. Planning Commission and the Township Board may require walls and landscaping in order to screen such uses where they deem necessary.

(54) Quarrying, removal of soil, sand, gravel, clay or similar materials may be permitted within any district by special use approval, subject to the following minimum conditions:

A. Where an excavation in excess of five feet will result from such operations, the applicant shall erect a fence completely surrounding the portion of the site where the excavation extends, such fence to be not less than five feet in height, complete with gates which shall be kept locked when operations are not in progress.

B. Any roads used for the purpose of ingress and egress to and from such excavation site which are located within 300 feet of occupied residences shall be kept dust free by hard-topping with cement, bituminous substance or chemical treatment.

C. The slopes of the banks of the excavation shall, in no event, exceed a minimum of seven feet to one foot (seven feet horizontal to one foot vertical), and where ponded water results from the operation, this slope must be maintained and extended into the water to a depth of five feet.

D. Where quarrying operations result in a body of water, the owner or operator shall place appropriate "Keep Out - Danger" signs around said premises not more than 200 feet apart.

E. No cut or excavation shall be made closer than 50 feet from the nearest street or highway right-of-way line nor nearer than 20 feet to the nearest property line, provided, however, that the Township Board may prescribe more strict requirements in order to give sublateral support to surrounding property where soil or geographic conditions warrant.

F. The Township Board shall require such other performance standards where, because of peculiar conditions, it deems it to be necessary for the protection of the health, safety, morals and well-being of the inhabitants of the Township.

G. No soil, sand, gravel, clay or similar materials shall be removed below a point six inches above the mean elevation of the centerline of the nearest existing or proposed street or road established or approved by the Macomb County Road Commission, except as required for installation of utilities and pavements.

H. No soil, sand, clay, gravel or similar materials shall be removed in such manner as to cause water to collect or to result in a place of danger or a menace to the public health. The premises shall, at all times, be graded so that no interference occurs with surface water drainage.

I. Sufficient topsoil shall be stockpiled on said site so that the entire site, when stripping operations are completed, may be covered with a minimum of four inches of topsoil, and the replacement of such topsoil shall be made immediately following termination of the stripping operations. In the event, however, that such stripping operations continue over a period of time greater than 30 days, the operator shall replace the stored topsoil over the stripped areas as the operation progresses.

J. The Township Board shall require such other and further provisions as are deemed necessary in the interest of the public health, safety, morals and general welfare of the inhabitants of the Township of Clinton.

K. In addition to the site plan requirements set forth in this division and in Section 1158.10, the following additional information is required:

i. A detailed proposal as to the method of operation, such as the wet or dry method, what type of machinery or equipment will be used and the estimated period of time such operation will cover.

ii. A detailed statement as to exactly what type of deposit is proposed to be extracted.

iii. The proposed method of filling the excavation where quarrying results in extensive under-surface excavation.

iv. A topographic survey map.

v. Such other information as may reasonably be required by the Planning Commission and the Township Board.

L. A fee, as established by the Township Board, to defray the cost of engineering services, investigation, publication and other miscellaneous administrative expenses, shall accompany the application for a quarrying permit.

M. Permits, issued by the Township Board, shall be for a period of one year, and such permit may be renewed by the payment of an annual inspection fee as established by the

Township Board. Such permits shall be renewed for so long as the applicant complies with all regulations of this Zoning Code and any conditions of the permit.

N. The Township shall, to insure strict compliance with any regulations contained herein or conditions for issuance of a permit, either for quarrying or stripping topsoil, require the applicant to furnish a surety bond, executed by a reputable surety company authorized to do business in the State of Michigan, in an amount determined by the Township Board to be reasonably necessary to insure compliance hereunder. In establishing the amount of such surety bond, the Township Board shall take into consideration the size and scope of the proposed quarry, probable cost of reclaiming the premises upon default of the operator, estimated expenses to compel the operator to comply by court decree and such other factors and conditions as might be relevant in determining the sum which is reasonable, based on all facts and circumstances of each application.

(55) Railroad rights-of-way shall be permitted in all use districts provided that related industrial uses shall be permitted only when adjacent to an I-1 or I-2 Industrial District.

(56) Recreational vehicle storage facilities may be permitted by special use approval in any B-3 General Business District or I-1 Light Industrial District, subject to the following minimum requirements:

A. The site shall be located on and have direct access to a thoroughfare under jurisdiction of the Michigan Department of Highways and Transportation.

B. The site shall abut only property zoned business or industrial.

C. The site shall be located a minimum distance of 300 feet from any residential property.

D. The site shall contain a minimum of two acres of land.

E. The storage area shall be enclosed with an obscuring wall or fence at least six feet in height.

F. The outdoor storage area shall meet all paving and drainage requirements of the Clinton Township Codified Ordinances unless the Township Board authorizes a variance pursuant to Section 1142.03 of said Ordinances.

G. Maintenance and/or servicing of any vehicle shall be conducted only within a completely enclosed building.

H. The outdoor storage of wrecked vehicles, junk or supplies shall be strictly prohibited.

(57) Restaurants or other similar places serving food or beverages, excluding catering and banquet halls and drive-in/drive-through fast food restaurants are:

A. Permitted in the OS Office/Service District subject to the following conditions:

i. Such restaurant shall be an integral part of and wholly contained within the office structure of which it is a part.

ii. Such restaurant shall not be permitted exterior signage as a use separate from the office structure of which it is a part.

B. Permitted in the B-1 Neighborhood Business District, B-2 Community Business District, and B-3 General Business District, subject to the following condition:

i. That such use is part of a planned shopping center as defined in Chapter 1150.

(58) Retail businesses and service establishments are permitted in B-2 Community Business District and B-3 General Business District as follows and subject to the regulations in Section 1176.03:

A. Department stores and other retail businesses which offer the sale of merchandise, including such items as home furnishings, bicycles, jewelry, pets, appliances, luggage, sporting goods and toys, and whose activities are conducted completely within an enclosed building.

B. Retail or service establishments, including showrooms of a nature which require a workshop adjunct, including pet groomers (without boarding facilities), home appliance repair, printers and upholsterers, but excluding any retail or service establishment for automobile vehicles, boats and the like.

C. Restaurants or other places serving food or beverages, except banquet and catering halls.

D. Indoor commercial recreation establishments, such as bowling alley, indoor archery range, indoor tennis and racquet clubs or similar establishments. However, billiard halls, coin and/or token-operated amusement arcades, dance halls and skating rinks are expressly prohibited unless they are accessory to an above-permitted indoor commercial recreation establishment.

E. Theaters, assembly halls, concert halls or similar places of assembly when conducted completely within an enclosed building.

(59) Riding and boarding stables may be permitted by special use approval in any R-1 through R-5 District, subject to the following minimum requirements:

A. A minimum site of eight acres or more shall be provided.

B. Stables or paddock areas for instruction or confinement of horses shall be at least 30 feet from any property line.

(60) Satellite Dish Antennas shall meet the following conditions:

A. Satellite dish antennas shall be installed only upon issue of a permit by the Clinton Township Department of Building upon condition that the mounting and support for such antenna meet the requirements of the current edition of the Michigan Building Code.

B. Satellite dish antennas shall meet all manufacturer's specifications, be of corrosion-resistant material and be erected in a secure wind-resistant manner.

C. Satellite dish antennas shall not exceed a diameter of 12 feet.

D. In a One-Family or Two-Family Residential Zoning District, a satellite dish antenna may be permitted, subject to the following:

i. A satellite dish antenna shall be located in the rear yard of a lot or a parcel of property.

ii. In the event that a satisfactory satellite signal cannot be received by locating the satellite dish antenna in the rear yard, the Board of Appeals may grant a variance to permit location of the satellite dish antenna in the front yard, in the side yard or upon the roof of a principal or accessory structure. A finding by the Board of Appeals that a suitable signal cannot be obtained shall be deemed sufficient proof of practical difficulty or unnecessary hardship to authorize the granting of a variance in its sole discretion.

iii. Roof or pole-mounted antennas shall not exceed the height requirements of the One-Family or Two-Family Residential District in which they are located.

iv. Roof-mounted antennas shall be of mesh construction.

E. In all other zoning districts, satellite dish antennas are permitted, subject to the following:

i. Satellite dish antennas shall be permitted either at ground level, on a pole or on a roof. Satellite dish antennas shall be placed so as not to exceed the height limit of the district in which they are located.

ii. Satellite dish antennas shall not be placed in any required setback nor in a required parking area.

iii. In the event that a satisfactory satellite signal cannot be received by compliance with the requirements hereof, the Board of Appeals may grant a variance to permit the location of the satellite dish antenna in the front yard, in the side yard or upon the roof of a principal or accessory structure. A finding by the Board of Appeals that a suitable signal cannot be obtained shall be deemed sufficient proof of practical difficulty or unnecessary hardship to authorize the granting of a variance in its sole discretion.

iv. Roof-mounted antennas shall be of mesh construction.

(61) Schools, operated for profit, for the training or instruction of non-academic subjects such as, but not limited to, dance, music, martial arts and similar artistic or athletic pursuits are permitted in B-1 Neighborhood Business District, B-2 Community Business District, and B-3 General Business District, subject to the following condition:

A. That the Department of Planning and Community Development determines that available off-street parking is adequate to serve the use.

(62) Solid Waste Disposal. The following conditions shall apply to Solid Waste Disposal:

A. No solid waste, as defined in Section 1150, shall be kept in open containers or piled, placed, stored, dumped or disposed of on any land or within any building within the Township of Clinton, except in accordance with the requirements of the State of Michigan and/or the Federal Government and this section.

B. Nothing contained in this Zoning Code shall prevent the reasonable use of garbage, fertilizers, manure and similar material for the improvement of land used for farming purposes where such use is not carried on in an unhealthy or unsanitary manner, causing a menace to the health and welfare of the public, provided, however, that the storing, piling, placing or dumping of the above-mentioned materials from other than one household, whether the operation is carried on for a profit or not, shall be subject to the requirements of this section. However, in no instance shall any such storage and/or composting of the above-mentioned materials be permitted within 200 feet of any land containing a residential dwelling.

(63) State-Licensed Residential Facilities are subject to the requirements of the State of Michigan and where applicable and permitted provisions of the Zoning Code and other Township Ordinances.

(64) Swimming pool and club houses, when incorporated as a nonprofit club or organization maintaining a swimming pool for the exclusive use of members and their guests are permitted in One-Family Residential Districts (R-1 through R-5), Two-Family Residential District (R-T), Manufactured Home Community District (MH) and the Multiple Family Residential Low-Density District (RML), subject to the following conditions:

A. As a condition to the original granting of such permit and the operation of such nonprofit swimming pool club, as a part of such application, the applicant shall obtain a written statement, addressed to the Planning Commission, recommending that such approval be granted. Such statement shall contain the signatures of 100% of the persons owning property within 150 feet immediately adjoining any property line of the site proposed for development, and approval from 51% of the persons owning property within 1,000 feet.

B. In those instances where the proposed site is not to be situated on a lot of record, the proposed site shall have one property line abutting a major thoroughfare having an existing or planned right-of-way of at least 120 feet of width, and the site shall be planned so as to provide ingress and egress directly onto said major thoroughfare.

C. Front, side and rear yards shall be a minimum of 80 feet wide (except that on sides adjacent to nonresidential districts, Section 1152.01 shall govern yards) and shall be landscaped in trees, shrubs, grass and terrace areas. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards. except for required entrance drives and those walls and/or fences used to obscure the use from abutting Residential Districts.

D. Buildings erected on the premises shall not exceed one story in height.

E. All lighting shall be shielded to reduce glare and shall be arranged and maintained so as to direct the light away from all lands which adjoin the site.

F. The Planning Commission and Township Board may require walls, berms or landscaping where they deem necessary to minimize the effect of the use upon surrounding properties.

G. Whenever a swimming pool is constructed under this Zoning Code, said pool area shall be provided with a protective fence six feet in height, and located as approved by the Planning Commission and Township Board with entry provided by means of a controlled gate.

H. Swimming pools must be totally in the ground.

I. Where storm sewers are nonexistent or capacity is not sufficient, adequate on-site takeoff facilities shall be provided, subject to approval of the Township Board.

(65) Swimming pools, located either above or below grade intended for swimming or bathing, having a depth of two feet or more at any point, can be located in a residential district as follows:

A. There shall be a distance of not less than four feet between the outside pool wall and any building located on the same lot.

B. No swimming pool shall be located less than 25 feet from any front lot line.

C. No swimming pool shall be located less than ten feet from any side street or alley right-of-way.

D. No swimming pool shall be located in an easement.

E. No swimming pool shall be located less than six feet from any side or rear lot line.

(66) Tent and other Temporary Facilities for Funeral. The Building Superintendent may grant a special permit for the erection of a tent, and other temporary facilities for funeral related services and other outdoor activities that do not involve the sale of goods at any funeral home which is licensed by the State of Michigan subject to the following conditions:

A. Any and all services and the congregation of people outdoors shall conclude and disperse on or before 10:00 p.m.

B. Any and all electrical service shall be subject to inspection in compliance with applicable Township ordinances, including procuring permits if required under such ordinances. Tents and cooking devices shall be subject to inspection by the Fire Marshal in compliance with applicable ordinances and laws.

C. A drawing shall be submitted as a site location drawing, identifying tent locations and temporary facilities and depicting parking lot features and driveway features, such that parking and pedestrian traffic can be evaluated.

D. No sound amplification, for speech, music, or other purposes shall be permitted whether outdoors or within any tent, or temporary structure.

(67) Tent and other Temporary Facilities for Hospital. The Building Superintendent may grant a special permit for the erection of a tent, and related temporary facilities for a hospital, or other similar healthcare facility where emergency circumstances make it impractical to obtain permission for an outdoor use and facilities before the Board of Trustees.

(68) Truck repair (minor) facilities may be permitted in I-1 subject to special use approval. The following conditions shall apply:

A. The use is located along a state trunk line.

B. The required front yards area shall be landscaped in accordance with the requirements of Chapter 1155. In no case shall the front yard be used for loading or unloading or storage of wrecked or damaged vehicles or parts, materials, or equipment.

C. All repair and maintenance must be performed in a completely enclosed building. In the I-1 District, all painting must be done in a paint booth.

D. There shall be no outdoor storage or display of vehicle components, parts, supplies, equipment, or merchandise except within an area defined on the site plan approve by the Planning Commission which extends no more than ten feet beyond the building. Outside storage areas for trash, used tires, auto parts, and similar items shall be prohibited.

E. No storage or display of vehicles, trucks, trailers or equipment shall be permitted in any landscape greenbelt area.

F. A license for a vehicle repair facility from the State of Michigan shall be provided prior to issuance of any occupancy permits.

(69) Trucking operations, including sales, service and repair, are permitted in the I-2 General Industrial District, subject to the following conditions:

A. All ingress and egress shall be from a major thoroughfare having a minimum right-of-way width of 120 feet.

B. All accessory storage shall be in the rear yard and shall be completely screened from all adjacent properties and public streets.

(70) Vehicle, Truck, and Trailer Dealerships may be permitted in I-1 subject to special use approval. The following conditions shall apply:

A. The use is located along a state trunk line.

B. The minimum area of the site shall be one acre.

C. When the use is adjacent to residential, there shall be a solid fence or wall around the side and or rear of the site where it adjoins the residential district(s) that is a minimum of six feet in height in addition to the buffer requirements of Chapter 1494.

D. Driveway access shall not be permitted to a residential street.

E. Loading and unloading of vehicles, trucks, trailers or equipment shall be accommodated on the site. No loading or unloading of vehicles shall occur in the public street right-of-way.

F. Vehicle, truck, trailer and equipment storage areas shall be paved.

G. No storage or display of vehicles, trucks, trailers or equipment shall be permitted in any landscape greenbelt area.

H. A vehicle dealer license from the State of Michigan shall be provided prior to issuance of any occupancy permits for the sale of mor than four vehicles or trucks.

(71) Veterinary clinics and hospitals, including facilities for overnight keeping of animals, are permitted in the OS Office/Service District, B-1 Neighborhood Business District, B-2 Community Business District, and B-3 General Business District subject to the following conditions:

A. The site shall be located so as to have one property line abutting a major thoroughfare of 120 feet existing or proposed right-of-way.

B. All activities must be conducted within a totally enclosed main building with no outdoor kennels, cages or runs.

C. A separate entrance must be provided for admittance and discharge of animals from the hospital or clinic so as not to interfere with common pedestrian hallways and entrances.

(72) Wireless Telecommunication Facilities, may be permitted by special use approval in any zoning district within the Township, subject to the following minimum conditions:

A. As used in this section these terms below have the following meanings:

i. Co-Locate. To place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment component.

ii. Equipment Compound. An area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.

B. The following standards shall apply to all applicants to located nonessential wireless telecommunications antenna array or support structures in the Township:

i. Wireless communications equipment is a permitted use of property and is not subject to special use approval if all of the following requirements are met:

a. The wireless communications equipment will be co-located on an existing wireless communications support structure or existing equipment compound.

b. The easing wireless communications support structure or existing equipment compound is in compliance with local ordinances.

c. The proposed co-location will not do any of the following:

1. Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.

2. Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation.

3. Increase the area of the existing equipment compound to greater than 2,500 square feet.

d. The proposed co-location complies with the terms and conditions of any pervious final approval of the wireless communications support structure or equipment compound by the Planning Commission or Planning Director.

ii. Wireless communications equipment that does not meet the requirements of subsection B(i) is a permitted use of property if it receives special use approval and shall include all of the following:

a. A site plan is required under Section 501 of Public Act 110 of 2006, including a map of the property and existing and proposed buildings and other facilities.

b. Any additional relevant information that is specifically required by a zoning ordinance provision described in Section 502(1) or Section 504 of Public Act 110 of 2006.

c. Special use approval of wireless communications equipment may be made expressly conditional only on the wireless communications equipment's meeting the requirements of all local ordinances and of federal and state laws before the wireless communications equipment begins operations.

(Ord. Passed 10-30-23.)

CHAPTER 1154
General Site Plan Development Regulations

1154.01 Driveways.

1154.02 At-Grade Patios.

1154.03 Height Limits.

1154.04 Lot Area.

1154.05 Lots Adjoining Alleys.

1154.06 Porches and Decks.

1154.07 Projections into Yards.

1154.08 Satellite Dish Antennas.

1154.09 Residential Entranceways.

1154.10 Corner Clearance.

1154.11 Dumpster Enclosures.

1154.12 Mechanical Equipment Screening.

1154.13 Off-Street Parking Requirements.

1154.14 Bike Parking Requirements.

1154.15 Electric Vehicle Parking.

1154.16 Vehicle Stacking Requirements.

1154.17 Off-Street Loading/Unloading.

1154.18 Lighting Requirements.

1154.19 Solar Panel Standards.

1154.01 DRIVEWAYS.

Driveways may be constructed within required front, side and rear yards.

(Ord. Passed 10-30-23.)

1154.02 AT-GRADE PATIOS.

At-grade patios may be constructed within required side and rear yards.

(Ord. Passed 10-30-23.)

1154.03 HEIGHT LIMITS.

(a) The height of all structures, including, but not limited to, monuments, water towers and commercial radio and television transmission towers, shall not exceed the height limit of the district in which they are located unless variance is granted by the Board of Appeals. Each residential unit and commercial and industrial building shall be limited to a maximum of two antenna support structures located on its roof.

(1) Amateur (Ham) radio antennas, licensed by the Federal Communications Commission (FCC) or other government-authorized agency, may be located on residential property. Roof-mounted antenna support structures shall not exceed a height of five feet above the peak of the roof upon which they are mounted. Roof-mounted antennas shall be vertical, omni-directional antennas, not to exceed a height of 20 feet.

(2) Residential properties shall be limited to one ground-mounted antenna support structure, not to exceed an over-all height of 75 feet, including antennas. Said structure shall be located only in the rear yard, a minimum of ten feet from any property line. All antenna support structures shall require building permits and inspection by the Department of Building. Said structures shall meet all applicable requirements of the Michigan Building Code and/or Michigan Residential Code in addition to all safety requirements specified by the manufacturer.

(Ord. Passed 10-30-23.)

1154.04 LOT AREA.

Any lot of record on the effective date of this Zoning Code may be used for any principal use (other than uses permitted subject to special conditions, for which specific lot area requirements are contained in this Zoning Code) permitted in the district in which such lot is located, whether or not such lot complies with the lot area requirements of this Zoning Code, provided that compliance is made with all regulations, other than lot area requirements, as prescribed in this Zoning Code, and provided that not more than one dwelling unit shall occupy any lot, except in conformance with regulations of this Zoning Code for required lot area for each dwelling unit.

(Ord. Passed 10-30-23.)

1154.05 LOTS ADJOINING ALLEYS.

In calculating the area of a lot which adjoins an alley or lane, for the purpose of applying lot area requirements of this Zoning Code, one-half the width of such alley abutting the lot shall be considered as part of such lot. When reasonable compliance cannot be made with yard requirements on lots of record on the effective date of this Zoning Code, or on lots of peculiar shape, topography or architectural or site arrangement, the Board of Appeals may grant a variance to such requirements.

(Ord. Passed 10-30-23.)

1154.06 PORCHES AND DECKS.

An unenclosed, uncovered porch or deck (one that does not have a roof and/or walls) may project into a required front yard for a distance not to exceed eight feet and into a

required rear yard for a distance not to exceed 12 feet. Such porch or deck shall not occupy more than 30% of any required rear yard plus 20% of any non-required rear yard. The porch or deck shall not encroach into any easement and shall conform with applicable side yard setback requirements.

(Ord. Passed 10-30-23.)

1154.07 PROJECTIONS INTO YARDS.

Architectural features, such as, but not limited to, window sills, cornices, eaves, wingwalls, bay windows, chimneys or other vertical projections may extend or project into a required side yard not more than two inches for each one foot of width of such required side yard and may extend or project into a required front yard or rear yard not more than three feet. Architectural features shall not include those details which are nominally demountable.

(Ord. Passed 10-30-23.)

1154.08 SATELLITE DISH ANTENNAS.

(a) Satellite dish antennas shall be installed only upon issue of a permit by the Clinton Township Department of Building upon condition that the mounting and support for such antenna meet the requirements of the current edition of the Michigan Building Code as adopted by the State of Michigan.

(b) Satellite dish antennas shall meet all manufacturer's specifications, be of corrosion-resistant material and be erected in a secure wind-resistant manner.

(c) Satellite dish antennas shall not exceed a diameter of 12 feet.

(d) In a One-Family or Two-Family Residential Zoning District, a satellite dish antenna may be permitted, subject to the following:

(1) A satellite dish antenna shall be located in the rear yard of a lot or a parcel of property.

(2) In the event that a satisfactory satellite signal cannot be received by locating the satellite dish antenna in the rear yard, the Board of Appeals may grant a variance to permit location of the satellite dish antenna in the front yard, in the side yard or upon the roof of a principal or accessory structure. A finding by the Board of Appeals that a suitable signal cannot be obtained shall be deemed sufficient proof of practical difficulty or unnecessary hardship to authorize the granting of a variance in its sole discretion.

(3) Roof or pole-mounted antennas shall not exceed the height requirements of the One-Family or Two-Family Residential District in which they are located.

(4) Roof-mounted antennas shall be of mesh construction.

(e) In all other zoning districts, satellite dish antennas are permitted, subject to the following:

1) Satellite dish antennas shall be permitted either at ground level, on a pole or on a roof. Satellite dish antennas shall be placed so as not to exceed the height limit of the district in which they are located.

(2) Satellite dish antennas shall not be placed in any required setback nor in a required parking area.

(3) In the event that a satisfactory satellite signal cannot be received by compliance with the requirements of paragraphs (e)1. and 2. hereof, the Board of Appeals may grant a variance to permit the location of the satellite dish antenna in the front yard, in the side yard or upon the roof of a principal or accessory structure. A finding by the Board of Appeals that a suitable signal cannot be obtained shall be deemed sufficient proof of practical difficulty or unnecessary hardship to authorize the granting of a variance in its sole discretion.

(Ord. Passed 10-30-23.)

1154.09 RESIDENTIAL ENTRANCEWAYS.

(a) In R Districts, entranceway structures, including, but not limited to, walls, columns and gates marking entrances to one-family residential or multiple-family residential developments, may be permitted and be located in a required yard, except as provided in Section 1154.10, provided that entranceway structures shall comply with all codes and ordinances of the Township, with proper permits issued.

(b) Entranceway structures shall refer only to the development on the land upon which they are located.

(Ord. Passed 10-30-23.)

1154.10 CORNER CLEARANCE.

No fence, wall, shrubbery, sign or other obstruction to vision, above a height of three feet from the established street grades, shall be permitted within the triangular area formed at the intersection of any thoroughfare right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection.

(Ord. Passed 10-30-23.)

1154.11 DUMPSTER ENCLOSURES.

The following standards shall apply to dumpsters or waste receptacles:

(a) Waste receptacles or dumpsters shall be located in the rear yard or non-required side yard.

(b) Waste receptacles or dumpsters shall be easily accessed by refuse vehicles without damaging the enclosure or automobiles parked in designated parking spaces.

(c) The base of the receptacle or dumpster shall be at least one foot wider than the enclosure with a concrete apron projecting outward at a minimum of ten feet from the gate. The base shall be constructed with a minimum six inch, reinforced concrete.

(d) Each waste receptacle or dumpster shall have an enclosing lid or cover.

(e) The dumpster shall be screened on all sides with a masonry wall and gate at least one foot higher than the dumpster, but no less than six feet in height, whichever is higher, and at least three feet larger than the dumpster. An opaque fence may be substituted for the masonry wall at the discretion of Planning Commission or the Township Board.

(f) Materials of the enclosure shall be similar or compatible with the appearance of the principal building materials.

(g) Landscaping shall be provided within three feet of the perimeter of the dumpster enclosure and shall consist of evergreen shrubs consistent with the standards in Chapter 1155.

(Ord. Passed 10-30-23.)

1154.12 MECHANICAL EQUIPMENT SCREENING.

Mechanical systems and utilities shall be completely screened from public view and the following standards shall apply:

(a) Areas shall be completely enclosed by opaque screening on three sides and an operable opaque door for access on one side.

(b) These areas shall be located in the rear or side of buildings to minimize or eliminate their appearance from public view.

(c) Opaque fending or a combination of opaque fencing and masonry shall be used.

(d) Screening shall be at least five feet tall.

(e) Landscaping and planting around the screening and enclosures is required if the area is visible from public parking areas or from the street.

(f) Where equipment is located on the roof, screening shall only apply to equipment that is within 15 feet of the rooftop edge or where it extends more than five feet above the roof grade.

(Ord. Passed 10-30-23.)

1154.13 OFF-STREET PARKING REQUIREMENTS.

There shall be provided in all districts, at the time of erection or enlargement of any main building or structure, automobile off-street parking space with adequate access to all spaces. The number of off-street parking spaces in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of occupancy, as hereinafter regulated.

(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 as measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown of any lot or parcel intended for use as parking by the applicant.

(b) Residential off-street parking spaces shall consist of a driveway or garage or combination thereof and shall be located on the premises which they are intended to serve. Such parking shall be paved to provide at least two off-street parking spaces per dwelling unit. Parking shall be restricted to the paved areas.

(c) In multiple-family residential districts, off-street parking shall not be permitted in any required front yard. In any non-residential district, off-street parking shall not be permitted in any required front yard unless otherwise provided in this Zoning Code.

(d) Any area once designated as required off-street parking shall not be changed to any other use until equal facilities are provided elsewhere and reviewed by the Planning Commission and approved by the Township Board.

(e) Off-street parking existing on the effective date of this Zoning Code in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.

(f) Buildings containing one or more uses, and sites containing one or more buildings, shall provide parking spaces equal to not less than the sum of the number required for the buildings or uses as computed separately. Such parking spaces shall be located as near as possible to the uses which they are intended to serve.

(g) The dual function of off-street parking spaces, where operating hours of uses do not overlap, may be permitted after public hearing and approval of the Board of Appeals.

(h) The storage of merchandise, motor vehicles or trucks or the repair of vehicles is prohibited, except where permitted elsewhere in this Zoning Code.

(i) For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accordance with the use which is similar in type.

(j) When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded, and fractions over one-half shall require one parking space.

(k) All parking areas, including driveway, drive aisles, and storage lots, shall be paved in accordance with Township standards.

(l) The minimum number of off-street parking spaces, by type of use, shall be determined in accordance with the following schedule:

Table 1.1 Minimum Off-Street Parking Requirements	
Land Use	***Parking***

Table 1.1 Minimum Off-Street Parking Requirements	
Land Use	***Parking***
Residential Uses	
One-Family or Two-Family	2 spaces/dwelling unit
Residential Multiple Family	
Multiple-Family (Efficiency, One- and Two- Bedroom Units)	1 space/dwelling unit
Multiple-Family (Three or More Bedroom Units)	2 spaces/dwelling unit
Site adjacent to Community House, Swimming Pool, Similar Use or within the site shall have 10% of the total required parking spaces for the overall site, unless otherwise permitted by the Planning Commission or Township Board. This provision shall also apply to manufactured home communities.	

An additional 20% of the Total Required Parking Spaces shall be provided throughout the site for visitor parking, locations approved by the Planning Commission.	
Elderly Housing	1 space/two dwelling unit(s) and 1 space/employee *Additional reserve area for expansion parking if development reverts to general occupancy*
Manufactured Home Park	2 spaces/manufactured home site and 1 space/each 300 sq. ft. of management office space 1 space/3 manufactured home sites for visitor parking, locations approved by the Planning Commission and the Township Board.
Institutional Uses	
Churches or Temples	1 space/3 seats or six feet of pews in the main unit of worship
Hospitals	1.5 space/bed and 1 space/employee (on largest working shift) *additionally reserved for doctors*
Homes, Aged and Convalescent Homes	1 space/2 beds and 1 space/2 employees on peak shift
Parochial, Public Elementary and Junior High Schools	1 space/teachers, employee or administrator *in addition to the requirements of the auditorium or multi-purpose room*
Parochial, Public Senior High Schools	1 space/teachers, employee or administrator and 1 space/10 students *in addition to the requirements of the auditorium or multi- purpose room*
Private Clubs or Lodge Halls	1 space/75 sq. ft. of gross floor area
Golf Course (open to general public, except miniature/par three courses)	6 spaces/1 golf hole and 1 space/employee

Fraternity or Sorority	1 space/5 permitted active members or 1 space/2 beds (whichever is greater)
Stadium, Sports Arena or Similar Outdoor Place of Assembly	1 space/3 seats or six feet of benches
Theaters	5 spaces plus 1 space for each three seats (except that adult mini-theaters with fixed seats shall provide one for each two seats)
Adult Mini Theaters (without fixed seats)	1 space/person allowed within the maximum occupancy load as established by the Fire Chief in accordance with the State of Michigan Fire Code
Auditoriums	1 space/3 seats
Day Care Centers	1 space/teacher and 8 spaces for drop off
Business and Commercial	
Planned Shopping Center and Retail Store	
Less than 50,000 sq. ft.	1 space/200 sq. ft. of gross floor area
Between 50,000 - 100,000 sq. ft.	1 space/250 sq. ft. of gross floor area
Between 100,001 - 400,000 sq. ft.	1 space/300 sq. ft. of gross floor area
More than 400,000 sq. ft.	1 space/350 sq. ft. of gross floor area
Retail Stores	
Less than 50,000 sq. ft.	1 space/200 sq. ft. of gross floor area
Between 50,000 - 100,000 sq. ft.	1 space/250 sq. ft. of gross floor area

Between 100,001 - 400,000 sq. ft.	1 space/300 sq. ft. of gross floor area
More than 400,000 sq. ft.	1 space/350 sq. ft. of gross floor area
Beauty Parlor and Barber Shop	3 spaces/beauty or barber chair
Bowling Establishments	7 spaces/one bowling lane plus those required for auxiliary use, i.e. restaurant, lounge, billiard hall, etc.
Roller Rinks or Skating Rinks, Exhibition Halls and Assembly Halls without fixed seats	1 space/100 sq. ft. of gross floor area
Tennis and Racquet Clubs	8 spaces/court plus those required for each auxiliary use, i.e. restaurant, exercise room, etc.
Coin and/or Token-Operated Amusement Arcades, Billiard Halls or other similar indoor recreation uses	1 space/100 sq. ft. of floor area
Drive-In/Fast-Food Restaurants	1 space/150 sq. ft. of gross floor area *if a drive-through is provided, the required number of spaces may be reduced by 10%*
Drive-up or Carry-Out Restaurants	1 space/150 sq. ft. of gross floor area or 10 spaces, whichever is greater
Bar/Lounge or Bar/Restaurant	1 space/150 sq. ft. of gross floor area
Dining-Room Restaurant	1 space/150 sq. ft. of gross floor area
Banquet and Catering Halls	1 space/100 sq. ft. of gross floor area
Furniture, Appliance and Household Equipment Showrooms and other similar uses	1 space/800 sq. ft. of usable floor area, plus 1 space/2 employees

Open Air Business (Including Used Car Lot)	2 spaces plus 1 space/500 sq. ft. of sales area for the first 2,000 sq. ft. of sales area, plus 1 space/additional 2,000 sq. ft. of sales area
Motor Vehicle Sales and Service Establishments	1 space/200 sq. ft. of gross floor area of salesroom and 1 space/1 service stall in the service room
Automotive Service Stations	2 spaces/lubrication stall, rack or pit and 1 space/gasoline pump
Auto Wash	1 space/1 employee plus reservoir parking spaces in equal number to five times the maximum capacity of the auto wash for vehicles waiting entrance to the auto wash
The maximum capacity of the auto wash shall mean the maximum number of vehicles which could be undergoing some phase of washing at any one time and shall be determined by dividing the length of each wash line by twenty.	
Laundromats and Coin-Operated Dry Cleaners	1 space/2 machines
Miniature or Par Three Golf Courses	3 spaces plus three for each hole
Mortuary Establishments	1 space/100 sq. ft. of gross floor area
Hotel, Motel or other Commercial Lodging Establishment	1 space/1 occupancy unit plus 1 space/employee
Automotive Service Centers	2 spaces/service stall, rack or pit and 1 space/employee
Automotive Service or Repair Garages	4 spaces/service stall, rack or pit and 1 space/200 sq. ft. of gross floor area in the retail sales area (if applicable)
Private or Public Athletic Clubs, Health Spas, Figure Salons	1 space/100 sq. ft. of gross floor area

Offices	
Banks	1 space/300 sq. ft. of gross floor area
Business Office, Professional Offices or Medical Offices for Doctors, Dentists and Similar Professions as follows:	
Less than 50,000 sq. ft.	1 space/300 sq. ft. of gross floor area
Between 50,000 - 100,000 sq. ft.	1 space/350 sq. ft. of gross floor area
Between 100,001 - 400,000 sq. ft.	1 space/400 sq. ft. of gross floor area
More than 400,000 sq. ft.	1 space/450 sq. ft. of gross floor area
Industrial	
Industrial, Technical Research, Wholesale and Warehousing Establishments	
Less than 25,000 sq. ft.	1 space/400 sq. ft. of useable floor area
Between 25,000 - 50,000 sq. ft.	1 space/500 sq. ft. of useable floor area
More than 50,000 sq. ft.	1 space/650 sq. ft. of useable floor area
Mini Warehouses or Self Storage Facilities	2 spaces plus 1 space/100 storage units

(m) Wherever the off-street parking requirement requires the construction of an off-street parking facility, except for one-family residential developments, or where P Parking Districts are provided, such off-street parking lots shall be designed, constructed, and maintained in accordance with the following standards and regulations:

(1) Off-street parking facilities shall be in accordance with the following minimum requirements:

Parking Pattern (in degrees)	*Maneuvering Lane Width (ft.)*	*Parking Space Width (ft.)*	*Parking Space Length (ft.)*
0	18	10	23
Parallel parking			
30 - 50	18	10	20
51 - 74	18	10	20
75 - 90	24	10	20

(2) All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a public right-of-way shall be prohibited.

(3) Adequate ingress and egress to a parking lot by means of clearly limited and defined drives shall be provided for all vehicles.

(4) Ingress and egress to a parking lot in an area zoned for other than one-family residential use shall not be across land zoned for one-family residential use.

(5) All maneuvering lane widths required in division (a)(1) hereof shall permit only one-way traffic movement, except that the 90 degree pattern may permit two-way traffic. However, a 24 foot maneuvering lane must be provided.

(6) Each entrance and exit to and from any off-street parking lot located in an area zoned for other than one-family residential use shall be at least 20 feet distant from any adjacent property located in any One-Family Residential District.

(7) Off-street parking areas shall be provided with a continuous and completely obscuring wall, in accordance with the specifications of Chapter 1294, on all sides where the adjacent district is a Residential District, except where such parking area abuts a major thoroughfare and except in those instances where the Planning Commission and the Township Board determine that such wall would serve no useful purpose or that a landscaped berm or greenbelt would be more appropriate.

(8) In all cases where a wall extends to any alley which is a means of ingress to or egress from an off-street parking area, the Planning Commission and the Township Board may permit the wall to end not more than ten feet from such alley line to provide for a wider means of access to the parking area.

(9) All parking areas shall be graded and drained so as to dispose of all surface water accumulated within the area in such a way as to not drain onto adjacent property or

buildings. The off-street parking lot shall be surfaced within one year from the date on which the permit for the main building or use is issued and spaces shall be clearly identified or marked by means of a painted stripe and shall be properly maintained.

(10) Service drive widths in all nonresidential districts shall be no less than 24 feet for two-way traffic and 18 feet for one-way traffic, except for drive-through lanes servicing banks, fast-food restaurants, etc., which shall be no less than ten feet. For all Residential Districts, only two-way service drives, having a minimum width of 27 feet, shall be allowed.

(11) Except where otherwise stated, the minimum distance between parking areas and buildings in the RM Districts shall be 15 feet.

(12) In accordance with Act 230 of the Public Acts of 1972, as amended, all off-street parking facilities required in Section 1156.01 shall provide parking spaces for the physically handicapped in the ratio prescribed by statute. Such spaces shall be dimensioned 12 feet wide and 20 feet long, located as nearly as possible to building entranceways and identified by signs as being reserved for physically handicapped persons.

(n) The two off-street parking spaces required by Section 1156.01 for one-family residential developments shall be in accordance with the following minimum requirements:

(1) At least one space, a minimum of 20 feet in length, shall be provided in the side or rear yard which is beyond the front building line. Parking spaces shall be a minimum of nine feet in width.

(2) Each space shall be provided access from the adjoining right of way by a full paved lane a minimum of ten feet in width.

(Ord. Passed 10-30-23.)

1154.14 BIKE PARKING REQUIREMENTS.

(a) Future development, redevelopment, or changes of uses of private property, as specified below, shall be required to provide bike parking:

Triggers for Bike Parking Requirements (for Multiple-Family Residential and Commercial Uses)
New Construction
Expansion of gross floor area of existing development by 125% or more

Changes in use that require additional parking or expansion of parking by more than 25% from the approved site plan

Expansion of parking area by more than 25% from approved site plan

(b) The following table specifies the total number of bike parking spaces required based on the type of use:

Triggers for Bike Parking Requirements (for Multiple-Family Residential and Commercial Uses)
New Construction
Expansion of gross floor area of existing development by 125% or more
Changes in use that require additional parking or expansion of parking by more than 25% from the approved site plan
Expansion of parking area by more than 25% from approved site plan

(c) The following design standards shall apply to bike parking spaces:

(1) Bicycle racks must provide a stable structure to which the bicycle frame may be conveniently secured in two places, such as the inverted-U, post and loop, or another type of rack that meets these standards.

(2) The rack shall be securely anchored to the ground or a building.

(3) Bicycle racks that support the wheel but not the frame of the bike may not be used to fulfill a bicycle parking requirement.

(4) The required minimum dimensions of each space shall be two feet in width by six feet in length with seven feet overhead clearance.

(5) Bicycle racks shall be installed so as not to obstruct pedestrian traffic as specified under the Americans with Disabilities Act of 1992.

(6) Signs shall be posted in a prominent place at each entrance to the building or structure stating where bicycle parking spaces are located.

(d) The following standards shall apply related to maintenance and liability of bike parking spaces:

(1) The property owner shall provide and maintain all required bike parking spaces.

(2) Maintenance includes keeping all racks and spaces clear of snow, ice, debris and any other obstructions, and replacement in the event of damage that renders any racks or spaces unusable.

(3) Bike racks are the responsibility of the property owner, not the tenant. If property is sold, responsibility transfers to new owner.

(Ord. Passed 10-30-23.)

1154.15 ELECTRIC VEHICLE PARKING.

(a) Electric Vehicle Charging Stations may be permitted in all zoning districts, subject to the following requirements:

(1) Electric Vehicle Charging Station Levels, are permitted as follows:

A. Level-1 and Level-2 Electric Vehicle Charging Stations are permitted in all zoning districts, when use is an accessory to the primary use. Stations located in residential zoning districts, shall be designated as private use only.

B. Level-3 Electric Vehicle Charging Stations are permitted in all commercial and industrial zoning districts, when use is an accessory to the primary use.

(2) Stations shall follow all applicable local and state code requirements.

(3) Stations shall use a standard size parking space but designed to accommodate the charging station elements.

(4) Stations shall be located within the off-street parking or parking facility at desirable locations to encourage the use of electric vehicles.

(5) Station equipment shall be protected by the use of bollards or similar equipment protection methods, to prevent damage of the station equipment.

(6) Stations, when provided for public use, shall be reserved for the parking, and charging of electric vehicles only.

(7) Stations, other than for private residential use, shall have posted signage identifying:

A. Voltage and Amperage Levels.

B. Hours of Operations, if applicable to site.

C. Usage Fees.

D. Safety Information.

E. Contact Information, for reporting equipment issues.

(8) Station shall be adequately lit if station is public and available during evening hours.

(9) Station equipment and parking space shall be maintained in all respects, including the functioning of the charging equipment.

(b) Five percent of required off-street parking spaces may be reduced for every two Electric Vehicle Charging Stations provided on site. No more than 15 percent of required off-street parking spaces may be reduced with this provision.

1154.16 VEHICLE STACKING REQUIREMENTS.

In addition to off-street parking requirements, uses that provide drive-through facilities shall provide adequate stacking spaces with a defined stacking lane, subject to the following requirements:

(a) Vehicle stacking spaces.

Use Served by Drive-Thru Lane	***Minimum Stacking Requirements (Per Lane)***
Restaurant (fast food)	Four stacking spaces to each menu board Four stacking spaces between menu board and first window (including space at first window) Two spaces between first window and second window (including space at second window)
Restaurant (drive-thru only)	Six stacking spaces to each menu board Four stacking spaces between menu board and first window (including space at first window)
Restaurant (drive-up/fast casual)	Four stacking spaces for the drive-up window, including space at the window
Financial Institution, Convenience Stores or Pharmacies	Four stacking spaces per service lane, including space at window

Car Wash (self-service or automatic)	Three stacking spaces per bay, self-service Five stacking spaces per bay, automatic
Dry Cleaners	Three stacking spaces per window (including space at window)

(b) Vehicle stacking lanes shall not cross any maneuvering lane, drive or sidewalk.

(c) Vehicle Stacking lanes shall be clearly marked and not interfere with the on-site circulation, to promote pedestrian and vehicular safety.

(d) A vehicle stacking space shall be ten feet wide by 20 feet long.

(e) Vehicle Stacking Lanes shall be designed with an abutting ten foot wide bypass lane, to allow other vehicles to pass around vehicles.

(Ord. Passed 10-30-23.)

1154.17 OFF-STREET LOADING/UNLOADING.

On the same premises with every building, structure or part thereof involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading in order to avoid undue interference with the use of public rights-of-way. Such space shall meet the following requirements:

(a) All spaces in OS or B Districts shall be provided in dimension of at least ten feet by 30 feet or 300 square feet in area. However, where semitrailer or full-trailer combination vehicles would be servicing the use, the required dimensions shall conform to the requirements of subsection (b) hereof.

(b) All spaces in I-1 and I-2 Districts shall be provided in dimension of at least ten feet by 50 feet or 500 square feet in area.

(c) Any building with 18,000 square feet or more of floor area, in a nonresidential district which abuts a Residential District, shall provide either a loading ramp or a sub-grade loading door for delivery and transmission of material so as to eliminate noise and lights from vehicles from penetrating abutting Residential Districts.

(d) All spaces shall have a clearance of at least fourteen feet in height. Loading space approaches shall be provided with a pavement having an asphaltic or Portland cement binder so as to provide a permanent, durable and dustless surface.

(e) All spaces shall be provided in the following ratio of spaces to floor area:

Gross Floor Area (sq. ft.)	*Loading and Unloading Space Required in Terms of Square Feet of Useable Floor Area*
0 - 1,400	None
1,401 - 20,000	One space
20,001 - 100,000	One space plus one space for each 20,000 square feet in excess of 20,0001 square feet.
100,001 and over	Five spaces

(Ord. Passed 10-30-23.)

1154.18 LIGHTING REQUIREMENTS.

(a) All parking areas, walkways, driveways, building entryways, and off-street parking and loading areas shall be illuminated to ensure the safety and security on the site.

(b) Exterior lighting shall be located and shielded to reduce glare. All outdoor lighting in all use districts shall be directed toward and confined to the ground areas of lawns and parking lots. The lighting source shall not be visible from adjoining properties and particular care shall be taken to reflect light away from all adjacent Residential Districts and/or adjacent residences. These provisions are not intended to apply to public street-lighting.

(c) The following standards shall apply to exterior lighting sources:

(1) Only white, non-glare lighting such as metal halide, color-corrected high-pressure sodium, or other types of lighting which achieve the same effect shall be permitted.

(2) The light intensity provided at ground level should be a minimum of 0.3 footcandles anywhere in the area to be illuminated. Light intensity shall average a minimum of 0.5 footcandles over the entire area, but no more than a maximum of ten footcandles, measured five feet above the surface. Not more than one footcandle shall be allowed at the property line.

(3) For residential uses or the portions of a nonresidential use adjacent to residential areas, lighting fixtures shall not exceed a height of 15 feet. In all other cases, light fixtures

shall not exceed a height of 25 feet. Height shall be measured from the parking lot surface to the centerline of the lighting source.

(d) All lighting in nonresidential districts used for the external illumination of buildings, so as to feature said buildings, shall be placed and shielded so as not to interfere with the vision of persons on any trafficway or adjacent properties.

(e) Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of persons on any trafficway or adjacent properties.

(f) All illumination of signs and any other outdoor feature shall not be a flashing, moving or intermittent type. Artificial light shall be maintained stationery and constant in intensity and color at all times when in use.

(Ord. Passed 10-30-23.)

1154.19 SOLAR PANEL STANDARDS.

(a) Solar Energy Systems (SESs) may be permitted in any Commercial or Industrial District, subject to the following requirements:

(1) Solar Energy Systems may be roof-mounted on a principal or accessory structure, subject to the following requirements:

A. Exterior lighting shall be limited to that required for safety and operation purposes and shall follow any applicable exterior lighting standards.

B. Shall not exceed ten feet above the finished roof and shall be exempt from any rooftop equipment or mechanical system screening.

C. Shall be integrated, to the extent possible, with the architectural character of the structure on which the system is affixed.

D. A roof-mounted SES installed on a non-conforming building, structure, or use shall not be considered an expansion of the nonconformity.

(2) Solar Energy Systems may be ground-mounted, subject to the following requirements:

A. The area of the solar array shall not exceed 25% of the square footage of the primary building of the property. A Ground-Mounted SES shall not count towards the maximum number of square footage of an accessory structure allowed on site.

B. Ground-mounted SES are permitted in the side or rear yards and shall be a minimum of ten feet from the property line. Setback distance is measured from the property line to the closest point of the SES at minimum tilt.

C. Shall not exceed 16 feet in height measured from the ground to the top of the system when oriented at maximum tilt.

(b) Solar Energy Systems (SESs) may be permitted in any Residential District, subject to the following requirements:

(1) Solar Energy Systems may be roof-mounted on a principal or accessory structure, subject to the following requirements:

A. Shall not exceed five feet above the finished roof.

B. Shall be integrated, to the extent possible, with the architectural character of the structure on which the system is affixed.

C. A roof-mounted SES installed on a non-conforming building, structure, or use shall not be considered an expansion of the nonconformity.

(c) Solar Energy Systems, regardless of zoning district, are subject to the following requirements:

(1) All non-residential SES applications must include a site plan. Applications for Roof-Mounted SES must include horizontal and vertical elevation drawings that show the location and height of the SES on the building and dimensions of the SES.

(2) All Solar Energy Systems shall comply with building codes and other applicable Township, County, State and Federal requirements.

(3) Solar Energy Systems that cease to produce energy on a continuous basis, shall be removed no later than six months after final energy production occurs.

(4) Solar Energy Systems shall be installed, maintained, and used in accordance with manufacturer's specifications.

(5) If a Solar Energy System is connected to an electric utility, all connections shall comply with any applicable Township, County, State and Federal requirements.

(6) Solar Energy Systems shall be installed in a location/configuration that prevents glare/reflection onto adjacent properties.

(Ord. Passed 10-30-23.)

CHAPTER 1155
Landscaping Standards

1155.01 Purpose and Provisions.

1155.02 Frontage Greenbelt Landscaping Requirements.

1155.03 Buffer and Screening Requirements.

1155.04 Walls and Earth Berms.

1155.05 Parking Lot and Loading Area Landscaping Requirements.

1155.06 Plant Sizing and Variety.

1155.01 PURPOSE AND PROVISIONS.

(a) The purpose of the landscaping requirements is to help improve the appearance and aesthetics of the overall site, protect the environment, and prevent soil erosion while increasing water retention, provide buffering between incompatible land uses, and encourage the use and mixture of native landscape materials.

(b) The provisions of this section shall apply to any area proposed for development, redevelopment, or expansion that is subject to site plan approval under Chapter 1157. A site plan submitted for approval shall meet the requirements of this section. Landscaping from this section must be met independently on the site and cannot be doubly counted towards meeting other requirements of this Ordinance. Fractional number of plantings shall be rounded up to the next whole number.

(Ord. Passed 10-30-23.)

1155.02 FRONTAGE GREENBELT LANDSCAPING REQUIREMENTS.

(a) All yards adjacent to roads and rights-of-way shall be landscaped along the entire frontage, except access points, in accordance with the following requirements:

Table 1: Frontage Greenbelt Landscaping Requirements

Application	***Depth of Greenbelt (in feet)***	***Wall/Berm***	***Minimum plantings per 20 linear feet***
Commercial, Office, Mixed Use, Institutional	25	Continuous 3-foot- tall wall or 3-foot-tall berm (1), (2)	1 canopy tree or 1 evergreen tree, and 4 shrubs
Industrial	25/50 (3)	Continuous 3-foot- tall wall or 3-foot-tall berm (1), (2)	1 canopy tree or 1 evergreen tree, and 4 shrubs
Special Purpose Districts	25	Continuous 3-foot- tall wall or 3-foot-tall berm (1), (2)	1 canopy tree or 1 evergreen tree, and 4 shrubs

Footnotes to Table 1: Frontage Greenbelt Requirements:

(1) An irrigated berm or wall shall be required when the landscaped setback serves as a screening buffer between an off-street parking area and a thoroughfare. Such walls shall be of common or face brick, textured poured concrete or a masonry material compatible in appearance with that of the principal structure. Such walls shall be protected from vehicular damage by the placement of bumper blocks or six-inch diameter concrete-filled steel or iron guard posts. Backing into parking spaces which abut such walls shall be prohibited.

(2) In the event a variance of the front yard setback is obtained from the Board of Appeals, the three-foot-tall wall must be constructed.

(3) Parking shall not be allowed to occupy the front yard setback.

(Ord. Passed 10-30-23.)

1155.03 BUFFER AND SCREENING REQUIREMENTS.

(a) Buffer Zone Landscaping. The following buffer zones shall be required where a proposed use shares a common lot line with an adjacent use. This table details the required landscaping between adjacent uses:

Table 2: Description of Required Buffer Zones

Buffer Zone Type	***Minimum Width (in feet)***	***Wall/Berm***	***Minimum Plant Materials***
A Applies to industrial uses abutting residential uses	25	Continuous 6 foot wall or 6 foot tall berm	1 canopy tree or 1 evergreen tree and 4 shrubs per 20 linear feet
B Applies to industrial uses abutting nonresidential uses (except for other industrial uses)	25	Not required	
C	25	4 foot, 8" high wall or berm	

Applies to multi-family, commercial, office, mixed- use, or institutional uses abutting single-family residential			

(Ord. Passed 10-30-23.)

1155.04 WALLS AND EARTH BERMS.

(a) The following standards apply to walls and earth berms:

(1) Continuous earth berms shall be provided with undulating horizontal and vertical top and sides, the height of which shall be no less than required for a wall in the district. Earth berms may consist of opaque screen plantings within the horizontal berm depressions, masonry walls or a combination of both as long as the minimum required height of the earth berm, plantings, walls or combinations thereof is provided.

(2) Berms shall be landscaped earth mounds possessing a maximum slope ratio of three to one (three feet of horizontal plane for each one foot of vertical height). Side slopes shall be designed and planted to prevent erosion. The berms shall have a nearly flat horizontal area at their crests of at least two feet in width.

(3) Berm or earth mound slopes shall be protected from erosion by sodding or seeding. If slopes are seeded, they shall be protected with a straw mulch held in place by jute netting until the seed germinates and a permanent lawn is established. The straw mulch is not required if the seeded slope is protected by a net which is specifically designed to control erosion. The berm area shall be kept perpetually free of weeds, refuse, debris and general clutter, shall be planted with shrubs, trees or lawn and shall be continuously maintained in a healthy growing condition. Failure to maintain the earth berm area in accordance with these requirements shall constitute a violation of this Zoning Code.

(4) In those instances where the Planning Commission and the Township Board permit an earth berm or landscaped greenbelt in lieu of a wall, a detailed drawing of the proposed berm, greenbelt or other barrier shall be submitted in addition to the site plan.

(5) Required walls, earth berms or a greenbelt shall be located as nearly as possible to the lot lines, except where underground utilities interfere and except in instances where this Zoning Code requires conformance with front yard setback lines in abutting Residential Districts.

(6) Such walls, earth berms and/or greenbelt shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this subsection.

All walls herein required shall be constructed of materials approved by the Township Department of Building to be durable, weather-resistant, rustproof and easily maintained.

Masonry walls or earth berms may be constructed with openings which do not, in any square section (height and width), exceed 20% of the surface. Where walls or earth berms are so pierced, the openings shall be spaced so as to maintain the obscuring characteristic required and shall not reduce the minimum height requirement. The arrangement of the openings shall be reviewed by the Planning Commission and approved by the Township Board.

(7) Required walls may, upon recommendation of the Planning Commission and approval of the Township Board, be located on the opposite side of an alley right of way from a nonresidential zone that abuts a residential zone upon agreement with affected property owners. Such agreements shall be indicated on the site plan and recorded as a covenant upon the land. The continuity of the required wall on a given block will be a major consideration of the Planning Commission and Township Board in reviewing such requests.

(8) Upon review of the site plan, the Planning Commission may recommend to the Township Board a waiver of any part or all of the wall, earth berm or greenbelt requirements, if it is determined that the intended screening effect of the wall, earth berm or greenbelt would serve no useful purpose. Planning Commission may also recommend to the Township Board to substitute the required masonry wall for a six foot high vinyl fencing where they determine it is appropriate.

(9) If the Planning Commission and Township Board should determine that a Residential District may be a future nonresidential area, temporary waiver of the requirements of this section, for an initial period not to exceed 12 months may be granted, provided that escrow money or a surety bond in the amount of the estimated cost for erection of the wall or earth berm is filed with the Township for a period not to exceed five years. Granting of waivers, subsequent to the first waiver, shall be permitted.

(Ord. Passed 10-30-23.)

1155.05 PARKING LOT AND LOADING AREA LANDSCAPING.

Landscaping for parking lot and loading areas have the following requirements:

(a) Interior Landscaping. Interior landscaping shall be provided within the boundaries of the parking lot unless otherwise approved by the Planning Commission or Township Board. If interior landscaping is provided along the perimeter of the parking lot, it shall be in addition to the perimeter landscaping requirements.

(1) All parking lots shall be landscaped with canopy tree per 3,200 square feet of pavement.

(2) Interior landscape islands shall have a minimum area of 150 square feet. Each landscape island shall a minimum of one canopy tree.

(b) Perimeter Landscaping and Screening. Perimeter landscaping shall be provided along the edge of any parking lot facing and located within 100 feet of a public right-of-way.

The Planning Commission or Township Board may waive this requirement if the parking lot will be sufficiently screened from view by buildings or improvements on the site. Parking lot perimeter landscaping shall comply with the following standards:

(1) Perimeter parking lot landscaping shall include a minimum of one deciduous tree and one ornamental tree per every 40 lineal feet.

(2) Where a parking lot or loading area for a nonresidential use abuts a residential use or district, a minimum four foot eight-inch-tall wall shall be provided between the parking lot and residential lot. Walls shall be constructed of brick or other masonry material compatible with the front façade of the principal building. The Township may approve a six-foot high vinyl privacy fence where it is more compatible with adjacent residential uses.

(c) Curbing Required. All landscaping and perimeter screening shall be protected from vehicle encroachment with concrete curbing or similar methods.

(d) Snow Storage Area. Adequate snow storage area shall be provided within the site. Plant materials in snow storage areas shall be hardy, salt-tolerant groundcovers with low-maintenance characteristics.

(Ord. Passed 10-30-23.)

1155.06 PLANT SIZING AND VARIETY.

(a) Plant Sizes. The minimum size of all landscape materials shall comply with the following at the time of planting:

Table 3: Plant Material Requirements	
Plant Type	***Minimum Size at Installation***
Canopy tree	2.5 inch caliper
Ornamental tree	2.5 inch caliper
Evergreen tree	8 feet in height
Shrubs	30 inches in height

(b) Variety of Plant Species. The overall landscape plan shall not contain more than 33% of any one plant species. All plant material shall be nursery grown in a northern climate and hardy to the climate of Michigan. Plant materials shall be appropriate to the soil, climate, and environmental conditions of the area.

(c) The following trees are prohibited:

(1) Box Elder.

(2) Soft maples.

(3) Elm.

(4) Poplars.

(5) Willows.

(6) Horse chestnut (nut-bearing).

(7) Tree of heaven.

(8) Catalpa.

(d) Installation and Maintenance. All landscaping required shall be planted before obtaining a final certificate of occupancy. If the development is not completed within a growing season, a temporary certificate of occupancy shall be issued for a one-year period and a bond posted of sufficient amount to ensure the compliance with the approved landscaped greenbelt. All landscaping elements shall be planted, and earthmoving or grading performed according to accepted planting and grading procedures. Landscaping required by this section shall be maintained in a strong and healthy condition. All diseased or dead plant material shall be replaced within 30 days or the next appropriate planting period, whichever comes first. Tree stakes, wires, and wraps are to be removed after one year.

(e) All landscaped areas shall be provided with an automatic irrigation system or have a readily available water supply within 100 feet of all plant material.

(Ord. Passed 10-30-23.)

CHAPTER 1156
Performance Standards

1156.01 Purpose and Applicability.

1156.02 Air Pollution.

1156.03 Glare and Radioactive Materials.

1156.04 Vibration.

1156.05 Noise.

1156.06 Water Supply.

1156.07 Sewage Disposal.

1156.08 Sewage Wastes.

1156.09 Excavation or Holes.

1156.10 Fire and Explosive Hazards.

1156.01 PURPOSE AND APPLICABILITY.

No use otherwise allowed shall be permitted within any district if such use does not conform to the following standards of use and operation, which standards are hereby established as the minimum requirements to be maintained within said area in this chapter.

(Ord. Passed 10-30-23.)

1156.02 AIR POLLUTION.

All uses in all districts shall comply with the requirements of the State of Michigan and/or the Federal Government with regard to smoke, dust, dirt, fly ash, odor, gases, general air-borne matter or other air pollutants.

(Ord. Passed 10-30-23.)

1156.03 GLARE AND RADIOACTIVE MATERIALS.

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 a manner as not to be seen from any point beyond the property line and as not to create a public nuisance or hazard along lot lines. Radioactive materials and waste, including electromagnetic radiation, such as x-ray machine operations, shall not be emitted to exceed quantities established as safe by the American National Standards Institute, when measured at the property line.

(Ord. Passed 10-30-23.)

1156.04 VIBRATION.

Machines or operations which cause vibration shall be permitted in Industrial Districts, but no operation shall cause a displacement exceeding .003 of one inch as measured at the property line.

(Ord. Passed 10-30-23.)

1156.05 NOISE.

(a) The emission of measurable noises from the premises shall not exceed 65 decibels as measured at the property lines, except that where normal street traffic noises exceed 65 decibels during such periods, the measurable noise emanating from premises may equal, but not exceed, such traffic noises. Within I-1 Districts, sound levels not exceeding 70 decibels may be permitted. Within I-2 Districts, sound levels not exceeding 75 decibels may be permitted.

(b) Objectionable sounds of an intermittent nature, or characterized by high frequencies even if falling below the aforementioned decibel readings, shall be controlled so as not to become a nuisance to adjacent uses.

(Ord. Passed 10-30-23.)

1156.06 WATER SUPPLY.

(a) In the interest of protecting health and welfare. every building or structure hereafter erected, altered or moved upon any premises and used in whole or in part for human habitation, including buildings to be used for dwelling, business, recreational, commercial, industrial or other purposes, shall be provided with a safe and sanitary water supply.

(b) Where a Municipal water supply is available, every fixture from which water for human consumption can be obtained shall be supplied with water from such Municipal water supply except where a private well water supply meets the following requirements:

(1) Each well utilized for human consumption shall comply with Act 294 of the Public Acts of 1965, as amended, Rules for Single-Family Dwellings, Act 399 of the Public Acts of 1976, as amended, and Rules for All Other Well Water Supplies.

(2) Where the existence of any structure or condition prior to the effective date of this Zoning Code prevents full compliance with the provisions above, the Macomb County Department of Health may approve, in writing, exceptions which, in its opinion, will not constitute a potential menace to public health.

(c) There shall be no physical connection between a water supply system that is safe for drinking purposes and one that is, or may at any time be, unsafe for drinking purposes, nor shall any provision for such connection be provided.

(d) Prior to the issuance of a building permit for any structure proposed to be serviced by a private well water supply, a water quality inspection by the Macomb County Department of Health must be conducted. The result of such inspection shall be given to the Department of Building by the owner or his or her agent.

(Ord. Passed 10-30-23.)

1156.07 SEWAGE DISPOSAL.

Individual on-site systems must meet the requirements and regulations of the Macomb County Department of Health. When an approved public sewer becomes available, existing dwellings and habitable buildings shall be connected within six months after such sewer becomes available for use.

(Ord. Passed 10-30-23.)

1156.08 SEWAGE WASTES.

All commercial or industrial wastes discharged into the public sewer system shall conform with standards and regulations controlling such discharges as issued by the City of Detroit and approved or modified by the Macomb County Agent.

(Ord. Passed 10-30-23.)

1156.09 EXCAVATIONS OR HOLES.

(a) The existence within the limits of the Township of Clinton of any unprotected, unbarricaded, open or dangerous excavations, holes, pits or wells, or of any excavations, holes, pits or wells which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited and declared a public nuisance, provided, however, that this Zoning Code shall not prevent the construction of excavations under a permit issued pursuant to the provisions of this Zoning Code or the Building Code of the Township of Clinton, where such excavations are properly protected and warning signs and lights are located in such a manner as may be approved by the Township Board, and provided, further, that this subsection shall not apply to drains created or existing by authority of the State of Michigan, County of Macomb, Township of Clinton, or other governmental agency.

(b) Where the Township Department of Building shall determine a nuisance to exist as herein defined, it shall notify the owner as shown on the latest tax roll in writing of such finding and require the owner to abate such nuisance within a reasonable time, in no event more than 30 days.

(c) In the event no action is taken within the time allotted to abate such nuisance, the Township of Clinton may abate or cause to be abated such nuisance, and the cost or reasonable value of such work shall be placed as an assessment against such property on the next available tax roll.

(Ord. Passed 10-30-23.)

1156.10 FIRE AND EXPLOSIVE HAZARDS.

(a) The storage, manufacture or utilization of materials or products, ranging from non-combustible to moderate burning, as determined by the Township Fire Chief, is permitted within applicable districts of this Zoning Code, subject to compliance with State and Federal fire laws and with all other performance standards as mentioned above.

(b) The storage, utilization or manufacture of materials, goods or products, ranging from free or active burning to intense burning, as determined by the Township Fire Chief, is permitted subject to compliance with all other yard requirements and performance standards previously mentioned and provided that the following conditions are met:

(1) Said materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having non-combustible exterior walls which meet the requirements of the Building Code.

(2) All such buildings or structures shall be set back at least 40 feet from lot lines or, in lieu thereof, all such buildings or structures shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the National Fire Protection Association.

(3) The storage and handling of flammable liquids, liquefied petroleum gases and explosives shall comply with State rules and regulations as established by Act 207 of the Public Acts of 1941, as amended.

(Ord. Passed 10-30-23.)

CHAPTER 1157
Development and Approval Procedures

1157.01 Site Plan Review Requirements and Procedures.

1157.02 Subdivision Open Space Plan.

1157.03 Single-Family Land Condominium Option.

1157.04 Special Land Use Approval .

1157.01 SITE PLAN REVIEW REQUIREMENTS AND PROCEDURES.

(a) Intent. The following site plan review requirements and procedures are intended to ensure full compliance with all applicable requirements of this ordinance and all other applicable local ordinances, state and federal laws.

(b) Applicability. The table below shows requirements for Site Plan approval:

SITE PLAN REVIEW REQUIREMENTS	
Activity/Use	***Approval Responsibility***

SITE PLAN REVIEW REQUIREMENTS	
Activity/Use	***Approval Responsibility***
New Construction	
Subdivision Development	TB
New construction of a permitted industrial, commercial, office, mixed-use or multi-family development	TB
Expansion/Modification to Existing Building or Use	
An increase in area over 1,000 square feet or over 25% of existing gross floor area, whichever is less, in a Permitted or Special Land Use	PC
An increase in area under 1,000 square feet or under 25% of existing gross floor area in a Permitted Use or Special Land Use	A
Cell tower antenna modification	A
Expansion, replacement or alteration of landscaping areas	A
Activity/Use	Approval Responsibility
Change in Use	

Change of Use to a Permitted Use	A
Change of Use to a Special Land Use	PC
Accessory Structure	
Site plan for non-residential SES Applications (Ground or Roof-Mounted)	A
Accessory structures in RML and RMH districts	A
Site Improvements	
Changes to facade features or wall signs	A
Planned Unit Development (PUD)	
Planned Unit Developments	TB
Other	
All Special Land Uses	TB
Cell tower, essential service substation, transmission lines, utility company buildings and storage yards	PC
Change from a nonconforming use to another nonconforming use	TB
TB Township Board Approval PC Planning Commission Approval A Administrative Site Plan Approval	

(c) Procedure. The site plan must be submitted in compliance with the following procedures:

(1) Applicant. The owner of an interest in land for which site plan approval is sought, or the designee of the owner, shall file the application for site plan approval with the planning director and/or designee.

(2) Pre-Application Coordination. Before an applicant submits for site plan approval, the applicant may be required, at the Planning Director's discretion, to meet with the Planning Director or designee to review the proposed project, Clinton Township Zoning Code and/or documents related to the property.

(3) Building Permit. No building permit shall be issued until the site plan has been approved according to the standards provided in this section.

(4) Occupancy Certificate. No occupancy certificate shall be issued until the site plan has been approved and installation of landscaping materials has been completed. A temporary occupancy certificate may be issued before the site plan has been completed.

(5) Planning Commission Review, Requirements and Recommendations.

A. The Planning Commission may make such requirements with respect to any matters as will assure:

1. Safety and convenience of vehicular and pedestrian traffic both within the site and in relation to access throughfares.

2. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.

B. The Planning Commission may further recommend to the Township Board landscaping, fences, and walls in pursuance of these objectives, and the same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they appurtenant.

C. In those instances, wherein the Planning Commission finds that an excessive number of ingress and/or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of such thoroughfares, the Commission shall recommend marginal access drives. For a narrow frontage, which will require a single outlet, the Plan Commission may recommend that money be placed in escrow with the Township so as to provide for a marginal service drive equal in length to the frontage of the property involved. Certificates of occupancy shall not be issued until the improvement is physically provided or monies have been deposited with the Township Clerk.

(6) Compliance with Improvements. In order to ensure compliance with improvements considered necessary in approving a site plan, a cash deposit, certified check or irrevocable bank letter of credit, in the amount specified in a site plan bond rate schedule as adopted by the Township Board, shall be deposited with the Treasurer of the Township.

A. The performance guarantee shall be required to be deposited prior to the issuance of any building permits.

B. Refund of such cash bonds will be made only when all site plan improvements have been made in compliance with the approved site plan.

C. Request for refund is made in writing by the individual or entity that posted such bond and after all site improvements have been made in compliance with the approved site plan.

D. Request for refund may be made by an assignee of the individual or entity that posted the bond if adequate written verification of the assignment is timely furnished and timely application for refund is made pursuant to the requirements of this section.

E. Failure to request refund of a cash bond within 36 months of posting will result in forfeiture of bond.

(7) Site Plan Changes. Existing or proposed developments, which have had site plan review and approval as herein required, shall not be changed unless the proposed revisions are approved by Planning Commission or follow the requirements of site plan amendments as described in this section.

(d) Application Requirements. The Planning Director or Designee may request additional information or waive any site plan requirements at their discretion, as informed by the site proposed use or site plan. The following shall be included, but not limited to, as part of the site plan review submission:

(1) Site Plan Description and Data.

A. Site Plan shall include the overall plan for the entire development at an adequate scale as determined by the planning director, and an adequate scale to determine compliance with the requirements of this ordinance and provide those reviewing with any other information needed to evaluate the overall site plan on the basis of the criteria set in this section.

B. Written Project Description, including proposed site/building improvements and use.

C. Scale, North Arrow and Date.

D. Legal Description of parcel(s).

E. Submitted drawings must be accurate.

F. Title Block with Sheet Number and Title.

G. Identification of Architect, Engineering or Design Professional who prepared the drawing(s).

(2) Site Analysis and Plan.

A. An area map or vicinity sketch showing general location of the site in relation to section lines or throughfare intersections.

B. Survey of existing site features, but not limited to, existing lot lines, building lines, structures, parking areas, trees, drains and all other improvements immediately adjacent to the site.

C. All existing easements.

D. Existing Roadways and Driveways immediately adjacent to the site.

E. Existing Sidewalks and pathways immediately adjacent to the site.

F. Zoning classification of parcel.

G. Proposed lines, lot dimensions, property lines and setback dimensions.

H. Proposed structures and other improvements.

I. Proposed and vacated easements and/or right-of-way.

J. Location of exterior lighting.

K. Location of refuse collections, receptacles, and screening.

1. Such facilities shall comply with the requirements of Chapter 1154.

L. Location, Dimensions, and lighting of existing/proposed signage.

(3) Access and Circulation Plan.

A. Dimensions and centerlines of existing and proposed access points, roads and rights-of-way or access easements.

1. All such points shall meet the requirements of the Macomb County Road Commission or, if applicable, the Michigan Department of Transportation.

2. Where a site plan proposes access to a major or secondary thoroughfare, as contained in the Township Major Thoroughfare Plan, the following regulations shall be included:

a. The full projected right-of-way and the centerline of the thoroughfare as proposed in the Township Major Thoroughfare Plan.

b. A full paved lane width along the entire site frontage with acceleration and deceleration tapers and by-pass lanes designed in accordance with Macomb County Road Commission standards and provided at all points of access from site to the thoroughfare unless waived by the Planning Commission and the Township Board.

B. Parking Spaces and Parking Layout Dimensions.

C. Required and Proposed Parking Spaces to include calculations for parking, stacking, and loading.

D. Location of existing and proposed sidewalks/pathways within the site or adjacent right-of-way.

1. A five-foot wide concrete sidewalk or, at the discretion of the Planning Commission or the Township Board, a ten-foot minimum wide asphalt bicycle/pedestrian path, shall be located one foot from the property line on the side or sides of the roadway on all public streets, with the exception of the interior industrial subdivision streets.

2. In all private residential developments, a five-foot wide sidewalk adjacent to all main service drives in order to provide interior pedestrian circulation.

E. Opposing Driveways and intersections within 100 feet of the site.

F. Location and Proposed Bicycle Parking. See Chapter 1154 for bike parking requirements.

G. Emergency vehicle access locations.

H. Details of traffic signs, pavement markings and curbing.

(4) Landscape Plan.

A. Location of existing and proposed landscaped area.

B. Table or List of proposed landscaping noting quantities and materials.

C. Landscaping and screening requirements and calculations of requirements.

(5) Building Structure and Details.

A. Location, height and outside dimensions of all existing and proposed buildings or structures.

B. Building or Structure floor plans to include, whenever possible, square footage and number and type of units.

C. Building façade elevations.

D. Description of exterior building materials and colors.

E. Proposed screening of mechanical equipment. See Chapter 1154 for requirements.

(6) Lighting Plan.

A. Parking lot, building, and landscaping illumination shall be illustrated in a photometric plan. The plan shall detail the types of fixtures, shielding, height of fixtures, light wattage, and footcandles.

B. Lighting shall be shown on the site plan to determine the effects of lighting on adjacent properties and traffic.

(7) Engineering Plans.

A. Existing and Proposed Grades.

B. Preliminary engineering plan showing existing and proposed utilities.

C. Drainage and Stormwater management plan, demonstrating measures for mitigating surface waters onto adjacent property and/or public storm drainage systems.

D. Location and design of storm water retention basins.

1. When it is known that a storm water retention basin will be required on the site, the basin, when at all possible, shall be located and designed as an integral part of the overall site plan.

2. The basin shall be designed with a maximum slope ration of four to one, (four feet of horizontal distance for each one foot of vertical drop) and shall be landscaped and maintained in a clean and orderly manner.

3. When retention basins are designed in conformity with these standards, they may be included as part of the open-space requirements of residential development.

4. The Plan Commission and Township Board, after review of a proposed drain basin plan, may require the erection of a six-foot fence around the basin.

(e) Criteria for Approval of Site Plans. The following criteria shall be used by Township Board, Planning Commission, and the Planning and Community Development Department as a basis upon which site plans shall be reviewed and approved or denied. The City shall require adherence to these standards, but may allow for design flexibility in the administration of the following standards:

(1) Compatibility. All elements on the site shall be designed in relation to the character of adjacent sites and buildings. Sites shall be developed as to not to impede the normal and orderly operation, development or improvement of surrounding properties.

(2) Compliance with Dimensional Standards. The site plan shall comply with the requirements for setbacks, height, density, and all other dimensional requirements as noted in the respective zoning district's schedule of regulations.

(3) Protection of the Environment. The site shall be designed to preserve and protect environmental resources to the extent feasible.

(4) Landscaping. All landscaping and screening shall be in accordance with the standards set forth in Chapter 1154.

(5) Emergency Access. All buildings shall be arranged so as to provide emergency vehicle access.

(6) Pedestrian Safety and Access. Improvements on the site, such as sidewalks, fences, and signage shall be utilized to protect pedestrians from vehicular traffic. The site shall be designed to allow access by physically disabled persons in accordance with applicable federal and state laws.

(7) Drainage. Site drainage shall be provided to ensure that surface waters are removed from the site and will not adversely affect adjoining lots, sidewalks, pedestrian areas and streets. Provisions shall be made for a storm drainage system.

(8) Off-Street Parking and Loading. Design of off-street parking lots and loading/unloading areas shall be in accordance with Chapter 1154.

(9) Traffic and Access. Internal circulation shall promote safe and efficient travel. Access points shall be located to minimize disruption of through traffic and reduce potential conflicts.

(10) Lighting. Exterior lighting shall be arranged to direct light away from adjacent residential uses.

(11) Utilities. Utility services shall be connected to or provided with sufficient capacity and durability to adequately serve the site.

(12) Compliance with Other Regulations. Any use shall comply with all applicable federal, state, county, and township laws and regulations. This includes noise, vibration, glare and heat, noxious and odorous matter, erosion control, flood control and fire safety.

(f) Minor Site Plan Amendments. A proposed amendment to a site plan may be approved in accordance with the same procedures at the original application. Minor changes may be approved administratively. All such approved changes shall be reported to the Township Planning Commission. The following items shall be deemed minor changes:

(1) A change in the internal floor plan which does not increase the intensity of the use or parking requirements.

(2) An increase or decrease in the number of parking spaces of 10% or less, provided the number of parking spaces meets the required minimum.

(3) Expansion, replanting or alteration of landscaping areas, consistent with the requirements of this Code.

(4) Relocation of light fixtures meeting the location and dimensional standards of Chapter 1154.

(5) Relocation of sidewalks or pathways that improve safety and circulation on the site.

(6) Other minor modifications to comply with Township, County, State, and/or Federal regulations.

(g) Expiration of Approved Site Plan. If construction has not commenced within 18 months of site plan approval, the approval becomes null and void and a new application for site plan review shall be required. The applicant may request and the Planning Commission may grant extensions to the approved site plan for a period of 18 months, provided a written request is received prior to the expiration date.

(Ord. Passed 10-30-23.)

1157.02 SUBDIVISION OPEN SPACE PLAN.

The intent of this section is to permit one-family residential subdivisions to be planned as a comprehensive unit with an allowance for residential open space. Certain modifications to standards outlined in Chapter 1158 are permitted when the following conditions are met:

(a) Lot dimensions in R-1, R-2, R-3 and R-4 One-Family Residential Districts may be reduced in accordance with the following schedule, provided that the number of residential lots shall be no greater than if the land area to be subdivided were developed with minimum square foot lot areas as required for each district under Chapter 1158.

(1) All calculations of density shall be predicated upon the following number of dwelling units per acre, including roads:

District	Dwelling Units Per Acre
R-1	2.3
R-2	2.7
R-3	3.4
R-4	3.7

(2) Lot widths and overall area reductions shall not be more than the following:

District	Minimum Lot Width (ft.)	Minimum Lot Area (sq. ft.)
R-1	90	11,700
R-2	80	10,000
R-3	70	8,400
R-4	65	8,100

(3) Rear yards may be reduced to thirty feet when bordering on land dedicated to the common use of the subdivision as indicated in subsection (b) hereof.

(b) For each square foot of land gained under the provisions of subsection (a) hereof within a residential subdivision, through the reduction of lot size below the minimum requirements as outlined in Chapter 1158 equal amounts of land shall be dedicated to the common use of the lot owners in the subdivision in a manner approved by the Township or may, if approved and accepted by the Township, be deeded to the Township. If deeded to

the Township, no individual land area shall be less than four acres in size, except that said parcel may be separated from the subdivision by a road or stream.

(c) Lands zoned FW Floodway District, owned as part of lands proposed to be subdivided, may be credited as open space under this section, provided that the requirements of this section are met.

(d) The area to be dedicated or deeded, whichever the case may be, for either public park or subdivision recreation purposes, shall be in a location and of a shape approved by the Planning Commission and the Township Board in reviewing the preliminary plat. Said land shall be graded and developed so as to have natural drainage.

(e) Prior to approval of a subdivision open space plan, the Township shall conduct a public hearing and determine that the plan meets at least two of the following objectives:

(1) Provides a more desirable living environment by preserving the natural character of stands of trees, brooks, topography and similar natural assets.

(2) Provides a more creative approach in the development of residential areas.

(3) Provides a more efficient, aesthetic and desirable use of open area, allowing the developer to bypass natural obstacles in the site.

(f) Under this planned unit approach, the subdivider shall dedicate or deed, as determined by the Township, the total park area at the time of filing of the final plat on all or any portion of the plat, unless otherwise agreed to by the Township.

(g) Where the open space is dedicated to the landowners or their representative, such park area shall be maintained by the same. In the event of a default in maintenance, said open space shall, if accepted by the Township, either be deeded to the Township of Clinton or, in lieu thereof, the lots in the subdivision shall be assessed equally as a tax lien to provide for necessary maintenance.

(h) The subdivision open space plan shall be acceptable only in those instances where the entire preliminary plat, after public hearing by the Planning Commission and approval by the Township Board, is carried through a final plat and is recorded in its totality. Recording of portions of a plat designed under this option shall not be acceptable.

(Ord. Passed 10-30-23.)

1157.03 SINGLE-FAMILY LAND CONDOMINIUM OPTION.

The single-family land condominium option may be used in any One-Family Residential District subject to the following conditions:

(a) All homes shall be single-family and detached.

(b) The maximum density of the development shall be regulated as follows:

R-1 2.3 100

R-2 2.7 90

R-3 3.6 80

R-4 4.1 70

R-5 4.7 65

(c) No building, including accessory buildings, shall be located closer than 40 feet in the R-1 and R-2 Districts and 35 feet in any R-3, R-4 and R-5 Districts except that an unenclosed or uncovered porch or deck (one which is not roofed over) may extend no more than eight feet beyond the building envelope.

(d) Homes shall not be located closer than 45 feet to any street in the R-1 and R-2 Districts and shall not be located closer than 40 feet to any street in the R-3, R-4 and R-5 Districts.

(e) The minimum distance between buildings shall be 20 feet in the R-1 and R-2 Districts and 16 feet in the R-3, R-4 and R-5 Districts.

(f) The minimum floor area per home shall be determined by the respective zoning district in which the development is located, as regulated by the schedule of regulations set forth in Chapter 1158.

(g) All interior streets shall have a minimum width of 27 feet.

(h) A five-foot wide concrete sidewalk shall be installed a minimum of ten feet from both sides of interior streets.

(i) A minimum of four off-street parking spaces per home shall be provided.

(j) The Township Board, upon recommendation by the Planning Commission, may impose conditions or limitations in granting approval of this option in order to assure compatibility with surrounding areas.

(Ord. Passed 10-30-23.)

1157.04 SPECIAL LAND USE APPROVAL.

(a) In all cases, the power to grant special approval is vested in the Township Board. All applications for special approval shall include a site plan in accordance with the requirements of Chapter 1153 and shall be submitted to the Department of Planning and Community Development for review and recommendation. A public hearing, in accordance with State law and after proper notice, shall be held by the Planning Commission in order to hear any comments or matters by any person on the application. The Planning Commission shall consider all comments in making recommendation to the Township Board.

In reviewing a request for special approval, the Planning Commission and Township Board shall consider each case individually and must find that, in addition to the minimum conditions as previously specified herein, each of the following conditions will also be met:

(1) The proposed use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding area and applicable regulations of the zoning district in which it is to be located.

(2) The proposed use shall be of a nature which will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular traffic flow, proximity and relationship to intersections, adequacy of sign distances and location and access to off-street parking.

(3) The proposed use shall be designed as to the location, size intensity, site layout and periods of operation of any such proposed use in order to eliminate any possible nuisance emanating therefrom, which might be noxious to the occupants of any nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.

(4) The proposed use shall be such that the proposed location or height of buildings or structures will not interfere with or discourage the appropriate development or use of adjacent land or unreasonably affect their value.

(b) The Township Board shall provide a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed. The Township Board may, upon recommendation from the Planning Commission, impose such conditions or limitations in granting approval which it deems necessary to fulfill the requirements set forth in subsection (a) hereof. Such conditions, imposed with respect to the approval of a special use, shall be recorded in the record of the approval action and shall remain unchanged.

(c) In all cases where a particular special use has been granted, application for a building permit must be made not later than eighteen months thereafter or such approval shall automatically be revoked.

(d) If the Township Board determines that the particular special use requested does not meet the standards of subsection (a) hereof or may be injurious to the public health, safety, welfare or orderly development of the Township, said Board shall deny the application and furnish the applicant written endorsement of the same which clearly sets forth the reasons for denial.

(Ord. Passed 10-30-23.)

CHAPTER 1158
Nonconforming Uses

1158.01 Intent.

1158.02 Nonconforming lots.

1158.03 Nonconforming uses of land.

1158.04 Nonconforming structures.

1158.05 Nonconforming uses of structures and land.

1158.06 Repairs and maintenance.

1158.07 Change of tenancy or ownership.

CROSS REFERENCES

Zoning and planning generally - see M.C.L.A. Secs. 125.11 et seq., 125.31 et seq., 125.581 et seq.

Regulation of location of trades, buildings and uses by local authorities; authority to zone - see M.C.L.A. Secs. 125.581, 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

Zoning Map changes - see Pt. 11, Appendix II

1158.01 INTENT.

(a) It is the intent of this chapter to permit legal nonconforming lots, structures or uses to continue until they are removed, but not to encourage their survival.

(b) It is recognized that there exist within the districts established by this Zoning Code and subsequent amendments, lots, structures and uses of land and structures which were lawful before this Zoning Code was passed or amended which would be prohibited, regulated or restricted under the terms of this Zoning Code or future amendments. Such uses are declared by this Zoning Code to be incompatible with permitted uses in the districts involved.

(c) It is further the intent of this chapter that nonconformities shall not be enlarged upon, expanded or extended, nor be used as the basis for adding other structures or uses prohibited elsewhere in the same district.

(d) A nonconforming use of either or both a structure and/or land shall not be extended or enlarged after the effective date of this Zoning Code by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited in the district involved.

(e) To avoid undue hardship, nothing in this Zoning Code shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of this Zoning Code, or any amendment thereto, and upon which construction has diligently proceeded and progressed. Actual construction is hereby defined to include the placing of construction

materials in a permanent manner, except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall diligently proceed and progress until the completion of the building involved.

(Ord. Passed 10-30-23.)

1158.02 NONCONFORMING LOTS.

In any district in which one-family dwellings are permitted, notwithstanding limitations imposed by other regulations of this Zoning Code, a one-family dwelling and customary accessory building may be erected on any single lot of record on the effective date of this Zoning Code, or any amendment thereto. This regulation shall apply even though such lot fails to meet the requirements for area and/or width that are generally applicable in the district, provided that yard dimensions and other requirements not involving area and/or width of the lot shall conform to the regulations for the district in which such lot is located. A variance from yard requirements may be obtained after public hearing and approval by the Board of Appeals.

(Ord. Passed 10-30-23.)

1158.03 NONCONFORMING USES OF LAND.

Where, on the effective date of this Zoning Code, or any amendment thereto, a lawful use of land exists which is not permissible under the provisions of this Zoning Code as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following regulations:

(a) No such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land than was occupied on the effective date of this Zoning Code, or any amendment thereto.

(b) 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 on the effective date of this Zoning Code, or any amendments thereto.

(c) If such nonconforming use of land ceases for any reason for a period of more than 12 consecutive months, any subsequent use of such land shall conform to the regulations of this Zoning Code for the district in which such land is located.

(Ord. Passed 10-30-23.)

1158.04 NONCONFORMING STRUCTURES.

Where a lawful structure exists on the effective date of this Zoning Code, or any amendment thereto, which could not be built under the provisions of this Zoning Code by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following regulations:

(a) No structure may be enlarged or altered in a way which increases its nonconformity, i.e. existing residences on lots of a width less than that required herein may add a rear porch, provided that other requirements relative to yard space and land coverage are met.

(b) Should a structure be destroyed by any means to an extent of more than 50% of its reasonable market value, it shall not be reconstructed except in conformity with the regulations of this Zoning Code.

(c) Should such structure be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

(Ord. Passed 10-30-23.)

1158.05 NONCONFORMING USES OF STRUCTURES AND LAND.

If a lawful use of a structure or of structures and land in combination exists on the effective date of this Zoning Code, or any amendment thereto, which would not be allowed in the district under the regulations of this Zoning Code, the lawful use may be continued so long as it remains otherwise lawful, subject to the following regulations:

(a) No existing structure devoted to a use not permitted by this Zoning Code in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

(b) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use and which existed on the effective date of this Zoning Code, or any amendment thereto, but no such use shall be extended to occupy any land outside such building.

(c) If no structural alterations are made, any nonconforming use of a structure or structures and premises may be changed to another nonconforming use, provided that the Board of Appeals, by making findings in the specific case, shall find that the proposed use is equally compatible or more compatible to the district than the existing nonconforming use. In permitting such change, the Board of Appeals may require appropriate conditions and safeguards in accordance with the purpose and intent of this Zoning Code.

(d) Any structure or structure and land in combination in or on which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not be resumed.

(e) When a nonconforming use of a structure or structure and premises in combination is discontinued or ceases to exist for six consecutive months, or for eighteen months during any three-year period, the structure or structure and premises in combination shall not thereafter be used except in conformance with the regulations of the district in which it is located. Structures occupied by successive seasonal uses shall be excepted from this regulation.

(f) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

(Ord. Passed 10-30-23.)

1158.06 REPAIRS AND MAINTENANCE.

(a) On any building devoted in whole or in part to any nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing to an extent not exceeding 25% of the market value on the date of repair, provided that the cubic content of the building, as it existed on the effective date of this Zoning Code, or any amendment thereto, shall not be increased.

(b) Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

(Ord. Passed 10-30-23.)

1158.07 CHANGE OF TENANCY OR OWNERSHIP.

There may be a change of tenancy, ownership or management of any existing nonconforming uses of land, structures and premises, provided that there is no change in the nature or character of such nonconforming uses.

(Ord. Passed 10-30-23.)

APPENDIX I
SKETCHES

Sketch 1. Basement and Story. [Click here to view image.]

Sketch 2. Basic Structural Terms. [Click here to view image.]

Sketch 3. Building Line. [Click here to view image.]

Sketch 4. Interior, Through and Corner Lots. [Click here to view image.]

Sketch 5. Parking Layouts. [Click here to view image.]

Sketch 6. Yards. [Click here to view image.]

(Ord. Passed 10-30-23.)

APPENDIX II
ZONING MAP CHANGES

Ord. No. Date Description

260-A-1 8-20-79 Approximately 1.71 acres of land west of Gratiot Ave. and north of Kemp St., from B-2 to B-3.
260-A-2 9-4-79 Land located north of Hartmann St. and east of Groesbeck Hwy., from R-3 to I-1.
260-A-3 9-19-79 Land located south of Quinn Rd., north of Pitko and in the vicinity of McGovern, from R-5 and I-1 to B-3.
260-A-4 10-15-79 Approximately 2 acres of land west of Groesbeck Hwy. and east of Little Mack, from R-3 to I-1.
260-A-5 10-1-79 3.67391 acres of land west of Garfield Rd. and south of Canal Rd., from R-2 and RM-2 to B-2.
260-A-6 10-1-79 Approximately 1.3 acres of land west of Garfield Rd. and north of 17 Mile Rd., from R-3 to OS-1.
260-A-7 11-13-79 2.597 acres of land south of Millar Rd. and west of Garfield Rd., from R-2 to OS.
260-A-8 12-17-79 Approximately 31.98 acres of land east of Gratiot Ave. and north of Joy Blvd., from I-1 to MH.
260-A-9 1-28-80 6.050 acres of land east of Moravian Dr. and south of Hillcrest St., from RM-2 and R-3 to RM-3.
260-A-10 2-25-80 2 parcels containing 14.9 acres and 23.5 acres of land north of Canal Rd. and west of Clinton River Rd., from R-2 to R-1 and from R-2 to R-5, respectively.
260-A-11 3-10-80 Approximately 0.74 acre at the N.E. corner of Grand Trunk Western R.R. and 15 Mile Rd., from I-2 to B-3.
260-A-12 3-24-80 Land located west of Garfield Rd. and north of 17 Mile Rd., from R-3 to OS.
260-A-13 3-24-80 Land located east of Hayes Rd. and north of 18 Mile Rd., from B-1 to B-2.
260-A-14 3-24-80 Approximately 7 acres of land east of Hayes Rd. and south of Hall Rd., from R-1 to B-2.
260-A-15 4-7-80 Approximately 2.496 acres of land west of Garfield Rd., north of Forestview and east of Woodside, from R-1 to OS.
260-A-16 4-7-80 84.595 acres of land at the S.E. corner of Dunham and Heydenreich Rds., from R-4 to R-5.
260-A-17 4-21-80 Approximately 5 acres of land east of Garfield Rd. and north of 19 Mile Rd., from R-1 to OS.
260-A-18 5-5-80 Land located at the N.E. and S.E. corners of Grandy and Kirby Aves., from SP-1 and R-5 to RM-2.
260-A-19 6-16-80 11.94 acres of land at the S.W. corner of Dunham and Heydenreich Rds., from R-1 to R-4.

260-A-20 6-16-80 Approximately 4.84 acres of land north of Cass Ave. and west of Ferndale St., from B-3 to I-1.
260-A-21 6-15-80 2 parcels containing approximately 25.64 and 15.28 acres of land north of Canal Rd. and west of Clinton River Rd., from R-2 to R-4 and from R-2 to R-5 respectively.
260-A-23 8-11-80 4 parcels designated A, B, C and D south of Vermander St., north of Woodward St. and west of Gratiot Ave., from R-5 to B-3, P, B-3 and P, respectively.
260-A-24 8-11-80 2 parcels containing 8.163 and 13.987 acres of land south of Hall Rd. and east of Hayes Rd., from OS to RM-2 and from B-2 to RM-2, respectively.
260-A-25 8-11-80 Approximately 1.5656 acres of land east of Hayes Rd. and north of 19 Mile Rd., from R-1 to RM-2.
260-A-26 8-11-80 3 parcels containing approximately 15, 79 and 104.776 acres of land north of Dunham Rd. and east of Heydenreich Rd., from RM-1 to R-5, R-4 to R-5, and R-1 to R-5, respectively.
260-A-27 10-21-80 1.49 acres of land east of Griswald St. and north of 15 Mile Rd., from R-5 to RM-2.
260-A-28 10-20-80 2 parcels containing approximately 1.5656 and 4.0 acres of land east of Hayes Rd. and north of 19 Mile Rd., from R-1 to B-2 and from RM-2 to B-2, respectively.
260-A-29 12-15-80 8.4 acres of land north of Lindbergh St. and west of Gratiot Ave., from I-1 to SP-1.
260-A-30 2-23-81 Approximately 4.527 acres of land at the S.E. corner of Dunham and Heydenreich Rds., from R-5 to B-1.
260-A-32 8-11-81 Land located at the S.E. corner of Dan St. and Harper Ave., from OS to B-1.
260-A-35 1-11-82 Approximately 4.627 acres of land east of Hayes Rd. and south of Amore Dr., from B-1 to B-2.
260-A-36 2-8-82 Approximately 6.07 acres of land north of Metropolitan Pkwy., west of Gratiot Ave. and south of Wendell Dr., from OS to B-3.
260-A-38 4-5-82 Land located east of Groesbeck Hwy. and south of Melborn, from R-3 to OS.
260-A-39 4-19-82 Approximately 0.80 acre of land east of Garfield Rd. and south of Clinton River Rd. and north of the Clinton River, from R-3 to OS.
260-A-40 6-14-82 4.005 acres of land at the S.E. corner of Garfield and 19 Mile Rds., from B-1 and OS to B-3.
260-A-41 6-28-82 11.94 acres of land at the S.W. corner of Dunham and Heydenreich Rds., from R-4 to RM-1.
260-A-42 7-12-82 Approximately 2 acres of land east of Garfield Rd. and north of 19 Mile Rd., from R-1 to OS.
260-A-43 8-23-82 Approximately 0.985 acre of land east of Garfield Rd. and north of 17 Mile Rd., from R-5 to OS.
260-A-44 9-8-82 1.808 acres of land east of Garfield Rd. and south of Canal Rd., from R-2 to B-1.
260-A-46 12-13-82 Approximately 3.88 acres of land north of Lindbergh Dr. and west of Gratiot Ave., from R-3 to I-1.
260-A-47 12-13-82 Land located north of Abrahm St., south of Sharkey St. and west of Gratiot Ave., from R-5 to P.

260-A-48 12-27-82 0.57 acre of land east of Garfield Rd. and south of Canal Rd., from R-2 to B-2.
260-A-49 2-7-83 Approximately 2.85 acres of land at the N.E. corner of Kelly and 15 Mile Rds., from I-2 to B-2.
260-A-50 2-7-83 0.207 acre of land west of Garfield Rd. and north of 17 Mile Rd., from R-3 to P.
260-A-51 5-16-83 Approximately 1.684 acres of land at the N.W. corner of Moravian and Utica Rds., from B-1 to B-3.
260-A-52 6-1-83 Land fronting the north line of Canal Rd. and east of Garfield Rd., from R-1 to B-3.
260-A-53 6-27-83 Approximately 1.20 acres of land at the S.E. corner of Garfield and Canal Rds., from R-2 to B-1.
260-A-54 6-27-83 Approximately 1.454 acres of land at the N.E. corner of Garfield and Canal Rds., from R-1 to B-3.
260-A-55 7-11-83 Land located west of Garfield Rd. and north of 19 Mile Rd., from R-1 to OS.
260-A-56 8-8-83 Approximately 21.44 acres of land west of Greenfield Rd. and north of Canal Rd., from R-3 to RM-1.
260-A-57 8-22-83 Land located at the N.E. corner of Harper Ave. and Klix Rd., from B-1 to B-3.
260-A-59 9-7-83 A 1.475-acre strip of land, parallel to and south of Carlo Dr., from RM-1 to I-1.
260-A-60 10-17-83 2.163 acres of land east of Garfield Rd. and north of Canal Rd., from R-1 to B-1.
260-A-62 11-28-83 2.46 acres of land west of Garfield Rd. and south of Millar Rd., from R-2 to OS.
260-A-63 12-19-83 2.545 acres of land east of Colchester St. and north of N. Walnut St., from R-5 to RM-2A.
260-A-64 1-23-84 42611 Garfield Rd., from R-2 to OS.
260-A-65 3-5-84 A strip of land of approximately 6.605 acres, extending south from the S.E. corner of Garfield and Millar Rds., from R-1 to OS.
260-A-66 4-2-84 Approximately 0.367 acre of land west of Garfield Rd. and north of 17 Mile Rd., from R-3 to OS.
260-A-67 4-30-84 Approximately 0.891 acre of land east of Groesbeck Hwy. and north of 15 Mile Rd., from RM-2 to B-1.
260-A-68 7-23-84 Approximately 2.228 acres of land east of Romeo Plank Rd. and south of Cass Ave., from R-2 to B-1.
260-A-69 7-23-84 Approximately 1.328 acres of land at the S.W. corner of the Grand Trunk Western R.R. and the Clinton Twp./Harrison Twp. line and north of Henry B. Joy Blvd., from I-1 to MH.
260-A-70 8-13-84 3 acres of land east of Garfield Rd. and north of 19 Mile Rd., from R-1 to OS.
260-A-71 8-13-84 2.788 acres of land east of Garfield Rd. and north of 19 Mile Rd., from R-1 to B-2.

260-A-72 8-13-84 1 parcel bounded by the Grand Trunk Western R.R., Weybridge Dr. and Groesbeck Hwy., from R-3 to I-1; and a second parcel bounded by Henry B. Joy Blvd., the Clinton Twp./Harrison Twp. line and a railroad spur, from I-1 to R-5.
260-A-73 8-13-84 Land fronting the west line of Groesbeck Hwy and north of Weybridge Dr., from R-3 to I-1.
260-A-74 8-13-84 Land adjacent to the Grand Trunk Western R.R., fronting the west line of Groesbeck Hwy., and north of Weybridge St., from R-3 to I-1.
260-A-75 9-5-84 Approximately 2.18 acres of land at the N.W. corner of Canal and Romeo Plank Rds., from R-2 to OS.
260-A-76 10-15-84 40.655 acres of land east of Garfield Rd. and north of 19 Mile Rd., from R-1 to RM-1.
260-A-77 10-15-84 Land located in the vicinity of Stanton and Drewry Aves. and Lipke St., from I-1 to R-5.
260-A-78 11-13-84 20822 Melborn St., from R-3 to OS.
260-A-79 11-13-84 11.051 acres of land at the E. corner of Trinity Dr. and Hall Rd., from I-1 to B-2.
260-A-81 11-26-84 Land fronting the north line of 15 Mile Rd. and east of Groesbeck Hwy., from RM-1 to I-1.
260-A-82 12-10-84 Approximately 0.80 acre of land east of Garfield Rd., south of Clinton River Rd. and north of the Clinton River, from OS to B-1.
260-A-83 2-4-85 1 parcel south of Abrahm St., east of Gratiot Ave. and north of Vermander St., from R-5 to B-3; and a second parcel at the E. corner of Vermander St. and Lawless, from R-5 to P.
260-A-84 2-4-85 11.032 acres of land east of Hayes Rd. and south of 17 Mile Rd., from R-3 to RM-2.
260-A-85 2-19-85 Approximately 43.7 acres of land east of Moravian Dr. and south of Harrington Rd. along the meander line of Harrington Creek, from R-3 to RM-1.
260-A-86 2-19-85 0.3376 acre of land north of Shader Dr. and east of Gratiot Ave., from R-3 to P.
260-A-87 2-19-85 18.67364 acres of land at the N.E. corner of 19 Mile Rd. and Commons Dr., from R-1 to OS.
260-A-88 3-4-85 41700 Garfield Rd., from R-1 to B-2.
260-A-89 3-4-85 19747 and 19765 15 Mile Rd., from RM-2 and B-1 to I-1.
260-A-90 3-18-85 Approximately 2.8 acres of land fronting the east line of Groesbeck Hwy. and north of Hartman St., from RM-2 to I-1.
260-A-91 4-15-85 Approximately 3.595 acres of land south of Hall Rd. and east of Trinity Dr., from I-1 to B-2.
260-A-93 5-13-85 4.826 acres of land west of Harper Ave. and south of Metropolitan Pkwy., from R-3 to RM-2.
260-A-94 5-13-85 Land located at the N.E. corner of Garfield Rd. and Penrod St., from OS to B-1.
260-A-95 5-28-85 Approximately 28.2 acres of land between Stanton and Stevenson Sts. and east of Lipke St., from R-5 to I-1.
260-A-96 7-8-85 Land located at the S.E. corner of Harper Ave. and Cottrell St., from RT, R-5 and B-1 to RM-2.

260-A-97 7-8-85 Land located north and south of Manila St. and east of Harper Ave., from R-5 and RM-2 to P.
260-A-98 7-22-85 Approximately 2.967 acres of land east of Garfield Rd. and south of 19 Mile Rd., from R-1 to RM-1.
260-A-99 7-22-85 Approximately 2.034 acres of land east of Garfield Rd. and south of 19 Mile Rd., from R-1 to OS.
260-A-100 7-22-85 Approximately 0.4914 acre of land east of Gratiot Ave. and south of E. Price Dr., from R-3 to B-3.
260-A-101 9-16-85 Approximately 10 acres of land at the N.W. corner of Heydenreich and Dunham Rds., from R-1 to R-4.
260-A-102 9-16-85 4.0 acres of land south of 19 Mile Rd., from R-2 to OS.
260-A-103 10-15-85 2 parcels containing approximately 2.63 and 5.34 acres of land at the S.E. corner of Heydenreich and Hall Rds., from I-1 to B-3 and from I-1 to B-2, respectively.
260-A-104 11-12-85 5.0 acres of land east of Garfield Rd. and north of 19 Mile Rd., from R-1 to OS.
260-A-105 11-12-85 3.0 acres of land north of 19 Mile Rd. and east of Garfield Rd., from R-1 to OS.
260-A-106 12-9-85 23291 15 Mile Rd., from R-5 to RM-2.
260-A-108 1-20-86 2.9718 acres of land at the S.E. corner of Hayes and 17 Mile Rds., from R-3 to B-3.
260-A-109 2-3-86 Approximately 51.7731 acres of land east of Hayes Rd. and north of 19 Mile Rd., from RM-2 to RC.
260-A-110 2-3-86 Land located east of Heydenreich Rd., north of Dunham Rd., west of the Clinton River and south of Hall Rd., from I-1, R-5, R-4 and RM-1 to RM-2 and from R-5, R-4 and R-1 to RM-1.
260-A-111 2-18-86 8 acres of land fronting the north line of Metropolitan Pkwy. and west of Groesbeck Hwy., from RM-3 to RM-2.
260-A-112 2-18-86 22.929 acres of land fronting the north line of Canal Rd. and east of Hayes Rd., from OS to RM-2.
260-A-113 3-31-86 Land located north of Webster Ave. and west of Gratiot Ave., from B-3 to RT.
260-A-114 3-31-86 5.192 acres of land west of Gratiot Ave. and south of Woodward St., from B-2 to B-3.
260-A-115 4-14-86 37228 Groesbeck Hwy., from R-3 to OS.
260-A-116 5-12-86 Approximately 1.53 acres of land east of Garfield Rd. and south of proposed 18 Mile Rd., from B-2 to B-3.
260-A-117 5-12-86 8.40 acres of land north of Lindbergh St. and west of Gratiot Ave., from SP-1 to B-3.
260-A-118 5-12-86 Approximately 1.03 acres of land at the S.E. corner of Hayes and Hall Rds., from B-2 to B-3.
260-A-120 6-9-86 Approximately 3.0 acres of land fronting the south line of 19 Mile Rd. and west of Garfield Rd., from RM-2 to OS.
260-A-121 6-23-86 2.052 acres of land fronting the south line of Hall Rd. and west of Groesbeck Hwy., from B-2 to B-3.

260-A-123 7-21-86 Approximately 0.95 acre of land east of Garfield Rd. and south of Canal Rd., from R-1 to B-1.
260-A-124 7-21-86 8.6 acres of land north of 19 Mile Rd. and east of Hayes Rd., from RM-2 to B-2.
260-A-125 7-21-86 0.024 acre of land south of Hall Rd. and east of Heydenreich Rd., from B-2 to I-1.
260-A-126 8-18-86 Approximately 9.6 acres of land north of 19 Mile Rd. and east of Hayes Rd., from OS to RM-2A.
260-A-127 9-29-86 Approximately 75.37 acres of land fronting the north line of 19 Mile Rd. and the west line of Romeo Plank Rd., from R-5 to RM-1.
260-A-128 9-29-86 5.289 acres of land east of Garfield Rd. and south of Hall Rd., from R-1 to OS.
260-A-129 10-14-86 Land located between Charbeneau and Ormsby Sts. and north of Crocker Blvd., from R-5 to SP-1.
260-A-130 11-10-86 1.81 acres of land east of Klix Rd. and north of Shook Rd., from B-3 to RM-2.
260-A-131 11-10-86 Approximately 1.210 acres of land west of Garfield Rd. and south of Moravian Dr., from R-3 to B-2.
260-A-132 12-15-86 3.0 acres of land east of Garfield Rd. and south of 19 Mile Rd., from R-1 to OS.
260-A-133 1-5-87 Land located north of Cass Ave. and west of Ferndale St., from I-1 and B-3 to RM-2.
260-A-134 1-5-87 Approximately 1.285 acres of land east of Garfield Rd. and south of 17 Mile Rd., from R-3 to OS.
260-A-135 1-19-87 2.17 acres of land east of Garfield Rd. and south of Hall Rd., from R-1 to OS.
260-A-136 2-2-87 Approximately 17.922 acres of land north of Canal Rd. and east of Greenfield Rd., from R-2 to R-4.
260-A-138 3-30-87 Approximately 10.0 acres of land at the N.W. corner of Dunham and Heydenreich Rds., from R-4 to R-5.
260-A-139 4-27-87 Approximately 19.0 acres of land south of Laurel St., west of Morse, north of Quinn Rd. and east and west of Lipke St., from R-5 to RM-2.
260-A-140 5-26-87 Land located at the S.E. corner of Harper Ave. and Elmira St., from RM-2 to B-1.
260-A-141 6-8-87 Approximately 2.7 acres of land north of Canal Rd. and east of Hayes Rd., from OS to RM-2.
260-A-142 7-6-87 Approximately 68.981 acres of land east of Romeo Plank Rd. and north of Cass Ave., from R-1 to R-4.
260-A-143 2-1-88 1.837 acres of land fronting the east line of Garfield Rd. and north of Canal Rd., from R-1 to B-1.
260-A-144 7-6-87 0.2204 acre of land west of Garfield Rd. and north of 17 Mile Rd., from R-3 to OS.
260-A-145 8-31-87 Approximately 14.0244 acres of land south of 18 Mile Rd. and east of Hayes Rd., from B-2 to RM-2A.
260-A-146 9-14-87 Land located at the N.E. corner of Gratiot Ave. and Shafer Dr., from OS to B-3.

260-A-147 10-13-87 2.281 acres of land at the S.E. corner of Hall and Elizabeth Rds., from RM-1 and B-1 to B-3.
260-A-148 10-13-87 27.889 acres of land south of Moravian Dr. and west of Utica Rd., from R-3 to RM-2.
260-A-149 11-9-87 Approximately 5.0 acres of land fronting the north line of Canal Rd. and west of Romeo Plank Rd., from R-2 to R-5.
260-A-150 12-7-87 0.377 acre of land north of Clinton River Rd. and east of Garfield Rd., from B-1 to B-2.
260-A-151 12-7-87 6.8218 acres of land north of Clinton River Rd. and east of Day Dr., from R-2 to R-4.
260-A-152 12-21-87 Land located at the S.E. corner of 15 Mile Rd. and Maynard St., from OS to B-1.
260-A-153 2-16-88 2 parcels containing approximately 12.01 and 3.99 acres of land fronting the north line of 18 Mile Rd. and west of Garfield Rd., from R-2 to RM-1 and from R-2 to RM-2, respectively.
260-A-154 3-28-88 1.5511 acres of land at the S.W. corner of Garfield and 18 Mile Rds., from B-2 to B-3.
260-A-155 3-28-88 3 parcels designated A, B and C, containing a total of approximately 11.11 acres of land at the N.W. corner of 19 Mile and Romeo Plank Rds., from R-5 to RM-1, from R-5 to B-1 and from RM-1 to B-1, respectively.
260-A-156 3-28-88 Approximately 0.646 acre of land at the N.W. corner of Harper Ave. and Quinn Rd., from I-1 to B-1.
260-A-157 3-28-88 27.718 acres of land east of Heydenreich Rd. and north of Cass Ave., from R-4 to R-5.
260-A-158 4-11-88 Approximately 4.07 acres of land north of Canal Rd. and east of Hayes Rd., from OS to RM-2.
260-A-159 4-11-88 17.554 acres of land fronting the south line of Hall Rd. and west of Gratiot Ave., from RM-2 to I-1.
260-A-160 4-11-88 4.721 acres of land at the S.W. corner of Metropolitan Pkwy. and Utica Rd., from R-3 to OS.
260-A-161 5-23-88 Land fronting the south line of Williamson St. and east of Little Mack, from R-5 to RT.
260-A-162 6-6-88 3.728 acres of land east of Gratiot Ave. and south of Pitko St., from R-5 to B-3.
260-A-164 6-20-88 3.5516 acres of land east of Garfield Rd. and south of Hall Rd., from R-1 to OS.
260-A-165 7-5-88 0.84 acre of land west of Silvano Dr. and north of 15 Mile Rd., from B-1 to SP-1.
260-A-166 7-5-88 Land located north of Shiell Dr. and east of Gratiot Ave., from R-3 to OS.
260-A-167 7-18-88 Approximately 3.01 acres of land west of Gratiot Ave. and south of Easy St., from B-3 to I-1.
260-A-168 8-8-88 1.147 acres of land at the N.E. corner of Garfield and 18 Mile Rds., from B-2 to B-3.
260-A-169 8-8-88 4.477 acres of land east of Romeo Plank Rd. and south of Cass Ave., from R-2 to B-2.

260-A-170 8-29-88 2 parcels containing a total of 1.443 acres of land fronting the west line of Garfield Rd. and the north line of 17 Mile Rd. from P and R-3 to B-1 and from R-3 to OS.
260-A-171 9-12-88 Land fronting the west line of Garfield Rd. and the south line of 19 Mile Rd., from R-2 to OS.
260-A-172 10-11-88 1.418 acres of land east of Gratiot Ave. and north of Joy Blvd., from B-3 to MH.
260-A-173 10-11-88 Land located at the S.E. corner of Harper Ave. and Manila St., from B-1 to B-2.
260-A-174 11-9-88 20.893 acres of land east of Gratiot Ave. and north of Joy Blvd., from I-1 to MH.
260-A-175 11-9-88 Land fronting the north line of Grandy St. and east of Gratiot Ave., from R-5 to B-3.
260-A-176 11-21-88 1.0 acre of land fronting the west line of Romeo Plank Rd. and south of Canal Rd., from R-3 to R-4.
260-A-177 12-5-88 0.406 acre of land fronting the west line of Harper Ave. and south of Glenwood Rd., from B-2 to RM-2.
260-A-178 1-3-89 5.754 acres of land west of Gratiot Ave. and south of Hall Rd., from B-3 to I-1.
260-A-179 1-3-89 5 acres of land west of Utica Rd. and south of Metropolitan Pkwy., from R-3 to OS-1.
260-A-180 2-27-89 4.67 acres of land east of Hayes Rd. and north of 19 Mile Rd., from R-1 to OS.
260-A-181 3-27-89 Land located north of Olson St. and west of Gratiot Ave., from RM-2 to B-3 and P.
260-A-182 5-8-89 Land fronting the north line of 15 Mile Rd. and west of Little Mack, from B-1 to B-2.
260-A-183 5-22-89 0.72 acre of land south of Cass Ave. and east of Romeo Plank Rd., from R-2 to B-2.
260-A-184 5-22-89 0.34 acre of land at the S.W. corner of Gratiot Ave. and Marlborough Dr., from RM-2 to B-1.
260-A-185 8-7-89 Land located west of Garfield Rd. and north of 17 Mile Rd., from R-3 and OS to B-1.
260-A-186 6-19-89 0.345 acre of land west of Gratiot Ave. and south of Woodbury St., from RM-2 to P.
260-A-188 7-5-89 5.041 acres of land fronting the north line of Clinton River Rd. and east of Romeo Plank Rd., from R-2 to R-4.
260-A-189 7-5-89 1.467 acres of land fronting the east line of Hayes Rd. and north of Uthers Dr., from OS to B-2.
260-A-190 8-7-89 5.657 acres of land fronting the east line of Hayes Rd. and south of Amore Dr., from B-1 to RM-1.
260-A-191 8-28-89 Land fronting the east line of Hayes Rd. and north of 17 Mile Rd., from R-3, OS and B-1 to B-2; and land located east of Hayes Rd. and north of 17 Mile Rd., from B-1 to P.
260-A-192 10-23-89 5.018 acres of land at the S.W. corner of Hall Rd. and Colony Dr., from B-2 to OS-2.

260-A-193 1-3-90 2 parcels containing a total of 8.368 acres of land fronting the north line of Moravian Dr. and west of Utica Rd., from R-3 to B-1 and from R-3 to RM-2.
260-A-194 1-15-90 6.91 acres of land east of Gratiot Ave. and south of Quinn Rd. to south of Coleman St., from R-5 to B-3.
260-A-195 1-29-90 Approximately 0.833 acres of land at the N.W. corner of Patterson and Gratiot Aves., from RM-2 to B-1.
260-A-196 2-26-90 Land fronting the north line of Remick Dr. and west of Gratiot Ave., from R-3 to B-3.
260-A-197 3-12-90 0.58 acre of land at the N.W. corner of 15 Mile Rd. and Carlbro St., from R-5 to I-1.
260-A-198 4-9-90 0.755 acre of land at the S.E. corner of Garfield and Canal Rds., from B-1 to B-3.
260-A-199 4-9-90 7.765 acres of land fronting the north line of 18 Mile Rd. and east of Hayes Rd., from B-2 and OS to RM-2.
260-A-200 7-16-90 Land located at the N.W. corner of 14 Mile Rd. and Little Mack, from RM-2 to P.
260-A-201 7-30-90 Land fronting the north line of Finley St. and west of Gratiot Ave., from R-5 to B-3.
260-A-202 7-30-90 4.63 acres of land east of Hayes Rd. and south of Hall Rd., from OS to B-2.
260-A-203 7-30-90 Land fronting the south line of Thompson Dr. and east of Gratiot Ave., from R-3 to SP-1.
260-A-205 8-27-90 5.735 acres of land fronting the north line of 15 Mile Rd. and east of Garfield Rd., from R-4 to RM-2.
260-A-206 10-22-90 10.015 acres of land fronting the north line of 18 Mile Rd. and west of Garfield Rd., from R-2 to R-5.
260-A-207 11-19-90 Land fronting the north line of Penrod Dr. and east of Garfield Rd., from OS to RT.
260-A-208 12-3-90 Approximately 89.847 acres of land fronting the east line of North Ave. at the intersection of North Ave. and Grand Trunk Western R.R. and north of the City of Mt. Clemens boundary, from I-1, B-3 and R-3 to MH.
260-A-209 12-3-90 3.00 acres of land fronting the east line of Garfield Rd. and south of 19 Mile Rd., from RM-1 to OS.
260-A-210 12-17-90 0.484 acres of land fronting the south line of Canal Rd. and east of Garfield Rd., from R-1 to B-1.
260-A-211 12-17-90 Land located east of Harper Ave. and north of 14 Mile Rd., from RM-2 to OS-1.
260-A-212 2-4-91 1.194 acres of land at the S.W. corner of Hall and Romeo Plank Rds., from I-1 to B-3.
260-A-213 2-19-91 5 parcels containing a total of 21.30 acres of land west of Romeo Plank Rd. and south of Greenfield Rd., from RM-3 to RM-2, from RM-3 to OS-1, from B-2 to RM-2, from B-2 to OS-1 and from R-5 to RM-2.
260-A-215 3-18-91 0.854 acre of land at the N.W. corner of Metropolitan Pkwy. and Utica Rd., from R-2 to OS-1.
260-A-216 3-18-91 7.193 acres of land fronting the south line of Greenfield Rd. and west of Romeo Plank Rd., from R-2 to R-4.

260-A-218 6-24-91 Property fronting the north line of 19 Mile Rd. east of Hayes Rd., from RM-2 to RM-2A.
260-A-219 8-19-91 Property fronting the south line of Greenfield Rd. west of Romeo Plank Rd., from R-2 to R-4.
260-A-220 12-23-91 Property fronting the east line of Garfield Rd. south of 19 Mile Rd., from R-1 to OS-1.
260-A-222 2-3-92 Property fronting the east line of Harper Ave. between Deanhurst and Harvard Shore, from RM-2 to OS-1.
260-A-223 3-2-92 Property fronting the west line of Garfield Rd. south of 19 Mile Rd. at 42625 Garfield Rd., from R-1 to OS.
260-A-224 3-30-92 Property located generally at the southeast corner of Utica Rd. and Moravian Dr., from B-1 to B-3.
260-A-225 7-6-92 Two parcels between North Ave. and Gratiot Ave., north of Patterson St., from MH to I-1 and from B-3 to I-1.
260-A-226 7-20-92 Property fronting the east line of Gratiot Ave. south of Shiell Dr. at 36724 S. Gratiot Ave., from OS to B-1.
260-A-227 11-23-92 Two parcels containing a total of 162.45 acres of land south of Hall Rd. and east and west of Romeo Plank Rd., from I-1 to TR.
260-A-228 12-7-92 Land located west of Little Mack and south of Weybridge, from I-1 to B-3.
260-A-229 1-25-93 Three parcels containing a total of approximately 44.99 acres of land fronting the south line of Hall Rd. and the east line of Hayes Rd., from RM-3, OS and OS, respectively, to B-2.
260-A-230 2-22-93 9.9245 acres of land located at the N.W. corner of 19 Mile and Romeo Plank Rds., from B-1 to RM-2.
260-A-231 3-8-93 53.8952 acres of land fronting the south line of 18 Mile Rd., east of Garfield Rd., from B-2 to R-5.
260-A-232 3-22-93 Two parcels containing a total of 12.0079 acres of land fronting the north line of 15 Mile Rd., west of Utica Rd., from R-3 to RM-2 and B-1.
260-A-233 3-22-93 Land fronting the south line of Price Dr., east of Gratiot Ave., from R-3 to RT.
260-A-234 6-1-93 Land located at the N.W. corner of 15 Mile Rd. and Mabon St., from R-5 to P.
260-A-235 6-14-93 Five parcels containing a total of 2.934 acres of land located north of Laurel St. and east of Lipke Ave., from RM-2 to I-1.
260-A-236 6-14-93 Two parcels containing a total of 0.86 acres of land fronting the north line of Laurel St., west of Morse Ave., from RM-2 to I-1.
260-A-237 6-28-93 Two parcels containing a total of approximately 1.75 acres of land fronting the east line of Hayes Rd., south of 19 Mile Rd., from OS to B-1.
260-A-238 8-23-93 Land fronting the east line of Hayes Rd., north Utica Rd., from MH to RT.
260-A-240 9-7-93 0.981 acres of land fronting the north line of Clinton River Rd., east of Romeo Plank Rd., from R-2 to R-4.
260-A-241 10-4-93 2.73 acres of land fronting the north line of 15 Mile Rd., east of Garfield Rd., from RM-2 to RM-2A.

260-A-243 2-7-94 Three parcels of land located south of Hall Rd. and east of Romeo Plank Rd., from TR to B-2.
260-A-244 4-4-94 0.469 acres of land fronting the north line of Thomson Dr., east of Gratiot Ave., from R-3 to P.
260-A-245 4-18-94 13.848 acres of land fronting the north line of 18 Mile Rd., east of Garfield Rd., from B-2 to RM-2.
260-A-246 5-2-94 Land located east of northbound Gratiot Ave., between Harrington Blvd. and Wellington Crescent, from RM-2 to B-3.
260-A-247 5-16-94 2.61 acres of land fronting the east line of Gratiot Ave., south of Hall Rd., from I-1 to B-3.
260-A-248 8-8-94 Five parcels containing a total of 12.5 acres fronting the east line of Hayes Rd., between Clinton River and Utica Rds., from R-3 to RM-1.
260-A-491 9-27-2021 Rezoning from R-3, One Family Residential to PUD, Planned Unit Development
260-A-492 11-22-2021 Rezoning 11.03 acres from OS-I, Office Service (Low Rise) to SP-1, Special Purpose (Nursing Home)
260-A-493 11-22-2021 Rezoning 16.03 acres from OS-I, Office Service (Low Rise) to RML, Multiple Family Residential (Low Rise)
260-A-494 12-20-2021 Rezoning 2.36 acres from B-2, Community Business to B-3, General Business
260-A-495 12-20-2021 Rezoning 2.36 acres from B-2, Community Business to B-3, General Business
260-A-496 7-25-2022 Conditional Rezoning From I-1, Light Industrial to I-2, General Industrial
260-A-497 3-28-2022 Rezoning from B-3, General Business to SP-1, Special Purpose (Nursing Home)
260-A-498 6-26-2003 Rezoning 0.826 acres from TR, Technical Research to B-2, Community Business
260-A-499 8-14-2023 Rezoning 0.90 acres from B-3, General Business to R-5, One Family Residential
260-A-500 9-18-2023 Rezoning 2.388 acres from OS-1 Office Service (Low Rise) to RML, Multiple Family Residential (Low Rise)
260-A-501 2-12-2024 Rezoning 2.365 acres form I-1, Light Industrial to RML, Multiple Family Residential (Low Rise)
260-A-502 5-13-2024 Rezoning 3.76 acres from R-1, One Family Residential to RT, Two Family Residential
260-A-503 6-3-2024 Rezoning 2.18 acres from B-2, Community Business to B-3, General Business
260-A-504 9-13-2024 Rezoning 2.31 acres from OS-1, Office Service (low Rise) to I-1, Light Industrial
260-A-505 1-27-2025 Rezoning from B-1, Neighborhood Business to R-5, One Family Residential
260-A-506 4-28-2025 Conditional Rezoning of 1.373 acres from B-2, Community Business to B-3, General Business
260-A-250 9-19-94 3.9 acres of land fronting the east line of Garfield Rd., south of Canal Rd., from B-1 to B-2.

260-A-251 10-3-94 15491 and 15511 18 Mile Rd., from OS to R-5.
260-A-252 10-31-94 7.832 acres of land fronting the north line of 19 Mile Rd., east of Hayes Rd., from RM-2 to SP-1.
260-A-253 11-28-94 18.649 acres of land at the N.E. corner of 19 Mile Rd. and Commons Dr., from OS to OS-2.
260-A-254 11-28-94 1.924 acres of land fronting the east line of Hayes Rd., south of 18 Mile Rd., from RM-1 to B-2.
260-A-255 11-28-94 10.0 acres of land at the S.W. corner of Metropolitan Pkwy. and Utica Rd., from OS to RM-2A.
260-A-256 11-28-94 1.24 acres of land, except that part taken for the widening of Garfield Rd., at 43200 Garfield Rd., from R-1 to OS.
260-A-257 2-6-95 Land fronting the north line of Hartman Rd., east of Groesbeck Hwy., from R-3 to P.
260-A-258 3-22-95 Four parcels containing a total of approximately 13.2 acres of land fronting the west line of Romeo Plank Rd., south of Greenfield Rd., from B-1 and OS to P and RM-2.
260-A-259 3-6-95 Land fronting the north line of 19 Mile Rd., east of Hayes Rd., from RM-2A to SP-1.
260-A-260 3-6-95 11 acres fronting the west line of Utica Rd., north of Moravian Dr., from R-3 to B-3.
260-A-261 6-26-95 2.37 acres west of Gratiot Ave., south of McKishnie Ave., from R-5 to B-3.
260-A-262 7-10-95 1 acre fronting the south line of Cass Ave., west of Heydenreich Rd., from R-2 to R-4.
260-A-263 7-10-95 6.9 acres fronting the south line of Cass Ave., west of Heydenreich Rd., from R-2 to R-4.
260-A-264 7-10-95 6.66 acres located at the southwest corner of Metropolitan Pky., west of Union Lake Rd., from RM-2 to SP-1.
260-A-266 1-8-96 5.281 acres fronting the south line of Greenfield Rd., west of Romeo Plank Rd., from R-2 to R-4.
260-A-267 1-8-96 Land located at the northeast corner of Glenwood Ave. and Gratiot Ave., from P to B-3.
260-A-268 3-4-96 Land fronting the east line of North Ave., south of Oberliesen, from R-3 to I-1.
260-A-269 3-18-96 3.31 acres fronting the west line of Garfield Rd., north of 17 Mile Rd., from R-3 to OS.
260-A-270 3-18-96 6.01 acres at 38500 and 38600 Garfield Rd., from R-3 to OS.
260-A-271 4-2-96 1.5 acres fronting the north line of 15 Mile Rd., west of Utica Rd., from R-3 to B-3.
260-A-272 4-15-96 2.30 acres at 36860 and 36900 Utica Rd., from R-2 to OS.
260-A-273 5-13-96 Land fronting the east line of Gratiot Ave., north of Schafer Dr., from B-1 to B-3.
260-A-274 6-24-96 2.74 acres fronting the north line of 15 Mile Rd., west of Utica Rd., from R-3 to B-3.
260-A-275 8-12-96 3.39 acres fronting the south line of Hall Rd. (M-59), east of Elizabeth Rd., from RML to B-3.

260-A-276 9-3-96 2.275 acres fronting the south line of 15 Mile Rd., west of Groesbeck Hwy., from I-2 to B-2.
260-A-278 11-12-96 Land fronting the west line of Garfield Ave., north of 15 Mile Rd., from RML to OS.
260-A-279 12-23-96 Land fronting the north side of Shook Rd., east of Shook Ln., from R-3 to RT.
260-A-280 2-18-97 1.5 acres fronting the west line of Garfield Rd., north of 17 Mile Rd., from R-3 to OS.
260-A-281 2-18-97 4.3322 acres fronting the west line of Garfield Rd., north of 19 Mile Rd., from B-1 to B-2.
260-A-282 3-17-97 1.567 acres fronting the east line of Romeo Plank Rd., south of Hall Rd. (M-59), from R-1 to R-3.
260-A-283 5-12-97 6.74 acres north of 15 Mile Rd., west of Utica Rd., from R-3 to OS.
260-A-284 5-12-97 4.526 acres at the southeast corner of Durham and Heydenreich Rds., from B-1 to R-5.
260-A-285 5-27-97 Two parcels containing a total of 3.725 acres fronting the west line of Garfield Rd., north of 17 Mile Rd., from R-3 to B-1 and OS.
260-A-286 5-27-97 27.075 acres fronting south of 18 Mile Rd., east of Garfield Rd., from R-5 to RT.
260-A-287 6-9-97 2.424 acres east of Hayes Rd., north of 17 Mile Rd., from B- 2 to RMH.
260-A-288 6-23-97 4.551 acres fronting Elizabeth Rd., from OS to B-2.
260-A-289 6-23-97 5.455 acres along the northwest right-of-way line of Groesbeck Hwy. (M-97) and the east right-of-way line of Elizabeth Rd., from OS to B-3.
260-A-290 7-7-97 Two parcels containing a total of 5.03 acres fronting the east line of Garfield Rd., south of 17 Mile Rd., from R-3 to OS.
260-A-291 8-18-97 8.26 acres fronting the north line of 18 Mile Rd., between Garfield and Hayes Rds., from R-2 to R-5.
260-A-293 8-2-97 Land located at the northwest corner of Woodbury St. and Gratiot Ave., at 36727 Gratiot Ave., from OS to B-3.
260-A-294 9-15-97 4.634 acres bounded by Little Mack Ave., Harrington Rd. and Groesbeck Hwy. (M-97), from I-1 to P.
260-A-295 9-29-97 6.552 acres, part of 8.098 acres, north of 14 Mile Rd., west of Harper Ave., from I-1 to I-2.
260-A-296 9-29-97 15.34 acres east of Laurel Ave., north of Quinn Rd., from RML to R-5.
260-A-297 10-14-97 Land located north of 15 Mile Rd., east of Kirby St., from R-5 to RMH.
260-A-298 10-14-97 4.856 acres north of 15 Mile Rd., east of Kirby St., from RML to RMH.
260-A-299 12-8-97 6.01 acres fronting the east line of Hayes Rd., between 19 Mile and Hall Rds. (M-59), from B-2 and RML to RMH.
260-A-300 12-22-97 17.59 acres north of Groesbeck Hwy. and Elizabeth Rd. intersection, from OS to I-1.
260-A-301 12-22-97 4.69 acres at the southeast corner of Metropolitan Pkwy. (16 Mile Rd.) and Harper Ave., from B-2 to B-3.
260-A-302 1-12-98 1.885 acres fronting the south line of 19 Mile Rd., east of Hayes Rd., from OS-1 to B-1.
260-A-303 3-23-98 0.98 acres fronting the west line of Utica Rd., north of Moravian Dr., from R-3 to B-3.

260-A-304 3-23-98 4.75 acres fronting the west line of Utica Rd., north of 15 Mile Rd., from R-3 to RML.
260-A-306 4-6-98 2.63 acres fronting the north line of 18 Mile Rd., west of Garfield Rd., from R-2 to R-5.
260-A-307 4-6-98 6.006 acres fronting the east line of Hayes Rd., north of 19 Mile Rd., from OS-1 to B-2.
260-A-308 5-18-98 Three parcels containing a total of 6.24 acres west of the intersection of the centerline of Old Gratiot Ave. and the north line of Fractional Sec. 1, from I-1 to B-3.
260-A-309 6-1-98 87.719 acres fronting the south line of Hall Rd. (M-59), between Romeo Plank and Garfield Rds., from TR to B-4.
260-A-310 6-1-98 Land fronting the south line of Sharkey St., west of Gratiot Ave., at 21328 Sharkey St., from R-5 to P.
260-A-312 6-15-98 1.147 acres fronting the east line of Hayes Rd., between Utica and Clinton River Rds., at 37580 Hayes Rd., from RT to RML.
260-A-313 7-27-98 Land fronting the north line of Vermander and the south line of Abrahm, from R-5 to B-3.
260-A-315 8-10-98 Four parcels containing a total of 6.542 acres fronting the north line of Henry B. Joy Blvd., east of Gratiot Ave., from B-3 to I-1.
260-A-316 8-10-98 The north 18.2 ft. of Lot 118 and Lots 119 through 127 of the Deziel Jefferson Gardens Subdivision, on the southeast corner of Elmira Blvd. and Harper Ave., from B-1 to OS-1 and from R-5 to P.
260-A-317 9-21-98 9.216 acres fronting the north line of 19 Mile Rd., east of Hayes Rd., from SP-1 to RML.
260-A-318 11-16-98 2.468 acres at the northwest corner of Metropolitan Pkwy. and Utica Rd., from R-2 to OS-1.
260-A-319 11-16-98 Land located at the southeast corner of Hall Rd. (M-59) and Maddelein Dr., from R-5 to TR.
260-A-320 1-11-99 Land located north of Canal Rd., west of Garfield Rd., from R-2 to RML.
260-A-321 1-11-99 Land located north of Canal Rd., west of Garfield Rd., from R-2 to RT.
260-A-322 1-11-99 Two parcels located at the northeast corner of 19 Mile Rd. and Hayes Rd., from B-2 and OS-1 to B-3.
260-A-323 1-25-99 3.5 acres at the northeast corner of Cass Ave. and Heydenreich Rd., excluding portion designated as a "Floodway," from R-2 to OS-1.
260-A-324 2-8-99 Land fronting the south side of Hall Rd., east of Romeo Plank Rd., also known as 19500 Hall Rd., from I-1 to OS-1.
260-A-325 2-8-99 Land fronting the north line of McKishnie, west of Gratiot Ave., from R-5 to B-3.
260-A-326 2-22-99 Land fronting the west line of Garfield Rd., north of 17 Mile Rd., from OS-1 to B-1.
260-A-328 4-19-99 Land located west of Meadowdale Dr., east of northbound Gratiot Ave., south of Harrington, from RML to B-3.
260-A-329 5-3-99 Land located north of Iroquois, west of Meadowdale, east of Broadway at 22985 Iroquois, from RML to B-3.
260-A-330 6-1-99 26.17 acres fronting the east line of Romeo Plank Rd., north of Canal Rd., from R-2 to R-4.

260-A-331 6-28-99 23.91 acres, excluding the easterly 300 ft., fronting the east line of Utica Rd., south of Metropolitan Pkwy., from R-3 to R-4.
260-A-332 10-4-99 1.0 acre located east of Garfield Rd., south of Heather Dr., aka 39600 Garfield Rd., from R-3 to OS-1.
260-A-333 2-7-00 Land fronting the north line of McKishnie, west of Gratiot Ave., from R-5 to B-3.
260-A-334 2-7-00 1.37 acres located at the southeast corner of Hall Rd. (M- 59) and Elizabeth Rd., from R-5 and B-3 to B-2.
260-A-335 3-6-00 20.61 acres fronting the north line of 19 Mile Rd., east of Garfield Rd., from R-1 to RML.
260-A-336 3-6-00 5.688 acres located on the east side of Elizabeth Rd., weset of Groesbuck Hwy. (M-97), and north of the Groesbuck - Elizabeth intersection, from B-2 and B-3 to I-1.
260-A-337 5-15-00 1.067 acres fronting the south line of H all Rd. (M-59), west of Elizabeth Rd., from I-1 to B-3.
260-A-338 7-11-00 9.216 acres fronting the north line of 19 Mile Rd., east of Hayes Rd., from RML to RMH.
260-A-339 10-10-00 2.37 acres fronting the east side of Garfield Rd., north of 19 Mile Rd., being 43240 Garfield Rd., excluding portion taken for the widening of Garfield Rd., from R-1 to OS-1.
260-A-341 1-16-01 Lot 7, Mabon Gardens Subdivision, Section 27, from P to R-5.
260-A-342 2-12-01 Lots 27, 28, and 29, Supervisor's Plat #7, from RM-1 to SP-1.
260-A-343 2-12-01 Lot 528, Ingleside Farms Subdivision #3, from R-3 to OS-1.
260-A-344 2-26-01 3.0 acres fronting the north line of Greenfield, east of Garfield Rd., Section 8, from R-1 to R-2.
260-A-345 4-9-01 11.724 acres fronting the north line of Clinton River Rd., between Hayes and Garfield Rds., Section 19, from R-3 to R-5.
260-A-346 5-7-01 3.5 acres fronting the west line of Garfield, between Metropolitan Parkway and Millar, Section 19, from R-2 to OS-1.
260-A-347 5-7-01 Lot 13, Maplewood Subdivision, Section 27, from R-5 to P.
260-A-348 6-4-01 25.328 acres at the southwest corner of Cass and Clinton River Rd., Section 9, from B-3 to B-1 and R-4.
260-A-349 6-18-01 49.40 acres fronting the south line of Hall Rd., west of Elizabeth Rd., from I-1 to B-2.
260-A-350 7-16-01 3.28 acres fronting the west line of Garfield, north of Faulman, from R-3 to RML.
260-A-351 7-30-01 3.37 acres fronting the north line of 15 Mile Rd., east of Hayes from R-3 to RMH.
260-A-352 9-10-01 3.456 (part of 6.08) acres fronting the west line of Gratiot, north of Patterson, P.C. 141/626, Section 1, from B-3 to I-1.
260-A-353 10-9-01 3.20 acres located at the northeast corner of 18 Mile Rd. and Hayes, Section 7, from B-2 to B-3.
260-A-354 10-22-01 10.706 +/- acres located west of Garfield, north of Seventeen Mile Rd., Section 18, from R-3 and OS-1 to RT.

260-A-355 11-19-01 Parcel A of 6.425 acres fronting the north line of 19 ½ Mile Rd., east of Hayes, Section 6, from B-2 to B-1.
260-A-356 11-19-01 Parcel B of 6.425 acres fronting the north line of 19 ½ Mile Rd., east of Hayes, Section 6, from B-2 to RMH.
260-A-357 11-19-01 Parcel A of 10.326 acres fronting the east line of Miami, north of Fifteen Mile Rd., from R-3 to RMH.
260-A-358 11-19-01 Parcel B of 10.326 acres fronting the east line of Miami, north of Fifteen Mile Rd., from R-3 to B-1.
260-A-359 12-17-01 14.6 acres of land fronting the west line of Little Mack and east of the Harrington Drain, south of Harrington Road, Section 21, from R-3 to R-5.
260-A-360 1-14-02 3.0 acres of land fronting the east line of Garfield, north of Canal, Section 8, from R-1 to RMH.
260-A-362 3-25-02 64.323 acres of land fronting the west line of Lipke and the south line of Quinn Road, Section 34, from I-2 to R-5.
260-A-363 5-6-02 1.012 acres of land located west of Garfield, south of Terra Bella, Section 18, from R-3 to OS-1.
260-A-364 5-6-02 Part of Lot 33, Supervisor's Plat #7 Subdivision, Sections 25/26, Private Claims #164, 173, 542, from B-2 to B-3.
260-A-365 5-20-02 2.271 acres of land fronting the south line of Hall Road, east of Maddelein, Section 2, from R-5 to I-1.
260-A-366 7-1-02 5.47 (2.94 and 2.53) acres of land fronting the south line of Hall Road (M-59), east of Garfield Road, Section 5, from TR to B-3.
260-A-367 7-15-02 3.48 acres of land fronting the north line of Laurel Avenue, east of Lipke Avenue and west of Morse Avenue, Section 35, from I-1 to RML.
260-A-368 8-12-02 6.80 acres of land fronting the east line of Hayes, north of 19 Mile Road, Section 6, from R-1 to OS-1.
260-A-369 8-26-02 0.590 acre (Parcel A) and 0.494 acre (Parcel B) fronting the south line of Canal Road, east of Hayes from R-5 to RT.
260-A-370 9-23-02 1.27 acres of land fronting the north line of Canal Road, west of Romeo Plank Road, Section 8, from R-2 to R-4.
260-A-371 9-23-02 1.517 acres of land fronting the north line of Joy Boulevard, east of Gratiot, Section 12, Private Claim 626, from R-5 to I-1.
260-A-373 11-4-02 Lot 10, Enterprise Industrial Subdivision, Section 3, from I-1 to B-3.
260-A-374 1-2-03 Lot 8, Supervisor's Plat of Canal-Garfield Subdivision, Section 7, from R-2 to B-2.
260-A-375 2-10-03 1.542 acres of land at the northeast corner of Seventeen Mile Road and Garfield Road, Section 17, from OS-1 to B-2.
260-A-376 3-10-03 Lots 6 and 8 Mabon Gardens Subdivision, Section 27, from P to R-5.
260-A-377 4-7-03 1.70 (part of 6.0) acres of land fronting the north line of Fifteen Mile Road, west of Utica Road, Section 30, from OS-1 Office/Service (Low-Rise) to B-2 Community Business.
260-A-378 7-28-03 6.323 acres of land south of Nineteen Mile Road, east of Hayes, from OS-1 Office/Service (Low Rise) to SP-1 Special Purpose (Nursing Homes).
260-A-379 9-8-03 262.51 Acres (Part of 330.80) West of Romeo Plank Road, North of Nineteen Mile Road and South of Hall Road, Section 5 from R-1 One-Family Residential to

R-4 One-Family Residential, RML Multiple-Family Residential (Low-Density) and RMH Multiple-Family Residential (High Density).
260-A-380 9-22-03 48.878 acres of land located at the southeast corner of Cass Avenue and Clinton River Road (Private Claim #546/Section 9), from B-3 General Business to R-4 One-Family Residential.
260-A-382 11-3-03 Lots 209 through 217, Superhighway City Subdivision, Section 30, from R-3 One-Family Residential to RT Two-Family Residential for the stated purpose of development of two duplexes with basements.
260-A-383 11-17-03 1.5 acres of land fronting the north line of Canal Road, west of Garfield, Section 7, from R-2 One-Family Residential to RML Multiple-Family Residential (Low Density).
260-A-384 11-17-03 4.81 acres of land at the southeast corner of Metropolitan Parkway and Utica Road, Section 30, from R-3 One-Family Residential to OS Office/Service (Low Rise).
260-A-387 2-9-04 3.0 acres, more or less, located at 43300 Garfield Road, from R-1 One-Family Residential to OS-1 Office/Service (Low-Rise).
260-A-388 2-9-04 6.11 acres, more or less, generally located fronting the east line of Gratiot Avenue, north of Joy Boulevard, from B-3 General Business to MH Mobile Home Park.
260-A-389 3-22-04 Lots 1 and 2, Liberty Industrial Park Subdivision, generally located west of Morley Drive, south of Hall Road at 44945 and 44891 Morley Drive, from I-1 Light Industrial to B-2 Community Business.
260-A-390 3-22-04 Lots 98, 99 and 100, Streval Heights Subdivision and 1/2 of vacated alley, generally located at the northeast corner of Hillcrest Drive and Moravian Drive, from B-1 Neighborhood Business to RML Multiple-Family Residential (Low-Density).
260-A-391 4-5-04 Lot 6 and the northeasterly 50 feet of Lot 7, Meadowlawn Subdivision, generally located at the southwest corner of Lester Street and Southbound Gratiot Avenue, from OS-1 Office/Service (Low-Rise) to B-1 Neighborhood Business.
260-A-392 5-3-04 33.108 acres more or less, generally located south of Wm. P. Rosso Highway (M-59), east of Gratiot Avenue (M-3), from I-1 Light Industrial to B-3 General Business.
260-A-394 6-14-04 South one-half of Lot 3, Supervisor's Plat of Canal-Garfield Subdivision, generally located fronting the west line of Garfield Road, south of 19 Mile Road, from R-2 One-Family Residential to OS-1 Office/Service (Low-Rise).
260-A-395 7-26-04 27.187 acres of land located east of Elizabeth Road, north of Dunham Road, from R-5 One-Family Residential to RML Multiple-Family Residential (Low-Density).
260-A-396 8-9-04 Land located north of 15 Mile Road, east of Groesbeck Highway (M-97) addressed as 19619 15 Mile Road, from OS-1 Office/Service (Low-Rise) to B-3 General Business and I-1 Light Industrial.
260-A-397 8-23-04 1.401 acres, generally located on the northeast corner of Capital Boulevard and Gratiot Avenue, from I-1 Light Industrial to B-3 General Business.
260-A-398 8-23-04 Land generally located fronting the west line of Garfield Road, south of Moravian Drive, from B-2 Community Business to SP-1 Special Purpose (Nursing Homes).

260-A-400 10-18-04 2.347 acres, generally located east of Elizabeth Road, west of Macomb Industrial Drive, and south of Hall Road, from R-5 One-Family Residential to I-1 Light Industrial.
260-A-401 10-18-04 Land generally located fronting the south line of 15 Mile Road, east of Kentucky Avenue, from B-1 Neighborhood Business to R-5 One-Family Residential.
260-A-403 1-4-04 Land located in and being a part of the northeast one- quarter of Section 3, Town 2 north, Range 13 east, from B-2 Community Business to B-3 General Business.
260-A-404 3-28-05 Lots 36, 37 and 38, Moravian-Garfield Subdivision #1, generally located at the southeast corner of Moravian Drive and Garfield Road, from OS-1 Office/Service (Low- Rise) to B-1 Neighborhood Business.
260-A-405 7-18-05 Lots 63, 64 and 65, Grosse Dale Farms Subdivision, generally located at the northeast corner of Lakewood and Harper Avenue, from RML Multiple-Family Residential (Low-Density) to OS-1 Office/Service (Low-Rise).
260-A-406 8-29-05 Land generally located south of 19 Mile Road, west of Garfield Road, from R-2 One-Family Residential to OS-1 Office/Service (Low-Rise).
260-A-407 9-26-05 Lots 1, 2, 3, 4, 5, 60, 61, 62, 63 and 64, Clinton Manor Subdivision, generally located west of Marino Street, north of Quinn Road, from R-5 One-Family Residential to RMH Multiple-Family Residential (High Density).
260-A-408 9-26-05 Part of Lot 9, Supervisor's Plat #8, from B-3 General Business to RMH Multiple-Family Residential (High- Density).
260-A-409 10-11-05 Part of Lot 2, Supervisor's Plat #10 Subdivision, generally located fronting the north line of Quinn Road, west of Oakview, from R-5 One-Family Residential to RML Multiple-Family Residential (Low-Density).
260-A-410 10-11-05 Two parcels: Parcel A, generally located fronting the north line of Forsyth Road at the north end of Hereford and Cordelia Streets, east of Gratiot Avenue; and Parcel B, generally located fronting the east line of Hereford Street, north of 15 Mile Road, from I-1 Light Industrial to RMH Multiple-Family Residential (High-Density).
260-A-411 10-24-05 Lot 13, Supervisor's Plat #2 Subdivision, generally located at the northwest corner of 14 Mile Road and Harper Avenue, from I-1 Light Industrial to B-3 General Business.
260-A-413 11-7-05 Land generally located at the northeast corner of 18 Mile Road and Garfield, addressed as 41050 Garfield, from B-2 Community Business to B-3 General Business.
260-A-416 2-17-06 Lots 57 through 61, Gratiot City Subdivision, generally located south of Fifteen Mile Road, east of Canton Street, Sections 33/34, from B-1 Neighborhood Business to R-5 One-Family Residential.
260-A-417 4-26-06 5.21 acres of land fronting the east line of Miami, south of Camperdown, Section 30, from R-3 One-Family Residential to R-4 One-Family Residential.
260-A-418 4-26-06 0.89 acre of land fronting the east line of Groesbeck, south of Carlier, Section 28, from I-1 Light Industrial to B-3 General Business.
260-A-419 7-19-06 Lots, 63, 64, 65 and 66, St/ Clair View Subdivision, at the NW corner of Talbot and Harper from R-5 One-Family Residential and RML Multiple-Family Residential (Low-Density) to OS-1 Office/Service (Low-Rise).
260-A-420 8-16-06 0.72 acre of land east of Hayes, north of Nineteen Mile Road, Section 6, from B-1 Neighborhood Business to RMH Multiple-Family Residential (High-Density).

260-A-421 8-17-06 75.98 acres of land located fronting the west line of Groesbeck Highway (M-97) and the east line of Moravian Drive, south of Hillcrest Street, from R-3 One-Family Residential, RML Multiple-Family Residential (Low- Density) and RMH Multiple-Family Residential (High- Density) to RML Multiple-Family Residential (Low-Density) (28.12 acres) and B-3 General Business (47.86 acres).
-- 8-16-06 106.1 acres of land located fronting the west line of Groesbeck and the east line of Moravian, south of Hillcrest from R-3 One-Family Residential, RML Multiple-Family Residential (Low-Density) and RMH Multiple-Family Residential (High-Density) to RML Multiple-Family Residential (Low-Density) (60.24 acres) and B-3 General Business (45.87 acres), conditioned upon developer's payment of $20,000.00 for improvements for residents of Hillcrest Street.
260-A-422 9-5-06 0.914 acres and 0.46 acres of land fronting the north line of Greenfield, between Canal and Romeo Plank Roads, Section 8, from R-2 One-Family Residential to R-4 One- Family Residential.
260-A-423 10-12-06 Part of Lots 13 and 14, Supervisor's Plat #9 Sudivision, Section 27, generally located fronting the south line of Glenwood, east of Gratiot, from R-3 One-Family Residential to RML Multiple-Family Residential (Low- Density), conditioned as outlined in correspondence dated September 29, 2006.
260-A-424 10-25-06 2.49 acres fronting the north line of Canal Road, west of Romeo Plank Road, from R-2 One-Family Residential to R- 5 One-Family Residential.
260-A-425 11-29-06 0.703 acre of land fronting the north line of Canal, west of Garfield, Section 7, From R-2 One-Family Residential to B-2 Community Business.
260-A-426 1-18-07 0.887 acre of land fronting the south line of Hall Road, west of Elizabeth Road from I-1 Light Industrial to B-3 General Business.
260-A-427 1-18-07 8.69 acres of land fronting the south line of Hall Road, west of Groesbeck, from I-1 Light Industrial to OS-1 Office/Service.
260-A-428 6-11-07 35375 Groesbeck Highway, from I-2 General Industrial to B-3 General Business.
260-A-429 6-11-07 23291 15 Mile Road, containing 0.69 acre of land, from R-5 One-Family Residential to I-1 Light Industrial.
260-A-430 6-11-07 21.45 acres of land, part of Sections 2 and 11, Private Claim 139, Town 2 North, Range 13 East, from I-1 Light Industrial to B-2 Community Business.
260-A-432 8-6-06 20933 Finley, from R-5 One-Family Residential to P Parking.
260-A-433 10-15-07 35116 Hereford, containing 0.734 acre of land, from I-1 Light Industrial to RML Multiple-Family Residential (Low-Density).
260-A-434 11-13-07 Three parcels: 37760 Hayes Road, containing 0.852 acre of land; 37696 Hayes Road, containing 0.4139 acre of land; 37676 Hayes Road, containing 0.855 acre of land, from RML Multiple-Family Residential to OS-1 Office/Service (Low-Rise).
260-A-435 1-28-08 2.01 acres (part of 1.25 & 1.50 acres) of land fronting the east line of Garfield Road, south of Hall Road (M- 59)(Section 5), from R-1 One-Family Residential to OS-1 Office/Service (Low-Rise).
260-A-437 7-14-08 Land generally located north of 19 Mile Road, between Dalcoma and Common Drives, to be added to 15855 19 Mile Road, from R-1 One-Family Residential to SP-2 Special Purpose (Hospitals).
260-A-439 7-13-09 20787 Stafford from B-3 General Business to R-5 One-Family Residential.

260-A-442 2-16-10 16634 Howard from OS-1 Office/Service (Low-Rise) to R-3 One-Family Residential.
260-A-443 3-29-10 35400 Groesbeck Highway from I-1 Light Industrial to B-2 Community Business.
260-A-444 6-7-10 Parcel ID #16-11-18-301-041 from B-2 Community Business to R-5 One-Family Residential.
260-A-445 8-2-10 35732 Groesbeck from I-1 Light Industrial to B-3 General Business.
260-A-446 10-12-10 20850 Colman Street from B-3 General Business to R-5 One-Family Residential.
260-A-447 2-17-11 The northerly 164.4 feet of the easterly 90 feet in the Trinity Industrial Subdivision No. 2 from B-2 Community Business to B-3 General Business.
260-A-449 4-21-14 36505 and 36607 Utica Road from R-3 One-Family Residential to SP-1 Special Purpose (Nursing Homes).
260-A-451 5-19-15 Land located in T.2N, R.13E., Section 2, commencing at intersection of Elizabeth Road & Dunham Road from RML Multiple-Family Residential (Low-Density) to I-1 Light Industrial.
260-A-452 11-16-15 Lots 69 and 70 of Piper's Broad Acres Subdivision (Section 34) from R-5 One-Family Residential to B-3 General Business.
260-A-455 5-31-16 Land located in the NW 1/4 of Section 17, T2N, R13E, generally described as fronting the east line of Garfield Road north of Kingsbrooke Drive from B-2 Community Business to SP-1 (Special Purpose (Nursing Homes).
260-A-456 7-11-16 Land located in T.2N, R.13E, generally located fronting the south line of 15 Mile Road, between Gratiot and Harper Avenues from RML Multiple-Family Residential (Low- Density) to RMH (Multiple-Family Residential (High-Density).
260-A-457 7-11-16 Land located in T.2N, R.13E., Section 6, generally located fronting the east lien of Hayes Road, north of 19 Mile Road, addressed as 43400 Hayes Road from OS-1 Office/Service (Low-Rise) to RMH Multiple-Family Residential (High-Density).
260-A-458 8-22-16 Land located in the north 1/4 corner of Section 5, generally located south of Hall Road (M-59), west of Romeo Plank Road from B-4 Regional Business to B-2 Community Business.
260-A-459 11-14-16 Lot 31, Moravian-Garfield Subdivision (Section 29), 36250 and 36300 Garfield from OS-1 Office/Service (Low-Rise) to R-3 One-Family Residential.
260-A-460 2-27-17 Land located in and being a part of the northwest 1/4 of Section 30, T.2N, R.13E, Parcel B1, from R-3 One-Family Residential to RML Multiple-Family Residential (Low-Density).
260-A-461 3-27-17 Land located in and being a part of Section 29, T.2N, R.13E., being Parcel 16-11-29-151-026 and Parcel 16-11-29-151-027, from R-3 One-Family Residential to RT Two-Family Residential.
260-A-463 5-30-17 Land located in T.2N, R.13E., Sections 25/26, P.C. 164, 173 and 542, from RML Multiple-Family Residential (Low-Density) to RMH Multiple-Family Residential (High-Density).
260-A-464 6-12-17 15840 Edsel Drive and 15831 Coral Avenue from R-3 One-Family Residential to RT Two-Family Residential.
260-A-465 6-26-17 Land located in T.2N, R.13E., being Parcels 16-11-07-227-010, 16-11-07-227-012, and 16-11-07-227-011 from R-2 One-Family Residential to B-2 Community Business.

260-A-466 8-28-17 Current 4.88-acre parcel, currently addressed as 23970 Hall Road from RML Multiple-Family Residential (Low-Density) to two parcels: Proposed 1.42-acre parcel (Parcel A) to B-2 Community Business and proposed 3.46-acre parcel (Parcel B) to I-1 Light Industrial.
260-A-476 5-28-19 Current 8.043-acre parcel, currently addressed as 44315 Gratiot from B-3 General Business to SP-1 Special Purpose (Nursing Homes).
260-A-478 9-30-19 Rezoning two parcels of property, the first being approximately 1.126 net acres and the second being approximately 1.7245 net acres and located on the Northeast corner of 15 Mile Road and Miami Road from B-1 Neighborhood Business District to B-3 General Business.
260-A-479 11-12-19 Rezoning two parcels of property, the first being 1.71 acres, and the second being 24.04 acres, all as generally located fronting the east line of Romeo Plank Road, north of Canal Road, from R-2 One-Family Residential to PUD Providence Estates Planned Unit Development.
260-A-480 3-16-20 Rezoning 7.72 acres of vacant land from RML Multiple-Family Residential and R-1 One-Family Residential to B-3 General Business.
260-A-481 3-16-20 Rezoning land commonly known as 15245 Clinton River Road from R-3 One-Family Residential to RMH Multiple-Family Residential.
260-A-482 3-16-20 Rezoning land located in and being a part of the southwest 1/3 of Section 30, T.2N. R.13E., from R-3 One-Family Residential to RMH Multiple-Family Residential.
260-A-484 6-29-20 Rezoning 1.639 acres of vacant land located north of Canal Road, east of Hayes Road, from OS-1 Office/Service to RML Multiple-Family Residential.
260-A-485 10-13-20 Rezoning land located in and being a part of Sections 3 and 4, T.2N., R.13E., from RML Multiple-Family Residential to R-1 One-Family Residential.
260-A-489 8-30-21 Rezoning 21.508 acres of land fronting the east line of Groesbeck Highway, north of Elizabeth Road, from B-2 to PUD Planned Unit Development.
260-A-490 8-12-2021 Rezoning 21.508 acres of vacant land from B-2, Community Business to PUD, Planned Unit Development
260-A-491 9-27, 2021 Rezoning from R-3, One Family Residential to PUD, Planned Unit Development
260-A-492 11-22-2021 Rezoning 11.03 acres from OS-I, Office Service (Low Rise) to SP-1, Special Purpose (Nursing Home)
260-A-493 11-22-2021 Rezoning 16.03 acres from OS-I, Office Service (Low Rise) to RML, Multiple Family Residential (Low Rise)
260-A-494 12-20-2021 Rezoning 2.36 acres from B-2, Community Business to B-3, General Business
260-A-495 12-20-2021 Rezoning 2.36 acres from B-2, Community Business to B-3, General
260-A-496 7-25-2022 Conditional Rezoning From I-1, Light Industrial to I-2, General Industrial
260-A-497 3-28-2022 Rezoning from B-3, General Business to SP-1, Special Purpose (Nursing Home)
260-A-498 6-26-2003 Rezoning 0.826 acres from TR, Technical Research to B-2, Community Business

260-A-499 8-14-2023 Rezoning 0.90 acres from B-3, General Business to R-5, One Family Residential
Residential (Low Rise)
260-A-502 5-13, 2024 Rezoning 3.76 acres from R-1, One Family Residential to RT, Two Family Residential
260-A-503 6-3, 2024 Rezoning 2.18 acres from B-2, Community Business to B-3, General Business
260-A-504 9-13, 2024 Rezoning 2.31 acres from OS-1, Office Service (low Rise) to I-1, Light Industrial
260-A-505 1-27-2025 Rezoning from B-1, Neighborhood Business to R-5, One Family Residential
260-A-506 4-28-2025 Conditional Rezoning of 1.373 acres from B-2, Community Business to B-3, General Business

ORDINANCE DECLARED ADOPTED.

K. Y Meltzer

KIM MELTZER, CLERK
Charter Township of Clinton

Date Introduced: 12/8/2025
Date Introduction Published: 12/20/2025
Date Adopted by Board: 12/22/2025
Date Adoption Published and Effective: 1/5/2026