

Maple Forest Township

Crawford County, Michigan

Zoning Ordinance



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Maple Forest Township ZONING ORDINANCE

Maple Forest Township
Crawford County
Michigan

Adopted: May 9, 2022

Effective: May 26, 2022

Prepared with the assistance of:

Northeast Michigan Council of Governments
www.discovernortheastmichigan.org

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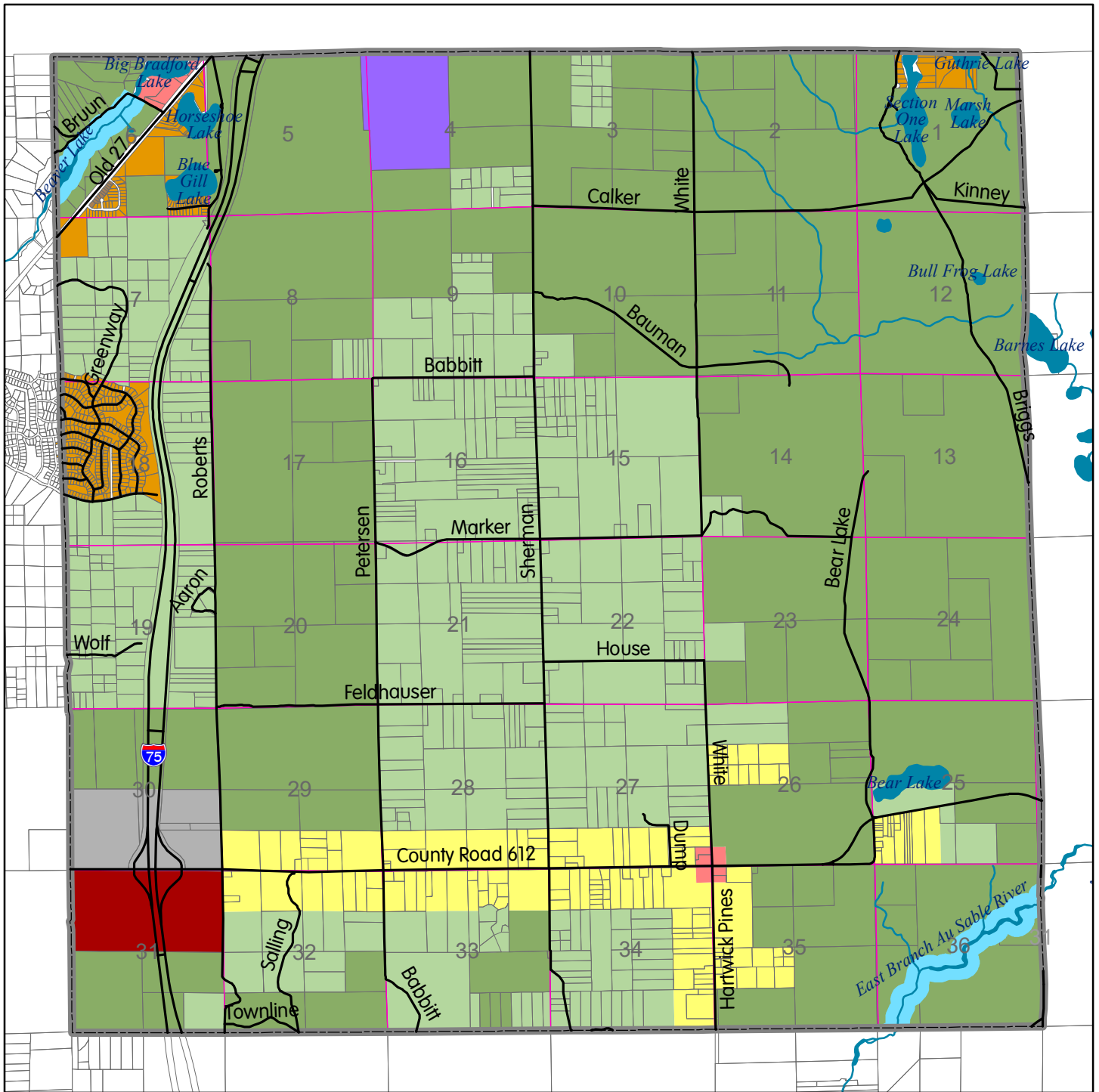
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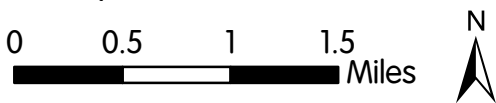
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ZONING MAP

Maple Forest Township



Map created by: Northeast Michigan Council of Governments
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- LDR: Low Density Residential District
- MDR: Medium Density Residential District
- HDR: High Density Residential District
- FF: Farm Forest District
- RC: Resource Conservation District
- NB: Neighborhood Business District
- CB: Commercial & Business District
- I-1: Light Industrial District
- I-2: Heavy Industrial District
- Stream Corridor Overlay District

Article 1

Purpose & Authority

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Section 1.01 Title

This Ordinance shall be known and may be cited as the “Maple Forest Township Zoning Ordinance”, and within the following text, it may be referred to as this “Ordinance” or this “Zoning Ordinance.”

Section 1.02 Purpose

The purposes of this Ordinance are designed to:

- A. Meet the needs of the citizens for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land;
- B. Ensure that use of land shall be situated in appropriate locations and relationships;
- C. Encourage the use of lands in accordance with their character and adaptability and to limit improper use of land;
- D. Limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities;
- E. Facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements;
- F. Promote public health, safety, and general welfare;
- G. Conserve natural resources and energy;
- H. Reduce hazards to life and property;
- I. Conserve the expenditure of funds for public improvements and services to conform to the most advantageous uses of land, resources and properties; and
- J. Implement the recommendations of the Maple Forest Township Master Plan.

Section 1.03 Authority

This Ordinance is ordained and enacted into law pursuant to the provisions and in accordance with the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended.

Article 2

Definitions

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Section 2.01 Construction of Language

In order to clarify the intent of the provisions of this Ordinance, the following rules shall apply, except when clearly indicated otherwise:

- A. Regulations pertaining to specific issues supersede more general regulations.
- B. The word "shall" is always mandatory and never discretionary. The word "may" is permissive.
- C. Words used in the present tense shall include the future.
- D. Words in the singular number shall also denote the plural and the plural shall also denote the singular.
- E. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for" and "occupied for."
- F. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and," "or," "either . . . or," the conjunction shall be interpreted as follows:
 1. "And" indicates that all the connected items, conditions, provisions, or events shall apply in combination.

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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.

G. The word "lot" includes the words "plot" or "parcel."

H. "Township" shall refer specifically to Maple Forest Township.

I. "Days" means calendar days unless otherwise stated.

J. Terms not herein defined shall have the meaning customarily assigned to them.

Section 2.02 Definitions

A

Abutting. Having property or district lines in common.

Access. A way of approaching or entering a property.

Accessory Building or Structure. Any building or structure that is customarily incidental and subordinate to the use of the principal building including but not limited to garages, sheds, carports, and similar buildings or structures. Fences, walls, and manufactured/mobile homes shall not be considered accessory buildings or structures.

Accessory Dwelling Unit. A secondary residential dwelling unit located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit, in a detached building, or as a stand-alone structure. Accessory dwelling units shall be developed in accordance with the standards set forth in [Section 7.03](#) and only in those zoning districts where the use is listed as allowed.

Accessory Use. A use naturally and normally incidental and subordinate to the principal use of the land or building.

Adjacent Property. Property that adjoins any sides or corners of a specific parcel of land including but not limited to those lands separated from the parcel by a road right-of-way, easement, or public utility right-of-way.

Adult Day Care Facility. A facility receiving adults for care for periods of less than twenty-four (24) hours in a day for more than two (2) weeks in any calendar year. Care for persons related by blood or marriage to a member of the family occupying the dwelling is excluded from this definition.

Adult Foster Care Facility. As defined by the Adult Foster Care Facility Licensing Act ([PA 218 of 1979](#)), as

amended), a governmental or nongovernmental establishment, licensed by the State of Michigan, that provides foster care to adults. Adult foster care facility includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis, but who do not require continuous nursing care.

A. The following additional definitions shall apply in the application of this Ordinance:

1. **Adult Foster Care Home, Family.** A private residence with the approved capacity to receive six (6) or fewer adults to be provided with foster care twenty-four (24) hours a day, for five (5) or more days a week, for two (2) or more consecutive weeks. The licensee shall be a member of the household and an occupant of the residence.
2. **Adult Foster Care Home, Small Group.** An adult foster care facility with the approved capacity to receive twelve (12) or fewer adults to be provided with foster care twenty-four (24) hours a day, for five (5) or more days a week, for two (2) or more consecutive weeks.
3. **Adult Foster Care Home, Large Group.** An adult foster care facility with the approved capacity to receive at least thirteen (13), but not more than twenty (20) adults to be provided with foster care twenty-four (24) hours a day, for five (5) or more days a week, for two (2) or more consecutive weeks.
4. **Adult Foster Care Congregate Facility.** An adult foster care facility with the approved capacity to receive more than twenty (20) adults to be provided with foster care.
5. **State-Licensed Residential Facility.** A structure constructed for residential purposes that is licensed by the state under the [Adult Foster Care Facility Licensing Act, 1979 PA 218](#), MCL 400.701 to 400.737, or the [Child Care Organizations Act, 1973 PA 116](#), MCL 722.111 to 722.128, and provides residential services for six (6) or fewer individuals under twenty-four (24) hour supervision or care.

B. An adult foster care facility does not include the following:

1. A nursing home licensed under Article 17 of the [Public Health Code, 1978 PA 368](#), MCL 333.20101 to 333.22260.
2. A home for the aged licensed under Article 17 of the [Public Health Code, 1978 PA 368](#), MCL 333.20101 to 333.22260.
3. A hospital licensed under Article 17 of the [Public Health Code, 1978 PA 368](#), MCL 333.20101 to 333.22260.
4. A hospital for the mentally ill or a facility for the developmentally disabled operated by the department of community health under the [Mental Health Code, 1974 PA 258](#), MCL 330.1001 to 330.2106.

5. A county infirmary operated by a county department of social services or family independence agency under Section 55 of the [Social Welfare Act, 1939 PA 280](#), MCL 400.55.
6. A child-caring institution, children's camp, foster family home, or foster family group home licensed or approved under [1973 PA 116](#), MCL 722.111 to 722.128, if the number of residents who become 18 years of age while residing in the institution, camp, or home does not exceed the following:
 - a. Two (2), if the total number of residents is ten (10) or fewer.
 - b. Three (3), if the total number of residents is not less than eleven (11) and not more than fourteen (14).
 - c. Four (4), if the total number of residents is not less than fifteen (15) and not more than twenty (20).
 - d. Five (5), if the total number of residents is twenty-one (21) or more.
7. A foster family home licensed or approved under [1973 PA 116](#), MCL 722.111 to 722.128, that has a person who is eighteen (18) years of age or older placed in the foster family home under Section 5(7) of [1973 PA 116](#), MCL 722.115.
8. An establishment commonly described as an alcohol or a substance abuse rehabilitation center, a residential facility for persons released from or assigned to adult correctional institutions, a maternity home, or a hotel or rooming house that does not provide or offer to provide foster care.
9. A facility created by the [Michigan Veterans Facility Act, 1885 PA 152](#), MCL 36.1 to 36.12.
10. An area excluded from the definition of adult foster care facility under Section 17(3) of the [Continuing Care Community Disclosure Act, 2014 PA 448](#), MCL 554.917.
11. A private residence with the capacity to receive at least one (1) but not more than four (4) adults who all receive benefits from a community mental health services program if the local community mental health services program monitors the services being delivered in the residential setting.

Agriculture. The art and science of cultivating the ground for the purpose of raising and harvesting trees, fruit or field crops, or animal husbandry. See also [Farm, Commercial](#) or [Farm, Hobby](#).

Agricultural Tourism Business. Farms which engage in agriculturally-related tourism operations including:

- A. Bakeries selling goods grown primarily on-site.
- B. Educational tours, classes, lectures, and seminars.
- C. Family-oriented animated barns (haunted houses).
- D. Farm stays.
- E. Gift shops for agriculturally-related products, crafts.

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- F. Historical agricultural exhibits.
- G. Organized meeting space (weddings, birthdays, corporate picnics) – falls under the definition of **Commercial Event Facility**.
- H. Petting farms, animal display, and pony rides.
- I. Picnic areas (including rest rooms).
- J. Playgrounds, wagon/sleigh rides, nature trails.
- K. Restaurants related to the agricultural use of the site.
- L. Seasonal outdoor mazes of agricultural origin.
- M. Small-scale entertainment (concert, car show, art fair).
- N. Other agricultural tourism activities which the Planning Commission may designate.

Alterations. Any change, addition or modification to a structure or type of occupancy, any change in the structural members of 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."

Animal Hospital/Animal Clinic/Veterinary Clinic. A self-enclosed building wherein animals including domestic household pets and farm animals are given medical or surgical treatment and use as a boarding place for such animals limited to short time boarding incidental to medical treatment. Such facilities include only those under the direction of a licensed veterinarian registered in the State of Michigan. Such facilities shall be constructed in such a manner that noise and odor are not discernible beyond the property upon which it is located.

Animal Shelter. A building supported by a governmental unit or agency or by a nonprofit corporation where domestic pets or other animals are kept because of requirements of public health officials, loss by owner, neglect, or violation of public law or ordinance.

Apartment. The term "Apartment" shall mean the dwelling unit in a multiple-family dwelling as defined herein:

- A. **Efficiency Unit.** A dwelling unit consisting of one (1) room, exclusive of bathroom, hallway, closets, and the like providing not less than three hundred and fifty (350 ft²) square feet of usable floor area.
- B. **One Bedroom Unit.** A dwelling unit consisting of not more than two (2) rooms, in addition to kitchen, dining, and necessary sanitary facilities, and for the purpose of computing density, shall be considered as a two (2) room unit.
- C. **Two Bedroom Unit.** A dwelling unit consisting of not more than three (3) rooms, in addition to kitchen, dining, and necessary sanitary facilities, and for the purpose of computing density, shall be considered as a three (3) room unit.
- D. **Three or More Bedroom Unit.** A dwelling unit wherein for each room in addition to the three (3) rooms permitted in a two (2) bedroom unit, and for the purpose of computing density, said three (3) bedroom unit shall be considered a four (4) room unit, and each increase in a bedroom over three (3) shall be an increase in the room count by one (1) over the four (4).

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Apartment Building. See [Dwelling, Multiple-Family](#).

Applicant. Any person that applies for a permit.

Architectural Features. Architectural features of a building shall include cornices, eaves, gutters, courses, sills, lintels, bay windows, chimneys, and decorative ornaments.

Assisted Living Home. A structure providing housing and limited services such as nursing, recreation, and meals to individuals who are partially able to provide services to themselves.

Attached. Fastened to a principal building in a substantial manner by walls, a breezeway, and/or a roof.

Automobile Repair. Any major activity involving the general repair, rebuilding, or reconditioning of motor vehicles or engines; collision repair such as body, frame, or fender straightening and repair; overall painting and vehicle rust-proofing; refinishing; or steam cleaning.

Automobile Repair Garage. A building, or part thereof, designed or used for equipping, servicing, repairing, hiring, storing, or parking motor vehicles. The term repairing does not include the rebuilding, dismantling, or storage of wrecked or junked vehicles.

Automobile Sales Area. Any space used for display, sale, or rental of motor vehicles, in new or used and operable condition.

Average. For the purpose of this Ordinance, the term "average" shall be an arithmetic mean.

B

Basement. That portion of a building which is partly or wholly below grade but 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. See diagram for [Story](#).

Bed and Breakfast Facility. Any family-occupied dwelling used or designed in such a manner that certain rooms in excess of those used by the family are rented to the transient public for compensation. For the purpose of this Ordinance, the term bed and breakfast facility also includes the term "Tourist Home."

Bedroom. A dwelling room used or intended to be used by human beings for sleeping purposes.

Berm. An earthen mound used for the purpose of landscaping, screening, or enclosure, compacted and finished with adequate topsoil to support grass or other landscape materials in a neat and well-maintained condition.

Biofuel Production Facilities (on Farms).

A. **Biofuel.** Any renewable fuel product, whether solid, liquid, or gas, that is derived from recently living organisms or their metabolic by-products and meets applicable quality standards, including, but not

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limited to, ethanol and biodiesel. Biofuel does not include methane or any other fuel product from an anaerobic digester.

- B. **Ethanol.** A substance that meets the ASTM international standard in effect on the effective date of this Section as the D-4806 specification for denatured fuel grade ethanol for blending with gasoline.
- C. **Farm.** The land, plants, animals, buildings, structures, including ponds used for agriculture or aquicultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.
- D. **Proof Gallon.** That term as defined in 27 CFR 19.907. A gallon of liquid at sixty (60 °) degrees Fahrenheit which contains fifty (50%) percent by volume of ethyl alcohol having a specific gravity of 0.7939 at sixty (60°) degrees Fahrenheit referred to water at sixty (60 °) degrees Fahrenheit as unity, or the alcoholic equivalent thereof.

Boarding House. See [Rooming and/or Boarding House](#).

Breezeway. Any covered passageway with open sides between two (2) buildings.

Brewpub. A facility where beer is produced, stored, and sold for consumption on or off the premises that meets the requirements of the Michigan Liquor Control Commission.

Buffer. Open space, landscaped areas, fences, walls, berms, or any combination thereof to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.

Buildable Area or Building Envelope. The space remaining on a lot or lots of record after the minimum setback and open space requirements have been complied with.

Building Height. The vertical distance measured from the established grade to the highest part of the roof.

Buildable Width. The width of a lot left for building after required side yards are provided.

Building. Any structure, either temporary or permanent, having a roof supported by columns or walls, and intended for the shelter or enclosure of persons, animals, chattels, or property of any kind. This definition shall include storage canopies (storage shelters using flexible material for sides and/or roof – also known as “fabric garages”).

C

Cabin. A detached building that is used for seasonal occupancy, but not including hotels/motels.

Cabin Court or Cabin Complex. Grouping of multiple cabins/cottages on a site and used for purposes of renting or leasing to transient clientele.

Camper. See [Recreational Vehicle \(RV\)](#).

Campground/RV Park. Any parcel or tract of land, under the control of any person wherein sites are offered for the use of the public or members of an organization, either free of charge or for a fee for the establishment of temporary living quarters for five (5) or more recreational units.

Canoe/Boat/Kayak Livery. A place where boats and/or canoes are stored, rented, sold, repaired, docked, and serviced. Includes the term “boat yard.”

Car Wash. A building, or portions thereof, the primary purpose of which is that of washing motor vehicles.

Cemetery. Property, including mausoleums and/or columbariums, used or intended to be used for the perpetual interment of deceased human beings or household pets.

Child Care Facility. A facility for the care of children (persons under 18 years of age), as licensed and regulated by the State under [1973 PA 116, as amended \(Child Care Organizations Act\)](#), being MCL §§ 722.111 - 722.128), and the associated rules promulgated by the [State Department of Health and Human Services](#). Such organizations shall be further defined as follows:

- A. **Child Care Home, Family.** A state-licensed, owner-occupied private home in which one (1) but fewer than seven (7) minor children are received for care and supervision for periods less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Care is given for more than four (4) weeks during a calendar year.
- B. **Child Care Home, Group.** A state-licensed, owner-occupied private home in which more than six (6) but not more than (12) minor children are given care and supervision for periods less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Care is given for more than four (4) weeks during a calendar year.
- C. **Child Care Center.** A facility other than a private residence receiving one (1) or more preschool or school-age children for periods of less than twenty-four (24) hours a day and where parents or guardians are not immediately available to the child. Care is provided more than two (2) consecutive weeks, regardless of the number of hours of care per day. May also be referred to as a child care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center.
- D. **Child Caring Institution.** A child care facility that is organized for the purpose of receiving minor children for care, maintenance, and supervision, usually on a twenty-four (24) hour basis, in buildings maintained by the child-caring institution for that purpose, and operates throughout the year. An educational program may be provided, but the educational program shall not be the primary purpose of the facility. Child caring institution includes a maternity home for the care of unmarried mothers who are minors and an agency group home, which is described as a small child caring institution, owned, leased, or rented by a licensed agency providing care for more than four (4) but less than

thirteen (13) minor children. Child caring institution also includes institutions for developmentally disabled or emotionally disturbed minor children. Child caring institution does not include a hospital, nursing home, or home for the aged licensed under Article 17 of the [Public Health Code, 1978 PA 368](#), MCL 333.20101 to 333.22260, a boarding school licensed under Section 1335 of the [Revised School Code, 1976 PA 451](#), MCL 380.1335, a hospital or facility operated by the state or licensed under the [Mental Health Code, 1974 PA 258](#), MCL 330.1001 to 330.2106, or an adult foster care family home or an adult foster care small group home licensed under the [Adult Foster Care Facility Licensing Act, 1979 PA 218](#), MCL 400.701 to 400.737, in which a child has been placed under Section 5(6).

- E. **Private Home.** A private residence in which the registered facility operator permanently resides as a member of the household.

Church. See [Place of Worship](#).

Clinic. A building or a portion of a building, or group of buildings where human patients are admitted for examination and treatment by one (1) or more professional, such as a physician, dentist, or the like, except that human patients are not lodged therein overnight.

Club, Lodge, or Fraternal Organization. Buildings and facilities, owned or operated by a corporation, association, person, or persons, for social, educational, or recreational purposes.

Commercial Event Facility. A location where events are held including, but not limited to, weddings, parties, meetings, family reunions, and corporate events. The event locations can include, but not be limited to, tents, gazebos, barns, open areas, and residential structures as well as other structures specifically designed to host events. Also known as Convention Centers, Conference Centers, Banquet Halls, or Wedding Venues.

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

Conditional Rezoning. A rezoning that is conditioned by a specific use and approved conditions voluntarily proposed by the applicant.

Condominiums.

- A. **Condominium Act.** [1978 PA 59](#), as amended.
- B. **Condominium Documents.** The master deed, recorded pursuant to the [Condominium Act](#), and any other instrument referred to in the master deed or bylaws which affects the rights and obligations of a co-owner in the condominium.
- C. **Condominium Lot.** The condominium unit and the contiguous limited common element surrounding the condominium unit, which shall be the counterpart of "lot" as used in connection with a project developed under the [Land Division Act, 1967 PA 288](#), as amended.

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- D. **Condominium, Site.** A condominium development containing residential, commercial, office, industrial, or other structures or improvements for uses permitted in the zoning district in which located, in which each co-owner owns exclusive rights to a volume of space within which a structure or structures may be constructed, herein defined as a condominium unit, as described in the master deed.
- E. **Condominium Unit.** The portion of a condominium project designed and intended for separate ownership and use, as described in the master deed regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time share unit, or any other type of use.
- F. **General Common Elements.** The common elements other than the limited common elements.
- G. **Limited Common Elements.** A portion of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.
- H. **Master Deed.** The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and the condominium subdivision plan for the project, and all other information required by Section 8 of the [Condominium Act](#).

Convalescent or Nursing Home. A government-operated or private residential facility, licensed under state law, for the care of children, the aged, infirm, or ill, where continuous nursing care and supervision is provided.

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

Cottage Industry. A Home Occupation which, due to the nature of the investment or operation, includes two (2) or more of the following aspects:

- A. Requires regular visits by clients or customers.
- B. Needs frequent delivery or shipment of goods.
- C. Conducts regular operations or stores materials outside of the residence.
- D. Employs two (2) or more individuals who reside off-premises.
- E. Has the potential to rapidly increase in size and intensity.

D

Deck. A structure used for outdoor living purposes that may or may not be attached to a building and which protrudes above ground level.

Density. The number of dwelling units on, or to be developed upon, a net acre of land.

Dock. A temporary or permanent structure, built on or over the water, supported by pillars, pilings, or other supporting devices.

Drive-Through Business. Any restaurant, bank, or business with an auto service window.

Driveway. That portion of a lot intended to be the area upon which vehicles travel from a road (private or public) to a dwelling or other improvements located upon the lot. See [Section 3.27](#).

Dwelling, Manufactured/Mobile Home. A factory-built, single-family structure that is transportable in one (1) or more sections, is built on a permanent chassis, is designed to be used as a long-term dwelling with or without a permanent foundation, is designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, and electrical systems in the structure, but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site and which does not have wheels or axles permanently attached to its body or frame. A manufactured/mobile home is constructed according to the [National Mobile Home Construction and Safety Standards Act of 1974](#), as amended. The manufactured/mobile home shall meet the minimum floor area requirements of this Zoning Ordinance and installed in accordance with all of the other requirements of this Ordinance specified for dwellings when located outside of a licensed Manufactured Housing Development. Also called “mobile home.”

Dwelling, Multiple-Family. A building, or portion thereof, designed exclusively for occupancy by three (3) or more families living independently of each other where each unit may have access to a common hallway, stairs, or elevator. Multiple-Family Dwelling includes apartment buildings and also the following:

- A. **Bungalow Court.** This building type consists of a series of small, detached structures, providing multiple units arranged to define a shared court. The shared court takes the place of a private rear yard.
- B. **Fourplex.** A medium structure that consists of four (4) units: typically two (2) on the ground floor and two (2) above with a shared entry.
- C. **Multiplex.** A medium structure that consists of five (5) to ten (10) side-by-side and/or stacked dwelling units, typically with one (1) shared entry or individual entries along the front.
- D. **Courtyard Apartments.** A medium- to large-sized structure consisting of multiple side-by-side and/or stacked dwelling units accessed from a courtyard or series of courtyards. Each unit may have its own individual entry or may share a common entry.

Dwelling, Single-Family. A building designed exclusively for and occupied exclusively by one (1) family.

- A. **Dwelling, Single-Family Attached.** A building designed for occupancy by one (1) family in a row of at least three (3) such units in which each unit has its own access to the outside, no unit is located over another, and each unit is separated from any other unit by one (1) or more vertical common walls (also known as a townhouse or rowhouse).

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- B. ***Dwelling, Single-Family Detached.*** A building designed exclusively for and occupied exclusively by one (1) family that is separate and distinct from any other dwelling. A single-family dwelling that does not share a common wall with any other dwelling is a detached single-family dwelling.

Dwelling, Two-Family (or Duplex). A building designed exclusively for occupancy by two (2) families, living independently of each other.

Dwelling Unit. A building or portion of a building, either site-built or pre-manufactured, which has sleeping, living, cooking, and sanitary facilities and can accommodate one (1) family, either permanently or transiently. In the case of buildings which are occupied in part, the portion occupied shall be considered a dwelling unit, provided it is in conformance with the criteria for dwellings. In no case shall a recreational vehicle, travel trailer, truck, bus, motor home, tent, or other such portable structures be considered a dwelling unit.

E

Easement. The right of an owner of property, by reason of such ownership, to use the property of another for purposes of ingress, egress, utilities, drainage, and similar uses.

Egress. Means of exit.

Erected. Includes built, constructed, reconstructed, extension, enlargement, moved upon, or any physical operation on the premises intended or required for a building or structure. Excavation, fill, drainage, and general land improvements which are not required for a building or structure, shall not be considered to fall within this definition.

Essential Services. The erection, construction, alteration, or maintenance by public utilities or municipal department or commissions of underground, surface, or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication supply or disposal systems, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, traffic signals, hydrants, towers, poles, and other similar equipment, and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or general welfare, but not including buildings. Essential service buildings require site plan review. Telecommunication towers or facilities, alternative tower structures, wireless communication antennas, utility-scale solar panels, and wind turbine generators are not included within this definition.

Excavating. Any breaking of ground, except for common household gardening, ground care and agriculture purposes.

Extractive Operation. The removal, extraction, or mining of sand, gravel, or similar material for commercial gain.

F

Family. An individual or two (2) or more persons occupying the premises and living as a single non-profit housekeeping unit whose relationship is of a continuing non-transient domestic character. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

Farm, Commercial. The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Farm, Hobby. A parcel of land with a residence used or intended to be used for agricultural purposes on properties other than Commercial Farms. Hobby farming includes keeping farm animals as pets and raising animals for household consumption or educational experience, raising crops vegetables, flowers, and general gardening activities. Dogs, cats, and other typical household pets are not regulated as a Hobby Farm.

Farm Market. An accessory farm structure operated for the purpose of selling agricultural products grown or produced on-premises or on other properties under the same ownership or management. A farm market may be a permanent or temporary structure. See also [Roadside Stand](#).

Farm Product. Those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the [Michigan Commission of Agriculture and Rural Development](#).

Farm Stay. A hosted accommodation on a working farm or ranch with guests paying for the privilege of staying overnight. Farm stay facilities may allow guests to help with farming activities or operations. Also called Vacation Farm or Guest Ranch. Farm stay accommodations may be offered in a variety of formats including but not limited to guest rooms in the principal dwelling, guest rooms in accessory buildings, campsites where guests bring their own accommodations, or sites where permanent freestanding recreational structures are in place (cabins, yurts, permanent tents, and the like). Farm Stays are classified as [Agricultural Tourism Businesses](#).

Farm Use Building. For a building to be considered a “Farm Use Building” the property must be considered a Commercial Farm by definition.

Fence. Any permanent or temporary means, partition, structure, or gate erected as a dividing structure or barrier and not part of a structure requiring a building permit. Walls used in this manner shall be considered a fence.

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Fence Height. The vertical distance from the lowest part of the fence structure to the highest part of the fence structure. When all or part of a fence is installed on wooden, concrete asphalt, earthen, or masonry walls, berms, paving, driveway, or fill materials that are used for the purpose of enclosure or as a base or support for an enclosure, the height of such items shall be included in the measurement of fence height when such items rise higher than the preexisting ground level (i.e., the level of the ground as it existed immediately before such items were deposited or erected).

Floor Area. The square footage of floor space measured from exterior to exterior wall for all floors, but not including enclosed and unenclosed porches, breezeways, garages, attic, basement, and cellar area.

Floor Area, Usable. The measurement of usable floor area shall be that portion of floor area (measured from the interior face of the exterior walls) used for or intended to be used for services to the public as customers, patrons, clients, or patients including areas occupied by fixtures or equipment used for display or sale of goods or merchandise, but not including areas used or intended to be used principally for storage of merchandise, utility or mechanical equipment rooms, or sanitary facilities. In the case of a half-story area, the usable floor area shall be considered to be only that portion having a clear height of more than ninety (90") inches of headroom.

G

Garage, Private. An accessory building used primarily for the storage of vehicles for the use of the occupants of a lot on which such building is located.

Garage, Public. See [Automobile Repair Garage](#).

Gasoline Service Station. Any land, building, or structure used for sale or retail of motor vehicle fuels, oils, or accessories, or installing or repairing parts and accessories, but not including repairing or replacing of motors, doors, or fenders, or painting motor vehicles.

Grade. The established ground elevation established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the lowest level of the ground adjacent to the walls of the building.

Greenbelt, Waterfront. A strip fifty (50') feet wide parallel to the bank of a stream or lake maintained in trees and shrubs or in its natural state to serve as a waterfront buffer.

Guest House. See [Accessory Dwelling Unit](#).

H

Hazardous Substances. Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental to the health of any person handling or otherwise coming into contact with such materials or substances.

Home Occupation. A profession, occupation, activity, or use conducted on residential property which is

clearly incidental and secondary to the use of the lot and dwelling for residential purposes and which does not alter the exterior of the property or affect the residential character of the neighborhood.

Hospital. An institution providing health services, primarily for inpatients and medical or surgical care of the sick or injured, including, as an integral part of the institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities, and staff offices.

Hotel. A building occupied or used as a predominantly temporary abiding place by individuals or groups of individuals, with or without meals, and in which building there are more than five (5) sleeping rooms and in which rooms there is no provision for cooking. A hotel may include a restaurant or cocktail lounge, public banquet halls, ballrooms, or meeting rooms.

I

Impervious Surface. Any material which prevents, impedes, or slows infiltration or absorption of storm water directly into the ground at the rate of absorption of vegetation bearing soils, including building, asphalt, concrete, gravel, and other surfaces. For the purpose of calculating storm water runoff, impervious surfaces shall include all roofs, slabs, pavements, gravel drives, and parking lots.

Industrial Park. A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in surroundings among compatible neighbors.

Industry. A use engaged in manufacturing, fabricating, and/or assembly activities.

Ingress. Access or entry.

Inn. A residential structure occupied by the owner(s) or resident manager with sleeping rooms available for rent by guests on a short-term basis and which offers meals to the public for compensation.

J

Junk. All rubbish, refuse, and debris including, but not limited to, the following: nonputrescible solid waste, ashes, glass, cans, bottles, discarded or abandoned machinery, household appliances, industrial wastes, or discarded, inoperative, dismantled, or partially dismantled motorized vehicles or parts thereof. This shall not preclude home or farm composting for on-site use.

Junk Yard. An open area where waste, used, or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to, scrap or other metals, paper, rags, rubber tires, and bottles. A “Junkyard” includes automobile wrecking yards and includes any area of more than two hundred (200 ft²) square feet for storage, keeping, or abandonment of junk but does not include uses established entirely within enclosed buildings. Also, a “Junkyard” includes any premises upon which three (3) or more unlicensed used motor vehicles which cannot be operated under their own power are kept or stored for a period of fifteen (15) days or more.

K

Kennel, Commercial. Any lot or premises on which more than four (4) dogs four which are (4) months of age or older are kept temporarily or permanently. Kennel shall also include any lot or premise where household pets are bred or sold. Temporary boarding of dogs (i.e. "pet sitting") free of charge is not considered a kennel.

Kennel, Indoor. A kennel which conducts all activities indoors and contains no outdoor animal areas.

Kennel, Outdoor. A kennel which conducts some activities in outdoor animal areas.

L

Landscaping. Any combination of existing or planted trees, shrubs, vines, ground covers, flowers, lawns, fences, fountains, pools, artworks, screens, walls, benches, walks, paths, steps, terraces, and garden structures.

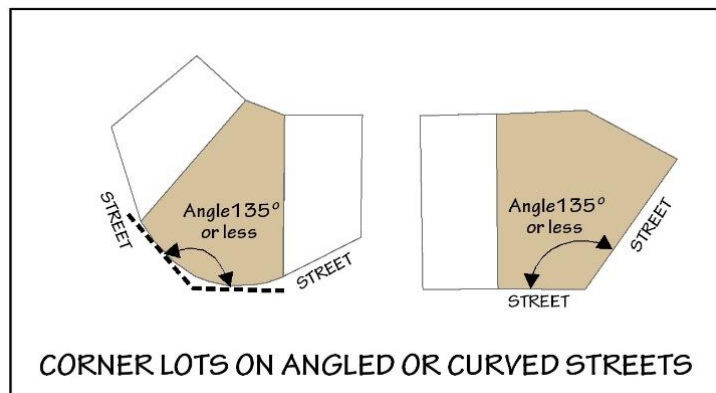
Livestock. Those species of animals used for human food, fiber, and fur, or used for service to humans. Livestock includes, but is not limited to, cattle, sheep, camelids, goats, bison, privately owned cervids (ex: deer), ratites (ex: ostrich), swine, equine, poultry, and rabbits. For the purpose of this Ordinance, livestock does not include dogs and cats.

Loading Space. An off-street space on the same lot with a building or group of buildings for temporary parking of a commercial vehicle while loading or unloading merchandise or materials. Off-street loading space is not to be included as an off-street parking space in computation of required off-street parking.

Lot. The parcel of land or site condominium unit occupied or to be occupied by a use or building and its accessory buildings or structures together with such open spaces required by this Ordinance for the district in which located but not including any area within any abutting right-of-way or traffic lane. The boundaries of the lot shall be determined by its lot lines. See also [Zoning Lot](#).

Lot Area. The total horizontal area within the lot lines of the lot.

Lot, Corner. A lot located at the intersection of two (2) streets or a lot bounded on two sides by a curving street, any two (2) sides of which form an angle of one hundred thirty-five (135°) degrees or less.



Lot Coverage. The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures. This shall be deemed to include all buildings, porches, arbors, breezeways, patio roofs, and the like, whether open box type and/or lathe roofs or fully roofed but shall not include fences, walls, or hedges used as fences or swimming pools.

Lot Depth. The horizontal distance between front and rear lot lines, measured along the median between side lot lines.

Lot, Double Frontage. A lot other than a corner lot having frontage on two (2) more or less parallel roads. If there are existing structures in the same block fronting on one (1) or both of the roads, the required front yard setback shall be observed on those roads where such structures presently front.

Lot, Interior. A lot other than a corner lot with only one (1) lot line fronting on a street.

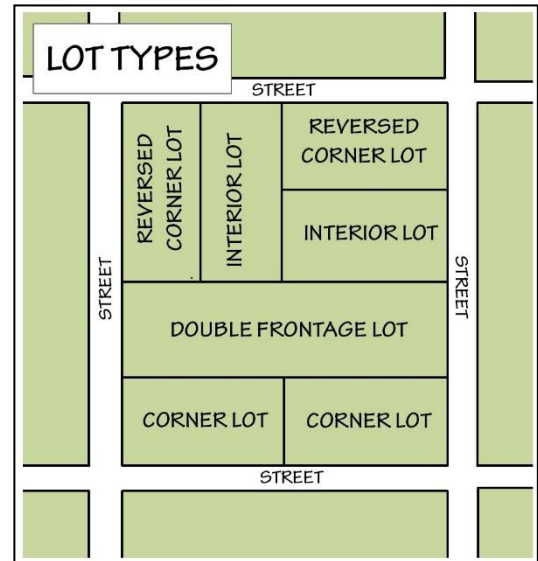
Lot Lines. The property lines bounding the lot:

- A. **Front Lot Line.** In the case of an interior lot abutting upon a road, the front lot line shall mean the line separating such lot from such road right-of-way. In the case of a corner or double frontage or a through lot, the front lot line shall be that line separating said lot from the road on the side of the lot that has the narrowest road frontage, or if the two (2) lot lines have an equal amount of frontage, the front lot line shall be on the most improved or best rated road. (See [Lot, Double Frontage](#)). If the lot has an equal amount of frontage along equally rated roads, then the property owner may designate which lot line shall be considered the front lot line.
- B. **Rear Lot Line.** The lot line being opposite the front lot line. In the case of a lot irregularly shaped at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than twenty (20') feet long lying farthest from the front lot line and wholly within the lot.
- C. **Side Lot Line.** Any lot line not a front lot line or a rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot of Record. A parcel of land defined by a legal description and recorded in the office of the Crawford County Register of Deeds, or site condominium unit established and recorded by Master deed in the Crawford County Register of Deeds on or before the effective date of this Ordinance.

Lot, Through. See [Lot, Double Frontage](#).

Lot, Waterfront. A lot having frontage directly upon a lake, river, or stream. The portion adjacent to the water is considered the water frontage. In this case, the waterfront lot line is considered the front lot line.



Lot Width. The horizontal distance between the side lot lines, measured at the two (2) points where the front setback line intersects the side lot line (**Figure A**). In the case of irregular shaped lots, the width shall be measured on a line drawn perpendicular to a line that bisects the front and rear lot lines at a point midway along the front and rear lot lines (**Figure B**). In the case of a lot which has more than four (4) sides, the lot width shall be the minimum diameter of the largest circle that fits wholly within the lot (**Figure C**).

Figure A

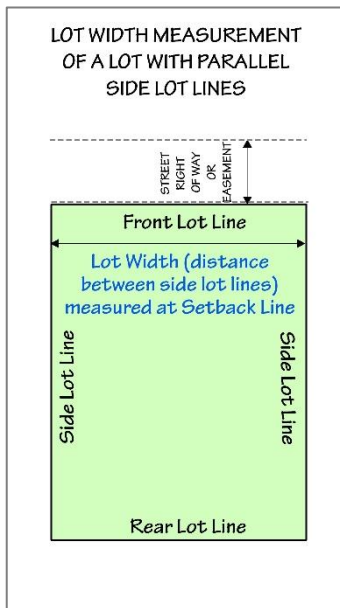


Figure B

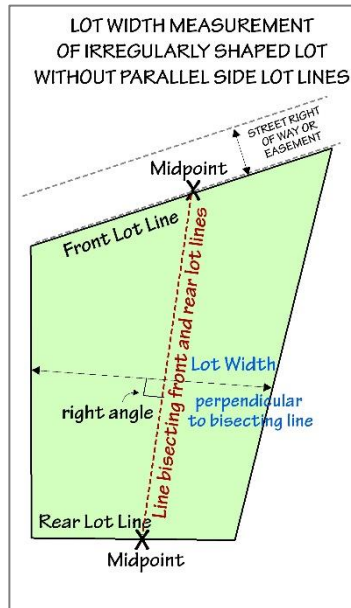
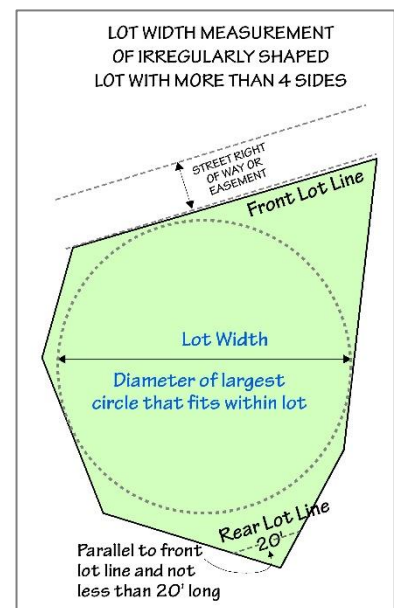


Figure C



M

Manufactured Home. See [Dwelling, Manufactured/Mobile Home](#).

Master Plan. The statement of policy by the Township Planning Commission relative to the agreed-upon desirable physical pattern of future community development. It consists of a series of maps, charts, and written material representing in summary form the community's conception of how it should grow in order to bring about the very best community living conditions.

Manufactured/Mobile Home Site or Space. A plot of ground within a Manufactured/Mobile Home Development designed for the accommodation of one manufactured/mobile home.

Manufactured/Mobile Home Development. Any parcel or tract of land under the control of a person upon which three (3) or more manufactured/mobile homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made, together with and building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a manufactured/mobile home and which is not intended for use as a temporary RV park.

Manufacturing, Heavy. The production, processing, cleaning, testing, and distribution of materials, goods,

1 Purpose & Authority

2 Definitions

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4 District Regulations

5 Site Plans & Plot Plans

6 Special Use Review

7 Supplemental Regulations

8 Zoning Board of Appeals

9 Administration & Enforcement

10 Adoption & Amendments

foodstuffs, and products. Heavy Manufacturing are those facilities in which the modes of operation of the facility do have external effects and may directly affect nearby development. External effects shall include but are not limited to air contaminants, blown material, odor, noise, glare, gasses, electrical disturbance, heat, and vibration.

Manufacturing, Light. The production, processing, cleaning, testing, and distribution of materials, goods, foodstuffs, and products. Light Manufacturing are those facilities in which the modes of operation of the facility have no external effects and do not directly affect nearby development. External effects shall include but are not limited to air contaminants, blown material, odor, noise, glare, gasses, electrical disturbance, heat, and vibration.

Medical Marihuana. The following definitions are related to medical marihuana:

- A. **Marihuana Facility.** An enterprise at a specific location at which a licensee is licensed to operate under [2016 PA 281, Medical Marihuana Facilities Licensing Act \(MMFLA\)](#), MCL 333.27101 et seq.; including a marihuana grower, marihuana processor, marihuana provisioning center, marihuana secure transporter, or marihuana safety compliance facility. The term does not include or apply to a “primary caregiver” or “caregiver” as that term is defined in the [Michigan Medical Marihuana Act](#), MCL 333.26421 et seq.
1. **Marihuana Grower.** A licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center.
 - a. **Class A Grower** – maximum of five hundred (500) marihuana plants as defined in the MMFLA.
 - b. **Class B Grower** – maximum of one thousand (1,000) marihuana plants as defined in the MMFLA.
 - c. **Class C Grower** – maximum of fifteen hundred (1,500) marihuana plants as defined in the MMFLA.
 2. **Marihuana Processor.** A licensee that is a commercial entity located in this state that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center.
 3. **Marihuana Provisioning Center.** A licensee that is a commercial entity located in this State that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the Michigan medical marihuana act is not a provisioning center.
 4. **Marihuana Safety Compliance Facility.** A licensee that is a commercial entity that receives

marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility.

5. ***Marihuana Secure Transporter.*** A licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.

- B. ***Medical Marihuana.*** That term as defined in the [Public Health Code](#), MCL 333.1101 et seq., the [Michigan Medical Marihuana Act](#), MCL 333.26421 et seq.; the [Medical Marihuana Facilities Licensing Act](#), MCL 333.27101 et seq.; and the [Marihuana Tracking Act](#), MCL 333.27901 et seq.

Michigan Department of Environment, Great Lakes and Energy. The State of Michigan department responsible for administering laws and policies relating to environmental, Great Lakes, and energy issues. This definition also includes any subsequently-named state departments responsible for these issues (such as the “Department of Environmental Quality”).

Mini-Storage. See [Storage: Mini-Storage](#).

Mixed Use Development. More than one (1) type of development on a single parcel of land.

Mobile Home. See [Dwelling, Manufactured/Mobile Home](#).

Motel or Motor Court. A series of attached, semi-detached, or detached rental units providing overnight lodging for transients, open to the traveling public for compensation.

Municipal Civil Infraction. An act or omission that is prohibited by this Zoning Ordinance, but which is not a crime under this Ordinance or any other county ordinance, and for which civil sanctions, including fines, damages, expenses, and costs, may be ordered, as authorized by the [Revised Judicature Act, 1961 PA 236](#), as amended, MCL 600.8701 to 600.8735.

Municipal Civil Infraction Citation. A written complaint prepared by an authorized Township official, directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

N

Nonconforming Lot of Record. A lot of record that legally existed on or before the effective date of this Ordinance or any amendment to this Ordinance which does not meet dimensional requirements of this Ordinance or amendment.

Nonconforming Sign. A sign lawfully existing on the effective date of this Zoning Ordinance, which does not comply with one (1) or more of the regulations set forth in this Zoning Ordinance.

Nonconforming Structure. A building or structure lawfully in existence on the effective date of this Ordinance, or any amendments thereto, that does not conform to regulations of the zoning district in

which such building or structure is located.

Nonconforming Use. A use of land lawfully in existence on the effective date of this Ordinance, or any amendments thereto, that does not conform to the use regulations of the zoning district in which it is located.

Nuisance. 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 activity or use across a property line which can be perceived by or affects a human being of reasonable sensibility, or the generation of an excessive or concentrated movement of people or things including but not limited to: (A) noise, (B) dust, (C) smoke, (D) odor, (E) glare, (F) fumes, (G) flashes, (H) vibration, (I) shock waves, (J) heat, (K) electronic or atomic radiation, (L) objectionable effluent, (M) noise of congregation of people, particularly at night, (N) passenger traffic, (O) invasion of non-abutting street frontage by traffic, (P) a burned out structure, or (Q) a condemned structure.

Nursery, Plant Materials. A space, building, or structure, or combination thereof, for the storage of live trees, shrubs, or plants offered for retail sale on the premises, including products used for gardening or landscaping. The definition of nursery does not include space used for the sale of fruits or vegetables.

Nursing Home. See [Convalescent or Nursing Home](#).

O

Off-Street Parking Lot. A facility providing vehicular parking spaces, along with adequate drives and aisles. Adequate maneuvering space shall also be included to allow unrestricted ingress and egress to at least two (2) vehicles.

Office. A place where a business, executive, administrative, or professional activity is carried on (wherein goods, wares, or merchandise are not commercially treated, manufactured, fabricated, displayed, warehoused, exchanged, or sold), provided, however, this definition shall not preclude the interior display of or sale made from samples of merchandise normally associated with certain business services such as, but not limited to, manufacturer's representatives.

Open Space. Land upon which no structures, parking, rights-of-way, easements, sewage disposal systems (including backup areas for sewage disposal), or other improvements have or will be made that commit land for future use other than outdoor recreational use. Land proposed for outdoor recreational usage that will result in the development of impervious surfaces shall not be included as open space.

Ordinary High Water Mark. The line between upland and bottomland which persists through successive changes in water levels, below which the presence 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 soil and the vegetation. On an inland lake which has had a level established by law, it means the high established level. On a river or stream, the ordinary high water mark shall be the ten (10) year flood limit line.

Outdoor Commercial Recreational Facility. A commercial business that provides amusement facilities, such as, but not limited to, miniature golf, carnival rides, rebound tumbling facilities, and other similar attractions and open to the general public.

Outdoor Sales/Rental Facility. Includes uses operated for profit, substantially in the open air, including sales and rental of the following (new or used): bicycles, utility trucks or trailers, motor vehicles, boats, home equipment, garages, recreation vehicles, recreational equipment, manufactured/mobile homes, snowmobiles, farm implements, swimming pools, contractor's equipment, lawn equipment, and similar items. Repair of such items may be an accessory use.

P

Parent Parcel. Any lot from which sublots or subparcels are created after the adoption date of this Ordinance.

Park. Properties and facilities owned or operated by any governmental agency or owned or operated by any private agency which are open to the general public for recreational purposes.

Parking Space. An area of definite length and width and shall be exclusive of drives, driveways, aisles, or entrances giving access thereto and shall be fully accessible for the storage or parking of permitted vehicles.

Patio. A paved open space, used for outdoor living purposes, and constructed of any materials providing a hard, durable surface, placed directly on the ground.

Performance Guarantee. A cash deposit, certified check, irrevocable bank letter of credit, or a performance or surety bond approved by the Township.

Permitted Use. A use by right which is specifically authorized in a particular zoning district.

Person. An individual, firm, corporation, association, partnership, limited liability company or other legal entity, or their agents.

Pet, Domestic (Household Pets). Only such animals as may commonly be housed within domestic living quarters.

Pick-Up Camper. See [Recreational Vehicle \(RV\)](#).

Place of Worship. A building wherein people regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such principal purpose. In determining the definition of an organized religious body, the Township will refer to the characteristics, generally attributed to religious institutions/churches, that are used by the Internal Revenue Service to define a religious institutions/church.

Planned Unit Development (PUD). A use which allows a development to be planned and built as a unit

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and which permits upon review and approval, variation in many of the traditional controls related to density, land use, open space, and other design elements, and the timing and sequencing of the development.

Planning Commission. The body appointed by the Township Board under the provisions of the [Michigan Planning Enabling Act, 2008 PA 33](#), as amended, MCL 125.3801 et. seq. For the purpose of this Ordinance the term Planning Commission is deemed to mean the Maple Forest Township Planning Commission.

Plat. A map or plan of the layout of the subdivision of a parcel of land which is in conformance with all of the provisions of the [Land Division Act, 1967 PA 288](#), as amended.

Plot Plan. The drawings and documents depicting and explaining all salient features of a proposed development which requires zoning approval, but is not required to prepare a site plan, in order to evaluate compliance with Zoning Ordinance standards and requirements.

Porch, Enclosed. A covered entrance to a building or structure which is totally enclosed and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached. Enclosed porches are considered part of the principal building.

Porch, Open. A covered or uncovered entrance to a building or structure which is unenclosed except for columns supporting a porch roof, projects out from the main wall of said building or structure, and has a separate roof or integral roof with the principal building or structure to which it is attached. Open porches are considered part of the principal building.

Principal Building. The main building on the premises devoted to the principal use.

Principal Use. The main use to which the premises are devoted and the primary purpose for which the premises exists.

Professional Office. The office of a professional person such as a doctor, dentist, engineer, architect, attorney, insurance or real estate agent, and the like.

Public Sewer Systems. A central or community sanitary sewage and collection system of pipes and structures including pipes, conduits, manholes, pumping stations, sewage and waste water treatment works, diversion and regulatory devices, and outfall structures, collectively or singularly, actually used or intended for use by the general public or a segment thereof, for the purpose of collecting, conveying, transporting, treating or otherwise handling sanitary sewage or industrial liquid waste of such a nature as to be capable of adversely affecting the public health operated and maintained by the general public.

Public Utility. Any person, firm or corporation, municipal department, board, or commission duly authorized to furnish and furnishing under federal, state, or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation, water services, or sewage disposal.

R

Recreational Equipment. Watercraft, boat trailers, snowmobiles and snowmobile trailers, horse trailers, dune buggies, tents, and other similar equipment.

Recreational Vehicle (RV). A vehicle designed to be used primarily for recreational purposes, including temporary sleeping quarters and/or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pickup campers, fifth wheel trailers, travel trailers, and tent trailers. This term does not include manufactured or mobile homes.

Recycling Center. See [Resource Recovery Facility](#).

Residential Human Care Facility. A facility (not within a private residence) providing any of the following:

- A. Emergency shelter and services for battered individuals and their children in a residential structure.
- B. Shelter and services for individuals receiving care, counseling, crisis support, and similar activities including court-directed services.
- C. Emergency shelter for individuals who are homeless.
- D. Services, programs, and shelter for residents who are undergoing alcohol or substance abuse rehabilitation.

Resort. A recreational lodge, camp, or facility operated for gain, and which provides overnight lodging and one (1) or more of the following: golf, skiing, dude ranching, recreational farming, snowmobiling, pack trains, bike trails, boating, swimming, hunting, fishing, and related or similar uses normally associated with recreational resorts. A resort may or may not contain a small commercial facility such a sporting goods store and/or a restaurant. Commercial facilities may be open to non-guests in addition to resort guests.

Restaurant. A business located in a building where, in consideration for the payment of money, meals are habitually prepared, sold, and served to persons for consumption on or off the premises, having suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of goods that may be required for ordinary meals, and deriving the major portion of its receipts from the sale of food and complying with state and federal health regulations.

Resource Recovery Facility. Machinery, equipment, structures, or any parts or accessories of machinery, equipment, or structures, installed or acquired for the primary purpose of recovering materials or energy from the waste stream. Also called a recycling facility or center.

Retail and Retail Stores. Any building or structure in which goods, wares, or merchandise are sold to the ultimate consumer for direct consumption and not for resale.

Riding Arena. An indoor or outdoor facility used for the purpose of training or exercising horses.

Road, Private. Any road which is privately constructed and has not been accepted for maintenance by the County Road Commission, State of Michigan, or the federal government.

Road, Public. Any road or portion of road which has been dedicated to and accepted for maintenance by the County Road Commission, State of Michigan, or federal government.

Road Right-of-Way. A street, alley, or other thoroughfare or easement permanently established for the passage of persons or vehicles.

Roadside Stand. An accessory and temporary structure operated for the purpose of selling agricultural products grown or produced on premises or on other properties under the same ownership or management. A roadside stand in the LDR, MDR, or HDR districts shall be no greater than one hundred (100 ft²) square feet.

Rooming and/or Boarding House. An owner-occupied, single-family dwelling containing guest rooms in which lodging is provided with or without meals for compensation and which is open to non-transient, long-term (thirty (30) days or more) guests only and where no provision is made for cooking in any guest room. No zoning permit is required.

S

Salvage Yard. A place where waste or discarded or salvaged materials are bought, sold, exchanged, stored, baled, packaged, disassembled, cleaned, or handled, including house and vehicle wrecking yards, used lumber yards, and places or yards for use of salvaged house and vehicle parts, and structural steel materials and equipment. Salvage yard shall not include uses conducted entirely within a completely enclosed building, pawn shops, establishments for the sale, purchase, or storage of used cars in operable condition, salvaged machinery, used furniture and household equipment, and the processing of used, discarded, or salvaged materials as part of manufacturing operations.

School. A public or private educational institution offering students a conventional academic curriculum, including kindergartens, elementary schools, middle schools, and high schools. Such term shall also include all adjacent properties owned by and used by such schools for educational, research, and recreational purposes.

Scrap Yard. An establishment where scrap metals are collected, processed, stored, and/or sold.

Seasonal Use. Any use or activity that cannot be conducted or should not be conducted each month of the year.

Seasonal Use/Transient Sales. Sales establishments which exist on a temporary basis such as Christmas tree sales, seasonal produce, and fireworks.

Setback. The minimum required horizontal distance from the applicable front lot line, rear lot line, and side lot line of a lot within which no buildings or structures may be placed. Setbacks are measured from the eave of the building to the lot line. See [Section 4.03.C](#) for regulations on measuring setbacks.

Sexually Oriented Business. A business or commercial enterprise engaging in any of the following: (A) adult arcade; (B) adult bookstore or adult video store; (C) adult cabaret; (D) adult motel; (E) adult motion picture theater; (F) adult theater; (G) escort agency; (H) nude model studio; and (I) similar establishments.

A. **Adult Arcade.** Any place to which the public is permitted or invited wherein coin-operated or slug-operated electronically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by depicting or describing of Specified Sexual Activities or Specified Anatomical Areas.

B. **Adult Bookstore or Adult Video Store.** A commercial establishment that, as one of its principal business purposes, offers for sale or rental for any form of consideration one (1) or more of the following:

1. Books, magazines, periodicals, or other printed matter or photographs, films, motion picture, video cassettes or video reproductions, slides, or other visual representations or media which depict or describe Specified Sexual Activities or Specified Anatomical Areas; or
2. Instruments, devices, or paraphernalia that are designed for use in connection with Specified Sexual Activities.

A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing Specified Sexual Activities or Specified Anatomical Areas and still be categorized as an Adult Bookstore or Adult Video Store. The sale of such material shall be deemed to constitute a principal business purpose of an establishment if it occupies twenty-five (25%) percent or more of the floor area or visible inventory within the establishment.

C. **Adult Cabaret.** A nightclub, bar, restaurant, or similar commercial establishment that regularly features any of the following:

1. Persons who appear in a state of nudity;
2. Live performances that are characterized by the exposure of Specified Anatomical Areas or by Specified Sexual Activities;
3. Films, motion pictures, video cassettes, slides, other photographic reproductions, or visual media that are characterized by the depiction or description of Specified Sexual Activities or Specified Anatomical Areas; or
4. Persons who engage in lewd, lascivious, or erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customers.

D. **Adult Motel.** A hotel, motel, or similar commercial establishment that:

1. Offers accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, other photographic reproductions, or visual media that are characterized by the depiction or description of Specified Sexual Activities or Specified Anatomical Areas and has a sign visible from the public right of way that advertises the availability of any of the above;
 2. Offers a sleeping room for rent for a period of time that is less than twelve (12) hours; or
 3. Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than twelve (12) hours.
- E. **Adult Motion Picture Theater.** A commercial establishment which for any form of consideration, regularly and primarily shows films, motion pictures, video cassettes, slides, or other photographic reproductions or visual media that are characterized by depiction or description of Specified Sexual Activities or Specified Anatomical Areas.
- F. **Adult Theater.** A theater, concert hall, auditorium, or similar commercial establishment that regularly features a person or persons who appear in a state of nudity or live performances that are characterized by exposure of Specified Anatomical Areas or by Specified Sexual Activities.
- G. **Escort.** A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.
- H. **Escort Agency.** A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.
- I. **Human.** Besides the customary meaning, the term “human” shall also include non-living anthropomorphic devices (resembling human), both physical and digital.
- J. **Nude Model Studio.** Any place where a person who displays Specified Anatomical Areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration, but does not include an educational institution funded, chartered, or recognized by the State of Michigan.
- K. **Nudity or a State of Nudity.** Knowingly or intentionally displaying in a public place, or for payment or promise of payment by any person including, but not limited to payment of an admission fee, any individual's genitals or anus with less than a fully opaque covering, or a female individual's breast with less than a fully opaque covering of the nipple and areola. Public nudity does not include any of the following:
1. A woman's breastfeeding of a baby whether or not the nipple or areola is exposed during or incidental to the feeding.

2. Material as defined in Section 2 of **Obscene Material, 1984 PA 343**, as amended, MCL 752.362.
3. Sexually explicit visual material as defined in Section 3 of **Disseminating, Exhibiting, or Displaying Sexually Explicit Matter to Minors, 1978 PA 33**, as amended, MCL 722.673.

L. **Specified Anatomical Areas.** Means and includes any of the following:

1. Less than completely and opaquely covered:
 - a. Human genitals.
 - b. Pubic region.
 - c. Buttocks.
 - d. Female breast below a point immediately above the top of the areola.
2. Human male genitals in a discernible turgid state even if completely or opaquely covered.

M. **Specified Sexual Activities.** Means and includes any of the following:

1. Human genitals in a state of sexual arousal;
2. Acts of or simulated acts of human masturbation, sexual intercourse, sodomy, bestiality, fellatio, or cunnilingus; or
3. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.
4. Excretory functions as part of or in connection with any of the activities set forth in 1-3 above.

Shipping Container. A container fabricated for the purpose of transporting freight or goods on a truck, railroad, or ship. Shipping containers include cargo containers, storage units, or other portable structures that are used for storage of items, including, but not limited to, clothing, equipment, goods, household or office fixtures or furnishings, materials, and merchandise.

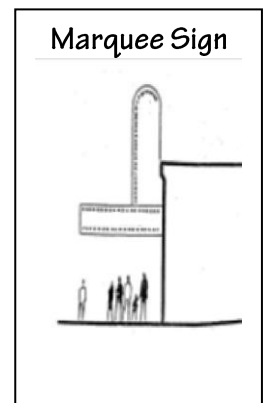
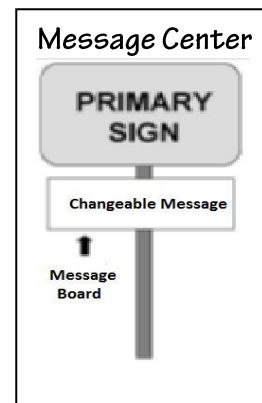
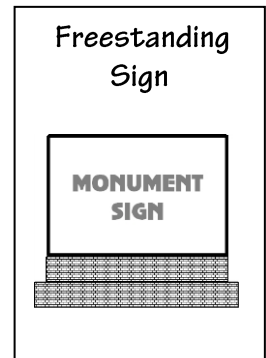
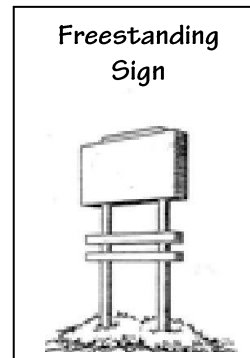
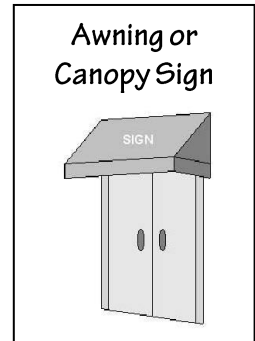
Shopping Center. A group of commercial establishments, planned, developed, owned, and managed as a unit, with off-street parking provided on the property, and related in its location, size, and type of shops to the trade area which the unit serves.

Short Term Rental. A dwelling which is unoccupied by the owner and which furnishes transient accommodations for compensation for periods of less than thirty (30) days. No zoning permit is required.

Sign. The use of any words, numerals, figures, devices, or designs by which anything is made known, such as to show a message, and is visible to the general public.

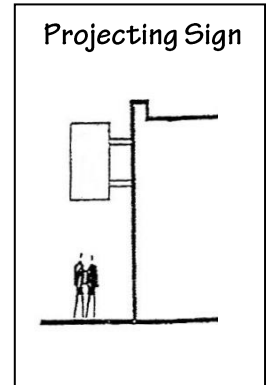
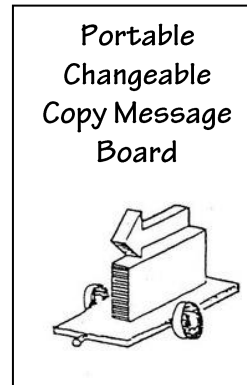
A. **Abandoned Sign.** A sign to which any of the following applies:

1. The sign has remained blank over a period of one (1) year.
 2. The sign's message becomes illegible in whole or substantial part.
 3. A sign which has fallen into disrepair.
- B. **Accessory Sign.** A permanent sign which is subordinate to the primary sign and customarily incidental to, and on the same lot as, the primary sign. Accessory signs provide ancillary information to support the principal use of the premises.
- C. **A-Frame Sign.** Self-supporting temporary sign consisting of two (2) panels hinged at the top providing advertising on each panel and can be readily moved within a property or to another property. Also called "sandwich board."
- D. **Animated or Moving Sign.** A sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.
- E. **Awning or Canopy Sign.** A sign painted on, printed on, or attached flat against the surface of an awning or canopy.
- F. **Cluster Sign.** An on-premises sign which is used for a complex of establishments on one (1) parcel and contains multiple signs on one (1) structure and may include one (1) for each establishment and one (1) for the complex as a whole.
- G. **Freestanding Sign.** A sign supported by permanent uprights or braces in the ground. Freestanding signs include monument-style signs.
- H. **Lighted Sign.** Any sign having a conspicuous, continuous or intermittent variation in the illumination of the physical position of any part of the sign.
- I. **Marquee Sign.** Any sign attached to or supported by a marquee structure.
- J. **Message Center, Electronic.** A sign with a changeable display/message consisting of alphabetic, pictographic, or symbolic informational content that is composed of a series of lights that may be changed through electronic means.
- K. **Message Center, Static.** A sign with a changeable display/message consisting of alphabetic, pictographic, or symbolic informational content that must be changed manually by non-electronic means.



L. **Off-Premise Advertising Sign (Billboard).** Any structure or portion thereof designed or intended to be used for posting, painting, or otherwise affixing any advertising sign which does not pertain to the premises or to the use of the premises on which the sign is located or to goods sold or services rendered or activities conducted on such premises.

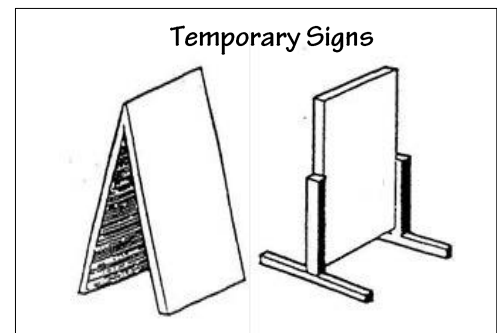
M. **Portable Changeable Copy Message Board.** Any changeable copy sign not permanently attached to the ground or a building and is designed to be transported by some means such as a trailer or wheels.



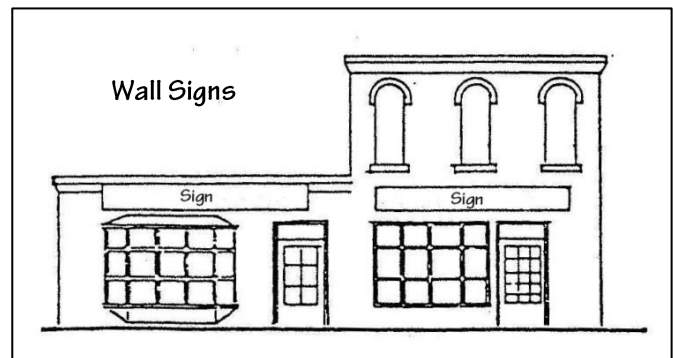
N. **Projecting Sign.** A sign, other than a wall sign, which is perpendicularly attached to, and projects from a structure or building wall not specifically designed to support the sign.

O. **Roof Sign.** Any sign wholly erected to, constructed/or maintained on the roof structure of any building.

P. **Temporary Sign.** A display sign, banner, or other advertising device constructed of cloth, canvas, fabric, plastic, or other light temporary material, with or without a structural frame, or any other sign intended for a limited period of display, but not including decorative displays for holidays or public demonstration. A temporary sign shall not be used as a substitute for a permanent on-premise sign, except as permitted within this Ordinance. A temporary sign is one that is not affixed to the ground permanently and can be easily moved.



Q. **Wall Sign.** Any sign that shall be affixed parallel to the wall or printed or painted on the wall of any building; provided, however, said wall sign shall not project above the top of the wall or beyond the end of the building. For the purpose of this Ordinance, any sign display surface that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign.



Sign Area. The entire area within a circle, triangle, parallelogram, or any other shape which encloses the extreme limits of writing, representation, emblem, logo, or any other figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.

Where a sign consists solely of writing, representation, emblems, logos, or any other figure of similar character which is painted or mounted on a wall or fence, without a distinguishing border the area of such sign shall be computed as if it were framed by a border consisting of horizontal and vertical lines extending not more than six (6") inches from such sign elements.

Sign Height. The vertical distance measured from the ground immediately beneath the sign to the highest point of the sign or its projecting structure.

Sign Surface. That portion of a sign excluding its base, foundation, and erection supports on which is displayed information.

Site Plan. The drawings and documents depicting and explaining all salient features of a proposed development so that it may be evaluated according to the procedures set forth in this Ordinance to determine if the proposed development meets the requirements of this Zoning Ordinance.

Small-Scale Craft Making. Encompasses the production and sale of hand-made items including furniture, clothing, art, jewelry, toys, candles, collectibles, and similar items on a scale that does not require a manufacturing plant and a large amount of specialized equipment and chemicals. No more than fifty (50%) percent of the structure is devoted to making crafts while the remainder of the structure is devoted to sales.

Solar Energy Facility (Utility-Scale/Commercial). A facility designed to capture and utilize the energy of the sun to generate electrical power to be used primarily off-site. A solar energy collection facility consists of an array of solar collection devices used to collect solar rays and all associated ancillary and structural devices needed to support and convert/transmit the energy collected.

Solar Energy Panels (Accessory). Solar collection devices designed to capture and utilize the energy of the sun to generate electrical power primarily for use on-site. A solar collection device is the actual material(s) used to collect solar rays and all associated ancillary and structural devices needed to support and convert/transmit the energy collected.

Special Use. A use permitted within certain Zoning Districts that is generally compatible with permitted uses but which possesses characteristics that could impact adjacent properties and which requires individual review and public hearing to ensure compatibility with the character of the surrounding area, adjacent properties, and public services and facilities. Special Uses are subject to conditions stated in this Ordinance and to any special conditions imposed by the Planning Commission to protect other properties in the Township.

Stable. A building or structure used to house horses, either for the property owner's private use or for hire.

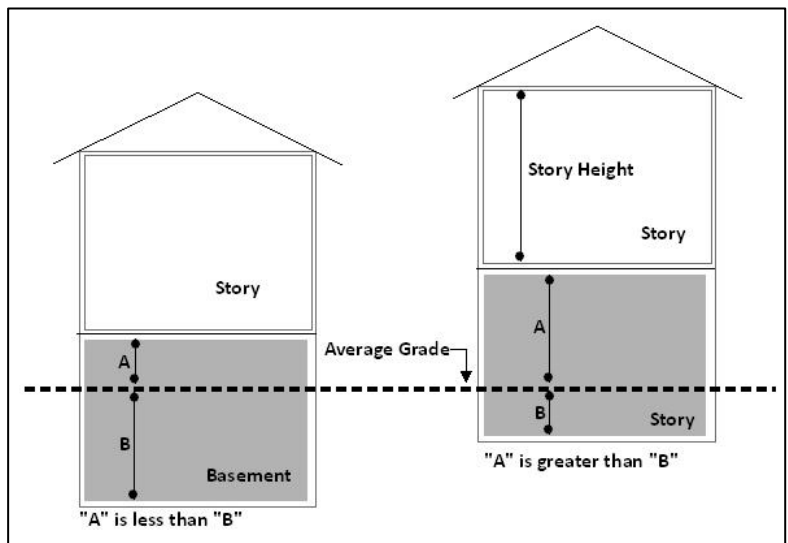
State-Licensed Residential Facility. A structure constructed for residential purposes that is licensed by the state under the [Adult Foster Care Facility Licensing Act, 1979 PA 218](#), MCL 400.701 to 400.737, or the [Child Care Organizations Act, 1973 PA 116](#), MCL 722.111 to 722.128, and provides residential services for

six (6) or fewer individuals under twenty-four (24) hour supervision or care.

Storage. To leave or deposit in a place for preservation or disposal in one (1) or more of the following ways:

- A. **Storage-Accessory.** Storage which is accessory to the principal use of the premises.
- B. **Mini-Storage.** Groups of buildings that contain varying sizes of individual compartmentalized and controlled access stalls or lockers for a dead storage of customers' goods or wares.
- C. **Storage Facility.** A building or property on which storage is carried out as the principal use of the property.

Story. That portion of a building, other than a basement or mezzanine, included between the surface of any floor and the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. A "mezzanine" floor shall be deemed a full story only when it covers more than fifty (50%) percent of the area of the story underneath said mezzanine, or if the vertical distance from the floor next below it to the next above it is twenty-four (24') feet or more. A basement shall be considered a full story only if fifty (50%) percent or more of the vertical distance between the basement floor and the basement ceiling is above the ground level from which the height of the building is measured.



Structural Change or Alteration. See [Alterations](#).

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having permanent location on the ground. Driveways, sidewalks, parking areas, septic systems, and tanks are excluded from this definition.

T

Telecommunication Towers and Facilities or Tower. See [Wireless Communications](#).

Temporary Building or Use. A structure or use permitted to exist during periods of construction of the principal building or use or for special events or situations.

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Tourist Home. See [Bed and Breakfast Facility](#).

Townhouse. See [Dwelling, Single Family Attached](#).

Tower. See [Wireless Communications](#).

Township. Maple Forest Township.

Trailer Coach. See [Recreational Vehicle \(RV\)](#).

Travel Trailer. See [Recreational Vehicle \(RV\)](#).

U

Use. The purpose of which land or premises, or a building thereon, is designed, arranged, or intended, or for which it is occupied, or maintained, let, or leased, according to this Ordinance.

Use, Principal. See [Principal Use](#).

V

Variance. A modification of literal provisions of this Ordinance which the Zoning Board of Appeals is permitted to grant when strict enforcement of said provision would cause practical difficulty owing to circumstances unique to the individual property on which the variance is sought.

Variance, Non-Use. A dimensional variation of Ordinance standards such as yard requirements, building height, lot coverage, living space dimensions, and similar requirements. Non-Use Variances are granted based on the showing of a practical difficulty.

W

Wind Turbine Definitions.

- A. **Wind Turbine Generator.** A tower, pylon, or other structure, including all accessory facilities, upon which any, all, or some combination of the following are mounted:
1. A wind vane, blade, or series of wind vanes or blades, or other devices mounted on a rotor for the purpose of converting wind into electrical or mechanical energy.
 2. A shaft, gear, belt, or coupling device used to connect the rotor to a generator, alternator, or other electrical or mechanical energy producing device.
 3. A generator, alternator, or other device used to convert the energy created by the rotation of the rotor into electrical or mechanical energy.

- B. **Wind Turbine Generator, Commercial or Utility-Scale.** A wind turbine generator designed and used primarily to generate electricity by or for sale to utility companies.
- C. **Wind Turbine Generator Farm, Commercial or Utility-Scale.** Two (2) or more wind turbine generators located on the same parcel designed and used primarily to generate electricity by or for sale to public utility companies.
- D. **Wind Turbine Generator, On-Site or Private.** A wind turbine generator designed and used primarily to generate electricity or produce mechanical energy for use on the property where located.
- E. **Wind Turbine Generator Tower Height.** The distance between the ground and the highest point of the wind turbine generator, plus the length by which the rotor wind vanes or blades mounted on a horizontal axis wind turbine rotor exceeds the height of the wind turbine generator.
- F. **Ambient.** Ambient is defined as the sound pressure level exceeded ninety (90%) percent of the time.
- G. **Anemometer.** A device used to measure wind speed.
- H. **dB(A).** The sound pressure levels in decibels. Refers to the “a” weighted scale defined by [ANSI](#). A method for weighting the frequency spectrum to mimic the human ear.
- I. **Decibel.** The unit of measure used to express the magnitude of sound pressure and sound intensity.
- J. **Horizontal Axis Wind Turbine.** A wind turbine generator in which the rotor(s) rotate around a horizontal shaft.
- K. **Shadow Flicker.** Alternating changes in light intensity caused by the moving blade of a wind turbine casting shadows on the ground and stationary objects, such as the window of a dwelling.
- L. **Vertical Axis Wind Turbine.** A wind turbine generator in which the rotor rotates around a vertical shaft.

Wireless Communications (Telecommunication Towers and Facilities Definitions).

- A. **Alternative Tower Structure.** Man-made trees, clock towers, bell steeples, light poles, and other similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
- B. **Antenna Array.** One (1) or more rods, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include omni-directional antenna (rod), directional antenna (panel), and parabolic antenna (disc). The Antenna Array does not include the Support Structure.

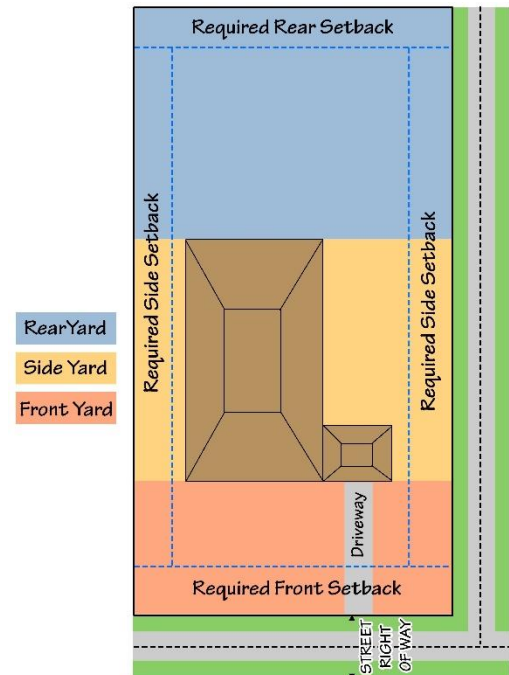
- C. **Co-Location.** The placement or installation of multiple sets of wireless communication equipment on a common support structure, with the objective of reducing the overall number of structures required to support wireless communication antennas within the community.
- D. **Height.** When referring to a Wireless Communication Facility, height shall mean the distance measured from ground level to the highest point on the Wireless Communication Facility including the Antenna Array.
- E. **FAA. Federal Aviation Administration.**
- F. **Setback.** The required distance from the property line of the parcel on which the Wireless Communication Facility is located to the base of the Support Structure.
- G. **Small Cell Wireless Facility.** A wireless facility that meets both of the following requirements:
 - 1. Each antenna is located inside an enclosure of not more than six (6 ft³) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements would fit within an imaginary enclosure of not more than six (6 ft³) cubic feet.
 - 2. All other wireless equipment associated with the facility is cumulatively not more than twenty-five (25 ft³) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.
- H. **Wireless Communications.** Any FCC-licensed or authorized wireless communication service transmitted through the airwaves over frequencies in the electromagnetic spectrum including, but not limited to, infrared line of sight, cellular, personal communications service (PCS), microwave, satellite, or radio signals.
- I. **Wireless Communications Equipment.** The set of equipment and network components used in the provision of wireless communications 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.
- J. **Wireless Communication Facility.** Any facility for the transmission and/or reception of wireless communications services, usually consisting of an Antenna Array, connection cables, Wireless Communications Equipment, and a Support Structure. A Wireless Communication Facility also includes an Antenna Array attached to an existing building or structure.
- K. **Wireless Communication Facility (Ground-Mounted) – also called “Earth Station or Ground Station”.** A wireless communication facility in which the antenna array is mounted to the ground or other surface and which does not use a Wireless Communications Support Structure (tower).

- L. **Wireless Communications Support Structure (also known as “Tower”).** Structures erected or modified to support wireless communication antennas. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.

Y

Yards. A space open to the sky between a building and the lot lines of the parcel of land on which located, unoccupied or unobstructed by an encroachment or structure except as otherwise provided by this Ordinance.

- A. **Front Yard.** A yard across the full width of the lot extending from the front line of the principal building to the front lot line or road-right-of-way line, as the case may be.
- B. **Rear Yard.** A yard extending across the full width of the lot from the rear line of the building to the rear property lot line.
- C. **Side Yard.** A yard between the side lot line and the nearest side of the building, extending between the front yard and rear yard.



Z

Zoning Administrator. The person retained by the Township to administer and enforce this Zoning Ordinance.

Zoning Board of Appeals. The Township Zoning Board of Appeals, whose duties and powers are detailed in [Article 8](#).

Zoning District. A portion of the Township within which certain regulations and requirements, or various combinations thereof, apply under the provisions of this Ordinance.

Zoning Lot. When a lot or lots are used for a single purpose, the lots together are considered one (1) lot for zoning purposes.

Zoning Permit. A zoning permit is written authority as issued by the Zoning Administrator on behalf of the Township permitting the construction, moving, exterior alteration, or use of a building in conformity with the provisions of this Ordinance.

Article 3

General Provisions

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Section 3.01 The Effect of Zoning

A. Conformance to Ordinance Required.

1. In order to carry out the intent of this Ordinance, no use or activity on a piece of land shall be allowed or maintained, no building or structure or part thereof shall be allowed to be used, constructed, remodeled, altered, or moved upon any property unless it is in conformance with this Ordinance, and a zoning permit has been obtained, except in the case of lawful nonconforming uses.
2. Zoning affects every structure and use and extends vertically from the ground up.
3. If any activity, use, building, structure, or part thereof is placed upon a piece of property in direct conflict with the intent and provisions of this Ordinance, such activity, use, building, or structure shall be declared a nuisance and may be required to be vacated, dismantled, abated, or cease

operations by any legal means necessary and such use, activity, building, or structure shall not be allowed to function until it is brought into conformance with this Ordinance.

B. Uses and Construction Already Begun.

In the event that any lawful use, activity, building, or structure which exists or is under construction at the time of the adoption of this Ordinance and is not in conformance with the provisions of the zoning district in which it is located, such use, activity, building, or structure shall be considered a legal nonconforming building or use and be allowed to remain as such, including completion of construction, providing said construction does not require more than one (1) year from the effective date of this Ordinance for completion. If the construction is not complete within one (1) year, the applicant can request an extension per [Section 9.02](#). Nonconformities are regulated by [Section 3.13](#).

C. Minimum Lots and Yards Required.

1. No lot area and no yard, court, parking area, or other required space shall be so divided, altered, reduced, or diminished as to make said area or dimension less than the minimum required under this Ordinance, except where such reduction has been brought about by expansion or acquisition of public rights-of-way for streets, roads, or highways. If a required area is already less than the minimum required under this Ordinance, said area or dimension shall not be further divided or reduced.
2. No parcel may be divided in a manner which conflicts with the requirements set forth in the [Michigan Land Division Act, 1967 PA 288](#), as amended.

D. Continued Conformance with Requirements.

The maintenance of yards, open spaces, lot areas, height and bulk limitations, fences, walls, clear vision areas, parking and loading spaces, and all other requirements, including the proper maintenance and repair of screening arrangements, for a building or use specified within this Ordinance shall be a continuing obligation of the owner of such building or property on which such building or property or use is located.

E. Moving of Buildings.

The moving of a building to a different location shall be considered the same as erection of a new building, and all provisions, regulations, or requirements relative to the erection of a new building shall be applicable thereto.

Section 3.02 Lots & Lot/Building Relationship

A. Lots.

1. **New Lots to be Buildable.** All newly created lots shall have buildable area. The net buildable area of a lot shall be a contiguous piece of land excluding land subject to flooding six (6) months of the year, poor drainage, steep slopes, rock outcrops, and land encumbered by easements preventing the use of the land.
2. **Minimum Lot Size.** No new lots shall be created which do not meet the minimum lot size regulations of this Ordinance with the exception of parcels described and designated as "outlots" in a recorded plat.

B. Lot/Building Relationship.

No lot may contain more than one (1) principal building or use except that, upon determination by the Planning Commission, groups of apartment buildings, offices, retail business buildings, agricultural structures, or other similar groups of buildings may be considered principal buildings or uses. The Planning Commission may allow more than one (1) residence per parcel through the issuance of a Special Use for an Accessory Dwelling Unit permit pursuant to [Article 6](#) and [Section 7.03](#).

Section 3.03 Water Supply & Sewage Disposal

- A. All water supply and sanitary sewage disposal systems, either public or private, for any building hereafter erected, altered, or moved upon any premises shall be subject to compliance with [District Health Department](#) sanitary code requirements. Plans must be submitted to and approved by the responsible agencies. The written approval of such facilities by District Health Department shall be filed with application for a Zoning Permit.
- B. Permitted industrial uses shall be served by a public sewer service or an approved sanitary treatment facility, approved by the [District Health Department](#). All treatment facilities shall meet all other applicable federal, state, and local standards and regulations. The effluent from same shall be disposed of in a manner and method, which conforms to or exceeds the minimum standards of the [State of Michigan](#) and the [District Health Department](#). The collection system used in conjunction with a packaged treatment facility shall be located and designed to readily connect into a future public sewer service system without the need for reconstruction of any main or lateral sewer links.

Section 3.04 Grades, Drainage & Stormwater Retention

A. Grades and Drainage.

1. No premises shall be filled or graded so as to discharge surface runoff on adjacent premises in such a manner that will cause inconvenience or damage to adjacent properties. When property is

developed adjacent to previously developed existing properties, existing grades shall have priority.

2. If fill material is proposed to be placed on a property which would result in the property being more than two (2') feet above the grade of neighboring property, then Planning Commission approval is required. Even though changes in grade are not a Special Use, Planning Commission shall notify adjacent property owners of the request and shall use the standards in [Section 6.03](#) when reviewing the request.

B. Stormwater Retention.

The property owner or developer is required to retain on-site all stormwater drainage in excess of natural conditions. This provision may require stormwater retention ponds where appropriate. An exception can be made for water leaving the site via an existing stormwater pipe or through other stormwater facilities which will be developed at the same time as the proposed new use. All stormwater facilities, including detention or retention ponds, shall be designed at minimum to handle a storm with the projected frequency of once every ten (10) years (ten-year design storm).

Section 3.05 Access Required

A. Access Required.

Every principal building hereafter erected or moved after the effective date of this Ordinance shall be located on a lot adjacent to a public street, easement which provides access to a public street, or with access to an approved private road, and all structures shall be located on lots as to provide safe and convenient access for emergency services and, if applicable, required off-street parking.

B. Access through Yards.

Access drives may be placed in the required front or side yards so as to provide access to the rear yard and/or accessory or attached structures. Further, at-grade driveway and walkway materials such as pavement, concrete, crushed stone, gravel, and similar materials shall not be considered structures and shall be allowed in any yard.

Section 3.06 Restoration of Unsafe Buildings/Barrier-Free Modification

- A. Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by the Building Official.
- B. Nothing in this Ordinance shall prevent the modification of a non-residential building only as may be necessary to comply with barrier-free requirements of the [Americans with Disabilities Act](#). A variance may be required for modification as stated herein. The need for such a variance shall be determined by the Zoning Administrator.

Section 3.07 Accessory Buildings/Structures

Where the accessory building or structure is structurally attached to a principal building, it shall be subject to and must conform to all yard regulations of this Ordinance applicable to principal buildings. Detached accessory buildings or structures, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- A. **Zoning Permit.** Accessory buildings less than two hundred (200 ft²) square feet do not need a zoning permit but shall comply with the standards of this Section.
- B. **Setback.** A detached accessory building or structure shall be located no closer to a front, side, or rear lot line than the permitted distance for the principal structure on the same lot.
- C. **Distance from Other Buildings.** No detached accessory building or structure shall be located closer than ten (10') feet to any building.
- D. **Location in Yard.** Accessory buildings or structures may be permitted in any yard but shall comply with setbacks listed in subsection B.
- E. Truck bodies, semi-trailers, school bus bodies, mobile homes, or other items built and intended for other uses shall not be used as an accessory building or structure.
- F. **Shipping Containers.** Shipping containers shall be allowed to be used as accessory buildings or structures for storage purposes only. Shipping containers shall be either painted to blend in with the natural landscape or covered in a siding material that would typically be utilized for a principal structure. Shipping Containers shall be placed on a foundation or gravel surface with adequate drainage. There shall be a limit of two (2) shipping containers allowed per parcel.
- G. No accessory building or structure shall be used for dwelling purposes except for Accessory Dwelling Units ([Section 7.03](#)).
- H. **Size.** There shall be no size limits for accessory buildings or structures, however accessory buildings or structures shall count toward the maximum percentage of lot coverage in [Article 4](#) and shall be no higher than the maximum allowable height of the principal building in that district.
- I. **Accessory Building or Structure on a Parcel Prior to the Principal Dwelling.**

Accessory buildings or structures shall only be allowed to be constructed, erected, or placed on a parcel which does not contain a principal dwelling if the following conditions are met:

- 1. The accessory building or structure shall be located on the lot so that there exists a location on the lot where a future principal building, which meets the minimum required floor area of the zoning district, may be constructed in full compliance with the dimensional regulations (setbacks) of the zoning district in which located.
- 2. The accessory building or structure shall not be used for dwelling purposes.

Section 3.08 Essential Services

The erection, construction, alteration, maintenance, and operation by public utilities or municipal departments or commission, of overhead or underground gas, electrical, steam or water distribution, transmission systems, collection, supply systems, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, poles, electrical substations, gas regulation stations, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utility or municipal department or commission or for the public health or safety or general welfare, shall be permitted as authorized or regulated by law and other Ordinances of the Township of Maple Forest in any use district, provided that buildings designed to house essential services meet the setback and dimensional requirements of the respective districts and the Planning Commission is notified at least sixty (60) days prior to any major construction, and provided a Zoning Permit is obtained. Electrical substations shall comply with the Fencing provisions of [Section 3.17](#) and screening provisions of [Section 3.18](#) of this Ordinance.

Wireless communications facilities, small cell wireless facilities, alternative tower structures, antennas, wind turbine generators, solar energy facilities, and anemometer towers shall be regulated and permitted pursuant to this Ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

Section 3.09 Manufactured/Mobile Homes on Individual Lots

A manufactured/mobile home newly sited on an individual lot shall meet the standards for minimum lot size, yard setbacks, and minimum floor area for the district in which it is located and shall meet the following additional standards:

- A. Manufactured/mobile homes shall be attached to an approved permanent foundation or basement and shall be anchored using a system that meets the Michigan Manufactured Housing Commission requirements.
- B. The wheels, axles, and towing assembly shall be removed from a manufactured/mobile home before the unit is attached to the foundation. Additionally, no manufactured/mobile home shall have any exposed undercarriage or chassis.
- C. Manufactured/mobile homes shall be installed according to the construction code adopted by Crawford County/Maple Forest Township, and the construction of the unit shall comply with the [National Mobile Home Construction and Safety Standards Act of 1974](#), as amended (HUD Code).
- D. Manufactured/mobile homes shall not be attached to another structure unless the manufactured/mobile home and the other structure have been specifically designed to be attached to each other. Additions shall be of frame construction, finished with siding to match the manufactured/mobile home and adhere to current building codes. The required building permits shall

Maple Forest Township Zoning Ordinance

be obtained and the structure shall be in compliance with district regulations regarding the living area required.

- E. No person shall occupy a manufactured/mobile home as a dwelling within Maple Forest Township until a certificate of compliance has been issued by the Crawford County Building Official, which shall indicate satisfactory compliance with all requirements of the HUD Code and the current Crawford County Construction Code.
- F. No manufactured/mobile home shall be located or placed in Maple Forest Township without prior completion of site preparation to include electric, water, sewage disposal, and foundation to meet the current Crawford County Construction Code.
- G. Manufactured/mobile homes shall not be used as an accessory building.
- H. No manufactured/mobile home shall be stored on any lot or parcel in Maple Forest Township.

Section 3.10 Recreational Vehicles

(Amended 7/10/23; Effective 7/28/23)

A. Storage of Recreational Vehicles.

In all districts, recreational vehicles may be stored on a lot or parcel of land containing a dwelling unit subject to the following conditions:

1. Lots Containing a Dwelling Unit.

- a. The recreational vehicle shall carry valid state license plates.
- b. One (1) recreational vehicle may be stored in a rear or side yard of a lot containing a permanent dwelling, provided the yard setback requirements are met.
- c. The recreational vehicle is not connected to water and sewer services.
- d. The unit is not used for dwelling purposes.

2. Vacant Lots. The open storage of a recreational vehicle shall not occur on vacant or unimproved property, except as provided in [subsection B](#).

3. Vacant Lots which Contain a Storage Building but no Dwelling Unit. On lots which contain a storage building but no dwelling unit, all recreational vehicles shall be stored within a completely enclosed storage building. No open storage of recreational vehicles shall occur.

B. Occupancy of Recreational Vehicles on Vacant Property.

Overnight camping on private property without a dwelling unit shall be an allowable use in all districts provided the recreational vehicle shall occupy such a lot for not more than a total of ninety (90) days in a calendar year, subject to the following conditions: *(Amended 12/9/24; Effective 12/26/24)*

- 1. Yard setback requirements for the district where the unit is located shall be met.

2. Sanitation facilities must meet the requirements of and be approved by the [District Health Department](#).
3. The recreational vehicle shall carry valid state license plates.

Section 3.11 Temporary Dwelling Occupancy

- A. During construction or repair of a permanent dwelling, temporary dwellings such as basement-dwellings, cellar-dwellings, garage-houses, tents, campers, travel trailers, recreational vehicles, manufactured/mobile homes, or other temporary structures may hereafter be erected or moved upon any premises and used for dwelling purposes provided they comply the following conditions:
 1. The location of the temporary dwelling shall conform to the provisions governing yard requirements of standard dwellings in the district where located. The Zoning Administrator shall have the authority to reduce setback requirements where complying with setbacks is not possible or would cause undue hardship.
 2. The use of the temporary dwelling shall be for the sole purpose of providing dwelling facilities for the owner of the premises during the period in which a dwelling conforming to the provisions of this Ordinance is in process of erection and completion or repair, but not to exceed twelve (12) months. One (1) additional twelve (12) month extension may be obtained from the Zoning Administrator beginning with the date of issuance of the zoning permit. The temporary dwelling shall be removed within thirty (30) days of completion of construction or repair of a dwelling complying with the requirements of this Ordinance unless the temporary dwelling is a recreational vehicle which is remaining on the parcel for recreational purposes.
 3. Installation of septic system and water well shall be constructed and maintained in accordance with the standards of materials and installation recommended by [District Health Department](#), and shall precede occupancy of the temporary dwelling.
 4. No annexes shall be added to temporary dwellings.
 5. Manufactured/mobile homes used as temporary dwellings under this Section shall not be required to comply with [Section 3.09](#) (A, B, C, and F).
- B. No zoning permit is required for a temporary dwelling.

Section 3.12 Construction Debris & Temporary Buildings

- A. Mobile homes, manufactured homes, travel trailers, and motor homes may be used as a temporary contractor's office and/or equipment shed in any district when in connection with a construction project and authorized by the Zoning Administrator.

1 Purpose & Authority

2 Definitions

3 General Provisions

4 District Regulations

5 Site Plans & Plot Plans

6 Special Use Review

7 Supplemental Regulations

8 Zoning Board of Appeals

9 Administration & Enforcement

10 Adoption & Amendments

- B. All construction debris shall be removed from the site within thirty (30) days after the completion or abandonment of the work. Failure or refusal to remove construction debris within thirty (30) days after the completion or abandonment of work constitutes a violation of this Ordinance. A six (6) month extension may be granted by the Zoning Administrator.

Section 3.13 Nonconformities

A. General.

It is recognized that, within the districts established by this Ordinance and subsequent amendments, there are lots, structures, and uses of land which were lawful before this Ordinance was passed or amended which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendments. It is the intent of this Ordinance to permit legal nonconforming lots, structures, or uses to continue until they are removed.

1. **Buildings Under Construction.** Nothing in this Ordinance shall require any change in the erection or an intended use of a building or structure, which is nonconforming under this Ordinance, for which zoning permit and/or Special Use permit has been issued prior to the adoption of this Ordinance.
2. **Elimination of Nonconformities.** The existence of nonconforming uses and structures is hereby declared to be contrary to the best interests of the community and it is hereby declared to be the policy of the Township as expressed in this Ordinance to discontinue nonconformities in the course of time, as circumstances permit, having due regard for the rights of all parties concerned. In order to accomplish the elimination of those nonconforming uses and structures which constitute a nuisance or are detrimental to the public health and general welfare, the Township, pursuant to Section 208 (3) and (4) of [2006 PA 110, as amended \(Michigan Zoning Enabling Act, being MCL 125.3208\)](#) may acquire, by purchase, condemnation, or otherwise, private property for the removal of nonconforming uses and structures provided, however, that such property shall not be used for public housing. The Township Board may, in its discretion, provide that the cost and expense of acquiring such private property be paid from general funds or the cost and expense or any portion thereof be assessed to a special district.
3. **Change in Tenancy or Ownership.** There may be a change of tenancy, ownership, or management of any existing nonconforming uses or of nonconforming structures which does not alter the nonconforming status.

B. Nonconforming Lots of Record.

1. In any district, principal buildings and customary accessory buildings may be erected on any nonconforming lot of record, provided a permit for construction of a well and septic system is granted by the [District Health Department](#) and can meet district regulations. If district setbacks cannot be met, a variance may be required.

2. If two (2) or more contiguous lots, parcels, or portions of lots or parcels are under the same ownership and do not individually meet the lot width, depth, and/or area requirements of this Ordinance, then those contiguous lots, parcels, or portions of lots or parcels shall be considered an undivided lot or parcel for the purposes of this Ordinance, and no portion of such undivided lot or parcel shall be used or divided in a manner that diminishes compliance with the lot width, depth, and/or area requirements established by this Ordinance.
3. **Creation of Nonconforming Lots or Parcels.** No lot area and no yard, court, parking areas, or other required space shall be divided, altered, reduced, or diminished as to make area or dimension less than the minimum required under this Ordinance, except where such reduction or expansion has been brought about by the expansion or acquisition of public right-of-ways for a street, road, or highway. If a required area is already less than the minimum required under this Ordinance, said area or dimension shall not be further divided or reduced.

C. **Nonconforming Uses.**

1. **Continued Use.** The provisions of this Ordinance shall not impact the continuance of any nonconforming use, which was lawful and existing on the adoption date of this Ordinance.
2. **Expansion or Enlargement of a Nonconforming Use.** Nonconforming uses of land shall not be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date of this Ordinance nor shall the use be moved in whole or in part to any other portion of the parcel occupied except as outlined below. Although it is the intent of this Ordinance to restrict the expansion and perpetuation of nonconforming uses, the Planning Commission, subject to a Hearing, may allow an expansion, enlargement, or relocation on the parcel provided that it is shown that such extension, enlargement, or relocation:
 - a. Will not reduce the value or otherwise limit the lawful use of adjacent premises.
 - b. Will essentially retain the character and environment of abutting premises.
 - c. Will not cause, perpetuate or materially increase any nuisance aspects of the use upon adjacent uses (such as noise, glare, traffic congestion, or land over-crowding).
3. **Destruction of a Nonconforming Use.** Should such structure be damaged or destroyed by any means, it may be reconstructed and used for the same purpose as was existing prior to the destruction.
4. **Change to Another Nonconforming Use.** Any nonconforming use may be changed to another nonconforming use provided that the proposed use is equally or more appropriate to the district than the legally existing nonconforming use. The Planning Commission shall have the power, upon written request from the property owner or Zoning Administrator, to determine if a proposed use is equally or more appropriate than the legally existing nonconforming use for the given district. In making its determination, the Planning Commission shall consider characteristics

and impacts of the proposed use in relation to the impacts of the existing nonconforming use, including impacts to public services, traffic, noise, smoke, fumes, odors, and the accumulation of scrap materials visible from roads and/or adjacent properties.

5. **Nonconforming Use Superseded by a Permitted Use.** 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 thereafter be resumed. Changes in tenancy and ownership of nonconforming premises is permissible.
6. **Abandonment of Nonconforming Use.** If a property owner has an intent to abandon a nonconforming use and in fact abandons this nonconforming use for a period of one (1) year, then any subsequent use of the property or structure shall conform to the requirements of this Ordinance. When determining the intent of the property owners to abandon a nonconforming use, the Zoning Administrator shall consider the following factors:
 - a. Whether utilities, such as water, gas, and electricity to the property have been disconnected.
 - b. Whether the property, buildings, and grounds have fallen into disrepair.
 - c. Whether signs or other indications of the existence of the nonconforming use have been removed.
 - d. Whether equipment or fixtures necessary for the operations of the nonconforming use have been removed.
 - e. Other information or actions that evidence an intention on the part of the property owner to abandon the nonconforming use or structure.

D. Nonconforming Structures.

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under terms of this Ordinance by reason of restrictions on area, lot coverage, height, setbacks, or other characteristics of the structure or its location on the lot, such structure may be continued as long as it remains otherwise lawful, subject to the following provisions:

1. **Alteration.** No such structure may be enlarged or altered in a way which increases its nonconformity.
2. **Destruction.** Should such structure be destroyed by any means to an extent of more than seventy-five (75%) percent of the usable cubic space or floor area of the principal structure, it shall not be reconstructed except in conformity with the provisions of this Ordinance.

3. **Re-Location.** Should such structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the setback regulations for the district in which it is located after it is moved unless a variance is granted by the Zoning Board of Appeals.

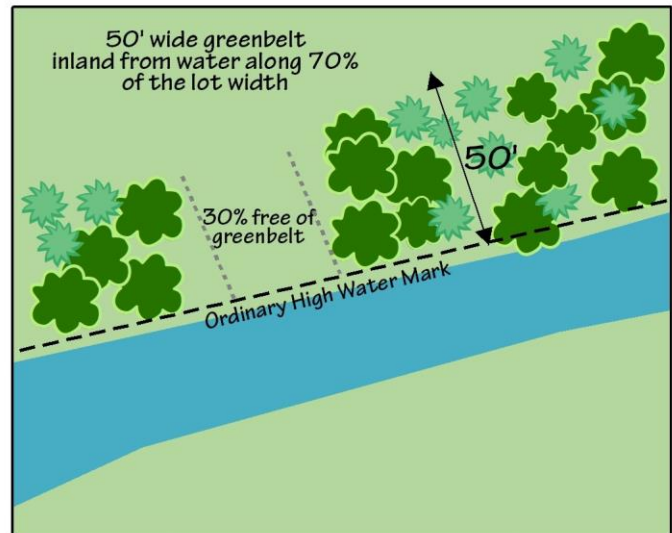
E. Repairs and Maintenance.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any nonconforming building, any building used for a nonconforming use, or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 3.14 Waterfront Greenbelt

To preserve natural resources, water quality, and community scenic and recreational values, a greenbelt no less than fifty (50') feet in width as measured from the ordinary high water mark of a lake or stream be established and maintained on all waterfront lots. Bradford Creek, downstream from the outfall of Big Bradford Lake, and the East Branch of the Au Sable River have special designation under [Part 305 \(Natural Rivers\) of 1994 PA 451, the Natural Resources and Environmental Protection Act](#), as amended. Properties adjacent to these streams shall comply with additional regulations found in [Section 4.14: Stream Corridor Overlay District](#). Within the greenbelt area, the following development or use restrictions shall apply:

- A. At least seventy (70%) percent of the lot width at the water line shall be kept in natural vegetation; either trees, shrubs, herbaceous plants or un-mowed grass.
- B. No structures will be permitted in the greenbelt except those related to use of the water such as boat launches, docks, or boathouses.
- C. No burning of leaves or stockpiling of grass, leaves, or compost is allowed in the greenbelt.
- D. Setbacks for septic systems must meet minimum requirements set by the [District Health Department](#).
- E. No dredging or filling can occur in the greenbelt without a Soil Erosion and Sediment Control Permit, and applicable permits from the [State of Michigan](#).
- F. Greenbelt shall be shown on the plot plan filed with the Zoning Administrator or on the site plan.



Section 3.15 Waterfront Setback

To provide minimum setback standards in the Zoning Ordinance and to protect surface water resources and flood plains from adverse construction or alteration the measures are deemed necessary in order to:

- Avoid structural encroachment of the natural waters and waterways, except uses traditionally depending upon direct water access.
 - Promote high water quality through encouragement of an undisturbed natural area to trap nutrients and sediment from entering natural waters and prevent erosion.
 - Protect the natural environment of streams and lakes for wildlife habitat purposes and to preserve, to the extent practical, the natural image of landscapes.
- A. Except for Bradford Creek and the East Branch of the Au Sable River as designated under **Part 305 (Natural Rivers) of 1994 PA 451, the Natural Resources and Environmental Protection Act**, as amended, any property which borders on or contains a natural river, stream, pond, or lake, which is identifiable on the U.S. Geological Survey Maps (of the 7' or 15' quadrangle series) of Maple Forest Township, shall be subject to waterfront setbacks for buildings and uses, as follows:
1. No fill or permanent construction shall occur in any floodway appurtenant to a natural river, stream, pond, or lake, which is identifiable on U.S. Geological Survey Maps of the 7' or 15' quadrangle series, and further identified as an area that is prone to annual flooding, i.e. a natural storage basin during high water levels. Fill can be approved if accomplished in such a way as to not reduce or diminish the water holding capacity of the natural floodway, and that such is documented by a Registered Professional Engineer or similarly qualified professional.
 2. Permanent structures, parking lots, and other impervious surfaces, except boat docks, boat slips, ramps, marinas, or other water-dependent uses, shall observe a minimum setback of seventy-five (75') feet from the documented 1986 High Water Mark in all Districts. Except for a potential interference in floodways, the setbacks of this subsection shall not apply to drains or intermittent streams. An intermittent stream is one which holds water at some time during each year, but for not more than eight (8) months.
 3. Ground decking and patios without railings and which are less than eighteen (18") inches above the natural grade at the deck building line may extend into the setback area listed in subsection 2 above, but not nearer to the shoreline than fifty (50') feet. Railed decks and enclosed patios over eighteen (18") inches high shall observe the setback lines for principal buildings, in the applicable zoning district. Walkways and pathways, if not wider than six (6') feet, and if perpendicular to the shoreline, are not restricted by this Section.

B. Natural Rivers Act.

Bradford Creek, downstream from the outfall of Big Bradford Lake, and the East Branch of the Au Sable

River have special designation under [Part 305 \(Natural Rivers\) of 1994 PA 451, the Natural Resources and Environmental Protection Act](#), as amended. Properties adjacent to shall comply with additional regulations found in [Section 4.14 Stream Corridor Overlay District](#).

C. Other Environmental Rules.

Any filling or construction within flood plains, wetlands, or other environmental areas protected by state law or other laws shall require appropriate permits from the government unit or agency having jurisdiction.

Section 3.16 Outdoor Lighting

A. Purpose.

The purpose of outdoor lighting standards is to create and maintain safe nighttime environments for both pedestrians and drivers on public roadways and right-of-ways by minimizing brightly lighted surfaces and lighting glare; to preserve the restful quality of nighttime by eliminating intrusive, artificial light and lighting that unnecessarily contributes to “sky glow”; and to reduce light pollution from lighting luminaries and light trespass onto adjacent properties. The following requirements shall be considered in the review of all site plans submitted for approval under the terms of this Zoning Ordinance. Lighting that does not conform to this Section shall be considered a nuisance.

B. Standards.

1. All outdoor lighting, whether for illuminating sites, parking areas, buildings, signs, and/or other structures shall be shielded, shaded, designed, and/or directed away from all adjacent districts and uses; and further shall not glare upon or interfere with persons and vehicles using public streets.
2. Lighting fixtures are to be of the full cut-off design with horizontally aligned flush-mounted (non-protruding) lens, directing light on-site only, and no more than twenty (20') feet in height. The Planning Commission may permit taller or require shorter fixtures only when the Commission determines that unique conditions exist and where a waiver would:
 - a. Reduce the number or size of light fixtures;
 - b. Not adversely impact neighboring properties; and
 - c. Permit fixtures in proportion to height and bulk of nearby buildings and other fixtures.
3. **Upward Directional Lighting.** All lighting used for the external illumination of buildings and flags may direct lights in an upward direction so as to feature said buildings and flags. Such lights shall be placed and shielded so as not to interfere with the vision of persons on adjacent streets or adjacent property.

4. All illumination of any outdoor feature shall not be of a flashing, moving, or intermittent type. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use. Beacon, strobe, and search lights are not permitted.
5. No colored lights shall be used at any location where they may be confused with or construed as traffic control devices.
6. Ceiling lights in gas pump island canopies shall be recessed.
7. **Exempted Areas and Types.** The following types of outdoor lighting shall not be covered by this Section:
 - a. Special seasonal lights such as Christmas decorations.
 - b. Lights located within the public right-of-way or easement.
 - c. Temporary lighting needed for emergency services or to perform nighttime road construction on major thoroughfares.
 - d. Temporary lighting for civic activities, fairs, or carnivals provided the lighting is temporary.
 - e. Lighting required by the [Federal Communications Commission](#), [Federal Aviation Administration](#), [Federal Occupational Safety and Health Administration](#), or other applicable federal or state agencies.
 - f. Lighting for recreational facilities shall conform to the requirements set forth in the most current edition of the [Illuminating Engineering Society of North America](#) (IESNA) RP-6 Recommended Practice for Sports and Recreational Area Lighting and the IESNA Lighting Handbook.

Section 3.17 Fences

For the purposes of this Section, the term “fence” shall also include “wall” which serves the same purpose as a fence.

A. General Regulations.

1. **Permit.** Fences DO NOT require a zoning permit.
2. **Hazards.** No fence shall be approved which constitutes a fire hazard either of itself or in connection with the existing structures in the vicinity, nor which will interfere with access by the Fire Department in case of fire to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians.

3. **Electric/Barbed Wire.** Fences in any platted subdivision or site condominium development shall not contain barbed wire or be electrified.
4. **Fences for Screening.** Fences used to separate residential uses from non-residential uses shall follow the regulations in [Section 3.18](#).
5. **Corner Clearance.** Fences, walls, or hedges shall not obstruct sight distances needed for safe vehicular traffic, nor create a hazard to traffic or pedestrians.
6. **Finished Side of Fence.** The “finished” side of the fence shall be the side facing a street right-of-way or facing property other than the property of the fence owner. The fence posts and horizontal/vertical supports shall face the side of the fence owner.
7. **Materials.** Fence materials may include materials specifically designed for fence construction. Scrap lumber, plywood, woven wire (except for agricultural purposes), sheet metal, plastic or fiberglass sheets, old signage, old doors, pallets, or other materials not specifically designed for fence construction are prohibited.
8. **Property Line Determination.** In the installation of any fence, the property owner is responsible for the location of property lines and should obtain a professional survey if necessary to determine accurate property lines. Maple Forest Township shall not be held responsible for any property line or fence disputes between adjacent property owners.

B. Location and Size Regulations for Fences.

1. Unless specifically provided for by other provisions in this Ordinance, fences, walls, or hedges may be permitted on any property in any District.
2. **Height.** A fence or hedge shall not exceed a height of eight (8') feet.
3. **Front Setback.** Fences or hedges shall be no closer than five (5') feet to the front property line or road right-of-way.
4. **Side and Rear Setback.** Fences may be located on the lot line in the side or rear yards, with a joint application signed by both property owners. If a joint application is not filed, the fence must be set back at least five (5) feet from the property line, to provide adequate space for fence maintenance.
5. **Waterfront.** Where a lot borders a lake or stream or has lake views, fencing shall not be constructed on the waterfront side within the required seventy-five (75') foot waterfront setback. Fences shall not exceed four (4') feet in height in the waterfront yard.

6. **Swimming Pools.** Yard areas with private pools are to be fenced to discourage unsupervised access and use by small children. Such fencing is to be a minimum of four (4') feet high and equipped with a self-closing and self-latching gate. Latching devices are to be located at a minimum height of four (4') feet. Such fencing may be omitted where building walls without doorways about the pool area.

Section 3.18 Landscaping & Buffering/Screening

It is the intent of this Section to require site landscaping, landscape screening to minimize visual impacts of development along major highway corridors (I-75) and to provide screening between residential and non-residential uses, and to provide for landscaping within parking lots. In addition, the intent is to preserve and enhance the aesthetic qualities, character, privacy, and land use values along major highway corridors (I-75).

A. Application.

These requirements shall apply to all uses for which site plan review is required under [Section 5.1](#) of the Zoning Ordinance. No site plan shall be approved unless the site plan shows landscaping, greenbelt buffers, and screening consistent with the requirements set forth in this Ordinance. Screening is the enclosure of an area by a visual barrier, which may include a landscape buffer, solid fencing, or other materials.

B. Landscape Plan Required.

A separate detailed landscape plan shall be submitted as part of a site plan review. The landscape plan shall include, but not necessarily be limited to, the following items:

1. Location, spacing, size, and root type [bare root (BR) or balled and burlaped (BB)] and descriptions for each plant type proposed for use within the required landscape area.
2. Minimum scale: 1" = 100' (same scale as required for site plan).
3. Existing and proposed contours on-site and one hundred fifty (150') feet beyond the site at intervals not to exceed two (2') feet.
4. Typical straight cross-section including slope, height, and width of berms and type of ground cover, or height and type of construction of wall or fence, including footings.
5. Significant construction details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain natural drainage patterns.
6. Planting and staking details in either text or drawing form to ensure proper installation and establishment of proposed plant materials.

7. Identification of existing trees and vegetative cover to be preserved.
8. Identification of grass and other ground cover and method of planting.
9. Identification of landscape maintenance program including statement that all diseased, damaged, or dead materials shall be replaced in accordance with standards of this ordinance.

C. Parking Lot Landscaping.

1. Separate landscaped areas shall be required either within or at the perimeter of parking lots. There shall be one (1) tree for every eight (8) parking spaces, with minimum landscaped space within a designated parking area of fifty (50 ft²) square feet. A minimum distance of three (3') feet shall be established between proposed tree or shrub plantings and the backside of the curb or edge of the pavement.
2. Individual landscaped areas shall be a minimum of eighteen (18') feet wide and three hundred twenty-four (324 ft²) square feet in area.
3. Individual landscaped areas shall be wider than fifteen (15') feet, where necessary, to accommodate snow removal without plant damage.
4. Parking lot landscaping shall be so designed to provide directional guidance to drives, including ingress, egress, and interior circulation.

D. Highway Landscape Buffers.

1. A strip of land with a minimum width determined by the front yard setback of its zoning classification shall be located between the abutting right-of-way of a public street, freeway, or major thoroughfare, and shall be landscaped with a minimum of one (1) tree not less than twelve (12') feet in height or a minimum caliper of two and one-half (2 ½") inches (whichever is greater at the time of planting) for each thirty (30') lineal feet, or major portion thereof, of frontage abutting said right-of-way. The remainder of the buffer shall be landscaped in grass, ground cover, shrubs, and/or other natural, living, landscape material. The area along the roadway proposed to be grassed shall be minimized and directly related to the necessity, if any, for an ornamental landscape character.
2. Access ways from public rights-of-way through required landscape strips shall be permitted, but such access ways shall not be subtracted from the lineal dimension used to determine the minimum number of trees required unless the calculation would result in a violation of the spacing requirement set forth in this Section.

E. Site Landscaping.

1. In addition to any landscape areas and/or parking lot landscaping required by this Ordinance, at least ten (10%) percent of the site area shall be landscaped.
2. Areas used for storm drainage purposes, such as unfenced drainage courses or retention areas in front or side yards, may be included as a portion of the required landscaped area not to exceed five (5%) percent of the site area.

F. General Landscape Development Standards.

1. Minimum Plant Material Standards.

- a. All plant material shall be hardy to Crawford County, free of disease and insects, and conform to the standards of the American Association of Nurserymen.
- b. All plant materials shall be installed in such a manner so as not to alter drainage patterns on-site or adjacent properties or obstruct vision for reasons of safety, ingress, or egress.
- c. All plant material shall be planted in a manner so as to not cause damage to utility lines (above and below ground) and public roadways.
- d. Minimum plant sizes at time of installation:

Deciduous Canopy Trees	2 ½" caliper
Deciduous Ornamental Trees:	2" caliper
Evergreen Tree:	6' height
Deciduous Shrub:	2' height
Upright Evergreen Shrub:	2' height
Spreading Evergreen Shrub:	18" – 24" spread

- e. Existing plant material, which complies with the standards and intent of this Ordinance, as determined by the Zoning Administrator, shall be credited toward meeting the landscape requirements.
- f. The plant material shall achieve its horizontal and vertical screening effect within one (1) year of initial installation.
- g. The overall landscape plan shall not contain more than thirty-three (33%) percent of any one (1) plant species.
- h. The following trees are not permitted to be planted in required landscape areas as they split easily, their wood is brittle and breaks easily, their roots clog drains and sewers, and they are unusually susceptible to disease or insect pests:

Common Name
Boxelder

Horticultural Name
Acer Negundo

Ginkgo	Ginkgo Biloba (female only)
Honey Locust	Gleditsia Triacanthos (with thorns)
Mulberry	Morus Species
Poplars	Populus Species
Black Locust	Robinia species
Willows	Salix Species
American Elm	Ulmus Americana
Siberian Elm	U. Pumila
Slippery Elm: Red Elm	U. Rubra
Chinese Elm	U. Parvifolia

2. Minimum Standard for Berms.

- a. Berms shall be constructed so as to maintain a side slope not to exceed a one (1') foot rise to a three (3') feet run ratio.
- b. Berms not containing planting beds shall be covered with grass or living groundcover maintained in a healthy growing condition.
- c. Berms shall be constructed in a way that does not alter drainage patterns on-site or adjacent properties or obstruct vision for reasons of safety, ingress or egress.
- d. If a berm is constructed with a retaining wall or by terracing, the earthen slope shall face the exterior of the site.
- e. Berms shall be constructed of landscaping material acceptable to the Planning Commission. Berms shall not contain construction material/debris, garbage, junk, or other debris not typically used as landscaping material.

G. Screening.

Whenever a nonresidential use abuts a residential district or use, there shall be provided and maintained, on each side and the rear of the property abutting or adjacent to a residential use of property or a residential district, an obscuring fence, wall, vegetative buffer, or a combination thereof which shall be no less than six (6') feet in height. Required screening may be interrupted to provide reasonable pedestrian, bicycle, or vehicular access to a property from a public right-of-way. The Planning Commission may waive these screening requirements whenever the use, storage area, etc. is more than four hundred (400') feet from an adjacent residential district boundary or residential use.

1. **Screening Fences and Walls.** Solid fences, walls, chain link, or other wire fence utilizing metal, plastic, or wood slats shall be considered an obscuring fence or wall for the purpose of this Ordinance. The construction of a fence or wall in combination with a berm to achieve the required height standards for screening purposes may also be approved.

2. **Vegetative Buffer Strip.** The Township may, in its review of site plans for specific uses, allow or require the provision of a vegetative buffer strip consisting of trees and shrubs alone or in addition to a fence or wall or berm to serve as a screen where such screens are required under this Ordinance or where conditions are such that a more effective and harmonious development with abutting or neighboring land uses would result.
 - a. The selection, spacing, size, and type of plant material shall be such as to create a horizontal obscuring effect for the entire length of the required screening area and a vertical obscuring effect, of such height and width as is determined adequate by the Planning Commission, for proper screening between land uses.
 - b. The relationship between deciduous and evergreen plant materials shall insure that a maximum obscuring effect will be maintained throughout the various seasonal periods.

H. Installation and Maintenance.

1. All landscaping and landscape elements shall be planted, and earth moving or grading performed, in a sound workman-like manner and according to accepted good planting and grading procedures.
2. The owner of property required to be landscaped by this Ordinance shall maintain such landscaping in a reasonably healthy condition, free from refuse and debris. All unhealthy and dead material shall be replaced within one (1) year of damage or death or the next appropriate planting period, whichever comes first. All landscaped areas shall be provided with a readily available and acceptable water supply.

I. Waiver.

The Planning Commission may waive or modify or waive any requirements in this Section where cause can be shown that no good purpose would be served with conformance to this Section and that:

1. Granting the modification or waiver will not cause a substantially adverse effect on neighboring properties and will not produce nuisance conditions to occupants of nearby properties.
2. Granting the modification or waiver will not otherwise impair the public health, safety, and general welfare of the residents.
3. Granting the modification or waiver will uphold the spirit and intent of this Ordinance.

Section 3.19 Groundwater Protection

These provisions apply to persons, businesses, or entities that use, generate, or store hazardous substances in quantities greater than twenty-five (25) gallons or two hundred twenty (220) pounds per month.

- A. Sites at which hazardous substances and polluting material are stored, used, or generated shall be designed to prevent spills and discharges to the air, surface of the ground, groundwater, surface water, and wetlands.
- B. Secondary containment for aboveground areas where hazardous substances and polluting materials are stored or used shall be provided and maintained. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance.
- C. General purpose floor drains shall be allowed only if they are connected to a public sewer system, an on-site holding tank, or a system authorized through a state groundwater discharge permit.
- D. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport, and disposal of hazardous substances and polluting materials shall be met. No discharges to groundwater, including direct and indirect discharges, shall be allowed without required permits and approvals.
- E. The Planning Commission may require a performance bond or similar assurance for safeguards prior to approval. The Planning Commission may require site plan review at five-year intervals.

Section 3.20 Hazardous Substances

- A. All toxic wastes or hazardous substances shall be disposed of in accordance with all state or federal laws, rules, and regulations governing the disposal of specific toxic substances.
- B. The dumping of nuclear wastes shall not be allowed within Maple Forest Township, except as permitted by [1978 PA 113](#), as amended (Radioactive Waste, being MCL 325.491 et. seq.).

Section 3.21 Excavation or Holes

The construction, maintenance, or existence of unprotected or unbarricaded holes, pits, wells, building pads, or similar excavations which cause, or are likely to cause, a danger to life, health, and safety to the general public shall be prohibited. This Section shall not, however, prevent any excavation which is required for the construction, remodeling, or expansion of structures, or industrial or farming operations, provided appropriate precautionary measures, such as the placement of warning signs, fences, etc., have been placed on the premises. Nothing in this Section shall apply to bodies of water, ditches, streams, or other major natural resources created or existing by the authority of the State of Michigan, Crawford County, Maple Forest Township, or other units of government. Excavation resulting from the extraction of sand, gravel, or other minerals for commercial purposes shall be required, upon termination of such activities, to be graded and returned, as near as possible, to its natural state, including planting of vegetation indigenous to the area.

Section 3.22 Dumping & Storage of Material/Waste**A. Storage, Dumping of Waste, Junk, etc.**

1. The use of land or water resources for the storage, collection, or accumulation of used construction materials or for the dumping or disposal of scrap iron, metal, rubber, plastic refuse, junk, salvage material, slag, or ash (except for those properly sealed or adequately concealed organic materials discharged in the performance of farming activities on the same lot or parcel on which the premises are located) must conform to state and federal legislation pertaining to dumping of waste materials. Such dumping or disposal shall not negatively affect the water table, nor cause pollution of stagnant or running water in any area of the Township so as to create health or safety problems to the natural environment and the inhabitants of the Township, nor shall the natural terrain be altered in any fashion to create safety or health hazards, or substantially alter the character of the land so as to make it unusable for the uses for which it was originally zoned nor create olfactory or visual pollution.
2. **Junk and Salvage Material Storage (not in junkyards).** Junk storage and salvage materials shall be located within a completely enclosed building. Any open storage yards or areas shall be entirely enclosed by an obscuring eight (8') foot wall, fence, or greenbelt, and no salvage yard facilities shall be nearer to the exterior boundary of the lot than one-hundred (100') feet

B. Temporary Storage of Used Materials.

The temporary storage, collection, or placing of used or discarded materials such as lumber, scrap iron, slag, ashes, or other such matter shall be allowed only after a permit is issued by the Zoning Administrator stating the conditions under which such activity shall be performed. The Zoning Administrator shall require the removal of such materials from districts in which said materials are illegally stored or placed. Such removal shall take place within thirty (30) days after written notice is sent by the Zoning Administrator to the person or persons responsible for said storage, notifying them of the violation and stating the date on which such materials must be removed from the premises, and/or the date, time, and place the individual may appear before the Planning Commission to request a Special Use permit for such storage.

Section 3.23 Performance Standards**A. Smoke and Air Contaminants.**

It shall be unlawful for any person, firm, or corporation to permit the emission of any smoke or air contaminant in violation of air quality standards adopted by federal and/or state regulatory authorities.

B. Drifted or Blown Material.

Property owners shall take appropriate measures to ensure the prevention of drifting of airborne particles or debris beyond their lot lines. Any such activity shall be promptly abated upon notification by the Township. During times of stockpiling or removal, excavation or grading, those measures, necessary and practical (dampening, etc.), will be taken to minimize the blowing and drifting of material.

C. Odors.

Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonably with the comfort of the public shall be removed, stopped, or so modified as to remove the odor. The provisions of this Section are not intended to apply to farming activities.

1. For new facilities (commercial or industrial), the most recent technologies shall be utilized to reduce odors, as part of or in addition to any conditions included in state and/or federal regulatory agency air/water quality permit(s). As part of the Zoning Permit review, the applicant shall demonstrate that all measures technologically available and financially viable to mitigate the emission of noxious odors will be incorporated into the design of the facility.
2. For existing commercial and industrial facilities, odors resulting from the production process that are within the limits established by state and/or federal regulatory agencies in approved permits shall not be considered in violation of this Ordinance. This does not exempt any business from the responsibility to take all necessary technologically feasible and financially viable measures to reduce such odors, and to comply to with any new standards required as part of a renewed or new state and/or federal regulatory agency environmental permits.

D. Gases.

The escape or emission of any gas which is injurious or destructive, harmful to person or property, or explosive shall be unlawful and shall be abated.

E. Electrical Disturbance, Electromagnetic, or Radio Frequency Interference.

No use shall create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance, or cause, create, or contribute to the interference with electronic signals (including television and radio broadcasting transmission) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.

F. Glare and Heat.

Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot line, except during the period of construction of the facilities to be used and occupied.

G. Noise.

Noise shall be subject to the [Maple Forest Township Noise Ordinance](#).

H. Vibration.

All machinery shall be so mounted and operated that vibration from sound or noise at any lot line shall not be so intrusive as to interfere with normal daily activities in adjoining land uses. Vibrations resulting from temporary construction activity shall be exempt from the requirements of this Section.

Section 3.24 Pets & Livestock

- A. **Pets.** Domestic household pets, including dogs, cats, birds, and fish, but not including poisonous or dangerous reptiles, wild or dangerous animals may be kept as an accessory residential use on any premises without a permit.
- B. **Hobby Farms.** The following shall apply to the keeping of animals and livestock but does not apply to commercial farms or chickens, ducks, and geese: Except for the individual pets, the raising and keeping of animals and livestock are permitted at the rate of one (1) on a minimum of three (3) acres for the first animal and one (1) acre for each additional animal in the RC, FF, RR, and LDR. Such animals shall not be kept closer than seventy-five (75') feet from an existing neighboring residential structure and shall be properly fenced so as not to be a public nuisance. All fenced animal areas adjacent to residential zoned or used properties shall additionally comply with the district setback requirements.
- C. **Chickens, Ducks, and Geese.**

Chickens, ducks, or geese may be kept on lots which are which are classified as Category 4 sites by the [Michigan Department of Agriculture and Rural Development's "GAAMP for Site Selection and Odor Control for New and Expanding Livestock Facilities"](#) as a permitted use (no zoning permit is required) according to the following conditions:

1. Roosters are prohibited.
2. Chickens, ducks or geese must be kept in and confined in a properly designed and constructed coop or a fenced and covered enclosure, which may be located only in the rear yard of the property.
3. Each fenced and covered enclosure shall be designed with adequate yard space for each bird, and the coop and the fenced and covered enclosure combined shall not cover more than fifty (50%) percent of the rear yard. Enclosures must be clean and resistant to predators and rodents.
4. Enclosures shall be located at least twenty-five (25') feet from any dwelling on a neighboring parcel.

5. No chickens, ducks, or geese shall be kept on parcels with more than one (1) dwelling.

Section 3.25 Yard, Garage, & Rummage Sales

Notwithstanding other provisions of this Ordinance, yard, rummage, and garage sales shall be permitted in any Zoning District where single-family residential use is allowed. However, allowable sales shall be limited to not more than three (3) sales per year of a maximum four (4) days duration each. Sale items shall be limited to general household goods and clothing. No zoning permit is required.

Section 3.26 Parking & Loading Space Requirements

There shall be provided in all districts at the time of erection or enlargement of any principal building, 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 prescribed.

A. Parking Requirements.

1. **Compliance Required.** Off-street parking and loading provisions of this Section shall apply to the following:
 - a. **New Construction.** For all buildings and structures erected and all uses of land established after the effective date of this Ordinance.
 - b. **Enlargement.** Whenever a building is expanded to increase its usable floor area.
 - c. **Change in Use.** Whenever the use of a building or portion of a building is changed to accommodate a use requiring more parking than the former use.
 - d. **Parking Area Construction and Expansion.** Normal maintenance, such as re-grading of gravel parking areas or the addition of top coat or sealer to existing paved parking areas, will not trigger full off-street parking compliance; however, pulverizing an existing asphalt, concrete, or other paved parking surface or the outright removal or substantial modification of the paved surface in preparation for paving, shall, for the purposes of this Section, be considered a new parking area.
 - e. Regulations pertaining to off-street parking shall not apply to buildings in existence at the time of adoption of this Ordinance unless a through d (above) apply.
2. **Location.** Off-street parking for other than residential use shall be either on the same lot or within three hundred (300') feet of the building it is intended to serve, measured from the nearest

point of the building to the nearest point of the off-street parking lot. Ownership shall be shown on all lots or parcels intended for use as parking by the applicant.

3. **Parking for Single-Family and Two-Family Dwellings.** Residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage, carport, or combination thereof, and shall be located on the premises they are intended to serve. Structures are subject to the provisions of **Section 3.07 - Accessory Buildings**. Driveways to a residential structure in any district shall be subject to the side setback requirements of the district.
4. **Parking Shall Remain Unchanged.** Any area designated as required off-street parking shall never be changed to any other use unless and until equal facilities meeting the standards of this Section are provided and approved elsewhere, or the parking requirements of the site are changed and such changes are approved pursuant to the provisions of this Ordinance.
5. **Parking Shall Not Be Reduced.** Off-street parking existing at the effective date of this Ordinance, in connection with the operation of an existing building or use, shall not be reduced to an amount less than required for a similar new building or new use.
6. **Collective Parking.** Two (2) or more buildings or uses may collectively provide the required off-street parking. The required number of parking spaces for the individual uses may be reduced by up to twenty-five (25%) percent if a signed agreement is provided by the property owners. Such parking requirements shall bind future owners of parcels and shall be recorded with the [Register of Deeds](#) office.
7. **Shared Parking.** Joint use of the same parking area may be permitted for two (2) or more uses located on the same, adjacent, or nearby parcels provided that the developer or owner demonstrates to the satisfaction of the Township that the uses will not overlap in hours of operation or in demand for shared spaces. Shared parking shall contain enough parking spaces to satisfy the parking requirements for the use requiring the largest number of spaces. The owners of all parcels used for or making use of shared parking areas shall record a commitment stating that the uses will not overlap in hours of operation or in demand for shared spaces. The commitment shall be binding on future owners of the property(ies) and shall be recorded with the [Register of Deeds](#) office.
8. **Parking Deferment.** Where the property owner can demonstrate that the required amount of parking is excessive, the Planning Commission may approve a smaller parking area. An area of sufficient size to meet the parking space requirements of this Section shall be retained as open space, and the owner shall agree to construct the additional parking at the direction of the Planning Commission based on observed usage within six (6) months of being informed of such request in writing by the Zoning Administrator. The site plan shall note the area where parking is being deferred, including dimensions and dotted parking lot layout. Any required landscaping placed in this area shall be relocated when the parking area is expanded.

9. **Excessive Parking.** In order to minimize excessive areas of pavement, which are unsightly and contribute to high rates of stormwater runoff, exceeding the minimum parking space requirements by greater than ten (10%) percent shall not be allowed, except as approved by the Planning Commission. In granting such additional space, the Planning Commission shall determine that such parking will be required, based on documented evidence, to accommodate the use on a typical day.
10. **Parking Space Dimensions.** All required off-street parking spaces shall meet the following dimensional standards:

Table 3.26 (A) Parking Space Dimensions

Parking Pattern (in degrees)	Maneuvering Lane Width	Parking Space	
		Width	Length
0 degree (parallel parking)	12 feet	8 feet	23 feet
30 to 53 degrees	12 feet	9 feet	20 feet
54 to 74 degrees	15 feet	9 feet	20 feet
75 to 90 degree	20 feet	10 feet	20 feet*

*May include a maximum of two (2) foot unobstructed vehicle parking area at the front of the parking space to account for normal vehicle overhang.

11. **Vehicle Stacking Space.** Stacking spaces required for vehicles waiting to access service windows, pumps, pedestals, or other service facilities shall be dimensioned to be twenty (20') feet by ten (10') feet per space, but shall not include the space vehicles actually use at the time of service. Where a use provides a drive-through or similar service but is not within use categories for which specific standards are provided, the Planning Commission may require a minimum number of stacking spaces which are equivalent to the number required for a use which the Planning Commission determines to be most similar.
12. **Number of Parking Spaces Required.**
- The number of off-street parking spaces shall be in accordance with the schedule in [Table 3.26 \(B\)](#).
 - For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with the use which the Planning Commission considers to be similar in type.
 - When units or measurements (usable floor area) determining the number of required parking spaces result in a fractional space measurement, any fraction one-half ($\frac{1}{2}$) or more shall be rounded up to the next whole.

- d. Loading spaces as required in this Ordinance shall not be construed as part of the minimum required parking spaces for any facility.
- e. Any change of use shall be required to meet the parking requirements for the revised use and obtain approval of such.
- f. **Handicap-Accessible Spaces.** Off-street parking facilities shall provide spaces for the handicapped in accord with the provisions of the [Americans with Disabilities Act](#).

Table 3.26 (B) Parking Spaces Required

Residential Uses	
Use	Parking Spaces Required
Single-family and two-family dwellings	2 for each dwelling unit
Multiple-family dwellings	1.5 per each efficiency or one-bedroom dwelling unit, 2 per each unit with 2 or more bedrooms
Manufactured/Mobile homes	2 for each manufactured/mobile home site
Housing for the elderly	1 for each 2 units, and 1 for each employee Should units revert to general occupancy, then 2 spaces per unit shall be provided
Rooming houses and group quarters	1 for each 2 beds
Group day care homes	2 for each home in addition to the 2 required for the residence. Such additional spaces may be located in the side yard setback
Bed & Breakfast Facilities/Tourist Homes	1 for each guest room plus the 2 required for the dwelling unit
Institutional Uses	
Use	Parking Spaces Required
Churches, temples, or similar places of worship; theaters, auditoriums, and assembly buildings; stadiums, sports arenas, or similar places of outdoor assembly	1 space for each 3 seats or 6 linear feet of benches in the main unit, plus 1 for each 2 employees
Nursery schools or child day care centers	2 for each employee plus 1 space for each 8 children of licensed authorized capacity
Elementary, middle, and junior high schools	1 for each 1 teacher, employee, or administrator, or the requirements of the auditorium, whichever is greater
Senior high schools	1 for each 1 teacher, employee, administrator, and 1 for each 5 students; or the requirements of the auditorium, whichever is greater
Colleges and universities	1 for each teacher, employee, administrator, and 1 for each 10 students
Government offices	1 for every 1,000 square feet of usable floor area

Adult foster care homes convalescent homes	1 for each 3 beds or 2 rooms, whichever is less, plus 1 for each employee on duty based upon maximum employment shift.
Private clubs or lodges	1 for each 4 persons allowed within the maximum occupancy load as established by city, county, or state fire, building, or health codes

Business Uses

Use	Parking Spaces Required
Professional offices of doctors, dentists, or similar professions	4 for every 1,000 square feet of usable floor area
Bank, business offices, or non-medical professional offices	1 for each 200 square feet of useable floor area, plus 2 spaces for each ATM, and stacking area equivalent to 3 stacking spaces for each drive up window
Restaurants and establishments for on premises sale and consumption of food, refreshments, and/or beverages	1 for each 2 persons of seating capacity
Food consumption services or drive in, drive through, or take out	Use seating capacity standards as applicable for sit-down restaurants. A minimum of 5 stacking spaces shall be provided for each service window where a drive through operation is present.
Motel, hotel, or other commercial lodging establishments	1 for each 1.5 occupancy unit plus 1 for each 1 employee, plus spaces for any dining rooms, cocktail lounges, ballrooms, or meeting rooms, based upon maximum occupancy code
Furniture and appliance, hardware, household equipment, repair shops, shoe repair, showroom of a plumber, decorator, electrician or similar trade, and other similar uses	1 for each 800 feet of useable floor area, plus 1 for each 2 employees
Retail stores, planned commercial or shopping centers by square feet of gross leasable area (GLA)	1 space per 150 square feet of useable floor area plus 3 stacking spaces are required for each service bay, window, or pedestal
A. 1 to 15,000 square feet GLA	
B. 15,001 to 400,000 square feet GLA	3.0 spaces minimum, 3.75 maximum, per 1000 GLA
C. 400,001 square feet GLA and higher	3.5 spaces minimum, 4 maximum, per 1000 GLA
Retail stores except as otherwise specified	1 for each 150 square feet of useable floor area
Convenience store, with or without automotive fuel service	4 spaces for every 1,000 square feet of usable floor area, plus spaces required for automotive fuel service
Beauty parlor or barber shop	2 spaces for each of the first 2 beauty or barber chairs, and 1.5 spaces for each additional chair
Laundromats and coin operated dry cleaners	1 for each 4 washing and/or dry cleaning machines
Dry cleaners	2 for every 1,000 square feet of gross leaseable floor area
Mortuary establishment	3 for each 100 square feet of useable floor area

Automobile repair garage or gas stations	2 for each service rack or pit and 1 for each single or dual gasoline pump, but not less than 6 spaces
Automobile wash (self-service or coin operated)	3 for each washing stall in addition to the stall itself, plus 1 upon exiting each stall
Motor vehicle sales and service	1 for each 200 square feet of gross floor space of sales room and 1 for each 1 service stall.
Marine sales and service centers, including RVs	1 space for each employee, and 1 for each service stall. Add 1 space for every 400 square feet usable floor area of the sales room, but not less than 5 spaces with or without a showroom
Veterinary clinics or hospitals	4 for every 1,000 square feet of usable floor area
Mini-warehouses, self-storage establishments	1 per 10 storage units, equally distributed throughout the storage area

Recreational Uses

Use	Parking Spaces Required
Regulation golf course, Par 3, or miniature golf	4 per hole
Studios specializing in the instruction of musical arts, dance, health, and fitness; and exercise centers	1 for each 200 square feet of useable floor area, plus spaces required for any pools, tennis courts, etc.
Bowling alleys	4 for each bowling lane
Public recreation centers	5 for every 1000 square feet of usable floor area
Campground or RV park	One (1) for every campsite plus one (1) for each employee per shift

Industrial and Wholesale Uses

Use	Parking Spaces Required
Industrial or research establishments, and related accessory offices	5 spaces, plus 1 for every 1.5 employees in the largest working shift
Wholesale establishments	5 spaces, plus 1 for every 1.5 employees in the largest working shift; or 1 for every 1700 square feet of useable space, whichever is greater
Warehouse and/or storage building	5 spaces, plus 1 for each 3 employees; or 1 for every 1700 square feet of useable floor area, whichever is greater
Mini-Storage, self-storage facilities	No designated parking spaces shall be required in addition to the traffic circulation pattern shown on the approved site plan.

B. Loading Space Requirements.

1. For every building, or addition to an existing building, hereafter erected to be occupied by a use requiring the receipt or distribution in vehicles, of materials or merchandise, there shall be provided and maintained on the same premises with such building or addition off-street loading spaces in relation to floor area as follows:
 - a. Up to twenty thousand (20,000 ft²) square feet — one (1) space.
 - b. Twenty thousand (20,000 ft²) to fifty thousand (50,000 ft²) square feet — two (2) spaces.
 - c. Fifty thousand (50,000 ft²) to one hundred thousand (100,000 ft²) square feet — three (3) spaces.
 - d. One (1) additional space for each additional one hundred thousand (100,000 ft²) square feet or fraction thereof.
2. Each loading space shall be a minimum of (10') feet in width, twenty-five (25') feet in length, and fourteen (14') feet in height. No loading space shall be located closer than fifty (50') feet to any lot in any residential district unless wholly within a completely enclosed building or enclosed on all sides by a wall.

Section 3.27 Driveways, Easements & Private Roads

A. Driveways Which Provide Access to One Parcel.

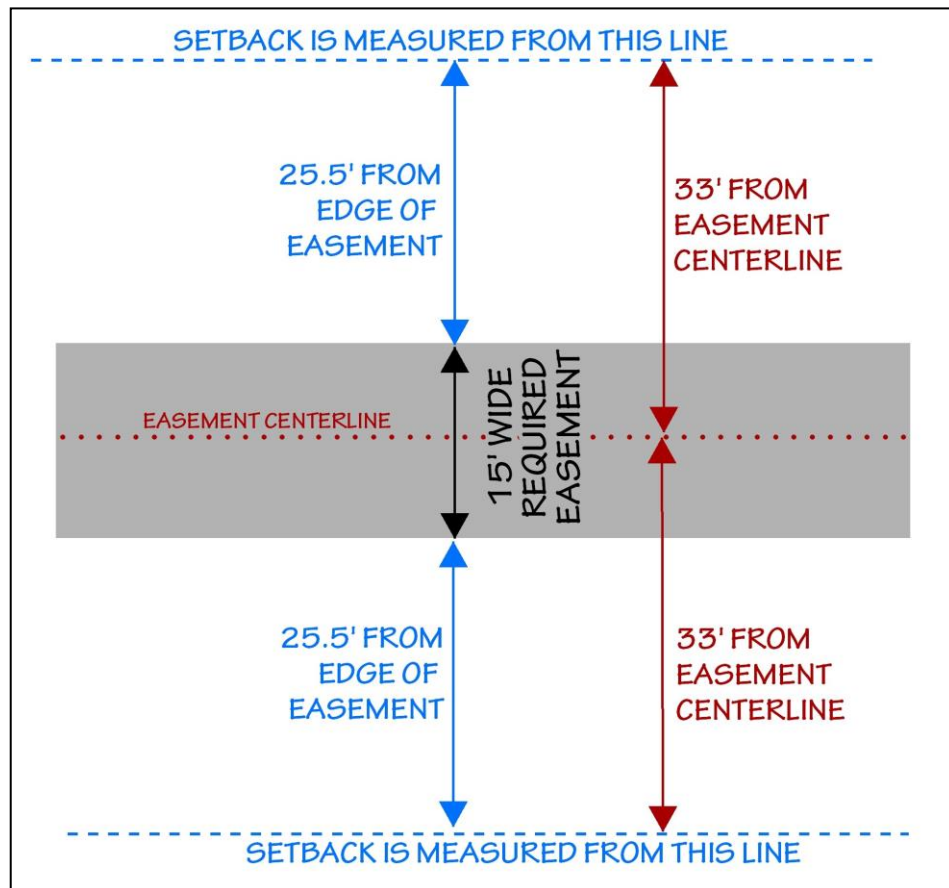
Driveways that provide access to one parcel shall meet the following standards:

1. Access to the principal buildings(s) shall require a driveway which has fifteen (15') feet horizontal and twelve (12') feet vertical clearance of all obstacles and vegetation, except ground covers, cleared and continually maintained in a drivable condition for the purpose of access by emergency vehicles (This Section does not cover or require snow removal).
2. A vehicle turn around area shall be provided within one hundred (100') feet of the principal buildings(s) capable of handling thirty (30') foot vehicles (Minimum T-type turn around 20' x 35') for police, fire, and ambulance, and be connected to a private or public road. County or townships cannot be held responsible for non-maintenance of access.

B. Easements Which Provide Access to Two to Four Parcels.

1. Easements that provide access to at least two (2) but not more than four (4) parcels shall meet the following standards:

- a. Access to the principal buildings(s) shall require an easement which has fifteen (15') feet horizontal and twelve (12') feet vertical clearance of all obstacles and vegetation, except ground covers, cleared and continually maintained in a drivable condition for the purpose of access by emergency vehicles (this Section does not cover or require snow removal).
 - b. A vehicle turn around area shall be provided within one hundred (100') feet of the principal buildings(s) capable of handling thirty (30') foot vehicles (minimum T-type turn around 20' x 35') for police, fire, and ambulance, and be connected to a private or public road. County or townships cannot be held responsible for non-maintenance of access.
2. **Setbacks.** For the purposes of measuring building setbacks for zoning permits on easements providing access to two (2) to four (4) parcels, the following process shall be used: from the edge of the fifteen (15') foot wide easement, twenty-five and a half (25.5) feet shall be added and the setback shall be measured from that point (or thirty-three (33') from the easement centerline). See diagram below:



C. Nonconforming Private Roads.

In the case of private roads built prior to this Ordinance, such roads may be used but the use may not be increased without coming into compliance. No zoning permit shall be issued for additional development utilizing a nonconforming private road until the existing private road is in compliance with the standards of this Section. In cases where the nonconforming road cannot comply with the standards of this Ordinance, the Planning Commission shall have the authority to waive particular standards of this Section, where the following findings are documented along with the rationale for the decision:

1. No good public purpose will be achieved by requiring conformance with the standards sought by the applicant to be waived.
2. The spirit and intent of the private road provisions will still be achieved.
3. No nuisance will be created.

D. Private Roads.

Private roads, providing access to five (5) or more parcels, are permitted provided they conform to the requirements of this Section. No private road shall be constructed, extended, improved, or relocated after the effective date of this Ordinance unless an application for a private road construction permit has been completed and filed with the Zoning Administrator, and subsequently approved.

1. **Private Road Standards.** The proposed private road shall meet the following standards:
 - a. All private roads shall have a minimum right-of-way easement of at least sixty-six (66') feet, or the current **Crawford County Road Commission's** designated right-of-way width for local residential roads, whichever is greater. While not required to be dedicated to the public, no structure or development activity shall be established within approved rights-of-way or easements. If a private road is proposed to become a public road in the future, the road must meet **Crawford County Road Commission** design standards and be constructed to those standards prior to acceptance by the Road Commission.
 - b. The maximum grade for roadways shall be seven (7%) percent. The maximum grade within one hundred (100') feet of an intersection shall be five (5%) percent.
 - c. No fence, wall, sign, landscape screen, or any plantings shall be erected or maintained in such a way as to obstruct vision or interfere with traffic visibility on a curve or within twenty (20') feet of the right-of-way of a street.
 - d. No more than twenty (20) lots or parcels may gain access to a single private road if only one (1) point of intersection is provided between the private road and a public road. No more than fifty (50) lots or parcels may gain access to a private road where two (2) or more points of intersection are provided between the private road and public roads. Where more than fifty

- (50) lots or parcels are served, the road shall be a paved road built to [County Road Commission](#) standards.
- e. A cul-de-sac or other approved turn-around configuration shall be constructed whenever a private road terminates without intersection with another public street or private road.
- (1) Not more than four (4) lots or parcels shall have frontage on a cul-de-sac.
- (2) The minimum radius for circular cul-de-sacs roadway is sixty-six (66') feet. An interior island is permitted in the center of the cul-de-sac, provided that the roadway within the cul-de-sac is not less than twenty-five (25') feet in width.
- f. Any driveways off a private road shall be at least forty (40') feet from the intersection of a private or public road right-of-way.
- g. Construction authorization from the [Crawford County Road Commission](#) is required for connection to a road under the Commission's jurisdiction, and from the [Michigan Department of Transportation](#) if connected to a state trunkline. When applicable, a permit is also required from the county under [Part 91 of the Natural Resources and Environmental Protection Act, 1994 PA 451 \(Soil Erosion and Sedimentation Control\)](#).
- h. Intersections of private roads with public roads shall be at an angle, as close to ninety (90°) degrees as possible, but in no case shall it be less than eighty (80°) degrees or more than one hundred (100°) degrees.
- i. Private roads shall have a six (6") inch compacted 22A gravel base or a four (4") inch pit-run gravel base, with an additional four (4") inches of 22A gravel, or a paved surface. The gravel or paved surface shall have a width of at least twenty-two (22') feet with shoulders of five (5') feet on each side, totaling thirty-two (32') feet.
- j. Stormwater runoff patterns for the private road shall be shown on the site plan. Any drainage originating outside the site, which has previously flowed onto or across the site, shall also be considered in the proposed stormwater runoff plan. Where stormwater runoff is proposed to run into an existing county or state road stormwater system, the stormwater plan for the private road shall be submitted to the [Crawford County Drain Commissioner](#) and the [Crawford County Road Commission, Michigan Department of Transportation](#), or other appropriate government permitting agencies for review and approval prior to Township Planning Commission approval.
- k. Lots or parcels fronting on private roads shall meet the required front yard setback and lot width for the zoning district where located.
2. **Road Construction Approval Procedures.** No private road shall be constructed, extended, improved, or relocated after the effective date of this Ordinance unless an application for a private

road construction permit has been completed and filed with the Zoning Administrator, and subsequently approved.

- a. Application for approval of a private road shall include ten (10) copies of a site plan sealed by a professional engineer showing:
 - (1) Existing and proposed lot lines.
 - (2) The location of existing and proposed structures.
 - (3) The width and location of the private road easement.
 - (4) A cross-section of the proposed road, showing the type of material the road base and surface will consist.
 - (5) Utility plans including the location and size/capacity of stormwater drainage systems, sewer or septic system, water lines or private wells, and private utilities such as telephone, electric, and cable service.
 - (6) Any existing or proposed structures, trees, or other obstruction within the proposed right-of-way.
 - (7) All divisions of land shall be in compliance with the Maple Forest Township Land Division Ordinance.
 - (8) If the grade exceeds five (5%) percent the above-listed site plan shall be sealed by an engineer.
- b. All plans as submitted for approval shall show the private road easement including a legal description, and must include the grade for these roads (if the grade exceeds 5%).
- c. Road maintenance agreement or covenants running with the land signed by the proprietor(s) shall be recorded with the [Maple Forest Township Clerk](#) and the [Crawford County Register of Deeds](#) providing for:
 - (1) A method of initiating and financing the private road in order to keep the road up to properly engineered specifications and free of snow and debris.
 - (2) A workable method of apportioning the costs of maintenance and improvements to current and future users.
 - (3) A notice that if repairs and maintenance are not made, the Township Board may bring the road up to established Maple Forest Township road standards for private roads and assess owners of lots or parcels on the private road for the improvements, plus an administration fee in the amount of twenty-five (25%) percent of the total costs.

- (4) No public funds of Maple Forest Township will be used to build, repair or maintain the private road.
- d. Road easement agreement signed by the proprietor(s) shall be recorded with the Maple Forest Township Clerk and the Crawford County Register of Deeds providing for:
 - (1) Easements to the public for purposes of emergency and other public utility vehicles for whatever public services are necessary.
 - (2) A provision that the proprietor(s) using the road shall refrain from prohibiting, restricting, limiting or in any manner interfering with normal ingress and egress and use by any of the other owners. Normal ingress and egress and use shall include use by family, guests, invitees, vendors, tradesmen, delivery persons and other bound to or returning from any of the properties having a need to use the road.

3. Application Review and Approval or Denial.

- a. The Zoning Administrator shall send the private road plans to the appropriate Emergency Services and Fire Protection agencies, to the County Drain Commissioner, to the County Road Commission if connected to a county public road and to MDOT if connected to a state trunkline for review and comment. The proposed road maintenance agreement and road easement agreement and covenants running with the land shall be sent to the Township Attorney for review and comment.
 - b. County Road Commission, MDOT, County Drain Commissioner, Emergency Services and Fire Protection agencies, and Township Attorney comments shall be forwarded to the Planning Commission. After reviewing all materials and recommendations submitted, the Planning Commission shall approve, deny or approve with conditions the application for a private road.
 - c. If the application is denied, the reasons for the denial and any requirements for approval shall be given in writing to the applicant.
 - d. The Zoning Administrator may arrange for inspections by an Engineer during construction or, and upon completion of the private road (if the grade exceeds five (5%) percent).
4. **Failure to Perform.** Failure by the applicant to begin construction of the private road according to approved plans on file with the Township within one (1) year from the date of approval shall void the approval and a new plan shall be required, subject to any changes made by the County Road Commission, MDOT or the Township in its standards and specifications for road construction and development.

5. **Issuance of Building Permits for Structures on Private Roads.** No building permit shall be issued for a structure on any private road until the construction of such private road is given final approval by the Zoning Administrator.
6. **Posting of Private Roads.** All private roads shall be designated as such and shall be posted with a clearly readable sign. The lettering shall be a minimum of four (4") inches in height on a green background with white reflective lettering, which can be easily seen in an emergency. The sign shall be paid for, posted, and maintained by the property owners' association or proprietors. The applicant shall check with the County Emergency Services Department to avoid a duplication of road names.
7. **Notice of Easements.** All purchasers of property where a private road provides access to the premises shall, prior to closing of the sale, receive from the seller a notice of easement, in recordable form, substantially conforming to the following:
 - a. This parcel of land has private road access across a permanent sixty-six (66') foot easement, which is a matter of record and a part of the deed.
 - b. This notice is to make purchaser aware that this parcel of land has ingress and egress over this easement only.
 - c. Neither the County nor the Township has any responsibility for maintenance or upkeep of any improvements across this easement. This is the responsibility of the owners of record.
 - d. The United States mail service and the local school district are not required to traverse this private road and may provide service only to the closest public access.
8. **Fees.** Before final approval, an application fee established by the Township Board and the cost for the Township Engineer to review the plans and inspect the construction shall be paid by the proprietor(s).
9. **Final Construction Approval.** The Zoning Administrator shall grant final construction approval of a private road upon inspection and finding that the road is constructed according to the approved permit.
10. **Setbacks.** For zoning permit purposes on private roads, setbacks shall be measured from the edge of the private road right-of-way.

Section 3.28 Signs

The use and erection of all outdoor signs shall be subject to the following provisions:

A. Purpose.

The purpose of the provisions of this Section is to regulate outdoor signs designed to be visible to the public in a manner which does not restrict the content while recognizing the mass communications needs of businesses and other parties. The number and size of signs may be distracting to motorists and pedestrians and can create a traffic hazard. The number and size of signs can also reduce the effectiveness of signs needed to direct the public and may mar the appearance of the landscape. The provisions of this Section are intended to apply the minimum amount of regulation in order to protect property values, preserve the desirable character and personality of the Township, create a more attractive business environment, and promote pedestrian and traffic safety.

B. General Provisions for All Zoning Districts.

1. All signs shall require a zoning permit except those listed in [subsection C](#).
2. Flashing, rotating, animated, intermittent, glaring, and oscillating signs; the location of any sign hazardous to traffic; and the cluttering of signs within one hundred and fifty (150') feet of each other are prohibited.
3. Signs, which are in need of repair, other than normal maintenance; not securely affixed to a substantial structure; obsolete; affixed to trees, rocks, or other natural features; resemble official traffic signs; or obstruct official signs, are prohibited.
4. No sign shall project beyond or overhang the wall, or any permanent architectural feature, by more than one (1') foot, and shall not project above or beyond the highest point of the roof or parapet.
5. Any sign except those established and maintained by county, state, or federal governments shall not be erected in, project into, or overhang a street or road right-of-way.
6. Signs erected by county, state, or federal governments shall be permitted in all zoning districts.
7. No sign shall be erected in such a manner that the position, size, movement, shape, or color may interfere with the view of or be confused with any public traffic sign or devise.
8. Sign illumination shall not cause a reflection or glare on any portion of a public highway, in the path of oncoming vehicles, or on adjacent premises or residence(s).
9. **Obstructions to Doors, Windows, and Fire Escapes.** No sign shall be erected or maintained so as to prevent free ingress or egress from any door, window, or fire escape.

10. **Obscene Material.** No sign shall contain statements, words, or pictures of an obscene nature which would appeal predominantly to a prurient interest in sexual conduct, depict or describe sexual conduct in a patently offensive way, and be offensive, rude, lewd, or disgusting according to accepted moral standards.

11. **Substitution Clause.** Signs which express non-commercial speech may be erected in any district.

C. Signs Not Requiring a Permit.

1. On nonresidential property, permanent, freestanding accessory signs that do not exceed six (6 ft²) square feet each.
2. On nonresidential property, accessory signs on structures such as gas pumps or storage sheds.
3. Signs erected by any organization, firm, or corporation which is charged with warning the public of dangerous conditions and unusual hazards including but not limited to road hazards, high voltage, fire danger, explosives, severe visibility, etc.
4. Information when cut into any masonry surface or plaques when constructed of non-ferrous metal and attached to a building.
5. Signs erected by an official governmental body, public utility, or historic agency.
6. Flags.
7. Signs when located on or below a canopy, awning, or marquee.
8. Signs in windows.
9. Temporary signs or attention-getting devices.
10. Bulletin boards erected by public, charitable, or religious institutions when they are located on the premises of such institutions.
11. Signs not readable by motorists or pedestrians on any road, alley, waterbody, public lands, or adjacent parcels.
12. Signs required by law.

D. Limitations by Districts.

The use of signs shall be limited in the respective districts to the following, subject to the requirements of [subsection B](#) above.

Districts: RC, FF, LDR, and MDR

Sign Type	Single-Family & Two-Family Uses	Non-Residential Uses and Multi-Family
Primary Sign, Freestanding (permanent)	Size: 4 sq ft (max.) Number Allowed: 1 per road frontage Height: 6 ft (max.)	Size: 18 sq ft (max.) Number Allowed: 1 per road frontage Height: 6 ft (max.) Setback: At least ½ of the front yard setback
Wall Signs (permanent)	Unlimited	
Temporary Signs (no permit needed)	Parcels up to 10 acres: Total size 40 sq ft in sum – but no individual sign shall be more than 16 sq ft Parcels greater than 10 acres: Total size 60 sq ft in sum – but no individual sign shall be more than 16 sq ft	
Portable Changeable Copy Message Boards	Size: 32 sq ft (max.) Number Allowed: 1 per lot	
Digital or Static Message Center (permanent) (see subsection E below)	Not allowed	Size: Sign shall count as part of the maximum primary sign size. Number Allowed: 1 per road frontage Height: 6 ft (max.) Setback: At least ½ of the front yard setback
Cluster Signs (permanent)	Not allowed	Size: 8 sq ft per tenant. Number Allowed: 1 per road frontage Height: 8 ft (max.) Setback: At least ½ of the front yard setback
Projecting Signs (permanent)	Not allowed	Size: 12 sq ft Number Allowed: 1 per entrance Height: 8 ft from ground level (minimum)

1 Purpose & Authority**2** Definitions**3** General Provisions**4** District Regulations**5** Site Plans & Plot Plans**6** Special Use Review**7** Supplemental Regulations**8** Zoning Board of Appeals**9** Administration & Enforcement**10** Adoption & Amendments

Districts: C-B, NB and I (Industrial)

Sign Type	C-B and NB Districts	I District
Primary Sign, Freestanding (permanent)	Size: 56 sq ft (max.) (total of all freestanding signs) Number Allowed: 2 per road frontage Height: 15 ft (max.) Setback: At least 10 ft from front lot line	Size: 56 sq ft (max.) (total of all freestanding signs) Number Allowed: 2 per road frontage Height: 15 ft (max.) Setback: At least 20 ft from front lot line
Wall Signs (permanent)	Unlimited	
Temporary Signs (no permit needed)	Parcels up to 10 acres: Total size 40 sq ft in sum – but no individual sign shall be more than 16 sq ft Parcels greater than 10 acres: Total size 60 sq ft in sum – but no individual sign shall be more than 16 sq ft	
Portable Changeable Copy Message Boards	Size: 32 sq ft (max.) Number Allowed: 1 per parcel	
Digital or Static Message Center (permanent) (see subsection E below)	Size: Sign shall count as part of the maximum primary sign size. Number Allowed: 1 per road frontage Height: 15 ft (max.) Setback: At least 10 ft from front lot line	Size: Sign shall count as part of the maximum primary sign size. Number Allowed: 1 per road frontage Height: 15 ft (max.) Setback: At least 20 ft from front lot line
Cluster Signs (permanent)	Size: 8 sq ft per tenant. Number Allowed: 1 per road frontage Height: 15 ft (max.) Setback: At least 10 ft from front lot line	Size: 8 sq ft per tenant. Number Allowed: 1 per road frontage Height: 15 ft (max.) Setback: At least 10 ft from front lot line
Projecting Signs (permanent)	Size: 12 sq ft Number Allowed: 1 per entrance Height: 8 ft from ground level (minimum)	

E. Digital Message Centers.

1. A digital message center shall be allowed to have changing messages, scrolling messages, and animation, but shall not be allowed to contain flashing elements.
2. The electronic elements shall be of an intensity that the brightness and motion shall not adversely affect surrounding or facing premises, nor adversely affect the safe vision of pedestrians or operators of vehicles on public or private streets, driveways or parking areas.
3. A digital message center shall contain a default mechanism that freezes the sign in one position if a malfunction occurs.
4. A digital message center shall contain a mechanism to automatically adjust the intensity of its display according to natural ambient light conditions.

F. Small Off-Premise Signs.

Small off-premise signs shall be allowed on private property provided there exists a written agreement between the property owner and the sign owner. Said agreement shall be on file with the Township.

1. Small off-premise signs may be located on vacant or occupied parcels. Small off-premise signs on occupied lots shall NOT count toward that parcel's sign size limitations.
2. Small off-premise signs shall be no greater than sixteen (16 ft²) square feet.
3. One (1) small off-premise sign shall be allowed on each parcel.
4. A zoning permit is required.

G. Billboards (Large Off-Premise Signs).

The regulation of billboards is intended to enhance and protect community character and image by minimizing visual blight and pollution, and to minimize traffic safety hazards due to diversion of the driver's attention and blockage of sight distances. Billboard regulations address the location, size, height, and related characteristics of such signs.

1. **Intent.** The sign standards contained in this ordinance are declared necessary to protect the general health, peace, safety, and welfare of the citizens of Maple Forest and are based on the following objectives:
 - a. To avoid excessive property and use signing in order to give each use optimum visibility to passer-by traffic and if possible, to prevent one sign from blocking the view of another sign.

- b. To place signs in such a way that scenic views are respected and visual obstructions to the natural landscape are minimized.
 - c. To protect the character of Maple Forest Township.
2. **Off-Premise Sign (Billboard) Regulations.** Billboards may be established in the Commercial and Industrial zoning district classification(s) provided that they meet the following conditions:
- a. **Number Allowed.** Not more than three (3) billboards may be located per linear mile of street or highway regardless of the fact that such billboards may be located on different sides of the subject street or highway. The linear mile measurement shall not be limited to the boundaries of Maple Forest Township where the particular street or highway extends beyond such boundaries. Double-faced billboard structures (i.e., structures having back-to-back billboard faces) and V-type billboard structures having only one (1) face visible to traffic proceeding from any given direction on a street or highway shall be considered as one (1) billboard. Additionally, billboard structures having tandem billboard faces (i.e., two (2) parallel billboard faces facing the same direction and side-by-side to one another) shall be considered as one (1) billboard. Otherwise, billboard structures having more than one (1) billboard face shall be considered as two (2) billboards and shall be prohibited in accordance with the minimum spacing requirement set forth in [subsection b](#) below.
 - b. **Spacing.** No billboard shall be located within one thousand (1,000') feet of another billboard abutting either side of the same street or highway.
 - c. **Distance from Residential.** No billboard shall be located within two hundred (200') feet of a residential zone and/or existing residence. If the billboard is illuminated, this required distance shall instead be three hundred (300') feet.
 - d. **Setback.** No billboard shall be located closer than seventy-five (75') feet from a property line or public right-of-way. No billboard shall be located within ten (10') feet from any interior boundary lines of the premises on which the billboard is located.
 - e. **Area.** The surface display area of any side of a billboard may not exceed seventy-two (72 ft²) square feet
 - f. **Height.** The height of a billboard shall not exceed thirty (30') feet above the elevation of the centerline of the abutting roadway. No billboard shall be on top of, cantilevered or otherwise suspended above the roof of any building.
 - g. **Illumination.** A billboard may be externally illuminated, provided such external illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, the path of on-coming vehicles, or any adjacent

premises. In no event shall any billboard have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate except in conformance with subsection h below.

h. **Digital Billboards.**

(1) **Rate of Change.** The rate of change between static messages or images shall not exceed more than one (1) change per six (6) seconds. Each change shall be complete in one (1) second or less.

(2) **Luminance.** The maximum daylight sign luminance level shall not exceed sixty-two thousand (62,000) candelas per meter squared at forty thousand (40,000) lux illumination beginning one-half (1/2) hour after sunrise and continuing until one-half (1/2) hour before sunset and does not exceed three hundred seventy-five (375) candelas per meter squared at four (4) lux illumination at all other times.

(3) Digital billboards shall be configured to default to a static display in the event of mechanical failure.

i. **Structure.** A billboard must be constructed in such a fashion that it will withstand all wind and vibration forces, which can normally be expected to occur in the vicinity. A billboard must be maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of message.

j. **Highway Advertising Act.** A billboard established within a business, commercial, or industrial area, as defined in the Highway Advertising Act of 1972 (1972 PA 106, as amended) bordering interstate highways, freeways or primary highways as defined in said Act shall in addition to complying with the above condition, also comply with all applicable provisions of said Act and the regulations promulgated thereunder, as such may from time to time be amended.

k. **Permit Required.** No person, firm, or corporation shall erect a billboard within Maple Forest Township without first obtaining a permit from the Maple Forest Township Zoning Administrator, which permit shall be granted upon a showing of compliance with the provisions of this Ordinance and payment of a fee. Permits shall be issued for a period of one (1) year, but shall be renewable annually upon inspection of the billboard by the Maple Forest Township Zoning Administrator confirming continued compliance with this Ordinance and payment of the billboard permit fee. The amount of the billboard permit fee required hereunder shall be established by resolution of the Maple Forest Township Board and shall bear a reasonable relationship to the cost and expense of administering this permit requirement. The Maple Forest Township Board shall further have the right to amend the aforementioned resolution from time to time within the foregoing limits of reasonableness.

H. Nonconforming Signs.

Nonconforming signs are signs that do not comply with the regulations in this Ordinance including the size regulations of the zoning district in which located.

1. Nonconforming signs that were otherwise lawful on the effective date of this Zoning Ordinance may be continued.
2. No person shall increase the extent of nonconformity of a nonconforming sign nor may illumination be added to any nonconforming sign.
3. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this Section.
4. If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all provisions of this Zoning Ordinance. The remnants of the former sign structure not usable for a new conforming sign shall be removed within sixty (60) days. For purposes of this Section, a nonconforming sign is considered destroyed if it is damaged to an extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign equals or exceeds the value of the sign so damaged.
5. Subject to the other provisions of this Section, nonconforming signs may be repaired, maintained, serviced, or repainted if the framework and/or the size and/or shape of the sign remain unchanged. If such framework is altered or removed or the size and/or shape of the sign are altered, said sign must be changed to a conforming sign.

I. Abandoned Signs.

1. An abandoned sign is any sign to which any of the following applies:
 - a. The sign is located on a property on which the use has been abandoned.
 - b. The sign has remained blank over a period of one (1) year.
 - c. The sign's message becomes illegible in whole or substantial part.
 - d. The sign which has fallen into disrepair.
2. In the event that a sign is determined to be abandoned, the Zoning Administrator shall give notice in the form of a letter to the property owner that the sign has been determined to be abandoned. The property owner shall have ninety (90) days to remove said sign. Upon the expiration of ninety (90) days, the Zoning Administrator shall give a second notice in the form of a letter. If the sign has not been removed upon the expiration of thirty (30) days from the date of the second notice, the Zoning Administrator is authorized to cause removal of such sign and any expense incident

thereto shall be paid by the owner or lessee of the sign or, if such person cannot be found, by the owner of the building or structure or property to which such sign or structure is affixed. If such expense is not paid, the Township shall have a lien on the property and such cost shall be added to the tax bill for the property.

J. Removal of Signs in Violation of this Section.

Signs erected or maintained in violation of this Ordinance shall be removed by the sign owner, property owner, or occupant of the premises within thirty (30) days following mailing of an order to such owner by the Zoning Administrator. It shall be presumed that, unless a sign states the name of the owner of the sign on its structure, that the sign is owned by the owner of the real property where the sign is located.

K. Severance Clause for Signs.

Provisions of this Section shall be deemed to be severable, and should any section, subsection, paragraph, or provision thereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this Section as a whole or any other part thereof, other than the part so declared to be unconstitutional or invalid. If any court shall declare invalid the application of any provision of this Section to a particular parcel, lot use, building, or structure, such ruling shall not affect the application of said provision to any other parcel, lot use, building, or structure not specifically included in said ruling.

Section 3.29 Voting Place

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

Article 4

District Regulations

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Section 4.01 Zoning Districts

For the purpose of this Ordinance, the Township of Maple Forest is hereby divided into the following Zoning Districts:

RC	Resource Conservation District	NB	Neighborhood Business District
FF	Farm Forest District	CB	Commercial & Business District
LDR	Low Density Residential District	I-1	Light Industrial District
MDR	Medium Density Residential District	I-2	Industrial District
HDR	High Density Residential District	SC	Stream Corridor Overlay District

Section 4.02 Zoning Map

The areas assigned to each Zoning District and the boundaries thereof shown on the map entitled "Maple Forest Township Zoning Map" are hereby established, and said map and all proper notations and other information shown thereon are hereby made a part of this Zoning Ordinance.

1 Purpose & Authority	2 Definitions	3 General Provisions	4 District Regulations	5 Site Plans & Plot Plans
6 Special Use Review	7 Supplemental Regulations	8 Zoning Board of Appeals	9 Administration & Enforcement	10 Adoption & Amendments

A. District Boundaries.

The boundaries of these districts are hereby established as shown on the “Official Zoning Map of Maple Forest Township”, which accompanies this Ordinance, and which with all notations, references, and other information shown thereon shall be as much a part of this Ordinance as if fully described herein:

1. Unless shown otherwise, the boundaries of the districts are lot lines, section lines, the centerlines of streets, alleys, roads, or such lines extended, and the unincorporated limits of the Township.
2. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of a change in a shoreline shall be construed as following the actual shoreline.
3. A boundary indicated as following the centerline of a stream, river, canal, lake, or other body of water shall be construed as following such centerline.
4. Where, due to the scale, lack of detail, or illegibility of the Zoning Map accompanying this Ordinance, there is any uncertainty, contradiction, or conflict as to the intended location of any district boundaries, shown thereon, interpretation concerning the exact location of district boundary lines shall be determined, upon written application, or upon its own motion, by the Board of Appeals.

B. Zoning of Vacated Areas.

Whenever any street, alley, or other public way within Maple Forest Township shall have been vacated by official governmental action, and when the lands within the boundaries thereof attach to and come a part of the land formerly within such vacated street, alley, or public way shall automatically, and without further governmental action, thenceforth acquire and be subject to the same zoning regulations as are applicable to the lands to which same shall attach, and the same shall be used as is permitted under Ordinance for such adjoining lands. In the case of a vacated right-of-way which also served as a district boundary, the centerline of such vacated right-of-way shall remain the district boundary line and the lands on either side of said centerline shall acquire the zoning district of their respective adjoining properties without further governmental action.

C. Zoning of Filled Areas.

Whenever, after appropriate permits are obtained, any fill material is placed in any lake, stream, or wetland so as to create a usable or buildable space, such fill area shall take on the Zoning District and accompanying provisions of the land abutting said fill area. No use on any lake or stream shall be allowed which does not conform to the Ordinance provisions on the property from which said property emanates. No fill material shall be placed in any lake or stream within the Township unless appropriate permits are obtained from the State of Michigan and the U.S. Army Corps of Engineers, if necessary.

D. Annexed Areas.

Whenever any area is annexed to Maple Forest Township, land that is zoned previous to annexation shall be classified as being in whichever district of this Ordinance most closely conforms with the zoning that existed prior to annexation, such classification to be recommended by the Planning Commission to the Township Board and the Board shall approve same by resolution.

Section 4.03 Application of District Regulations

A. Uses in Districts.

1. **Permitted Uses.** Permitted uses shall be permitted by right only if specifically listed as principal permitted uses in the various zoning districts or are similar to such listed uses. Permitted uses are listed in [Section 4.15](#) and in the individual district tables.
2. **Special Uses.** Special uses are permitted after review and approval by the Planning Commission only if specifically listed or are similar to such listed uses. Special uses are listed in [Section 4.15](#) and in the individual district tables.

B. Application of Area and Width Regulations.

1. The area or width of a lot shall not be reduced below the minimum requirements herein established for the district in which such lot is located.
2. Every new parcel of land shall meet the minimum lot width requirements set forth in this Article and shall have frontage on and/or access to a public road.
3. **Measuring Lot Width.** Lot width shall be measured as: the horizontal distance between the side lot lines, measured at the two (2) points where the front setback line intersects the side lot line (**Figure A**). In the case of irregularly shaped lots, the width shall be measured on a line drawn perpendicular to a line that bisects the front and rear lot lines at a point midway along the front and rear lot lines (**Figure B**). In the case of a lot which has more than four (4) sides, the lot width shall be the minimum diameter of the largest circle that fits wholly within the lot (**Figure C**).

Figure A

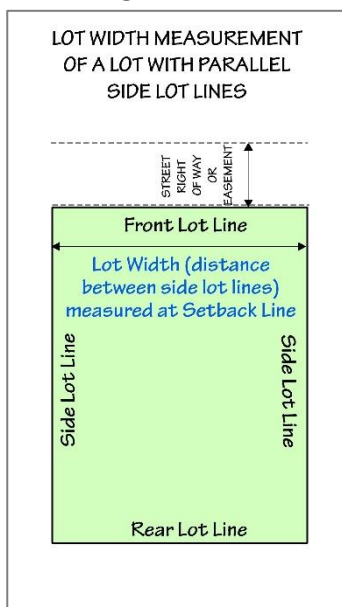


Figure B

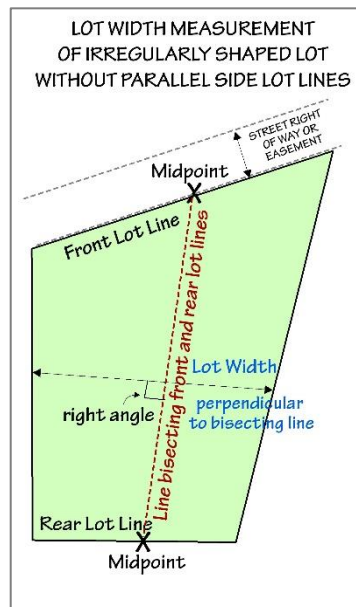
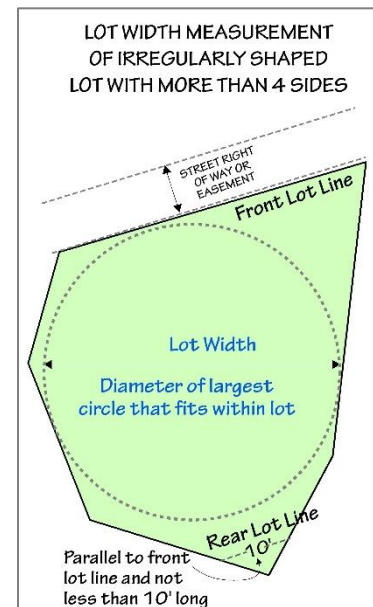


Figure C



C. Application of Yard Regulations.

1. Setbacks.

- a. Setbacks are the minimum required horizontal distance from the applicable front lot line, rear lot line, and side lot line of a lot within which no buildings or structures may be placed. Setbacks are measured from the nearest point of the principal building including the eave. See [Figures D and E](#).

(1) Setback Measurements on Easements and Private Roads.

- (a) **Private Roads Which Access More than Four Parcels.** Setbacks shall be measured from the edge of the private road right-of-way. See [Section 3.27](#).
- (b) **Easements Which Provide Access to Two to Four Parcels.** Setbacks shall be measured using the following process: from the edge of the fifteen (15') foot wide easement, twenty-five and a half (25.5) feet shall be added and the setback shall be measured from that point (or thirty-three (33') from the easement centerline). See [Figure F](#).
- b. All front yard setback lines shall be the minimum perpendicular distance measured from the front lot line to the nearest point of the principal structure.
- c. All side and rear yard setback lines shall be the minimum perpendicular distance between the nearest point on the side or rear of the structure and the side or rear lot line parallel thereto.

Figure D

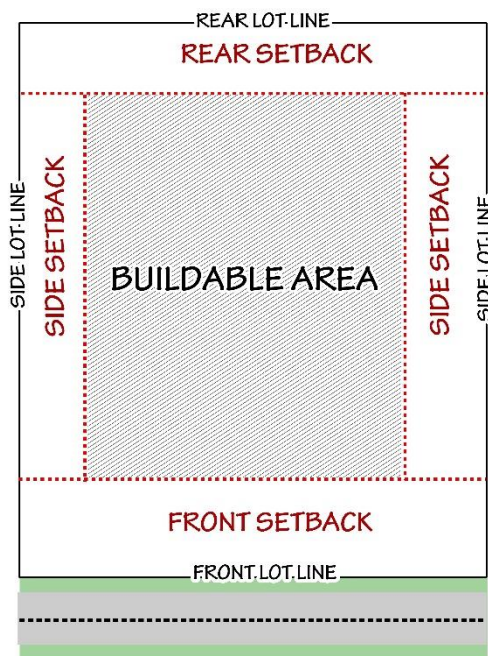


Figure E

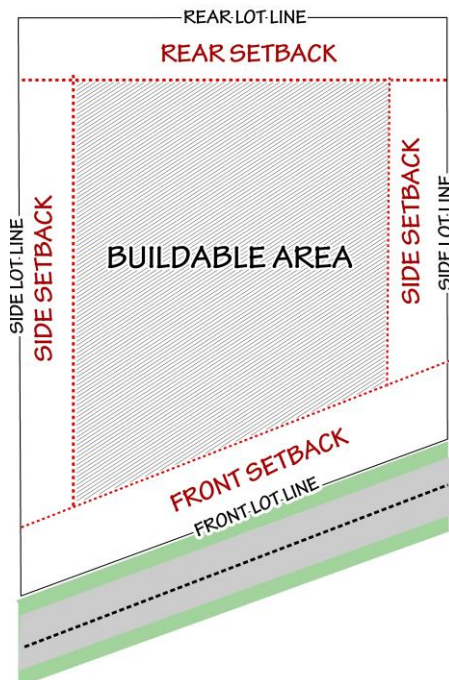
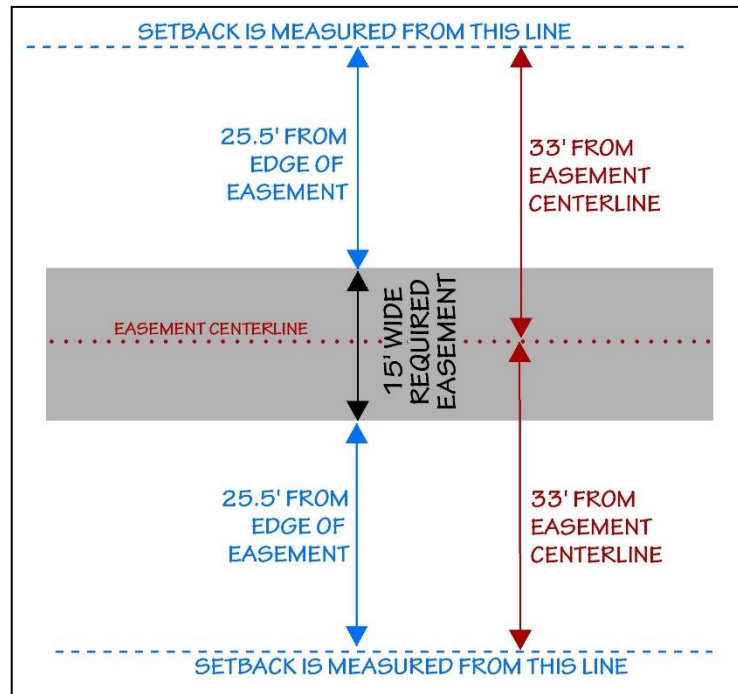


Figure F



2. No building, structure, fence, or other permanent improvement shall be permitted to be erected or located within a public right-of-way.
3. **Corner Lots and Double Frontage Lots.** On a corner lot or double frontage lot, the front lot line shall be that line separating said lot from the road on the side of the lot that has the narrowest road frontage, or if the two (2) lot lines have an equal amount of frontage, the front lot shall be on the most improved or best rated road. If the lot has an equal amount of frontage along equally rated roads, then the property owner may designate which lot line shall be considered the front lot line. For a double frontage lot, if there are existing structures in the same block fronting on one (1) or both of the roads, the required front yard setback shall be observed on those roads where such structures presently front.
4. **Water Frontage Lots.** The portion adjacent to the water is considered the front lot line.
5. **Entranceway Structures.** In all districts, entranceway structures, including but not limited to, walls, columns, and gates marking entrances to single-family homes and subdivisions, multiple-family housing projects, commercial developments, industrial developments, mixed-use developments, or similar uses may be permitted and may be located in a setback provided that such entranceway structures shall be approved during the required Administrative or Planning Commission review.

D. Application of Height Regulations.

1. No building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit hereinafter established for the district in which the building is located, except as otherwise provided in this Ordinance.
2. The height limitations of this Ordinance shall not apply to rooftop equipment, chimneys, church spires, flag poles, light poles, public monuments, wireless transmission towers, farm silos, or wind turbine generators, provided, however, that the Planning Commission may specify a height limit for any such structure when such structure requires authorization as a use permitted by Special Use in Article 4 of this Ordinance.

E. Location and Number of Buildings on Lot.

1. Every building erected, altered, or moved shall be located on a lot as defined herein.
2. No lot may contain more than one (1) principal building or use except that, upon determination by the Planning Commission, groups of apartment buildings, offices, retail business buildings, agricultural structures, or other similar groups of buildings may be considered principal buildings or uses. The Planning Commission may allow more than one (1) residence per parcel through the issuance of a Special Use for an Accessory Dwelling Unit permit pursuant to [Article 6](#) and [Section 7.03](#).

Section 4.04 Classification of Unlisted Property Uses

When the proposed use of land or use of a structure is not specified in this Ordinance, the Planning Commission shall have the power, upon written request of the property owner or Zoning Administrator, to classify the unlisted property use. In determining the proper classification of an unlisted property use, the Planning Commission shall consider the characteristics of the proposed unlisted property use in relation to similar and comparable uses listed in any zoning district and in relation to the requirements of the Township Master Plan. Once classified, the unlisted property use is subject to all applicable regulations pertaining to similar uses in the zoning district in which placed, including the regulations pertaining to uses subject to Special Use permit approval, if classified as such a use by the Planning Commission.

Section 4.05 Resource Conservation District (RC)**A. Intent.****RC**

The Resource Conservation District is designed to provide for the arrangement of land uses that are compatible with the conservation and preservation of large tracts of land presently having a most desirable natural environment that should not be disturbed, except minimally, for natural habitat for wildlife, forests and other native flora, natural water features including extensive wetlands and high water table soils, and other extensive land uses which retain the natural character of the area. Single-family homes on large lots will be provided for if the spacing of such homes is great enough to adequately handle on-site septic tanks and wells. This area is not anticipated to be served by public water or sewer systems in the foreseeable future.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	RC
Accommodation & Food/Event Services	
Bakeries, Coffee Shops, Confectioneries & Ice Cream Shops	S
Bed & Breakfasts & Tourist Homes §7.04	P*
Cabin Court or Cabin Complex [†]	P
Commercial Event Facilities (including Convention Centers, Conference Centers, Banquet Halls, Wedding Venues) §7.10	S*
Resorts, Vacation Lodges, & Vacation Farms [†] §7.26	S*
Rooming Houses/Boarding Houses (NO ZONING PERMIT NEEDED)	P
Short Term Rentals	P
Wineries/Cider Mills with Retail Sales/Tasting Rooms (with growing and production occurring on the property)	P
Agriculture, Animals & Forest Products	
Agricultural Tourism Businesses (on Farms)	S
Animal Shelter/Animal Rescue Facility	S
Biofuel Production Facilities on Farms §7.05	PS*
Boarding Stables; Riding Arenas §7.30	P*
Composting Facility (large scale facility – compost material brought in & deposited)	S

[†]may include rental of other types of recreational structures – “glamping”

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	RC
Agriculture, Animals & Forest Products (cont.)	
Dog Grooming Establishments	S
Farming, Commercial (including U-Pick)	P
Farming, Domestic (Hobby Farm)	P
Farm Market (on property controlled by the affiliated farm)	P
Farm Product Sales (Fruit/Vegetable Market) – not affiliated with a specific farm	S
Firewood Sales (Commercial - using machinery)	S
Firewood Sales (Commercial - NOT using machinery)	P
Forestry/Forest Management (including forest harvesting & temporary (no more than 6 months) log storage yards on site)	P
Game Preserves/Hunting Preserves	S
Greenhouse; Nursery; Landscaping Establishment	S
Kennels (Outdoor) §7.19	S*
Roadside Stand (product grown/ produced on premises)	P
Veterinary Clinic/Animal Hospital §7.19	S*

1 Purpose & Authority**2** Definitions**3** General Provisions**4** District Regulations**5** Site Plans & Plot Plans**6** Special Use Review**7** Supplemental Regulations**8** Zoning Board of Appeals**9** Administration & Enforcement**10** Adoption & Amendments

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	RC
Arts, Entertainment & Recreation	
Archery Ranges (indoor)	S
Campgrounds & RV Parks (may include rental of other types of recreational structures – "glamping") §7.07	S*
Camps (Summer Camps)	S
Canoe/Boat/Kayak Liveries	S
Country Clubs	S
Equipment Rental, Motorized (ORV, Snowmobile)	S
Equipment Rental, Non-Motorized (Outfitter)	S
Golf Courses	S
Golf Driving Ranges	S
Historic Sites (commercial/open to the public)	S
Marinas & Dock Facilities	S
Outdoor Commercial Recreational Facility (go karts; miniature golf; disc golf) §7.11	S*
Parks and Recreation Areas, Nature Areas, Conservation Areas (public and private)	P
Sportsmen's Association/Firearms Ranges/Archery Ranges (outdoor)	S
Wildlife Preserves	P
Zoos & Animal Tours	S
Commercial, Services & Retail	
Agricultural Equipment, Building & Garden Equipment & Supplies Dealers	S
Communications	
Small Cell Wireless Facilities §7.34	S*
Educational Services/Religion	
Colleges/Universities	S
Places of Worship & Customary Accessory Uses	S
Human Care & Social Assistance	
Adult Day Care Facility (6 or less adults) – IN PRIVATE HOME	P
Adult Day Care Facility (greater than 6 adults) – IN PRIVATE HOME	S
Adult Foster Care Family Homes (6 or less adults)	P
Child Care Home, Family (6 or less)	P
Child Care Home, Group (7 -12)	S
State -Licensed Residential Facilities (Adult Foster Care 6 or less)	P

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	RC
Manufacturing, Industrial, & Waste Mgmt	
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S
Miscellaneous	
Accessory Buildings & Uses Incidental to Principal Uses	P
Cemeteries including Columbaria & Mausoleums (human or pet) §7.09	S*
Planned Unit Developments & Open Space Residential Developments §7.24	S*
Site Condominium Development §7.32	S*
Residential Uses	
Accessory Dwelling Units/Guest Houses §7.03	P*
Dwelling Units in conjunction with a Commercial Establishment	P
Home Occupations §7.02	P*
Cottage Industries §7.02	S*
Multiple-Family Dwelling Units (Apartments)	S
Single-Family Attached Dwelling (Townhouses; Condominiums)	S
Single-Family Detached Dwelling	P
Two-Family Dwelling (duplex)	P
Utilities/Energy	
Essential Services	P
Solar Energy Facility (Utility-Scale) §7.29	S*
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P
Wind Turbine Generators (On-Site or Private) §7.36	S*

1 Purpose & Authority

2 Definitions

3 General Provisions

4 District Regulations

5 Site Plans & Plot Plans

6 Special Use Review

7 Supplemental Regulations

8 Zoning Board of Appeals

9 Administration & Enforcement

10 Adoption & Amendments

C. Development Standards for RC District.

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

RC

1. Lot & Structure Standards

a. Lot Area (min.)	10 acres
b. Lot Width (min.)	200 ft
c. Building Height (max.)	35 ft
d. Dwelling Unit Size (min.)	One-Story Dwelling: 900 sq ft Two-Story Dwelling: 1 st floor shall be 700 sq ft with a total of 924 sq ft for both stories All dwelling units shall require a zoning permit and shall meet current Crawford County building code regardless of the size of the dwelling unit.
e. Lot Coverage (max.)	20%

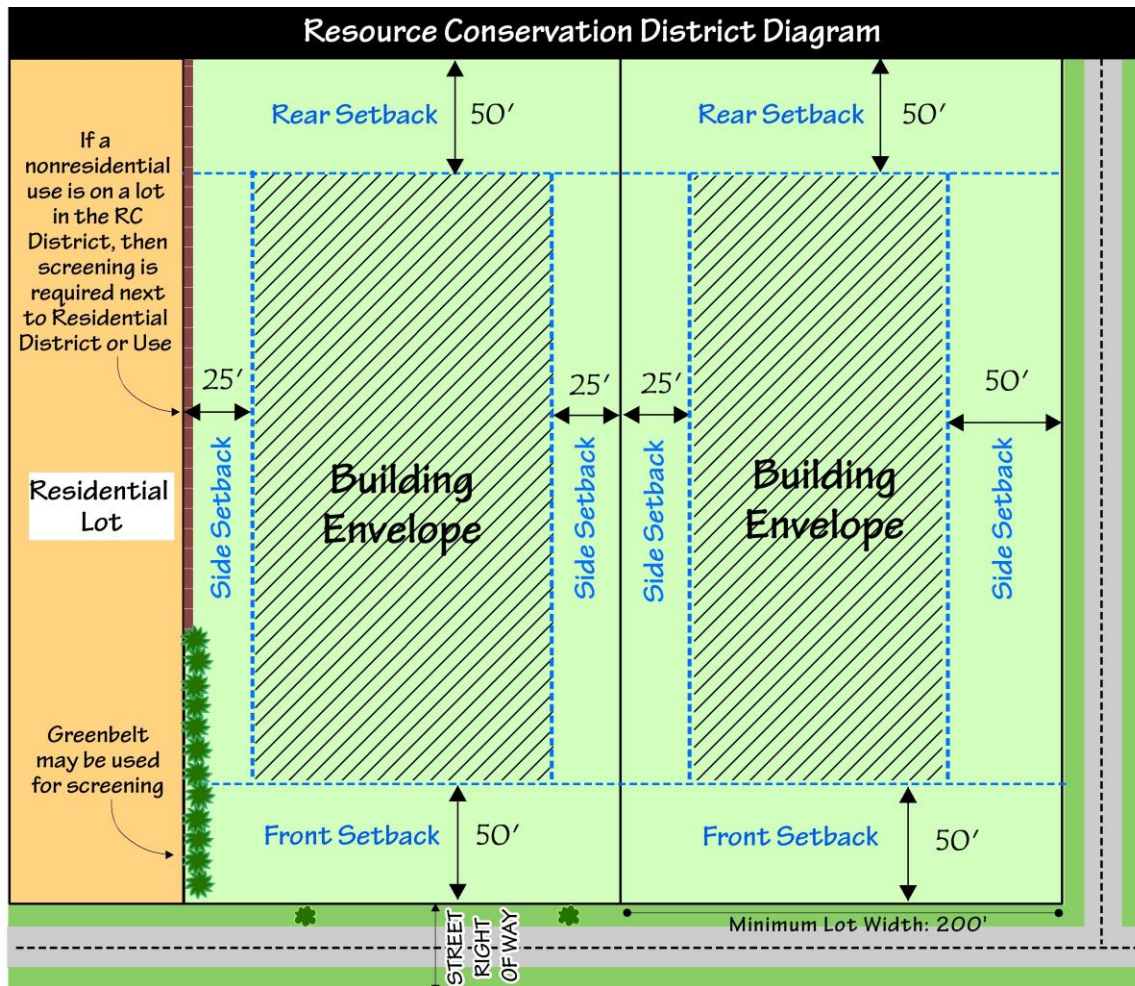
2. Setbacks (Figure 4.05)

	50 ft
a. Front (min.)	Waterfront Setback: 75 ft. See §3.15 Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	25 ft for each side (50 ft where side yard abuts a road right-of-way)
c. Rear (min.)	50 ft

3. Additional Development Standards

a. Accessory Buildings	See §3.07 .
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences	See §3.17 .
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28 .
f. Parking	See §3.26
g. Outdoor Storage	Planning Commission may require screening of outdoor storage areas for nonresidential uses.

Figure 4.05



Section 4.06 Farm Forest District (FF)**FF****A. Intent.**

The FF Farm Forest District is designed to promote the use of wooded and rural areas of the Township in a manner that will retain the basic attractiveness of the natural resources and provide enjoyment for both visitors and the community at large. These areas will not be served by public water distribution and wastewater disposal systems in the foreseeable future. The district will accommodate large lot residential development purposes which can support on-site water supply and wastewater disposal. The intent of the District is to hold the rural Township areas for agriculture and forestry purposes and to allow some multiple uses of marginal farm-forest lands.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	FR
Accommodation & Food/Event Services	
Bakeries, Coffee Shops, Confectioneries & Ice Cream Shops	S
Bed & Breakfasts & Tourist Homes §7.04	P*
Cabin Court or Cabin Complex [†]	P
Commercial Event Facilities (including Convention Centers, Conference Centers, Banquet Halls, Wedding Venues) §7.10	S*
Resorts, Vacation Lodges, & Vacation Farms [†] §7.26	S*
Rooming Houses/Boarding Houses (NO ZONING PERMIT NEEDED)	P
Short Term Rentals	P
Wineries/Cider Mills with Retail Sales/Tasting Rooms (with growing and production occurring on the property)	P
Agriculture, Animals & Forest Products	
Agricultural Products Processing & Storage (excluding concentrated animal feeding operations & slaughter houses)	S
Agricultural Tourism Businesses (on Farms)	S
Animal Sales Yards/Auctions for Livestock	S
Animal Shelter/Animal Rescue Facility	S
Biofuel Production Facilities on Farms §7.05	PS*
Boarding Stables; Riding Arenas §7.30	P*

[†]may include rental of other types of recreational structures – “glamping”

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	FR
Agriculture, Animals & Forest Products (cont.)	
Bulk Seed, Feed, Fertilizer & Nursery Stock Outlet & Distribution Centers (incl. wholesale)	S
Composting Facility (large scale facility – compost material brought in & deposited)	S
Dog Grooming Establishments	S
Farming, Commercial (including U-Pick)	P
Farming, Domestic (Hobby Farm)	P
Farm Market (on property controlled by the affiliated farm)	P
Farm Product Sales (Fruit/Vegetable Market) – not affiliated with a specific farm	S
Firewood Sales (Commercial - using machinery)	S
Firewood Sales (Commercial - NOT using machinery)	P
Forest Products Processing (Saw Mills, Veneer Mills, Planing Mills & related operations) §7.28	S*
Forestry/Forest Management (including forest harvesting & temporary (no more than 6 months) log storage yards on site)	P
Game Preserves/Hunting Preserves	S
Greenhouse; Nursery; Landscaping Establishment	S
Kennels (Outdoor) §7.19	S*
Roadside Stand (product grown/produced on-premises)	P
Veterinary Clinic/Animal Hospital §7.19	S*

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TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	FR
Arts, Entertainment & Recreation	
Archery Ranges (indoor)	S
Arenas, Recreation & Sports	S
Campgrounds & RV Parks (*may include rental of other types of recreational structures – "glamping") §7.07	S*
Camps (Summer Camps)	S
Country Clubs	S
Equipment Rental, Motorized (ORV, Snowmobile)	S
Equipment Rental, Non-Motorized (Outfitter)	S
Golf Courses	S
Golf Driving Ranges	S
Historic Sites (commercial/open to the public)	S
Outdoor Commercial Recreational Facility (go karts; miniature golf; disc golf) §7.11	S*
Parks and Recreation Areas, Nature Areas, Conservation Areas (public and private)	P
Sportsmen's Association/Firearms Ranges/Archery Ranges (outdoor)	S
Wildlife Preserves	P
Zoos & Animal Tours	S
Commercial, Services & Retail	
Agricultural Equipment, Building & Garden Equipment & Supplies Dealers	S
Equipment Rental & Sales	S
Flea Market	S
Funeral Homes & Mortuaries §7.15	S*
Repair Shops (not automotive-related)	S
Small-Scale Craft Making	P
Taxidermy Shops	S
Communications	
Small Cell Wireless Facilities §7.34	S*
Wireless Communications Facilities (with or without Support Structures (i.e. cell towers) §7.34	S*
Construction/Contractors	
Special Trade Contractors Offices & Showrooms – no outdoor storage (construction, electrical, plumbing, heating, excavation, well-drilling, etc)	P
Special Trade Contractors Offices & Showrooms w/ outdoor storage of materials & contractor's equipment (construction, electrical, plumbing, heating, excavation, well-drilling, etc)	S

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	FR
Educational Services/Religion	
Colleges/Universities	S
Places of Worship & Customary Accessory Uses	S
Human Care & Social Assistance	
Adult Day Care Facility (6 or less adults) – IN PRIVATE HOME	P
Adult Day Care Facility (greater than 6 adults) – IN PRIVATE HOME	S
Adult Foster Care Family Homes (6 or less adults)	P
Adult Foster Care Small Group Home (7-12 adults)	S
Adult Foster Care Large Group Home (13-20 adults)	S
Adult Foster Care Congregate Facilities (over 20 adults)	S
Assisted Living Home/Nursing Home/Convalescent Home §7.23	S*
Child Care Home, Family (6 or less)	P
Child Care Home, Group (7 -12)	S
Child Care Center/Nursery School (not in home)	S
State -Licensed Residential Facilities (Adult Foster Care 6 or less)	P
Manufacturing, Industrial, & Waste Mgmt	
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S
Miscellaneous	
Accessory Buildings & Uses Incidental to Principal Uses	P
Cemeteries including Columbaria & Mausoleums (human or pet) §7.09	P*
Planned Unit Developments & Open Space Residential Developments §7.24	S*
Site Condominium Development §7.32	S*
Public Facilities	
Municipal Buildings & Uses	P
Police/Fire Stations	P

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TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	FR
Residential Uses	
Accessory Dwelling Units/Guest Houses §7.03	P*
Dwelling Units in conjunction with a Commercial Establishment	P
Home Occupations §7.02	P*
Cottage Industries §7.02	S*
Manufactured/Mobile Home Development (with accessory uses such as laundry facilities, office building, & community building) §7.20	S*
Multiple-Family Dwelling Units (Apartments)	S
Single-Family Attached Dwelling (Townhouses; Condominiums)	S
Single-Family Detached Dwelling	P
Two-Family Dwelling (duplex)	P

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	FR
Transportation, Storage & Wholesale	
Airports, Aviation Support Services, Heliports & Landing Fields	S
Utilities/Energy	
Essential Services	P
Public Utility Facilities (without storage yards)	S
Public Utility Facilities (with storage yards)	S
Solar Energy Facility (Utility-Scale) §7.29	S*
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P
Wind Turbine Generators & Anemometer Towers (Commercial or Utility-Scale) §7.36	S*
Wind Turbine Generators (On-Site or Private) §7.36	S*

C. Development Standards for FF District.

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

FF**1. Lot & Structure Standards**

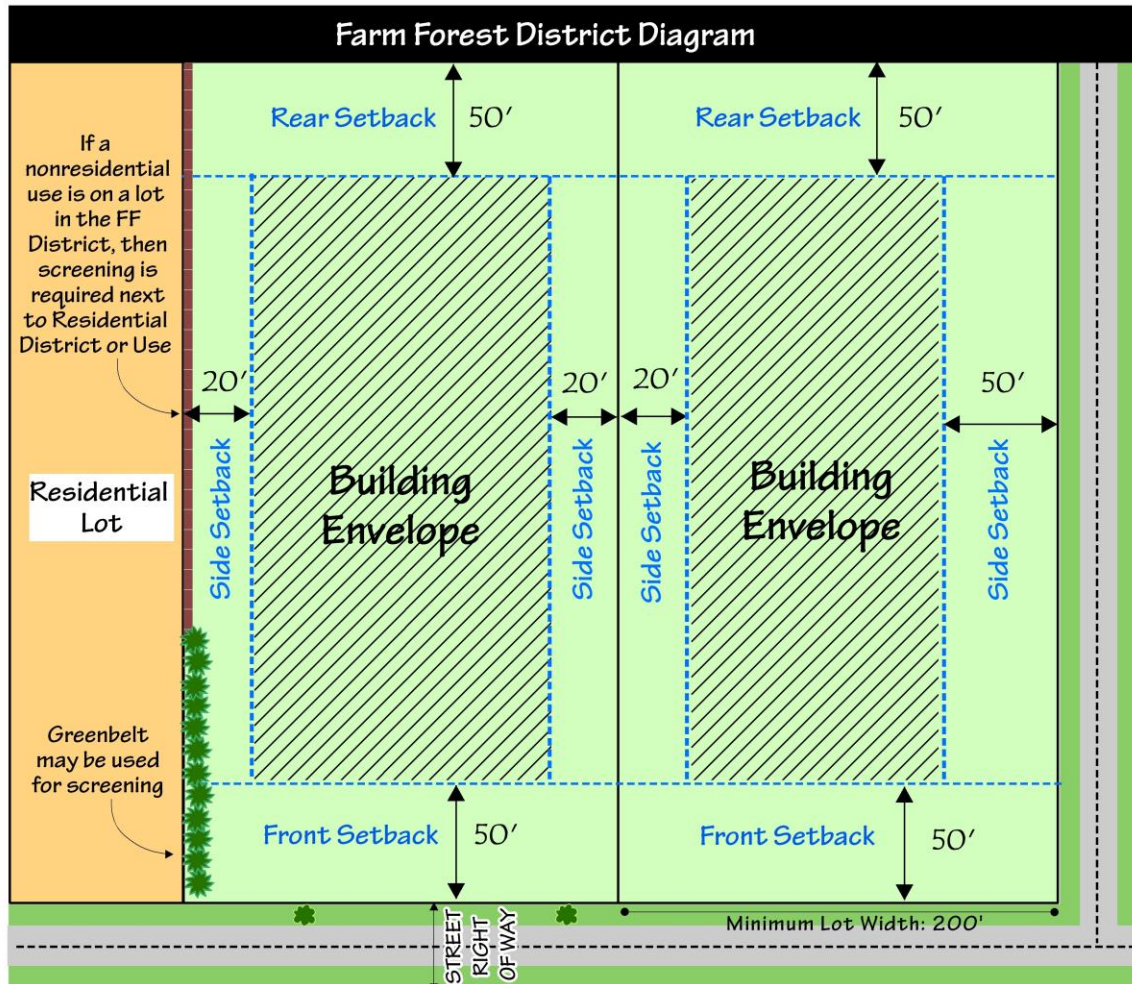
a. Lot Area (min.)	2 acres
b. Lot Width (min.)	200 ft
c. Building Height (max.)	35 ft for all except those listed below. 45 ft for all agricultural buildings, except for grain elevators, silos, and wind turbines or windmills used for pumping livestock water which shall not exceed 100 feet in height.
d. Dwelling Unit Size (min.)	One-Story Dwelling: 900 sq ft Two-Story Dwelling: 1 st floor shall be 700 sq ft with a total of 924 sq ft for both stories All dwelling units shall require a zoning permit and shall meet current Crawford County building code regardless of the size of the dwelling unit.
e. Lot Coverage (max.)	20%

2. Setbacks (Figure 4.06)

a. Front (min.)	50 ft Waterfront Setback: 75 ft. See §3.15 Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	20 ft for each side (50 ft where side yard abuts a road right-of-way)
c. Rear (min.)	50 ft

3. Additional Development Standards

a. Accessory Buildings	See §3.07 .
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences	See §3.17 .
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28 .
f. Parking	See §3.26 .
g. Outdoor Storage	Planning Commission may require screening of outdoor storage areas for nonresidential uses.

Figure 4.06

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Section 4.07 Low Density Residential District (LDR)**A. Intent.****LDR**

The Low Density Residential Zoning District is designed to provide for single-family housing neighborhoods free from other uses, except those which are (1) normally accessory to and (2) compatible with, supportive of, and convenient to the various types and compositions of families living within such residential land use areas. The size of lots and parcels should be planned to be of such area and width so that they can sustain healthful and sanitary on-site water supply and wastewater disposal.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	LDR
Accommodation & Food/Event Services	
Bakeries, Coffee Shops, Confectioneries & Ice Cream Shops	S
Bed & Breakfasts & Tourist Homes §7.04	P*
Rooming Houses/Boarding Houses (NO ZONING PERMIT NEEDED)	P
Short Term Rentals	P
Agriculture, Animals & Forest Products	
Farming, Domestic (Hobby Farm)	P
Firewood Sales (Commercial - NOT using machinery)	P
Greenhouse; Nursery; Landscaping Establishment	S
Roadside Stand - product grown/produced on-premises (no greater than 100 sq ft)	P
Arts, Entertainment & Recreation	
Archery Ranges (indoor)	S
Golf Driving Ranges	S
Parks and Recreation Areas, Nature Areas, Conservation Areas (public and private)	P
Communications	
Small Cell Wireless Facilities §7.34	S*
Educational Services/Religion	
Places of Worship & Customary Accessory Uses	S
Public, Charter or Private Schools (elementary through high school)	S

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	LDR
Human Care & Social Assistance	
Adult Day Care Facility (6 or less adults) – IN PRIVATE HOME	P
Adult Day Care Facility (greater than 6 adults) – IN PRIVATE HOME	S
Adult Foster Care Family Homes (6 or less adults)	P
Adult Foster Care Small Group Home (7-12 adults)	S
Child Care Home, Family (6 or less)	P
Child Care Home, Group (7 -12)	S
Child Care Center/Nursery School (not in home)	S
State -Licensed Residential Facilities (Adult Foster Care 6 or less)	P
Manufacturing, Industrial, & Waste Mgmt	
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S
Miscellaneous	
Accessory Buildings & Uses Incidental to Principal Uses	P
Cemeteries including Columbaria & Mausoleums (human or pet) §7.09	P*
Planned Unit Developments & Open Space Residential Developments §7.24	S*
Site Condominium Development §7.32	S*

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TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	LDR
Public Facilities	
Municipal Buildings & Uses	P
Residential Uses	
Accessory Dwelling Units/Guest Houses §7.03	P*
Dwelling Units in conjunction with a Commercial Establishment	P
Home Occupations §7.02	P*
Cottage Industries §7.02	S*
Multiple-Family Dwelling Units (Apartments)	S
Single-Family Attached Dwelling (Townhouses; Condominiums)	S
Single-Family Detached Dwelling	P
Two-Family Dwelling (duplex)	P

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	LDR
Utilities/Energy	
Essential Services	P
Public Utility Facilities (without storage yards)	S
Solar Energy Facility (Utility-Scale) §7.29	S*
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P
Wind Turbine Generators (On-Site or Private) §7.36	S*

C. Development Standards for LDR District.

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

LDR**1. Lot & Structure Standards**

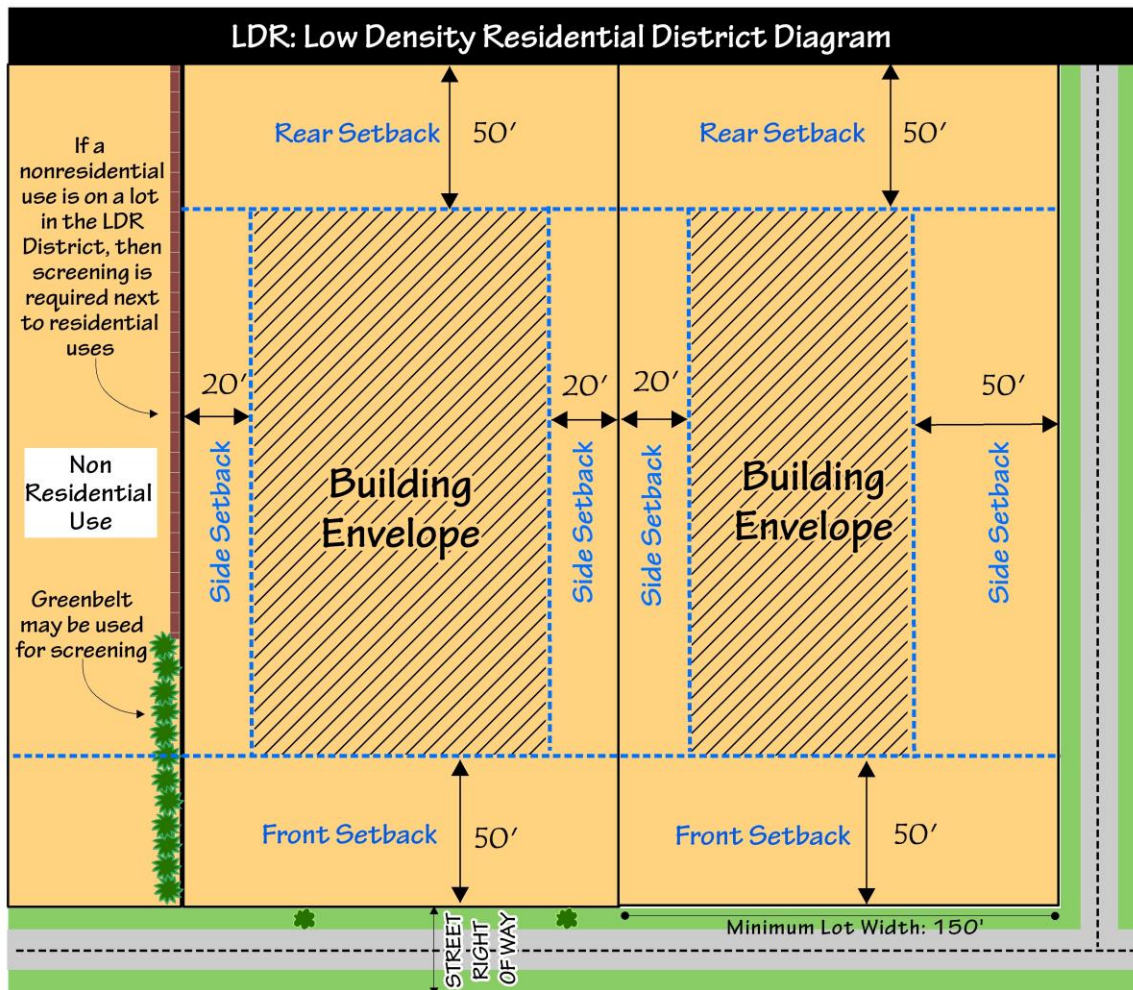
a. Lot Area (min.)	1 acre
b. Lot Width (min.)	150 ft
c. Building Height (max.)	35 ft
d. Dwelling Unit Size (min.)	One-Story Dwelling: 900 sq ft Two-Story Dwelling: 1 st floor shall be 700 sq ft with a total of 924 sq ft for both stories All dwelling units shall require a zoning permit and shall meet current Crawford County building code regardless of the size of the dwelling unit.
e. Lot Coverage (max.)	30%

2. Setbacks (Figure 4.07)

a. Front (min.)	50 ft Waterfront Setback: 75 ft. See §3.15 Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	20 ft for each side (50 ft where side yard abuts a road right-of-way)
c. Rear (min.)	50 ft

3. Additional Development Standards

a. Accessory Buildings	See §3.07 .
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences & Walls	See §3.17 .
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28 .
f. Parking	See §3.26
h. Outdoor Storage	Planning Commission may require screening of outdoor storage areas for nonresidential uses.

Figure 4.07


Section 4.08 Medium Density Residential District (MDR)**A. Intent.****MDR**

The Medium Density Residential District is designed to provide for single-family residential uses at reasonable densities. It is further the purpose to require lot areas large enough to protect groundwater from excessive pollution due to an over-concentration of septic tank systems, particularly in areas adjacent to surface water bodies and in inland areas where groundwater needs to be protected because of on-site or off-site human use.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	MDR
Accommodation & Food/Event Services	
Bed & Breakfasts & Tourist Homes \$7.04	P*
Cabin Court or Cabin Complex†	S
Resorts & Vacation Lodges† \$7.26	S*
Rooming Houses/Boarding Houses (NO ZONING PERMIT NEEDED)	P
Short Term Rentals	P
Agriculture, Animals & Forest Products	
Roadside Stand - product grown/produced on-premises (no greater than 100 sq ft)	P
Arts, Entertainment & Recreation	
Parks and Recreation Areas, Nature Areas, Conservation Areas (public and private)	P
Communications	
Small Cell Wireless Facilities \$7.34	S*
Educational Services/Religion	
Places of Worship & Customary Accessory Uses	S
Human Care & Social Assistance	
Adult Day Care Facility (6 or less adults) – IN PRIVATE HOME	P
Adult Day Care Facility (greater than 6 adults) – IN PRIVATE HOME	S
Adult Foster Care Family Homes (6 or less adults)	P
Child Care Home, Family (6 or less)	P
Child Care Home, Group (7 -12)	S
State -Licensed Residential Facilities (Adult Foster Care 6 or less)	P

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	MDR
Manufacturing, Industrial, & Waste Mgmt	
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S
Miscellaneous	
Accessory Buildings & Uses Incidental to Principal Uses	P
Planned Unit Developments & Open Space Residential Developments \$7.24	S*
Public Facilities	
Municipal Buildings & Uses	P
Residential Uses	
Accessory Dwelling Units/Guest Houses \$7.03	P*
Dwelling Units in conjunction with a Commercial Establishment	P
Home Occupations \$7.02	P*
Cottage Industries \$7.02	S*
Single-Family Detached Dwelling	P
Two-Family Dwelling (duplex)	P
Utilities/Energy	
Essential Services	P
Public Utility Facilities (without storage yards)	S
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P
Wind Turbine Generators (On-Site or Private) \$7.36	S*

†may include rental of other types of recreational structures – “glamping”

C. Development Standards for MDR District.**MDR**

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

1. Lot & Structure Standards

a. Lot Area (min.)	20,000 sq ft
b. Lot Width (min.)	100 ft
c. Building Height (max.)	35 ft
d. Dwelling Unit Size (min.)	720 sq ft (Two-Story Dwelling: 1st floor shall be 700 sq ft with a total of 924 sq ft for both stories) ¹
	The portion of MDR platted as Twin Peaks No. 1 and Uppnorthe Unit No. 3 (shown in Figure 4.08 (2) below), shall have a minimum dwelling unit size shall be 300 sq ft ¹
	All dwelling units shall require a zoning permit and shall meet current Crawford County building code regardless of the size of the dwelling unit.
e. Lot Coverage (max.)	30%

2. Setbacks (Figure 4.08)

a. Front (min.)	20 ft
	Waterfront Setback: 75 ft. See §3.15
	Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	10 ft for each side (20 ft where side yard abuts a road right-of-way)
c. Rear (min.)	20 ft

3. Additional Development Standards

a. Accessory Buildings	See §3.07 .
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences & Walls	See §3.17 .
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28 .
f. Parking	See §3.26
i. Outdoor Storage	Planning Commission may require screening of outdoor storage areas for nonresidential uses.

¹ Amended 2/13/23; Effective 3/2/23

Figure 4.08

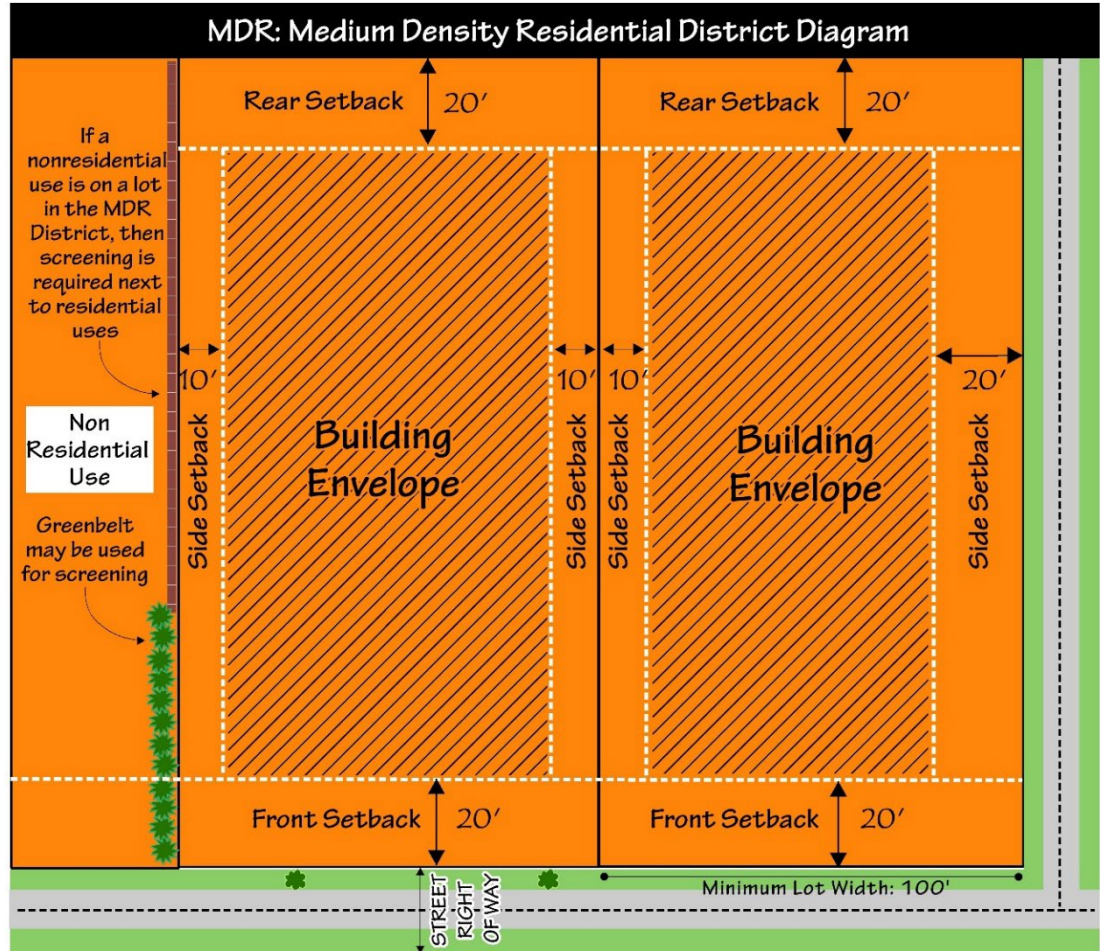
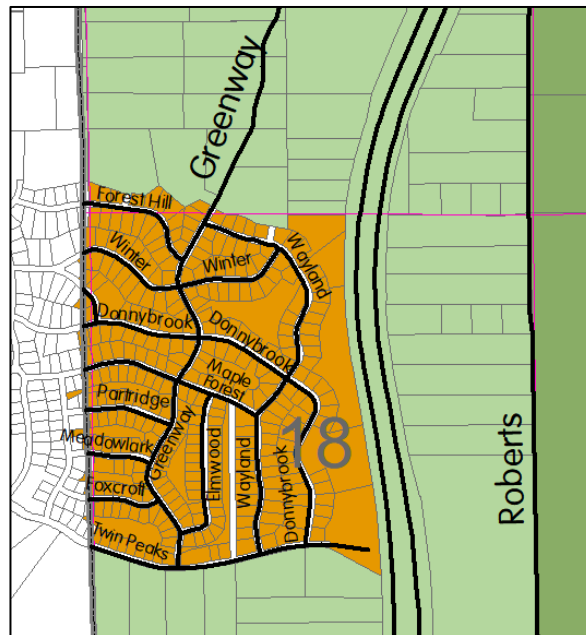


Figure 4.08(2)



Section 4.09 High Density Residential District (HDR)**A. Intent.****HDR**

The High Density Residential District is designed to provide for single-family residential uses at higher densities on smaller lots in select areas of the Township.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	HDR
Accommodation & Food/Event Services	
Bed & Breakfasts & Tourist Homes §7.04	P*
Rooming Houses/Boarding Houses (NO ZONING PERMIT NEEDED)	P
Short Term Rentals	P
Agriculture, Animals & Forest Products	
Roadside Stand - product grown/produced on-premises (no greater than 100 sq ft)	P
Arts, Entertainment & Recreation	
Parks and Recreation Areas, Nature Areas, Conservation Areas (public and private)	P
Communications	
Small Cell Wireless Facilities §7.34	S*
Human Care & Social Assistance	
Adult Day Care Facility (6 or less adults) – IN PRIVATE HOME	P
Adult Day Care Facility (greater than 6 adults) – IN PRIVATE HOME	S
Adult Foster Care Family Homes (6 or less adults)	P
Child Care Home, Family (6 or less)	P
Child Care Home, Group (7 -12)	S
State -Licensed Residential Facilities (Adult Foster Care 6 or less)	P
Manufacturing, Industrial, & Waste Mgmt	
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	HDR
Miscellaneous	
Accessory Buildings & Uses Incidental to Principal Uses	P
Planned Unit Developments & Open Space Residential Developments §7.24	S*
Residential Uses	
Accessory Dwelling Units/Guest Houses §7.03	P*
Dwelling Units in conjunction with a Commercial Establishment	P
Home Occupations §7.02	P*
Cottage Industries §7.02	S*
Single-Family Detached Dwelling	P
Two-Family Dwelling (duplex)	P
Utilities/Energy	
Essential Services	P
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P
Wind Turbine Generators (On-Site or Private) §7.36	S*

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C. Development Standards for HDR District.**HDR**

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

1. Lot & Structure Standards

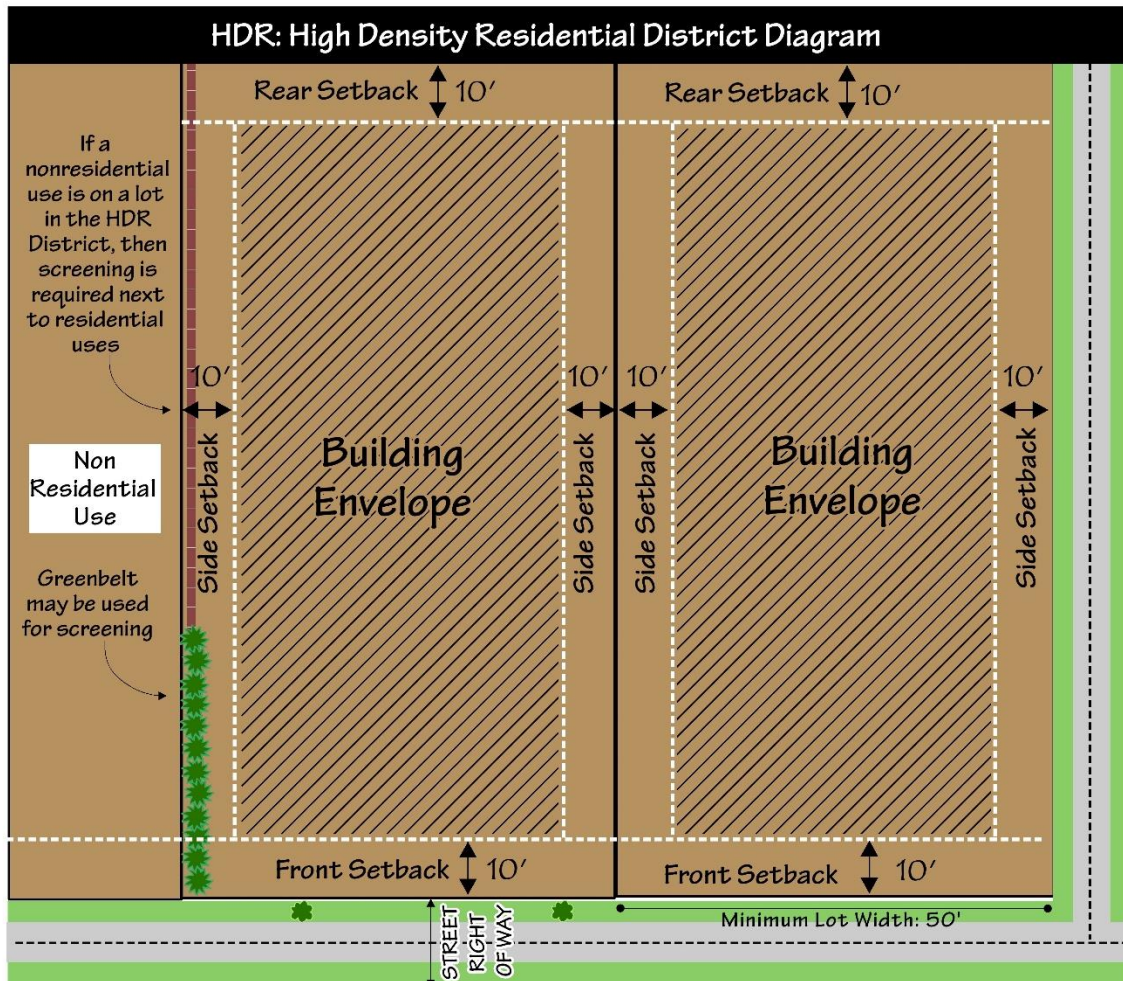
a. Lot Area (min.)	10,000 sq ft
b. Lot Width (min.)	50 ft
c. Building Height (max.)	35 ft
d. Dwelling Unit Size (min.)	720 sq ft All dwelling units shall require a zoning permit and shall meet current Crawford County building code regardless of the size of the dwelling unit.
e. Lot Coverage (max.)	30%

2. Setbacks (Figure 4.09)

a. Front (min.)	10 ft Waterfront Setback: 75 ft. See §3.15 Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	10 ft for each side
c. Rear (min.)	10 ft

3. Additional Development Standards

a. Accessory Buildings	See §3.07 .
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences & Walls	See §3.17 .
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28 .
f. Parking	See §3.26 .
j. Outdoor Storage	Planning Commission may require screening of outdoor storage areas for nonresidential uses.

Figure 4.09


Section 4.10 Neighborhood Business District (NB)**A. Intent.****NB**

The NB Neighborhood Business District is designed to give the Township a Business District that is somewhat more selective than a General Business District, to provide for the establishment of neighborhood shopping areas, personal services, and professional office areas that are compatible with and of service to township residential uses. Tourist services are also included as being in character with the District. This district also allows residential uses making it a mixed use district.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES	
<i>P</i> = Permitted by right <i>S</i> = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	NB
Accommodation & Food/Event Services	
Bakeries, Coffee Shops, Confectioneries & Ice Cream Shops	P
Bars/Taverns	S
Bed & Breakfasts & Tourist Homes §7.04	P*
Caterers/Food Service Contractors	P
Food Trucks §7.14	P*
Hotels & Motels (attached or detached units) §7.22	S*
Restaurants §7.06	P*
Rooming Houses/Boarding Houses (NO ZONING PERMIT NEEDED)	P
Short Term Rentals	P
Agriculture, Animals & Forest Products	
Dog Grooming Establishments	P
Farm Product Sales (Fruit/Vegetable Market) – not affiliated with a specific farm	P
Firewood Sales (Commercial - NOT using machinery)	P
Greenhouse; Nursery; Landscaping Establishment	P
Arts, Entertainment & Recreation	
Art Galleries & Studios	P
Canoe/Boat/Kayak Liveries	S
Equipment Rental, Non-Motorized (Outfitter)	P
Fitness & Recreational Sports (ex: health clubs, gym, tennis, swimming pool club, skating rinks)	S

TABLE OF PERMITTED USES & SPECIAL USES	
<i>P</i> = Permitted by right <i>S</i> = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	NB
Arts, Entertainment & Recreation (cont.)	
Marinas & Dock Facilities	S
Museums	P
Parks and Recreation Areas, Nature Areas, Conservation Areas (public and private)	P
Private Clubs; Lodges; Fraternal Organizations	S
Commercial, Services & Retail	
Banks/Financial Institutions §7.06	P*
Business Services & Computer Repair	P
Funeral Homes & Mortuaries §7.15	S*
Gasoline Service Stations §7.17	S*
Health Spa	P
Laundromat and Dry Cleaning Services	S
Locksmiths	P
Offices, Professional	P
Personal Services (beauty shops, tailoring, massage therapy)	P
Photofinishing/Photographers	P
Repair Shops (not automotive-related)	P
Retail Sales (no outside sales/storage in NB)	P
Small-Scale Craft Making	P
Studios for Dance, Physical Exercise, Music, Karate, and Similar Uses	P
Taxidermy Shops	P
Upholstery Shop	P

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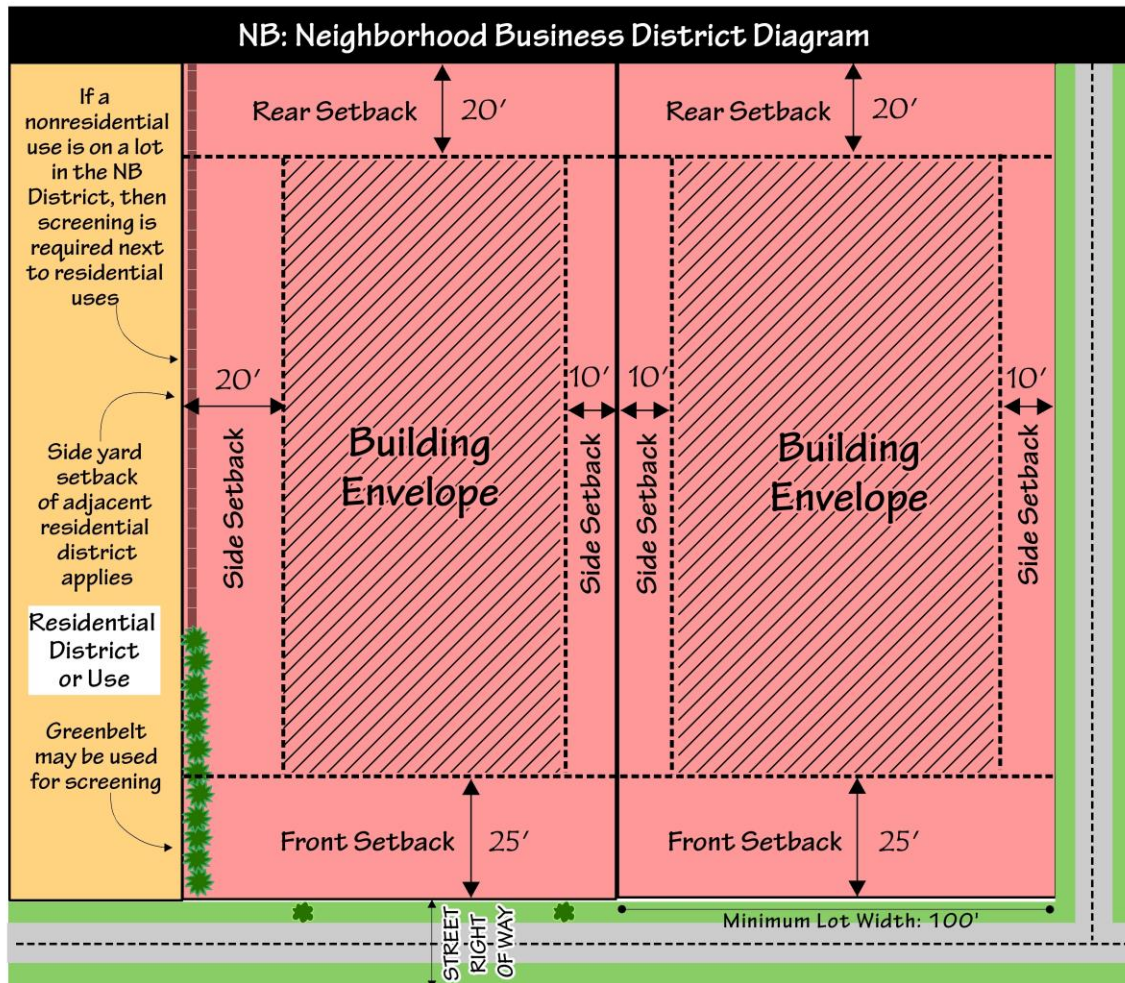
TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	NB
Communications	
Small Cell Wireless Facilities §7.34	S*
Educational Services/Religion	
Places of Worship & Customary Accessory Uses	S
Human Care & Social Assistance	
Adult Day Care Facility (6 or less adults) – IN PRIVATE HOME	P
Adult Day Care Facility (greater than 6 adults) – IN PRIVATE HOME	S
Adult Day Care Facility NOT IN PRIVATE HOME	S
Adult Foster Care Family Homes (6 or less adults)	P
Charitable Institution (ex: soup kitchen); Non-Profit Organizations	P
Child Care Home, Family (6 or less)	P
Child Care Home, Group (7 -12)	S
Child Care Center/Nursery School (not in home)	S
State -Licensed Residential Facilities (Adult Foster Care 6 or less)	P
Manufacturing, Industrial, & Waste Mgmt	
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S
Miscellaneous	
Accessory Buildings & Uses Incidental to Principal Uses	P
Planned Unit Developments & Open Space Residential Developments §7.24	S*
Public Facilities	
Community Centers	P
Libraries	P
Municipal Buildings & Uses	P
Police/Fire Stations	P
Residential Uses	
Accessory Dwelling Units/Guest Houses §7.03	P*
Dwelling Units in conjunction with a Commercial Establishment	P
Home Occupations §7.02	P*
Cottage Industries §7.02	S*
Single-Family Detached Dwelling	P
Two-Family Dwelling (duplex)	P
Utilities/Energy	
Essential Services	P
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P

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C. Development Standards for NB District.**NB**

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

1. Lot & Structure Standards	
a. Lot Area (min.)	40,000 sq ft
b. Lot Width (min.)	100 ft
c. Building Height (max.)	35 ft
d. Dwelling Unit Size (min.)	720 sq ft All dwelling units shall require a zoning permit and shall meet current Crawford County building code regardless of the size of the dwelling unit.
e. Lot Coverage (max.)	60%
2. Setbacks (Figure 4.10)	
	25 ft
a. Front (min.)	Waterfront Setback: 75 ft. See §3.15 Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	10 ft for each side Side yards shall be increased where adjacent to any residential district. In such cases the adjacent district side yard setback regulations shall apply.
c. Rear (min.)	20 ft
3. Additional Development Standards	
a. Accessory Buildings	See §3.07 .
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences & Walls	See §3.17 .
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28 .
f. Parking	See §3.26
k. Outdoor Storage	Planning Commission may require screening of outdoor storage areas for nonresidential uses.

Figure 4.10

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Section 4.11 Commercial & Business District (CB)**A. Intent.****CB**

The CB Commercial & Business District is designed to provide for a general commercial district containing uses which include services and retail sale or combination retail/wholesale of commodities catering to the entire community and the needs of highway and tourist traffic. The avoidance of undue congestion on public roads, the promotion of smooth traffic flow at major interchange and intersection areas and on the highways, and the protection of adjacent properties in other districts from the adverse influences of traffic are prime considerations in the location of the district.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES		TABLE OF PERMITTED USES & SPECIAL USES	
<i>P</i> = Permitted by right <i>S</i> = Permitted with a Special Use Permit *supplemental development regulations	CB	<i>P</i> = Permitted by right <i>S</i> = Permitted with a Special Use Permit *supplemental development regulations	CB
Accommodation & Food/Event Services		Agriculture, Animals & Forest Products (cont.)	
Bakeries, Coffee Shops, Confectioneries & Ice Cream Shops	P	Forest Products Processing (Saw Mills, Veneer Mills, Planing Mills & related operations) §7.28	S*
Bars/Taverns	S	Grain Elevators	P
Caterers/Food Service Contractors	P	Greenhouse; Nursery; Landscaping Establishment	P
Commercial Event Facilities (including Convention Centers, Conference Centers, Banquet Halls, Wedding Venues) §7.10	S*	Veterinary Clinic/Animal Hospital §7.19	P*
Food Trucks §7.14	P*	Arts, Entertainment & Recreation	
Hotels & Motels (attached or detached units) §7.22	P*	Amusement Arcades & Similar Indoor Recreation	P
Microbreweries & Distilleries (serving directly to the public); Winery Tasting Rooms	S	Archery Ranges (indoor)	P
Restaurants §7.06	P*	Arenas, Recreation & Sports	S
Short Term Rentals	P	Art Galleries & Studios	P
Agriculture, Animals & Forest Products		Billiards Halls & Bowling Alleys	S
Boarding Stables; Riding Arenas §7.30	P*	Equipment Rental, Motorized (ORV, Snowmobile)	P
Bulk Seed, Feed, Fertilizer & Nursery Stock Outlet and Distribution Centers (including wholesale)	P	Equipment Rental, Non-Motorized (Outfitter)	P
Composting Facility (large scale facility – compost material brought in & deposited)	S	Fitness & Recreational Sports (ex: health clubs, gym, tennis, swimming pool club, skating rinks)	S
Dog Grooming Establishments	P	Museums	P
Farm Product Sales (Fruit/Vegetable Market) – not affiliated with a specific farm	P	Parks and Recreation Areas, Nature Areas, Conservation Areas (public and private)	P
Firewood Sales (Commercial - using machinery)	S	Private Clubs; Lodges; Fraternal Organizations	S
Firewood Sales (Commercial - NOT using machinery)	P	Theaters/Performing Arts Facilities/Assembly Halls (completed enclosed bldg.)	P

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TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	CB
Arts, Entertainment & Recreation (cont.)	
Theaters (Drive-In)	S
Tours (Commercial Operations)	P
Commercial, Services & Retail	
Agricultural Equipment, Building & Garden Equipment & Supplies Dealers	P
Automobile Repair Garage; Auto Body/ Paint/Interior & Glass §7.17	P*
Automotive Oil Change §7.17	P*
Automotive Tire Sales & Installation §7.17	P*
Automobile Towing Businesses	P
Banks/Financial Institutions §7.06	P*
Boat/RV/Recreational Equipment Repair & Storage	P
Business Incubator	P
Business Services & Computer Repair	P
Car Washes §7.08	P*
Cash Advance Stores	P
Cleaning Services	P
Commercial Equipment Repair & Maintenance	P
Electronic & Precision Equipment Repair & Maintenance	P
Equipment Rental & Sales	P
Extermination & Pest Control Services	P
Film Production Facilities including sound stages & other related activities	P
Flea Market	P
Gasoline Service Stations §7.17	S*
General Rental Centers/Rent-to-Own Shops	P
Health Spa	P
Home Improvement Centers §7.13	P*
Interior Designers/Showrooms	P
Laboratories, Medical/Dental	S
Laundromat and Dry Cleaning Services	S
Locksmiths	P
Lumber Yards (pre-planed, finished lumber)/Building Material Sales & Supply §7.13	P*
Offices, Professional	P
Outdoor Sales/Rental Facilities	S

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	CB
Commercial, Services & Retail (cont.)	
Pawn Shops	P
Personal Services (beauty shops, tailoring, massage therapy)	P
Photofinishing/Photographers	P
Printing/Binding/Publishing of Print Material	P
Recording Studios	P
Repair Shops (not automotive-related)	P
Retail Sales (no outside sales/storage in NB)	P
Retail Sales combined with Wholesale	P
Small Engine Repair	P
Small-Scale Craft Making	P
Studios for Dance, Physical Exercise, Music, Karate, and Similar Uses	P
Tattoo & Body Piercing Studios	P
Taxidermy Shops	P
Upholstery Shop	P
Communications	
Small Cell Wireless Facilities §7.34	S*
Wireless Communications Facilities (with or without Support Structures (i.e. cell towers) §7.34	S*
Construction/Contractors	
Special Trade Contractors Offices & Showrooms – no outdoor storage (construction, electrical, plumbing, heating, excavation, well-drilling, etc)	P
Special Trade Contractors Offices & Showrooms w/ outdoor storage of materials & contractor's equipment (construction, electrical, plumbing, heating, excavation, well-drilling, etc)	P
Educational Services/Religion	
Places of Worship & Customary Accessory Uses	P
Public, Charter or Private Schools (elementary through high school)	S
Human Care & Social Assistance	
Charitable Institution (ex: soup kitchen); Non-Profit Organizations	P
Child Caring Institution	S
Health Care/Dental/Optical Clinics	P
Rehabilitation Institutions	S
Residential Human Care & Treatment Facility (not in a residence)	S

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TABLE OF PERMITTED USES & SPECIAL USES		TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit <i>*supplemental development regulations</i>		P = Permitted by right S = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	
Manufacturing, Industrial, & Waste Mgmt		Transportation, Storage & Wholesale	
Laboratories	S	Couriers/Parcel Packing/Shipping/ Delivery Establishments/Mail Order Establishments	P
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S	Distribution Centers/Freight Terminals/Trucking Facilities	S
Printing, Lithographic & Blueprinting	P	Storage Facilities/Mini-Storage/Warehouses	S*
Sign Painting & Mfg	P	\$7.33	
Miscellaneous		Wholesale Businesses \$7.35	P*
Accessory Buildings & Uses Incidental to Principal Uses	P	Utilities/Energy	
Public Facilities		Essential Services	P
Community Centers	P	Public Utility Facilities (without storage yards)	P
Municipal Buildings & Uses	P	Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P
Police/Fire Stations	P		

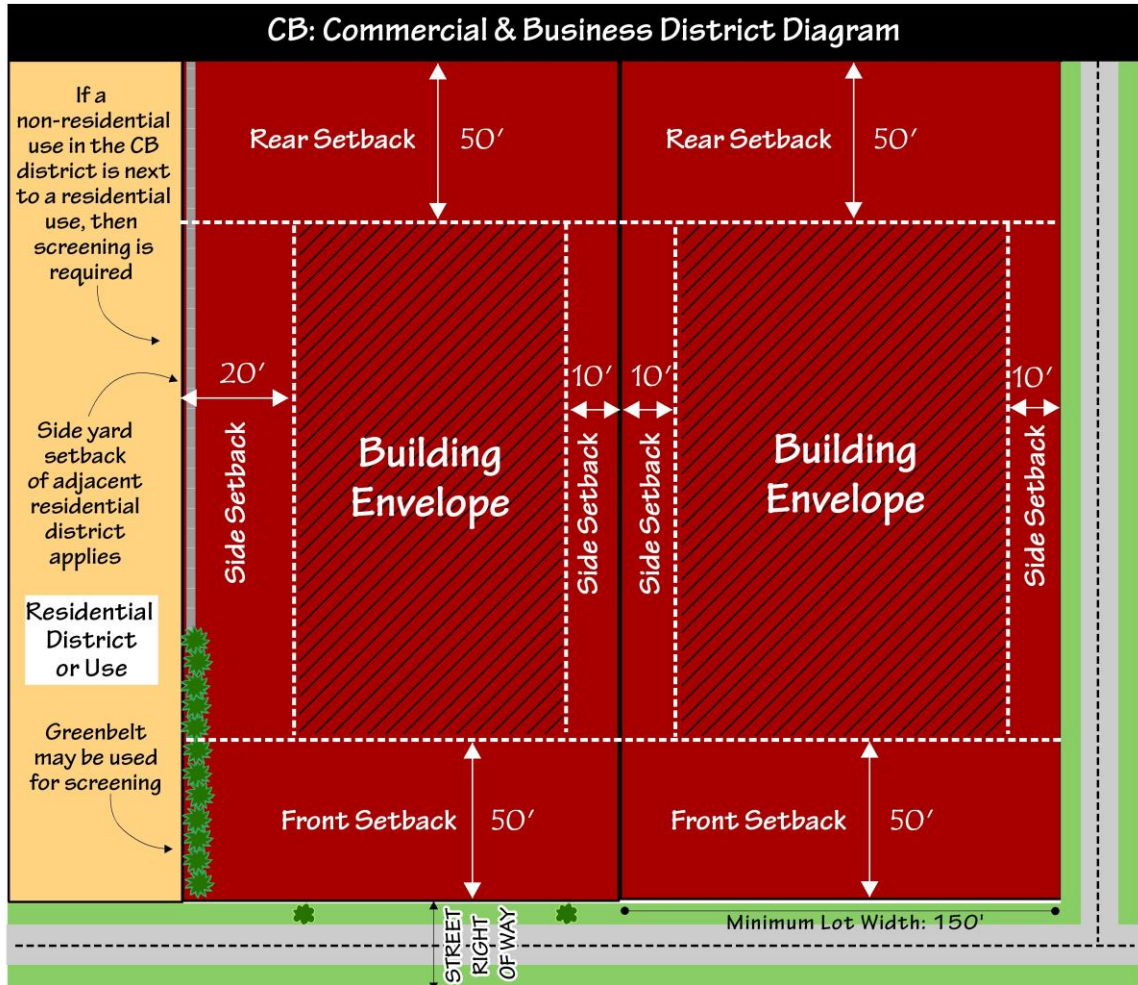
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C. Development Standards for CB District.**CB**

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

1. Lot & Structure Standards	
a. Lot Area (min.)	1 acre
b. Lot Width (min.)	150 ft
c. Building Height (max.)	35 ft
d. Lot Coverage (max.)	75%
2. Setbacks (Figure 4.11)	
	50 ft
a. Front (min.)	Waterfront Setback: 75 ft. See §3.15 Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	10 ft for each side Side yards shall be increased where adjacent to any residential district. In such cases, the adjacent district side yard setback regulations shall apply.
c. Rear (min.)	50 ft
3. Additional Development Standards	
a. Accessory Buildings	See §3.07 .
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences & Walls	See §3.17 .
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28 .
f. Parking	See §3.26
l. Outdoor Storage	Planning Commission may require screening of outdoor storage areas.

Figure 4.11



Section 4.12 Light Industrial District (I-1)**A. Intent.****I-1**

The I-1 Industrial District is designed to primarily accommodate heavy commercial and light industry, wholesale activities, warehouses, and other industrial operations whose external physical effects are restricted to the area of the district and do not affect in a detrimental way any of the surrounding districts. The Industrial District is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly, and/or treatment of finished or semi-finished products from previously prepared material. It is the further intent of this district to permit only those industrial manufacturing uses having use, performance, or activity characteristics which emit a minimum amount of discernible noise, vibration, smoke, dust, dirt, glare, toxic materials, offensive odors, gases, electromagnetic radiation, or any other physically adverse effect to the extent that they are abnormally discernible beyond the lot lines of the parcel or site upon which the industrial manufacturing activity is located. Since this area is not anticipated to be served by public water or sewer systems in the foreseeable future, development standards will consider groundwater protection.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES	
<i>P</i> = Permitted by right <i>S</i> = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	I-1
Accommodation & Food/Event Services	
Bars/Taverns	S
Food Trucks §7.14	P*
Hotels & Motels (attached or detached units) §7.22	P*
Microbreweries & Distilleries (serving directly to the public); Winery Tasting Rooms	S
Restaurants §7.06	P*
Short Term Rentals	P*
Agriculture, Animals & Forest Products	
Agricultural products processing & storage (excluding concentrated animal feeding operations & slaughter houses)	P
Animal Sales Yards/Auctions for Livestock	P
Boarding Stables; Riding Arenas §7.30	P*
Bulk Seed, Feed, Fertilizer & Nursery Stock Outlet and Distribution Centers (including wholesale)	P
Composting Facility (large scale facility – compost material brought in & deposited)	S

TABLE OF PERMITTED USES & SPECIAL USES	
<i>P</i> = Permitted by right <i>S</i> = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	I-1
Agriculture, Animals & Forest Products (cont.)	
Firewood Sales (Commercial - using machinery)	S
Firewood Sales (Commercial - NOT using machinery)	P
Forest Products Processing (Saw Mills, Veneer Mills, Planing Mills & related operations) §7.28	S*
Grain Elevators	P
Greenhouse; Nursery; Landscaping Establishment	P
Veterinary Clinic/Animal Hospital §7.19	P*
Arts, Entertainment & Recreation	
Billiards Halls & Bowling Alleys	S
Equipment Rental, Motorized (ORV, Snowmobile)	P
Equipment Rental, Non-Motorized (Outfitter)	P
Race Tracks (Motorized) §7.25	S*
Theaters (Drive-In)	S
Tours (Commercial Operations)	P

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P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	I-1
Commercial, Services & Retail	
Agricultural Equipment, Building & Garden Equipment & Supplies Dealers	P
Automobile Repair Garage; Auto Body/ Paint/Interior & Glass §7.17	P*
Automotive Oil Change §7.17	P*
Automotive Tire Sales & Installation	P
Automobile Towing Businesses	P
Boat/RV/Recreational Equipment Repair & Storage	P
Business Incubator	P
Business Services & Computer Repair	P
Car Washes §7.08	P*
Cleaning Services	P
Commercial Equipment Repair & Maintenance	P
Crematoriums	S
Electronic & Precision Equipment Repair & Maintenance	P
Equipment Rental & Sales	P
Extermination & Pest Control Services	P
Film Production Facilities including sound stages & other related activities	P
Flea Market	P
Gasoline Service Stations §7.17	S*
General Rental Centers/Rent-to-Own Shops	P
Health Spa	P
Home Improvement Centers §7.13	P*
Interior Designers/Showrooms	P
Laboratories, Medical/Dental	S
Laundromat and Dry Cleaning Services	P
Locksmiths	P
Lumber Yards (pre-planed, finished lumber)/Building Material Sales & Supply §7.13	P*
Outdoor Sales/Rental Facilities	S
Printing/Binding/Publishing of Print Material	P
Recording Studios	P
Repair Shops (not automotive-related)	P
Retail Sales combined with Wholesale	P
Small Engine Repair	P
Tattoo & Body Piercing Studios	P
Upholstery Shop	P

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	I-1
Communications	
Small Cell Wireless Facilities §7.34	S*
Wireless Communications Facilities (with or without Support Structures (i.e. cell towers) §7.34	P*
Construction/Contractors	
Special Trade Contractors Offices & Showrooms – no outdoor storage (construction, electrical, plumbing, heating, excavation, well-drilling, etc)	P
Special Trade Contractors Offices & Showrooms w/ outdoor storage of materials & contractor's equipment (construction, electrical, plumbing, heating, excavation, well-drilling, etc)	P
Educational Services/Religion	
Institutions of Specialized Learning & Trade Schools	P
Human Care & Social Assistance	
Charitable Institution (ex: soup kitchen); Non-Profit Organizations	P
Manufacturing, Industrial, & Waste Mgmt	
Manufacturing, Light – including the production, processing, cleaning, testing, & distribution of materials, goods, foodstuffs, & products. Light Manufacturing are those industries in which the modes of operation of the industry have no external effects & do not directly affect nearby development. External effects shall include but are not limited to air contaminants, blown material, odor, noise, glare, gasses, electrical disturbance, heat, & vibration.	P
Manufacturing, Heavy – including the production, processing, cleaning, testing, & distribution of materials, goods, foodstuffs, & products. Heavy Manufacturing are those industries in which the modes of operation of the industry do have external effects & may directly affect nearby development. External effects shall include but are not limited to air contaminants, blown material, odor, noise, glare, gasses, electrical disturbance, heat, & vibration.	S
Accessory Uses incidental to Manufacturing (offices, foods services, caretaker buildings)	P
Blast Furnace, Steel Furnace, Blooming or Rolling Mill	S
Central Dry Cleaning Plants & Laundries (not dealing directly with customers)	S

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Manufacturing, Industrial, & Waste Mgmt (cont)	
Cold Storage Plants	P
Dry Bulk Blending Plants	S
Fertilizer, Liquid Nitrogen, & Anhydrous Ammonia Handling	S
Food/beverage processing, bottling & packaging	P
Gas & Oil Processing Facilities/Refinery §7.16	S*
Incinerator Plant (non-pyrolysis)	S
Incinerator Plant (pyrolysis type)/Gasification	S
Industrial Parks (planned)	S
Laboratories	S
Machine Shops/ Metal Plating/Buffering/Polishing/Cutting/Slitting/Shearing	P
Meat Packing Plants	S
Medical Marijuana Growers §7.21	S*
Medical Marijuana Processors §7.21	S*
Medical Marijuana Safety Compliance Facilities §7.21	S*
Medical Marijuana Secure Transporters §7.21	S*
Mineral Processing Facilities & Operations	S
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S
Petroleum Products, Gas Products, Paint & Chemical Bulk Storage & Distribution	S
Petroleum Refinery	S
Printing or Forming of Box, Carton & Cardboard Products	P
Printing, Lithographic & Blueprinting	P
Research/Design/Experimental Product Development (within a completely enclosed building)	S
Sign Painting & Mfg	P
Smelting Industries	S
Tin Shops or Plumbing Supply Shops	P
Tool & Die Shops	P
Miscellaneous	
Accessory Buildings & Uses Incidental to Principal Uses	P
Public Facilities	
Correctional Facilities, Private	S

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	I-1
Residential Uses	
Dwelling Units in conjunction with a Commercial Establishment	P
Transportation, Storage & Wholesale	
Bus Garages/Stations; Transit Facilities; Scenic & Sightseeing Transportation/Ground Passenger Transportation	S
Couriers/Parcel Packing/Shipping/ Delivery Establishments/Mail Order Establishments	P
Drone (Unmanned Aerial) Centers	P
Distribution Centers/Freight Terminals/Trucking Facilities	P
Storage Facilities/Mini-Storage/Warehouses §7.33	P*
Truck & Heavy Equipment Sales, Rental, & Service Establishments; Truck Washes	P
Wholesale Businesses §7.35	P*
Utilities/Energy	
Essential Services	P
Heating & Electric Power Generating Plants	S
Public Utility Facilities (without storage yards)	P
Public Utility Facilities (with storage yards)	P
Solar Energy Facility (Utility-Scale) §7.29	S*
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P

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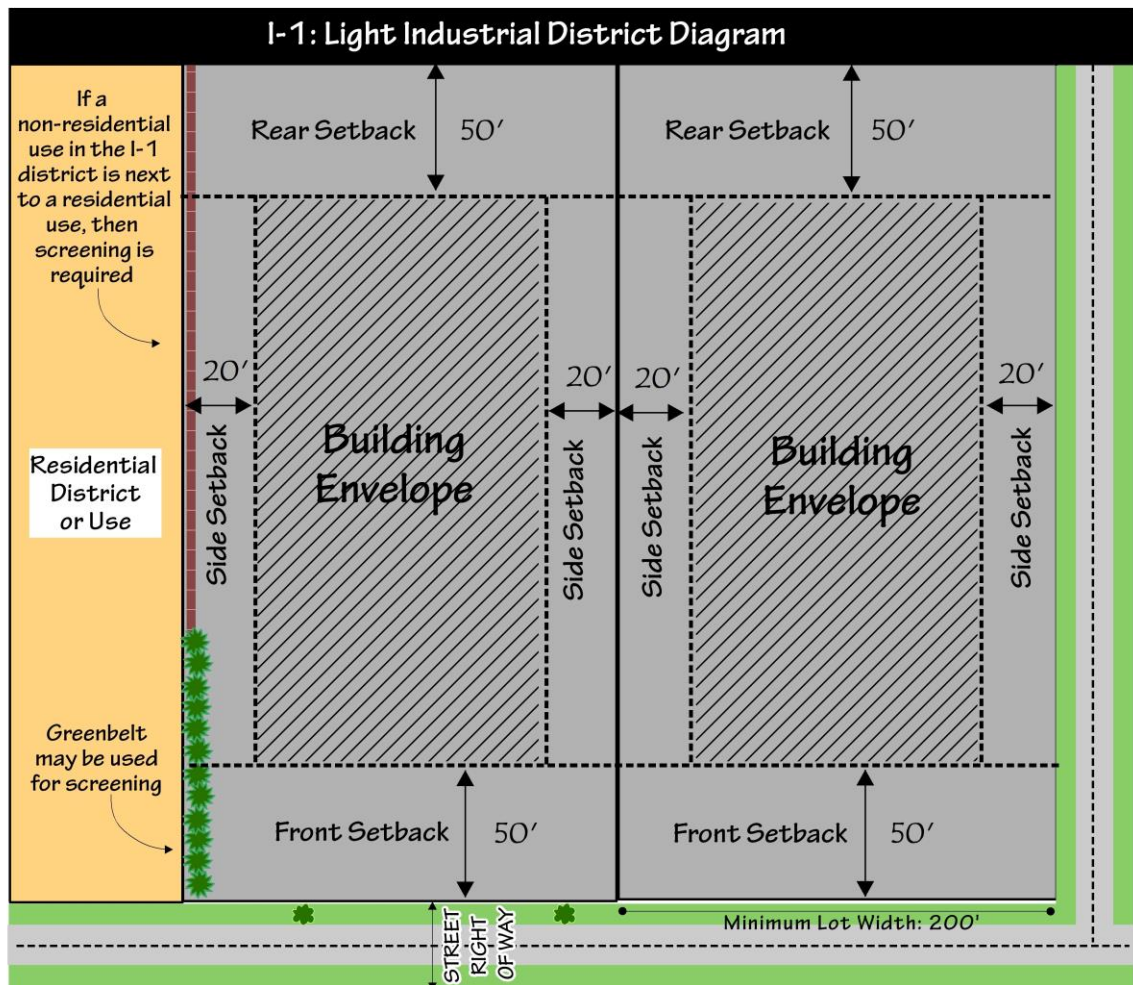
9 Administration & Enforcement

10 Adoption & Amendments

C. Development Standards for I-1 District.**I-1**

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

1. Lot & Structure Standards	
a. Lot Area (min.)	2 acres
b. Lot Width (min.)	200 ft
c. Building Height (max.)	40 ft
d. Lot Coverage (max.)	75%
2. Setbacks (Figure 4.12)	
	50 ft
a. Front (min.)	Waterfront Setback: 75 ft. See §3.15 Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	20 ft for each side
c. Rear (min.)	50 ft
3. Additional Development Standards	
a. Accessory Buildings	See §3.07 .
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences & Walls	See §3.17 .
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28 .
f. Parking	See §3.26
m. Outdoor Storage	Planning Commission may require screening of outdoor storage areas.

Figure 4.12


Section 4.13 Industrial District (I-2)**A. Intent.****I-2**

The I-2 Industrial District is designed to primarily accommodate heavy commercial and light industry, wholesale activities, warehouses, and other industrial operations whose external physical effects are restricted to the area of the district and do not affect in a detrimental way any of the surrounding districts. The Industrial District is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly, and/or treatment of finished or semi-finished products from previously prepared material. It is the further intent of this district to permit only those industrial manufacturing uses having use, performance, or activity characteristics which emit a minimum amount of discernible noise, vibration, smoke, dust, dirt, glare, toxic materials, offensive odors, gases, electromagnetic radiation or any other physically adverse effect to the extent that they are abnormally discernible beyond the lot lines of the parcel or site upon which the industrial manufacturing activity is located. Since this area is not anticipated to be served by public water or sewer systems in the foreseeable future, development standards will consider groundwater protection.

B. Uses Allowed.

Permitted and Special Uses shall be limited to those listed below (also in [Section 4.15: Full Table of Permitted and Special Uses](#)) and shall be subject to all applicable provisions of [Article 5: Site Plans and Plot Plans](#), [Article 6: Special Use Review](#), and [Article 7: Supplemental Regulations](#).

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	I-2
Accommodation & Food/Event Services	
Food Trucks §7.14	P*
Agriculture, Animals & Forest Products	
Agricultural products processing & storage (excluding concentrated animal feeding operations & slaughter houses)	P
Animal Sales Yards/Auctions for Livestock	P
Bulk Seed, Feed, Fertilizer & Nursery Stock Outlet and Distribution Centers (including wholesale)	P
Composting Facility (large scale facility – compost material brought in & deposited)	S
Firewood Sales (Commercial - using machinery)	S
Firewood Sales (Commercial - NOT using machinery)	P
Forest Products Processing (Saw Mills, Veneer Mills, Planing Mills & related operations) §7.28	S
Grain Elevators	P

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	I-2
Agriculture, Animals & Forest Products (cont.)	
Greenhouse; Nursery; Landscaping Establishment	P
Slaughter Houses	S
Veterinary Clinic/Animal Hospital §7.19	P*
Arts, Entertainment & Recreation	
Race Tracks (Motorized) §7.25	S*
Commercial, Services & Retail	
Home Improvement Centers §7.13	P*
Lumber Yards (pre-planed, finished lumber)/Building Material Sales & Supply §7.13	P*
Retail Sales combined with Wholesale	P
Sexually Oriented Businesses §7.31	S*
Communications	
Small Cell Wireless Facilities §7.34	S*
Wireless Communications Facilities (with or without Support Structures (i.e. cell towers)) §7.34	P*

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	I-2
Construction/Contractors	
Special Trade Contractors Offices & Showrooms – no outdoor storage (construction, electrical, plumbing, heating, excavation, well-drilling, etc)	P
Special Trade Contractors Offices & Showrooms w/ outdoor storage of materials & contractor's equipment (construction, electrical, plumbing, heating, excavation, well-drilling, etc)	P
Educational Services/Religion	
Institutions of Specialized Learning & Trade Schools	P
Manufacturing, Industrial, & Waste Mgmt	
Manufacturing, Light – including the production, processing, cleaning, testing, & distribution of materials, goods, foodstuffs, & products. Light Manufacturing are those industries in which the modes of operation of the industry have no external effects & do not directly affect nearby development. External effects shall include but are not limited to air contaminants, blown material, odor, noise, glare, gasses, electrical disturbance, heat, & vibration.	P
Manufacturing, Heavy – including the production, processing, cleaning, testing, & distribution of materials, goods, foodstuffs, & products. Heavy Manufacturing are those industries in which the modes of operation of the industry do have external effects & may directly affect nearby development. External effects shall include but are not limited to air contaminants, blown material, odor, noise, glare, gasses, electrical disturbance, heat, & vibration.	S
Accessory Uses incidental to Manufacturing (offices, food services, caretaker buildings)	P
Blast Furnace, Steel Furnace, Blooming or Rolling Mill	S
Central Dry Cleaning Plants & Laundries (not dealing directly with customers)	S
Cold Storage Plants	P
Dry Bulk Blending Plants	S
Fertilizer, Liquid Nitrogen, & Anhydrous Ammonia Handling	S
Food/beverage processing, bottling & packaging	S

TABLE OF PERMITTED USES & SPECIAL USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	I-2
Manufacturing, Industrial, & Waste Mgmt	
Gas & Oil Processing Facilities/Refinery §7.16	S*
Incinerator Plant (non-pyrolysis)	S
Incinerator Plant (pyrolysis type)/Gasification	S
Industrial Parks (planned)	S
Junkyards/Salvage Yards/Scrap Yards/Motor Vehicle Impoundment & Wrecking Yards/Sanitary Landfills §7.18	S*
Machine Shops/ Metal Plating/Buffering/Polishing/Cutting/Slitting/Shearing	P
Meat Packing Plants	S
Mineral Processing Facilities & Operations	S
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S
Petroleum Products, Gas Products, Paint & Chemical Bulk Storage & Distribution	S
Petroleum Refinery	S
Printing or Forming of Box, Carton & Cardboard Products	P
Printing, Lithographic & Blueprinting	P
Recycling facilities/Resource Recovery Facilities/Transfer Stations	S
Research/Design/Experimental Product Development (within a completely enclosed building)	S
Sign Painting & Mfg	P
Smelting Industries	S
Tin Shops or Plumbing Supply Shops	P
Tool & Die Shops	P
Waste Collection Facilities	S
Miscellaneous	
Accessory Buildings & Uses Incidental to Principal Uses	P
Transportation, Storage & Wholesale	
Couriers/Parcel Packing/Shipping/ Delivery Establishments/Mail Order Establishments	P
Drone (Unmanned Aerial) Centers	P
Distribution Centers/Freight Terminals/Trucking Facilities	P
Storage Facilities/Mini-Storage/Warehouses §7.33	P*

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TABLE OF PERMITTED USES
& SPECIAL USES

<i>P</i> = Permitted by right <i>S</i> = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	I-2
Transportation, Storage & Wholesale	
Truck & Heavy Equipment Sales, Rental, & Service Establishments; Truck Washes	P
Wholesale Businesses §7.35	P*

I-2

C. Development Standards for I-2 District.

Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

TABLE OF PERMITTED USES
& SPECIAL USES

<i>P</i> = Permitted by right <i>S</i> = Permitted with a Special Use Permit <i>*supplemental development regulations</i>	I-2
Utilities/Energy	
Essential Services	P
Heating & Electric Power Generating Plants	S
Public Utility Facilities (without storage yards)	P
Public Utility Facilities (with storage yards)	P
Solar Energy Facility (Utility-Scale) §7.29	S*
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P

1. Lot & Structure Standards

a. Lot Area (min.)	2 acres
b. Lot Width (min.)	200 ft
c. Building Height (max.)	40 ft
d. Lot Coverage (max.)	75%

2. Setbacks (Figure 4.13)

	50 ft
	Waterfront Setback: 75 ft. See §3.15
a. Front (min.)	Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high-water mark.
b. Side (min.)	20 ft for each side
c. Rear (min.)	50 ft

3. Additional Development Standards

a. Accessory Buildings	See §3.07
b. Screening	When a non-residential use abuts a residential use or district, screening is required per §3.18 . A vegetative buffer strip may be used per §3.18.G.2 .
c. Fences & Walls	See §3.17
d. Decks & Patios	Decks and patios shall meet at least ½ the required setback of the principal building.
e. Signs	See §3.28
f. Parking	See §3.26
n. Outdoor Storage	Planning Commission may require screening of outdoor storage areas.

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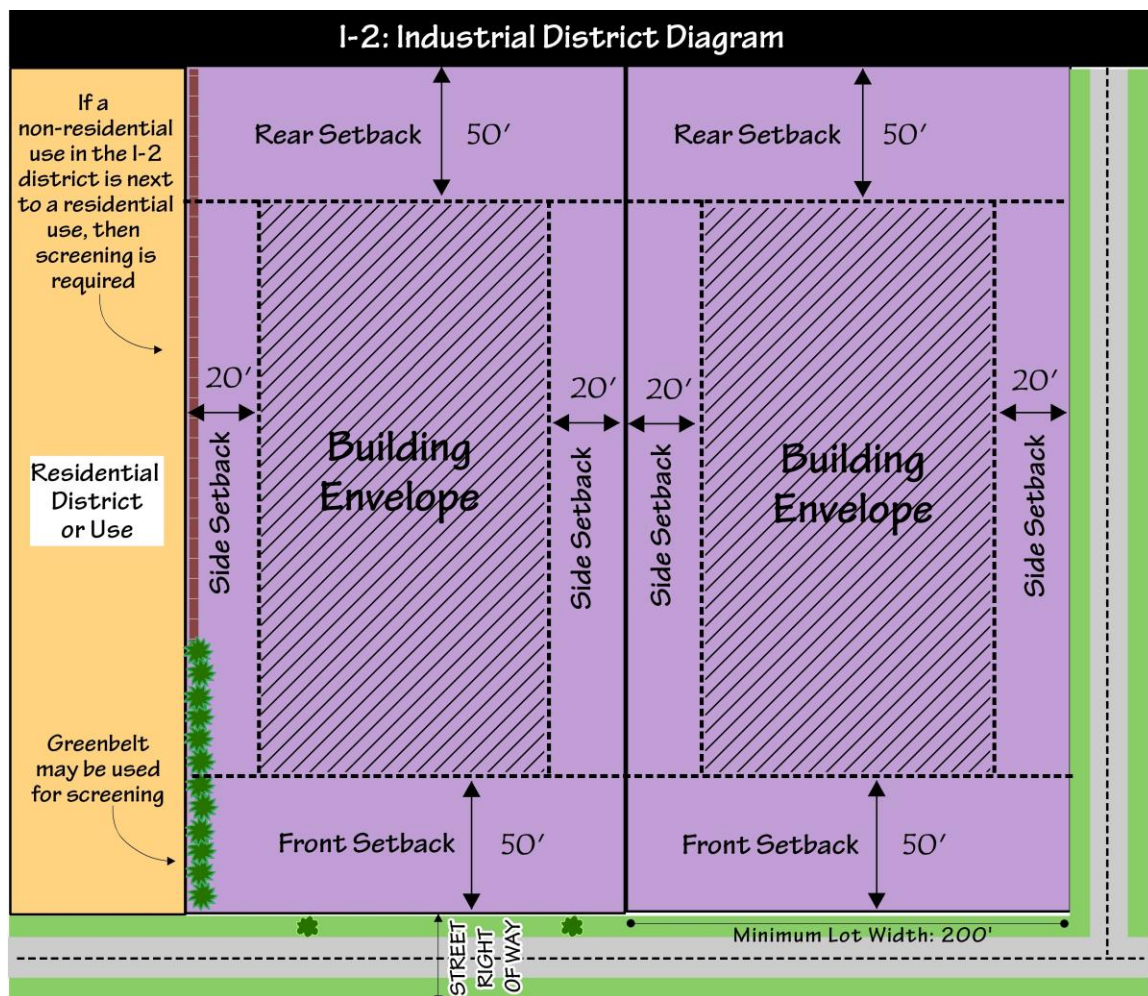
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Figure 4.13



Section 4.14 Stream Corridor Overlay District (SC)

SC

A. Purpose and Definitions.

1. **Purpose.** The purpose of this district is to provide for the preservation and enhancement of waterways, through regulation of uses and activities of land within four hundred (400) feet of rivers and streams designated as “Natural Rivers”. In 1987, the Michigan Department of Natural Resources (DNR) designated the Au Sable River and specific tributaries as “a natural river” under the authority of the Natural River Act (1970 PA 231), now **Part 305 of the Natural Resources and Environmental Protection Act** (1994 PA 451). The Natural River Act is administered by the DNR. The Act allows for local governments to adopt waterfront protection measures, which are compatible with the DNR requirements. In situations where there is no local zoning or the zoning authority does not provide waterfront protection regulations in the zoning ordinance, the DNR will administer the rules of the Act.
2. **Definitions.** Definitions used within the **State of Michigan Natural River Zoning Rules** (R.281.51) are adopted by reference for this Section only.
3. **Coordination with the State of Michigan.** The Township Planning Commission and Zoning Board of Appeals will send copies of all zoning, special use approval, and variance requests for properties located in the Stream Corridor Overlay District to the Michigan Department of Natural Resources Natural Rivers Program staff.

B. Delineation of District.

The Stream Corridor Overlay District includes four hundred (400') feet on both sides of the East Branch of the Au Sable River and Bradford Creek downstream of the outlet of Big Bradford Lake in Maple Forest Township and also any lands within the stream and/or river.

C. Exempt, Permitted, and Special Uses.

Uses of riparian land are critical determinants in efforts to protect the natural values of a river system. Those that result in high human and vehicular traffic, dense development, and large non-residential structures with extensive and impermeable parking areas, application and/or storage of chemicals, and other activities incompatible with the system corridor's environment will not be permitted in the Stream Corridor Overlay District. The three types of permitted use – exempt, principal, and special – are described as follows:

1. **Exempt Uses.** Exempt uses are those allowed by right in the Stream Corridor District and DO NOT require a zoning permit. They include the following:
 - a. **Recreation.** Private, non-commercial recreation such as camping, boating, fishing, hunting, and other similar activities that do not require permanent structures. Camping, except for tent camping, is not permitted in the natural vegetation strip (see **subsection E.1**)

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- b. **Forestry.** Reforestation and other accepted forest management practices, landward of a native vegetation buffer, that do not require permanent structures. Land activities in the native vegetation buffer are regulated by [subection E.1](#).
- c. **Agriculture.** Agricultural activities, including general and specialized farming such as that of Christmas trees, provided that all new activities occur landward of a natural vegetation strip and provided such use does not contribute to stream degradation. (Construction of related residential and utility buildings and appurtenances is subject, however, to zoning permit requirements). New aquaculture and concentrated animal feeding operations and expansion of existing aquaculture facilities and concentrated animal feeding operations are not permitted within the Stream Corridor District. Resumption of a prior agricultural use previously located within the natural vegetation strip and discontinued, for example, rotation of crop fields, may resume if one (1) of the following criteria is met:
- (1) The cessation of use was within ten (10) years of resumption of use.
 - (2) The cessation of use was due to implementation of a management plan written before the effective date of this Ordinance.
 - (3) The cessation of use was the result of a written agreement with a governmental agency or agencies entered into before the effective date of this Ordinance.
 - (4) The cessation of use was the result of a written agreement with a governmental agency or agencies entered into after the effective date of this Ordinance, where the term of cessation of use specified in the agreement is for ten (10) years or less.
 - (5) The cessation of use was required or imposed by a governmental agency or agencies.
- d. **Footpaths.** Cutting of low growing vegetation and placement of wood chips on uplands in the natural vegetation strip to create a single footpath of not more than four (4) feet in width leading to a single point on the river's edge. A boardwalk or other artificial walkway is not exempt and requires a zoning permit.
- e. **Signs.** A sign for identification, direction, resource information, exclusion of trespassers, regulation of use, and those related to permitted uses, subject to the following provisions:
- (1) A sign for the sale of a product or service is prohibited unless related to a permitted use, located on the site of the permitted use, not located in the natural vegetation strip, and not visible from the river.
 - (2) An illuminated sign is prohibited.
 - (3) "No trespassing" sign shall be no larger than one (1 ft²) square foot in area and shall be spaced at least one hundred (100') feet apart. Other signs may be no larger than two (2

ft²) square feet in area, except one (1) real estate sign may be not larger than four (4 ft²) square feet in area if located outside the natural vegetation strip.

- f. **Maintenance and Repair.** Routine maintenance and repair of a legal use or structure within the existing foundation and structure. See [subsection F](#) (below) for regulations for legal nonconforming structures.
 - g. **Satellite Dish.** A satellite dish not more than thirty-two (32”) inches in diameter and located landward of the natural vegetation strip or attached to an existing single-family dwelling, short-term rental facility, or appurtenance.
 - h. Removal of any dead, diseased, or unsafe tree, noxious plant, or shrub, within the natural vegetation strip.
2. **Permitted Uses.** Permitted uses in the Stream Corridor District are those allowed by right but DO require a zoning permit. They include the following, subject to all permit requirements and development standards outlined in this Ordinance:
- a. Single-family dwellings or short-term rental facilities.
 - b. Accessory buildings and appurtenances.
 - c. Home occupations (See [Section 7.02](#)).
 - d. One (1) private dock per parcel.
 - e. One (1) private river access stairway per parcel.
 - f. A boardwalk that meets the minimum building setback requirements and a boardwalk associated with a footpath to the river’s edge.
 - g. Bridges. See Rule 8 of [State of Michigan Natural River Zoning Rules \(R 281.58\)](#).
 - h. Mining and extracting industries if all land disturbances, structures, and other activities related to the industry are located more than three hundred (300’) feet from the ordinary high water mark.
 - i. Land divisions.
 - j. Utility lines to service private, single-family dwellings or short-term rental facilities.
 - k. Disposal field, septic tank, and outhouse meeting local health department standards.
 - l. Land alterations.
 - m. Forest management within the natural vegetation strip.
 - n. Bank stabilization and fisheries habitat improvement activities.

3. **Special Uses.** Special uses include the following, subject to all permit requirements and development standards outlined in this Ordinance.
- a. Campgrounds with associated noncommercial structures, impervious pads, and utility hookups.
 - b. Permanent vehicle bridges on tributaries (subject to [R 281.58](#)).
 - c. Bed and Breakfasts ([Section 7.04](#)) and Cottage Industries ([Section 7.02](#)).

D. Development Standards for SC District.

Principal and accessory buildings within this district shall adhere to the following standards unless specifically stated otherwise in this Ordinance:

Table 4.14 (SC) Stream Corridor Overlay District

1. Lot & Structure Standards (Figure (1))

	50,000 square feet
	Any "common area" or any bottomlands shall not be used in any calculations of minimum lot area.
a. Lot Area (minimum)	If a parcel does not have river frontage, and the front line of the parcel is greater than 150 feet from the river's edge at all points, this subsection does not apply, and the minimum parcel width will be measured at the front lot line. Parcel shall have sufficient depth and upland area to accommodate the required building setbacks.
b. Lot Width (minimum)	150 ft of river frontage unless a riverfront "common area" subject to a conservation easement is established. For a parcel that does not have river frontage, this dimension shall be measured from the point of the parcel closest to the river and shall be at least 150' wide at the setback line.
c. Building Height (maximum)	35 ft (from original surface elevation)
d. Dwelling Unit (min.)	One-Story Dwelling: 900 sq ft Two-Story Dwelling: 1 st floor shall be 700 sq ft with a total of 924 sq ft for both stories All dwelling units shall require a zoning permit and shall meet current Crawford County building code regardless of the size of the dwelling unit.
e. Impervious Surface (maximum %)	lots < 10,000 sq ft – 35%; 10,000 – 40,000 sq ft – 25%; 40,001 – 80,000 sq ft – 20%; > 80,000 sq ft – 10%

2. Setbacks (Figure (2))

	100 ft
a. Front (minimum) – river side	The setback may be decreased 1 foot for every 1 foot rise in bank height to a minimum of 75 feet from the ordinary high-water mark. A dwelling shall be set back not less than 25 feet from the top of a bluff on the

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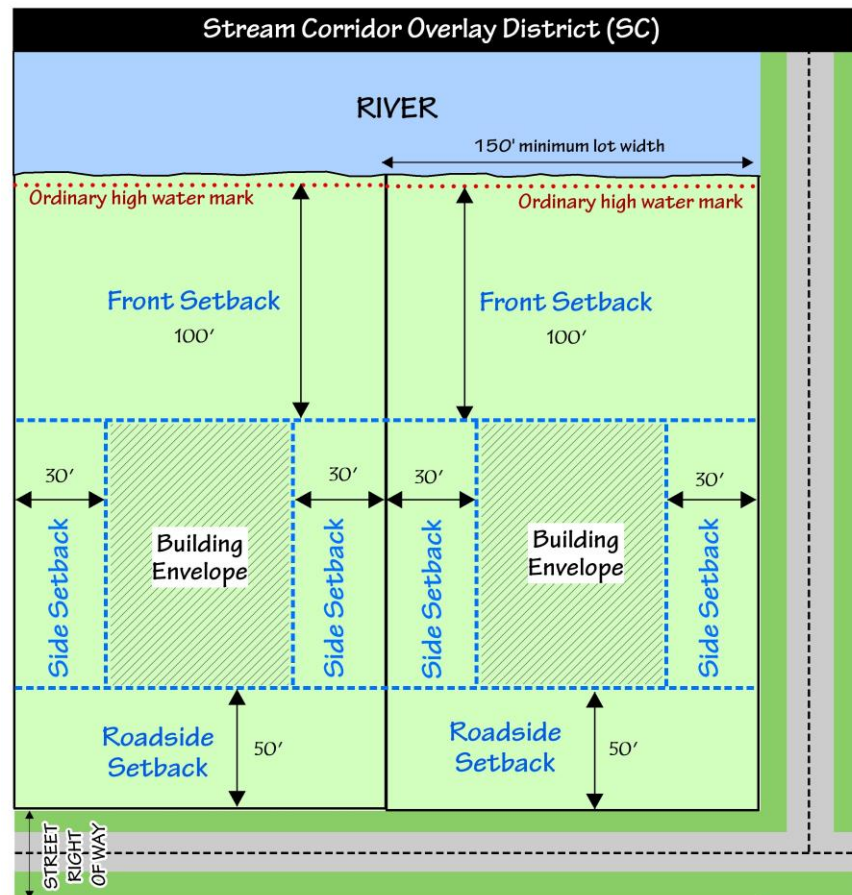
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	noncutting edge of a stream and not less than 50 feet from the top of a bluff on the cutting edge of a stream.
b. Side (minimum)	30 ft for each side
c. Roadside (minimum)	50 ft

3. Additional Development Standards

a. Accessory Buildings	Accessory buildings and appurtenances shall meet the same setback and other development requirements as stated in subsection 2 above.
b. Fences	Regulated by §3.17. Fences shall be considered structures and shall not be constructed in the required natural vegetation strip.
c. Accessibility	Lot shall be accessible by a public road or legal easement on at least 1 side of the stream.
d. Building Activities	Building shall not take place on land that is subject to flooding or in any wetland area The natural contour of the face and crest of the bluff shall not be altered. The land between the crest of the bluff and the minimum building setback line shall not be altered except for minor landscaping activities.

Figure 4.14



The following standards apply to all privately owned parcels (or any parts thereof) that lie within the Stream Corridor Overlay District:

1. **Natural Vegetation Strip.** A natural vegetation strip shall be maintained that includes the river and all lands within the area abutting the river's edge. Trees and shrubs may be pruned over not more than a fifty (50') foot width for a filtered view of the river. The natural vegetation strip is also subject to all of the following:
 - a. Felling of a tree or removal of other vegetation in the natural vegetation strip is prohibited except for the following:
 - (1) An unsafe tree, noxious plant, or shrubs, such as poison ivy and poison sumac, may be removed without a zoning permit.
 - (2) Select tree removal or trimming for forest management practices or disease and insect control, and clearing of vegetation to the minimum width required for public utility primary electric distribution lines and service lines for permitted uses is permitted upon approval of the Zoning Administrator in consultation with local conservation district staff if the activity is in keeping with the goals and objectives of the natural river plan.
 - b. Mowing is prohibited in the natural vegetation strip except in an area maintained in a mowed condition before August 15, 1990 for the Au Sable River, or to establish a single footpath to the river not to exceed four (4') feet wide.
 - c. Any island in any stream segment is subject to the natural vegetation strip standards as described in this Section.
 - d. Camping, except for tent camping, is not permitted in the natural vegetation strip.
 - e. A motorized vehicle shall not be operated off road in the natural vegetation strip.
2. **Land Alteration (including) Bank Stabilization.** Land alteration shall conform to all the following requirements:
 - a. Land alteration shall not occur within the natural vegetation strip, except placement of wood chips for a footpath as provided in [subsection C.1.d](#), on the face or crest of a bluff, in a wetland, in a floodplain, or below the ordinary high-water mark of the river unless associated with bank stabilization or fisheries habitat improvement activities.
 - b. Draining a wetland is prohibited.
 - c. A pond may be constructed if the pond meets the building setback established for the Stream Corridor Overlay District, spoils are placed in a non-wetland, non-floodplain area landward of the natural vegetation strip, and the pond is not connected to the river by any surface or

subsurface drainage system. A pond shall not be constructed in a wetland or the 100-year floodplain.

d. Bank stabilization or fisheries habitat activities shall comply with all of the following:

- (1) Bioengineering practices shall be the preferred alternative for bank stabilization. Bioengineering practices used to stabilize stream banks utilize a combination of native plantings and natural or biodegradable materials to engineer shoreline protection that mimic and or enhance the natural landscape.
- (2) Rock used for bank stabilization above the seasonal low-water level of the stream shall be rounded cobble (fieldstone).
- (3) An in-stream fisheries habitat structure, such as a lunger, an overhead cover platform, or similar structure, shall be, upon completion, indistinguishable from the natural surrounding landscape.
- (4) A seawall, vertical bulkhead, gabion basket, concrete bag riprap, broken concrete, and other similar structures are prohibited.
- (5) The proposed project shall fulfill an identifiable need for erosion protection, bank stabilization, or fisheries habitat improvement.

3. **Residences.** Only one (1) single-family dwelling or short-term rental facility shall be permitted per lot unless one (1) of the following applies:

- a. The property owner submits a site plan for the lot showing theoretical property lines for individual lots that meet all natural river zoning standards, and locates any additional single-family dwelling or short-term rental facility and appurtenance as if the property were divided into those separate lots.
- b. For each single-family dwelling or short-term rental facility placed in a cluster-type setting that does not meet the requirements in subsection (a), a portion of the lot containing an area equal to a newly created separate legal lot as described in this Ordinance will be made subject to a permanent conservation easement or deed restriction prohibiting construction of any structure within that portion of the lot. A conservation easement will be sold, donated, or otherwise conveyed, in writing in perpetuity, to a land conservancy, local unit of government, or the state. The agency acquiring the conservation easement shall agree, in writing in perpetuity, to refrain from development of the land.
- c. If a proposed single-family dwelling or short-term rental facility is on a vacant, legal, nonconforming parcel that is between and adjacent to two (2) parcels that each contain a legal single-family dwelling or short-term rental facility that does not meet the minimum building setback standard, and the adjacent, existing single-family dwellings or short-term rental facilities are within one hundred fifty (150') feet of each other, a minor variance to the

building setback standard may be granted that will result in the new single-family dwelling or short-term rental facility being located no closer to the river than the adjacent single-family dwelling or short-term rental facility that is farthest from the high-water mark or landward of the natural vegetation strip or seventy (75') feet from the high-water mark, whichever is greater, and the single-family dwelling or short-term rental facility shall not be placed on lands subject to flooding or in any wetland area. This does not apply to an appurtenance, accessory building, or other structure. Any development shall be in conformance with the bluff development standards established in [Table 4.14](#) above.

4. **Campgrounds.** A campground, with associated noncommercial structures, impervious pads, and utility hookups, with all of the following provisions:
 - a. Campground shall be constructed and maintained in accordance with all applicable state and local regulations.
 - b. A commercial structure associated with the campground is prohibited in the Stream Corridor Overlay District.
 - c. A structure shall be at least two hundred (200') feet from the high-water mark.
 - d. Not more than four (4) campsites per acre.
 - e. A one hundred (100') foot wide natural vegetation strip along the river shall be maintained.
 - f. A campsite that accommodates a wheeled motorized vehicle shall be at least two hundred (200) feet from the high-water mark.
 - g. A walk-in campsite shall be landward of the 100-foot natural vegetation strip.
 - h. A dock may be constructed at the rate of one (1) dock not larger than forty-eight (48 ft²) square feet for each two hundred (200') feet of river frontage, accessed by a single footpath not more than four (4') feet wide.
 - i. Wheeled motorized vehicle access to the river is prohibited.
 - j. Launch or retrieval of commercial watercraft at any campground by other than a registered camper is prohibited.
5. **Drinking Water Supply Well.** A drinking water supply well for a single-family dwelling or short-term rental facility shall not be located in the natural vegetation strip or closer to the river than the structure it serves. A drinking water supply well not meeting the requirements of this subsection requires a variance.
6. **Disposal Field, Septic Tanks, and Outhouses.**

- a. A septic tank and disposal field shall meet local health department standards.
 - b. A disposal field shall be located not less than one hundred fifty (150') feet from the ordinary high-water mark and any surface or subsurface drain that discharges into the Au Sable or designated tributaries, and shall not be located within the one hundred (100) year floodplain, a wetland area, or the natural vegetation strip.
 - c. A septic tank shall not be closer to the river than the dwelling it serves and not located within a wetland area.
 - d. An outhouse constructed using a watertight waste containment system that allows waste to be pumped and hauled to an appropriate disposal site shall be located not less than one hundred (100') feet from the ordinary high-water mark and any surface or subsurface drain that discharges into the Au Sable or designated tributaries, and shall not be located within the one hundred (100) year floodplain, a wetland area, or the natural vegetation strip.
 - e. Drywells and earth privies are not permitted unless authorized by the local health department, shall be located a minimum of one hundred (100') feet from the ordinary high water mark, and the bottom of the pit or seepage bed shall be at least four (4) feet above the seasonal high groundwater table.
 - f. An alternative on-site treatment system that results in a higher level of treatment than a conventional system may be located not less than fifty (50') feet from the river's edge on designated tributaries provided no part of the system is in a wetland or the 100-year floodplain.
 - g. Disposal of sludge from any wastewater treatment system is prohibited in the Stream Corridor Overlay District.
7. **Docks.** Docks may be constructed not to exceed forty-eight (48 ft²) square feet, with no more than four (4') feet of dock extending over the water. A dock shall be designed, constructed, and maintained to blend with the natural surroundings. The use of natural, native materials is encouraged.
 8. **Stairways.** Private river access stairways are permitted upon approval of the Zoning Administrator if in compliance with all of the following requirements:
 - a. One (1) private access stairway per parcel.
 - b. There is no other safe, reasonable access to the river without a stairway.
 - c. The stairway is low-profile, not more than four (4') feet wide, and constructed without stairs being recessed into the ground surface unless site and soil conditions dictate that a recessed stairway is more appropriate.

- d. There are no landings associated with the stairway unless required by building codes, in which case the landings shall be of the minimum number and size required by building codes.
 - e. Not more than one (1) handrail is associated with the stairway.
 - f. The stairway shall be constructed using natural materials and shall be located and maintained to blend with the natural surroundings.
 - g. Vegetation removal in the natural vegetation strip shall be minimized.
9. **Boardwalks.** Boardwalks associated with a footpath to the river's edge shall conform to all of the following:
- a. A boardwalk shall be placed only in an area that is generally too wet to be traversed without significant disturbance of the soils.
 - b. A boardwalk and all supports shall be constructed of natural materials.
 - c. A boardwalk shall not be more than three (3') feet wide.
 - d. A boardwalk shall not include any railing.
 - e. The top of a boardwalk shall not be more than twelve (12") inches above grade.

F. Legal Nonconformities.

It is recognized that there exists, within the Stream Corridor Overlay District, lots, structures, and uses of land and structures which were lawful before the adoption or amendment of this Ordinance and which would be prohibited, regulated, or restricted pursuant to this Ordinance. It is the intent of this Ordinance to permit legal nonconforming uses, structures, or lots to continue until they are brought into conformity and, in certain instances, to permit the limited expansion of certain legal nonconforming uses and structures.

1. Nonconforming Lots.

- a. **Adjacent Nonconforming Lots.** If the combination of two (2) or more contiguous nonconforming vacant lots owned by the same person results in an increase in conformance with the dimensional requirements of this Ordinance, the lots shall be combined for use unless the lots are within a plat established before the effective date of this Ordinance wherein more than seventy-five (75%) percent of the platted lots contain a single-family dwelling.
- b. The Zoning Administrator shall approve an application for a zoning permit for a principal use on a legal nonconforming lot of record subject to both of the following:

- (1) The principal use complies with this Ordinance, except the minimum lot width and area requirements.
 - (2) If the nonconforming lot is vacant, the applicant or owner of the subject lot does not own other contiguous vacant properties which if combined with the nonconforming lot would result in increasing the conformity of the lot.
 - c. An application for a zoning permit for a principal use on a legal nonconforming lot of record that is not in compliance with this Section shall be treated as a variance pursuant to [Article 8](#).
2. **Nonconforming Uses.** If, on the effective date of this Ordinance, a lawful use of land exists that is made unlawful under this Ordinance, the use may be continued if it remains otherwise lawful, subject to all of the following:
 - a. The nonconforming use shall not be enlarged, increased, or extended without a variance.
 - b. The nonconforming use and the structures associated with the nonconforming use shall not be moved, in whole or in part, to any other portion of the lot or parcel that is occupied by such use on the effective date of this Ordinance unless the move would result in a greater degree of conformity with this Ordinance.
 - c. If the nonconforming use of land ceases for any reason for a period of twelve (12) months, any subsequent use of the land shall conform to the requirements specified by this Ordinance.
3. **Nonconforming Structures.** If a lawful structure exists on the effective date of this Ordinance that is made unlawful under this Ordinance, the structure may remain if otherwise lawful, subject to all of the following:
 - a. The structure may not be altered in a way that increases its nonconformity, such as expanding toward the ordinary high-water mark or increasing the height above the maximum height standard. The ground floor area of any legal nonconforming single-family dwelling or short-term rental facility may be expanded by up to fifty (50%) percent, or up to seventy-five (75%) percent if a variance for not more than a twenty-five (25%) percent reduction in the building setback standard is granted, of the existing ground floor area cumulative from the date of nonconformance, or to the minimum extent necessary to comply with standards for minimum legal floor area for dwellings, whichever is greater, if the expansion does not increase the nonconformity of the dwelling. Any alteration of a legal nonconforming dwelling must, to the extent possible, be in compliance with all setback and other building requirements. Any expansion of a lawful, nonconforming dwelling, including construction of additional stories, shall be treated as a variance. Construction of a new legal nonconforming accessory building or expansion of the ground floor area of an existing legal nonconforming accessory building is considered to be an expansion of the ground floor area of an associated legal nonconforming single-family dwelling or short-term rental facility.

- b. Expansion of a legal nonconforming single-family dwelling or short-term rental facility may be permitted by the Zoning Administrator as a minor variance if any of the following apply:
- (1) Part or all of the expansion is located within the natural vegetation strip, expansion of the dwelling is landward of the existing structure, the expansion is not more than a 50% increase in ground floor area cumulative from the date of nonconformance, the height of the expansion is not greater than the height of the original dwelling and the expansion is not located in a wetland or the one hundred (100) year floodplain.
 - (2) All of the expansion is located landward of the natural vegetation strip, expansion of the dwelling is not closer to the river than the closest point of the existing dwelling's foundation, the expansion is not more than a fifty (50%) percent increase in ground floor area (or seventy-five (75%) percent if the variance is not more than a twenty-five (25%) percent reduction in the building setback standard) cumulative from the date of nonconformance, the height of the expansion is not greater than the height of the original dwelling and the expansion is not located in a wetland or the 100-year floodplain.
 - (3) All of the expansion is in compliance with the minimum building setback standard, the expansion is not more than a one hundred (100%) percent increase in the enclosed ground floor area of the dwelling cumulative from the date of nonconformance and the expansion is not located in a wetland or the one hundred (100) year floodplain.
- c. Any legal nonconforming structure, other than a dam, that is destroyed by any means except willful destruction by the property owner or his or her agent, to an extent that is more than fifty (50%) percent of its current appraised value, restoration of the structure shall be treated as a variance. The Zoning Administrator shall appoint a qualified individual to determine whether the structure has been destroyed to an extent that is more than fifty (50%) percent of its current appraised value. Restoration of the structure may be permitted by the Zoning Administrator, as a minor variance if all of the following conditions exist:
- (1) The structure is not located within a floodplain or wetland.
 - (2) The presence of the nonconforming structure will not lead to accelerated bank erosion or other material degradation of the river.
 - (3) The restored structure has the identical exterior dimensions, configuration, and maximum height of the destroyed structure.
 - (4) Application for permit to restore a damaged structure is made within twelve (12) months of the date of damage. An extension may be granted if the property is held in probate, an insurance settlement related to the damage is in dispute, or a criminal investigation related to the damage is in progress.
 - (5) A structure restored under the provisions of this subsection shall be considered a nonconforming structure.

- (6) If any of the provisions of this rule cannot be met, restoration of a destroyed nonconforming structure shall require a variance.
- d. If a legal nonconforming structure has deteriorated or is willfully destroyed by the property owner or owner's agent to an extent that restoration costs are more than fifty (50%) percent of its current appraised value, the property owner shall meet all development standards in this Section to the greatest extent possible when constructing any replacement structure and shall require a variance. The Zoning Administrator shall appoint a qualified individual to determine whether the structure has been destroyed to an extent that is more than fifty (50%) percent of its current appraised value.
 - e. If a variance is granted for a new single-family dwelling or short-term rental facility to replace a single-family dwelling or short-term rental facility that has been destroyed to an extent that is more than fifty (50%) percent of its current appraised value, a variance to construct a larger replacement structure shall be considered to be the same as a variance to expand the original structure for the purposes of determining maximum expansion of the original nonconforming structure.
 - f. A variance shall not be granted for a new nonconforming structure to replace a destroyed nonconforming structure that would result in the new structure being more nonconforming than the destroyed structure, such as moving the structure closer to the ordinary high-water mark or increasing the height above the maximum height standard.
 - g. The nonconforming structure shall not be moved, in whole or in part, to any other portion of the lot or parcel that is occupied by the structure on the effective date of this Ordinance, unless the move would result in a greater degree of conformity with this Ordinance. Moving a legal nonconforming structure requires a zoning permit and may require a variance.

Section 4.15 Full Table of Permitted & Special Uses

Permitted and Special Uses shall be limited to those listed in the following Table of Permitted and Special Uses and listed in the individual use tables within each district section (above). Uses not listed are not permitted. Unlisted uses are subject to [Section 4.04](#).

Maple Forest Zoning Districts		Land Use Categories	Pg
RC	Resource Conservation District	Accommodation & Food/Event Services	
FF	Farm Forest District	Agriculture, Animals & Forest Products	
LDR	Low Density Residential District	Arts, Entertainment & Recreation	
MDR	Medium Density Residential District	Commercial, Services & Retail	
HDR	High Density Residential District	Communications	
NB	Neighborhood Business District	Construction & Contractors	
CB	Commercial & Business District	Educational Services & Religion	
I-1	Light Industrial District	Human Care & Social Assistance	
I-2	Industrial District	Manufacturing, Mining & Waste Management	
SC	Stream Corridor Overlay District	Miscellaneous	
		Public Facilities	
		Residential Uses	
		Transportation, Storage & Wholesale	
		Utilities & Energy	

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P = Permitted

S = Permitted with a Special Use Permit

*supplemental development regulations

	RC	FF	LDR	MDR	HDR	NB	CB	I-1	I-2	SC
Accommodation & Food/Event Services										
Bakeries, Coffee Shops, Confectioneries & Ice Cream Shops	S	S	S			P	P			
Bars/Taverns						S	S	S		
Bed & Breakfasts & Tourist Homes §7.04	P*	P*	P*	P*	P*	P*				S*
Cabin Court or Cabin Complex†	P	P		S						
Caterers/Food Service Contractors						P	P			
Commercial Event Facilities (including Convention Centers, Conference Centers, Banquet Halls, Wedding Venues) §7.10	S*	S*					S*			
Food Trucks §7.14						P*	P*	P*	P*	
Hotels & Motels (attached or detached units) §7.22						S*	P*	P*		
Microbreweries & Distilleries (serving directly to the public); Winery Tasting Rooms							S	S		
Resorts, Vacation Lodges, & Vacation Farms† §7.26	S*	S*		S*						
Restaurants §7.06						P*	P*	P*		
Rooming Houses/Boarding Houses (NO ZONING PERMIT NEEDED)	P	P	P	P	P	P				
Short Term Rentals	P	P	P	P	P	P	P	P	P	P
Wineries/Cider Mills with Retail Sales/Tasting Rooms (with growing and production occurring on the property)	P	P								

†may include rental of other types of recreational structures – “glamping”

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Agriculture, Animals & Forest Products											
Agricultural Products Processing & Storage (excluding concentrated animal feeding operations & slaughterhouses)		S						P	P		
Agricultural Tourism Businesses (on Farms)	S	S									
Animal Sales Yards/Auctions for Livestock		S						P	P		
Animal Shelter/Animal Rescue Facility	S	S									
Biofuel Production Facilities on Farms §7.05	PS*	PS*									
Boarding Stables; Riding Arenas §7.30	P*	P*					P*	P*			
Bulk Seed, Feed, Fertilizer & Nursery Stock Outlet and Distribution Centers (including wholesale)		S					P	P	P		
Composting Facility (large scale facility – compost material brought in & deposited)	S	S					S	S	S		
Dog Grooming Establishments	S	S				P	P				
Farming, Commercial (including U-Pick)	P	P								P	
Farming, Domestic (Hobby Farm)	P	P	P							P	
Farm Market (on property controlled by the affiliated farm)	P	P									
Farm Product Sales (Fruit/Vegetable Market) – not affiliated with a specific farm	S	S				P	P				
Firewood Sales (Commercial - using machinery)	S	S					S	S	S		
Firewood Sales (Commercial - NOT using machinery)	P	P	P			P	P	P	P		
Forest Products Processing (Saw Mills, Veneer Mills, Planing Mills & related operations) §7.28		S*					S*	S*	S*		
Forestry/Forest Management (including forest harvesting & temporary (no more than 6 months) log storage yards on site)	P	P									
Game Preserves/Hunting Preserves	S	S									
Grain Elevators							P	P	P		
Greenhouse; Nursery; Landscaping Establishment	S	S	S			P	P	P	P		
Kennels (Outdoor) §7.19	S*	S*									
Roadside Stand -product grown/produced on-premises (no greater than 100 sq ft in LDR, MDR, and HDR)	P	P	P	P	P						
Slaughter Houses									S		
Veterinary Clinic/Animal Hospital §7.19	S*	S*					P*	P*	P*		

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P = Permitted S = Permitted with a Special Use Permit *supplemental development regulations	RC	FF	LDR	MDR	HDR	NB	CB	I-1	I-2	SC
Arts, Entertainment & Recreation										
Amusement Arcades & Similar Indoor Recreation							P			
Archery Ranges (indoor)	S	S	S				P			
Arenas, Recreation & Sports		S					S			
Art Galleries & Studios						P	P			
Billiards Halls & Bowling Alleys							S	S		
Campgrounds & RV Parks (may include rental of other types of recreational structures – "glamping") §7.07	S*	S*								S*
Camps (Summer Camps)	S	S								
Canoe/Boat/Kayak Liveries	S					S				S
Country Clubs	S	S								
Equipment Rental, Motorized (ORV, Snowmobile)	S	S					P	P		
Equipment Rental, Non-Motorized (Outfitter)	S	S				P	P	P		
Fitness & Recreational Sports (ex: health clubs, gym, tennis, swimming pool club, skating rinks))						S	S			
Golf Courses	S	S								
Golf Driving Ranges	S	S	S							
Historic Sites (commercial/open to the public)	S	S								
Marinas & Dock Facilities	S					S				
Museums						P	P			
Outdoor Commercial Recreational Facility (go karts; miniature golf; disc golf) §7.11	S*	S*								
Parks and Recreation Areas, Nature Areas, Conservation Areas (public and private)	P	P	P	P	P	P	P			P
Private Clubs; Lodges; Fraternal Organizations						S	S			
Race Tracks (Motorized) §7.25								S*	S*	
Sportsmen's Association/Firearms Ranges/Archery Ranges (outdoor)	S	S								
Theaters/Performing Arts Facilities/Assembly Halls (completed enclosed bldg.)							P			
Theaters (Drive-In)							S	S		
Tours (Commercial Operations)							P	P		
Wildlife Preserves	P	P								
Zoos & Animal Tours	S	S								

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Commercial, Services & Retail										
Agricultural Equipment, Building & Garden Equipment & Supplies Dealers	S	S					P	P		
Automobile Repair Garage; Auto Body/ Paint/Interior & Glass §7.17							P*	P*		
Automotive Oil Change §7.17							P*	P*		
Automotive Tire Sales & Installation §7.17							P*	P*		
Automobile Towing Businesses							P	P		
Banks/Financial Institutions §7.06						P*	P*			
Boat/RV/Recreational Equipment Repair & Storage							P	P		
Business Incubator							P	P		
Business Services & Computer Repair						P	P	P		
Car Washes §7.08							P*	P*		
Cash Advance Stores							P			
Cleaning Services							P	P		
Commercial Equipment Repair & Maintenance							P	P		
Crematoriums								S		
Electronic & Precision Equipment Repair & Maintenance							P	P		
Equipment Rental & Sales		S					P	P		
Extermination & Pest Control Services							P	P		
Film Production Facilities including sound stages & other related activities							P	P		
Flea Market		S					P	P		
Funeral Homes & Mortuaries §7.15		S*				S*				
Gasoline Service Stations §7.17						S*	S*	S*		
General Rental Centers/Rent-to-Own Shops							P	P		
Health Spa						P	P	P		
Home Improvement Centers §7.13							P*	P*	P*	
Interior Designers/Showrooms							P	P		
Laboratories, Medical/Dental							S	S		
Laundromat and Dry Cleaning Services						S	S	P		
Locksmiths						P	P	P		
Lumber Yards (pre-planed, finished lumber)/Building Material Sales & Supply §7.13							P*	P*	P*	
Offices, Professional						P	P			

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Commercial, Services & Retail (continued)										
Outdoor Sales/Rental Facilities							S	S		
Pawn Shops							P			
Personal Services (beauty shops, tailoring, massage therapy)						P	P			
Photofinishing/Photographers						P	P			
Printing/Binding/Publishing of Print Material							P	P		
Recording Studios							P	P		
Repair Shops (not automotive-related)		S				P	P	P		
Retail Sales (no outside sales/storage in NB)						P	P			
Retail Sales combined with Wholesale							P	P	P	
Sexually Oriented Businesses §7.3%									S*	
Small Engine Repair							P	P		
Small-Scale Craft Making		P				P	P			
Studios for Dance, Physical Exercise, Music, Karate, and Similar Uses						P	P			
Tattoo & Body Piercing Studios							P	P		
Taxidermy Shops		S				P	P			
Upholstery Shop						P	P	P		
Communications										
Small Cell Wireless Facilities §7.34	S*	S*	S*	S*	S*	S*	S*	S*	S*	
Wireless Communications Facilities (with or without Support Structures (i.e. cell towers) §7.34		S*					S*	P*	P*	
Construction/Contractors										
Special Trade Contractors Offices & Showrooms – no outdoor storage (construction, electrical, plumbing, heating, excavation, well-drilling, etc)		P					P	P	P	
Special Trade Contractors Offices & Showrooms w/ outdoor storage of materials & contractor's equipment (construction, electrical, plumbing, heating, excavation, well-drilling, etc)		S					P	P	P	
Educational Services/Religion										
Colleges/Universities	S	S								
Institutions of Specialized Learning & Trade Schools								P	P	
Places of Worship & Customary Accessory Uses	S	S	S	S		S	P			
Public, Charter or Private Schools (elementary through high school)			S				S			

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P = Permitted S = Permitted with a Special Use Permit *supplemental development regulations	RC	FF	LDR	MDR	HDR	NB	CB	I-1	I-2	SC
Human Care & Social Assistance										
Adult Day Care Facility (6 or less adults) – IN PRIVATE HOME	P	P	P	P	P	P				P
Adult Day Care Facility (greater than 6 adults) – IN PRIVATE HOME	S	S	S	S	S	S				S
Adult Day Care Facility - NOT IN PRIVATE HOME						S				
Adult Foster Care Family Homes (6 or less adults)	P	P	P	P	P	P				P
Adult Foster Care Small Group Home (7-12 adults)		S	S							
Adult Foster Care Large Group Home (13-20 adults)		S								
Adult Foster Care Congregate Facilities (over 20 adults)		S								
Assisted Living Home/Nursing Home/Convalescent Home §7.23		S*								
Charitable Institution (ex: soup kitchen); Non-Profit Organizations						P	P	P		
Child Care Home, Family (6 or less)	P	P	P	P	P	P				P
Child Care Home, Group (7 -12)	S	S	S	S	S	S				S
Child Care Center/Nursery School (not in home)		S	S			S				
Child Caring Institution							S			
Health Care/Dental/Optical Clinics							P			
Rehabilitation Institutions							S			
Residential Human Care & Treatment Facility (not in a residence)							S			
State -Licensed Residential Facilities (Adult Foster Care 6 or less)	P	P	P	P	P	P				P

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Manufacturing, Industrial, & Waste Management										
Manufacturing, Light – including the production, processing, cleaning, testing, & distribution of materials, goods, foodstuffs, & products. Light Manufacturing are those industries in which the modes of operation of the industry have no external effects & do not directly affect nearby development. External effects shall include but are not limited to air contaminants, blown material, odor, noise, glare, gasses, electrical disturbance, heat, & vibration.								P	P	
Manufacturing, Heavy – including the production, processing, cleaning, testing, & distribution of materials, goods, foodstuffs, & products. Heavy Manufacturing are those industries in which the modes of operation of the industry do have external effects & may directly affect nearby development. External effects shall include but are not limited to air contaminants, blown material, odor, noise, glare, gasses, electrical disturbance, heat, & vibration.								S	S	
Accessory Uses incidental to Manufacturing (offices, food services, caretaker buildings)								P	P	
Blast Furnace, Steel Furnace, Blooming or Rolling Mill								S	S	
Central Dry Cleaning Plants & Laundries (not dealing directly with customers)								S	S	
Cold Storage Plants								P	P	
Dry Bulk Blending Plants								S	S	
Fertilizer, Liquid Nitrogen, & Anhydrous Ammonia Handling								S	S	
Food/beverage processing, bottling & packaging								P	P	
Gas & Oil Processing Facilities/Refinery §7.16								S*	S*	
Incinerator Plant (non-pyrolysis)								S	S	
Incinerator Plant (pyrolysis type)/Gasification								S	S	
Industrial Parks (planned)								S	S	
Junkyards/Salvage Yards/Scrap Yards/Motor Vehicle Impoundment & Wrecking Yards §7.18									S	
Laboratories							S	S		
Machine Shops/ Metal Plating/Buffering/Polishing/Cutting/Slitting/Shearing								P	P	
Medical Marijuana Growers §7.21								S*		
Medical Marijuana Processors §7.21								S*		

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Manufacturing, Industrial, & Waste Management										
Medical Marihuana Safety Compliance Facilities §7.21								S*		
Medical Marihuana Secure Transporters §7.21								S*		
Meat Packing Plants								S	S	
Mineral Processing Facilities & Operations								S	S	
Mining/Resource Extraction (incl sand, gravel, rock & mineral extraction)	S	S	S	S	S	S	S	S	S	P
Petroleum Products, Gas Products, Paint & Chemical Bulk Storage & Distribution								S	S	
Petroleum Refinery								S	S	
Printing or Forming of Box, Carton & Cardboard Products								P	P	
Printing, Lithographic & Blueprinting							P	P	P	
Recycling facilities/Resource Recovery Facilities/Transfer Stations									S	
Research/Design/Experimental Product Development (within a completely enclosed building)								S	S	
Sanitary Landfills §7.27	See Section 7.22									
Sign Painting & Mfg							P	P	P	
Smelting Industries								S	S	
Tin Shops or Plumbing Supply Shops								P	P	
Tool & Die Shops								P	P	
Waste Collection Facilities									S	
Miscellaneous										
Accessory Buildings & Uses Incidental to Principal Uses	P	P	P	P	P	P	P	P	P	P
Cemeteries including Columbaria & Mausoleums (human or pet) §7.09	S*	P*	P*							
Planned Unit Developments & Open Space Residential Developments §7.24	S*	S*	S*	S*	S*	S*				
Site Condominium Development §7.32	S*	S*	S*							
Public Facilities										
Community Centers						P	P			
Correctional Facilities, Private								S		
Libraries						P				
Municipal Buildings & Uses		P	P	P		P	P			
Police/Fire Stations		P				P	P			

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Residential Uses										
Accessory Dwelling Units/Guest Houses §7.03	P*	P*	P*	P*	P*	P*				
Dwelling Units in conjunction with a Commercial Establishment	Permitted on all properties where specified commercial or industrial uses are allowed									
Home Occupations §7.02	P*	P*	P*	P*	P*	P*				P*
Cottage Industries §7.02	S*	S*	S*	S*	S*	S*				S*
Manufactured/Mobile Home Development (with accessory uses such as laundry facilities, office building, & community building) §7.20		S*								
Multiple-Family Dwelling Units (Apartments)	S	S	S							
Single-Family Attached Dwelling (Townhouses; Condominiums)	S	S	S							
Single-Family Detached Dwelling	P	P	P	P	P	P				P
Two-Family Dwelling (duplex)	P	P	P	P	P	P				
Transportation, Storage & Wholesale										
Airports, Aviation Support Services, Heliports & Landing Fields		S								
Bus Garages/Stations; Transit Facilities; Scenic & Sightseeing Transportation/Ground Passenger Transportation								S		
Couriers/Parcel Packing/Shipping/ Delivery Establishments/Mail Order Establishments							P	P	P	
Drone (Unmanned Aerial) Centers								P	P	
Distribution Centers/Freight Terminals/Trucking Facilities							S	P	P	
Storage Facilities/Mini-Storage/Warehouses §7.33							S*	P*	P*	
Truck & Heavy Equipment Sales, Rental, & Service Establishments; Truck Washes								P	P	
Wholesale Businesses §7.35							P*	P*	P*	
Utilities/Energy										
Essential Services	P	P	P	P	P	P	P	P	P	P
Heating & Electric Power Generating Plants								S	S	
Public Utility Facilities (without storage yards)		S	S	S			P	P	P	
Public Utility Facilities (with storage yards)		S						P	P	
Solar Energy Facility (Utility-Scale) §7.29	S*	S*	S*					S*	S*	
Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	P	P	P	P	P	P	P	P	P	
Wind Turbine Generators & Anemometer Towers (Commercial or Utility-Scale) §7.36		S*								
Wind Turbine Generators (On-Site or Private) §7.36	S*	S*	S*	S*	S*					

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Section 4.16 Schedule of Regulations

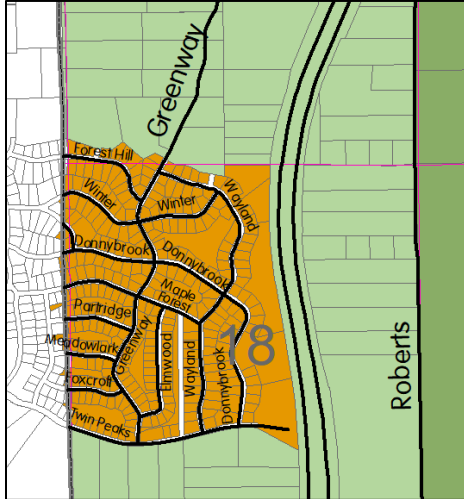
Principal buildings within this district shall adhere to the standards within this table unless specifically stated otherwise in this Ordinance:

Use Districts	Minimum Size of Lot		Maximum Height of Structure	Minimum Yard Setback (per lot in Ft.)			Max. % of Lot Coverage (Area of all Buildings)	Min. Floor Area in Sq. Ft.
				Front (a)	Sides	Rear		
RC Conservation	10 acres	200	35	50	25 (c)	50	20%	900 (e)
FF Farm & Forest	2 acres	200	35 (b)	50	20 (c)	50	20%	900 (e)
LDR Low Density Residential	1 acre	150	35	50	20 (c)	50	30%	900 (e)
MDR Medium Density Residential	20,000 sq ft	100	35	20	10 (c)	20	30%	720 (e)
HDR High Density Residential	10,000 sq ft	50	35	10	10	10	30%	720 (e)
NB Neighborhood Business	40,000 sq ft	100	35	25	10 (d)	20	60%	720
CB Commercial Business	1 acre	150	35	50	10 (d)	50	75%	-----
I-1 Light Industrial	2 acres	200	40	50	20 (d)	50	75%	-----
I-2 Industrial	2 acres	200	40	50	20 (d)	50	75%	-----
Stream Corridor Overlay	50,000 sq ft	150	35	100 (g)	30	50	(f)	900 (e)

- a. Measured from the road right-of-way, except for waterfront parcels where the front yard is defined as the waterfront side and the front yard setback is measured from the ordinary high water mark. In all districts except Stream Corridor Overlay, the waterfront setback shall be seventy-five (75') feet. See [Section 3.15](#).

- b. Maximum of thirty-five (35') feet for all buildings except the following: maximum of forty-five (45') feet for all agricultural buildings, except for grain elevators, silos, and non-commercial wind turbine generators or windmills used for pumping livestock water which shall not exceed one hundred (100') feet in height.
- c. Where a side yard abuts a road right-of-way line, the minimum shall be fifty (50') feet except for the MDR District where it shall be twenty (20') feet.
- d. Side yards shall be increased in Neighborhood Business (NB), Commercial Business (CB), or Industrial (I) districts, where adjacent to any residential district. In such cases, the adjacent district side yard setback regulations shall apply.
- e. Except for the MDR exception listed below, a two (2) story dwelling shall have a minimum first-floor area of seven hundred (700 ft²) square feet with a minimum total of nine hundred twenty-four (924 ft²) square feet for both stories.

In the MDR District, the area platted as Twin Peaks No. 1 and Uppnorthe Unit No. 3 (shown in the Figure below) shall have a minimum dwelling unit size of three hundred (300 ft²) square feet. *(Amended 2/13/23; Effective 3/2/23)*



- f. Standards of underlying district apply.
- g. Properties located on lakes and streams, the front yard is defined as the waterfront. Considered waterfront setback - structures may be constructed no closer than one hundred (100') feet from the ordinary high water mark, except that for every foot of ground elevation above the elevation of the ordinary high water mark, one (1') foot may be subtracted from the setback to a minimum of seventy-five (75') feet.

Article 5

Site Plans & Plot Plans

Sec	Name	Pg	Sec	Name	Pg
5.01	Purpose & Approval Table	5-1	5.05	Site Plan Review Standards	5-8
5.02	Plot Plans	5-2	5.06	As-Built Site Plan	5-9
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5.04	Site Plan Data Required	5-6	5.08	Expiration of a Site Plan	5-10

Section 5.01 Purpose & Approval Table

The purpose of this Article is to specify the documents and/or drawings required and to ensure that a proposed land use or development activity is in compliance with this Ordinance, other local ordinances, and state and federal statutes and regulations. Furthermore, its purpose is to ensure that development taking place within the Township is property designed, safe, efficient, environmentally sound, and designed in such manner as to protect adjacent properties from substantial adverse impacts. The following table summarizes the plan required and the approving body for different types of development.

Table 5.01: Approval Table

Type of Use	Required	Approving Body
1. Dwelling Units (single-family detached and two-family) including Accessory Buildings	Plot Plan	Zoning Administrator
2. Multiple-Family Dwelling Units & Single-Family Attached	Site Plan	Planning Commission
3. Home Occupations	----	No permit required
4. Cottage Industries	Plot Plan	Planning Commission
5. Bed & Breakfasts	Plot Plan	Zoning Administrator
6. Art Galleries & Art Studios	Site Plan	Zoning Administrator
7. Museums	Site Plan	Zoning Administrator
8. Accessory Dwelling Units	Plot Plan	Zoning Administrator
9. Dwelling Units in Conjunction w/Commercial	Site Plan	Planning Commission
10. Special Uses	Site Plan	Planning Commission
11. Parking Lots	Site Plan	Planning Commission
12. Signs	Plot Plan	Zoning Administrator
13. Fences	-----	No permit required
14. Change of Use for existing structure or lot (unless new use requires additional parking – then see #16)	-----	No permit required
15. New Commercial, Industrial, Utility, & Institutional Structures/Uses (including any use other than single-family, two-family, & multiple-family)	Site Plan	Planning Commission
16. Expansion or renovation of an existing use, other than single- & two-family dwellings, which increases the existing floor space more than 25%	Site Plan	Planning Commission
17. Planned Unit Developments & Site Condominium Projects	Site Plan	Planning Commission
18. Seasonal Use	----	No permit required
19. Temporary Dwellings	----	No permit required

1 Purpose & Authority

2 Definitions

3 General Provisions

4 District Regulations

5 Site Plans & Plot Plans

6 Special Use Review

7 Supplemental Regulations

8 Zoning Board of Appeals

9 Administration & Enforcement

10 Adoption & Amendments

20. Establishment of a plat, a condominium subdivision, or other form of real estate development on greater than 10 acres created under Land Division Act, on any parcel of land, provided the plat, the condominium subdivision plan or other real estate development establishes either (a) more than 2 residential units or (b) any other use requiring a site plan under this Ordinance.	Site Plan	Planning Commission
21. Utility facilities, including transformers, pump stations, substations, and buildings necessary to house utility equipment (when said improvements are necessary in order to provide adequate service by such utilities)	Site Plan	Planning Commission

Section 5.02 Plot Plans

A. Plot Plan Submittal Requirements.

The Zoning Administrator shall require that all applications for Zoning Permits, which do not require a site plan, be accompanied by plans and specifications including a Plot Plan showing the information listed below. Nothing in this Section shall be construed as to prohibit a property owner or his agent from preparing plans and specifications, provided the same are clear and legible and that the information listed below is provided.

Table 5.02: Plot Plan Requirements

1. Address/Contact	Address or legal or tax description of the property where the proposed use will occur. Name, address, and telephone number of the property owner(s), developer(s), and designer(s), and their interest in said properties.
2. Lot Lines	The shape, location, and dimensions of the lot, drawn to scale. The scale shall be of such size as deemed adequate by the Zoning Administrator to make a judgment that the application meets the requirements of this Ordinance. When deemed necessary by the Zoning Administrator, a survey may be required.
3. Structures	The location, shape and size of all buildings or other structures to be erected, altered or moved onto the lot and of any building or other structure already on the lot, drawn to scale. In addition, an elevation drawing of the proposed building(s) may be required by the Zoning Administrator in order to measure the height of the proposed structures.
4. Access	The location and configuration of the lot access and driveway, drawn to scale.
5. Water/Sewage	Location of existing or proposed septic system and water well.
6. Use	The existing and intended use of the lot and of all such structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate.
7. Natural Features	Natural features such as forests, water bodies, wetlands, high risk erosion areas, slopes over 10%, drainage, and other similar features, if determined by the Zoning Administrator to be applicable.
8. Other	Other information concerning the lot or adjoining lots that may be essential for determining whether the provisions of this Ordinance are being observed.

1 Purpose & Authority

2 Definitions

3 General Provisions

4 District Regulations

5 Site Plans & Plot Plans

6 Special Use Review

7 Supplemental Regulations

8 Zoning Board of Appeals

9 Administration & Enforcement

10 Adoption & Amendments

B. Plot Plan Administrative Procedure.

Plot plans are reviewed and approved according to the approval table in [Section 5.01](#) after an application has been submitted and applicable fees have been paid. The Zoning Administrator will issue zoning approval pursuant to [Section 9.02](#) after determination that the application and proposed activity are in compliance with all applicable sections of this Ordinance through the proper review procedure.

Section 5.03 Site Plan Review Procedures

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

A. Uses Requiring a Site Plan.

Site plans are reviewed and approved according to the approval table in [Section 5.01](#). After site plan review, the Zoning Administrator will issue a zoning permit for approved site plans pursuant to [Section 9.02](#) after determination that the application and proposed activity are in compliance with all applicable sections of this Ordinance through the proper review procedure.

B. Pre-Application Conference.

The Zoning Administrator, Planning Commission Chair and/or Planning Commission shall have the authority to conduct a pre-application meeting with the applicant/developer to assist them in understanding the site plan review process and other ordinance requirements and to provide insight as to what portions of their proposed development may be of special concern to the Planning Commission.

This conference shall not be mandatory, except for Planned Unit Developments, but is recommended of small and large projects alike. It is recommended for large projects that a pre-application conference be held several months in advance of the desired start of construction. Such an advance conference will allow the applicant/developer time to prepare the needed information for the Planning Commission to make a proper review.

C. Submittal Procedures.

1. **Number of Copies and Submittal Deadline.** Ten (10) copies of the proposed site plan, including all required additional or related information, shall be presented to the Zoning Administrator's office by the petitioner or property owner or his designated agent at least thirty (30) days prior to the Planning Commission meeting at which the site plan will be considered.
2. **Review for Completeness.** The Zoning Administrator will review the materials submitted to assure all information required by the Ordinance has been provided. If the application is incomplete, the Zoning Administrator will send a notice with a detailed list of all deficiencies to

- the applicant. If the site plan, including all required additional or related information, is determined to be complete, the Zoning Administrator shall cause the submittal to be placed on the agenda of the next regular Planning Commission meeting.
3. **Fees.** Application fees as determined pursuant to [Section 9.04](#) of this Ordinance shall be paid when the application and site plan are submitted to cover the estimated review costs.
 4. **Coordination with Other Agencies/Departments.** The Zoning Administrator may distribute the site plan to the following agencies or any other agency deemed appropriate for comment prior to consideration for approval.
 - a. The [Crawford County Department of Building and Safety](#)
 - b. The [Crawford County Soil Erosion and Sedimentation Control Officer](#)
 - c. The [Crawford County Drain Commissioner](#)
 - d. The [Crawford County Road Commission](#) and, if appropriate, the [Michigan Department of Transportation](#)
 - e. [District Health Department](#)
 - f. Local fire and ambulance service providers
 - g. [Camp Grayling](#)
 - h. [Michigan Department of Natural Resources](#)
 - i. Other agencies or consultants as deemed appropriate
 5. **Site Plans Requiring ZBA Action.** Where the applicant is dependent upon the grant of any variances by the Zoning Board of Appeals, said favorable action by the Zoning Board of Appeals shall be necessary before the site plan approval can be granted or the site plan may be approved subject to favorable action by the Zoning Board of Appeals.
 6. **Representation at Meeting.** The applicant or his/her representative shall be present at each scheduled review or the matter shall be tabled for a maximum of two (2) consecutive meetings due to lack of representation. After these two (2) consecutive meetings without representation, the application shall be voided.

D. Planning Commission Action.

1. **Decision.** The Planning Commission shall have the responsibility and authorization to approve, disapprove, or approve with conditions the site plan in accordance with the requirements of the

zoning district in which the proposed use is located, the criteria listed in [Section 5.05](#), and any applicable standards contained in [Article 7 \(Supplemental Regulations\)](#). If the site plan is disapproved by the Planning Commission, notification of such disapproval shall be given to the applicant within ten (10) days after such Commission action by the Zoning Administrator.

2. **Findings of Fact.** The decision of the Planning Commission shall be incorporated into a written statement of findings and conclusions relative to the site plan which specifies the basis for the decision and any condition(s) imposed.
3. **Conditions.** The Planning Commission may impose reasonable conditions with the approval of a final site plan, pursuant to [Section 9.08](#) of this Ordinance. Any conditions or modifications desired by the Planning Commission shall be recorded in the minutes of the appropriate Planning Commission meeting.
4. **Signed Copies.** If approved by the Planning Commission, three (3) copies of the site plan shall be signed and dated by both the applicant and Zoning Administrator or Planning Commission Chair. One (1) signed and dated site plan shall be provided to the applicant, one (1) shall be retained by the Zoning Administrator as part of the Township's permanent zoning file, and one (1) copy shall be made part of the Planning Commission's permanent record of proceedings on the site plan.
5. **Performance Guarantee.** The Planning Commission may require an applicant to provide a performance guarantee in connection with the approval of a final site plan, pursuant to [Section 9.05](#) of this Ordinance.
6. **Conformity to Approved Site Plan Required.** Following approval of a site plan by the Planning Commission, the applicant shall construct the site plan improvements in complete conformity with the approved site plan. Failure to do so shall be deemed a violation of this Ordinance.

Section 5.04 Site Plan Data Required

Each site plan submitted shall contain the following information unless specifically waived, in whole or in part, by the Township Planning Commission. The Planning Commission can waive any or all of the below site plan requirements, when it finds those requirements are not applicable to the proposed development.

Table 5.04: Site Plan Requirements

A. General Information

1. Name and address of property owner and developer (including contact information).
2. Name and address of firm preparing the site plan (including contact information).
3. The existing zoning district in which the site is located and the zoning of adjacent parcels. In the case of a request for a zoning change, the classification of the proposed new district must be shown.
4. Gross acreage of development and total usable floor area.

B. Map Information

1. Date, north arrow.
2. Scale at least 1" = 50' for property less than 3 acres and at least 1" = 100' for property 3 or more acres.

C. Lot Lines, Right of Way, and Utilities

1. A certified survey of the property prepared and sealed by a professional licensed surveyor, showing at a minimum the boundary lines of the property, to include all dimensions and legal description.
2. The location and width of all abutting right-of-ways including road names and utility lines within or bordering the subject project.

D. Development Features

1. **Existing and Proposed Features.** The location of all existing and proposed uses or structures on the site including proposed drives, walkways, signs, and exterior lighting.
2. **Nearby Structures.** The location and identification of all existing structures within a two hundred (200') foot radius of the site.
3. **Vehicular and Pedestrian Circulation.** The proposed streets, driveways, sidewalks, and other vehicular and pedestrian circulation features within and adjacent to the site.
4. **Parking.** The location, size, and number of parking spaces in the off-street parking area and the identification of service lanes. Show the dimensions of parking lot and a typical parking stall.
5. **Loading and Unloading Areas.** The proposed location and size of all loading and unloading areas.
6. **Landscaping.** The location of all existing and proposed landscaping as well as all existing and proposed fences or walls.
7. **Waste.** The location of all storage and disposal facilities including location of dumpsters.
8. **Hazardous Materials.** Information on the storage and use of hazardous materials and the disposal of hazardous waste.

9. **Storage.** Outdoor storage areas and snow storage areas.
10. **Drainage.** The location, size and slope of all surface and subsurface drainage facilities.

E. Natural Features

1. The location of existing environmental features, such as streams, wetlands, shorelands, mature specimen trees, wooded areas or any other unusual environmental features.
2. The topography of the existing and finished site shall be shown by contours or spot elevations. Where the existing slope on any part of the site is ten (10%) percent or greater, contours shall be shown at intervals of two (2') feet or less.
3. Generalized soil analysis data, which may include data prepared by the **Crawford County Soil Conservation District** regarding the soils and their adaptability to the use. More detailed information may be required where the Planning Commission determines that the site and use warrant a more critical review of soils.

F. Cross-Sections/Floor Plans/Density

1. Summary tables, cross-sections, and/or floor plans should be included with site plans for proposed structures, giving the following information:
 - a. The number of units proposed, by type, including a typical floor plan for each type of unit.
 - b. The area of the proposed units in square feet, as well as area dimensions of driveways/staging areas.
2. An elevation drawing of the proposed building(s) shall be required in order to review the proposed building bulk and verify height.

G. Other

1. Anticipated hours of operation for proposed use. The Planning Commission may impose reasonable limits to hours of operation as a condition of site plan approval when warranted to assure compatibility with surrounding land uses.
2. Impact Statement. The statement shall address itself to the following as applicable to the type of use:
 - a. A complete description of the proposed development including: areas of the site, the number of lots or units, and the number and characteristics of the population impact such as density, elderly persons, school children, tourists, family size, income, and related information as applicable.
 - b. Expected demands on community services and how these services are to be provided to specifically include: school classroom needs, volume of sewage for treatment, volume of water consumption related to ground water reserves or community system capacity, change in traffic volume on adjacent streets and other factors that may apply to the particular development.
 - c. Statements relative to the impact of the proposed development on soil erosion, shoreline protection, wildlife habitat, air pollution, water pollution (ground and surface), noise and the scale of development in terms of the surrounding environment.
3. Other information as may be required by the Zoning Administrator or Planning Commission to assist in the consideration of the proposed development.

Section 5.05 Site Plan Review Standards

The Planning Commission shall approve, or approve with conditions, an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards listed below, unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and the waiver of that standard will not be significantly detrimental to surrounding property or to the intent of the Ordinance. The Planning Commission's decision shall be in writing and shall include findings of fact based on evidence presented on each standard.

A. Topography and Natural Features.

1. All elements of the site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings.
2. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.

B. Surrounding Property.

The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

C. Drainage.

Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.

D. Privacy.

The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

E. Access and Circulation.

1. Every structure or dwelling unit shall have access to a public street, private road, walkway, or other area dedicated to common use.

2. There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.
3. All loading and unloading areas and outside storage areas, including areas for the storage of trash which face or are visible from residential districts or public thoroughfares shall be screened by a vertical screen consisting of structural or plant materials no less than six (6') feet in height.
4. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way.
5. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.
6. All streets shall be developed in accordance with the [Section 3.27 Driveways and Private Roads](#), or if a public road, the [County Road Commission](#) specifications.

F. Lighting.

Exterior lighting shall be arranged as required by [Section 3.16](#) Outdoor Lighting.

G. Other.

1. Site plans shall conform to all applicable requirements of state and federal statutes, and approval may be conditioned on the applicant receiving necessary state and federal permits before the actual zoning permit authorizing the use is granted.
2. All site plans shall comply with the terms of the Crawford County Soil Erosion and Sedimentation Control Ordinance and Stormwater Ordinance. It shall be the applicant's responsibility to provide documentation of compliance of these County ordinances.

Section 5.06 As-Built Site Plan

Upon completion of the installation of required improvements as shown on the approved final site plan, the property owner shall submit to the Zoning Administrator two (2) copies of an "as-built" site plan, certified by the engineer or surveyor, at least one (1) week prior to the anticipated occupancy of any building. The Zoning Administrator shall circulate the as-built plans among the appropriate persons for review to insure conformity with the approved final site plan and other Maple Forest Township requirements. Once those persons have approved the as-built plans the Zoning Administrator may make the final inspection.

Section 5.07 Amendment of Approved Site Plan

Amendment of an approved site plan shall be permitted only under the following circumstances:

- A. The owner of property for which a site plan has been approved shall notify the Zoning Administrator of any desired change to the approved site plan. Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design and character of the site plan, nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 1. Reduction of the size of any building and/or sign.
 2. Movement of buildings and/or signs by no more the ten (10') feet.
 3. Landscaping approved in the site plan that is replaced by similar landscaping to an equal or greater extent.
 4. Changes in floor plans that do not exceed five (5%) percent of the total floor area and which do not alter the character of the use or increase the amount of required parking.
 5. Internal re-arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 6. Changes related to item 1 through 5 above, required or requested by Maple Forest Township, Crawford County, or other state or federal regulatory agencies in order to conform with other laws or regulations provided the extent of such changes does not alter the basic design and character of the site plan nor any specified conditions imposed as part of the original approval.
- B. All amendments to a site plan approved by the Zoning Administrator shall be in writing. After approval by the Zoning Administrator, the applicant shall prepare a revised site plan showing the approved amendment. The revised site plan shall contain a list of all approved amendments and a place for the Zoning Administrator to sign and date all approved amendments.
- C. An amendment to an approved site plan that cannot be processed by the Zoning Administrator under subsection A and B above shall be processed in the same manner as the original site plan application.

Section 5.08 Expiration of a Site Plan

- A. The site plan shall expire unless construction of an approved site plan improvement has begun within one (1) year of approval. Thirty (30) days prior to expiration of an approved final site plan, an applicant may make application to the Planning Commission for a one (1) year extension of the site plan at no fee. The Planning Commission shall grant the requested extension for an additional one (1) year if it finds good cause for the extension and that the zoning regulations governing the site plan approval have not changed since the approval.
- B. Any subsequent re-submittal shall be processed as a new request with new fees.

Article 6

Special Use Review

Sec	Name	Pg
6.01	General	6-1
6.02	Special Use Review Procedures	6-1
6.03	Special Use Review Standards	6-4
6.04	Amendment of Approved Special Uses	6-5
6.05	Inspections	6-6
6.06	Expiration, Suspension or Revocation of a Special Use	6-6

Section 6.01 General

Special Uses shall be subject to the general provisions and supplemental site development standards of this Ordinance and the provisions of the zoning district where located in addition to applicable provisions of this Article to prevent conflict with or impairment of the other uses or uses permitted by right of the district. Each use shall be considered an individual case.

Section 6.02 Special Use Review Procedures

The following steps shall be taken by the applicant, Zoning Administrator, and the Planning Commission when considering a proposed Special Use:

A. Application Procedure and Processing.

1. **Pre-Application Meeting.** A pre-application meeting pursuant to [Section 5.03.B](#) may be requested by the applicant.
2. An application shall be submitted through the office of the Zoning Administrator, to the Planning Commission, on a special form provided for that purpose, and shall include items listed below.
 - a. A plot plan or site plan as indicated in [Table 5.01](#).
 - b. Name and address of applicant and owner of the premises.
 - c. Description of the proposed use, including parking facilities, if required, and any exceptional traffic situation the use may cause.
 - d. A statement by the applicant appraising the effect on the neighborhood.

- e. The application shall be accompanied by the fee established by the Township Board of Trustees.
3. **Number of Copies and Timing.** Ten (10) copies of the applications and all related materials shall be submitted at least forty-five (45) days prior to the Planning Commission meeting at which the Special Use will be considered.
4. **Review for Completeness.** The Zoning Administrator will review the materials submitted to assure all information required by the Ordinance has been provided. If the application is incomplete, the Zoning Administrator will send a notice with a detailed list of all deficiencies to the applicant. If the application, including all required additional or related information, is determined to be complete, the Zoning Administrator shall cause the submittal to be placed on the agenda of the Planning Commission meeting after notice has been provided in accordance with [Section 9.07](#).
5. **Coordination.** The Zoning Administrator may distribute the site plan to the following agencies or any other agency deemed appropriate for comment prior to consideration for approval.
 - a. The [Crawford County Department of Building and Safety](#)
 - b. The [Crawford County Soil Erosion and Sedimentation Control Officer](#)
 - c. The [Crawford County Drain Commissioner](#)
 - d. The [Crawford County Road Commission](#) and, if appropriate, the [Michigan Department of Transportation](#)
 - e. [District Health Department](#)
 - f. Local fire and ambulance service providers
 - g. [Camp Grayling](#)
 - h. [Michigan Department of Natural Resources](#)
 - i. Other agencies or consultants as deemed appropriate
6. **Special Uses Requiring ZBA Action.** Where the applicant is dependent upon the grant of any variances by the Zoning Board of Appeals, said favorable action by the Zoning Board of Appeals shall be necessary before the site plan approval can be granted or the site plan may be approved subject to favorable action by the Zoning Board of Appeals.

B. Public Hearing.

A public hearing shall be held for all Special Use permit requests. Notice of the Special Use permit request and public hearing shall be provided pursuant to [Section 9.07](#).

C. Review Procedure.

1. **Review.** The Planning Commission shall review the Special Use application according to the requirements of the zoning district in which the proposed use is to be located, the standards set forth in [Section 6.03](#) and, if the use requires a site plan, [Section 5.05](#), and all other applicable requirements of this Ordinance.
2. **Representation at Meeting.** The applicant or his/her representative shall be present at each scheduled review or the matter shall be tabled for a maximum of two (2) consecutive meetings due to lack of representation. After these two (2) consecutive meetings without representation, the application shall be voided.
3. **Decision.** After the public hearing and review, the Planning Commission shall do one (1) of the following:
 - a. Approve the Special Use application and plot plan or site plan, if a plot plan or site plan was required. The Zoning Administrator shall then be directed to issue a zoning permit for the Special Use.
 - b. Approve the Special Use application and plot plan or site plan subject to conditions which are imposed in order to ensure the Special Use complies with standards stated in this Ordinance. The Zoning Administrator shall then be directed to issue a zoning permit for the Special Use.
 - c. Disapprove the Special Use application and plot plan or site plan.
4. **Findings of Fact.** The decision on a Special Use shall be incorporated into a written statement of findings and conclusions relative to the Special Use which specifies the basis for the decision and any condition(s) imposed.
5. **Notification of Disapproval.** If the Special Use is disapproved by the Planning Commission, notification of such disapproval shall be given to the applicant within ten (10) days after such Commission action by the Zoning Administrator.
6. **Signed Copies.** If approved by the Planning Commission, three (3) copies of the plot plan or site plan shall be signed and dated by both the applicant and Zoning Administrator or Planning Commission Chair. One (1) signed and dated site plan shall be provided to the applicant; one (1) shall be retained by the Zoning Administrator as part of the Township's permanent zoning file, and; one (1) copy shall be made part of the Planning Commission's permanent record of proceedings on the site plan.

7. **Performance Guarantee.** The Planning Commission may require an applicant to provide a performance guarantee in connection with the approval of a final site plan, pursuant to [Section 9.05](#) of this Ordinance.
8. **Conformity to Approved Plot Plan/Site Plan Required.** Following approval of a Special Use by the Planning Commission, the applicant shall construct the plot plan or site plan improvements in complete conformity with the approved plot plan or site plan. Failure to do so shall be deemed a violation of this Ordinance.
9. **Appeal.** The decision of the Planning Commission concerning a Special Use may not be appealed by the property owner, or his or her designated agent, to the Zoning Board of Appeals.

Section 6.03 Special Use Review Standards

The Planning Commission shall approve, or approve with conditions, an application for a Special Use permit only upon finding that the proposed special use complies with all the following standards:

A. Allowed Special Use.

The property subject to the application is located in a zoning district in which the proposed Special Use is allowed.

B. Compatibility with Adjacent Land Uses.

1. The proposed Special Use shall be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
2. The proposed Special Use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other properties in the areas by reason of traffic, noise, smoke, fumes glare, odors, or the accumulation of scrap material that can be seen from any public road or seen from any adjacent land owned by another person.

C. Public Services.

1. The proposed Special Use will not place demands on fire, police, or other public resources in excess of current capacity.
2. The proposed Special Use will be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.

D. Economic Well-Being of the Community.

The proposed Special Use shall not be detrimental to the economic well-being of the surrounding

residents, businesses, landowners, and the community as a whole.

E. Compatibility with Natural Environment.

The proposed Special Use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the Township or the natural environment as a whole.

F. Compliance with Supplemental Site Development Standards.

The proposed Special Use complies with all applicable supplemental site development standards as contained in **Article 7** of this Ordinance.

Section 6.04 Amendment of Approved Special Uses

Amendment of an approved Special Use shall be permitted only under the following circumstances:

- A. The owner of the property for which a Special Use has been approved shall notify the Zoning Administrator of any desired change to the approved Special Use. Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design and character of the Special Use, nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 1. Reduction of the size of any building and/or sign.
 2. Movement of buildings and/or signs by no more the ten (10') feet.
 3. Landscaping approved in the special use that is replaced by similar landscaping to an equal or greater extent.
 4. Changes in floor plans that do not exceed five (5%) percent of the total floor area and which do not alter the character of the use or increase the amount of required parking.
 5. Internal re-arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 6. Changes related to item 1 through 5 above, required or requested by Maple Forest Township, Crawford County, or other state or federal regulatory agencies in order to conform with other laws or regulations; provided the extent of such changes does not alter the basic design and character of the special use, nor any specified conditions imposed as part of the original approval.
- B. All amendments to a Special Use approved by the Zoning Administrator shall be in writing. After approval by the Zoning Administrator, the applicant shall prepare a revised plot plan or site plan

showing the approved amendment. The revised plot plan or site plan shall contain a list of all approved amendments and a place for the Zoning Administrator to sign and date all approved amendments.

- C. An amendment to an approved Special Use that cannot be processed by the Zoning Administrator under [subsection A and B](#) above shall be processed in the same manner as the original Special Use application.

Section 6.05 Inspections

The Zoning Administrator shall have the right to inspect any Special Use to ensure continued compliance with the conditions of the Special Use.

Section 6.06 Expiration, Suspension or Revocation of a Special Use

A. Expiration of Special Use Permit.

Any approved Special Use shall become invalid if the approved Special Use is not commenced within one (1) year after the zoning permit is issued. Thirty (30) days prior to expiration of an approved Special Use permit, an applicant may apply to the Planning Commission for a one (1) year extension of the Special Use permit. The Planning Commission shall grant the requested extension for an additional one (1) year if it finds good cause for the extension and that the zoning regulations governing the Special Use approval have not changed since the approval.

B. Special Use that has been Replaced or Superseded.

The Special Use permit shall expire if replaced or superseded by a subsequent permitted use (except in the case where the Special Use is an accessory use on the premises) or a subsequent Special Use permit or if the applicant requests the rescinding of the Special Use Permit.

C. Abandonment of Special Use.

The Special Use permit shall expire if the Special Use has been abandoned for a period of one (1) year or more. When determining the intent of the property owner to abandon a Special Use, the Zoning Administrator shall consider the following factors:

1. Whether utilities such as water, gas, and electricity to the property have been disconnected.
2. Whether the property, buildings, and grounds have fallen into disrepair.
3. Whether signs or other indications of the existence of the Special Use have been removed.
4. Whether equipment or fixtures necessary for the operation of the Special Use have been removed.
5. Other information or actions that evidence an intention on the part of the property owner to abandon the Special Use.

D. Special Use and Transfer or Sale of Property.

A Special Use does not expire on transfer or sale of the property unless the use has been determined by the Zoning Administrator to have been abandoned pursuant to [subsection C](#).

E. Special Use Suspension or Revocation.

The Planning Commission may suspend or revoke a Special Use permit issued under the provisions of this Ordinance whenever the permit is issued erroneously on the basis of incorrect information supplied by the applicant or his/her agent and/or is in violation of any of the provisions of this Ordinance or of any other ordinances or regulations of the Township.

Article 7

Supplemental Regulations

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Section 7.01 Purpose

The uses listed in this Article shall be subject to the requirements of this Article along with provisions listed elsewhere in this Ordinance. All uses marked with an “*” in [Section 4.15 \(Full Table of Permitted and Special Uses\)](#) are included in this Article.

Section 7.02 Home Occupations & Cottage Industries

While Maple Forest Township recognizes that many residents feel the necessity to work at home, the Township also recognizes the rights of all residents to be free from actual or potential nuisance which may

be caused by nonresidential activities conducted in a residential zone. The intent of this Section is to provide standards to ensure Home Occupations and Cottage Industries are compatible with other allowed uses in residential districts, and thus to maintain and preserve the residential character of the neighborhood.

A. Home Occupations.

1. **Zoning Permit.** Home Occupations are permitted in all zoning districts in which single-family dwellings are permitted as a matter of right. A zoning permit is required.
2. **Use of Buildings.** Home Occupations operated within the dwelling shall occupy no more than twenty-five (25%) percent of the dwelling's ground floor area. Home Occupations may occupy one hundred (100%) percent of attached or detached accessory buildings.
3. **Employees.** Home Occupations shall be conducted primarily by the person or persons occupying the premises as their principal residence. Not more than one (1) nonresident person shall be employed to assist with the business.
4. **Architectural Style.** Additions to a dwelling for the purpose of conducting a Home Occupation shall be of an architectural style that is compatible with the architecture of the dwelling and shall be designed so that the addition can be used for dwelling purposes if the Home Occupation is discontinued.
5. **Residential Character.** Home Occupations shall be incidental and subordinate to the principal use of the dwelling for residential purposes and shall not detract from the residential character of the premises or neighborhood.
6. **Nuisances.** Home Occupations shall not result in the creation of conditions that would constitute a nuisance to neighboring property owners and the Township as a whole. Any machinery, mechanical devices, or equipment employed in the conduct of a Home Occupation shall not generate noise, vibration, radiation, odor, glare, smoke, steam, or other condition not typically associated with the use of the dwelling for residential purposes.
7. **Traffic and Delivery.** Traffic and delivery or pickup of goods shall not exceed that normally created by residential uses.
8. **Outdoor Storage.** The outdoor storage or display of goods and/or materials of any kind is prohibited.
9. **Parking.** There shall be no parking permitted within any setback areas. Parking shall be provided on-site.
10. **Materials/Process.** No process, chemicals, or materials shall be used which are contrary to applicable state or federal laws.

B. Cottage Industries.

1. **Special Use.** Cottage industries may be permitted as a Special Use subject to review and approval by the Planning Commission. Cottage industries shall be allowed on the basis of individual merit, a periodic review of each Cottage Industry shall be performed to ensure the conditions of approval are adhered to. If a premises is sold, leased, or rented to a party other than the applicant, the permit shall be reviewed for compliance with the original permit by the Zoning Administrator. If any changes are necessary, the request will be reheard by the Planning Commission.
2. **Residential Character.** Cottage industries shall be incidental and subordinate to the use of the premises for residential purposes and shall not detract from the residential character of the premises or neighborhood.
3. **Display.** Exterior display of products produced on premises may be displayed in an area not to exceed five thousand (5,000 ft²) square feet.
4. **Use of Buildings.** Cottage Industries operated within the dwelling shall occupy no more than twenty-five (25%) percent of the dwelling's ground floor area. Cottage Industries may occupy one hundred (100%) percent of attached or detached accessory buildings.
5. **Outdoor Storage.** The outdoor storage of goods and/or materials of any kind is prohibited unless screened (by a tight-board wood fence, landscaped buffer, landscaped berm, etc.) from view from neighboring property and road rights-of-way. If required, the type of screening shall be determined at the discretion of the Planning Commission.
6. **Nuisances.** Cottage industries shall not result in the creation of conditions that would constitute a nuisance to neighboring property owners and surrounding zoning district. Any machinery, mechanical devices, or equipment employed in the conduct of a Cottage Industry shall not generate noise, vibration, radiation, odor, glare, smoke, steam, or other condition not typically associated with the use of the premises for residential purposes.
7. **Traffic and Delivery.** Traffic and delivery or pickup of goods shall not exceed that normally created by residential uses.
8. **Employees.** Cottage industries may employ two (2) or more individuals who reside off-premises.
9. **Parking.** To ensure that the Cottage Industry is compatible with surrounding residential use, a "not-to-exceed" number of vehicles that may be parked at any given time during business operations shall be established by the Planning Commission during the review and approval process. Parking shall be provided on-site.
10. Hours of operation shall be approved by the Planning Commission.

C. Termination, Extensions, Revisions, and Inspections.

1. Upon written application by the owner, the Planning Commission may, for just cause, grant a time extension for compliance with the conditions of this Section.
2. Any Home Occupation or Cottage Industry shall be subject to periodic review by the Zoning Administrator.
3. If the Zoning Administrator has reason to believe the property owner is in violation of his or her permit or grounds for revocation exist, written notice of alleged violation(s) shall be sent to the operator of the Home Occupation or Cottage Industry. The operator shall be afforded the opportunity to appear at a public hearing before the Planning Commission to present his or her case. The hearing notice procedures shall be the same as those in [Section 9.07](#).
4. Following the public hearing, the decision of the Planning Commission shall be made in writing and shall be based on the findings of fact. Reasonable conditions may be imposed to prevent conflicts with other property uses or to assure compatibility with the standards of this Ordinance. The Planning Commission shall have the authority to order a limit on the hours of operation, impose conditions of operation or, if deemed necessary, order the complete termination of the activity.
5. Proposed revisions or additions to a Cottage Industry shall constitute a change of use and shall be subject to Special Use review and approval by the Planning Commission.

Section 7.03 Accessory Dwelling Units/Guest Houses

Accessory dwelling units, as defined in [Article 2](#), shall comply with the following regulations:

A. Residence and Incidental Use.

The accessory dwelling unit shall be clearly incidental to the principal residence on the site. Accordingly, the following conditions shall be met:

1. Accessory dwelling units shall be established on owner-occupied properties only.
2. Only one (1) such accessory residence shall be permitted on each parcel.
3. The total floor area of the accessory dwelling unit shall be seven hundred twenty (720 ft²) square feet or less.
4. The accessory dwelling unit may be a detached structure or may be attached to another building on the property including the principal dwelling or an accessory building.
5. Accessory dwelling units shall meet the required setbacks for the principal building.

6. Accessory dwelling units shall meet the current Crawford County Building Code.

B. Compatibility with Surrounding Land Use.

The design of the accessory dwelling unit shall not detract from the single-family character and appearances of the principal residence or the surrounding neighborhood. When viewed from the outside, it shall appear that only one (1) household occupies the site.

C. Parking and Access.

In addition to required parking for the principal residence, one (1) additional parking space shall be provided for the accessory dwelling unit.

Section 7.04 Bed & Breakfast Facilities/Tourist Homes

While this section is established to enable single-family dwelling units to be used as bed and breakfast facilities/tourist homes, it is the intent of the Planning Commission to preserve the character of the residential district in which the operation is located. A bed and breakfast/tourist home operation is a subordinate use to a single-family dwelling unit subject to the following conditions:

- A. The operator shall live on the premises when the operation is active.
- B. A Special Use permit is required prior to commencing use. The Special Use shall allow annual inspection by the Zoning Administrator at a convenient time.
- C. Bed and breakfast facilities will operate in compliance with all local, state, and federal requirements.
- D. The number of rooms available for guests shall be limited to five (5). Each guest room shall be equipped with a separate functioning smoke detector alarm, and a fire extinguisher in proper working order shall be installed and maintained on every floor. Guests shall have access to lavatory and bathing facilities.
- E. Two (2) off-street paved or graded gravel parking spaces shall be provided for the operator of the facility, plus one (1) parking space for each available guest room and one (1) for any non-resident employed.
- F. The dwelling unit has no exterior evidence, other than a sign meeting the requirements of [Section 3.28](#), to indicate that the dwelling is being utilized for any purpose other than as a residence.
- G. Breakfast may be served only to overnight guests, in accordance with state public health regulations regarding bed and breakfast facilities.

- H. Any number of dwelling residents may assist with the bed and breakfast/tourist home operation, but not more than one (1) non-resident full-time equivalent employee may be hired. The bed and breakfast/tourist home operation shall produce no excessive noise, traffic, glare, or other nuisance that would be detrimental to the character of the neighborhood.

Section 7.05 Biofuel Production Facilities on Farms

- A. In conformance to the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended, the following regulations shall apply to biofuel production facilities:
1. A biofuel production facility with an annual production capacity of not more than one hundred thousand (100,000) gallons of biofuel is a permitted use of property and is not subject to Special Use approval if all of the following requirements are met:
 - a. The biofuel production facility is located on a farm.
 - b. The biofuel production facility is located not less than one hundred (100') feet from the boundary of any contiguous property under different ownership than the property on which the biofuel production facility is located and meets all applicable setback requirements of the Zoning Ordinance.
 - c. On an annual basis, not less than seventy-five (75%) percent of the feedstock for the biofuel production facility is produced on the farm where the biofuel production facility is located, and not less than seventy-five (75%) percent of the biofuel or another product or by-product produced by the biofuel production facility is used on that farm.
 2. Each of the following requires Special Use approval under [subsections A.3 to A.5](#):
 - a. A biofuel production facility with an annual production capacity of not more than one hundred thousand (100,000) gallons of biofuel that meets the requirements of [subsection A.1.a and A.1.b](#) but that does not meet the requirements of [subsection A.1.c](#).
 - b. A biofuel production facility with an annual production capacity of more than one hundred thousand (100,000) gallons but not more than five hundred thousand (500,000) gallons of biofuel that meets the requirements of [subsection A.1.a and A.1.b](#).
 3. An application for Special Use approval for a biofuel production facility described in [subsection A.2](#) shall include all of the following:
 - a. A site plan including a map of the property and existing and proposed buildings and other facilities.
 - b. A description of the process to be used to produce biofuel.

- c. The number of gallons of biofuel anticipated to be produced annually.
 - d. An emergency access and fire protection plan that has been reviewed and approved by the appropriate responding police and fire departments.
 - e. For an ethanol production facility that will produce more than ten thousand (10,000) proof gallons annually, completed [United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau](#), forms 5000.29 (environmental information) and 5000.30 (supplemental information on water quality considerations under 33 USC 1341(a)), or successor forms, required to implement regulations under the [National Environmental Policy Act of 1969](#), 42 USC 4321 to 4347, and the [Federal Water Pollution Control Act](#), 33 USC 1251 to 1387.
 - f. Information that demonstrates that the biofuel production facility will comply with the requirements of [subsections A.2](#) and [A.5](#).
 - g. Any additional information requested by the Planning Commission or Zoning Administrator.
4. The Township shall hold a hearing on an application for Special Use approval under [subsection A.2](#) not more than sixty (60) days after the application is filed.
5. Special Use approval of a biofuel production facility described in [subsection A.2](#) shall be made expressly conditional on the facility's meeting all of the following requirements before the facility begins operation and no additional requirements:
 - a. Buildings, facilities, and equipment used in the production or storage of biofuel comply with local, state, and federal laws.
 - b. The owner or operator of the biofuel production facility provides the Township with proof that all necessary approvals have been obtained from the state and federal agencies that are involved in permitting any of the following aspects of biofuel production:
 - (1) Air pollution emissions.
 - (2) Transportation of biofuel or additional products resulting from biofuel production.
 - (3) Use or reuse of additional products resulting from biofuel production.
 - (4) Storage of raw materials, fuel, or additional products used in, or resulting from, biofuel production.
 - (5) The biofuel production facility includes sufficient storage for both of the following:
 - (a) Raw materials and fuel.

- (b) Additional products resulting from biofuel production or the capacity to dispose of additional products through land application, livestock consumption, sale, or other legal use.

B. This Section does not authorize biofuel production facilities that are not located on farms.

Section 7.06 Businesses with Drive-Through Services, including Restaurants

These standards are designed to provide adequate vehicle stacking space on business properties that offer drive-in or drive-through services in order to avoid congestion on adjacent streets and to require site designs that address on-site circulation patterns, recognizing potential pedestrian conflicts with vehicles entering/exiting the property, vehicles using parking lots, and vehicles using drive-through service lanes.

Businesses which provide a drive-in or drive-through service (but not Gasoline Service Stations) may be permitted, as regulated in their respective Zoning Districts, subject to the review of the Planning Commission and the following conditions:

- A. Vehicular access drives shall be located at least sixty (60') feet from the nearest right-of-way line of all intersecting streets.
- B. Drive-through/drive-in service windows and order areas shall only be located in the side or rear yard of the property.
- C. Site design shall show compatibility between pedestrians and parking areas, stacking lanes, access lanes to parking spaces, and to drive-through lanes.
- D. Stacking spaces shall be provided for drive-through operations subject to the standards listed in the parking requirements in [Section 3.26: Parking and Loading Space Requirements](#).

Section 7.07 Campgrounds & RV Parks

- A. A minimum lot size shall be five (5) acres.
- B. The lot shall provide direct vehicular access to a public road. The term "lot" shall mean the entire campground or RV park.
- C. All sanitary stations, privies, or any sanitary facilities shall be located at least one hundred (100') feet from property lines.
- D. The campground/RV park shall be screened abutting properties by natural terrain, neatly finished and well-maintained wooden fence or masonry wall, or by well-maintained live evergreens. Campgrounds/RV parks need not be screened from the road right-of-way.

- E. Campsites shall be located at least fifty (50') feet from property lines.
- F. All campgrounds and RV parks shall comply with [State of Michigan](#) and [District Health Department District #10](#) requirements.

Section 7.08 Car Wash Facilities

A. Layout.

All washing activities shall be carried on within an enclosed building. Vacuuming activities shall be permitted in the rear yard only, provided such activities are located at least fifty (50') feet from adjacent residentially zoned or used property. Entrances and exits shall not face abutting residentially zoned or used property.

B. Entrances and Exits.

Sufficient space shall be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street. All maneuvering areas, stacking lanes, and exit aprons shall be located on the car wash parcel itself. Streets shall not be used for maneuvering or parking by vehicles to be serviced by the automobile wash.

Section 7.09 Cemeteries

A. Location.

No portion of any cemetery that is located in a wetland shall be developed or platted for gravesites.

B. Accessory Buildings.

A mausoleum, columbarium, or other accessory building may be permitted within a cemetery provided that any such building shall be designed and located in accordance with a cemetery master plan and in compliance with appropriate district setbacks.

C. Setbacks.

No building or structures containing bodies or remains, other than subterranean graves, shall be located closer than fifty (50') feet to the boundary line of any residential or commercial district.

Section 7.10 Commercial Event Facilities

A. Standards.

1. Restaurants and hotels with banquet facilities where commercial event facilities are accessory to the principal use shall not be subject to this Section.
2. **Parking.** No vehicles associated with the event shall be permitted to be parked on public roadways. All vehicle parking shall be maintained "on site." "On site" is defined as at least one hundred (100') feet from the property boundaries of the parcel on which the event is permitted. Adequate parking shall be provided for the guests of the event and those employed in support of the event. At a minimum, at least one (1) parking space for every four (4) persons attending the event shall be provided for on-site parking. The Planning Commission is authorized to take into account, to the extent it deems practicable, the joint use of parking spaces that may exist for a golf course, public restaurant, or other operations on the property during the time of events. The Planning Commission may approve, in its discretion, the use of off-site parking as an alternative with transportation provided to the site by attendees through a commercial transportation service.
3. **Setbacks.** The general event area (the actual location(s) in which the gathering is to occur) shall be located three hundred (300') feet from adjacent owners' property lines. All activities associated with the use are to be included within the general event area, the only exception being the parking as allowed by **subsection A.2** above.
4. **Hours of Operation.** Year-round operations may be authorized. Events shall commence no earlier than 10 AM and shall terminate no later than midnight. However, the Planning Commission shall have the power to modify the commencement and termination times for a particular site based upon the specifics of the application. For purposes of this Section, "termination" shall mean the termination of food, drinks, service, and entertainment, with the understanding that attendees and servers will need a reasonable amount of time after termination to exit the premises.
5. **Amplified Sound.** Sources of amplified sound, including but not limited to recorded music, live musical performances, and spoken word, shall commence no earlier than 12:00 PM, shall be terminated by 11:00 PM. The Planning Commission shall have the power to modify the time limits for amplified sound for a particular site based on the specifics of the application. Enclosed buildings, tents, pavilions, and other open/non-enclosed structures shall be considered an acceptable location for the source of amplified sound as referenced in this Section. Strict consideration shall be afforded to the maintenance of ambient outdoor noise levels at the property boundaries.
6. **Overnight Accommodations.** No overnight accommodations shall be provided in temporary structures such as tents or recreational vehicles unless the Planning Commission approves a deviation from this standard. Any Commercial Event Facility which provides overnight

accommodations must comply with all applicable codes and laws related to the provision of said accommodations.

7. **Capacity.** The number of persons allowed at each event for a proposed Commercial Event Facility shall be compatible with the proposed facilities and infrastructure for each site.
8. **Sanitary Facilities.** Adequate sanitary restroom facilities shall be provided on site, and the type and location of such facilities shall be subject to the approval of the Planning Commission and [District Health Department](#).
9. **Number of Events.** The Planning Commission may limit the number of events allowed per year.
10. **Ingress/Egress.** The site of the Commercial Event Facility shall have at least two (2) means of egress, at least one (1) of which is adequate for emergency vehicles as determined by the Planning Commission in consultation with emergency responders based on its width, length, surface, and ability to support the gross vehicle axle weight of emergency vehicles.
11. **Buffers.** The Planning Commission may require appropriate buffers between the Commercial Event Facility and adjoining properties given the size of parcel, the natural topography, and vegetative cover.
12. **Outdoor Seating.** Seating for events may occur outdoors, under a fabric structure temporarily constructed on the property, or in an event barn or other structure.

B. Submittal Requirements.

1. In addition to the requirements in [Section 5.04 \(Site Plan Data Required\)](#), the site plan must show the area of the event, parking, temporary structures, and sanitation facilities.
2. **Event Management Plan.** An event management plan shall be prepared and submitted to the Planning Commission for review and approval. The plan shall include provisions for traffic and parking management, hours of operation, noise abatement, toilet facilities, and the maximum number of guests. The plan shall also include a list of contacts for emergency situations.
 - a. Hours of operation must include setup and takedown times.
 - b. The event plan must provide expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors, and spectators/participants.
 - c. The event plan must provide the expected number of automobiles and other vehicles intended to use the property at one time and collectively.

- d. The event plan must provide certification that the property where the event is to take place is not subject to any covenant or restriction limiting its use, or if the use is restricted by easement or otherwise, a copy of a survey or diagram depicting the easement area and any reserved area where development rights are intact.
3. The Planning Commission may grant a deviation from any of the [subsections A.2 through A.6](#) above upon the following findings:
 - a. Granting the deviation will not cause a substantially adverse effect on neighboring properties and will not produce nuisance conditions to occupants of nearby properties.
 - b. Granting the deviation will not otherwise impair the public health, safety, and general welfare of the residents.
 - c. Granting the deviation will uphold the spirit and intent of this Ordinance.

A request for deviation shall be considered as part of the Special Use process. The need/reason for the deviation shall be provided, in writing, by the applicant. If a deviation is requested after the initial approval, a new approval process shall be required.

Section 7.11 Commercial Outdoor Recreational Facilities

Commercially used outdoor recreational space for children's amusement parks, carnivals, rebound tumbling facilities, miniature golf, driving ranges, and similar uses shall be subject to the following requirements:

- A. Children's amusement facilities must be fenced on all sides with a minimum four foot and six inch (4' 6") protective wall or fence.
- B. All manufacturers' specifications for safety are complied with as well as any additional safety measures that may be prescribed by the Planning Commission.
- C. When discontinued or abandoned, the site shall be left in a reusable condition and free of hazards related to dangerous structures, pits, pools, excavations, electric circuits, and similar features.

Section 7.12 Common Use Waterfront – Keyhole or Funneling Limitations

- A. In order to restrict the number of users of lake frontage for the purpose of preserving the quality of the lakes, avoiding congestion on the lakes, and preserving the quality of the recreational use of the lakes within the Township, the owner of a waterfront lot abutting a lake may provide legal access to the lake for dwelling units located on non-waterfront lots only if all of the following requirements are met:

1 Purpose & Authority**2** Definitions**3** General Provisions**4** District Regulations**5** Site Plans & Plot Plans**6** Special Use Review**7** Supplemental Regulations**8** Zoning Board of Appeals**9** Administration & Enforcement**10** Adoption & Amendments

1. The waterfront lot shall have lake frontage of no less two hundred (200') feet as measured along the ordinary-high water mark.
 2. The density or number of dwelling units located on both the waterfront lot and on non-waterfront lots that may have legal access to the lake either from or over a waterfront lot shall not exceed one (1) dwelling unit per fifty (50') feet of lake frontage on such waterfront lot as measured along the ordinary high water mark.
 3. Any legal access to the lake over a waterfront lot shall have a minimum lake frontage of forty (40') feet and an additional ten (10') feet of lake frontage for each dwelling unit in excess of four (4) that is provided legal access to the lake over the same waterfront lot as measured along the ordinary-high water mark.
 4. Only one (1) area of legal access to the lake shall be permitted on a waterfront lot.
 5. An instrument creating the legal access to the lake, whether granted by single fee ownership, joint fee ownership, an interest in a general or limited common element of a condominium development, an easement, or a lease, shall be recorded in the [Crawford County Register of Deed's Office](#) and a recorded copy filed with the Zoning Administrator.
- B. **Subsection A.1** above, however, shall not apply to a public access site or waterfront lot under the possession and control of a governmental agency, including but not limited to Maple Forest Township, Crawford County, the Crawford County Road Commission, or the State of Michigan, that is intended to provide the general public with access to the water.
- C. Funnel development shall not be allowed on the Au Sable River or designated tributaries, according to the Au Sable Natural River Plan. (See [Section 4.14 Stream Corridor Overlay District](#))

Section 7.13 Home Improvement Centers & Lumber Yards

Facilities dealing primarily in pre-planed or finished lumber for wholesale or retail markets and including building materials, accessory hardware, plumbing, and electrical supplies and/or equipment, shall meet the following standards:

- A. The site is of a configuration as to be compatible with adjoining uses, having at least two hundred (200') feet of frontage on a public road or part of a planned development having two hundred (200') feet of frontage.
- B. The outdoor display of model homes, trusses, garages, storage sheds, etc. shall only be allowable upon Planning Commission approval of a specific location on the site and may be prohibited where site characteristics and adjoining uses would be incompatible with such a display.
- C. Building material centers associated with the lumber yard may include incidental operations involving fabrication and processing but only within limits set forth on an approved Site Plan.

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2 Definitions

3 General Provisions

4 District Regulations

5 Site Plans & Plot Plans

6 Special Use Review

7 Supplemental Regulations

8 Zoning Board of Appeals

9 Administration & Enforcement

10 Adoption & Amendments

Section 7.14 Food Trucks

- A. Food trucks regulated by this Section are intended to be stationary establishments. These regulations do not apply to mobile food trucks which distribute goods as they are driving throughout the community (i.e. mobile ice cream truck).
- B. Zoning approval by the Zoning Administrator is required for food trucks. The property owner shall submit a plot plan pursuant to [Section 5.02](#). The plot plan shall show the planned parking for any food trucks on a lot as well as all planned outdoor seating. If a property owner has a lot large enough to accommodate more than one (1) food truck, only one (1) zoning approval is required for all of the food trucks on the property.
- C. Food trucks may be placed as stand-alone units on a property without a principal building or may be placed on a lot in conjunction with a principal building.
- D. Grease and liquid waste may not be disposed of on public property.
- E. All areas within twenty (20') feet of the food truck shall be kept clean and free of debris.

Section 7.15 Funeral Homes or Mortuaries

- A. Funeral home or mortuary property shall have direct vehicular access to a public road.
- B. Funeral home or mortuary property shall be at least one hundred fifty (150') feet of lot width.
- C. All uses, off-street parking areas, and loading areas are accommodated on site, without encroachment into the setback areas.
- D. The service entrance to the building shall be screened from view of adjoining residential properties, or contained within the confines of the building.

Section 7.16 Gas & Oil Processing Facilities

- A. The facility shall comply with all federal, state, and local building, environmental, and health codes and regulations.
- B. The applicant shall provide copies of the application for permit to drill, survey record of well location, and plat, as provided to the State of Michigan as part of the permit process for the location and erection of oil and gas processing facilities.
- C. The facility may incorporate surface land owned or leased by the oil and/or gas company. If leased, the applicant shall submit to the Planning Commission the length of the lease.

- D. Because the subject facilities are industrial in nature, the required site plan shall also show adequate visual and sound privacy from adjacent property and public roads. Forested greenbelt, berms, attractive fence screen, landscaping, mufflers, insulation, or other contrivances may be used to ensure compliance with visual and sound privacy of the adjacent properties.
- E. In the event the facility is no longer required or is not used for two (2) years, the existing facility shall be removed and the area restored to its original state. Further, the area shall be checked by an agency concerned with environmental protection to insure that it is clear of pollutants.
- F. The sound level of the facility shall not exceed sixty (60) decibels as measured at the property line or existing dwelling in any direction from the facility.
- G. The facility shall be built no closer than four hundred and fifty (450') feet from an existing dwelling.
- H. The facility shall be built no closer than one hundred (100') feet from any public road.

Section 7.17 Gasoline Service Stations & Automobile Repair Garages

- A. No ingress or egress to an automobile service station, public garage, or filling station shall be closer than twenty-five (25') feet from any intersection or residential property line abutting the property on which such facility is located.
- B. All lubrication equipment, hydraulic hoists, and pits shall be completely enclosed within a building.
- C. All gasoline pumps shall be located not less than twenty-five (25') feet from any lot line and shall be arranged so that motor vehicles may be provided easy egress and ingress to and from the adjoining road and so that no portion of the vehicle, while it is stopped for service, shall overhang onto a sidewalk, curb, road, or public right-of-way.
- D. When adjoining residential property, a masonry wall at least six (6') feet in height shall be constructed parallel to the property line of such residential property. All masonry walls shall be protected by a fixed curb or other barrier to prevent vehicular contact.
- E. All outside storage areas for trash, used tires, auto parts and similar items shall be enclosed by a masonry wall at least six (6') feet in height. Outside storage or parking of disabled, wrecked, or partially dismantled vehicles shall be allowed for a period not to exceed six (6) months.
- F. All exterior lighting shall comply with [Section 3.16](#) of this Ordinance.
- G. On a corner lot, both road frontage sides shall conform to all applicable front yard regulations of this Ordinance.
- H. Parking and stacking spaces shall be provided subject to [Section 3.26](#).

Section 7.18 Junkyards & Salvage Yards (includes Metal Recycling & Scrap Yards)**A. Salvage Yard Classifications.**

Salvage yards shall be defined by type or class depending on the scope of the intended operation. These are:

Type I

A full service metal salvage center intended for the collection, storing, and/or processing of scrap metals of all kinds, and other materials defined as junk in [Article 2](#) of this Ordinance.

Type II

A limited salvage facility with open storage on less than ten thousand (10,000 ft²) square feet of land and where the materials are not stacked. This facility is not a vehicle repair or sales use except as an incidental function to the salvage operation.

Type III

A site used for short periods of time for community vehicle collection programs. This facility does not include continuous processing or repairing and is intended for annual clean-up programs to collect sufficient materials to warrant a visit by vehicle crusher, shredder, or similar processor.

In approving salvage operations, the Planning Commission shall classify the facility as being Type I, Type II, and/or Type III, and shall weigh the type of a facility in requests to modify any siting standards.

B. Requirements for Junkyards, Salvage Yards, and Scrap Yards.

Junkyards, salvage yards, or scrap yards may be permitted provided:

1. Junkyards, salvage yards, and scrap yards may be established and maintained in accordance with all applicable statutes and rules of the State of Michigan.
2. All activity and uses are within a defined and confined space as opposed to being dispersed over the site. Only that area designated on the site for these uses shall be permitted to be so used.
3. No oils, lubricants, or other liquids from vehicles, machinery, equipment, or other materials, shall be disposed of on-site unless State of Michigan-approved facilities are properly in place and properly functioning. No burial of wastes shall be permitted on the property under this Section unless in compliance with State of Michigan regulations.
4. The applicant shall state in writing and/or illustrate how potentially hazardous liquids are to be prevented from entering the groundwater and present a written plan for handling and disposal of such hazardous liquids.

5. The applicant may be required to provide a written contingency plan for hazardous/toxic spills. The Planning Commission may require a roofed work area with an impervious floor with floor drain collection system.
6. The proposed site shall have a minimum of six (6') feet of vertical isolation from groundwater and be at least one thousand (1,000') feet from an identified body of surface water.
7. All uses, items, and materials within such facilities shall be completely screened from sight by natural terrain or by a neatly finished and maintained wooden or masonry fence, or by well-maintained evergreens. Screening devices to include but not necessarily be limited to fences, greenbelts, berms, or natural features shall be employed to provide maximum visual obscurity of the use. No such device shall be constructed without approval of the structural details and type of materials to be used and shall adhere to a stated installation schedule.
8. Entrance/exit points shall give due consideration to minimizing conflicts with adjacent properties, and the views from adjacent properties and/or public roads shall be a major consideration in positioning the use on the property.
9. Activity that generates continuous and persistent noises or vibrations that are perceptible from off the site shall not be permitted before the hours of 8:00 a.m. and after 6:00 p.m. and no such activity shall operate on Sundays.
10. Open burning shall not be permitted except by state permit, and it shall comply with this subsection.
11. Glare from any process, such as arc welding, which emits harmful rays shall be screened so as not to constitute a hazard or nuisance to adjacent properties.
12. Once approved, no other portion of the property shall be used for activities regulated herein without an amended site plan and Special Use approval, and there shall be no presumption that any usage beyond that in the original permit would be approved.
13. The minimum site size to consider for uses permitted herein shall be thirty-five (35) acres or more by description and have at least nine hundred (900') feet of width and depth throughout. All salvage yard uses and junkyards shall be at least:
 - a. One hundred (125') feet from a public road.
 - b. Two hundred (200') feet from a property line.
 - c. Three hundred (300') feet from an off premises residence.
 - d. Five hundred (500') feet from a Residential District Boundary.

- e. The height of stacked metals and/or materials shall be regulated by screening and the physical characteristics of the site, but shall, in no instance, be higher than twenty (20') feet.

14. The Planning Commission may modify the terms of this Section where it can be demonstrated that no good or practical purposes would be served by strict compliance and for temporary collection sites to be used for less than twelve (12) months.

C. Reasons for Denial.

The Planning Commission may refuse to grant a permit for any uses regulated herein, because of one (1) or more of the following:

1. The topography is such that the use has wide visual exposure to surrounding properties, public roads, and/or land conditions are such that screening plans would be ineffective or impractical.
2. There are conflicts with natural water courses and/or there are undesirable impacts on wetlands, farmlands, and forest lands.
3. It is determined by the Planning Commission that the proposed use on the proposed site is inappropriate for the area and not in accord with the principles of land use expressed or implied, and in the interpretation of appropriate use shall also consider, but not necessarily be limited to: recognized scenic resources, recreation lands, neighborhoods, historic sites, tourist attractions, and similar uses that would be adversely affected and not be in the best interests of public welfare.
4. Failure to show an ability to comply with the standards listed in this Section.

D. Violations Not Nonconforming.

Any junkyard, salvage yard, or scrap yard use determined to have been established in violation of the terms of the Maple Forest Township Zoning Ordinance shall not be accorded the status of "nonconforming" as defined in this Ordinance, but shall be pursued as ordinance violations. Such uses, however, shall have the right to hearings and procedures to qualify for a legal Special Use as prescribed in [Article 6](#).

Section 7.19 Kennels or Veterinary Clinic/Hospital

- A. All kennels shall be operated in conformance with county and state regulations and shall be on sites of at least five (5) acres. Veterinary clinics or hospitals shall be located on sites of at least one (1) acre in size.
- B. Animals shall be confined in a fenced area to preclude their approaching nearer than five hundred (500') feet to any dwelling on adjacent premises or nearer than fifty (50') feet from the property line, whichever is greater.

- C. Any fenced areas shall be screened from adjacent properties and/or roads with an opaque fence or a vegetated evergreen buffer at least five (5') feet in height.
- D. The facility shall be so constructed and maintained that odor, dust, noise, or drainage shall not constitute a nuisance or hazard to adjoining premises.
- E. Animals shall be kept in a soundproof building between the hours of 10 p.m. and 8 a.m.
- F. All principal use activities shall occur within an enclosed principal building.

Section 7.20 Manufactured/Mobile Home Developments

Manufactured/mobile home developments shall be subject to the following conditions:

- A. Manufactured/mobile home developments shall be developed and licensed pursuant to the requirements of the [Michigan Manufactured Housing Commission, 1987 PA 96](#), and any rules promulgated pursuant to this Act, as amended. This includes but is not necessarily limited to compliance with Michigan Manufactured Housing Commission regulations concerning internal roads, parking requirements, fencing, screening, unit spacing, and recreational and open spaces.
- B. To the extent permitted by the Michigan Manufactured Housing Commission, this Ordinance shall require all manufactured/mobile homes in manufactured/mobile home developments to be anchored to the ground in accordance with the standards and specifications of the manufacturer and any applicable state and federal statutes and rules.
- C. To the extent permitted by the Michigan Manufactured Housing Commission, this Ordinance shall require the underside or chassis of all manufactured/mobile homes in manufactured/mobile home developments to be fully skirted or enclosed with durable, weather-resistant materials, as specified by the manufacturer or as specifically manufactured for use as home skirting, and all such skirting shall be maintained in place as designed.

Section 7.21 Medical Marihuana Facilities

Medical Marihuana Facilities including Growers, Processors, Safety Compliance Facilities, and Secure Transporters shall be subject to the following:

- A. Medical marihuana facilities shall only be located on lots ten (10) acres or greater.
- B. Medical marihuana facilities shall only be located at least one thousand (1,000') feet from any residence.

Section 7.22 Motels & Hotels

- A. Motels and hotels shall have a minimum lot width of one hundred fifty (150') feet.
- B. There shall be at least eight hundred (800 ft²) square feet of lot area per guest room.
- C. Each unit shall contain at least a bedroom and bath and a minimum floor area of two hundred fifty (250 ft²) square feet.
- D. Motels shall provide customary motel services such as maid service, linen service, telephone and/or desk service, and the use of furniture.
- E. Parking and stacking spaces shall be provided subject to [Section 3.26](#).
- F. Hotels and motels shall not be utilized for long-term rentals of thirty (30) or more days.

Section 7.23 Nursing Homes, Convalescent Homes & Assisted Living Facilities

Nursing and convalescent homes, medical care facilities, and similar uses shall meet the following requirements.

- A. The minimum lot size for such facilities shall be five (5) acres.
- B. Such uses shall front a public road and the main means of access for residents or patients, visitors, and employees shall be via the road.
- C. Any such facility shall provide a minimum of fifteen hundred (1,500 ft²) square feet of outdoor open space for every room used or intended to be used. The open space shall be landscaped and shall include places for walking and sitting. Off-street parking areas, driveways, and accessory uses or areas shall not be counted as required open space.

Section 7.24 Planned Unit Development, PUD

A. Intent and Purpose.

As used in this Section, “planned unit development” (or PUD) means open space residential development, cluster zoning, planned development, community unit plan, planned residential development, and other planned development. The purposes of a PUD are:

- 1. To accomplish the objectives of the Zoning Ordinance through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

2. To permit flexibility in the regulation of land development.
3. To encourage innovation in land use in variety and design, layout, and type of structures constructed.
4. To achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities.
5. To encourage useful open space and provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of the Township.

B. Use and Area Regulations.

1. **Permitted Uses.** Planned unit developments shall be permitted as a Special Use in any zoning district according to the following:
 - a. **All Residential Districts.** Except as noted, PUD uses shall be limited to the range of uses provided for within the underlying zoning district classification. Such uses may be placed either singularly or in combination. Institutional and commercial uses determined by the Planning Commission to be compatible with the character of the PUD and surrounding neighborhood may also be permitted, provided the total area devoted to institutional and commercial uses shall not exceed twenty (20%) percent of the PUD site area.
 - b. **Commercial District.** Except as noted, PUD uses may include any of the range of uses provided for within the underlying zoning district classification. Such uses may be placed either singularly or in combination. Residential uses determined by the Planning Commission to be compatible with the character of the PUD and surrounding neighborhood may also be permitted provided the total area devoted to residential uses shall not exceed forty (40%) percent of the PUD site area.
 - c. **Industrial District.** Except as noted, PUD uses shall be limited to the range of uses provided for within the underlying zoning district classification. Such uses may be placed either singularly or in combination. Commercial uses determined by the Planning Commission to be compatible with the character of the PUD and surrounding area may also be permitted provided the total area devoted to commercial uses shall not exceed twenty (20%) percent of the PUD site area.

In approving a PUD with mixed uses, the Planning Commission may stipulate the sequence in which said uses, or portions thereof, are constructed.

2. **Area Regulations.** Except to the extent that a PUD or a portion of a PUD is subject to area regulations mandated by a state agency, a PUD shall meet the following area regulations:

- a. **Perimeter Setbacks.** The setback maintained along the perimeter of the PUD shall equal or exceed the required setback of the underlying zoning district, provided:
- (1) Any portion of a commercial or industrial use shall maintain a perimeter setback of not less than one hundred (100') feet from any adjoining or abutting property which is in a zoning district which allows residential uses.
 - (2) With the exception of access drives, parking areas, lighting, sidewalks, and curbing, the perimeter setback shall be landscaped.
- b. **Open Space.** A PUD project shall have open space of no less than twenty-five (25%) percent of the entire project area. This required open space shall be dedicated to the public or set aside for the common use of the owners and users within the PUD. Dedicated open space does not include parking lots, roads, and public rights-of-way but may include flood plain areas and wetlands up to a maximum of twenty-five (25%) percent of the required open space and landscape area devoted to perimeter setbacks. The Planning Commission may reduce or waive this requirement if it finds good cause and determines that it will not be detrimental to the project or the surrounding property.
- c. **Height Regulations.** The height of all buildings and structures within a PUD project shall not exceed the height limit of the underlying zoning district provided, however, the Planning Commission may authorize an increase in height upon a finding that the proposed increase will not be detrimental to the public health, safety, or welfare of the PUD occupants, the area surrounding the PUD project site, and the Township as a whole. This increase, however, shall not exceed fifty (50%) percent of the underlying zoning district height limit. In authorizing an increase in height, the Planning Commission may require increased building setbacks and/or other conditions determined necessary to secure the public health, safety, or welfare and to ensure compatibility of the project with the surrounding area. In no case shall an increase in height be permitted if the increase will result in conditions beyond the service capability of the Township pursuant to emergency fire suppression and other emergency services.
- d. **Other Dimensional Regulations.** To promote creativity and flexibility in site design, the Planning Commission may, subject to the following limitations, reduce the other dimensional regulations as required by the underlying zoning district including but not limited to minimum lot size, density, and setbacks within the PUD project, upon a finding that the proposed dimensional regulations will not be detrimental to the public health, safety, or welfare of future occupants of the PUD, the surrounding neighborhood, or the Township as a whole.

Any reductions by the Planning Commission shall be limited as follows:

- (1) Residential density shall not be reduced by more than thirty (30%) percent of the underlying zoning district standard.

- (2) Setbacks shall not be reduced by more than fifty (50%) percent of the underlying zoning district requirements. Perimeter setbacks as required by the PUD regulations may not be reduced.
- (3) Required parking shall not be reduced by more than sixty (60%) percent of the parking normally required of the proposed use. In no case shall a detached single-family dwelling have less than two (2) on-site (off-street) parking spaces. In reducing the required parking, the Planning Commission may require the reservation of a portion of the PUD site for future parking.

Prior to approving a reduction in dimensional regulations, the Planning Commission may require the applicant to demonstrate through bonafide documentation, including but not limited to traffic impact studies, environmental impact studies, market needs assessments, and infrastructure impact studies, that the reduction will not result in significant impacts to the PUD project and PUD occupants, the surrounding area, and the Township as a whole.

C. Planned Unit Development Eligibility Requirements.

To be eligible for a planned unit development, a parcel shall meet all of the following:

1. The parcel shall be four (4) contiguous acres or more in area. Provided, however, if the proposed PUD will contain a mixture of residential and non-residential uses, the parcel shall be ten (10) acres or more in area. For purposes of this subsection, recreational amenities, such as health clubs and facilities providing swimming pools or tennis courts, and commercial activities customarily incidental to a residential use shall not be considered non-residential uses.
2. The parcel on which the proposed PUD will be located shall be under single ownership or the PUD application shall be filed jointly by all property owners.
3. The proposed uses within the PUD shall be consistent with the goals of the Maple Forest Township Master Plan.

D. Approval Procedure.

1. Pre-application Conference.

- a. A pre-application conference shall be held with the Planning Commission or its representative and the Zoning Administrator, unless waived by the applicant, for the purpose of determining the eligibility of the proposed PUD application and to review the procedures and standards for PUD approval. The goals of the pre-application conference are to acquaint the Planning Commission, or its representative, with the applicant's proposed development, assist the applicant in understanding new or additional information which the Planning Commission will need to effectively consider the application, confirm that the application and all supporting documentation is ready for a public hearing, and to acquaint the applicant with the Planning

Commission's initial, but unofficial, reaction to the application. In no case shall any representations made by the Planning Commission, or its representative, at the pre-application conference be construed as an endorsement or approval of the PUD.

- b. A request for a pre-application conference shall be made to the Zoning Administrator who shall schedule a date and time for the pre-application conference. As part of the pre-application conference, the applicant shall submit five (5) copies of a conceptual plan which shows the property location, boundaries, significant natural features, vehicular and pedestrian circulation, and land use for the entire site.

2. **PUD Application Requirements.** An applicant seeking approval of a PUD shall submit a complete application to the Zoning Administrator. The Zoning Administrator shall then forward the application to the Planning Commission for its review under the procedures of this Section. The application shall include all of the following:

- a. A completed application form, supplied by the Zoning Administrator.
- b. Payment of a fee as established by resolution of the Township Board.
- c. A narrative statement describing:
 - (1) The objectives of the proposed PUD.
 - (2) The relationship of the proposed PUD to the Township of Maple Forest's Master Plan.
 - (3) Phases of development, if any, and the approximate time frame for the start and completion of construction of each phase.
 - (4) Proposed master deed, deed restrictions, covenants, or similar legal instruments to be used within the PUD.
 - (5) Anticipated dates for the start and completion of the PUD construction.
 - (6) The location, type, and size of areas to be dedicated for common open space.
- d. Ten (10) copies of the development plan. If the PUD is to be developed in phases, the development plan shall show all phases. The development plan shall contain all of the following:
 - (1) All information required in [Section 5.04](#) in addition to the items below.
 - (2) All public and private rights-of-way and easement lines located on and adjacent to the subject property which are proposed to be continued, created, relocated, or abandoned, including the proposed use(s) and width(s) of all rights-of-way and easements.

- (3) Location and total number of curb cuts, driveways, off-street parking spaces, and loading spaces, including the dimensions of a typical parking space and the location(s) of barrier-free parking spaces.
 - (4) Existing and proposed sewer, water, and other utility lines, plus location and type of sewage treatment facility, water source, and fire hydrants.
 - (5) Required setbacks of the zoning districts.
 - (6) Area of the subject property to be covered by buildings.
 - (7) Location, size, height, and orientation of all signs.
 - (8) All major environmental features, such as major stands of trees and other vegetation, wetlands, flood plains, drainage ways, outcroppings, slopes of ten (10%) percent or more gradient, and/or other surface features.
 - (9) Proposed methods of surface water drainage, including surface and subsurface facilities.
 - (10) Location and type of proposed lighting on the site.
 - (11) Percentage of the total site devoted to open space and the proposed uses of that open space.
 - (12) Proposed PUDs that include residential uses shall include the following additional information:
 - (a) Minimum floor area of dwelling units.
 - (b) Total number of dwelling units proposed.
 - (c) Number of bedrooms per dwelling unit.
 - (d) Areas to be used for open space and recreation.
 - (13) Such other information regarding the development area that may be required to determine conformance with this Ordinance.
3. **Public Hearing on PUD Request; Notice.** A public hearing shall be held by the Planning Commission prior to site plan review. The notices for all public hearings before the planning commission concerning requests for planned unit developments shall comply with [Section 9.07](#).
4. **Planning Commission Review of PUD.** Following the public hearing, the Planning Commission shall review the PUD application and shall approve, deny, or approve with conditions the PUD application based on the standards for PUD approval contained in [subsection D.5](#) below. The

Planning Commission's decision shall be in writing and shall include findings of fact, based on the evidence presented at the public hearing, on each standard.

5. **Standards for PUD Approval.** The Planning Commission shall approve, or approve with conditions, a PUD application if the Planning Commission finds that the proposed PUD meets all of the following:
- a. The planned unit development shall be consistent with the Township of Maple Forest Master Plan.
 - b. The planned unit development shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area. Landscaping shall ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property and will be consistent with outdoor pedestrian movement. Vegetation proposed by the developer or required by the Planning Commission shall be maintained in a healthy living condition and such vegetation, if dead, shall be replaced.
 - c. The planned unit development shall not change the essential character of the surrounding area unless such change is consistent with the Township's current master plan.
 - d. The planned unit development shall not be hazardous to adjacent property or involve uses, activities, materials, or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff odors, light, glare, or other nuisance.
 - e. The planned unit development shall not place demands on public services and facilities in excess of current capacity unless planned improvements which will increase the capacity sufficient to service the development have already been scheduled for completion.
 - f. The planned unit development shall be designed to preserve public vistas and existing important natural, historical, and architectural features of significance within the development.
 - g. The planned unit development shall be designed so that its pedestrian, non-motorized, and automobile circulation systems are safely and conveniently integrated with those of abutting property and any linear trail or park systems intersecting or abutting such development.
 - h. The planned unit development shall provide that vehicular and pedestrian traffic within the site shall be safe and convenient and that parking layout will not adversely interfere with the flow of traffic within the site or to and from the adjacent streets. Safe and adequate access for emergency vehicles to or within the development and adequate space for turning around at street ends shall be provided.

- i. The planned unit development shall not result in any greater storm water runoff to adjacent property after development than before. The open space shall be provided with ground cover suitable to control erosion, and vegetation which no longer provides erosion control shall be replaced.
 - j. The design of the planned unit development shall exhibit a reasonably harmonious relationship between the location of buildings on the site relative to buildings on lands in the surrounding area and there shall be a reasonable architectural and functional compatibility between all structures on the site and structures within the surrounding area. It is not intended that contrasts in architectural design and use of facade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing building designs and facade materials so as to create an adverse effect on the stability and value of the surrounding area.
 - k. The design of the planned unit development shall ensure that outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties.
 - l. The planned unit development shall be designed such that phases of development are in a logical sequence, so that any one (1) phase will not depend upon a subsequent phase for adequate access, public utility services, drainage, or erosion control.
 - m. The planned unit development shall meet the standards of other governmental agencies, where applicable.
6. **Conditions.** The Planning Commission may impose conditions, with the approval of a planned unit development, which are necessary to ensure compliance with the standards for approval stated in this Section. Such conditions shall be considered an integral part of the PUD approval and shall be enforced by the Zoning Administrator.
7. **Waiver of PUD Standards.** The Planning Commission may waive any of the standards for a PUD contained in [subsection D.5](#) above where all of the following findings are documented along with the rationale for the decision:
- a. No good public purpose will be achieved by requiring conformance with the standards sought by the applicant to be waived.
 - b. The spirit and intent of the PUD provisions will still be achieved.
 - c. No nuisance will be created.
8. **Planned Unit Development Permit.** Following final approval of a PUD application, a permit may be obtained from the Zoning Administrator. The issuance of this permit, however, shall not relieve the applicant from complying with applicable county, state, and federal permit

requirements. The failure of the applicant to obtain any required county, state, or federal permit shall render the PUD permit issued under this subsection void.

9. **Continuing Adherence to Approved PUD Application.** Any property owner who fails to develop and maintain an approved PUD according to the approved PUD application and conditions, if any, shall be deemed in violation of the provisions of this Ordinance and shall be subject to the penalties provided in this Ordinance.
10. **Recording of Action.** The applicant shall record an affidavit acceptable to the Township attorney with the Crawford County Register of Deeds that contains the full legal description of the project site, specifies the date of final Township approval, specifies the description or identification number which the Township has assigned to the PUD project, and declares that all improvements will be carried out in accordance with the approved PUD application. If the Planning Commission approves an amendment to the PUD, the applicant shall record an amended affidavit acceptable to the Township attorney that contains all of the information described above, describes the amendment, specifies the date the Planning Commission approved the amendment, and declares that the improvements will be carried out in accordance with the approved PUD, as amended. Finally, all deed restrictions and easements shall be duly filed with the Crawford County Register of Deeds and copies of recorded documents filed with the Zoning Administrator.
11. **Amendment of an Approved Planned Unit Development.** Amendments to an approved PUD shall be permitted only under the following circumstances:
 - a. The owner of the property for which a PUD has been approved shall notify the Zoning Administrator of any desired change to the approved PUD. Minor changes may be approved by the zoning administrator upon determining that the proposed revision(s) will not alter the basic design and character of the PUD, nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 - (1) Reduction of the size of any building and/or sign.
 - (2) Movement of buildings and/or signs by no more than ten (10') feet.
 - (3) Landscaping approved in the PUD plan that is replaced by similar landscaping to an equal or greater extent.
 - (4) Changes in floor plans that do not exceed five (5%) percent of the total floor area and which do not alter the character of the use or increase the amount of required parking.
 - (5) Internal re-arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 - (6) Changes related to items (1) through (5) above, required or requested by Maple Forest Township, Crawford County, or other state or federal regulatory agencies in order to

conform with other laws or regulations, provided the extent of such changes does not alter the basic design and character of the PUD, nor any specified conditions imposed as part of the original approval.

- b. All amendments to a PUD approved by the Zoning Administrator shall be in writing. After approval by the Zoning Administrator, the applicant shall prepare a revised development plan showing the approved amendment. The revised development plan shall contain a list of all approved amendments and a place for the Zoning Administrator to sign and date all approved amendments.
- c. An amendment to an approved PUD that cannot be processed by the Zoning Administrator under [subsection D.11.a](#) above shall be processed in the same manner as the original PUD application.

12. Expiration of Approved PUD; Extension.

- a. An approved PUD shall expire one (1) year following final approval by the Planning Commission unless substantial construction has begun on the PUD project prior to that time or the property owner applies to the Planning Commission for an extension prior to the expiration of the PUD. The Planning Commission may grant one (1) extension of an approved PUD for an additional one (1) year period if it finds:
 - (1) The property owner presents reasonable evidence that the development has encountered unforeseen difficulties beyond the control of the property owner; and
 - (2) The PUD requirements and standards that are reasonably related to the development have not changed.
- b. If the PUD approval expires pursuant to [subsection D.12.a](#) above, no work pursuant to the PUD plan may be undertaken on the project until a new PUD approval is obtained from the Planning Commission following the procedures for a new PUD application. In addition, if the PUD approval expires, the property shall again be subject to the zoning district requirements of the property which existed prior to the PUD approval as if no PUD approval had ever been granted.

- 13. **Performance Guarantee.** In connection with the development of a PUD project, the Planning Commission may require the applicant to furnish Maple Forest Township with a performance guarantee pursuant to [Section 9.05](#).

Section 7.25 Race Tracks (including midget auto & cart tracks)

Because race tracks develop a concentration of vehicular traffic and cause noise levels which project beyond the property, race tracks shall be subject to the following conditions and such other controls as the Planning Commission, after holding a Hearing, deems necessary to promote health, safety, and general welfare in the Township:

- A. All parking shall be provided as off-street parking within the boundaries of the development.
- B. All access to the parking areas shall be provided from major traveled roads. Approval of ingress and egress points shall be approved by the [Crawford County Road Commission](#).
- C. All sides of the development except access points shall be provided with a twenty (20') foot wide greenbelt planting so as to screen from view all activities within the development.

Section 7.26 Recreation Camps, Lodges & Resorts

Recreation camps, recreation lodges, and resorts for either profit or non-profit shall be subject to the following conditions:

- A. All outdoor activity areas, parking lots, principal buildings, and accessory buildings are located at least one hundred (100') feet from all property lines. The resulting one hundred (100') foot yard shall be maintained as a buffer area wherein all natural tree/shrub cover is retained in healthful growing conditions. Planted greenbelts may be required by the Planning Commission as deemed necessary.
- B. The recreational camp use shall not locate within the confines of a platted subdivision intended for single residential occupancy or parcels which are deemed by the Planning Commission to be a logical extension of such a platted area.

Section 7.27 Sanitary Landfill

- A. All sanitary landfill operations shall comply with standards prescribed by applicable state and county health regulations.
- B. No sanitary landfill operation shall be permitted in any Residential District.
- C. Any sanitary landfill shall be conducted on sites located no less than one thousand (1,000') feet from any public street and be screened from sight by natural terrain, greenbelts, natural wooded areas, or finished and maintained screening fences.
- D. Sanitary landfills shall only be located in the Township if in accordance with the County's Solid Waste Management Plan prepared in conformance with [Part 115 of the Natural Resources and Environmental Protection Act](#) or under the jurisdiction of the State of Michigan in conformance [Part 111 of the Natural Resources and Environmental Protection Act](#).

- E. Sanitary landfills shall have direct access from an impervious hard surface paved all-weather year-round road as defined by the [County Road Commission](#) or [Michigan Department of Transportation](#).

Section 7.28 Sawmills & Other Mills

- A. Sawmills, planing mills, veneer mills, and accessory or incidental mill operations involving logs, "unprocessed timber" and/or rough sawn lumber, are permitted provided:
1. The use involves the processing of raw timber and/or rough lumber and shall not include retail lumberyard businesses or hardware supplies, paints, and the like. Log and lumber storage uses are permissible accessory uses.
 2. The land area of the mill site shall be at least ten (10) acres with a minimum lot width of six hundred and sixty (660') feet.
 3. Structures housing mechanical wood cutting devices (head saws, cut-off saws, planers, lathers, etc.), shall not be located closer to an off-premises residence than five hundred (500') feet unless the owner of the residence signs a statement agreeing to a lesser setback.
 4. Log storage and sawn timber or lumber shall not be located nearer than five hundred (500') feet from an off-premises residence unless the owner signs a statement agreeing to a lesser setback.
 5. The location of a proposed mill is determined by the Planning Commission to be compatible with other uses in the general vicinity taking into account traffic flow, noise, scenic values, and residential environments where applicable.
- B. In considering applications for forest industries the Planning Commission may permit modifications to the standards in items A.1 through A.5, where, owing to natural or man-made conditions, no good purpose would be served by requiring strict compliance. Such conditions may include, but need not be limited to, steep topography, intensely wooded areas, other natural barriers, existing uses, and the like.
- C. Nothing in this Ordinance shall be interpreted to exclude temporary and itinerant sawmill operations on property where the timber harvesting involves only those resources found on the same property. No permit shall be required where the operation involves a period of less than six (6) months on the same property or zoning lot.

Section 7.29 Solar Energy

A. Solar Energy Facilities (Utility Scale).

1. **Reflection/Glare.** Attached, building-integrated or freestanding solar collection devices, or a combination of devices, shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard. This may be accomplished by both the placement and angle of the collection devices as well as human-made or environmental barriers. Glare intensity is considered an issue if it measures more than twenty (20%) percent of the incident sun intensity. Plans to reduce glare may be required in the initial materials submitted.
2. **Impervious Surface/Stormwater.** If more than eight thousand (8,000 ft²) square feet of impervious surface will be located on the site, the application shall include a drainage plan prepared by a registered civil engineer showing how stormwater runoff will be managed. If detergents will be used to clean solar panels, details on the type of detergent, frequency and quantity of use, and stormwater quality protection measures shall be provided. Any necessary permits from outside agencies for off-site discharge shall be provided.
3. **Screening.** Solar devices shall be screened from view from any residential district or residential use by use of a masonry screen wall, evergreen vegetation, or other screening of a similar effectiveness and quality, as determined by the Planning Commission.
4. **Setbacks.** The setbacks of all solar collection devices and ancillary equipment shall be at least fifty (50') feet from all property lines.
5. **Battery Storage.** Areas for battery storage shall be shown on site plan.
6. **Abandonment.** Any freestanding solar collection site or device which is not used for six (6) months shall be deemed to be abandoned. The applicant/permit holder will be so notified in writing by the Township and requested to dismantle the site and return it to its original state. If there are mitigating circumstances as to why the site has not been used, the applicant/permit holder may contact the Township and request a three (3) month extension. If a site has been deemed abandoned and no request for an extension is received, the applicant/permit holder will again be notified to dismantle the site and return it to its original state. If the applicant/permit holder does not do this, the Township will have the removal and restoration done at the owner/applicant's expense. Removal shall include removing posts, equipment, panels, foundations, and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.

B. Solar Energy Panels (as Accessory Use).

Solar energy panels shall be allowed as an accessory use in all zoning districts subject to the requirements below. A building permit is required.

1. Height.

- a. Ground-mounted or pole-mounted accessory solar energy panels shall not exceed the allowable height of structures in that district when oriented at maximum tilt.
- b. Building-mounted or roof-mounted accessory solar energy systems shall not exceed the maximum allowed building height in any zoning district.

2. Setbacks.

- a. Ground-mounted or pole-mounted accessory solar energy panels shall adhere to setbacks established for detached accessory buildings pursuant to [Section 3.07](#).
- b. Building-mounted or roof-mounted accessory solar energy panels shall adhere to district setbacks for a principal building but may encroach into designated principal building setbacks by twelve (12") inches.

3. Glare. Panels shall not result in glare onto adjoining properties or public rights of way.**Section 7.30 Stables, Riding and/or Boarding, Non-Commercial**

- A. Stables shall be on sites of at least ten (10) acres in size.
- B. Facilities for horseback riding shall be subject to the review and approval of the Planning Commission, who shall find that animal housing facilities are located at least three hundred (300) feet from any off-premises residential structure.
- C. Stables shall be five hundred (500') feet from any lake or stream.

Section 7.31 Sexually Oriented Businesses**A. Purpose.**

The purpose and intent of this Section pertaining to the regulation of sexually oriented businesses is to regulate the location and operation of, but not to exclude, sexually oriented businesses within the Township, and to minimize their negative secondary effects. It is recognized that sexually oriented businesses, because of their very nature, have serious objectionable operational characteristics which cause negative secondary effects upon nearby residential, educational, religious, and other similar public and private uses. The regulation of sexually oriented businesses is necessary to ensure that their negative secondary effects will not contribute to the blighting and downgrading of surrounding areas and will not negatively impact the health, safety, and general welfare of Township residents. The provisions of this Ordinance are not intended to offend the guarantees of the First Amendment to the United States Constitution or to deny adults access to sexually oriented businesses and their products, or to deny sexually oriented businesses access to their intended market. Neither is it the intent of this Ordinance to

legitimatize activities which are prohibited by Township ordinance, state or federal law. If any portion of this Ordinance relating to the regulation of sexually oriented businesses or referenced in those sections is found to be invalid or unconstitutional by a court of competent jurisdiction, the Township intends said portion to be disregarded, reduced, and/or revised so as to be recognized to the fullest extent possible by law. The Township further states that it would have passed and adopted what remains of any portion of this Ordinance relating to regulation of sexually oriented businesses following the removal, reduction, or revision of any portion so found to be invalid or unconstitutional.

B. Standards.

1. No sexually oriented business shall be permitted in a location in which any principal or accessory structure, including signs, is within one thousand (1,000') feet of any principal or accessory structure of another sexually oriented business.
2. No sexually oriented business shall be established on a parcel which is within one thousand (1,000') feet of any parcel zoned LDR (Low Density Residential), MDR (Medium Density Residential), or HDR (High Density Residential) or of any parcel used for residential.
3. The proposed use shall conform to all specific density and setback regulations, etc. of the zoning district in which it is located.
4. The proposed use must meet all applicable written and duly promulgated standards of Maple Forest Township and other governments or governmental agencies having jurisdiction, and that, to the extent required, the approval of these governments and/or governmental agencies has been obtained or is reasonably assured.
5. The outdoor storage of garbage and refuse shall be contained, screened from view, and located so as not to be visible from neighboring properties or adjacent roadways.
6. Any sign or signs proposed for the sexually oriented business must comply with the provisions of this Ordinance, and shall not otherwise include photographs, silhouettes, drawings, or pictorial representations of any type, or include animated or flashing illumination.
7. Entrances to the proposed sexually oriented business must be posted on both the exterior and interior walls, in a location clearly visible to those entering and exiting the business, and using lettering no less than two (2") inches in height that:
 - a. "Persons under the age of 18 are not permitted to enter the premises", and
 - b. "No alcoholic beverages of any type are permitted within the premises unless specifically allowed pursuant to a license duly issued by the Michigan Liquor Control Commission."
8. No product or service for sale or gift, or any picture or other representation of any product or service or gift, shall be displayed so as to be visible from the nearest adjoining roadway or a neighboring property.

9. Hours of operation shall be limited to 12:00 PM (noon) to 12:00 AM. (Midnight)
10. Any booth, room, or cubicle available in any sexually oriented business, excepting an adult motel, used by patrons for the viewing of any entertainment characterized by the showing of Specified Anatomical Areas or Specified Sexual Activities:
 - a. Shall be handicap accessible to the extent required by the [Americans with Disabilities Act](#).
 - b. Shall be unobstructed by any door, lock, or other entrance and exit control device.
 - c. Shall have at least one (1) side totally open to a public, lighted aisle so that there is an unobstructed view at all times from the adjoining aisle of any occupant.
 - d. Shall be illuminated by a light bulb of wattage of no less than twenty-five (25) watts.
 - e. Shall have no holes or openings in any side or rear walls.

C. Review Procedures for Sexually Oriented Businesses.

The Planning Commission shall adhere to the following procedures when reviewing a Special Use application for a sexually oriented business.

1. If the Planning Commission determines that a Special Use application for a sexually oriented business is not complete when it is first presented to the Planning Commission, it shall provide written notice by first-class mail within five (5) business days of said determination detailing the items required to complete the application. Upon payment of a new filing fee, the applicant may resubmit the amended application for review by the Planning Commission for completeness.
2. If the Planning Commission determines that the application is complete, it shall within sixty (60) days of said determination make and adopt specific findings with respect to whether the proposed sexually oriented business is in compliance with the standards designated in this Section. If the Planning Commission has not made and adopted findings of fact with respect to a proposed sexually oriented business and either approved or denied the issuance of a Special Use for the same within sixty (60) days of its determination that a completed application has been filed, then the Special Use shall be deemed to have been approved.
3. Prompt judicial review of adverse determination: If the Planning Commission denies a Special Use application for a sexually oriented business pursuant to the above paragraphs, then the applicant shall be entitled to prompt judicial review by submitting a written request to the Zoning Administrator. The Township shall have within five (5) business days of the receipt of such written notice to do the following:
 - a. File a petition in the Circuit Court for the County seeking a judicial determination with respect to the validity of such denial, and in conjunction therewith, apply for a preliminary and

permanent injunction restraining the applicant from operating the sexually oriented business in violation of the Township Zoning Ordinance.

- b. Request that the application for issuance of a preliminary injunction be set for a show-cause hearing within ten (10) business days or as soon thereafter as is possible after the filing of such petition. In the event the applicant appears at or before the time of such show-cause hearing, waives the notice otherwise provided by Michigan Court Rules, and requests that at the time set for such hearing the Court proceed to hear the case under applicable rules of civil procedure for the issuance of such permanent injunction on its merits, the Township shall be required to waive its application for preliminary injunction and shall join in such request.
- c. In the event that the applicant does not waive notice and/or does not request any early hearing on the Township's application for permanent injunction, it shall never the less be the duty of the Township to seek the earliest possible hearing date under Michigan law and the Michigan Court Rules.
- d. The filing of written notice of intent to contest the Planning Commission's denial of a Special Use shall not in any way affect the validity of such denial, but such denial shall be deemed invalid and the Special Use application automatically approved if, within fifteen (15) business days of the filing of the Township's petition, a show-cause hearing has not been scheduled.

Section 7.32 Site Condominium Developments

A. Intent.

The purpose of this Section is to regulate the creation and use of site condominiums within the Township and to promote and protect the health, safety, and general welfare of the public. These regulations and controls shall in no way repeal, annul, or in any way interfere with the provisions and standards of any other state and federal laws and regulations.

B. General Requirements.

1. **Compliance with Federal, State, and Local Laws.** All site condominium projects, including manufactured/mobile home condominium developments, shall comply with all applicable federal, state, and local laws and ordinances.
2. **Zoning Requirements.** All site condominium projects shall be located within the zoning district that permits the proposed use and shall comply with all zoning requirements of this Ordinance.
 - a. For the purposes of these regulations, each condominium unit in a site condominium shall be considered as a single zoning lot and shall comply with all regulations of the zoning district in which it is located.

- b. In a site condominium containing single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a single site condominium unit nor shall a dwelling unit be located on a site condominium unit with any other principal structure or use, unless otherwise allowed by this Ordinance.
 - c. Setbacks shall be measured from the boundaries of the site condominium unit.
 3. **Site Plan Review.** Prior to recording a plat or master deed, site condominiums shall undergo site plan review and approval by the Planning Commission in accordance with [Article 5](#) of this Ordinance. Approval under this Ordinance shall be required as a condition to the right to construct, expand, or convert a site condominium project in the Township.
 - a. **Application.**
 - (1) An application for site plan approval shall be filed for review as per the requirements of [Article 5](#) of this Ordinance. All procedures and standards of [Article 5](#) shall apply to site condominium projects.
 - (2) All condominium site plans shall include the information required in Section 66 of [1978 PA 59, as amended \(Condominium Act, being MCL 559.166\)](#).
 - (3) The application for site plan review shall also include a copy of the proposed deed restrictions and/or master deed and by-laws to be recorded with the [County Register of Deeds](#) for review and approval by the Planning Commission.
 - (4) In the case of single-family detached dwelling units, the location and dimensions of site condominium common elements, limited common elements, and building envelopes shall be shown on the site plan.
 - b. **Deed Restrictions, Master Deed, By-Laws.**
 - (1) The deed restrictions and/or master deed and by-laws shall be reviewed with respect to all matters subject to regulation by the Township, including but not limited to preservation and maintenance of drainage, retention ponds, wetlands, and other natural areas and maintenance of landscaping in common areas in the project.
 - (2) Also, the deed restrictions and/or master deed and by-laws shall provide for the means by which any private road rights-of-way may be dedicated to the public entity having jurisdiction in the future should such dedication be later deemed appropriate.
 - c. **Performance Guarantees.** As a condition of approval of the site plan, the Planning Commission may require performance guarantees by the developer in accordance with the provisions of [Section 9.05](#), to ensure completion of improvements shown upon the site plan.

Upon fulfillment of all requirements, the developer shall apply to the Township for release of any remaining performance guarantees.

4. **Easements for Utilities.** Road rights-of-way shall be parcels separate from individual residential units or lots. The rights-of-way shall be for roadway purposes, and for the maintaining, repairing, altering, replacing, and/or removing of pipelines, wires, poles, mains, conduits, and other installations of a similar character, hereinafter collectively called “public structures” for the purpose of providing public utilities including electric, communications, water, drainage, and sewers, and subject to easements to be dedicated to the Township.
5. **Additional Filings Required.** Subsequent to the recording of the deed restrictions and/or master deed and by-laws, and subsequent to the construction of improvements, the developer shall file the following information with the Township Clerk:
 - a. Three (3) copies of the as-built site condominium plans.
 - b. Two (2) copies of the recorded deed restrictions and/or master deed and by-laws with all pertinent attachments.
 - c. Certification from the developer’s engineer that improvements have been installed in conformance with the approved construction drawings and monuments.

Section 7.33 Storage Facilities

Storage uses, including mini-storage, shall meet the following regulations:

- A. All proposed storage buildings nearest to the primary access road shall be site planned to be perpendicular to the road.
- B. Landscape screening may be required by the Planning Commission.
- C. Proposed storage buildings are positioned to the rear of other approved non-storage or non-warehousing buildings, e.g., retail or office uses, or, the storage buildings are set back at least one hundred (100’) feet from public road right-of-way lines.
- D. Nothing in this Section shall prohibit or inhibit storage space as a necessary accessory use to any principal commercial use of the property.
- E. Storage facilities for building materials, sand, gravel, stone, lumber, and storage of contractor's equipment and supplies shall be within an enclosed building or behind an obscuring wall or fence.

Section 7.34 Wireless Communications

A. Uses Exempted (Single-Use Towers and Masts).

Antenna towers and masts erected and operated as a residential or commercial accessory use serving only that property (such as but not limited to Amateur Radio Service Station Antenna and other “customer end” devices covered by 47 CFR Section 1.4000) are exempt from this Section. An amateur radio antenna structure and other such wireless structures may be erected at the minimum heights and dimensions sufficient to accommodate amateur radio service communications and other such wireless transmissions but shall not exceed fifty (50’) feet in height. Those that exceed fifty (50’) feet in height shall be considered a Special Use pursuant to [subsection B.2](#). Single-use towers and masts shall comply with all FCC rules and regulations in effect at the time they are erected. Property owners who erect single-use towers and masts shall notify the Township prior to erecting such a tower. This exemption does not cover antennas used to transmit signals to and/or receive signals from multiple customer locations. See [Over-the-Air Reception Devices \(47 CFR Section 1.4000\)](#).

B. Uses Allowed.

1. **Antenna Co-location on an Existing Tower or Structure.** Pursuant to Section 3514 of [2006 PA 110](#), as amended (Michigan Zoning Enabling Act, being MCL 125.3101 et.seq.), co-location of wireless communications equipment on an existing support structure is a permitted use of property. No zoning permit is required.
 - a. No antenna or similar sending/receiving devices appended to the tower, following its approved construction, shall be permitted if it exceeds the engineered design capacity of the tower thereby jeopardizing the tower’s structural integrity.
 - b. The installation and/or operation of the above-mentioned antennas or facilities shall not interfere with normal radio/television reception in the area. In the event interference occurs, it shall be the sole responsibility of the owner to rectify the situation with the parties involved.
 - c. No antenna or similar sending and receiving devices appended to the tower or structure shall increase the overall height of the wireless support structure by more than twenty (20’) feet or ten (10%) percent of its original height, whichever is greater. If this subsection cannot be met, then a Special Use permit is required.
2. **New Wireless Communications Support Structures or Ground-Mounted Wireless Communications Facilities (Ground Stations or Earth Stations).** New support structures or Ground-Mounted Wireless Communications Facilities (Ground Stations or Earth Stations) shall be a Special Use and shall be evaluated using the procedures stated in [subsection C](#) below using the standards stated in [subsection D](#).

3. **Other Wireless Communications Facilities.** Wireless communications facilities which do not fall under [subsections 1 or 2](#) (above) shall follow the same Special Use approval procedure and standards as uses listed in [subsection 2](#) (above).
- C. **Approval Procedure for New Wireless Communications Support Structures (Towers) or Ground-Mounted Wireless Communications Facilities (Ground Stations or Earth Stations).**
1. An application for Special Use approval of Wireless Communications Support Structures or Ground-Mounted Wireless Communications Facilities (Ground Stations or Earth Stations) shall include all information required by [Section 5.04: Site Plan Data Required](#).
 2. After an application for a Special Use approval is filed, the Zoning Administrator shall determine whether the application is administratively complete. The application shall be considered to be administratively complete when the Zoning Administrator makes that determination or fourteen (14) business days after the Zoning Administrator receives the application, whichever is first.
 3. If, before the expiration of the fourteen (14) day period under [subsection C.2](#), the Zoning Administrator notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the fourteen (14) day period under [subsection C.2](#) is tolled until the applicant submits to the body or official the specified information or fee amount due. The notice shall be given in writing or by electronic notification.
 4. After the application is deemed complete, a public hearing shall be held. The notice of the public hearing shall be given pursuant to [Section 9.07](#).
 5. After a public hearing is held, the Planning Commission shall conduct a site plan review using the site plan review standards in [Section 5.05](#) and the Special Use standards in [Section 6.03](#) and the standards contained in [subsection D](#) below and shall approve or deny the application not more than ninety (90) days after the application is considered to be administratively complete. If the Planning Commission fails to timely approve or deny the application, the application shall be considered approved and the Planning Commission shall be considered to have made any determination required for approval.
- D. **Special Use Standards for New Wireless Communications Facilities including Support Structures (Towers) and Ground-Mounted Wireless Communications Facilities (Ground Stations or Earth Stations).**
1. **Ownership.** The applicant shall provide documentation to the Planning Commission that clearly establishes the legal ownership of the wireless communications facility. The applicant, its agents, successors, and assigns shall report to the Planning Commission any changes in the legal ownership of the wireless communications facility within thirty (30) days of the effective date of the change.

2. **Need and Co-Location Feasibility.** The applicant shall provide documentation to the Planning Commission documenting the need for a new wireless communications facility and analysis of alternative options, such as co-location of an existing tower or structure.
3. **Visual Impact Analysis.** The application shall include a visual impact analysis, prepared by the applicant, which includes graphic depictions of the anticipated visual appearance of the wireless communications facility from important vantage points in the surrounding area. Methods used in preparing the analysis shall be reviewed and approved by the Zoning Administrator.
4. **Height.**
 - a. Towers shall be exempt from building height limits established by zoning district regulations, provided that the tower height shall not exceed the minimum height necessary to serve its intended functions. Tower height shall not exceed two hundred (200') feet.
 - b. If the height required for the tower to serve its intended function decreases from the installed height due to technological advancement, additional tower installations at other locations, or other factors, the Township may order that the tower be lowered to such decreased minimum height.
 - c. Other types of wireless communications facilities shall not exceed the height limits established by zoning district regulations.
5. **Setback.**
 - a. **Towers.**
 - (1) The tower shall be setback a distance at least equal the height of the tower measured from the base of tower to all points on each property line. The tower shall be designed to fall upon the property on which it is located.
 - (2) The tower and any supporting or appurtenant structures shall be no closer to any dwelling than the distance equal to one and a half (1.5) times the height of the tower measured from its base at grade to its highest point of elevation.
 - (3) The tower may be guyed or free standing. Guy cables and anchors shall comply with applicable zoning district setback requirements.
 - b. **Ground-Mounted Wireless Communications Facilities and Other Wireless Communications Facilities.** Ground-Mounted Wireless Communications Facilities and Other Wireless Communications Facilities shall be set back at least one hundred seventy-five (175') feet from the outside edge of the equipment enclosure to each property line. The

Planning Commission may reduce the required setbacks if it is determined that such reduction will not adversely affect neighboring property.

6. **Buildings and Equipment; Screening; Fence.** Any ancillary building housing equipment needed for operation of the tower shall not exceed the floor area and height minimally necessary for such equipment and shall be of a size, type, color, and exterior materials which are aesthetically and architecturally compatible, such as tree style tower, with the surrounding area, and as minimally obtrusive as possible. Landscape screening may be required by the Planning Commission to accomplish screening of ancillary equipment buildings. A fence not less than six (6') feet in height with anti-climb features shall be constructed around the base of the tower.
7. **Lighting.** The applicant shall provide documentation of any lighting to be installed on the wireless communications facility. If lighting is required or proposed, the wireless communications facility may not be approved unless the Planning Commission determines that it will not have a significant adverse impact on properties and residents of the surrounding area.
8. **Color.** Towers shall be colored so as to be as unobtrusive as possible. The coloring of towers in alternate bands of orange and white shall be permitted only if specifically required by **Federal Communications Commission** (FCC) or **Federal Aviation Administration** (FAA) regulations. If alternate bands are required by FCC or FAA regulations, the applicant shall provide documentation of such requirements and regulations.
9. **Signs.** No signs other than signs required pursuant to federal, state, or local law and ordinance shall be allowed on an antenna or tower or wireless communications facility site.
10. **Conformance with Other Regulations.** The applicant shall provide documentation of conformance with any **Federal Communications Commission** and **Federal Aviation Administration** regulations.
11. **Use of Tower.** The owner/operator of the tower shall agree to permit use of the tower by other personal or business communications services providers, including local government agencies, on reasonable terms, so long as such use does not interfere with the owner/operator's reasonable use of the tower.
12. **Performance Guarantee.** Pursuant to **Section 9.05**, as a condition of approval, the Planning Commission may require an owner to deposit funds in escrow with the Township, or provide an insurance bond satisfactory to the Township Board to assure the removal of wireless communications facilities as prescribed in this Section. If required, such escrow deposit or insurance bond shall be in an amount equal to one and one-quarter (1.25) times the estimated cost of removal of the wireless communications facility at the time of approval. Such escrow deposit or bond shall be maintained by successor owners.
13. **Abandonment.** If the wireless communications facility ceases operation for its original use or is abandoned for any reason, the Township may order its removal from the site by the owner of the

wireless communications facility within three (3) months of notification by the Township. If the cost exceeds the amount held in escrow, the current owner shall be responsible for additional costs.

14. **Appeals.** The Zoning Board of Appeals shall have no jurisdiction over a decision made by the Planning Commission to approve, approve with conditions, or deny an application for Special Use to erect and maintain wireless communications facilities.

E. Small Cell Wireless Facilities.

1. **Exempt Small Cell Wireless Facilities.** The co-location of a small cell wireless facility and associated support structure within a public right of way (ROW) is not subject to zoning reviews or approvals under this Ordinance to the extent it is exempt from such reviews under the **Small Wireless Communications Deployment, 2018 PA 365**, as amended. In such case, a utility pole in the ROW may not exceed forty (40') feet above ground level without Special Use approval and a small cell wireless facility in the ROW shall not extend more than five (5') feet above a utility pole or wireless support structure on which the small cell wireless facility is co-located.
2. **Administrative Approval for Non-Exempt Small Cell Wireless Facilities.** The modification of existing or installation of new small cell wireless facilities or the modification of existing or installation of new wireless support structures used for such small cell wireless facilities that are not exempt from zoning review in accordance with **2018 PA 365**, as amended shall be subject to review and approval by the Zoning Administrator in accordance with the following procedures and standards:
 - a. The processing of an application is subject to all of the following requirements:
 - (1) Within thirty (30) days after receiving an application under this Section, the Zoning Administrator shall notify the applicant in writing whether the application is complete. The notice tolls the running of the thirty (30) day period.
 - (2) The running of the time period tolled under **subsection E.2.a.1** resumes when the applicant makes a supplemental submission in response to the Zoning Administrator's notice of incompleteness.
 - (3) The Zoning Administrator shall approve or deny the application and notify the applicant in writing within ninety (90) days after an application for a modification of a wireless support structure or installation of a small cell wireless facility is received or one hundred fifty (150) days after an application for a new wireless support structure is received. The time period for approval may be extended by mutual agreement between the applicant and Zoning Administrator.
 - b. The Zoning Administrator shall base their review of the request on the standards contained in **Sections 5.05** provided, however that a denial shall comply with all of the following:

- (1) The denial is supported by substantial evidence contained in a written record that is publicly released contemporaneously.
 - (2) There is a reasonable basis for the denial.
 - (3) The denial would not discriminate against the applicant with respect to the placement of the facilities of other wireless providers.
- c. In addition to the provisions set forth in [subsection E.2.b](#), in the Zoning Administrator's review:
- (1) An applicant's business decision on the type and location of small cell wireless facilities, wireless support structures, or technology to be used is presumed to be reasonable. This presumption does not apply with respect to the height of wireless facilities or wireless support structures.
 - (2) An applicant shall not be required to submit information about its business decisions with respect to any of the following:
 - (a) The need for a wireless support structure or small cell wireless facilities.
 - (b) The applicant's service, customer demand for the service, or the quality of service.
 - (3) The Zoning Administrator may impose reasonable requirements regarding the appearance of facilities, including those relating to materials used or arranging, screening, or landscaping.
 - (4) The Zoning Administrator may impose spacing, setback, and fall zone requirements substantially similar to spacing, setback, and fall zone requirements imposed on other types of commercial structures of a similar height in a similar location.
- d. Within one (1) year after a zoning approval is granted, a small cell wireless provider shall commence construction of the approved structure or facilities that are to be operational for use by a wireless services provider, unless the Zoning Administrator and the applicant agree to extend this period or the delay is caused by a lack of commercial power or communications facilities at the site. If the wireless provider fails to commence the construction of the approved structure or facilities within the time required the zoning approval is void.

Section 7.35 Wholesale Uses

Wholesale uses with accessory storage space, but not warehousing, shall comply with the following standards:

- A. All incident or accessory storage is within the confines of an enclosed building.
- B. Wholesale uses may also include space for administrative offices, customer service, and interior display.
- C. Any loading docks or semi-trailer sized overhead doors shall not face upon a public road, or if no practical option is demonstrated, loading doors shall be setback at least seventy (70') feet from the front line or be structurally obscured from view.
- D. Wholesale uses shall not occupy property bordering lakes, or rivers as defined by [Part 301 \(Inland Lakes and Streams\) of 1994 PA 451 \(Natural Resources and Environmental Protection Act\)](#), as amended.
- E. Sites proposed for wholesale uses may be rejected by the Planning Commission based on a determination that the use is improper or out of character with adjoining uses by reason of:
 1. Breaking the continuity of a planned retail shopping center.
 2. Having direct visual exposure to tourist lodging facilities or other uses serving tourist markets.
 3. Sharing common road frontage with residential uses.

Section 7.36 Wind Energy**A. Technological Advances and Design Standards Flexibility.**

The Township recognizes the accelerated pace at which the technology of wind energy generation is evolving and the impact these technological changes may have on the use and placement of wind turbine generators within the Township. Consequently, in order to effectively incorporate new technology that may outpace the regulations established herein, the Planning Commission may approve wind turbine generators that do not fully comply with the strict development standards of these regulations if, in the opinion of the Commission, they comply with the intent of the regulations and do not create significant adverse impacts on the petitioned property, abutting properties, or the immediate neighborhood.

B. Wind Turbine Generators (WTG), Commercial or Utility-Scale.

Unless otherwise provided, utility-scale or commercial wind turbine generators and anemometer towers shall comply with all of the following standards:

1. **Site Plan Required.** A Special Use application for a utility-scale or commercial wind turbine generator or anemometer tower shall include a site plan pursuant to [Section 5.04](#).
2. **Sufficient Wind Resources.** The proposed site shall have documented annual wind resources sufficient for the operation of the proposed wind turbine generator, provided, however, this standard shall not apply to an anemometer tower. No wind turbine generator shall be approved without submission of a wind resource study documenting wind resources on the site over a minimum of one (1) year. Said study shall indicate the long-term commercial economic viability of the project. The Township may retain the services of an independent, recognized expert to review the results of the wind resource study prior to acting on the application for Special Use.
3. **Minimum Site Area.** The minimum site area for a wind turbine generator or an anemometer tower erected prior to a wind turbine generator shall be as necessary to meet required setbacks and any other standards of this Ordinance.
4. **Setbacks.** Each proposed wind turbine generator or anemometer tower shall meet the following applicable setback requirements:
 - a. Each wind turbine generator shall be set back from any adjoining lot line a distance equal to one and one-half (1.5) times the total height of the WTG. The Planning Commission may reduce this setback to no less than one hundred (100') feet provided the adjoining property is owned by the applicant or an easement is obtained. The amount of setback relief approved by the Planning Commission will be based on data provided by the applicant and prepared by a qualified professional. Such data shall satisfy the Planning Commission that any potential blade and ice throw will not cross the property line and that sound levels will not exceed fifty (50) decibels on the dB(A) scale at the property line from the proposed setback. Data provided shall be specific to the proposed tower in the proposed location taking into consideration prevailing winds, topography, existing vegetation, and other relevant factors.
 - b. In addition to the above, a wind turbine generator shall, in all cases, be set back from a public or private road right-of-way or existing easement a minimum distance equal to one and one half (1.5) times the height of the wind turbine generator tower as defined in the Ordinance.
 - c. For any newly proposed wind turbine generator or anemometer tower, a "wind access buffer" equal to a minimum of five (5) rotor diameters shall be observed from any existing off-site wind turbine generator tower, based on the average rotor diameter between the existing and proposed WTG.
5. **Maximum Height.**
 - a. The maximum wind turbine generator height or the height of an anemometer tower erected prior to the wind turbine generator shall not exceed the minimum height indicated by the wind resource study or three hundred (300') feet, whichever is less, inclusive of blade at the maximum vertical position.

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- b. Existing natural landforms on the site which effectively screen the base of the wind turbine generator or anemometer tower erected prior to a wind turbine generator from adjacent property used for residential purposes shall be preserved to the maximum extent possible.
- c. Landscaping shall be designed to counter the effects of “shadow flicker” on any neighboring residences or roadways caused by the rotor rotation in the sunlight.

To ensure compliance with these landscaping standards, the Planning Commission may require additional landscaping on the site after the installation of the wind turbine generator.

11. **State or Federal Requirements.** Any proposed wind turbine generator anemometer tower shall meet or exceed any standards and regulations of the [Federal Aviation Administration \(FAA\)](#), [Michigan Aeronautics Commission \(MAC\)](#), the [Michigan Public Service Commission](#), [National Electric Safety Code](#), and any other agency of the state or federal government with the authority to regulate wind turbine generators or other tall structures in effect at the time the Special Use is approved.
12. **Soil Conditions.** A proposal for any wind turbine generator or anemometer tower shall be accompanied by a report of the soils present on the site based on soil borings and a description of the proposed foundation size, materials, and depth. The top of such a foundation shall be installed to a depth of five (5') feet below grade to allow for feasible future reuse of the land unless the applicant provides a financial assurance that the foundation will be removed in the event that the wind turbine generator is removed.
13. **Aesthetics and Lighting.** Any proposed wind turbine generator or anemometer tower shall meet the following requirements:
 - a. Each wind turbine generator or anemometer tower shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA and MAC, be colored a neutral color so as to reduce visual obtrusiveness.
 - b. Each wind turbine generator, including all accessory structures, or anemometer tower shall, to the extent possible, use materials, and colors that will blend them into the natural setting and surrounding buildings. A medium gray shade is the preferred color for any wind generator or anemometer tower, however, the Planning Commission may approve an alternate color if the facility is suspected to be located within an avian migratory route or if an alternate color would otherwise benefit the community.
 - c. Each wind turbine generator or anemometer tower shall not be artificially lighted, unless required by the [FAA](#), [MAC](#), or other applicable governmental authority. If lighting is required, the lighting alternatives and design chosen:
 - (1) Shall be the intensity required under [FAA](#) or [MAC](#) regulations.

- (2) Shall not be strobe lighting or other intermittent white lighting fixtures, unless expressly required by the **FAA** or **MAC**. Such intermittent lighting shall be alternated with steady red lights at night if acceptable to the **FAA** or **MAC**.
 - (3) May be a red top light that does not pulsate or blink.
 - (4) All tower lighting required by the **FAA** or **MAC** shall be shielded to the extent possible and acceptable to the **FAA** or **MAC** to reduce glare and visibility from the ground.
 - d. Each wind turbine generator or anemometer tower shall be sited on the property in a location that reduces to the maximum extent possible any adverse impacts on significant view corridors from adjacent properties, while at the same time maintaining contact with economically viable wind resources.
 - e. Each wind turbine generator or anemometer tower shall be a monopole or monotube style construction (as distinguished from a lattice-style tower) and shall not utilize guy wires.
14. **Sign.** A sign no more than four (4 ft²) square feet in area displaying an address and telephone number for emergency calls and informational inquiries shall be posted at the proposed wind turbine generator or anemometer tower erected prior to a wind turbine generator. No wind turbine generator tower or anemometer tower or site shall include any advertising sign.
15. **Hazard Planning.** An application for a wind turbine generator shall be accompanied by a hazard prevention plan. Such plan shall address the following at a minimum:
- a. Certification that the electrical wiring between turbines and between turbines and the utility right-of-way does not pose a fire hazard.
 - b. The landscape plan accompanying the application shall be designed to avoid spread of fire from any source on the turbine. Such preventative measures may address the types and locations of vegetation below the turbine and on the site.
 - c. The following shall be submitted with the application for a Special Use for a wind turbine generator:
 - (1) A listing of any hazardous fluids that may be used on site shall be provided, including Material Data Safety Sheets (MDSS).
 - (2) Certification that the turbine has been designed to contain any hazardous fluids shall be provided.
 - (3) A statement certifying that the turbine shall be routinely inspected to ensure that no fluids are released from the turbine.
 - (4) A Hazardous Materials Waste Plan shall be provided.

16. **Approvals.** All required approvals from other local, regional, state, or federal agencies must be obtained prior to submittal of a site plan, and such approvals shall be submitted as part of the required site plan for Planning Commission consideration.

17. **Removal of Abandoned Wind Turbine Generators or Anemometer Towers.**

- a. Wind production summary reports by month shall be provided annually for each wind turbine generator to the Township Planning Commission and the Township Clerk, by January 31st each year, for the preceding year.
- b. Any wind turbine generator or anemometer tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such wind turbine generator or anemometer tower shall remove the same within one hundred eighty (180) days of receipt of notice from the Township of such abandonment. In addition to removing the wind turbine generator, or anemometer tower, the owner shall restore the site of the wind turbine generator or anemometer tower to its original condition prior to location of the wind turbine generator or anemometer tower, subject to reasonable wear and tear. Any foundation associated with a wind generator or anemometer tower shall be removed to a minimum depth of five (5') feet below the final grade and site vegetation shall be restored. Failure to remove an abandoned wind turbine generator or anemometer tower within the one hundred eighty (180) day period provided in this subsection shall be grounds for the Township to remove the wind turbine generator or anemometer tower at the owner's expense. The Planning Commission shall require the applicant to file an irrevocable bond equal to one and a quarter (1.25) times the estimated cost of the removal of the wind turbine generator or anemometer at time of approval. Such escrow deposit or bond shall be maintained by successor owners and shall be a condition of a Special Use given pursuant to this Section.

C. **Wind Turbine Generator (WTG), On-Site or Private.**

An on-site or private WTG shall comply with the following standards:

1. The WTG shall be designed to primarily serve the needs of the property on which it is located.
2. **Plot Plan Submittal.** An application for the installation of an on-site or private WTG shall include a plot plan including the following information:
 - a. Location of the proposed wind turbine.
 - b. Location of all structures on the property and adjacent properties and the distance from the wind turbine.
 - c. Distance from other wind turbines on adjacent lots, if applicable.

3. **Design and Installation.** All wind turbines (ground and roof-mounted) shall be installed by a licensed contractor and applications shall be accompanied by engineering drawings of the wind turbine structure including the tower, base, and footings. The installation of the wind turbine shall meet manufacturer's specifications.
4. **Minimum Lot Size.** The minimum lot size for on-site or private WTG shall be as necessary to meet required setbacks and any other standards of this Ordinance.
5. **Height.** The on-site or private WTG shall have a tower height of one hundred (100') feet or less.
6. **Rotor Clearance.** A minimum fifteen (15') foot clearance from the ground shall be maintained for the vertical blade tip of a Horizontal Axis Wind Turbine and for the bottom of the rotating spire or helix of a Vertical Axis Wind Turbine.
7. **Setback.** The distance between an on-site or private WTG and the property lines shall be at least equal to the height of the tower including the top of the blade in its vertical position.
8. **Guy Wires.** The use of guy wires shall be prohibited.
9. **Noise.** The sound created by the system shall not exceed fifty-five (55) dBA at the nearest property line of adjacent properties.
10. **Reception Interference.** WTGs shall not cause interference with television, microwave, navigational, or radio reception to neighboring areas.
11. **Number of Turbines (Horizontal or Vertical).** The number of WTGs shall be determined by the spacing requirement of the manufacturer. Multiple turbines may be approved by the Planning Commission.
12. **Vibration.** WTGs shall not cause vibrations through the ground which are perceptible beyond the property line of the parcel on which it is located.
13. **Shadow Flicker.** The property owner of a WTG shall make reasonable efforts to minimize shadow flicker to any occupied building on nearby properties.
14. **Potential Ice Throw.** Any potential ice throw or ice shedding from the WTG shall not cross the property lines of the site nor impinge on any right-of-way or overhead utility line.
15. **Visual Impact.** All visible components of a WTG shall be colored a non-reflective, non-obtrusive neutral color and maintained in good repair in accordance with industry standards.
16. **Roof-Mounted Wind Energy Systems.**

- a. Roof-mounted Vertical Axis Wind Turbines must be located on the rear half of the structure unless incorporated as an architectural design feature of the building.
 - b. Horizontal Axis Wind Turbines shall not be roof-mounted, except for those specifically designed for such installation.
17. **Safety.** An on-site or private WTG shall have an automatic braking system to prevent uncontrolled rotation.
18. **Other Regulations.** On-site use of WTG shall comply with all applicable state construction and electrical codes, **Federal Aviation Administration** requirements, **Michigan Aeronautics Commission** requirements, **1959 PA 259**, as amended, (Michigan Tall Structures Act, being MCL 259.481 et. seq.) and the **Michigan Public Service Commission** and **Federal Energy Regulatory Commission** standards.

Article 8

Zoning Board of Appeals

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Section 8.01 Authority & Membership

A. Authority.

The Zoning Board of Appeals (ZBA) shall perform its duties and exercise its powers as provided in the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended, and in such a way that the objectives of this Ordinance shall be observed, public safety secured, and justice done.

B. Regular Members.

The Board shall consist of three (3) members, appointed by the Township Supervisor and approved by the Township Board.

1. The first member shall be a member of the Township Planning Commission for the terms of his/her office.
2. The remaining members must be selected from the electors of the Township and shall be representative of the population distribution and of the various interests present in the Township.
3. One (1) member may be a member of the Township Board.
4. An elected officer of the Township shall not serve as chairperson. An employee or contractor of the Township may not serve as a member or an employee of the Zoning Board of Appeals.

C. Alternates.

The Township Board may appoint not more than two (2) alternate members for the same term as regular members to the Zoning Board of Appeals. An alternate member may be called to sit as a regular member of the Zoning Board of Appeals in the absence of a regular member if a regular member is absent from or unable to attend one (1) or more meetings of the Zoning Board of Appeals. An alternate member may

also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the Zoning Board of Appeals.

D. Chairperson.

The Chairperson of the Zoning Board of Appeals shall be elected from among any of its members each year at the first regular meeting held. An elected officer of the Township shall not serve as chairperson.

E. Expenses.

The total amount allowed the Zoning Board of Appeals in one (1) year as per diem or as expenses actually incurred in the discharge of its duties shall not exceed a reasonable sum which shall be appropriated annually in advance by the Township Board.

F. ZBA Member who is also Planning Commission Member.

A member of the Zoning Board of Appeals who is also a voting member of the Planning Commission shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the Planning Commission. However, the member may consider and vote on other unrelated matters involving the same property.

G. Terms of Office.

The terms of office for members of the Zoning Board of Appeals shall be for three (3) years, except for members serving because of their membership on the Planning Commission or Township Board, whose terms shall be limited to the time they are members of the Planning Commission or Township Board. When members are first appointed, the appointments may be for less than three (3) years to provide for staggered terms so that not more than three (3) terms expire in any given year. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. Vacancies for unexpired terms shall be filled for the remainder of the term in the same manner as the original appointment.

H. Removal of ZBA Member.

A member of the Zoning Board of Appeals may be removed by the Township Board for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall ask to be disqualified from a vote in which the member has a conflict of interest. Failure of a member to ask to be disqualified from a vote in which the member has a conflict of interest constitutes malfeasance in office.

Section 8.02 Meetings**A. Meeting Scheduling and Notice.**

1. Meetings of the Board of Appeals shall be held at the call of the Chairperson, in response to the receipt of a request for appeal, and at such other times as such Board may determine or specify in its rules or procedure.
2. **Public Hearing Required.** Public notice of the date, time, and place of a public meeting of the Board shall be given in the manner prescribed in [Section 9.07](#).

B. Open Meetings and Rules of Procedure.

1. All hearings conducted by said Board shall be open to the public in compliance with the [Open Meetings Act, 1976 PA 267](#), as amended.
2. The Zoning Board of Appeals shall adopt its own rules of procedure and keep a record of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating said fact, and shall file a record of its proceedings in the office of the Township Clerk and shall be a public record.

C. Quorum and Majority Vote.

1. The concurring vote of a majority of the members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator or Planning Commission or to decide in favor of an applicant any matter upon which they are required to pass under this Ordinance or to effect any variation of this Ordinance.
2. The Zoning Board of Appeals shall not conduct business unless a majority of those Zoning Board of Appeals members qualified to sit for a particular matter are present to constitute a quorum, regardless of whether the members are regular members or alternate members.

D. Oaths and Witnesses.

The chairperson or, in the chairperson's absence, the acting chairperson may administer oaths and compel the attendance of witnesses.

Section 8.03 Jurisdiction**A. Exercising Powers.**

In exercising the powers listed below, the Zoning Board of Appeals may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such

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order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the Zoning Administrator or Planning Commission from whom the appeal is taken. The Zoning 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 this Ordinance shall be observed, public safety secured, and substantial justice be done.

B. Jurisdiction.

1. **Administrative Review.** The ZBA may hear appeals made by any person who alleges he or she has been aggrieved by a decision of the Zoning Administrator or Planning Commission.
2. **Non-Use Variances.** The ZBA may grant variances as provided for in [Section 8.05: Variance Standards](#).
3. **Interpretation.** The ZBA may also interpret the location of zoning district boundaries and may interpret the provisions of this Ordinance.

C. Powers Not Granted.

1. The ZBA has no jurisdiction to hear appeals from Planning Commission decisions concerning Special Use approvals or Planned Unit Developments.
2. **Amendments.** Nothing herein contained shall be construed to give or grant to the ZBA the power or authority to alter or change this Ordinance or the Zoning Map, such power and authority being reserved to the Maple Forest Township Board in the manner provided by law.
3. **Use Variances.** No variance shall be granted to permit the establishment within a district of any use which is not included as a Permitted Use or for which a Special Use permit is required.

Section 8.04 Appeals Procedure

A. Request for Appeal.

An appeal may be made by any person, firm, or corporation or by any Officer, Department or Board of the Township.

1. **Application and Required Documents.** The appellant shall file with the Zoning Board of Appeals, on blanks or forms to be furnished by the Zoning Administrator, a request for appeal specifying the grounds for the appeal. The applicant shall submit four (4) copies of a completed application, surveys, plans, and data as required under [Article 5](#) or other information deemed reasonably necessary for making an informed decision on his or her appeal, not less than forty-five (45) days prior to the date of the hearing. An electronic copy of surveys, plans, and data may be required.

2. **Fees.** Fees shall be paid at the time of application pursuant to [Section 9.04](#).
3. **Timeframe.** An appeal may be taken to the Zoning Board of Appeals within the timeframe defined in the general rules and procedures adopted by the Zoning Board of Appeals. If such a timeframe is not specified, appeals shall be filed within thirty (30) days of the decision of the Zoning Administrator or Planning Commission from which the appellant seeks relief.
4. **Transmission of Records.** The Zoning Administrator shall transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.
5. **Stay.** An administrative appeal to the Zoning Board of Appeals and an appeal of a decision by the Zoning Board of Appeals to circuit court stays all proceedings of the action appealed from, including the effectiveness of any zoning permit issued, unless the Zoning Administrator certifies to the Zoning Board of Appeals after such appeal has been filed that a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed unless ordered stayed by the Zoning Board of Appeals or the circuit court. Provided, however, this Section shall not apply to an administrative decision to take enforcement action for alleged violations of this Ordinance.
6. Any person may appear and testify at the hearing either in person or by duly authorized agent or attorney.
7. **Decision.** The final decision of such appeal shall be in the form of a motion either reversing, modifying, or affirming, wholly or partly, the decision or determination appealed from. Reasons for the decision must be stated. A decision or variance granted by the Zoning Board of Appeals runs with the land and shall be valid after transfer of property ownership.
8. **Conditions of Approval.** The ZBA may impose such conditions or limitations in granting a variance as deemed necessary to protect the character of the area, as provided for in [Section 9.08: Conditions](#).
9. **Appeal to Circuit Court.** The decision of the Zoning Board of Appeals shall not be final, and any person having an interest affected by this Ordinance shall have the right to appeal to the Circuit Court on questions of law and fact.

Section 8.05 Variance Standards for Dimensional Variances

The ZBA may grant dimensional variances when the applicant demonstrates in the official record of the hearing that the strict enforcement of this Ordinance would result in practical difficulty. To establish practical difficulty, the applicant must establish all of the following:

- A. The need for the requested variance is due to unique circumstances or physical conditions of the property involved that do not apply generally to other properties in the surrounding area, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic hardship.

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- B. The need for the requested variance is not the result of action of the property owner or previous property owners (self-created).
- C. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.
- D. Whether granting the requested variance would do substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give a substantial relief to the property owner and be more consistent with justice to other property owners.
- E. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

Section 8.06 Expiration & Resubmittal

A. Expiration.

No order of the Zoning Board of Appeals permitting the erection or alteration of a building shall be valid for a period longer than three (3) years unless a building permit for such erection or alteration is obtained within such period and substantial construction has occurred.

B. Resubmittal.

No application for a variance, interpretation, or appeal which has been decided, in whole or in part, by the Zoning Board of Appeals shall be re-submitted for a period of one (1) year from the date of such decision, unless a rehearing is granted pursuant to [Section 9.09](#) of this Ordinance.

Article 9

Administration & Enforcement

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Section 9.01 Zoning Administrator

A. The provisions of this Ordinance shall be administered and enforced by a Township Zoning Administrator, appointed by the Township Board of Trustees for such term and subject to such conditions and at such rate of compensation as said Board shall determine as reasonable. The Township Board may also appoint a Deputy Zoning Administrator who, in the absence of the Zoning Administrator, shall have the same duties and powers as the Zoning Administrator.

B. Issance of Permits.

1. The Zoning Administrator shall have the power to grant Zoning Permits and to make inspections of buildings or premises necessary to carry out their duties in the enforcement of this Ordinance. It shall be unlawful for the Zoning Administrator to approve any plans or issue any permits for the excavation or construction until such plans have been inspected in detail and found to conform to this Ordinance.
2. The Zoning Administrator shall not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements, that may occur upon the granting of said Permit.
3. The Zoning Administrator shall, under no circumstances, be permitted to make changes to this Ordinance or to vary the terms of this Ordinance in carrying out the duties of the Zoning Administrator.

4. Violations.

The Zoning Administrator or the Deputy Zoning Administrator is the authorized local officer responsible to issue citations to those responsible for commuting municipal civil infractions as defined by [Section 9.10](#).

5. Review Applications for Planning Commission Submittal.

The Zoning Administrator shall receive and review for completeness all applications for site condominium projects, site plan review, and Special Uses which the Planning Commission are required to decide under this Ordinance and refer such applications to the Planning Commission for determination.

6. Review Applications for Zoning Board of Appeals Submittal.

The Zoning Administrator shall receive and review for completeness all applications for appeals, variances, or other matters which the Zoning Board of Appeals is required to decide under this Ordinance and refer such applications to the Zoning Board of Appeals for determination.

7. Review Applications for Ordinance Amendment.

The Zoning Administrator shall receive and review for completeness all applications for amendments to this Ordinance and refer such applications to the Planning Commission and Township Board for determination.

8. Records.

The Zoning Administrator shall maintain permanent and correct records of the Ordinance including, but not limited to, zoning permits issued, maps, amendments, Special Use permits, variances, and appeals.

Section 9.02 Zoning Permits

A. Zoning Permit Required.

No building or structure subject to the provisions of this Ordinance shall hereafter be erected, structurally altered, reconstructed, used, or moved, nor shall any driveway or private road be created or altered until a Zoning Permit application has been filed with the Township Zoning Administrator and a Zoning Permit has been issued by the Zoning Administrator, except as otherwise provided for in this Ordinance.

1. No zoning permit shall be required for an accessory structure less than two hundred (200 ft²) square feet in size.

B. Application.

1. The application shall be signed by the owner of the premises or their agent and shall certify that all provisions of this Ordinance and other applicable laws and requirements are to be complied with. Any application requiring approval from the Planning Commission must be submitted not less than thirty (30) days prior to a scheduled meeting for consideration at that Planning Commission meeting (this time frame shall be forty-five (45) days for Special Uses). The

application shall be accompanied by a plot plan as required in [Section 5.02](#) or a site plan as required in [Section 5.04](#). (See [Table 5.01](#) for type of plan required)

2. Properties under two (2) acres in size may be required to submit a legal survey, sealed by a professional surveyor (not a mortgage survey). The Zoning Administrator shall have the authority to require such a survey in the cases where there may be encroachment on the setbacks by the proposed structures or when the exact locations of lot lines are not known.
3. Copies of permits or waivers of permits by other agencies as may be required by statute and/or by the Zoning Administrator of this Ordinance shall be submitted.
4. Such other information as may be required to determine compliance with the Ordinance shall be submitted.

C. Issuance of Zoning Permits.

1. **Zoning Administrator-Approved Zoning Permits (per [Table 5.01](#)).** If the Zoning Administrator finds the application conforms with the requirements of the Ordinance, the copies submitted shall be so marked with his/her signature, including the date. One (1) copy shall be filed with the Planning Commission and one (1) returned to the applicant.
2. **Planning Commission-Approved Zoning Permits (per [Table 5.01](#)).** The Zoning Administrator shall issue a zoning permit for applications that have been approved by the Planning Commission through the site plan review or Special Use review process. Three (3) copies of the site plan shall be signed and dated by both the applicant and Zoning Administrator or Planning Commission Chair. One (1) signed and dated site plan shall be provided to the applicant, one (1) shall be retained by the Zoning Administrator as part of the Township's permanent zoning file, and one (1) copy shall be made part of the Planning Commission's permanent record of proceedings on the site plan.

D. Other Required Permits.

1. A zoning permit shall not be issued until all other necessary permits required by statute have been obtained or waived with exception of those permits issued by the [Crawford County Department of Building and Safety](#).
2. **Zoning Permits in Relation to Building Permits.** Prior to the issuance of any building permit in the County, it shall be necessary for any applicant for construction under the provisions of the Construction Ordinance to first apply for and obtain a zoning permit from the Zoning Administrator in accordance with the provisions of this Zoning Ordinance. All new buildings will comply with this Zoning Ordinance.

E. Property Staking and Inspections.

1. **Staking of Property.** The location of the property boundaries and all structures shall be staked on the ground for Zoning Administrator approval prior to the issuance of the Zoning Permit. The applicant shall notify the Zoning Administrator when the property has been staked and is available for inspection.
2. **Final Inspection.** The Zoning Administrator shall be given the opportunity to make a final inspection of all buildings and structures after completion, before occupancy begins, upon receiving notice from the owner, contractor, or their agent that said building is ready for final inspection. All buildings or alterations shall comply with the statements in the approved application, plot plan or site plan, and specifications.

F. Zoning Permit Expiration.

Any zoning permit under which no construction has occurred or no substantial construction has been done in the furtherance of the zoning permit will expire after twelve (12) months from the date of issuance.

G. Revocation of Zoning Permit.

The Zoning Administrator shall have the power to revoke or cancel any zoning permit in case of failure or neglect to comply with the provisions of the Ordinance or in the case of a false statement or misrepresentation made in the application. The owner shall be notified of such revocation in writing.

H. Zoning Permit Fees.

No zoning permit shall be valid until the required fees have been paid. Except for an accessory building or structure less than two hundred (200 ft²) square feet in size, which does not require a zoning permit pursuant to [Section 9.02.A](#) of this Ordinance, no separate fee shall be required for accessory buildings or structures when application thereof is made at the same time as the principal building or structure. Applications and petitions filed pursuant to the provisions of this Ordinance shall be accompanied by the filing fees as specified by the Township Board of Trustees.

I. Transmission to Assessor.

Upon issuance of the Zoning permit, a copy of the permit and the application, including any drawings, shall be transmitted to the Township Assessor.

J. Conformance with Approved Plans.

Permits issued on the basis of plans and applications approved by the Zoning Administrator or Planning Commission shall apply only to those uses, arrangements, and construction authorized in the permit. All other uses and structures at variance with the authorized permit shall be deemed in violation of this Ordinance and punishable as provided in [Section 9.10](#).

K. Failure to Obtain a Zoning Permit.

1. Any person who fails to obtain any necessary zoning permit shall be subject to [Section 9.10](#) unless a Permit-After-the-Fact is obtained pursuant to [subsection K.2](#) below.
2. **Permit After-the-Fact.** Any building erected, relocated, or altered which requires a zoning permit from the Township which begins without first obtaining the required permit may be issued that permit (and all permits necessary for approval), but this permit (and possibly others) will be considered a permit after-the-fact. An after-the-fact permit form is the same as a standard permit form, but the fee is double the cost of the standard permit fee. This fee doubling applies to all permits and applications necessary for approval of the project. The permits and applications regulated in the Zoning Ordinance which can be filed as after-the-fact permits include but are not limited to zoning permits, site plans, variances, rezoning, and Special Use permits. Additional engineering may be requested by the Township and will be paid in full by the applicant. The payment of after-the-fact permit fees and approval of an after-the-fact permit does not constitute a remedy for any citation or court action involving such a project. Citations for violating this Ordinance may also be issued for any project which does not abide by this Ordinance.

Section 9.03 Planning Commission**A. Appointment & Establishment.**

The Township Planning Commission is authorized by the provisions of the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended, to perform the duties as specified in the Act.

B. Duties & Responsibilities.

1. **Zoning Ordinance.** The Planning Commission shall develop a Zoning Ordinance.
2. **Site Plan Approval.** The Planning Commission shall review site plans and issue its approval, conditional approval, or denial.
3. **Special Use Permits.** The Planning Commission shall conduct a public hearing on any application for a Special Use permit. Following a public hearing, the Planning Commission shall review and approve with or without conditions or deny said application.
4. **Review of Rezoning or Text Amendment.** The Planning Commission shall conduct public hearings for proposals to rezone property or amend the text of this Ordinance. Following a public hearing, the Planning Commission shall make its recommendation regarding the proposed rezoning or text change to the Township Board. The Planning Commission may initiate a text change or rezoning, subject to the requirements for notice, hearing, and Township Board approval.

Section 9.04 Fees**A. Fees.**

To assist in defraying the costs of investigating, reviewing, and administering zoning applications, appeals, rezoning requests from individual property owners, and other types of decisions which result in extra costs to the Township, the Township Board may from time to time adopt by resolution a fee schedule establishing basic zoning fees, such as but not limited to, those fees related to the following:

1. Zoning permits.
2. Special Use permits.
3. Ordinance interpretations by the Zoning Board of Appeals and appeals of administrative interpretation. Appeals and requests for interpretation initiated by the Township Board, the Planning Commission, or the Zoning Administrator shall not be subject to a zoning fee.
4. Requests to change a nonconforming use to another nonconforming use.
5. Requests for variances from the Zoning Board of Appeals.
6. Requests for rezoning of property by individual property owners or amendments to the zoning ordinance text. Rezoning of property or text amendments initiated by the Township Board, the Planning Commission, or the Zoning Administrator shall not be subject to a zoning fee.
7. Site plan reviews.
8. Requests for a planned unit development (PUD).
9. Any other discretionary decisions by the Planning Commission or Zoning Board of Appeals.

The amount of these zoning fees shall cover the costs associated with the review of the application or appeal including but not limited to the costs associated with conducting public hearings, publishing notices in the newspaper, sending required notices to property owners, postage, photocopying, mileage, time spent by zoning staff, and time spent by the members of the Planning Commission and/or Zoning Board of Appeals. The basic zoning fees shall be paid before any application required under this Ordinance is processed. The basic zoning fees are non-refundable, even when an application or appeal is withdrawn by the applicant.

B. Additional Fees.

If the Planning Commission or Zoning Board of Appeals determines that the basic zoning fees will not cover the actual costs of the application review or appeal, or if the Planning Commission or Zoning Board of Appeals determines that review of the application and/or participation in the review process or appeal

by qualified professional planners, engineers, attorneys, or other professionals is necessary or advisable, then the applicant shall deposit with the Township Treasurer such additional zoning fees in an amount determined by the Planning Commission or Zoning Board of Appeals equal to the estimated additional costs. The additional zoning fees shall be held in escrow in the applicant's name and shall be used solely to pay these additional costs. If the amount held in escrow becomes less than ten (10%) percent of the initial escrow deposit or less than ten (10%) percent of the latest additional escrow deposit and review of the application or decision on the appeal is not completed, then the Planning Commission or Zoning Board of Appeals may require the applicant to deposit additional fees into escrow in an amount determined by the Planning Commission or Zoning Board of Appeals to be equal to the estimated costs to complete the review or decide the appeal. Failure of the applicant to make any escrow deposit required under this Ordinance shall be deemed to make the application incomplete or the appeal procedurally defective thereby justifying the denial of the application or the dismissal of the appeal. Any unexpended funds held in escrow shall be returned to the applicant following final action on the application or the final decision on the appeal. Any actual costs incurred by the Township in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to the issuance of any permit or the release of a final decision on an appeal.

Section 9.05 Performance Guarantee

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

- A. One-third (1/3) of the cash deposit after completion of one-third (1/3) of the public and site improvements;
- B. An additional one-third (1/3) of the cash deposit after completion of two-thirds (2/3) of the public and site improvements; and

- C. The balance at the completion of the public and site improvements.

Any irrevocable bank letter of credit or surety bond shall be returned to the applicant upon completion of the public improvements. If a development is to be completed in phases, then the Planning Commission may require the applicant to furnish a performance guarantee as provided in this Section for each phase of the development. If an applicant has contracted with a third-party to construct the public and site improvements and the third-party has provided a bond meeting the requirements described above and the bond also names the Township as a third-party beneficiary of the bond, then the Planning Commission may accept that bond as meeting all or a portion of the performance guarantee required by this Section.

Section 9.06 Use of Consultants

From time to time, the Township Board, Planning Commission, and/or Zoning Board of Appeals may employ planning, engineering, legal, traffic, or other special consultants to assist in the review of Special Use permits, site plans, rezonings, or other matters related to the planning and development of the Township.

Section 9.07 Public Notification

All applications for development approval requiring a public hearing (including Zoning Board of Appeals requests, Special Uses, and ordinance amendment requests) shall comply with the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended, MCL 125.3101 et. seq. and the other provisions of this Section with regard to public notification.

A. Published Notice.

When the provisions of this Ordinance or the [Michigan Zoning Enabling Act](#) require that notice be published, the Zoning Administrator shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in the Township and mailed or delivered as provided in this Section.

B. Content.

All mail, personal, and newspaper notices for public hearings shall:

1. **Describe the Nature of the Request.** Identify whether the request is for a rezoning, text amendment, Special Use, planned unit development, variance, appeal, Ordinance interpretation, or other purpose.
2. **Location.** Indicate the property that is subject to the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number,

identification of the nearest cross street, or the inclusion of a map showing the location of the property. No street addresses must be listed when eleven (11) or more adjacent properties are proposed for rezoning or when the request is for an Ordinance interpretation not involving a specific property.

3. **Date, Time, and Location.** When and where the request will be considered: indicate the date, time, and place of the public hearing(s).
4. **Written Comments.** Include a statement describing when and where written comments will be received concerning the request. Include a statement that the public may appear at the public hearing in person or by counsel.

C. **Notice.**

1. Except as noted in [Section 9.07.C.2](#) and [Section 9.07.C.3](#) below, notices for all public hearing notices shall be given as follows:
 - a. Notice of the hearing shall be not less than fifteen (15) days before the date of the public hearing.
 - b. Notice of the hearing shall be published in a newspaper of general circulation.
 - c. Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered and the applicant, if different than the owner(s) of the property.
 - d. Notice shall also be sent by mail to all persons to whom real property is assessed within three hundred (300') feet of the property and to the occupants of all structures within three hundred (300') feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction.
 - (1) If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.
 - (2) Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

2. Newspaper publication as required in [Section 9.07.C.1](#) above shall be the only notice required for an amendment to the Zoning Ordinance or the zoning map that affects eleven (11) or more properties.
3. For ordinance interpretations and requests that do not affect a specific property, the only notice required shall be to the applicant and by newspaper publication, as required in [Section 9.07.C.1](#) above.
4. **Notice Deemed Given.** Notice shall be deemed given when personally delivered or by its deposit in the United States mail, first-class, properly addressed, and postage paid. The Zoning Administrator shall prepare a list of property owners and registrants to whom notice was mailed, as well as of anyone to whom personal notice was delivered.
5. **Registration to Receive Notice by Mail.**
 - a. **General.** Each electric, gas, and pipeline utility company, each railroad, each telecommunication service provider, and the airport manager of each airport may register its name and address with the Township to receive written notice of all public hearings. The Township Clerk shall be responsible for providing this notification, as established by the Township Board.
 - b. **Requirements.** The requesting party must provide the Zoning Administrator information to ensure notification can be made.

Section 9.08 Conditions

The Planning Commission and Zoning Board of Appeals may attach reasonable conditions on discretionary zoning decisions under their jurisdiction. These conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Any conditions imposed, however, shall meet all of the following requirements:

- A. Be designed to protect natural resources, the health, safety, welfare, and social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- B. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
- C. Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards.

Section 9.09 Rehearing Process**A. Rehearing Performed by Planning Commission or ZBA.**

The Planning Commission or Zoning Board of Appeals may grant a rehearing under exceptional circumstances for any decision made by it. Exceptional circumstances shall mean any of the following:

1. The applicant who brought the matter before the Planning Commission or Zoning Board of Appeals made misrepresentations concerning a material issue which was relied upon by the Planning Commission or Zoning Board of Appeals in reaching its decision.
2. There has been a material change in circumstances regarding the Planning Commission or Zoning Board of Appeals' findings of fact which occurred after the public hearing.
3. The Township attorney by written opinion states that in the attorney's professional opinion the decision made by the Planning Commission or Zoning Board of Appeals or the procedure used in the matter was clearly erroneous.

B. Rehearing Procedure.

A rehearing may be requested by the applicant or by the Zoning Administrator, or a rehearing may be granted by the Planning Commission or Zoning Board of Appeals on its own motion.

1. A request for a rehearing which is made by an applicant must be made within twenty-one (21) days from the date of approval of the Planning Commission's or Zoning Board of Appeals' minutes regarding the decision for which the rehearing is being requested.
2. A request for a rehearing made by the Zoning Administrator or a rehearing granted by the Planning Commission or Zoning Board of Appeals on its own motion may be granted at any time as long as the applicant has not been prejudiced by any delay.
3. Whenever the Planning Commission or Zoning Board of Appeals considers granting a rehearing, it shall provide written notice to the applicant that a rehearing will be considered. The notice may be served upon the applicant by first-class mail at the applicants' last known address or may be served personally on the applicant. The notice must be served at least nine (9) days before the time set for the hearing if served by mail, or at least seven (7) days before the time set for the hearing if served by personal service. Service by mail shall be complete upon mailing. In addition to serving the above notice on the applicant, all other notice requirements for the type of decision being heard shall be completed before the Planning Commission or Zoning Board of Appeals holds a hearing at which it considers whether to grant a rehearing.

4. If the Planning Commission or Zoning Board of Appeals grants a rehearing, then the rehearing shall not be held until all notice requirements for the type of decision being reheard have been satisfied.

Section 9.10 Violations

A. Nuisance per se.

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

B. Inspection.

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

C. Penalties.

1. Any person, partnership, limited liability company, corporation, association, or other entity who creates or maintains a nuisance per se or who violates or fails to comply with this Ordinance or any permit issued pursuant to this Ordinance shall be responsible for a municipal civil infraction and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Every day that such violation continues may constitute a separate and distinct offense under the provisions of this Ordinance. Nothing in this Section shall exempt the offender from compliance with provisions of this Ordinance or prohibit the Township from seeking additional and/or equitable relief from any court to ensure compliance with the provisions of this Ordinance.
2. The Township Zoning Administrator is hereby designated as the authorized Township official to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court. The Township Board may also designate from time to time other officials to issue municipal infraction citations on behalf of the Township in connection with alleged violations of this Ordinance.
3. In addition to or in lieu of enforcing this Ordinance, as a municipal civil infraction, the Township may initiate proceedings in any court of competent jurisdiction to abate, eliminate, or enjoin the nuisance per se or any other violation of this Ordinance.

D. Stop Work Order.

If construction or land uses are being undertaken contrary to a zoning permit, the zoning enabling act, or this Ordinance, the Zoning Administrator or Deputy of the zoning administrator or any other official

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authorized by the Township Board is authorized to post a stop work order on the property at a suitable location, such as at an entrance, in order to prevent the work or activity from proceeding in violation of the Ordinance.

A person shall not continue, or cause or allow to be continued, construction or uses in a violation of a stop work order, except with permission of the enforcing agency to abate a dangerous condition or remove the violation, or except by court order. If an order to stop work is not obeyed, the enforcing agency may apply to the circuit court for an order enjoining the violation of the stop work order. This remedy is in addition to, and not in limitation of, any other remedy provided by law or ordinance, and does not prevent civil prosecution for failure to obey the order.

Section 9.11 Conflicting Regulations

A. Conflicting Regulations and Rules.

1. Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions, or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern except where legally superseded by such other law or ordinance.
2. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.
3. Where any provision of this Ordinance differs from any other provision of this Ordinance, the more restrictive requirement shall prevail.

B. Conflicting Graphics, Tables, and Text.

The graphics, tables, and text used throughout this Ordinance are regulatory. In case of a conflict, text shall control over tables or graphics; tables shall control over graphics.

Section 9.12 Action Table

The following table is a summary of basic requirements for various administrative actions under this Zoning Ordinance. It supplements the preceding text, but is not a substitute for it.

Type of action	Parties who may initiate action	Body making decision	Public hearing required	Published notice(s)- Number of days before hearing	Mailed notice to all owners and occupants within 300 feet - days before hearing	Body to which applicant may appeal a denial
Single- and two –family uses, signs, accessory buildings, museums, art galleries, bed & breakfasts, accessory dwelling units.	Applicant	ZA	No	----	----	ZBA
Site plans	Applicant	PC	No	----	----	ZBA
Special uses	Applicant	PC	Yes	Not less than 15 days	Not less than 15 days	Circuit Court
Planned unit development	Applicant	PC	Yes	Not less than 15 days	Not less than 15 days	Circuit Court
Variance	Applicant	ZBA	Yes	Not less than 15 days	Not less than 15 days	Circuit Court
Interpretation	Applicant, PC or ZA	ZBA	Yes	Not less than 15 days	Not less than 15 days	Circuit Court
Appeal from decision	Any aggrieved party	ZBA	Yes	Not less than 15 days	Not less than 15 days	Circuit Court
Rezoning or Text Change (Amendment)	Applicant, PC	Step 1: PC recommends to TB	Yes	Not less than 15 days	Not less than 15 days	No action until after TB decision
		Step 2: Crawford County Planning Commission reviews amendment & provides comment (30 days)				
		Step 3: TB	No	----	----	----
		Step 4: TB publishes Notice of Adoption in newspaper (within 15 days of adoption). Rezoning (map amendment) goes into effect on the 8th day after publication.				
Zoning ordinance enforcement	ZA	----	----	----	----	ZBA
ZA = Zoning Administrator PC = Planning Commission TB = Township Board ZBA = Zoning Board of Appeals						

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Article 10

Adoption & Amendments

Sec	Name	Pg	Sec	Name	Pg
10.01	Authority to Amend this Ordinance	10-1	10.05	Severability	10-7
10.02	Amendment Procedure	10-1	10.06	Vested Right	10-7
10.03	Rezoning Standards	10-3	10.07	Repeal & Savings Clause	10-7
10.04	Conditional Rezoning	10-3	10.08	Enactment & Effective Date	10-8

Section 10.01 Authority to Amend this Ordinance

The Township Board is authorized and empowered to cause this Ordinance to be amended, supplemented, or changed, pursuant to the authority and according to the procedures set forth in [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended.

Section 10.02 Amendment Procedure

The regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the Maple Forest Township Zoning Map may be amended, supplemented, or changed by action of the Township Board following a recommendation from the Township Planning Commission.

A. Filing of Amendment Application.

- Proposals for amendments, supplements, or changes may be initiated by the Township Board on its own motion, by the Township Planning Commission, or by petition of one (1) or more owners of property to be affected by the proposed amendment.
- Each application, by one (1) or more persons, for an amendment shall be submitted to the Zoning Administrator on a standard form provided and shall be accompanied by the fee as prescribed by the Township Board. No part of such fee shall be returnable to a petitioner if the public hearing is held.
- The Zoning Administrator shall notify, in writing, the Township Clerk and Chair of the Planning Commission at or before the time he or she transmits the amendment request to the Planning Commission.

B. Planning Commission Action.

- The Planning Commission shall consider each proposal for amendment on particular factors related to the individual proposal and in terms of the likely effect on the community's physical

development. The Planning Commission may recommend any additions or modifications to the original proposal.

2. **Public Hearing.** Before ruling on any proposal the Planning Commission shall conduct at least one (1) public hearing, the notice of the time and place of which shall be given pursuant to [Section 9.07](#). If the property involved adjoins another unit of government, the proper officials are to be given notice of the public hearing and shall also be given an opportunity to comment on any coordinated action or review deemed necessary.
3. **Submission to the County Planning Commission.** Following the public hearing, the Planning Commission shall submit the proposed amendment, including any zoning map changes, to the County Planning Commission. If the recommendation of the County Planning Commission has not been received within thirty (30) days after the receipt of the Ordinance by the County, it shall be conclusively presumed that the County has waived its right for review.
4. **Submission to the Township Board.** After receipt of a response from the County Planning Commission or, upon expiration of the thirty (30) day period, if no response is received, the Planning Commission shall submit a final report/recommendation to the Township Board along with a summary of the comments received at the public hearing.

C. Township Board Action.

1. **Optional Public Hearing.** The Township Board may hold additional public hearings if they decide it is necessary. Notice of such hearing shall be published in a newspaper which circulates in the Township not less than fifteen (15) days before the hearing.
2. **Township Board Decision.** The Township Board may adopt or reject any proposed amendment, or refer back to the Planning Commission for further review as prescribed by Section 401 of [2006 PA 110](#), as amended.
3. **Notice of Adoption.** Once adopted by the Township Board, amendments to this Ordinance shall be filed with the Township Clerk, and one (1) notice of adoption shall be published in a newspaper of general circulation in the Township within fifteen (15) days after adoption. Any amendments to this Ordinance shall take effect on the eighth (8th) day after publication or at a later date as may be specified by the Township Board at the time of adoption.

D. Resubmittal.

No application for a rezoning which has been denied by the Township shall be resubmitted for a period of one (1) year from the date of the last denial, except on grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Township Planning Commission to be valid.

Section 10.03 Rezoning Standards

The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.

- A. Is the proposed rezoning consistent with the Maple Forest Township Master Plan?
- B. Is the proposed rezoning reasonably consistent with surrounding uses?
- C. Will there be an adverse physical impact on surrounding properties?
- D. Will there be an adverse effect on property values in the adjacent area?
- E. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
- F. Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?
- G. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?
- H. Is the site served by adequate public facilities or is the petitioner able to provide them?

Section 10.04 Conditional Rezoning**A. Intent.**

It is recognized that there are certain instances where it would be in the best interests of the Township, as well as advantageous to property owners seeking a change in zoning boundaries, if certain conditions could be proposed by property owners as part of a request for a rezoning. It is the intent of this Section to provide a process consistent with Section 405 of the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended, by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.

B. Application and Offer of Conditions.

- 1. An owner of land may voluntarily offer, in writing, conditions relating to the use and/or development of land for which a rezoning is requested. This offer may be made either at the time the application for rezoning is filed or may be made at a later time during the rezoning process.
- 2. The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except

as modified by the requirements of this Section.

3. The owner's offer of conditions may not authorize uses or developments not permitted in the requested new zoning district.
4. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
5. Any use or development proposed as part of an offer of conditions that would require a Special Use permit, variance, or site plan approval under the terms of this Ordinance may only be commenced if the Special Use permit, variance, or site plan approval for such use or development is ultimately granted in accordance with the provisions of this Ordinance.
6. The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are entered voluntarily by the owner. An owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the Township Board provided that, if such withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.

C. Planning Commission Review.

The Planning Commission, after a public hearing as set forth in [Section 9.07](#) of this Ordinance and consideration of the factors set forth in [Section 10.03](#) (except 10.03.G) of this Ordinance, may recommend approval, approval with recommended changes, or denial of rezoning provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the owner.

D. County Planning Commission Review.

Following the public hearing before the Township Planning Commission, the conditional rezoning application shall be submitted to the County Planning Commission as specified in [Section 10.02.B.3](#) for not more than thirty (30) day review period, according to the provisions of Section 307 of the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended.

E. Township Board Review.

After receipt of the Planning Commission's recommendation, the Township Board shall deliberate upon the requested conditional rezoning and may approve or deny the request. Should the Township Board consider amendments to the proposed conditional rezoning advisable and if such contemplated amendments to the offer of conditions are acceptable to and thereafter offered by the owner, then the Township Board shall, in accordance with Section 401 of the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended, refer such amendments to the Planning Commission for a report thereon within a time

specified by the Township Board, and proceed thereafter in accordance with said statute to deny or approve the conditional rezoning with or without amendments.

F. Approval.

1. If the Township Board finds the rezoning request and offer of conditions acceptable, the offered conditions shall be incorporated into a formal written Statement of Conditions acceptable to the owner and conforming in form to the provisions of this Section. The Statement of Conditions shall be incorporated by attachment or otherwise as an inseparable part of the Ordinance adopted by the Township Board to accomplish the requested rezoning.
2. The Statement of Conditions shall:
 - a. Be in a form recordable with the [County Register of Deeds](#), or as an alternative, be accompanied by a recordable Affidavit or Memorandum prepared and signed by the owner giving notice of the Statement of Conditions in a manner acceptable to the Township Board.
 - b. Contain the legal description and tax identification number of the land to which it pertains.
 - c. Contain a statement acknowledging that the Statement of Conditions runs with the land and is binding upon successor owners of the land.
 - d. Incorporate by attachment or reference any diagram, plans, or other documents submitted or approved by the owner that are necessary to illustrate the implementation of the Statement of Conditions. If any such documents are incorporated by reference, the reference shall specify where the document may be examined.
 - e. Contain a statement acknowledging that the Statement of Conditions or an Affidavit or Memorandum giving notice thereof may be recorded by the Township with the [County Register of Deeds](#).
 - f. Contain the notarized signatures of all owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the Statement of Conditions.
3. Upon the rezoning taking effect, the Zoning Map shall be amended to reflect the new zoning classification along with a designation the land was rezoned with a Statement of Conditions. The Township Clerk shall maintain a listing of all lands rezoned with a Statement of Conditions.
4. The approved Statement of Conditions or an Affidavit or Memorandum giving notice thereof shall be filed by the Township with the [County Register of Deeds](#). The Township Board shall have authority to waive this requirement if it determines that, given the nature of the conditions and/or the timeframe within which the conditions are to be satisfied, the recording of such a document would be of no material benefit to the Township or to any subsequent owner of the land.

5. Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the Statement of Conditions.

G. Compliance with Conditions.

1. Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all the conditions set forth in the Statement of Conditions. Any failure to comply with a condition contained within the Statement of Conditions shall constitute a violation of this Ordinance and be punishable accordingly.
2. No permit or approval shall be granted under this Ordinance for any use or development that is contrary to an applicable Statement of Conditions.

H. Time Period for Establishing Development or Use.

Unless another time period is specified in the Ordinance, the approved development and/or use of the land pursuant to building or other required permits must be commenced upon the land within twenty-four (24) months after the rezoning took effect and thereafter proceeded diligently to completion. This time limitation may upon written request be extended by the Township Board if (1) it is demonstrated to Township Board's reasonable satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion, and (2) the Township Board finds that there has not been a change in circumstances that would render the current zoning with Statement of Conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.

I. Reversion of Zoning.

If the approved development and/or use of the rezoned land does not occur within the timeframe specified under [subsection H](#) above, then the land shall revert to its former zoning classification. The reversion process shall be initiated by the Township Board requesting that the Planning Commission proceed with consideration of rezoning of the land to its former zoning classification. The procedure for considering and making this reversionary rezoning shall be the same as applies to all other rezoning requests.

J. Subsequent Rezoning of Land.

When land that is rezoned with a Statement of Conditions is thereafter rezoned to a different zoning classification or to the same zoning classification, but with a different or no Statement of Conditions, whether as a result of a reversion of zoning pursuant to [subsection I](#) above or otherwise, the Statement of Conditions imposed under the former zoning classification shall cease to be in effect. Township Clerk shall record with the County Register of Deeds that the Statement of Conditions is no longer in effect.

K. Amendment of Conditions.

1. During the time period for commencement of an approved development and/or use specified pursuant to [subsection H](#) above or during any extension thereof granted by the Township Board, the Township shall not add to or alter the conditions in the Statement of Conditions.
2. The Statement of Conditions may be amended thereafter in the same manner as was prescribed for the original rezoning and Statement of Conditions.

L. Township Right to Rezone.

Nothing in the Statement of Conditions or in the provisions of this Section shall be deemed to prohibit the Township from rezoning all or any portion of land that is subject to a Statement of Conditions to another zoning classification. Any rezoning shall be conducted in compliance with this Ordinance and the [Michigan Zoning Enabling Act, 2006 PA 110](#), as amended.

M. Failure to Offer Conditions.

The Township shall not require any owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect an owner's rights under this Ordinance.

Section 10.05 Severability

This Ordinance and various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Township Board hereby declared that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause thereof irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

Section 10.06 Vested Right

Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification, or any permissible activities therein and they are hereby declared to be subject to subsequent amendment, change, or modification as may be necessary in the preservation or protection of the public's health, safety, and welfare.

Section 10.07 Repeal & Savings Clause

- A. This Ordinance repeals and replaces any previous Maple Forest Township Zoning Ordinance in its entirety.

1 Purpose & Authority**2** Definitions**3** General Provisions**4** District Regulations**5** Site Plans & Plot Plans**6** Special Use Review**7** Supplemental Regulations**8** Zoning Board of Appeals**9** Administration & Enforcement**10** Adoption & Amendments

- B. The repeal of the Maple Forest Township Zoning Ordinance, as provided, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred there under or actions involving any of the provisions of said ordinance or parts thereof. Said ordinance or ordinance sections repealed is hereby continued in force and effect after the passage, approval and publication of this Ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities, and actions therefore.

Section 10.08 Enactment & Effective Date

- A. This Ordinance was adopted May 9, 2022 by the Maple Forest Township Board of Trustees and will be effective May 26, 2022. The foregoing Zoning Ordinance and Zoning Map were presented at a public hearing before the Planning Commission on April 12, 2022.
- B. Amendments or revision to this Ordinance or Map of Zoning Districts shall become effective on the eighth (8th) day after publication, or a specified later date, of a notice of adoption of said amendments or revisions within fifteen (15) days of adoption in accordance with [2006, PA 110, the Michigan Zoning Enabling Act](#), as amended.