



# Charter Township of Washington Zoning Ordinance

Effective December 13, 2018

Amended through August 3, 2022

(Intentionally Blank)

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# How to Use This Ordinance

## 1. CONTENT ORGANIZATION AND PAGE LAYOUT

The Zoning Ordinance is organized into seven Articles, which are further divided using standard outline hierarchy. The content and page layout are designed to promote a clear understanding of requirements, as well as quick retrieval of relevant standards, procedures and other information. The following key assists with navigating through this document.

**Article Tabs** link to the first page of each Article. Red tab indicates the Article in which the current page is located.

**User Notes** provide helpful information for digital and hard copy formats. User Notes are always highlighted in blue.

**Sections and Subsections** contain the Ordinance regulations in a hierarchical manner.

**Blue bold font** links to standards in other sections of the Ordinance.

**Graphics, figures, and tables** illustrate concepts or clarify regulations.

The diagram illustrates the layout of the Washington Township Zoning Ordinance, showing how various elements are organized and linked. It includes a vertical sidebar on the left with numbered tabs (1-7) corresponding to the Ordinance's structure: 1 Purpose and Introduction, 2 Definitions, 3 Zoning Districts, 4 Use Standards, 5 Site Standards, 6 Development Procedures, and 7 Admin and Enforcement. The main content area is divided into two columns, each representing a page from the ordinance. The left page shows the 'A-1 Agricultural Residential' district, including its intent, permitted uses, and special land uses. The right page shows the 'A-1 Agricultural Residential' district, including its development standards (lot size, coverage, setbacks, height, floor area) and additional requirements (zoning districts, site standards, use standards, development procedures). A vertical sidebar on the right also lists the numbered tabs (1-7). At the bottom, there are three icons (a house, a person, and a map) and a link to the 'Washington Township Zoning Ordinance clearzoning®' website. The diagram also shows a sample page spread with a 'How do I calculate height?' section and a 'Selected References' section.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

**3-4** Washington Township Zoning Ordinance clearzoning®

**3-5** Washington Township Zoning Ordinance clearzoning®

Link to *How to Use This Ordinance*.

Link to *Zoning Map*.

**Notes** provide relevant district information recommended for review.

Link to *Table of Contents*.

**Selected References** list other sections or Ordinances that may pertain to a development in the district.

**Pages** are numbered sequentially within each Article.













# How to Use This Ordinance

## 2. SYMBOLS AND USER NOTES

The following symbols are used throughout the Zoning Ordinance:

-  indicates the term is defined in Article 2, Definitions. (Note: Not every defined term is designated with a  symbol. Consult Article 2, Definitions, for a list of all defined terms.)
-  indicates there is a graphic that illustrates the standard or requirement.
-  identifies a property line.
-  identifies the right-of-way centerline.
- R/W* identifies the right-of-way.
-  identifies a **User Note** that provides helpful information for all users.
-  identifies a **Digital User Note** that provides helpful information for users with a digital version of the Zoning Ordinance.
-  identifies sections that have been amended. The date of adoption is listed at the end of the section. More information can be found in Appendix A—Amendments.



# How to Use This Ordinance

## 3. READING THE ORDINANCE

Rules have been established to assist with interpreting the ordinance. Below are some rules to keep in mind when reading this document:

- ☑ Sometimes there may be general and specific regulations that pertain to one particular aspect of site design. In such instances, the specific regulations must be followed.
- ☑ Discrepancies between text and an illustration (including its caption) may occur. In the case of such discrepancies, the text is considered the accurate source of information.
- ☑ The use of the word shall carries significant meaning. Shall regulations must be followed. Requirements that use the word may are discretionary, meaning that the requirement is at the discretion of the Planning Commission or Zoning Board of Appeals.
- ☑ Article 2, Definitions, contains over 80 terms. If a term is not listed in this section, it will carry the meaning customarily assigned to it.
- ☑ Conjunctions are often used and must be read accurately:
  - AND indicates that all connected items, conditions, provisions or events shall apply.
  - OR indicates that the connected items, conditions, provisions or events may apply singly or in any combination. (OR may also be read “and/or”)
  - EITHER ... OR indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination.

For more rules, see [Section 2.1 Construction of Language](#).



### Digital User Note:

#### What is a link?

A link allows for quick reference to a relevant section. By ‘clicking’ a link, the user is taken directly to a page in the Ordinance or another reference document. The user may return to the original page by clicking the ‘previous view’ button in Adobe Acrobat Reader.



If you do not see the ‘previous view’ button on your Adobe Acrobat Reader screen, you can add it by turning on your ‘page navigation toolbar’. For assistance, refer to the ‘Help’ menu in your version of Acrobat Reader.

#### What information is linked?

All **blue text** is linked to either another page within the Zoning Ordinance, a separate ordinance or document, or an external website.

In addition, several other features of the document are linked to allow users to navigate through the ordinance. Click on any of the following features to quickly locate another section:

1 Purpose and Introduction

2 Definitions

**Article tabs** located on the side of each page are linked to the Contents page of each Article.



**Icons** located at the bottom of each page are linked to the ‘How to Use This Ordinance’ section, the main Table of Contents, and the Zoning Map

A-1

R-1

R1-A

**Use Matrix district headings** are linked to the corresponding district regulations page in Article 3.

#### How do I calculate height?

	A-1 Agricultural Residential
	R-1 Rural Residential
	R1-A Single Family Residential
	R1-B Single Family Residential

**‘How do I calculate height’ button** located on each district regulations page is linked to the definition of building height in Article 2.

**Zoning Map Legend headings** are linked to the corresponding district regulations page in Article 3.



# How to Use This Ordinance

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	A-1	R-1	R1-A	R1-B	R1-C	R1-D	RM-1	RM-2	MHC
Accessory buildings	P	P	P	P	P	P	P	P	P
Agriculture	P	P	P	P	P	P	P	P	P
Airports and private airstrips	S	S							
Bed and breakfast	S	S							
Cemeteries	S	S	S	S	S	S			
Churches	S	S	S	S	S	S	S	S	P
Convalescent, nursing homes or hospice							S	S	P
County, state and federal uses	S	S	S	S	S	S	S	S	P
Day care centers and nursery schools	S	S	S	S	S	S			
Day care, family (1-6 children)	P	P	P	P	P	P	P	P	P
Day care, group (7-12 children/adults)	S	S	S	S	S	S	S	S	P
Greenhouses and nurseries	S	S							
Keeping of dogs and cats and domestic animals (no more than 4 combined)			P	P	P	P	P	P	P
Keeping of dogs and cats (8 or less)	P	P							
Home occupation (type I)	P	P	P	P	P	P	P	P	P
Home occupation (type II)	S	S	S	S	S	S	S	S	P
Hospitals, general							S	S	P
Housing for the elderly or senior citizen housing							S	S	P
Landfills (earthen landfills only)	S	S							
Libraries, public	S	S	S	S	S	S			
Mining and extraction	S	S							
Museums, public	S	S	S	S	S	S			
Parks	P	P							
Private clubs, fraternal organizations, etc.							S	S	P
Raising of fur-bearing animals, including kennels and or animal hospitals	S	S							
Recreation, large scale	S	S	S	S	S	S	S	S	P
Recreation, noncommercial							S	S	P
Schools, colleges and universities	S	S					S	S	S
Schools, private and charter	S	S	S	S	S	S			
Schools, public			P	P	P	P	P	P	P
Single-family dwellings	P	P	P	P	P	P	P	P	P

Continued on next page



# How to Use This Ordinance

## 4. USE MATRIX

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### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	A-1	R-1	R1-A	R1-B	R1-C	R1-D	RM-1	RM-2	MHC
Single-family residential platted subdivision or site condominium project							S	S	P
Utility buildings, public	S	S	S	S	S	S	S	S	P
Utility transmission lines, public	S	S	S	S	S	S	S	S	P
Wireless communication towers	S	S							

*Continued on next page*



# How to Use This Ordinance

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	LC	GC	V-1	O-1	IND
Accessory outside storage					P
Accessory uses				P	P
Adult entertainment and business uses					S
Agricultural uses	P	P			P
Airports and private airstrips					S
Apparel and accessory stores			P		
Art galleries and studios			P		
Auditorium, stadiums and outdoor theaters					S
Automobile heavy repair garage					S
Automobile repair and service centers (excluding paint and collision shops)		S			
Automobile repair and service centers, automobile engine and body shops, and undercoating					P
Banks	P	P			
Banks and credit unions, commercial (excluding drive-thru facilities)		P	P		
Banks with drive-thru facilities				S	
Building material and supply dealers (except for lumber retail yard)		P			
Building material sales					P
Bulk storage of flammables and raw materials					S
Bus garages/transportation terminals					S
Businesses of a drive-in nature (not including outdoor theaters)		S			
Camera and photographic supply stores	P	P	P		
Carry-out restaurants (not utilizing drive-thru facilities)	P	P			
Cement crushing and batch plant operations					S
Chemical processing plants					S
Churches			S		
Compounding, assembling, processing, and treatment facilities					P
Contractor yards					S
County, state and federal uses					P
Day care centers and nursery schools	S	P		S	
Day care, group (7-12 children)				S	
Drive-thru lanes ancillary to service uses (eating and drinking establishment or carryout restaurant drive-thru prohibited)	S				
Drive-thru facilities		S	S		
Dry cleaning and laundry services	S	P	S		

Continued on next page





# How to Use This Ordinance

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	LC	GC	V-1	O-1	IND
Eating and drinking establishments (excluding drive-thru facilities)		P	P		
Fabricated metal product manufacturing					S
Food and beverage stores		P	P		
Food and beverage stores (except supermarkets)	P	P			
Foundaries					S
Fueling service stations		S			
Greenhouses and nurseries					S
Hardware stores	P	P	P		
Health and personal care stores	P	P	P		
Heavy stamping, punching, hammering, riveting, grinding, or pressing operations					S
Hobby, book, and music stores	P	P	P		
Home furniture, furnishings and equipment		P	P		
Hospitals, general (listed first as permitted then as a special land use)	S	P/S		S	S
Hotels and motels (except bed and breakfast, casino hotels, tourist cabins and recreational vehicle campgrounds)		S			
Industrial buildings (greater than 60,000 sq. ft.)					
Junk yards					S
Landfills					S
Manufacturing					P
Medical campuses					S
Multiple-family, Village			S		
Municipal buildings and uses			P		
Offices	P	P			
Offices, business	P	P	P		
Offices, contractors (with garages for indoor maintenance and indoor storage of equipment)					P
Offices, professional	P	P	P	P	
Open-air businesses		S			
Outdoor sales lots for sale of automobile/motor vehicles		S			P
Outdoor sales lots for the sale of manufactured homes		S			
Outdoor sales lots for sale of new or secondhand recreational vehicles and boats		S			
Outdoor seating areas or cafes			S		

Continued on next page



# How to Use This Ordinance

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

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### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	LC	GC	V-1	O-1	IND
Personal and household goods repair and maintenance	P	P	P		
Personal care services	P	P	P		
Physical fitness, gyms and similar training facilities (less than 5,000 sq. ft. gross floor area)	P	P	P		
Physical fitness, gyms and similar training facilities (over 5,000 sq. ft. gross floor area and/or 24-hour operations)	S		P		
Plating facilities					S
Private clubs, fraternal organizations, ect.				S	
Publicly owned buildings (not including outside storage)				P	
Raising of fur-bearing animals, including kennels and animal hospitals		S			
Recreation, commercial (similar to bowling alleys and miniature golf)		S			
Recreation, indoor and outdoor					S
Refuse disposal incinerators, recycling centers and transfer stations					S
Registered primary caregiver					
Research, development, and testing services including laboratories					P
Residential, above a nonresidential use			S		
Retail, commercial		P			
Retail stores, miscellaneous	P	P	P		
Schools, colleges and universities				S	
Schools, private or charter			S		
Self-storage warehouses					P
Service and repair facilities not involving vehicles		P			
Single-family residential, existing			P		
Sleeping quarters for security and maintenance personnel					P
Storage (other than accessory to a permitted retail use)					P
Storage, outdoor					S
Theaters, auditoriums, concert halls and similar places of assembly			P		
Truck terminals					S
Tool and die, gauge, and machine shops					P
Utility buildings, public	S	S			S
Utility buildings, public (not including outdoor storage)				P	
Utility service building, water supply and water, gas tanks and containers					P
Utility transmission lines, public					S
Video/audio visual media rental	P	P	P		
Warehousing and wholesale establishments					P

*Continued on next page*



# How to Use This Ordinance

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	LC	GC	V-1	O-1	IND
Wireless communication towers					S
Yard clipping composting facilities					S
Zero lot line development			S		



# How to Use This Ordinance

## 5. DISTRICT SUMMARY TABLE

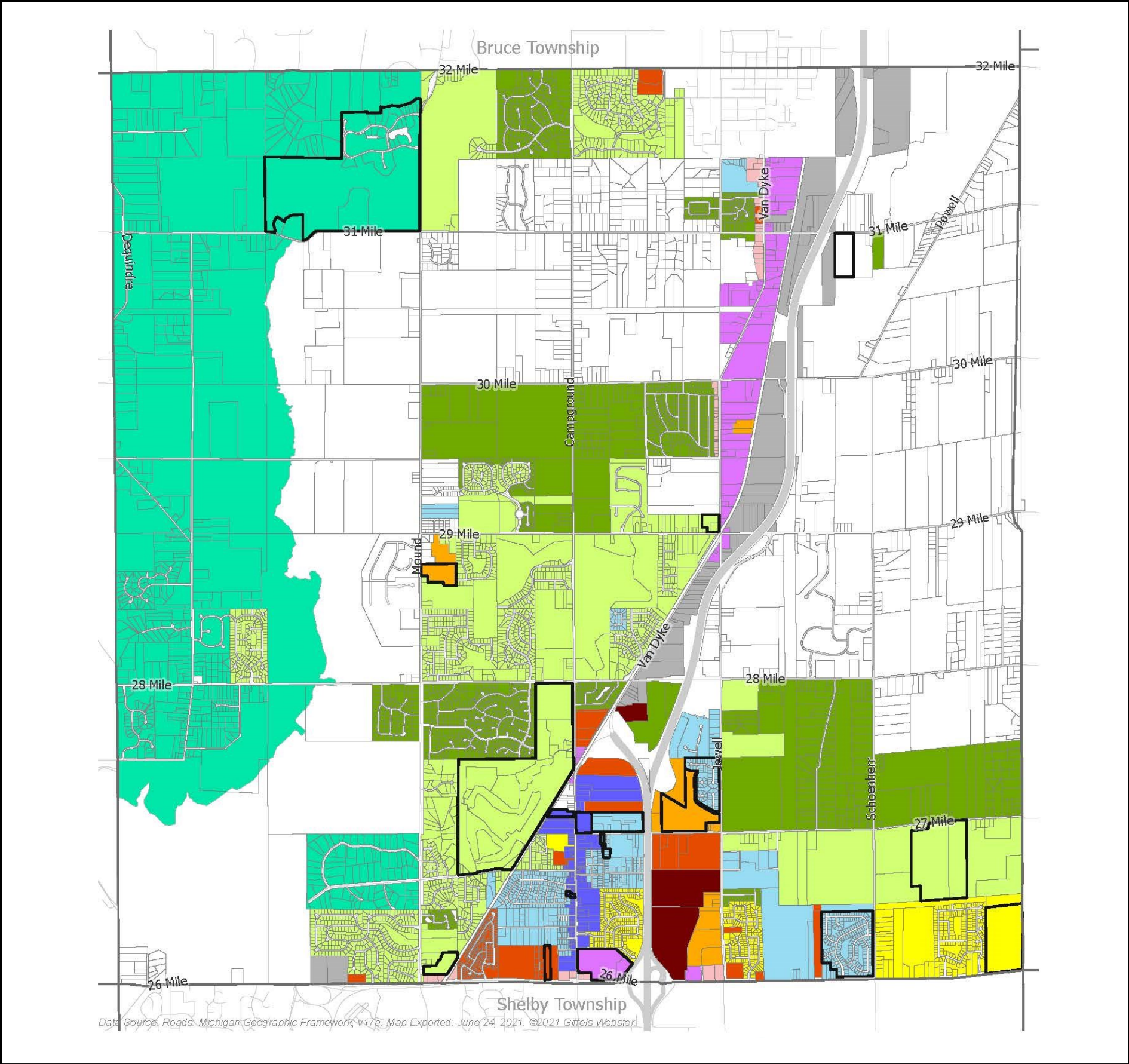
Below is a quick reference table that summarizes district regulations. Consult [Article 3 Zoning Districts](#) for additional requirements and exceptions to the information below.

District Summary Table						
District	Minimum Lot Size	Minimum Lot Width (feet)	Setbacks			
			Front Yard (feet)	Side Yards (feet)	Rear Yard (feet)	
A-1 Agricultural Residential	40,000 sq. ft.	120	See <a href="#">Section 3.18</a>	30	50	
R-1 Rural Residential	90,000 sq. ft.	150	See <a href="#">Section 3.18</a>	50	50	
R1-A Single-Family Residential	30,000 sq. ft.	90	See <a href="#">Section 3.18</a>	15	40	
R1-B Single-Family Residential	20,000 sq. ft.	80	See <a href="#">Section 3.18</a>	15	40	
R1-C Single-Family Residential	15,000 sq. ft.	75	See <a href="#">Section 3.18</a>	12	40	
R1-D Single-Family Residential	10,000 sq. ft.	70	See <a href="#">Section 3.18</a>	10	35	
RM-1 Multiple-Family Residential	1 acre	120	110	50	50	
RM-2 Multiple-Family Residential	1 acre	120	110	50	50	
MHC Manufactured Housing Community	See <a href="#">Section 3.26</a>		See <a href="#">Section 3.18</a>	See <a href="#">Section 3.26</a>		
LC Local Commercial	20,000 sq. ft.	80	See <a href="#">Section 3.18</a>	20	30	
GC General Commercial	30,000 sq. ft.	150	See <a href="#">Section 3.18</a>	20	Adj. Residential 50 Adj. Non-Residential 40	
V-1 Village Center	6,000 sq. ft.	50	See <a href="#">Section 3.13</a>	Adj. Residential 10 Adj. Non-Residential 7.5	10	
O-1 General Office	20,000 sq. ft.	100	See <a href="#">Section 3.18</a>	20	Adj. Residential 35 Adj. Non-Residential 20	
IND General Industrial District	20,000 sq. ft.	80	See <a href="#">Section 3.18</a>	One Side 10 Total 40	50	

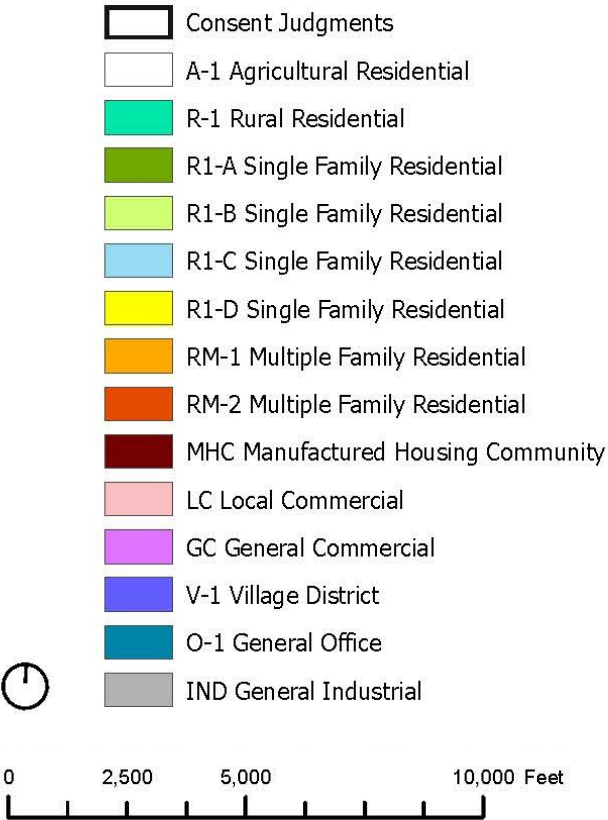





# Zoning Map



## Zoning WASHINGTON TOWNSHIP



 **Digital User Note:**  
Click on a district heading in the  
map legend to go directly to the  
corresponding district regulations.

[Interactive Zoning Map](#)

**giffels  
webster**





# Illustration A: Pathway & Sidewalk Road Designation

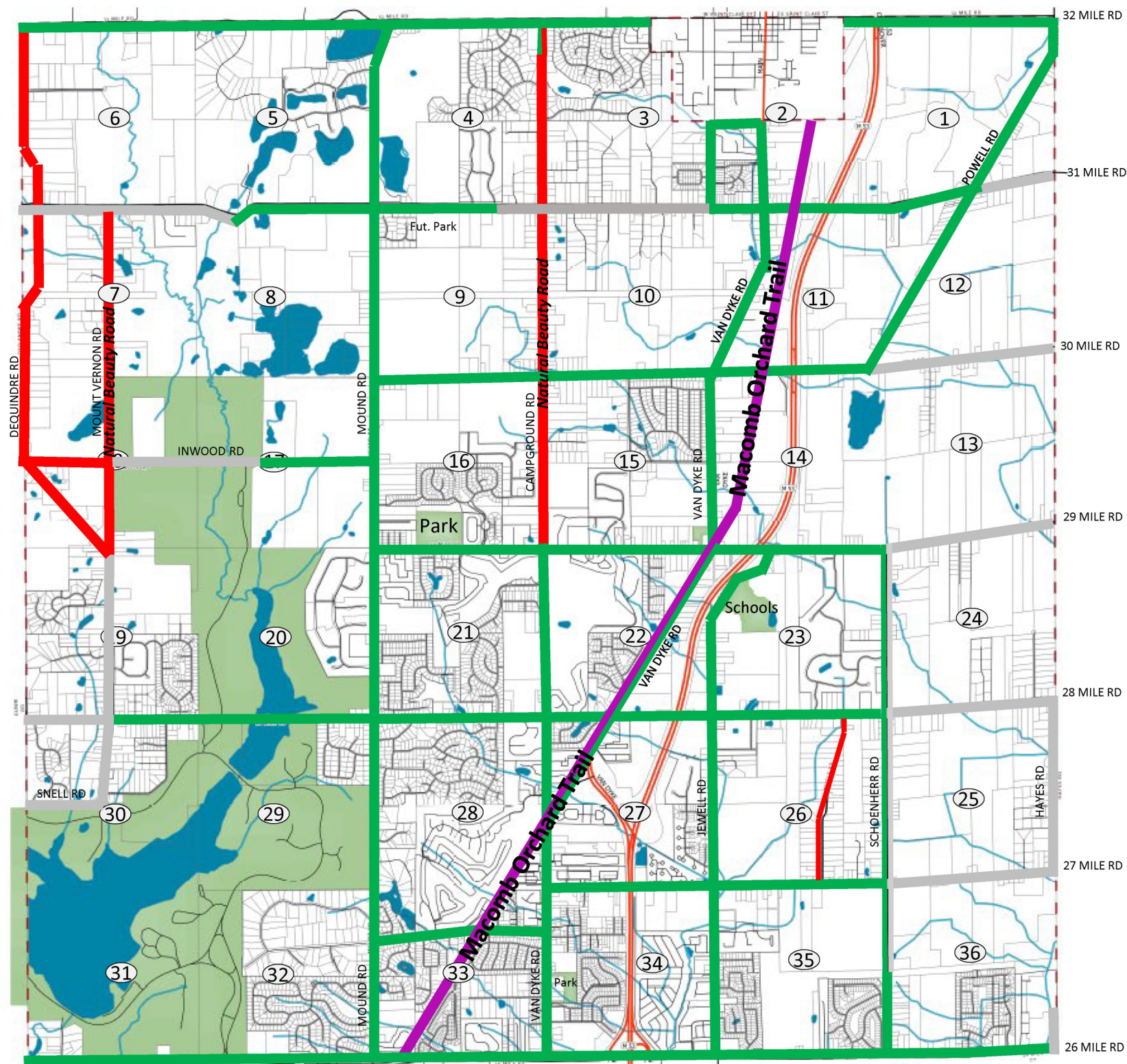


Illustration A:  
PATHWAY & SIDEWALK  
ROAD DESIGNATION

### Legend\*

- Required Road
- Excluded Road
- Optional Road

\*Those roads indicated with two separate colors shall regulate the frontage of each side of the road by the color indicated on that side.

The portion of Van Dyke where the Macomb Orchard Trail abuts the Right-of-Way shall not require a redundant pathway.



# *Article 1.0*

## *Purpose and Introduction*



Article 1.0	Purpose and Introduction
1.1	Title _____ 1-3
1.2	Preamble _____ 1-3
1.3	Short Title _____ 1-3
1.4	Application _____ 1-3
1.5	Interpretation _____ 1-4
1.6	Vested Right (Structures Under Construction) _ 1-4
1.7	Conflicting Provision _ 1-4
1.8	Severability _____ 1-4
1.9	Effective Date _____ 1-4
1.10	Publication _____ 1-4





# 1.0 Purpose and Introduction

## 1.1 TITLE

An Ordinance regulating and restricting the use and development of land by dividing Washington Township into zoning districts; restricting the uses of land permitted within such districts; regulating the placement, height, bulk, erection, construction, reconstruction and uses of structures and/or other uses of land; limiting and regulating the density of population, occupancy and size of lots, yards and open spaces; regulating and limiting congestion of transportation systems through the arrangement of land uses by requiring off-street parking and loading facilities; providing for a site plan review prior to construction; providing for uses within each zoning district allowed upon special approval; providing for the location, design and review of planned unit developments; prescribing the rights of owners and occupants of nonconforming uses and structures; providing for fees for zoning permits as a condition to the granting of authority to erect, alter or locate dwellings, buildings and structures; providing for a cash deposit or irrevocable bank letter of credit to ensure compliance with Ordinance requirements relating to the installation of improvements; graphically portraying the boundaries of zoning districts upon a map incorporated as part of said Ordinance; establishing a Zoning Board of Appeals and defining and limiting the powers and duties of said Board; establishing standards of review for special approval uses, planned unit developments, and for appeals or other matters reviewable by the Zoning Board of Appeals; providing procedures for amendment, administration and enforcement of said Ordinance; providing a penalty for violation of said Ordinance and repealing any ordinances in conflict therewith.

## 1.2 PREAMBLE

In accordance with and pursuant to the authority and intent of Act 110, Public Acts of 2006, as amended, Washington Township is desirous of providing for the orderly development of the Township which the Township Board deems essential to the well-being of the community and which will place no undue burden upon its residents or upon recognized land uses. The Township Board is further desirous of preserving the natural resources and assuring the provision of adequate land for food, fiber, energy and other natural resources, as well as providing places of residence, recreation, industry, trade, service and other uses of land. The Township Board is further desirous of providing limitations on the inappropriate overcrowding of land and the congestion of population, transportation systems and other public facilities; to preserve open space and natural features, and to protect industry, commerce, agriculture and residences against the incursion of incompatible uses of land; to promote the proper use of land and natural resources for the economic well-being of the Township; to assure the provision of adequate space conducive to healthy living conditions, and to provide facilities for the parking of vehicles necessary and incidental to principal uses of land, and to require that all uses of land be coordinated in conformity with the Washington Township Master Plan.

NOW, THEREFORE, WASHINGTON TOWNSHIP ORDAINS:

## 1.3 SHORT TITLE

This Ordinance shall be known and may be cited as the Washington Township Zoning Ordinance and shall be referred to herein as "this Ordinance."

## 1.4 APPLICATION

No building or structure, or part thereof, shall hereinafter be moved into the Township, erected, constructed, reconstructed or altered and maintained, and no new use or change shall be made or maintained of any structure or land, or part thereof, except in conformity with the provisions of this Ordinance.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



## 1.5 INTERPRETATION

In interpreting and construing the respective provisions of this Ordinance, they shall be interpreted and construed to be the minimum requirements for the promotion of public health, safety, convenience, comfort, prosperity and general welfare. Wherever any provision of this Ordinance imposes more stringent requirements, restrictions or limitations than are imposed or required by the provisions of any other ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such ordinance shall govern.

## 1.6 VESTED RIGHT (STRUCTURES UNDER CONSTRUCTION)

Any structure for which a building permit has been issued and construction begun, or for which a contract or contracts have been entered into pursuant to a building permit issued prior to the effective date of this Ordinance, may be completed and used in accordance with the plans and applications upon which said building permit was granted. Any such permit for a use which would be nonconforming under this Ordinance, or any amendment hereto, shall not be renewed in the event construction pursuant to such permit is not commenced within one (1) year from the date of issuance of the permit.

## 1.7 CONFLICTING PROVISION

Other ordinances and parts of ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed. The Zoning Ordinance for Washington Township, Macomb County, Michigan, Ordinance Number 102, effective September 5, 1984 and as amended, is specifically repealed in its entirety.

## 1.8 SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

## 1.9 EFFECTIVE DATE

This Ordinance shall take effect seven (7) days after the date of publication of a true copy or summary thereof in a newspaper circulating within the Township of Washington, as heretofore provided in [Section 1.10](#).

## 1.10 PUBLICATION

This Ordinance shall be published in full in a newspaper of general circulation in the Township of Washington, within fifteen (15) days after its adoption.



# *Article 2.0*

## *Definitions*

## Article 2.0

## Definitions

2.1 Construction of Language \_\_\_\_\_ 2-4

2.2 Definitions \_\_\_\_\_ 2-4

**Definitions A - B**

Abandonment  
 Abutting  
 Accessory building (Accessory structure)  
 Accessory use or accessory  
 Addition  
 Adult entertainment uses\*  
 Agricultural use  
 Agricultural tourism / Agri-tourism\*  
 Alley  
 Alterations  
 Amusement device  
 Amusement device center  
 Antenna  
 Apartment  
 Apartment (house) building  
 Architectural features  
 Automobile heavy repair garage  
 Automobile repair and service center  
 Balcony  
 Basement (cellar)  
 Bed and breakfast establishment  
 Bedroom  
 Berm  
 Block  
 Building  
 Building height  
 Building line  
 Building, main or principal  
 Building, multiple  
 Building official  
 Building permits  
 Building, single-family  
 Building, temporary

**Definitions C - E**

Car wash, full service  
 Car wash, self-service  
 Carport  
 Cemetery  
 Church or place of religious worship  
 Club, lodge or fraternity  
 Commercial use  
 Commercial vehicle\*  
 Commission  
 Community center  
 Compost  
 Composting  
 Composting facility  
 Condominium  
 Condominium Act  
 Condominium Subdivision Plan  
 Condominium unit  
 Conservation easement  
 Convalescent or nursing home  
 Conventional Subdivision/Yield Plan  
 Courtyard  
 Cul-de-sac  
 Deck  
 Dedication  
 Density  
 Development  
 District (Zoning District)  
 Domestic pets  
 Drive-in establishment  
 Drive-thru  
 Dwelling unit  
 Easement  
 Enclosed locked facility  
 Erected  
 Essential services  
 Excavation

**Definitions F - K**

Façade  
 Family  
 Family day care  
 Farm  
 Farm buildings  
 Farm market  
 Fence  
 Filling  
 Floor area, gross  
 Floor area ratio  
 Floor area, residential  
 Floor area, useable  
 Footcandle  
 Freeway  
 Frontage  
 Fueling service station  
 Funeral home  
 Garage, private  
 Garage, public  
 Garage, storage  
 Garbage  
 Grade  
 Grade, building  
 Greenbelt  
 Gross site area  
 Group day care  
 Hazardous substances  
 Home occupation  
 Hospital  
 Hotel  
 Household pet  
 Impervious surface  
 Intersection  
 Junk  
 Junk yard  
 Kennel

\*Multiple terms are defined in this Ordinance.



### Definitions L - N

Laboratory  
 Lanai  
 Loading space  
 Loggia  
 Lot  
 Lot area  
 Lot corner  
 Lot coverage  
 Lot depth  
 Lot, double frontage  
 Lot, interior  
 Lot lines\*  
 Lot of record  
 Lot, substandard  
 Lot width  
 Major thoroughfare  
 Maneuvering land  
 Manufacture home  
 Manufactured housing  
     community  
 Marijuana  
 Master deed  
 Master Plan  
 Mean grade  
 Medical marijuana dispensary,  
     compassion care or similar  
     operation for the  
     consumption of medical  
     marijuana  
 Medical use  
 Mezzanine  
 MMA  
 Municipality  
 Nonconforming structure or  
     building  
 Nonconforming use  
 Nuisance  
 Nuisance factors  
 Nursery, plant materials  
 Nursing home  
 Nursery school, day school,  
     child center

\*Multiple terms are defined in this Ordinance.

### Definitions O - R

Occupancy load  
 Occupied  
 Open air business uses  
 Open air structure  
 Outdoor storage  
 Outlot  
 Outlot, commercial  
 Parcel  
 Park  
 Parking  
 Parking, surface  
 Parking area  
 Parking lot, off street  
 Parking space  
 Pathway, public or internal  
 Pathway and Sidewalk Road  
     Designation Illustration  
 Patio  
 Performance guarantee  
 Person  
 Planned Unit Development  
     (PUD)  
 Planning Commission  
 Porch, open  
 Principal building  
 Principal use  
 Private drive  
 Private street or road  
 Public road  
 Public utility  
 Putrescible  
 Recreation vehicles\*  
 Recycling center  
 Recycling plant  
 Registered primary caregiver  
 Registered qualifying patient  
 Repairs  
 Restaurant  
 Restaurant, drive-in  
 Restaurant, fast-food  
 Right-of-way  
 Road, excluded  
 Road, optional  
 Road, required  
 Roadside stands  
 Room  
 Rubbish

### Definitions S - W

Satellite dish antenna  
 Screening  
 Seasonal use  
 Secondary road  
 Self-service storage facility  
 Separate ownership  
 Service Professions  
 Setback  
 Sidewalk  
 Site  
 Small-scale entertainment  
 Soil  
 Special land use  
 Stable, private  
 Stable, commercial  
 State equalized valuation  
 Story  
 Story, half  
 Street  
 Structure  
 Structural alteration  
 Swimming pool  
 Temporary use or building  
 Tents  
 Terrace  
 Township Board  
 Transfer  
 Use  
 Utility room  
 Variance  
 Vehicle stacking lane  
 Vehicle storage  
 Veranda  
 Vertical projection  
 Veterinary clinic  
 Walls, obscuring  
 Walls, retaining  
 Warehousing and distribution  
 Wireless communication facilities  
 Wireless communication facilities,  
     attached  
 Wireless communication  
     collocation  
 Wireless communication, support  
     structure  
 Woodland or woodlot



## Definitions Y - Z

[Yard\\*](#)

[Yard clippings](#)

[Zero lot line](#)

[Zone](#)

[Zoning Board of Appeals](#)

\*Multiple terms are defined in this Ordinance.



(Intentionally Blank)

# 2.0 Definitions

## 2.1 CONSTRUCTION OF LANGUAGE

The following rules of construction apply to the text of this Ordinance:

- A. The particular shall control the general.
- B. In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
- C. The words "shall" and "will" are always mandatory and not discretionary. The word "may" is permissive.
- D. Words used in the present tense shall include the future; and words used in the singular number shall include the plural and the plural the singular, unless the context clearly indicates the contrary.
- E. A "building" or "structure" includes any part thereof.
- F. The term "lot" includes any site or parcel comprising an individual piece of land, whether created by platting, splitting, condominium or other legal process.
- G. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
- H. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- I. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunctions "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.
  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 but not in combination.
- J. Terms not herein defined shall have the meaning customarily assigned to them.

## 2.2 DEFINITIONS

**ABANDONMENT:** To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

**ABUTTING:** Having a common border with, or being separated from such a common border by, a right-of-way, alley or easement.

**ACCESSORY BUILDING (ACCESSORY STRUCTURE):** A subordinate building or structure located on the same lot as the principal structure, the use of which is clearly incidental and accessory to that of the principal structure.

**ACCESSORY USE, OR ACCESSORY:** A use which is clearly incidental to, customarily found in connection with, and (except in the case of accessory off-street parking spaces or loading) located on the same lot as, the principal use to which it is related.

When "accessory" is used in this text, it shall have the same meaning as accessory use. An accessory use includes, but is not limited to, the following:

- A. Residential accommodations for a caretaker in non-residential uses which customarily accommodate such caretakers. No such accommodation shall be constructed or utilized without site plan approval by the Planning Commission and only when permitted in this Ordinance. No structure in a residential or agricultural zoning district, other than the principal permitted home, shall be utilized as living quarters.
- B. Swimming pools for the use of the occupants of a residence or their guests.
- C. Domestic or agricultural storage in a barn, shed, tool room or similar accessory building or other structure.
- D. Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded in the applicable district regulations.
- E. Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations.

- F. Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the lot is located.
- G. Uses clearly incidental to a main use, such as but not limited to, offices of an industrial or commercial complex located on the site of the commercial or industrial complex.
- H. Accessory off-street loading, subject to the off-street loading regulations for the district in which the lot is located.
- I. Accessory signs, subject to the sign regulations for the district in which the lot is located.

(NOTE: The storage of boats, vehicles, recreation equipment in excess of size or number of those commonly associated with residential uses in the district will not be considered accessory regardless of whether or not such storage is located in a building.)

Δ Sept. 24, 2020

**ADDITION:** Any new construction which increases the size of an existing structure.

#### ADULT ENTERTAINMENT USES:

- A. **ADULT BOOK STORE:** An establishment having ten (10) percent or more of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", or an establishment which exceeds ten (10) percent of the floor area dedicated to the display of such material.
- B. **ADULT BUSINESS ESTABLISHMENT:** An establishment with activities including, but not limited to, the following uses: Adult Bookstores, Adult Cabarets, Adult Novelty Stores, Adult Theaters, Massage Parlors, Nude Modeling Studios and Tattoo Parlors.
- C. **ADULT NOVELTY STORE:** An establishment specializing in the sale of paraphernalia, devices, or equipment distinguished or characterized by an emphasis on depicting or describing specific sexual conduct or used in connection with specified sexual conduct.

- D. **ADULT THEATER:** An establishment presenting films or videos distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, for observations by patrons of the building or featuring topless dancers, exotic dancers, strippers or other similar entertainers.
- E. **GROUP "C" CABARET:** A cabaret which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers.
- F. **SPECIFIED ANATOMICAL AREAS:**
  - 1. Less than completely and opaquely covered: human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola; and
  - 2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- G. **SPECIFIED SEXUAL ACTIVITIES:**
  - 1. Human genitals in a state of sexual stimulation or arousal.
  - 2. Acts of human masturbation, sexual intercourse or sodomy.
  - 3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

**AGRICULTURAL USE:** Farms and general farming, including horticulture, floriculture, dairying, livestock and poultry raising, farm forestry, sod farming, greenhouses and tree and shrub nurseries where only stock raised on the premises may be sold at retail, and other similar enterprises or uses.

**AGRICULTURAL TOURISM / AGRI-TOURISM:** Means the practice of visiting a horticultural or agricultural operation, including, but not limited to a farm, orchard, winery, greenhouse, a companion animal or livestock show for the purpose of recreation, education or active involvement in the operation, other than as a contractor or employee of the operation. The following definitions relate to agricultural tourism:

- A. **Active Farmland** shall be defined as the area utilized for farming activities such as the raising of crops or animals, the homestead associated with the farm and any indoor or outdoor areas designed for and utilized for the





storage and/or maintenance of farm products such as hay or straw or farm equipment associated with the planting and processing of products grown on site. Roadside farm stands selling products primarily grown on site and the parking designated for farm stand customers shall also be considered active farmland.

- B. **Agricultural products grown, produced or raised on site** Includes, but is not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.
- C. **Agriculturally related products** are items sold at an agricultural tourism operation that are a substantial part of the stock and trade of the agricultural operation conducted on site. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, dairy products and beverages, jams, honey, and foodstuffs.
- D. **Agriculturally related uses** are those activities that predominately use agricultural products, buildings or equipment. i.e. pony rides, corn mazes, u-pick, pumpkin rolling, barn dances, sleigh/hay rides, straw mountains, and educational events such as farming and food preserving classes, etc.
- E. **Agricultural tourism operation** is the practice of selling goods, products, services or activities on an active farm, not including the sale of products grown or raised on site.
- F. **Farm market** is the sale of agricultural products or value-added agricultural products as defined in this Ordinance, directly to the consumer from a site on a working farm.
- G. **General food concession** are seasonal sale of food products from a fixed location without the use of a wait staff and where ordering occurs at the counter.
- H. **Non-seasonal** is an agricultural tourism use or activity that occurs during a time period that falls outside of the 180-day period described in this Ordinance under the definition of "Seasonal".
- I. **Organized meeting space** is a specific area, whether indoor or outdoor, designed to

accommodate a minimum of one hundred (100) people for the private purposes of a wedding/wedding reception, outdoor picnic for a single group, corporate meeting, or similar organized activity. This definition shall not include space designed solely for the purpose of providing educational demonstrations or instruction.

- J. **Roadside stand** is the sale of agricultural products grown on site from a structure that is less than eight hundred (800) square feet in area.
- K. **Seasonal**: is a recurrent period characterized by certain occurrences, dependent on the weather or when crops are produced or harvested; not to exceed a total of one hundred and eighty (180) consecutive days in a calendar year for all agricultural tourism activities operating on a site.
- L. **Value-added agricultural product** is the alteration of the natural state of an agricultural product other than by cleaning and/or packaging that is grown or processed at the agricultural operation. For the purposes of this definition, processing shall include activities involving the production of jams, jellies, wine or other similar activities (i.e. cider mills or bakeries) that utilize products grown on-site to produce a final product and not including processing that would be considered industrial in nature under the provisions of the Zoning Ordinance.
- M. **Value-added agricultural activity** is an activity, tour or educational presentation that is predominantly comprised of agriculture or agricultural products. Such activities may include hayrides, petting farms or other similar farm activities.

**ALLEY:** Any dedicated public way affording a secondary means of access to abutting property and not intended for general traffic circulation and not more than twenty (20) feet wide.

**ALTERATIONS:** Any change, addition or modification in construction 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." (Also see Structural Alteration)



**AMUSEMENT DEVICE:** Any coin, token or otherwise mechanically or electronically operated device which may be operated or set in motion by the insertion of a coin, token or other mechanical or electronic means. Examples of such devices, by way of illustration and not by way of limitation, are video games, pinball machine, skee-ball machine, air hockey machine, pool table, miniature pool table, shuffle board, motion picture machine, bagatelle, pigeonhole, pingame, puckgame, marblegame, baffleboard, tabletop game, music playing machine commonly known as "juke box" or any similar machine, instrument or contrivance.

**AMUSEMENT DEVICE CENTER:** A structure, tenant space or building containing six (6) or more amusement devices.

**ANTENNA (See also Satellite Dish Antenna):** A wire or set of wires used in transmitting and receiving electromagnetic waves and including the supporting structure including, but not limited to, amateur radio antennas, television antennas and satellite receiving dishes.

**APARTMENT:** A room or suite of rooms used as a dwelling for one (1) family which does its own cooking and contains sanitary facilities therein.


**APARTMENT (HOUSE) BUILDING:** A building containing three (3) or more dwelling units whose entrances are from a common hallway or area or series of hallways or areas.

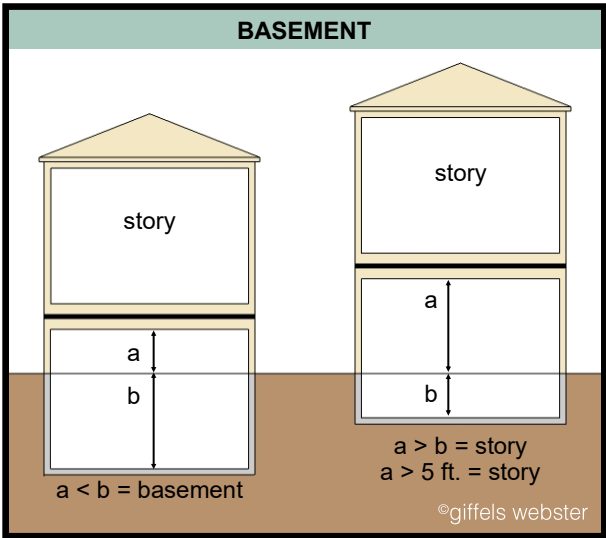
**ARCHITECTURAL FEATURES:** Architectural features of a building shall include cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments.

**AUTOMOBILE HEAVY REPAIR GARAGE:** Truck repair, collision service (such as body, frame, or fender straightening and repair), overall painting and vehicle rustproofing.

**AUTOMOBILE REPAIR AND SERVICE CENTER:** General repair, engine building, rebuilding and reconditioning of motor vehicles, not including collision service and painting.

**BALCONY:** a platform enclosed by a wall or balustrade on the outside of a building, with access from an upper-floor window or door.

**BASEMENT (CELLAR):** A basement is that portion of a building partly below grade but so located that the average vertical distance from the grade to the floor is greater than the average vertical distance from the grade to the ceiling; provided, however, that if the average vertical distance from the grade to the ceiling is five (5) feet or more, such areas shall be considered as a story. 



**BED AND BREAKFAST ESTABLISHMENT:** An owner-occupied dwelling unit that contains no more than six (6) guest rooms where overnight lodging, with or without meals, is provided for compensation.

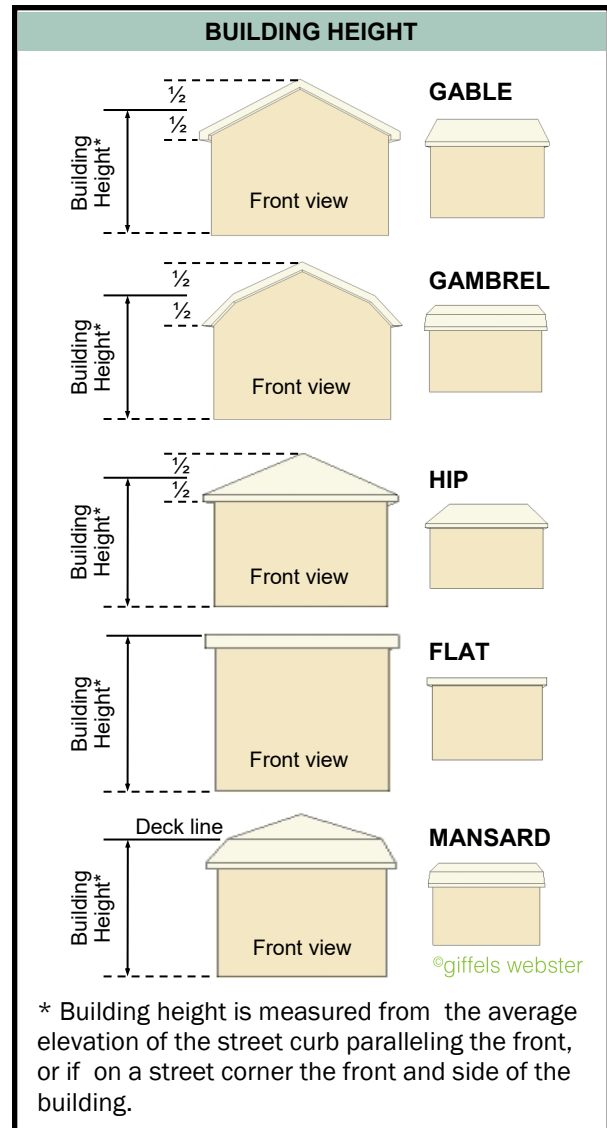
**BEDROOM:** A room in a dwelling unit planned and intended for sleeping, separable from other rooms by a door.

**BERM:** An earthen mound graded, shaped and improved with landscaping in such a fashion as to be utilized for screening purposes.

**BLOCK:** The property abutting one side of a street and lying between the two (2) nearest intersecting streets, (crossing or terminating) or between the nearest such street and railroad right-of-way, unsubdivided acreage, lake, river or live stream; or between any of the foregoing and any other barrier to the continuity of development or boundary lines of the Township.

**BUILDING:** A structure, either temporary or permanent, having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels in a building. This shall include tents, awnings or vehicles situated on private property and use for purposes of a building. When any portion thereof is completely separated from every other part thereof by division walls from the ground up, and without openings, each portion of such building shall be deemed a separate building.

**BUILDING HEIGHT:** The vertical distance from the average elevation of the street curb paralleling the front, or if on a street corner the front and side of the building, to the highest point of the roof surface if the roof is flat; to the deck line if the roof is of the mansard type; or to the average height between the eaves and the ridge if the roof is gable, hip or gambrel type. For buildings set back from the street line, this vertical distance shall be taken above the average elevation of the ground along the front of this building, provided its distance from the street line is more than the average height of such ground above the established curb elevation. Total height is measured from the ground to the highest point of the structure. 🏠



**BUILDING LINE:** A line formed by the face of the building, and for the purposes of this Ordinance, a minimum building line is the same as a front setback.

**BUILDING, MAIN OR PRINCIPAL:** A building in which is conducted the principal use of the lot on which it is situated.

**BUILDING, MULTIPLE:** A building, or portion thereof, used or designed as residence for two (2) or more families living independently of each other and doing their own cooking in said building. This definition includes three-family building, four-family building, and apartment building, but does not include trailer camps or mobile home parks.

**BUILDING OFFICIAL:** The Building Official of the Township or his authorized representative.

**BUILDING PERMITS:** A building permit is the written authority issued by the Building Official permitting the construction, removal, moving, alteration or use of a building in conformity with the provisions of this Ordinance.

**BUILDING, SINGLE-FAMILY:** A detached building designed or occupied exclusively by one (1) family.

**BUILDING, TEMPORARY:** A structure without permanent foundation erected or devoted to the development of, or in connection with, the principal site used for a limited period of time.

**CAR WASH, FULL SERVICE:** An area of land and/or structure with machine- or hand-operated facilities used principally for the cleaning and washing of motor vehicles. In no instance shall a commercial car wash so defined be considered an accessory use.

**CAR WASH, SELF-SERVICE:** A building that provides facilities for washing and cleaning motor vehicles, which uses production line methods with a conveyor, blower or other mechanical devices, and which may employ some hand labor for drying, polishing or waxing.

**CARPORT:** A partially open structure for sheltering vehicles erected in conformity with the site requirements for garages.

**CEMETERY:** Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries, when operated in conjunction with and within the boundaries of such cemetery.

**CHURCH OR PLACE OF RELIGIOUS WORSHIP:** An institution that people regularly attend to participate in or hold religious services, meetings and other activities. The term "church" shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held. The word "church" shall not include or mean an undertaker's chapel or funeral building.

**CLUB, LODGE OR FRATERNITY:** An organization of persons for special purposes or for the promulgation of agriculture, sports, arts, science, literature, politics or the like, but not for profit.

**COMMERCIAL USE:** An occupation, employment or enterprise dealing with the public that is carried on for profit by the owner, lessee or licensee.

**COMMERCIAL VEHICLE:** Cube vans, box trucks or any other business vehicle and/or construction grade equipment such as: tractors, lawn mowers, bulldozers, backhoes, augers, trenchers, etc. and the trailers used to haul such equipment shall be considered a commercial vehicle for the purposes of this Ordinance. Any vehicle actively being utilized for a bona fide farming operation or any passenger vehicles with a business name on it shall not be considered commercial for the purposes of this definition.

- A. **Small Commercial Vehicle** - Any commercial vehicle as defined herein that maintains a rated gross vehicle weight of 10,000 pounds or less.
- B. **Large Commercial Vehicle** - Any commercial vehicle as defined herein that maintains a rated gross vehicle weight of over 10,000 pounds.



**COMMISSION:** The word "Commission" shall mean the Washington Township Planning Commission.

**COMMUNITY CENTER:** A place, structure, area or other facility used for and providing religious, fraternal, social and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

**COMPOST:** A stabilized organic product produced by a controlled aerobic decomposition process that can be used as a soil additive, fertilizer, growth media, or other beneficial use.

**COMPOSTING:** The accelerated biological decomposition of organic matter under managed aerobic conditions resulting in compost.

**COMPOSTING FACILITY:** A facility where composting of yard clippings occurs using mechanical handling techniques such as physical turning, wind rowing, or aeration or using other management techniques.

**CONDOMINIUM:** An estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space. A condominium may include, in addition, a separate interest in other portions of such real property.

**CONDOMINIUM ACT:** Act 59 of 1978, as amended.

**CONDOMINIUM SUBDIVISION PLAN:** The site plan illustrating the existing site features and all proposed improvements pursuant to the requirements for site plan review.

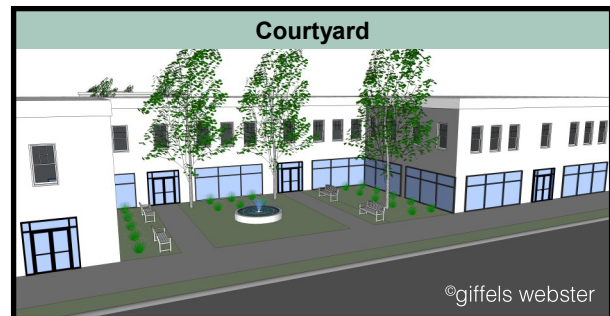
**CONDOMINIUM UNIT:** That portion of the condominium project designed and intended for separate ownership and use, as described in the master deed.

**CONSERVATION EASEMENT:** An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominately in their natural, scenic, open or wooded condition, retaining such areas as suitable habitat for fish, plants or wildlife, or maintaining existing land uses.

**CONVALESCENT OR NURSING HOME:** A convalescent home or nursing home is a home for the care of persons, or a place of rest for those suffering bodily disorders, wherein two (2) or more persons are cared for. Said home shall conform and qualify for license under State law, even though State law has different size regulations.

**CONVENTIONAL SUBDIVISION/YIELD PLAN:** The splitting or dividing of land under the basic standards of the specific zoning district, the Township Subdivision Regulations, and the requirements of any and all State, County and Township regulations. The plan shall provide lots with building envelopes of sufficient size, along with all necessary roads and road improvements, without impacting wetland, floodplain or drainage ways as regulated by the Federal, State, County or local agencies.

**COURTYARD:** An open unoccupied space other than a yard on the same lot with a building or group of buildings, which is bounded on two (2) or more sides by such building or buildings. ✕



**CUL-DE-SAC:** A street terminated at one end, with a turning radius.

**DECK:** Wood structure with open air between the ground and the decking.

**DEDICATION:** The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee-simple interest or of less than fee interest, including an easement.



**DENSITY:** As referred to in this Ordinance, does not guarantee any specific number of units or lots from any individual parcel or group of parcels. Rather, density is the number of units or lots which can be developed on a given parcel, while meeting all of the criteria and regulations applicable to conventional development.

**DEVELOPMENT:** The division of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining excavation, fill or land disturbance; and any use or extension of the use of land.

**DISTRICT (Zoning District):** A portion of Washington Township within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

**DOMESTIC PETS:** For the purpose of this Ordinance, domestic pets shall not include common farm animals, fowl, exotic animals and wild animals. Such animals shall only be allowed in areas approved by the Township or state law.

**DRIVE-IN ESTABLISHMENT:** A business establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle (i.e., restaurants, cleaners, banks, theaters, etc.).

**DRIVE-THRU:** A maneuvering lane established for the sole purpose of directing traffic to a service window which is intended to be used for sales and/or service to patrons who remain in their vehicles.

**DWELLING UNIT:** A dwelling unit is any house or building, or portion thereof, having cooking facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently, but in no case shall a travel trailer, automobile chassis, tent or portable building be considered a dwelling unit.

**EASEMENT:** The right of a person, government agency or public utility company to use public or private land owned by another for a specific purpose.

**ENCLOSED LOCKED FACILITY:** A closet, room or other comparable stationary and fully enclosed area equipped with secure locks or other functioning security devices that permit access only by a registered primary care giver, or registered qualifying patient.

Δ June 2, 2021

**ERECTED:** The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage and the like shall be considered a part of erection.

**ESSENTIAL SERVICES:** The term "essential services" means the erection, construction, alteration, maintenance addition, reconstruction or replacement by public utilities or municipal departments or commissions of underground, surface or overhead distribution of gas, electricity, communication transmission lines, steam or water transmission or distributing systems, collection, supply or disposal system including poles, mains, drains, sewers, pipes, conduits, wires, cables, high voltage transmission lines, towers in connection with such lines, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, including buildings reasonably necessary for the furnishing of adequate service to this municipality and immediate surrounding territory by such public utilities or municipal departments or commissions. Facilities, both above and below ground, including storage fields and high pressure mains designated to serve users principally outside of this municipality and immediate surrounding territory, shall not be considered essential services under this definition. Wireless communication towers and facilities shall not be deemed an essential service.

**EXCAVATION:** Excavating shall be the removal of sand, stone, gravel or fill dirt below the grade of the surrounding land and/or road grade, whichever shall be the highest.

**FACADE:** The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.



**FAMILY:** One (1) or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit; provided that a group of four (4) or more persons who are not within the second degree of kinship shall not be deemed to constitute a family.

Notwithstanding the definition of the preceding paragraph, a family shall be deemed to include four (4) or more persons not within the second degree of kinship occupying a dwelling unit and living as a single, nonprofit housekeeping unit, if said occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined in the first paragraph of this definition.

**FAMILY DAY CARE:** A private residence where care, protection and supervision are provided, for a fee, to at least one (1) and no more than six (6) children, including children of the adult provider.

**FARM:** A continuous parcel of five (5) acres or more in area, in which all of the contiguous neighboring or associated land operates as a single unit on which bona fide farming is carried on directly by the owner, operator, manager or tenant farmer, by his own labor or with the assistance of members of his household or hired employees. Farms may be considered as including nurseries, orchards, chicken hatcheries, poultry farms, apiaries and sod farms.

**FARM BUILDINGS:** Any building or structure, other than a dwelling, moved upon, maintained, used or built on a farm which is essential and customarily used on farms of that type for the pursuit of their agricultural activities.

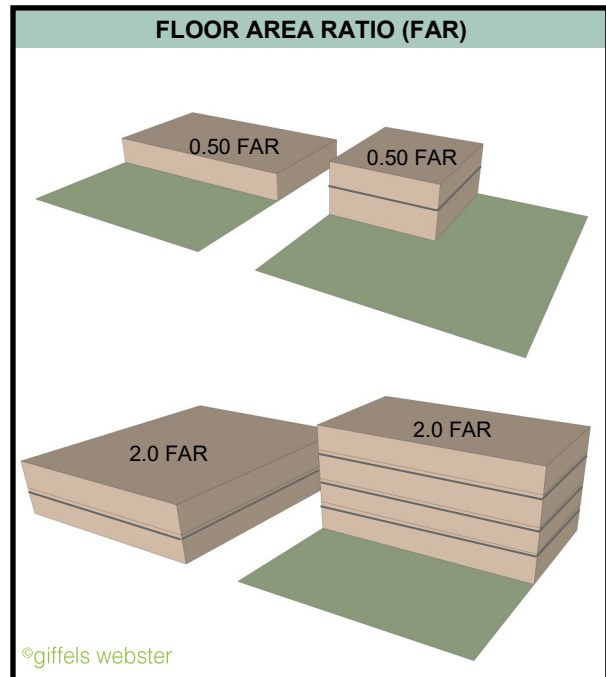
**FARM MARKET:** A building or structure or designated open area used for the retail sales of agricultural goods and seasonal farm products. Such market may include a bakery with kitchen facilities designed solely for the purpose of baking products using materials primarily grown on-site.

**FENCE:** Any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

**FILLING:** Shall mean the depositing or dumping of any matter onto or into the ground, except common household gardening.

**FLOOR AREA, GROSS (for the purpose of computing parking):** Floor area is the sum of the gross horizontal areas of the several floors of the building measured from the exterior walls or from the centerline of walls separating two (2) buildings. "Floor area" shall include elevator shafts and stairwells at each floor, floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof), attic space having headroom of seven (7) feet ten (10) inches or more, interior balconies and mezzanines.

**FLOOR AREA RATIO:** Determined by dividing the gross floor area of all buildings on a lot or site by the area of that lot/site. ✎



**FLOOR AREA, RESIDENTIAL:** For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) dwellings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches.



**FLOOR AREA, USEABLE (for the purposes of computing parking):** Useable floor area shall be considered the gross floor area as defined herein, minus the area used or intended to be used principally for elevator or stair bulkheads, or for areas dedicated to heating and cooling mechanisms, server rooms, or other areas which are necessary for the physical operation of the building itself.

**FOOTCANDLE:** The unit of illumination when the foot is taken as the unit of length. It is the illumination on a surface one (1) square foot in area on which there is a uniformly distributed flux of one (1) lumen, or the illumination produced on a surface all points of which are at a distance of one (1) foot from a directionally uniform point source of one (1) candela.

**FREEWAY:** A divided highway of not less than two (2) lanes in each direction to which owners or occupants of abutting property or the public do not have a right of ingress or egress to, from or across the highway, except at points determined by, or as otherwise provided by, the authorities responsible therefor.

**FRONTAGE:** The front or frontage is that side of a lot abutting on a street or way and ordinarily regarded as the front of the lot.

**FUELING SERVICE STATION:** A place for the dispensing, sale or offering for sale of motor fuels directly to users of motor vehicles, together with the sale of minor accessories and services for motor vehicles, but not including automobile repair as herein defined for Automobile Repair and Service Center.

**FUNERAL HOME:** A building, or part thereof, used for human funeral services. Such building may contain space and facilities for: a) embalming and the performance of other services used in preparation of the dead for burial; b) the performance of autopsies and other surgical procedures; c) the storage of caskets, funeral urns and other related funeral supplies; and d) the storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

**GARAGE, PRIVATE:** An accessory building or portion of a main building designed or used solely for the storage of motor-driven vehicles, boats and similar vehicles owned and used by the occupants of the building to which it is accessory, with no facilities for mechanical service or repair of a commercial or public nature, having capacity for not more than three (3) automobiles.

**GARAGE, PUBLIC:** Any building or premises, other than a gasoline filling station, used for housing or care of more than three (3) automobiles, or where any such automobiles are equipped for operation, repaired or kept for remuneration, hire or sale.

**GARAGE, STORAGE:** Any premises, except those herein defined as private garage, used exclusively for the storage of self-propelled vehicles, and where such vehicles are not repaired.

**GARBAGE:** Garbage shall mean all wastes, animal, fish, fowl or vegetable matter incident to the preparation, use and storage of food for human consumption, spoiled food, dead animals, animal manure and fowl manures.

**GRADE:** The lowest point of elevation of the finished surface of the ground. The established grade of the street or sidewalk shall be the elevation of the curb, or the centerline of the road if there is no curb, at the midpoint of the front of the lot.

**GRADE, BUILDING:** The finished grade at the building shall be the building grade.

**GREENBELT (Also see Screening):** A strip of land of definite width and location reserved for the planting of shrubs and/or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.

**GROSS SITE AREA:** The total site area under the ownership of the applicant before any deductions are made for roads, open space, parcels to be separated or planned for later development, and the like.

**GROUP DAY CARE:** A private residence where care, protection and supervision are provided, for a fee, to at least seven (7) and no more than twelve (12) children or adults, including children of the adult provider.



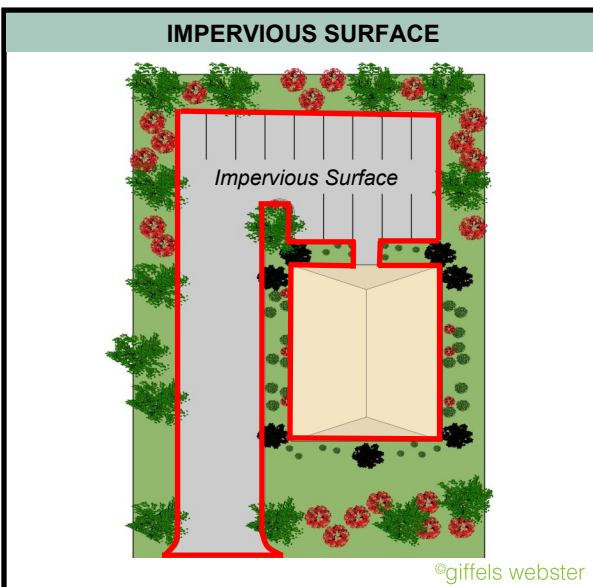
**HAZARDOUS SUBSTANCES:** Any substance or materials that, by reason of their toxic, caustic, corrosive, abrasive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

**HOME OCCUPATION:** An activity carried on by an occupant of a dwelling unit as a secondary use which is clearly incidental to the use of the dwelling unit for residential purposes.

**HOSPITAL:** A building, structure or institution in which sick or injured persons are given medical or surgical treatment and operating under license by the Health Department and the State of Michigan, and is used for primarily in-patient services, and including such related facilities as laboratories, outpatient departments, central service facilities and staff offices.

**HOTEL:** A series of attached, semi-detached or detached rental units which provide overnight lodging and are offered to the public for compensation. Hotels may include a restaurant or cocktail lounge, public banquet halls, ballrooms or meeting rooms.

**HOUSEHOLD PET:** Animals that are customarily kept for personal use or enjoyment within the home. Household pets shall include, but not be limited to, domestic dogs, domestic cats, domestic tropical birds and rodents, not to include pot belly pigs or reptiles.



**IMPERVIOUS SURFACE:** A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, lime rock or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar improvements and structures. ~~2~~

**INTERSECTION:** The area where two (2) or more streets meet.

**JUNK:** For the purpose of this Ordinance, the term "junk" shall mean any motor vehicles, machinery, appliances, product, merchandise with parts missing or scrap metals or other scrap materials that are damaged, deteriorated, or are in a condition which cannot be used for the purpose for which the product was manufactured.

**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 iron and other metals, paper, rags, rubber tires and bottles. A "junkyard" includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

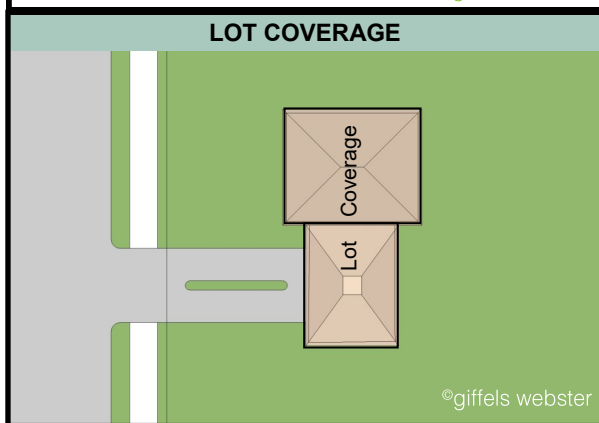
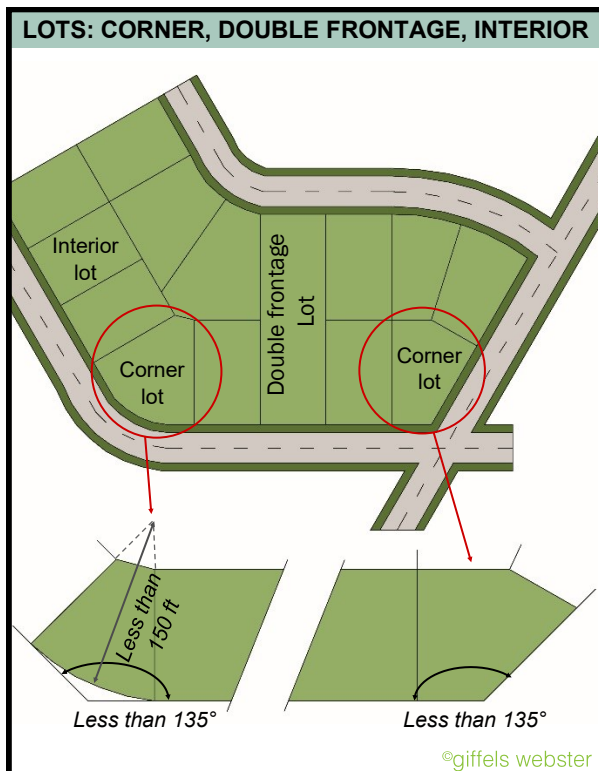
**KENNEL:** Any lot or premises on which four or more dogs, six months old or older, are kept, either permanently or temporarily.

**LABORATORY:** A place devoted to experimental or routine study, such as testing and analytical operations and in which manufacturing of product or products is not permitted.

**LANAI:** A porch or veranda

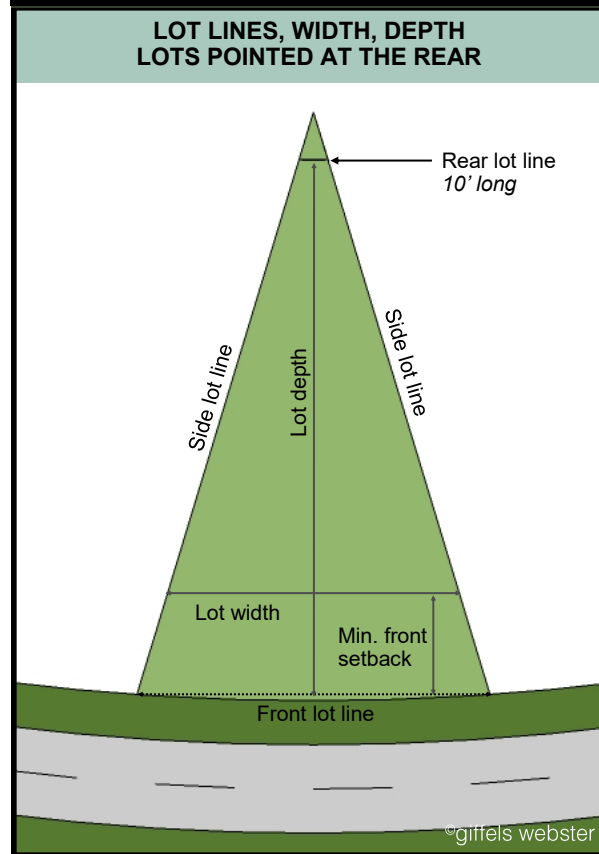
**LOADING SPACE:** An off-street space on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

**LOGGIA:** A roofed open patio or gallery especially at an upper story overlooking an open court.



**LOT:** A parcel of land occupied or intended to be occupied by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A lot may or may not be specifically designated as such on public records.

**LOT AREA:** The total horizontal area within the lot lines of a lot.



**LOT, CORNER:** A lot where the interior angle of two (2) adjacent sides at the intersection of two (2) streets is less than one hundred thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this Ordinance if the arc is of less radius than one hundred fifty (150) feet and the tangents to the curve, at the two (2) points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than one hundred thirty-five (135) degrees. ✍

**LOT COVERAGE:** The percent of the lot occupied by buildings or structures, including accessory buildings or structures. ✍

**LOT DEPTH:** The mean horizontal distance measured from the front street right-of-way line to the rear lot line. ✍

**LOT, DOUBLE FRONTAGE:** Any interior lot having frontage on two (2) more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and front yard setbacks shall be provided as required. ✍

**LOT, INTERIOR:** Any lot other than a corner lot. ✍

**LOT LINES:** The lines bounding a lot as defined herein: ✍

- A. **Front lot line:** In the case of an interior lot, is that line separating said lot from the street. In the case of a double-frontage lot, is the line separating said lot from both streets.
- B. **Rear lot line:** That lot line opposite the front lot line.
- C. **Side lot line:** Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is 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, the dimensions of which are shown on a document or map on file with the County Register of Deeds or a system of registration used by Township or County Officials, and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

**LOT, SUBSTANDARD:** A lot or parcel of land that has less than the required minimum area, depth or width as established by the zone in which it is located, and provided that such lot or parcel was of record as a legally created lot on the effective date of this Ordinance.

**LOT WIDTH:** The horizontal straight line distance between the side lot lines, measured between the two (2) points where the front setback line intersects the side lot lines. If the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the district in which the lot is located. The axis of a lot shall be a line joining the midpoint of the front and rear property lines. ✍

**MAJOR THOROUGHFARE:** An arterial street which is intended to serve as a large volume trafficway for both the immediate municipal area and the region beyond, and is designated as a major thoroughfare, parkway, freeway, expressway or equivalent term on the Major Thoroughfare Plan to identify those streets as depicted in the Master Plan.

**MANEUVERING LANE:** A paved lane designed to accommodate the on-site circulation of motorized vehicles.

**MANUFACTURED HOME:** A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the structure. A manufactured home does not include a recreation vehicle.

**MANUFACTURED HOUSING COMMUNITY:** A parcel or tract of land under the control of a person upon which two (2) or more manufactured homes are located on a continual nonrecreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a manufactured home and which is not intended for use as a temporary trailer park and licensed pursuant to the provisions of Act 419, Public Acts of 1976, as amended.

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

**MASTER DEED:** The condominium document recording the condominium project as approved by the Township, to which is attached as exhibits and incorporated by reference the approved bylaws for the project and the approved condominium subdivision plan for the site.

**MASTER PLAN:** The Township's Land Use Plan, including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and all physical development of the Municipality, and includes any unit or part of such plan and any amendment to such plan or parts thereof. Such plan shall be adopted by the Planning Commission.

**MEAN GRADE:** Mean grade is defined as the arithmetic average of elevations of points on the boundary lines of a site (parcel of land) uniformly spaced and not more than one hundred (100) feet apart.

**MEDICAL MARIJUANA DISPENSARY, COMPASSION CENTER OR SIMILAR OPERATION FOR THE CONSUMPTION OF MEDICINAL MARIJUANA:** Any facility or location where medical marijuana is grown or possessed for the purpose of distributing to a registered primary caregiver who does not reside at the location where the medical marijuana is grown, cultivated, or possessed, or any facility or location where medical marijuana is grown, processed, possessed where a means is provided for the purpose of distributing or facilitating the distribution of medical marijuana to more than a cumulative total of five (5) qualified patients.

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**MEDICAL USE:** The acquisition, possession, cultivation, manufacture, extraction, use, internal possession, delivery, transfer, transportation of marijuana, marijuana infused products or paraphernalia relating to the administration of marijuana to treat or alleviate a registered qualifying patient's debilitating medical condition, or symptoms associated with the debilitating medical condition, as further defined under the MMMA.

Δ June 2, 2021

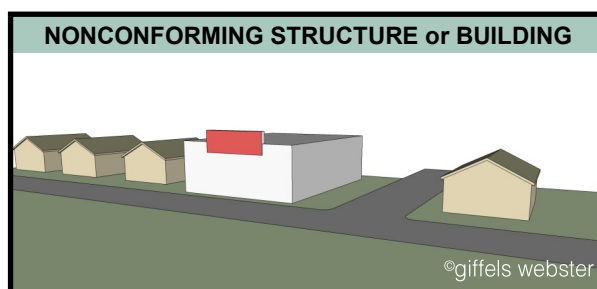
**MEZZANINE:** An intermediate floor in any story occupying an area not to exceed one-third ( 1/3 ) of the floor area of such story. (See Story for illustration)✍

**MMMA.** The Michigan Medical Marijuana Act, MCL 333.26421 et seq. currently, or as amended.

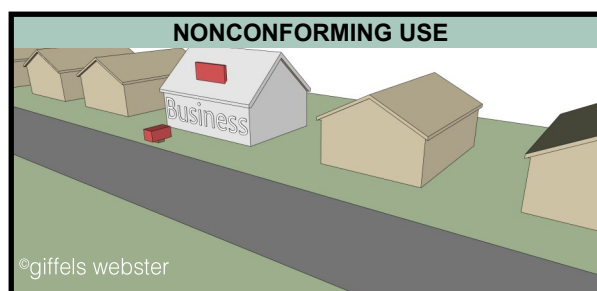
Δ June 2, 2021

**MUNICIPALITY:** Washington Township.

**NONCONFORMING STRUCTURE OR BUILDING:** A structure or building, or portion thereof, lawfully existing at the effective date of this Ordinance, or amendments thereto and that does not conform to the provisions of this Ordinance in the district in which it is located. ✍



**NONCONFORMING USE:** A use which lawfully occupied a building or land at the effective date of this Ordinance, or amendments thereto, and that does not conform to the use regulations of the district in which it is located. ✍





**NUISANCE:** The word "nuisance" shall be held to embrace public nuisance as known in common law or in equity jurisprudence; and whatever is dangerous to human life or detrimental to health; and any dwelling or building which is overcrowded with occupants or is not provided with adequate ingress or egress to or from the same, or is not sufficiently supported, ventilated, sewerred, drained, cleaned or lighted in reference to its intended or actual use; and whatever renders the air or human food or drink unwholesome, are also severally, in contemplation of this Ordinance, nuisances and all such nuisances are hereby declared illegal.

**NUISANCE FACTOR:** 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, or the generation of an excessive or concentrated movement of people or things, such as, but not limited to, noise, dust, smoke, odor, glare, fumes, flashes, vibration, shock waves, heat, electronic or atomic radiation, objectionable effluent, noise of congregation of people (particularly at night), passenger traffic, and invasion of non-abutting street frontage by traffic.

**NURSERY, PLANT MATERIALS:** A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for wholesale or retail sale on the premises, including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

**NURSING HOME (also CONVALESCENT OR REST HOME):** A home, whether operated for profit or not, for the care of the aged, infirmed, or those suffering from bodily disorders, wherein seven (7) or more persons are housed or lodged and furnished with nursing care.

**NURSERY SCHOOL, DAY SCHOOL, CHILD CENTER:** An establishment wherein thirteen (13) or more children, not related by bonds of consanguinity or fostership to the family living on the premises, are for remuneration cared for. Such schools or centers need not have a resident family on the premises.

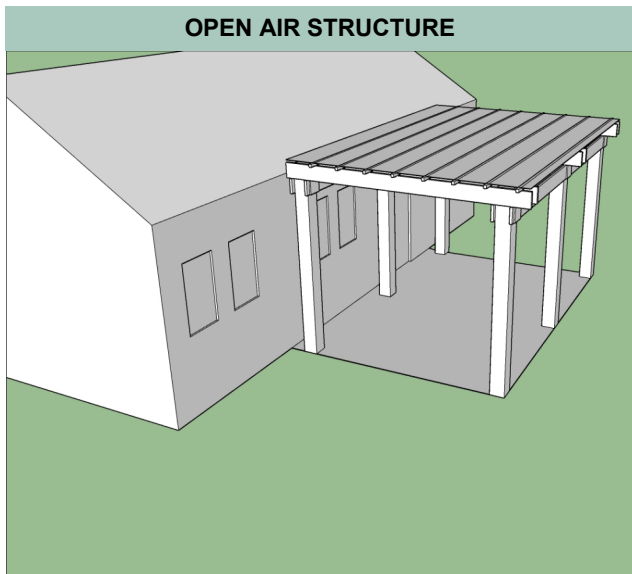
**OCCUPANCY LOAD:** The number of persons that a building can hold, as determined by the Fire Marshal or as determined by the Township Building Code.

**OCCUPIED:** The word "occupied" includes arranged, designed, built, altered, converted to, rented or leased, or intended to be occupied.

**OPEN AIR BUSINESS USES:** Open air business uses not conducted from a wholly enclosed building, if operated for profit, shall include the following uses:

- A. Bicycle, trailer, mobile home, motor vehicle, farm implements, boats, or home equipment sale or rental services.
- B. Outdoor display and sale of garages, swimming pools and similar uses.
- C. Retail sales of fruit, vegetables and perishable foods.
- D. Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.
- E. Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park or similar recreation uses.

**OPEN AIR STRUCTURE:** is a building, platform, station, or other structure which is not enclosed, yet is designed for human occupancy and usage. 🏠





**OUTDOOR STORAGE:** The keeping, in an unroofed area, of any goods, junk material, merchandise or vehicles in the same place for more than twenty-four (24) hours.

**OUTLOT:** When included within the boundaries of a recorded plat, means a lot set aside for purposes other than a building site, park or other land dedicated to public use or reserved to private use.

**OUTLOT, COMMERCIAL:** A portion of a commercial lot set aside as a future and/or separate building site.

**PARCEL:** A continuous quantity of land in the possession of or owned by, or recorded as the property of, the same person or persons.

**PARK:** Any public or private improved land available for recreational, educational, cultural or aesthetic use, or scenic purposes.

**PARKING:** For the purposes of this Section, parking shall be defined as the keeping of a vehicle on an improved or unimproved area for a single period not to exceed five (5) business days, with the intent of regular use.

**PARKING, SURFACE:** Parking provided at street level. Such parking requires no building structure to support additional levels of building space or parking area above or below the at-grade parking area.

**PARKING AREA:** Any area of a site designated for the use of parking or access to parking spaces. The parking area shall include all spaces, drives, aisles and maneuvering lanes necessary to accommodate such parking.

**PARKING LOT, OFF STREET:** A facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for the parking of more than two (2) automobiles.

**PARKING SPACE:** An area of definite length and width, exclusive of drives, aisles or entrances giving access thereto, and full accessibility for the parking of permitted vehicles. Tandem parking stalls in single-family detached, single-family attached, and townhome residential uses shall be considered to be fully accessible for the purpose of this definition.

**PATHWAY, PUBLIC OR INTERNAL:** A route for primarily non-motorized modes of travel. Public pathways shall be constructed in the public road right-of-way or a dedicated public easement for such use. Internal pathways may be located within residential open space areas or commercial developments to ensure safe non-motorized travel within a development.

**PATHWAY AND SIDEWALK ROAD DESIGNATION ILLUSTRATION:** Illustration A referenced in this Ordinance shall refer to the pathway and sidewalk road designation Illustration A included on [page xviii](#) of this Ordinance.

**PATIO:** A level surfaced area directly adjacent to an adjacent building which has an average elevation of less than six (6) inches, and without walls or a roof.

**PERFORMANCE GUARANTEE (Also Maintenance Guarantee):** Any financial guarantee accepted by the Township in the form of cash, letter of credit or performance bond, provided that the Township shall not require that a financial guarantee more than ten (10) percent of the total performance costs to ensure that all improvements, facilities or work required by this Ordinance will be completed in compliance with the Ordinance, regulations, and the approved plans and specifications of a development.

**PERSON:** Any natural person, firm, partnership, association, corporation, or limited liability company; however, this definition does not include any governmental unit.

**PLANNED UNIT DEVELOPMENT (PUD):** A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.



**PLANNING COMMISSION:** The Washington Township Planning Commission.

**PORCH, OPEN:** A covered entrance to a building or structure which is un-enclosed, except for columns supporting the porch roof, and projects out from the exterior 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.

**PRINCIPAL BUILDING:** A building which contains the primary use of the lot.

**PRINCIPAL USE:** The main use of land or structures, as distinguished from a secondary or accessory use.

**PRIVATE DRIVE:** A means of vehicle access serving one (1) property or one (1) dwelling.

**PRIVATE STREET OR ROAD:** A street or road which is not under public ownership or control serving two (2) or more lots.

**PUBLIC ROAD:** All public property reserved or dedicated for street traffic.

**PUBLIC UTILITY:** Any persons, firm, corporation, governmental unit or other entity duly authorized to furnish to the public, electricity, gas, sanitary sewers, water, communications, transportation or other services or commodities pursuant to federal, state or municipal regulations.

**PUTRESCIBLE:** Subject to decay and decomposition and to becoming putrid.

**RECREATION VEHICLES:** Means vehicles primarily designed for recreation, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle, in accordance with Act 419 of Michigan Public Acts of 1976 as amended. Recreational vehicles shall include such things as motor homes, truck campers, travel trailers, a folding camper trailer, off-road vehicles, ATV's, or other portable units including boats, boat trailers, and snowmobiles and their associated utility trailers. A utility trailer with a recreation vehicle stored on top of it shall be counted as one (1) recreational vehicle when determining the number of permissible recreational vehicles on a site.

- A. **Small Recreation Vehicle** - Any recreation vehicle as defined herein that is equal to or less than eighteen (18) feet in length and under 3,000 pounds GVW.
- B. **Large Recreational Vehicle** - Any recreation vehicle as defined herein that is greater than eighteen (18) feet in length and/or over 3,000 pounds GVW.
- C. **Boat or Personal Watercraft** — A vessel that requires registration from the Secretary of State for traveling in or on water including a unit powered by sail or motor.
- D. **Snowmobile** — A motor-driven vehicle designed for travel primarily on snow or ice, of a type which utilizes sled-type runners or skis and endless belt tread, or any combination of these, or other similar means of contact with the surface on which it is operated.
- E. **Utility Trailer** - A vehicle without motor power, designed to be drawn by a motor vehicle, to be used for carrying property including but not limited to, a boat, snowmobile, ATV, or other equipment for recreational, camping or travel use.

**RECYCLING CENTER:** A facility that is not a junk yard and in which recoverable resources, such as newspapers, glassware and metal cans, are collected, stored, flattened, crushed or bundled within a completely enclosed building, not to include toxic items.

**RECYCLING PLANT:** A facility that is not a junk yard and in which recoverable resources, such as newspapers, magazines, books and other paper products; glass; metal cans; and other products are recycled, reprocessed and treated to return such products to a condition in which they may again be used for production.

**REGISTERED PRIMARY CAREGIVER:** A person meeting the definition of caregiver under the MMMA and who has been issued and possesses a registry identification card and possesses the documentation that constitutes a valid registry under the MMMA.

Δ June 2, 2021

**REGISTERED QUALIFYING PATIENT:** A person who has been diagnosed by a physician as having a debilitating medical condition and who has been issued and possesses a registry identification card which is valid under the MMMA, as amended.

Δ June 2, 2021

**REPAIRS:** The rebuilding or removal of a part of an existing building for the purpose of maintaining its original type and classification.

**RESTAURANT:** A business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in nondisposable containers, and where the customer consumes these foods while seated at tables or counters located within the building.

**RESTAURANT, DRIVE-IN:** An establishment that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises.

**RESTAURANT, FAST-FOOD:** Any establishment whose principal business is the sale of foods, frozen desserts or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where either: 1) foods, frozen desserts or beverages are usually served in paper, plastic or other disposable containers, and where customers are not served their food, frozen desserts or beverages by a restaurant employee at the same table or counter where the items are consumed; or 2) the establishment includes a drive-up or drive-thru service facility or offers curb service.

**RIGHT-OF-WAY:** The right-of-way line shall be the line established by the Road Commission of Macomb County or Michigan Department of Transportation in their right-of-way requirements established for Washington Township or the Township's adopted Master Plan.

**ROAD, EXCLUDED:** A road frontage where pathways and sidewalks shall not be required. Such roads are designated in red on "[Illustration A: Pathway and Sidewalk Road Designation](#)".

Δ July 13, 2022

**ROAD, OPTIONAL:** A road frontage where the Township desires a sidewalk network, but allows for the construction of a pathway or sidewalk as required, or a fee in lieu of construction. Such roads are designated in gray on "[Illustration A: Pathway and Sidewalk Road Designation](#)".

Δ July 13, 2022

**ROAD, REQUIRED:** A road frontage where pathways and sidewalks shall be required. Such roads are designated in green on "[Illustration A: Pathway and Sidewalk Road Designation](#)".

Δ July 28, 2022

**ROADSIDE STANDS:** A roadside stand is a temporary or existing permanent building operated for the purpose of selling only produce raised or produced by the proprietor of the stand or his family on the premises, and its use shall not make into a commercial district land which would otherwise be an agricultural or residential district, nor shall its use be deemed an approved commercial activity.

**ROOM:** For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom, equal to at least eighty (80) square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage. Plans presented showing 1, 2 or 3-bedroom units and including a "den", "library," or other extra room shall count such extra room as a bedroom for the purpose of computing density.

**RUBBISH:** Means the miscellaneous waste materials resulting from housekeeping, mercantile enterprises, trades, manufacturing and offices, including other waste matter, such as slag, stone, broken concrete, fly ash, ashes, tin cans, glass, scrap metal, rubber, paper, rags, chemicals, or any similar or related combinations thereof.

**SATELLITE DISH ANTENNA:** A device incorporating a reflective surface that is solid, open mesh or bar configured and is in the shape of a shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include, but not be limited to, what are commonly referred to as satellite earth stations, TVROs (television reception only satellite dish antennas), and satellite microwave antennas.

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

**SEASONAL USE:** A use or activity that takes place during a time period that does not exceed four (4) months out of a calendar year. For the purposes of this Ordinance, the sale of an individual fruit or produce product shall be considered its own seasonal activity (e.g. the sale of apples and the sale of peaches are two (2) separate seasonal activities).

**SECONDARY ROAD:** A road that conducts and distributes traffic and carries through-traffic as a lower order major thoroughfare to major activity centers.

**SELF-SERVICE STORAGE FACILITY:** A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors' supplies.

**SEPARATE OWNERSHIP:** Ownership of a parcel of property wherein the owner does not own adjoining vacant property.

**SERVICE PROFESSIONS:** Include professions such as attorneys-at-law; doctors of medicine; dentistry; engineers; certified public accountants; real estate; clerical; drafting; executive; administrative; stenographic; insurance; and similar occupations requiring no outside storage of vehicles or equipment on the premises.

**SETBACK:** The minimum horizontal distance between any face of the building, excluding only steps, and the adjoining property lines.

**SIDEWALK:** A route intended primarily for pedestrian travel. A sidewalk may be external to connect sites, or be an internal walkway within a site and provide pedestrian interconnections from various functional areas of the site, including, but not limited to parking lots, exterior pathways or sidewalks, and buildings.

Δ July 13, 2022

**SITE:** A parcel of land.

**SMALL-SCALE ENTERTAINMENT:** A specified area or areas dedicated for the purpose of providing family orientated entertainment, such as singing, dancing, puppet shows, informational presentations, etc. which has a general confined seating capacity of not more than two hundred and fifty (250) persons. Seating shall consist of either individual seats (i.e. folding chairs), temporary bleachers (two (2) linear feet of bleacher equals one (1) seat), or open, general assembly area (five (5) square feet of assembly area equals one (1) seat). Such uses shall not be conducted between the hours of 11 pm and 8 am.

**SOIL REMOVAL:** Shall mean removal of any kind of soil or earth matter, including topsoil, sand, gravel, clay, rock or similar materials, or combination thereof.

**SPECIAL LAND USE:** A use that, owing to some special characteristics attendant to its operation or installation (for example, potential danger, smoke or noise) is permitted in a district, subject to approval by the Township and subject to special requirements, different from those usual requirements for the district in which the special land use may be located.

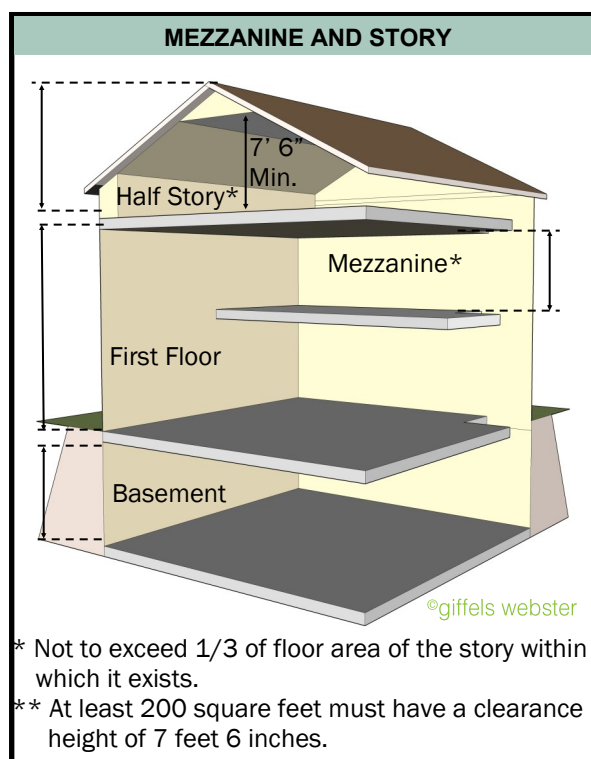
**STABLE, PRIVATE:** A structure or shelter with capacity for not more than three (3) horses which are not boarded and are not for hire or sale and are owned by the immediate family.

**STABLE, COMMERCIAL:** A stable other than a private stable, where horses are boarded or are for hire or sale.

**STATE EQUALIZED VALUATION:** The value shown on the Township's assessment roll as equalized through the process of State and County equalization.

**STORY:** That portion of a building, other than a cellar or mezzanine, included between the surface of any floor and 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" shall be deemed a full story 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 floor next above it is twenty-four (24) feet or more. ✍

**STORY, HALF:** An uppermost story lying under a sloping roof, having an area of at least two hundred (200) square feet, with a clear height of seven (7) feet six (6) inches. For the purposes of this Ordinance, the usable floor area is only that area having at least four (4) feet clear height between floor and ceiling. ✍



**STREET:** A public thoroughfare which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare, except an alley.





**STRUCTURE:** Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, walls, fences and billboards.

**STRUCTURAL ALTERATION:** Any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders, stairways, or any change in the width or number of exits, or any substantial change in the roof.

**SWIMMING POOL:** The term "swimming pool" shall mean any structure or container intended for swimming, located either above or below grade designed to hold water to a depth of twenty-four (24) inches or greater.

**TEMPORARY USE OR BUILDING:** A use or building permitted by the Township to exist during periods of construction of the main building or use, or for special events or purposes.

**TENTS:** Tents as used in this Ordinance shall mean a shelter of canvas or the like supported by poles and fastened by cords or pegs driven into the ground and shall not include those types of tents used solely for children's recreational purposes.

**TERRACE:** Raised patio.

**TOWNSHIP BOARD:** The words "Township Board" shall mean the Township Board of Washington Township.

**TRANSFER:** To convey, sell, give, deliver or allow the possession by another person or entity.

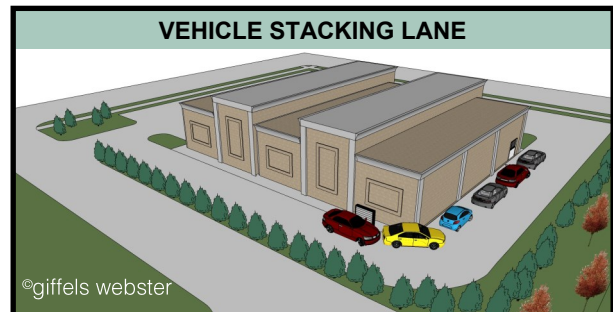
Δ September 24, 2020

**USE:** The purpose for which land or a building is designed, arranged or intended to be used, or for which land or a building is or may be occupied.

**UTILITY ROOM:** A utility room is a room used primarily for storage, for housing a heating unit, or for laundry purposes.

**VARIANCE:** A relaxation by the Zoning Board of Appeals of the dimensional regulations of the Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this Ordinance would result in practical difficulty or unnecessary and undue hardship.

**VEHICLE STACKING LANE:** A paved surface designed to accommodate a motor vehicle waiting for entry to any drive-in/thru facility or auto-oriented use, which is located in such a way that a parking space is not obstructed. ✎



**VEHICLE STORAGE:** For the purposes of this Section, storage shall be defined as the keeping of a vehicle on an improved or unimproved area anywhere on a piece of property where the use of such vehicle has not occurred off-site at least once in any given five (5) business day period.

**VERANDA:** Covered Porch

**VERTICAL PROJECTION:** Any architectural feature which projects into the yard space from the ground up through the first story.

**VETERINARIAN CLINIC:** A place for the care, diagnosis and treatment of sick or injured animals and those in need of medical or minor surgical attention. A veterinarian clinic may include customary pens or cages which are permitted only within the walls of the clinic structure.

**WALLS, OBSCURING:** An obscuring structure of definite height and location constructed of wood, masonry, concrete or similar material that limits visibility and/or restricts the flow of air and light.

**WALLS, RETAINING:** A wall or terraced combination of walls used at a grade change to retain more than twenty-four (24) inches of material, and not used to support, provide a foundation for, or provide a wall for a building or structure.

**WAREHOUSING AND DISTRIBUTION.** The storage, wholesale and distribution of manufactured products, supplies and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

**WIRELESS COMMUNICATION FACILITIES:** All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals which may include, but are not limited to, radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. Citizen band radio facilities, short-wave facilities, ham, amateur radio facilities, satellite dishes, and governmental facilities which are subject to State or Federal law or regulations which preempt municipal regulatory authority are not included in this definition.

**WIRELESS COMMUNICATION FACILITY, ATTACHED:** A wireless communication facility that is affixed to an existing structure; for example, an existing building, tower, water tank, utility pole, etc., which does not include an additional wireless communication support structure.

**WIRELESS COMMUNICATION, COLLOCATION:** The location by two (2) or more wireless communication providers, public authority, or other duly authorized party of wireless communications facilities on an existing structure, tower or building, in a manner that reduces the overall need for additional or multiple freestanding single use wireless communication facilities with the Township of Washington.

**WIRELESS COMMUNICATION, SUPPORT STRUCTURE:** A structure newly erected or modified to support wireless communication antennas and connecting appurtenances. Support structure types, including, but not limited to, monopoles, lattice towers, light poles, utility support structures, traffic control structures, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.

**WOODLAND OR WOODLOT:** A tract of land with planted material covering one (1) acre or more and consisting of thirty (30) percent or more canopy trees having an eight (8) inch or greater caliper, or any grove consisting of eight (8) or more trees having a ten (10) inch or greater caliper.



**YARD:** An open space, unoccupied and unobstructed from the ground upward except as otherwise provided herein, and being on the same lot with a building. The measurement of a yard shall be construed as the minimum horizontal distance between the lot line and the building or structure.

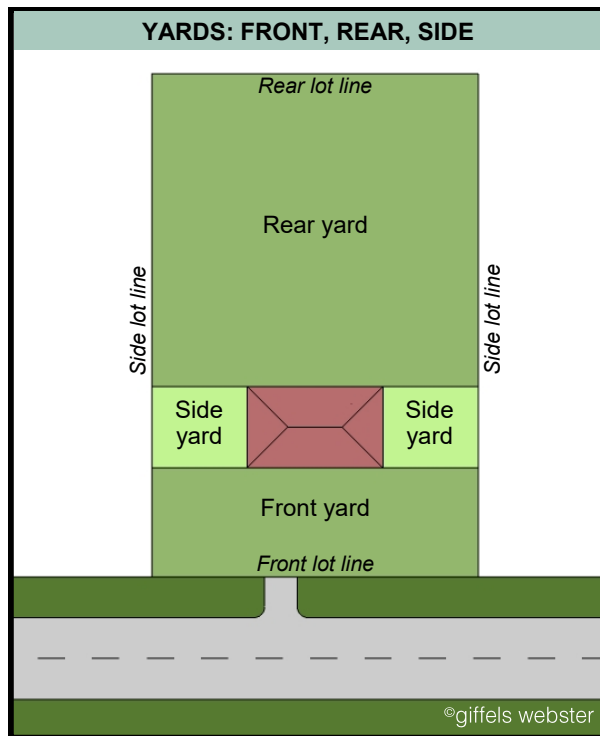
- A. **FRONT YARD:** A yard on the same lot with a building between the front line of the building and the front lot line and extending to the side lot lines. 🏠
- B. **REAR YARD:** A yard on the same lot with a building between the rear line of the building and the rear lot line and extending to the side lot lines. 🏠
- C. **SIDE YARD:** A yard on the same lot with a building between the side lot line and the nearest sideline of the building and extending from the rear yard to the front yard. 🏠

**YARD CLIPPINGS:** Leaves, grass clippings, vegetable [and] other garden debris, shrubbery, or brush or tree trimmings less than 4' in length and 2" in diameter that can be converted to compost humus. "Yard clippings" does not include stumps, agricultural waste, animal waste, roots, sewage, or garbage.

**ZERO LOT LINE:** The location of a building on a lot in such a manner that one or more of the building's sides rests on, or within five (5) feet of a lot line.

**ZONE:** (See: District, Zoning.)

**ZONING BOARD OF APPEALS:** Shall mean the Zoning Board of Appeals of Washington Township.



**1** Purpose and  
Introduction

**2** Definitions

**3** Zoning  
Districts

**4** Use  
Standards

**5** Site  
Standards

**6** Development  
Procedures

**7** Admin and  
Enforcement

# *Article 3.0*

## *Zoning Districts*



## Article 3.0 Zoning Districts

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# 3.0 Zoning Districts

## 3.1 DISTRICTS ESTABLISHED

For the purpose of this Ordinance, Washington Township is hereby divided into the following districts:

A-1	Agricultural Residential
R-1	Rural Residential
R1-A	Single-Family Residential
R1-B	Single-Family Residential
R1-C	Single-Family Residential
R1-D	Single-Family Residential
RM-1	Multiple-Family Residential
RM-2	Multiple-Family Residential
MHC	Manufactured Housing Community
LC	Local Commercial
GC	General Commercial
V-1	Village Center
O-1	General Office
IND	General Industrial



**Digital User Note:**  
Click on a district heading to go directly to the corresponding district regulations.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
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## A. INTENT

The Agricultural Residential district has been established to provide for lower density residential development and agricultural uses. Larger lot sizes will accommodate both residential and agricultural uses, while minimizing the impact of development on the existing infrastructure. The specific interest of this district is to encourage the continued use of single-family dwellings and farm-related uses which preserve the rural character of the area. Further, this designation contributes to the broader Township goal of providing a range of differing lot sizes throughout the community to encourage a diversity of single-family development styles.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Agriculture** §4.4
2. Single-Family Dwellings
3. Family Day Care<sup>☞</sup> (1–6 children).
4. Parks
5. **Type I Home Occupations**<sup>☞</sup> §4.33.A
6. **Accessory Buildings**<sup>☞</sup> §5.1
7. **Private Keeping of Animals** §4.47
8. **Windmill** §4.57
9. **Agricultural Tourism**<sup>☞</sup> §4.5

## C. SPECIAL LAND USES

1. **Airports and Private Airstrips** §4.6
2. **Bed & Breakfasts**<sup>☞</sup> §4.11
3. **Cemeteries**<sup>☞</sup> §4.16
4. **Churches**<sup>☞</sup> or **Places of Religious Worship** §4.17
5. **Colleges and Universities** §4.19
6. **County, State, or Federal Uses** §4.21
7. **Day Care Centers and Nursery Schools**<sup>☞</sup> §4.22
8. **Greenhouses and Nurseries** §4.31
9. **Group Day Care**<sup>☞</sup> (7–12 children/adults) §4.32
10. **Type II Home Occupations**<sup>☞</sup> §4.33.B
11. **Landfills (Earthen Landfills Only)** §4.36
12. **Large-Scale Recreation** §4.37
13. **Mining and Extraction** §4.40
14. **Private and Charter Schools** §4.17
15. Public Library, Public Museum
16. **Public Utility Buildings** §4.49
17. **Public Utility Transmission Line** §4.50
18. **Raising of Fur-Bearing Animals, Including Kennels**<sup>☞</sup> and/or **Animal Hospitals** §4.51
19. **Wireless Communication**<sup>☞</sup> **Towers** §4.58
20. **Agricultural Tourism**<sup>☞</sup> §4.5
21. Uses Similar to Those Set Forth in this Section



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>1</sup>: 40,000 sq. ft.<sup>1</sup>  
Minimum lot width<sup>1</sup>: 120 ft.

### Lot Coverage<sup>1</sup>

Maximum lot coverage: 25%

### Impervious Surface<sup>1</sup>

Maximum impervious surface: 30%

### Setbacks<sup>1</sup>

Minimum front yard setback: See [Section 3.18](#)  
Minimum rear yard setback: 50 ft.  
Minimum side yard setback: 30 ft.

### Building Height<sup>1</sup>

Maximum building height: 3 stories not to exceed 38 ft.<sup>2</sup>

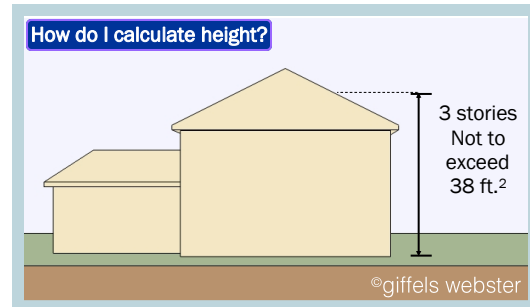
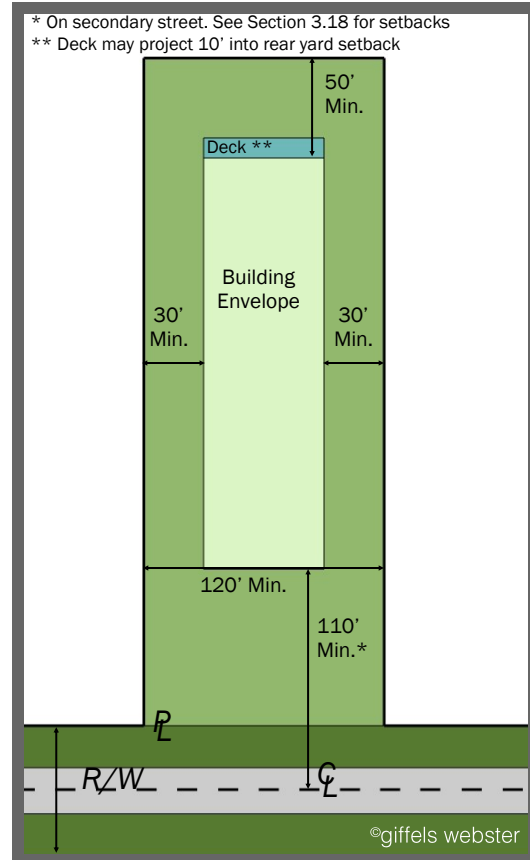
### Floor Area<sup>1</sup>

Type of Building	Minimum First Floor Area (sq. ft.)	Minimum Total Floor Area (sq. ft.)
1 - story	1,000	1,000
1½ - stories	800	1,200
2 - stories	700	1,400
Tri-level	800	1,200
Quad-level	700	1,400

### Note to District Standards:

[Section 3.23.B.1, 2, 3, 4 and 6](#)

- For parcels not serviced by sanitary sewer, the minimum lot area of at least forty thousand (40,000) square feet shall be subject to review and approval by the Macomb County Health Department.
- Farm structures shall have a maximum height of eighty (80) feet.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Residential Open Space Development](#) §3.16
- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.23
- [Garage and Yard Sales](#) §4.28

- [Wireless Communication Towers](#) §4.58

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
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- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
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- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
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### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## 3.3

## R-1 Rural Residential

## A. INTENT

The purpose of the Rural Residential district is to provide for residential use at a low density in a manner that preserves the natural resources and the rural character of areas where public sanitary sewers are not available, and not anticipated in the future. Development in this district will be integrated with the environment in a manner that complements and protects the natural amenities of these areas, while maintaining and improving property values.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Agriculture** §4.4
2. Single-Family Dwellings
3. Family Day Care<sup>☞</sup> (1–6 children).
4. Parks.
5. **Type I Home Occupations**<sup>☞</sup> §4.33.A
6. **Accessory Buildings**<sup>☞</sup> §5.1
7. **Private Keeping of Animals** §4.47
8. **Windmill** §4.57
9. **Agricultural Tourism**<sup>☞</sup> §4.5

## C. SPECIAL LAND USES

1. **Airports and Private Airstrips** §4.6
2. **Bed & Breakfasts**<sup>☞</sup> §4.11
3. **Cemeteries**<sup>☞</sup> §4.16
4. **Churches**<sup>☞</sup> or **Places of Religious Worship** §4.17
5. **Colleges and Universities** §4.19
6. **County, State, or Federal Uses** §4.21
7. **Day Care Centers and Nursery Schools**<sup>☞</sup> §4.22
8. **Greenhouses and Nurseries** §4.31
9. **Group Day Care**<sup>☞</sup> (7–12 children/adults) §4.32
10. **Type II Home Occupations**<sup>☞</sup> §4.33.B
11. **Landfills (Earthen Landfills Only)** §4.36
12. **Large-Scale Recreation** §4.37
13. **Mining and Extraction** §4.40
14. **Private and Charter Schools** §4.17
15. Public Library, Public Museum.
16. **Public Utility Buildings** §4.49
17. **Public Utility Transmission Line** §4.50
18. **Raising of Fur-Bearing Animals, Including Kennels**<sup>☞</sup> and/or **Animal Hospitals** §4.51
19. **Wireless Communication**<sup>☞</sup> **Towers** §4.58
20. **Agricultural Tourism**<sup>☞</sup> §4.5
21. Uses Similar to Those Set Forth in this Section



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 90,000 sq. ft.  
Minimum lot width<sup>☐</sup>: 150 ft.

### Lot Coverage<sup>☐</sup>

Maximum lot coverage: 25%

### Impervious Surface<sup>☐</sup>

Maximum impervious surface: 30%

### Setbacks<sup>☐</sup>

Minimum front yard setback: See [Section 3.18](#)  
Minimum rear yard setback: 50 ft  
Minimum side yard setback: 50 ft

### Building Height<sup>☐</sup>

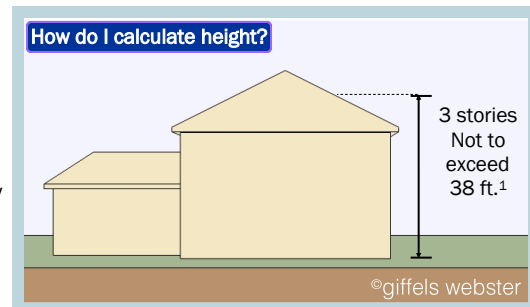
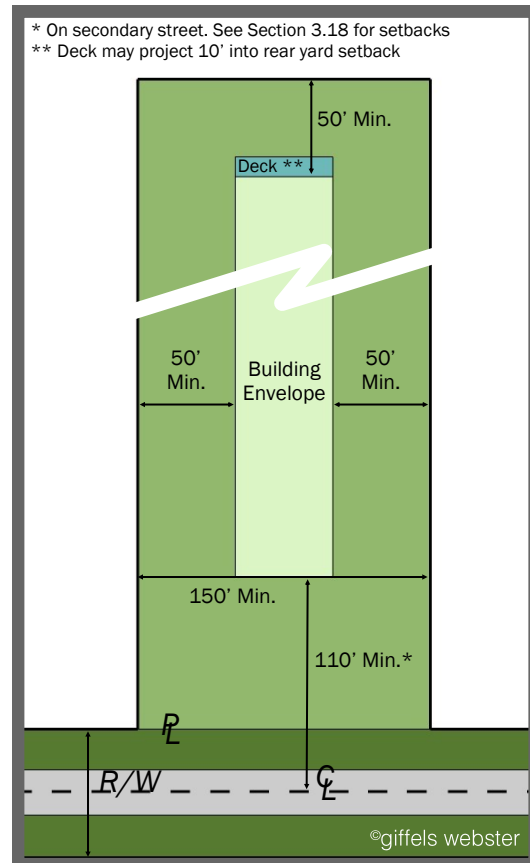
Maximum building height: 3 stories not to exceed 38 ft.<sup>1</sup>

### Floor Area<sup>☐</sup>

Type of Building	Minimum First Floor Area (sq. ft.)	Minimum Total Floor Area (sq. ft.)
1 - story	1,200	1,200
1½ - stories	1,000	1,400
2 - stories	750	1,500
Tri-level	1,000	1,400
Quad-level	750	1,500

**Note to District Standards:**  
[Section 3.23.B.1, 2, 3, 4 and 6](#)

1. Farm structures shall have a maximum height of eighty (80) feet.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Residential Open Space Development](#) §3.16
- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54
- [Garage and Yard Sales](#) §4.28

- [Wireless Communication Towers](#) §4.58

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## 3.4

## R1-A Single-Family Residential

## A. INTENT

The R1-A Single-Family Residential district has been established to provide for single-family dwellings at a scale consistent with existing residential development in the Township. The specific interest of this district is to encourage the continued use of single-family dwellings, prohibit land use which would substantially interfere with the development of single-family dwellings, promote a diversity of lot sizes and to discourage any land use which, because of its character and size, would result in the depreciation of existing property values.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Agriculture uses in operation at the time of adoption of this Ordinance** §4.4
2. Single-Family Dwellings
3. Family Day Care<sup>§</sup> (1–6 children).
4. Parks
5. Public Schools
6. **Type I Home Occupations**<sup>§</sup> §4.33.A
7. **Accessory Buildings**<sup>§</sup> §5.1
8. **Private Keeping of Animals** §4.47
9. **Windmill** §4.57

## C. SPECIAL LAND USES

1. **Cemeteries**<sup>§</sup> §4.16
2. **Churches**<sup>§</sup> or **Places of Religious Worship** §4.17
3. **County, State, or Federal Uses** §4.21
4. **Day Care Centers and Nursery Schools**<sup>§</sup> §4.22
5. **Group Day Care**<sup>§</sup> (7–12 children/adults) §4.32
6. **Type II Home Occupations**<sup>§</sup> §4.33.B
7. **Large-Scale Recreation** §4.15
8. **Private and Charter Schools** §4.17
9. Public Library, Public Museum.
10. **Public Utility Buildings** §4.49
11. **Public Utility Transmission Line** §4.50
12. Uses Similar to Those Set Forth in this Section





# R1-A Single-Family Residential

3.4

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 30,000 sq. ft.<sup>1</sup>  
Minimum lot width<sup>☐</sup>: 90 ft.

### Lot Coverage<sup>☐</sup>

Maximum lot coverage: 40%

### Impervious Surface<sup>☐</sup>

Maximum impervious surface: 45%

### Setbacks<sup>☐</sup>

Minimum front yard setback: See [Section 3.18](#)  
Minimum rear yard setback: 40 ft.  
Minimum side yard setback: 15 ft.

### Building Height<sup>☐</sup>

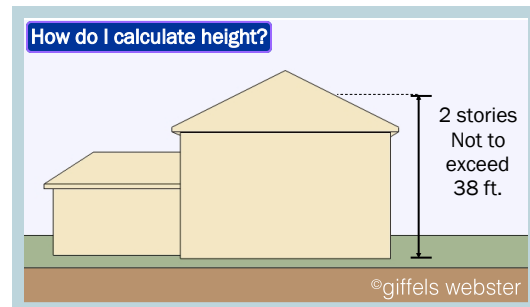
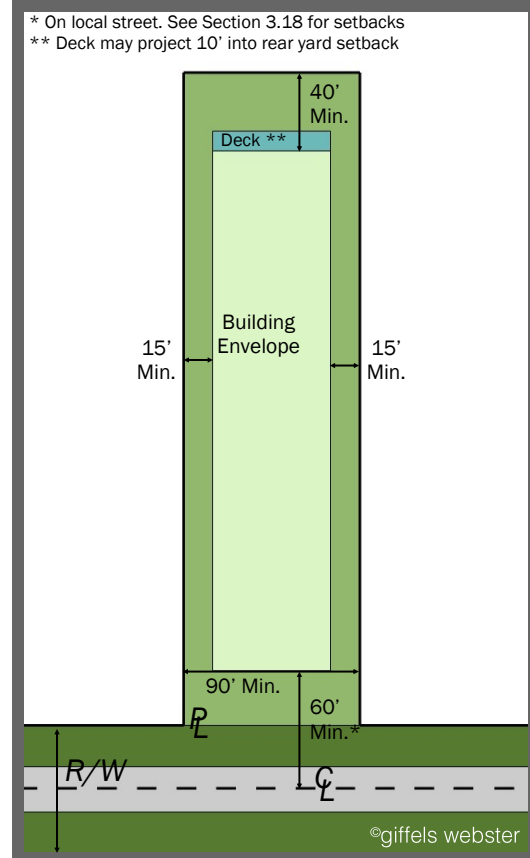
Maximum building height: 2 stories not to exceed 38 ft.

### Floor Area<sup>☐</sup>

Type of Building	Minimum First Floor Area (sq. ft.)	Minimum Total Floor Area (sq. ft.)
1 - story	1,500	1,500
1½ - stories	1,100	1,650
2 - stories	900	1,800
Tri-level	1,100	1,650
Quad-level	900	1,800

### Note to District Standards: [Section 3.23.B.1, 2, 3, 4 and 6](#)

1. Lots not serviced by sanitary sewer shall be subject to review and approval by the Macomb County Health Department.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Residential Open Space Development](#) §3.16
- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54

- [Garage and Yard Sales](#) §4.28
- [Wireless Communication Towers](#) §4.58

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Condominiums](#) §6.2
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The R1-B Single-Family Residential district has been established to provide for single-family dwellings at a scale consistent with existing residential development in the Township. The specific interest of this district is to encourage the continued use of single-family dwellings, prohibit land use which would substantially interfere with the development of single-family dwellings, promote a diversity of lot sizes and to discourage any land use which, because of its character and size, would result in the depreciation of existing property values.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Agriculture uses in operation at the time of adoption of this Ordinance** §4.4
2. Single-Family Dwellings
3. Family Day Care<sup>§</sup> (1–6 children).
4. Parks
5. Public Schools
6. **Type I Home Occupations**<sup>§</sup> §4.33.A
7. **Accessory Buildings**<sup>§</sup> §5.1
8. **Private Keeping of Animals** §4.47
9. **Windmill** §4.57

## C. SPECIAL LAND USES

1. **Cemeteries**<sup>§</sup> §4.16
2. **Churches**<sup>§</sup> or **Places of Religious Worship** §4.17
3. **County, State, or Federal Uses** §4.21
4. **Day Care Centers and Nursery Schools**<sup>§</sup> §4.22
5. **Group Day Care**<sup>§</sup> (7–12 children/adults) §4.32
6. **Type II Home Occupations**<sup>§</sup> §4.33.B
7. **Large-Scale Recreation** §4.37
8. **Private and Charter Schools** §4.17
9. Public Library, Public Museum.
10. **Public Utility Buildings** §4.49
11. **Public Utility Transmission Line** §4.50
12. Uses Similar to Those Set Forth in this Section



# R1-B Single-Family Residential

3.5

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>1</sup>: 20,000 sq. ft.  
Minimum lot width<sup>1</sup>: 80 ft.

### Lot Coverage<sup>1</sup>

Maximum lot coverage: 40%

### Impervious Surface<sup>1</sup>

Maximum impervious surface: 45%

### Setbacks<sup>1</sup>

Minimum front yard setback: See [Section 3.18](#)  
Minimum rear yard setback: 40 ft.  
Minimum side yard setback: 15 ft.

### Building Height<sup>1</sup>

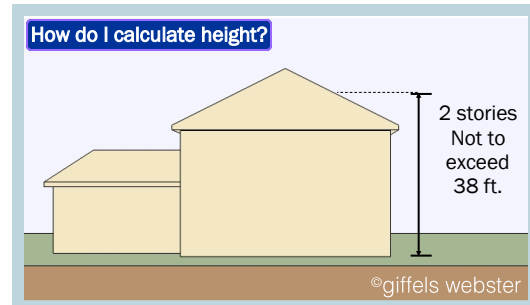
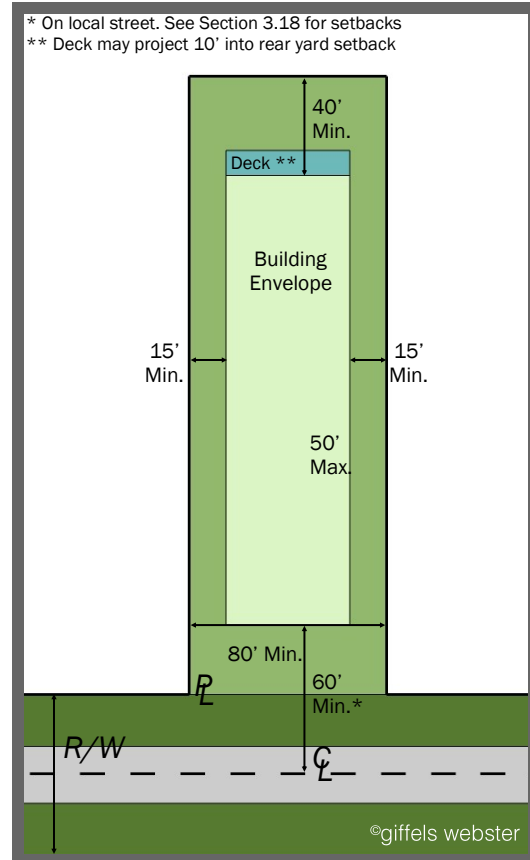
Maximum building height: 2 stories not to exceed 38 ft.

### Floor Area<sup>1</sup>

Type of Building	Minimum First Floor Area (sq. ft.)	Minimum Total Floor Area (sq. ft.)
1 - story	1,350	1,350
1½ - stories	1,060	1,560
2 - stories	800	1,600
Tri-level	1,060	1,560
Quad-level	800	1,600

### Note to District Standards: [Section 3.23.B.1, 2, 3, 4 and 6](#)

1. Lots not serviced by sanitary sewer shall be subject to review and approval by the Macomb County Health Department.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Residential Open Space Development](#) §3.16
- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54

- [Garage and Yard Sales](#) §4.28
- [Wireless Communication Towers](#) §4.58

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Condominiums](#) §6.2
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The R1-C Single-Family Residential district has been established to provide for single-family dwellings at a scale consistent with existing residential development in the Township. The specific interest of this district is to encourage the continued use of single-family dwellings, prohibit land use which would substantially interfere with the development of single-family dwellings, promote a diversity of lot sizes and to discourage any land use which, because of its character and size, would result in the depreciation of existing property values.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Agriculture uses in operation at the time of adoption of this Ordinance** §4.4
2. Single-Family Dwellings
3. Family Day Care<sup>§</sup> (1–6 children).
4. Parks
5. Public Schools
6. **Type I Home Occupations**<sup>§</sup> §4.33.A
7. **Accessory Buildings**<sup>§</sup> §5.1
8. **Private Keeping of Animals** §4.47
9. **Windmill** §4.57

## C. SPECIAL LAND USES

1. **Cemeteries**<sup>§</sup> §4.16
2. **Churches**<sup>§</sup> or **Places of Religious Worship** §4.17
3. **County, State, or Federal Uses** §4.21
4. **Day Care Centers and Nursery Schools**<sup>§</sup> §4.22
5. **Group Day Care**<sup>§</sup> (7–12 children/adults) §4.32
6. **Type II Home Occupations**<sup>§</sup> §4.33.B
7. **Large-Scale Recreation** §4.37
8. **Private and Charter Schools** §4.17
9. Public Library, Public Museum.
10. **Public Utility Buildings** §4.49
11. **Public Utility Transmission Line** §4.50
12. Uses Similar to Those Set Forth in this Section



# R1-C Single-Family Residential

3.6

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 15,000 sq. ft.<sup>1</sup>  
Minimum lot width<sup>☐</sup>: 75 ft.

### Lot Coverage<sup>☐</sup>

Maximum lot coverage: 40%

### Impervious Surface<sup>☐</sup>

Maximum impervious surface: 45%

### Setbacks<sup>☐</sup>

Minimum front yard setback: See [Section 3.18](#)  
Minimum rear yard setback: 40 ft.  
Minimum side yard setback: 12 ft.

### Building Height<sup>☐</sup>

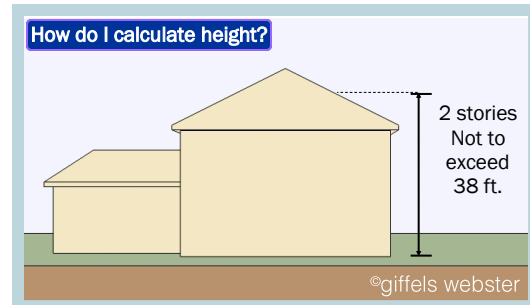
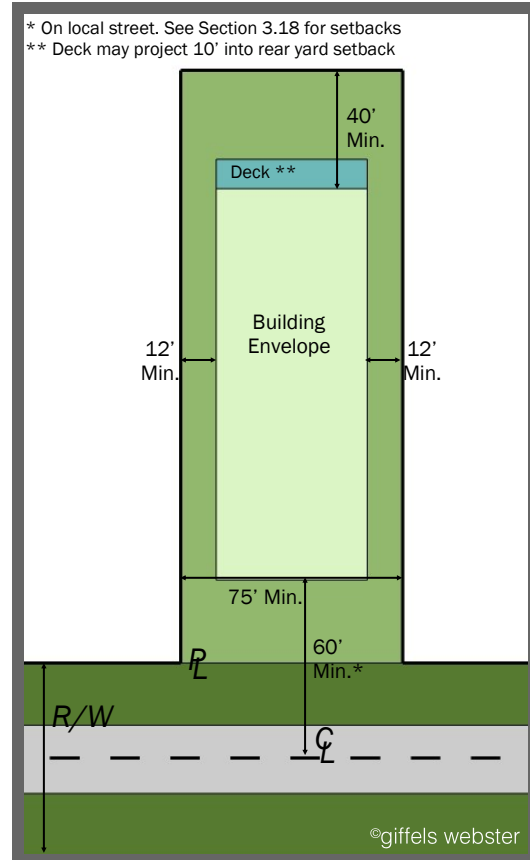
Maximum building height: 2 stories not to exceed 38 ft.

### Floor Area<sup>☐</sup>

Type of Building	Minimum First Floor Area (sq. ft.)	Minimum Total Floor Area (sq. ft.)
1 - story	1,200	1,200
1½ - stories	960	1,340
2 - stories	750	1,500
Tri-level	960	1,340
Quad-level	750	1,500

### Note to District Standards: [Section 3.23.B.1, 2, 3, 4 and 6](#)

1. Lots not serviced by sanitary sewer shall be subject to review and approval by the Macomb County Health Department.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Residential Open Space Development](#) §3.16
- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54

- [Garage and Yard Sales](#) §4.28
- [Wireless Communication Towers](#) §4.57

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Condominiums](#) §6.2
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4





# R1-D Single-Family Residential

## A. INTENT

The R1-D Single-Family Residential district has been established to provide for single-family dwellings at a scale consistent with existing residential development in the Township. The specific interest of this district is to encourage the continued use of single-family dwellings, prohibit land use which would substantially interfere with the development of single-family dwellings, promote a diversity of lot sizes and to discourage any land use which, because of its character and size, would result in the depreciation of existing property values.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Agriculture uses in operation at the time of adoption of this Ordinance** §4.4
2. Single-Family Dwellings
3. Family Day Care<sup>§</sup> (1–6 children).
4. Parks
5. Public Schools
6. **Type I Home Occupations**<sup>§</sup> §4.33.A
7. **Accessory Buildings**<sup>§</sup> §5.1
8. **Private Keeping of Animals** §4.47
9. **Windmill** §4.57

## C. SPECIAL LAND USES

1. **Cemeteries**<sup>§</sup> §4.16
2. **Churches**<sup>§</sup> or **Places of Religious Worship** §4.17
3. **County, State, or Federal Uses** §4.21
4. **Day Care Centers and Nursery Schools**<sup>§</sup> §4.22
5. **Group Day Care**<sup>§</sup> (7–12 children/adults) §4.32
6. **Type II Home Occupations**<sup>§</sup> §4.33.B
7. **Large-Scale Recreation** §4.37
8. **Private and Charter Schools** §4.17
9. Public Library, Public Museum.
10. **Public Utility Buildings** §4.49
11. **Public Utility Transmission Line** §4.50
12. Uses Similar to Those Set Forth in this Section



# R1-D Single-Family Residential

3.7

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 10,000 sq. ft.<sup>1</sup>  
Minimum lot width<sup>☐</sup>: 70 ft.

### Lot Coverage<sup>☐</sup>

Maximum lot coverage: 40%

### Impervious Surface<sup>☐</sup>

Maximum impervious surface: 45%

### Setbacks<sup>☐</sup>

Minimum front yard setback: See [Section 3.18](#)  
Minimum rear yard setback: 35 ft.  
Minimum side yard setback: 10 ft.

### Building Height<sup>☐</sup>

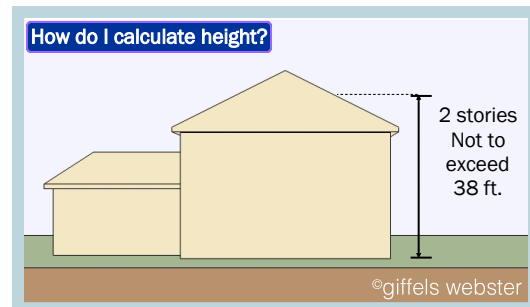
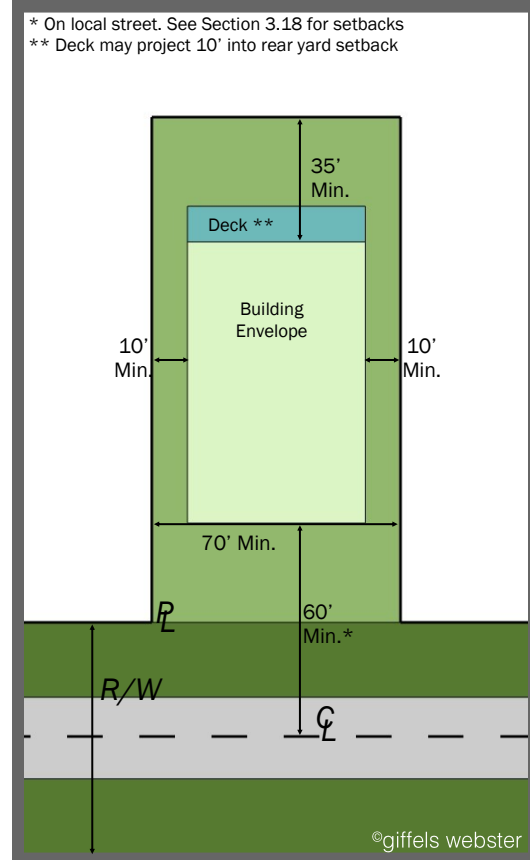
Maximum building height: 2 stories not to exceed 38 ft.

### Floor Area<sup>☐</sup>

Type of Building	Minimum First Floor Area (sq. ft.)	Minimum Total Floor Area (sq. ft.)
1 - story	1,000	1,000
1½ - stories	800	1,200
2 - stories	650	1,300
Tri-level	800	1,200
Quad-level	650	1,300

### Note to District Standards: [Section 3.23.B.1, 2, 3, 4 and 6](#)

1. Lots not serviced by sanitary sewer shall be subject to review and approval by the Macomb County Health Department.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54

- [Wireless Communication Towers](#) §4.58
- [Garage and Yard Sales](#) §4.28

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Condominiums](#) §6.2
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The RM-1 Multiple-Family Residential district is designed to permit a more intense residential use of land with various types of multiple dwellings and related uses. A variety of types and sizes of residential accommodations for ownership or rental are thereby provided to meet the needs of the different age and family groups in the Township.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Agriculture uses in operation at the time of adoption of this Ordinance** §4.4
2. Single-Family Dwellings
3. Family Day Care<sup>☐</sup> (1–6 children).
4. Parks
5. Public Schools
6. **Type I Home Occupations**<sup>☐</sup> §4.33.A
7. **Accessory Buildings**<sup>☐</sup> §5.1
8. **Private Keeping of Animals** §4.47
9. **Windmill** §4.57

## C. SPECIAL LAND USES

1. **Churches**<sup>☐</sup> or **Places of Religious Worship** §4.17
2. **Colleges and Universities** §4.19
3. **Convalescent, Nursing Homes**<sup>☐</sup> or **Hospices** §4.20
4. **County, State, or Federal Uses** §4.21
5. **Day Care Centers and Nursery Schools**<sup>☐</sup> §4.22
6. Single-Family Residential Platted Subdivision or Site Condominium Project, subject to the **R1-D Area Requirements**.
7. **General Hospitals**<sup>☐</sup> §4.29
8. **Group Day Care**<sup>☐</sup> (7–12 children/adults) §4.32
9. **Type II Home Occupations**<sup>☐</sup> §4.33.B
10. **Housing for the Elderly or Senior Citizen Housing** §4.34
11. **Large-Scale Recreation** §4.37
12. **Noncommercial Recreation** §4.41
13. **Club**<sup>☐</sup>, **Lodge or Fraternity** §4.18
14. **Public Utility Buildings** §4.49
15. **Public Utility Transmission Line** §4.50
16. Uses Similar to Those Set Forth in this Section



# RM-1 Multiple-Family Residential

3.8

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum site area<sup>1</sup>: 1 acre

Minimum Gross Site Area per Multiple-Family Dwelling Unit	
Dwelling Unit	Minimum Site Area (sq. ft.)
Efficiency	7,000
1 bedroom	7,000
2 bedroom	8,000
3 bedroom	8,500 + 1,000 per additional bedroom over 3

Minimum lot frontage: 120 ft.

### Project Perimeter Setbacks<sup>1</sup>

Minimum front yard setback: 110 ft.<sup>1, 2</sup>

Minimum rear yard setback: 50 ft.

Minimum side yard setback: 50 ft.

### Building Height<sup>1</sup>

Maximum building height: 2 stories not to exceed 32 ft.

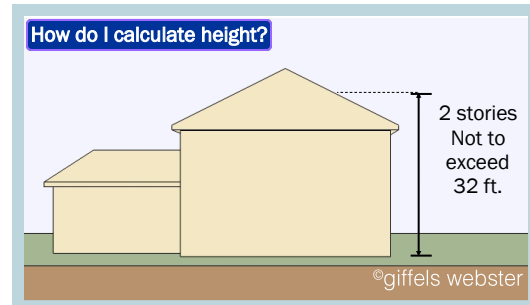
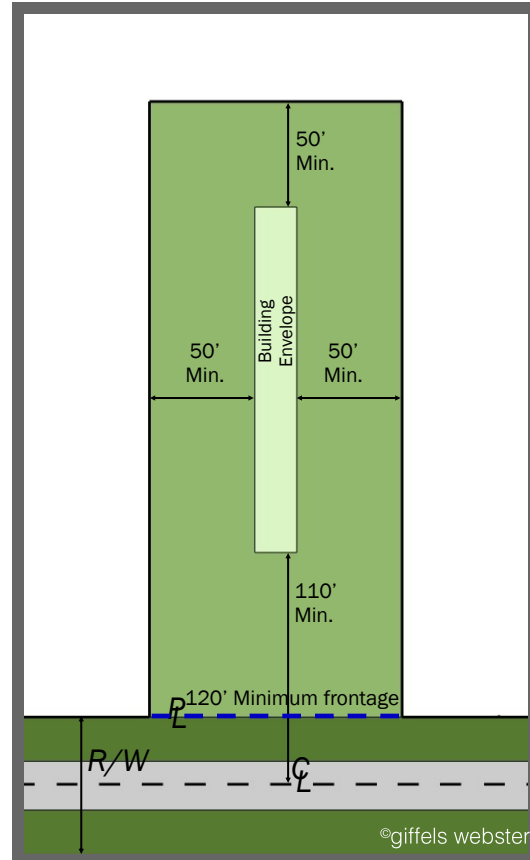
### Floor Area<sup>1</sup>

Minimum floor area: See [Section 3.25.H](#)

### Note to District Standards:

[Section 3.23.B.1, 2, 3, 4 and 6](#)

1. Measured from the centerline of all abutting public roads to the nearest building on the site.
2. No parking shall be permitted in the first eighty-five (85) feet of the required front yard space, as measured from the centerline of the right-of-way.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24
- [Multiple-Family District Regulations](#) §3.25

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54

- [Garage and Yard Sales](#) §4.28
- [Wireless Communication Towers](#) §4.58

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The RM-2 Multiple-Family Residential district is designed to permit a more intense residential use of land with various types of multiple dwellings and related uses. A variety of types and sizes of residential accommodations for ownership or rental are thereby provided to meet the needs of the different age and family groups in the Township.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Agriculture uses in operation at the time of adoption of this Ordinance** §4.4
2. Single-Family Dwellings
3. Family Day Care<sup>☐</sup> (1–6 children).
4. Parks
5. Public Schools
6. **Type I Home Occupations**<sup>☐</sup> §4.33.A
7. **Accessory Buildings**<sup>☐</sup> §5.1
8. **Private Keeping of Animals** §4.47
9. **Windmill** §4.57

## C. SPECIAL LAND USES

1. **Churches**<sup>☐</sup> or **Places of Religious Worship** §4.17
2. **Colleges and Universities** §4.19
3. **Convalescent, Nursing Homes**<sup>☐</sup> or **Hospices** §4.20
4. **County, State, or Federal Uses** §4.21
5. **Day Care Centers and Nursery Schools**<sup>☐</sup> §4.22
6. Single-Family Residential Platted Subdivision or Site Condominium Project, subject to the **R1-D Area Requirements**. §3.7
7. **General Hospitals**<sup>☐</sup> §4.30
8. **Group Day Care**<sup>☐</sup> (7–12 children/adults) §4.32
9. **Type II Home Occupations**<sup>☐</sup> §4.33.A
10. **Housing for the Elderly or Senior Citizen Housing** §4.34
11. **Large-Scale Recreation** §4.37
12. **Noncommercial Recreation** §4.41
13. **Club**<sup>☐</sup>, **Lodge or Fraternity** §4.18
14. **Public Utility Buildings** §4.49
15. **Public Utility Transmission Line** §4.50
16. Uses Similar to Those Set Forth in this Section





# RM-2 Multiple-Family Residential

3.9

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>1</sup>: 1 acre

Minimum Gross Site Area per Multiple-Family Dwelling Unit	
Dwelling Unit	Minimum Site Area (sq. ft.)
Efficiency	5,500
1 bedroom	5,500
2 bedroom	6,000
3 or more bedrooms	6,500 + 1,000 per additional bedroom over 3

Minimum lot width<sup>1</sup>: 120 ft.

### Project Perimeter Setbacks<sup>1</sup>

Minimum front yard setback: 110 ft.<sup>1, 2</sup>

Minimum rear yard setback: 50 ft.

Minimum side yard setback: 50 ft.

### Building Height<sup>1</sup>

Maximum building height: 2 stories not to exceed 32 ft.

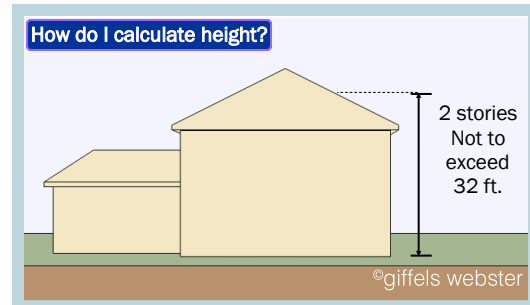
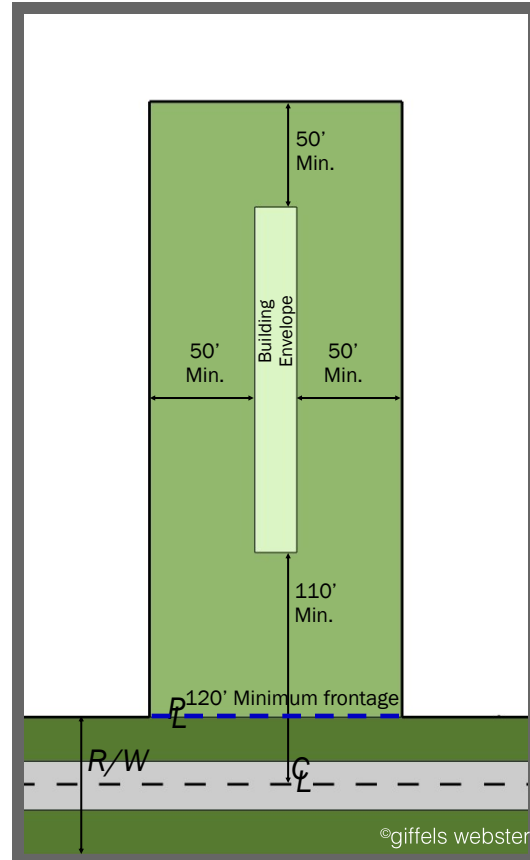
### Floor Area<sup>1</sup>

Minimum floor area: See [Section 3.25.H](#)

### Note to District Standards:

[Section 3.23.B.1, 2, 3, 4 and 6](#)

1. Measured from the centerline of all abutting public roads to the nearest building on the site.
2. No parking shall be permitted in the first eighty-five (85) feet of the required front yard space, as measured from the centerline of the right-of-way.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24
- [Multiple-Family District Regulations](#) §3.25

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54
- [Garage and Yard Sales](#) §4.28
- [Wireless Communication Towers](#) §4.58

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10
- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12

- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## 3.10 MHC Manufactured Housing Community

### A. INTENT

The Manufactured Housing Community district is a residential district. The rules are those set forth by the Mobile Home Commission, except for the following regulations designed to provide adequate space and land use separation in harmony with the Township's other zoning districts.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

### B. PRINCIPAL PERMITTED USES

1. **Manufactured housing** §3.26
2. **Accessory commercial uses** §4.1
3. Single-Family Residential Platted Subdivision or Site Condominium Project, **subject to the R1-D Area Requirements.**

The following uses, as permitted in the RM-2 district:

4. **Agriculture uses in operation at the time of adoption of this Ordinance** §4.4
5. Single-Family Dwellings
6. Family Day Care<sup>☐</sup> (1–6 children).
7. Parks
8. Public Schools
9. **Type I Home Occupations**<sup>☐</sup> §4.33.A
10. **Accessory Buildings**<sup>☐</sup> §5.1
11. **Private Keeping of Animals** §4.47
12. **Windmill** §4.57

### C. SPECIAL LAND USES

1. **Churches**<sup>☐</sup> or **Places of Religious Worship** §4.17
2. **Colleges and Universities** §4.19
3. **Convalescent, Nursing Homes**<sup>☐</sup> or **Hospices** §4.20
4. **County, State, or Federal Uses** §4.21
5. **Day Care Centers and Nursery Schools**<sup>☐</sup> §4.22
6. **General Hospitals**<sup>☐</sup> §4.29
7. **Group Day Care**<sup>☐</sup> (7–12 children/adults) §4.32
8. **Type II Home Occupations**<sup>☐</sup> §4.33.B
9. **Housing for the Elderly or Senior Citizen Housing** §4.34
10. **Large-Scale Recreation** §4.37
11. **Noncommercial Recreation** §4.41
12. **Club**<sup>☐</sup>, **Lodge or Fraternity** §4.18
13. **Public Utility Buildings** §4.49
14. **Public Utility Transmission Line** §4.50
15. Uses Similar to Those Set Forth in this Section



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>1</sup>: See [Section 3.26](#)  
 Minimum lot width<sup>1</sup>: See [Section 3.26](#)

### Setbacks<sup>1</sup>

Minimum front yard setback: See [Section 3.18](#)  
 Minimum rear yard setback: See [Section 3.26](#)  
 Minimum side yard setback: See [Section 3.26](#)

### Building Height<sup>1</sup>

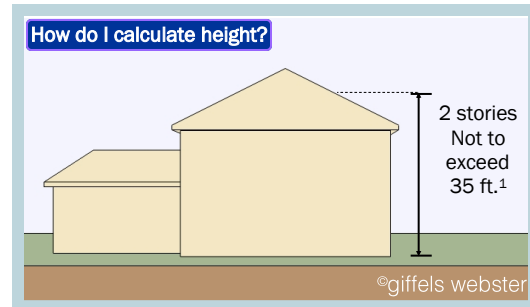
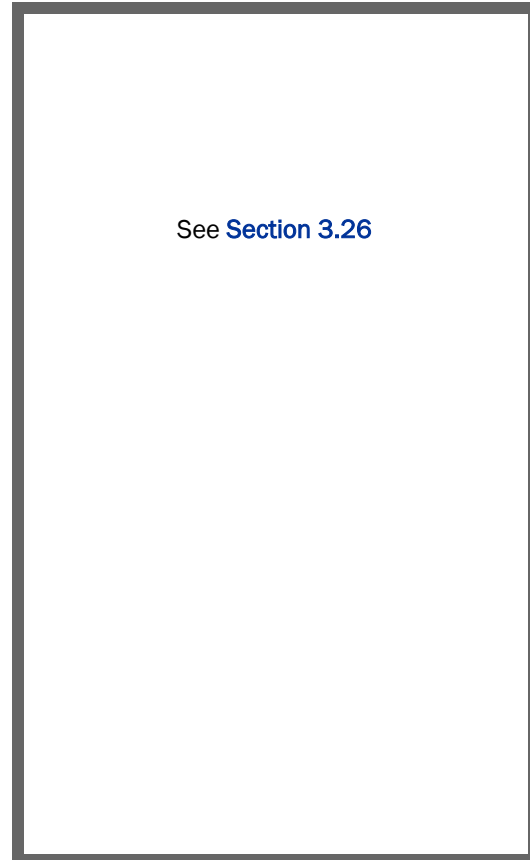
Maximum building height: 2 stories not to exceed 35 ft.<sup>1</sup>

### Floor Area<sup>1</sup>

Minimum floor area: See [Section 3.26](#)

### Note to District Standards: Section 3.23.B.1, 2, 3, and 4

1. Maximum height of service buildings and permitted office structures



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24
- [MHC District Regulations](#) §3.26

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Medical Marijuana Uses](#) §4.39
- [Playgrounds](#) §4.46
- [Solar Panels](#) §4.54
- [Garage and Yard Sales](#) §4.28
- [Wireless Communication Towers](#) §4.58

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Residential Developments](#) §5.3
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10
- [Private and Public Road Relationship/Construction](#) §5.11

### Off-Street Parking and Loading Requirements §5.12

- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17
- [Signs](#) §5.18

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Condominiums](#) §6.2
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The LC Local Commercial district is designed to provide for uses which meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas. Protection of nearby residential districts is considered important, and thus, businesses which tend to be a nuisance to immediately surrounding residential areas are excluded, even though the goods sold or services offered might fall within the convenience classification.

It is further the intent of this district to provide these goods and services in a physical setting that is compatible with surrounding residential neighborhoods and which are of a neighborhood size and character. Whenever possible, Local Commercial districts should be developed with consolidated site features to provide for a continuity of appearance and function and to minimize any negative impacts on nearby residential neighborhoods or the Township's thoroughfare system.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. The following uses shall be permitted subject to **Section 4.38**
  - a. Camera and Photographic Supply Stores
  - b. Fast-food Restaurants<sup>☐</sup>, not utilizing drive-thru facilities
  - c. Eating and Drinking Establishments, under five-thousand (5,000) square feet
  - d. Food and Beverage Stores, except Supermarkets
  - e. Hardware Stores
  - f. Health and Personal Care Stores
  - g. Hobby, Book, and Music Stores
  - h. Miscellaneous Store Retailers, such as gift, novelty, souvenir, stationary shops and florists.
  - i. Office Uses, with the majority of its occupancy made up of service professions<sup>☐</sup>
  - j. Personal and Household Goods Repair and Maintenance
  - k. Personal Care Services such as beauty shops and tanning salons
  - l. Video/Audio Visual Media Rental
  - m. Agricultural Uses in operation at the time of the adoption of this Ordinance
  - n. Banks
  - o. Physical Fitness, Gyms and Similar Training Facilities, under 5,000 square feet of gross floor area
2. **Windmills** §4.57

## C. SPECIAL LAND USES

1. **Day Care Centers and Nursery Schools**<sup>☐</sup> §4.22
2. Dry Cleaning and Laundry Services
3. **Public Utility Buildings** §4.49
4. General Hospitals<sup>☐</sup>
5. Drive-thru lanes ancillary to service uses including banks, except drive-thru lanes ancillary to an eating and drinking establishment or carry-out restaurant
6. Physical Fitness, Gyms and Similar Training Facilities, over 5,000 square feet of gross floor area and/or 24-hour operations
7. Uses Similar to Those Set Forth in this Section



## D. DEVELOPMENT STANDARDS

### Lot Size Per Building

Minimum lot area<sup>☐</sup>: 20,000 sq. ft.  
Minimum lot width<sup>☐</sup>: 80 ft.

### Floor Area Ratio<sup>☐</sup>

Maximum floor area ratio: 1:5

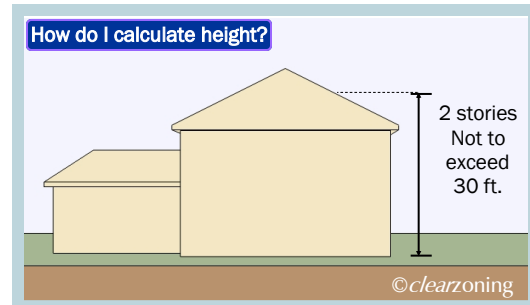
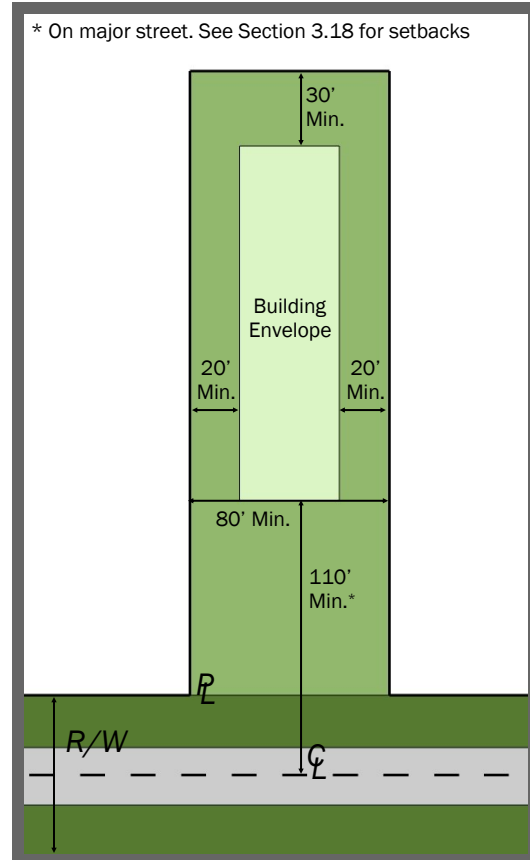
### Setbacks<sup>☐</sup>

Minimum front yard setback: See [Section 3.18](#)  
Minimum rear yard setback: 30 ft.  
Minimum side yard setback: 20 ft.

### Building Height<sup>☐</sup>

Maximum building height: 2 stories not to exceed 30 ft.

Notes to District Standards:  
[Section 3.23.B.1, 2, 3, and 5](#)



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24
- [LC District Regulations](#) §3.27

### 4. Use Standards

- [Animals](#) §4.7
- [Outdoor storage and/or Display](#) §4.45
- [Private Wastewater Treatment Utilities](#) §4.48
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54
- [Garage and Yard Sales](#) §4.28

- [Wireless Communication Towers](#) §4.58
- [Agricultural Tourism](#) §4.5

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Condominiums](#) §6.2
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The GC General Commercial district is designed to provide for a wide diversity of commercial activities which are predominantly retail in character. In addition to retail uses, a number of other activities, usually requiring considerable land area and access to major thoroughfares, are permitted. Uses in this district normally must have good automobile accessibility, but should not cause congestion on adjacent thoroughfares.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. The following uses shall be permitted subject to [Section 4.38](#).
  - a. Fast-food Restaurants<sup>§</sup>, not utilizing drive-thru facilities
  - b. Eating and Drinking Establishments, under five-thousand (5,000) square feet
  - c. Food and Beverage Stores
  - d. Office Uses, with the majority of its occupancy made up of service professions<sup>§</sup>
  - e. Commercial Businesses of a retail nature.
  - f. Commercial Banking and Credit Unions, excluding Drive-Thru Facilities.
  - g. Personal Care Services such as beauty shops and tanning salons
  - h. Video/Audio Visual Media Rental
  - i. Agricultural Uses in operation at the time of the adoption of this Ordinance
  - j. Physical Fitness, Gyms and Similar Training Facilities
2. [Windmills](#) §4.57
3. [Day Care Centers and Nursery Schools](#)<sup>§</sup> §4.22
4. Dry Cleaning and Laundry Services
5. General Hospitals<sup>§</sup>
6. Hardware Stores
7. Building Material and Supply Dealers, with all activities being indoor - not including Lumber Retail Yards.
8. Service and Repair Facilities not involving vehicles

## C. SPECIAL LAND USES

1. [Outdoor display, storage, or sale of goods](#) §4.45
2. [Automobile Repair and Service Centers](#)<sup>§</sup>, excluding Paint and Collision Shops §4.10
3. [Bowling Alleys, Miniature Golf, and similar forms of Commercial Recreation](#) §4.12
4. [Businesses of a Drive-In](#)<sup>§</sup> Nature, but not including Outdoor Theaters §4.14
5. [Drive-Thru](#)<sup>§</sup> Facilities §4.23
6. [Fueling Service Stations](#)<sup>§</sup> §4.25
7. [Full and Self-Service Car Washes](#)<sup>§</sup> §4.26
8. Hotels<sup>§</sup> and Motels (except Bed and Breakfast, Casino Hotels, Tourist Cabins and Recreational Vehicle Campgrounds)
9. [Open Air Business Uses](#)<sup>§</sup> §4.42
10. [Outdoor Sales Lots for the sale of automobiles/motor vehicles](#) §4.44
11. [Outdoor Sales Lots for the sale of new or secondhand recreational vehicles and boats](#) §4.44
12. [Outdoor Sales Lots for the sale of manufactured homes](#) §4.44
13. [Public Utility Buildings](#) §4.49
14. [Raising of Fur-Bearing Animals, Including Kennels and Animal Hospitals](#) §4.51
15. Uses Similar to Those Set Forth in this Section





## D. DEVELOPMENT STANDARDS

**Lot Size**

Minimum lot area<sup>☐</sup>: 30,000 sq. ft.  
 Minimum lot width<sup>☐</sup>: 150 ft.

**Floor Area Ratio<sup>☐</sup>**

Maximum floor area ratio: 1:5

**Setbacks<sup>☐</sup>**

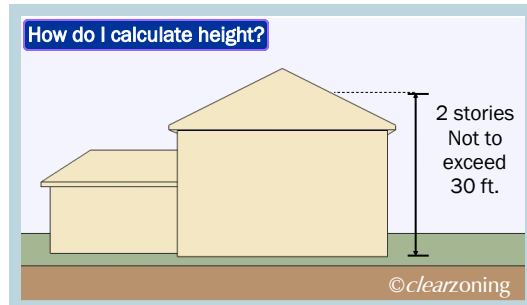
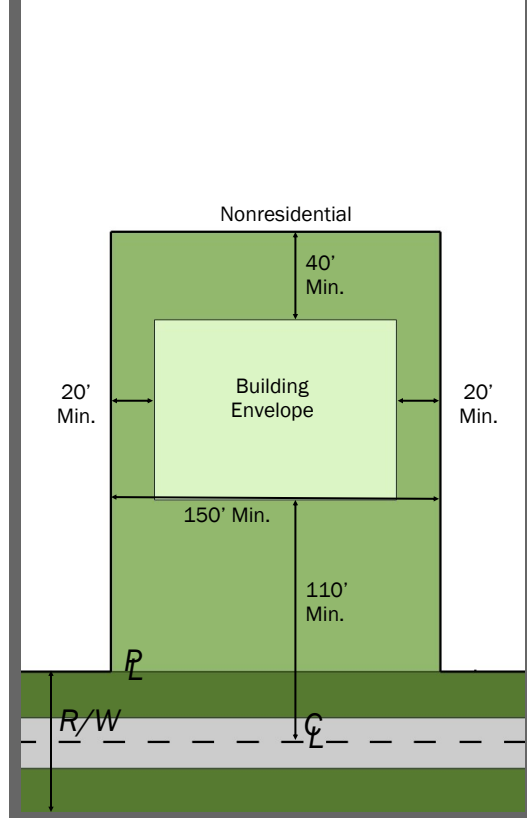
Minimum front yard setback: See [Section 3.18](#)  
 Minimum rear yard setback:  
     Adjacent to residential 50 ft.  
     Adjacent to non-residential 40 ft.  
 Minimum side yard setback: 20 ft.

**Building Height<sup>☐</sup>**

Maximum building height: 2 stories not to exceed 30 ft.

Notes to District Standards:  
[Section 3.23.B.1, 2, 3, and 5](#)

\* On major street. See Section 3.18 for setbacks



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

**3. Zoning Districts**

- [General Exceptions](#) §3.24
- [Planned Unit Development](#) §3.17

**4. Use Standards**

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54
- [Garage and Yard Sales](#) §4.28
- [Wireless Communication Towers](#) §4.58
- [Agricultural Tourism](#) §4.5

**5. Site Standards**

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10
- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12

- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

**6. Development Procedures**

- [Site Plan Review Approval](#) §6.1
- [Condominiums](#) §6.2
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The major function of the Village Center district is that of a specialty center. It is the intent of the Village district to permit a mixture of mutually supporting convenience, specialty, and service commercial uses, as well as complementary office, entertainment and residential uses, which provide for the needs of Township residents. The standards contained herein are designed to promote compact infill development which creates a continuous office and retail frontage, convenient and unobstructed pedestrian access and shopping experience, and compatible building appearance and architectural style and character. Uses permitted in this district should complement each other, not adversely impacting vehicular or pedestrian circulation or the overall character and function of the district.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. Apparel and Accessory Stores.
2. Art Galleries and Studios.
3. Camera and Photographic Supply Stores
4. Commercial Banking and Credit Unions, excluding Drive-Thru Facilities.
5. Eating and Drinking Establishments, excluding Drive-Thru Facilities.
6. Food and Beverage Stores
7. Hardware Stores
8. Health and Personal Care Stores
9. Hobby, Book, and Music Stores
10. Home Furniture, Furnishings and Equipment
11. Miscellaneous Store Retailers, such as gift, novelty, souvenir, stationery shops and florists.
12. Municipal Buildings and Uses
13. Personal and Household Goods Repair and Maintenance
14. Personal Care Services, such as beauty shops and tanning salons.
15. Physical Fitness, Gyms and Similar Training Facilities
16. Private Clubs and Lodges
17. Professional and Business Offices
18. Theaters, Auditoriums, Concert Halls and similar places of assembly
19. Video/Audio Visual Media Rental
20. **Other uses which are similar to the above** §4.38
21. **Windmills** §4.57
22. **Existing single-family residential structures** §4.24

## C. SPECIAL LAND USES

1. **Churches** or **Places of Religious Worship** §4.17
2. Dry Cleaning and Laundry Services
3. **Outdoor Cafes and Seating Areas** §4.43
4. **Private and Charter Schools** §4.17
5. Residential uses located above a nonresidential use, building or structure.
6. **Village Multiple-Family** §3.29
7. **Zero Lot Line Development** §3.28.B
8. Three-story buildings, not to exceed forty (40) feet.
9. **Drive-Thru** **Facilities** §4.23
10. Uses Similar to Those Set Forth in this Section



## D. DEVELOPMENT STANDARDS

### Lot Size Per Building

Minimum lot area<sup>☐</sup>: 6,000 sq. ft.  
Minimum lot width<sup>☐</sup>: 50 ft.

### Lot Coverage<sup>☐</sup>

Maximum lot coverage: None specified

### Setbacks<sup>☐</sup>

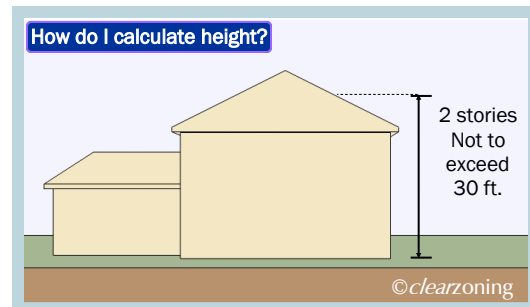
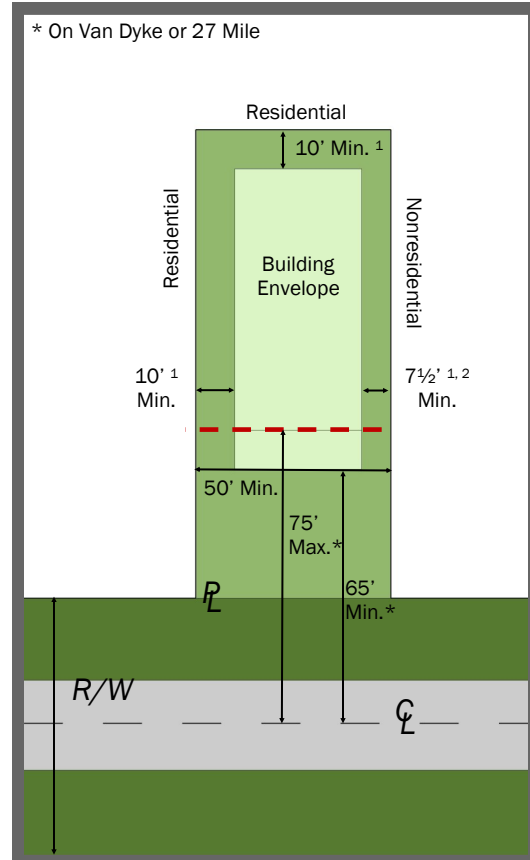
Minimum front yard setback:  
Van Dyke or 27 Mile 65 ft.  
Local roadway 45 ft.  
Maximum front yard setback:  
Van Dyke or 27 Mile 75 ft.  
Local roadway 50 ft.  
Minimum rear yard setback: 10 ft.<sup>1</sup>  
Minimum side yard setback:  
Abutting residential 10 ft.<sup>1</sup>  
Adjacent nonresidential 7.5 ft.<sup>1, 2</sup>

### Building Height<sup>☐</sup>

Minimum building height: 2 stories not less than 20 ft.  
Maximum building height: 2 stories not to exceed 30 ft.<sup>3</sup>

### Notes to District Standards: Section 3.23.B.1, 2, 3, 5 and 6

1. See [Section 5.12.D](#), screening requirements in the V-1 Village District.
2. No principal or accessory building shall be located closer than fifteen (15) feet from any other structure.
3. Three (3) stories and forty (40) feet may be permitted as a special land use.



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24
- [V-1 District Regulations](#) §3.28

### 4. Use Standards

- [Outdoor storage and/or Display](#) §4.45
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54

- [Garage and Yard Sales](#) §4.28
- [Wireless Communication Towers](#) §4.58

### 5. Site Standards

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17

### 6. Development Procedures

- [Site Plan Review Approval](#) §6.1
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The O-1 General Office district is designed to provide a suitable environment for office uses performing professional, administrative and related service occupations. This district is also intended to provide a transition or buffer between more intense uses and/or major thoroughfares and abutting single-family residential neighborhoods.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. Office Uses, with the majority of its occupancy made up of service professions<sup>§</sup>
2. **Accessory uses<sup>§</sup> customary and incidental to a principal use** §4.2
3. **Windmills** §4.57
4. Publicly owned buildings and public utility offices, but not including outside storage

## C. SPECIAL LAND USES

1. **Colleges and Universities** §4.19
2. **Day-Care Centers and Nursery Schools<sup>§</sup>** §4.22
3. **Banks with Drive-Thru<sup>§</sup> Facilities** §4.23
4. **General Hospitals<sup>§</sup>** §4.29
5. **Group Day Care<sup>§</sup>** (7–12 children/adults) §4.32
6. **Planned Unit Development<sup>§</sup>** §3.17
7. **Club<sup>§</sup> , Lodge or Fraternity** §4.18
8. Uses Similar to Those Set Forth in this Section



## D. DEVELOPMENT STANDARDS

**Lot Size Per Building**

Minimum lot area<sup>§</sup>: 20,000 sq. ft.  
 Minimum lot width<sup>§</sup>: 100 ft.

**Lot Coverage<sup>§</sup>**

Maximum lot coverage: 35%

**Setbacks<sup>§</sup>**

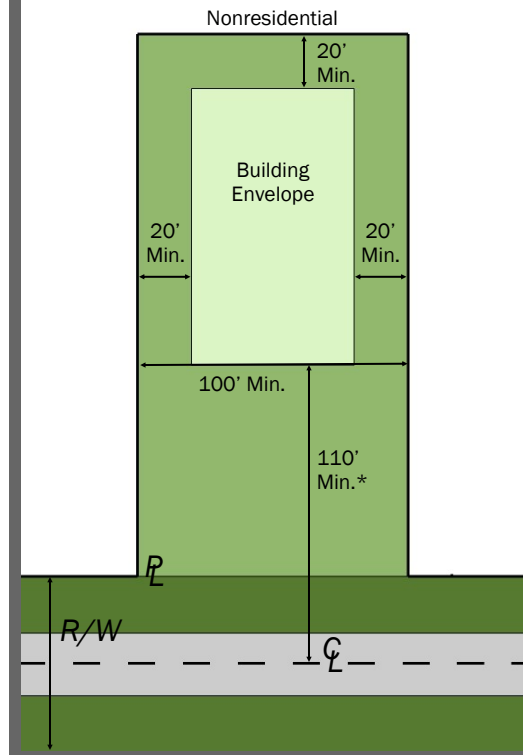
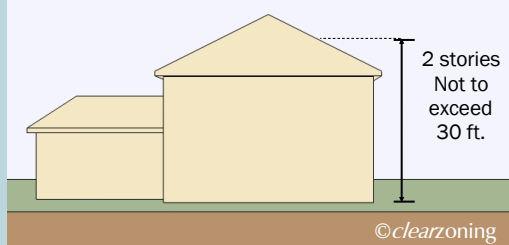
Minimum front yard setback: See [Section 3.18](#)  
 Minimum rear yard setback:  
     Adjacent to residential 35 ft.  
     Adjacent to nonresidential 20 ft.  
 Minimum side yard setback: 20 ft.

**Building Height<sup>§</sup>**

Maximum building height: 2 stories not to exceed 30 ft.

**Notes to District Standards:**  
[Section 3.23.B.1, 2, 3, and 5](#)

\* On major street. See Section 3.18 for setbacks

**How do I calculate height?**

The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

**3. Zoning Districts**

- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24

**4. Use Standards**

- [Animals](#) §4.7
- [Outdoor storage and/or Display](#) §4.45
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54

■ [Garage and Yard Sales](#) §4.28

- [Wireless Communication Towers](#) §4.58

**5. Site Standards**

- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Access Management Standards](#) §5.10

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17


**6. Development Procedures**

- [Site Plan Review Approval](#) §6.1
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



## A. INTENT

The IND, General Industrial district is designed to primarily accommodate industrial operations conducted wholly within a building and whose external physical effects are restricted to the area of the district and in no manner impact in a detrimental way any of the surrounding districts.

 **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. Agricultural uses in operation at the time of the adoption of this Ordinance.
2. Outdoor sales lots for the sale of automobiles/motor vehicles.
3. **Windmills** §4.57
4. Accessory uses<sup>☐</sup> **and accessory outside storage customarily incidental to any of the below uses** §4.2

The following uses shall be permitted subject to **Section 4.38**.

5. Automobile Repair and Service Centers<sup>☐</sup>, Automobile Engine and Body Shops, Undercoating
6. Building Material Sales
7. Contractors Offices with garages for indoor maintenance and indoor storage of equipment.
8. County, State, and Federal Uses
9. Manufacturing of merchandise from previously prepared materials, Compounding, Assembling, Processing, Packaging, and Treatment Facilities.
10. Research, Development, and Testing Services including Laboratories
11. Tool and Die, Gauge and Machine Shops
12. Utility Service Buildings, water supply and water, gas tanks and containers
13. Warehousing<sup>☐</sup> and Wholesale establishments, Storage (other than accessory to a permitted retail use), and Self-Storage Warehouses
14. Sleeping quarters for security and maintenance personnel
15. **Registered Primary Caregivers**<sup>☐</sup> §4.39

## C. SPECIAL LAND USES

1. **Adult Entertainment Uses**<sup>☐</sup> §4.3
2. **Airports and Private Airstrips** §4.6
3. Industrial Buildings exceeding sixty thousand (60,000) square feet in size on a parcel
4. **Auditoriums, Stadiums and Outdoor Theaters** §4.8
5. **Automobile Heavy Repair Garage**<sup>☐</sup> §4.9
6. **Bulk Storage of Flammables and Raw Materials** §4.13
7. Bus Garages/Transportation Terminals (Storage and/or Repair).
8. **Cement Crushing and Batch Plant Operations** §4.15
9. Chemical Processing Plants
10. Contractor Yards
11. Fabricated Metal Product Manufacturing
12. Foundries
13. **Greenhouses and Nurseries** §4.31
14. Heavy Stamping, Punching, Hammering, Riveting, Grinding, or Pressing Operations
15. Indoor and Outdoor Recreational Facilities
16. **Junk Yards**<sup>☐</sup> §4.35
17. **Landfills** §4.36
18. **Outdoor Storage** §4.45
19. Plating Facilities
20. **Public Utility Buildings** §4.49
21. **Public Utility Transmission Line** §4.50
22. **Refuse Disposal Incinerators, Recycling Centers**<sup>☐</sup> **and Transfer Stations** §4.52
23. **Truck Terminals** §4.56
24. **Wireless Communication**<sup>☐</sup> **Towers** §4.58
25. **Yard Clipping Composting Facilities** §4.59
26. **General Hospitals and Medical Campuses** §4.30
27. Other uses which are similar to the above



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 20,000 sq. ft.  
Minimum lot width<sup>☐</sup>: 80 ft.

### Lot Coverage<sup>☐</sup>

Maximum lot coverage: Shall be equal to the remainder of the site after all right-of-way parking and yard space requirements are deducted from the gross site area.

### Setbacks<sup>☐</sup>

Minimum front yard setback: See [Section 3.18](#)  
Minimum rear yard setback: 50 ft.  
Minimum side yard setback:  
One side 10 ft.<sup>1</sup>  
Total of two sides 40 ft.<sup>1</sup>

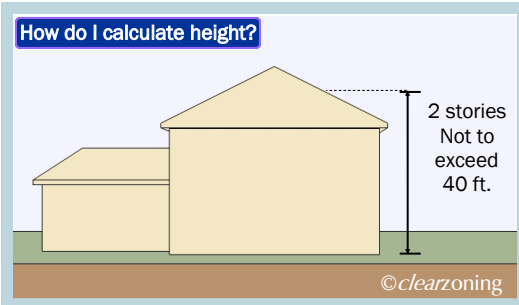
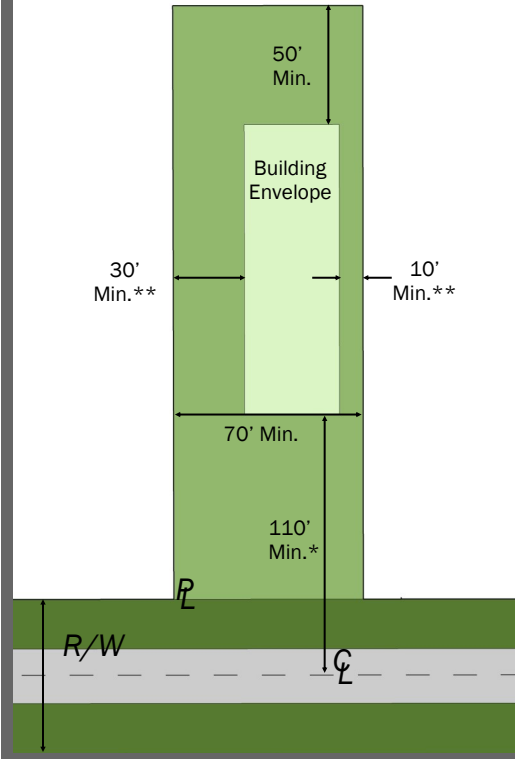
### Building Height<sup>☐</sup>

Maximum building height: 2 stories not to exceed 40 ft.

### Notes to District Standards: [Section 3.23.B.1, 2, 3, and 5](#)

- Where a property line abuts a residential district or use, the minimum setback shall be fifty (50) feet.

\* On major street. See Section 3.18 for setbacks  
\*\* Total of two sides must equal 40 feet



The above drawings are not to scale.

## ADDITIONAL REQUIREMENTS

### 3. Zoning Districts

- [Planned Unit Development](#) §3.17
- [General Exceptions](#) §3.24
- [IND District Regulations](#) §3.30

### 4. Use Standards

- [Animals](#) §4.7
- [Private Wastewater Treatment Utilities](#) §4.48
- [Regional Buildings](#) §4.53
- [Storage, Accumulation, Dumping...](#) §4.55
- [Playgrounds](#) §4.46
- [Medical Marijuana Uses](#) §4.39
- [Solar Panels](#) §4.54
- [Garage and Yard Sales](#) §4.28

### 5. Site Standards

- [Wireless Communication Towers](#) §4.58
- [Agricultural Tourism](#) §4.5
- [Accessory Buildings](#) §5.1
- [Appearance Requirements ...](#) §5.2
- [Building Grades](#) §5.4
- [Fences, Walls and Protective Barriers](#) §5.5
- [Location of Structures in a Public Easement](#) §5.6
- [Receiving and Broadcasting Antennas](#) §5.7
- [Pathways](#) §5.8
- [Performance Standards](#) §5.9
- [Access Management Standards](#) §5.10

### 6. Development Procedures

- [Private and Public Road Relationship/Construction](#) §5.11
- [Off-Street Parking and Loading Requirements](#) §5.12
- [Environmental Provisions](#) §5.13
- [Clear Vision](#) §5.14
- [Lighting](#) §5.15
- [Excavation of Holes](#) §5.16
- [Display of Goods](#) §5.17
- [Site Plan Review Approval](#) §6.1
- [Condominiums](#) §6.2
- [Impact Development Statement](#) §6.3
- [Special Land Use Review Requirements](#) §6.4



### 3.16 RESIDENTIAL OPEN SPACE DEVELOPMENT

- A. Residential Open Space Development, as defined in this Ordinance, shall be considered a Permitted Use in the A-1, R-1, R1-A and R1-B zoning districts. Residential Open Space Development shall also be considered a Permitted Use in the R1-C zoning district if the subject property is located in an area serviced by public sanitary sewer. In no circumstance shall multiple-family residential development of any type be permitted in a Residential Open Space Development.
- B. Intent. The intent of this Section of the Zoning Ordinance is to provide a preferable alternative to conventional single-family development regulations. All residential open space developments shall promote the following objectives:
1. Maintain the Township's open space and rural setting.
  2. Preserve the Township's natural resources, including woodlands, wetlands, topography, floodplains and similar natural assets.
  3. Preserve open space and agriculture.
  4. Achieve a balance between agriculture, open space and growth.
  5. Encourage a creative approach to the development of parcels exhibiting unusual characteristics and/or land use relationships.
  6. Provide alternatives to conventional subdivision development.
  7. Provide common areas with recreation opportunities of both a passive and active nature.

#### C. Submission and preservation requirements.

1. All natural assets and cultural/historic features on the site must be identified on the plan. Such assets shall include natural stands of large trees, wetlands, floodplains, productive agricultural land, topography, bodies of water (i.e. streams, rivers), land which serves as a natural habitat for wildlife, or other natural assets which should be preserved. Regulated natural features such as, but not limited to, wetlands and floodplains must be identified through documentation from the appropriate Federal, State and/or local authorities. Cultural and historic features may include farmhouses, stone fence lines and buildings or foundations of historic value. Residential open space developments shall preserve all of the above amenities to the extent feasible and desirable to the Township.
2. A detailed map of the parcel identifying soil conditions shall be provided. Soil borings may also be required by the Planning Commission.
3. The site design for common open space shall include both active and passive recreation areas for residents within the open space community. Active recreation areas shall refer to upland areas with man-made improvements that are maintained on a regular basis. These areas shall not include open water regardless of the ability to provide for swimming, boating, fishing and similar water related activities. All open space developments shall include an improved trailway system as a portion of the required active recreation area. Active recreation areas may also include playground equipment, properly constructed sport fields, swimming pools, exercise equipment, parks (with benches, picnic tables, barbeques and gazebo-like structures) and other similar type uses. Passive recreation shall be open space areas left in their natural state, preserved natural amenity areas, open fields (improved as required in paragraph G.5.i., herein), agricultural land, and open water lakes (not including retention/detention ponds). This paragraph shall not apply to farmland preservation projects. Such passive and active open space shall be clearly defined on the site plan.

4. A preservation and maintenance agreement for all open space areas and common elements, reviewed and approved by the Township Attorney shall be submitted. Approval of the development shall be conditioned upon the recording of appropriate conservation easements and/or other irrevocable instruments for the purpose of providing for maintenance and preservation of common elements, open space areas, wooded areas and/or other areas with natural resources or features to be preserved. All such maintenance agreements, deed restrictions, and the approved plans from the Township shall clearly indicate that open space maintenance shall be the responsibility of the homeowners or condominium association.

**D. Density.**

1. The maximum number of units allowed shall be determined by the submission of a "Yield Plan". The Yield Plan shall be provided by the developer and shall be a feasible development under the required standards of the specified zoning district with regard to lot width, lot area, width-to-depth ratios, setbacks, frontage, and other applicable provisions of such district. The Yield Plan shall meet all applicable requirements of the State Land Division Act and all applicable Township ordinances. The Yield Plan shall also meet all requirements of the Washington Township Land Division Regulations Ordinance or requirements of the Washington Township Private Road Ordinance, as applicable to the type of development.

The Planning Commission may require soil and groundwater perk tests for lots of a suspect nature. They may also require test wells if adequate well water is questionable. If it is determined through these tests that the number of housing lots proposed is unfeasible, the site plan will be revised and resubmitted, minus the number of house lots that failed the perk and/or water test. Detailed engineering is not required at this stage.

2. The Planning Commission may award the applicant a development bonus with regard to the number of residential units permitted within an open space development. Such bonus shall not exceed a five (5) percent increase in the number of residential units. The Planning Commission may grant such a bonus upon a finding that the applicant is preserving the natural features of the site or creating natural features on site.

**E. Open space requirements.**

1. A minimum of fifty (50) percent of the development shall be set aside for common open space, as defined below. The amount of active open space acreage so required by this Section shall be determined by the following formula:

Active Open Space Area =

$$\frac{\text{Population per Dwelling Unit}^* \times \text{Number of Dwelling Units}}{1,000 \text{ Persons}} \times \frac{3.375 \text{ Acres}}{1,000 \text{ Persons}}$$

\* The Population per Dwelling Unit shall be determined by using the current Southeast Michigan Council of Governments projections for Persons per Household for Washington Township. In no case shall a number less than 2.50 persons per household be utilized.

Said area shall either:

- i. Belong to the Homeowner's Association, with proper maintenance being set forth in Homeowner Deed Restrictions; or
- ii. The developer may choose to deed such land to Washington Township for neighborhood playgrounds, parks or recreation areas subject to Township acceptance of such property. For the purposes of this Ordinance, the Township shall only consider acceptance of a minimum of four (4) acres of contiguous active open space. The failure of the Township to accept such property shall not relieve the developer from the requirements of the Open Space Ordinance.

Open space shall be defined as follows: All areas within the open space development, not individually owned or part of a limited common area, which are designed and intended to preserve open land resources for the common use and enjoyment of the residents of the entire development for any of the following uses: recreation, forestry and/or open space conservation, prairies, meadows, community gardens, or agricultural uses. The open space requirements shall not be met by land uses such as rights-of-way or easements designated for road or utility purposes, areas within lots, detention/retention ponds (and associated land surrounding the ponds), golf courses or other commercial recreational uses, or land area dedicated as limited commons.

2. A minimum of fifty (50) percent of all dwelling units within the development shall abut the dedicated open space.
  3. Trailways shall be located throughout the open space and shall link the internal sidewalk/walking path system of the housing development with the open space areas. Such trailways shall be a minimum of five (5) feet in width and constructed of asphalt in upland areas and wood plank decking in wetland areas.
  4. A minimum of one access point to the open space, being a minimum of fifty (50) feet in width, shall be provided for each twelve (12) households. These access points shall link the open space to the sidewalks and the remainder of the development.
  5. Developments shall provide open space in a manner which encourages the future linkage of open space to adjacent parcels.
  6. All dwelling units shall have side, rear, or alley entry garages, or other configurations not opening directly to the street; except that the Planning Commission may approve dwelling units with garages that face the road if such garage does not extend beyond the front plane of the living quarters of the dwelling.
  7. The development shall include a minimum of a 210-foot roadway setback-buffer measured from the road centerline along any regional, major, or secondary road with a right-of-way of one hundred twenty (120) feet or less. For those roads with a right-of-way greater than one hundred twenty (120) feet, the roadway buffer shall be increased one-half ( $\frac{1}{2}$ ) foot for each one (1) foot over one hundred twenty (120) feet.
  8. A minimum buffer width of thirty (30) feet shall be provided between streams, lakes, ponds or wetlands and similar man-made features such as detention/retention basins. Residential lots shall not encroach within this 30-foot wide water body/waterway buffer.
  9. Non-agricultural open fields designated for passive recreation shall be planted with native prairie grass or similar types of ground cover. In addition, ten (10) trees shall be planted for each one (1) acre of open field. Deciduous trees shall be a minimum size of two and one-half inch ( $2\frac{1}{2}$ ") caliper and evergreen trees shall be a minimum of six (6) feet in height. Such trees shall be planted and maintained within the open field area and be native to Michigan.
- F. Utilities. All utilities shall be placed underground when feasible. The applicant shall provide adequate sanitary sewage treatment, water supply and stormwater drainage systems to serve the development. Evidence shall be submitted indicating that all such systems have received preliminary approval from appropriate County or State authorities. The Township shall have sole authority for final approval of any utility system. In the absence of a Township utility system, all utilities to serve the site shall be constructed and maintained by the applicant and any successors. A maintenance agreement, approved by the Township, shall be required.
- G. Roads. Roadways shall conform to the Road Commission of Macomb County standards and/ or the Washington Township Private Road Standards.
- H. Street trees. The entrance and roadways shall be landscaped and planted with street trees, to create an attractive vista. Such trees shall be planted no more than thirty (30) feet on center. The trees shall meet the size and species requirements of this Ordinance.

- I. Pedestrian circulation. Sufficient right-of-way width shall be provided so that sidewalks may be installed on both sides of all streets. A five-foot wide concrete sidewalk shall be located one (1) foot from the property line. This requirement may be waived by the Planning Commission when an acceptable and more imaginative solution to pedestrian circulation is proposed by the applicant. The internal sidewalk network of a residential open space development shall provide a connection to the Washington Township pathway network where a pathway is present or planned.
- J. Setbacks. The following building setbacks shall be required:
  1. Thirty (30) feet from the edge of any interior road right-of-way or easement.
  2. Five (5) foot side yard setback. No two (2) principal structures shall be located within thirty (30) feet of each other.
  3. Rear yard setbacks shall be a minimum of twenty (20) feet for lots with rear yards which abut open space or alleys. All other lots shall meet the rear yard setback of the zoning district for the site.
  4. No lot, property line or building site shall be located within an exterior roadway setback-buffer.
- K. Fencing. The use of perimeter fencing around building sites is prohibited except as permitted herein. Rear yards and side yards may be enclosed with split rail, picket-type, wrought iron, or other similar decorative fencing. Such fences shall not exceed forty-eight (48) inches in height. In no case shall view obscuring fences, privacy fences, chainlink fences or other similar wire fences be permitted on a site. Fences are prohibited in the front yard or street-side (front) yard.
- L. Dedication of open space and/or development rights. The dedicated open space shall be set aside in an irrevocable conveyance that is acceptable to the Township Attorney and approved by the Township Board, such as the following:
  1. A Conservation Easement as established by the State of Michigan Conservation and Historic Preservation Act, Public Act 197 of 1980, as amended (M.C.L. 399.251).
  2. Master deed as established by the State of Michigan Condominium Act, Act 59 Public Act of 1978, as amended.

3. Distribution, gift or sale of the development rights to all property owners within the Open Space Community.

The above conveyance shall indicate all proposed uses of the dedicated open space, which shall also be shown on the approved open space community. The Township Attorney shall review the conveyance and assure the Township that such lands shall remain as open space for perpetuity. The conveyance shall also detail a maintenance schedule and funding for operation, maintenance and insurance for all common areas, facilities, projects and programs of the Open Space Community, and shall include methods of payments and collection. The homeowner or condominium association shall be responsible for maintenance of all open space areas. At the time the property is turned over to the association, it shall be clean and free of debris.

- M. Unless otherwise provided for in this Ordinance, all other applicable Zoning Ordinance provisions shall apply.

Δ July 13, 2022

### 3.17 PLANNED UNIT DEVELOPMENT

- A. Purpose and intent. The Planned Unit Development (PUD) concept is intended to provide a greater degree of flexibility in the regulation of land development and the arrangement of uses. Through this option, more creative approaches to development can be utilized which take advantage of the special characteristics of the land than would otherwise be possible through the strict enforcement of the Ordinance. The specific objectives of this Section are to:
  1. Require innovation in land use and variety in design, layout and type of structures constructed, while preserving the intent and integrity of the Township Master Plan.
  2. Preserve significant natural resources.
  3. Achieve economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities.
  4. Require the preservation of useful open space.
  5. Permit flexibility in the placement, lot area and building type regulations, while assuring the application of sound site planning standards.





B. General requirements. These Planned Unit Development (PUD) regulations shall apply to all proposed Planned Unit Development projects. Where there are conflicts between the PUD regulations and general zoning, subdivision, or other Township regulations or requirements, the PUD regulations shall apply for the project.

1. A PUD project may be permitted in any zoning district subject to Township approval.
2. A PUD project shall follow the same public hearing procedure as a special land use.
  - i. The public hearing for the proposed PUD development shall be held during the formal PUD application review phase.
  - ii. A sign shall be posted by the applicant on the subject site indicating that a PUD development is proposed. Such sign shall be placed on the site at the time the formal PUD application has been submitted. The sign shall be the same size as that which is required for the posting of a sign under a rezoning request.
3. All requirements of the underlying zoning district including but not limited to, setbacks, uses and density/area regulations shall be met by the proposed PUD unless specifically waived by the Planning Commission and Township Board. In waiving these requirements the Township will, at a minimum, consider the criteria outlined in [subsection C.3](#).
4. Minimum area required.
  - i. A parcel of land proposed for a PUD in any residential zone shall be a minimum of forty (40) acres in size.
  - ii. A parcel of land proposed for a PUD in any nonresidential zone shall be a minimum of five (5) acres in size.

- iii. Property owners maintaining active farmland that are proposing to utilize the PUD option shall not be required to meet the minimum acreage requirement referenced above if sixty (60) percent of the subject property will remain as active farmland as defined in [Section 3.17.B.5.i.a](#) under the proposed PUD. Such agricultural use shall be verified through the production of a current Schedule "F" tax form for the property or an affidavit from a certified public accountant stating that such form has been submitted for the current tax year.
  5. A minimum of fifteen (15) percent of the net developable area of the land shall be irrevocably dedicated as open space. The dedication shall be evidenced by a recordable instrument acceptable to the Township Attorney. All undevelopable areas including open bodies of water and regulated wetlands shall not be counted towards the net developable area of land.
    - i. Property owners maintaining active farmland that are proposing to utilize the PUD option may not be required to irrevocably dedicate open space if sixty (60) percent of the subject property will remain as active farmland as defined in [Section 3.17.B.5.i.a](#) for the life of the proposed PUD agreement. Such agricultural use shall be verified through the production of a current Schedule "F" tax form for the property or an affidavit from a certified public accountant stating that such form has been submitted for the current tax year.



- a. For the purposes of [Section 3.17](#), active farmland shall be defined as the area utilized for farming activities such as the raising of crops or animals, the homestead associated with the farm and any indoor or outdoor areas designed for and utilized for the storage and/or maintenance of farm products such as hay or straw or farm equipment associated with the planting and processing of products grown on-site. Roadside farm stands selling products primarily grown on-site and the parking associated with the farm stand shall also be considered active farmland. Activities not associated with the raising of crops or animals and any parking not accessory to the roadside farm stand, the homestead or parking for employees engaged in the activity of raising crops or animals, shall not be considered active farmland.
- 6. On residentially zoned properties, nonresidential uses shall not occupy an area that exceeds forty (40) percent of the gross acreage of the entire parcel of land.
- C. Review procedures.
  - 1. Conceptual review. Prior to the formal submission of a PUD application, the applicant shall submit a site plan for conceptual review. The plan shall show the entire PUD concept in schematic form, indicating generalized land use areas and their relationship to each other, circulation patterns and generalized existing site characteristics.
    - i. The Planning Commission shall review the plan with the applicant, offer comments on such plan as it relates to the Township's development policies and make appropriate comments or suggestions concerning the proposed development scheme.
    - ii. This phase shall not be construed to require approval of the conceptual plan by the Township. Further, the conceptual plan is only intended to be used as a general guide to both the applicant and the Township.
  - 2. Formal PUD application.
    - i. Application. The owner of the property shall submit an application for a PUD on a form approved by the Township. The application shall include all information necessary to satisfy the terms and conditions of this Section.
    - ii. Development agreement. An application for a PUD must include a proposed development agreement for review and consideration by the Planning Commission. The final development agreement must be approved by the Township Board. The development agreement shall include, at a minimum, the following:
      - a. The permitted uses of the property.
      - b. The permitted density and/or intensity of the proposed use.
      - c. Provisions for reservations or dedications of land for public purposes, if applicable.
      - d. Terms, conditions, restrictions and requirements upon which approval is based, including phasing requirements, requirements for on-site or off-site improvements and contributions to improvements for public facilities if applicable.
      - e. A time frame for commencement and completion of improvements associated with the PUD, including both public infrastructure improvements and internal site improvements, along with the means of insuring that all public improvements are constructed and maintained.
      - f. A statement indicating that, except as otherwise provided by the agreement, regulations governing permitted uses of land, density, design, improvement and construction standards and specifications applicable to development of the land shall be the regulations in force at the time.
    - iii. Upon completion of the conceptual review phase, the applicant may proceed with a formal submission of the PUD application, as outlined within this Ordinance.



iii. Additional requirements. In addition to the application requirements set forth in subsections i. and ii., the applicant shall provide the following documents with the application:

a. A site plan meeting all submission requirements of [Article 6, Section 6.1.C](#), site plan review requirements of the Washington Township Zoning Ordinance.

(1) Residential site plans shall include the street layout and the number and type of dwelling units proposed for each phase. A Yield Plan may be required by the Planning Commission to determine the number of units an applicant could achieve under the conventional standards of the Zoning Ordinance. The Yield Plan shall meet all applicable requirements of the State Land Division Act and all applicable Township ordinances. The Yield Plan shall also meet all requirements of the Washington Township Land Division Regulations Ordinance, as applicable to the type of development.

(2) Nonresidential phases shall include at least the building footprint, street layout, square footage of each structure, and the location and number of spaces in all parking areas.

b. A development impact statement meeting the requirements of [Section 6.3](#) of the Washington Township Zoning Ordinance.

c. A phasing plan, if applicable. Phasing shall be provided in such a manner to ensure overall compliance with the overall PUD.

d. A description of all landscaping, lighting and architectural themes and materials used for each building including architectural renderings, where applicable.

e. A coordinated sign package.

f. Legal documents in recordable form including but not limited to:

(1) Master Deed and Bylaws which incorporates the associations involved in the PUD and includes the following:

(A) The establishment of voting rights within the PUD.

(B) Maintenance language for all common areas.

(C) Special assessment language as approved by the Township.

(2) Cross access, joint access and shared parking agreements where applicable.

(3) Conservation easements or other method deemed suitable to ensure the protection of open space areas.

3. Criteria for approval. Upon receipt of a formal application for a PUD, the Planning Commission shall review the application to determine if the proposal meets the eight (8) standards for special land use approval outlined in [Section 6.4.A](#) of the Washington Township Zoning Ordinance. In addition to meeting these eight (8) standards, the Commission shall find that the plan addresses the following issues:

i. A suitable development agreement has been provided outlining the specific design of the site including parking arrangement, building footprint, building design and materials, landscaping and infrastructure improvements. Said agreement provides the Township with a reasonable guarantee that what will be constructed is what has been agreed to by both the Township and the developer.

- ii. The plan provides for safe, efficient, convenient and harmonious groupings of structures, uses and facilities; for appropriate relation of space inside and outside buildings to intended uses and structural features; and for preservation of desirable natural or historic features. In particular, streets, drives and parking and service areas shall provide safe and convenient on-site circulation, as well as safe and convenient access to dwelling units, general facilities and for service and emergency vehicles.
- iii. The Planning Commission shall review the positive and negative impacts of the proposed PUD to determine if the development provides benefits that substantially outweigh that which would be achieved under the conventional standards of the Zoning Ordinance. The following more specific list shall also be considered by the Planning Commission. This list shall not be deemed all inclusive and should act as a guideline for applicants proposing a PUD.
  - a. Residential design.
    - (1) A significant amount of passive and/or active open space has been provided throughout the site. Additional consideration will be given towards the provision of open space along major roads abutting the development.
    - (2) A substantial number of dwelling units within the development about dedicated open space.
    - (3) Trailways have been located throughout the open space and link the internal sidewalk/ walking path system of the housing development with the open space areas.
    - (4) The development provides open space in a manner which encourages the future linkage of open space to adjacent parcels.
    - (5) Dwelling units have side, rear, or alley entry garages, or other configurations not opening directly to the street.

- (6) The applicant has provided an architectural theme which promotes varied architectural designs and floor plans. Architectural features such as cupolas, dormers and gables are encouraged along with the design of porches and the use of brick and stone building materials.
- b. Commercial/industrial design.
  - (1) A compatible architectural theme has been provided that provides architectural treatments and maintains durable materials.
  - (2) Significant landscaping/open space areas have been provided that enhance/ preserve the natural environment of the area.
  - (3) Appropriate buffering has been provided that complements/ protects surrounding residential neighborhoods.
  - (4) The buildings have been designed at such a scale that the overall character of the area has not been compromised.
  - (5) Shared driveways, parking areas and connectivity between uses has been taken into account.
  - (6) Parking has been provided for in the side or rear yard of the site and does not act as a focal point for development.
  - (7) Pedestrian accessibility has been planned for and is an integral part of the overall design.
- c. Agriculture/farmland preservation design.
  - (1) An agriculture architectural theme has been provided that provides architectural treatments and maintains building material consistent with an active farming environment.



- (2) Significant farmland/open space areas have been preserved in a manner that enhances the natural environment of the area.
  - (3) Adequate separation or appropriate buffering has been provided between proposed activity areas on the farm and any surrounding residential uses or neighborhoods.
  - (4) The uses on the property have been designed at such a scale that the overall character of the area has not been compromised.
  - (5) A safe traffic circulation pattern has been provided for. Parking and maneuvering lanes have been designed so as not to require vehicular stacking on public road rights-of-way.
  - (6) An on-site pedestrian pathway plan has been provided to ensure users can safely access all areas open to the public.
  - (7) Agri-tourism activities proposed are ancillary to the farming activity conducted on-site.
  - (8) An emergency access plan has been provided for the site showing where all buildings and operations are located and how emergency vehicles and personnel can access these areas. Such plan has been submitted and approved by the Washington Township Fire Department.
4. Decision and final approvals.
  - i. The Planning Commission shall recommend to the Township Board approval or denial of the PUD and development agreement presented by the developer after receiving a recommendation from the Township Attorney regarding the draft development agreement.
  - ii. Following the review and acceptance of the development agreement by the Township Attorney and the Planning Commission, the PUD and development agreement shall be forwarded to the Township Board with the recommendations made by the Planning Commission and all Township Consultants.
  - iii. One (1) public hearing shall be held by the Township Board prior to making a decision. A public hearing notice of said PUD shall be given not less than fifteen (15) days before the date that the application will be considered. All properties within three hundred (300) feet of the PUD site shall also be noticed. The Township Board shall consider the comments obtained during the public hearing, as well as the recommendations of all Township consultants and the Planning Commission in making a decision to approve or deny the PUD and Development Agreement.
  - iv. Prior to making a final decision, the Township Board may require revisions to the PUD plan and development agreement, as is deemed necessary to further the objectives of this Section.
5. Site plan and amendment procedure. Application for approval of each phase of the PUD shall be submitted and regulated under the standard site plan review process outlined in [Section 6.1.D](#) and/or [Section 6.2](#) as well as [criteria i. to iii. outlined above in subsection 3.](#)
  - i. Each phase of the project shall be in compliance with the approved PUD and development agreement signed and approved by the Township. The PUD and development agreement shall not be amended without a majority vote of approval by the full Township Board (four (4) votes), after review and recommendation by the Planning Commission. All amendments to the site plan and/or development agreement shall follow the same review procedures as outlined for the initial PUD approval.
  - ii. Development within the PUD property shall not be permitted to appeal specific standards of the Zoning Ordinance to the ZBA unless otherwise stated in the development agreement.

### 3.18 FRONT YARD SETBACK REQUIREMENTS

- A. Front and streetside setbacks shall be measured from the centerline of each road right-of-way in accordance with the Township's Master Plan designation and the Road Commission of Macomb County as follows:

Table 3.18.A Front Yard Setback Requirements	
Road Designation	Distance from Centerline <sup>1</sup>
Freeway	50 feet <sup>2</sup>
Regional	152 feet
Major	110 feet <sup>4</sup>
Secondary	110 feet <sup>4</sup>
Collector	83 feet
Local	60 feet
Cul-de-sac	90 feet radius
Private road	30 feet <sup>3</sup>
<p>1 - Property located within the Village District shall not be subject to the above front yard setback requirements. See Section 3.18.B</p> <p>2 - Freeways shall be measured from the established right-of-way line.</p> <p>3 - The front yard setback shall be measured from the road easement or common usage line abutting the subject lot.</p> <p>4 - In the LC and O-1 districts, property which maintains a depth of less than two hundred (200) feet shall be permitted to reduce the required front yard setback by an amount no greater than ten (10) feet.</p>	

When structures have been built upon a majority of the parcels in a block with a lesser setback than permitted in this Section, a structure may be built to the setback of the mean average of the structures in the block provided further that the setback on corner lots on the side streets shall not reduce the buildable width on parcels of land to less than a 24-foot wide building.

- B. Village Area. Front yard setbacks shall comply with [Section 3.18.A](#) with the exception of development within the Village area of the Township, as defined within the Washington Township Master Plan, which shall be subject to the following front yard setback requirements:

1. No principal building shall be set back less than sixty-five (65) feet or more than seventy-five (75) feet from the centerline of Van Dyke.
2. No principal building shall be set back less than forty-five (45) feet or more than fifty (50) feet from the centerline of any local roadway.

### 3.19 ZONING MAP

The Zoning Map of Washington Township, which together with all explanatory matters thereon, is hereby adopted and declared to be a part of this Ordinance.

Regardless of the existence of purported copies of the Zoning Map which may from time-to-time be made or published, the Zoning Map, which shall be located in the Office of the Township Clerk, shall be the final authority as to the current status of zoning in Washington Township.

In the event that the Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Township Board may, by resolution, adopt a new Zoning Map. The new Zoning Map may correct drafting or other errors or omissions in the prior Zoning Map, but no such corrections shall have the effect of amending the original Zoning Map or any subsequent amendment thereof.

Unless the prior Zoning Map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

### 3.20 DISTRICT BOUNDARIES

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

- A. Unless shown otherwise, the boundaries of the districts are lot lines; the centerlines of streets, alleys, roads or such lines extended; railroad right-of-way lines; and the Washington Township limits. Dimensions shown are to the center of the adjacent road or street.





B. Where, due to the scale, lack of detail or illegibility of the Zoning Map for this Ordinance, there is any uncertainty or contradiction as to the location of any district boundaries shown thereon, interpretation concerning the exact upon its own motion, by the Zoning Board of Appeals. The Zoning Board of Appeals, in arriving at a decision on these matters, shall apply the following standards:

1. The district boundaries, as set forth in this Section, shall first be considered with reference to the standards cited in [subsection A. above](#).
2. Where a district boundary divides a site, the location of any such boundary, unless the same is indicated by dimensions shown on said map, shall be determined by the use of the map scale shown thereon.
3. If, after the application of the foregoing standards, uncertainty, contradiction or dispute remains as to the exact location of a district boundary, the Zoning Board of Appeals shall determine and fix the location of said boundary line as all of the facts and circumstances shall require.

### 3.21 DISTRICT REGULATIONS

- A. No structure or land shall be used, occupied, erected, constructed, moved or altered, except in conformity with the regulations specified for that zoning district. Unless a use is permitted in a particular zoning district, it shall be prohibited in that zoning district.
- B. Except as otherwise provided, regulations governing land and building use, minimum lot size, lot area per dwelling unit, building height, building placement, required yards and other pertinent factors are hereby established as stated in the detailed provisions for each of the zoning districts. In each zoning district, a "Permitted Use" shall be a use of land or buildings subject to the minimum requirements specified for such use in the zoning district in which such use is located, plus applicable requirements found elsewhere in this Ordinance. A Special Land Use shall be a use of land or buildings which may be permitted in that district only after following special procedures designed to ensure site and use compatibility with existing or proposed surrounding land uses. In evaluating and deciding each application for such permission, the Planning Commission shall apply the standards contained in [Section 6.4 and Article 4](#) of this Ordinance and any special conditions imposed for that use.

### 3.22 ZONING OF VACATED AREAS

Whenever any street, alley or other public way within Washington Township is vacated by official government action, and when the lands within the boundaries thereof attach to and become a part of the land adjoining such street, alley or other public way, such lands 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.

### 3.23 NOTE TO DISTRICT STANDARDS

- A. Applicability. The notes contained in Section 3.23 are additions, exceptions, and clarifications to the district standards contained in [Sections 3.1 through 3.15](#). The applicability of individual notes to each district is provided in the tables on the following pages.
- B. Note to District Standards
  1. Lot frontage.
    - i. Each parcel shall have its front lot line abutting a public street or approved private road.
    - ii. Panhandle shaped lots which do not maintain full frontage on an approved public or private road shall not be permitted within the Township.
    - iii. In all instances, frontage shall equal the lot width requirements established by this Ordinance. However, in cases of cul-de-sacs, frontage shall be measured at the two (2) points where the front yard setback intersects the side lot lines.
    - iv. Sites fronting on two streets shall maintain a front yard on each street in accordance with the minimum front yard setback requirements established in [Section 3.18.A](#).
  2. Minimum lot size. No road right-of-way shall ever be used in the computation of the required minimum land area.
  3. Measuring setback requirements. The measurement for determining rear and side yard setback requirements shall be made from the exterior wall of the principal building to the nearest applicable property line.



## 3.23.B Applicability of Notes to District Standards

Zoning District	Note to District Standard					
	1	2	3	4	5	6
A-1 Agricultural Residential	✓	✓	✓	✓		✓
R-1 Rural Residential	✓	✓	✓	✓		✓
R1-A Single-Family Residential	✓	✓	✓	✓		✓
R1-B Single-Family Residential	✓	✓	✓	✓		✓
R1-C Single-Family Residential	✓	✓	✓	✓		✓
R1-D Single-Family Residential	✓	✓	✓	✓		✓
RM-1 Multiple-Family Residential	✓	✓	✓	✓		✓
RM-2 Multiple-Family Residential	✓	✓	✓	✓		✓
MHC Manufactured Housing Community	✓	✓	✓	✓		
LC Local Commercial	✓	✓	✓		✓	
GC General Commercial	✓	✓	✓		✓	
V-1 Village Center	✓	✓	✓		✓	✓
O-1 General Office	✓	✓	✓		✓	
IND General Industrial	✓	✓	✓		✓	

## 4. Residential dwelling units.

- i. Dwellings per lot or parcel. No more than one (1) single-family residential dwelling shall be permitted per lot or parcel, except as provided in [Section 6.2](#).
- ii. Dwellings without basements. Each one-family and two-family dwelling unit without a basement shall provide not less than an additional one hundred (100) square feet of floor area for utility rooms and/or storage space greater than the minimum floor area per dwelling unit.
- iii. Measuring minimum floor space requirements. Minimum floor space requirements as established by the various provisions of this Ordinance for residential dwelling shall be measured from the exterior surface of enclosing walls and the centerline of common partition walls for each dwelling unit. Minimum floor area shall not include cellars or basements, attached garages or attics, unheated breezeways, porches or decks.

5. Front building line. Once a building line has been established by the construction of a principal building upon an approved site, no other principal building or use shall be located between the established building line and the front lot line (or side lot line abutting a side street) without first obtaining approval of the Planning Commission. The Planning Commission shall review the building and/or use proposed to be located in front of the established building to determine whether the building or use is of such location, size and character to be in harmony with the appropriate and orderly development of the balance of the site, is not detrimental to the development of adjacent uses, does not create any vehicular or pedestrian hazards, and is aesthetically compatible with the buildings and uses located (or to be located) upon the site. Landscaping plans, site plans (including signs and the location of trash receptacles), and elevations of all sides of any building to be constructed shall be submitted to enable the Planning Commission to determine whether the proposed additional front



building and/or use conforms with the requirements of this Section. In reviewing this request, the Planning Commission shall apply the standards contained herein and in [Section 6.4.A.](#), and may impose reasonable conditions as authorized by [Section 6.4.B.5.](#) to ensure that the standards are satisfied.

6. Existing residential developments. Existing residential platted subdivisions and residential site condominiums with a Planning Commission approved site plan on file at the Township shall be governed by the lot area and setback requirements that are identified on the Planning Commission approved site plan. For subdivisions and/or site condominiums with no existing homes where no setbacks are defined on the Planning Commission approved site plan, the setbacks identified in this Ordinance for the applicable district shall apply. For subdivisions and/or site condominiums with existing homes where no setbacks are defined on the Planning Commission approved site plan, the setbacks shall equal the average setbacks of the existing homes in the subdivision or site condominium subdivision.

### 3.24 GENERAL EXCEPTIONS

The regulations of this Ordinance shall be subject to the following interpretations and exceptions:

- A. Access through yards. For the purpose of this Ordinance, access drives may cross a required front yard setback or be placed in the side yards so as to provide access to rear yards and/or accessory or attached structures. These drives shall not be considered as structural violations in front and side yards. Further, any walk, driveway or other pavement servicing a like function shall, for the purpose of this Ordinance, not be considered to be a structure and shall be permitted in any required yard.
- B. Essential services. Essential services shall be permitted as authorized and regulated by law and other ordinances of the Township, it being the intention hereof to exempt such essential services which primarily serve Washington Township from the application of this Ordinance.
- C. Height limit. No building shall be converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the district in which the building

is located, except penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building. Fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials and wireless masts, water tanks, or similar structures, excluding light poles, may be erected above the limits herein prescribed. No such structure may be erected to exceed by more than fifteen (15) feet the height limits of the district in which it is located; nor shall such structure have a total area greater than ten (10) percent of the roof area of the building; nor shall such structure be used for any residential purpose other than a use incidental to the main use of the building. The Zoning Board of Appeals may specify a height and setback limit for the erection of commercial, radio and television transmitting, cellular telephone, relay or other types of antenna towers. Height restrictions for all buildings, structures and appurtenances erected beneath established aircraft approach lanes shall be established by the Zoning Board of Appeals after consultation with the appropriate aeronautical agency.

#### D. Porches/Terraces, At-Grade Patios, Steps/Stairs And Decks.

1. At-grade patios may be constructed within required front, side and rear yard setbacks. Unenclosed and uncovered access porches (i.e., one which is not roofed over) or paved terraces may project into a required front yard setback for a distance not exceeding four (4) feet.
2. Open –Air structures such as decks, patios, terraces, loggias, gazebos, pergolas, pavilions and similar type structures (including appurtenant accessories such as steps, railings and similar features) may project not more than ten (10) feet into the required rear yard setback, provided that the following conditions are met:
  - i. The structure and any appurtenant accessory does not encroach into any easement that prohibits such structures.
  - ii. The structure and any appurtenant accessory is not located in any front yard or facing any street.

- iii. The structure and any appurtenant accessory shall not be enclosed or partially enclosed with material of any kind. Abutting walls of the housing unit or required railings shall not be considered as enclosures.
  - iv. The roofing shall not exceed twelve (12') feet in height, except where the structure is designed as part of the housing unit roof structure.
  - v. The structure and any appurtenant accessory conforms to the required side yard setback requirement for the district.
  - vi. The structure and any appurtenant accessory elevation shall be no greater than eight (8) inches over the first floor grade elevation of the main structure.
  - vii. The structure maintains a minimum separation of ten (10) feet from any existing detached structure. This separation requirement also pertains to any attached structures on an existing deck, such as a gazebo, pergola or pool.
- E. Projections into yards. Architectural features, such as, but not limited to, window sills, cornices, eaves, bay windows (not including vertical projections), may extend or project into a required side yard setback not more than two (2) inches for each one (1) foot of width of such required side yard, and may extend or project into a required front or rear yard setback not more than three (3) feet.
- F. Sale of natural seasonal items. The sale of natural (non-manufactured) seasonal items such as Christmas trees, pumpkins, and certain fruits and vegetables and/or products grown on site shall be permitted in the appropriate commercial or agricultural district by established businesses/property owners as outdoor display items. Such display and sale shall observe the setbacks of the respective district in which they are located.

### 3.25 MULTIPLE-FAMILY DISTRICT REGULATIONS

- A. All sites used for multiple-family dwellings or two-family dwellings in these districts must be provided with an approved water and sewage system.

- B. Plans presented which include a den, library or extra room shall have such extra room counted as a bedroom for purposes of this Ordinance.
- C. Each development shall be limited to a maximum of ten (10) percent efficiency units and fifty (50) percent one (1) bedroom units.
- D. Well-defined and improved recreation areas and facilities, such as parks, playgrounds, swimming pools and community buildings, shall be provided. At a minimum, these parks shall include amenities such as picnic tables, benches and paved walking paths. The minimum number of square feet of recreation area and/or facilities shall be provided in addition to all required setbacks and greenbelts and shall be provided on a per unit basis according to the following schedule:

Table 3.25.D Minimum Required Recreation Area per Multiple-Family Dwelling Unit.		
	Minimum Square Feet	
Bedrooms	RM-1	RM-2
1	400	300
2	500	400
3	700	600
4	900	800

- 1. Regulated wetlands, floodplains, detention ponds, lakes, rivers and other such areas may not be included in the calculations towards required recreation areas.
- 2. Natural open space, excluding the types of areas mentioned above, may be included and credited for up to one-half (½) of the recreation area requirement upon Planning Commission approval.
- 3. Provisions of separate adult and youth recreation areas are encouraged. Recreation facilities generally shall be provided in a central location and should be convenient to all units within the development. In larger developments, however, recreation facilities may be decentralized or part of an approved open space area plan.



- E. Landscaped setbacks must be provided adjacent to, and surrounding each building on the following basis:

Table 3.25.E Minimum Required Landscaped Setback		
	Required Setback	
Side of Building	RM-1	RM-2
Front	30 feet	30 feet
Rear	50 feet	40 feet
Sides	30 feet	20 feet

- Setbacks utilized for one building shall not be utilized to fulfill the setback requirement for any other building. Such landscape setback shall be exclusive to the building it surrounds.
  - Buildings which include attached garages may utilize the required landscape setback to permit a parking apron and paved access to garages. However, pavement shall not surround more than forty (40) percent of the overall perimeter of the building.
  - Each square foot of pavement which encroaches into a required setback must be replaced on another side of the same building. Site plans must clearly dimension landscaped greenbelts and provide calculations in instances of setback transfer.
  - In no case shall any building encroach any closer than fifteen (15) feet to a road, drive, access lane or parking area.
  - Yard areas used to facilitate utilities must maintain a 30-foot greenbelt.
- F. No multiple-family building shall exceed one hundred and eighty (180) feet in length along any one (1) face of the building.
- G. Minimum yard setback from the project's perimeter: Perimeter setbacks shall not be based on building orientation. Front yards shall be all yards located between buildings and public roads.

- H. Minimum floor areas for multiple-family shall be as follows:

**Table 3.25.H Minimum Floor Area**

Development <sup>3</sup>	Maximum Rooms <sup>1</sup>	Minimum Floor Area <sup>2</sup>
Efficiency unit	1	500 sq. ft.
One-bedroom unit	2	700 sq. ft.
Two-bedroom unit	3	850 sq. ft.
Three or more bedroom unit	4+	850 sq. ft. plus 200 sq. ft for each room beyond 3
Senior citizen housing	-	500 sq. ft.

- Maximum number of rooms shall be in addition to kitchen, dining and necessary sanitary facilities.
- In addition to the above minimum floor area per unit, thirty-two (32) square feet shall be provided in each unit for utilities space (washer, dryer and work space).
- Buildings with enclosed common tenant or occupant hallways, such as apartment structures, may provide central utility rooms in lieu of the individual unit spaces required above. In each building where a central utility room is permitted, internal access shall be provided from each dwelling unit; the central utility room shall contain twenty (20) square feet for each dwelling unit in the building; and there shall be one (1) washer and one (1) dryer for every four (4) dwelling units or fraction thereof.

I. Off-street parking requirements:

1. Where any recreation vehicles are permitted in the development by the Township Planning Commission, adequate fenced, locked or secured and visually buffered parking and storage spaces shall be provided in addition to those required elsewhere in this Ordinance. Such parking shall be collective and in a central location. In no case, however, shall a recreation vehicle be parked or stored closer than thirty (30) feet to any building or site boundary line.
2. Storage of commercial vehicles or trailers on the premises is prohibited.

### 3.26 MHC DISTRICT REGULATIONS

Manufactured housing within a Manufactured Housing Community district (MHC) shall be subject to all the rules and requirements of the Mobile Home Commission Act, P.A. 96 of 1987, as amended (M.C.L.A. §§ 125.2301 et seq.), the Manufactured Housing Commission General Rules, all applicable codes and ordinances of Washington Township, and the following minimum requirements:

- A. Fire hydrants. Fire hydrants of a size and a pressure to be used by the Washington Township Fire Department shall be placed within said manufactured housing community so that no manufactured house shall be more than three hundred (300) feet from a fire hydrant measured along roadway or parking area.
- B. Plumbing, electrical and cable TV. Plumbing and electrical installations shall be maintained in accordance with Washington Township Plumbing and Electrical Codes. All electric and telephone wiring shall be underground. Externally mounted antennas shall be prohibited, except that a master antenna shall be constructed and maintained with underground leads servicing each manufactured home site.
- C. Access to public roads. A manufactured housing community access road shall be hard-surfaced and not less than thirty-six (36) feet in width. Access roads shall meet construction and all other requirements as determined by Washington Township, the Road Commission of Macomb County, and/or the Michigan Department of Transportation.

- D. Reference is hereby made to Sections 11, 12 and 13 of the Mobile Home Commission Act (P.A. 96 of 1987) which required, among other things, that a person who desires to develop a manufactured housing community shall submit a preliminary plan to the Washington Township Planning Commission for approval. The preliminary plan shall include the location, layout, general design and a general description of the project (see [Article 6](#) for submission requirements and procedures). The preliminary plan shall not include detailed construction plans.

### 3.27 LC DISTRICT REGULATIONS

The total combined area of all buildings on any parcel of land in the LC district shall not exceed forty thousand (40,000) square feet.

### 3.28 V-1 DISTRICT REGULATIONS

- A. Parking
  1. Parking must be an integral part of development and coordinated with the Village district as a whole.
  2. A landscape buffer shall be supplied between the parking area and a residence.
- B. Zero lot line development. Regardless of the adjoining land use, zero lot line development shall be permitted by special land use, subject to the following:
  1. The structure utilizing this provision shall build on the lot line, or at least five (5) feet from the lot line, so that desirable spaces relating to public safety will be achieved.
  2. A two-hour fire rated construction is required wherever a nonresidential wall is constructed within ten (10) feet of the property line.
  3. No nonresidential building shall be closer than fifteen (15) feet to an adjacent existing building, unless no distance between the two (2) structures is provided.
  4. Where any structure is permitted to build on the lot line and such building does not immediately abut an existing structure for its full length, a five-foot wide maintenance easement may be required by the Planning Commission from the adjacent property owner, a copy of which shall be submitted with the site plan.





## C. Building Requirements

1. Building orientation: Buildings shall be oriented so that the primary facade faces the road frontage as determined appropriate by the Planning Commission. In no circumstance, shall less than two-thirds (66.6 percent) of the entire parcel road frontage be occupied by the principal building. In circumstances where the parcel maintains multiple road frontages, this provision shall only apply to the portion of the property abutting Van Dyke.
2. Width/depth to depth/width ratio: The minimum width-to-depth/depth-to-width ratio shall be 1.5:1.

## D. Architectural requirements.

1. All buildings constructed in the V-1 Village district shall be in compliance with the Washington Township Village Design Guidelines.
  2. For nonresidential uses in the Village district, all windows on the second floor or above shall be opaque in nature when facing a property utilized for single-family residential purposes.
- E. The frontage of all lots within the Village District shall be utilized, subject to Planning Commission approval, for Principal Permitted Uses B.1 through B.20 or Special Land Uses C.1 through C.10 except number 6 of the V-1 Zoning District. The depth of such use shall extend a minimum of 300' in depth from the Van Dyke or 27 Mile Road Frontage.

Δ September 24, 2020

## 3.29 VILLAGE MULTIPLE-FAMILY

## A. Minimum site and building requirements.

1. Maximum density:
  - i. General density: Five (5) units per gross acre of land.
  - ii. Senior housing density: Fifteen (15) units per gross acre of land.
2. Maximum height:
  - i. In feet: Maximum - Forty (40).
  - ii. Stories: Maximum - three (3).
3. Minimum height: Buildings with Van Dyke frontage shall be designed with a minimum height of two (2) stories and twenty-five (25) feet or shall provide a facade that maintains a two (2) story appearance from the road.

## B. Minimum yard setback from the project's perimeter: Perimeter setbacks shall not be based on building orientation. Front yards shall be all yards located between buildings and public roads.

1. Front yard setbacks. If multiple-family development is proposed on the same property with commercial development, the commercial development shall be required to meet the required front yard setback. All multiple-family buildings shall be set back a minimum of twenty-five (25) feet from a commercial structure.
2. Side yard: A 25-foot side yard setback is required from any property line.
3. Rear yard: A 40-foot rear yard setback is required from any property line.



- C. Distance between buildings. For the purpose of yard regulations, each multiple-family structure shall have a front, side and rear yard. Minimum spacing requirements between buildings shall apply across property lines and shall be in accordance with the following schedule:

Table 3.29.C Minimum Spacing Required Between Buildings	
Relationship of Buildings	Minimum Distance Between Building (excluding parking area)
Front to front	40 ft.
Front to rear	50 ft.
Rear to rear	60 ft.
Rear to side, with no windows*	20 ft.
Side to front*	20 ft.
Side to side, with no windows*	15 ft.
Corner to corner	15 ft.
* If windows are present in any wall facing any other windowed wall(s) then the minimum spacing between buildings shall be equal to twice that	

- D. Landscaped greenbelts. Landscaped greenbelts must be provided adjacent to, and surrounding each building on the following basis:

Table 3.29.D Minimum Greenbelt Requirements	
Side of Building	Required Greenbelt
Front	10 feet
Rear	10 feet
Sides	7 feet

- Greenbelts utilized for one building shall not be utilized to fulfill the setback requirement for any other building. Such landscape greenbelt shall be exclusive to the building it surrounds.

- Buildings which include attached garages may eliminate the required greenbelts on sides of the building where garages are located in order to permit a parking apron and paved access to garages. However, pavement shall not surround more than forty (40) percent of the overall perimeter of the building.
- Each square foot of pavement which encroaches into a required greenbelt must be replaced on another side of the same building. Site plans must clearly dimension landscaped greenbelts and provide calculations in instances of greenbelt transfer.
- In no case shall any building encroach closer than ten feet (10) to a road, drive, access lane or parking area.
- Sufficient setbacks shall be maintained to permit for the location of all utilities necessary to provide services to the development.

- E. Minimum floor areas for multiple-family shall be as follows:

Table 3.29.E Minimum Floor Area		
Development	Maximum Rooms <sup>1, 2</sup>	Minimum Floor Area <sup>3</sup>
Efficiency unit <sup>4</sup>	1	600 sq. ft.
One-bedroom unit	2	800 sq. ft.
Two-bedroom unit	3	900 sq. ft.
Three or more bedroom unit	4+	900 sq. ft. plus 200 sq. ft for each room beyond 3
Senior citizen housing	-	500 sq. ft.

- Maximum number of rooms shall be in addition to kitchen, dining and necessary sanitary facilities.
- Plans presented which include a den, library or extra room shall have such extra room counted as a bedroom for purposes of this Ordinance.
- In addition to the above minimum floor area per unit, thirty-two (32) square feet shall be provided in each unit for utilities space (washer, dryer and work space).
- Each development shall be limited to a maximum of ten (10) percent efficiency units.



## F. Site design.

1. Townhouse units are strongly encouraged within the Village.
2. Sites are encouraged to be designed so that the primary frontage of each unit is oriented towards open space.
3. Street stubs shall be provided to abutting properties where determined necessary by the Planning Commission. Local street connections shall be provided in accordance with the Washington Township Village Plan.
4. Cul-de-sacs shall not be permitted unless it is determined by the Planning Commission that a connection to the abutting property is not possible due to existing development or topographic constraints.
5. Property which abuts the Macomb Orchard Trail shall provide one pedestrian/ bicycle connection for every two hundred (200) feet of property which abuts such trail, or as provided for in the Washington Township Village Plan.

## G. Off-street parking requirements.

1. Garages shall not be permitted to front upon a major road and shall not be located in a manner that makes them the focal point of the development.
2. Rear lanes or alleys may be permitted and shall maintain a minimum width of sixteen (16) feet.
3. Storage of commercial vehicles or trailers on the premises is prohibited.

## 3.30 IND DISTRICT REGULATIONS

- A. The distance, at the closest point, between any two (2) buildings on the same site shall not be less than fifty (50) feet.
- B. No outdoor storage shall be permitted unless it is part of an approved site plan. If no outdoor storage will be created, then the site plan shall contain a signed certified statement to that effect by the owner of the property.
- C. No part of any building, parking access and/or service area, loading/unloading, outdoor storage, gas tanks, or similar structure or facility may be located closer to any property line adjacent to a residential district than indicated in [Section 3.15.D - Setbacks](#)
- D. All uses shall have a landscaped front yard, with the side or rear yard used for loading and customer and employee parking.
- E. Retail or office uses which are not ancillary to an industrial use shall be expressly prohibited in the IND zoning district.

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Introduction

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# *Article 4.0*

## *Use Standards*



## Article 4.0 Use Standards

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# 4.0 Use Standards

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## 4.1 ACCESSORY COMMERCIAL USES

Accessory commercial uses may be conducted in a manufactured housing community in separate, permanent structures and for such purposes as the office of the manager, laundry and dry cleaning facilities, or other services for the residents of the park. Accessory uses may also include clubhouses and recreational facilities. Adequate parking for such services shall be provided. All accessory uses shall require full site plan review and approval.

## 4.2 ACCESSORY USES

In the O-1 district, accessory uses customary and incidental to a principal use shall be permitted, provided such accessory uses are within the building. Accessory buildings shall not be permitted. The accessory use within the building shall not have an outside entrance for customers (users) separate from the entrances that serve the principal use.

## 4.3 ADULT ENTERTAINMENT USES<sup>1</sup>

Adult entertainment uses shall be permitted as a special land use in the IND district, subject to the following:

- A. In the development and execution of this Ordinance, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances, thereby having a deleterious

effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area (i.e., not more than two (2) such uses within one thousand five hundred (1,500) feet of each other) which would create such adverse effects.

- B. It shall be unlawful to hereafter establish any adult business establishment including adult book stores, adult motion picture theaters, adult novelty stores, or class "C" cabarets within one thousand five hundred (1,500) feet of any building containing a residential dwelling or rooming unit.

## 4.4 AGRICULTURE

No agricultural use shall be operated for the disposal of garbage, sewage, rubbish, offal, or rendering plants, or for the slaughtering of animals, except such animals as have been raised on the premises or have been maintained on the premises for at least a period of one (1) year immediately prior thereto and for the use and consumption of persons residing on the premises.





#### 4.5 AGRICULTURAL TOURISM

A. Intent, goals and purpose. The intent of these zoning provisions is to maintain and encourage local farming. The activities that are described have become necessary for the sustainability of farms based on the recommendations of the Michigan Agricultural Tourism Advisory Commission Report dated January 2007.

1. The goals of these provisions are:

- i. To maintain and encourage agriculture and its related activities.
- ii. To preserve farmland.
- iii. To maintain both an agricultural heritage and a rural character.
- iv. To increase community benefits by having fresh, local produce for sale and working classrooms for school children's and urban residents' education.
- v. To increase positive growing businesses that contribute to the general economic conditions and cycle of the area and the State.

2. The purposes of these provisions are:

- i. To provide standard definitions related to agricultural tourism operations.
- ii. To provide a list of permitted activities under an agricultural tourism operation.
- iii. To provide a list of activities that needs a special permit to guide and regulate agricultural tourism businesses on agricultural land.
- iv. To provide for a clear understanding of the expectations for agricultural tourism businesses and local officials.

B. General requirements.

1. The minimum parcel size required to conduct an agricultural tourism operation is ten (10) acres, except that greenhouses shall be required a minimum parcel size of five (5) acres.

2. A farming operation may be permitted to conduct an agricultural tourism use if more than sixty (60) percent of the site in which the agricultural tourism use is to be located remains in active farmland. An operator of an agricultural tourism operation shall provide verification that active farmland exists on the proposed site through the production of a current Schedule "F" tax form for the property, or an affidavit from a certified public accountant stating that the Schedule "F" form has been submitted for the current tax year and proof of certification from the USDA.
3. An emergency access plan shall be provided as required by the Washington Township Fire Prevention Code Ordinance No. 108, as amended, or any successor to that Ordinance.
4. All agricultural tourism uses shall conform to the setbacks of the applicable district in which the site is located.
5. If verification is necessary to prove that products sold from the site meet any or all terms of this Ordinance, the operator of the agricultural tourism operation may provide a signed affidavit from a licensed CPA as an acceptable form of documentation.
6. Landscaping consistent with the requirements of [Section 5.13.C](#) shall be required by the Planning Commission and subject to the following:
  - i. Areas where existing cropland is maintained shall not be required to provide landscape screening.
  - ii. Landscape screening shall not be required by the Planning Commission when the distance between a parking lot and/or an agricultural tourism use and a residentially utilized and/or zoned property is greater than two hundred (200) feet; and
  - iii. A finding by the Planning Commission to waive screening requirements shall be based on a determination that no noise, dust or visual impacts on surrounding properties or roadways will be created by the proposed use and its parking areas.



8. Roadside stands selling products grown and/or processed on-site shall be exempt from the requirements of this Ordinance Section and shall be governed by the requirements of [Section 3.24.F](#).
9. If insects, disease or inclement weather result in the destruction of the crop(s) on site, the provisions of this Article regarding the sale of products on site shall be inapplicable for the calendar year in which the crop(s) were destroyed. Such destruction shall be verified, in writing, by the Michigan Department of Agriculture, a Michigan State University Extension Specialist or a Farm Service Agency Specialist as being greater than fifty-one (51) percent. A copy shall be provided to the Township upon request of the Township.
  - i. If as a result of the insects, disease or inclement weather event, fifty-one (51) percent of the crop will remain in a state of destruction or is rendered unproductive for subsequent years, the Agricultural Tourism Operator may request temporary relief from the provisions of this Article by applying to the Township Board of Trustees.
    - ii. Such a request shall be considered by the Board of Trustees upon the submission of a written request; including but not limited to the Agricultural Tourism Operator's plan for crop restoration and certification by the Michigan Department of Agriculture, a Michigan State University Extension Specialist or a Farm Service Agency Specialist that the Crop destruction is greater than fifty-one (51) percent and will remain so for a specifically stated number of years.
    - iii. The Township Board shall notify the Agricultural Tourism Operator, in writing, of its decision within ninety (90) days from the date of the submission of the written request.
- C. Permitted uses—Submission requirements of [Article 6 Section 6.1.C](#).
  1. Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product where the majority of products offered in total are grown, produced or raised on site.

2. Direct marketing of value-added agricultural products or activities, provided that fifty (50) square feet of building or outdoor sales area for each acre of land not to exceed nine thousand (9,000) square feet shall be permitted. No single building footprint shall exceed an area of three thousand (3,000) square feet unless approved as a special land use under [Section 4.5.D.1](#) of this Ordinance.
3. U-pick fruits and vegetables operations.
4. Outdoor mazes of agricultural origin such as straw bales or corn.
5. Processing of agricultural products predominantly for sale on site.
6. Uses 2. through 5. listed above may include any or all of the following ancillary agriculturally related uses or value-added agricultural activities:
  - i. Agricultural tourism products or activities such as education tours or processing facilities, etc.
  - ii. Petting farms, animal display, and pony rides.
  - iii. Wagon, sleigh and hayrides.
  - iv. Nature trails.
  - v. Open air or covered picnic area with restrooms.
  - vi. Educational classes, lectures, seminars related to agriculture such as: food preparation or food safety.
  - vii. Historical agricultural exhibits.
  - viii. Kitchen facilities located on the farm (owned and operated by the farm owner) for processing/cooking items grown on site for education, entertainment and/or general sales, excluding general food concessions.
  - ix. Gift shops for the sale of agricultural products, agriculturally related products, as well as promotional items bearing the name of the agricultural tourism operation.

- x. General food concessions.
  - xi. Playgrounds or equipment typical of a school playground, such as slides, swings, etc. (not including motorized vehicles or rides) occupying an area less than one (1) acre in size. Playgrounds shall be designed to comply with the Handbook for Public Playground Safety, developed by the U.S. Product Safety Commission, Pub. No. 325, or any successor thereto.
- D. Uses permitted by special land use permit.
1. Direct marketing of value added agricultural products or activities, if the area on site exceeds any one (1) of the following:
    - i. Fifty (50) square feet of building or outdoor sales area for each acre of land, or;
    - ii. Nine thousand (9,000) square feet of total building footprint or outdoor sales area dedicated to a farm market use, or;
    - iii. A single building footprint exceeding an area of three thousand (3,000) square feet.
  2. Seasonal restaurant operations principally selling agricultural products grown, produced or raised on site.
  3. Small-scale entertainment as defined in [Section 2.2](#) of this Ordinance that is ancillary to the agricultural tourism operation.
  4. Family-oriented animated barns (e.g., fun houses, haunted houses, or similar) and small mechanical rides.
  5. Organized meeting space ancillary to the agricultural tourism operation.
  6. Playgrounds or equipment typical of a school playground, such as slides, swings, etc. (not including motorized vehicles or rides) occupying an area one (1) acre in size or greater. Playgrounds shall be designed to comply with the Handbook for Public Playground Safety, developed by the U.S. Product Safety Commission, Pub. No. 325, or any successor thereto.
  7. Other uses considered similar to those identified in this Section, as determined by the Planning Commission.
  8. Wineries.



#### 4.6 AIRPORTS AND PRIVATE AIRSTRIPS

- A. Commercial airports including runway(s), landing platforms, taxiway(s), terminals, hangars, communication facilities, beacons, service facilities and similar uses ancillary to the operation of a commercial airport may be permitted as a special land use in the A-1, R-1 and IND districts provided all such uses shall be at least one thousand (1,000) feet from a residential use and provided further that all applicable state and federal codes pertaining to the location, development and operations of a commercial airport shall be fully complied with.
- B. Privately owned and operated airstrips may be permitted as a special land use in the A-1, R-1 and IND districts provided the following conditions are met:
1. No such facility shall be located on land incapable of containing one (1) runway of at least two hundred fifty (250) feet in width and two thousand (2,000) feet in length. Except, a shorter runway length and width may be permitted provided approval for same has been granted by the proper federal or state bureaus, for the type of aircraft to be kept at the airstrip.
  2. No such facility shall contain fuel storage capability nor equipment to dispense fuel.
  3. One (1) hangar structure shall be permitted in which privately owned aircraft may be stored and within which light mechanical service may be performed on that aircraft.
  4. Because of the potentially hazardous impact such uses can have on adjacent land use, the following additional conditions shall apply.
    - a. All applicable state and federal codes shall be met and all plans shall have been reviewed and approved by the appropriate state and/or federal agencies prior to approval of such plans by the Township Planning Commission.
    - b. The Township Planning Commission may grant temporary approval to establish a private airstrip for a period not to exceed two (2) years in developed or developing areas and five (5) years in undeveloped areas.

#### 4.7 ANIMALS: HORSES, LIVESTOCK AND POULTRY

The private keeping of horses, livestock or poultry shall be permitted in the A-1 and R-1 Residential Zoning districts and on all farms in any zoning district. The keeping of horses shall be permitted provided that such use shall not constitute a commercial operation or a public stable and further subject to the following:

- A. The area in which said horses are kept shall be fenced with farm fencing.
- B. Horses permitted per site.
  1. 2 - 19 acre sites. At least two (2) acres shall be provided for the first horse kept, with one (1) acre for each additional horse up to eighteen (18) horses;
  2. 20 - 39 acre sites. Two (2) horses may be kept per acre;
  3. 40 acre or greater sites. There shall be no animal to acreage requirement for sites forty (40) acres or greater.

#### 4.8 AUDITORIUMS AND OUTDOOR THEATERS

Auditoriums and outdoor theaters shall be permitted as a special land use in the IND district, subject t to the following:

- A. Viewing screens and/or stages must be so located as to avoid distracting passing motorists on the streets and highways adjoining the site.
- B. If vehicle ticket windows are provided, they shall be made available in the ratio of one (1) such window for each two hundred fifty (250) cars of parking space capacity.
- C. All ingress and egress from the site shall be directly onto a major or secondary thoroughfare having an existing or planned right-of-way width of at least one hundred twenty (120) feet.
- D. The site shall not abut a single-family residential zoning district on any side.
- E. A minimum 100-foot wide landscaped greenbelt shall be provided along all property lines abutting a residential zoning district.

**4.9 AUTOMOBILE HEAVY REPAIR GARAGE<sup>□</sup>**

Automobile heavy repair garages shall be permitted as a special land use in the IND district, subject to the following:

- A. All repair activities shall be confined to the interior of the building.
- B. An adequate means of waste disposal shall be provided.
- C. The site shall not abut a residential zoning district.
- D. All vehicles stored outside shall be currently licensed. Outdoor storage shall comply with [Section 4.45](#).

**4.10 AUTOMOBILE REPAIR AND SERVICE CENTERS<sup>□</sup>, EXCLUDING PAINT AND COLLISION SHOPS**

Automobile repair and service centers, excluding paint and collision shops, shall be permitted as a special land use in the GC district, subject to the following:

- A. All repair activities shall be confined to the interior of the building.
- B. No outdoor storage shall be permitted.
- C. Parking may be required to be fenced and screened at the discretion of the Planning Commission.

**4.11 BED & BREAKFAST<sup>□</sup>**

Bed & breakfasts shall be permitted as a special land use in the A-1 and R-1 districts, subject to the following:

- A. The room utilized for lodging purposes shall be part of the primary residential use and shall not have been specifically constructed for rental purposes.
- B. There shall be no separate cooking facilities used for the bed and breakfast rooms.
- C. The residence shall be occupied at all times by the owner or a staff member.
- D. Adequate lavatory, bathing facilities and kitchen facilities for the lodging room shall be provided, as per the requirements of the Macomb County Health Department.

**4.12 BOWLING ALLEYS, MINIATURE GOLF, AND SIMILAR FORMS OF COMMERCIAL RECREATION**

Bowling alleys, miniature golf, and similar forms of commercial recreation shall be permitted as a special land use in the GC district, subject to the following:

- A. The site shall be a minimum of two (2) acres in size.
- B. The site shall be so located as to abut a major thoroughfare right-of-way.
- C. The site shall not abut a residential zoning district except at the rear of the site.
- D. A minimum 50-foot wide landscaped greenbelt shall be provided along any property line which abuts a residential zoning district.

**4.13 BULK STORAGE OF FLAMMABLE AND RAW MATERIALS**

Bulk storage of flammable and raw materials shall be permitted as a special land use in the IND district, subject to the following:

- A. All such uses shall be located on a parcel of land which is surrounded by abutting land zoned industrial.
- B. All sides of the development not abutting a major thoroughfare shall be provided with a 20-foot wide greenbelt planting and fence or wall so as to obscure from view all activities within the development. Said screening shall be in accord with [Section 5.13.C](#).
- C. No building, structure or tanks or containers for storage or part thereof shall be erected closer than one hundred (100) feet from any property line.
- D. Outdoor storage requirements of [Section 4.45](#) shall be met.

**4.14 BUSINESSES OF A DRIVE-IN<sup>□</sup> NATURE, NOT INCLUDING OUTDOOR THEATERS**

Businesses of a drive-in nature, not including outdoor theaters, shall be permitted as a special land use in the GC district, subject to the following:

- A. Devices for the transmission or broadcasting of voices shall be so directed or muffled as to prevent said sounds or music from being audible beyond the boundaries of the site.
- B. The properties on each side of the site shall be zoned for business use.





#### 4.15 CEMENT CRUSHING AND PERMANENT BATCH PLANT OPERATIONS

Cement crushing and permanent batch plant operations shall be permitted as a special land use in the IND district, subject to the following:

- A. The site shall be a minimum of five (5) acres in size.
- B. The site shall be a minimum of one thousand (1,000) feet from any residential structure.
- C. All properties which abut the site shall be zoned for industrial use.

- D. Any such use shall not be permitted in a floodplain.
- E. The applicant shall show with reasonable certainty that the elevations of the site when finished will provide adequate drainage.
- F. The minimum size of a cemetery site shall be ten (10) acres. Where a state law specifically permits a smaller size, or sets a maximum size less than ten (10) acres, this regulation shall not apply to an addition to the site of a use existing at the time of adoption of this Ordinance.

#### 4.16 CEMETERIES<sup>1</sup>

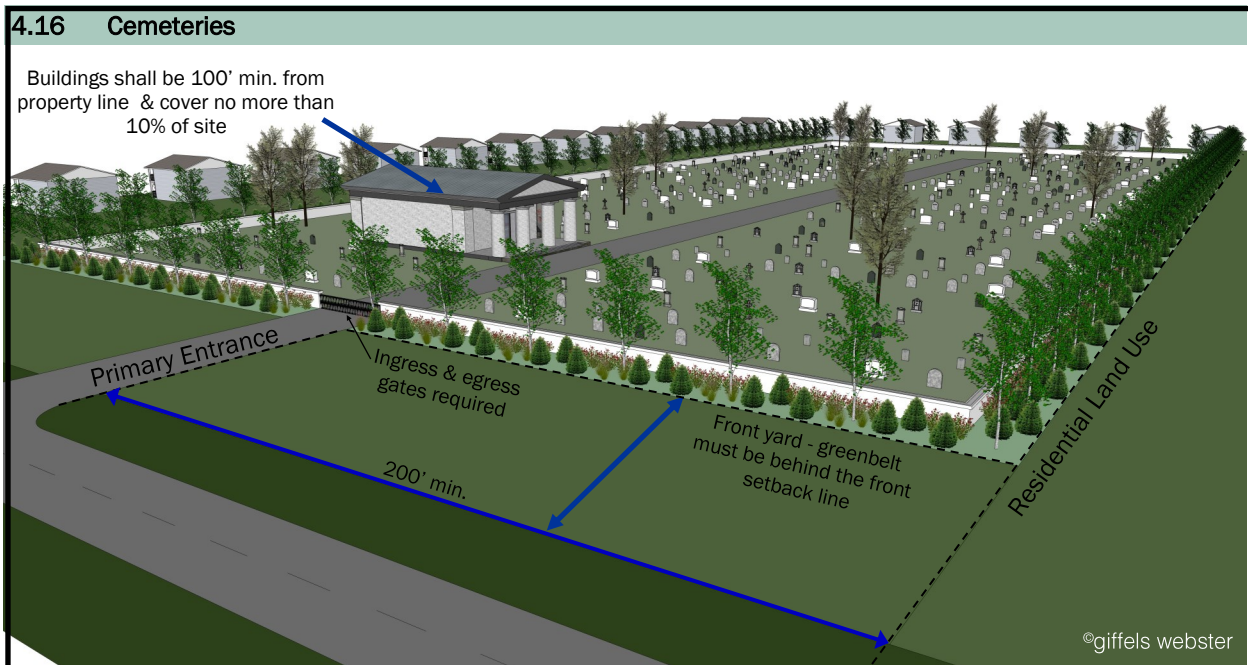
Cemeteries shall be permitted as a special land use in the A-1, R-1, R1-A, R1-B, R1-C, and R1-D districts, subject to the following:

- A. A greenbelt and decorative fence or wall (as specified in [Section 5.13.C](#) of this Zoning Ordinance) shall be installed along the perimeter boundaries of the site. Along those boundaries of the site abutting a road, the greenbelt or wall shall not be located in the front yard. Along all other site boundaries, the greenbelt or wall may be placed on the property line.
- B. Suitable gates for ingress and egress shall be provided, and the principal entrance shall not be closer than two hundred (200) feet to an adjoining residential site.
- C. No building shall be erected closer than one hundred (100) feet to any lot line, nor shall such building cover more than ten (10) percent of the site on which it is to be constructed.

#### 4.17 CHURCHES<sup>2</sup> OR PLACES OF RELIGIOUS WORSHIP AND PRIVATE AND CHARTER SCHOOLS

Churches or places of religious worship shall be permitted as a special land use in all residential districts and the V-1 district. Private and charter schools shall be permitted as a special land use in all single-family residential districts and the V-1 district. These uses shall all be subject to the following:

- A. The site shall be a minimum of one (1) acre in size on a continuous parcel.
- B. The site shall abut a public road having a right-of-way of not less than that of a collector thoroughfare (eighty-six (86) feet).
- C. The site shall maintain a minimum 40-foot wide greenbelt around all property lines abutting a residential use.





**4.18 CLUB, LODGE, OR FRATERNITY<sup>§</sup>**

Private clubs, lodge halls, fraternal organizations, cultural centers and union halls shall be permitted as a special land use in the RM-1, RM-2, MHC, and O-1 districts, subject to the following:

- A. All such uses shall have ingress and egress directly onto a major thoroughfare having an existing or planned right-of-way width of at least one hundred and twenty (120) feet.
- B. All activities, other than parking of motor vehicles and loading and unloading, shall be conducted within a completely enclosed building, except for outdoor activity specifically approved and/or licensed by the Township.
- C. No building shall be closer than twenty-five (25) feet to any property line.
- D. No such uses shall abut an existing single-family residential district on more than one (1) side.

**4.19 COLLEGES AND UNIVERSITIES**

Colleges and universities shall be permitted as a special land use in the A-1, R-1, RM-1, RM-2, MHC, and O-1 districts, subject to the following:

- A. Any use permitted herein shall be developed on sites of at least fifteen (15) acres in area.
- B. All ingress to and egress from the site shall be directly onto a major or secondary thoroughfare having an existing or planned right-of-way width of at least one hundred twenty (120) feet.
- C. No building shall be closer than fifty (50) feet to any property line when said property line abuts or is adjacent to land zoned for residential purposes.
- D. The site shall maintain a minimum 40-foot wide greenbelt around all property lines abutting a residential use.

**4.20 CONVALESCENT<sup>§</sup>, NURSING HOMES OR HOSPICES**

Convalescent and nursing homes or hospices shall be permitted as a special land use in the RM-1, RM-2, and MHC, districts, subject to the following:

- A. All such facilities shall have ingress and egress from a site directly onto a major or secondary thoroughfare.
- B. All such facilities shall be developed only on sites consisting of at least three (3) acres in area.
- C. There shall be provided at least eight hundred (800) square feet of lot area per bed.

**4.21 COUNTY, STATE, OR FEDERAL USES**

County, state or federal uses shall be permitted as a special land use in all residential districts, subject to the following:

- A. No outdoor storage is permitted.
- B. Barb wire/razor wire fencing shall not be permitted.

**4.22 DAY CARE CENTERS AND NURSERY SCHOOLS<sup>§</sup>**

Day care centers and nursery schools shall be permitted as a special land use in all residential districts, and the LC district; and as a permitted use in the GC district. All districts are subject to the following:

- A. The site shall contain a minimum of one hundred fifty (150) square feet of outdoor play area per child and not less than five thousand (5,000) square feet in total area.
- B. All outdoor play areas shall be fenced and screened.
- C. Designated child drop-off areas shall be shown on the plan.
- D. No playground or equipment fencing shall be allowed in the front yard.

**4.23 DRIVE-THRU<sup>§</sup> FACILITIES**

Drive-thru facilities shall be permitted as a special land use in the GC, V-1 and O-1 districts, subject to the following:

- A. In the GC and O-1 districts.
  1. The site and use shall be located on a major or secondary thoroughfare having a right-of-way equal to, or greater than, one hundred and twenty (120) feet.
  2. Any freestanding drive-thru facility located in a shopping center shall be aesthetically compatible in design and appearance with the other buildings and uses located in the shopping center. In making this determination, the Planning Commission shall consider the architectural design of the building, the signage and the landscaping to ensure that the design and appearance of the developed site is compatible with the design and appearance of the remainder of the shopping center.



3. Drive-thru service shall be permitted only if a satisfactory traffic pattern for the drive-thru lane can be established to prevent traffic congestion and the impairment of vehicular circulation for the remainder of the development. Vehicle stacking lanes shall not cross any maneuvering lanes, drives or sidewalks.
  4. In no instance shall multiple drive-thrus be permitted unless all drive-thrus on the site are controlled and operated by a single tenant. Multiple businesses, each having a distinct advertising identity, that are owned by the same parent company, shall not be considered a single tenant.
  5. Devices for electronically amplified voices or music shall be directed or muffled to prevent any such noises from being audible at any lot line.
- B. In the V-1 district.
1. The service window shall not be permitted to operate any time after normal business hours (8:00 A.M. to 8:00 P.M.).
  2. The drive-thru shall be designed in such a manner that minimizes visibility from all major roadways and shall be designed to be consistent with the goals and objectives of the village district.
- D. The site shall contain an area of not less than one (1) acre.
  - E. All buildings shall observe front yard setbacks plus ten (10) feet. For purposes of this Section, gasoline pumps and pump islands shall not be considered buildings.
  - F. The inclusion of a drive-thru, automobile service station, car wash or similar use that requires special land use approval, shall be required to receive a separate special land use approval when proposed in tandem with a fueling service station.

#### 4.26 FULL AND SELF-SERVICE CAR WASHES<sup>1</sup>

Full and self-service car washes shall be permitted as a special land use in the GC district, subject to the following:

- A. Vehicular ingress and egress from the site shall be directly onto a major thoroughfare, except that it may be permissible to allow vehicles to exit from the facility onto a public alley.
- B. All vehicles waiting or standing to enter the facility shall be provided off-street waiting space, and no vehicle shall be permitted to wait on the public right-of-way as part of the traffic approach.
- C. An on-site, 50-foot long drying lane shall be required at the exit point of the car washing facility.
- D. A 25-foot greenbelt in accordance with [Section 5.13.C](#) shall be provided between all property lines.

#### 4.27 FUNERAL HOMES AND MORTUARIES, NOT INCLUDING CREMATORIALS

- A. Sufficient off-street automobile parking and assembly area shall be provided for vehicles to be used in a funeral procession. The assembly area shall be provided in addition to any required off-street parking area. A circulation plan identifying the arrangement of the vehicular assembly area shall be provided as part of the required site plan.
- B. The site shall be located so as to have one property line abutting a major or secondary thoroughfare of at least one hundred twenty (120) feet of right-of-way, existing or proposed.
- C. Loading and unloading area used by ambulances, hearses or other such service vehicles shall be obscured from all residential view by a wall six (6) feet in height.

#### 4.24 EXISTING SINGLE-FAMILY RESIDENTIAL STRUCTURES

Existing single-family residential structures in the V-1 district shall be considered conforming, and shall be permitted to be reconstructed, enlarged and improved subject to the requirements of the R1-D Zoning District.

#### 4.25 FUELING SERVICE STATIONS<sup>1</sup>

Fueling service stations shall be permitted as a special land use in the GC district, subject to the following:

- A. The site shall be located at the intersection of two (2) public roads with at least one (1) of the roads having a proposed right-of-way of one hundred twenty (120) feet.
- B. Not more than fifty (50) percent of the lots located at an intersection of any two (2) roads may be occupied by a gasoline service station.
- C. The site for the gasoline service station shall have one hundred fifty (150) feet of frontage on the principal street serving the station.

**4.28 GARAGE AND YARD SALES**

- A. The owner and/or occupant of any one- or two-family residence may conduct up to four (4) garage, rummage, estate, yard and/or similar sales per calendar year.
- B. Each sale shall be for a period not to exceed four (4) consecutive days.
- C. No three (3) sales from a residence shall take place within fourteen (14) days of each other.
- D. Such sales shall be permitted to operate only between the hours of 8:00 a.m.—7:00 p.m.
- E. Temporary signage for the sale(s) shall be as permitted on private properties (with the owner's permission) for the duration of the sale only. Such signage shall not exceed six (6) square feet in sign area and shall not exceed four (4) feet in height.

**4.29 GENERAL HOSPITALS<sup>63</sup>**

General hospitals shall be permitted as a special land use in the RM-1, RM-2, MHC and O-1 districts, subject to the following:

- A. All such hospitals shall be developed only on sites consisting of at least five (5) acres in area and providing a minimum of one thousand five hundred (1,500) square feet of lot area per bed.
- B. All ingress and egress from the site shall be directly onto a major or secondary thoroughfare having an existing or planned right-of-way width of at least one hundred twenty (120) feet.
- C. Ambulance delivery and service areas, when visible from adjacent land zoned for residential purposes, shall be obscured from view by a wall at least six (6) feet in height.
- D. The minimum distance between any structure and a property line shall be fifty (50) feet.
- E. No hospital shall be permitted unless it can accommodate at least fifty (50) inpatient beds.

**4.30 GENERAL HOSPITALS AND MEDICAL CAMPUSES**

General Hospitals and Medical Campuses shall be permitted as a special land use in the IND district, provided they consist of a minimum of twenty (20) acres of land area and thirty thousand (30,000) square feet of building area.

**4.31 GREENHOUSES AND NURSERIES**

Greenhouses and nurseries shall be permitted as a special land use in the A-1, R-1, and IND districts, subject to the following:

- A. All such uses shall be located on a major or secondary road as designated in the Washington Township Master Plan.
- B. Items accessory and incidental to nursery operations shall be permitted for retail sale, such as: shovels, hoes, rakes and planting pots. Craft items shall not be considered accessory and incidental to a nursery or greenhouse.

**4.32 GROUP DAY CARE<sup>63</sup> (7—12 ADULTS OR CHILDREN)**

Group day cares, servicing 7-12 adults or children, shall be permitted as a special land use in all residential districts and the O-1 district, subject to the following:

- A. Fencing shall be required next to residential uses or districts in accordance with [Section 5.5.B](#). All outdoor play areas shall be enclosed.
- B. The requested site and building shall be consistent with the visible characteristics of the neighborhood. The group day care home shall not require the modification of the exterior of the dwelling nor the location of any equipment in the front yard.
- C. The proposed use, if approved, may have one (1) non-illuminated sign that complies with the Washington Township Sign Ordinance.
- D. The proposed use, if approved, shall be inspected for compliance with these standards prior to occupancy and at least once each year thereafter within ten (10) days of the anniversary of the Certificate of Occupancy.



#### 4.33 HOME OCCUPATIONS

- A. Type 1 Home Occupations. Home occupations may be permitted in the single-family residential districts. Home offices that do not result in more traffic than is normal for residential districts shall be considered a permitted use and do not require special land use approval. All other home occupation requests shall be subject to the requirements of [Section 4.33.B](#). No person other than members of the family residing on the premises shall be engaged in such occupation.
- B. Type II home occupation site requirements.
  - 1. The use of the dwelling unit for a home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and, not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used for the purposes of the home occupation and shall be carried out completely within such dwelling.
  - 2. There shall be no change in the outside appearance of the structure or premises or other visible evidence of the conduct of such home occupation.
  - 3. Such home occupation shall not require internal alterations or construction, equipment, machinery, or outdoor storage not customary in residential areas.
  - 4. One (1) non-illuminated nameplate, not more than two (2) square feet in area, may be permitted.
  - 5. No home occupation shall be conducted, in whole or in part, in any accessory structure, attached or detached, including garages, breezeways, porches, patios and the like.
  - 6. There shall be no sales of any goods, articles or services on the premises, except such as is produced by such approved home occupation.
  - 7. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be provided by an off-street area, located other than in a required front yard.

- 8. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses of persons off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio or television receivers off the premises, or cause fluctuations in line voltage off the premises.

- C. Handicapped persons applying for home occupation permits may be excused from certain provisions of this Section by the Planning Commission, based on necessity.

#### 4.34 HOUSING FOR THE ELDERLY OR SENIOR CITIZEN HOUSING

Housing for the elderly and senior citizens housing shall be permitted in the RM-1, RM-2 and MHC districts, subject to the following:

- A. All housing for the elderly shall be constructed on parcels of at least five (5) acres and may provide for the following:
  - 1. Cottage-type dwellings and/or apartment-type dwelling units.
  - 2. Common services containing, but not limited to, central dining rooms, recreational rooms, central lounge and workshops.
- B. All dwellings shall consist of at least four hundred (400) square feet per unit (not including kitchen and sanitary facilities).
- C. Total coverage of all buildings (including dwelling units and related service buildings) shall not exceed forty (40) percent of the total site, exclusive of any dedicated public right-of-way.
- D. Business uses shall be permitted on the site when developed as retail or service uses clearly accessory to the main use, within the walls of the main structure, and totally obscured from any exterior view. No identifying sign for any such business or service use shall be visible from any exterior view. Such businesses or services shall not exceed twenty-five (25) percent of the floor area at grade level.
- E. All proposals for housing for the elderly shall be reviewed against the standards for such housing as published by the Michigan State Housing Development Authority. The MSHDA standards shall be used only as a general guide



for the review to assure minimum adequacy and shall not limit the requirements placed on the use by Washington Township.

#### 4.35 JUNK YARDS<sup>2</sup>

Junk yards shall be permitted as a special land use in the IND district, subject to the following:

- A. Such use shall be completely enclosed by a fence constructed of unpierced wood or metal vertical boards or panels not less than eight (8) feet in height, which shall be maintained in a condition of good repair.
- B. The area between the front fence and the front site line shall be completely landscaped and maintained with lawn and coniferous trees and shrubs.
- C. Parking shall only be permitted within the fenced enclosure.
- D. The site shall not abut property zoned for residential use.
- E. The site shall not be within one thousand (1,000) feet of a residential use.

#### 4.36 LANDFILLS (EARTHEN LANDFILLS ONLY)

Earthen landfill operations shall be permitted as a special land use in the A-1 and R-1 districts. All landfills shall be permitted as a special land use in the IND district. Landfills in all districts shall be subject the following:

- A. There shall be satisfactory preparation of the land for an approved specific land use permitted within the applicable zoning district.
- B. Permitted earth landfills shall be subject to all other laws and ordinances pertaining thereto, provided such shall not be permitted in any wetland area or in any floodplain zone, except under terms and conditions of all other laws and ordinances pertaining thereto.
- C. In passing upon an application for the location of a landfill, the Planning Commission and Township Board must be satisfied that the proposed use would not be detrimental to other proposed land uses in the area, adversely affect property values, and can be conducted with a minimum impact upon traffic patterns and adjacent uses all in accordance with the standards of this Article.

- D. An earthen landfill shall contain only soil free from building debris. No putrescible or manufactured inert materials may be placed in an earthen landfill.
- E. The site shall not be within one thousand (1,000) feet of a residential use.

#### 4.37 LARGE SCALE RECREATION

Large-scale recreation uses include golf courses, ball fields, stadiums, driving ranges, riding stables, gun clubs, parks, RV campgrounds, hay rides, picnic grounds, swimming facilities, children's rides and the like and shall be permitted in all residential districts as a special land use. Such uses that are not included under this classification are circuses, outdoor drive-in theaters, vehicle racetracks and horse and dog tracks. Uses permitted shall be subject to the following:

- A. The site shall be a minimum of twenty (20) acres in size.
- B. All development features on the site shall maintain a setback of two hundred (200) feet from all residentially zoned land and from road rights-of-way.
- C. No activity shall take place within forty (40) feet of the perimeter of the subject parcel. All such activities shall be screened by the use of a wall or greenbelt.
- D. All ingress and egress from the site shall be directly onto a major or secondary thoroughfare having an existing or planned right-of-way width of at least one hundred twenty (120) feet.
- E. A minimum 40-foot wide landscaped greenbelt shall be provided along all property lines abutting a residential zoning district.
- F. Related accessory commercial uses may be permitted in conjunction with the recreation use when it is clearly incidental to the main recreational character of the use and such accessory uses shall not include the sale, servicing or repair of any vehicles or equipment used on the site except that owned by the proprietor.
- G. Days and hours of operation shall be agreed to as a condition of any approval.



**4.38 LC, GC, AND IND PERMITTED USES AND V-1 USES SIMILAR TO PERMITTED USES**

Uses permitted in the LC, GC, and IND districts and uses similar to those permitted in the V-1 district shall be permitted, subject to the following:

- A. In the LC, GC, IND and V-1 districts, all business, servicing or processing (except for off-street parking or loading), shall be conducted within a completely enclosed building;
- B. In the LC, GC and V-1 districts, all businesses shall be of a retail or service nature dealing directly with consumers; and that all goods produced on the premises shall be sold at retail on the same premises.

**4.39 MEDICAL MARIJUANA USES**

## A. Intent.

1. Voters in the State of Michigan approved a referendum authorizing the use of marijuana for certain medical conditions, being the Michigan Medical Marijuana Act, MCL 333.26421, et seq. ("The Act".)
2. The specified intent of The Act is to enable certain specified persons who comply with the registration provisions of the law to acquire, possess, cultivate, grow and use marijuana as well as to assist specifically registered individuals identified in the statute without being subject to criminal prosecution under state law in limited, specific circumstances.
3. Despite the specific provisions of The Act and the activities identified in The Act, marijuana remains a controlled substance (Schedule 1 drug) under Michigan law. The activities set forth in The Act have a potential for abuse. Such activities should be closely monitored and, to the extent permissible, regulated by local authorities.

4. If not closely monitored or regulated, the presence of marijuana, even for the purposes specified by The Act, may present an increase for illegal conduct and/or activity which adversely affects the health, safety and welfare of the residents of Washington Township.
5. Nothing in this Ordinance shall be construed to allow persons to engage in conduct that endangers others or causes a public nuisance, or to allow use, possession or control of marijuana for nonmedical purposes or allow any other activity relating to cultivation/growing, distribution or consumption of marijuana that is otherwise illegal.
6. This Section is intended to protect and preserve the public health, safety and welfare of the community, the quality of life and the stability of property values including but not limited to the value of residential, commercial, and industrial districts.
7. This Section is intended to prohibit a caregiver's cultivation of marijuana in residential and commercial districts in order to protect and preserve peace, order, property and safety of persons as a result of issues associated with the growth of marijuana in residential and commercial districts including problems with insufficient or improper electrical supply, problems with ventilation leading to mold, offensive odors, or other health hazards and other hazards which are associated with the cultivation of marijuana in residential and commercial settings and which is otherwise often difficult to detect and regulate.
- B. Medical Marijuana Dispensary, Compassion Centers or other similar operation for the consumption or distribution of medicinal marijuana. It shall be unlawful for any person or entity to own, manage, conduct, or operate a medical marijuana dispensary, compassion center or other similar operation, or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any medical marijuana dispensary, compassion center, growth facility, growth cooperative or other similar operation in Washington Township.



C. Registered Primary Caregiver Operations. Any registered primary caregiver may acquire, possess, cultivate, manufacture, transfer, or transport medical marijuana compliant with the MMMA. Cultivation of medical Marijuana by a registered primary care giver as defined under the MMMA, is prohibited in any zoning district, except the General Industrial District (IND); and further subject to the following:

1. A registered primary caregiver may only grow, cultivate, manufacture, process, and store marijuana on a parcel in the General Industrial District (IND) and in an enclosed locked facility.
2. The registered primary caregiver is responsible for utilizing an enclosed locked facility upon the industrial zoned parcel, compliant with the MMMA for cultivating, growing, manufacturing, processing, and storing marijuana for medical use only. The enclosed locked facility utilized by the primary registered caregiver, shall provide separation by fully enclosed walls or fences, for plants that are grown on behalf of each registered qualifying patient, on whose behalf the registered primary caregiver is furnishing marijuana for medical use, so it is accessible only to the primary caregiver and registered patient. The processing and storing of medical marijuana is permitted only by registered primary caregivers and their registered qualifying patients.
3. The registered primary caregiver may grow up to a maximum of 72 plants, but no more than 12 plants for each individual registered qualifying patient as set forth in the MMMA.
4. The registered primary caregiver is responsible for providing the security necessary to assure that the growing marijuana and usable product are accessible only by the primary registered caregiver and/or registered qualifying patients who are registered to the registered primary caregiver through the state registration system. The security must fully comply with the provisions of the MMMA, and Administrative Rules promulgated by the State of Michigan.

5. Each parcel upon which enclosed locked facilities with marijuana for medical use are present, must be a minimum of 500 feet from any parcel upon which any school, school facility, child care facility, place of worship, or public park is situated. Measurement of the buffer shall be from property line to property line.
6. A Certificate of Occupancy is required and must be obtained from the Township before the presence of marijuana is allowed on the parcel.
7. The consumption, transfer, or use of marijuana, in public, or a place opened to the public is prohibited.
8. No person other than the primary caregiver shall be engaged or involved in the growing, processing, dispensing, delivering or handling of medical marijuana except to the extent that the primary caregiver lawfully transfers medical marijuana to a qualifying patient to whom the primary caregiver is linked through the state registration system.

D. Certificate Required. The operations of a registered primary caregiver within the General Industrial District (IND) shall only be permitted upon the issuance of a *Zoning Certificate to Cultivate Medical Marijuana*. Such certificate is required to be renewed annually and is subject to inspections by the building and fire department as well as the Macomb County Sheriff's Department for compliance with the provisions of this Ordinance and for the issuance of the certificate and its renewals.

1. A complete and accurate application shall be submitted on a form provided by the Township along with submission of the application fee. The application fee and renewal fee shall be in an amount determined by resolution of the Township Board.



2. The certificate application shall include the name and address of the applicant; the address of the property; a copy of the current state registration card issued to the primary caregiver; a full description of the nature and types of equipment which will be used in marijuana cultivation and processing; and a description of the location at which the use will take place. The planning and zoning administrator shall review the application to determine compliance with this Ordinance, the MMMA and any applicable Michigan Regulatory Agency General Rules. A certificate shall be granted if the application demonstrates compliance with this Ordinance, the MMMA and Administrative Rules.
3. The use shall be maintained in compliance with the requirements of this Ordinance, the MMMA and Administrative Rules promulgated by the State of Michigan. Any departure shall be grounds to revoke the certificate and take other lawful action. If a certificate is revoked, the applicant shall not engage in the activity unless and until a new Zoning Authorization to Cultivate Medical Marijuana certificate is granted.
4. Information treated as confidential under the MMMA, including the primary caregiver registry identification card and any information about qualifying patients associated with the primary caregiver, which is received by the Township, shall be maintained separately from public information submitted in support of the application. It shall not be distributed or otherwise made available to the public and shall not be subject to disclosure under the Freedom of Information Act.

Δ June 2, 2021

#### 4.40 MINING AND EXTRACTION

Sand and gravel mining or extraction, similar removal operations, quarry excavating, and land stripping may be permitted as a special land use in the A-1 and R-1 districts. When deciding upon the application for the location of a mining and/or extraction, the Planning Commission shall consider the following:

- A. There exists a sufficient amount of material to be mined or extracted on the site in question to justify such an operation.

- B. The use would not cause substantial and indifferent harm to other permitted land uses in the district.
- C. The special land use request shall be accompanied by a reclamation plan which demonstrates a reasonable use of the property once the operation ceases to exist. Once the Planning Commission approves a reclamation plan for the site, the applicant is required to record the approved plan by filing it with the Macomb County Register of Deeds for all parcels included with the mining operation and special land use approval.

Δ September 24, 2020

#### 4.41 NONCOMMERCIAL RECREATION

Private noncommercial recreation areas, institutional or community recreation centers and nonprofit swimming pools shall be permitted as a special land use in the RM-1, RM-2 and MHC districts, subject to the following:

- A. The proposed site for any of the community-servicing uses permitted herein (i.e., those which would attract persons from beyond the immediate neighborhood) shall have one property line abutting a major or secondary thoroughfare, and the site shall be so planned as to provide vehicular ingress and egress directly onto said major or secondary thoroughfare.
- B. No building shall be located, nor activity take place, within thirty (30) feet of the perimeter of the recreation area. All such activities shall be adequately screened from abutting residentially zoned property by means of a protective wall or greenbelt as described in [Section 5.13](#) of this Ordinance.
- C. Whenever a swimming pool is to be provided, said pool shall be provided with a protective fence six (6) feet in height and entry shall be by means of a controlled gate or turnstile.

#### 4.42 OPEN AIR BUSINESS USES<sup>2</sup>

Open air business uses, including the retail sales of plant materials, lawn furniture, playground equipment, and garden or building supplies, shall be permitted as a special land use in the GC district, subject to the following:

- A. All outdoor areas designated for retail sales shall be enclosed by a decorative fence or masonry wall as defined in [Section 5.13.C.2](#). The Planning Commission shall approve the height of said wall or fencing.
- B. A greenbelt with a minimum width of seven (7) feet shall be provided around such fencing in all areas where no entrance/exit gate is located. The greenbelt shall be landscaped to meet the requirements of [Section 5.13.C.1](#).

#### 4.43 OUTDOOR CAFES

- A. The Planning Commission shall determine if the area designated for an outdoor cafe use significantly hinders the movement of pedestrian traffic. In no instance shall an outdoor cafe project into the public right-of-way.
- B. All such uses shall be shielded from the roadway by means of a decorative fence or wall. This fence or wall shall not exceed three (3) feet in height. It shall be constructed of the same brick as the building or decorative/simulated (pre-finished aluminum) wrought iron.
- C. The Planning Commission may vary the building setback if outdoor seating areas are provided.

#### 4.44 OUTDOOR SALES LOTS

Outdoor sales lots shall be permitted as a special land use in the GC district subject to the following:

- A. The lot or area shall be provided and maintained with a permanent, durable and dustless surface constructed of either asphalt or concrete and shall be so graded and drained as to dispose within the site of all surface water accumulated within the area.
- B. The location of the site shall be upon a street with a right-of-way of at least one hundred twenty (120) feet (existing or proposed) and shall contain no fewer than forty thousand (40,000) square feet.
- C. Devices for the transmission or broadcasting of voices and/or music shall be prohibited.
- D. Setbacks from single-family zoning districts.
  1. Lots for the sale of new or second-hand recreational vehicles, boats or manufactured homes - 500 ft.
  2. Lots for the sale of automobiles - 200 ft.
- E. Additional requirements for lots for the sale of new or second-hand recreational vehicles, boats, or automobiles:
  1. No vehicle repair, bumping, painting or refinishing shall be done on the site. Cleaning and refurbishing of vehicles or units shall be permitted if done completely within an enclosed building.
  2. The applicant shall be required to meet all parking standards set forth in [Section 5.12](#) and the berm requirement of [Section 5.12.H.2](#), unless a three-foot high decorative masonry wall has been provided around all outdoor vehicle sales areas. In addition, ornamental landscaping shall be located around the exterior of such wall.
- F. Additional requirements for lots for the sale of manufactures homes. The applicant shall meet all outdoor storage requirements of [Section 4.45](#).







- E. Additional requirements for special land use storage in the IND, bulk storage of flammable and raw materials, and outdoor sales lots for the sale of manufactures homes.

1. Setbacks.

- a. No improvements for such use shall be erected closer to the site boundary lines than permitted in [Section 3.15.D](#) of the IND district.
- b. No storage use shall be closer than one hundred (100) feet to the outer perimeter (property lines) of the district where said property lines abut any residential district or border other than an industrial district, and such space shall be fully landscaped and fenced at the setback line.

2. Whenever a different material is to be stored other than what was approved in the original request, a new approval shall be required from the Planning Commission.

- F. The following are expressly prohibited:

1. In the LC district, outdoor storage and display of merchandise.
2. In the V-1 district, outdoor storage of merchandise.
3. In the O-1 district, outdoor storage of vehicles, materials or equipment.
4. In outdoor storage areas for IND district open storage, bulk storage of flammable and raw materials, and outdoor sales lots for the sale of manufactures homes:
  - a. Junkyards, including used auto parts.
  - b. Used building materials.
  - c. Storage of combustible or odoriferous materials.

#### 4.46 PLAYGROUNDS

Playgrounds or equipment typical of a school playground, such as slides, swings, etc., shall be designed to comply with the Handbook for Public Safety, developed by the U.S. Product Safety Commission, Pub. No. 325, or any successor thereto.

#### 4.47 PRIVATE KEEPING OF ANIMALS

- A. In the A-1 and R-1 districts, the private keeping of not more than four dogs or cats, six months or older, may be allowed on at least one acre of land. At least one acre shall be provided for each additional dog or cat over six months, but in no circumstance shall the number of dogs or cats exceed eight.
- B. In the R1-A, R1-B, R1-C, and R1-D districts, the private keeping of not more than any combination of four (4) or more cats, dogs, or similar commonly accepted domestic pet (as defined in this ordinance) of six months of age or older or more than one (1) litter of offspring.

#### 4.48 PRIVATE WASTEWATER TREATMENT UTILITIES

Private wastewater treatment utilities shall not be permitted in any location of the Township that is serviced, or is planned to be serviced, by a public sanitary sewer system, as identified in the Washington Township Master Plan. Private wastewater treatment utilities may be permitted as a special land use by the Planning Commission in all areas of the Township that are not planned for public sanitary sewer service.

#### 4.49 PUBLIC UTILITY BUILDINGS

Public utility buildings shall be permitted as a special land use in all single-family residential districts, the LC, GC and IND districts, subject to the following:

- A. All driveways or maneuvering areas servicing the facility shall be hard-surfaced, installed and maintained by the public utility in accordance with all applicable Township standards.
- B. The parking of vehicles pertaining to said use shall be limited to the use of such vehicles in the performance of ongoing service work or repairs to the facility for the period of time necessary to complete such service or repairs.
- C. The structure shall be maintained against deterioration and/or damage from the elements or from any other cause by prompt and appropriate repairs, painting, and other protective measures.
- D. Outdoor storage shall not be permitted unless the site is located in the industrial district.



#### 4.50 PUBLIC UTILITY TRANSMISSION LINE

The erection, construction, alteration, addition, expansion, reconstruction, abandonment or replacement of underground, surface or overhead transmission of gas, electricity, communications, steam or water, including poles, mains, drains, sewers, pipes, conduits, wires, cables, high voltage transmission lines, towers in connection with such lines and any other similar equipment and accessories in connection therewith, except for ordinary local service lines and emergency repairs, by a person, partnership, corporation or public utility may be permitted as a special land use in all districts and shall require submittal of an application for review and approval by the Township Planning Commission after a duly constituted public hearing and recommendation to the Township Board for approval.

##### A. Transmission line standards.

1. All utility lines shall follow existing utility corridors or within existing easements where possible and reasonable.
2. The loss of prime and significant agricultural soil, particularly those under cultivation, shall be held to a minimum. No utility shall be designed, arranged or constructed in such a way that will prevent a farm operator from cultivating land.
3. Utility line easements or corridors shall, wherever possible, follow interior property lines. In no instance shall an easement or corridor be aligned in such a way that it denies any parcel of land clear and perpetual access to a public street or road.
4. No utility line easement or corridor, by its location, extension or alignment across a parcel of land, shall subdivide that parcel into two (2) or more parcels of land in violation of the State Land Division Act.
5. Selective clearing techniques shall be administered throughout the length and width of any utility easement or corridor. Existing vegetation shall be maintained wherever possible, throughout the remainder of the easement or corridor not affected by the actual physical installation of any approved physical plant.
6. Prior to commencement of construction, any approvals granted hereunder shall not be transferable to another party or to any successors in interest, without first applying for approval of a transference by the Township Board.

7. Any applicant granted approval by the Township as herein set forth shall make available to the Township Clerk the name, address and telephone number of its representative responsible for receiving and acting upon inquiries or complaints received from the Township.

##### B. Extra high voltage transmission line corridors. Extra high voltage (EHV) transmission line corridors in the addition to meeting the considerations set forth in [subsection A.1.](#) above, shall further meet the following requirements:

1. The minimum width of any (EHV) transmission line corridor shall be consistent with the voltage transmitted and shall be no less than the a maximum voltage transmitted and minimum width of corridor: 345 KV - 150 feet, 765 KV - 280 feet.
2. When application is made for a transmission line, the conductors which are to be energized to 345 Kv, the Township Planning Commission shall evaluate all areas within one mile of the proposed electric transmission line easement or corridor and make its recommendation to the Township Board. The Planning Commission shall require the utility to investigate with respect to the proposed transmission line's potential impact on existing conditions within the designated area. In evaluating the impact study, the Planning Commission and the Township Board shall consider at least the following:
  - a. The impact on existing land use operations such as farms, nurseries or other crop or plant growing operations, livestock raising, including dairy farms and poultry farms.
  - b. The impact on residential dwelling units and all developed land uses existing within the designated area.
  - c. The impact on any areas of environmental significance including but not limited to wildlife preserves or areas containing a significant number of wildlife.



3. The electric field strength for all voltage levels shall not exceed 1.5 Kv per meter, as measured from the edge of the electric transmission line easement or corridor.
  4. No electric transmission lines or system of lines shall create or otherwise cause fair weather radio interference at the edge of an electric transmission line easement or corridor such that local A.M. broadcast stations will be degraded to less than twenty-four (24) DB signal to noise ratio (measured with a quasi-peak detector at 1.0 MHz).  
  
The utility/owner of the transmission lines shall maintain them such that good, background unobtrusive, fair weather reception is maintained for local radio stations at any distance from the transmission line easement or corridor edge.
  5. Noise shall be regulated by [Section 5.9.A](#).
- C. Construction and repair . During the construction or repair of any approved facility as permitted herein, the following conditions shall apply:
1. All internal roads used during construction shall be maintained with dust retardant agents.
  2. Any damage to public or private streets or roads, fences, landscaping, windows, structures or other facilities shall be repaired within thirty (30) days from date of notification of damage.
  3. No wastes or spoils such as tree stumps, dirt mounds, construction wastes, or trash of any kind shall be left after construction or repair operations are completed.
  4. Construction operations shall be confined to daylight hours, Monday through Saturday, except under emergency circumstances, or unless otherwise permitted by the Township.
- D. Required conditions . At the time a request is made for review and approval under this Section, the applicant shall submit as a part of its application an estimated timetable for completion of the construction plans to the Planning Commission for review and recommendation to the Township Board. The submittal shall include specifications for all equipment and facilities proposed for installation.

#### 4.51 RAISING OF FUR BEARING ANIMALS, INCLUDING KENNELS<sup>43</sup> AND/OR ANIMAL HOSPITALS

The raising of fur-bearing animals, including kennels and or animals hospitals shall be permitted as a special land use in the A-1, R-1, and GC districts, subject to the following:

- A. Minimum site size: Five (5) acres.
- B. The site shall abut a roadway designated as either a major or secondary thoroughfare in the Washington Township Master Plan.
- C. There shall be provided an area of at least one hundred (100) square feet for each animal, including the area devoted to interior kennel space and runs.
- D. All interior building areas used for the keeping of animals shall be soundproofed.
- E. All animals shall be kept in soundproofed buildings between 8:00 p.m. and 8:00 a.m.
- F. Exterior dog runs and non-soundproofed interior buildings shall not be located closer than two hundred (200) feet to any lot line.
- G. Soundproofed interior buildings shall be located at least one hundred (100) feet from any property line.
- H. Exterior areas for the keeping of dogs shall be provided with fencing capable of confining the animals.
- I. All exterior dog runs shall be screened from view by adjoining parcels and the public road.
- J. The design and appearance of buildings used as animal boarding places shall be consistent with surrounding uses.
- K. One (1) parking space shall be provided for every five (5) kennel runs.
- L. All kennel runs and interior building areas shall have concrete floors or a suitable equivalent that can be easily cleaned.



#### 4.52 REFUSE DISPOSAL INCINERATORS, RECYCLING CENTERS<sup>1</sup> AND TRANSFER STATIONS

Refuse disposal incinerators, recycling centers, and transfer stations shall be permitted as a special land use in the IND district, subject to the following:

- A. The proposed plan of operation shall be approved by the State of Michigan, Macomb County Health Department and Township Engineer and shall be subject to all EPA standards.
- B. All refuse storage, dumping and feeding shall be done within an enclosed structure.
- C. All ash and other incineration byproducts shall be stored in an enclosed structure.
- D. Smokestacks shall be of a design and operated in a manner so as to preclude the emission of noxious odors and smoke which would interfere with the use of adjoining properties.
- E. The site shall be a minimum of one thousand (1,000) feet from any residential structure.
- F. All ingress and egress to incinerators shall be paved roads and driveways maintained in a dust-free state.
- G. If approval for such use is granted by the Planning Commission, a permit shall be required in accordance with the provisions of the Washington Township Code of Ordinances.

#### 4.53 REGIONAL BUILDINGS

Any buildings constructed which exceed sixty thousand (60,000) square feet of gross floor area, shall be required to obtain special land use approval. These buildings generally serve an area larger than the immediate community and create larger, more significant impacts on the road system, the environment and existing infrastructure than buildings of a lesser size; and therefore warrant a closer examination of the proposed development through special land use provisions.

#### 4.54 SOLAR PANELS

Solar panels shall be subject to the following requirements:

- A. Freestanding solar panels shall not be located in the front or side yard;
- B. All freestanding solar panels shall be regulated as an accessory structure and shall meet the standards of [Section 5.1](#);
- C. All solar panels shall be counted as part of the maximum permitted impervious surface ratio requirement of the zoning district in which they are located;
- D. No freestanding solar panel shall be permitted to exceed a height of twelve (12) feet;
- E. Roof-mounted solar panels shall not project more than eight (8) feet above the roof line;
- F. All solar panels proposed on nonresidential sites shall be subject to Planning Commission review and approval.

#### 4.55 STORAGE, ACCUMULATION, DUMPING AND/OR COLLECTION OF WASTE, JUNK, GARBAGE AND OTHER SIMILAR MATERIALS

- A. No site shall be used for the storage, accumulation, dumping and/or collection of waste, junk, garbage and other similar materials, except upon approval by the Planning Commission in compliance with the special land use requirements of [Articles 4 & 6](#) or as otherwise permitted under this Ordinance.
- B. The owner or occupant of all land, structures and/or every part thereof shall have the duty to maintain same in a clean and sanitary condition, free from any accumulation of dirt, filth, rubbish, garbage and vermin, and the duty not to act or omit to act so as to create or permit the existence of a nuisance as defined in this Ordinance. This duty shall extend to any area of land between the site line and adjoining streets and curbs.
- C. The depositing of dirt, sand or earth materials shall be permitted in any district in accordance with the following requirements:
  1. Any finish grade to be established shall be reviewed under the requirements of the Engineering Standards Ordinance and approved by the Township Engineer.

2. The finish grade shall be graded not later than sixty (60) days after completion of the deposits on the land, in a manner so as to prevent the collection of water and which will leave the ground surface in a condition suitable for other permitted uses within the district in which the site is located

#### 4.56 TRUCK TERMINALS

Truck terminals shall be permitted as a special land use in the IND district, subject to the following:

- A. All such uses shall be located on a parcel of land which is surrounded by abutting land zoned industrial.
- B. All sides of the development not abutting a major thoroughfare shall be provided with a 20-foot wide greenbelt planting and fence or wall so as to obscure from view all activities within the development.
- C. No building or part thereof shall be erected closer than one hundred (100) feet from any property line.

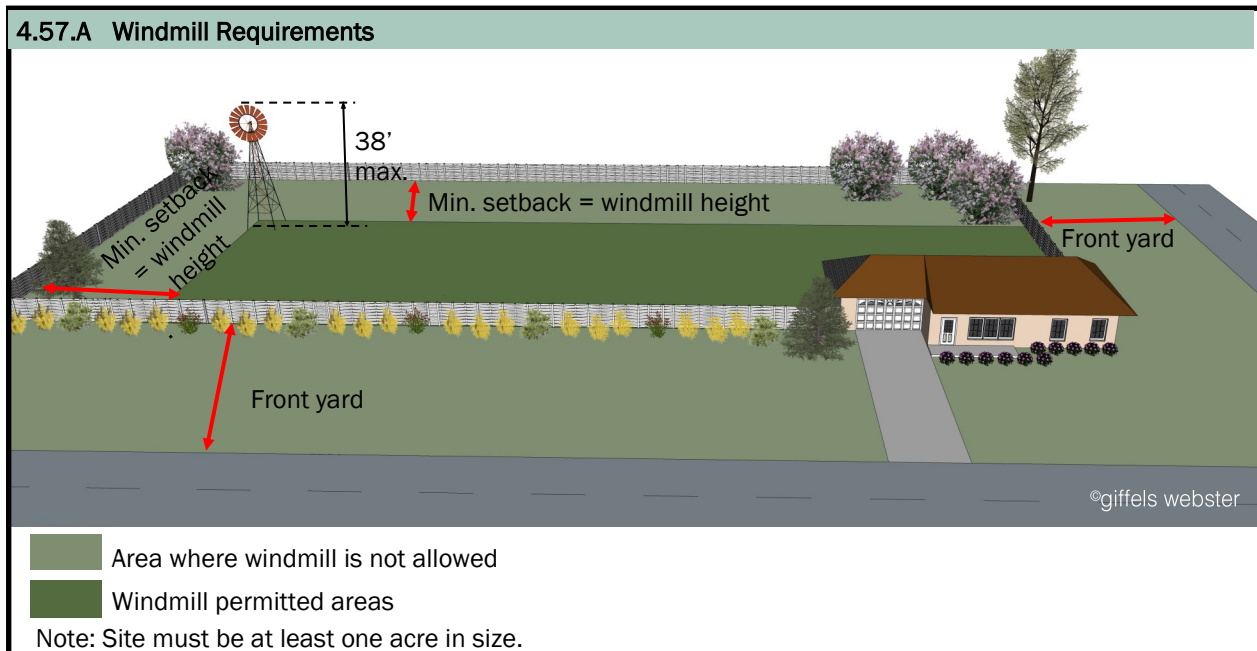
#### 4.57 WINDMILLS

- A. A maximum of one (1) windmill shall be allowed on a parcel of land as a permitted use in any district, subject to Planning Commission approval and the following requirements:
  1. The height of the windmill does not exceed thirty-eight (38) feet.

2. The windmill shall not be located within the front yard.
3. The windmill shall maintain a setback from the property line equal to the vertical height of the proposed windmill.
4. The noise generated by the windmill does not exceed a maximum decibel level of sixty (60) dbA at the property line.
5. A windmill shall not be permitted on any piece of property less than one (1) acre in size.
6. No windmill shall be permitted within a residential subdivision, site condominium or condominium.

#### B. Special Land Uses.

1. Windmills that exceed thirty-eight (38) feet in height shall be reviewed by the Planning Commission as a special land use and are subject to the height, setback and any other applicable requirements of Sec. 12.44, as determined by the Planning Commission.
2. An application to erect more than one (1) windmill on a parcel of land may be considered by the Planning Commission as a special land use.



#### 4.58 WIRELESS COMMUNICATION TOWERS

Wireless communication towers, including their respective transmission towers, relay and/or receiving antennas, and normal accessory facilities involved in television, radio, microwave, cable systems, cellular, personal communication, and similar communication services and facilities, shall be permitted as a special land use in the A-1, R-1 and IND districts. Cellular antennae and supporting structures shall be permitted to be attached to buildings and structures in all zoning districts. All such uses shall be found to be essential or desirable to the public convenience or welfare and in conformance with the following requirements:

- A. The applicant shall submit a written statement and technical verification regarding the nature of any transmissions, electromagnetic fields, or any other radiation emitted from the facility, and any potential hazards to humans, animals, and/or any other materials or property in the area. Further, communication towers and facilities shall be designed and operated to prevent broadcast interference with any equipment located on nearby properties.
- B. A written explanation of the design characteristics and ability of the structure(s) and attendant facilities to withstand winds, ice and other naturally occurring hazards shall be submitted. This information shall also address the potential for the tower or other mounting structure and/ or antennae to topple over or collapse, and what tower configuration should be expected in such an event. Technical documentation of any information regarding these concerns shall also be provided. Monopole (stealth or equivalent type) antenna structures shall be required where such are technologically feasible. In all cases, communication towers shall be designed to blend into the surrounding environment to the maximum extent feasible.
- C. In order to maximize the efficiency of providing such services, while minimizing the negative impact of such facilities on the Township, collocation of such facilities on an existing tower or other existing structure is required, when feasible. An applicant shall furnish written documentation as to why a collocation at another site is not feasible and whether they have, in fact, contacted the owners of existing facilities to determine if collocation is possible. If the application represents a new tower/ antenna facility, the applicant shall provide a letter of intent to lease any excess space on a tower facility and shall commit itself to:

1. Promptly responding to any requests for information from a potential co-user of their tower/antenna;
2. Negotiate in good faith and allow for leased, shared use of the facility, when it is technically practical; and
3. Make no more than a reasonable charge for a shared use lease.

If the application involves collocation on an existing tower or structure, the public hearing requirements shall be waived and approval shall only include a site plan and documentation by the co-user as to their compliance with all of the terms and conditions required of the host applicant. Collocation may be permitted by the Planning Commission, after site plan review, on all existing towers and existing similar structures, regardless of the zoning district in which it is located.

- D. Approval of a communication tower facility shall not be granted until such time that the applicant has demonstrated all of the following:
  1. The proposed facility is needed because of proximity to an interstate highway or major thoroughfare, or is in proximity to areas of population concentration, or concentration of commercial, industrial, and/or business centers; or
  2. The proposed facility is needed because there are areas where signal interference has occurred due to tall buildings, masses of trees or other obstructions; and
  3. The proposed facility is needed because the telecommunications provider is unable to collocate its facility with another provider or other structure; and
  4. The proposed facility is needed to complete its grid as it relates to the needs of Washington Township and its surrounding communities, and that there are no suitable sites in any of said surrounding communities; and
  5. The proposed facility is designed to operate within the requirements for radio frequency emissions of the Federal Communications Commission and applicant has operated similar facilities within these requirements consistently.



E. The development of any such facility, together with accessory uses, shall be in such a location, size and character as to be compatible with the orderly development of the zoning districts in which it is situated and shall not be detrimental to the orderly and reasonable development or use of properties in the adjacent areas or the community at large. Furthermore, the location and improvement of facilities, as provided for herein, shall also be subject to the following additional requirements.

1. Towers may be located in the R-1, A-1 and IND zoning districts after special land use approval, and provided the location of such facilities do not represent a hazard to the use and/or development of other uses on the site and in the area. The development of new towers is specifically prohibited in all other zoning districts in the Township. The Township strongly encourages the development of required towers on suitable Township property. Consult with the Township Planning Department with regard to Township property locations prior to submitting an application.
2. The site shall be of such size and shape that the proposed tower facility may be developed in compliance with all requirements of the Township, and any such tower/ antenna shall not exceed one hundred twenty (120) feet in height above the average grade around the structure it is mounted upon.
3. The tower site shall meet all Township standards relating to drainage, lighting, landscaping, general safety and other applicable standards. All landscaping shall be placed in an aesthetically pleasing and functional manner. Such landscaping shall be incorporated along access drives servicing the tower site.
4. All communication towers and facilities shall be surrounded by a six-foot fence to prevent unauthorized access and vandalism, six-foot high evergreen trees shall be placed at intervals of ten (10) feet on center outside of said fence to screen the tower base and ancillary facilities.
5. Lighting associated with communication towers and facilities shall comply with all applicable FAA regulations. Where tower lighting is required, it shall be shielded or directed to the maximum extent possible to minimize the amount of light that falls onto nearby properties.

6. A 12-foot wide paved access road shall be provided and maintained in a good condition to provide access for service and emergency vehicles. Such access road shall meet all Township engineering design requirements.
7. Setback requirements will be determined in relation to the tower/antenna design and collapse data previously required in this Section. Minimum setback requirements, unless otherwise provided for, are as follows:
  - a. In no instance shall any tower facility be located within a front yard.
  - b. Accessory buildings shall be screened from view by an obscuring greenbelt.
  - c. When adjacent to non-residential zoning districts, the setback shall not be less than the overall height of the tower/antennas. This setback requirement shall also apply to any accessory buildings. If the design and collapse data for the tower properly documents its ability to collapse down upon itself, the setback requirements to any side or rear yard property line abutting a nonresidential zoning district may be reduced to one-half the overall height of the tower.
  - d. When adjacent to any residential zoning district, the tower setback shall not be less than the overall height of the tower/antennas, plus fifty (50) feet. If the design and collapse data for the tower properly documents its ability to collapse down upon itself, the setback requirement to any side or rear yard property line abutting any residential district may be reduced to the overall height of the tower/ antenna.
  - e. Further modifications to the side and rear yard setbacks may be considered when it is documented that the adjacent property is not buildable due to wetlands, floodplains or other significant limitations. It shall also be found that no adverse effects on reasonable development patterns in the area would be created by developing the tower.



F. Cellular antennae and supporting structures shall be permitted to be attached to buildings and structures in all zoning districts whether or not they are accessory to the building use, subject to the following conditions.

1. The principal use is a conforming use and the building is a conforming structure.
2. If connected directly to the main building, antennae may be attached to any portion of the building. Such antennae or antennae with supporting structure may not exceed twenty (20) feet in height.
3. The structure that supports antennae may not exceed ten (10) feet in height.
4. Such antennae with supporting structure shall not be credited to the overall height of the building.
5. Any structure that supports antennae shall be set back from the outermost vertical wall or parapet of the building, a distance equal to at least two (2) times the height of such supporting structure.

G. In addition to site plan review, the Commission, with a majority vote, may require an independent third party review of an application. Such review shall be conducted by a professional engineer specializing in this type of communication technology and will be paid for by the applicant. The requirement for such a review shall be based on one or more of the following findings:

1. The applicant has not substantiated a need for a proposed tower to the satisfaction of the Commission.
2. The applicant has been unable to disprove the ability to collocate on an existing tower or structure to the satisfaction of the Commission.
3. The applicant has not substantiated the structural safety of a structure to be commensurate with the requested setback.
4. The data supplied by the applicant is determined to be disorganized, confusing or misleading by the Commission.
5. The applicant has not substantiated that alternative technology cannot be utilized as a substitute to the proposed tower construction.

H. All structures, buildings and required improvements shall comply with all other applicable codes and ordinances and shall be continuously maintained in a safe, healthful and complying condition. Every telecommunication provider with sites located in Washington shall provide the Township with an annual report disclosing the radio frequency emissions of each tower or antenna it has within the Township, and require annual inspections of radio frequency emissions of each tower or antenna by the Township to insure that they are being operated within the requirements of the Telecommunications Act of 1996. The permit may include a requirement for periodic structural and safety inspections and reports, as deemed necessary by the Township Board. The Township shall charge a fee for the annual inspection to cover its costs.

I. A condition of every approval of a wireless communication facility shall be the adequate provision for the removal of the facility by users and owners when the facility has not been used for one hundred eighty (180) days or more. Removal of the tower/antenna and its accessory use facilities shall also include removing the top three (3) feet of the caisson upon which the tower is located and covering the remaining portion with top soil. For purposes of this Section, the removal of towers, antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of non-use.

J. The applicant shall deposit with the Township, in a form which is satisfactory to the Township, a performance guarantee in an amount established by the Township Board resolution as security for the removal of the tower if abandoned for use of cellular facilities.



#### 4.59 YARD CLIPPING COMPOSTING FACILITIES

The uses or sites which accept yard clippings for the purpose of conducting a yard clipping composting facility, may be permitted in the general industrial district only, subject to the issuance of a special land use permit by the planning commission and compliance with the following conditions and standards:

- A. The owner/operator registers the site as a composting facility with the Michigan Department of Environmental Quality.
- B. Only yard clippings shall be composted at such facilities. Yard clippings containing invasive species, or diseased or infested materials shall not be accepted at the composting facility. Non-compostable materials shall be prohibited. Examples of non-compostable materials include, but are not limited to, plastic, glass, textiles, rubber, metal, ceramics, styrofoam, and painted, laminated, or treated wood.
- C. Yard clipping composting facilities shall be prohibited from receiving materials in plastic bags. The owner/operator shall describe the types of containers in which yard clippings will be accepted and the source of incoming yard clippings.
- D. The management or storage of yard clippings, compost, and residuals occurs in an area that is not in the 100-year floodplain and is the following distance from each of the following features:
  1. 200 feet from a property line;
  2. 1,000 feet from a residence or property indicated on the Township Zoning Map, Zoning Ordinance or Master Plan for residential use;
  3. 500 feet from a body of surface water, including a lake, stream or wetland;
  4. 2,000 feet from a type I or type IIA water supply well;
  5. 800 feet from a type IIB or type III water supply well;
  6. 1,000 feet from a church or other house of worship, hospital, nursing home, licensed day care center or school, or property designated as such on the Township Zoning Map, Zoning Ordinance or Master Plan.
  7. 4 feet above groundwater.
- E. Does not result in more than 5,000 cubic yards of yard clippings, compost and residuals present on any acre of property at the site, exclusive of access roads, service areas, parking areas and required buffer zones.
- F. Does not result in an accumulation of yard clippings for a period of over 3 years.
  1. Results in finished compost with not more than 1% by weight, of foreign matter that will remain on a 4-millimeter screen;
  2. If yard clippings are collected in bags other than paper bags, debag the yard clippings by the end of each business day;
  3. Prevent the pooling of water by maintaining proper slopes and grades;
  4. Properly manage storm water runoff;
  5. Do not attract or harbor rodents or other vectors.
- G. The owner or operator maintains, and makes available to the Township, all of the following:
  1. Records identifying the volume of yard clippings accepted by the facility and the volume of yard clippings and of compost transferred off-site each month;
  2. Records demonstrating that the composting operation is being performed in a manner that prevents nuisances and minimizes anaerobic conditions, these records shall include records of carbon-to-nitrogen ratios, the amount of leaves and the amount of grass in tons or cubic yards, temperature readings, moisture content readings, and lab analysis of finished products.
- H. A composting facility shall not be allowed in a protected or regulated wetland. A Level 3 Wetland Assessment shall be made prior to site plan and special land use approval. If a wetland resource(s) is identified, a level 3 assessment will be required.
- I. The maximum height of all windrows or any other material being stored on site shall not exceed a total height of eight (8) feet.
- J. The decomposition process shall be properly managed and maintained in an aerobic condition to prevent all unnecessary odors.



- K. The site shall be level and well-drained. Pondered water shall not be permitted to collect on a yard clippings composting site. A plan for collection, retention and drainage of storm water shall be provided for review and approval. The planning commission shall require that the plan provide a settling basin/detention pond and vegetation filtration of runoff prior to discharge off-site. Vegetation filtration shall be accomplished by use of a 50-foot wide perimeter strip of grass, or a similar measure.
- L. The area being actively utilized for composting shall be provided with an engineered pad consisting of clay or other impermeable lining to a depth as determined by the design engineer and acceptable to the Township Engineer to ensure that contamination or leaching into the ground and groundwater is eliminated or minimized to the greatest extent possible.
- M. The entire site utilized for composting operations shall be screened and buffered by means of a six (6) foot high berm with a four (4) foot wide flat crown. Further, such berm shall be planted with a double row of evergreens six to eight (6–8) feet in height at planting. Each row of trees shall not exceed a spacing of fifteen (15) feet on center. These rows shall be offset by eight (8) feet. In no case shall the trees be planted lower than three (3) feet on the height of the berm.
- N. The owner/operator shall submit a composting facilitation operations plan (CFOP) for the facility that demonstrates compliance with this ordinance and other applicable regulations. The CFOP shall describe or provide information pertaining to the following:
1. Site design considerations including material flow and other procedures;
  2. The location of different activity areas (e.g., receiving, windrows, curing, disposing of waste materials found in income materials);
  3. Volume limits and where the operator will send material if site limitations are achieved,
  4. Typical carbon to nitrogen ratios for expected materials and how the materials will be mixed to maintain reasonable ratios for successful composting; planned processing activities from receipt at the gate through the end user of the finished compost;
  5. The frequency with which the yard clippings will be rotated;
  6. The steps that will be taken to maintain yard clippings at the appropriate moisture content and temperature;
  7. The means by which the temperature and moisture of the compost piles will be measured;
  8. The steps that will be taken to ensure that the decomposition process will be properly managed and maintained in an aerobic condition;
  9. The monitoring, record keeping and reporting program that will be maintained;
  10. The length of time for which yard waste will remain on the site;
  11. Product quality standards and testing for pathogens;
  12. The owner/operator's staffing plan and how many people will be working on-site throughout the year;
  13. The operating staff's qualifications and what training is planned for both operations and safety;
  14. And a plan for how the owner/operator will troubleshoot typical composting difficulties such as litter control, odor, inappropriate temperature, dust, noise, flies and pests, and neighborhood complaints.
- The CFOP must be amended to reflect changes in operation and be available to the Township upon request.
- O. The CFOP shall include provisions for emergency response and shall coordinate with the Township Fire Department to ensure that firefighting equipment is available at the site and that personnel have been trained in firefighting procedures. Water equipment, such as water trucks, hydrants and hoses, or backpack spray units, is required for wetting organic material and for firefighting purposes. Sufficient quantities of water, noncombustible soil, and earthmoving/excavating equipment or the equivalent shall be maintained on-site for purposes of fire extinguishing.

- P. A description of the direction of prevailing winds and how the wind conditions will affect operations shall be submitted. Pile turnings shall be timed to coincide with favorable wind conditions. The owner/operator shall not permit offensive odors to escape the boundaries of the yard clippings composting facility and/or interfere with the enjoyment of adjacent properties. The owner/operator shall submit a set of "low-odor" operating protocols and an odor response management plan that shall be employed in the event that the owner/operator or Township receives odor complaints during operation.
- Q. All buffer areas shall be maintained as vegetative strips to facilitate the filtration of pollutants.
- R. The owner/applicant shall provide a study of the impact that truck traffic associated with the facility will have on public roadways, including a description of the volume of truck traffic that will be generated, with truck traffic estimates during peak and off-peak times; the type and quantity of incoming vehicles by season; the trucks' projected routes; the current condition of affected roadways and the impact that truck traffic is projected to have on their condition; and a plan for mitigating the impacts of truck traffic on area roadways.
- S. Because of the level of truck traffic typically associated with a yard waste composting facility, direct access to a paved public roadway designated as major thoroughfare in the Township's adopted Master Plan and capable of carrying Class A loadings on a year round basis is required.
- T. An area for truck stacking and staging shall be provided. The staging of trucks on the exterior of the site shall be prohibited. The area designated for truck staging shall be located in such a manner as to not impact adjacent residences. Based on the location of the operation and the proximity to residential land use, the planning commission may place restrictions on the hours of operation for the staging and filling of trucks.
- U. All site access road, drives, roads for maneuvering lanes internal to the site, and areas for employee parking shall be paved with asphalt or concrete. The thickness of such roads and maneuvering lanes shall be acceptable to the Township Engineer to ensure emergency access. A minimum of five (5) parking spaces shall be provided on site.
- V. The owner/operator shall provide sufficient equipment on-site to properly manage the composting process. At a minimum, this shall include a front-end loader or similar machinery for loading, unloading, turning, and aeration operations; a shredder for reducing new material to a smaller particle size for faster decomposition; a source of water or watering trucks; and a screen to improve the quality and marketability of the final product.
- W. Storage of finished compost on site is limited to twelve (12) months of production.
- X. A restroom facility sufficient in size to accommodate the facility's staff and an office providing space for administrative functions shall be constructed on-site.
- Y. The owner/operator shall provide plans showing all equipment maintenance and storage areas. Plans shall show the location of all fuel storage facilities and shall detail primary and secondary containment for all hazardous materials, including product-tight containers for primary containment.
- Z. The hours of operation shall be from 8:00 a.m. to 5:00 p.m. Monday through Friday. No operations are permitted on holidays.
- AA. The operator shall establish a procedure and mechanism for proper disposal of non-yard wastes at an approved sanitary landfill. Further, all non-organic material such as debris and litter shall be contained on site so as to not scatter or blow off the premises.



- BB. Access to the site shall be controlled to prevent unauthorized dumping during non-business hours. The entire site being actively used for the storage or processing of compost shall be fenced. The fence shall be no higher than eight (8) feet in height and shall be vinyl coated or the equivalent. Such fence shall be placed behind the landscape berm required by this Ordinance. Further, access point(s) to the site shall be controlled by gates to prevent unauthorized entrance. Finally, the use of barbed, razor or electrified fencing shall be prohibited.
- CC. In the event that the Township retains the services of an independent compost engineer to evaluate the site plan and CFOP, the Owner/Operator shall pay for and comply with the conditions of the compost engineer's review. These conditions shall be included as conditions of special land use approval.
- DD. The owner/operator shall submit proof of insurance for the proposed operation as a part of site plan and special land use review and shall provide proof of ongoing insurance as a part of each yearly license renewal. Such proof shall be kept on file in the Clerk's office or other designated area. Such insurance shall insure the owner/operator, employees and/or agents or representatives, and the Township as an additional insured for general comprehensive liability in an amount of at least one million dollars (\$1,000,000) per person and two million dollars (\$2,000,000) per occurrence. Further, the applicant shall also provide an umbrella policy under the same terms, no less than two million dollars (\$2,000,000) above that previously described. These policies shall have no pollution liability exclusions.
- EE. The owner/operator shall provide a name, address, and phone number of the person responsible for operation of the site and who is also responsible for correcting all operational problems that may result in complaints being made to the Township.
- FF. The owner/operator understands and agrees that failure to maintain and operate the site in accordance with this Section and any additional conditions shall constitute grounds for revocation of the special land use permit by the planning commission.

- GG. Township officials and/or consultants engaged by the Township shall be permitted entry to a yard clipping composting facility for inspection purposes during normal operating hours to determine compliance with this ordinance and other applicable regulations. No person shall impede reasonable inspection of a composting facility by Township officials and/or consultants engaged by the Township.
- HH. The owner/operator shall submit a bond, in an amount established by resolution of the Township Board, to guarantee clean up and restoration of the site.
- II. Copies of all State applications, registrations, reports and permits, where required, shall be provided to the planning commission as part of the application package.
- JJ. A semi-annual inspection for rodents shall be performed by a licensed pest control company. Copies of the report shall be transmitted to the Township. If rodents are detected, appropriate measures shall be taken to capture or exterminate the rodents in an environmentally safe manner.
- KK. A semi-annual test shall be performed to insure that on-site soils and surface waters leaving the site are not contaminated by a concentration of nitrogen, phosphorus, phenols, pesticides and/or herbicides. Soil samples shall be taken from the window area and the settling basin/detention pond and surface water samples shall be taken at the outlet from the detention pond.
- LL. A farm composting yard clippings pursuant to MCL 324.1152(3) and in accordance with generally accepted agricultural and management practices under the Michigan Right to Farm Act is exempt from this Section.
- MM. A site plan meeting the requirements of [Article 6](#) of the Township Zoning Ordinance.

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# *Article 5.0* *Site Standards*





**Article 5.0****Site Standards**

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# 5.0 Site Standards

## 5.1 ACCESSORY BUILDINGS

- A. Accessory Buildings in Non-residential Districts. In commercial or industrial districts, accessory buildings shall only occupy any of the ground area which the principal building is permitted to cover. Accessory buildings, such as buildings for parking attendants, guard shelters, gate houses and transformer buildings, may be located in the front or side yard setback in nonresidential districts, upon Planning Commission approval. All such buildings or structures shall be architecturally and aesthetically compatible with the principal building and be located and landscaped to reduce the visual impact from surrounding properties and from public streets.
- B. Accessory Buildings in residential districts shall be subject to the following regulations (also see Township Building Code):
  1. Area requirements:
    - a. Lot area less than one (1) acre in size:
      - (1) Maximum Number of Accessory Buildings: Each lot is permitted one (1) attached accessory building and one (1) detached accessory building.
      - (2) Maximum Permitted Square Footage: Six hundred and fifty (650) square feet or 2/3 of the total square feet of the principal building excluding the basement and garage, whichever is greater. The permitted square footage includes a combined total of any attached and detached accessory structures and garages on the lot.
    - b. Lot area equal to or exceeding one (1) acre:
      - (1) Maximum Number of Accessory Buildings: There is no restriction on the number of accessory buildings that can be placed on a lot equal to or exceeding one (1) acre in size. However, the number of accessory buildings shall be subject to the permitted square footage requirements and all lot coverage requirements of the Ordinance.

- (2) Maximum Permitted Square Footage: The maximum permitted total square footage of all accessory buildings located on a property with a lot size equal to or exceeding one (1) acre shall be regulated as follows:

**Table 5.1.B.1.b.(2) Maximum Permitted Total Square Footage of All Accessory Buildings on Lots Over One Acre**

Parcel Size	Allowed Size (sq. ft.) in addition to garage
Less than 2 acres	1,200 square feet
2 acres or more, but less than 3 acres	2,400 square feet
3 acres or more, but less than 5 acres	3,600 square feet
5 acres or more, but less than 10 acres	4,800 square feet
10 acres or more	6,000 square feet

2. Height requirements: Accessory buildings located on lots exceeding one (1) acre in area shall not exceed a maximum height of twenty-five (25) feet. Accessory buildings with lot sizes under one (1) acre shall not exceed a maximum height of eighteen (18) feet.

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## 3. Setback requirements:

- a. Detached accessory buildings shall be located only in the rear yards. No accessory building, unless attached to the main building, shall be located closer than ten (10) feet to any main building unless permitted by any other appropriate code. In platted or condominium subdivisions with lot sizes under one (1) acre in size, no accessory building shall be closer than five (5) feet to any rear or side lot line. Outside of platted or condominium subdivisions, or in subdivisions (platted or condominium) with lot sizes exceeding one (1) acre in size, side and rear yard setbacks shall be provided on the basis of five (5) feet for each five hundred (500) square feet of building area or fraction thereof to a maximum required setback of forty (40) feet.
- b. Accessory farm structures shall be set back at least one hundred (100) feet from the front property line and at least twenty-five (25) feet from side and rear property lines.
- c. Accessory buildings on corner lots shall observe the applicable front yard setbacks from both abutting streets for the district in which the building is located. In platted or site condominium subdivisions with lots under one (1) acre in size, the minimum front yard setback for corner lots shall be thirty (30) feet.
- d. No accessory building shall be constructed over or located within one (1) foot of a recorded easement.

## 4. Attached garages:

- a. In R-1 and A-1 zoning districts, the maximum permitted square footage of an attached garage shall not exceed one thousand two hundred (1,200) square feet, or one-third (1/3) of the total square footage of the living area of the house, excluding basements, whichever is greater.
- b. In the R1-A, R1-B, R1-C and R1-D zoning district, the maximum square footage of an attached garage shall not exceed nine hundred (900) square

feet or thirty-three percent (33%) of the total square footage of the living area of the house, excluding basements, whichever is greater.

- c. When an accessory building is structurally attached to a main building, it shall be considered an attached garage and shall conform to all regulations of this Ordinance applicable to the main building.

## 5. General provisions:

- a. In addition to the requirements of this Section, one (1) shed not exceeding one hundred and twenty (120) square feet shall be permitted on each residential lot and shall not be counted as an accessory building.
- b. No accessory structure(s) shall exist on a piece of property without a principle structure. In the event the principle structure no longer exists due to weather, fire or similar circumstance, the property owner must do the following in order to keep the accessory structure(s) on the property:
  - (1) Apply for a new permit for the construction of the principle residence within a year of the date in which the home was no longer able to be occupied. No accessory occupancy permit is granted for the principle structure.
  - (2) Complete construction of the home within 12 months of issuance of building permit. The property owner may appeal to the Zoning Board of Appeals and request up to a six-month extension, due to extreme weather conditions or undue hardship. The Building Official shall provide a written report to the Zoning Board of Appeals, setting forth a reasonable timeline for completion of construction of the home.
- c. All accessory buildings, including sheds, shall have a foundation and/or ratwall.
- d. An accessory building in any residential district shall not involve any business, trade, profession, or occupation other than farming in the A-

1 or R-1 district; or as provided in [Section 4.33](#) (Home Occupations) of this Ordinance.

- e. Buildings accessory to agricultural uses and accessory buildings incidental to the keeping and raising of horses are exempt from the area and height requirements contained herein.

Δ September 24, 2020; April 7, 2021

## 5.2 APPEARANCE REQUIREMENTS FOR MULTIPLE-FAMILY RESIDENTIAL BUILDINGS AND ALL NON-RESIDENTIAL BUILDINGS

The following appearance requirements shall apply to multiple-family residential buildings and all non-residential buildings (except as indicated in this Section):

### A. Building design and materials.

1. Overall design. It is the intent of this article to improve the long-term stability and appearance of new, rehabbed or modified buildings through the use of durable, low-maintenance materials.
2. Materials. Ninety (90%) percent of each façade/wall on a building, exclusive of windows and doors, shall be constructed of clay brick and/or stone. Extruded Aluminum or Aluminum Composite Material (ACM), meeting the following standards, may be utilized for the remaining ten (10%) percent of the wall:
  - a. Minimum 1.5 mm base metal thickness.
  - b. Finish coating with minimum 20 year warranty against fading, chalking, checking, cracking, peeling, delaminating and gloss/color retention.
  - c. Reinforcing framing/furring strip for central support to avoid denting, warping, cracking, buckling, sagging or similar type damage or wear.
  - d. Must be installed at a height equal to or exceeding eight (8') feet.

3. *Other Materials.* Other decorative materials with similar durability may be utilized in lieu of the extruded aluminum or ACM at the same allowable percentage. The Planning Commission shall approve or deny the proposed material based on its specifications associated with durability and long-term maintenance quality. The Commission shall find such specifications equal to or exceeding the extruded aluminum or ACM prior to approving the material.

- B. The exterior should contain design elements, such as dormers, parapets, spires and facade breaks, which shall provide ten (10) feet of depth variation for every sixty (60) feet of building frontage.
- C. Some form of covered pedestrian entranceways and/or walkways should be provided and shall be compatible with the overall architecture of the building.
- D. Any ancillary buildings or outlots shall be architecturally compatible with the principal building.
- E. All buildings that front on a public street shall be oriented in such a manner that the main facade and architectural features are parallel to the street. The actual building entrance is not required to front the street.
- F. These material and design guidelines are established to ensure durable, low maintenance buildings which helps preserve long-term value and safety, as well as to maintain and enhance the general character and architectural style that is currently present and/or desired within the community. No buildings should be reconstructed, remodeled, altered, painted, or repainted as to conflict with the original intent of the Planning Commission. All architectural designs shall be reviewed for safety and code compliance by the Fire Department and the Building Department.
- G. For industrial buildings, a minimum of fifty (50) percent of the front facade of all buildings hereafter erected shall be constructed of aesthetically pleasing clay brick and/or stone materials. The remainder of the building may be constructed of color-impregnated split-block or prefabricated metal siding. The architecture and approved front yard exterior finish shall be returned on the building side(s) a sufficient distance, as determined by the Planning Commission, to provide a continuous appearance from the street.

Δ September 24, 2020



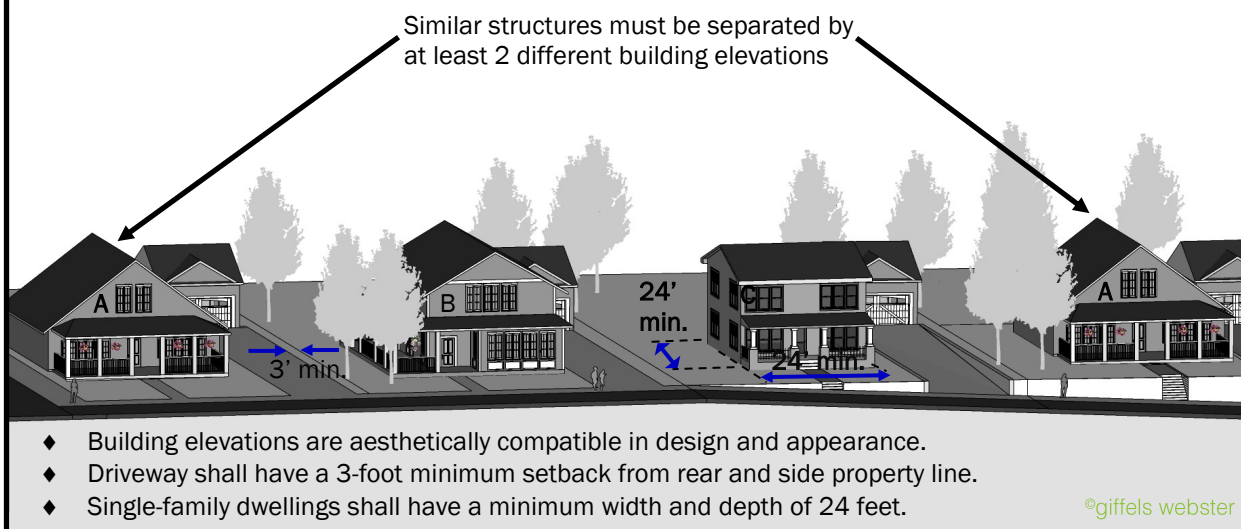
### 5.3 RESIDENTIAL DEVELOPMENTS

A. Design Standards for Residential Uses. For any residential use, there shall be variation in the appearance of dwelling units using the following as minimum standards. The foregoing standards shall not apply to a manufactured home located in a licensed manufactured housing community, except to the extent required by State or Federal law or otherwise specifically required in the Zoning Ordinance of the Township pertaining to such parks. ✎

1. A variety of floor plans and model designs shall be provided. The front elevation of single-family detached dwelling units shall not recur in the same or a substantially similar structural form on another dwelling within the same block frontage, without there being at least two (2) other dwellings with a different building elevation between the dwellings that repeat the front elevation. Different colors alone will not constitute different front elevations. Multiple-family buildings shall not maintain the same elevation as the adjacent building located on the same road frontage.
2. Plans for modulars, prefabricated units and similarly constructed units shall be approved by the State of Michigan Construction Code Commission as meeting the State Construction Code (Public Act 230 of 1972 and Public Act 371 of 1980, as amended) prior to the issuance of a building or occupancy permit. Manufactured/mobile homes or trailers shall meet or exceed the requirements imposed by the United States Department of Housing and Urban Development Mobile Home Construction and Safety Standards (24 CFR 3280 and as, from time-to-time, such standards may be amended). The Planning Commission shall be furnished a certificate stating that such dwelling meets the minimum building code requirements applicable to such structure or shall include a seal attached to the unit. Any addition to such manufactured home must be designed and constructed by the manufacturer of such home or must be based upon an architectural plan deemed compatible with the overall design of the manufactured home and approved by the Planning Commission.
3. All single-family dwelling units shall have a minimum width across any front, side or rear elevation of twenty-four (24) feet.
4. All dwelling units shall be attached to a permanent foundation constructed on the site in accordance with the building code and shall have a wall of the same perimeter dimensions of the dwelling and additions thereto and constructed of such materials and type as required in the building code. In the event that the dwelling is a manufactured home, as defined herein, such dwelling shall also be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission and shall have a continuous perimeter wall, as required above.
5. Residential dwellings shall be aesthetically compatible in design and appearance with other residences in the vicinity. In making such determination of compatibility, the Planning Commission or Building Official may consider the following factors: total square footage; length-to-depth proportions; value and quality of construction; exterior building materials; architectural style and design and roof line; as well as the character, design and appearance of a majority of the residential dwellings (excluding manufactured housing communities) on the block face of the proposed building. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

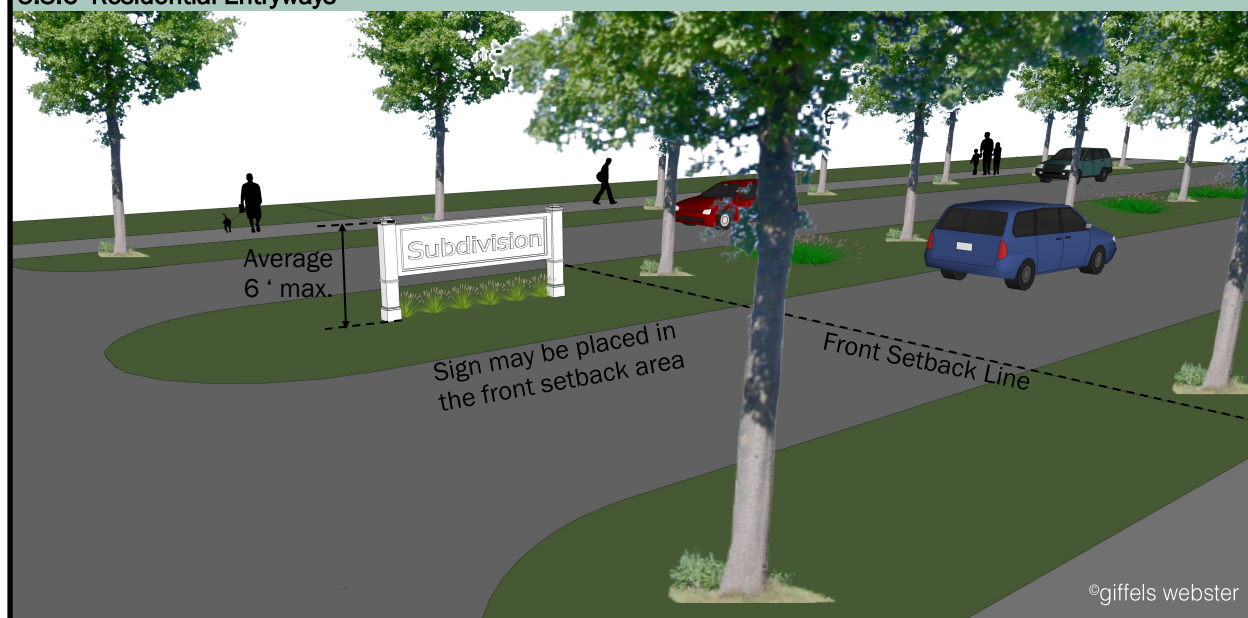


### 5.3.A.1./5.3.D. Residential Design Standards and Driveways



- B. Dwellings in Other than Main Structure. No single-family residential structure shall be erected upon the rear yard of a lot or upon a lot with another dwelling, except for seasonal farm labor housing approved by the Planning Commission.
- C. In all residential developments, so called entranceway structures and landscaping including, but not limited to, walls, columns and decorative security shelters marking entrances to residential developments shall be required and may be located in a required setback, provided that such entranceway structures shall comply with all codes and ordinances of the Township and be approved by the Planning Commission. Residential entranceway structures may exceed the maximum height requirements of a fence but shall not maintain an average height of greater than six (6) feet. All landscape designs shall be prepared and sealed by a registered landscape architect. Subdivisions and site condominium subdivisions shall also meet the standards of Section 181. 705 "Landscape Easement/Common Area" in the Land Division Ordinance. ✍

### 5.3.C Residential Entryways



D. Residential Driveways. Paved residential driveways shall maintain a side yard and rear yard setback of three (3) feet from the property line. This requirement shall not apply to residentially utilized properties that had driveways that were in existence prior to the adoption of this Ordinance.

E. Residential Vehicle Storage:

1. Residential lots less than one (1) acre in size (less than forty-three thousand five hundred sixty (43,560) square feet):

a. Recreational vehicles.

(1) Storage.

(a) A maximum of two (2) small recreational vehicles shall be permitted to be stored on the side yard or rear yard of a property if the storage is screened in a fashion that minimizes the impact on the adjacent property. One (1) of the permitted small recreation vehicles may be stored in the front yard as long as the vehicle is set back a minimum distance of ten (10) feet from the house side of the sidewalk, or the edge of the road if no sidewalk exists.

(b) The storage of one (1) large recreational vehicle shall be permitted on a lot in a single-family residential district provided the vehicle is set back a minimum distance of ten (10) feet from the house side of the sidewalk or the edge of the road if no sidewalk exists, and the vehicle is screened in a fashion that minimizes the impact on the adjacent property.

(c) All permitted storage shall maintain a side yard setback of at least two (2) feet.

(2) Parking. The parking of any recreation vehicle may be permitted within the front, side or rear yard for a temporary period not to exceed five (5) business days.

b. Commercial vehicles.

(1) Storage. The storage of large or small commercial vehicles shall not be permitted on lots with an area of less than forty-three thousand five hundred sixty (43,560) square feet.

(2) Parking.

(a) The parking of a small commercial vehicle may be permitted within the front yard for a temporary period not to exceed five (5) business days.

(b) The parking of a large commercial vehicle shall not be permitted for any time greater than the length of time necessary to complete a delivery or conduct business at the residence in which it is parked.

2. Residential lots one (1) acre in size or larger.

a. Recreational vehicles.

(1) Storage.

(a) On residentially used properties one (1) acre in size or greater, the storage of small and large recreational vehicles shall be permitted subject to the following:

(i) Vehicles stored within the front yard shall be set back a minimum distance of ten (10) feet from the house side of the sidewalk, or the edge of the road if no sidewalk exists.

(ii) Large recreational vehicles stored in the front yard of any residence shall be screened in a fashion that minimizes the impact on the adjacent property.

(iii) A total of two (2) recreational vehicles shall be permitted to be stored outside on a property when said property is between one (1) and four (4) acres in size. One (1) additional recreational vehicle may be stored outside for every two (2) acres beyond the first four (4), up to a maximum of seven (7) recreational vehicles.

(2) Parking. The parking of any recreational vehicle may be permitted within the front yard for a temporary period not to exceed five (5) business days.

b. Commercial vehicles.

(1) Storage.

(a) The storage of a small commercial vehicle is permitted on residentially used lots one (1) acre in size or greater within the rear yard only.

(b) The storage of one (1) large commercial vehicle shall only be permitted when such storage is located within the rear yard on a parcel of land that is at least five (5) acres in size.

(c) The storage of any large commercial vehicles beyond the first shall be stored within an enclosed building. No property may store more than five (5) commercial vehicles at any given time.

(2) Parking.

(a) The parking of a small commercial vehicle may be permitted within the front yard for a temporary period not to exceed five (5) business days.

(b) The parking of one (1) large commercial vehicle shall be permitted on a residential lot if the vehicle is located within a completely enclosed building or is located within the rear or side yard. Such vehicle shall be completely screened from view from the adjoining property.

3. General requirements.

a. In residential zones, commercial vehicles must be owned or operated by a member of the family residing on said lot or parcel and shall not be used for hauling garbage, refuse or other objectionable matter.

b. The storage of any vehicle, trailer, or other similar item on any nonresidentially zoned piece of property shall be prohibited unless specifically permitted in the zoning district the subject property is located after site plan approval has been granted.

Δ June 2, 2021

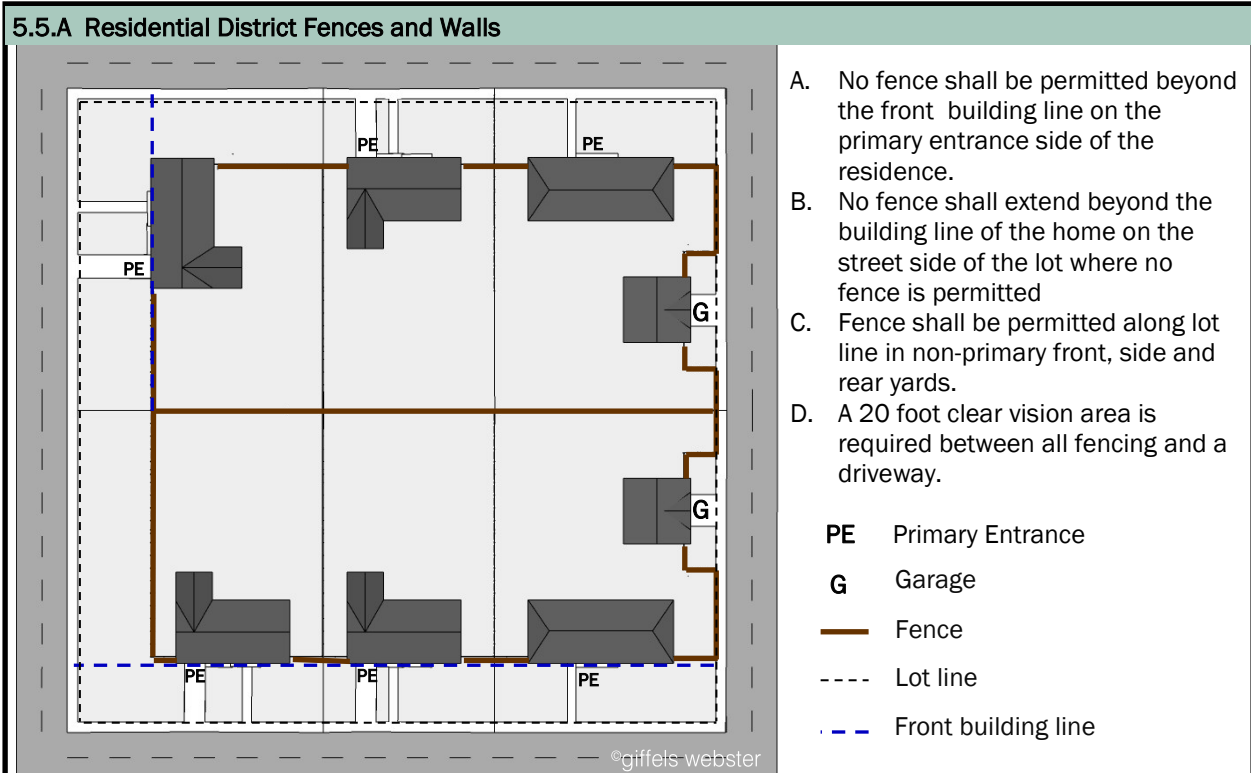
#### 5.4 BUILDING GRADES

When a new building is constructed on a vacant lot between two (2) existing buildings or adjacent to an existing building, the existing established grade shall be used in determining the grade around the new building, and the yard around the new building shall be graded in such a manner as to meet existing grades and not to permit run-off of surface water to flow onto the adjacent property. If necessary, drain systems will be installed to provide water run-off solutions from new buildings or existing buildings onto existing areas at the new building owner's expense. Final grades shall be approved by the Building Official. A "certificate of grading and location of building" shall be duly completed and certified by a registered engineer or land surveyor before construction begins.



## 5.5 FENCES, GATES, PILLARS, WALLS AND SIMILAR PROTECTIVE BARRIERS

- A. The following standards shall apply to fences, gates, pillars, walls and similar protective barriers in Agricultural and Single-Family Residential Districts (except bona-fide farm uses), ~~✗~~
1. The erection, construction or alteration of any fence, gate, pillar, wall or other type of protective barrier shall be reviewed by the Building Official. The Building Official shall approve all such structures that conform to the requirements of this Section and conform to any other applicable ordinance provisions of the Township.
  2. Fences, gates, pillars, walls and other type of protective barriers are permitted along any lot line, except the front lot line, subject to applicable regulations herein.
  3. Unless otherwise stated, fences shall be a maximum of six (6) feet in height.
  4. No fence, gate, pillar, wall or similar barrier shall be located in the front yard. However, a fence, gate, pillar, wall or similar barrier may be permitted within the front yard on one (1) of the street sides of a corner lot, provided that such fence is not located on the street side of the building where the front entrance of the home is located. Such fence, gate, pillar, wall or similar barrier shall not extend beyond the building line of the adjacent home on the street side of the lot. Further, such fence, gate, pillar, wall or similar barrier shall not cross or obstruct a driveway and shall maintain a clear vision distance of twenty (20) feet from any driveway.
  5. No fencing shall have sharp design features and shall not contain barbed wire or razor wire.



- B. Fences in Other than Single-Family Residential Zoning Districts.
1. All fences erected in multiple-family, manufactured housing, commercial and industrial districts shall require approval by the Planning Commission as part of site plan review. Such fences shall not be located in the front yard.
  2. All fences hereafter erected shall be of an enclosure type. Barbed wire, spikes, razor wire, nails or any other sharp point or instrument of any kind on top or on the sides of any fence, or electric current or charge in said fences, are prohibited, except barbed wire cradles may be placed on top of fences enclosing permitted rear or side yard storage in the General Commercial and Industrial districts and public utility buildings, as deemed necessary in the interests of public safety by the Planning Commission.

## 5.6 LOCATIONS OF STRUCTURES IN A PUBLIC EASEMENT

No structure, other than a fence, walk or parking lot, may be erected in a public easement.

## 5.7 RECEIVING AND BROADCASTING ANTENNAS

Any exterior receiving or broadcasting antenna shall not be located in the yard between the building and the street and shall be screened from public view.

## 5.8 PATHWAYS, SIDEWALKS AND WALKWAYS

Intent: The intent of this section is to provide residents and businesses in Washington Township with a safe, comfortable, accessible, and convenient non-motorized transportation network that connects neighborhoods to commercial districts, parks, regional trailways, and other civic uses. The requirements herein are intended to be minimum requirements; additional opportunities to provide sidewalks and pathways internal to and otherwise between developments are encouraged. In addition to the standards provided, the construction standards and details of the Land Development and Utility Ordinance/Engineering standards also apply.

A. Applicability. Once a road has been designated as an Excluded Road, Optional Road or Required Road, as noted on the Pathway and Sidewalk Road Designation, the following criteria will dictate the circumstances under which a pathway or sidewalk will or may be required.

1. Excluded Roads.
  - a. Owners of land abutting Excluded Roads will not be required to construct pathways or sidewalks now or in the future. In those cases in which an owner of land abutting an Excluded Road requests the issuance of a building permit for a new residential dwelling, the Owner shall be required to grant the Township an easement for future construction of a sidewalk or pathway by the Township. The decision whether to construct a sidewalk or pathway shall rest within the sole discretion of the Township. All costs associated with future construction shall be the sole responsibility of the Township.
2. Optional Roads.
  - a. A pathway or sidewalk shall be constructed in the following instances:
    - (1) As a condition for the issuance of a building permit for all new residential dwellings.
    - (2) For all new construction of nonresidential buildings which constitute the principal use of the property and for any other development in which a site plan must be submitted for review by the Planning Commission.

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- b. Pathways or sidewalks shall be required in those cases in which the owner has executed a deferral agreement with the Township and the terms of the agreement require construction.
  - c. The owner of land abutting an Optional Road shall have the option of either (1) constructing the pathway or sidewalk or (2) granting the Township an easement for future construction and depositing funds in a Township-managed sidewalk fund in an amount equal to the cost of the pathway or sidewalk construction as determined by the Township consulting engineer. In lieu of constructing the required pathway / sidewalk, an easement of appropriate size and location (as determined by the Township Engineer) shall be granted to the Township. Further, money, in an amount equal to an estimate prepared by the Project Engineer and approved by the Township Engineer, shall be deposited with the Township to be utilized for pathway / sidewalk construction in other areas of the Township. Such estimate shall include both the cost of design and construction of the pathway / sidewalk but not the costs of potential easements.
- 3. Required Roads.
  - a. A pathway or sidewalk shall be constructed in the following instances:
    - (1) As a condition for the issuance of a building permit for all new residential dwellings.
    - (2) For all new construction of nonresidential buildings which constitute the principal use of the property, and for any development in which a site plan must be submitted for review by the Planning Commission.
  - b. Pathways or sidewalks will be required in those cases in which the owner has executed a deferral agreement with the Township and the terms of the agreement require construction.
- 4. Sidewalks shall not be required in subdivisions, site condominiums, or multiple-family residential developments where sidewalks do not currently exist or where sidewalks were not required as part of the subdivision approval.

## B. General Material Requirements.

### 1. Pathways.

- a. Required Roads. An eight (8') foot wide concrete pathway shall be required across the frontage of all properties abutting designated "Required Roads." Pathways shall be constructed on one or both sides of the proposed road right-of-way, as determined by the Township Engineer, one (1) foot from the outermost edge of the future Macomb County Department of Roads (MCDoR) unless such location is otherwise modified by the MCDoR or the Director / Assistant Director of the Township Department of Public Works (DPW). Internal pathways, such as those located within residential open space areas may be paved with asphalt, rather than concrete.

### 2. Sidewalks.

- a. A five (5') foot wide concrete sidewalk shall be required across the frontage of all properties abutting a local roadway (as designated in the Washington Township Master Plan). Sidewalks shall be constructed in the proposed road right-of-way (R.O.W.), one (1) foot from the outermost R.O.W. edge unless such location is otherwise modified by the MCDoR or the Township DPW Director/ Assistant Director. Sidewalks shall not be required in subdivisions, site condominiums, or multiple-family residential developments where sidewalks do not currently exist or where sidewalks were not required as part of the subdivision approval.
- b. A five (5') foot concrete sidewalk or walkway shall be required as a means of connecting the principal building with the road frontage sidewalk and / or pathway and to the parking area of a site. The Planning Commission shall determine if a proposed walkway system has provided adequate accessibility throughout various use areas of a site, especially between the building(s) on a site, road frontages and parking lots to allow unencumbered access based on applicable ADA standards.

Δ July 13, 2022



## 5.9 PERFORMANCE STANDARDS

- A. Noise. Noise shall not exceed sixty-five (65) decibels measured at the front site line and as measured at any site line which is adjacent to any LC, GC, or V-1 zone or any residential zone. The noise level in the interior of any building shall not exceed a maximum of eighty (80) decibels.
- B. Odors and gases. No obnoxious odors or gases shall be emitted which may be harmful or irritating to the public health and/or safety.
- C. Glare and heat. Glare and heat from arc welding, acetylene torch cutting or similar processes shall be shielded in such a manner as to prevent any danger or discomfort to persons outside of any building where such operation is being conducted.
- D. Vibration. Shall not cause a ground displacement exceeding three one thousandths (.003) of an inch as measured at any site line of the premises and not detectable at any residential district boundary.
- E. Smoke. Emission of smoke shall not exceed the number 2 standard as established by the Ringlemann Chart for consecutive periods of four (4) minutes in any thirty (30) minutes.
- F. Dirt, dust and fly ash. The emission of dirt, dust and fly ash shall not exceed three-tenths (.3) grains per cubic foot of flue gas as measured at stack temperatures of 500 degrees Fahrenheit with not to exceed fifty (50) percent excess air. No haze shall be caused by such emission which would impair visibility.
- G. Radioactive materials. No radioactive materials shall be emitted in excess of standards established by the National Institute of Standards and Technology for human safety.
- H. Power. Power utilized in any industrial activity shall be derived only from electrical energy or smokeless fuels containing less than twenty (20) percent volatile content on a dry basis. Bituminous coal shall be fired only by mechanical equipment.
- I. Electrical radiation. Electrical radiation shall not adversely affect at any point any operations or any equipment other than those of the creator of the radiation. Avoidance of adverse effects from electrical radiation by appropriate single or mutual scheduling of operations is permitted.
- J. Waste. All sewage and industrial wastes shall be handled, stored, treated, and/or disposed of in compliance with all federal and State of Michigan laws and regulations.
- K. Bulk storage of flammable liquids, liquefied petroleum gases and the like are subject to all state (MDEQ) permitting requirements and the following requirements:
  - 1. Above-ground. Above-ground storage of flammable liquids, liquefied petroleum gases and the like is not permitted in the IND district unless a special land use permit is obtained under [Section 4.13](#) of this Ordinance.
  - 2. Underground storage. Bulk storage accessory to the principal use may be permitted as a special land use underground in the IND district provided that storage tanks shall be located not less than fifty (50) feet from any property line of the premises. Underground storage shall be permitted in the IND district provided that storage tanks for explosives shall be located not less than one hundred fifty (150) feet from any property line of the premises and liquefied petroleum gas and flammable liquid storage tanks shall be located not less than fifty (50) feet from any property line of the premises.
- L. Storage in the IND District. Outdoor storage other than currently licensed cars, trucks, and finished and semi-finished manufactured materials produced on the premises and equipment necessary as an accessory to the principal use shall require a Special Land Use permit ([Section 4.45](#)).
  - 1. Inside and underground storage other than junk. Such storage is permitted provided compliance is made with all applicable fire, safety and health regulations.
  - 2. Outside storage other than junk. No materials, goods, and/or supplies used in connection with or part of any industrial use shall be stored, located or deposited in a manner so as to obstruct or interfere with any roadway, driveway, or maneuvering lane on the premises which could be used as a means of access for fire-fighting equipment.
  - 3. Outside storage of junk and/or industrial waste incidental to an industrial use. Any such storage shall not exceed ten (10) days and shall be completely enclosed within a tight, unpierced masonry, wood or metal fence and shall comply with the requirements of [Section 4.45](#) and/or [Section 5.13.C.2](#) and [Section 5.9.L.2](#) above.



4. Requirements for and limitations on equipment and machinery.
  - a. Automatic screw machines. Such machines must be equipped with noise silencers or other sound absorbing devices and must not be located closer than five hundred (500) feet to any residential zoned district.
  - b. Stamping machines, punch presses, press breaks and hydraulic presses shall not be located closer than five hundred (500) feet to any residential zoning district or developed residential site. All such machines shall be placed on shock absorbing mountings located on suitable reinforced concrete footings. No such machine shall be loaded beyond such capacity as may be prescribed by the manufacturer of the machine.
  - c. Hammers, steam or board and hot forgings. In the IND district, no such machine or operation is permitted closer than one thousand (1,000) feet to any residential zoning district. Such machine or operation is otherwise permitted when placed on shock absorbing mountings located on a suitable reinforced concrete footing, all of which shall be completely enclosed within a masonry type building.

## 5.10 ACCESS MANAGEMENT STANDARDS

### A. Nonresidential driveways.

1. General standard. Driveways shall be located so as to limit undue interference with the free movement of traffic, to provide the required sight distance, and to provide the most favorable driveway grade.
2. Improvements confined to applicant's property. Driveways, including the radii, but not including right-turn lanes and tapers, shall be located entirely within the applicant's right-of-way frontage. The right-of-way frontage is determined by projecting the lot lines to the edge of the pavement of the road. The encroachment of curbs and driveway radii on adjacent property, as in the case of shared driveways, may be allowed upon written certification of adjoining property owners, the Township, and the applicable review agency (Road Commission of Macomb County or Michigan Department of Transportation) when it has been determined that such encroachment is necessary to preserve safe road conditions.
3. Distance to intersection. No nonresidential driveway approach shall be located closer than two hundred and fifty (250) feet from an intersection of a major road, either adjacent to the site or on the opposite side of the road. This setback shall also apply to entrance and exit ramps. This distance shall be measured from the proposed right-of-way line of the intersecting street. This requirement shall apply to roads and railroads. For sites with insufficient street frontage to meet this requirement, the Planning Commission may require the construction of the driveway along a side street, a shared driveway along the property line farthest from the intersection, or a service drive.

4. Minimum spacing between driveways. The minimum spacing between two (2) commercial driveways shall be based upon posted speed limits of the fronting road. The minimum spacings listed below shall be measured from centerline to centerline of each throat.

Table 5.10.A.4 Minimum Spacing Between Driveways	
Posted Speed Limit (MPH)	Minimum Driveway Spacing (In Feet)
25	130
30	150
35	200
40	250
45	300
50 and Higher	350

In the event that a particular parcel or parcels lack sufficient arterial frontage to maintain the spacing requirements referenced above, the Planning Commission may allow for a reduction of the standards listed above. Any such reductions shall be based on a traffic impact study. The Planning Commission may require additional driveway spacing based on the recommendations of the Township Engineer and where it is determined that the additional spacing will promote improved access and continuity of developments recommended by the Washington Township Master Plan. The adjacent landowners may also agree to establish a common driveway. In such case, the midpoint should be the property line between the two (2) parcels. A joint easement agreement must be entered into prior to an access permit being granted.

5. Driveway offsets. To reduce left-turn conflicts, new driveways along non-boulevard roads shall be aligned with those across the roadway, where possible. If alignment is not possible, driveways should be offset a minimum of one hundred and fifty (150) feet from those on the opposite side roadway. Longer offsets may be required depending on the expected left-turn volumes of the driveway.

6. Number of driveways. The number of commercial driveways serving a parcel shall be the minimum necessary to provide access for passenger cars and trucks, delivery vehicles and emergency vehicles, while preserving traffic operations and safety along the public roadway. Not more than one (1) driveway may be provided for each separately owned parcel with less than three hundred (300) feet of road frontage. This access may be an individual driveway, shared driveway or via a service drive. For the purposes of this Ordinance, a one-way-in/one-way-out drive shall be considered the same as one driveway. The Township may permit one (1) additional driveway for parcels with a continuous road frontage of at least three hundred (300) feet or for a corner lot which maintains frontage on two (2) roads.

Additional drives beyond what is permitted in the above text may be permitted only after special land use approval. In allowing for the second driveway, the Planning Commission shall determine that the additional driveway is justified without compromising traffic operations along the public street, based upon a traffic impact study as described herein.

7. Driveway design. All commercial driveways shall be designed accordingly to the standards of the Road Commission of Macomb County or the Michigan Department of Transportation, as appropriate. For high traffic generators, or for commercial driveways along roadways experiencing or expected to experience congestion, the Planning Commission may require two (2) egress lanes.



8. Boulevard entrances. Where a boulevard entrance is desired by the applicant or the Planning Commission, a fully curbed island shall separate the ingress and egress lanes. The radii forming the edges of the island shall be designed to accommodate the largest vehicles that will normally use the driveway. The minimum area of the island shall be one hundred eighty (180) square feet. The Planning Commission may require landscaping on the section outside of the public right-of-way. Such landscaping shall be tolerant of roadway conditions.
9. Setbacks. Driveway pavement shall be set back at least ten (10) feet from the adjoining property line to help control stormwater runoff. Driveways designed to be shared may encroach into the required setback. A greater setback may be required by the Township Engineer if necessary for drainage purposes.

#### 5.11 PRIVATE AND PUBLIC ROAD RELATIONSHIP/CONSTRUCTION

- A. The connection of a private road to a local public road shall not be permitted within the Township in instances where the connection would facilitate cut-through vehicular circulation from the public road to the private road.
- B. All roads constructed within a site condominium shall be dedicated to the public and shall meet the requirements of Ordinance No. 131, Article VII [Part 181 of the Compilation of Ordinances, Washington Township].

#### 5.12 OFF-STREET PARKING AND LOADING REQUIREMENTS

- A. Intent. The off-street parking and loading requirements of this Ordinance are established to prevent congestion on public streets by providing clearly defined parking areas that are separated from roadways; to remove the hazard to pedestrians emerging between parked vehicles onto a public street; to facilitate proper stormwater runoff; to prevent the generation of dust; and to ensure safe, on-site circulation for pedestrians and automobiles.
- B. General parking requirements. It shall be the duty of both the owner and occupant of any premises to provide off-street parking areas as required in this Article. Such off-street parking areas shall be laid out, constructed and maintained in accordance with the following standards and regulations:
  1. Whenever a use or an activity requiring off-street parking is created, enlarged or increased in activity or intensity, off-street parking spaces shall be provided on site and maintained as required by this Ordinance.
  2. The amount of required off-street parking for new uses of buildings, additions to existing buildings, new uses of land and accessory buildings shall be determined in accordance with the regulations in effect at the time the new use or addition is proposed, and the space so required shall be shown on the site plan and shall be irrevocably reserved for such use.
  3. Off-street parking existing at the effective date of this Ordinance in conjunction with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
  4. Nothing in this Section shall be construed to prevent the collective provisions of off-street parking areas for two (2) or more buildings or uses. Such collective parking may be reduced by up to fifteen (15) percent of the required minimum number of spaces for the various uses computed separately, provided that a parking study is presented to the Planning Commission which substantiates the requested reduction.



5. Where the owners of two (2) buildings, whose peak operating hours do not overlap, desire to utilize common off-street parking areas, the Planning Commission may permit, at its discretion, such dual function provided that the following conditions have been met:
  - a. The peak business hours of the two (2) buildings or uses do not overlap. The applicant requesting shared parking shall demonstrate to the Planning Commission that the amount of parking required for each individual site may be accommodated for in the future. In the event that there is a change of uses that no longer meets the criteria established for shared parking, the required number of spaces as provided in [Section 5.12.C](#) shall be installed.
  - b. The common parking area meets the off-street parking requirements of the larger building or more intensive use.
  - c. The common parking area meets all of the locational requirements of this Ordinance with respect to each building or use.
6. Off-street parking areas required herein shall be located within three hundred (300) feet of the permitted use it is intended to serve, such distance to be measured along lines of public access to the property between the nearest point of the parking area and the building to be served, provided that the said off-street parking area shall not be separated from the building to be served by any major or secondary thoroughfare, drain or physical barrier, or public improvement.
7. Required off-street parking may not be enclosed with a gate that would permit it to be closed to either employees or patrons.
8. When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction shall require one (1) parking space.
9. Unless otherwise stated, for the purpose of determining off-street parking requirements for a use, floor area shall mean one hundred (100) percent of the gross floor area as measured from the interior of all exterior walls.
10. Whenever drive-thru or vehicle stacking lanes are provided, such lanes shall be located so as not to impede pedestrian or vehicular circulation on the site or on abutting sites, nor shall any drive-through lane cross a vehicle maneuvering lane or aisle or block any space used for parking.
11. On the same premises with every building, structure or part thereof erected and occupied for the purpose of serving customers in their automobiles by means of a service window, washing bay or similar arrangement, there shall be provided a minimum of six (6) off-street waiting spaces for each service window or service bay.
  - a. The lane arrangement/number of lanes that provide access to such service window(s) and/or bays shall be subject to Planning Commission approval based on the layout of the parking lot/maneuvering lanes, the proposed use of the service window/bays and any concerns set forth by the Fire Department.
  - b. Waiting space requirements for eating establishments shall be counted beginning at the menu board. All spaces between the menu board and the service window shall not count towards the waiting space requirement.
  - c. A waiting space shall be twenty-three (23) feet long by ten (10) feet wide.
- C. Off-street parking requirements. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which is most similar in type as determined by the Planning Commission.



**Table 5.12.C Off-Street Parking Requirements**

Use		Minimum Parking Spaces
<b>Residential</b>		
	Single-family dwellings	Two (2) parking spaces for each dwelling unit shall be located on the same lot or plot of ground of the building they are intended to serve and shall consist of a paved parking strip, parking apron, carport and/or garage. Parking shall be restricted to paved areas.
	Multi-family residential dwellings*	<ul style="list-style-type: none"> <li>Two (2) paved off-street parking spaces for each one-bedroom dwelling unit. For each additional bedroom per unit, one-half (½) of an additional parking space shall be provided.</li> <li>In the V-1 Village District one and one-half (1.5) paved off-street parking spaces per each dwelling unit.</li> <li>Developments with greater than ten (10) units shall provide one (1) additional space per unit in a designated visitor parking area. Visitor parking areas shall be distributed evenly throughout the</li> </ul>
	Housing for the elderly	<ul style="list-style-type: none"> <li>Two (2) spaces for each three (3) dwelling units, and one (1) for each employee.</li> <li>Should the dwelling units revert to general occupancy, then two (2) spaces per unit shall be provided. The location of this reserved parking area shall be shown on</li> </ul>
	Manufactured homes*	Two (2) spaces per unit, plus one (1) space for every three (3) manufactured home sites for visitor parking. Visitor parking shall be located within three hundred (300) feet of
	Community buildings for multi-family and manufactured homes	One (1) space for each four (4) persons allowed within the maximum occupancy load, as determined by the Fire
<p>*In multiple-family residential districts and manufactured housing communities where recreation vehicles are permitted, a secured storage area for such vehicles shall be provided and buffered from adjacent uses. No unlicensed motor vehicle of any type shall be parked within the development at any time, except within a covered building or the enclosed storage area. In the manufactured housing community district, no motorized recreation vehicles or boats shall be parked on individual home sites. All group off-street parking lots shall be adequately lighted during hours of darkness with no more than one-half (½) footcandle of illumination.</p>		
<b>Institutional</b>		
	Auditoriums (incidental to churches, schools, and hospitals)	One (1) space for every three seats; plus one (1) for every two (2) employees. If no seats, one (1) for every fifty (50) square feet of floor area.
	Churches or temples	One (1) space for every three (3) seats or six (6) feet of pew in the main worship area.
	Convalescent homes	Two (2) spaces for every three (3) beds; plus one (1) for each staff member.



**Table 5.12.C Off-Street Parking Requirements (continued)**

Use		Minimum Parking Spaces
<b>Institutional (continued)</b>		
	Elementary and junior high schools	One (1) space for every two (2) students at maximum capacity.
	Hospitals	<ul style="list-style-type: none"> <li>One (1) space per bed; plus one (1) space per employee and doctor on peak employment shift.</li> <li>Parking for emergency facilities shall be provided on the basis of one (1) space per one hundred (100) square feet of floor area of the emergency room, patient treatment areas and waiting areas.</li> </ul>
	Libraries/museums	One (1) space for every five hundred (500) square feet of floor area.
	Nursery schools, day nurseries or child care facilities	One (1) space for each employee; plus one (1) space for every four students on the premises at one time.
	Private clubs and lodges	One space for every two hundred (200) square feet of floor area.
	Senior high schools and colleges	One (1) space for every one (1) employee; plus one (1) space for every four (4) students; plus the requirements of the auditorium.
<b>Recreational</b>		
	Bowling alleys	<ul style="list-style-type: none"> <li>Five (5) spaces per lane;</li> <li>Spaces required for ancillary uses, such as lounges or restaurants, shall be determined on the basis of the individual requirements for each use as specified herein.</li> </ul>
	Dance halls, amusement device centers, ice skating rinks, indoor shooting and archery ranges, and exhibition halls	One (1) space per three persons allowed at maximum occupancy load, as determined by the Fire Department.
	Miniature golf, Par 3 courses and driving ranges	Two (2) spaces per each golf hole; plus one (1) space for each driving range tee; plus one (1) space per employee.
	Private golf, swimming or tennis clubs and similar uses	One (1) space for every three (3) member families; plus one (1) per employee.
	Private parks	One (1) space for every two (2) individual members.
	Public golf courses (not including miniature golf, driving ranges or Par 3 courses)	Six (6) spaces for each golf hole.
	Public recreation (other)	One (1) space for every two (2) users at maximum capacity; plus one (1) space for each employee.
	Stadiums and sports arenas or similar places of assembly	One (1) space for every three (3) seats or every ten feet (10) of bench.
	Racquet/tennis and exercise clubs	One (1) space for every two (2) persons allowed within maximum occupancy, as determined by the Fire Department.
	Theaters	One (1) space for every four (4) seats; plus one (1) space for every employee. If no seats, then one space for every seventy-five (75) square feet of floor space.



**Table 5.12.C Off-Street Parking Requirements (continued)**

Use		Minimum Parking Spaces
<b>Offices</b>		
	Banks	One (1) space for every two hundred (200) square feet of floor area. Stacking lanes for drive-thru tellers shall be provided.
	Business and professional offices or free-standing administrative offices, except as indicated below	One (1) space for every two hundred and fifty (250) square feet of floor area.
	Clinics, medical, dental, veterinary	One (1) space for each employee; plus one (1) space for every one hundred and fifty (150) square feet of floor area.
<b>Auto-Related Uses</b>		
	Auto wash, hand or coin-operated	Four (4) exterior waiting spaces at entry, plus two (2) exterior drying spaces for each bay; plus one (1) space for each employee.
	Full-service auto wash	One (1) space for each employee, plus twenty (20) exterior spaces at entry.
	Auto service stations and auto repair services, excluding heavy and major repair	One (1) at each pump; three (3) spaces for each service bay; plus one (1) space for every two hundred (200) square feet of retail floor area; plus one (1) space for each employee.
	Self-service gasoline stations (gasoline and convenience retail; no repair or fast food restaurants)	One (1) at each pump, the following additional requirements shall apply; one (1) space for every two hundred fifty (250) square feet of retail floor area; plus one (1) space for each employee.
	Heavy and major auto repairs	Three (3) spaces for each service bay. No wrecked vehicles to be parked or stored outside.
	Quick oil changes	Two (2) spaces per bay; plus one (1) space for each employee at the peak shift; one (1) space for every two hundred (200) square feet of floor area used for retail sales.
	Vehicle sales/rental establishments	One (1) space for every three hundred (300) square feet of sales area; one (1) space for every two hundred (200) square feet of office area; and two (2) spaces for each service bay.
<b>Commercial</b>		
	Banquet/catering halls	One (1) space for every two (2) persons allowed within maximum occupancy, as determined by the Fire Department.
	Beauty parlors/barber shops	Three (3) spaces for the first two (2) chairs, plus one (1) space for each additional chair; or one (1) space for every seventy-five (75) square feet of floor area, whichever is less.
	Dry cleaners	One (1) space for every two (2) employees, with a minimum of four (4) spaces.
	Funeral homes/mortuaries	One (1) space for every seventy-five (75) square feet of assembly room floor space, parlors, and slumber rooms.

**Table 5.12.C Off-Street Parking Requirements (continued)**

Use		Minimum Parking Spaces
Commercial (continued)		
	Furniture and appliance retail stores; household equipment repair shops; showroom of a plumber, decorator, electrician or similar trade; clothing and shoe repair and other similar uses.	One (1) space for every five hundred (500) square feet of floor area. For floor area used in processing or storage, one (1) additional space shall be provided for each two (2) persons employed within or each one thousand (1,000) square feet, whichever is greater.
	Greenhouses and nurseries	One (1) space per employee; plus one (1) space for every two hundred (200) square feet of actual permanent or temporary areas devoted primarily to sales.
	Laundromats and coin-operated dry cleaners	One (1) space for every three (3) machines.
	Motel, hotel, or other transient uses.	<ul style="list-style-type: none"> <li>One (1) space for each occupancy unit, plus one (1) space for each employee</li> <li>Spaces required for ancillary uses, such as lounges, restaurants or conference areas, shall be determined on the basis of the individual requirements for each use as specified herein.</li> </ul>
	Open air businesses	One (1) space for every five hundred (500) square feet of lot area used for retail sales, services, and uses.
	Retail stores, except as otherwise specified herein	One (1) space for every two hundred and fifty (250) square feet of floor area.
	Restaurants/lounges (excluding fast-food or carry-out establishments)	One (1) space for every one hundred fifty (150) square feet of floor area, or one space for every three (3) persons allowed within the maximum occupancy, whichever is greater.
	Restaurants - Fast-food and drive-ins	<ul style="list-style-type: none"> <li>One space (1) for every two (2) employees; plus one (1) space for every three (3) seats intended for patrons within the restaurant building; plus one (1) space for every twenty (20) square feet of building floor area available in the order-waiting area.</li> <li>Drive-thrus shall provide a minimum of eight (8) waiting spaces.</li> </ul>
	Restaurants - Carry-out only	One space (1) per employee plus fifty (50) percent of the minimum parking requirement for restaurants with permanent seating.

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**Table 5.12.C Off-Street Parking Requirements (continued)**

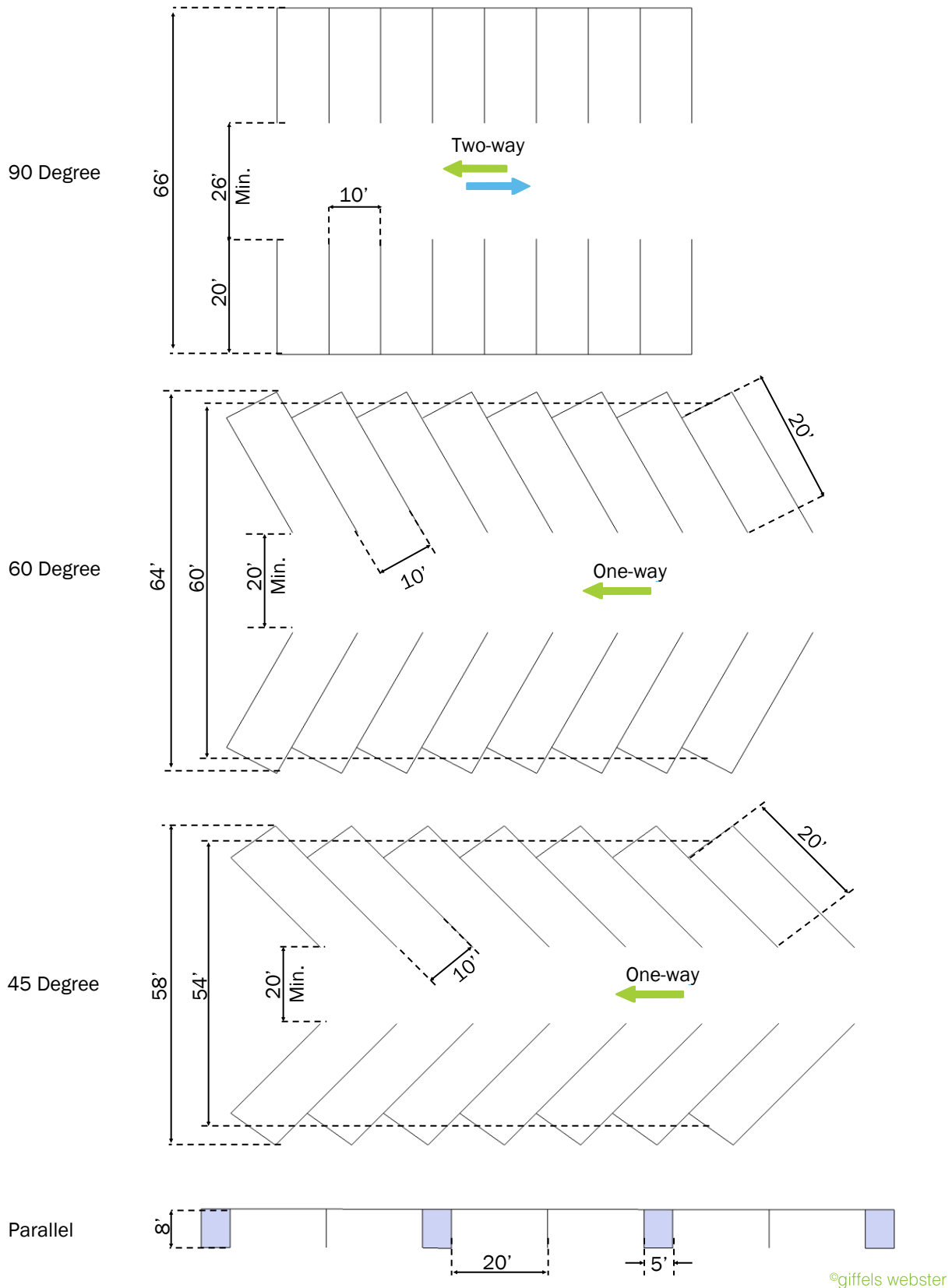
Use		Minimum Parking Spaces
<b>Industrial</b>		
	Industrial and wholesale	One (1) space for every five hundred (500) square feet of floor area.
	Warehouse	One (1) space for every seventeen hundred (1,700) square feet of useable floor area.
	Office-research	One (1) space for every three hundred (300) square feet of floor area.
	Mini-warehouses or self-storage units	Two (2) spaces for the residential caretaker's unit; plus one (1) space per fifty (50) square feet of floor area used for office purposes.
	Bus garage	One and one-half (1.5) parking spaces for each bus parking space provided.

1. Maximum number of parking spaces permitted. In no circumstance shall any use provide a number of surface parking spaces which exceeds the required minimum amount defined in [Section 5.12.C](#) by more than ten (10) percent, unless otherwise stated in this Ordinance.
  2. Multitenant Commercial Development Parking Requirement. In the LC and GC zoning district, any building or group of buildings on a single parcel of land that exceeds 20,000 square feet in size that are designed to accommodate more than one (1) tenant, shall meet the following requirements:
    - a. Parking shall be provided at a rate of one (1) space for every one hundred and seventy-five (175) square feet of building area.
    - b. An applicant may be permitted to bank parking for future installation when the required parking may not be necessary at the present time based on the usage requirements of the Zoning Ordinance for the current tenants. The banking of parking spaces shall be subject to approval by the Planning Commission.
      - (1) Banked parking spaces shall be clearly designed on the site plan to meet all requirements of the Zoning Ordinance.
      - (2) A legal agreement, recorded at the County, shall be entered into between the Township and the property owner to ensure that the Township can require the installation of the banked parking when necessary.
      - (3) The site shall be designed in such a manner to ensure that the parking lot maintains safe and efficient traffic flow without the use of the area of banked parking.
- D. Village district V-1 parking standards.
1. Parking within a front yard shall be limited to a one-way maneuvering lane and one row of parking. Such parking shall be set back a minimum of 33 feet from the center line of Van Dyke Avenue. Such parking shall only be permitted after special land use approval.
  2. The Planning Commission may allow parking within a side yard if the applicant can demonstrate that unique physical characteristics of the property prevent the location of parking at the rear of the site.
  3. One (1) three-foot high decorative brick wall shall be constructed between parking areas located in the side yard and abutting public rights-of-way.
  4. Maneuvering lanes and access drives shall be a minimum of twenty (20) feet in width.

5. A connecting access drive and/or joint access agreement shall be provided to adjacent properties to provide for a contiguous parking system.
  6. Nonresidential uses located in the V-1 Village district may be permitted a twenty-five (25) percent reduction in the required amount of parking, as determined in [Section 5.12.C](#). Parking reductions for restaurant uses shall require Special Land Use approval.
- E. Agritourism Seasonal and Overflow Parking.
1. Parking shall be provided for any seasonal agricultural tourism use on the following basis:
    - a. Ten (10) parking spaces, plus;
    - b. One (1) space for each two hundred (200) square feet of retail sales area located within a building.
  2. In addition to the parking requirements listed above, overflow parking areas shall be required by the Planning Commission based on seasonal peak demand of the proposed use and shall be based on the following criteria:
    - a. One (1) space for each two hundred (200) square feet of retail sales area, plus;
    - b. Eight (8) spaces for each acre of outdoor activities such as agricultural mazes, petting farms, outdoor play equipment, haunted hayrides, etc.
    - c. Educational field trips and tours shall be regulated by the overflow parking requirements identified above in 2.b. due to the intermittent nature of the use, regardless of the time of year such activity occurs.
  3. Overflow or seasonal parking areas used primarily on weekends may be defined by either gravel, cut lawn, pavement or other visible marking, as determined most appropriate by the Planning Commission. A determination by the Planning Commission to allow overflow or seasonal parking areas to remain unpaved shall be based on the limited use of the parking area on an annual basis and the Township's goal to preserve farmland for current and future agricultural production.
4. All parking areas shall be located outside of the proposed right-of-way and shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.
  5. Parking areas and ingress/egress to the site shall be designed to meet the dimensional requirements of [Section 5.12](#) and shall not be located within twenty (20) feet of the rear or side yard property line.
- F. Off-street parking space layout standards, construction and maintenance. Wherever the requirements in [Section 5.12.C](#) require the construction of an off-street parking area, such off-street parking area shall be laid out, constructed and maintained in accordance with the following standards and regulations unless otherwise noted in this Ordinance:
1. No parking lot shall be constructed unless a permit therefore is issued by the Building Department. Applications for a permit shall be submitted as per the requirements of Site Plan Review and Approval in [Article 6](#).
  2. Plans for the layout of an off-street parking area shall have dimensions consistent with the following standards:
    - a. Ninety-degree pattern: Parking spaces and maneuvering lanes shall be provided with a minimum space width of ten (10) feet, a minimum space length of twenty (20) feet, and a minimum maneuvering lane width of twenty-six (26) feet.
    - b. Sixty-degree pattern: Sixty (60) feet for two (2) tiers of spaces, and one (1) aisle/maneuvering lane, with the minimum aisle width for two-way traffic being twenty (20) feet. One-way traffic shall require a maneuvering lane of not less than twenty (20) feet in width.
    - c. Forty-five-degree pattern: Fifty-four (54) feet with two (2) tiers of parking spaces, plus one (1) aisle/maneuvering lane of at least twenty (20) feet in width for two-way traffic. One-way traffic shall require a maneuvering lane of not less than twenty (20) feet in width.



## 5.12.F.2. PARKING LAYOUTS



- d. Parallel parking (one hundred eighty (180) Degrees): Each parallel parking space shall be separated by at least five (5) feet from an adjoining parking space.
  - e. All other two-way drives or maneuvering lanes not indicated above shall have a minimum width of twenty-six (26) feet. One-way drives shall have a minimum width of twenty (20) feet. All proposed maneuvering lanes less than twenty-six (26) feet in width are subject to approval by the Washington Township Fire Department.
  - f. Parking spaces to accommodate vehicles with trailers (boats and recreational vehicles) shall be at least ten (10) feet by forty (40) feet.
  - g. All parking area stalls shall be striped and maintained.
3. Site drainage and water detention/retention in a proposed parking area shall be approved by the Washington Township Engineer.
  4. Parking area setbacks shall be measured from the centerline of each road right-of-way in accordance with the Washington Township Master Plan as follows:

**Table 5.12.F.4 Parking Area Setback**

Road Designation	Distance from Centerline***
Freeway	30 feet*
Regional	122 feet
Major	80 feet
Secondary	80 feet
Collector	63 feet
Local	50 feet
Cul-de-sac	80 feet
Private roads	20 feet**

\* Freeways shall be measured from the established right-of-way line.

\*\* In the case of private roads, the parking setback shall be measured from the road easement or common usage line abutting the subject lot.

\*\*\* Property located within the V-1 district shall not be subject to the above front yard setback requirements for parking. Property located within the GC & LC zoning districts shall be required to add an additional ten (10) feet to the applicable parking area setback requirement. The Planning Commission may vary the overall parking setback in the LC zoning district when it is determined that a shallow lot depth would make it unreasonably difficult to meet this requirement.

5. Handicapped parking spaces shall be furnished as required by state and federal law.
6. All parking spaces shall be provided with adequate access by means of maneuvering lanes. Spaces shall not be designed to permit or encourage vehicles from backing out of a space directly onto a street or alley, with the exception of single-family residential uses.
7. The entire parking area, including parking spaces, maneuvering lanes and drives required under this Section, shall be provided with asphaltic or concrete surfacing in accordance with the Washington Township Engineering Standards and as approved by the Township Engineer. The parking area shall be surfaced prior to the issuance of the certificate of occupancy for the building or buildings which it serves.

8. No parking area shall be located closer than ten (10) feet to any property line. Single-family residential development and property zoned V-1 Village district shall not be subject to this provision.
9. Curbed, landscaped islands shall be placed at the ends of all parking space groupings to separate parking spaces from maneuvering aisles and provide for safe traffic flow.
10. In any area where front-end parking abuts a curbed area or a raised sidewalk, a two-foot vehicle overhang shall be required.
11. In any area where a row of front-end parking abuts a curbed lawn area at least two (2) feet in width or a raised sidewalk having a minimum width of at least seven (7) feet, the minimum parking stall depth may be reduced by up to two (2) feet in depth in order to allow for a vehicle to overhang such area or such sidewalk. In no case shall the parking stall depth be decreased to allow a vehicle to overhang a required parking setback or property line.
12. Ingress and egress to a parking lot for non-residential purposes shall not be provided across land zoned for single-family residential purposes. All such entrances and exits shall also be located at least ten (10) feet from any property zoned for single-family residential use.
13. Parking lot lighting shall meet the requirements of [Section 5.15](#).
14. The surface of the parking lot area shall be maintained and kept free from weeds, rubbish, refuse and debris.
15. All parking serving other than single-family dwellings shall be side-by-side or parallel. Tandem parking shall be prohibited, except where a multiple-family unit has its own separate two-car garage, in which their separate approach apron can be used for visitor parking. Tandem parking to a depth of three (3) cars may be permitted in vehicle storage and inventory areas provided such areas are under the control of employees and are not accessible by the general public. Any parking or vehicle circulation areas accessible to the public shall meet the size standards specified in this Section.
16. Except as otherwise provided in this Article, required off-street parking space shall be for the use of occupants, employees, visitors, customers, clients and patrons. Off-street parking areas shall not be used for other than parking purposes or allowed to become unusable, except for temporary repairs. The storage of vehicles or merchandise in any off-street parking space is prohibited, except as permitted in conjunction with the approved principal or accessory use. Further, no repairs or service to vehicles and no display of vehicles for the purpose of sale shall be carried on or permitted upon any off-street parking area, except as permitted in conjunction with the approved principal or accessory use.
17. The Planning Commission may require an access easement to provide for vehicular access to existing or contemplated adjacent parking areas to minimize the need for driveways to each facility, thereby decreasing hazards to vehicular traffic.
18. The use of any outdoor noise-producing device or public address system that is deemed a nuisance to neighboring properties shall be prohibited.
19. Adequate ingress and egress to the parking area by means of clearly limited and defined paved drives shall be provided for all vehicles. All parking areas shall be provided with an entrance and exit from the abutting public thoroughfare. Such entrance and exit may be combined as one, which shall be twenty-eight (28) feet in width. Access drives shall be subject to the provisions of [Section 5.10](#).
20. Reinforced concrete curbs, meeting the Washington Township Engineering Standards, and as approved by the Township Engineer, shall be required between all undeveloped areas and parking areas. The use of bumper blocks is prohibited.



- G. Off-street loading and unloading. On the same premises with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse goods, a wholesale store, a market, a hotel, a hospital, a mortuary, or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading, and unloading services adjacent to the opening used for loading and unloading in order to avoid interference with public use of the streets and alleys. Such loading and unloading shall be provided in accordance with the following:

1. All loading or unloading areas shall provide a minimum area of ten (10) feet by fifty (50) feet with a height clearance of fourteen (14) feet.
2. Loading and unloading areas shall be so located and designed that the vehicles intended to use them can maneuver safely

**Table 5.12.G Loading and Unloading Requirements**

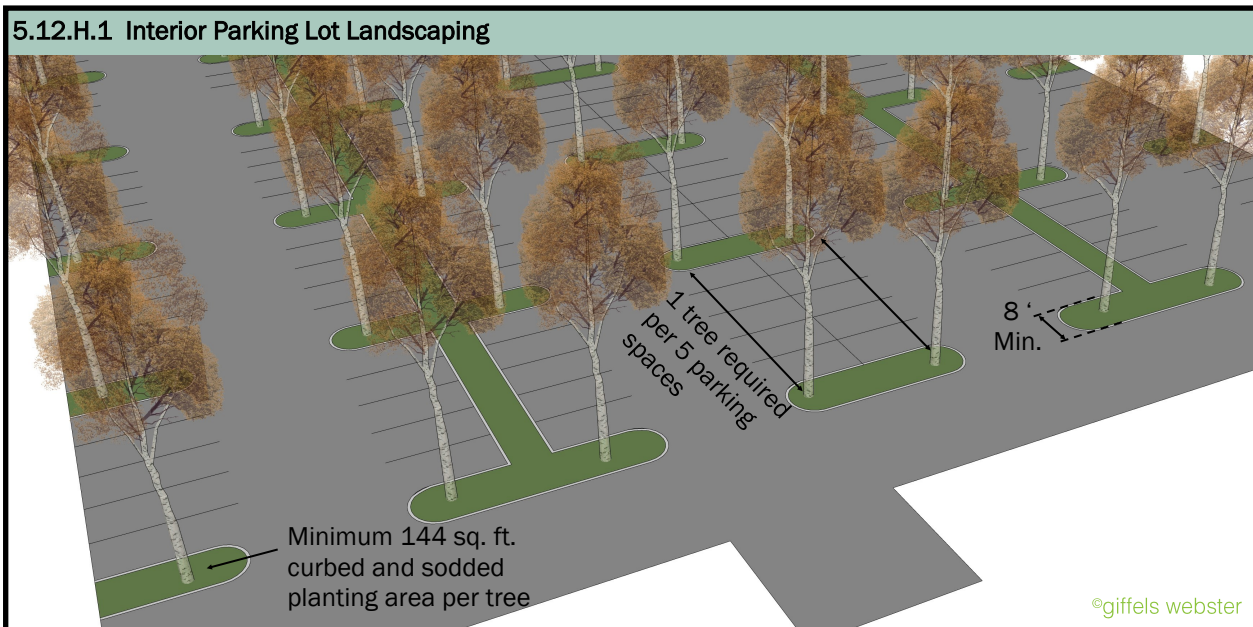
Gross Useable Floor Area	Loading/Unloading Spaces Required
Up to 20,000 square feet	One space
20,001 to 100,000 square feet	One (1) space plus one (1) space for each additional 20,000 square feet of excess over 20,000 square feet.
100,001 to 500,000 square feet	Five (5) spaces plus one (1) space for each 40,000 square feet over 100,000 square feet.
Over 500,000 square feet	Fifteen (15) spaces plus one (1) space for each 80,000 square feet over 500,000 square feet.

and conveniently to and from a public right-of-way and complete loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot maneuvering lane or aisle. When required, loading and unloading areas shall be designated and defined.

3. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities, except as specifically authorized by this Ordinance.
  4. Unless otherwise specified, loading and unloading areas shall be provided only in rear yards. Side yard loading may be permitted by the Planning Commission when it is determined that such space and loading facilities would not interfere with parking and circulation, either vehicular or pedestrian, or with abutting uses.
  5. All loading and unloading areas shall be surfaced, drained, and otherwise developed in accordance with the provisions applicable to off-street parking areas [Section 5.12.F](#).
  6. Overhead doors shall be considered as loading/unloading areas and shall not be placed on the front of the building.
- H. Parking lot and frontage landscaping requirements. The intent of these requirements is to enhance the aesthetic appeal of the Township; to promote public safety; to moderate heat, wind and other local climatic effects produced by parking lots and maneuvering lanes; and to minimize nuisances, particularly noise and glare.

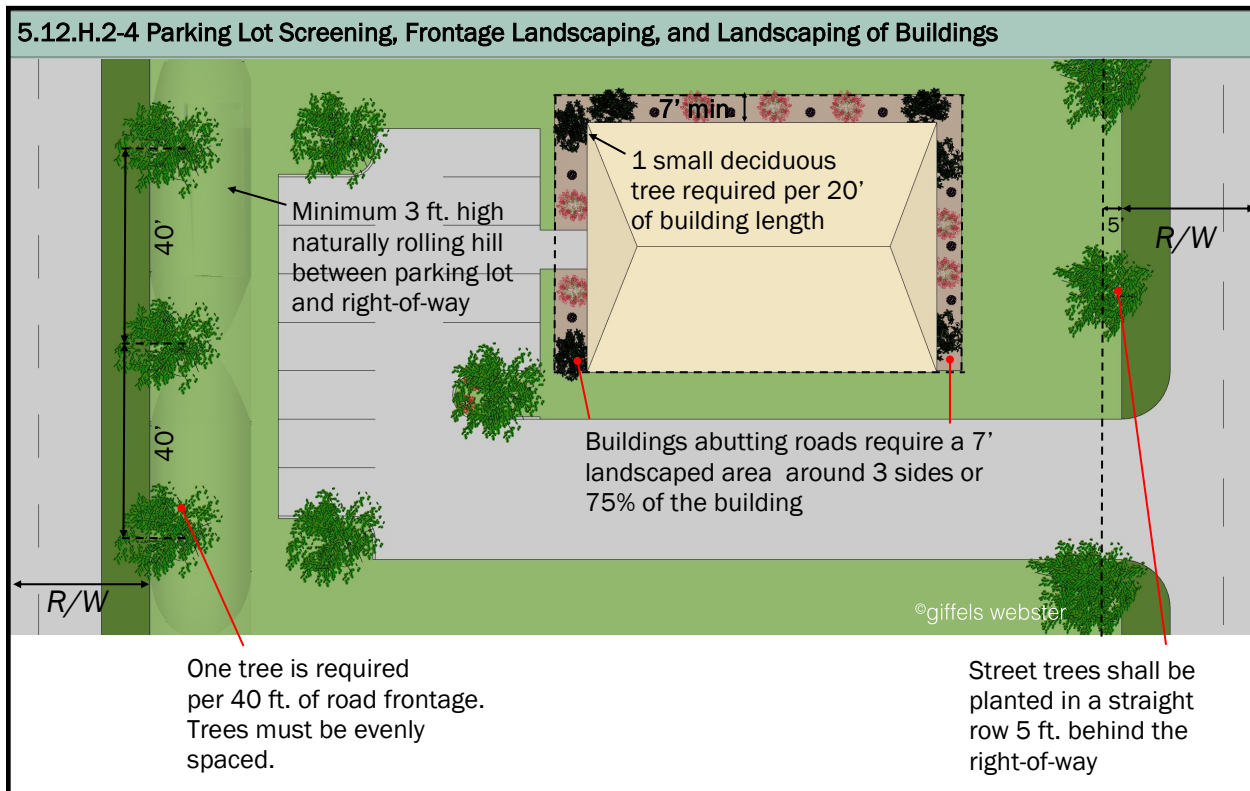


1. Interior parking lot landscaping. ✍
  - a. All unpaved areas between a commercial or office building and a facing street shall be landscaped and maintained to include grass and/or placement of shrubbery.
  - b. All off-street parking areas shall incorporate and provide curbed tree planting spaces to be laid out square and constructed to provide not less than one hundred and forty-four (144) square feet of land area for each tree planting. These curbed islands shall be planted with sod (landscape rock, gravel, or other similar material is prohibited) and shall not be less than eight (8) feet in width.
  - c. Trees shall be planted throughout the parking area. Trees shall be a minimum of three (3) inches caliper at the time of planting and shall be provided at a ratio of one (1) tree for each five (5) parking spaces or fraction thereof. These trees shall not be counted towards replacement tree, greenbelt or street frontage tree requirements. The following trees or similar types are suitable for parking lot and urban conditions:
    - (1) White Fir (only when clear vision is maintained);
    - (2) Norway Maple;
    - (3) Tulip Tree;
    - (4) Red Oak;
    - (5) Ginkgo Tree (male only).



2. Parking lot screening. A minimum three-foot high (as measured from the parking lot curb grade) naturally rolling berm shall be provided between the outer edge of all parking lots and the road right-of-way. The slope of such berm shall be no steeper than 3:1 (a maximum slope ratio of three (3) feet horizontal to one (1) foot vertical). Property located in the V-1 Village district shall not be subject to this requirement. ✍
3. Frontage landscaping. Street trees shall be provided within every zoning district. The trees shall be spaced evenly in a linear fashion along all road rights-of-way. One (1) tree shall be planted for each forty (40) feet of road frontage and shall be planted five (5) feet outside of the road right-of-way. In no way shall the plantings impair the clear vision triangle. The trees shall be a minimum of three-inch caliper at the time of planting. These trees may not be counted towards parking lot or replacement tree requirements. ✍

4. Landscaping of buildings. Wherever a building is constructed which abuts a drive, service aisle, road, or other means of access or maneuvering, a minimum of seven (7) feet of landscaped area shall be provided around the equivalent of three (3) sides or seventy-five (75) percent of the building. Landscaping shall not include walkways or paved service areas. One (1) small deciduous tree shall be provided for each twenty (20) feet of building length. Property zoned V-1 shall not be subject to the requirements of this subsection and shall meet the landscaping requirements of [Section 5.13.C.4.](#)



5. Multiple-family frontage landscaping. Property located within the RM-1 or RM-2 zoning district shall provide a minimum 30-foot wide greenbelt between any roadway designated as a major or regional roadway and the development. Such greenbelt shall be located outside of the existing and proposed right-of-way and shall be landscaped in accordance with Section 181.705G. of the Washington Township Land Division Regulations Ordinance Number 131.

## 5.13 ENVIRONMENTAL PROVISIONS

- A. Intent. The intent of the environmental provisions is to preserve the quality and character of the Township's environment by regulating man-made development and by conserving natural resources. The requirements of this Section are designed to achieve the following objectives:
  1. Uphold the Township's right and duty to protect its natural resources and amenities, as established within the State Constitution and the enabling legislature.
  2. To protect the existing natural environment to the greatest extent possible. By protecting the existing natural environment, the Township is protecting the existing natural systems, which include the following:
    - a. Unique wildlife habitat and habitat transition, including, without limitation, feeding, nesting, resting, and traveling areas for numerous species.
    - b. Existing natural drainage ways which filter out particulates and other sediments which would otherwise pollute the State waterways and groundwater.
    - c. Preserve the existing soil stability to reduce soil erosion and contamination.

- d. Preserving the existing water quality.
    - e. Maintaining a reasonable micro climate.
    - f. Filtering pollution from the atmosphere.
  - 3. To enhance the visual quality of the Township, while preserving and/or enhancing each individual property's economic value.
  - 4. To provide protection in a natural manner for adjacent property owners, persons passing by, and the Township as a whole, from activities and unintentional side effects of new development.
    - a. Reduce or eliminate glare into and from adjacent sites and activities.
    - b. Reduce dust and other pollutants from the air.
    - c. Control noise and provide acoustical modification into and from adjacent sites.
    - d. Control the direction and velocity of surface water runoff and minimize soil erosion.
    - e. Minimize the visibility of undesirable elements contained within the site.
  - 5. Recognizing the above-cited benefits of vegetation and woodlands, it is important to integrate these natural features into future development to improve the community's environmental qualities and to enhance the visual character of the constructed environment.
- B. Tree preservation plan.
- 1. No more than fifty (50) percent of the total number of trees may be cleared or destroyed on any one site. The remaining fifty (50) percent of the treed area should be maintained as permanent open space or otherwise incorporated into the development. The developer shall prepare a tree inventory, which indicates the size and species of all trees five (5) inches in caliper or greater, measured at a height of five (5) feet from the established grade. From the tree inventory, a tree preservation plan shall be developed which indicates the following:
    - a. Which trees will remain and which will be removed.
    - b. Specifications on the method of protection for the trees which will remain during construction phases. The owner or person developing the site shall erect and maintain suitable barriers (snow fencing or cyclone fencing) during the entire development process.
    - c. Grade changes or other work adjacent to remaining trees which would affect it adversely, with specifications on how the grade, drainage, and aeration will be maintained around the tree.
    - d. If over fifty (50) percent of the trees will be removed, the plan must state how many trees in excess of fifty (50) percent are to be removed. This number, multiplied by two (2), shall be the total number of trees which shall be provided/replaced on the site plan. Trees which are required by this Ordinance for the purposes of screening, parking lot landscaping or other required landscaping shall not be counted as replacement trees.
    - e. Replacement trees shall be a minimum of three (3) inches in caliper for deciduous trees, or eight (8) feet in height for evergreen trees.
- C. Screening requirements. Screening shall be required between different zoning districts and uses according to the requirements of this Section of the Zoning Ordinance. The type of screening required in different situations is based on the following impact rankings: 1) minor or 2) major.
- Where screening is required, only one adjoining use shall be responsible for its installation, except as noted herein. This use shall be referred to as the "use providing screening." The other less intense use shall be the "protected use." [In instances where a "protected use" is developed adjacent to and after the use which is intended to provide the screening, the "protected use" shall provide the required screening.] In no circumstance shall parking lot trees count towards the required screening trees.
- To determine the appropriate level of impact, refer to the adjoining zoning districts on the following schedule of screening requirements. The level of impact is indicated where both uses interface. Specific requirements for

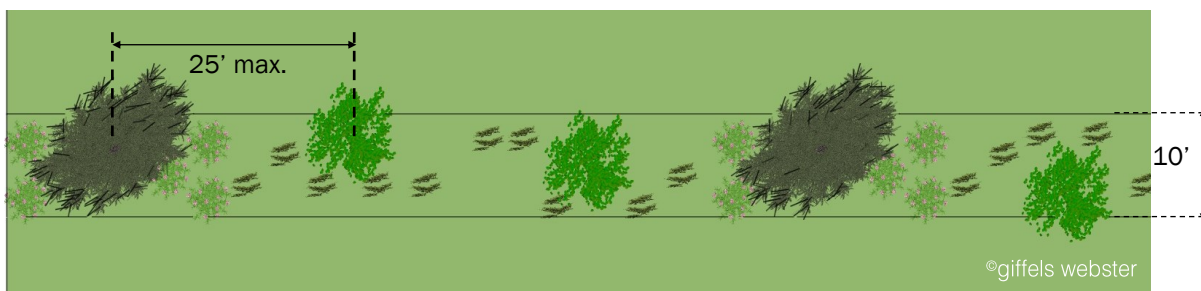


screening improvements are described in the following subsection. If determined by the Planning Commission that more intense screening is necessary due to the nature of the proposed use and/or the nature of the "protected use," the Planning Commission may require additional screening.

1. Screening alternatives for each intensity/impact classification are as follows:
  - a. Minor. The purpose of screening in this situation is to soften the impact of one land use on another. An interrupted or open screen is required, which creates an impression of space separation without necessarily eliminating visual contact. Screening intended to satisfy these objectives shall conform to the following standards:
    - (1) Ten-foot wide greenbelt.
    - (2) Eight-foot high evergreens and/or three-inch caliper deciduous trees planted at intervals, not exceeding twenty-five (25) feet on center.
    - (3) A minimum of five (5) shrubs per twenty-five (25) feet which have an average height of three (3) feet. If evergreens are utilized as the primary screening device, deciduous shrubs shall be utilized. If deciduous trees are utilized as the primary screening device, evergreen shrubs shall be utilized.

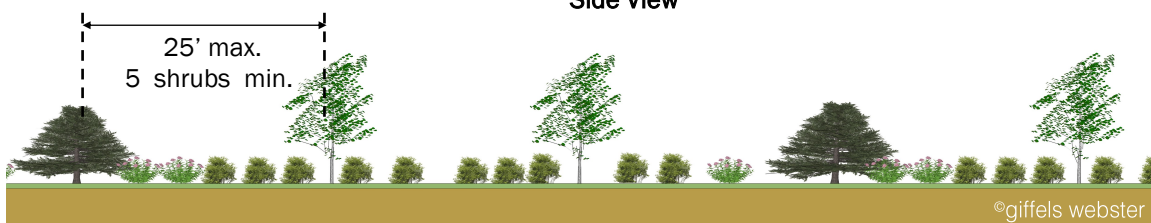
#### 5.13.C.1.a Minor Greenbelt Screening Requirements

Top View

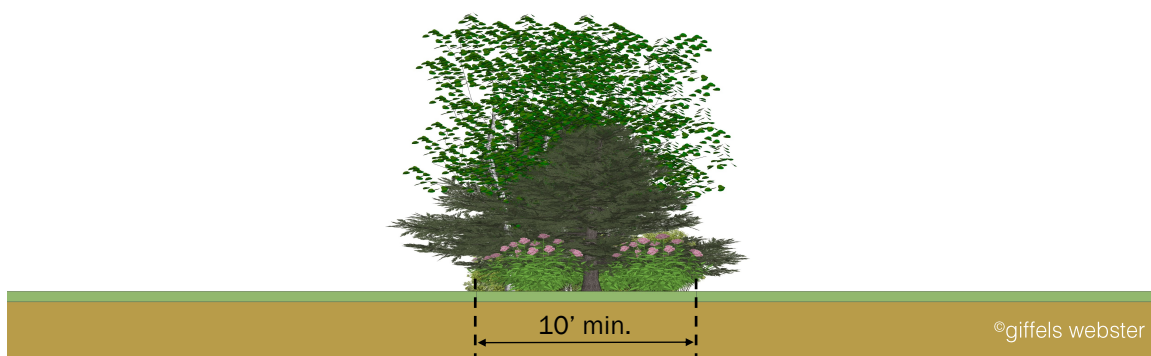


- 10-foot wide greenbelt
- 8-foot high evergreens and/or three-inch caliper deciduous trees
- Trees planted at intervals not exceeding twenty-five (25) feet on center.
- 5 shrubs per twenty-five (25) feet which have an average height of three (3) feet.

Side View



Cross Section View





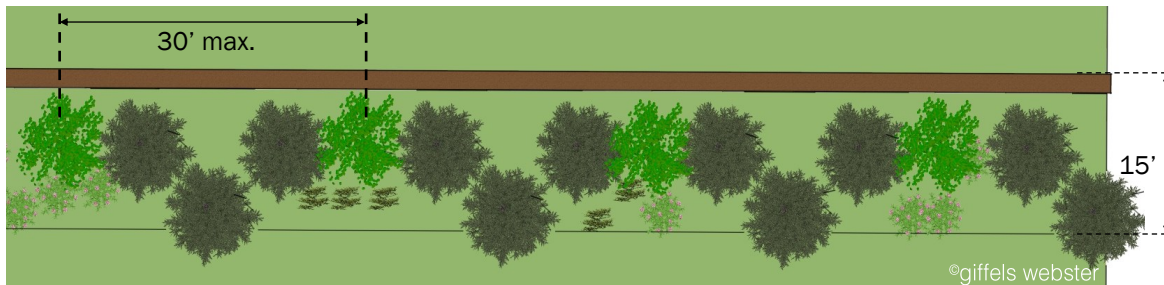
- b. Major (1 and 2). The intent of the screening requirements where major impacts are anticipated is to block the view of obtrusive or undesirable visual elements, exclude all contact between such uses, and create a strong impression of spatial separation. Screening in these situations shall conform to one (1) of the following minimum standards, as determined acceptable by the Planning Commission:

(1) Major 1 requirements. ✍

- A minimum buffer zone of fifteen (15) feet shall be maintained between the protected use and the more intense use. The buffer zone shall be developed with a six-foot high continuous, decorative masonry wall. Low-level plant material shall be required along the entire length of the wall to provide continuous coverage; and
- One (1) deciduous tree, not less than three (3) inches in caliper, shall be planted within the greenbelt for every thirty (30) lineal feet of mutual property line; and
- Groupings of evergreens consisting of three (3) to four (4) trees, not less than eight (8) feet in height, shall be dispersed within the thirty (30) lineal feet.

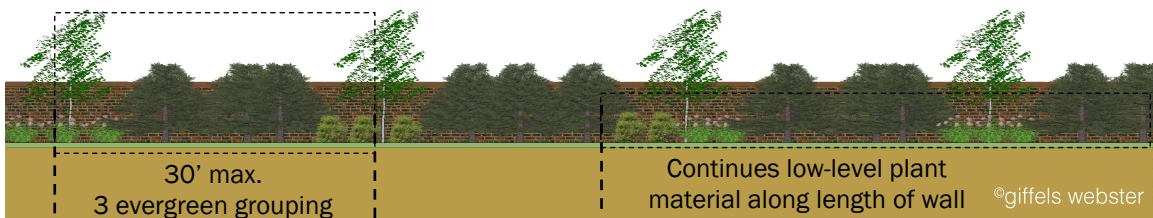
#### 5.13.C.1.b(1) Major 1 Greenbelt Screening Requirements

Top View

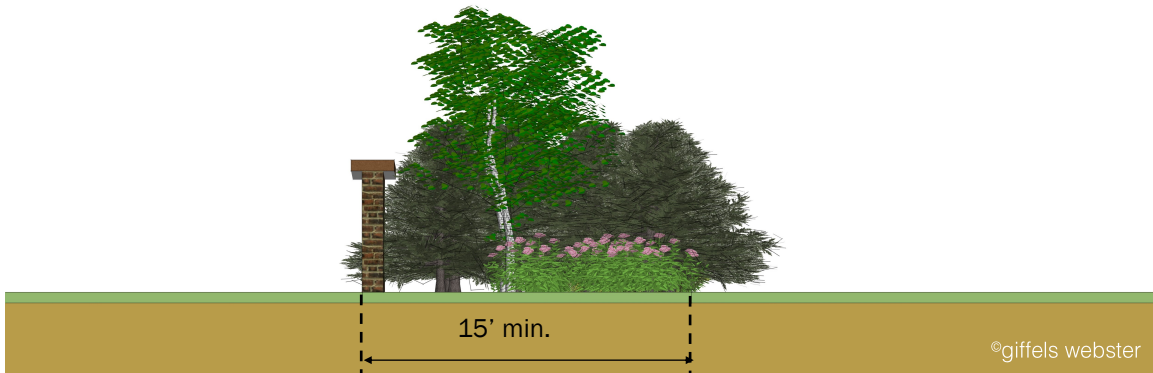


- 15-foot wide green with a six-foot high continuous, decorative masonry wall. Low-level plant material shall be required along the entire length of the wall to provide continuous coverage
- 1 deciduous tree, not less than 3 inches in caliper every 30 lineal feet
- Groupings of evergreens consisting of 3–4 trees, 8 feet in height, shall be dispersed within the 30 lineal feet.

Side View



Cross Section View

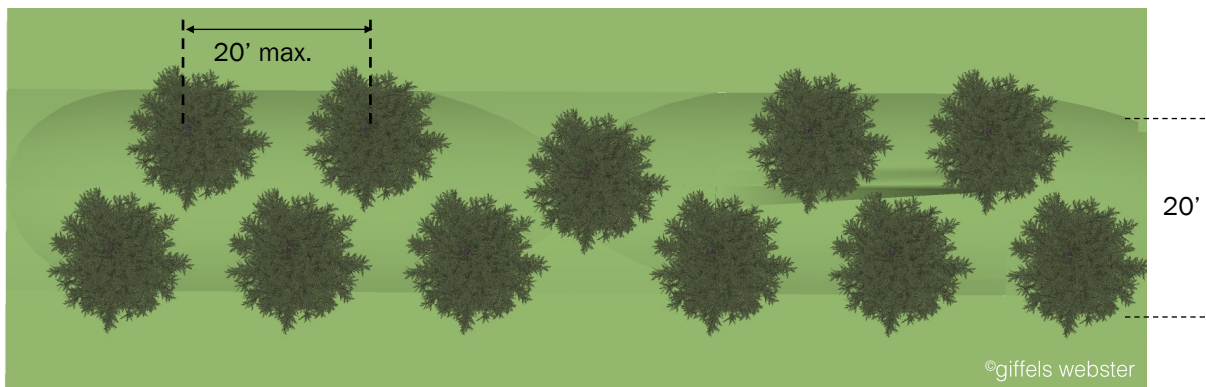


(2) Major 2 requirements. ✍

- (a) A minimum buffer zone of twenty (20) feet shall be maintained between the protected use and the more intense use. The buffer zone shall be developed with two (2) continuous rows of evergreens (spruce or pine), measuring at least eight (8) feet in height, evenly staggered, each row planted at intervals not exceeding twenty (20) feet on center; and
- (b) A naturally rolling landscaped berm averaging three (3) feet in height.

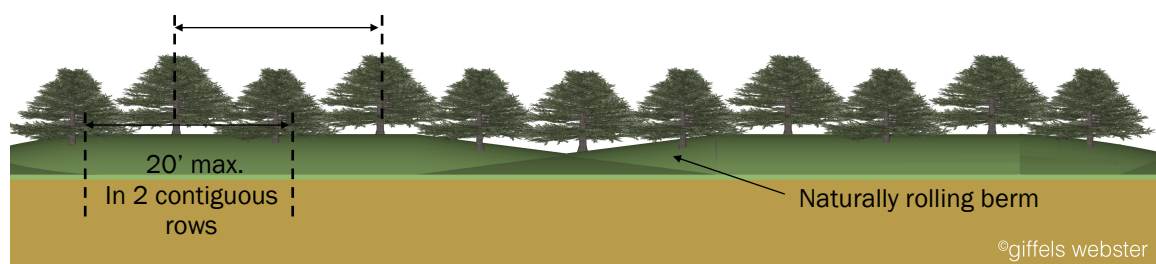
#### 5.13.C.1.b(2) Major 2 Greenbelt Screening Requirements

Top View

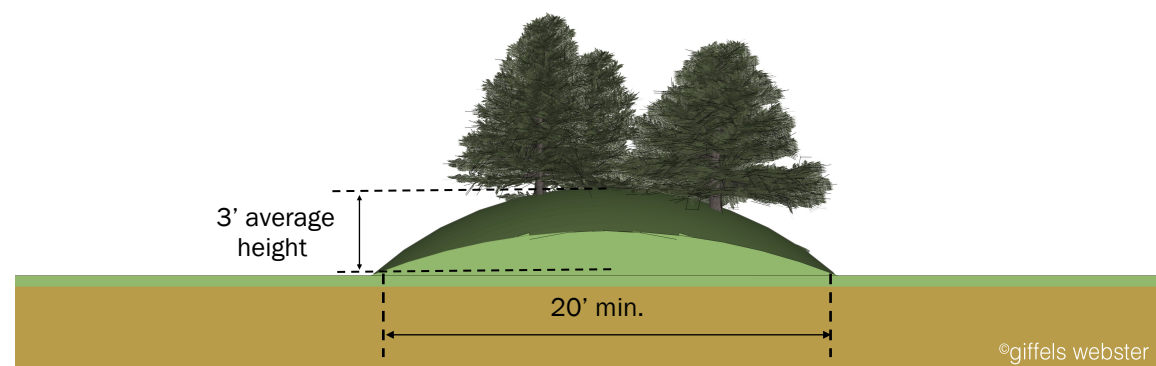


- 20-foot wide greenbelt
- 8-foot high evergreens in two (2) continuous rows
- Trees planted at intervals not exceeding twenty-five (20) feet on center
- Naturally rolling berm averaging three (3) feet in height

Side View



Cross Section View



## 2. Other screening specifications.

### a. Walls. Whenever a wall is proposed, it shall be constructed according to the following specifications:

- (1) Walls shall be constructed of reinforced protective decorative face brick (same as building), decorative poured reinforced concrete (to match building), or similar decorative/sound-deadening building material determined to be acceptable by the Planning Commission. The color of brick or facing shall be compatible with brick used on the site and shall be durable, weather resistant, and easy to maintain.
- (2) Walls shall be placed on the lot line and shall have no openings for vehicular traffic, unless providing vehicular cross-access as approved by the Planning Commission. Where walls are pierced for pedestrian traffic circulation, the openings shall be gated with a decorative gate and be so spaced as to maintain the overall obscuring character required and shall not reduce the minimum height requirement.
- (3) The foundation of any wall shall be constructed to meet the requirements of the Building Department and the Township's Engineering Ordinance.
- (4) No such wall shall be painted, nor shall it be constructed of exposed concrete block, cinder block, or wood products.
- (5) Unless otherwise expressly directed by the provisions of this Ordinance, all protective walls or greenbelts shall be provided when required along, and immediately joining, the zoning district boundary line and/or property line and shall be installed so as to lie wholly on the land of the applicant seeking site plan approval. In instances where drains, trees or other obstacles preclude such location, the Planning Commission shall determine the most appropriate alternative location.

(6) All walls or greenbelts required by this Ordinance shall be completely installed prior to the issuance of an occupancy permit for the use of the premises, except as provided hereinafter.

(7) In any case where the development of the land and/or buildings has been fully completed and an occupancy permit would otherwise be issued, and the completed installation of the wall, greenbelt and/or landscaping required is prevented by inclement weather or acts of nature beyond the control of the owner, the owner may receive an extension of no more than six (6) months.

(8) Maintenance of the wall or any other substituted screening device shall be the responsibility of the property owner on whose property such wall or screen is located.

(9) All proposed walls shall provide design calculations that exhibit structural stability.

### b. Retaining walls. The construction of a retaining wall in any district shall meet the requirements of Ordinance 80 [Part 180 of the Compilation of Ordinances, Washington Township], including the following:

- (1) Walls that are two (2) feet or greater in height that retain an area such as a driveway or parking lot shall require engineered design calculations. Walls that are designed to only retain soil shall not require design calculations unless the height of the wall is four (4) feet or greater.
- (2) Retaining walls that maintain a height of between one (1) and four (4) feet may be located on the property line. Retaining walls with a height exceeding four (4) feet shall be setback from the property line one (1) foot for each one (1) foot of height beyond the initial four (4) feet of wall height.
- (3) Terracing shall be required for any area that would result in a retaining wall that is greater than six (6) feet in height. No single wall

span shall exceed a maximum height of six (6) feet. No combination of terraced retaining walls shall exceed a maximum height of twelve (12) feet.

- (4) When terracing is required between retaining walls, the terraced area shall maintain a minimum width of three (3) feet and shall be landscaped. The maximum permitted slope of the terraced area shall be 1:6.

c. Berms.

- (1) Berms shall be designed to be consistent with landscaped character of the site and shall consist of landscaped earth mounds possessing a maximum slope ratio of three (3) feet horizontal to one (1) foot vertical, except where retaining walls are used. Side slopes shall be designed and planted with sod or hydro-seeded to prevent erosion.
- (2) In those instances where a berm is included as part of a greenbelt, a detailed drawing and cross section of the proposed berm shall be provided as part of the landscape plan.
- (3) Berms shall be designed to provide a natural rolling appearance, and should not merely be a straight line parallel to the property line.

- d. M-53 Freeway. All property abutting the M-53 freeway shall provide for a 40-foot wide greenbelt abutting said freeway. Such greenbelt shall include the following:

- (1) A five-foot high berm with a slope no greater than 3:1. The berm shall include two (2) continuous rows of evergreens (spruce or pine), measuring at least eight (8) feet in height, evenly staggered. Each row of evergreens shall be planted at intervals not exceeding twenty (20) feet on center and shall be planted closest to the freeway; and
- (2) One (1) row of large deciduous trees planted at twenty-five (25) feet on center planted in front of the berm on the greenbelt side furthest from the expressway.

- e. Macomb Orchard Trail. All property that abuts the Macomb Orchard Trail shall provide decorative landscaping between the subject site and the trail. Such landscaping shall consist of at least tree-like shrubs spaced at ten (10) feet on center. Other suitable landscaping materials may be required by the Planning Commission when it is determined that the alternative landscaping scenario meets the objectives of this Ordinance. Connections to the Macomb Orchard Trail may be required as determined by the Planning Commission.

3. Schedule of screening requirements.

5.13.C.3 Schedule of Screening Requirements			
Use Providing Screening*	Protected Use*		
Zoning District**	Single-Family	Multiple/MHC	Commercial
Single-family	***	***	***
Multiple-family or mobile home	Major	Minor	Minor
Commercial	Major	Major	Minor
Industrial	Major	Major	Minor
<p>* In instances where a "protected use" is developed adjacent to and after the use which is intended to provide the screening, the "protected use" shall provide the required screening.</p> <p>** Property located in the V-1 Village District shall not be subject to the requirements of this Section and shall meet all screening requirements of <a href="#">Section 5.13.C.4</a>.</p> <p>*** Screening shall be provided by single-family subdivisions, single-family site condominiums and private roads, which are consistent with the adopted Washington Township Subdivision Regulations and the Washington Township Private Road Ordinance.</p>			





4. Screening requirements in the V-1 Village District. When a development within the village abuts a property zoned for single-family use, screening shall be provided consistent with the following regulations. These methods of screening and locations for screening may be modified by the Planning Commission in instances where opportunities for tree preservation exist.

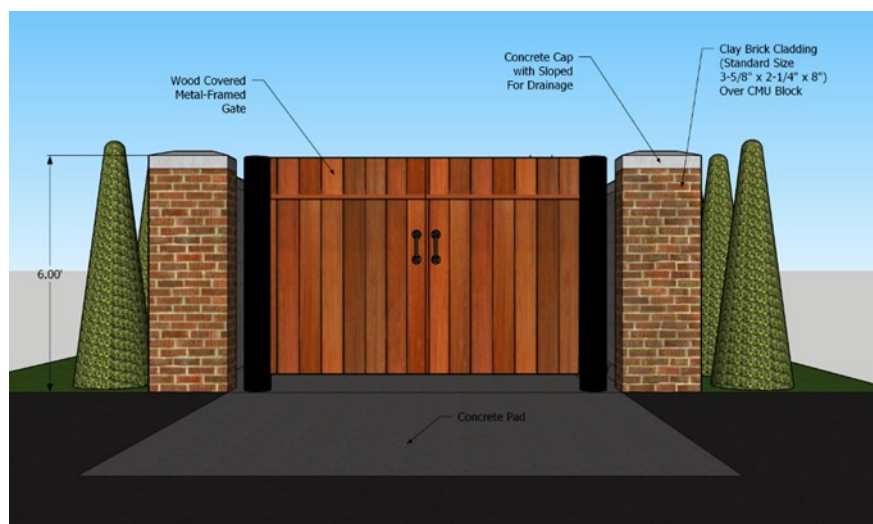
- a. A six-foot high decorative brick wall shall be constructed on the property line. A ten-foot wide greenbelt between the parking lot and the wall may be required by the Commission. The Planning Commission may require a decorative fence or other sound-deadening material in lieu of the wall. Properties that maintain a depth exceeding two hundred (200) feet may be required a 15-foot wide greenbelt at the rear and/or side property line. The ten-foot greenbelt requirement around the property's perimeter required in [Section 5.13.C.1.a](#) shall be waived for developments within the village.
- b. One (1) evergreen shall be planted in a linear fashion adjacent to the decorative wall for each twenty (20) feet of said wall.
- c. One (1) spreading shrub or juniper shall be planted at the base of the decorative wall for each five (5) feet of said wall.

5. Location and screening of trash receptacles. The location of trash receptacles shall be indicated on a site plan. All such trash receptacles shall be located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, site traffic circulation patterns, or any public right-of-way. Trash receptacles shall not be located within the front yard. The placement of trash receptacles shall meet the requirements as outlined in the Fire Prevention Code (Ordinance No. 108), Sections 304.3.3, 903.3.1.1, 903.3.1.2 and 903.3.1.3.

- a. Trash/garbage receptacles (dumpsters) are required for all uses other than single and two-family residential.
- b. Enclosure. All outdoor trash/garbage receptacles, including grease barrels, are required to be stored in an enclosure. The enclosure shall be screened on three sides with walls and shall have landscape screening along the perimeter of the walls. The fourth side shall consist of a gate made of steel framing with wood facing. The gate hinges shall be affixed to steel posts rather than directly to the enclosure walls. If the waste receptacle houses a dumpster, the dumpster shall have an enclosing lid or cover.
- c. Materials. The enclosure screening walls shall be constructed of structural block (CMU) with clay brick cladding or a decorative (brick patterned) poured concrete (color integrated to match building color) wall, whichever is equivalent to the primary construction materials utilized on the principal building on the site. The walls shall have a sloped concrete cap. In addition, concrete-filled steel bollards shall be installed to assist in the positioning of dumpster and to protect the walls of the enclosure.

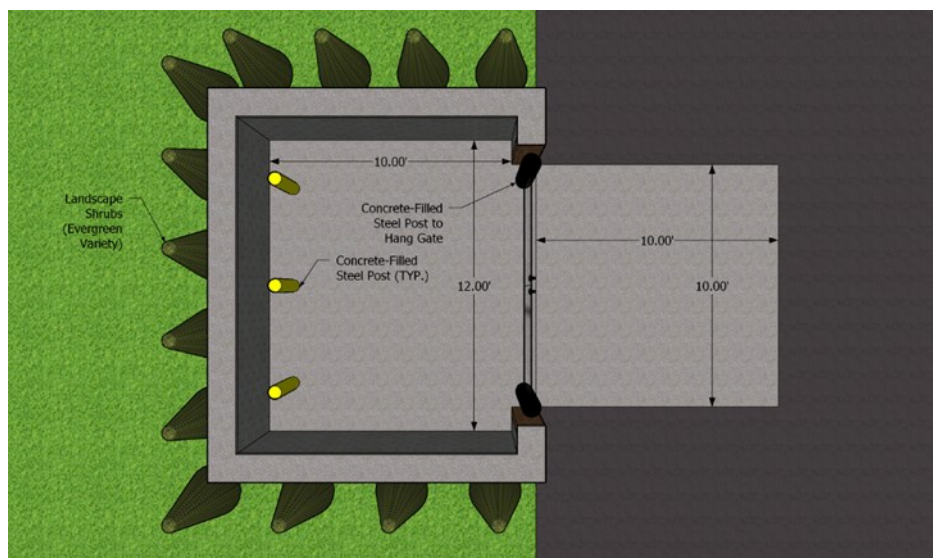


## 5.13.C.5.c Trash Receptacle Enclosure and Screening Materials



- d. Size. The waste receptacle base shall be at least twelve (12') feet wide by ten (10') feet deep (internal dimensions) in area. The base shall be 8" of concrete (min. 4000 psi) with a minimum sub-base of 6" of compacted 21AA or similar material.
- (1) A concrete pavement pad (same material specification as the base above) shall extend ten (10') feet beyond the front of the waste receptacle pad or gate to support the front axle of a refuse vehicle.
  - (2) The enclosure wall shall be six (6') feet in height.
  - (3) The enclosure shall have at least two (2') feet of space on each side of the waste receptacle. ✎

## 5.13.C.5.d Trash Receptacle Size and Dimensions



- e. Placement. All trash receptacles shall be placed at a minimum of fifteen (15') feet away from the main building for fire safety purposes.
    - (1) Front yard. Waste receptacles and enclosures shall not be placed in a front yard.
    - (2) Rear and side yards. Trash/garbage receptacles and enclosures shall be located in the rear yard but not closer than five (5') feet from the rear or side lot line. The Planning Commission may allow a side yard location if it determines that a rear yard location is not possible.
    - (3) Residential use adjacent. Trash/garbage receptacles and enclosures shall be placed a minimum of twenty (20') feet from an adjacent residential use.
  - f. Access. Trash/garbage receptacles shall be easily accessed by refuse vehicles without the potential damage to automobiles parked in a close vicinity. They should be positioned in such a way to not interfere with the normal movement of vehicle traffic on the site.
6. Location and screening of central air conditioning units, generators, wood burning stoves, and any other similar mechanical equipment.
- a. Any mechanical equipment installed outside of residential dwellings and their attached structures shall not result in being a noise nuisance, and shall be located in the side or rear yard no more than three (3) feet from the main structure. However, the mechanical equipment may be located in the side yard, only in instances where the principal structure maintains a side yard setback of at least ten (10) feet from the property line.
    - (1) Further, all such mechanical equipment, wherever placed, must be properly screened from view and for noise as required by the Building Official. Installation of any such equipment shall also comply with all other applicable provisions of the official Washington Township Zoning Ordinance, as amended.
    - (2) Generators temporarily located outside while operating during an emergency power outage shall not be subject to the noise restrictions of this Ordinance.
  - b. Outdoor wood burning stoves. Outdoor wood burning furnaces including outdoor wood boilers, hydronic heaters, pellet and corn stoves or furnaces and the like shall be subject to the following:
    - (1) A minimum of two (2) acres of land shall be required to install an outdoor wood burning stove or furnace on a property.
    - (2) A maximum of one (1) furnace may be permitted on a single parcel for the first ten (10) acres of land. An additional furnace may be added for each additional ten (10) acres of land provided.
    - (3) The furnace shall be installed with all proper permits as obtained from the Township and Construction Code Authority.
    - (4) The furnace shall not be used to burn refuse, rubber materials (including tires), synthetic rubber, any plastic materials, foam, wood that has been painted, stained or otherwise treated, flammable liquid and gasoline, etc.
    - (5) All materials used as fuels shall meet manufacturer's specifications.
    - (6) The furnace shall be subject to the following setback requirements:
      - (a) Fifty (50) feet from any property line.
      - (b) Five hundred (500) feet from any residence not located on the property to be served.
      - (c) The furnace shall not be located in the front yard.
    - (7) The height of the chimney shall be a minimum of ten (10) feet or at least two (2) feet above the height of any ridgeline of an adjacent residence located within one thousand (1,000) feet, whichever is greater. If the required height of the chimney is taller than manufacturer's specifications permit, the furnace shall not be permitted.

- (8) The unit shall be laboratory tested and listed to comply with appropriate safety standards such as UL (Underwriters Laboratories) or ANSI (American National Standards Institute).
    - (9) The unit shall be equipped with an approved and properly functioning spark arrestor.
  - 7. Commercial and industrial fixture screening. Roof-mounted appliances, including, but not limited to, air conditioners, heating apparatus, dust collectors, filters, transformers, and any other such appliance or apparatus, shall be enclosed on all sides by view-obscuring screening so as not to be visible from off the site. The design of the screening shall be approved by the Planning Commission as compatible with the architectural design of the building upon which it is located. Ground-mounted appliances shall be screened using decorative landscaping, a decorative wall or wood screening fence, whichever the Planning Commission determines to be most appropriate.
- D. Landscaping Requirements.
  - 1. General requirements.
    - a. Whenever any yard (front, side or rear) is not designated for building, off-street parking, loading and unloading, storage, or other purpose within the terms and requirements of a given zoning district, it shall be landscaped with either approved natural materials or living plant materials which shall be maintained in an aesthetically pleasing condition.
    - b. All landscaping shall consist either of approved natural materials or living plant materials. All landscaped areas shall be protected from the encroachment of vehicles by concrete curbing or other suitable device as approved by the Township Engineer. The installation of sprinklers shall be required to ensure the maintenance of all landscaped areas. An irrigation plan shall be provided at the time of site plan submission.
    - c. Existing significant trees, tree stands, natural vegetation, and wildlife habitat shall be integrated into the site landscape plan to the maximum extent possible.
    - d. Undeveloped portions and subsequent phases of the site shall be seeded, mowed and maintained.
    - e. The Planning Commission may approve constructed features of other materials, such as brick, stone and cobblestone pavement, as a supplement or substitute, upon a showing by the applicant that general plantings will not prosper at the intended location, or is otherwise a desirable landscape treatment.
    - f. Landscaping shall be planted, landscape elements shall be installed, and earth moving or grading performed in a sound workmanlike manner and according to accepted good planting and grading procedures, with the quality of plant materials and grading as hereinafter described.
    - g. Maintenance. The owner of property required to be landscaped by this Section shall maintain such landscaping in good condition so as to present a healthy, neat and orderly appearance, free from refuse and debris. All plant materials shall be continuously maintained in a sound, weed-free, healthy and vigorous growing condition and shall be kept free of plant diseases and insect pests. All unhealthy and dead material shall be replaced within one (1) year or the next appropriate planting period, whichever comes first. Trees that are not replaced by the landowner during this time period may be removed and/or replaced by the Township at the cost of the landowner.
    - h. Quality. Plant and grass materials shall be of acceptable varieties and species, free of pests and diseases, hardy in Macomb County, and shall conform to standards of the American Association of Nurserymen and the Township, and shall have passed any inspections required under State Regulations. Standards shall be in written form and made available by the Building Department.
    - i. No plant materials used to satisfy some or all planting requirements of this Section shall be comprised of non-living materials.



- j. Approved ground cover used in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one (1) complete growing season, with at least three (3) plants per square foot.
  - k. Lawn grass. Grass areas shall be planted in species normally grown as permanent lawns in Macomb County. Grass may be plugged, sprigged, seeded or sodded, except that rolled sod, erosion-reducing net or suitable mulch shall be used in swales or other areas subject to erosion. Grass, sod and seed shall be clean and free of weeds and noxious pests or diseases.
2. Design objectives. The following general design objectives and criteria shall be considered in the evaluation of landscape plans:
- a. Ample variety and quantity of ornamental plants, trees and shrubs should be provided. Variety should be achieved with respect to seasonal changes, species selected, texture, color and size at maturity.
  - b. Landscaping should be encouraged that will serve the functions of enhancing the visual environment, ensuring public safety, moderating the microclimate and minimizing nuisances.
  - c. Landscaping should serve to integrate the project with the site, with a particular sensitivity to the natural topography, drainage and existing native vegetation. It should enhance the architecture of surrounding structures, when possible, by being of similar scale.
  - d. Preservation of the existing landscape material and landforms is mandatory, particularly where mature trees are a part of the site.
  - e. Visual diversity should be a result of landscaping treatment. Landscaping should be used to break up large expanses of pavement and facade.
  - f. Local soil, water, and other climatic conditions should be considered when choosing landscape materials to create optimum conditions for their survival and to ensure that they will thrive with a minimum amount of maintenance.
  - g. Landscaping should be protected from vehicular and pedestrian encroachment. Raised planting surfaces and the use of curbs are required.
  - h. Species that are a public nuisance or that cause litter should be avoided. Trees and bushes with sharp needles shall be prohibited.
  - i. The aesthetic and functional aspects of the proposed landscaping, both at installation and at maturity, shall be a paramount consideration in review and approval by the Planning Commission.
3. Prohibited materials. Where a landscape plan is required, the following plant materials are specifically prohibited:

#### 5.13.D.3 Prohibited Plant Materials

Black Walnut

Boxelder.

Catalpa

Chinese or Siberian Elm

Chokecherry

Cottonwood

Fruit-bearing Trees

Horse Chestnut (nut-bearing)

Green and White Ash

Mulberry

Ribes (Gooseberry)

Soft maple (silver)

Tree of Heaven

Willow.

All thorned trees and shrubs.

4. Plant material species and size requirements. All proposed landscaped plantings shall meet the minimum size requirements specified in the following plant material size table:

Table 5.13.D.4 Plant Material Size Requirements	
Plant	Required Size
Spread Pot Evergreens	Height
Fir	8 ft.
Spruce	8 ft.
Pine	8 ft.
Douglas Fir	8 ft.
Red Cedar	8 ft.
Arborvitae	8 ft.
Juniper (selected varieties)	8 ft.
Large Deciduous Shrubs	Caliper
Oak	3 in.
Maple	3 in.
Beech	3 in.
Linden	3 in.
Ginko (male only)	3 in.
Honeylocust (seedless, thornless)	3 in.
Birch	3 in.
Sycamore	3 in..
Flowering Dogwood (disease resistant)	2 in.
Flowering Cherry, Plum, Pear	2 in.
Hawthorn (thornless)	2 in..
Redbud	2 in.
Magnolia	2 in.
Mountain Ash	2 in.
Hornbeam	2 in.
Russian Olive	2 in.
Large Deciduous Shrubs	Height
Hicks Yew	2 ft. to 3 ft.
Upright Yew	2 ft. to 3 ft.

Table 5.13.D.4 Plant Material Size Requirements (continued)	
Plant	Required Size
Large Deciduous Shrubs	Spread
Spreading Yew	18 in. to 2 ft.
Pfitzer Juniper	18 in. to 2 ft.
Savin Juniper	18 in. to 2 ft.
Mugho Pine	18 in. to 2 ft.
Small Evergreen Shrubs	Spread
Brown's, Ward's Seabion Yews	18 in. to 2 ft.
Dwarf Spreading Juniper	18 in. to 2 ft.
Dwarf Mugho Pine	18 in. to 2 ft.
Euonymous Varieties	18 in. to 2 ft.
Large Deciduous Shrubs	Height
Honeysuckle	2 ft. to 3 ft.
Lilac	2 ft. to 3 ft.
Border Privet (hedge plantings)	18 in. to 2 ft.
Sumac	3 ft. to 4 ft.
Buckthorn	3 ft. to 4 ft.
Pyracantha	2 ft. to 3 ft.
Weigela	3 ft. to 4 ft.
Flowering Quince	3 ft. to 4 ft.
Barberry	3 ft. to 4 ft.
Cotoneaster (Peking & spreading)	3 ft. to 4 ft.
Sargent Crabapple	3 ft. to 4 ft.
Dogwood (Red Osier & Grey)	3 ft. to 4 ft.
Euonymous Varieties	3 ft. to 4 ft.
Viburnum Varieties	3 ft. to 4 ft.
Tail Hedge (hedge planting)	2 ft. to 3 ft.

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**Table 5.13.D.4 Plant Material Size Requirements (continued)**

Plant	Required Size
Small Deciduous Shrubs	Height
Dwarf Winged	18 in. to 2 ft.
Regal Privet	18 in. to 2 ft.
Fragrant Sumac	18 in. to 2 ft.
Lavender	18 in. to 2 ft.
Cotoneaster (Rockspray, Cranberry)	18 in. to 2 ft.
Ground Cover	Peat Pot
Periwinkle	2 in.
Euonymous Varieties	2 in.
Hall Honeysuckle	2 in.
Pachysandra	2 in.
Decorative Grasses	2 in.
Vines	Gallon Container
Euonymous Varieties	2
Virginia Creeper	2
Baltic Ivy	2
Wisteria	2

**E. Natural Resource Protection.**

1. Natural resource greenbelt. The Township recognizes the fragility and benefits of certain natural features within the Township such as wetlands, marshes, bogs, streams, inland lakes, ponds, and drains. These features help regulate stormwater drainage, water quality, help control erosion and sediment disposition, as well as provide for wildlife and plant habitat. In an effort to help preserve these environmental features and the benefits in which they provide, the Township shall require natural resource buffers or greenbelts around natural features located on site. These buffers will help ensure that no damage, impairment, or other intrusion occurs to the natural habitat and that contaminates or pollutants from daily operations do not degrade or destroy these sensitive areas.

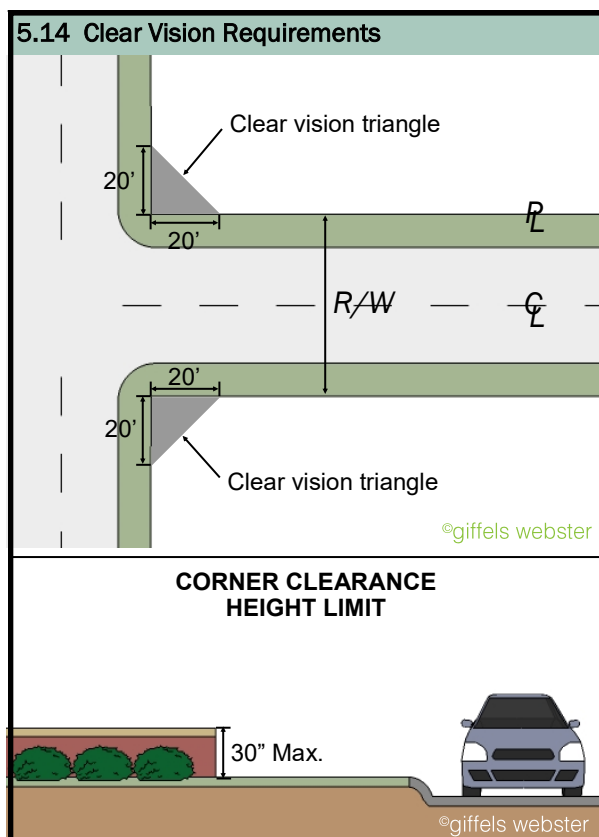
- a. A 25-foot undisturbed greenbelt shall be preserved around the boundary of any state-regulated wetland and all other flagged wetlands which are intended to remain on site, and from the ordinary high water mark of any inland lake or pond, streams, creeks or drains (improved or unimproved). These areas shall be conspicuously noted on the site plan and before any land clearing activities are commenced, the developer shall erect and maintain a suitable barrier between such environmental feature greenbelt and lands which are intended to be cleared. In residential development, the required greenbelt shall not be part of a lot.
  - b. There shall be no construction, removal, or deposit of any structures or soils, including dredging, filling, or land balancing within a required natural resource greenbelt.
  - c. These requirements may be modified by the regulating State or County agency.
2. Lakes, ponds, wetlands or watercourses. These areas shall be left as permanent open space. No development, filling, piping or diverting shall be permitted except for required roads, or as may be required by the Macomb County Public Works Commissioner.
  3. Lake shorelines. The shorelines of lakes, to a depth of one hundred (100) feet from the shorelines, shall contain no more than fifty (50) percent impervious surfaces. At least seventy-five (75) percent may be permanent open yard space.
  4. Groundwater and surface water quality. Protection of groundwater and surface water quality is of paramount importance in Washington Township. No uses or developments shall be permitted which threaten water quality or which violate standards of county, state, and federal agencies

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## 5.14 CLEAR VISION

To ensure that landscape materials do not constitute a driving hazard, clear vision sight triangles shall be established at all street intersections and at the intersection of site driveways and streets. No fence, wall, shrubbery, sign, or other obstruction to vision above a height of thirty (30) inches from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance of twenty (20) feet from their point of intersection. Internal parking lot landscaping improvements should be located to avoid blocking the vision of drivers within the parking lot. ✎



## 5.15 LIGHTING

Lighting in all use districts shall conform to the following requirements as to type, location, intensity and method of shielding.

- A. All outdoor lighting used to light the general area of a specific site shall be shielded downward to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts or adjacent residences, as well as public rights-of-way.
- B. All proposed lighting in any district shall be an approved fixture by the International Dark Sky Association (IDA) as a "Dark Sky Friendly" light.
- C. All residential entranceways shall provide lighting subject to the following specifications:
  1. Boulevard entranceways shall provide one (1) light within the boulevard area. Such light shall maintain a double arm and be of a design that is consistent with the specifications on file at the Washington Township Offices.
  2. Entranceways that do not maintain a boulevard shall provide one (1) light on each side of the street. The light shall maintain a mast and arm.
- D. All lighting within the V-1 Village district shall be consistent with the Washington Township Village Design Guidelines.
- E. The lighting source shall not be visible from adjoining properties or rights-of-way. In addition, the height of the lighting fixture, including the base, measured from the established grade shall not exceed twenty-two (22) feet.
- F. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use. There shall be no flashing, oscillating, moving or intermittent type of lighting or illumination. In addition, there shall be no bare bulb illumination of any kind exposed to public view. Open neon is prohibited.
- G. Floodlights shall not be permitted in any zoning district.
- H. The Planning Commission may require a ground level illumination plan to ensure compliance with the standards of this Section.
- I. Light poles shall be located within parking islands or at the boundary of the parking lot area. In instances where parking abuts such location, the light pole must be set back a minimum of two and one half (2.5) feet to ensure proper overhang clearance.



- J. The intensity of outdoor lighting in all use districts shall be limited to the following minimum and maximum amounts:

**Table 5.15.J Maximum Lighting Intensity**

Use	Average Illumination Level* (footcandles)	Uniformity Ratio
Residential, church, school, and child care facility	0.8	4:1
Nonresidential	4.0	4:1

\* No light measured (at eye level) at the property line shall be greater than one-tenth (0.1) footcandle at the side and rear property line, nor greater than one-half (0.5) footcandle or the intensity of the available street lighting at the front property line, whichever is greater.

#### 5.16 EXCAVATIONS OR HOLES

The construction, maintenance or existence within the Township of any unprotected, unbarricaded, open or dangerous excavations, holes, pits or wells, which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited; provided, however, this Section shall not prevent any excavation under a permit issued, pursuant to this Ordinance, where such excavations are properly protected and warning signs posted in such manner as may be approved by the Building Official. Such excavations and holes shall not be permitted beyond a 60-day duration. This Section shall not apply to drains created or existing by the authority of any governmental agency.

#### 5.17 DISPLAY OF GOODS

- A. No person or business shall use any sidewalk or that space between the sidewalk and curb or any planted strips or park in sidewalks, or any parking area, or any area of a road right-of-way for displaying for sale, or for any other purpose, any goods or any other articles; or leave any goods, boxes, trucks, barrels, trunks or any other article or thing in or on such areas for a longer time than is necessary for the removal thereof from the transporting vehicle, into the place of business or residence to the transportation vehicle to which the sale is intended to be removed.
- B. Permits may be granted allowing for commercial sidewalk sales and temporary uses. (See [Section 7.3](#) for permitting information)

#### 5.18 FOR-SALE SIGNS IN THE MHC DISTRICT

- A. In the MHC district, "For Sale" signs (no larger than two (2) square feet in area) may be placed on homes or lots.

## 5.19 RESIDENTIAL PONDS

- A. Residential ponds may be developed as a permitted land use in any A-1 Agricultural Residential or R-1 Rural Residential zoning district, subject to compliance with the following requirements. These provisions shall not apply to retention/detention ponds which are subject to the requirements of the Charter Township of Washington Code of Ordinances, Part 186.000, LAND DEVELOPMENT AND UTILITY [Ord. No. 143] and shall not apply to landscape ponds that are less than twenty four (24) inches in depth and have a total contiguous surface area less than three hundred (300) square feet in area. Farm ponds compliant with GAAMPS (Generally Accepted Agricultural Management Practices) shall also be exempt from the provisions of this Section. Any body of water, not otherwise excepted from these provisions, which is deeper or larger than those described above shall meet the minimum requirements of this Section.
- B. A pond construction permit shall be required to construct, enlarge, or modify a pond. Prior to the issuance of a pond construction permit, the property owner or their designee (Applicant) shall submit to the DPW Director a scaled drawing, signed and sealed by a professional engineer or registered landscape architect that indicates:
1. Property lines of the lot or parcel in question.
  2. All buildings and structures on the lot or parcel.
  3. All protected natural features (wetlands, floodplains, drains, creeks, lakes, etc.)
  4. The proposed pond location with dimensioned setbacks from property lines, buildings, wetlands or floodplains.
  5. Drainage characteristics for the lot or parcel.
  6. The location of the septic field and the well, if applicable.
  7. All existing utilities and storm drain facilities (pipes, swales, basins, etc.) on the lot or parcel.
  8. All existing easements recorded or known to exist on the lot or parcel.
  9. A cross section of the pond with side slopes, water depth, and ground water level.
  10. Existing and proposed elevations at the pond site, and,
  11. Any other additional information or more drawing details, as determined necessary by the DPW Director to determine compliance with any applicable Township regulations.
- C. All ponds shall be located on a contiguous parcel of at least two (2) acres.
- D. The pond and any incidental structures and uses shall maintain a minimum setback of fifty (50') feet from any public right-of-way line, property line, septic field or well. No pond and/or any incidental structures and uses shall be located within a front yard of a principal structure.
- E. The pond and any incidental structures and uses shall maintain a minimum setback of fifteen (15') feet from any overhead electrical, cable or similar type of lines and wires (measurement to be horizontally at grade level at the nearest point to the pond and perpendicular to the line or wire).
- F. The pond and any incidental structures and uses shall maintain a minimum setback of fifty (50') feet from any principal structure and ten (10') feet from any other accessory structure (pools, sheds, gazebos, etc.) on the site. A preconstruction staking inspection shall be required to verify compliance with all setback requirements.
- G. No commercial activities shall be permitted unless otherwise approved under the requirements of this Zoning Ordinance.
- H. Soils removed to create the pond must remain on the site. If excavated materials are sold or transported off the site, such operations shall comply with all applicable Township ordinances regulating extractive and mining uses.
- I. Ponds shall be constructed in such a manner that natural drainage patterns from adjacent parcels are not disrupted and that runoff, overflow, spillage or seepage does not encroach upon adjacent parcels or lots. Ponds that require an overflow shall be required to indicate the location of the overflow on the site drawing. The DPW Director shall review and approve the overflow location prior to issuing a pond construction permit. Such review shall be approved if the DPW Director finds the impacts on natural drainage and impacts to adjacent properties acceptable based on generally accepted engineering principles.



- J. Pond construction shall require soil erosion control measures. A soil erosion and sedimentation control permit is required from the Macomb County Public Works Department.
- K. Land owners shall be responsible to acquire a permit from the Michigan Department of Environment, Great Lakes and Energy (EGLE), if required by EGLE or applicable state regulations.
- L. Ponds shall be constructed with side slopes at a ratio of one (1') foot vertical to five (5') feet horizontal. Further, ponds shall be a minimum of ten (10') feet in depth "and", "or" shall be designed to continuously circulate and/or otherwise maintain a level of water quality acceptable to public health standards. Finally, ponds shall be free of all underwater obstacles, such as sudden drop-offs, deep holes, trees, stumps, brush, rubbish, wire, junk machinery and fences. All swimming areas shall be marked with a float line.
- M. Berms that are constructed adjacent to ponds shall not exceed two (2') feet in height and shall have a maximum slope of one (1') foot vertical to three (3') feet horizontal. Berms may start their up slope at any distance beyond 10' from the pond, but must complete their down slope so that the existing elevation is not changed at the property line. Further, the overflow elevations of the pond shall not exceed the existing adjacent ground elevations. Property lines shall be clearly marked.
- N. Each pond shall provide a minimum of one (1) United States Coast Guard approved life ring with a minimum fifty (50') foot rope attached to such ring.
- O. Pond construction shall proceed and be completed in a timely manner. Ponds shall be completed in one (1) year from the date of permit issuance.

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# *Article 6.0*

## *Development Procedures*



<b>Article 6.0</b>	<b>Development Procedures</b>	
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# 6.0 Development Procedures

## 6.1 SITE PLAN REVIEW AND APPROVAL

- A. Intent. Site plan review provides the Township with an opportunity to review the proposed use of a site in relation to all applicable provisions of the Zoning Ordinance and Township planning. Site plan review also provides the Township with an opportunity to review the relationship of the plan to surrounding uses, accessibility, on and off-site pedestrian and vehicular circulation, off-street parking, public utilities, drainage, natural features, screening, and other relevant factors which may have an impact on the public health, safety and general welfare.
- B. Planning standards. In reviewing all applications for site plan approval, the Planning Commission shall consider the plan in relation to the following standards:
  1. Vehicular access and circulation.
    - a. Access. The location and design of driveways providing vehicular access to the site shall be arranged to promote the safety and convenience of vehicles and pedestrians and to provide access in a manner that promotes proper internal circulation, taking into consideration such issues as proper driveway alignment, driveway spacing and internal connectivity between sites. The Planning Commission shall require public streets adjacent or through a proposed development when it is necessary for the public health, safety and welfare, and/or provide continuity to the public road system. In those instances where the Planning Commission determines that there are an excessive number of curb-cuts in relation to abutting public roads, thereby diminishing the capacity of the road or creating excessive points of conflict, a reduction in the number of driveways shall be required.
    - b. Circulation. On-site circulation shall be clearly indicated on the plan. Access lanes, maneuvering lanes, parking stalls, stacking lanes, loading/unloading bays and doors, shall be designed in a manner that promotes the general safety, convenience, and interaction of both vehicles and pedestrians. The relationship to and the impacts upon adjacent properties shall also be considered.
  2. Relationship to surrounding property. All site development features shall be arranged to minimize the potential for negatively impacting surrounding property. In making this determination, the Planning Commission shall review the plan for negative conditions, such as, but not limited to:
    - a. Channeling excessive traffic onto local residential streets.
    - b. The lack of adequate screening of parking, maneuvering, or service areas.
    - c. Excessive visual pollution caused from lighting and debris.
    - d. The building structure and use shall be generally consistent in size, scale, and intensity with the adjacent uses.
    - e. The impediments to the access of emergency vehicles.
  3. Relationship to natural features. All buildings, driveways, parking lots, and site improvements shall be designed to be compatible with all natural features on-site. The site buildings and improvements shall not encroach into the physical characteristics of the site, such as wetlands, floodplains and natural drainageways, and shall minimize the impact on environmental features, including, but not limited to, woodlands, slopes and sensitive soils. The proposed development shall not needlessly have an adverse impact on the natural environment of the site or the surrounding area. In no way shall natural drainageways or other natural water retention bodies be altered in a manner that reduces or significantly alters the current drainage location, patterns or volumes.

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Admin and  
Enforcement



4. Infrastructure. The Planning Commission shall consider the Township Engineer's evaluation of the adequacy of public or private utilities proposed to serve the site, including water, sanitary sewers and stormwater retention. In areas not serviced by municipal water, an approved water supply capable of supplying the required fire flow for fire protection shall be provided for all new residential developments upon which 12 or more single-family or multi-family dwelling are proposed. The location, design and water source utilized is subject to the approval of the Fire Marshal and Township Engineer and is required to be installed and operational prior to the issuance of any Building Permits.
  5. Design guidelines. The site plan shall conform to all applicable design guidelines set forth by the Washington Township Design Guidelines.
- C. Submission requirements.
1. A site plan shall be submitted for review by the Planning Commission whenever one (1) or more of the following conditions apply:
    - a. Whenever a building permit is required for the erection or structural alteration of a building (other than single-family homes, farm buildings, or accessory structures to these uses).
    - b. For the construction, use, or establishment of a new or expanded parking or storage area.
    - c. For all special land uses.
    - d. For any change in use or class of use determined significant by the Township.
    - e. The erection of, or addition to, any major utility for the facilities, including towers, substations, pump stations, and similar facilities.
  2. The Township Supervisor may delegate authority to a committee comprised of at least four (4) of the following, depending on the nature of the project: The Supervisor, Building Official, Township Engineer, Township Planner, Fire Marshal and Planning Commission member. The committee may waive the site plan submission requirements and approve a proposal when the proposed building or site change is minimal. A majority shall be required to receive administrative approval.
    - a. A report to the Planning Commission regarding administrative approvals shall be made monthly;
    - b. To qualify as a minimal change, the proposal must meet the following requirements:
      - (1) There is an approved site plan on file for the property, as currently used; and
      - (2) The proposed site plan amendment does not increase the parking requirement on the site; and
      - (3) The proposal meets all requirements of the Zoning Ordinance; and
      - (4) The project must not require road commission or other similar governmental site plan approvals; and
      - (5) Any additional building space shall be limited to 10% of the previously approved space and shall not exceed more than 3,000 additional square feet.
  3. A required site plan shall include the entire site under the control or ownership of the applicant with all areas proposed for improvement and all unplanned areas also included. All site plans submitted for consideration shall include the following information:

a. General site data.

- (1) The site plan shall be prepared by and carry the seal and signature of the registered architect, landscape architect, community planner, land surveyor or professional engineer who prepared it, and shall consist of one or more sheets necessary to adequately provide the required data. All plans shall be drawn on 24" x 36" blueprint or xerographic paper.
- (2) The dimensions of all improvements and yards shall be labeled in a manner that clearly indicates the plan's compliance with the applicable Zoning Ordinance standards and requirements.
- (3) Northpoint and scale should customarily be provided at one (1) inch = twenty (20) feet, or one (1) inch = thirty (30) feet. For large-scale development, one (1) inch = fifty (50) feet or one (1) inch = one hundred (100) feet may be acceptable, provided all important typical areas and Ordinance requirements are thoroughly detailed in clearly recognizable form and presented at the customary scale.
- (4) Complete legal description.
- (5) Parcel identification number.
- (6) Size of the site.
- (7) Location map showing major roads, nearby cross-streets and property lines, where necessary.
- (8) Zoning of site and all surrounding property. If the site has split zoning, show the line between the districts.
- (9) Proposed address, if available.
- (10) Location of existing structures and improvements. (Indicate if any such structure or improvement is to be removed).
- (11) Location of proposed structures and improvements.

(12) Yards/setbacks and critical dimensions between buildings and other site improvements.

(13) Existing improvements (buildings, parking, driveways, sidewalks, signs, fences, walks etc.) within two hundred (200) feet of all property lines.

(14) Topography at two-foot contours (existing and proposed). Site plans shall be prepared over a screened or half-toned current topographic survey of the site. A full-toned copy shall also be provided for clarity.

(15) Benchmarks. Elevations shall be based on North American Vertical Datum of 1998 (NAVD 98). The Township benchmarks shall be used where available and at least three (3) benchmarks shall be indicated on the plan for each forty (40) acres of the project site area.

(16) Recorded easements and rights-of-way with liber and page numbers.

b. Building plans.

- (1) All architectural building elevations (front, sides and rear).
- (2) Type of surface material and design of all exterior surfaces.
- (3) Dimensioned floor plans (principal and accessory buildings).
- (4) Decks and/or patios (dimensions, location, height and materials).
- (5) All exterior appliances, such as cooling towers, dust collectors, condensers, evaporators and the like, and method of screening.

c. Access, parking and circulation.

- (1) Existing and proposed rights-of-way for all abutting roads.
- (2) Location and dimensions of all driveways and street approaches.
- (3) Indicate the type of surface (paving) and provide curb and gutter details.





- (4) Parking spaces (location, number, dimensions, aisle dimensions and surface material).
  - (5) Site circulation pattern (direction of pedestrian and vehicular traffic flow if one-way or not obvious from the arrangement).
  - (6) Identification of all fire lanes.
  - (7) Pathways, sidewalks, walkways and their connections. Interior site walkways shall provide accessibility to all use areas throughout a site.
  - (8) Sidewalks, eight-foot asphalt along all exterior roadways.
  - (9) Carport locations and details (including architectural elevations).
  - (10) Location of emergency access roads.
- d. Environmental features.
- (1) Complete landscaping plan, including ground cover and the location, number, type and size of all proposed plantings.
  - (2) Indications of trees and shrubs shall only be used on the site plan where trees and shrubs exist, or where such vegetation will be planted prior to occupancy. All such trees and shrubs shall be labeled as to size, type and whether existing or proposed.
  - (3) Whenever a tree or group of trees of five-inch caliper or greater is to be removed as part of the planned improvements, their location shall be shown on the site plan in dotted outline and noted "to be removed." A tree preservation plan shall be submitted as required in [Section 5.13.B](#).
  - (4) Greenbelts, walls and/or berm details. (Provide at least one (1) cross-section for each type used.)
  - (5) Site irrigation (sprinklers). Indicate all areas to be irrigated.
  - (6) Treatment of all undeveloped areas (such as seeded, sodded, plantings, maintenance or other).
  - (7) Trash receptacles and method of screening.
  - (8) Site lighting details (location, height, type, intensity, method of shielding, and a ground level illumination plan (if required)).
  - (9) Wetlands, as determined by a wetlands consultant, shall be indicated on the plan if wetlands are suspected or known to exist on a site, or if a general wetlands map indicates the potential presence of a wetland in the area of the site. A Level 3 wetland assessment from the Michigan Department of Environmental Quality will be required prior to final approval.
  - (10) Environmental impact statement (Phase II if applicable).
- e. Other information.
- (1) Location of all proposed site utilities including fire hydrants and Fire Department connections (if applicable) as approved by the Fire Chief.
  - (2) Site drainage characteristics and improvements.
  - (3) Park and/or recreation areas (show boundary and size in square feet).
  - (4) Fences, screen walls, or other similar structures (location and details).
  - (5) Statistical data shall be furnished, including: number of dwelling units; size of dwelling units (i.e., One (1) bedroom, two (2) bedrooms and three (3) bedrooms), if any; and the total gross acreage involved. (In the case of mobile home parks, the size and location of each mobile home site shall be shown.)
  - (6) Where large equipment or machinery is to be installed as part of the development, the location, type, horsepower, fuel, dimensions, and other data of all such equipment and/or machinery shall be indicated.

- (7) Location of storage, use and disposal areas, if any, for hazardous substances, and evidence of approval by the applicable Federal, State or local review agency.
  - (8) List of hazardous substances used, stored or generated at the proposed facility, in accordance with procedures of the Planning Commission.
  - (9) If phasing is proposed or intended, it shall be clearly shown on the site plan.
  - (10) Development impact statement (DIS), as defined in [Section 6.3](#).
  - (11) Sign package meeting the standards of the Washington Township Sign Ordinance.
  - (12) Legal documents: e.g. Master Deed, Cross Access Easements, etc.
  - (13) For all detached single-family residential developments exceeding 30 total dwelling units that do not have residential sprinklers, a Fire Department approved second access is required.
  - (14) For all attached multiple-family residential developments exceeding 100 total attached units without fire suppression provided, a Fire Department approved second access is required.
- f. Waivers. Where it is determined by the Planning Commission that certain requirements of this Section are not necessary to the review and understanding of the site, the Planning Commission may waive the requirements. Any and all waivers shall be recorded in the Commission's minutes, together with the unique circumstances and reasons for such waiver.
- D. Review procedures.
1. Submission. The proposed site plan shall be submitted to the Planning and Zoning Department, or other designated representative, who shall check the submission data and transmit it to the following departments, agencies and consultants:
    - a. Road Commission of Macomb County or Michigan Department of Transportation, whichever is appropriate.
    - b. Macomb County Public Works Commissioner.
    - c. Macomb County Health Department.
    - d. Fire Department.
    - e. Building Department.
    - f. Assessor's Office (Check legal description).
    - g. Water and Sewer Department.
    - h. Township Engineer.
    - i. Township Planner.
    - j. Township Attorney.
    - k. Planning Commissioners (one (1) for each).
    - l. Planning Commission File.
    - m. Appropriate School District (residential plans).
  2. Processing. Each department, agency or professional shall acknowledge the date of its receipt of the site plan for its inspection and comments. The Planning and Zoning Department shall next submit the site plan with the available written comments from the various agencies and departments to the Planning Commission for review at the meeting at which the site plan is placed on the agenda.



3. Planning commission review. The site plan shall be reviewed by the Planning Commission with reference to the specific requirements of the Ordinance, including those items listed above and other factors to be considered by the Township in planning and establishing zoning districts as authorized under this Ordinance. The Commission shall also require review and comment from the Township Planner, Township Engineer and Township Attorney, where appropriate. Approval of the site plan (as submitted, or with additions, corrections or alterations) by the Planning Commission shall satisfy the requirements of this Zoning Ordinance. It shall not, however, exempt the petitioner from compliance with other Township ordinances. The approved site plan shall be part of the record of approval and subsequent actions relating to the activity authorized shall be consistent with the approved site plan unless a change conforming to the Zoning Ordinance receives the mutual agreement of the landowner and the Planning Commission.
4. Approval period. A site plan approval shall be valid for twelve (12) months from the date of approval. If physical improvement of the site is not in actual progress at the expiration of the approval and diligently pursued to completion, the approval shall be null and void, unless renewed or extended by specific Planning Commission action. Any request for an extension shall be made in writing. If approval is not extended before expiration of the twelve-month period, then a new application and a new approval shall be required before a building permit may be issued. The Planning Commission may grant a maximum of four (4) extensions for any given site plan with the total combined time period not to exceed twenty-four (24) months. For site condominiums, preliminary site condominium approval and final site condominium approval shall be considered their own separate valid approval under the above-mentioned time period.
  - a. In reviewing a site plan extension request, the Planning Commission shall consider the following prior to granting the request:
    - (1) The applicant has presented sufficient reasons/documentation as to why construction has not commenced.
    - (2) The applicant is diligently pursuing completion of the project. Verification has been provided by the Township Engineer and/or Building Official which indicates that the project is still moving forward.
    - (3) No new ordinance provisions have been adopted which would substantially alter the design of the previously approved plan;
    - (4) No changes in the Master Plan, surrounding development patterns or economic conditions have occurred since the site plan was originally approved;
    - (5) No substantial changes in the Township road or sewer infrastructure have occurred that had not been taken into consideration at the time the site plan was originally approved.
5. Performance bonds. The Planning Commission may require a cash deposit or irrevocable bank letter of credit acceptable to the Township, covering the estimated cost of improvements associated with a project for which the site plan approval is sought, which shall be held at the Sewer and Water Department per Ordinance No. 81 [Part 122 of the Compilation of Ordinances, Washington Township], to ensure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. Such bond shall be held for a period determined by the Planning Commission, but no less than six (6) months.
6. Appeals. An applicant for a site plan approval may not appeal the decision of the Planning Commission to the Township Zoning Board of Appeals.
7. Review fees. A site plan fee shall be required to cover the cost of review by the Township's Engineer, Planner, and other professional and Township services, in accordance with a schedule of fees as determined by resolution of the Township Board.

8. Compliance. Any construction, development and/or activity(ies) approved by the Township, by and through the site plan review process, shall be undertaken and completed in strict compliance with the approved site plan of record.

The approved site plan of record shall include any properly recorded plan(s), map(s), drawing(s), photograph(s), specification(s), documents(s), and audio/video transcription(s) which serve to describe or illustrate any specific development, construction and/or activity approved by the Township, by and through the site plan review process.

## 6.2 SITE CONDOMINIUM SUBDIVISION AND CONDOMINIUM DEVELOPMENTS

- A. Intent. The intent of these requirements is to ensure that all site condominium subdivisions and condominiums are developed in compliance with accepted planning and engineering standards applicable to similar forms of development, as reflected in the Township's ordinances and requirements.
- B. Single-family detached site condominiums may be allowed as a permitted use in any single-family zoning district, subject to site plan review by the Planning Commission. The review procedures for commercial and industrial site condominium subdivisions shall also be regulated by this Section.
1. Submission requirements. All site condominium subdivision and condominium plans shall be submitted for review, as required by [Article 6](#) of this Ordinance and Section 66 of the Condominium Act, and include the following additional information:
- A certified boundary survey of the condominium site. The survey shall be tied to two established government corners.
  - A plan delineating all natural and man-made features on the site, including, but not limited to, drains, ponds, lakes, streams, floodplains, wetlands and woodland areas.
  - The location, size, shape, area and width of all condominium units and common areas and the location of all proposed streets. A typical unit detail including the buildable area proposed

for each unit that includes the setbacks, estimated rear yard storm easements and the minimum required 10ft rear yard deck/patio setback encroachment. Any unit found in engineering review that does not satisfy the minimum deck encroachment requirement shall require an amendment to the unit and subdivision design. In such cases, the Pre-Planning Committee shall review and approve any amendment and then authorize further review by the Engineers. No unit with less than the required 10' deck area shall be accepted as a unit.

- A copy of the Master Deed and a copy of all restrictive covenants to be applied to the project. Such deeds shall include an acceptable means of converting the project to a platted subdivision, under the provisions of Act 288 of 1967, at some future date.
  - A utility plan showing all sanitary sewer, water and storm drainage improvements, plus all easements granted to the Township for installation, repair and maintenance of all utilities.
  - A street construction, paving and maintenance plan for all streets within the proposed condominium subdivision plan.
  - A storm drainage and stormwater management plan, including all lines, swales, drains, basins, and other facilities.
  - The Planning Commission approved landscaping plan, building elevation plan(s) (as applicable) and floor plan(s) (as applicable) will be recorded as part of the Master Deed Exhibit B Drawings.
2. Review procedures. Pursuant to authority conferred by Section 141 of the Condominium Act, all site condominium subdivision plans shall require final approval by the Planning Commission before units may be sold or site improvements initiated. In determining whether to approve a site condominium subdivision plan, the Planning Commission shall consult with the Township Attorney, Community Development Director and Engineer regarding the adequacy of the



submission as it relates to the Washington Township Zoning Ordinance, Land Division Ordinance and requirements of the Condominium Act. The review process shall consist of the following three steps:

- a. Preliminary plan review. In the preliminary review phase, the Planning Commission shall review the overall plan for the site, including basic road and unit configurations and the consistency of the plans, with all applicable provisions of the Washington Township Zoning Ordinance. Plans submitted for preliminary review shall include information specified in items **a, b and c of the Submission Requirements in Section 6.2.B.1 above.**
  - b. Engineering Review: Once the Preliminary Condominium Plan is approved by the Planning Commission, the applicant can then proceed to the DPW Department for Engineering Review. Upon receiving Engineering Approval, the applicant may apply for their Final Condominium Review with the Planning and Zoning Department.
  - c. Final Condominium Plan Review: Engineering approval must be granted prior to submitting for Planning Commission review of the Final Condominium plan. Final plans shall include information as required by the **Submission Requirements in subsection a. through h.** above. Such plans and information shall be reviewed by the Township Attorney, Engineer, Community Development Director, Fire Department, Township Department Heads and Staff. Further, such plans shall be submitted for review and comment to all applicable local, County and State agencies. Final approval shall not be granted until such time as all applicable review agencies have had an opportunity to comment on said plans.
3. District requirements. The development of all site condominium subdivisions shall observe the applicable yard setback and minimum floor area requirements of the zoning district within which the project is located. The density of development of the project shall be no greater and spacing no less than would be permitted if the property were a platted subdivision. Site condominiums located within a Planned Unit Development (PUD) shall be governed by the standards approved as part of the overall PUD plan.
4. Design standards. All streets and roads in a site condominium subdivision shall conform to the standards of the Washington Township Land Division Ordinance if the streets are to be dedicated to the public, or to standards and requirements of the Washington Township Engineering Ordinance if private. Public streets shall be required, when necessary, to provide continuity to the public road system. Site condominiums maintaining private roads shall provide street signage consistent with the signage requirement of the Washington Township Private Road Ordinance. All other improvements in site condominium subdivisions shall meet the standards of the Washington Township Subdivision Ordinance.
  5. Utility easements. The condominium subdivision plan shall include all necessary public utility easements granted to Washington Township to enable the installation, repair, and maintenance of all necessary public utilities to be installed. Appropriate dedications for sanitary sewers, water mains and storm drainage improvements shall be provided.
  6. Final acceptance. The Township shall also require all the appropriate inspections. After construction of the condominium, the developer shall follow the as-built submittal and review process established by the Sewer and Water Department. A final certificate of occupancy and any construction bonds or letter of credit will not be released to the developer/owner until said as-built mylar has been reviewed and accepted by the Township.

Δ September 24, 2020

### 6.3 DEVELOPMENT IMPACT STATEMENT

- A. Statement of intent. The purpose of the Development Impact Statement is to provide the Township with relevant information on the anticipated impact of a proposed development on public utilities, public services, traffic, the economy, environmental conditions, and adjacent land uses. This process recognizes that many development proposals have impacts on existing site conditions and that these impacts often extend beyond the





boundaries of the site. The intent of these standards is to identify and assess these impacts and, thereby, provide the Township with information necessary to understand and address these impacts.

- B. Submission requirements. Qualifications of Preparer: Name(s) and address(s) of person(s) or firm(s) responsible for the preparation of the impact statement and a brief description of their qualifications.

A Development Impact Statement containing all the required information specified herein shall be required whenever one or more of the following conditions apply:

1. For any request for site plan review, special approval land use, or rezoning having an area of five (5) acres or more.
2. For any proposal for residential development (site plan, subdivision or site condominium) of fifty (50) or more units and/or resulting in a density of more than five (5) units per acre.
3. The Commission may waive any of the DIS submission requirements if it is determined that the subject information is not necessary to conduct a review of the application. However, the Traffic Study may be waived only in instances where it is determined that the development will not generate a significant amount of traffic above and beyond current traffic conditions abutting the site.

- C. Information and data required.

1. The Development Impact Statement shall include all applicable information as normally required for site plan review, rezoning, subdivision review, site condominium review, or special land use, as specified in the Zoning Ordinance and Subdivision Ordinance; and, in addition, the following supplemental information shall be required:
  - a. Location map at one (1) inch = two hundred (200) feet, indicating the location of the subject property in relation to the Township's thoroughfare system.
  - b. Zoning Map, indicating the subject property and the zoning of adjacent properties for a radius of one half (½) mile, measured from the boundaries of the site.

- c. Land Use Map, indicating the subject property and adjacent land uses by type for a radius of one half (½) mile, measured from the boundaries of the site. An aerial photograph may be used to illustrate this information.
- d. Site conditions of the subject property, indicating the following information. All information shall be depicted graphically on an existing conditions map and accompanied by the most recent aerial photography supplied by the Macomb County Planning Commission or by the Southeast Michigan Council of Governments (SEMCOG).
  - (1) Location and size of existing natural features, such as streams, bodies of water, floodplains, soil types and conditions, topography, groundwater table, and vegetation inventory (classification of existing types by general location and numbers or density as appropriate). If the possibility of wetlands exist on-site, an official Level III wetlands assessment conducted by the Michigan Department of Environmental Quality shall be conducted.
  - (2) A woodlands map identifying the location, size and type of site vegetation, as required by the Washington Township Zoning Ordinance.
  - (3) Location and size of existing facilities and utilities (thoroughfares, water service, sanitary sewer, storm drain, gas lines, electric lines, etc.) on the site or available to serve the site.
  - (4) Improvements adjacent to and directly across the street, i.e., driveway approaches, passing lanes, curb-cuts, etc.
- e. Conceptual Plan, showing how the proposed development relates to the above referenced conditions.
- f. Any application for commercial rezoning shall be accompanied by a market study demonstrating that there is sufficient demand to support the project. The market study shall take into consideration the availability of



existing retail and service businesses within the trade area and retail vacancy rates, as well as stating reasons why currently vacant buildings or properties are not a viable option.

- g. Other information, as determined by the Planning Commission that may be necessary to assess the impact of the proposed development.
2. Impact assessment. The applicant shall provide information assessing the impact of the proposed development as it pertains to the following factors. The required information shall be provided in narrative and graphic formats, as appropriate.
  - a. Land use impacts.
    - (1) Brief description of the proposed land use.
    - (2) Hours of operation, if applicable.
    - (3) Identify whether the proposed use will create dust, noise, odor or glare that may impact abutting property.
    - (4) Project phasing plan or schedule.
    - (5) Describe how existing natural features will be preserved.
    - (6) Describe any impact on groundwater quality or quantity.
  - b. Impact on public utilities.
    - (1) Describe how the site will be provided with water and sanitary sewer facilities, including the adequacy of the existing public utility system to accommodate the proposed new development.
    - (2) General calculations for water flows and water demands and how they relate to sewer line capacity.
    - (3) For sites to be served by wells and septic systems, documentation of adequacy and/or permits from the Macomb County Health Department shall be required.
    - (4) Describe the methods to be used to control stormwater drainage from the site. This shall include a description of measures to control soil erosion and sedimentation during construction. Correspondence from the Macomb County Drain Commissioner

stating their initial concerns and recommendation shall be attached.

- c. Impact on public services. Describe the number of expected residents, employees, visitors or patrons, and the anticipated impact on public schools, police, fire and other emergency services. Particular attention should be given to the relationship of the proposed development to the municipal fire stations. Letters from the appropriate agencies shall be provided, as appropriate.
- d. Traffic impacts.
  - (1) Description of existing traffic conditions:
    - (a) Traffic counts. Existing conditions, including existing peak-hour traffic volumes and daily volumes, if applicable, on street(s) adjacent to the site. Traffic count data shall not be over two (2) years old, except the community or road agency may permit 24-hour counts up to three (3) years old to be increased by a factor supported by documentation or a finding that traffic has increased at a rate less than two (2) percent annually in the past three (3) to five (5) years.
    - (b) Roadway characteristics shall be described and illustrated, as appropriate. Features to be addressed include land configurations, geometrics, signal timing, traffic control devices, posted speed limits, average running speeds and any sight distance limitations. Existing levels of service shall be calculated for intersections included within the study area.
    - (c) Existing driveways and potential turning movement conflicts in the vicinity of the site shall be illustrated and described.



- (d) The existing right-of-way shall be identified, along with any planned or desired expansion of the right-of-way requested by the applicable road agency.
  - (e) Approved developments within the study area shall be part of all calculations for anticipated traffic.
- (2) Trip generation.
  - (a) Forecasted trip generation of the proposed use for the a.m. (if applicable) and p.m. peak hour and average day. The forecasts shall be based on the data and procedures outlined in the most recent edition of Trip Generation, published by the Institute of Transportation Engineers (ITE). The applicant may use other commonly accepted sources of data or supplement the standard data with data from at least three (3) similar projects in Michigan. All approved but not yet constructed developments shall be included in the forecasted trip generation for the area.
  - (b) For rezoning requests where a traffic study is required, the study should contrast the traffic impacts of typical uses permitted in the requested zoning district with uses permitted in the current zoning district. The determination of typical uses shall be made by the Planning Commission.
  - (c) Any trip reduction for pass-by trips, transit, ride sharing, other modes, internal capture rates, etc. shall be based both on ITE findings and documented survey results acceptable to the agency reviewers. The community may elect to reduce the trip reduction rates used.

- (d) For projects intended to be developed in phases, the trip generation by phase shall be described.
- (3) Trip distribution. The projected traffic generated shall be distributed (inbound vs. outbound, left turn vs. right turn) onto the existing street network to project turning movements at site access points and nearby intersections, where required. Projected turning movements shall be illustrated in the report.
- (4) Impact analysis. Level of service or "capacity" analysis at all intersections significantly impacted by the proposed development shall be provided using the procedures outlined in the most recent edition of the Highway Capacity Manual published by the Transportation Research Board.
- (5) Access design/access management standards. The report shall include a map and description of the location and design of proposed access (driveways or new street intersections), including any sight distance limitations, dimensions from adjacent driveways and intersections within two hundred fifty (250) feet on either side of the main roadway, data to demonstrate that the number of driveways proposed are the fewest necessary, support that the access points will provide safe and efficient traffic operation, and be in accordance with the standards of Washington Township and the Road Commission of Macomb County (not required for rezoning application).
- (6) Other study items. The traffic impact study shall include:
  - (a) Need for, or provision of, any additional right-of-way where planned or desired by the applicable road agency.
  - (b) Changes which should be considered to the plat or site plan layout.



- (c) Description of any needed non-motorized facilities.
  - (d) If the use involves a drive-thru facility, the adequacy of the (queuing and/or stacking) area should be evaluated.
  - (e) If a median crossover is desired, separate analysis should be provided.
  - (f) If a traffic signal is being requested, the relationship of anticipated traffic-to-traffic signal warrants in the Michigan Manual of Uniform Traffic Control Devices. Analysis should also be provided on the impacts to traffic progression along the roadway through coordinated timing, etc.
  - (g) Description of site circulation and available sight distances at site driveways.
  - (h) Conflicts with pedestrian traffic within the development and along all site boundaries that require sidewalk access.
- (7) Mitigation/alternatives. The study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements should be described. The mitigation measures may include items such as roadway widening, need for bypass lanes or deceleration tapers/lanes, changes to signalization, use of access management techniques, or a reduction in the proposed intensity of use. Proposed mitigation measures should be discussed with the applicable road agency. The responsibility and timing of roadway improvements shall be described.
- (8) All traffic impact studies shall be prepared by a registered Professional Engineer specializing in the preparation of traffic studies. The preparer shall have a minimum of three (3) years of recent experience in the preparation of traffic impact analyses and provide evidence of ongoing familiarity with the Highway Capacity Manual.
- D. Evaluation standards. In reviewing Development Impact Statements, the Planning Commission shall consider the information provided in relation to the following standards:
1. Land use impacts.
    - a. The use shall not result in a negative impact on surrounding development, taking into consideration the type and intensity of use on the basis of the potential for nuisances (glare, noise, odor, etc.).
    - b. The use is compatible with planned development patterns, as expressed in the Township's adopted Master Plan.
  2. Public utilities.
    - a. Public water and sanitary sewers with adequate capacity to serve the site are available, as determined by the Township Engineer.
    - b. For sites where public utilities are not available, documentation has been provided by the appropriate agency that the site is capable of supporting on site wastewater disposal systems and well(s).
    - c. That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading the watercourses in the area.
    - d. That the plan provides for the proper extension of public utilities and drainage improvements as provided for in the Township Master Plan and as determined by the Township Engineer.
  3. Public services.
    - a. The Township is capable of providing police and fire protection to the proposed development on the basis of existing equipment and personnel.

- b. Adequate recreation facilities are available to serve the anticipated residents of the development (applicable to residential projects only).
  - c. Public schools are available to serve the anticipated number of children to be generated by the proposed development (residential projects only).
- 4. Economic impacts (for rezonings only).
  - a. The project will have a beneficial impact on the local economy by increasing employment opportunities and increasing and diversifying the Township's tax base.
  - b. The applicant has demonstrated that a sufficient market demand exists to support the use based on a documented market study and that the use will not create vacancies for existing retail establishments within the trade area.
- 5. Traffic impacts.
  - a. The proposed development has access to a public road capable of supporting the development.
  - b. The use will not increase traffic that will effectively result in a level of service of "D" or lower on the abutting road or at intersections proximate to the proposed development.
  - c. The number of driveways serving the site are the minimum necessary to accommodate anticipated traffic.
  - d. The placement and design of driveways will accommodate safe movement of traffic into and out of the site.
  - e. Adequate provisions have been made to accommodate pedestrians.
  - f. Appropriate mitigation measures have been provided to address the anticipated traffic impacts of the development.
- 6. Natural resources.
  - a. That natural resources will be preserved to the maximum extent feasible, and that areas to be left undisturbed during construction shall be so indicated on the plan.
  - b. The proposed development does not encroach into floodways or floodplains.
  - c. That soil conditions are suitable for excavation and site preparation and the wet or unstable soils not suitable for development will be either undisturbed or modified in an acceptable manner.
  - d. The proposed development will not cause soil erosion or sedimentation problems.
- 7. Any adverse impacts that are the direct result of mitigation strategies shall also be addressed.
- E. Processing requirements.
  - 1. A Development Impact Statement shall accompany applications for rezoning, special land use, site plan review, tentative preliminary plat approval and preliminary condominium approval.
  - 2. The Development Impact Statement shall be considered, along with other applicable information required for the specific request, and shall be considered by the Planning Commission and/or Township Board, as required in this Ordinance or the Washington Township Land Division Ordinance.

#### 6.4 SPECIAL LAND USE REVIEW REQUIREMENTS

In all cases, the power to grant special land use approval is vested in the Planning Commission. All applications for special land use approval shall first be forwarded by the Planning Department to the Planning Commission for review and processing. The application shall be submitted in the number of copies required and accompanied by the same number of site plans, all prepared and filed to meet the requirements of [Article 6](#).

The Planning Commission shall review the application after proper notice has been given as required by State law and approve or deny the application. Approval may require conditions the Commission may find necessary; disapproval of the application will be accompanied by reasons in writing. If a public hearing is to be held as provided by State law, then the Planning Commission, after proper notice, shall hear any person wishing to express an opinion on the application.





The Planning Commission shall review each case individually as to its applicability and must find affirmatively to each of the following standards of the proposed land use if it is to be approved.

A. Standards.

1. The proposed use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the zoning district in which it is to be located.
2. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian-vehicle conflicts.
3. The proposed use shall be designed as to the location, size, intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby uses permitted, whether by reason of dust, noise, fumes, vibration, smoke or lights.
4. The proposed use shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
5. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses in regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.
6. The proposed use is necessary for the public convenience at the proposed location.

7. The proposed use is so designated, located, planned and operated so that the public health, safety and welfare will be protected.

8. The proposed use shall not cause substantial injury to the value of other property in the vicinity in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

B. Decision.

1. Approval. If the Planning Commission determines that the particular special land use(s) should be allowed, it shall endorse its approval thereof on the written application and clearly set forth in writing thereon the particular use(s) which shall be allowed. Thereafter, the enforcing officer may issue a building permit in conformity with the particular special land use(s) so approved. In all cases where a particular special land use has been granted as provided herein, application for a building permit in pursuance thereof must be made and received by the Township not later than two hundred seventy (270) days thereafter, or such approval shall automatically be revoked. The Planning Commission may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding another two hundred seventy (270) days as it shall determine to be necessary and appropriate.
2. Denial. If the Planning Commission shall determine that the particular special land use(s) requested does not meet the standards of this Ordinance, it shall deny the application by a written endorsement thereon which clearly sets forth the reason for such denial.
3. Record. The decision on a special land use shall be incorporated in a statement of conclusions relative to the special land use under consideration. The decision shall specify the basis for the decision and any conditions imposed.
4. Hearings. The Planning Commission shall investigate the circumstances of each such case and give notice of the time and place of any hearing, meeting or review which may be held relative thereto as required by State law and/or its rules or procedure.

5. Conditions. The Planning Commission may impose such conditions or limitations in granting approval as may be permitted by state law and this Ordinance which it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall do all of the following:
  - a. Be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
  - b. Be related to the valid exercise of 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 regulations; be related to the standards established in this Ordinance for the land use or activity under consideration; and be necessary to insure compliance with those standards.
6. Once a special land use has been approved, no Zoning Board of Appeals requests shall be permitted. Any changes in the development plans must be made in accordance with revision procedures contained herein.



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# *Article 7.0*

## *Administration, Appeals and Enforcement*

<b>Article 7.0</b>	<b>Administration, Appeals and Enforcement</b>	
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7.2	Buildings to be Moved _____	7-3
7.3	Permitting of Commercial Sidewalk Sales and Temporary Uses _____	7-3
7.4	Temporary Construction Trailers/Sales Trailers _____	7-5
7.5	Enforcement of Outdoor Storage and/or Display Lot Standards _____	7-5
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# 7.0 Administration, Appeals, and Enforcement

## 7.1 APPROVAL OF PLATS

No proposed plat of a new or redesigned subdivision shall hereafter be approved by the Township Board or the Planning Commission, unless the lots within such plat equal or exceed the minimum size and width requirements set forth in the various districts of this Ordinance. Such plat shall fully conform with the statutes of the State of Michigan, as amended and the Subdivision Regulations of Washington Township.

## 7.2 BUILDINGS TO BE MOVED

Any building or structure which has been wholly or partially erected on any premises, located either within or outside of this Township, shall not be moved to and placed upon any other premises in this Township until a permit for such removal shall have been secured. Any such building or structure shall fully conform to all the provisions of this Ordinance in the same manner as a new building or structure. Accessory buildings may be moved on the same property without permit provided its location and construction meets all Township Ordinances. Before a permit may be issued for moving a building or structure, the Building Official shall inspect same and shall determine if it is in a safe condition for moving, whether it may be reconditioned to comply with the current Building Code and other Township requirements for the use and occupancy for which it is to be used. Provided these conditions can be complied with, a permit shall be issued for the moving of said building or structure.

## 7.3 PERMITTING OF COMMERCIAL SIDEWALK SALES AND TEMPORARY USES

A. Commercial sidewalk sales may be permitted for defined time periods by the Township Board. An applicant must be an owner or operator of an existing commercial operation who desires to display and sell goods or merchandise customarily sold within a building on the sidewalk abutting or in proximity to the existing facility. Commercial sidewalk sales shall be for a defined period specified in the permit, but not to exceed a total of twenty-eight (28) days per calendar year. Sidewalk sales shall be located and operated so as not to obstruct or interfere with pedestrian and vehicular traffic. The Township Board may establish a fee to defray the administrative costs for issuance of a permit.

B. Temporary uses may be permitted, subject to the following regulations, but for no more than ninety (90) total days in a calendar year. All temporary permits shall be issued by the Building Official.

1. For temporary uses proposing a sales area exceeding one (1) acre (43,560 square feet), the review and final decision to approve or deny the use shall be made by the Planning Commission. All other temporary use applications shall be reviewed by the Preplanning Committee, or any other committee as designated by the Township Board of Trustees.

(1) Committee designated by the Township Board to review a temporary use shall consist of a minimum of five (5) voting members, and a maximum of seven (7) voting members. The committee shall, at a minimum, consist of the Fire Marshall or their assigned designee, the Building Official, a representative from either the Planning and Zoning Department or Planning Commission, and a member of the Township Board.

(a) The Committee shall keep minutes of their meeting and a report shall be submitted to the Planning Commission summarizing any decisions the Committee has made during the previous month.

(b) The Committee may consult with the Planner, Engineer, Attorney or any other professional necessary to assist the Committee in making an informed decision.

2. In reviewing an application for a proposed temporary use, structure or display area the reviewing body shall consider the following standards. If it is determined that each standard outlined below has been met, the proposed temporary use shall be approved:

1  
Purpose and  
Introduction

2  
Definitions

3  
Zoning  
Districts

4  
Use  
Standards

5  
Site  
Standards

6  
Development  
Procedures

7  
Admin and  
Enforcement



- a. The proposed temporary use shall be so designed as to the location, size, intensity, site layout and periods of operation to eliminate any possible nuisance emanating there from which might be noxious to the occupants of any other nearby uses permitted, whether by reason of dust, noise, fumes, vibration, smoke or lights.
  - b. The proposed temporary use is so designated, located, planned and operated so that the public health, safety and welfare will be protected.
  - c. The request for the proposed temporary use, structure, or temporary display area shall be accompanied by a plot plan indicating the location of the proposed use. Said location shall be reviewed and approved by the Washington Township Fire Department to ensure adequate emergency access is maintained on the site.
  - d. The temporary use requested by the applicant is an allowable use (either a permitted or special land use) in the district.
  - e. The applicant has demonstrated the following requirements of the Zoning Ordinance have been met:
    - (1) All setbacks of the district involved shall be observed;
    - (2) The applicant shall demonstrate how parking requirements of the Ordinance have been met, whether through shared parking in an existing parking lot, or an area identified on the plot plan showing the required number of parking spaces;
    - (3) Lighting requirements of the Ordinance have been met;
    - (4) The reviewing body may consider any other reasonable requirements to ensure that the public health, safety and welfare of the inhabitants of Washington Township have been protected.
3. Any temporary use that is operated for more than sixty (60) days within a given year for three (3) consecutive years shall require site plan review and approval from the Pre Planning Committee, as defined in this Section. Such approval shall only be granted by unanimous consent of the Pre Planning Committee. The Pre Planning Committee may refer any application to the Planning Commission for a site plan review or special land use, as may be applicable, if they determine that the use may:
    - a. Produce noise in excess of the Township Ordinance Standards; or
    - b. Produce dust in excess of Township Ordinance Standards; or
    - c. Produce light in excess of the Township Ordinance Standards; or
    - d. Diminish the privacy or value of surrounding properties; or
    - e. Provide for a lack of parking on the site in which it is locating [located]; or
    - f. Negatively impact permanent, year-round businesses producing or selling similar services or products within the Township.
  4. The granting of the temporary use shall be issued in writing, stipulating all conditions as to time, nature of development permitted, and arrangements for removing the use at the termination of said temporary permit. The Township may require a bond to be posted by the applicant to cover the removal of any improvements.
  5. The application fee for a temporary use shall be established by the Township Board. Any and all fees incurred as a result of the review of a proposed temporary use shall be the sole responsibility of the applicant. A permit shall not be issued by the Building Department until all required fees have been paid in full.

#### 7.4 TEMPORARY CONSTRUCTION TRAILERS/ SALES TRAILERS

Nothing in this Ordinance shall prevent the use of a mobile home/manufactured home in any district as a temporary construction field office or construction sales office for a period not to exceed nine (9) months, except that these structures may not be utilized as construction field offices/storage units within any single-family detached residential development. The applicant may receive up to a six-month extension upon a finding by the Planning Commission that work is steadily progressing toward providing a model for sales and/or construction storage. Such structure shall not be used for overnight sleeping accommodations and adequate arrangements for sanitary facilities shall be made and provided further, that the temporary office has been certified as such and conforming to this Ordinance by the Building Official. The placement and regulation of such temporary uses shall be further regulated as follows:

- A. A permit shall be required for the structure to be located/utilized on a site.
- B. No structure shall be placed on a site until such time that a building permit has been issued for on-site buildings.
- C. The temporary office/sales office shall not be connected to public water or sewer without special approval by the Township Board. The temporary connection to electrical service may be permitted subject to approval by the utility company and the Building Official.
- D. The location of any such temporary use shall be prohibited in any of the following areas on the site: Clear vision triangle of any intersecting public street or within seventy-five (75) feet of any residential structure or within twenty (20) feet of any fire hydrant or within thirty (30) feet of any property line.
- E. The placement of the temporary structures shall be discussed at the preconstruction meeting with the Building Official, Water and Sewer Director and Township Engineer.
- F. If the structure is utilized for sales or any other use involving public access, a minimum of five (5) parking spaces shall be provided and the site shall be provided and the site shall be designed to meet ADA standards.

- G. A cash bond, in an amount sufficient to remove the structure from the site, shall be deposited with the Township prior to installation of the structure. The bond shall be released only after the structure is removed and the area is returned to its natural state.
- H. No Certificate of Occupancy shall be granted until such time that the structure is removed from the site.

#### 7.5 ENFORCEMENT OF OUTDOOR STORAGE AND/OR DISPLAY LOT STANDARDS

Whenever a storage, display, or sales lot or area does not meet the specifications set forth, in [Section 4.45](#), the Building Official shall give notice to the property owner to repair same within a specified time. If such repairs are not made in accordance with such notice, he shall order the lot or area closed forthwith; such lot or area shall not be used for such purposes until repairs have been approved by the Building Official.

#### 7.6 PROHIBITED OCCUPANCY

In no case shall a travel trailer, motor home, automobile chassis, tent or portable building be considered a dwelling. Mobile homes shall not be used as dwellings, except when located in, and as part of, a manufactured housing community; or when located in zoning districts set forth in this Ordinance. All travel trailers, motor homes and mobile homes parked or stored on lands not approved for such use as herein set forth shall not be occupied. In the case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings.



## 7.7 UTILITY APPROVAL

Except as provided elsewhere in this Ordinance, the erection, construction, alteration, maintenance, addition, reconstruction or replacement by public utilities of underground, surface or overhead distribution of gas, electricity, communications (except transmitting or receiving towers), steam or water transmission or distributing systems, collection, supply or disposal system, including poles, mains, drains, sewers, pipes, conduits, wires, cables, high voltage transmission lines, towers in connection with such lines, and other similar equipment and accessories in connection therewith shall require Township Board approval, after review and recommendation by the Planning Commission based on the standards outlined in [Section 6.4.A](#) of this Ordinance.

## 7.8 NONCONFORMING LOTS, USES AND STRUCTURES

Provisions applicable to nonconforming lots, uses and structures. It is the intent to recognize that the elimination, as expeditiously as is reasonable, of existing structures and uses that are not in conformity with the provisions of this Ordinance, is as much a subject of health, safety, and welfare as is the prevention of the establishment of new structures and uses that would violate the provisions of this Ordinance. It is therefore, the intent to administer the elimination of nonconforming structures and uses, recognizing established private property rights, and avoiding any undue hardship. The following regulations shall apply to all nonconforming buildings and structures, or parts thereof, and nonconforming uses existing at the effective date of this Ordinance.

- A. Continuance of nonconforming building. Any such nonconforming building or structure may be continued and maintained, provided there is no physical change other than necessary maintenance and repair in such building or structure, except as permitted hereinafter in [subsections F, G, and H](#).
- B. Continuance of nonconforming use. Any such nonconforming use may be continued and maintained, provided there is no increase or enlargement of the area, space or volume occupied by, or devoted to, such nonconforming use within a building or on site.

- C. Change of use. The nonconforming use of a building, structure or land may not be changed to a different use unless one (1) of the following conditions has been met:

1. Such different use is permitted in the zoning district under which the property is currently zoned, subject to site plan review and approval as required in the Zoning Ordinance.
2. Such proposed use, while still nonconforming, is considered less intense than the previous nonconforming use as determined by the Washington Township Planning Commission, and would bring the site closer into conformance with existing Ordinance standards. A use may be deemed more intense if the Planning Commission determines that the proposed use meets any of the following criteria:
  - a. The proposed use generates more light, noise, air, or other pollution than the current use;
  - b. The proposed use generates more traffic and/or turning movements, or negatively alters the traffic circulation pattern on or off the site;
  - c. The use generates a greater need for parking on-site;
  - d. The proposed use causes greater negative economic impacts on adjacent properties than the current use.
3. Where a use change requires submission of a site plan, the applicant shall be required to comply with all applicable zoning provisions as is deemed reasonably feasible by the Washington Township Planning Commission. Site plan compliance shall include but not be limited to such items as parking, landscaping, and signage.

- D. Abandonment; termination of nonconforming use. Any part of a building, structure or land occupied by a nonconforming use which hereafter is abandoned and remains unoccupied for a continuous period of twelve (12) months shall not thereafter be occupied, except by a use which conforms to the use regulations of the district in which it is located. This shall not apply to a seasonal nonconforming use of land. However, discontinuation for a full season with no active attempt to sell or market the property shall be considered abandoned and any future use shall conform to this Ordinance.
- E. Change of tenancy or ownership. There may be a change of tenancy, ownership or management of an existing nonconforming use, provided there is no change in the nature or character of such nonconforming use.
- F. Maintenance permitted. Except as otherwise provided in this Section, a nonconforming building or structure may be maintained. The maintenance of such building or structure shall include necessary repairs and incidental alterations, which alterations, however, shall not extend to the extent or degree or nonconformity of such building or structure to this Ordinance, provided that in a building which is nonconforming as to use regulations, no structural alterations shall be made, except those required by law or ordinance. Provided further, that the cost of such work shall not exceed thirty (30) percent of the assessed valuation of such building or structure at the time such work is done. This requirement shall not be considered as prohibiting the bringing of a structure into conformity with the regulations of the district in which it is located.
- G. Restoration of damaged building. A nonconforming building or structure having been damaged or partially destroyed by fire or other calamity to an extent not exceeding sixty (60) percent of its assessed valuation, exclusive of foundations, at that time, may be restored; and its immediately previous occupancy or use existing at the time of such partial destruction may be continued or be resumed, provided that such reconstruction is approved by the Building Official, and the work of restoration is commenced within one (1) year of the date of such partial destruction and is diligently carried on to completion. Whenever a nonconforming building or structure is damaged in excess of sixty (60) percent of its assessed valuation, exclusive of foundations, at that time, the repair or reconstruction of such building shall conform to all of the regulations of the district in which it is located and it shall be treated as a new building.
- H. Additions, enlargements, moving.
1. A building or structure that is nonconforming, in regard to setbacks or height, may be added to or enlarged if such addition or enlargement conforms to the regulations of the district in which it is located. In such case, such addition or enlargement shall be treated as a separate building or structure in determining conformity to all of the requirements of this Ordinance.
  2. When a building or structure, or portion thereof, is moved from one district to another or to another location within the same district, it must conform or be made to conform to all of the regulations, ordinances and codes of the district to which it is moved.
- I. Expansion prohibited. A nonconforming use of a portion of a building or structure, which building or structure otherwise conforms to the provisions of this Ordinance, shall not be expanded or extended into any other portion of such conforming building or structure, nor changed, except to a conforming use. If such nonconforming use, or portion thereof, is discontinued or changed to a conforming use, any future use of such building, structure, or portion thereof, shall be in conformity to the regulations of the district in which such building or structure is located.





J. Nonconforming use of land; continuation of use. The nonconforming use of land (where no building is involved) existing at the date this Ordinance becomes effective, may be continued, provided that:

1. No such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property.
2. If such nonconforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with the provisions of this Ordinance.

K. Compliance with regulations for nonconforming buildings or uses. Whenever the owner shall fail to comply with the provisions of this Ordinance relating to removal or discontinuance of a nonconforming use, the Building Official shall serve notice in writing on such owner or his agent requiring him/her to comply therewith within a reasonable time after such notice. If, after such notice, the owner fails to comply therewith, the Building Official shall take such action as may be necessary, including civil action, to cause compliance with the provisions hereof.

L. Nonconforming lot of record; division of nonconforming lot. Parcels shall not be divided in a manner that increases nonconformity, causes an existing structure or site improvement to become nonconforming, or creates one or more nonconforming lots.

M. Use of a nonconforming lot of record. Any nonconforming lot of record shall only be used as permitted in the district in which it is located. A single nonconforming lot may be developed or improved with a principal building and permitted accessory structures, without the need for a variance, provided that the following conditions have been met:

1. The structure and lot shall conform with all applicable yard dimensions, setbacks and other requirements, other than minimum lot width and lot area, for the district in which it is located.
2. The lot in question meets seventy-five (75) percent of the minimum lot width and lot area requirements of the district in which it is located.
3. The lot is not under contiguous single ownership with other lots that could be combined into one (1) or more conforming lots.

N. Contiguous nonconforming lots under the same ownership. Two (2) or more contiguous, nonconforming lots under the same ownership shall be considered one (1) parcel. The applicant shall not be permitted to make improvements to the parcel prior to combining such lots to create one conforming lot of record.

## 7.9 ZONING BOARD OF APPEALS

A. Creation and membership. There is hereby established a Zoning Board of Appeals, which shall perform its duties and exercise its powers as provided by Act 110, Public Acts of 2006, as amended, in such a manner that the objectives of this Ordinance shall be observed, public safety, morals and general welfare assured, and substantial justice done. The Zoning Board of Appeals shall consist of five (5) members as follows:

1. The first member shall be a member of the Township Planning Commission.
2. The remaining members shall be selected and appointed by the Township Board, of which members shall be representative of the population distribution and of the various interests present in the Township. One (1) elected member of the Township Board may serve on the Zoning Board of Appeals, but may not serve as chairman. Further, an employee or contractor of the Township Board may not serve as a member or an employee of the Zoning Board of Appeals.
3. The terms of each member shall be for three (3) years. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. All vacancies for unexpired terms shall be filled for the remainder of the term.



4. The Township Board may appoint two (2) alternate members for the same term as regular members of the Zoning Board of Appeals. An alternate member may be called to serve in the place of a regular member if the regular member will be absent or 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.
  5. Members of the Zoning Board of Appeals shall be removable by the Township Board for non-performance of duty or misconduct in office upon written charges after public hearing. A member shall disqualify him or herself from a vote in which there exists a conflict of interest. Failure of a member to disqualify him or herself from a vote in which there is a conflict of interest shall constitute misconduct in office.
  6. The Zoning Board of Appeals shall not conduct business unless a majority of the members of the Board are present.
  7. The members of the Zoning Board of Appeals shall be selected by the Township Board at a regularly called meeting. The Zoning Board of Appeals may elect one of its members as Chairman, Vice Chairman and Secretary. The Board of Appeals shall submit an annual report of its proceedings to the Township Board documenting the case approval/ denial rate for the year, as well as a proposed budget for the Board's consideration in appropriating monies to the ZBA.
- B. Jurisdiction. The Board of Appeals shall have the following powers and it shall be its duty:
1. To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision or determination made by the Building Department or Planning Commission in the administration or enforcement of this Ordinance.
  2. To grant dimensional variances from the provisions of this Ordinance as may be in harmony with its general purpose and intent so that the function of this Ordinance be observed, public safety and welfare secured, and substantial justice done, including the following:
    - a. Interpret the provisions of the Ordinance in such a way as to carry out the intent and purpose of the plan as shown in the use districts accompanying the Zoning Map.
    - b. Permit such modification of the height, setback, area or other dimensional regulations as may be necessary to secure and appropriate improvement of a lot which is of such shape, or so located with relation to surrounding development or physical characteristics, that it cannot otherwise be improved without such modification. The ZBA does not have the authority to grant use variances.
    - c. Permit the phasing of required site plan improvements where the cost of the required improvements are relatively high in relation to the total cost of the applicant's development or addition. Planning Commission recommendations shall be required, together with a bond in the amount of the deferred improvements.
    - d. The Zoning Board of Appeals shall not have the right to review an appeal to a decision made by the Township Planning Commission for cases involving special land use or planned unit development.
  - C. Meetings. Meetings of the Zoning Board of Appeals shall be held at the call of the Chairman and at such other times as such Board may determine or specify in its rules of procedure. All hearings conducted by said Board shall be open to the public. 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.



D. Appeals procedures. These procedures are instituted to hear and decide appeals from a review, order, requirement, decision or determination made by an administrative official or commission charged with the administration or enforcement of the Township Zoning Ordinance.

1. An application for the approval of a variance shall be made by an owner with an interest in the site to the Planning and Zoning Department, accompanied by the necessary fees and documents. The application shall be accompanied by a site plan, mortgage survey or plot plan drawn at a legible scale and placed on a standard sheet and containing the following information:
  - a. Dimensional elements for which a variance is requested.
  - b. Dimensional relationships of the subject lot to the structure on all adjacent lots.
2. The application shall be accompanied by a written narrative completed by the applicant explaining:
  - a. How the strict enforcement of the provisions of the Township Zoning Ordinance would cause practical difficulty and/or unnecessary hardship and deprive the owner of rights enjoyed by all other property owners owning property within the same zoning district.
  - b. How the conditions and circumstances are unique to the property and are not similarly applicable to other properties in the same zoning district.
  - c. How the conditions and circumstances unique to the property were not created by the owner, or his predecessor in title, within the time following the effective date of the provisions alleged to adversely affect such property.
  - d. Why the requested variance will not confer special privileges that are denied other properties similarly situated in the same zoning district.
  - e. Why the requested variance will not be contrary to the spirit and intent of this Zoning Ordinance.

3. The Planning Department shall notify the applicant and all owners of an interest in lots, as recorded on the Township tax roll, and within three hundred (300) feet of the subject lot upon which a variance is requested, of the time and place of the Zoning Board of Appeals meeting at which such application will be considered, provided, however, such notice shall be given not less than fifteen (15) days before such meeting.

4. The Board shall consider the application for variance at its next regular meeting, which provides sufficient time for notice as required heretofore, or within not more than forty-five (45) days after receipt of the application by the Planning Department and hear and question any witness appearing before the Board. Applications for ZBA review shall be submitted to the Planning Department a minimum of thirty (30) days prior to the date of the meeting to qualify for said meeting's agenda.

E. Variance review procedures. These variance review procedures are instituted to provide an opportunity for the relaxation of the terms of the Zoning Ordinance where a literal enforcement of the Ordinance would result, through no fault of the applicant, in practical difficulties or unnecessary hardship. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in adjoining zoning districts.

1. The Board shall approve, with or without conditions, or disapprove the application and shall communicate its action, in writing, to the Planning Department within one (1) week from the time of the meeting at which it considered the application.

a. The Board shall not approve an application for a variance unless it has been found positively that:

- (1) The strict enforcement of the Zoning Ordinance would cause practical difficulty and/or unnecessary hardship and deprive the owner of rights enjoyed by all other property owners owning property within the same zoning district.
- (2) The conditions and circumstances are unique to the subject property and are not similarly applicable to other properties in the same zoning district.
- (3) The conditions and circumstances unique to the property were not created by the owner, or his predecessor in title, within the time following the effective date of the provisions alleged to adversely affect such property.
- (4) The requested variance will not confer special privileges that are denied other properties similarly situated and in the same zoning district.
- (5) The requested variance will not be contrary to the spirit and intent of the Township Zoning Ordinance.

The Building Department shall, upon receipt of the notice of approval and upon application by the applicant, collect all required fees and issue a building permit or such other approval permitting the variance, subject to all conditions imposed by such approval.

F. Zoning Board of Appeals approval.

1. No order of the Zoning Board of Appeals permitting the erection and alteration of a building shall be valid for a period of longer than twelve (12) months, unless a building permit for such erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit. The applicant may file, in writing, a request for an extension of the Zoning Board of Appeals approval of up to twenty-four (24) months. The request shall be filed at the Planning Department. The Zoning Board of Appeals reserves the right to deny such request.

2. No order of the Zoning Board of Appeals permitting a use of a building or land shall be valid for a period longer than twelve (12) months, unless such use is established within such period; provided, however, that where such order shall continue in force and effect if a building permit for erection or alteration is started and proceeds to completion in accordance with such permit.

- a. The concurring vote of a majority of the members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or commission.
- b. All actions of the Board shall be stated in writing.

Δ September, 24, 2020

#### 7.10 ADMINISTRATION AND ENFORCEMENT

- A. Enforcement. The provisions of this Ordinance shall be administered and enforced by the Township Board through the Building Official or any other employees, inspectors and officials as the Township Board may delegate to enforce the provisions of the Ordinance.
- B. Duties of the building official. The Building Official shall have the power to grant building and occupancy permits, to make inspections of buildings or premises to carry out his/her duties in the enforcement of this Ordinance. It shall be unlawful for the Building Official to approve any plans until he finds such plans or use to be in compliance with this Ordinance. The Building Official under no circumstances is permitted to grant exceptions or vary the terms of this Ordinance.

The Building Official shall not refuse to issue a permit when the conditions imposed by this Ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements which may result upon the granting of said permit. If any application for such permit is not approved, the Building Official shall state in writing on the application the cause for such disapproval. Issuance of a permit shall in no case be construed as waiving any provisions of this Ordinance.



C. Certificates of occupancy. It shall be unlawful to use or permit the use of any land, building or structure for which a building permit is required, and to use or permit to be used any building or structure hereafter altered, extended, erected, repaired or moved until the Building Official shall have issued a certificate of occupancy stating that the provisions of this Ordinance have been complied with.

1. Certificate validity. The certificate of occupancy as required for new construction of or renovations to existing building and structures in the Building Code shall also constitute certificates of occupancy as required by this Ordinance.
2. Certificates for existing buildings. Certificates of occupancy may be issued for a part of a building or structure prior to the occupation of the entire building or structure, provided that such certificate of temporary occupancy shall not remain in force more than thirty (30) days, nor more than five (5) days after the building or structure is fully completed and ready for occupancy; and provided, further, that such portions of the building or structure are in conformity with the provisions of this Ordinance.
3. Temporary certificates. Certificates of temporary occupancy may be issued for a part of a building or structure prior to the occupation of the entire building or structure, provided that such certificate of temporary occupancy shall not remain in force more than thirty (30) days (six (6) months for landscape and screening), nor more than five (5) days after the building or structure is fully completed and ready for occupancy; and provided, further, that such portions of the building or structure are in conformity with the provisions of this Ordinance.
4. Application for certificates. Certificates of occupancy shall be applied for in writing to the Building Official coincidentally with application for building permits, and shall be issued within five (5) days after notification of completion of the building, if it is found that the building or structure, or part thereof, or the use of the land is in accordance with the provisions of this Ordinance. If such certificate is refused for cause, the applicant shall be notified of such refusal and the cause thereof within the aforesaid five (5) day period.

D. Planning Commission. The Washington Township Planning Commission, as established under Act 168 of the Michigan Public Acts of 1959, as amended, shall perform all of the duties of such Commission in accordance with the law in such case made and provided, relating to amendments of this Ordinance, and such other duties as are established in this Ordinance.

E. Amendments and changes. Amendments to this Ordinance may be made in the manner provided in Act 184 of the Michigan Public Acts of 1943, as amended, and in accordance with the initiatory procedure set forth hereinafter. Amendments may be initiated by the Township Board upon written request to the Planning Commission, or the Planning Commission may initiate amendments upon its own motion. Any person, firm or corporation affected by the provisions of this Ordinance may initiate a request for a text amendment hereto by submitting the necessary forms, obtainable from the Township, to the Planning & Zoning Department. Unless Township initiated, an amendment to the Zoning Map may only be initiated by a person, firm or corporation with a proprietary interest in the site proposed for rezoning. The petition shall be processed according to the procedures adopted by the Township.

F. Fees. The Township Board shall establish, by resolution, fees for each of the following:

1. Inspection and certification. Fees for inspections and the issuance of permits or certificates, or copies thereof, required or issued under the provisions of this Ordinance shall be collected by the Township Treasurer in advance of the issuance of such permits or certificates.
2. Appeals. Any person appealing under [Section 7.9](#) of this Ordinance in all cases shall pay the established fixed fee, plus such additional fees as may be deemed reasonable by the Township Board for expert services necessary to render a proper decision.
3. Reviews. Fees for the review of site plans, special approval uses or other matters requiring Township Board, Planning Commission or the Zoning Board of Appeals review, under the terms of this Ordinance, shall be paid to cover the cost of such reviews, including notice, publication, delivery, administration and professional services.



4. Rezoning. Any petition for the rezoning of land requiring an amendment of the Washington Township Zoning Ordinance shall be accompanied by a fee payable by the petitioner. Said fee shall be utilized to defray all costs, including necessary expert opinions in conjunction with the legislative review of the petition. Any costs incurred above and beyond the initial fee submitted shall be the responsibility of the petitioner.
5. Other. Fees for special resolutions pertaining to any matter relevant to this Ordinance or for the cost of special meetings of the Township Board, Planning Commission or the Zoning Board of Appeals shall be paid by the recipient or applicant prior to said resolution or meeting.
6. Waivers. The Township Board may waive payment of any fees established by resolution when it finds that the necessity for an appeal, variance and/or rezoning is the result of an error or omission by the Township Board in enactment of this Ordinance.

- B. Uses of land and dwellings, buildings or structures, including tents, and mobile homes, used, erected, altered, raised or converted in violation of any provision of this Ordinance are declared to be a nuisance per se. A violation of any of any of the provisions of this Ordinance is deemed to be detrimental to the health, safety and general welfare of the residents, property owners and persons within the Township. Any violation of the provisions of this Ordinance shall constitute a basis for the district court, pursuant to MCL 600.8302, to order injunctive relief against a violator or landowner to restrain and prohibit the violator or landowner from continuing the violation, in addition to any other relief or penalty provided within the Ordinance or allowed by law.

#### 7.11 VIOLATIONS AND PENALTIES— MUNICIPAL CIVIL INFRACTIONS

- A. Any person, persons, firm or corporation, or anyone acting on behalf of such a person, persons, firm or corporation, who shall violate any of the provisions of this Ordinance, or who fails to comply with any of the regulatory measures or conditions of the Zoning Board of Appeals, the Township Board or Planning Commission, adopted or promulgated pursuant to this Ordinance, shall, be responsible for a municipal civil infraction and upon a finding of responsible by the district court, be subject to a fine in accordance with the Washington Township Municipal Civil Infraction Ordinance, being Ordinance No. 144, and the cost of prosecution and administrative costs of the court in the discretion of the court. Each day such violation continues shall be deemed a separate violation. The imposition of any costs or fines by the court shall not exempt the offender from compliance with the requirements of this Ordinance.



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# Appendix A - Amendments

## 2020—Washington Township Ordinances

### Ordinance 138 Adopted September 24, 2020

Section 2.2	<a href="#">Definitions—"Accessory Use or Accessory"</a>
Section 3.28	<a href="#">V-1 District Regulations</a>
Section 3.29	<a href="#">Village Multiple-Family</a>
Section 4.24	<a href="#">Mining and Extraction</a>
Section 5.1	<a href="#">Accessory Buildings</a>
Section 5.2	<a href="#">Appearance Requirements for Multiple Family Residential Buildings</a>
Section 5.5	<a href="#">Fences, Gates, Pillars, Walls, and Similar Protective Barriers</a>
Section 6.2	<a href="#">Site Condominium Subdivision and Site Condominium Developments</a>
Section 7.9	<a href="#">Zoning Board of Appeals</a>

### Ordinance 138-20-01 Adopted December 16, 2020

Zoning Map	<a href="#">Parcel ID No. 24-04-02-353-042 rezoned from MR-2 to LC</a>
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## 2021—Washington Township Ordinances

### Ordinance 138-GG Adopted April 7, 2021

Article 4	<a href="#">Sections 4.1 to 4.59 (alphabetization of sections)</a>
Section 5.1	<a href="#">Accessory Buildings</a>
Section 5.1.B.3.a	<a href="#">Accessory Buildings—Setback Requirements</a>

### Ordinance 138-HH Adopted June 2, 2021

Section 2.2	<a href="#">Definitions—"enclosed locked facility", "marijuana", "medical use", "MMMA", "registered primary caregiver", "registered qualified patient", and "transfer"</a>
Section 3.15.B.15	<a href="#">IND General Industrial district—Permitted Uses</a>
Section 4.39.A.6 and 7	<a href="#">Medical Marijuana Uses—Purpose</a>
Section 4.39.C	<a href="#">Medical Marijuana Uses—Registered Primary Caregiver Operations</a>
Section 4.39.D	<a href="#">Medical Marijuana Uses—Certificate Required</a>



# Appendix A - Amendments

## 2021—Washington Township Ordinances (continued)

**Ordinance 138-II** Adopted June 2, 2021

Section 5.3.C      [Residential Entranceways](#)

## 2022—Washington Township Ordinances

**Ordinance 138-JJ** Adopted December 15, 2021, January 5, 2022

Section 5.13.C.5      [Location and Screening of Trash Receptacles](#) (repealed and replaced)

Section 5.19      [Residential Ponds](#) (added)

**Ordinance 138-JJ** Adopted April 6, 2022, Effective April 20, 2022

Section 3.15      [IND General Industrial district—D. Development Standards, Maximum lot coverage](#)

**Ordinance 138-JJ** Adopted July 13, 2022, Effective August 3, 2022

Illustration A      [Pathway and Sidewalk Road Designation](#) (added)

Section 2.2      Definitions—“Pathway, public or internal,” “Pathway and Sidewalk Road Designation Illustration,” “Road, excluded,” “Road, optional,” and “Sidewalk” (added)

Section 3.16      [Residential Open Space Development—I. Pedestrian circulation](#) (amended)

Section 5.8      [Pathways, Sidewalks, and Walkways](#) (amended, formerly Sec. 5.8 Pathways)

