

**CALEDONIA TOWNSHIP
ZONING ORDINANCE
ADOPTED
11/15/04**

Updated as of 10/1/15

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ARTICLE 1 - SHORT TITLE

This ordinance shall be known as the Caledonia Township Zoning Ordinance.

ARTICLE 2 - DEFINITIONS

Section 2.1 - General

When not inconsistent with the context, words used in the present tense include the future tense, words used in the singular number include the plural number and words used in the plural number include the singular. The word "shall" is always mandatory and not merely directory. The word "building" includes the word "structure" and vice versa. Terms not herein defined shall have the meanings customarily assigned to them.

Section 2.2 - Terms

The following terms shall have the following meanings when used in the within ordinance:

2.2.1. Accessory Building

Shall mean a building or a portion of a building subordinate to and on the same lot as a main building and occupied by or devoted exclusively to an accessory use, including but not limited to, a Private garage.

2.2.2. Accessory Use

A use of a building, lot or portion thereof, which is customarily incidental and subordinate to the principal use of the main building or lot.

Examples include: Parking spaces, signs, swimming pools

2.2.3. Adult foster care family homes

Private homes with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The number of occupants in a home, other than the licensee and the licensee's spouse, shall not exceed ten (10) persons. The adult foster care family home licensees must provide the care and be a member of the household and an occupant of the home. The ratio of responsible persons to residents shall not be less than one (1) responsible person to six (6) residents and two (2) children under the age of twelve (12) years or ratio thereof. The two (2) previous statements do not apply to those adult foster care family home applicants or licensees who applied for a license or who were issued a license before the promulgation of these rules.

2.2.4. Adult foster care large group homes (13-20 persons)

A group home that have an approved capacity to receive at least thirteen (13) but not more than twenty (20) adults to be provided with foster care. Any occupant of a home, other than the licensee or persons who are related to the licensee, live-in staff or the live-in staff's spouse and minor children, or a person related to a resident who is not in need of foster care, shall be considered a resident and be counted as a part of the licensed capacity. The total number of occupants shall not be more than six (6) over the licensed capacity.

2.2.5. Adult foster care small group homes (1-6 persons)

A group home that has the capacity to receive six (6) or fewer adults. Any occupant of a home, other than the licensee or persons who are related to the licensee, live-in staff or the live-in staff's spouse and minor children, or a person related to a resident who is not in need of foster care, shall be considered a resident and be counted as a part of the licensed

capacity. The total number of occupants shall not be more than six (6) over the licensed capacity. Care is provided by paid staff that do not necessarily live on site.

2.2.6. Adult foster care small group homes (7-12 persons)

A group home that has the capacity to receive not less than seven (7) or more than twelve (12) adults. Any occupant of a home, other than the licensee or persons who are related to the licensee, live-in staff or the live-in staff's spouse and minor children, or a person related to a resident who is not in need of foster care, shall be considered a resident and be counted as a part of the licensed capacity. The total number of occupants shall not be more than six (6) over the licensed capacity. Care is provided by paid staff that does not necessarily live on site.

2.2.7. Adult uses

Any use of land, whether vacant or combined with structures or vehicles thereon by which said property is devoted to displaying or exhibiting material for entertainment, a significant portion of which includes matter or actions depicting, describing or presenting "Specified Sexual Activities" or "Specified Anatomical Areas".

1. Adult entertainment use shall include, but not be limited to the following:
 - a. An adult motion picture theater is an enclosed building with a capacity of fifty (50) or more persons used for presenting material which has a significant portion of any motion picture or other display depicting or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.
 - b. An adult mini-motion picture theater is an enclosed building with a capacity for less than fifty (50) persons used for presenting material which has as a significant portion of any motion picture or other display depicting, describing or presenting "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.
 - c. An adult motion picture arcade is any place to which the public is permitted or invited wherein coin or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where a significant portion of images so displayed depict, describe or relate to "Specified Sexual Activities" or "Specified Anatomical Areas."
 - d. An Adult Bookstore is an establishment having, as a substantial or significant portion 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," as hereinafter defined, or an establishment with a segment or section devoted to the sale or display of such material.
 - e. An adult cabaret is a nightclub, theater or other establishment which features live performances by topless and/or bottomless dancers, "go-go" dancers, exotic dancers, strippers, or similar entertainers, where a significant portion of such performances show, depict or describe "Specified Sexual Activities" or "Specified Anatomical Areas."
 - f. An adult motel is motels wherein matter, actions or other displays are presented which contain a significant portion depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."
 - g. An adult massage parlor is any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or

- magnetic treatment or any other treatment or manipulation of the human body occurs as part of or in connection with "Specified Sexual Activities" or where any person providing such treatment, manipulation or service related thereto exposes "Specified Anatomical Areas."
- h. An adult model studio is any place where, for any form of consideration or gratuity, figure models who display "Specified Anatomical Areas" are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such considerations or gratuities, except that this provision shall not apply to any bona fide art school or similar education institution.
 - i. An adult sexual encounter center is any business, agency, or person who, for any form of consideration or gratuity, provides a place where three (3) or more persons, not all members of the same family may congregate, assemble or associate for the purpose of engaging in "Specified Sexual Activities" or exposing "Specified Anatomical Areas."
 - j. An Adult Smoking or Sexual Paraphernalia Store is an establishment having, as a substantial or significant portion of its stock in trade, paraphernalia designed or usable for sexual stimulation or arousal of for smoking, ingesting, or inhaling marijuana, narcotics, or other stimulating or hallucinogenic drug-related substances.
2. Significant Portion — As used in the above definitions, the phrase "significant portion" shall mean and include:
 - a. Any one (1) or more portions of the display having continuous duration in excess of five (5) minutes; and/or,
 - b. The aggregate of portions of the display having a duration equal to ten (10) percent or more of the display.
 - c. The aggregate of portions of the collection of any materials or exhibits composing the display equal to ten (10) percent or more of the display.
 3. Display — As used in the above definitions, the word display shall mean any single motion or still picture, presentation, dance or exhibition, live act, or collection of visual materials such as books, films, slides, periodicals, pictures, computer generated images, video cassettes or any other printed or recorded matter which is open to view or available to the general population whether for free or otherwise.
 4. Specified Sexual Activities — As used in the above definitions, the phrase "specified sexual activities" shall mean and include:
 - a. Human genitals in a state of sexual stimulation or arousal;
 - b. Acts of human masturbation, sexual intercourse or sodomy;
 - c. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
 5. Specified Anatomical Areas — As used in the above definitions, the phrase "specified anatomical areas" shall mean and include:
 - a. Less than completely and opaquely covered: 1) human genitals, pubic region; 2) buttock; and, 3) female breast below a point immediately above the top of the areola;
 - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2.2.8. Advertising Structure

A structural poster panel or painted sign, either freestanding or attached to a building, for the purpose of conveying information, knowledge, or ideas to the public about a subject unrelated to the premises upon which it is located.

2.2.9. Agriculture and horticulture

The commercial production, harvesting and storage of farm products or animals on a farm and the farm operations typically performed thereto, as defined in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended; except that the raising of livestock and other animals in intensive livestock operations are not included in this definition.

Examples include: General farming, truck farming, fruit orchards, nurseries, greenhouses, and usual farm buildings.

2.2.10. Agricultural tourism facilities

Commercial facilities are designed to attract visitors through the sale of agricultural byproducts and the sale of gifts, arts and crafts and other similar products. These facilities can also include the provision of agricultural-related activities such as hay rides, sleigh rides and petting zoos.

2.2.11. Airports, commercial

A transportation facility to accommodate the take-off, landing, shelter, supply, service and repair of aircraft, and the receiving and discharging of passengers and cargo.

2.2.12. Airports, private landing strips

A private transportation facility, closed to the public to accommodate the take-off and landing of aircraft. The runway is made of sod and not paved with any type of material.

2.2.13. Alley

A dedicated public way other than a street which provides a secondary means of access to abutting property and is not intended for general traffic.

2.2.14. Alteration

Any modification, addition, or change in construction or type of occupancy, and change or rearrangement in the structural parts of a building. Any enlargement of a building, whether by extending a side or by increasing its height, or the moving from one location to another.

2.2.15. Animal production, intensive feedlot operations

Any tract of land; or structure, pen, or corral, wherein cattle, horses, sheep, goats, and swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market. The intensive nature of these operations is such that vegetative cover cannot be maintained within the enclosure during the months of May, June, July and August. Open lots used for the feeding and rearing of poultry shall be considered an intensive feedlot operation. However, pastures used for the feeding and rearing of animals shall not be considered intensive feedlot operations.

2.2.16. Apartment

A room or suite of rooms, including bath and kitchen facilities, in a two-family or multiple dwelling intended or designed for use as a residence by a single family.

2.2.17. Apartment, Garden

A group of two (2) or more multiple dwelling buildings not over two (2) stories in height, located on the same lot, that offer each dwelling unit direct access to an open yard area.

2.2.18. Apartment House

A building used and/or arranged for rental occupancy, or cooperatively owned by its occupants, having three or more family units, and with a yard, compound, service, or utilities in Common.

2.2.19. Automobile service stations

A building or structure designed or used for the retail sale of fuel (stored only in underground tanks), lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including space for facilities for the storage, minor repair, or servicing, but not including bumping, painting, refinishing, major repairs and overhauling, steam cleaning, rust-proofing, where the primary use of the premises is such, or high speed washing thereof. The term covers such uses as quick oil change facilities and muffler/brake replacement facilities provided no major repairs as described above are undertaken.

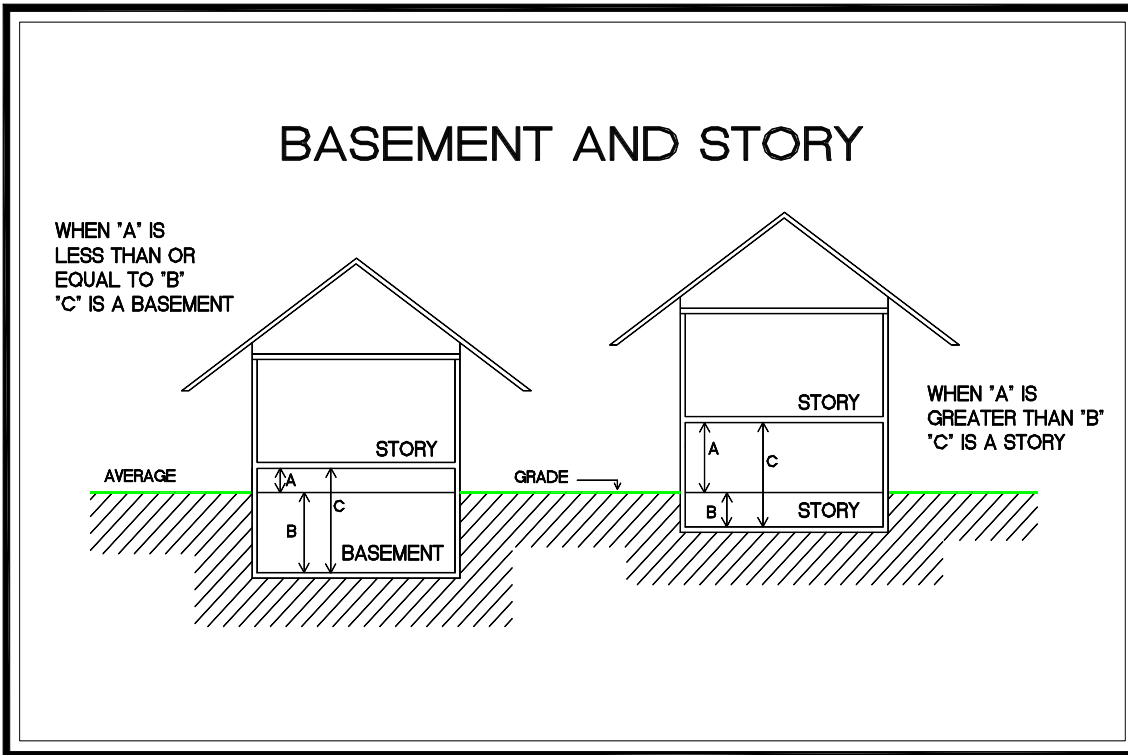
2.2.20. Automatic and Self-Service Car Wash

A building or portion thereof, containing facilities for washing more than two automobiles, using production line methods with a chain conveyor, blower, steam cleaning devices or other similar mechanical devices or providing individual bays for cleaning automobiles.

2.2.21. Basement

That portion of a building below the first floor joists, at least half of whose clear ceiling height is below the level of the adjacent ground. (See Figure 2-1)

FIGURE 2-1



2.2.22. Bed and breakfast establishments

A house, or portion of a house where short-term lodging rooms and meals are provided. A bed and breakfast is distinguished from a motel or hotel in that it shall have only one (1) set of kitchen facilities, employ only those living in the house or up to one (1) additional employee, and have a facade consistent with the surrounding homes. Typically these are residential type homes.

2.2.23. Berm

A lineal earthen mound of variable height and width, used as visual relief or transitional area between different land uses.

2.2.24. Block

The property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets, or between one (1) intersecting street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

2.2.25. Building

A structure erected on a site, a mobile home or mobile structure, a pre-manufactured or pre-cut structure, above or below ground, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind.

2.2.26. Building Area

The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.

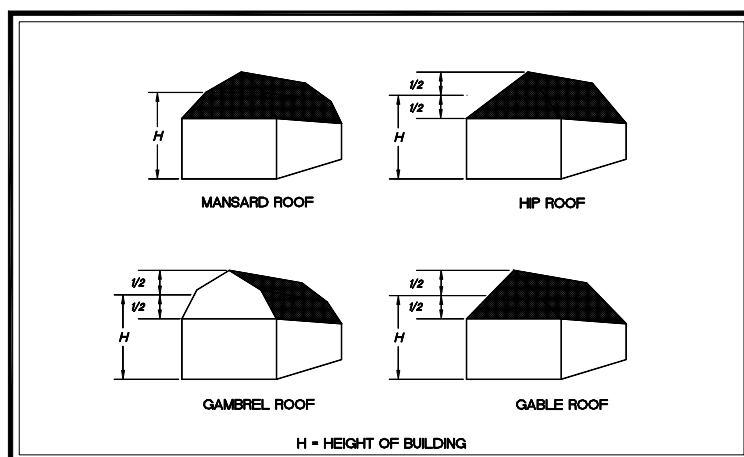
2.2.27. Building, Front Line of

The line that coincides with the face of the building nearest the front line of the lot which includes sun parlors and enclosed porches, but not steps.

2.2.28. Building height

The vertical distance measured from the established grade at the center of the front of the building to the highest point of the roof surface if a flat roof; to the deck of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs (see Figure 2-2).

Figure 2-2

**Building, Lines**

A line defining the front, side and rear yard requirements outside of which no building or structure may be located.

2.2.30. Building, Principal

A building in which is conducted the main or principal use of the lot **ON** which it is located.

2.2.31. Bus passenger stations

Facilities that function as a pick-up and drop-off station for bus riding passengers and include repair facilities and bus storage areas.

2.2.32. Business service establishments, Miscellaneous

Establishments which are primarily engaged in rendering services on a contract or fee basis to business establishments.

Examples include: Consumer credit reporting agencies, Mailing list and stenographic services, Business management consulting services, Duplicating services, and other establishments similar to and compatible with the above establishments.

2.2.33. Campgrounds

A parcel or tract of land under the control of a person or company on which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters in tents and/or other recreational vehicles. Campgrounds include a children's camp or adult foster care camp.

2.2.34. Cellar

That portion of a building which is partly or completely below grade and having at least one-half ($\frac{1}{2}$) its height below grade. (see Figure 2-1)

2.2.35. Cemeteries

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

2.2.36. Childcare Center

A facility, other than a private residence, receiving preschool or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day.

2.2.37. Clinic

A building where human or animal patients, who are not lodged overnight, are admitted for examination and treatment by a group of physicians, dentists, veterinarians, or similar professions.

2.2.38. Club

An organization catering exclusively to members and their guests, or premises and buildings for recreational, artistic, political or social for purposes which are not conducted primarily for gain and which do not provide merchandise, vending, or commercial activities, except as required incidentally for the membership and purpose of the club.

2.2.39. Commercial Garages

General repair of motor vehicles and farm equipment including engine rebuilding, or additional mechanical repair, reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair, overall painting, and vehicle rust-proofing.

2.2.40. Commercial horseback riding stables

A facility for the breeding, training, rearing and housing of horses, mules and similar domestic animals for a fee.

2.2.41. Commercial vehicles

Any vehicle bearing or required to bear commercial license plates.

Examples include: Truck tractors, semi trailer (including flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box type enclosures), ice cream trucks, milk trucks, bread trucks, fruit trucks, delivery trucks, electrician or electrical business trucks, plumbing business trucks, heating and cooling business trucks, other construction oriented trucks, tow trucks, commercial banking trucks, vehicle repair service trucks, snowplowing trucks, any other vehicle with a commercial license plate having a gross vehicle weight in excess of ten thousand (10,000) pounds or a total length in excess of twenty two (22) feet.

2.2.42. Commercial freestanding towers

A radio, telephone or television transmission, reception or relay structure including but not limited to monopole, skeleton framework, or other design which is attached directly to the ground or to another structure, used for the transmission or reception of radio, televisions,

microwave, or any other form of telecommunication towers and any tower erected by a public entity for hazard warning or other communication purpose.

2.2.43. Communication antennae

Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals and radio frequencies.

2.2.44. Condominium

The ownership of an apartment and the space enclosed by the description thereof as contained in the master deed in a multiple unit structure together with the ownership of an interest in common elements.

2.2.45. Condominium, contractible

A condominium project from which any portion of the submitted land or building may be withdrawn in accordance with the Condominium Act (PA 59 of 1978).

2.2.46. Condominium, conversion

A condominium project containing condominium units, some or all of which were occupied before the filing of a notice of taking reservations under Section 71 of the Condominium Act (PA 59 of 1978).

2.2.47. Condominium, expandable

A condominium project to which additional land may be added in accordance with the Condominium Act (PA 59 of 1978).

2.2.48. Condominium, general common elements

Portions of the condominium development owned and maintained by the condominium association, as defined in the Condominium Act (PA 59 of 1978).

2.2.49. Condominium, limited common elements

Portions of the condominium development other than the condominium unit itself reserved for the exclusive use of less than all of the co-owners of the condominium development, as defined in the Condominium Act (PA 59 of 1978).

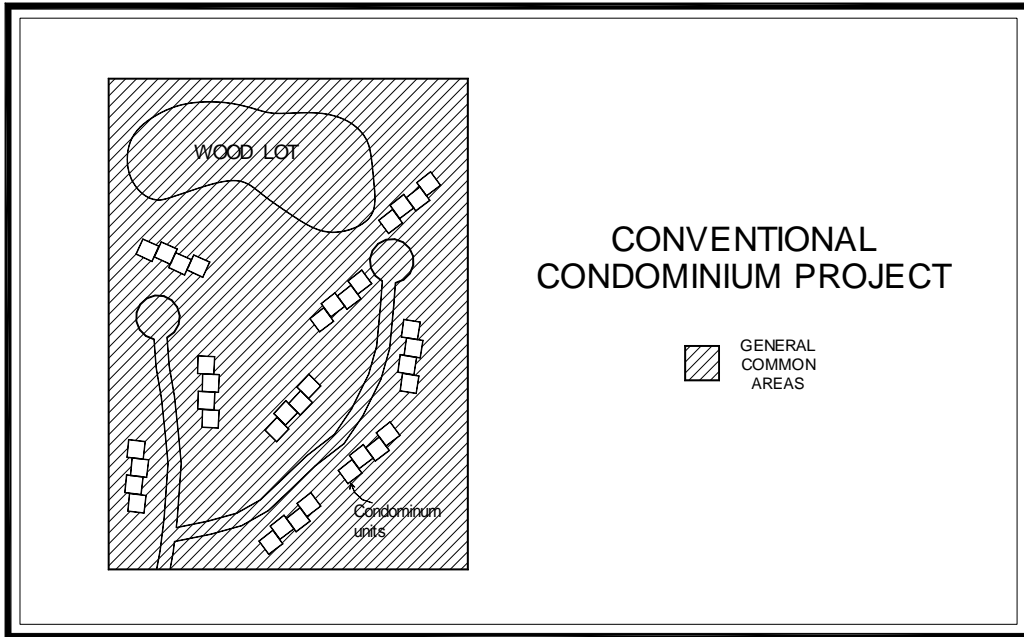
2.2.50. Condominium, master deed

The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and including those items required in Section 8 of the Condominium Act (PA 59 of 1978).

2.2.51. Condominium project, conventional

A development in which ownership interest is divided under the authority of the Condominium Act (PA 59 of 1978) and in which the condominium unit consists primarily of the dwelling or other principal structure and most of the land in the development is part of the general common area (see Figure 2-3).

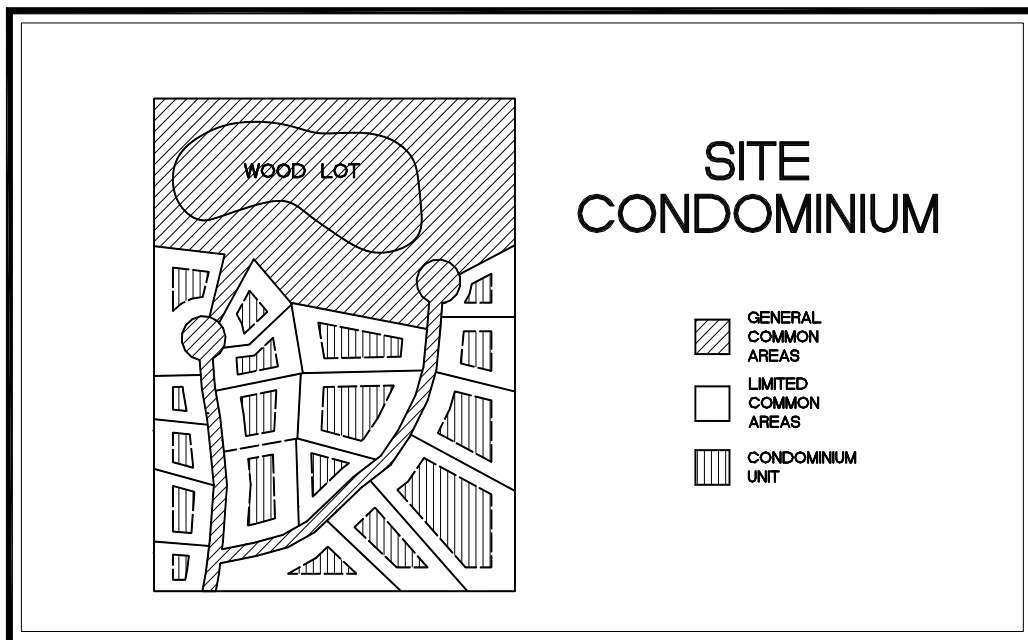
Figure 2-3



2.2.52. Condominium project, site

A development in which ownership interest is divided under the authority of the Condominium Act (PA 59 of 1978) and in which the condominium unit consists of a building site, with or without structures, which along with associated limited common elements, constitutes the equivalent of a lot (see Figure 2-4).

Figure 2-4



2.2.53. Condominium, subdivision plan

Means drawings and information prepared pursuant to section 66 of the Condominium Act, (PA 59 of 1978).

2.2.54. Condominium unit

A condominium unit is that portion of a condominium development designed and intended for occupancy and use by the unit owner consistent with the provisions of the master deed, as defined in the Condominium Act (PA 59 of 1978)

2.2.55. Congregate Facility

A facility which provides adult foster care for more than twenty (20) adults of which not more than six (6) can be of age sixty-five or older with the condition that each living unit does not exceed twenty (20) individuals and requires functional grouping of residents.

2.2.56. Convalescent or Nursing Home

A building wherein infirm, aged, or incapacitated persons are furnished shelter, care, food, lodging and medical attention.

2.2.57. Common Land

A parcel or parcels of land together with the improvements thereon; the use, maintenance, and enjoyment of which are intended to be shared by the owners and occupants of the individual building units in a planned unit development.

2.2.58. Country clubs

A club established to provide its members with access to outdoor activities such as golf, tennis and other related activities.

2.2.59. Coverage Lot

That percent of the plot or lot covered by the building area.

2.2.60. Crematory

A location containing properly installed, certified apparatus intended for use in the act of cremation.

2.2.61. Customary Agricultural Operations

A range of agricultural activities consistent with a rural community, but not including the raising of livestock

2.2.62. Customary Household Pets

Any domesticated dog, cat, or other animal kept for friendship or hunting purposes.

2.2.63. Day care, adult (1-6 persons)

Facilities that provide temporary care for less than a twenty four (24) hour period for persons over the age of eighteen (18) in a supervised environment. Generally, these establishments provide care for the elderly or disabled. There shall be no more than six (6) clients cared for on the property at any given time.

2.2.64. Day care, adult (7-12 persons)

Facilities that provide temporary care for less than a twenty four (24) hour period for persons over the age of eighteen (18) in a supervised environment. Generally, these establishments provide care for the elderly or disabled. There shall be no less than seven (7) and no more than twelve (12) clients cared for on the property at any given time.

2.2.65. Day care, adult (13 or more persons)

Facilities that provide temporary care for less than a twenty four (24) hour period for persons over the age of eighteen (18) in a supervised environment. Generally, these establishments provide care for the elderly or disabled. There shall be no less than thirteen (13) clients cared for on the property at any given time.

2.2.66. Day care homes, family (1-6 persons)

A child care facility that provides licensed day care in private homes for six (6) or fewer unrelated minor children under the age of eighteen (18). Children receive care and supervision for periods of less than twenty four (24) hours a day unattended by a parent or legal guardian for more than four (4) weeks during a calendar year.

2.2.67. Day care homes, group (7-12 persons)

A child care facility that provides licensed day care in private homes for not less than seven (7) or no more than twelve (12) unrelated minor children under the age of eighteen (18). Children receive care and supervision for periods of less than twenty four (24) hours a day unattended by a parent or legal guardian for more than four (4) weeks during a calendar year. Facilities that provide licensed day care to thirteen (13) or more minor children constitute a commercial day care center.

2.2.68. Deck

A platform, other than a porch, either freestanding or attached to a building, which is supported by pillars or posts.

2.2.69. Density

The number of dwelling units situated on or to be developed on a net acre of land.

2.2.70. Dismantled Motor Vehicles

A motor vehicle from which some part or parts which are ordinarily a component thereof have been removed or are missing and which render the vehicle incapable of being operated or propelled under its own power.

2.2.71. District

An area of land for which there are uniform regulations governing the use of buildings and premises, density of development, yard requirements, and height limitations.

2.2.72. Dormitory

A building or portion thereof used for housing purposes under the supervision of a college, university, or other institution.

2.2.73. Drive-thru establishments

An establishment that by design, physical facilities, service or by packaging procedures encourages or permits customers to conveniently make deposits or receive other services,

or obtain goods without leaving their motor vehicles. Distinguished from a drive-in establishment by the absence of parking while the service is being provided or brought to the customers.

Examples include: Restaurants, banks, drug stores, photo shops, grocery or party stores, and related businesses.

2.2.74. Drive-in establishments

A business establishment so developed that its principal retail or service character is dependent on providing a parking spaces for motor vehicles so as to serve patrons while in the motor vehicle.

2.2.75. Dwelling, Single-Family

A building containing not more than one dwelling unit designed for residential use.

2.2.76. Dwelling, Two-Family

A building containing not more than two separate dwelling units designed for residential use and conforming in all other respects to the standards set forth in Section 15.52, Dwelling, Single-Family.

2.2.77. Dwelling, Multiple-Family

A building containing three or more dwelling units designed for residential use and conforming in all other respects to the standards set for in Section 15.10, Dwelling, Single-Family.

2.2.78. Dwelling, Row House, or Town House

Three or more one-family dwelling units, each having access on the first floor, to the same lot, that offer each dwelling unit direct access to an open yard area.

2.2.79. Dwelling Unit

A building, or portion thereof, designed exclusively for residential occupancy by one family and having cooking facilities.

2.2.80. Educational institutions

Any building or part thereof which is designed, constructed, or used for education or instruction including vocational, K-12, college, university or similar educational activities.

Examples include: Public or private elementary and secondary schools, institutions for higher education, auditoriums and other places for assembly, and centers for social activities.

Non-profit: Public (including charter schools), parochial or other private elementary, intermediate, and/or high schools offering courses in general education.

For-profit: Schools including public trade or similar private schools and colleges, offering courses of instruction.

2.2.81. Emergency Housing

Use of a non-permanent residence such as a mobile home for a limited period of time as a residence while an existing residence damaged by fire, acts of God or an enemy is being repaired.

2.2.82. Erected

The construction, alteration, reconstruction, moving upon, or any physical activity upon a lot.

2.2.83. Essential Services

The term Essential Services means the erection, construction, alteration or maintenance by public utilities or township departments or commissions of underground or overhead gas, electrical, steam or water transmissions or distribution systems, collections, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, telephone exchange and/or repeater buildings, electric substations and substation buildings, gas regulator stations and regulator buildings and other similar equipment and accessories in connection therewith (but not including any buildings except those expressly referred to herein reasonably necessary for the furnishing of adequate service by such public utilities or township departments or commissions or for the public health, safety, or general welfare.

2.2.84. Establishments related to medical and dental uses

A facility that provides services or products related to the operation of medical and dental facilities and their patients

Examples Include: Pharmacies, medical, dental, and optical laboratories; stores offering supportive or corrective garments and prosthetic appliances; and other establishments similar to and compatible with the above establishments

2.2.85. Family

1. An individual or a group of two or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants with not more than one additional unrelated person, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit or,
2. A collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing nontransient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

2.2.86. Farm

A parcel of land containing at least twenty (20) acres which is used for gain in the raising of agricultural products, livestock, poultry, and dairy products which include necessary farm structures and the storage of equipment used, but which excludes the raising of fur bearing animals, riding academies, livery or boarding stables, and dog kennels.

2.2.87. Fee Simple Title

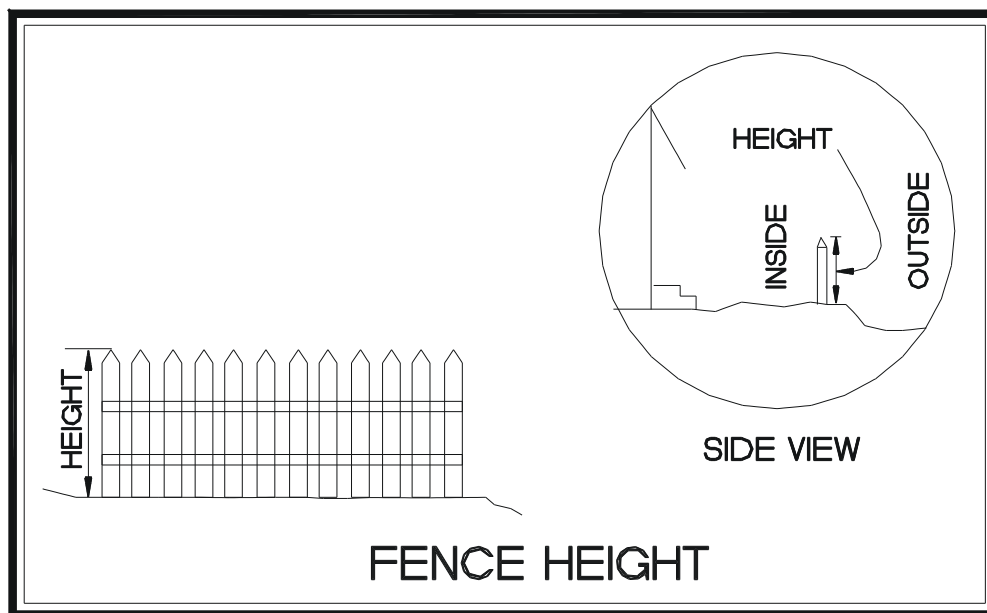
A freehold estate with no restrictions with respect the inheritable characteristics and full possessory rights.

2.2.88. Fence

An accessory structure intended for use as a barrier to property ingress and egress, a screen from objectionable vista, noise, and/or for decorative use.

2.2.89. Fence height

The vertical distance between the ground on the exterior side of fence and the highest point of the fence excluding gates, posts and other decorative features (see Figure 2-5).

Figure 2-5**2.2.90. Filing Date**

The date upon which any application pursuant to this Ordinance is submitted and the required filing fee is paid.

2.2.91. Flood Plain

Land areas adjacent to a water body or watercourse including drainage ways subject to periodic inundation which are indicated on the Flood Plain Information Study, U.S. Army Corps of Engineers, the Flood Hazard Analysis Study, U.S. Soil Conservation Service, or equivalent technical determination.

2.2.92. Floor area, gross

The sum of horizontal areas of all of the floors of a building, measured from the interior faces of the exterior walls, not including breezeways, unenclosed porches and attached garages.

2.2.93. Floor area, usable

Usable floor area, for the purposes of computing parking needs for off-street parking spaces, is net floor area used for or intended to be used for the sale of merchandise or services or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage of merchandise, or for utilities shall be excluded from this computation of "Usable Floor Area." Measurement of floor area shall be the sum of horizontal areas of all of the floors of the building, measured from the interior faces of the exterior walls.

2.2.94. Foster care

The provision of supervision, personal care, and protection in addition to room and board, for twenty four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive three (3) weeks for compensation.

2.2.95. Foster family group homes

A private home in which either five (5) or six (6) minor children who are not related to an adult member of the household by blood, marriage or adoption, are provided care. This care is provided for twenty four (24) hours a day, for more than four (4) days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian. Often, these children are awaiting adoption.

2.2.96. Foster family homes

A private home in which one (1), but not more than four (4), minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for twenty four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.

2.2.97. Garage, Parking

A structure or series of structures for the temporary storage or parking of motor vehicles having no public shop or service connected therewith.

2.2.98. Garage, Private

An accessory building used for parking or storage of vehicles as may be required in connection with the permitted use of the principal building.

2.2.99. General Building Contractors Establishment

A facility for the operation of a building contractor, well driller or similar business, including office facilities, for the storing of equipment and supplies.

2.2.100. General Retail Establishments

A retail establishment that is primarily engaged in the purchase and resale of goods or merchandise to the public for personal, household, or business use or consumption and rendering services incidental to the sale of such goods. There may be some processing of products incidental or subordinate to the selling activities.

Examples include: General and specialized clothing stores, gift shops, music stores, book and stationary stores, bicycle stores, household appliance stores, interior decorators, greenhouses and nurseries, art merchandising studios, furniture stores, jewelry stores,

novelty shops, pet stores, toy stores, office supply stores, and other retail establishments similar to and compatible with the above establishments.

2.2.101. Golf courses

A tract of land for playing golf, with tees, greens, fairways and hazards such as sand traps and surface water. A miniature golf course is not included in the general term “golf courses” as defined in this Ordinance.

2.2.102. Golf courses, miniature

A facility or course that has only a short distance from the start of a hole to the end. A putting golf club is exclusively used at these facilities.

2.2.103. Golf driving ranges

A facility including golf tees and fairways designed to permit participants to practice driving golf balls or hitting

2.2.104. Grade

A reference plan representing the average of finished ground level adjoining the building at all exterior walls.

2.2.105. Grade, Finished

The completed surface of lawns, walks, and roads brought to grades as shown on official plans or designs related thereto.

2.2.106. Greenhouses, non-retail

A non-retail commercial operation which sells agricultural products grown or produced on the site to buyers located off-site.

2.2.107. Greenhouses, retail

A commercial retail operation which sells plants and planting material including material not grown or produced on site.

2.2.108. Gross Industrial Acre

A measurement of industrial land usage that includes the entire area of a parcel zoned industrial, including vacant land and land otherwise not useable such as wetlands, or land covered by an easement.

2.2.109. Group Daycare Home

A private home in which more than six (6), but not more than twelve (12), children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year.

2.2.110. Guest Unit

A room or group of rooms occupied, arranged or designed for occupancy by one or more guests for compensation.

2.2.111. Halfway House

Public or private building(s) used principally for the occupancy and therapy of mentally and emotionally ill persons not requiring intensive care, supervision, or confinement. For purposes of this Ordinance, all requirements of public and semi-public institutions shall apply.

2.2.112. Home Occupations

Occupations engaged in within a dwelling by the resident or residents of the same family.

2.2.113. Hospital

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

2.2.114. Host or Hostess Establishment

Establishments or clubs offering socialization with a host or hostess for a consideration to the host or hostess or for an admission or membership fee.

2.2.115. Hotel

A building in which the rooms are occupied or designed for temporary occupancy by individuals who are lodged with or without meals and in which there are more than ten (10) sleeping rooms served only by a general kitchen and dining facility located within the building.

2.2.116. Industrial, Heavy

Intensive high volume production with a relatively high ratio of workers to floor area over twenty-five (25) workers per gross industrial acre wherein bulky, durable goods, requiring heavy trucking or rail movement are fabricated and which produces smoke, noise, and odor.

2.2.117. Inoperable Motor Vehicles

A vehicle, as defined in Act 300 of 1939, amended, which by reason of dismantling, disrepair, or other cause is incapable of being propelled under its own power, and which condition exists and continues for a period of twenty-four (24) hours.

2.2.118. Institutions for human care

Facilities for the care of people, including accommodations for short term or long term stays onsite.

Examples include: hospitals, clinics, sanitariums, nursing or convalescent homes, homes for the aged and other philanthropic and charitable institutions

2.2.119. Junk

Junk shall be considered to be miscellaneous dry solid waste material resulting from housekeeping, mercantile and manufacturing enterprises and offices including, but not limited to, scrap metals, rubber and paper, abandoned, wrecked, unlicensed and inoperable automobiles and motor vehicles, rags, bottles, tin cans, and comparable items.

2.2.120. Junkyard

Any land or building used for commercial storage and/or sale of paper, rags, scrap metals, other scrap or discarded materials, or for the dismantling, storage or salvaging of automobiles or other vehicles not in running condition, or of machinery or parts thereof, but not including a dump.

2.2.121. Kennel

Any lot or premise on which four (4) or more dogs, cats, six months age or older, are kept.

1. Kennel, Commercial: Any lot or premise used for the commercial sale, boarding, or treatment of dogs, cats, or other domestic animals.
2. Kennel, Private: Any lot or premises used for the private maintenance of up to ten (10) dogs, cats, or other Household pets not involving any commercial activities. Keeping of more than ten (10) animals shall be considered a commercial kennel regardless of ownership of animals.

2.2.122. Lawn Care Services

A business that provides customers with gardening and lawn maintenance services. The facility includes the areas where material such as fertilizers and mulch are stored and equipment is stored and serviced but does not include areas where waste material such as brush, leaves and grass clipping are dumped.

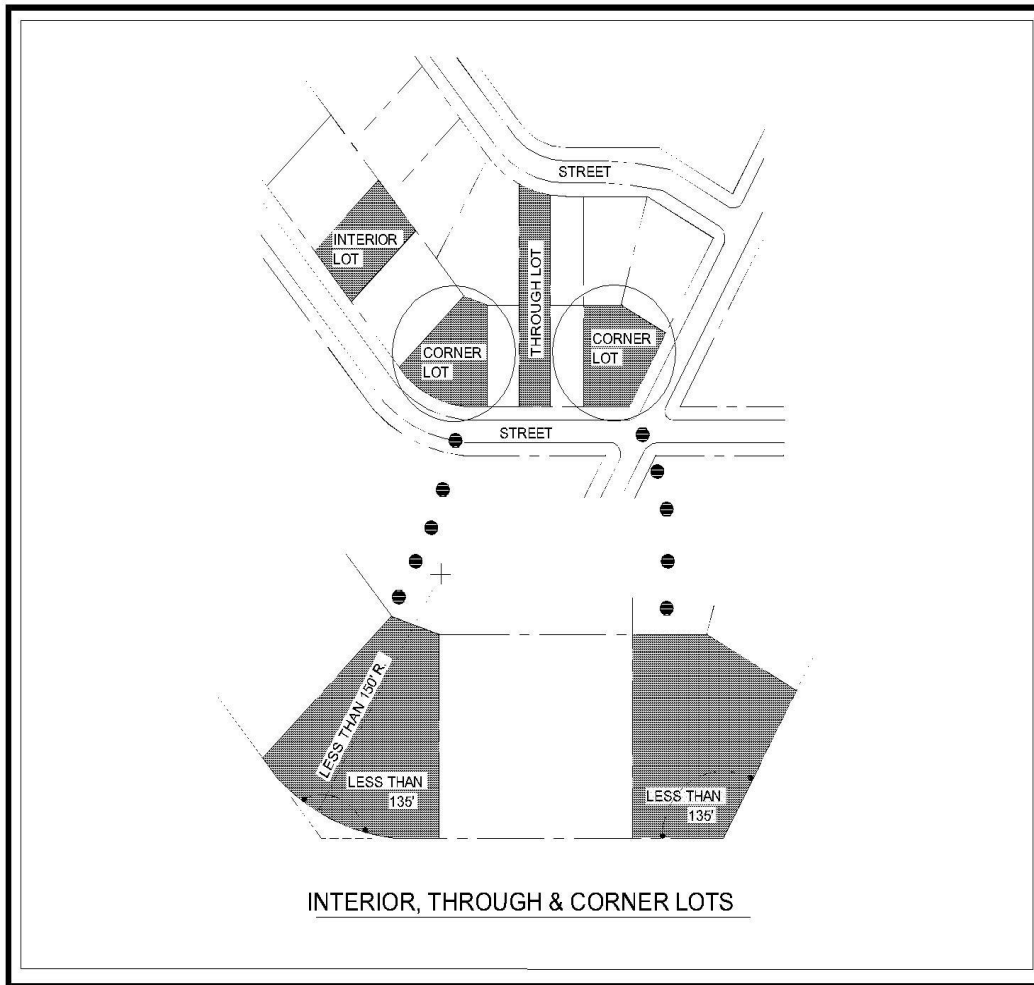
2.2.123. Lot

Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this ordinance for a lot in the district in which such lot is situated and having the required frontage on a street. In the case of a site condominium, each condominium unit and its associated limited common area shall constitute a lot.

2.2.124. Lot Area

The total horizontal area included within lot lines. Where the front lot line is the centerline of a street or lies in part or in whole in the street area, the lot area shall not include that part of the lot in use or to be used as the street.

Figure 2-6

**2.2.125. Lot, Corner**

A lot located at the intersection of two streets or a lot bounded on two sides by a curving street, any two cords of which form an angle of 135 degrees or less as measured on the lot side. The point of intersection of the street lot lines is the "corner". In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above.

2.2.126. Lot coverage

That part or percent of the lot occupied by buildings or structures, including accessory buildings or structures

2.2.127. Lot Depth

The mean horizontal distance from the front street line to the rear lot line.

2.2.128. Lot, gore shaped

A triangular shaped lot. (See figure 2-6)

2.2.129. Lot, Interior

A lot other than a corner lot.

2.2.130. Lot, Front Line

That side of the lot abutting upon a public or private street right-of-way or abutting upon a lake; in the case of a corner lot, either street right-of-way line may be considered the front line of the lot if it contains the minimum required frontage. The side of a corner lot to be considered the front shall be identified by the developer of a subdivision or condominium on the plat or by a property owner on their zoning permit plot plan or site plan drawing.

2.2.131. Lot lines

The property lines bounding the lot

2.2.132. Lot, Rear Line

Ordinarily that lot line which is opposite and most distant from the front lot line as herein before defined. In the case of an irregular-shaped lot, a line 10 feet in length entirely within the lot and parallel to and at the maximum distance from the front lot line shall be considered the rear lot line for the purpose of determining required rear yard spacing.

2.2.133. Lot of record

A lot which actually exists in a subdivision plat or condominium plan as shown on the records of the County Register of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

2.2.134. Lot, Side Line

Any lot line not qualifying as a front or rear lot line. A side lot line separating a lot from a street right-of-way shall be known as a Side Street Lot Line. A side lot line separating a lot from another lot or lots shall be known as an Interior Side Lot Line.

2.2.135. Lot, through

A lot having its front and rear yards each abutting a street (see Figure 2-7)

2.2.136. Lot Width

The mean horizontal distance between the side lines as measured at right angles to such side lot lines. Where side lot lines are not parallel, the lot width shall be the average horizontal distance between such side lot lines.

2.2.137. Manufactured Homes

Dwelling units prefabricated in part or total and transported to the building site for long-term use.

2.2.138. Massage Parlor

An establishment where persons conduct, or permit to be conducted, or engaged in, massages of the human body or parts thereof by means of pressure, imposed friction, stroking, kneading, rubbing, tapping, pounding, vibrating, or otherwise stimulating the same with hands, other parts of the human body, mechanical devices, ointments, oils, alcohol, or any other means of preparations to provide relaxation or enjoyment to the recipient.

2.2.139. Mobile Home

A structure, transportable in one (1) 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.

2.2.140. Mobile Home Park

Any parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual, non-recreational basis and which is offered to the public, regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment or facility used, or intended for use, accessory and incidental of such a mobile home.

2.2.141. Home Site or Space

A portion of the mobile home park set aside and clearly marked and designated for occupancy and accommodation of an individual mobile home or trailer coach.

2.2.142. Mobile home subdivision

The development of property under the subdivision provisions of the Land Division Act (PA 288 of 1967) for the purpose of creating lots for siting mobile homes that may not meet the standards for a single family residence under this ordinance.

2.2.143. Mortuaries or funeral homes

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 for 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, and may or may not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

2.2.144. Motel

A building or group of buildings, whether detached or in connecting units used as individual sleeping or dwelling units, designed primarily for transient automobile travelers and providing accessory off-street parking facilities. The term "motel" shall include buildings designated as "auto courts", "tourist courts", "motor courts", "motor hotels", and similar appellations which are designed as integrated units of individual rooms under common ownership.

2.2.145. Net Acre

A unit of measurement defined as the area of a parcel minus any land in utility easements, rights-of-way or similar restrictions.

2.2.146. Nonconforming Lot

A lot, the area, width, or other characteristic of which fails to meet requirements of the zoning district in which it is located and which was conforming "of record" prior to enactment of the Zoning Ordinance.

2.2.147. Nonconforming Structure

A structure, lawfully existing at the time this ordinance became effective, but which does not conform with the present regulations of the district in which it is located with regard to size, setback or other physical characteristic.

2.2.148. Nonconforming Uses

The use of a building, structure, or land lawfully existing at the time this ordinance became effective, but which does not conform with the present use regulations of the district in which it is located.

2.2.149. Nursing or Convalescent Home

A structure with sleeping rooms where persons are housed or lodged and furnished meals and nursing care for hire.

2.2.150. Office

A room, suite of rooms, or building in which are located desks, chairs, tables, couches, bookcases (accounting, filing, recording, communication and/or stenographic) equipment for current use in the office business, and personnel engaged in executive, administrative, professional, political, informative, research and/or clerical duties, and other similar, related incidental furniture, equipment or personnel connected or concerned with the performance of a personal service which causes or creates no external disturbance, nuisance, or annoyance beyond the confines of said rooms or building.

2.2.151. Office Establishments

Use of a building characterized by activities conducted in an office setting and generally focusing on business, government, professional, financial or other related services. Accessory uses may include cafeterias and health facilities established primarily to service the needs of employees on the premises.

Examples include: Financial institutions, insurance offices, real estate offices, offices for attorneys accountants, architects, engineers and similar professionals, photographic studios, and other office establishments providing human health care on an outpatient basis

2.2.152. Office Establishments, large

Office establishments over 5,000 square feet in size.

Examples include: Office buildings, industrial parks, corporate headquarters

2.2.153. Offices of Non-Profit Organizations

Use of a building for activities related to the operation of a non-profit organization.

Examples Include: Professional membership organizations, labor union, civic, social, and fraternal associations, political organizations, and religious organizations.

2.2.154. Open Space

Land used for recreation, resource protection, amenity and/or buffer yards

2.2.155. Parks, private

An area or parcel that may be open to the general public or may be restricted to members or employees and reserved for recreational, educational or scenic purposes. These parks may be owned by governmental units, private individuals, organizations, businesses or corporations.

2.2.156. Parking Space

A land prepared as to be usable for the parking of a motor vehicle and so located as to be readily accessible to a public street or alley.

2.2.157. Partially Dismantled Motor Vehicle

A motor vehicle from which some part or parts which are ordinarily a component thereof have been removed or are missing and which render the vehicle incapable of being operated or propelled under its own power.

2.2.158. Pawnshop

An establishment where merchandise is left as security for a loan of money and abandoned if repayment of the loan has not been made within a specified period.

2.2.159. Personal Service Establishments

Personal service establishments are primarily engaged in providing services involving the care of a person or his or her personal goods, apparel or other belongings.

Examples Include: Barber and beauty shops, tailor and dressmaker shops, shoe shine and shoe repair shops, self-service laundry and dry cleaning establishments, dry cleaning and laundry pick up stations, dry cleaning and laundry establishments performing work on premises, but excluding those which service pick up stations located off the premises, photographic studios, and other personal service establishments similar to and compatible with the above establishments.

2.2.160. Personal Service Establishments - Office

Personal service establishments are primarily engaged in providing services involving the care of a person or his or her personal goods, apparel or other belongings.

Examples Include: Barber and beauty shops, tailor and dressmaker shops, shoe shine and shoe repair shops, self-service laundry and dry cleaning establishments, dry cleaning and laundry pick up stations, dry cleaning and laundry establishments performing work on premises, but excluding those which service pick up stations located off the premises, photographic studios, custom art and photography frame shop and other personal service establishments similar to and compatible with the above establishments.

2.2.161. Photography studios

A facility for the staging and production of photographic pictures, including indoor and outdoor areas with limited facilities for the processing of film.

2.2.162. Pinball or Video Game Arcade or Establishment

Establishments where the principal business consists of customer-operated games or entertainment experience of a mechanical, electronic, physical or emotional nature or an admission fee, or a fee for the use of the particular devices engaged by a customer.

2.2.163. Planned Neighborhood Convenience Shopping Center

A group of commercial establishments planned and developed as a unit with off-street parking provided on the property and designed to serve the nearby areas and local traffic with convenience level retail sales and service.

2.2.164. Planned Shopping Center or Regional Mall

A group of commercial establishments planned and developed as a unit with off-street parking provided on the property and designed to serve community-wide or regional retail markets.

2.2.165. Planned Unit Development

A land area which has both individual building sites and common property such as park and which is designed and developed under one (1) owner or organized group as a separate neighborhood or community unit.

2.2.166. Planning Commission

The Township Planning Commission established under the authority of Public Act 168 of 1959.

2.2.167. 2.2.99. Pool or Billiard Hall

An establishment having a substantial or significant portion of its space devoted to the game of pool, billiards, bumper pool, ping pong, darts, dice, cards, or similar activities.

2.2.168. Porch, enclosed

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

2.2.169. Porch, open

A covered entrance to a building or structure which is unenclosed except for columns supporting the porch roof, or similar architectural feature and projects out from the main wall of said building or structures and has a separate roof or an integral roof with the principal building or structure to which it is attached.

2.2.170. Prime Agricultural Land

Land best suited for the production of food, feed, forage, and fiber crops. It is now or could be available for such uses and could be crop land, pasture land, forest, or other land. It does not include urban build-up or water areas. Criteria:

1. It has the soil quality, growing season, and moisture conditions necessary to produce high yields of crops economically when treated and managed in accordance with modern farming methods.
2. Soils with the capability of producing yields of crops common to the area equal to or greater than yields from well-managed, deep, well-drained, sandy loams.
3. Slopes of less than six percent.
4. Effective rooting depth of at least 20 inches.
5. If drainage is needed, the land must be capable of providing sufficient depth for production of crops common to the area. (Excluded are lands with waterlogged soils)

which have standing water of as much as six inches deep several times during the growing season.)

6. Soils that do not flood more than once every two (2) years.
7. Soils that present no particular difficulty in cultivating with large equipment (less than 10 percent is covered with coarse rock fragments).
8. Land having the potential of being made prime for agriculture through economically justifiable investments and practices. For example: drainage, clearing, irrigation, etc.

2.2.171. Principal Use

The main use to which the premises are devoted and the principal purpose for which the premises exist.

2.2.172. Private Nonprofit Recreation

Recreation facilities operated by nonprofit, noncommercial organizations, recreation facilities.

Examples include: Private community swimming pools, community recreation centers, tennis courts, and other non-commercial recreational facilities.

2.2.173. Proof of Equitable Title

Proof of Equitable Title is defined as a recorded land contract agreement or recorded deed conveying to the purchaser interest in real estate and/or any assignments of the purchaser's interest thereof.

2.2.174. Public buildings

Buildings that house public services and uses usually in offices; but not including “utility and public service installations” or “educational and social institutions”.

Examples include: Ambulance stations, fire, police, post office and other municipal offices.

2.2.175. Public recreation and playgrounds

An area or parcel open to the general public and reserved for the recreational, educational or scenic purposes.

Examples include: Play fields, play grounds and other recreational facilities.

2.2.176. Public Service Installations

A building or structure within which a public utility or transportation service deemed necessary for the public health, safety or general welfare is provided to the public by an entity under public franchise or ownership

Examples include: Public utility transformer stations, gas regulator stations. Accessory uses may include offices, truck and large equipment parking, fueling and maintenance and other related facilities.

2.2.177. Public Utility

Any person, firm, corporation, municipal department or board authorized to furnish the public, electricity, gas, steam, telephone, telegraph, transportation or water service.

2.2.178. Reclamation

The activity of returning a parcel of land that has been surface mined for gravel, coal, clay, shale, or any earth material and used as an operations area to a land form that has a viable land use compatible with land use activities in the surrounding area. This further implies that the proposed land use has a value equal to or greater than the use of the parcel prior to mining and operations activity.

2.2.179. Recreation, Private

A recreational space or structure, or combination thereof, belonging to and/or operated by private interests for use by private individuals and/or organizations and/or public, consisting primarily of man-made structures and/or other artificial apparatus which are necessary to or form the basis for said use.

2.2.180. Recreation, Public

Any recreational space or structure owned by the public or any space and structure or combination thereof, privately owned and publicly used, consisting primarily of the utilization of natural physical features as the basis for said use (structures and artificial apparatus being secondary to the primary outdoor use).

2.2.181. Recreational Vehicle

A vehicle designed to be used primarily for recreational purposes, including temporary sleeping quarters and/or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pickup campers, travel trailers, and tent trailers; provided, however, that any such vehicle or unit which is 40 feet or more in overall length shall be considered a mobile home and shall be subject to all regulations of this ordinance applicable to a mobile home.

2.2.182. Refuse Storage

Any exterior space designated by a site plan for containers, structures, or other receptacle intended for temporary storage or solid waste materials.

2.2.183. Religious institutions

Institutions that primarily provide meeting areas for religious activities for the general public. They may be associated with a convent (group housing) or provide caretaker housing or a parsonage on-site as an accessory use

Examples include: Churches, convents, parsonages, and other housing for religious personnel

2.2.184. Residential Enclave

An area of land unsuited for crop production and designated for single family residential development by Special Use Permit within an A-1 zone.

2.2.185. Restaurants and Taverns

An establishment serving prepared food or beverages for consumption on the premises and which may or may not include accessory “take-out” services.

2.2.186. Retail Establishments Marketing Convenience Goods

A retail establishment that is primarily engaged in the purchase and resale of convenience goods or merchandise to the public

Examples include: Supermarkets and other food stores, including such establishments as bakeries and delicatessens which prepare food for retail sales, drug stores, dry goods and notion stores, hardware and paint stores, limited price variety stores, and other retail establishments similar to and compatible with the above establishments.

2.2.187. Retirement communities, mixed use

These facilities include a range of housing options and medical and household services to serve the elderly and retirees with a range of medical and social needs.

2.2.188. Riding Academy

Any establishment where horses are kept for training, riding, driving, or stabling, for compensation or incidental to the operation of any club, association, ranch or similar establishment.

2.2.189. Right-of-Way

A street, alley, or other thoroughfare or easement permanently established for passage of persons or vehicles.

2.2.190. Ringlemann Chart

The "Ringlemann Chart" is one which is described in the U.S. Bureau of Mines Information Circular 6888 and on which are illustrated graduated shades of gray for use in estimating the light obscuring capacity of smoke (smoke density)

2.2.191. Ringlemann Number

The "Ringlemann Number" is the number in the Ringlemann Chart that coincides most nearly with the visual density of emission or the light obscuring capacity of smoke.

2.2.192. Roadside Stand

A temporary or seasonal outdoor sales area accessory to an agricultural operation which sells products grown or produced on the premises.

2.2.193. Room

An area of a dwelling unit not including bathrooms, closets, and kitchens.

2.2.194. Sawmills

A facility where logs are sawed into boards.

2.2.195. Scenic Vista

A distant view through or along an avenue or opening relating to natural scenery.

2.2.196. Screen

A structure providing enclosure such as a fence and a visual barrier between the area enclosed and the adjacent property. A screen may also be a non-structure consisting of shrubs or other growing materials.

2.2.197. Seasonal Farm Market

A commercial establishment established for a temporary period for the selling produce and other farm products, whether or not produced on the property, at retail to customers, not unlike a grocery store.

2.2.198. Secondhand Store

An establishment where used merchandise is offered for sale as a principal portion of the business of the establishment.

2.2.199. Senior housing

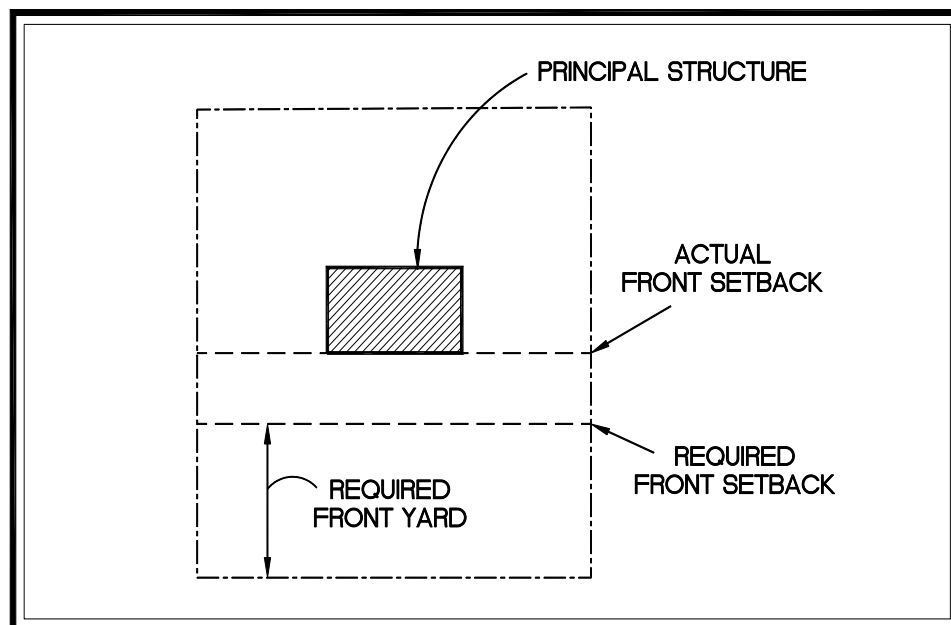
Housing type that provides individual dwelling units to allow seniors to live independently with regard to cooking, housekeeping, laundry and general activities of daily living.

2.2.200. Setback, actual

The minimum horizontal distance between the principal building, excluding steps and unenclosed porches and the lot line. In the case of a lot on a cul-de-sac or curvilinear street, the setback is measured from the midpoint of the lot width on the front lot line (see Figure 2-7).

2.2.201. Setback, required

The minimum front, rear and side setbacks as required by the ordinance. In the case of a lot on a cul-de-sac or curvilinear street, the setback shall be measured from the midpoint of the lot width on the front lot line (see Figure 2-7).

Figure 2-7**2.2.202. Shopping Center**

A group of commercial establishments planned and developed as a unit with off-street parking provided on the property and related in its location, size and type of shops to the

trade area which the center serves. Included in this definition are "Regional Shopping Center" and "Neighborhood Convenience Shopping Center".

2.2.203. Signs

Any words, lettering, parts of letters, figures, numerals, phrases, sentences emblems, devices, designs trade names or marks, or combinations thereof, by which anything is made known such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or production which are visible from any public way and used as an outdoor display.

2.2.204. Slaughter House

Any building used for the slaughter or the preparation of live animals for food consumption or other uses and for processing animals and the parts thereof to make them saleable for food or otherwise. Retail sales shall be limited to items slaughtered on the premises.

2.2.205. Social Institution

Facilities to house non-profit organizations designed to gather people together to share interests and provide community service

Examples include: auditoriums and other places for assembly, centers for social activities and service clubs.

2.2.206. Special Open Space Uses

Recreational uses requiring extensive natural open space area.

Examples include: Public beaches, bathhouses, private resorts, recreational camps, and other open space uses operated for profit.

2.2.207. Special Use Permit

Authority granted by the Planning Commission for a specific use on a specific parcel authorized by Special Use Permit in the zoning district in which the parcel is located

2.2.208. Stable, Private

An accessory building in which horses are kept for private use and not for hire, remuneration or sale.

2.2.209. Storage facilities (excluding outdoor storage)

A building or series of buildings containing separate storage spaces of varying sizes leased or rented as individual leases.

2.2.210. Storage facilities (with outdoor storage)

A lot that may include both buildings containing separate storage spaces and areas outside of buildings used for storage.

2.2.211. Structural Alterations

Any change in the supporting members of a building such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls.

2.2.212. Structure

Anything constructed or erected the use of which requires location on the ground or attachment to something having location on the ground.

2.2.213. Surface Mining

An area of land from which material is removed in connection with the production or extraction of peat, muck, sand, gravel, clay, shale, or other natural mineral deposits, except crude oil by surface or open pit mining methods, the land on which material from the mining is deposited, the land on which a beneficiating or treatment plant is located, the land on which the reservoir is used in the process, arid auxiliary land is used.

2.2.214. Swimming Pool

The term "Swimming Pool" shall mean any structure or container located either above or below grade designed to hold water to a depth of greater than twenty- four (24) inches intended for swimming or bathing. A swimming pool shall be considered as an accessory building for the purposes of determining required yard spaces and maximum lot coverage.

2.2.215. Temporary Building

Structures for uses incidental to construction work.

2.2.216. Temporary Housing

Use of a non-permanent residence such as a mobile home for a limited period of time as a second residence on a lot.

2.2.217. Theater, Indoor

A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical or other live performances.

2.2.218. Trade and Industrial Schools

A specialized for-profit instructional establishment that provides on-site training of skills used in commercial trades such as engine repair or industrial operations such as welding or operation of fork trucks or similar equipment.

2.2.219. Use

The purpose for which land or a building is arranged, designed, or intended, or for which land or a building may be occupied.

2.2.220. Variance

A variance is a modification of the literal provisions of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant a literal enforcement of the Ordinance would result in unnecessary and undue hardship.

2.2.221. Veterinary clinic

A facility for the examination and treatment of animals, excluding temporary boarding facilities.

2.2.222. Veterinary hospitals

A facility for the examination and treatment of animals, including temporary boarding facilities.

2.2.223. Watercourse

An open conduit, either naturally or artificially created, which periodically or continuously contains moving water draining an area of at least two (2) square miles;

2.2.224. Zoning Administrator

The administrator of this Ordinance appointed by the Caledonia Township Board.

ARTICLE 3 - ADMINISTRATION AND ENFORCEMENT

The provisions of this ordinance shall be enforced by such township official as may from time to time be designated by resolution of the Caledonia Township Board.

Section 3.1 - Relief from Personal Responsibility

The Zoning Administrator, officer or employee charged with the enforcement of this ordinance, while acting for Caledonia Township, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his official duties. Any suit instituted against any officer or employee because of an act performed by him in the lawful discharge of his duties and under the provisions of the ordinance shall be defended by the legal representative of Caledonia Township until the final termination of the proceedings. In no case shall the Zoning Administrator or any of his subordinates be liable for costs in any action, suit or proceeding that may be instituted in pursuance of the provisions of the ordinance; and any officer of the Caledonia Township Building Department, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of his official duties in connection herewith.

Section 3.2 - Duties of the Zoning Administrator

The Zoning Administrator shall be appointed by the Township Board. It shall be the responsibility of the Zoning Administrator to enforce the provisions of this ordinance, and in doing so shall perform the following duties:

3.2.1. Issue Permits

All applications and fees for zoning permits shall be submitted to the Zoning Administrator who shall issue zoning permits and Certificate of Zoning Compliance when all applicable provisions of this Ordinance have been complied with.

3.2.2. File Applications

The Caledonia Township Zoning Administrator shall maintain files of all applications for zoning permits and Certificate of Zoning Compliance and shall keep records of all zoning permits and Certificate of Zoning Compliance issued. These shall be filed with the Caledonia Township Office, such files and records shall be open to the public inspection. Copies shall be furnished at cost upon request of any person having a proprietary or tenancy interest in the property involved.

3.2.3. Official Copies

Maintain one (1) official copy of an updated Zoning Ordinance and Zoning District Map, as amended, in accordance with Article 6.

3.2.4. Inspections

The Caledonia Township Zoning Administrator shall be empowered to make inspections of the buildings or premises in order to properly carry out the enforcement of this ordinance.

3.2.5. Record of Complaints

The Caledonia Township Zoning Administrator shall receive, investigate and process all complaints of zoning violations. The Zoning Administrator shall keep a record of every identifiable complaint of a violation of any of the provisions of this Ordinance such records shall be public record.

3.2.6. Report to Caledonia Township Board

On behalf of the Planning Commission, the Zoning Administrator shall report to the Caledonia Township Board annually a year-end report at intervals of not greater than one (1) year, summarizing for the period since the last previous report of zoning permits, Certificates of Zoning Compliance, all complaints of violation and the investigation of those complaints, all appeals, variances and exceptions granted by the Caledonia Zoning Board of Appeals and State action taken on any zoning issue.

3.2.7. Acting in an Advisory Capacity

The Zoning Administrator shall act in an advisory capacity to the Planning Commission, Township Board, and Zoning Board of Appeals, including making recommendations, when asked to do so by the respective body.

3.2.8. Delegation of Responsibility

The Zoning Administrator may delegate his/her authority with Township Board approval.

Section 3.3 - Duties of the Planning Commission

1. Adopt the rules and guidelines for the proper administration and enforcement of the Ordinance.
2. Act as a policy board on matters of enforcement and administration of the Ordinance not covered by adopted rules or guidelines.
3. Conduct public hearings.
4. Make comprehensive review and recommend changes to the Zoning Ordinance every five (5) years.
5. Review all proposed requests for amendments to the Zoning Ordinance for compliance with the requirements of the Ordinance based on Article 6 and thence recommend appropriate action to the Caledonia Township Board for approval, disapproval, or modification.
6. Reviewing and approving site plans and Special Use Permits, according to the procedures outlined in Articles 7 and 8.
7. Initiate amendments to the Zoning Ordinance, as needed.

Section 3.4 - Duties of the Township Board

1. Appoint the Zoning Administrator and his/her staff.
2. Appoint members to the Planning commission and Zoning Board of Appeals.
3. Establish a fee schedule to assist in the administration of the Zoning Ordinance, as described in Section 3.11.2 of this Ordinance.
4. Adopt this Zoning Ordinance and approve any Zoning Ordinance amendments, according to the procedures outlined in Article 6.
5. Initiate amendments to the Zoning Ordinance, as needed.

Section 3.5 - Duties of the Zoning Board of Appeals

1. Initiate amendments to the Zoning Ordinance.
2. Hear appeals of administrative decisions related to the administration of the Zoning Ordinance.
3. Interpret the Zoning Ordinance text and map.
4. Review and approve variance requests.
5. Authorize the change of use of a parcel or structure from one nonconforming use to another.

Section 3.6 - Duties of the Township Clerk

1. Maintain the official records of the Township Planning Commission and Zoning Board of Appeals.

Section 3.7 - Zoning Permits

The following provisions shall apply in the issuance of any zoning permit in addition to any other requirements for a particular use contained in this Ordinance:

3.7.1. Commencement

Excavation for building or structure shall not be commenced, the erection, addition to, alteration of, or moving of any building or structure shall not be undertaken, and the use of any land shall not be changed to a use of different type or class until a zoning permit has been secured from the Caledonia Township Zoning Administrator. In addition, in those instances where construction of a parking lot does not require the submission of a site plan, a zoning permit shall be required. A zoning permit shall not be issued for those uses requiring a Special Use Permit as provided for in this Ordinance until a Special Use Permit has been approved in compliance with the provisions of Article 7 of this Ordinance. Except upon a written order of the Board of Appeals, no zoning permit shall be issued for any building or use thereof that would be in violation of any of the provisions of this Ordinance.

In instances where a zoning permit is required, a building permit shall not be granted until a zoning permit has been approved.

3.7.2. Application for Zoning Permit

There shall be submitted to the Zoning Administrator with each application for a zoning permit the following:

1. A complete application form and required fee.
2. In the case of a permit for a dwelling or other building intended for human occupancy and having waste water plumbing, a written report from the Shiawassee County Health Department certifying, in writing, the approval of a private sanitary sewage disposal system, or when public sanitary sewage service is available or required by local ordinance, a written notice of acceptance of hookup or a tap-in fee receipt shall be required.
3. When a new or rehabilitated driveway is intended, a receipt of application for a driveway permit from the Shiawassee County Road Commission shall be required.
4. All applications for a zoning permit shall require an accurate scale map (plot plan) The minimum size of the plot plan shall be 8 ½" x 11" in size, and shall show the following:
 - a. The location, shape, area, dimensions, and legal descriptions of the parcel, location if easements and centerline of road.

- b. The location, dimensions, height of the existing and/or proposed structures to be erected, altered or moved on the parcel.
 - c. The existing and proposed uses.
 - d. The proposed number of sleeping rooms, dwelling units, occupants, employees, customers, and other users.
 - e. The yard, open space, and parking space dimensions.
 - f. Any change to the contour of the parcel involved.
5. Applicant must obtain certification of compliance with this Ordinance; the State Construction Code Act of 1972, Act 230. 1972; the Shiawassee County Drain Commission Standard Construction Specifications for open and closed drains; the Shiawassee County Subdivision Control Procedures pursuant to P.A. 288 of 1967; the Shiawassee County Soil Erosion and Sedimentation Control Ordinance pursuant to P.A. 347 of 1972; the Shiawassee County Health Department Sanitary Code; and all Caledonia Township Ordinances that are applicable to the proposed building, structure or land use as determined necessary by the Zoning Administrator.

3.7.3. Affidavit of Compliance

Each application form shall contain a signed affidavit stating that the applicant understands and agrees to comply with the following:

1. The Land Division Act of 1967, as amended.
2. The Shiawassee County Health Department Sanitary Code.
3. The Flood Plain Control Act of 1929, as amended.
4. Michigan Public Health Code, Public Act 368 of 1978, as amended.
5. Farmland and Open Space Preservation Act 116 of 1975, as amended.
6. Wetlands Protection Act 203 of 1979. as amended.
7. Inland Lakes and Streams Act 346 of 1972, as amended.
8. "Miss Dig Law", Act 53, as amended.
9. Airport Zoning Act 23 of 1950, as amended.
10. All other State, Federal or local laws, rules, or regulations applicable to the proposed development or use of property.

Section 3.8 - Administrative Provisions

3.8.1. Suspension of a Permit

Any permit issued shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work unless the development proposed shall have passed its first building inspection. A zoning permit which is not completed within a period of two (2) years from the date of approval shall expire.

3.8.2. Previous Approvals

Nothing in the Ordinance shall require changes in the plans construction, or designated use of a building for which a lawful permit has been here-to-for issued or otherwise lawfully authorized, and the construction of which shall have been actively prosecuted within ninety (90) days after the effective date of this Ordinance; and the entire building shall be completed as authorized within one (1) year after the date of approval of the application.

3.8.3. Revocation of Permits

The Zoning Administrator may revoke a permit or approval issued under the provisions of this Ordinance in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based.

3.8.4. Inspection

For improvements which require a zoning permit, the Caledonia Township Building Inspector shall not approve a building permit until a zoning permit has been approved.

3.8.5. Fees

All fees for inspection and the issuance of permits or certificates required under this Ordinance shall be collected by the Caledonia Zoning Administrator in advance of issuance.

Section 3.9 - Certificate of Zoning Compliance**3.9.1. Certificates for Existing Buildings**

Certificates of Zoning Compliance may be issued upon request for existing buildings, structures, or parts thereof, or existing uses of land if, after inspection, such uses of land are in conformity with the provisions of this Ordinance. Where the certificate is issued for a building or use not in conformity with this Ordinance, the certificate shall specify the degree of nonconformity, including but not limited to use type, use intensity, structures, and dimensions.

3.9.2. Administration of Zoning Permits and Certificates of Zoning Compliance

Where a building permit is not required, a separate zoning permit and occupancy certificate shall be issued upon a finding by the Caledonia Township Zoning Administrator of conformance of the proposal to the provisions of this Ordinance.

Section 3.10 - Enforcement, Violations, Penalties**3.10.1. Enforcement**

The Caledonia Township Zoning Administrator shall enforce the provisions of this Ordinance. Violations of any provisions of this Ordinance are declared to be a municipal civil infraction and a civil fine in an amount not to exceed five hundred (500) dollars plus costs shall be paid by a defendant who is found responsible for each such violation. Violations shall also be subject to the sanctions, remedies and procedures as set forth in Chapter 17 of the Code of Ordinances, Caledonia Charter Township, Michigan and Act 236 of the Public Acts of 1961, as amended. Any and all building or land use activities considered possible violations of the provisions of this Ordinance observed or communicated to any Township official shall be reported to the Caledonia Township Board.

3.10.2. Unlawful Commencement

It shall be unlawful for any person to commence operations of any kind that are in violation of the terms of this Ordinance and any violations shall be subject to the penalties herein prescribed.

3.10.3. Cumulative Rights and Remedies

The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

3.10.4. Refusal to Issue Zoning Permit

The Caledonia Township Zoning Administrator may refuse to issue new zoning permits to a person who has failed to correct violations or to any person representing a firm which has

failed to correct violations of this Ordinance or the Michigan Construction Code Act of 1972, Act 230.

(TA 09-1 Amended 10/19/09)

Section 3.11 - Interpretations and Application

3.11.1. Provisions of Law

In the interpretation, application, and enforcement of this Ordinance, whenever any of the provisions or limitations imposed or required herein are more stringent than any other law or Ordinance; then the provisions of this Ordinance shall govern provided that whenever the provisions of any other law or Ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such other law or Ordinance shall govern.

3.11.2. Fees

The Caledonia Township Board shall establish by resolution, fees for the administration of the Zoning Ordinance. Such fee shall be paid in full at the time of application, and no part of such fee shall be returnable to the petitioner, unless determined otherwise by the Caledonia Township Board.

Section 3.12 - Notice Requirements

Unless otherwise specified elsewhere, notices for hearings shall comply with the following:

3.12.1. Published Notice

A notice shall be published in a paper of general circulation within the Township at least 15 days prior to the hearing.

3.12.2. Delivered Notice

A notice shall be sent by mail or hand delivered at least 15 days prior to the hearing to:

1. The owner of the property that is the subject of the request.
2. All persons who own property within 300 feet of the parcel subject to the request as determined by the Township tax roll. This requirement does not apply to requests to rezone 11 or more contiguous parcels. It does apply to parcels even if they are located outside Caledonia Township.
3. Each household occupying a structure within 300 feet of the parcel subject to the request. This requirement does not apply to requests to rezone 11 or more contiguous parcels. It does apply to parcels even if they are located outside Caledonia Township.
4. In the case of a rezoning, notice will be sent to each electric, gas and pipeline utility, each telecommunication service provider, each railroad operating within the district or zone affected and the airport manager of each airport that registers its name and address with the Township Clerk.

3.12.3. Content of Notice

Each notice required to be sent shall include:

1. A description of the nature of the request.
2. Identification of the parcel subject to the request. If the parcel has a street address, that will be used to identify it. If the parcel does not have a street address it will be identified by the tax parcel ID number and a general description of its location.
3. The time and location at which it will be considered.
4. How written comments can be submitted including the deadline for submission.

5. The location and time where a copy of the application can be reviewed by interested members of the public.

(TA 06-1 Amended 10-16-06)

ARTICLE 4 - CALEDONIA TOWNSHIP ZONING BOARD OF APPEALS

Section 4.1 - Creation and Membership

4.1.1. Establishment

There is hereby established a Zoning Board of Appeals (ZBA) in accordance with Act 184 of Public Acts 1943, as amended. The Zoning Board of Appeals shall perform its duties and exercise its power in such a way that the objective of this ordinance may be equitably achieved.

4.1.2. Membership and Terms of Office

The Zoning Board of Appeals shall consist of five members appointed by the Caledonia Township Board. The term of each member shall be three (3) years. Terms shall be staggered so not more than two (2) or less than one (1) appointment shall expire in any given year. All members of said Zoning Board of Appeals shall be chosen from electors residing in the unincorporated area of Caledonia Township. No employee of the Township may serve simultaneously as a member of or as an employee of the Board of Appeals. One member shall be a member of the Caledonia Township Planning Commission.

4.1.3. Reappointment

Members of the Zoning Board of Appeals may be reappointed at the discretion the Township Board. There is no limitation on the number of terms that an individual may serve as a member of the Zoning Board of Appeals

4.1.4. Compensation

The members of the Zoning Board of Appeals shall be paid such amount per meeting as shall be determined by the Township Board and in addition shall be reimbursed for reasonable expenses actually incurred in the performance of their duties.

4.1.5. Alternate Members

The Township Board may appoint not more than two (2) alternate members of the Zoning Board of Appeals to serve for three (3) year terms. An alternate member of the Zoning Board of Appeals shall serve as a regular member of the Zoning Board of Appeals in the absence of a regular member. An alternate member may also be called to serve as a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of a conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. The alternate member shall have the same voting rights as a regular member of the Zoning Board of Appeals. An alternate member shall be called to serve by the Chairman of the Zoning Board of Appeals or the Acting Chairman in the absence of the Chairman, when the absence, unavailability or conflict of interest of a regular member becomes known to the Chairman or Acting Chairman.

(TA 05-2 Amended 11/17/05)

Section 4.2 - Organization and Procedure

4.2.1. Rules of Procedures

The Zoning Board of Appeals shall adopt rules of procedure for the conduct of meetings and implementation of its duties. The Zoning Board of Appeals shall choose its own chairman, who may administer oaths and compel the attendance of witnesses. The Zoning Board of Appeals shall also choose a vice-chairman who shall act as the chairman in the chairman's absence.

4.2.2. Meetings

The majority of the members of the Zoning Board of Appeals shall comprise a quorum for the purpose of conducting a meeting of the Zoning Board of Appeals. Meetings shall be held at the call of the Chairman or the Zoning Administrator, in writing, by first class mail to the addresses of each member of the Zoning Board of Appeals. All meetings of the Zoning Board of Appeals shall be open to the public.

4.2.3. Application

All applications to the Zoning Board of Appeals shall be filed on a form provided by the Township. All applications shall consist of a completed application form and fee.

4.2.4. Counsel

Legal counsel may be retained by the Zoning Board of Appeals for any purpose deemed necessary provided that such appointment or retainer shall be approved in advance by the Caledonia Township Board.

4.2.5. Hearings

The Zoning Board of Appeals shall fix a reasonable time and date for a public hearing not to exceed 60 days from the date of filing any petition of appeal with the Department of Zoning and Building. Upon the hearing, any party may appear in person, or by agent, or by attorney. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appeals from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end shall have all powers of the officer from whom the appeal is taken.

4.2.6. Notification

Notice of all Zoning Board of Appeals hearings shall comply with the requirements of Section 3.12 of this zoning ordinance.

4.2.7. Majority Votes

The concurring vote of a majority of the total membership of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Department of Zoning and Building or to decide in favor or the applicant of any matter upon which they are required to pass under this ordinance or to effect any variation.

4.2.8. Decisions

The Zoning Board of Appeals shall return a decision on a case within sixty (60) days after the date of the public hearing unless an extension of time is agreed upon by the appellant and a majority of the members of the Zoning Board of Appeals present. The applicant shall

be informed of the decision by certified mail.

4.2.9. Findings of Fact

The Board of Appeals shall grant no variance or make any determination on an appeal or other issue requested of it unless the board records specific findings of fact based directly on the particular evidence presented to it. These findings of fact must support conclusions that the standards and conditions imposed by the requirements of this ordinance have been met.

4.2.10. Conditions of Approval

- A. The Zoning Board of Appeals may place conditions on an affirmative decision when such conditions:
1. Would ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
 2. Would protect the natural environment and conserve natural resources and energy.
 3. Would ensure compatibility with adjacent uses of land, and
 4. Would promote the use of land in a socially and economically desirable manner.
- B. In determining appropriate conditions, the Zoning Board of Appeals shall ensure that: there is a rough proportionality between the cost to the applicant to provide an improvement in relationship to the impact to be mitigated; and
1. There is a reasonable connection between the condition imposed and the impact it is mitigating.

4.2.11. Records

Minutes of all meetings shall be recorded and shall contain the grounds of every determination made by the Zoning Board of Appeals, including all evidence and data considered, all findings of fact and conclusions drawn by the Board for every case together with the votes of the members and final disposition of each case. Such minutes shall be filed with the Township Clerk and available to the public.

The Record of Proceedings shall contain the following information when applicable:

- A. The application (for a variance, interpretation, appeal or approval to change a nonconforming use).
- B. Any reports, plans, surveys, or photos.
- C. Notice of Public Hearing to effected parties in newspaper.
- D. Letter from the Department of Zoning and Building granting or denying the application or referring it to the Zoning Board of Appeals and all other relevant records related to the case.
- E. Affidavit of publication of Notice of Hearing.
- F. Record of testimony heard and evidence presented.
- G. A copy of the zoning article(s) and section(s) in question
- H. Briefs, correspondence or other.
- I. Statement of facts found by Board of its knowledge regarding the request including any information gained from personal inspection.
- J. Decision of the Zoning Board of Appeals as specifically related to the Findings of Fact.
- K. A copy of any other correspondence to the appellant regarding the request.

4.2.12. Bond for Compliance

The Zoning Board of Appeals may require that a bond be furnished to insure compliance with the requirements, specifications, and conditions imposed with the granting of any variance or appeal. The amount and type of the bond shall be determined by the Caledonia Township Board of Appeals. The board shall, in estimating the amount and type of the bond, take into account the scale of said operation. The bond shall be reasonable, appropriate, and commensurate with the scope of the project.

The amount of the bond may be reduced at a rate equal to the ratio of work completed on the required improvements as work progresses. The term "improvements" should not be construed to mean the project itself but rather those features associated with the project which are deemed necessary to protect the health, safety and welfare of Caledonia Township's resources and future users or inhabitants of the proposed project.

4.2.13. Decisions of Zoning Board of Appeals Final

All decisions of the Zoning Board of Appeals are final. All Zoning Board of Appeals decisions are appealable to Circuit Court within thirty (30) days of the Zoning Board of Appeals decision.

Section 4.3 - Duties and Powers**4.3.1. Duties**

The Zoning Board of Appeals shall have the following duties

- A. Interpret the zoning ordinance, including the zoning map.
- B. Hear appeals of administrative decisions including approval or denial of site plan or Special Use Permits.
- C. Issue non-use variances from the requirements of this ordinance.
- D. Authorize the change of use of a parcel or structure from one nonconforming use to another.

4.3.2. Powers

The Zoning Board of Appeals shall have the power to make final determinations within its jurisdiction and duties herein prescribed, in such a way that the objectives of this ordinance may be equitably achieved in order there shall be uniform interpretation and flexibility in the enforcement of this ordinance or to fulfill any other responsibilities bestowed upon the Zoning Board of Appeals by this ordinance.

Section 4.4 - Interpretation

The Zoning Board of Appeals shall have the power to:

- A. Interpret, upon request, the provisions of this ordinance in such a way as to carry out the intent and purpose of this ordinance.
- B. Determine the precise location of the boundary lines between Zoning districts. In case of any question as to location of any boundary line between zoning districts, the Zoning Board of Appeals shall interpret the Zoning Map, after recommendation from the Township Planning Commission. In interpreting the location of district boundaries, the ZBA shall use the rules of interpretation identified in Section 9.2 of this ordinance.
- C. Classify, upon receipt of an application therefore, a use which is not specifically mentioned in the use regulations of any district according to the following standards:

1. The unmentioned use shall conform to the purpose and intent of the district in which it is allowed as a permitted principal use or accessory use or as a special land use.
 2. The chosen use classification and permitted district(s) shall be that (those) which is (are) most similar to the unmentioned use being classified. The classification of the unmentioned use does not automatically permit the use, it only identifies the district in which it may be located and the zoning regulations with which it must conform.
 3. The ZBA may not find that a specific use is included in a more general land use category in a zoning district if the specific use is identified elsewhere in another district. For example, a drive thru restaurant could not be interpreted as being included as in the use classification “restaurant” in zoning district “A” if drive thru restaurants are specifically permitted in district “B”.
- D. Determine the off-street parking and loading space requirements of any use not specifically mentioned in Article 10 of this Ordinance according to the parking requirements of the use classification and district to which it is most similar.

Section 4.5 - Appeals

4.5.1. Filing of Appeal

An appeal may be taken by any person aggrieved or by an officer, department, board of the township from which the appeal arises of any order, requirement, decision or determination made by any administrative official charged with the enforcement of this ordinance.

4.5.2. Procedure on Appeals

A notice of appeal of an administrative decision shall be filed by the appellant with the Zoning Administrator within thirty (30) days from the date that the letter of denial is received by the applicant. Such petition shall state the reasons for the appeal and the order or ruling appealed from. When applicable, the legal description of the property involved shall be stated in the notice of appeal. Before such an appeal shall be processed, the fees for an appeal as hereinafter set forth shall be paid to Caledonia Township who shall deliver the same to the Caledonia Township Treasurer to be credited to the appropriate fund of the township.

4.5.3. Special Use Permit

The Board of Appeals shall review any properly filed appeal from action by the Caledonia Township Planning Commission on a request for a Special Use Permit pursuant to Article 7 of this Ordinance. The Board of Appeals has the power to approve or deny the issuance of a Special Use Permit upon appeal, or it can authorize approval and vary the conditions of that approval upon appeal as long as the conditions remain consistent with the standards described in Article 7 and are consistent with the intent of the provisions of this Ordinance. In making this determination, the Board or Appeals shall examine the application and all accompanying data as well as the records and determinations of the additional investigations it deems necessary before rendering a decision.

4.5.4. Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Zoning Board of Appeals after the petition of appeal shall have been filed with the Department of Zoning and Building, that by reason of

facts stated in the appeal petition, a stay would in his opinion cause imminent peril to life and property.

Section 4.6 - Variances

4.6.1. Standards

The Zoning Board of Appeals shall not have the authority to grant use variances. The Zoning Board of Appeals may authorize specific non-use variances from such requirements as: lot area and width regulations, yard and depth regulations, and off-street parking and loading space requirements, provided all of the following standards listed herein shall be satisfied. If one or more of the following standards are not met, the variance shall be denied.

- A. The strict enforcement of the non-use provisions of this Ordinance would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome;
- B. Granting the variance would do substantial justice to the applicant as well as to other property owners in the district, and a lesser relaxation would not give substantial relief and be more consistent with justice to others;
- C. The plight of the owner is due to circumstances unique to the property;
- D. The problem that the variance is fixing was created by the owner or their predecessor in title; and
- E. The requested variance will not be contrary to the spirit and intent of this Zoning Ordinance, public safety or substantial justice.

4.6.2. Expiration of Variance

Any variance granted under the provisions of this Ordinance shall become null and void unless a building permit has been applied for and issued within one (1) year of the date of issuance of the variance.

4.6.3. Re-application for Variance

No application for a variance which has been denied, wholly or partly, by the Zoning Board of Appeals shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Zoning Board of Appeals to be valid.

Section 4.7 - Authorizing Changes from one Nonconforming Use to Another

The Zoning Board of Appeals has the authority to permit a legal nonconforming use in the O-1, B-1, B-2, B-3, M-1 and M-2 zoning districts to change to another non-conforming use at the request of the property owner based on the criteria outlined in Section 13.6.1.

ARTICLE 5 - CALEDONIA TOWNSHIP PLANNING COMMISSION

Section 5.1 - Organization and Procedure

5.1.1. Records

Minutes of all meetings shall be recorded and shall contain the grounds of every determination made by the Planning Commission including all evidence and data considered, all findings of fact, and conclusions drawn by the Board for every case together with the votes of the members and the final disposition of each case. Such minutes shall be filed at the Caledonia Township Office and shall be available to the public.

The Record of Proceedings shall contain the following information when applicable:

- A. The application, petition, amendment.
- B. Any reports, plans, surveys, or photos.
- C. Notice of public hearing to affected parties in the newspaper.
- D. Letter from the Caledonia Township Board granting or denying the application or referring it to the Planning Commission and all other relevant records related to the case.
- E. Affidavit of publication of notice of hearing.
- F. Record of testimony heard and evidence presented.
- G. A copy of the zoning articles and section(s) in question.
- H. Briefs, correspondence, or other communications made to the Planning Commission.
- I. Statement of facts found by the Board of its own knowledge regarding the request including any information gained from personal inspection.
- J. Decision of the Board, as specifically related to the findings of fact.
- K. A copy of any other correspondence to the appellant regarding the request.

5.1.2. Counsel

Legal counsel may be retained by the Planning Commission for any purpose deemed necessary provided that such appointment or retainer shall be approved in advance by the Caledonia Township Board.

5.1.3. Recommending Board

The Caledonia Township Planning Commission acts as recommending body to the Caledonia Township Board on zoning ordinance amendments. All zoning ordinance amendments coming before the Planning Commission will be referred to the Township Board for final decision once a hearing is completed by the Planning Commission.

ARTICLE 6 - AMENDMENTS

Section 6.1 - Initiation of Amendments

The regulations and provisions stated in the text of this ordinance and the boundaries of zoning districts shown of the Zoning District Map of Caledonia Township, Shiawassee County may be amended pursuant to Act 184 of Public Acts of Michigan for 1943, as amended.

Amendments may be initiated by the Caledonia Township Zoning Board of Appeals, Planning Commission, or Board of Trustees, or by application by one or more persons having a possessory interest in the property to be affected by the proposed amendment.

There are two (2) types of Zoning Ordinance amendments:

- A. A text amendment, which affects all similarly-zoned property equally; or
- B. A map amendment (rezoning) which changes the zoning classification of a specific parcel or parcels.

Section 6.2 - Amendment Procedures

All petitions for amendment shall be submitted as provided herein:

- A. The applicant shall cause to be delivered to the Caledonia Township Zoning Administrator not less than thirty (30) days before the Planning Commission meeting at which the request is to be considered:
 - 1. Eight (8) copies of a completed application form for an amendment accompanied by eight (8) copies of such documents as prescribed therein. Application forms shall include the name, address and telephone number of the applicant and the property owner if they are not the applicant. Rezoning application forms shall also include the current and the tax parcel ID number for the parcel(s) proposed to be rezoned.
 - 2. For rezonings, an application shall be made for each parcel of land which is not contiguous to any adjacent parcel of land being proposed for the same type of amendment.
- B. The Caledonia Township Planning Commission shall hold a public hearing on the application. Following the public hearing the Planning commission shall make a recommendation on the request.
- C. Following review by the Township Planning Commission a copy of the application shall be submitted to the Shiawassee County Planning Commission through the office of the County Planner for review and recommendation. The County Planning Commission has thirty (30) days to submit a recommendation to the Caledonia Township Board on the proposed amendment based upon the petitions level of conformity with the Caledonia Township Future Land Use Map and the Caledonia Township Land Use Policies Plan.
- D. A summary of the public hearing comments and the Caledonia Township Planning Commission recommendations and County Planning Commission recommendations shall be submitted, in writing, to the Township Board.
- E. The Caledonia Township Board shall not be obligated to comply with the recommendations of the Caledonia Township Planning Commission.

Section 6.3 - Findings of Fact Required

- A. In reviewing any application for a Zoning Ordinance amendment, the Caledonia Township Planning Commission shall identify and evaluate all factors relevant to the application and shall report its findings in full along with its resulting recommendations for the proper disposition of the application to the Caledonia Township Board.
- B. For applications to amend the zoning ordinance text, the Planning Commission must find one or more of the following before recommending approval:
 - 1. The change is necessary to clarify a provision of the ordinance, or
 - 2. The change is necessary to correct a mistake in the ordinance, or
 - 3. The change is necessary to implement a goal or policy of the Township Master Plan, or
 - 4. The change is necessary to improve administration of the ordinance or to better serve the community.

In addition to one or more of the above findings, the Planning Commission must determine that the requested amendment is in compliance with the Township Master Plan or that a mistake in the plan, or changes in conditions or township policy have occurred that are relevant to the request.

If the Planning Commission recommends approval of a request that is not in compliance with the current plan due to a mistake or change in conditions or policy, it shall immediately initiate an amendment to the plan to address the identified mistake or change.

- C. In the case of a rezoning application, the Planning Commission must find one of the following:
 - 1. The requested amendment is in compliance with the Township Master Plan or that a mistake in the plan, or changes in conditions or township policy have occurred that are relevant to the request. If the Planning Commission recommends approval of a request that is not in compliance with the current plan due to a mistake or change in conditions or policy, it shall immediately initiate an amendment to the plan to address the identified mistake or change.
 - 2. The property cannot be reasonably used as it is currently zoned and the proposed request represents the most suitable alternative zoning classification based on the Master Plan.

Section 6.4 - Public Hearing

The Planning Commission shall conduct at least one public hearing on each application for amendment; notice shall comply with the requirements of Section 3.12 of this zoning ordinance.

(TA 06-1 Amended 10/16/06)

Section 6.5 - Planning Commission Recommendations

All findings of fact shall be made a part of the public records of the meeting of the Planning Commission. The Planning Commission shall not forward a recommendation to the Caledonia Township Board unless all of the aforementioned and other factors identified by the ordinance are affirmatively resolved. After the hearing, the Caledonia Township Planning Commission shall submit a summary of the comments received at the public hearing its findings of fact and the proposed amendment (including any zoning maps and other related material) to the Caledonia Township Board.

Section 6.6 - County Planning Commission

Following the Township Planning Commission's Public Hearing and its vote on a recommendation of the proposed amendment, it shall be submitted to the County Planning Commission for its review. If a recommendation is not provided to the Township Board by the County Planning Commission within 30 days of receipt of the application by the County, it shall be assumed that the County waives its review of the amendment.

Section 6.7 - Consideration by the Caledonia Township Board

After receiving the findings of fact, the recommendations of the Planning Commission, and a summary of comments received at the public hearing, the Caledonia Township Board, at any regular meeting or at any special meeting called for that purpose, shall conduct a first reading of the proposed amendment. Following the first reading, but preceding the second reading, the draft ordinance shall be published in a paper of local circulation. At the second reading the Township Board shall consider the findings of fact and recommendations and may vote upon the adoption of the petitioned amendment. Such action shall be by ordinance requiring a roll call vote. The Township Board may approve the request and enact an amendment to the Zoning Ordinance, or deny the request. The amendment shall be approved by a majority vote of the members of the Caledonia Township Board. The Caledonia Township Board may hold additional public hearings if it considers it necessary. Notice of a Public Hearing held by the Caledonia Township Board shall comply with the requirements of Section 3.12 of this zoning ordinance.

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It is further understood that in order to lessen the possibility of adverse litigation concerning the zoning decisions of the Caledonia Township Board that said Board shall list reasons or make a complete record of the rationale for the action taken on each application for amendment to the ordinance.

If the Township Board considers changes to the amendment in the application, the Township Board may refer the amendments to the Planning Commission for further review and a report on the amendment. The time period for the review and report shall be specified by the Township Board.

(TA 06-1 Amended 10/16/06)

Section 6.8 - Notice of Ordinance Adoption

The Zoning Ordinance, as well as subsequent amendments or supplements shall be filed with the Township Clerk, and one notice of ordinance adoption shall be published in a newspaper of general circulation in the township within 15 days after adoption. The notice of ordinance adoption shall include the following information:

- A. A summary of the regulatory effect of the amendment (including the geographic area affected) or the text of the amendment.
- B. The effective date of the ordinance. Amendments shall take effect upon the expiration of seven (7) days after publication or at such later date after publication as may be specified by the Township Board.
- C. The place and time where a copy of the ordinance may be purchased or inspected.

Section 6.9 - Protest Petition

As permitted under the authority of the Township Zoning Act, PA 184 of 1943, as amended, a registered elector may file a notice of intent to file a protest petition within seven (7) days after publication of an amendment. If a notice of intent is filed within seven (7) days, and a protest

petition is then signed by a number of registered electors equal to not less than ten percent (10%) of the total vote cast in the last vote for governor, and is filed with the Township Clerk within thirty (30) days, then the amendment shall not go into effect until an election is held and the amendment is voted on and approved by the electors of the township.

ARTICLE 7 - USES AUTHORIZED BY SPECIAL USE PERMIT

Section 7.1 - Intent and Purpose

Rather than permitting all of the many and varied land use activities within individual and limited zoning districts, it is the intent of this ordinance to provide a set of procedures and standards for specific uses of land or structures that will allow, on one hand, practical latitude for the developer, but that will at the same time maintain sound provisions for the protection of the health, safety, and general welfare of the inhabitants of Caledonia Township. In order to provide controllable and reasonable flexibility, this Article permits detailed review of certain specified types of land use activities which, because of their particular and unique characteristics, require special consideration in relation to the welfare of adjacent properties and to the community as a whole. Land and structure uses possessing these characteristics may be authorized within certain zone districts by the issuance of a Special Use Permit. By such a procedure, the Caledonia Township Planning Commission has the opportunity to impose conditions and safeguards upon each use which are deemed necessary for the protection of the public welfare.

The following sections, together with references in other Articles of this ordinance, designate specific uses that require a Special Use Permit and, in addition, specify the procedures and standards which must be met before such a permit can be issued.

Section 7.2 - Permit Procedures

An application for a Special Use Permit for any land or structure use permitted under this Article shall be submitted and processed under the following procedures:

7.2.1. Submission of Application

A complete application shall be submitted to the Zoning Administrator for consideration by the township planning commission on a form provided by the Zoning Administrator not less than twenty-eight (28) days before the meeting of the Caledonia Township planning commission at which the application is to be considered. The application shall be accompanied by payment of fee as established by the Caledonia Township Board to cover costs of processing the application. No part of any fee shall be refundable. The application shall include information demonstrating that the proposed use complies with the standards for approval of special use permits in this ordinance.

7.2.2. Required Information

Fourteen (14) copies of an application for a Special Use Permit, including copies of the site plan, meeting the requirements of Section 8.4.1 of this ordinance shall be presented to the Zoning Administrator.

7.2.3. Incomplete Applications

An application made without full compliance with this ordinance shall be returned to the applicant. An application which is incomplete shall not constitute submission so as to commence the running of time for processing the application. An application complying with the provisions of this ordinance shall be scheduled for public hearing by the planning commission.

7.2.4. Optional Preliminary Review

The option of preliminary review of a Special Use Permit application and site plan is

provided in order to allow an applicant the opportunity to investigate with township officials the viability of a proposed development prior to preparing a complete Special Use Permit and site plan. An applicant for a Special Use Permit may request preliminary review of the Special Use Permit application and site plan to obtain information on potential issues including conflict with adjacent land uses and off-site impacts, as well as, site plan issues such as setbacks, drainage, access, signage and potential buffering requirements and also in order to request the waiving of particular site plan information requirements. The preliminary review shall be conducted by the planning commission. The review is informal, is not a public hearing and notice for Special Use Permit public hearings is not required. The review is advisory only and subject to change based on changes to ordinance requirements, changes in conditions or as a result of additional information. At a minimum, the site plan should show the items listed in Section 8.5.1.A.

7.2.5. Review by Township, County and State

The zoning administrator shall distribute copies of the Special Use Permit application and site plan to the:

- A. Shiawassee County Road Commission
- B. Shiawassee County Drain Commissioner
- C. Shiawassee County Environmental Health Department
- D. Shiawassee County Sheriff's Department
- E. Caledonia Township Fire Department
- F. Members of the Caledonia Township Planning Commission
- G. Other agencies as determined appropriate by the zoning administrator

The copies shall be distributed at least 10 days prior to the planning commission meeting. The applicant shall be responsible for submitting copies of the site plan to state and federal agencies such as MDOT or the MDEQ and for providing evidence of required approvals by those agencies.

Section 7.3 - Public Hearing Notice

- A. Following submission of a complete site plan, Special Use Permit application and payment of required fees, the zoning administrator shall schedule a public hearing by the Caledonia Township Planning Commission on the site plan and Special Use Permit request. Notice of the hearing shall comply with the requirements of Section 3.12 of this zoning ordinance

(TA 06-1 Amended 10/16/06)

Section 7.4 - Township Planning Commission Review

The review of an application and site plan requesting a Special Use Permit shall be made by the Caledonia Township Planning Commission in accord with the procedures and standards specified in this ordinance. The zoning administrator shall provide the planning commission with copies of all comments received from review agencies as well as correspondence from the public. The planning commission shall provide the applicant and any other members of the public with an opportunity to speak on the request within guidelines established for public comment in the planning commission's by-laws. The planning commission shall evaluate the Special Use Permit based on the criteria in Section 7.5 of this article and identify findings of fact that serve as the basis for their decision. If the planning commission votes to approve a Special Use Permit, the commission must then review for approval the site plan, based on the criteria in

Section 8.6 of this ordinance. In reviewing a Special Use Permit and site plan, the planning commission may:

- A. Approve
- B. Approve with conditions
- C. Deny
- D. Table the request in order to obtain information needed to determine compliance with the standards for approval.

Section 7.5 - Standards for Approval

Before making a decision, the Caledonia Township Planning Commission shall insure that the standards specified in this section, as well as applicable standards established elsewhere in this ordinance, shall be satisfied by the completion and operation of the special use under consideration.

7.5.1. General Standards

The Caledonia Township Planning Commission shall review the particular circumstances of the Special Use Permit request under consideration in terms of the following standards and shall approve a Special Use request only upon a finding of compliance with each of the following standards, as well as, applicable standards established elsewhere in this ordinance.

- A. The Special Use Permit shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
- B. The Special Use Permit shall not inappropriately change the essential character of the surrounding area.
- C. The Special Use Permit shall not be hazardous to adjacent property or involves uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic noise, smoke, odor, fumes, or glare.
- D. The Special Use Permit shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed Special Use Permit shall be able to continually provide adequately for the services and facilities deemed essential to the Special Use Permit under consideration.
- E. The Special Use Permit shall not place demands on public services and facilities in excess of current capacity.
- F. The Special Use Permit shall be consistent with the intent and purpose of this ordinance and the objectives of the Caledonia Township Land Use Plan.
- G. For Special Use Permits in the A-1 district, approval of a permit shall be further determined on the basis of the proposed land uses effect on a loss of prime agricultural land.

7.5.2. Specific Standards

Many uses permitted by Special Use Permit have specific requirements listed in Article 15. In addition to the general standards above, the planning commission must determine that the application complies with any specific requirements in Article 15.

Section 7.6 - Record of the Decision**7.6.1. Notice Decision to the Applicant**

- A. Following approval by the planning commission, a copy of the Special Use Permit signed by the planning commission chairperson and the zoning administrator shall be sent to the applicant by certified mail/return receipt and shall include a listing of all conditions placed on the approval.
- B. In the case of denial of a request for Special Use Permit approval, a copy of the minutes of the planning commission meeting identifying the basis for the denial shall be mailed to the applicant by the zoning administrator by certified mail/return receipt, with a note that the minutes have not been formally approved.

7.6.2. Records

A record of the Special Use Permit review process shall be maintained. The record shall include:

- A. A copy of the application.
- B. Copy of the notices to applicant and surrounding properties as required in Section 7.3 of this article, along with an affidavit of mailing.
- C. Copy of the submitted site plan, signed by the zoning administrator and planning commission chairperson, if approved.
- D. Copy of the Special Use Permit issued the applicant signed by the zoning administrator and the planning commission chairperson.
- E. Minutes of the meeting(s) at which the Special Use Permit application were reviewed and approved/disapproved.
- F. Copy of conditions on approved site plan.
- G. Return receipt of letter sent to applicant.
- H. Copy of any documentation of compliance with conditions, including a revised site plan, if applicable.
- I. Any correspondence received that is related to the site plan.
- J. Copy of any building permit issued based on approved site plan.

Section 7.7 - Conditions**7.7.1. Requirements for Conditions**

The planning commission may place conditions on approval of a Special Use Permit including conditions that require conformance with the standards of another local, county or state agency such as, but not limited to, the county drain commissioner, county health department and the Michigan Department of Environmental Quality. They may do so when such conditions would achieve all of the following:

- A. Would ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- B. Would protect the natural environment and conserve natural resources and energy.
- C. Would ensure compatibility with adjacent uses of land.
- D. Would promote the use of land in a socially and economically desirable manner.

7.7.2. Limitations on Conditions

In determining appropriate conditions, the planning commission shall ensure that:

- A. There is a rough proportionality between the cost to the developer to provide an improvement in relationship to the impact to be mitigated; and
- B. There is a reasonable connection between the condition imposed and the impact it is mitigating.

Section 7.8 - Performance Guarantees

In the interest of insuring compliance with the zoning ordinance provisions, protecting the natural resources and the health, safety and welfare of the residents of Caledonia Township and future users or inhabitants of an area for which a site plan for a proposed use has been submitted, the planning commission and zoning administrator may require the applicant to deposit a performance guarantee as set forth herein. Performance guarantees shall be required in instances where an occupancy permit is requested prior to completion of all improvements on an approved site plan. The purpose of the performance guarantee is to ensure completion of improvements connected with the proposed use as required by this ordinance, including but not limited to roadways, lighting, utilities, sidewalks, drainage, fences, screens, walls, landscaping and widening strips.

7.8.1. Type of Performance Guarantee

Performance guarantee as used herein shall mean a cash deposit, certified check, irrevocable bank letter of credit or corporate surety bond in the amount of the estimated cost of the improvements to be made as determined by the applicant and verified by the zoning administrator.

7.8.2. Deposit of Performance Guarantee

Where the planning commission or zoning administrator requires a performance guarantee, said performance guarantee shall be deposited with the township treasurer prior to the issuance of a zoning permit. Caledonia Township shall deposit the performance guarantee, if in the form of a cash deposit, certified check or performance bond in an interest-bearing account.

7.8.3. Deadline for Improvements

An approved site plan shall also prescribe the period of time within which the improvements for which the performance guarantee has been required are to be completed. The period will begin from the date of the issuance of the building permit.

7.8.4. Rebate of Performance Guarantee to Applicant

In the event the performance guarantee deposited is a cash deposit or certified check, Caledonia Township shall rebate to the applicant fifty (50) percent of the deposited funds when sixty (60) percent of the required improvements are completed as confirmed by the zoning administrator, and the remaining fifty (50) percent of the deposit funds when one hundred (100) percent of the required improvements are completed as confirmed by the zoning administrator. If a request is made by the applicant for a temporary certificate of occupancy without completion of required exterior improvements, the performance guarantee may be applied by said applicant to assure compliance with zoning ordinance standards and the specifications of the approved site plan. Upon the satisfactory completion of the improvements for which the performance guarantee was required, as determined by the zoning administrator, the treasurer shall return to the applicant the performance guarantee deposited and any interest earned thereon.

7.8.5. Using Performance Guarantee to Make Improvements

In the event the applicant defaults in making the improvements for which the performance guarantee was required within the time period established by the township, the township shall have the right to use the performance guarantee deposited and any interest earned thereon to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. If the performance guarantee is not sufficient to allow the township to complete the improvements for which it was posted, the applicant shall be required to pay the township the amount by which the costs of completing the improvements exceeds the amount of the performance guarantee. Should the township use the performance guarantee or a portion thereof, to complete the required improvements, any amount remaining after said completion shall be applied first to the township's administrative costs in completing the improvement with any balance remaining being refunded to the applicant. If the applicant has been required to post a performance guarantee or bond with another governmental agency other than Caledonia Township to ensure completion of an improvement associated with the proposed project prior to the township's approval, the applicant shall not be required to deposit with Caledonia Township a performance guarantee for the specific improvement. At the time the performance guarantee is deposited with the township and prior to the issuance of a building permit, the applicant shall enter into an agreement incorporating the provisions hereof with Caledonia Township regarding the performance guarantee.

Section 7.9 - Effective Date of Special Use Permit

The Special Use Permit shall become effective when the application has been approved by the Caledonia Township Board. A building permit shall not be issued until approval of such Special Use Permit by the Caledonia Township Board. Land subject to a Special Use Permit may not be used or occupied for purposes of such special use until after a certificate of occupancy for same has been issued pursuant to Section 3.9.2 of this ordinance.

A Special Use Permit shall be valid for as long as the permitted use continues in accordance with the terms stated therein, unless otherwise stated in the Special Use Permit.

The Caledonia Township Planning Commission shall have the right to limit the duration of a Special Use where the same is of a temporary nature.

If a building permit has not been obtained and on-site development commenced based on the terms of the Special Use Permit within twelve (12) months from the date of its Issuance, then it shall automatically expire and be of no further effect or validity provided that an extension of up to one year may be granted by the planning commission. Once a building permit has been issued on an approved Special Use Permit, the Special Use Permit approval remains valid until the building permit expires. If the building permit expires and is not renewed prior to completion of the project, a new Special Use Permit must be approved. The Zoning Administrator shall notify the applicant, in writing, mailed to the address listed on the application that such Special Use Permit has expired.

Approval of a Special Use Permit shall be valid regardless of change of ownership provided that all terms and conditions of the permit are met by subsequent owner.

Section 7.10 - Re-Application

No application for a Special Use Permit which has been denied, wholly or in part, by the Caledonia Township Planning Commission shall be resubmitted until the expiration of one (1) year from the date of such denial, except on the grounds of newly discovered evidence or proof of changed conditions.

Section 7.11 - Requirement Compliance Penalties

It shall be the duty and obligation of the owner(s) or operator(s) if such is under a management to at all times be in compliance with the use requirements of this ordinance and the stipulations of the Special Use Permit under which their particular use is governed. Failure thereof shall be in violation of this ordinance and subject to the penalties and remedies provided in Section 3.10.3 and the continuance thereof is hereby declared to be a nuisance per se.

Section 7.12 - Amendment

A proposed amendment, modification or alteration to a previously approved Special Use Permit or its site plan will require review and approval following the Special Use Permit procedures outlined in this article.

Section 7.13 - Appeal

Appeal of a decision on a Special Use Permit request may be taken to the Board of Appeals in accordance with the procedure specified in Section 4.5.2.

ARTICLE 8 - SITE PLAN REVIEW PROCEDURES

Section 8.1 - Intent

These site plan review procedures are instituted to provide an opportunity for the Township Planning Commission to review the proposed use of a site in relation to drainage, pedestrian and vehicular circulation, off-street parking, structural relationships, public utilities, landscaping, accessibility and other site design elements which may have an adverse effect upon the public health, safety, morals, and general welfare, as well as to provide for the interests of the property owner.

Section 8.2 - Major vs. Minor Site Plans

Under the terms of this ordinance, site plans are defined as either a major or minor site plan. Each type has its own information requirements, submission deadlines and approval process. Any erection, addition, alteration or moving of a building or change in the use of land or building not requiring a site plan is regulated under the zoning permit requirements of Section 3.7.2 of this ordinance.

Section 8.3 - When Site Plans are Required

8.3.1. Major Site Plans

Major site plans are required to be submitted under any of the following circumstances.

- A. As part of an application for a special use permit.
- B. Any change in use which requires construction of ten (10) or more additional parking spaces.
- C. As part of an application for approval of a condominium development.
- D. Any other construction or moving of structures except:
 - 1. Single family, duplex and farm residences on individual parcels and their accessory structures.
 - 2. Non-residential accessory structures under nine hundred (900) square feet.
 - 3. Expansions of under nine hundred (900) square feet to existing structures.

8.3.2. Minor Site Plans

Minor site plans are required to be submitted under the following circumstances.

- A. The construction or moving of non-residential accessory structures under nine hundred (900) square feet.
- B. Expansion of structures under nine hundred (900) square feet other than single family duplex residences on individual parcels and their accessory structures.

Section 8.4 - Required Information

8.4.1. Major Site Plans

Before any building permit shall be issued other than for single-family dwellings, two-family dwellings, agricultural buildings, or accessory buildings or structures, fourteen (14) copies of the site-plan, drawn to a scale of 1" = 20'-0", shall be submitted to the Zoning Administrator. Said site plan shall contain the following information.

- A. Statistical data including: Number of dwelling units, size of dwelling units (e.g. 1 bedroom, 2 bedrooms, and 3 bedrooms) if any and total gross acreage involved. In the case of mobile home parks, the size and location of each mobile home site shall be shown. In all other cases, the location, type, horsepower, fuel dimension, and other data of all machinery to be used on the proposed site. This information is required to determine compliance with minimum lot size, maximum lot coverage, density and parking requirements.
- B. The location of existing and proposed principal and accessory buildings on the lot and the distance of each building to each other and the lot lines. This information is required to determine compliance with building separation and setback requirements.
- C. Vehicular traffic and pedestrian circulation features within the site including driveways, drives, sidewalks and also streets or driveways within 100 feet of the property. This information is required to determine compliance with site plan standards for site access, pedestrian safety and traffic flow.
- D. The location and dimensions of all off-street parking areas including maneuvering lanes, service lanes, off-street loading spaces and other service areas within the development. Included in the site plan notes shall be a parking schedule demonstrating how compliance with the parking requirements of Section 10.3 have been met. This information is required to determine off-street parking requirements.
- E. The location, dimensions and proposed use of all onsite recreation areas, if any. This information is required to determine compliance with any recreation requirements and because such areas may be significant generators of noise and traffic.
- F. The location of all proposed landscaping, fences or walls as required in Article 11 of this ordinance to determine compliance with the requirements of this article.
- G. The height and dimensions of all structures. This information is required to determine compliance with the maximum height and lot coverage requirements of this ordinance.
- H. Front, rear, and side elevations of any typical structure proposed for development.
- I. The location and capacity of private or public water lines and system capacity, sanitary sewer lines and treatment capacity, and solid waste disposal facilities servicing the site. This information is required to ensure compliance with the standards requiring adequate water and sewer service.
- J. The locations, dimensions and lighting of all signs. This information is intended to ensure compliance with lighting and clear vision requirements of this ordinance.
- K. The location, intensity, and orientation of all lighting. This information is intended to determine compliance with requirements regarding lighting. The township may also require the light foot print and/or the method of shielding noted on the plan.
- L. A location map at a larger scale, indicating the relationship of the site to the surrounding land use. This information is intended to orient the planning commission to the site and its relationship to surrounding land uses, transportation network, etc.
- M. North arrow and scale.
- N. All buildings and structures within 100 feet of the proposed site. This information is needed to identify any setbacks related to buildings on adjacent property and to evaluate potential impact of uses off-site.
- O. All easements or right-of-way on property. This information is needed to determine the buildable portions of the lot and the setbacks required from rights-of-way.
- P. All existing natural features including streams, ponds, wood lots, wetlands and 100-year floodplain. An environmental review checklist provided by the zoning administrator shall be attached to the site plan. This information is needed to determine any environmental review by DEQ or DNR that might be required, as well as, identifying unbuildable areas.
- Q. Number of employees in the largest shift and/or a floor plan showing existing and proposed uses. This information is required for determination of parking requirements.

- R. Location of trash dumpster. This information is required to ensure that the dumpster is located in an area where it will not detract from the look of the community and will not impede traffic flow unnecessarily when its being emptied.
- S. Designated fire lanes. This information is required to permit the fire chief the ability to review the proposed location of fire lanes in relation to the building and fire hydrants.
- T. Areas designated for hazardous material storage, including the types of materials to be stored, their characteristics and methods of coping with spills or other accidents involving these materials, such as secondary containment.
- U. Existing and proposed grades at 2 foot contours and proposed drainage patterns including existing and proposed drains and detention/retention basins. This information is required to determine compliance with buffering of adjacent property (grade change), adequacy of slope for proper drainage and appropriateness of drainage patterns.
- V. Legal description of parcel(s). In addition, any survey monuments located on or adjacent to the site and included in the legal description shall be shown on the site plan. This information is required in order to check dimensions on the site plan and to confirm the location of the property being developed.
- W. The name, address and telephone number of the owner and architect/engineer/surveyor/landscape architect who prepared the plans. This information is required to permit plan reviewers to contact the owner or the person who prepared the plan in case of questions.
- X. The seal of the architect, engineer, surveyor or landscape architect who prepared the plans. All major site plans must be prepared by a licensed/registered architect, engineer, surveyor or landscape architect.
- Y. Other information identified as necessary by the planning commission to determine compliance with the requirements of this ordinance.
- Z. The planning commission may waive those informational items that they identify as not necessary to determine compliance with the requirements of this ordinance.

8.4.2. Minor Site Plans

The informational requirements for a minor site plan are the same as those of a major site plan. The zoning administrator may waive those requirements that he/she identifies as unnecessary to determine compliance with the requirements of this ordinance.

Section 8.5 - Site Plan Review Procedures

8.5.1. Major Site Plan

Major site plans shall be reviewed following the procedures outlined below.

A. Optional Preliminary Review

The option of preliminary site plan review is provided in order to allow an applicant for site plan review the opportunity to get preliminary approval of a site before undertaking the detailed engineering that may be required for final site plan approval. An applicant for site plan review may request a preliminary review of a site plan to obtain information on potential site development issues including setbacks, drainage, access, signage and potential buffering requirements, and in order to request the waiving of particular site plan information requirements. The preliminary review should be conducted by the planning commission. The review is valid for six (6) months. The review is contingent on final site engineering and any other conditions imposed as part of preliminary approval.

A site plan submitted for preliminary approval shall include all of the information outlined in Section 7.2.4 except:

1. The location and capacity of private or public water and lines and system capacity, sanitary sewer lines and treatment capacity, and solid waste disposal facilities servicing the site.
2. The location, intensity, and orientation of all lighting.
3. All existing natural features including streams, ponds, wood lots, wetlands and 100-year floodplain. An environmental review checklist provided by the zoning administrator shall be attached to the site plan. This information is needed to determine any environmental review by DEQ or DNR that might be required, as well as, identifying unbuildable areas.
4. Existing and proposed grades at 2 foot contours and proposed drainage patterns including existing and proposed drains and detention/retention basins. This information is required to determine compliance with buffering of adjacent property (grade change), adequacy of slope for proper drainage and appropriateness of drainage patterns.

A complete site plan application meeting the requirements of Section 8.4.1. above, including the required fee, shall be submitted to the zoning administrator at least 14 days prior to the township planning commission meeting. An incomplete site plan shall be returned to the applicant, unless the applicant has received permission to leave the information off from the planning commission during a preliminary review.

B. Review by township, county and state

The zoning administrator shall distribute copies of the site plan to the:

1. Shiawassee County Road Commission
2. Shiawassee County Drain Commission
3. Shiawassee County Environmental Health Department
4. Shiawassee County Sheriffs Department
5. Caledonia Township Fire Department
6. Members of the Caledonia Township Planning Commission
7. Other agencies as determined appropriate by the zoning administrator

The copies shall be distributed at least 10 days prior to the planning commission meeting. The applicant shall be responsible for submitting copies of the site plan to state or federal agencies such as MDOT or the MDEQ and for providing evidence of required approval's by those agencies.

C. Township Planning Commission Review

The township planning commission shall review the site plan at an open meeting and shall provide the applicant of written notice of the meeting at least five calendar days prior to the meeting. If the site plan is part of an application for a Special Use Permit, the site plan shall be reviewed at a public hearing as outlined in Article 7 of this ordinance. The zoning administrator shall provide the planning commission with copies of all comments received from review agencies, as well as, correspondence from the public. The planning commission shall provide the applicant and any other members of the public with an opportunity to speak on the request within guidelines established for public comment in the planning commission's by-laws. The planning commission shall

evaluate the site plan based on the criteria contained in Section 8.6 of this article and identify findings of fact that serve as the basis for their decision. The planning commission may:

1. Approve the site plan
2. Approve the site plan with conditions
3. Deny the site plan
4. Table the request in order to obtain information needed to determine compliance with the standards for approval

D. Record of Decision

1. Following approval by the planning commission, a copy of the approved site plan signed by the planning commission chairperson and the zoning administrator shall be sent to the applicant by certified mail/return receipt along with a list of all conditions placed upon the site plan approval. If the conditions require modification of the site plan, the applicant shall submit a revised site plan with all of the required changes to the zoning administrator prior to issuance of a zoning permit.
2. In the case of denial of a request for site plan approval, a copy of the preliminary minutes of the planning commission meeting identifying the basis for the denial shall be mailed to the applicant by the zoning administrator by certified mail/return receipt with a note that the minutes have not been formally approved.
3. A record of the site plan review and approval process shall be maintained. The record shall include:
 - (a) Copy of application
 - (b) Copy of letter to applicant notifying him/her of planning commission meeting to review site plan
 - (c) Copy of submitted site plan, signed by zoning administrator and planning commission chairperson, if approved
 - (d) Minutes of meeting at which plan was reviewed and approved/disapproved
 - (e) Copy of any conditions on approved site plan
 - (f) Return receipt of letter sent to applicant of approved/disapproved site plan
 - (g) Copy of any documentation of compliance with conditions, including a revised site plan, if applicable
 - (h) Any correspondence received that is related to the site plan
 - (i) Copy of any building permit issued based on approved site plan

8.5.2. Minor Site Plan

A. Optional Preliminary Review

An applicant may request a preliminary review by the zoning administrator as outlined in Section 8.5.1A of this article.

B. Submission of Site Plan

A minor site plan shall be submitted to the zoning administrator for approval. An incomplete site plan shall be returned to the applicant.

C. Review by the Township, County and State

A minor site plan shall be distributed by the zoning administrator to the departments identified in Section 8.5.1C of this ordinance except the township planning commission for their review and comment at least five business days prior to the zoning administrator making a decision on the site plan. The applicant shall be responsible for submitting

copies of the site plan to state or federal agencies such as MDOT or the MDEQ and for providing evidence of required approvals by those agencies.

D. Zoning Administrator Review

Review of a minor site plan does not require an open meeting or public hearing. The zoning administrator shall approve or disapprove a site plan within 14 days of receiving a complete application, including a complete site plan and the required application fee. The zoning administrator's decision shall be based on the standards identified in Section 8.6 of this ordinance and shall include any findings of fact relevant to the decision. The zoning administrator may:

3. Approve the site plan
4. Approve the site plan with conditions necessary to make the plan comply with non-discretionary standards in the zoning ordinance
5. Deny the site plan

E. Record of Decision

1. Following approval of a minor site plan by the zoning administrator, a copy of the approved site plan shall be sent to the applicant by certified mail/return receipt, along with a list of conditions placed on the site plan approval. If the conditions require modification of the site plan, a revised drawing shall be submitted to the zoning administrator prior to issuance of a building permit.
2. A record of the site plan review and approval process shall be maintained. The record shall include:
 - (a) Copy of the application
 - (b) Copy of the submitted site plan, signed by zoning administrator if it was approved
 - (c) Copy of any conditions on an approved site plan
 - (d) Return receipt of letter sent to applicant verifying him/her that the site plan was approved
 - (e) Copy of any documentation of compliance with conditions, including a revised site plan, if applicable
 - (f) Any correspondence received that is related to the site plan
 - (g) Copy of the building permit issued based on the site plan

Section 8.6 - Criteria for Review

In reviewing the application and site plan and approving, disapproving or modifying the same, the Caledonia Township Planning Commission and zoning administrator shall be governed by the following standards:

8.6.1. Ordinance Requirements

The plan shall comply with all requirements of this ordinance including parking, lot and building dimensions and setbacks, lighting and landscaping.

8.6.2. Local, State and Federal Requirements

The plan shall comply with all relevant local, state and federal laws, rules and regulations including those regulating flood plains, wetlands, construction around, airports and driveways along state highways.

8.6.3. Traffic

That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to assure the safety and convenience of pedestrian and vehicular traffic.

8.6.4. Building Location

That the buildings structures and entryways thereto proposed to be located upon the premises are so situated and designed as to minimize adverse effects therefrom upon owners and occupants of adjacent properties and the neighborhood.

8.6.5. Natural Features

That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of storm waters.

8.6.6. Off-site Impact

That any adverse effects of the proposed development and activities emanating therefrom upon adjoining residents or owners shall be minimized by appropriate screening, fencing or landscaping.

8.6.7. Emergency Access

That all buildings and structures are accessible to emergency vehicles.

8.6.8. Utility Availability

Utility service is adequate to serve the needs of the development. Water pressure and capacity are adequate to meet usage and fire fighting needs. Sewage treatment is adequate to handle the increase flow projected by the land use. Storm water facilities are adequate to handle any increased water run-off, which will be minimized through the use of storm water retention and detention facilities when appropriate. The site shall be designed to ensure that there is no increase in runoff on to adjacent sites or that existing drainage patterns are not harmed.

8.6.9. Infrastructure Improvements

Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration.

8.6.10. Hazardous Materials

Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.

Section 8.7 - Conditions**8.7.1. Major Site Plans**

The planning commission may place conditions on approval of a site plan, including conditions that require conformance with the standards of another local, county or state agency such as, but not limited to, the county drain commissioner, county health department

and the Michigan Department of Environmental Quality. They may do so when such conditions would achieve all of the following:

1. Would ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
2. Would protect the natural environment and conserve natural resources and energy.
3. Would ensure compatibility with adjacent uses of land.
4. Would promote the use of land in a socially and economically desirable manner.

In determining appropriate conditions, the planning commission shall ensure that:

1. There is a rough proportionality between the cost to the developer to provide an improvement in relationship to the impact to be mitigated; and
2. There is a reasonable connection between the condition imposed and the impact it is mitigating.

8.7.2. Minor Site Plans

The zoning administrator may place conditions on approval of a site plan that are necessary to meet the non-discretionary requirements of this ordinance, including the requirement that site plans comply with local, state and federal laws, rules and regulations.

Section 8.8 - Performance Guarantees

In the interest of insuring compliance with the zoning ordinance provisions, protecting the natural resources and the health, safety and welfare of the residents of Caledonia Township and future users or inhabitants of an area for which a site plan for a proposed use has been submitted, the planning commission and zoning administrator may require the applicant to deposit a performance guarantee as set forth herein. Performance guarantees shall be required in instances where an occupancy permit is requested prior to completion of all improvements on an approved site plan. The purpose of the performance guarantee is to ensure completion of improvements connected with the proposed use as required by this ordinance, including but not limited to roadways, lighting, utilities, sidewalks, drainage, fences, screens, walls, landscaping and widening strips.

8.8.1. Type of Performance Guarantee

Performance guarantee as used herein shall mean a cash deposit, certified check, irrevocable bank letter of credit or corporate surety bond in the amount of the estimated cost of the improvements to be made as determined by the applicant and verified by the zoning administrator.

8.8.2. Deposit of Performance Guarantee

Where the planning commission or zoning administrator requires a performance guarantee, said performance guarantee shall be deposited with the township treasurer prior to the issuance of a zoning permit. Caledonia Township shall deposit the performance guarantee, if in the form of a cash deposit, certified check or performance bond in an interest-bearing account.

8.8.3. Deadline for Improvements

An approved site plan shall also prescribe the period of time within which the improvements for which the performance guarantee has been required are to be completed. The period will begin from the date of the issuance of the building permit.

8.8.4. Rebate of Performance Guarantee to Applicant

In the event the performance guarantee deposited is a cash deposit or certified check, Caledonia Township shall rebate to the applicant fifty (50) percent of the deposited funds when sixty (60) percent of the required improvements are completed as confirmed by the zoning administrator, and the remaining fifty (50) percent of the deposit funds when one hundred (100) percent of the required improvements are completed as confirmed by the zoning administrator. If a request is made by the applicant for a temporary certificate of occupancy without completion of required exterior improvements, the performance guarantee may be applied by said applicant to assure compliance with zoning ordinance standards and the specifications of the approved site plan. Upon the satisfactory completion of the improvements for which the performance guarantee was required, as determined by the zoning administrator, the treasurer shall return to the applicant the performance guarantee deposited and any interest earned thereon.

8.8.5. Using Performance Guarantee to Make Improvements

In the event the applicant defaults in making the improvements for which the performance guarantee was required within the time period established by the township, the township shall have the right to use the performance guarantee deposited and any interest earned thereon to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. If the performance guarantee is not sufficient to allow the township to complete the improvements for which it was posted, the applicant shall be required to pay the township the amount by which the costs of completing the improvements exceeds the amount of the performance guarantee. Should the township use the performance guarantee or a portion thereof, to complete the required improvements, any amount remaining after said completion shall be applied first to the township's administrative costs in completing the improvement with any balance remaining being refunded to the applicant. If the applicant has been required to post a performance guarantee or bond with another governmental agency other than Caledonia Township to ensure completion of an improvement associated with the proposed project prior to the township's approval, the applicant shall not be required to deposit with Caledonia Township a performance guarantee for the specific improvement. At the time the performance guarantee is deposited with the township and prior to the issuance of a building permit, the applicant shall enter into an agreement incorporating the provisions hereof with Caledonia Township regarding the performance guarantee.

Section 8.9 - Conformity to Approved Site Plan

Property which is the subject of site plan approval must be developed in strict compliance with the approved site plan and any amendments thereto which have received the approval of the township planning commission other than minor changes, approved by the Zoning Administrator as outlined below. A minor change to a site plan is a change that does not increase the overall building size by over 100 square feet, does not need a variance, does not result in an increase in the number of required parking spaces and does not affect a condition of approval. If construction and development does not conform with such approved plan, the approval thereof shall be forthwith revoked by the Zoning Administrator of the township, by written notice of such revocation, posted upon the premises involved and mailed to the developer at his last known

address. Upon revocation of such approval, all further construction activities shall cease upon the site other than for the purpose of correcting the violation. However, the township planning commission may, upon proper application of the developer and after a hearing approve a modification in the site plan to coincide with the developer's construction provided such construction complies with the criteria contained in the site plan approval provisions and with the spirit, purpose and intent of the Caledonia Township Zoning Ordinance.

(TA 05-4 Amended 12/19/05)

Section 8.10 - Expiration of Site Plan Approval

Approval of the site plan shall be valid for a period of one year after the date of approval. If a building permit has not been obtained and on-site development actually commenced within said year, the site plan approval shall become void and a new application for site plan approval shall be required and new approval shall be required and obtained before any construction or earth change is commenced upon the site provided that an extension of not more than one year may be granted by the planning commission. Once a building permit has been issued on an approved site plan, the site plan approval remains valid until the building permit expires. If the building permit expires and is not renewed prior to completion of the project, a new site plan must be approved.

Section 8.11 - Amendment to the Site Plan

A proposed amendments modification, or alteration to a previously approved site plan shall be submitted to the Caledonia Township Board of Appeals or township planning commission for review in the same manner as the original application was submitted and reviewed.

ARTICLE 9 - ZONING DISTRICTS, MAP AND SCHEDULE OF REGULATIONS

Section 9.1 - General Provisions

9.1.1. Establishment of Districts

For the purposes of this Ordinance, Caledonia Township, Shiawassee County, Michigan is hereby divided into the following districts:

A-1	Agricultural Production
A-2	Agricultural Production/Rural Residential
R-1A	One-Family Rural Residential
R-1B	One-Family Low Density Residential
R-1C	One-Family Medium Density Residential
R-1D	Two-family Residential
R-T	Mobile Home Development
O-1	Office and Administration
B-1	Commercial
B-2	General Business
B-3	Rural Commercial
M-1	Light Industrial
M-2	Heavy Industrial

9.1.2. Zoning District Maps

The boundaries of the respective districts are defined and established as depicted on the map entitled "Zoning District Map of Caledonia Township, Shiawassee County, Michigan" which is an integral part of this Ordinance, and which, with the explanatory matter thereon, shall be published as part of this section and is hereby incorporated by reference.

- A. The "Zoning District Map of Caledonia Township, Shiawassee County, Michigan" and subsequent amendments to the text shall bear the signature of the Township Supervisor and shall be attested by the Township Clerk, and shall bear the following words: "This is to certify that the above map is the Official Zoning Map of the Caledonia Township Zoning Ordinance adopted on the _____ day of _____, 2004. A copy of the official zoning map will be on display at the Caledonia Township Hall.
- B. If amendments are made in district boundaries or other matter depicted on the Official Zoning Map, such changes shall not be considered final, and building permits shall not be issued until the appropriate amendments have been made on the Official Zoning Map. Such amendments shall be made within twenty (20) normal working days after the effective date of the amendment. Each amendment shall be accompanied by a reference number on the map which shall refer to the official action of the Township Board. One (1) copy of the Official Zoning Map shall be maintained and kept up-to-date in the Office of the Township Clerk of Caledonia Township.

9.1.3. Replacement of Official Zoning Map

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the Caledonia Township Board may, by ordinance, adopt a new official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other

errors or omissions on the prior Official Zoning Map, but no such corrections shall have the effect of amending the Zoning Ordinance or the prior Official Zoning Map. The new Official Zoning Map shall be identified by the signature of the Chairman of the Township Board, attested by the Caledonia Township Clerk, and the Caledonia Township Supervisor under the following words: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Caledonia Township, Shiawassee County, Michigan, adopted on _____, which replaces and supersedes the Official Zoning Map which was adopted on June 3rd, 1991. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remain, shall be preserved together with all available records pertaining to its adoption or amendment.

Section 9.2 - Rules for Interpretation of Official Zoning Map

Where a question arises with respect to the boundary of any district, the following shall govern:

- A. Where boundaries follow streets or highways, the centerline of the street or highway shall be the boundary line or lines.
- B. Where boundaries follow the shore line of a stream, lake, or other body of water, such shall follow such shore line, and in the event of change in the shore line, such shall be the actual shore line; where boundaries follow the centerline of streams, rivers, canals or other bodies of water, such shall follow the centerlines thereof.
- C. A boundary indicated as approximately following a recorded lot line or the line bounding a parcel shall be construed as following such line.
- D. A boundary indicated as following the municipal boundary line of a City, Village, or Township shall be construed as following such line.
- E. A boundary indicated as following a railroad line shall be construed as following the right-of-way.
- F. A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map to the nearest foot.
- G. A distance specifically indicated on the official zoning map shall be assumed to be the correct distance in question.

Should the above not fully explain a question of boundaries, the Board of Appeals shall have the authority to make an interpretation on appeal based upon the aforementioned standards.

Section 9.3 - Scope of Provisions

- A. Every building or structure erected, any use of land, building or structure, any structural alteration or relocation of an existing building or structure, any earth changes such as grading or excavating in connection with a construction of a building or a land use, and any enlargement of, or addition to, an existing use of land, building or structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable within the Zoning district in which such land use, building, or structure shall be located.
- B. Uses are permitted by right only if specifically listed as "Uses Permitted by Right" in the various Zoning districts. Accessory uses are permitted as indicated for in the various Zoning districts, and if such uses are clearly incidental to the permitted principal uses. Special uses are permitted as listed or, where provided for, and if the required conditions are met.
- C. The zoning administrator shall have the authority to determine if a proposed particular use falls with a broader category or falls within the phrase "other uses similar to those permitted in this district". The zoning administrator's decision is appealable to the

Zoning Board of Appeals by a person with an interest in the decision, the township planning commission or the township board. The zoning administrator may request the Zoning Board of Appeals to determine the appropriate zoning district(s) a use is permitted in and whether by right or by special use permit when he/she feels that the zoning ordinance is unclear. In making a decision on a use the zoning administrator or Zoning Board of Appeals shall use the following criteria:

1. A use that is specifically listed in one district may not be assumed to fall within a broader category somewhere else.
 2. In determining “similar uses” consideration should be given to traffic generation, hours of operation, noise generation and other off-site impacts of a proposed use in comparison with uses in proposed zoning districts.
- D. No part of a setback area, or other open space, or off-street parking or loading space required in connection with any use of land, building or structure, for the purpose of complying with this Ordinance shall be included as part of a setback area, open space, or off-street parking lot or loading space similarly required for any other use, building, or structure.
- E. No use of land, buildings, structures or portions thereof requiring more than fifty (50) parking spaces, as provided in Section 10.3 of this Ordinance shall be erected or utilized without the prior approval of the Site Plan in accordance with Article 8 of this Ordinance.
- F. Each district, as created in this article, shall be subject to the regulations contained in this ordinance. Uses not expressly permitted are prohibited. Uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances are prohibited
(TA 10-1 Amended 3/21/11)

Section 9.4 - Permitted Uses

The regulations herein established in order to promote the public health, safety, and general welfare of the residents of Caledonia Township are uniform throughout each district and shall be applied consistently to each class of land, building or structure within each district. Within each district so established there are two categories of uses.

1. Uses Permitted by Right: Such uses shall be allowed when in accordance with the provisions of this Ordinance.
2. Uses Permitted by Issuance of a Special Permit: The Special Use Permit has been established to facilitate the inclusion within a district of certain uses which present potential injurious effects upon the surrounding property, public safety, public health, public services, or the general welfare of the community, unless such use is authorized under the specific conditions which may vary depending on the land uses in the surrounding area.

Section 9.5 - A-1 District: Agricultural Production:

9.5.1. Intent and Purpose

Agricultural production contributes essential economic benefit and physical sustenance to the citizens of Caledonia Township, Shiawassee County, the State of Michigan, and the United States. The retention and protection of those lands particularly suited to agricultural production represents a valid public goal contributing greatly to the health and welfare of the general public. The agricultural zoning district incorporated as part of the Caledonia Township Zoning Ordinance is designed to provide a district for those land owners who do not intend to convert their farmland to urban uses.

Therefore, it is the purpose of the Agricultural Production District to insure that land areas

within Caledonia Township which are best suited for the production of food can be retained for agricultural production unimpeded by the establishment of uses of land which would hinder agricultural practices or deplete essential agricultural lands and productivity.

9.5.2. Permitted Uses and Structures (The following uses shall be permitted by right)

- A. Field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, annelid farms, greenhouses, tree nurseries, and similar agricultural enterprises
- B. General and specialized farms, including the raising and keeping of cattle, hogs, horses, ponies, sheep, swine, and similar livestock or small animals such as rabbits, poultry, and goats on a farm having an area of not less than twenty (20) acres of land. (See 9.5.2 K for parcels less than 20 acres)
- C. Intensive Livestock Operations
- D. Forestry
- E. One farm dwelling per farm
- F. Historic sites
- G. One non-farm single-family dwelling per each roadside quarter/quarter section in addition to the existing principal farm dwelling with the provision that:
 - 1. On a contiguous parcel of two or more roadside quarter/quarter sections, a landowner may concentrate the permitted number of homes.
 - 2. The parcel on which the dwelling unit is located must have at least 200 feet of frontage along a public road which was in use before the effective date of this Ordinance.
 - 3. The driveway serving the parcel shall be separated from adjacent driveways on the same side of the road by the following distances, depending on the road types.
 - a. County Local and County Primary roads: 100 feet
 - b. State Highway: 500 feet
 - c. Minimum distance from intersection of two or more of the above: 100 feet
 - 4. The dwelling shall be set back at least 40 feet from the road right-of-way and be separated at least 500 feet from the nearest farm building.
 - 5. At the time of the adoption of this Ordinance, if the parcel of property or the original larger parcel of the subject parcel has been divided since this date is a quarter of a quarter of a land section or less in area, then only one residence or principal building shall be constructed after said date upon said parcel or any parts thereof, as it existed on said date.
 - 6. To enforce these density regulations, the Caledonia Township Zoning Inspector, as of July 3, 1991 shall maintain section maps of the areas in the Agricultural Production District and the size of all parcels as of July 3rd, 1991. These maps shall show all construction of residences and principal buildings in these areas since July 3, 1991.
- H. Customary home occupations are permitted provided compliance with Section 15.01 of the zoning ordinance.
- I. Cemeteries: Public or Private, including pet cemeteries, provided compliance with Section 15.13 of the zoning ordinance
- J. Accessory uses incidental to any of the permitted uses. All accessory buildings shall be in compliance with the provisions of Article 12.
- K. Notwithstanding, the provisions of Section 9.5.5. the raising and keeping of livestock and small animals such as poultry, rabbits, goats, and household pets may be conducted in this district on a lot of less than twenty (20) acres, providing that the raising and keeping, including the killing and dressing thereof where applicable, are for the sole use or consumption by the occupants of the premises, and provided further that such activities

are conducted on a parcel of land not less than two (2) acres in area provided compliance with Section 15.9 of the zoning ordinance.

- L. Roadside stands selling products grown on the premises, provided compliance with Section 15.15 of the zoning ordinance
- M. Public recreation and playgrounds, provided compliance with Section 15.3 of the zoning ordinance
- N. Basic Utility (B1) Airports, Private Landing Strips, provided compliance with Section 15.16 of the zoning ordinance
- O. A second farm dwelling in the quarter/quarter section containing the farm dwelling, provided compliance with Section 9.5.2 H. 1-4 of the zoning ordinance.
- P. Christmas Tree Sales, provided compliance with Section 15.57 of the zoning ordinance.
- Q. Day Care Home, Family (1-6)
- R. Adult Foster Care Family Home (1-6)
- S. Adult Foster Care Small Group Home (1-6)
- T. Emergency Housing
- U. Adult Day Care (1-6)
- V. Foster Family Group Homes
- W. Foster Family Homes
- X. Kennel, Private
- Y. Cold storage for cooperative and/or wholesale agricultural products
- Z. Two Family Dwellings are permitted, provided compliance with Section 15.52 of the zoning ordinance

9.5.3. Uses Permitted by Special Use Permit pursuant to Article 7 of this Ordinance

- A. Greenhouses selling at retail on the premises
- B. Nurseries selling at retail on the premises
- C. Commercial horseback riding stables
- D. Livestock auction yards
- E. Livestock transport facilities
- F. Production of fur-bearing animals for profit
- G. Veterinary hospitals, and indoor kennels
- H. Game or hunting preserves operated for profit
- I. Seasonal labor housing complexes associated with agricultural enterprises, provided they are maintained in a safe and sanitary condition with inside water and sanitary sewage disposal facilities, and that they are occupied no more than eight (8) months in any twelve (12) month period.
- J. Sawmills
- K. Airports, Commercial provided that:
 1. Lights: All-lights, used for landing strips and other lighting facilities, should be so arranged as not to reflect towards adjoining districts.
 2. Fire and Safety hazards: The storage and handling of flammable liquids, liquefied petroleum gases and explosives at the airport, comply with the State Rules and Regulations as established by Public Act 207 of 1941; the "Fire Prevention Act".
 3. Off-street Parking: Off-street parking should be provided in sufficient amounts to provide for the parking of automobiles and other motor vehicles used by the employee, patrons, and visitors to the airport and which should not be less than one (1) parking space for each one (1) employee, and one (1) parking space for each one (1) aircraft harbored at the airport.
 4. Fencing: A six (6) foot chain link fence shall be provided along any of hazardous areas as a barrier to prevent the attendant hazards of inadvertently entries onto the airport properties.

5. All applicable State and Federal aviation safety regulations are complied with.
6. Lodges, schools, churches, or other assembly buildings shall not be located within one thousand (1,000) feet of any runway.
7. No more than twenty-five (25) percent of the parcels proposed for development are in prime agricultural land.
8. B-III Commercial Airports: Provided that no more than twenty-five (25) percent of the parcels proposed for development are prime agricultural land.
- L. Grain and Seed Elevators and Sales
- M. Private non-profit recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, provided compliance with the provisions of Section 12.7.1.A.B. of the zoning ordinance
- N. Slaughterhouses, provided that the slaughterhouse and animal holding area is constructed one hundred (100) feet from all property lines & retail sale of meat products is limited to that butchered on site.
- O. Public buildings such as post offices, libraries, governmental offices, community centers and other similar uses, provided compliance with Article 7 of the zoning ordinance
- P. Surface Mining: Sand and/or gravel pits, quarries, asphalt plants in conjunction with sand and gravel operations, sewage treatment and disposal installations, provided compliance with the provisions of Article 7 of the zoning ordinance
- Q. Special open space uses, public beaches, bath houses, private resorts, recreational camps, and other open space uses operated for profit, provided compliance with Article 7 of the zoning ordinance
- R. Commercial freestanding towers, provided compliance with the provisions of Article 7 of the zoning ordinance
- S. Seasonal farm markets provided that:
 1. Only retail sales are conducted out of the public right-of-way, and where sufficient parking is provided to prevent creation of a traffic hazard.
 2. Only fresh produce, which is in season and produced in the general vicinity by the farm owner or lessee, is offered for sale or sold by the farm owner or lessee.
- T. Public service Installations, provided compliance with the provisions of Article 7 of the zoning ordinance
- U. Conversion of One-Family Dwellings: The conversion of one-family dwellings over two thousand (2,000) square feet built prior to 1940 to two-family dwellings shall be permitted to achieve the better utilization of existing larger houses in rural areas in order to extend the economic life of the building and, to allow the owner to justify the expense of modernization when the following conditions are met:
 1. An on-site sewage treatment permit is issued from the Shiawassee County Environmental Health Department specifying the maximum total of inhabitants capable of being served by the said on-site system.
 2. The resulting building and land use shall meet all requirements of the A-1, Agricultural Production District.
- V. Residential enclaves as described in Article 7
- W. Veterinary clinic
- X. Institutions for human care, provided compliance with Section 15.29 of the zoning ordinance
- Y. Religious institutions provided, compliance with Section 15.27 of the zoning ordinance
- Z. Educational and social institutions, provided compliance with Section 15.28 of the zoning ordinance
- AA. Golf courses and Country Clubs, provided compliance with Section 15.33 of the zoning ordinance

- BB. Communication antenna, provided compliance with Section 15.25 of the zoning ordinance
- CC. Day Care Home, Group (7-12)
- DD. Adult Foster Care Small Group Home (7-12)
- EE. Temporary Housing
- FF. Adult Day Care (7-12)
- GG. Foster Family Group Homes
- HH. Foster Family Homes
- II. Bed and Breakfast Establishment
- JJ. Campgrounds
- KK. Golf Driving Range
- LL. Parking of commercial vehicles over 1 ½ ton on a residential parcel

(TA 09-2 Amended 12/21/09)

9.5.4. General Provisions for Uses Permitted by Special Use Permit in the A1, Agricultural Production District

- A. Non-farm structures shall be sited on a separately surveyed and described parcel.
- B. The use shall not be one to which the noise, odor, dust, or chemical residues of commercial agricultural or horticulture might result in creation or establishment of a nuisance or trespass.
- C. All agricultural service establishments shall be located at least one hundred (100) feet from any driveway affecting access to a farm dwelling or field, and at least three hundred (300) feet from any single-family dwellings.
- D. All agricultural service establishments shall be screened on the perimeter of the establishment by a solid fence, wall, or natural vegetation not less than six (6) feet in height.
- E. An agricultural service establishment shall be incidental and necessary to the conduct of agriculture within one district.
- F. Public utility and service structures shall be located and constructed at such places and in such manner that they will not segment land of one farm and will not interfere with the conduct of agriculture by limiting or interfering with the access to fields or the effectiveness and efficiency of the farmer and farm equipment, including crop spraying aircraft.

9.5.5. Dimensional Requirements

The following dimensions shall be required for every structure and land use in the A-1, Agricultural Production District, except as otherwise provided:

- A. The minimum lot area shall be forty thousand (40,000) square feet. There shall not be more than one (1) dwelling on each lot.
- B. The minimum lot width shall be two hundred (200) feet facing the street upon which the lot fronts. The required lot frontage shall extend to the rear lot line.
- C. The minimum corner lot width shall be two hundred ten (210) feet facing the street fronted.
- D. Maximum Lot Coverage: No building, including the accessory building, shall cover more than twenty (20) percent of the lot area.
- E. Front Yards: The minimum front yard for any building shall be forty (40) feet. Any platted or unplatted area fronting on a State or Federal Highway shall have a front yard setback of not less than seventy-five (75) feet. The front yard, except for necessary drives or walks, shall be unobstructed.

- F. Side Yards: The minimum side yard shall each be twenty (20) feet in width, except that a corner lot shall have the minimum required for front yard setback from abutting side streets.
- G. Rear Yard: The minimum rear yard shall be sixty (60) feet.
- H. Maximum Building Height: Two and one-half (2 ½) stories or thirty-five (35) feet for residential structures. Structures for agricultural operations such as barns and silos may be permitted up to one hundred (100) feet in height.
- I. The minimum dwelling floor area for a single-family dwelling, excluding garages, cellars, breezeways, or basements shall be:
 - 1. One Story. 864 square feet
 - 2. One and One-Half Story. 750 square feet
 - 3. 1st floor Two Story 700 square feet
 - 4. Split Level. 900 square feet
- J. Structure Spacing: Non-farm structures shall be separated from farm structures consistent with the following requirements:
 - 1. Five hundred (500) feet where the farm and non-farm structures are on separate parcels of land.
 - 2. Up to a distance of 1,000 feet for separation of farm structures of a Special Use and non-farm structures on other parcels where such separation in excess of five hundred (500) feet is necessary to maintain adjacent property values and enjoyment of adjacent property rights.

Section 9.6 - A-2 District: Agricultural Production/Rural Residential

9.6.1. Intent and Purpose

This district intends to maintain existing patterns of rural residential growth in agricultural areas of the township. Premature urban developments are to be excluded from these areas. The purpose of preserving the essential characteristics of these lands is to preclude the necessity of serving scattered urban developments with water, sewer, schools, roadways, and other public services.

To achieve these objectives, permitted uses within this district are limited to agricultural and low density rural residential use together with such limited community facilities as schools, churches, and public open spaces.

9.6.2. Uses Permitted by Right

- A. Single-family dwellings
- B. Field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, annelid farms, greenhouses, tree nurseries, and similar agricultural enterprises
- C. General and specialized farms, including the raising and keeping of cattle, hogs, horses, ponies, sheep, swine, and similar livestock or small animals such as rabbits, poultry, and goats on a farm having an area of not less than twenty (20) acres of land
- D. Intensive Livestock Operations
- E. Forestry
- F. Public and private conservation areas and structures for the conservation of water, soil, open space, forest, and wildlife resources
- G. Cold storage for cooperative and/or wholesale agricultural products
- H. Community Residential Care Facilities of six (6) or less persons:
 - 1. Family day care homes
 - 2. Family homes

- I. Customary home occupations, provided compliance with Section 15.1 of the zoning ordinance
- J. Cemeteries, provided compliance with Section 15.13 of the zoning ordinance
- K. Accessory uses incidental to any of the permitted uses. All accessory buildings shall be in compliance with the provisions of Article 12.
- L. Raising and keeping of animals, provided compliance with provisions of Section 9.3.5. (f) of the zoning ordinance
- M. Roadside stands selling products grown on the premises, provided compliance with Section 15.15 of the zoning ordinance
- N. Public recreation and playgrounds, provided compliance with Section 15.3 of the zoning ordinance
- O. Christmas Tree Sales are permitted, provided compliance with Section 15.57 of the zoning ordinance
- P. Kennel, private

9.6.3. Uses Permitted by Special Use Permit Pursuant to Article 7 of this Ordinance

- A. Greenhouses selling at retail on the premises
- B. Nurseries selling at retail on the premises
- C. Production of fur-bearing animals for profit
- D. Game or hunting preserves operated for profit
- E. Airports, Local: Private Landing Strips, provided compliance with Section 15.16 of the zoning ordinance.
- F. Airports, Commercial
- G. Private non-profit recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, provided compliance with the provisions of Section 12.7.1.A.B of the zoning ordinance
- H. Public buildings such as post offices, libraries, governmental offices, community centers and other similar uses, provided compliance with Article 7 of the zoning ordinance
- I. Special open space uses, public beaches, bath houses, private resorts, recreational camps, and other open space uses operated for profit, provided compliance with Article 7 of the zoning ordinance
- J. Commercial freestanding towers, provided compliance with the provisions of Article 7 of the zoning ordinance
- K. Commercial freestanding towers, provided compliance with the provisions of Article 7 of the zoning ordinance
 - 1. Only retail sales are conducted out of the public right-of-way, and where sufficient parking is provided to prevent creation of a traffic hazard.
 - 2. Only fresh produce, which is in season and produced in the general vicinity by the farm owner or lessee, is offered for sale or sold by the farm owner or lessee.
- L. Public service Installations, provided compliance with the provisions of Article 7 of the zoning ordinance
- M. Conversion of One-Family Dwellings: The conversion of one-family dwellings over two thousand (2,000) square feet built prior to 1940 to two-family dwellings shall be permitted to achieve the better utilization of existing larger houses in rural areas in order to extend the economic life of the building and, to allow the owner to justify the expense of modernization when the following conditions are met:
 - 1. An on-site sewage treatment permit is issued from the Shiawassee County Environmental Health Department specifying the maximum total of inhabitants capable of being served by the said on-site system.
 - 2. The resulting building and land use shall meet all requirements of the A-1, Agricultural Production District.

- N. Residential enclaves, provided compliance with Article 7 of the zoning ordinance
- O. Veterinary clinic
- P. Institutions for human care, provided compliance with Section 15.29 of the zoning ordinance
- Q. Religious institutions, provided compliance with Section 15.27 of the zoning ordinance
- R. Educational and social institutions, provided compliance with Section 15.28 of the zoning ordinance
- S. Golf courses and Country Clubs, provided compliance with Section 15.33 of the zoning ordinance
- T. Communication antenna, provided compliance with Section 15.25 of the zoning ordinance
- U. Day Care Home, Group (7-12), provided compliance with Section 15.49 of the zoning ordinance
- V. Adult Foster Care Small Group Home (7-12), provided compliance with Section 15.51 of the zoning ordinance
- W. Temporary Housing provided compliance with Section 15.20 of the zoning ordinance.
- X. Adult Day Care (7-12)
- Y. Foster Family Group Homes
- Z. Foster Family Homes
- AA. Bed and Breakfast Establishment, provided compliance with Section 15.44 of the zoning ordinance
- BB. Campgrounds, provided compliance with Section 15.40 of the zoning ordinance
- CC. Public areas such as forest preserves, game refuges, forest-type recreation parks, and similar public uses
- DD. Surface mining
- EE. Uses Accessory to an Agricultural Processing Facility
- FF. Parking of commercial vehicles over 1 ½ ton on a residential parcel
- GG. Commercial dog kennels, provided compliance with Section 15.40
 (TA 07-2 Amended 10/15/07)
 (TA 09-2 Amended 12/21/09)
 (TA 11-1 Amended 11/21/11)

9.6.4. Dimensional Requirements

The following dimensions shall be required for every structure and land use in the A-2, Agricultural Production/Rural Residential District, except as otherwise provided:

- A. The minimum lot area shall be forty thousand (40,000) square feet. There shall not be more than one (1) dwelling on each lot.
- B. The minimum lot width shall be two hundred (200) feet facing the street upon which the lot fronts. The required lot frontage shall extend to the rear lot line.
- C. The minimum corner lot width shall be two hundred (200) feet facing the street fronted.
- D. Maximum Lot Coverage: No building, including accessory building, shall cover more than twenty (20) percent of the lot area.
- E. Front Yards: The minimum front yard for any building shall be forty (40) feet. Any platted or unplatted area fronting on a State or Federal Highway shall have a front yard setback of not less than seventy-five (75) feet from the edge of the road right-of-way. The front yard, except for necessary drives or walks, shall be unobstructed.
- F. Side Yards: The minimum side yard shall each be twenty (20) feet in width, except that a corner lot shall have the minimum required for front yard setback from abutting side streets.
- G. Rear Yard: The minimum rear yard shall be sixty (60) feet.

- H. Maximum Building Height: Two and one-half (2 ½) stories or thirty-five (35) feet for residential structures. Structures for agricultural operations such as barns and silos may be permitted up to one hundred (100) feet in height.
- I. The minimum dwelling floor area for a single-family dwelling, excluding garages, cellars, breezeways, or basements shall be:
 - 1. One Story 864 square feet
 - 2. One and One Half Story 750 square feet, 1st floor
 - 3. Two Story 800 square feet, 1st floor
 - 4. Split Level 900 square feet

Section 9.7 - R-1A District: One-family Rural Residential

9.7.1. Intent and Purpose

This section establishes the R-1A One-Family-Rural Residential District, to encourage the development of residential areas of a rural character within areas of Caledonia Township not well suited for agricultural production and presently without public water and sewage services and likely to remain without such services for an indefinite period. This district includes existing low density one-family areas as well as contiguous areas in which such development is desirable.

9.7.2. Uses Permitted by Right

- A. Single-family dwellings, provided compliance with Section 15.5 of the Zoning Ordinance
- B. Public recreation and playgrounds, provided compliance with Section 15.3 of the Zoning Ordinance
- C. Customary accessory uses and buildings, provided compliance with Section 12.3 of the Zoning Ordinance
- D. Temporary Buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- E. Day Care Home, Family (1-6)
- F. Adult Foster Care Family Home (1-6)
- G. Adult Foster Care Small Group Home (1-6)
- H. Emergency Housing, provided compliance with Section 15.19 of the Zoning Ordinance
- I. Customary Household Pets
- J. Adult Day Care (1-6)
- K. Foster Family Group Homes
- L. Foster Family Homes
- M. Home occupations, provided compliance with Section 15.1 of the Zoning Ordinance
- N. Private nonprofit recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, provided compliance with Section 15.2 of the Zoning Ordinance

9.7.3. Uses Permitted by the Issuance of a Special Use Permit

- A. Customary Agricultural Operations, provided compliance with Section 15.9 of the Zoning Ordinance
- B. Institutions for human care, provided compliance with Section 15.29 of the Zoning Ordinance
- C. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance
- D. Golf courses and Country Clubs, provided compliance with Section 15.33 of the Zoning Ordinance, pursuant to Article 7
- E. Educational and social institutions, provided compliance with Section 15.2.8 of the Zoning Ordinance

- F. Two-family dwellings, provided compliance with Section 15.52 of the Zoning Ordinance
- G. Public Building, provided compliance with Section 15.26 of the Zoning Ordinance
- H. Communication Antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- I. Day Care Home, Group (7-12), provided compliance with Section 15.49 of the Zoning Ordinance
- J. Adult Foster Care Small Group Home (7-12), provided compliance with Section 15.51 of the Zoning Ordinance
- K. Bed and Breakfast Establishment, provided compliance with Section 15.44 of the Zoning Ordinance
- L. Adult Day Care (7-12), provided compliance with Section 15.51 of the Zoning Ordinance.
- M. Adult Foster Care Large Group Home (13-20), provided compliance with Section 15.49 of the Zoning Ordinance

(TA 14-2 Amended 6/16/14)

9.7.4. Dimensional Requirements

All "Lots of Record" shall conform to the minimum dimensions for lot area, lot width, front, rear and side yards; all lots shall conform with the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the Site Development Standards as set forth in Schedule A of this Ordinance, except as otherwise stated in the above text of this district, or as modified by Article 12, Planned Unit Development, Article 12, Supplemental Regulations; or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

Section 9.8 - R-1B District: One-family Low Density Residential

9.8.1. Intent and Purpose

It is the intent and purpose of this district to provide low density residential development in portions of Caledonia Township which are well serviced by County primary roads or major thoroughfares, public and private close proximity utility services, and located within relatively easy access to schools, employment centers and recreational facilities.

9.8.2. Uses Permitted by Right

- A. Single-family dwellings, provided compliance with Section 15.5 of the Zoning Ordinance
- B. Public recreation and playgrounds, provided compliance with Section 15.3 of the Zoning Ordinance
- C. Customary accessory uses and buildings, provided compliance with Section 12.3 of the Zoning Ordinance
- D. Temporary Buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- E. Day Care Home, Family (1-6)
- F. Adult Foster Care Family Home (1-6)
- G. Adult Foster Care Small Group Home (1-6)
- H. Emergency Housing, provided compliance with Section 15.19 of the Zoning Ordinance
- I. Customary Household Pets, provided compliance with Section 15.59 of the Zoning Ordinance
- J. Adult Day Care (1-6)
- K. Foster Family Group Homes
- L. Foster Family Homes
- M. Home occupations, provided compliance with Section 15.1 of the Zoning Ordinance.

- N. Private nonprofit recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, provided compliance with Section 15.2 of the Zoning Ordinance

9.8.3. Uses Permitted by Issuance of a Special Use Permit Pursuant to Article 7

- A. Customary Agricultural Operations, provided compliance with Section 15.9 of the Zoning Ordinance
- B. Institutions for human care, provided compliance with Section 15.29 of the Zoning Ordinance
- C. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance
- D. Golf courses and Country Clubs, provided compliance with Section 15.33 of the Zoning Ordinance pursuant to Article 7.
- E. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- F. Two-family dwellings, provided compliance with Section 15.52 of the Zoning Ordinance
- G. Public Building, provided compliance with Section 15.26 of the Zoning Ordinance
- H. Communication Antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- I. Day Care Home, Group (7-12), provided compliance with Section 15.49 of the Zoning Ordinance
- J. Adult Foster Care Small Group Home (7-12), provided compliance with Section 15.51 of the Zoning Ordinance
- K. Bed and Breakfast Establishment, provided compliance with Section 15.44 of the Zoning Ordinance
- L. Adult Day Care (7-12), provided compliance with Section 15.51 of the Zoning Ordinance

9.8.4. Dimensional Requirements

All "Lots of Record" shall conform to the minimum dimensions for lot area, lot width, front, rear and side yards; all minimum floor area and maximum height of buildings specified in the Site Development Standards as set forth in Schedule A of this Ordinance, except as otherwise stated in the above text of this district or as modified by Article 7, Planned Unit Developments, or Article 12, Supplementary Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

Section 9.9 - R-1C District: One-family Medium Density Residential

9.9.1. Intent and Purpose

It is the intent of this district to provide for medium density residential development in portions of Caledonia Township served by County primary roads or major thoroughfares, and other public or private utilities and services necessary to serve the needs of medium density residential development.

This district is further intended to provide a means for developing vacant land within established residential areas, while preserving their existing residential characteristics and basic density. Provisions are made within this district to provide for Planned Unit Developments in order to provide for the development of certain limited commercial service facilities as permitted by right or special conditions in the B-1, Commercial District, which can provide convenient service to residential areas while at the same time preserving the overall residential character of this district.

9.9.2. Uses Permitted by Right

- A. Single-family dwellings, provided compliance with Section 15.5 of the Zoning Ordinance
- B. Public recreation and playgrounds, provided compliance with Section 15.3 of the Zoning Ordinance
- C. Customary accessory uses and buildings, provided compliance with Section 12.3 of the Zoning Ordinance
- D. Temporary Buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- E. Day Care Home, Family (1-6)
- F. Adult Foster Care Family Home (1-6)
- G. Adult Foster Care Small Group Home (1-6)
- H. Emergency Housing, provided compliance with Section 15.19 of the Zoning Ordinance
- I. Customary Household Pets, provided compliance with Section 15.59 of the Zoning Ordinance
- J. Adult Day Care (1-6)
- K. Foster Family Group Homes
- L. Foster Family Homes
- M. Home occupations, provided compliance with Section 15.1 of the Zoning Ordinance
- N. Private nonprofit recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, provided compliance with Section 15.2 of the Zoning Ordinance

9.9.3. Uses Permitted by Issuance of a Special Use Permit

- A. Customary Agricultural Operations, provided compliance with Section 15.9 of the Zoning Ordinance
- B. Institutions for human care, provided compliance with Section 15.29 of the Zoning Ordinance
- C. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance
- D. Golf courses and Country Clubs, provided compliance with Section 15.33 of the Zoning Ordinance and pursuant to Article 7
- E. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- F. Two-family dwellings, provided compliance with Section 15.52 of the Zoning Ordinance
- G. Public Building, provided compliance with Section 15.26 of the Zoning Ordinance
- H. Communication Antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- I. Day Care Home, Group (7-12), provided compliance with Section 15.49 of the Zoning Ordinance
- J. Adult Foster Care Small Group Home (7-12), provided compliance with Section 15.51 of the Zoning Ordinance
- K. Bed and Breakfast Establishment, provided compliance with Section 15.44 of the Zoning Ordinance
- L. Adult Day Care (7-12)
- M. Residential Plan Unit Development, provided compliance with Section 15.4 of the Zoning Ordinance

9.9.4. Dimensional Requirements

All "Lots of Record" shall conform to the minimum dimensions for lot area, lot width, front, rear and side yards; all lots shall conform with the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the Site Development Standards set forth in Schedule A of this Ordinance, except as otherwise

stated in the above text of this district or as modified by Article 7, Planned Unit Developments, or Article 12, Supplementary Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

Section 9.10 - R-1D District: Two-Family Residential District

9.10.1. Intent and Purpose

It is the intent of this district to provide for a diverse residential environment by allowing single-family, two-family dwellings, and certain multiple family dwellings which meet the requirements of this district. This district is intended to serve certain portions of Caledonia Township where primary roads or major thoroughfares exist along other public and private utilities and services necessary to serve the needs of medium density residential development.

Provisions are also made within this district to provide for Planned Unit Developments in order to provide for the development of certain limited commercial service facilities as permitted by right, but subject to special conditions in the B-1, Commercial, and in the O-1, Office and Administrative District, which can provide convenient service to residential areas while at the same time preserving the overall residential character of the district.

9.10.2. Uses Permitted by Right

- A. Single-family dwellings, provided compliance with Section 15.5 of the Zoning Ordinance
- B. Public recreation and playgrounds, provided compliance with Section 15.3 of the Zoning Ordinance
- C. Customary accessory uses and buildings, provided compliance with Section 12.3 of the Zoning Ordinance
- D. Temporary Buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- E. Day Care Home, Family (1-6)
- F. Adult Foster Care Family Home (1-6)
- G. Adult Foster Care Small Group Home (1-6)
- H. Emergency Housing, provided compliance with Section 15.19 of the Zoning Ordinance
- I. Customary Household Pets, provided compliance with Section 15.59 of the Zoning Ordinance
- J. Adult Day Care (1-6)
- K. Foster Family Group Homes
- L. Foster Family Homes
- M. Home occupations, provided compliance with Section 15.1 of the Zoning Ordinance
- N. Private nonprofit recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, (see Article 15)
- O. Two-family dwellings
- P. Adult Foster Care Small Group Home (7-12)
- Q. Multiple Family Dwellings, provided compliance with Section 15.10 of the Zoning Ordinance
- R. Adult Day Care (7-12)

9.10.3. Uses Permitted by Issuance of a Special Use Permit

- A. Customary Agricultural Operations, provided compliance with Section 15.9 of the Zoning Ordinance
- B. Institutions for human care, provided compliance with Section 15.29 of the Zoning Ordinance

- C. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance
- D. Golf courses and Country Clubs, provided compliance with Section 15.33 of the Zoning Ordinance pursuant to Article 7
- E. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- F. Two-family dwellings, provided compliance with Section 15.52 of the Zoning Ordinance
- G. Public Building, provided compliance with Section 15.26 of the Zoning Ordinance
- H. Communication Antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- I. Day Care Home, Group (7-12), provided compliance with Section 15.49 of the Zoning Ordinance
- J. Bed and Breakfast Establishment, provided compliance with Section 15.44 of the Zoning Ordinance
- K. Residential Plan Unit Development, provided compliance with Section 15.4 of the Zoning Ordinance
- L. Child Care Center, provided compliance with Section 15.53 of the Zoning Ordinance
- M. Adult Foster Care Large Group Home (13-20), provided compliance with Section 15.50 of the Zoning Ordinance
- N. Adult Day Care (13+)

9.10.4. Dimensional Requirements

All "Lots of Record" shall conform to the minimum dimensions for lot area, lot width, front, rear and side yards; all lots shall conform with the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the site development standards as set forth in Schedule A of this Ordinance, except as otherwise stated in the above text of this district or as modified by Article 7, Planned Unit Development, or Article 12, Supplementary Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

Section 9.11 - R-M1 District: Multiple Family Residential

9.11.1. Intent and Purpose

This district is provided to accommodate a mixture of housing types such as condominiums, garden apartments, townhouses, row houses, or other group housing facilities. This district is further intended to permit boarding and lodging houses under specified maximum capacities. Furthermore, this district shall only include areas within Caledonia Township which have public sewer facilities and are located adjacent to primary roads or major thoroughfares. Said district shall also be located near neighborhood commercial services and other essential services necessary to service the needs of high density development.

9.11.2. Uses Permitted by Right when served by Public Sanitary Sewer Service

- A. Single-family dwellings, provided compliance with Section 15.5 of the Zoning Ordinance
- B. Public recreation and playgrounds, provided compliance with Section 15.3 of the Zoning Ordinance
- C. Customary accessory uses and buildings, provided compliance with Section 12.3 of the Zoning Ordinance
- D. Temporary Buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- E. Day Care Home, Family (1-6)
- F. Adult Foster Care Family Home (1-6)
- G. Adult Foster Care Small Group Home (1-6)

- H. Emergency Housing, provided compliance with Section 15.19 of the Zoning Ordinance
- I. Customary Household Pets, provided compliance with Section 15.59 of the Zoning Ordinance
- J. Adult Day Care (1-6)
- K. Foster Family Group Homes
- L. Foster Family Homes
- M. Home occupations, provided compliance with Section 15.1 of the Zoning Ordinance
- N. Private nonprofit recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, provided compliance with Section 15.2 of the Zoning Ordinance
- O. Two-family dwellings, provided compliance with Section 15.52 of the Zoning Ordinance
- P. Adult Foster Care Small Group Home (7-12), provided compliance with Section 15.51 of the Zoning Ordinance
- Q. Multiple Family Dwellings, provided compliance with Section 15.10 of the Zoning Ordinance
- R. Adult Day Care (7-12)
- S. Adult Foster Care Large Group Home (13-20), provided compliance with Section 15.50 of the Zoning Ordinance
- T. Medical Clinic
- U. Adult Day Care (13+)
- V. Institutions for Human Care: Including hospitals, clinics, sanitariums, nursing or convalescent homes, homes for the aged, philanthropic and charitable institutions, provided that all of the requirements specified in Article 7 are met, and provided compliance with Section 15.29 of the Zoning Ordinance
- W. Retirement Communities, Mixed Use

9.11.3. Uses Permitted by Issuance of a Special Use Permit

- A. Customary Agricultural Operations, provided compliance with Section 15.9 of the Zoning Ordinance
- B. Institutions for human care, provided compliance with Section 15.29 of the Zoning Ordinance
- C. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance
- D. Golf courses and Country Clubs, provided compliance with Section 15.33 of the Zoning Ordinance pursuant to Article 7
- E. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- F. Two-family dwellings, provided compliance with Section 15.52 of the Zoning Ordinance
- G. Public Building, provided compliance with Section 15.26 of the Zoning Ordinance
- H. Communication Antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- I. Day Care Home, Group (7-12), provided compliance with Section 15.49 of the Zoning Ordinance
- J. Bed and Breakfast Establishment, provided compliance with Section 15.44 of the Zoning Ordinance
- K. Residential Plan Unit Development, provided compliance with Section 15.4 of the Zoning Ordinance
- L. Child Care Center, provided compliance with Section 15.53 of the Zoning Ordinance
- M. Funeral Homes and Mortuaries, provided compliance with the provisions of Article 7 of this Ordinance, and provided compliance with Section 15.31 of the Zoning Ordinance
- N. Hospitals
- O. Senior Housing

9.11.4. Dimensional Requirements

All "Lots of Record" shall conform to the minimum dimensions for lot area, lot width, front, rear and side yards. All lots shall conform to the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the Site Development Standards as set forth in Schedule A of this Ordinance, except as otherwise stated in the above text of this district or modified by Article 7, Planned Unit Developments, or Article 12, Supplementary Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

9.11.5. Site Development Requirements

Two (2) or more residential buildings of similar character may be built upon one (1) lot parcel of land when a site plan is submitted and approved in compliance with Article 8 of this Ordinance, and when the following site development requirements are fully complied with:

- A. The requirements listed on Schedule A, Section 9.20 of this Ordinance.
- B. Yard and Open Space Requirements:
 - 1. Between Buildings: The minimum horizontal distance between the nearest points of buildings shall be fifty (50) feet for buildings one (1) story in height. This distance shall be increased by not less than five (5) feet for every story added. The minimum distance between buildings may be decreased by as much as ten (10) feet toward one (1) end if it is increased by a similar distance at the other end.
 - 2. Closed Courts: No closed courts shall be permitted. However, open arcades or garden walls not over six (6) feet in height shall not be deemed enclosing features.
 - 3. Yard Dimensions: For buildings up to thirty-five (35) feet in height, no building shall be closer than forty (40) feet to any street, sixty (60) feet to any rear property line, twenty (20) feet to an interior side property line. For each (1) foot shall be added to required front, side, and rear yards.
 - 4. Other Dimensions: No dwelling unit in a group housing development shall be closer to a street or private access drive than twenty-five (25) feet, or shall be further from a street or private access drive than one-hundred fifty (150) feet.
 - 5. Usable Open Spaces: A minimum usable open space area of one hundred (100) square feet per dwelling unit shall be provided within group housing developments. Such open space shall be provided at ground level, unoccupied by accessory buildings, and available to all occupants of the group housing development. Each open space area so provided shall have a minimum total area of twelve hundred (1200) square feet and shall be unobstructed to the sky and shall not be devoted to service driveways or office street parking or loading space, but shall be usable for greenery, drying yards, recreational space, and other leisure activity normally carried on outdoors.
- C. Private Street Requirements: Private streets or private access drives may be permitted within group housing developments, provided that the following minimum requirements are met:
 - 1. All streets, roadways, or private access drives shall be built to meet current Road Commission specifications.
 - 2. No dead end street or roadway shall serve more than seventy-five (75) families as a means of vehicular access.
 - 3. Suitable turning facilities shall be provided for vehicles at the terminus of all dead end streets or roadways. A minimum radius of fifty (50) feet shall be required for all turnarounds. Additional width may be required by the Caledonia Township Planning Commission after reconsideration of the vehicular needs of a particular group housing development proposal.

- 4. Satisfactory arrangements must be made with the Caledonia Township Planning Commission to insure the maintenance and repair of streets, roadways, or access drives such as the filing copies of long term maintenance contracts or provision in lease or deed covenants with the Caledonia Township Planning Commission; the dedication of streets to the County Road Commission pursuant to their standards and criteria; or posting sufficient bond with the Caledonia Township Board to insure long-term repair and maintenance of streets and drives.
- D. Water Systems: An approved water system in compliance with the rules and standards of the Shiawassee County Environmental Health Department shall be required when public water supply is not available.

Section 9.12 - R-T District: Mobile Home Development

9.12.1. Intent and Purpose

The intent of this district is to provide for mobile home parks and mobile home subdivisions in areas within Caledonia Township where public utilities and public services are available and to insure that the residents of such areas will be provided with certain minimum standards of design, safety, and convenience.

9.12.2. Uses Permitted by Right

- A. Public recreation and playgrounds, provided compliance with Section 15.3 of the Zoning Ordinance
- B. Temporary buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- C. Customary household pets, provided compliance with Section 15.59 of the Zoning Ordinance
- D. Mobile Home Subdivisions, provided compliance with Section 15.11 of the Zoning Ordinance
- E. Mobile Home Parks
- F. Customary Accessory Uses and Buildings, provided compliance with Section 12.3 of the Zoning Ordinance
- G. Emergency Housing, provided compliance with Section 15.19 of the Zoning Ordinance
- H. Adult Day Care
- I. Foster Family Group Homes
- J. Foster Family Homes
- K. Day Care Home, Family (1-6)
- L. Adult Foster Care Family Home (1-6)
- M. Adult Foster Care Small Group Home (1-6)

9.12.3. Uses Permitted by Issuance of a Special Use Permit

- A. Public Buildings, provided compliance with Section 15.26 of the Zoning Ordinance
- B. Communication Antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- C. Public Service Installations, provided compliance with Section 15.25 of the Zoning Ordinance
- D. Day Care Home, Group (7-12), provided compliance with Section 15.49 of the Zoning Ordinance
- E. Adult Foster Care Small Group Home (7-12), provided compliance with Section 15.51 of the Zoning Ordinance
- F. Religious Institutions, provided compliance with Section 15.27 of the Zoning Ordinance

- G. Educational Social Institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- H. Adult Day Care (7-12)

9.12.4. Compliance/Penalties

It shall be the duty and obligation of the owner(s) and operator(s) of any mobile home park development to require that the continued use of said property shall be at all times in compliance with the provisions of this Ordinance. Failure thereof shall be a violation of this Ordinance, subject to the penalties and remedies specified herein and the continuance thereof is hereby declared to be a nuisance per se.

Section 9.13 - O-1 District: Office and Administrative

9.13.1. Intent and Purpose

It is the intent of this district to provide areas for relatively quiet low traffic generating office, administrative and institutional uses in portions of the County where adequate public utilities are available and access is provided by the County primary roads. Institutional uses allowed in this district should be centrally located in relation to the population they will serve.

9.13.2. Uses Permitted by Right

Uses permitted by right when contained in fully enclosed buildings.

- A. Office establishments, small (less than 5000 square foot in area) which perform services on the premises.
- B. Doctor's office
- C. Establishments customarily related to medical and dental uses, provided compliance with Section 15.6 of the Zoning Ordinance
- D. Miscellaneous business service establishments
- E. Public buildings, provided compliance with Section 15.26 of the Zoning Ordinance
- F. Offices of nonprofit organizations
- G. Mortuaries and funeral homes, not including crematories, provided compliance with Section 15.31 of the Zoning Ordinance
- H. Institutions for human care, provided compliance with Section 15.29 of the Zoning Ordinance
- I. Business or private schools operated for profit, with no outside operations
- J. Customary accessory uses, provided compliance with Section 12.3 of the Zoning Ordinance
- K. Temporary buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- L. Temporary outdoor sales

9.13.3. Uses Permitted by the Issuance of a Special Use Permit

Uses permitted by the issuance of a special use permit pursuant to Article 7 of this Ordinance and the conditions listed below are referred to below in this specified section or sections of this Ordinance.

- A. Public service installations, provided compliance with Section 15.25 of the Zoning Ordinance
- B. Veterinary clinics
- C. Communication antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- D. Medical clinic

- E. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance
- F. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- G. Child care center, provided compliance with Section 15.53 of the Zoning Ordinance
- H. Office establishment, large

9.13.4. Dimensional Requirements

All "Lots of Record" shall conform to the minimum dimension for lot area, lot width, front, rear, and side yards. All lots shall conform with the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the Site Development Standards as set forth in Schedule B of this Ordinance, except as otherwise stated in the above text of this district or as modified by Article 7, Planned Unit Developments, or Article 12, Supplementary Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

9.13.5. Site Development Requirements

All development shall comply with the landscape standards in Article 11 of this ordinance.

Section 9.14 - B-1 District: Commercial

9.14.1. Intent and Purpose

It is the intent of this district to provide for a variety of compatible small commercial establishments and professional offices which are located on County primary roads near the neighborhood area being served so as to minimize the distance traveled to purchase day-to-day convenience goods and services. Such as are to be developed in a manner which does not harm adjacent residential area or include any noncommercial land uses. This district also provides for neighborhood convenience shopping centers in areas where adequate public utilities exist.

9.14.2. Uses Permitted by Right

Uses permitted by right when contained in a permanent fully enclosed building of not more than five thousand (5,000) square feet in floor area.

- A. General retail establishments whose principal activity is the sale of new merchandise to the public, except those in which required repair and service facilities occupy more than five (5%) percent of the entire floor are.
- B. Personal Service Establishments
- C. Retail Establishments marketing primarily Convenience Goods
- D. Office Establishments which perform Services on the Premises
- E. Miscellaneous Business Service Establishments
- F. Doctor's office
- G. Establishments customarily related to Medical and Dental uses, provided compliance with Section 15.6 of the Zoning Ordinance
- H. Public buildings, provided compliance with Section 15.26 of the Zoning Ordinance
- I. Mortuaries and funeral homes, not including crematories, provided compliance with Section 15.31 of the Zoning Ordinance
- J. Child care centers, provided compliance with Section 15.53 of the Zoning Ordinance
- K. Customary accessory uses, provided compliance with Section 12.3 of the Zoning Ordinance
- L. Temporary buildings, provided compliance with Section 15.8 of the Zoning Ordinance

- M. Institutions for human care, provided compliance with Section 15.29 of the Zoning Ordinance
- N. Temporary outdoor sales, provided compliance with Section 15.46 of the Zoning Ordinance
- O. Business or private schools operated for profit with no outside operations
- P. Building materials, garden and auto part supplies, with outdoor storage or sale
- Q. Advertising structures
- R. Christmas Tree Sales are permitted provided compliance with Section 15.57 of the zoning ordinance
- S. Motels and Hotels
- T. Temporary outdoor sales.

(TA 09-3 Amended 1/26/10)

9.14.3. Uses Permitted by Issuance of a Special Use Permit

Uses permitted by the issuance of a Special Use Permit pursuant to Article 7 of this Ordinance and the conditions listed below or referred to in other sections of this Ordinance.

- A. Planned neighborhood convenience shopping center, provided compliance with Section 15.37 of the Zoning Ordinance
- B. Public service installations, provided compliance with Section 15.25 of the Zoning Ordinance
- C. Automobile service stations, including minor mechanical repairs within an enclosed building, provided compliance with Section 15.34 of the Zoning Ordinance
- D. Veterinary hospitals
- E. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance
- F. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- G. Greenhouses selling at retail
- H. Nurseries selling at retail
- I. Veterinary clinics
- J. Commercial freestanding tower, provided compliance with Section 15.25 of the Zoning Ordinance
- K. Communication antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- L. Medical clinic
- M. Office establishment
- N. Mortuaries and funeral homes, including crematories
- O. Business or private schools operated for profit with outside operations

9.14.4. Dimensional Requirements

All "Lots of Record" shall conform to the minimum dimensions for lot area, lot width, front, rear and side yards. All lots shall conform with the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the Site Development Standards as set forth in Schedule B of this Ordinance, except as otherwise stated in the above test of this district or as modified by Article 7, Planned Unit Developments, Article 12, Supplemental Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

9.14.5. Site Development Requirements

- A. A landscaped buffer strip in compliance with Article 11 shall be required when uses which are permitted in this district are adjacent to any residential district.
- B. No activity or land use in this district shall produce any noise, objectionable odor, smoke fumes, heat, glare, or vibration humanly perceptible beyond that parcel's lot lines.

Section 9.15 - B-2 District: General Business**9.15.1. Intent and Purpose**

It is the intent of this district to provide for major commercial development which is located in proximity to main traffic routes, near high density residential areas, and close to other functionally related activities. This district is intended to accommodate those business establishments which serve the entire community or region. It is also the intent of this district to encourage cluster development and to discourage-strip commercial type development.

9.15.2. Uses Permitted by Right

Uses permitted by right when contained in a permanent fully enclosed building.

- A. General retail establishments, whose principal activity is the sale of new merchandise to the public, except those in which require repair and service facilities
- B. Personal Service Establishments
- C. Retail Establishments marketing primarily Convenience Goods
- D. Office Establishments which perform Services on the Premises
- E. Miscellaneous Business Service Establishments
- F. Doctor's office
- G. Establishments customarily related to Medical and Dental uses, provided compliance with Section 15.6 of the Zoning Ordinance
- H. Public buildings, provided compliance with Section 15.26 of the Zoning Ordinance
- I. Restaurants and taverns serving meals, snacks, or beverages for indoor consumption
- J. Mortuaries and funeral homes, not including crematories, subject to the following restrictions:
 - 1. Loading or unloading areas used by ambulances, hearses, or other such service vehicles shall be obscured from view with an opaque fence or wall not less than six (6) feet in height, provided compliance with Section 15.31 of the Zoning Ordinance
- K. Child care centers, provided compliance with Section 15.53 of the Zoning Ordinance
- L. Customary accessory uses, provided compliance with Section 12.3 of the Zoning Ordinance
- M. Temporary buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- N. Institutions for human care
- O. Temporary outdoor sales
- P. Business or private schools operated for profit with no outside operations
- Q. Building materials, garden and auto part supplies, with outdoor storage or sale
- R. Advertising structures
- S. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- T. Grain and seed elevators and related retail sales
- U. Motels and hotels
- V. Family day care homes, child care centers, group day care homes, family homes, group homes, and congregate homes
- W. Veterinary Clinics

- X. Medical Clinics
- Y. Office Establishments, Large
- Z. Bus Terminals
- AA. Miniature Golf Courses
- BB. Greenhouses, Retail
- CC. Storage Facilities, provided compliance with Section 15.55 of the Zoning Ordinance
- DD. Theaters, Indoor
- EE. Second hand stores, provided there be no outside storage
- FF. Christmas Tree Sales, provided compliance with Section 15.57 of the zoning ordinance
- GG. Temporary outdoor sales.

(TA 09-3 Amended 1/26/10)

9.15.3. Uses Permitted by the Issuance of a Special Use Permit

Uses permitted by the issuance of a Special Use Permit pursuant to Article 7 of this Ordinance and the conditions listed below or referred to below in the specified section or sections of this Ordinance.

- A. Planned neighborhood convenience shopping center, provided compliance with Section 15.37 of the Zoning Ordinance
- B. Automobile service stations, provided compliance with Section 15.34 of the Zoning Ordinance
- C. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance, see Article 7
- D. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance, see Article 7
- E. Adult Entertainment Business, provided compliance with Section 15.48 of the Zoning Ordinance, see Article 7
- F. Greenhouses selling at retail
- G. Nurseries selling at retail
- H. Veterinary clinics
- I. Commercial freestanding tower, provided compliance with Section 15.25 of the Zoning Ordinance
- J. Communication antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- K. Mortuaries and funeral homes, including crematories
- L. Business or private schools operated for profit with outside operations
- M. Vehicle sales and service: New and used automobile sales and service, mobile homes, boats, campers, recreational vehicles, trailers, motorcycles, and sporting goods
- N. Automatic and self-service car wash establishments, provided compliance with Section 15.36 of the Zoning Ordinance
- O. Drive-in restaurants and fast-food establishments, provided compliance with Section 15.54 of the Zoning Ordinance, see Article 7
- P. Public service installations, provided compliance with Section 15.25 of the Zoning Ordinance, see Article 7
- Q. Other commercial establishments similar to and compatible with the above establishments
- R. Commercial garages, provided compliance with Section 15.35 of the Zoning Ordinance, see Article 7
- S. Veterinary hospitals, clinics, and indoor kennels
- T. Drive-in theaters, race tracks, and golf driving ranges, provided compliance with Section 15.24 of the Zoning Ordinance, see Article 7

- U. Planned shopping center or regional mall, provided compliance with Section 15.38 of the Zoning Ordinance, see Article 7
- V. Building materials, garden and auto parts suppliers with outdoor storage or sale.
- W. Golf driving range
- X. Automobile parts, tires and accessories with installation services
- Y. Fuel distribution facilities, retail
- Z. Storage facilities, with outdoor storage, provided compliance with Section 15.55 of the Zoning Ordinance
- AA. General contractor's establishment

9.15.4. Dimensional Requirements

All "Lots of Records" shall conform to the minimum dimensions for lot area, lot, width, front, rear and side yards. All lots shall conform with the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the Site Development Standards as set forth in Schedule B of this Ordinance, except as otherwise stated in the above text of this district or as modified by Article 7 Planned Unit Developments, Article 12 Supplemental Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

Section 9.16 - B-3 District: Rural Commercial

9.16.1. Intent and Purpose

This district intends to provide suitable locations for commercial and agricultural uses in areas outside the established Township commercial core..

To achieve these objectives, permitted use within this district are limited to agricultural and low density rural residential uses, limited community facilities as schools, churches, and public open spaces, local neighborhood commercial uses and other commercial uses appropriate to rural areas on major roads.

9.16.2. Uses Permitted by Right

- A. Single-family dwellings, provided compliance with Section 15.5 of the Zoning Ordinance
- B. Field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, annelid farms, greenhouses, tree nurseries, and similar agricultural enterprises
- C. General and specialized farms, including the raising and keeping of cattle, hogs, horses, ponies, sheep, swine, and similar livestock or small animals such as rabbits, poultry, and goats on a farm having an area of not less than twenty (20) acres of land.
- D. Public and private conservation areas and structures for the conservation of water, soil, open space, forest, and wildlife resources.
- E. Public areas such as forest preserves, game refuges, forest-type recreation parks, and similar public uses.
- F. Cold storage for cooperative and/or wholesale agricultural products.
- G. Community Residential Care Facilities of six (6) or less persons:
 - 1. Family day care homes
 - 2. Family homes
- H. General retail establishments whose principal activity is the sale of new merchandise to the public, except those in which required repair and service facilities occupy more than five (5%) percent of the entire floor are.
- I. Personal Service Establishments
- J. Retail Establishments marketing primarily Convenience Goods

- K. Office Establishments which perform services on the premises
- L. Miscellaneous Business Service Establishments
- M. Doctor's office
- N. Establishments customarily related to Medical and Dental uses, provided compliance with Section 15.6 of the Zoning Ordinance
- O. Public buildings, provided compliance with Section 15.26 of the Zoning Ordinance
- P. Restaurants and taverns serving meals, snacks, or beverages for indoor consumption
- Q. Mortuaries and funeral homes, not including crematories, provided compliance with Section 15.31 of the Zoning Ordinance
- R. Customary accessory uses, including parking and signs as permitted by Township ordinance, provided compliance with Section 12.3 of the Zoning Ordinance
- S. Temporary buildings, provided compliance with Section 15.8 of the Zoning Ordinance
- T. Institutions for human care, provided compliance with Section 15.29 of the Zoning Ordinance
- U. Temporary outdoor sales
- V. Business or private schools operated for profit with no outside operations
- W. Building materials, garden and auto part supplies, with outdoor storage or sale
- X. Advertising structures
- Y. Customary home occupations, provided compliance with Section 15.1 of the Zoning Ordinance
- Z. Cemeteries, provided compliance with Section 15.13 of the Zoning Ordinance
- AA. Raising and keeping of animals, provided compliance with Section 15.14 of the Zoning Ordinance
- BB. Roadside stands selling products grown on the premises, provided compliance with Section 15.15 of the Zoning Ordinance
- CC. Public recreation and playgrounds, provided compliance with Section 15.3 of the Zoning Ordinance
- DD. Basic Utility (BI) Airports
- EE. Private residential swimming pools
- FF. Temporary outdoor sales.

(TA 09-3 Amended 1/26/10)

9.16.3. Uses Permitted by Special Use Permit Pursuant to Article 7 of this Ordinance

Uses permitted by the issuance of a Special Use Permit pursuant to Article 7 of this Ordinance and the conditions listed below or referred to in other sections of this Ordinance.

- A. Greenhouses selling at retail on the premises
- B. Nurseries selling at retail on the premises
- C. Commercial horseback riding stables
- D. Livestock auction yards
- E. Livestock transport facilities
- F. Production of fur-bearing animals for profit
- G. Veterinary hospitals, clinics, and indoor kennels
- H. Game or hunting preserves operated for profit
- I. Seasonal labor housing complexes associated with agricultural enterprises,
- J. Sawmills
- K. Basic Utility B-II Airports
- L. Grain and Seed Elevators and Sales
- M. Private non-profit recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, provided compliance with Section 15.2 of the Zoning Ordinance

- N. Slaughterhouses
- O. Correctional camps and institutions for the care of the mentally and physically impaired, drug or alcoholic patients, provided compliance with Section 15.30 of the Zoning Ordinance
- P. Public buildings such as post offices, libraries, governmental offices, community centers and other similar uses, provided compliance with Section 15.26 of the Zoning Ordinance
- Q. Surface Mining: Sand and/or gravel pits, quarries, asphalt plants in conjunction with sand and gravel operations, sewage treatment and disposal installations, provided compliance with Section 15.21 of the Zoning Ordinance
- R. Special open space uses, public beaches, bath houses, private resorts, recreational camps, and other open space uses operated for profit, provided compliance with Section 15.32 of the Zoning Ordinance
- S. Commercial freestanding towers, provided compliance with Section 15.25 of the Zoning Ordinance
- T. Seasonal farm markets, provided compliance with Section 15.17 of the Zoning Ordinance
- U. Public service Installations, provided compliance with Section 15.25 of the Zoning Ordinance
- V. Conversion of One-Family Dwellings, provided compliance with Section 15.18 of the Zoning Ordinance
- W. Community Residential Care Facilities of seven (7) or more persons
- X. Planned neighborhood convenience shopping center, provided compliance with Section 15.37 of the Zoning Ordinance
- Y. Automobile service stations, including minor mechanical repairs within an enclosed building, provided compliance with Section 15.34 of the Zoning Ordinance
- Z. Veterinary hospitals
- AA. Religious institutions, provided compliance with Section 15.27 of the Zoning Ordinance
- BB. Educational and social institutions, provided compliance with Section 15.28 of the Zoning Ordinance
- CC. Greenhouses selling at retail
- DD. Nurseries selling at retail
- EE. Veterinary clinics
- FF. Communication antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- GG. Medical clinic
- HH. Office establishment
- II. Mortuaries and funeral homes, including crematories
- JJ. Business or private schools operated for profit with outside operations
- KK. General building contractors establishments

9.16.4. Dimensional Requirements

Uses permitted in the B-3 District shall comply with the dimensional requirements in Section 9.21 of this ordinance.

9.16.5. Site Development Requirements

- A. A landscaped buffer strip in compliance with Article 11 shall be required when uses which are permitted in this district are adjacent to any residential district.
- B. No activity or land use in this district shall produce any noise, objectionable odor, smoke fumes, heat, glare, or vibration humanly perceptible beyond that parcel's lot lines.

Section 9.17 - M-1 District: Light Industry**9.17.1. Intent and Purpose**

It is the intent of this district to provide for a variety of light industrial and commercial uses characterized by relatively low traffic generation and the absence of objectionable external effects in areas of the County affording direct access to County primary roads, railroads, and airports. Such areas are intended to have existing utilities of power, public water, sanitary sewer and adequate storm water drainage. Such industrial areas should be free of non-compatible uses and designed so as not to harm adjoining conforming uses.

9.17.2. Uses Permitted by Right

Uses permitted by right when conducted in a permanent fully enclosed building:

- A. Building material suppliers, farm implements, garden and auto parts
- B. Commercial garages, provided compliance with Section 15.35 of the Zoning Ordinance
- C. General building contractors establishments
- D. Jobbing and machine shops
- E. Monument and art stone production
- F. Veterinary hospitals, clinics and indoor kennels
- G. Wholesale trade, warehousing, storage, or transfer buildings, excluding the storage of flammable liquids
- H. Truck and rail freight terminals
- I. Trade and industrial schools
- J. Research and development establishments
- K. Printing and publishing
- L. Fabricated metal products, except heavy machinery
- M. Plastic products, forming, and molding
- N. Manufacturing of electrical and electronic equipment
- O. Air carrier airports
- P. Processing of machine parts
- Q. Storage facilities for building materials, sand, gravel, stone lumber, and contractor's equipment, provided there is compliance with the provisions of Section 9.17.3. (a).
- R. Accessory uses clearly appurtenant to the main use of the lot and customary to and commonly associated with the main use such as:
 1. Incidental offices for management and materials control.
 2. Restaurant or cafeteria facilities for employees working on the premises.
 3. Caretaker's or watchman's quarters, including sleeping, culinary, and sanitary facilities, provided that:
 4. Approval is received from the Shiawassee County Health Department in reference to sanitary facilities.
 5. The quarters meet all applicable code requirements of the State Construction Code, Act 230, of 1972.
 6. The quarters shall be inherent in the design of the principal building and shall not adversely change the character of the district by the occurrence of this accessory use.
 7. The minimum square footage of living area shall be two hundred (200) square feet per person, with a total maximum square footage of six hundred (600) square feet.
 8. All other applicable site development requirements of the M-1 Industrial District are met.

- S. Other uses of similar character, provided there is compliance with the regulations of the district
- T. Livestock auctions yards
- U. Livestock transport facilities
- V. Veterinary clinic
- W. Office establishments
- X. Office establishments, large
- Y. Misc. business service establishments
- Z. Offices of non-profit organizations
- AA. Grain and seed elevators
- BB. Building materials, garden and auto part suppliers with outdoor storage or sale
- CC. Fuel distribution

9.17.3. Uses Permitted by Issuance of a Special Use Permit

Uses permitted by the issuance of a Special Use Permit pursuant to Article 7 of this Ordinance and the conditions stated hereafter or referred to hereafter in the specified section or sections of this Ordinance.

- A. Open outdoor storage shall be permitted, provided that such storage is located a minimum of two hundred (200) feet from the boundary line of any zone, except M-1 and M-2. Open outdoor storage shall only be allowed in the rear yard as defined in the rear yard requirements contained in Schedule B of this Ordinance.
- B. Automobile service stations, provided compliance with Section 15.34 of the Zoning Ordinance
- C. Hotels and motels, see Article 7
- D. Slaughterhouses
- E. Planned Unit Development Industrial Park, see Section 7.2.
- F. Junk yards, provided compliance with Section 15.22 of the Zoning Ordinance
- G. Saw mills
- H. Airports, commercial
- I. Grain and seed elevators
- J. Slaughter houses
- K. Surface mining, provided compliance with Section 15.21 of the Zoning Ordinance
- L. Commercial freestanding tower, provided compliance with Section 15.25 of the Zoning Ordinance
- M. Communication antenna, provided compliance with Section 15.25 of the Zoning Ordinance
- N. Public service installation, provided compliance with Section 15.25 of the Zoning Ordinance
- O. Advertising structures
- P. Drop forging, heavy stamping, punch pressing, heat treating, plating, hammering, or other similar activities
- Q. Heavy construction contractor's establishment
- R. Manufacturing, assembly, processing or cleaning of heavy, bulky durable goods requiring heavy truck or rail transport
- S. Petroleum refining, manufacturing of gas, coal, electrical power, generating plants
- T. Chemical processes, manufactured and metallurgical manufactured products
- U. Above ground storage of flammable liquids
- V. Manufacturing of explosives, corrosives, or other dangerous chemical substances
- W. Storage facilities (with outdoor storage)

- X. Dry bulk blending plant and/or handling of liquid nitrogen fertilizer and anhydrous ammonia

9.17.4. Dimensional Requirements

All "Lots of Record" shall conform to the minimum dimensions for lot area, lot width, front, rear and side yards. All lots shall conform with the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the Site Development Standards as set forth in Schedule B of this Ordinance, except as otherwise stated in the above text of this District, or as modified by Article 7, Planned Unit Development, or Article 12, Supplementary Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

Section 9.18 - M-2 District: Heavy Industrial

9.18.1. Intent and Purpose

This district is intended to encourage and facilitate the development of industrial enterprises in a setting conducive to public health, economic stability and growth; protection from light, deterioration and non-industrial encroachment; and efficient traffic movement including employee and truck traffic. Land conducive to the intent of this district is located on all-weather highways provided with public sanitary sewer, water, and storm drainage, has close proximity to a labor force, and has adequate land for future expansion. Since such property is limited in availability, it will be restricted for industrial use in the interest of the community's tax base and economic growth and development.

9.18.2. Uses Permitted by Right

- A. Commercial freestanding towers, provided compliance with Section 15.25 of the Zoning Ordinance
- B. Drop forging, heavy stamping, punch pressing, heat treating, plating, hammering, or other similar processing activities
- C. Heavy construction contractor's establishments
- D. Manufacturing, assembly, processing or cleaning of heavy, bulky, durable goods requiring heavy truck or rail transport
- E. Petroleum refining, manufacturing of gas, coal, electrical power, generating plants.
- F. Public service installations, provided compliance with Section 15.25 of the Zoning Ordinance
- G. Saw mills
- H. Wholesale trade warehousing, storage or transfer buildings, excluding storage of flammable liquids or gas
- I. Open storage of materials
- J. Customary accessory uses, provided compliance with Section 12.3 of the Zoning Ordinance
- K. Temporary buildings, provided compliance with Section 15.8 of the Zoning Ordinance

9.18.3. Uses Permitted by Issuance of a Special Use Permit

Uses permitted by issuance of a Special Use Permit pursuant to Article 7 of this Ordinance and section or sections of this Ordinance.

- A. Chemical processes, manufactured, and metallurgical manufactured products
- B. Junk yards, provided compliance with Section 15.22 of the Zoning Ordinance
- C. Above-ground storage of flammable liquids

- D. Manufacturing of explosives, corrosives, or other potentially dangerous chemical substances
- E. Slaughterhouses
- F. Advertising structures, see Article 7.
- G. Automotive Sales and Reclamation Facility.

9.18.4. Dimensional Requirements

- A. All "Lots of Record" shall conform to the minimum dimensions for lot area, lot width, front, rear and side yards. All lots shall conform with the required dimensions for maximum lot coverage, minimum floor area, and maximum height of buildings specified in the Site Development Standards as set forth in Schedule B of this Ordinance, except as otherwise stated in the above text of this district, or as modified by Article 7, Planned Unit Developments, or Article 12, Supplementary Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

Section 9.19 - Planned Unit Development (PUD)

9.19.1. Purpose

The Planned Unit Development zoning district is designed to provide a framework within which a developer, upon his initiation, can relate the type, design and layout of residential and/or commercial uses to a particular site and particular demand for housing and/or other local commercial facilities in a manner consistent with the preservation of property values within established residential areas. The section also provides an added degree of flexibility in the building design and land use arrangement so that a mixture of housing units and provision of common open space can be provided. The zoning district is intended to accommodate developments with mixed or varied uses, on sites with unusual topography or unique settings within the community, or on land which exhibits difficulty or costly development problems or sites that contain natural features such as wetlands, farmland or woodlots that are important for the Township to retain in order to protect it's character and shall not be allowed where this zoning classification is sought primarily to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes herein set forth. The Township Board does hereby determine that the following regulations are the minimum requirements for the promotion and protection of the public health, safety and welfare. Some uses permitted in this district are required to comply with specific design standards.

9.19.2. Permitted principal uses

All permitted principal uses by right or by special use permit in any district as identified in Article 9 shall be permitted in the PUD district.

9.19.3. Standards for approval

Based upon the following standards, the Planning Commission may recommend denial, approval, or approval with conditions, and the Township Board may deny, approve, or approve with conditions the proposed planned unit development.

- A. Off-street parking shall be sufficient to meet the minimum required by the ordinances of the Township. However, if it is deemed necessary in order to achieve the purposes of this section, the Planning Commission may relax parking requirements during site plan review.

- B. All streets within the planned unit development shall meet the minimum requirements of the Township Subdivision Control Ordinance, unless modified by the Planning Commission.
- C. Landscaping shall be provided so as to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. However, if it is deemed necessary in order to achieve the purposes of this Ordinance, the Planning Commission may relax landscaping requirements as part of site plan review.
- D. Judicious effort shall be used to ensure the preservation of the integrity of the land and the preservation of natural, historical, and architectural features.
- E. Surface water shall be retained on the site unless the applicant can demonstrate that to do so would be harmful to the environment, or is not practical. In any case, storm water shall not flow off the site at a rate greater than the rate of flow prior to development and storm water shall not be directly discharged into a lake.
- F. The site shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material. The final determination as to adequacy of, or need for, lateral support shall be made by the Township Building Inspector and/or Township Engineer.
- G. The proposed density of the planned unit development shall be no greater than that which would be required for each of the component uses of the development in the zoning district in which it is permitted. However, if it is deemed necessary in order to achieve the purposes of this section the Township Board may permit increased density in return for increased open space.
- H. The following regulations concerning traffic and accessory conditions shall be followed:
 - 1. Safe, convenient, uncongested, and well defined vehicular and pedestrian circulation within and to the zoning district shall be provided.
 - 2. Drives and streets shall not be laid out to encourage outside traffic to traverse the development nor to create unnecessary fragmentation of the development into small blocks.
 - 3. No material impediment to the visibility of automotive traffic, cyclists or pedestrians shall be created or maintained.

9.19.4. Approval procedure

- A. The PUD zoning approval shall follow procedural requirements of Article 6 of this ordinance for amending the zoning ordinance. The Planning Commission shall hold a public hearing. The Planning Commission shall review the conceptual PUD development plan as described in subsection 9.19.3 to determine its suitability for inclusion in the land use and zoning plans of the Township and adoption by Township Board as part of the ordinance.
- B. The Planning Commission shall then submit the proposed amendatory ordinance to the Township Board together with their recommendation and a summary of comments received at the public hearing.
- C. The Township Board, prior to the first reading of the amendatory ordinance, shall hold a public hearing meeting the notice requirements for a special use permit outlined in Article 7 of this Ordinance. Following that public hearing, it may amend or place additional conditions on the zoning ordinance amendment. The adoption of the ordinance or denial of the rezoning request will take place at the second reading conducted by the Township Board.
- D. PUD site plan approval procedure may commence only after the acceptance by the Township Board of the conceptual PUD development plan and the rezoning of the property as required.
- E. PUD site plan approval process shall follow the procedures for site plan approval outline in Article 8.

9.19.5. Conceptual PUD development plan requirements

- A. The applicant for preliminary phase approval of a PUD conceptual plan shall submit sufficient copies of the following technical or graphic materials together with such fees as may be required.
- B. The PUD conceptual plan shall indicate the entire contiguous holding of the petitioner or owner who wishes to develop the entire parcel or any part thereof, and shall include the area and use of land adjacent to the parcel to be developed. The plan shall exhibit any unusual problems of topography, utility service, land usage or land ownership. The plan shall also exhibit all existing and proposed structures, existing and proposed streets, open spaces and other features as required by ordinance or regulation.
- C. The conceptual plan shall show all proposed uses and allotted spaces, gross site area, street and vehicular access areas, number of each variety of habitable space, total number of dwelling units and total open space. The plan shall:
 1. Define the location of the areas to be devoted to particular uses.
 2. State the acreage to be devoted to the particular uses.
 3. Set forth the proposed density of the dwelling units by use type and of the entire project.
 4. Show the location of parks, open recreation areas, other open space and all public and community uses.
- D. The applicant shall present material as to the development's objectives and purposes to be served; conformity to plans and policies of the Township; market needs; impact on public schools, utilities, and circulation facilities; impact on natural resources; and a staging plan showing the general time schedule of the expected completion dates of the various elements of the plan.
- E. Any additional graphics or written materials reasonably requested by Planning Commission or Township Board to assist the Township in visualizing and understanding the proposal shall be submitted.
- F. Upon submission of all required materials and fees, the Planning Commission shall follow the procedures for review of a zoning amendment as outlined in subsection 9.19.5.
- G. Approval of the conceptual PUD plan shall confer upon the owner the right to proceed through the subsequent planning phase for a period not to exceed three (3) years from date of approval. If so requested by the petitioner, an extension of a two (2) year period may be granted by the Planning Commission.

9.19.6. Site plan approval

Following approval of the conceptual plan by the Township Board, the applicant may submit site plans for phases of the approved conceptual PUD development plan. The site plans shall conform to the approved conceptual plan. The site plans shall be reviewed and approved by the Planning Commission following the procedures outlined in Article 8.

9.19.7. Deviations from approved PUD site plan

- A. Deviations from the approved plan may occur only under the following circumstances:
 1. Minor changes to a previously approved PUD site plan may be approved without the necessity of Planning Commission or Township Board action if the Zoning Administrator certifies in writing that the proposed revision does not alter the basic design or any specified conditions of the plan as agreed upon by the Planning Commission and the Township Board. Any other change will require approval following the procedures outlined above for the original approval. Appeal of the

Zoning Administrators decision regarding the need for formal review by the Planning Commission and Township Board is appealable to the Zoning Board of Appeals.

- B. Any deviation from the approved PUD site plan, except as authorized shall be considered a violation of this section and shall be a misdemeanor punished as prescribed herein. Further, any such deviation shall result in the PUD zoning district reverting to its previous zoning.

9.19.8. Design Standards

Some uses permitted in this district have required design standards as listed in Article 15.

Section 9.20 - Schedules of Dimensional Requirements and Uses Permitted by Districts

9.20.1. Permitted Use Chart

Agricultural Production	A-1
Agricultural Production/Rural Residential	A-2
One-Family Rural Residential.....	R-1A
One-Family Low Density Residential.....	R-1B
One-Family Medium Density	R-1C
Two-Family Medium Density Residential.....	R-1D
Multiple Family Residential.....	M-1
Mobile Home Development	R-T
Office and Administration	O-1
Commercial.....	B-1
General Business.....	B-2
Rural Commercial	B-3
Light Industrial.....	M-1
Heavy Industrial	M-2
Uses Permitted by Right.....	R
Uses Permitted under Special Conditions	SC
Uses Permitted by Issuance of a Special Use Permit..	SUP

Caledonia Township – Adopted 11/15/04

Article 9

District Regulations
Schedule of Dimensional Requirements

9.20.2. Schedule A: Dimension Requirements for Residential Districts

ZONING DISTRICT	Minimum Lot Area Per Dwelling Unit Building, Or Structure With:		Minimum Lot Width Measured Along A Street Upon Which The Lot Principally Fronts (a):		Minimum Yard Setback Of Buildings			Maximum Density of Dwelling Units
	On Site +Sewage Disposal	Sanitary Sewer Service	Interior Lot	Corner Lot	Front Yard as Measured from Road R/W (c):	Side yard as Measured from Side Property Line	Rear Yard as Measured from Rear Property Line	
9.20.1 A-1, A-2, Agricultural	40,000 sq ft	30,000 sq ft	200 ft	210 ft	40 ft	20 ft (i)	60	1/40 acres (A-1)
9.20.2 R-1A Residential	30,000 sq ft	22,500 sq ft	200 ft	210 ft	40 ft	20 ft (i)	50 ft	
9.20.3 R-1B Residential	30,000 sq ft	18,750 sq ft	150 ft w/on site sewage disposal 125 ft 150 ft Depth	160 ft w/on site sewage disposal 135 ft	40 ft	15 ft	40 ft	
9.20.4 R-1C Residential	Not Permitted	8,500 sq ft	65 ft	70 ft	25 ft	5' one side, 15' both sides	35 ft	
9.20.5 R-1D Two-Family Residential	30,000 sq ft	22,500 sq ft	150 ft	160 ft	40 ft	10 ft	40 ft	
9.20.6 R-M1 Multiple Family Residential	Shiawassee Co. Health Dept., RE	15,000 (d)	100 ft	110 ft	40 ft	20 ft	60 ft	
9.20.8 R-M1 Lodging, Boarding House	Shiawassee Co. Health Dept., RE	15,000 sq ft	100 ft	110 ft	40 ft	20 ft	60 ft	
9.20.9 R-T Mobile Home Develop	20,000 sq ft	10,000 sq ft	100 ft	110 ft	40 ft	10 ft	60 ft	

Zoning District	Minimum Requirements Floor Area Per Unit Building Or Structure As Measured At Ground Level:		Maximum Total Lot Area Coverage (Including All Necessary Buildings As Percent To Total Lot Size):	Maximum Height Of Buildings (e)	
				(Feet)	(Stories)
A-1, A-2, R-1A, R-1B, and AO	One Story (Ranch)	1,040 sq ft	20 percent	35 ft (g)	2 ½
	One & One Half Story (Cape Cod)	960 sq ft	20 percent		
	Two Story	700 sq ft	25 percent	35 ft	2 ½
	Split Level	900 sq ft		35 ft	2 ½
R-1C R-1D	One Family Two Family	1,040 sq ft 700 sq ft	25 percent	35 ft	2 ½
R-M1 (f)	One Family	750 sq ft (h)	(40 percent)	35 ft	3
	Two Family	700 sq ft			
	Multiple Family				
	One room	350 sq ft			
	Two rooms	550 sq ft			
Three rooms	680 sq ft	2 ½			
Four or more rooms	100 sq ft for each additional room				
R-M1 Lodging and Boarding Houses		750 sq ft	25 percent	35' (e)	2 ½
R-T Mobile Home Subdivision		750 sq ft	25 percent	35' (e)	

Zoning District	Minimum Lot Area And Lot Width For Each Bldg, Structure Or Use			Minimum Yard Setback From Bldgs For Each Lot			Maximum Total Lot Coverage, Including Accessory Bldgs. As A Percent Of Lot Size	Maximum Height Of Buildings, Including Accessory Buildings
	Area	Width (Interior Lot)	Width (Corner Lot) (a)	Front Yard As Measured From The Road Right Of Way Line	Side Yard As Measured From Each Side Of The Property Line	Rear Yard As Measured From The Rear Property Line		
9.2.2.1 O-1	10,000 SQ FT	75'	75'	50' (k,l)	10' (j,k,i)	20' (j)	40%	35'
9.2.12 B-1	10,000 SQ FT	75'	75'	50' (k,l)	8' (j,k,i)	20' (j)	40%	35'
9.21.3 B-2	10,000 SQ FT	50'	50'	75' (k,l)	8' (j,k,i)	20' (j)	60%	35'
9.21.4 B-3	40,000 SQ FT	200'	210'	75' (k,l,m)	20' (j,k,i)	30' (j)	40%	35'
9.21.5 M-1	1 ACRE	150'	160'	75' (k,l)	25' (j,k)	50' (j)	50%	35'
9.21.7 PUD	THE LOT WIDTH, AREA, SETBACKS AND COVERAGE ARE DETERMINED BY THE PLANNING COMMISSION DURING REVIEW OF THE PRELIMINARY CONCEPT PLAN AND SITE PLAN FOR A PROPOSED DEVELOPMENT, USING THE STANDARDS IN THE OTHER ZONING DISTRICTS AS A BASIS BUT WITH ABILITY TO RELAX THOSE STANDARDS WHERE IT IS APPROPRIATE FOR THE COMMUNITY.							35'

9.20.3. Notes for Schedule A and B

- A. Except for lots on curvilinear Streets with non parallel side lot lines which shall have their lot width measured at the front building line of the dwelling.
- B. All buildings located on a State or Federal Highway, on platted or unplatted lots, are required to be setback at least seventy-five (75) feet from the highway right-of-way line.
- C. Or, the following, whichever is greater:
 - 1. 0 - bedroom.4,900 square feet
 - 2. 1 - bedroom.5,200 square feet
 - 3. 2 - bedrooms. 5,600 square feet
 - 4. 3+- bedrooms. 6,200 square feet
- D. Accessory buildings shall not exceed a height of fifteen (15) feet.
- E. Refer to Section 9.11.6, Site Development Requirements, for additional requirements of the R-M1, Multiple Family Development District.
- F. Structures for agricultural operations may be permitted up to one hundred (100) feet in height.
- G. When built in conjunction with a Planned Unit Development.
- H. When a street abuts a side yard, the building setback shall be the same as the required front yard setback in that particular district.
- I. When a side or rear yard is adjacent to a residential district, an additional twenty-five (25) foot yard setback shall be required in the form of a landscaped buffer strip as specified in Article 11 of this Ordinance.
- J. In a non residential district, front yard shall be measured from the street right-of-way or property line towards the building and extend completely across the frontage of the lot. The first 25' closest to the front lot line shall be appropriately landscaped and maintained, and except for necessary drives and walkways, it shall remain clear and shall not be used for parking, loading, or accessory uses as permitted in the particular commercial district. Where a building exceeds the required front yard setback, parking shall be permitted from the setback to the building line.
- K. The minimum front yard setback for a commercial use, building or structure, fronting on a State or Federal Highway shall be seventy-five (75) feet as measured from the highway right-of-way line.

ARTICLE 10 - OFF-STREET PARKING AND LOADING

Section 10.1 - Intent of Parking Provisions

It is the intent of this Ordinance that parking spaces shall be provided adequately maintained by each property owner in every zoning district for the off-street storage of motor vehicles for the use of occupants, employees and patrons of each building and premise constructed, altered or enlarged under the provisions of this Ordinance. All vehicles shall be parked on the premises occupied by the principal building, or may be parked on premises located offsite of the premises within specifically limited walking distances as specified in Section 10.1,8 of this Ordinance.

Section 10.2 - General Provisions

10.2.1. Definition of Floor Area

The term "floor area" as applied to offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used for services to the public, including those areas occupied for fixtures and equipment used for display or sale of merchandise, but excluding floor areas which are used exclusively for storage, housing or mechanical equipment integral to the building, maintenance facilities, or those areas where customers, patients, clients, salesman, and the general public are denied access. "Floor area" shall be measured from the exterior faces of exterior walls.

10.2.2. Fractional Space

When units of measurement determining the number of required parking spaces result in a fractional space, any fraction up to and including one-half ($\frac{1}{2}$) shall be disregarded and fractions over one-half ($\frac{1}{2}$) shall require one (1) parking space.

In the case of a use not specifically mentioned the requirements of off-street parking for a use which is mentioned and which is most similar to the use not listed shall apply.

10.2.3. Use of Parking Areas

No commercial repair work, servicing or selling of any kind, shall be conducted in any parking area. Parking space shall be used only for the parking of vehicles used to service the establishment to which it is accessory and by its patrons. No sign shall be erected in parking areas, with the exception of not more than one directional sign at each point of ingress and/or egress, directional and traffic control signs within the parking lot, and signs identifying handicapped parking spaces and loading and unloading areas. The signs shall be designed and located so as not to restrict visual view of traffic.

10.2.4. Changes in Use, Building Additions or Other Increases in Floor Area

Whenever a use, requiring off-street parking changes to another use requiring off-street parking, is increased in floor area, or when interior building modifications result in an increase in floor area for any premise use, additional parking shall be provided and maintained in the proper ratio to the use change increased floor area or floor area.

10.2.5. Joint Use of Parking Areas

The joint use of parking facilities by two or more parcels or two or more separately owned buildings on the same parcel may be granted by the Caledonia Township Planning Commission during the site plan approval process. The Planning Commission may grant

such approval whenever such use is practical and satisfactory to each of the uses intended to be served, and when all requirements for location, design, and construction are met.

- A. Computing Parking Space Requirements for Joint Uses: The total space requirements for joint uses shall be equal to the sum of the individual requirements that will occur at the same time. If space requirements for individual uses occur at distinctly different times, the total of off-street parking spaces required for joint use may be reduced by the Planning Commission below the sum total of the individual space requirements. However, the site shall have adequate room to allow for the provision of parking based on the sum of individual parking requirements.
- B. Record of Agreement: A copy of an agreement between joint users shall be filed with the application for a building permit and recorded with the Register of Deeds of Shiawassee County. The agreement shall include a guarantee for continued use of the parking facility by each party.

10.2.6. Seating capacity of seats

As used in this article for parking requirements, seats shall mean that each twenty four (24) inches of seating facilities shall be counted as one (1) seat, except that where specifications and plans filed with the Building Inspector specify a certain seating capacity for a particular building, such specified seating capacity shall be used as the basis for required parking space.

10.2.7. Similar uses and requirements

In the case of a use not specifically mentioned, the parking requirement of a use listed in table 6-1 that is expected to generate similar off-street parking demands will be used. The selection of a similar use will be made by the Planning Commission for developments requiring site plan review. All other cases will be handled by the Zoning Administrator.

10.2.8. Parking for Temporary Events

For infrequent events held at places of assembly (including but not limited to churches, clubs, and lodges) which generate a higher parking demand than normal, parking may be provided in a temporary, unimproved overflow parking area on site. Parking for such events shall not be on the street.

Section 10.3 - General Provisions

The amount of required off-street parking space for new uses or buildings and additions to existing buildings shall be determined in accordance with the following table. The space so required shall be stated in the application for a zoning permit. The space shall be irrevocably reserved for such use and shall comply with the requirements of this Article.

TABLE 10-1 Table of Off-Street Parking Requirements		
Use	Required Number of Parking Spaces	Per Unit of Measure as Follows
One and Two Family Dwellings: Two spaces for each family dwelling unit.	2	per family dwelling unit
Multiple Dwellings	2	per dwelling unit
Boarding and Lodging Houses, Fraternities, Private Clubs.	1	per bedroom or each two occupants of the structure, whichever is greater
Motels and Bed and Breakfast Establishments	1	per sleeping unit plus two spaces for operating personnel
Hotels	1	per guest room, plus one additional space for every five (5) employees
Convalescent Homes, Convents, or Similar Uses	1	per three beds plus one space for every three employees
Hospitals, Sanitariums	1	per three patient beds plus one space for each staff or visiting doctor plus one space for each three employees.
Clinics	4	per doctor plus one space for each employee
Auditoriums (incidental to schools), Churches, Stadiums, Gyms, Theaters, and Buildings of similar use with fixed seats	1	per four (4) seats plus one space for every two (2) employees.
Auditoriums (other than incidental to schools), Lodge Halls, Meeting Halls, Community Centers, or Buildings of similar use without fixed seats	1	per six (6) persons of legal capacity
Elementary and Junior High Schools: One space for every	1	per two (2) employees plus the provisions of (1) above where the school contains an auditorium and/or stadium or gym.
High Schools and Colleges	1	per employee plus one space for each five (5) students
Libraries, Museums, Post Offices	1	per 800 square feet of floor area plus one space for every four (4) employees.
Private Golf Clubs, Swimming Pool Clubs, Tennis Clubs or other similar uses	1	per two (2) member families or individuals.

TABLE 10-1 Table of Off-Street Parking Requirements		
Use	Required Number of Parking Spaces	Per Unit of Measure as Follows
Golf Courses open to the public, except Miniature or "Par 3" courses	4	per hole plus one space for each employee.
Stadiums and Sport Arenas	1	per four (4) seats
Dance Halls, Pool and Billiard Rooms, Exhibition Halls, Roller Rinks	1	per 100 square feet of floor area used for dancing or assembly
Bowling Alleys	5	per alley plus one space for each employee.
Miniature or "Par 3" Golf Courses	3	per hole plus one space for each employee.
Professional Offices and Banks	1	per 200 square feet of floor area
General Offices	1	per 200 square feet of floor area.
Clothing, Appliance, Hardware, Automobile, Machinery Sales, Shoe Repair, Personal Services (other than beauty and barber shops), Wholesales	1	per 200 square feet of floor area
Furniture stores	1	per 800 square feet of floor area
Barber Shops and Beauty Parlors	2	per beauty and/or barber chair
Supermarket, Self-Service Food Store	1	per 50 square feet of floor area
Restaurants, Cafeterias, Taverns, Bars	1	per 75 square feet of floor area or one space for every three seats whichever is greater.
Automobile Service and Repair Garages, Gasoline Filling and Service Stations	3	per repair and service plus one space for every employee
Drive-In Restaurants for Fast-Food Establishments	1	per five square feet of floor area
Drive-In Banks, Cleaners, Car Laundries, and Similar Businesses:	1	per every 200 square feet of floor area and space for five cars between the sidewalk area
Retail Stores, except as otherwise specified herein	1	per 150 square feet of floor area
Funeral Homes and Mortuaries	1	per twenty-five square feet of floor area of chapels and assembly rooms
Warehouses. Wholesale Stores	1	per 800 square feet of floor area

TABLE 10-1 Table of Off-Street Parking Requirements		
Use	Required Number of Parking Spaces	Per Unit of Measure as Follows
Industrial or Manufacturing Establishments, including Research and Testing Laboratories, Creameries, Bottling Works, Printing and Engraving Shops	1	per two employees for industries working two or more shifts. One space for every three employees for industries working one shift or one space for every 400 square feet of gross floor area, whichever is greater.

Section 10.4 - Parking Lot Design Standards

The construction of any parking lot shall be in accordance with the requirements of the Building Code and the provisions of this Ordinance. Any person desiring to establish or change a parking area other than for a single family or duplex residence on a individual lot, shall submit a site plan to the Zoning Administrator showing the location, design, size, shape, landscaping, surfacing, marking, lighting, drainage, curb cuts, entrances, exits and any other features of the parking lot. The plan shall be submitted to the Planning Commission for review and approval based on the procedures established for site plan review.

10.4.1. Location of Parking Areas

All off-street parking areas shall be located on the same lot or on the adjacent premises in the same district as the use they are intended to serve. with the exception of the following:

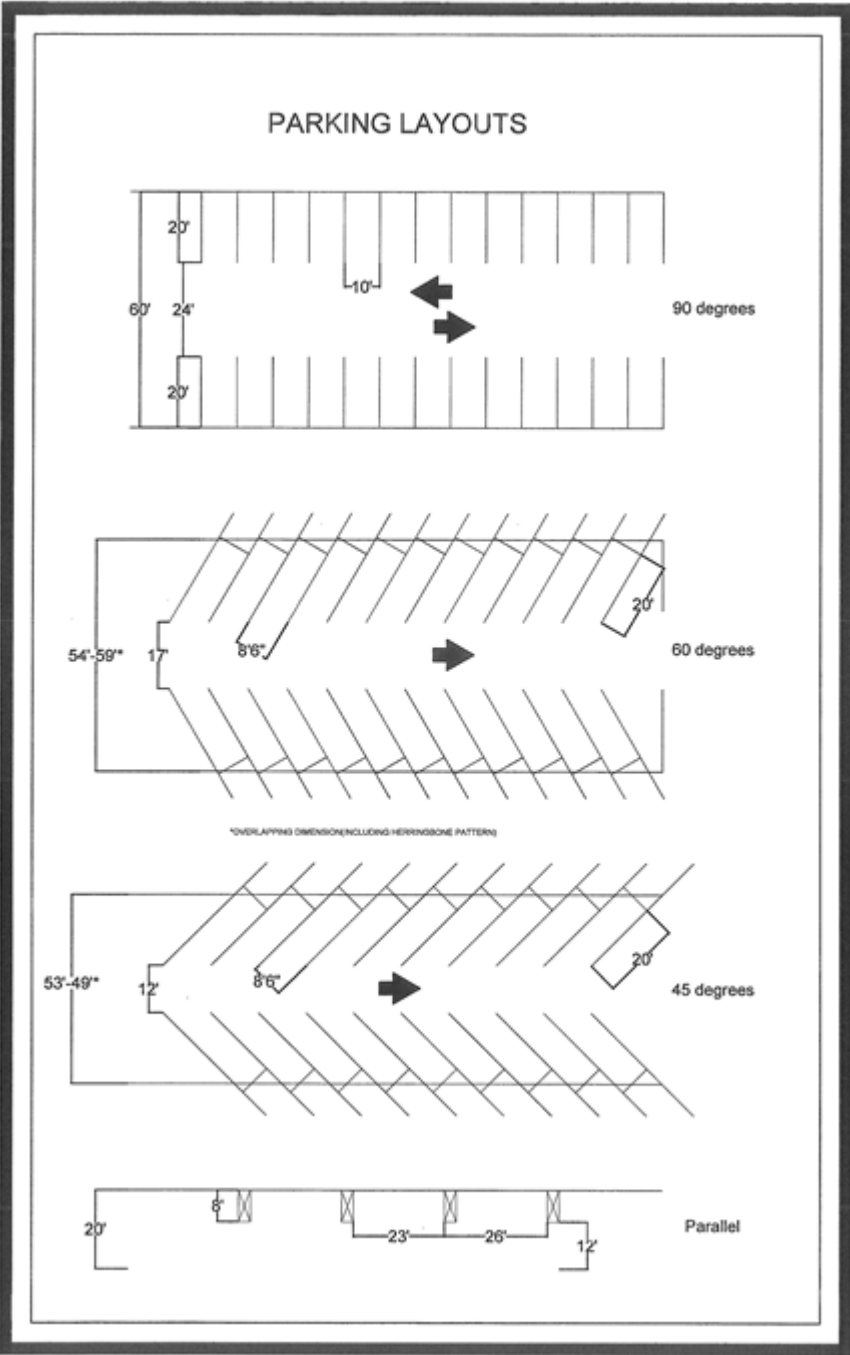
- A. Uses in B-2 Districts: Parking on the premises or within five hundred (500) feet.
- B. Uses in M-1 Districts: Parking on the premises or within eight hundred (800) feet.
- C. Uses in M-2 Districts: Parking on the premises or within one thousand (1000) feet.
- D. Public and Quasi-Public Buildings. Places of Assembly, Private Clubs. Associations and Institutions: Parking on the premises or within five hundred (500) feet.

10.4.2. Minimum Parking Space Size

The minimum size of a ninety (90) degree angle parking space shall be ten (10) feet by twenty (20) feet. All other parking spaces shall comply with the minimum size shown in Figure 10-1. The depth of a parking space may be reduced by two (2) feet if the front of the space borders a sidewalk at least seven (7) feet wide or a green space.

(TA 14-4 Amended 2/25/15)

FIGURE 10-1



(TA 14-4 Amended 2/25/15)

10.4.3. Parking Area Design

Parking areas shall be so designed and marked as to provide for orderly and safe movement and storage of vehicles.

10.4.4. Parking Area Ingress and Egress

Adequate ingress and egress to the parking area by means of clearly limited and defined drives shall be provided.

- A. Except for parking space provided for single-family and two-family residential lots; drives for ingress and egress to the parking area shall comply with the requirements of Figure 10-1 and so located as to secure the most appropriate development of the individual property
- B. Each entrance to and exit from an off-street parking area shall be at least twenty-five (25) feet from any adjacent lot within a residential district.

(TA 14-4 Amended 2/25/15)

10.4.5. Maneuvering Lanes

Each parking space, within an off-street parking area, shall be provided with adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited. The width of required maneuvering lanes may vary depending upon the proposed parking pattern, as outlined in Figure 10.

10.4.6. Parking Area Surface

Parking areas shall be surfaced with a material that shall provide a durable smooth and dustless surface and shall be graded and provided with adequate drainage.

10.4.7. Lighting

Adequate lighting shall be provided throughout the hours when the parking area is in operation. All lighting shall be so arranged as to reflect light away from any residential property adjacent to the parking area and any adjacent road or street.

10.4.8. Landscaping

Landscaping of parking areas shall conform to the requirements of Article 11 of this ordinance.

10.4.9. Front Yard Parking

A twenty five (25) foot green belt shall be maintained between the front lot line and the edge of any parking area.

10.4.10. Barrier Free Parking Spaces

Parking spaces for handicapped citizens shall be located as close as possible on the most direct route to barrier free building entrances. Where possible, this route will not cross parking lot maneuvering lanes. Signs shall be provided to indicate the direction of travel to barrier free building approaches when the barrier free entrance is not visible from the accessible parking space or spaces. Each accessible parking space shall not have more than a nominal 3% grade and shall not be less than twelve (12) feet wide, or not less than ten (10) feet wide and adjacent to an access aisle which is not less than five (5) feet wide and which is not a traffic lane. The number of barrier free spaces required shall be based on the total number of spaces provided as shown in Table 10-2. At least one (1) of every ten

(10) handicapped spaces shall be “van accessible”, requiring an access aisle a minimum of eight (8) feet wide. There shall be a barrier free route of travel from the accessible parking spaces to the nearest barrier free building approach. Two (2) handicap parking spaces may share the same access aisle (see Figure 10-2).

Figure 10-2

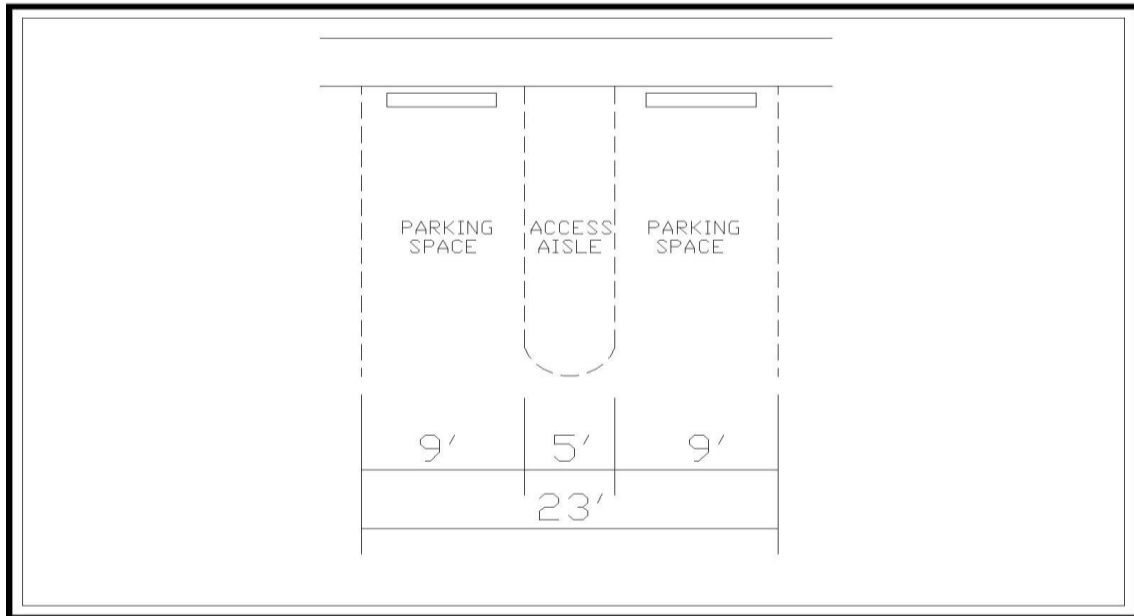


TABLE 10-2	
Michigan Barrier Free Parking Requirements	
Total Spaces in Lot	Minimum Number of Accessible Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6

Section 10.5 - Loading and Unloading Space Requirements

10.5.1. Intent and Purpose

In order to prevent undue interference with public use of streets and alleys, uses customarily receiving or distributing goods by motor vehicle shall provide space on the premises for that

number of vehicles that will be at the premises at the same time on an average day of full use.

10.5.2. Loading/Unloading Space Requirements

Every office, commercial and industrial use shall provide the minimum number of loading/unloading spaces listed in Table 10-3

TABLE 10-3		
Table of Loading and Unloading Spaces		
Use Category	Total Floor Area of the Building (square feet)	Off-Street Loading Space Requirements
Office Use	0 - 10,000	0
	10,001 - 50,000	One (1) usable loading space
	Over 50,000	Two (2) usable loading spaces
Commercial And Industrial Uses	0 - 1,400	0
	1,401 - 20,000	One (1) usable loading space
	20,001 - 50,000	Two (2) usable loading spaces
	Over 50,000	Three (3) usable loading spaces plus one (1) space for each 50,000 square feet in excess of 50,000 square feet.

10.5.3. Additional Parking Space

Loading space required under this section shall not be counted as parking spaces in determining compliance with the minimum number of parking spaces required under Section 10.3.

10.5.4. Space Requirements

There shall be provided adequate space for standing, loading, and unloading services not less than twelve (12) feet in width, fifty (50) feet in length, and fourteen (14) feet in height, open or enclosed, for uses listed in Table 10-3, or for similar uses similarly involving the receipt or distribution by vehicles of materials or merchandise.

10.5.5. Access

Access to a truck standing, loading, and unloading space shall be provided by an adequate maneuvering lane directly from a public street or alley and, such space shall be so arranged to provide sufficient off-street maneuvering space as well as adequate ingress and egress to and from a street or alley.

10.5.6. Site Requirements

Off-street loading spaces and access drives shall be paved, drained, lighted, and shall have appropriate bumper or wheel guards where needed. Any light used for illumination shall be so arranged as to reflect the light away from adjoining premises and streets. Where any off-street loading space adjoins or abuts a lot with a residential, educational, recreational, or religious use or zoned residential a masonry wall or solid fence not less than four (4) feet in

height shall be provided between the off-street loading space and said residential, educational, recreational, or religious premises or residential zone.

ARTICLE 11 - LANDSCAPE STANDARDS

Section 11.1 - Intent

The intent of this article is to promote the public health safety and welfare by establishing minimum standards for the design, installation and maintenance of landscaping as buffer zones between zoning districts, along roadways, between adjacent buildings and in parking lots.

The standards of this article are intended to guide and encourage the protection and enhancement of the environment through requirements for site design and the use of landscape materials. Applicants are encouraged to provide landscaping in addition to the minimum requirements of this ordinance to improve the function, appearance and value of their property.

Section 11.2 - Application

The requirements set forth in this article shall apply to all uses for which site plan review is required under Article 8 of this ordinance. No site plan or land use shall be approved unless said site plan provides landscaping consistent with the provisions of this Article.

The Planning Commission may also determine that dimensional conditions unique to the parcel would prevent development of required buffer zones, off street parking area, landscaping or green belts. If such a determination is made, the Planning Commission may grant an exception from the landscaping provisions of this article.

The following are minimum landscape standards and nothing will preclude the developer and Township from agreeing to more stringent standards. If applicable this determination will be made during site plan review.

11.2.1. Landscape Plan Required

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

- A. Minimum scale of one (1) inch to twenty (20) feet. A scale of one (1) inch to fifty (50) feet may be used for parcels over five acres in size.
- B. Proposed plant location, spacing species (common and botanical name).
- C. Existing and proposed contours on-site and 100 feet beyond the site at intervals not to exceed two (2) feet.
- D. Straight cross section including slope, height and width of berms and type of ground cover, or height and type of construction of wall or fence, including footings.
- E. Significant construction details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain existing natural drainage patterns.
- F. Planting and staking details in either text or drawing form to ensure proper installation and establishment of proposed materials.
- G. Identification of existing trees and species proposed to be saved. Clearly reference on the plan the total number of trees proposed to be preserved.
- H. Site plan review for pre-existing sites shall clearly identify the proposed building and/ or parking expansion and label the net percent site increase and calculated landscape requirement.

Section 11.3 - Minimum Buffer Zones

11.3.1. Level of Use

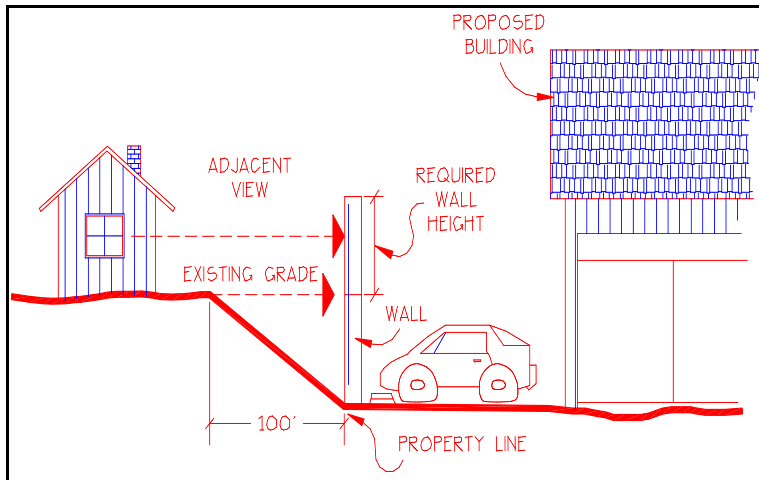
For the purposes of determining the density and type of coverage in the required buffer zone, zoning districts have been classified based on level of use, as follows:

LEVEL OF USE	ZONING DISTRICT
Level 1	A-1, A-O, A-2, R-1A, R-1B, R-1C
Level 2	R-1D, R-M1, R-T
Level 3	B-1, O-1
Level 4	B-2, B-3
Level 5	M-1, M-2

11.3.2. Buffer Zone

A buffer zone shall be provided within the setback between the subject site and all adjacent properties according to the table below. Walls/fences and berms with a height greater than 40 inches shall typically be prohibited along a public street right of way or in a front yard unless specifically approved by the Planning Commission. The height requirement of a wall/fence or berm shall be measured from the existing grade at the principal structure (within 100 feet of the property line) nearest to that property, to the top of the proposed berm or wall on the applicant's site (see Figure 11-1). All walls/fences shall meet the standards described Section 11.3.4. Buffers utilizing a combination of plant materials, berming and walls/fences shall be encouraged.

FIGURE 11-1



Level Of Use Of Subject Site	Level Of Use Of Adjacent Site				
	Level 1*	Level 2*	Level 3	Level 4	Level 5
Level 1	None	None	A or a 5 foot high wall/fence/berm	A or 5 foot high wall/fence/berm	A or 8 foot high wall/fence/berm
Level 2	None	None	A or a 5 foot high wall/fence/berm	A or 5 foot high wall/fence/berm	A or 8 foot high wall/fence/berm
Level 3	A or 5 foot high wall/fence/berm	A or a 5 foot high wall/fence/berm	None	B	B
Level 4	A or 5 foot high wall/fence/berm	A or 5 foot high wall/fence/berm	B	None	A or 5 foot high wall/fence/berm
Level 5	A or 8 foot high wall/fence/berm	A or 8 foot high wall/fence/berm	B	None	None

A = Two (2) deciduous canopy trees and four (4) large shrubs, or (1) canopy tree, one (1) evergreen tree and four (4) large shrubs per each twenty (25) linear feet along the property line. All property line distances shall be rounded upward to the nearest foot.

B = One (1) Deciduous canopy tree and four (4) large shrubs, or one (1) evergreen tree and four (4) large shrubs per each twenty five (25) linear feet along the property line. All property line distances shall be rounded upward to the nearest foot.

*Where the adjacent property, including property across a public street or private road, is zoned or used as single family residential, the Planning Commission may require additional landscaping (trees, shrubs, wall or berm) along the property line or within the site to sufficiently screen the parking lot, vehicle headlights, loading zones, outdoor display areas, storage yards, accessory structures, or use.

11.3.3. Parking and Storage

Parking lot screens will be designed with a hedge, wall/fence, berm or combination thereof, forming a continuous screen at least forty (40) inches in height above parking lot grade. The parking lot screen shall be located in the buffer zone to provide maximum screening of the parking lot.

All loading and unloading areas which are bordering side or rear yard setbacks of residential districts, shall be screened by a vertical screen consisting of structural or plant materials no less than 6 feet in height. Screening shall be sufficient to contain blowing debris and screen the loading and unloading areas from adjacent property owners.

Storage areas (including areas for storage of refuse) which are adjacent to residential districts, shall be screened on three sides by a fence or wall no less than 6 feet in height.

11.3.4. Wall or Fence Standards

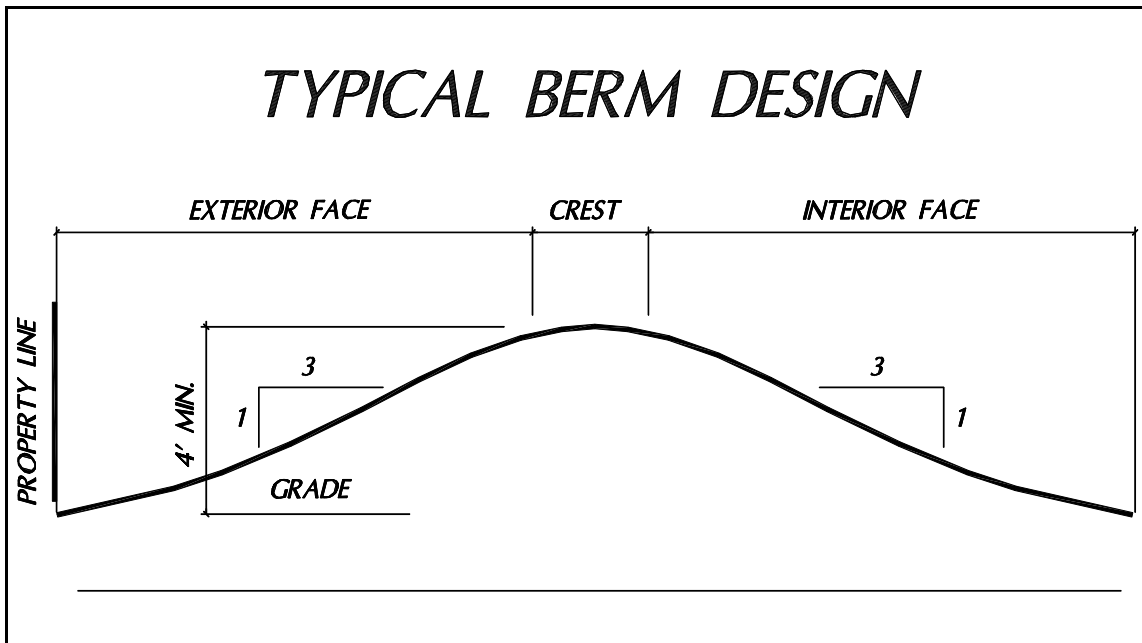
Required walls or fences shall comply with the standards listed below.

- A. Walls or fences shall be located so as to abut the applicant’s property except where underground utilities interfere or where this Ordinance requires conformance with yard setback lines.
- B. Walls or fences must be maintained in good condition by the property owner.
- C. The finished side or most visibly attractive side of a wall or decorative wood fencing shall face the exterior of the property line. Posts shall be on the side of the wall or fence facing the interior of the lot or parcel of land upon which the wall or fence is constructed.

11.3.5. Berm Standards

Required berms shall be constructed as landscaped earth mounds with a crest area at least three (3) feet in width. The exterior face of the berm shall be constructed as an earthen slope. The interior face of the berm may be constructed as a earthen slope or retained by means of a wall, terrace or other means acceptable to the Zoning Administrator or planning commission depending on who has site plan approval. Whenever an earthen slope is provided, it shall be constructed with a slope not to exceed one (1) foot of vertical rise to three (3) feet of horizontal distance (1:3) (see Figure 11-2). Free form naturalistic contouring and berm shaping is encouraged.

FIGURE 11-2



Section 11.4 - Required Parking Lot Trees and Parking Lot Islands

11.4.1. Parking Lot Tree Table

ZONING DISTRICT	Number of parking spaces
B-1, B-2, B-3, O-1	1 canopy tree per 7 spaces

11.4.2. Tree location

All of the required parking lot trees shall be placed within the parking lot envelope, described as the area including the parking lot surface and extending fifteen (15) feet from the edge of the parking lot. Evergreen trees may be used for part of the landscaping on the outer edge of the parking area, provided they will not pose a traffic hazard. Only deciduous canopy trees are permitted within the interior of the parking area.

All parking lot tree calculations and interior parking lot tree requirements shall be rounded up.

11.4.3. Tree Base

Each tree shall be surrounded by an area of grass or living ground cover at least one hundred fifty (150) square feet in size to provide for adequate resources of air and water. Tree plantings shall also be protected from automobiles with curbing or other suitable device.

11.4.4. Parking Lot Trees

Required parking lot trees shall be credited towards required green belt or buffer trees.

11.4.5. Design of Parking Lot Islands

All parking lot islands shall be curbed. Islands shall be at least one hundred fifty (150) feet in area. Each island shall be at least ten (10) feet wide, with a depth two (2) feet shorter than the depth of the adjacent parking space. Islands shall have a minimum of ten (10) feet at the ends facing main aisles. A minimum radius shall be one (1) foot where island is not adjacent to main traffic aisle.

Section 11.5 - Green Belts Required Along the Public Right of Way

A green belt shall be planted adjacent to the right of way of any public street. The green belt plantings shall be planted within the required setback. The Planning Commission may allow such planting to be placed anywhere within the front yard if there is no front yard parking. The green belt shall meet the following standards:

11.5.1. Use of Living Material

The green belt shall include only living materials and planting beds, except for approved sidewalks, signs, driveways and essential services.

11.5.2. Density of Trees

The green belt shall include one (1) deciduous canopy or coniferous tree per thirty (30) linear feet of the frontage including any openings for driveways, sidewalks, or easements. This requirement may be reduced or waived by the planning commission with the showing of necessity by the applicant.

11.5.3. Use of Evergreens

The planning commission may approve substitution of evergreen trees for up to fifty percent (50%) of the required green belt trees upon determining evergreens would be consistent with the existing character of the area.

11.5.4. Vision Triangle

Landscaping materials arrangement shall insure adequate site visibility for motorists, adequate clearance for pedestrians and vehicles, and accessibility to fire hydrants. Plant materials within the twenty five (25) foot site distance triangle shall not be more than thirty (30) inches in height.

Section 11.6 - Minimum Standards for Installation and Maintenance**11.6.1. Installation**

Landscaping shall be installed in a sound workman like manner and conform to the American Standard for Nursery Stock ANSI Z60.1. If building or paving construction is completed during a planting season, then no certificate of occupancy will be issued unless the landscaping meets the requirements herein provided. If building or paving construction is completed in an off planting season, the certificate of occupancy will be issued only after the owner provides a performance bond to ensure installation of required landscaping in the next planting season.

11.6.2. Material Removal

Tree stakes, guy wires and tree wrap are to be removed by the applicant after one year.

11.6.3. Maintenance

Greenbelt areas and plant materials required by this ordinance shall be kept free from refuse and debris. Plant materials shall be maintained in a healthy growing condition, neat and orderly in appearance in perpetuity from the time of planting. If any plant material required by this Ordinance dies or becomes diseased, they shall be replaced by the applicant/owner within thirty (30) days of written notice from the Township or within an extended time period as specified in said notice.

Section 11.7 - Compliance for Pre-Existing Sites

In any case where site plan review is required and the existing building and/or parking area is being increased by at least twenty five percent (25%) over the originally approved site plan or the use is being changed to a more intense use, as determined by the Planning Commission, the site shall be brought into full compliance with the landscape standards herein.

Section 11.8 - Enforcement

A violation of any provision of this Section or non compliance with written notifications pertaining to this Section shall constitute a violation of this Ordinance Article 3.

Section 11.9 - Plant Material Specifications

All plant material shall be free of disease and insects at time of planting, and conform to the American Standard for Nursery Stock of the American Association of Nurserymen ANZI Z60.1.

Section 11.10 - Required Vegetation

When a landscaped buffer strip is required in this ordinance, or stipulated as a condition for a Conditional Use Permit pursuant to Article 12 of this Ordinance, the following requirements shall be fully complied with:

11.10.1. Buffer Strip

Each required landscaped buffer strip shall be at least fifteen (15) feet in width. If trees are planted said trees shall be at least 1 ¾ inches in caliper and shall be maintained such that withered or dead trees are replaced within a period not to exceed eight (8) months.

11.10.2. Plant Material Spacing

- A. Plant materials shall not be placed closer than four (4) feet from the fence line or property line.
- B. Where plant materials are placed in two or more rows. Plantings shall be staggered in rows.
- C. Evergreen trees shall be planted not more than thirty (30) feet on centers and shall not be less than five (5) feet in height.
- D. Narrow evergreens shall be planted not more than six (6) feet on centers and shall not be less than three (3) feet in height.
- E. Tree-like shrubs shall be planted not more than ten (10) feet on centers and shall be not less than four (4) feet in height.
- F. Large deciduous trees shall be planted not more than thirty (30) feet on centers and shall not be less than eight (8) feet in height.

11.10.3. Suggested Plant Materials

- A. Evergreen Trees: Minimum five (5) feet in height, Juniper, Fir, Spruce, Hemlock, Pine, Douglas Fir.
- B. Narrow Evergreens: Minimum three (3) feet in height. Column Hinoki, Cypress, Blue Columnar, Chinese Juniper Pyramidal, Red Cedar, Swiss Stone, Pine Pyramidal, Irish Yew, Douglas, Arbor Vitae Columnar, Giant Arbor Vitae.
- C. Ornamental Trees Minimum five (5) feet in height, Flowering Crab, Mountain Ash, Redbud Hornbeam, Magnolia, Dogwood, Rose of Sharon, Hawthorn.
- D. Large Deciduous Shrubs: Minimum six (6) feet in height, Honeysuckle, Mock-Orange, Lilac, Cotoneaster, Euonymus, Viburnum, Forsythia, Ninebark, Hazelnut, Privet, Sumac.
- E. Large Deciduous Trees: Minimum eight (8) feet in height. Oak, Hackberry, Planetree (Sycamore), Sweet Gum, Linden, Ginkgo (male species), Birch, Honey Locust, Ash.

11.10.4. Prohibited Trees

The following trees are not permitted as they split easily. Their wood is brittle and breaks easily, they bear fruit or seed pods that can stain vehicles, drives and sidewalks and they are unusually susceptible to disease or insect pests.

- A. Common Names
 1. Boxelder
 2. Red Maple
 3. Silver Maple
 4. Horse Chestnut
 5. Hickories
 6. Catalpa
 7. Hawthorns

8. Black Walnut
9. Mulberry
10. Poplars
11. Willows
12. American Elm
13. Siberian Elm
14. Slippery Elm, Red Elm

Section 11.11 - Drives and Accessways

Necessary drives and accessways from public rights-of-way through such buffer strips shall be permitted, provided that such accessways shall not be subtracted from the lineal dimension used to determine the required number of plants.

Section 11.12 - Buffer Strip Provisions for Surface Mining Areas, Landfills and Junk Yards

Where rules in Article 7 for Buffer Strips for Surface Mining Areas, Landfills and Junk Yards supersede provisions of Article 11, said Article 7 rules shall apply.

ARTICLE 12 - SUPPLEMENTAL REGULATIONS

Section 12.1 - Purpose

It is the purpose of this article to establish regulations which have not been specifically provided for in other portions of this Ordinance.

Section 12.2 - Minimum Lot Frontage on Road

All lots created after the effective date of this Ordinance shall have the required minimum frontage along and adjacent to a public street or private drive created in accordance with Sections 12.2.1 of this Ordinance, equal to the minimum lot width for that district, except in the case of lots fronting curvilinear streets or cul-de-sacs, or in cluster developments. In the case of lots fronting on curvilinear streets or in cul-de-sacs, the lot width shall be determined at the minimum front setback line. In the case of cluster developments, lot widths shall be determined on a case by case basis.

12.2.1. Common Driveways

Intent: The purpose of this section is to provide for the location of common driveways that serve no more than two (2) dwelling units. In rural areas the location of a home site may be substantial distance from a public road. This section allows for such driveways under certain conditions only. The provisions of this section shall not be used to avoid the requirements of Section 12.2.1.

Scope: A single 66 foot right-of-way which serves as ingress and egress for no more than two (2) dwelling units or parcels of land lacking sufficient lot frontage or a public road may be permitted by administrative action of the Zoning Administrator. The Zoning Administrator shall base the determination upon the criteria contained in this section.

Basis of Determination: All common driveways shall meet the following conditions.

- A. A common driveway shall not serve more than two (2) dwelling units or parcels of land. A petitioner for a common driveway shall provide the Zoning Administrator with certified copies of irrevocable property covenants and deed restrictions that control the number of parcels and dwelling units in conformance with this limitation. Such instruments shall be provided in a form acceptable to the Caledonia Township attorney and shall be recorded with the Shiawassee County Register of Deeds prior to approval by the Zoning Administrator.
- B. An application for a common driveway shall be denied if the Zoning Administrator determines that the request is not consistent with the intent of this section.
- C. A common driveway shall not be permitted if it creates a significant hazard to the health and safety of those using roads that intersect with the private driveway.
- D. A common driveway shall not be permitted for structures or parcels that generate nonresidential traffic.
- E. A common driveway shall be permitted only after the Zoning Administrator determines that it is consistent with this and other ordinances of the Township, County and with the adopted Township Land Use Plan policies.
- F. A 66 foot driveway easement that is part of a lot fronting a public road shall not count as frontage for that lot for the purpose of complying with Section 12.2 of this ordinance.

Procedures: All applications for a common driveway shall be processed in accordance with these procedures.

- A. The applicant shall complete the form provided by the Township.
- B. A sketch showing the proposed property division in relationship to surrounding area within ¼ mile on a scale not less than 1" = 200'. Include layout of the private drive.
- C. Existing and proposed drainage patterns should be shown.
- D. The location of significant natural features such as natural water courses, bodies of water, wetlands, slopes over 12% , or stands of trees.
- E. Location of Building Envelope of house.

Issuance of a Common Driveway Permit: After having received the application, the Zoning Administrator shall review the request within fifteen (15) working days. A permit shall be issued upon approval of the concept plan and related documents.

12.2.2. Rear Dwelling Prohibited

No accessory building in the rear of and on the same lot with a principal building shall be used for residential purposes, except for watchmen, caretakers, and domestic employees whose employment is related to the functions of the principal building, provided that all other requirements of this Ordinance are satisfied.

12.2.3. Unsafe Buildings

Nothing in this Ordinance shall prevent compliance with an order by an appropriate authority to demolish, correct, improve, strengthen, or restore to a safe condition any building declared to be unsafe.

12.2.4. Grading and Filling of Property

The final grade surface of ground areas remaining after the construction of a building or structure, and any earth changes made in connection with use of land shall be designed and landscaped such that surface water flows away from the building or structure and, is collected or managed in a manner which avoids any increase in surface water discharge onto adjacent properties or public roads, the erosion of or public roads, the erosion of or filling of any road ditch, the blockage of any public watercourse, the creation of standing water over a private sewage disposal drainage field, and any unnecessary impoundment of surface water. The provision of this section shall be to administer and enforce pursuant to Article 7, Site Plan Review, when applicable. In all other cases, the Zoning Administrator shall determine whether the provisions of this section are met, provided that he first consults with the Shiawassee County Drain Commissioner and the manager of the Shiawassee County Road Commission (if County road right-of-way is involved) before taking any action to correct the situation. When it is determined by the Zoning Administrator after the aforementioned consultation that inadequate surface water control exists, no Certificate of Occupancy shall be issued until the situation is corrected and approved by the Zoning Administrator.

12.2.5. Required Water Supply and Sanitary Sewerage Facilities

After the effective date of this Ordinance, no structure for human occupancy shall be erected, altered, or moved upon any lot or premises and used in whole or in part for dwelling, business, industrial, or recreational purposes unless it shall be provided with a safe potable water supply and with a safe and effective means of collection, treatment, and disposal of human excrement and domestic, commercial and industrial wastes. All such

installations and facilities shall conform to the minimum requirements of the Shiawassee Health Department and Michigan Department of Environmental Quality.

12.2.6. Soil Erosion and Sedimentation

All development districts shall conform to the Shiawassee County Erosion Sedimentation Ordinance and general rules and P.A. 347 of 1972, the State Soil Erosion and Sedimentation Control Act.

12.2.7. Uses of Structures for Temporary Dwellings

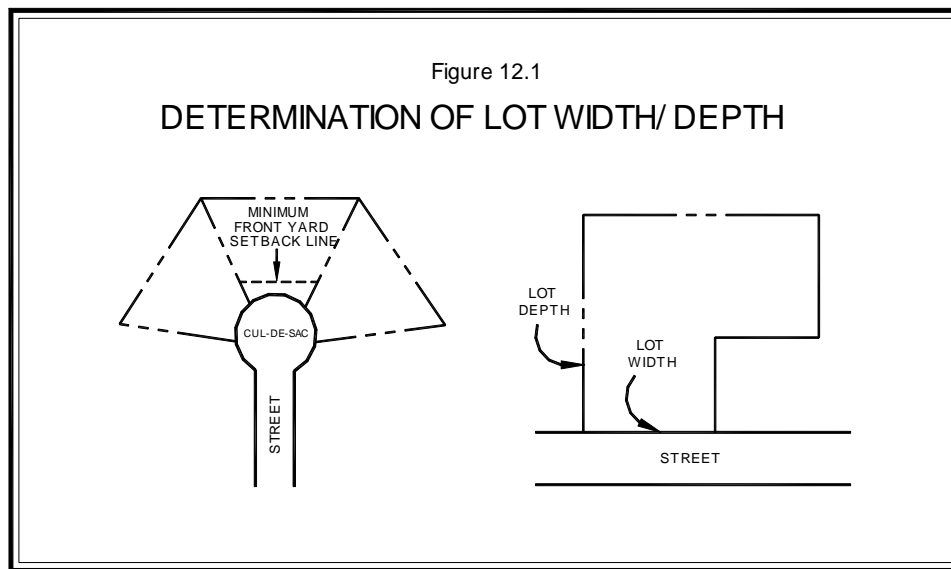
No structure shall be used for dwelling purposes that does not meet the minimum standards as defined in this Ordinance and the Construction Code Act of 1972, Act 230 with amendments. No garage or other accessory building, trailer coach, cellar, basement, tent, cabin, partial structure, whether of a fixed or portable construction, shall be erected or moved onto a lot and used for any dwelling purpose for any length of time unless authorized by the issuance of a special use permit as provided for in Section 7.

12.2.8. Temporary Buildings

The Zoning Administrator is authorized to issue a temporary zoning permit for uses incidental to construction work, including the placement of a temporary structure for storage of material. Such buildings shall comply with setback requirements for accessory buildings and all temporary buildings and debris shall be removed within fifteen (15) days after the completion or abandonment of the work.

12.2.9. Lot Frontage/Depth Ratio

In order to conserve land resources including productive farmland, and limit inappropriate crowding of land, all lots created after the effective date of this Ordinance shall have a lot width or frontage which is equal to or greater than ¼ the depth of the longest side of said lot. Stated in other terms, the maximum lot depth to lot width ratio shall be 4 to 1. For purposes of determining the ratio, width of lots in cul-de-sacs shall be measured at the minimum front yard setback line. The width of all other lots shall be measured at the front lot line (see Figure 12.1).



12.2.10. Waterfront Setback

No structure which is permitted as a principal structure in all zoning districts and which occupies a lot having frontage on a lake, stream, or river shall be closer than one hundred (100) feet measured from the water's edge to the nearest point of the structure with the exception of Lake Leslie, located in Section 13 of the township, which shall have a 50' water body setback.

(TA 08-3 Amended 1-26-09)

Section 12.3 - Accessory Buildings and Uses**12.3.1. Accessory Buildings**

Authorized accessory buildings may be erected as a part of the principal building or may be connected to it by a roofed over porch, patio, breezeway, or similar structure, or may be completely detached. If attached to the principal building, an accessory building shall be made structurally a part of it and shall comply in all respects with the requirements applicable to the principal building. An accessory building not attached and not made a part of the principal building shall not be nearer than ten (10) feet from any other structure on the same lot and shall also comply with the front, rear, and side yard requirements of this Ordinance. An exception of this requirement is for Accessory Buildings on Residential Lots (see Section 12.3.3 below).

12.3.2. Accessory Uses - Garages

The structural space which is permissible in residential districts for motor vehicle storage and for incidental space as accessory to an authorized use shall not exceed the following:

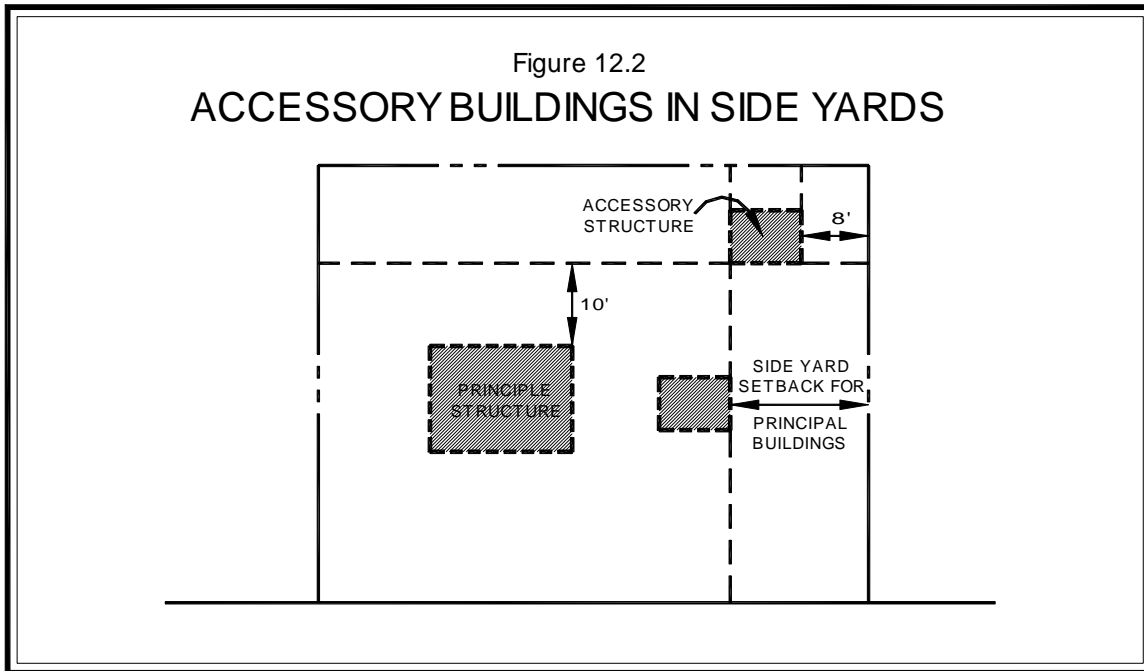
- A. R-1A, and R-1B Residential Districts, not to exceed nine hundred (900) square feet in the R-1 A district and eight hundred (800) square feet in the R-1B district for lots thirty thousand (30,000) square feet or less in area. For lots greater than thirty thousand (30,000) square feet, the total square footage of accessory structure may increase by one (1) square foot of accessory structure for each one hundred (100) square feet the parcel exceeds thirty thousand (30,000) square feet but in no case may the total exceed two thousand four hundred (2,400) square feet or 30% of the rear yard, whichever is less. Maximum structural areas are for the first floor building footprint only. Second floors of structures shall not exceed 50% of the area of the first floor footprint.
- B. R-1C, Residential District, not to exceed eight hundred (800) square feet.
- C. R-M1 & R-1D, Districts and Group Housing Developments, not to exceed six hundred (600) square feet per each family unit.
- D. There shall be no residential storage or overnight parking of commercial vehicles, except:
 1. In the case of an agricultural or home occupation requiring a commercial vehicle, one (1) commercial vehicle not exceeding one and one-half (1 ½) tons rated capacity shall be permitted.
 2. In all other cases one (1) commercial vehicle not exceeding one (1) ton rated capacity shall be permitted.
- E. Space in a garage accessory to an R-M1, R-1D, or to a motel shall not be rented out, except to occupants of the principal dwelling.
- F. An accessory building shall not occupy more than thirty (30) percent of the area of any rear yard.

(TA 08-1 Amended 5-19-08)

12.3.3. Accessory Buildings - Residential Lots

- A. Residential Lots are lots zoned R-1A, R-1B, R-1C, R-1D, A-1 or A-2.
- B. In a front yard, no accessory building shall project into any required front yard.
- C. In a rear yard, no accessory building, including detached garages, shall be closer than eight (8) feet to any lot line.
- D. In a side yard, no accessory building, including garages, shall be erected closer to any side lot line than the permitted distance for a residential lot in it's respective district, except when an accessory building is located at least ten (10) feet or more to the rear of the principal dwelling then the accessory building shall be no closer than eight (8) feet to the side lot line. (See Figure 12.2).
- E. On a corner lot, no accessory building shall be closer to the side street lot line than the side yard setback of the principal building on the lot. Where the rear line of a corner lot coincides with the side line of an adjoining lot in a residential district, an accessory building shall not be closer than eight (8) feet to the common lot line. (See Figure 12.3).
- F. Tractor trailers and mobile homes are not compatible with residential buildings and shall not be used for accessory structures.

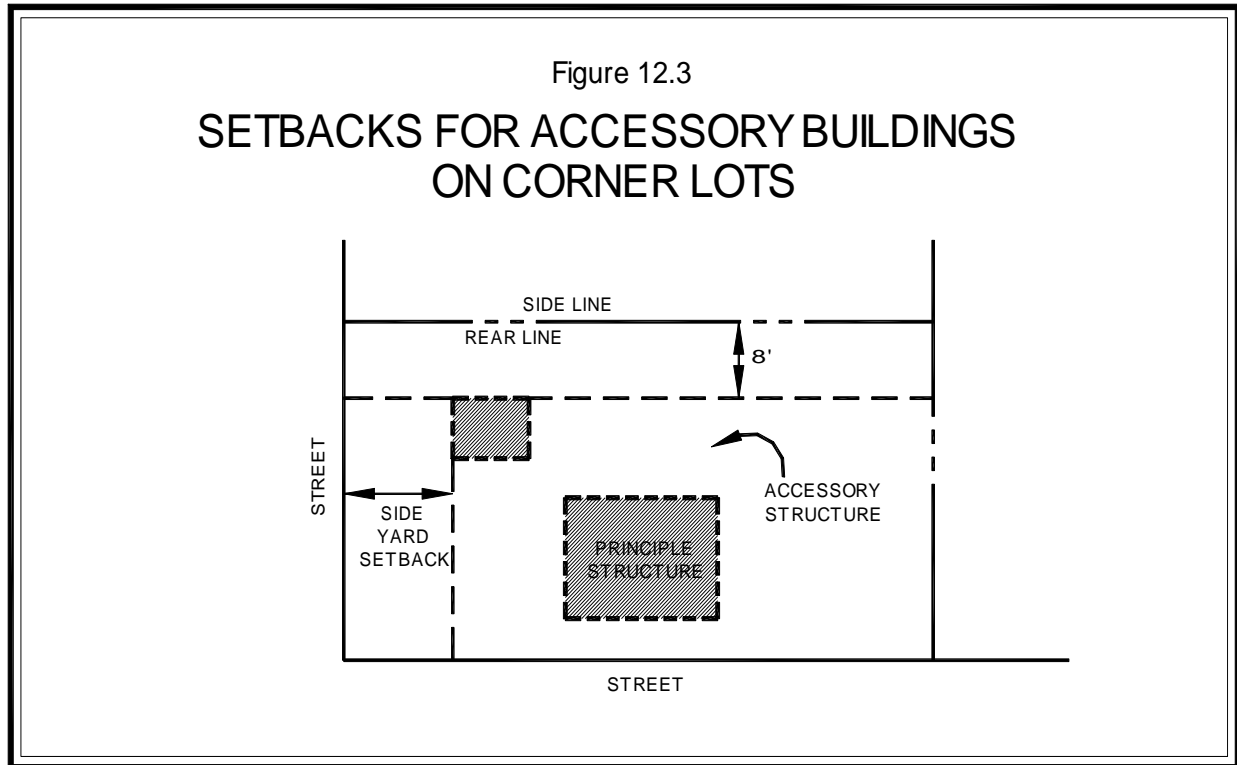
(TA 05-2 Amended 11-17-05)



12.3.4. Accessory Buildings - Agricultural Lots

Accessory buildings and structures in the A-1 and A-2, agricultural districts which are clearly incidental or secondary to the principal use of the property shall comply with the provisions of Section 12.3.3. Further, accessory structures shall comply with Section 15.14 relating to the keeping of livestock and small animals on less than twenty (20) acres and Section 9.5.5 relating to the separation distance between farm and non-farm structures.

(TA 05-2 Amended 11-17-05)



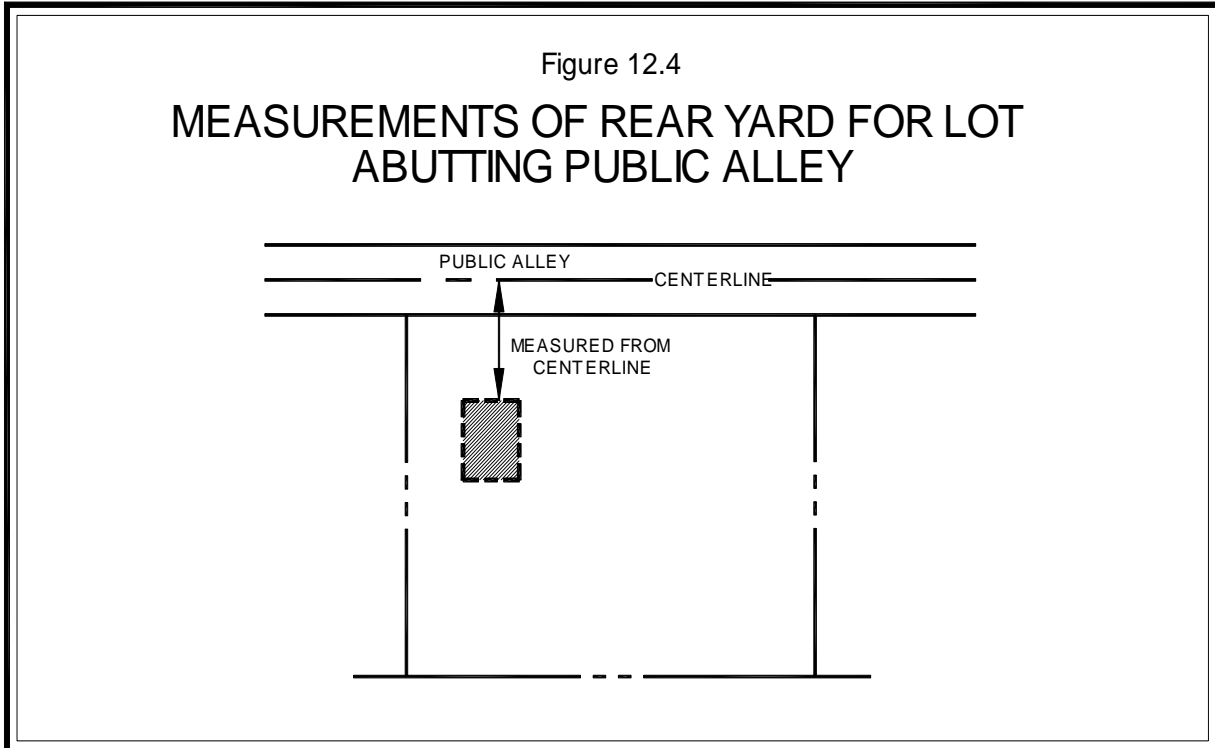
Section 12.4 - Supplementary Yard Regulations

12.4.1. Side Yard Reduction

- A. For residential lots adjoining an alley, the least width of a required side yard may be measured to the center line of the alley, provided no building shall be erected closer than five (5) feet to the nearest alley right-of-way,
- B. For Lots of Record, eighty (80) feet to one hundred and one (101) feet in width at the building line, the least width of either side yard shall be ten (10) feet, but the sum of the two side yards shall not be less than twenty-five (25) feet.
- C. For Lots of Record, sixty (60) feet to seventy-nine (79) feet in width at the building line, the least width of either side yard shall be seven (7) feet, but the sum of the two side yards shall not be less than eighteen (18) feet.
- D. For Lots of Record, fifty (50) to fifty-nine (59) feet in width at the building line, the least width of either side yard shall be six (6) feet, but the sum of the two side yards shall not be less than thirteen feet.

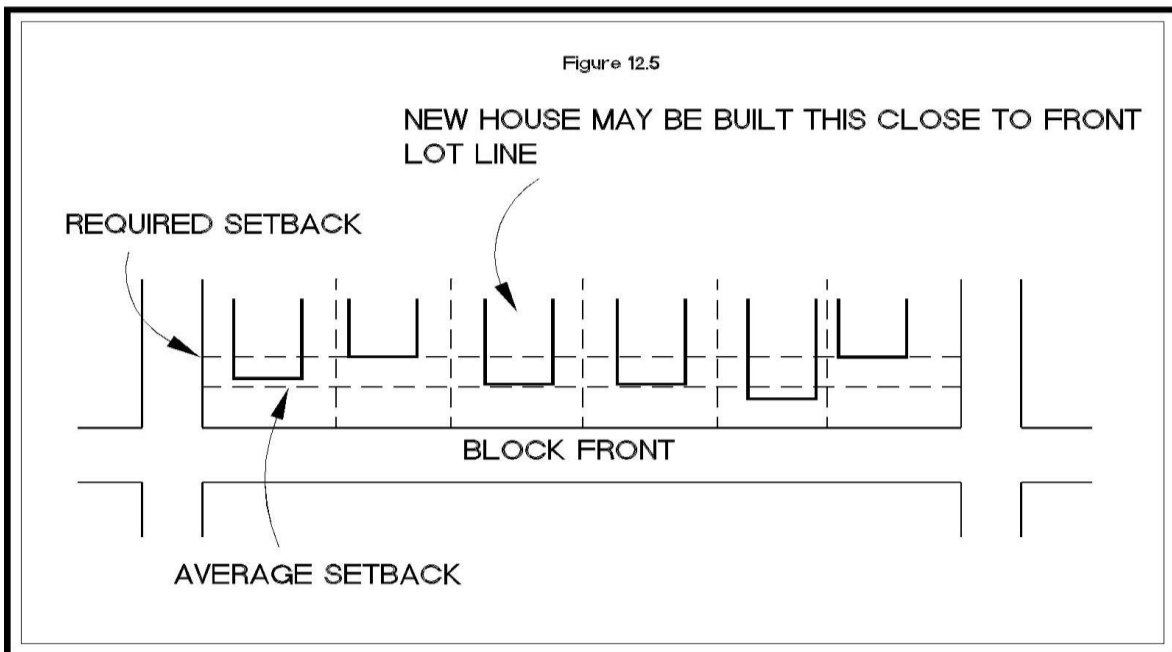
12.4.2. Rear Yard Reduction

- A. When a Lot of Record in any residential district has a depth of less than one hundred fifteen (115) feet prior to the effective date of this Ordinance, the rear yard of such lot may be reduced to a distance of one-fourth ($\frac{1}{4}$) of the distance of the lot, provided that no rear yard shall be less than twenty (20) feet in depth.
- B. When there is a public alley at the rear of a lot upon which the lot abuts for its full width, measurements of the depth of the rear yard may be made to the center line of such alley (see Figure 12.4).



12.4.3. Reduction of Front Yard Setback

In any residential district the street wall of a residence shall not be required to set back from the street line any distance greater than the distance equal to the average of the setbacks of all the street walls or portion of street walls within one hundred (100) feet of either side of the street wall in question, and within the same street or block frontage. (See Figure 12.5).



12.4.4. Permitted Yard Encroachments

- A. Paved terraces, patios, decks and uncovered porches shall not be subject to the setback requirements of this Ordinance, provided they comply to the following provisions:
 - 1. The paved terrace, patio, deck or porch is unroofed and without such walls, parapets, or other forms of solid continuous enclosure that connect the paved area to the principal building that an enclosed area is formed which appears functionally a part of the principal building.
 - 2. The highest finished elevation of the paved terrace, patio, deck or porch is not over three (3) feet above the average surrounding finished ground grade.
 - 3. No portion of any paved terrace, patio, deck or porch is closer than five (5) feet to any lot line.
- B. Paved area may have an open railing or fence not over three (3) feet high and may have non-continuous windbreaks or visual screen fences or walls not over six (6) feet high and not enclosing more than one-half ($\frac{1}{2}$) the perimeter of the paved area.
- C. Enclosed Porches (either one story or two story) or an unenclosed porch having solid foundations and capable of being enclosed shall be considered an integral part of the building and shall, therefore, be subject to all yard and area dimensional requirements established for principal buildings.
- D. Special structural elements such as cornices, sills, belt courses, chimneys, gutters, eaves, pilasters, and similar structural features may project into any yard a maximum of two and one-half ($2\frac{1}{2}$) feet.
- E. Fire escapes, outside stairways, and balconies, if of open construction, may project into the yard area a maximum of five (5) feet.

Section 12.5 - Supplementary Height Regulations**12.5.1. Permitted Exceptions - Structural Appurtenances**

- A. The following structural appurtenances shall be permitted to exceed the height limitations. Exceptions may be authorized only when all of the following conditions are satisfied:
 - 1. No portion of any building or structure permitted as an exception to a height limitation shall be used for human occupancy.
 - 2. Any structural exception to height limitations shall be erected only to such height as may be necessary to accomplish the purpose it is intended to serve so as not to become a hazard to aviation.
 - 3. If the roof area of structural elements permitted to exceed the height limitations exceed twenty (20) percent of the gross roof area, they shall be considered as integral parts of the whole structure and, thereby, shall not exceed the height limitations.
 - 4. In all instances, verification by the Township Fire Department shall be required to ensure that the exception shall fall within the fire fighting capabilities of the Township.
- B. The following structures shall be considered exceptions to the height requirements contained in this Ordinance.
 - 1. Ornamental in purpose such as church spires, belfries, cupolas, domes, ornamental towers, flag poles, and monuments.
 - 2. Appurtenances to mechanical or structural functions such as chimneys and smoke stacks, water tanks, elevators and stairwell penthouses, ventilators, bulkheads, masts, aerials, fire and hose towers and cooling towers.

3. Commercial freestanding towers when not attached to a building or structure shall be constructed in compliance with State and Federal regulations pertinent thereto.

12.5.2. Permitted Exceptions - Residential Districts

There shall be no exceptions permitted for residential structures. Certain nonresidential structures in residential districts may be permitted to exceed height limitations, provided there is compliance with the provisions of Article 6 inclusive.

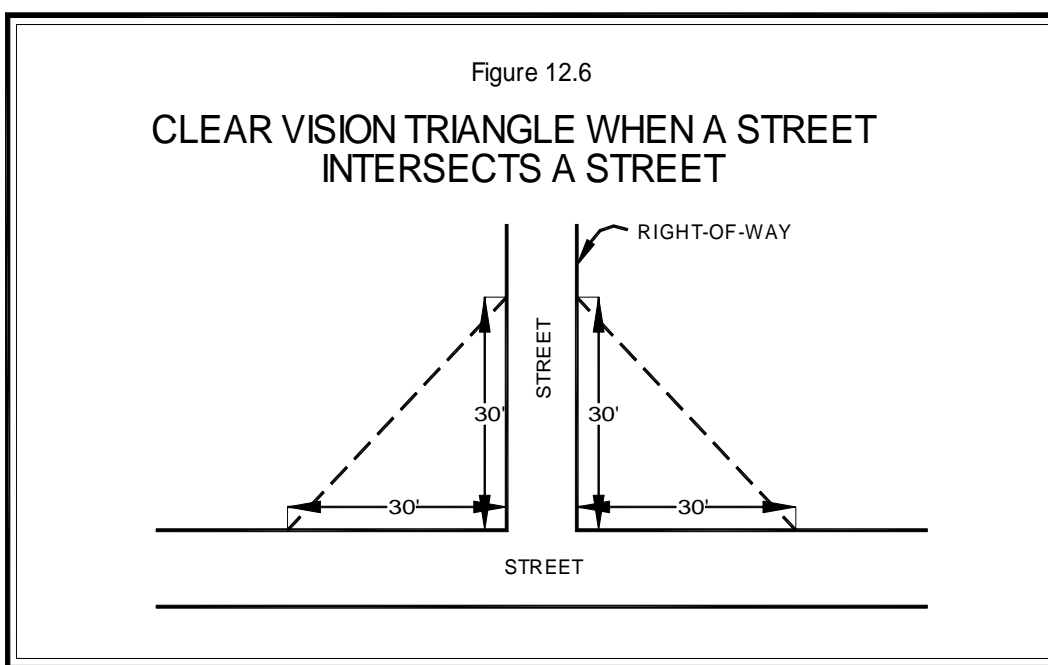
12.5.3. Permitted Exceptions - Business and Industrial Districts

In any business or industrial district any principal building may be erected to a height in excess of that specified for the district, provided each required front, side, and rear yard is increased one (1) foot for each one (1) foot of such additional height. In all instances, verification by the Township Fire Department shall be required to ensure that the exception shall fall within the fire fighting capabilities of the Township.

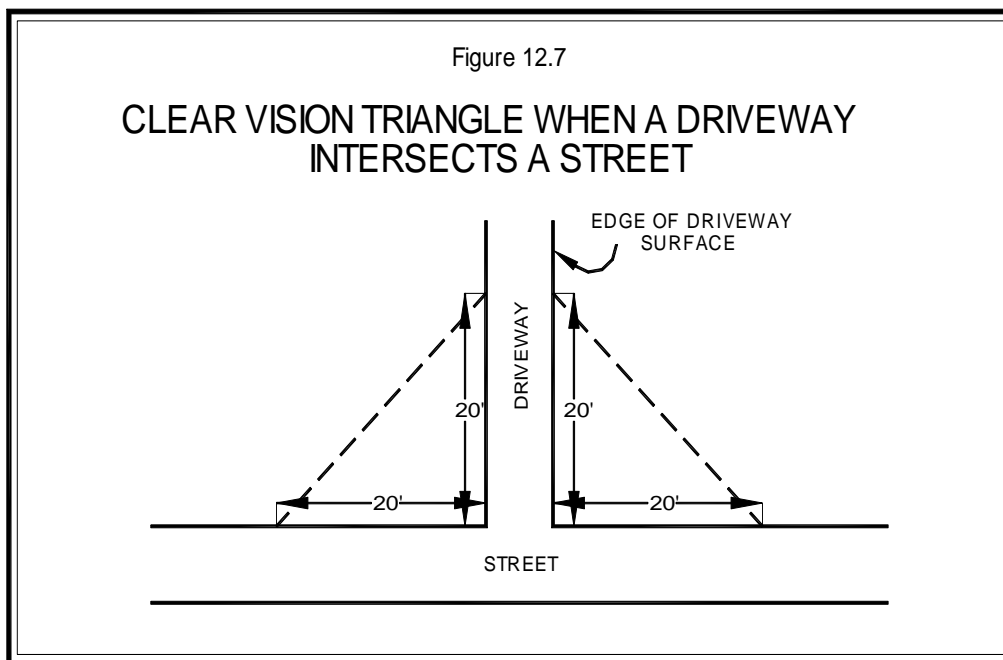
Section 12.6 - Clear Vision Triangles

12.6.1. Clear Vision Triangles

- A. No fence, wall, sign, screen, or any planting shall be erected or maintained in such a way as to obstruct vision between a height of three (3) and ten (10) feet within the triangular area formed by the intersection of the street right-of-way lines and a line connecting two (2) points which are located on those intersecting right-of-way lines and a line connecting two (2) points which are located on those intersecting right-of-way lines thirty (30) feet from the point of intersection of the right-of-way lines. The three (3) foot height limit shall be measured from the lowest elevation of the segment of the intersecting roads' center line which lies between the point of intersection of the other center line and the extension of line drawn through the points thirty (30) feet from the intersection of the right-of-way lines. (See Figure 12.6).



- B. No fence, wall, sign, screen, or any planting shall be erected or maintained in such a way as to obstruct vision between a height of three (3) and ten (10) feet within the triangular area formed by the intersection of a street right-of-way line and a driveway and a line connecting two points which are located on the right-of-way line and the outside edge of the driveway surface twenty (20) feet from the point of intersection of the right-of-way line and driveway. (See Figure 12.7).



Section 12.7 - Swimming Pool Regulations for all Districts

12.7.1. Pools Used for Swimming or Bathing

Pools used for swimming or bathing shall be in conformity with the following requirements and the provisions of the building code adopted by Caledonia Township:

- A. Swimming pools shall conform to the yard setback requirements as required for accessory uses and structures in this Ordinance.
- B. No swimming pool shall be located over a septic system, drain field, or on any area designated by the Shiawassee County Health Department as reserved for a replacement drain field unless approved by the Shiawassee County Health Department.

Section 12.8 - Flood Plain Regulations for all Districts

All structures identified in floodplains on the Caledonia Township Flood Insurance Map (FIRM) shall comply with the requirements for construction within the floodplain in the Township Building Code. No building shall be built in the floodway as defined in the Caledonia Township Floodway Map.

Section 12.9 - Satellite Dish Antennas

Satellite Dish Antennas shall be treated as accessory structures and shall conform to the locational criteria for accessory structures.

Section 12.10 - One Principle Building per Lot

No more than one principle building may be permanently established on a lot or parcel, unless specifically provided for elsewhere in this ordinance, such as a multiple-family development, site condominium or Planned Unit Development.

Section 12.11 - Structure Completion

The construction of a structure shall be completed on the outside within one year after the date that the building permit is granted. An applicant may be granted a one-year extension by the zoning Administrator if it can be demonstrated that significant progress has been made on the exterior of the structure during the initial one-year period.

Section 12.12 - Recreational Vehicles in Residential Lots

On all lots used for residential purposes, recreational vehicles such as but not limited to boats, campers, motor homes and trailers, shall be stored in the rear or side yard only and shall be treated as accessory structures for the purposes of determining required setbacks. An exception to this requirement for the R-1A through R1C districts will allow for the parking of recreational vehicles between the required front yard setback and the actual front yard setback between the months of May and October. Any vehicle parked outside of these limits will be subject to violation of the ordinance. Further, recreational vehicles shall not be connected to a water or electrical source for more than 7 consecutive days or be used as a residential dwelling unit at any time. For the purposes of this ordinance, tractor-trailers, utility trailers, flat bed trailers or any other mobile object (not including primary vehicles) where the sole purpose is not for recreation or the transporting of recreational vehicles, shall not apply to this exception.

(TA 14-1 Amended 6-15-14)

ARTICLE 13 - NONCONFORMING USES OF LAND AND STRUCTURES

Section 13.1 - Intent and Purpose

It is the purpose of this article to permit legal nonconforming lots, structures or uses to continue until they are removed, but not to encourage their survival.

It is recognized that there exists within the districts established by the article and subsequent amendments, lots, structures, and uses of land and structures which were lawful before this article was passed or amended which would be prohibited, regulated, or restricted under the terms of this article or future amendments.

Section 13.2 - Nonconforming Lots

13.2.1. Lots of Record

A legal non conforming lot of record that does not comply with the ordinances requirements for minimum lot area or lot width may still be developed, provided all new or expanded structures must comply with the setback requirements of this ordinance

13.2.2. Determination of a Lot of Records

The Zoning Administrator shall have the power to make "Lot of Record" determinations in accordance with the following:

- A. Upon application of any person claiming to be the owner of the legal or equitable title to a parcel of land which was the subject to a deed or land contract, not recorded in the Office of the Register of Deeds on the effective date of this Ordinance, the Zoning Administrator is authorized to determine whether an owner is entitled to have the parcel treated as a "Lot of Record" in accordance with Article 13.2 of this Ordinance.
- B. The Zoning Administrator shall allow the parcel to be treated as a "Lot of Record" when he/she finds by a preponderance of the evidence that the instrument purporting to transfer title to the parcel of said owner was executed prior to the effective date of this Ordinance. In making his/her determination, the Zoning Administrator is authorized to consider all matters it deems relevant, including but not limited to, the tax roll of the County, the relationship of the parties to the purported transfer, the degree of formality of the purported document of transfer, and the testimony of the applicant and his witnesses.
- C. Such a determination shall have only the effect of equating such an owner with the owner of a lot of record and shall not relieve such owner from complying with the other conditions set forth in this Ordinance.

Section 13.3 - Nonconforming Use of Land

Where at the effective date of adoption or amendment of this Article, lawful use of land exists that is made no longer permissible under the terms or this Article as enacted or amended, such use may be continued so long as it remains otherwise lawful, subject to the following provisions:

13.3.1. Enlarging Nonconforming Use

No such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land that was occupied at the effective date of adoption or amendment of this Article. In the case of gravel extraction operations, existing holes may be worked and enlarged on the land which constituted the lot on which operations were conducted at the

time of becoming nonconforming or which the Special Use Permit was issued if the operation was undertaken under a previous Special Use Permit. However, no new holes shall be established unless a Special Use Permit is obtained pursuant to Article 7.

13.3.2. Moving Nonconforming Use

No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Article.

Section 13.4 - Nonconforming Use of Structures

Where at the effective date of adoption or amendment of this Article, lawful use of a structure exists that is made no longer permissible under the terms of this Article as enacted or amended, such use may be continued so long as it remains otherwise lawful, subject to the following provisions:

13.4.1. Enlarging/Altering Structure Housing a Nonconforming Use

No structure housing a nonconforming use may be enlarged or altered in a way which expands the nonconforming use. However, a nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use and which existed at the time for adoption or amendment of this Article, but no such use shall be extended to occupy any land outside such building.

13.4.2. Destruction of a Structure Housing a Nonconforming Use

Should a structure housing a nonconforming use be destroyed by any means, or is intentionally demolished to an extent of more than sixty (60%) percent of twice its assessed valuation as determined by the Zoning Administrator at the time of destruction, the nonconforming use shall not be re-established.

Section 13.5 - Nonconforming Structures

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

13.5.1. Enlarging/Altering Nonconforming Structures

No nonconforming structure may be enlarged or altered in a way which creates a new nonconformity.

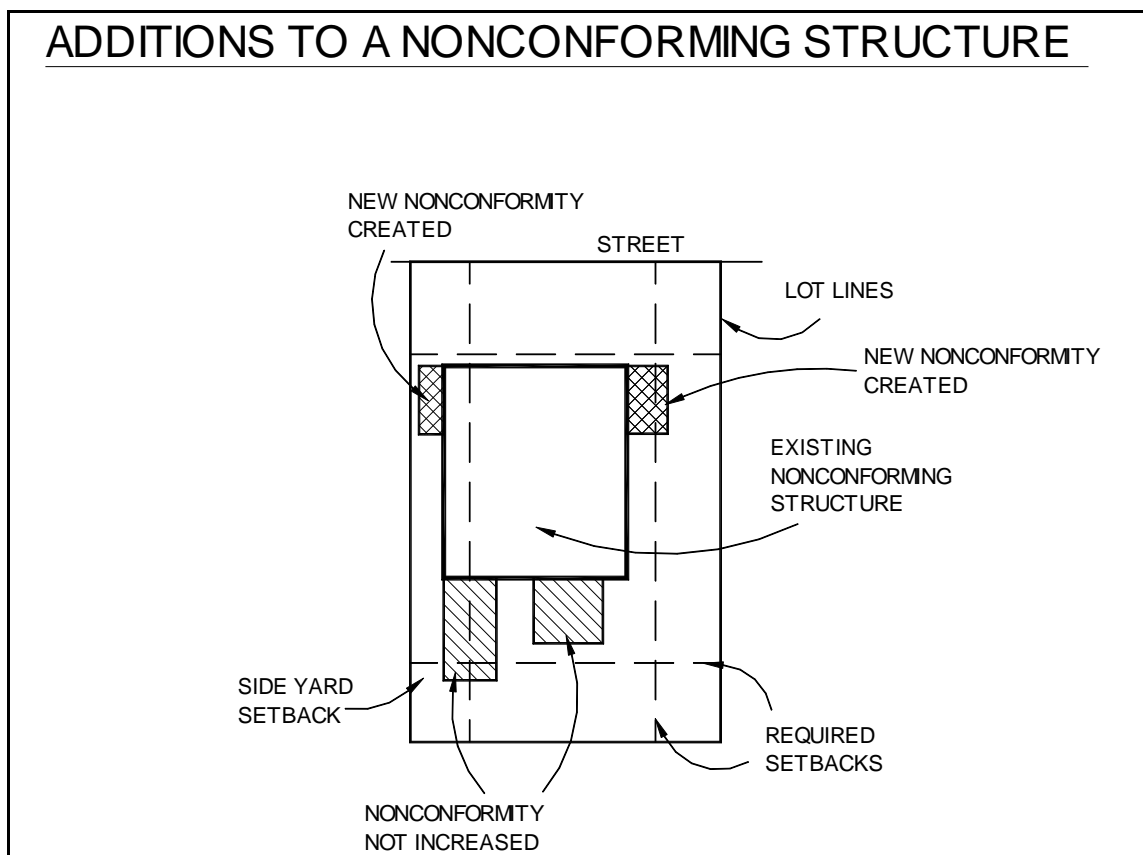
13.5.2. Destruction of Nonconforming Structure

Should a nonconforming structure be destroyed by any means, or is intentionally demolished to an extent of more than sixty (60%) percent of twice its assessed valuation as determined by the Zoning Administrator at the time of destruction, it shall not be reconstructed, except in conformity with the provisions of this Article. Structures housing a single-family non-conforming use may be rebuilt despite being completely destroyed, provided they are rebuilt on the existing building footprint.

13.5.3. Moving Nonconforming Structure

Should a nonconforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

FIGURE 13-1



Section 13.6 - Change in Nonconforming Uses

13.6.1. Changes to Nonconforming Uses in Business and Industrial Districts

In the O-1, B-1, B-2, B-3, M-1 and M-2 districts, any nonconforming use of a structure and/or premises may be changed to a less nonconforming use provided no structural alterations are made. The Zoning Board of Appeals shall be responsible for determining if a proposed use is less nonconforming than the current use based on a finding of the current and proposed uses affect on the surrounding area from noise, light, heat, traffic, odor, and other potential offsite impacts. Where a nonconforming use of a structure, land or structure and land in combination is hereafter changed to a less nonconforming use it shall not thereafter be changed back to the earlier nonconforming use. Once a nonconforming use is changed to a conforming use, it may not change back to a nonconforming use.

13.6.2. Changes to Nonconforming Uses in Agricultural and Residential Districts

In the A-1, A-2, A-O, R-1A, R-1B, R-1C, R-1D and R-T districts any existing nonconforming use may only be replaced by a conforming use. Once a nonconforming use is changed to a conforming use, it may not change back to a nonconforming use.

Section 13.7 - Repairs and Maintenance

On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing to an extent not exceeding twenty-five (25) percent of the assessed value of the building, provided that the cubic content of the building as it existed at the time of passage or amendment of this Article shall not be increased. Nothing in this Article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety upon order of such official.

Section 13.8 - Change of Tenancy or Ownership

A change in tenancy or ownership does not change the nonconforming status of a use or lot.

Section 13.9 - District Changes

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of another classification the provisions of this section shall also apply to any existing uses that become nonconforming as a result of the boundary changes.

Section 13.10 - Illegal Nonconforming Uses

Nonconforming uses of structures or land existing at the effective date of this ordinance that were established without approval of Zoning compliance, or without a valid building permit, or those nonconforming uses which cannot be proved conclusively as existing prior to the effective date of this ordinance, shall be declared illegal nonconforming uses and are not entitled to the status and rights accorded legally established nonconforming uses.

Section 13.11 - Nonconforming Use Discontinued

In the event that any nonconforming use is abandoned, any subsequent use shall conform to the uses permitted in the district in which the premises are located. Discontinuation of a nonconforming use for twelve (12) consecutive months shall be presumed to demonstrate an intent to abandon a nonconforming use.

Section 13.12 - Elimination of Nonconforming Uses

The Township may acquire, by purchase, condemnation, or otherwise private property or an interest in private property for the removal of nonconforming uses.

Section 13.13 - Construction or Contracts under Permits Issued Prior to this Ordinance

Any structure for which a building permit has been issued and construction of the whole or a part of which has been started or for which a contract or contracts have been entered pursuant to a building permit issued prior to the effective date of this ordinance may be completed and used in accordance with the plans and applications on which said building permit was granted, provided the construction permitted by such permit shall have been prosecuted and completed under that permit.

ARTICLE 14 - CONDOMINIUMS

Section 14.1 - Intent

The intent of this article is to regulate the division and development of land under the Condominium Act (PA 59 of 1978) so that the development is comparable in quality of design to property divided and developed by other methods.

Section 14.2 - Review Requirements

In order to ensure compliance with this ordinance, all condominium developments shall follow the site plan review process, including developments consisting solely of single family or duplex residences that may otherwise not be required to prepare a site plan. In addition to the information required in Article 8 Site Plan Review, all applicants for condominium site plan review shall submit the following information.

- A. Copy of the proposed condominium master deed.
- B. A copy of the proposed condominium subdivision plan (this may replace the site plan normally required for site plan review).
- C. A copy of the proposed condominium by-laws.

Section 14.3 - Zoning Ordinance Standards

14.3.1. Lot Size

In conventional condominium development, the condominium unit is enclosed air space, such as condominium apartments. In a conventional condominium the entire site must meet the minimum lot size requirements for the zoning district in which the parcel is located. For site condominium developments, the condominium unit is a piece of land that is sold as a building site just as lots in a subdivision are sold. Each condominium unit in a site condominium and its associated limited common area are considered equivalent to a "lot" and must meet the minimum lot size requirements for the zoning district in which the parcel is located.

14.3.2. Setbacks

In conventional condominium development the buildings must be setback from the sites boundaries as required in the zoning district where the parcel is located. For site condominium developments the setbacks shall be from the outer edge of the "lot" consisting of a condominium unit and their associated limited common area, and shall be consistent with the setbacks for principal structures in the zoning district in which it is located.

FIGURE 14-1

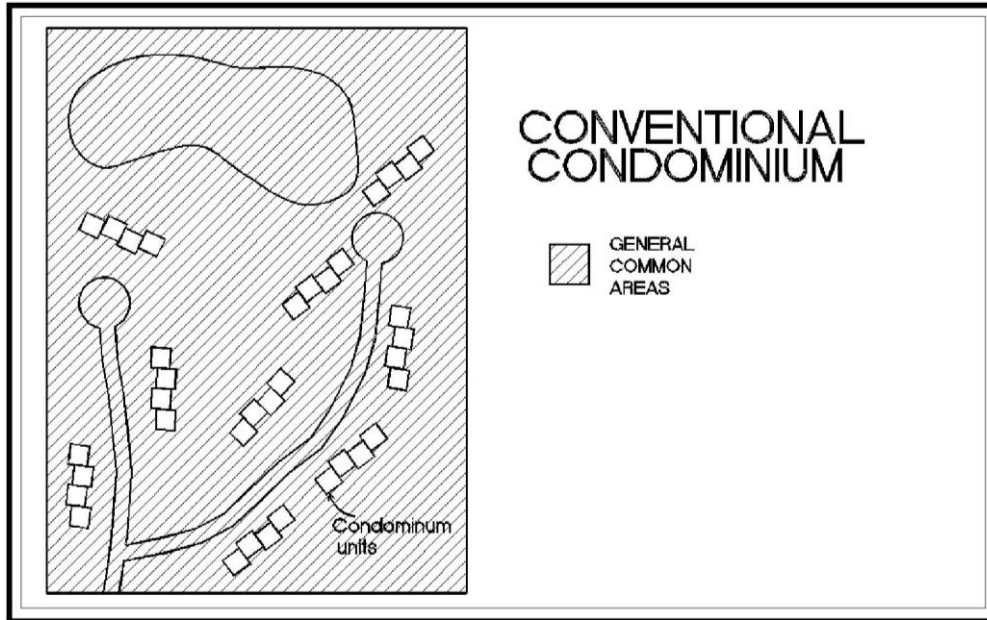
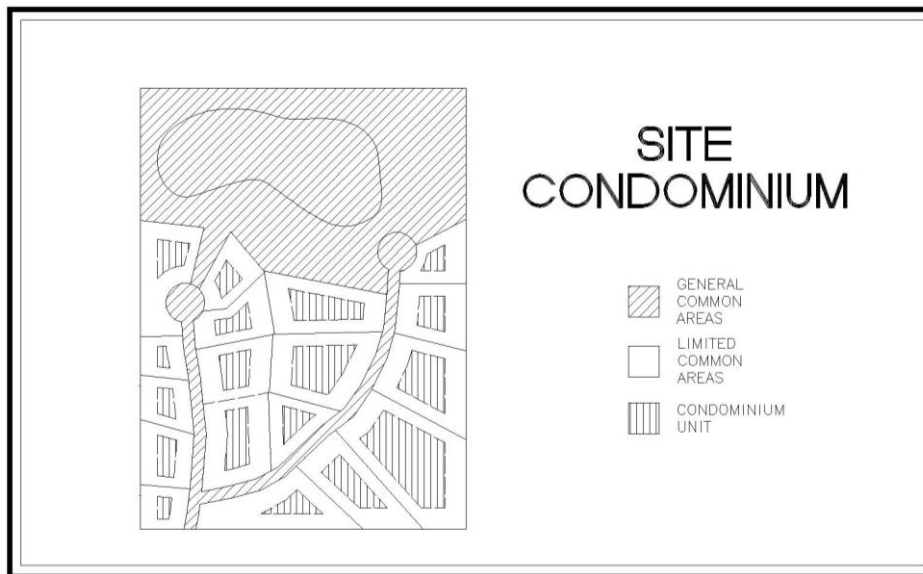


FIGURE 14-2



Section 14.4 - Condominium Design Requirements

Conventional and site condominium developments shall comply with all applicable design standards in the Caledonia Township Zoning Ordinance. Infrastructure, including streets, utilities and sidewalks shall comply with the Caledonia Township Infrastructure Standards adopted by the Caledonia Township Board.

Section 14.5 - Survey Requirements

Conventional condominiums shall comply with the monumenting requirements contained in the Condominium Act, PA 59 of 1978. Site condominium shall comply with the following requirements which are intended to ensure that monumentation is equivalent to the monumentation requirements of a subdivision plat:

- A. Monuments shall be located in the ground and made according to the following requirements, but it is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the subdivision if the angles points can be readily reestablished by reference to monuments along the sidelines of the streets.
- B. All monuments used shall be made of solid iron or steel at least half ($\frac{1}{2}$) inch in diameter and thirty six (36) inches long and completely encased in concrete at least four (4) inches in diameter.
- C. Monuments shall be located in the ground at all angles in the boundaries of the site condominium; at the intersection lines of streets and at the intersection of the lines of streets with the boundaries of the site condominium and at the intersection of alleys with the boundaries of the site condominium; at the points of curvature, points of reverse curvature and angle points in the side lines of streets and alleys; and at all angles of an intermediate traverse line.
- D. If the required location of a monument is in an inaccessible place, or where the locating of a monument would be clearly impractical, it is sufficient to place a reference monument nearby and the precise location thereof be clearly indicated on the plat and referenced to the true point.
- E. If a point required to be monumented is on a bedrock outcropping, a steel rod, at least half ($\frac{1}{2}$) inch in diameter shall be drilled and grouted into solid rock to a depth of at least eight (8) inches.
- F. All required monuments shall be placed flush with the ground where practicable.
- G. The corner of each area consisting of a unit and the associated limited common area reserved for that unit, and treated as a "lot" under this ordinance shall be monumented in the field by iron or steel bars or iron pipes at least eighteen (18) inches long and half ($\frac{1}{2}$) inch diameter, or other markers approved by the Township.
- H. The Township Planning Commission may waive the placing of any of the required monuments and markers for a reasonable time, not to exceed one year, on condition the proprietor deposits with the Township cash, certified check, or irrevocable bank letter of credit payable to the Township, whichever the proprietor selects, in an amount not less than one hundred dollars (\$100.00) per monument and not less than four hundred dollars (\$400.00) in total, except that lot corner markers shall be at the rate of not less than twenty five dollars (\$25.00) per markers. Such cash, certified check or irrevocable bank letter of credit shall be returned to the proprietor upon receipt of a certificate by a surveyor that the monuments and markers have been placed within the time specified as required. If the proprietor defaults, the Township shall promptly require a surveyor to locate the monuments and markers as certified on the plat, as required by this ordinance. The Township shall be reimbursed for the cost of such work by the proprietors deposits. Additionally, in the event the Township incurs costs in excess of the amount deposited, such costs will be charged against the proprietor.

ARTICLE 15 - DESIGN STANDARDS

Section 15.1 - Home Occupations

Home Occupations are permitted by right in the A-1, A-2, R-1A, R1-B, R1-C, R1-D, RM-1 and B-3 districts provided:

- A. No more than one-half ($\frac{1}{2}$) of the floor area of one (1) story of the dwelling is devoted to such use, not to exceed four hundred eighty (480) square feet.
- B. The home occupation is operated in its entirety within the dwelling and not within any garage or accessory building located upon the premises, except for incidental storage in or use of a residential-type garage upon the premises.
- C. Are only conducted by the person or persons occupying the premises as their principal residence a major portion of each month; provided, however, the Planning Commission shall have the authority to permit additional subordinate assistants who do not so reside within the dwelling by special use permit when it is demonstrated that it would not substantially impact the residential character of the neighborhood or cause traffic congestion or parking problems. In no event, however, shall such additional assistants exceed three in number.
- D. The dwelling has no exterior evidence, other than a permitted sign, to indicate that the same is being utilized for any purpose other than that of a dwelling.
- E. The occupation conducted therein is clearly incidental and subordinate to the principal use of the premises for residential purposes.
- F. No goods are sold from the premises which are not strictly incidental to the principal home occupation conducted therein.
- G. No occupation shall be conducted upon or from the premises which would constitute a nuisance or annoyance to adjoining residents by reason of noise, smoke, odor, electrical disturbance, night lighting, or the creation of unreasonable traffic to the premises. Noise, smoke, odor, electrical disturbance or the source of lighting shall not be discernible beyond the boundaries of the property from which the occupation is conducted.
- H. Any such home occupation shall be subject to annual inspection by the zoning administrator of the township and may be terminated by order of such inspector whenever the same fails to comply with the zoning ordinance.
- I. The applicant shall demonstrate that they have provided adequate off-street parking for the proposed use.

Section 15.2 - Private Nonprofit Recreation

Private nonprofit recreation facilities are permitted by right in the R1-A, R1-B, R1-C, R-1D and RM-1 districts and by special use permit in the A-1 and A-2 districts provided:

- A. The facilities are constructed, maintained, and operated by an incorporated nonprofit club or organization with a specified limitation of members, and that such recreation facilities shall be operated for the exclusive use of organization members and their guests.
- B. The minimum site size is one (1) acre with a minimum width of one hundred fifty (150) feet.
- C. In those instances where the proposed site is intended to serve club or organization members who reside beyond the immediate neighborhood or subdivision in which the proposed site is located, the site shall be located on a public street or road and all ingress and egress for the site shall be provided directly from said street or highway.

- D. Front, side and rear yards shall be at least thirty (30) feet, except on those sides adjacent to non-residential districts wherein a minimum of ten (10) feet shall be permitted. All yards shall be appropriately landscaped with trees, shrubs, and grass. No structures or parking areas shall be permitted in the front yard or side yards, except for required entrance drives and those walls and/or fences used to obscure the use from abutting residential districts.
- E. Whenever an unenclosed swimming pool is constructed under this Section, said pool shall be provided with a protective fence six (6) foot in height. Entry shall be provided by means of a controlled gate. The provisions of Section 12.7.1 shall also be fully complied with.
- F. All lighting shall be shielded to reduce glare and shall be so arranged as to direct the light away from all residential lands which adjoin the site and streets which adjoin the site.

Section 15.3 - Public Recreation and Playgrounds

Public Recreation and Playgrounds shall be permitted by special use permit in the A-1, A-2, R-1A, R-1B, R-1C, R-1D, RM-1, O-1, B-1, B-2 and B-3 districts, provided:

- A. The proposed site should be at least 20,000 square feet in size.
- B. Playground areas shall be provided with a four (4) foot fence along streets and adjacent property lines.

Section 15.4 - Planned Unit Residential Development (PURD)

Planned Unit Residential Developments shall be permitted by special use permit in the R-1C, R-1D and RM-1 districts, provided:

- A. Authorization: Projected urbanization in certain areas of Shiawassee County in the next decade will produce a need for an economical single-family living unit that is adaptable to urban densities, but that retains many of the attractive features of the suburban home. Among the housing concepts emerging to meet this need are townhouses, row houses, and similar types of housing units with common property areas, cluster types of subdivisions in which housing units are arranged in cluster forms with clusters separated from each other by common open space, and housing units developed with related recreational space such as golf courses, swimming pools, private parks, community center, and other recreational facilities.
- B. Purpose and Intent: It is the purpose of this Section to encourage more imaginative and livable housing environments within the R-1A, R-1B, R-1C, R-1D and R-M1 residential districts through a planned reduction or averaging of the individual lot area requirements for each zone district providing the overall density requirements for each district remains the same. Such averaging or reduction of lot area requirements shall only be permitted when a land owner, or group of owners acting jointly, can play and develop a tract of land as an entity and, thereby, qualify for regulation of that tract of land as one complex land use rather than an aggregation of individual buildings located on separate, unrelated lots. Under these conditions, a Special Use Permit may be issued for construction and occupancy of a Planned Unit Residential Development, providing the standards, procedures, and requirements set forth in this Section can be complied with.
- C. Objectives: The following objectives shall be considered in reviewing any application for a Special Use Permit for Planned Unit Residential Development,
 - 1. To provide a more desirable living environment by preserving the natural character of open field, stands of trees, brooks, ponds, floodplains, hills, and similar natural assets.

2. To encourage the provision of open space and the development of recreational facilities at a generally central location and within reasonable distance of all living units.
 3. To encourage developers to use a more creative and imaginative approach in the development of a residential area.
 4. To provide for more efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the bypassing of natural obstacles in the residential site.
 5. To encourage variety in the physical development pattern of Caledonia Township by providing a mixture of housing types.
- D. Qualifying Conditions: An application for Special Use Permit shall comply with the following conditions to qualify for consideration as a Planned Unit Residential Development:
1. The site shall be not less than twenty (20) acres in area, shall be under the control of one owner or group of owners, and shall be capable of being planned and developed as one integral unit.
 2. The site shall be located within the R-1A, R-1B, R-1C, R-1D and R-M1 residential districts.
 3. Public water and sewer facilities shall be available or shall be provided as part of the site development.
- E. Uses that may be permitted: The following uses may be permitted within a Planned Unit Residential Development:
1. All uses permitted by right, permitted under special conditions or by Special Use Permit in the R-1C district subject to all restrictions specified therein.
 2. Two-family dwellings.
 3. Townhouses, row houses, or other similar housing types which can be defined as a single-family dwelling with no side yards between adjacent dwelling units, shall be permitted in the R-1D and R-M1 districts only, provided that there shall be no more than five (5) dwelling units in any contiguous group.
 4. Recreation and open space, provided that the following uses may be set aside as common land for open space or recreation use under the provisions of this section:
 - a. Private recreational facilities such as golf courses, swimming pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the Planned Unit Residential Development.
 - b. Historic building sites or historical sites, parks, and parkway areas, ornamental parks, extensive areas with tree cover, lowlands along streams, or areas of rough terrain when such areas have natural features worthy of scenic preservation.
 5. Name plates and signs in compliance with the provisions of this Ordinance.
 6. Off-street parking in compliance with the provisions of this Ordinance.
 7. Customary accessory uses as permitted in the district.
- F. Lot Size Variation Procedure: The lot area for Planned Unit Residential Developments within residential districts may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following procedures:
1. Site Acreage Computation: The gross acreage proposed for a Planned Unit Residential Development shall be computed to determine the total land area available for development into lots under the minimum lot size requirements of the applicable zoning district in which the proposed Planned Unit Residential Development is located.

- G. In arriving at a gross acreage figure the following lands shall not be considered as part of the gross acreage in computing the maximum number of lots and/or dwelling units that may be created under this procedure:
1. 2. Maximum Number of Lots and Dwelling Units: After the total gross area available for development has been determined by the above procedure, the maximum number of lots and/or dwelling units that may be approved within a Planned Unit Residential Development shall be computed by subtracting from the total gross area available a fixed percentage of said total for street right-of-way purposes and dividing the remaining net area available by the minimum lot area requirement of the zoning district in which the Planned Unit is located.
 2. Permissive Minimum Lot Area: Notwithstanding other procedures set forth in this Section, lot sizes within Planned Unit Residential Developments shall not be reduced in area below the following minimum standards:
 - a. One-Family Detached Dwelling Units: Twenty thousand (20,000) square feet within the R-1A district and twelve thousand (12,000) square feet within the R-1B district.
 - b. One-Family Detached Dwelling Units: Eight thousand (8,000) square feet of lot area within the R-1C residential district and six thousand (6,000) square feet of lot area within the R-1D and R-M1 residential districts.
 - c. Two-Family Dwellings: Twelve thousand (12,000) square feet of lot area within the R-1C residential district and nine thousand (9,000) square feet within the R-1D and R-M1 residential districts.
 - d. Townhouses, Row Houses, or Other Similar Dwelling Units: Three thousand (3,000) square feet of lot area for each dwelling unit for both the R-1D and R-M1 residential districts.
 3. Permissive Minimum Yard Requirements: Under the lot averaging or reduction procedure each lot shall have at least the following minimum yards:
 - a. Front Yard: Twenty-five (25) feet for all dwellings, provided that front yard requirements may be varied by the Planning Commission after consideration of common greens or other common open space if such space provides an average of twenty-five (25) feet of front yard area per dwelling unit.
 - b. Side Yard: Eight (8) feet on each side for all one and two family dwellings. None for townhouses or row houses, provided that there shall be a minimum of fifteen (15) feet between ends of contiguous groups of dwelling units.
 - c. Rear Yard: Twenty-five (25) feet for all dwellings, provided that rear yard requirements may be varied by the Planning Commission after consideration of common open space lands or parks which abut the rear yard area.
 4. Maximum Permissive Building Height: Two and one-half (2 ½) stories, but not exceeding thirty-five (35) feet. Accessory buildings shall not exceed a height of fifteen (15) feet.
 5. Minimum Dwelling Floor Area: One and two family, same as R-1D district, Article 9, Schedule A (Dimension Requirements for Residential Districts), and Multiple Dwellings, same as R-M1 district, Article 9 Schedule A (Dimension Requirements for Residential Districts).
- H. Open Space Requirements: For each square foot of land gained through the averaging or reductions of lot sizes under the provisions of this Section, equal amounts of land shall be provided in open space. All open space, tree cover, recreational area, scenic vista, or other authorized open land areas shall be either set aside as common land for the sole benefit, use, and enjoyment of present and future lot or home owners within the development or may be dedicated to the public as a park land for the use of the general public. The Planning Commission shall determine which is most appropriate and shall

recommend to the Caledonia Township Board one of the following as part of its approval of a Special Use Permit for a Planned Unit Residential Development:

1. That open space land shall be legally conveyed from the tract owner or owners to a home owners association or other similar nonprofit organization so that fee simple title shall be vested in tract lot owners as tenants in common, provided that actual arrangements have been made for the maintenance of said land and any buildings thereon and that an open space easement for said land may be conveyed to the public to assure that open space land shall remain open.
2. That open space land may be dedicated to the public for park or recreational purposes by the tract owner or owners, provided that the location and extent of said land conforms to the Land Use Plan for Caledonia Township, and that access to and the characteristics of said land is such that it will be readily available to and desirable for public use, development and maintenance in which event the developer shall not be required to improve the same.

Section 15.5 - Single-Family Dwelling

A Single Family Dwelling is permitted by right in the A-1, A-2, R-1A, R-1B, R-1C, D-1D, RM-1 and B-3 zoning districts, provided:

- A. It complies with the minimum square footage requirements of this ordinance for the zone in which it is located.
- B. It has a minimum width across any front, side or rear elevation of 20 feet and complies in all respects with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission under the provisions of 1972 PA 230, as amended, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any Federal or State standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Michigan State Construction Code, then and in that event such Federal or State standard or regulations shall apply.
- C. It is firmly attached to a permanent foundation constructed on the site in accordance with the township building code* and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single-family dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling 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 perimeter wall as required above.
- D. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanisms, undercarriage, or chassis.
- E. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
- F. The dwelling contains a storage capability area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to 10% of the square footage of the dwelling or 100 square feet, whichever shall be less.
- G. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six inches on all sides, or alternatively, with window sills and roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling; has not less than two exterior doors with

the second one being in her the rear or side of the dwelling; and contains permanently attached steps connected to said exterior door areas or to porches connected to said door areas where a difference in elevation requires the same. The compatibility of design and appearance shall be determined in the first instance by the township zoning administrator upon review of the plans submitted for a particular dwelling, subject to appeal by an aggrieved party to the zoning board of appeals within a period of 15 days from the receipt of notice of said zoning inspector's decision. Any determination of compatibility shall be based upon the standards set forth in this definition of "dwelling" as well as the character, design and appearance of one or more residential dwellings located outside of mobile home parks throughout the township. 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.

- H. The dwelling contains no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
- I. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
- J. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park, except to the extent required by State or Federal law or otherwise specifically required in the ordinance of the township pertaining to such parks.
- K. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable Michigan State Construction Code as promulgated by the Michigan State Construction Commission under the provisions of the 1972 PA 230 as amended.

Section 15.6 - Establishments customarily related to medical and dental uses

Establishments customarily related to medical and dental uses are permitted by right in the O-1, B-1 and B-2 zoning districts, provided:

- A. When located in a medical or dental building or complex and when intended primarily to serve the occupants of the building or complex in which they are located.

Section 15.7 - Mortuaries and funeral homes, not including crematories

Mortuaries and funeral homes, not including crematories are permitted by right in the O-1, B-1, B-2 and B-3 zoning districts, provided:

- A. Loading and unloading areas used by ambulances, hearses, or other such service vehicles shall be obscured from view with an opaque fence or wall not less than six (6) feet in height.
- B. Sufficient off-street automobile parking and assembly area shall be provided for vehicles to be used in funeral processions. The assembly area shall be provided in addition to otherwise required off-street parking area.
- C. Funeral homes, undertaking parlors, and mortuaries; provided that the conduct of all activities related to such uses shall take place within the principle building and not in an accessory building. A caretaker's residence may be provided within the principle building.

- D. Minimum site size: One (1) acre site with a minimum width of one hundred fifty (150) feet.
- E. Site location: The proposed site shall front upon a public street with all ingress and egress directly from said street.
- F. Yards: Front, side and rear yards shall be at least fifty (50) feet, except on those sides adjacent to nonresidential districts wherein it shall be twenty (20) feet. All yards shall be appropriately landscaped with trees, shrubs, and grass. No structures or parking areas shall be permitted in said yards.
- G. Site coverage: No more than thirty (30) percent of the gross site area shall be covered by buildings including accessory buildings.
- H. Maximum building height: No building shall be erected to a height greater than that permitted in the B-1 district.
- I. Appearance: All buildings shall be harmonious in appearance with the surrounding area.

Section 15.8 - Temporary Buildings:

Temporary Buildings for uses incidental to construction work are permitted by right in the A-1, A-2, R-1A, R-1B, R-1C, R-1D, RM-1, R-T, O-1, B-1, B-2, B-3 and M-1 zoning districts.

Such buildings shall be removed upon the completion or abandonment of the construction work or within the period of one (1) year, whichever period of time is the shortest.

Section 15.9 - Customary Agricultural Operations

Customary Agricultural Operations are permitted by Special Use Permit in the R-1A, R-1B, R-1C, R-1D and R-M1 districts provided:

- A. No storage of manure, odorous or dust producing materials or use shall be permitted within one hundred (100) feet of any adjoining lot line.
- B. A minimum of two (2) acres shall be provided for one (1) horse kept within a private stable, and one (1) additional horse may be kept for each twenty thousand (20,000) square feet by which the lots exceeds two (2) acres, and such area shall be fenced and confined from all adjoining premises and roadways, except when being ridden.
- C. No farm building shall be located closer than one hundred (100) feet to any lot line.
- D. Customary household pets may be kept on a non commercial basis when properly housed and fenced. Except when a kennel license has been granted, household pets may not exceed four (4) in number for any one (1) residence, and shall at all times be housed or fenced within an enclosure which will not permit them to run at large outside the confines of the owner's property. No other animals shall be kept on residential land unless same are farm income producing and situated on a farm of not less than twenty (20) acres.
- E. No products shall be publicly displayed or offered for sale from the roadside.

Section 15.10 - Multiple Family Dwellings

Multiple Family Dwellings are permitted by right in the R-1D and RM-1 zoning districts provided:

- A. In the R-1D zoning district, no more than four (4) dwelling units are contained within a single or contiguous building; further that the site is served by public sanitary service

Section 15.11 - Mobile Home Subdivisions

Mobile Home Subdivisions are permitted by right in the R-T zoning district, provided:

- A. Dimensional Requirements: All "Lots of Record" shall conform to the minimum dimensions for maximum lot coverage, minimum floor area and maximum height of buildings as specified in the Site Development Standards as set forth in Schedule A of

this Ordinance, except as otherwise stated in the above text of this district or as modified by Article 7, Planned Unit Development, or Article 12, Supplemental Regulations, or as varied by the Caledonia Township Board of Appeals pursuant to Article 4 of this Ordinance.

- B. Minimum Site Area: A mobile home subdivision shall require a total site of at least five (5) acres before subdividing. Entrance and exit drives shall be no closer than two hundred (200) feet from the intersection of any two (2) public streets.
- C. Such uses, as specified in Section 9.8.3. and 9.8.4. of this Ordinance, shall be allowed in an approved mobile home subdivision provided there is compliance with the conditions or requirements stated or referred to in Section 9.8.3. and 9.8.4.

Section 15.12 - One non-farm single-family dwelling per each roadside quarter/quarter section in addition to the existing principal farm dwelling

One non-farm single-family dwelling per each roadside quarter/quarter section in addition to the existing principal farm dwelling is permitted in the A-1 zoning district, provided:

- A. One non-farm single-family dwelling per each roadside quarter/quarter section in addition to the existing principal farm dwelling with the provision that:
 - 1. On a contiguous parcel of two or more roadside quarter/quarter sections, a landowner may concentrate the permitted number of homes.
 - 2. The parcel on which the dwelling unit is located must have at least 200 feet of frontage along a public road which was in use before the effective date of this Ordinance.
 - 3. The driveway serving the parcel shall be separated from adjacent driveways on the same side of the road by the following distances, depending on the road types.
 - a. County Local and County Primary roads: 100 feet
 - b. State Highway: 500 feet
 - c. Minimum distance from intersection of two or more of the above: 100 feet
 - 4. The dwelling shall be set back at least 40 feet from the road right-of-way and be separated at least 500 feet from the nearest farm building.
 - 5. At the time of the adoption of this Ordinance, if the parcel of property or the original larger parcel of the subject parcel has been divided since this date is a quarter of a quarter of a land section or less in area, then only one residence or principal building shall be constructed after said date upon said parcel or any parts thereof, as it existed on said date.
 - 6. To enforce these density regulations, the Caledonia Township Zoning Inspector, as of July 3, 1991 shall maintain section maps of the areas in the Agricultural Production District and the size of all parcels as of July 3rd, 1991. These maps shall show all construction of residences and principal buildings in these areas since July 3, 1991.

Section 15.13 - Cemeteries

Cemeteries are permitted by right in the A-1 and A-2 zoning districts, and by special user permit in the B-3 district provided:

- A. The site shall be no less than ten (10) acres and shall be so designated as to provide all ingress and egress directly onto or from a public road.
- B. The location of proposed service roads, entrances, and driveways shall be so designated in relationship to the public road that pedestrian and vehicular traffic safety is encouraged.
- C. No principal or accessory building shall be closer than fifty (50) feet from any abutting residentially zoned boundary line.

- D. The provisions of P.A. 368 of 1978 that require local Health Department review are to be followed.

Section 15.14 - Raising and Keeping of Livestock and Small Animals on less Than 20 Acres

The Raising and Keeping of Livestock and Small Animals on less than 20 acres is permitted by right in the A-1 and A-2 zoning districts, provided:

- A. The raising and keeping of livestock and small animals such as poultry, rabbits, goats, and household pets may be conducted in this district on a lot of less than twenty (20) acres, providing that the raising and keeping, including the killing and dressing thereof where applicable, are for the sole use or consumption by the occupants of the premises, and provided further that such activities are conducted on a parcel of land not less than two (2) acres in area and in accordance with the following provisions:
1. No storage of manure, odor, or dust producing materials or use shall be permitted within 100 feet of any adjoining lot line.
 2. A minimum of two (2) acres shall be provided for one (1) animal housed in a barn or stable, and one (1) additional animal may be kept for each additional two (2) acres of land area. Stables and buildings housing animals shall not be closer to any adjoining lot line than one hundred (100) feet. In the event residential housing is located on adjoining lots, then the animals shall be fenced so as to insure that such animals shall not be closer than one hundred (100) feet from adjoining residence. All livestock shall be fenced and confined from all adjoining lots or roadways, except when accompanied by owners or riders.

Section 15.15 - Roadside stands

Roadside Stands are permitted by right in the A-1, A-2 and B-3 zoning districts, provided:

- A. The roadside stand will be limited to selling products grown on the premises, provided that space for the parking of the customer's vehicle is furnished off the road right-of-way in the ratio of one (1) parking for each fifteen (15) square feet of roadside stand floor area and, that said structure is located at least ten (10) feet from the road right-of-way.

Section 15.16 - Private Landing Strip

Private Landing Strips are permitted by right in the A-1 zoning district and permitted by special use permit in the A-2 zoning district, provided:

- A. All Federal and State aviation safety regulations are complied with and that lodges, schools, churches, or other public meeting places shall not be within five hundred (500) feet of said strip or hanger.

Section 15.17 - Seasonal Farm Markets

Seasonal Farm Markets are permitted by special use permit in the A-1, A-2 and B-3 zoning districts, provided:

- A. Only retail sales are conducted out of the public right-of-way, and where sufficient parking is provided to prevent creation of a traffic hazard.
- B. Only fresh produce, which is in season and produced in the general vicinity by the farm owner or lessee, is offered for sale or sold by the farm owner or lessee.

Section 15.18 - Conversion of One-Family Dwellings

The conversion of one-family dwellings to a two family dwelling is permitted by special use permit in the A-1 and A-2 zoning districts, provided:

- A. Provided the house is over two thousand (2,000) square feet

- B. Built prior to 1940 two-family dwellings shall be permitted to achieve the better utilization of existing larger houses in rural areas in order to extend the economic life of the building and, to allow the owner to justify the expense of modernization when the following conditions are met:
1. An on-site sewage treatment permit is issued from the Shiawassee County Environmental Health Department specifying the maximum total of inhabitants capable of being served by the said on-site system.
 2. The resulting building and land use shall meet all requirements of the A-1, Agricultural Production District.

Section 15.19 - Emergency Housing

Emergency Housing is permitted by right in the A-1, A-2, R-1A, R-1B, R-1C, R-1D, RM-1, R-T and B-3 zoning districts, provided:

- A. When a dwelling is destroyed by fire, collapse, explosion, acts of God, or acts of a public enemy; a permit may be issued to the owner at the time of destruction by the Building Inspector for not more than six (6) months for the use of a mobile home as temporary housing. Any extension must be taken to the Zoning Board of Appeals who may or may not grant the same for a period of not more than one (1) additional year. Such extension may be granted when the following standards are met:
1. A good faith effort has been shown to rebuild the destroyed structure
 2. The time extension is reasonably necessary considering the practical difficulties associated with actual construction.
 3. Occupancy of the structure being rebuilt is reasonably possible within the time extension.
 4. Granting of the time extension to the applicant and other similarly-situated parties will not prohibit enforcement of any provisions of this Ordinance, unduly overburden administration and enforcement resources, or adversely affect general health, welfare and safety of adjacent properties or the general community.

Section 15.20 - Temporary Housing Permit

Temporary Housing is permitted by special use permit in the A-1, A-2 and B-3 zoning districts, provided:

- A. During Construction of a Dwelling: The Planning Commission is authorized to permit for a mobile home or other temporary dwelling unit that may be occupied for temporary dwelling purposes for a period not longer than two (2) years in the A-1 and A-2 zoning districts permitting residential use while such occupants thereof are building a permanent residence, provided that the foundation and complete building framing of the residence is completed within one (1) year and the entire residence is completed within two (2) years. Such time may be extended for a period of not to exceed one (1) year by the Planning Commission if significant progress on the construction has been made or other good reason can be shown. Granting of such a permit shall be subject to the following conditions:
1. Application for building permit for a dwelling is approved by the Caledonia Township Building Inspector.
 2. Approval of the Shiawassee County Environmental Health Department.
 3. Construction of dwelling must be completed within twelve (12) months from the date of the approval of the building permit.
- B. Medical Reason Limitation: A person may make application to the Planning Commission to occupy a mobile home in Caledonia Township as an accessory use to the principal

dwelling in the A-1 and A-2 districts if a medical condition exists that said occupant requires supervision. A temporary permit shall be granted if:

1. The applicant provides certification from a physician stating that the patient requires supervision
2. The Planning Commission finds adequate evidence that the proposed location or use will not be detrimental to property in the immediate vicinity
3. The Shiawassee County Health Department has approved the water supply and sanitary facilities or the Planning Commission may make such approval a condition of final approval.
4. Caledonia Township has issued a Certificate of Occupancy for said dwelling or the Planning Commission may make such approval a condition of final approval.
5. The mobile home permit is issued to the party with the medical condition and is for the applicant's use only and not transferable to any other owner or occupant.
6. Only one (1) mobile home to be allowed on a parcel of land (lot of record) where a permanent dwelling exists and to be located within 200 linear feet of the dwelling occupied by the person providing the continued supervision.
7. The Board may impose any reasonable conditions including setbacks, land coverage, landscaping, skirting, and other requirements deemed necessary to protect adjoining properties and the public welfare. Violation of any such condition shall automatically invalidate the permit.

Section 15.21 - Surface Mining

Surface mining areas in Caledonia Township are beneficial to the construction that takes place in and near the Township. The cost of hauling mineral materials, especially sand and gravel requires that this activity continues and is able to locate new sites in the Township. This explains why surface mining is a Special Use Permit that may be issued in the A-1, A-2 and M-1, districts.

The effect of this ordinance will be to protect mineral resources when all conditions of the Special Use Permit explained in this section can be upheld.

The section of the ordinance applies to excavation or areas subject to mining, which means an area of land from which material is removed in connection with the production or extraction of peat, muck, sand, gravel, clay, shale, or other natural mineral deposits, except crude oil by surface or open pit mining methods, the land on which material from the mining is deposited, the land on which a beneficiating or treatment plant is located, the land on which the reservoir is used in the process, arid auxiliary land is used.

The conditions of any Special Permit issued under this section apply not only to the owner, but also to the operator who is either an owner or lessee of mineral rights or any other person engaged in or preparing to engage in surface or open pit mining.

15.21.1. General Site Plan Requirements

In addition to the requirements of Article 7 of this ordinance for submission of a special use permit and Article 8 for submission of a site plan, an application for a surface mining Special Use Permit shall include the following.

1. Name and address of surface owner and/or mineral rights owner of land from which removal will take place.
2. Location, size and legal description of the total site area to be mined.

3. Location, width and grade of all easements or rights-of-way on or abutting the area subject to mining.
4. The progressive cell-unit extraction plan, for both the total area subject to mining and each cell-unit, and shall include:
 1. The method and direction of extraction.
 2. Cross-sections showing the extent of overburden, extent of sand and gravel deposits and depth to watertable.
 3. Surface overburden stripping plans.
 4. The depth of grade level over the entire area subject to mining.
 5. Provisions for grading, re-vegetation, and stabilization that will minimize soil erosion, sedimentation and maintain the interests of public safety.
 6. Provisions for buffer areas, landscaping, and screening.
 7. Physical descriptions of location of each cell, number of acres included in each cell, estimated length of time to complete each cell in excavation.
5. A map showing the proposed haul route that it is expected will be the predominate traffic pattern for vehicles to and from the mining area from the nearest arterial road.
6. The location and size of any processing equipment and all structures on the property, including a site proposed or temporary operations such as an asphalt plant, topsoil screen and rock crusher.
7. The approximate date of commencement of the operation and the estimated length of time to complete entire operation.
8. Area from which excavation will take place in the first year of operation and likewise for each successive year to completion.

15.21.2. Site Development Requirements

Maximum depth of excavation shall remain two (2) feet above the watertable, except in such cases where the reclamation plan indicates that a lake or lakes will be part of the final use of the land or where such plan indicates that adequate fill from the overburden is to be used to refill such excavation for conformance to the approved reclamation plan. Operations shall be conducted in such a manner so as not to permanently lower the watertable.

- A. If excavations are refilled, that filling process must be in accordance with Water Pollution Control regulations. A state permit requirement may apply to this activity and prior to any filling a determination of pertinent regulations shall be made by the Zoning Administrator.
- B. No discharge from the site will result in higher concentrations of silt than existed in offsite water prior to mining operations. All excavations shall be drained so that no stagnant water stands therein.
- C. Buffer Widths

In order to establish separation of the area subject to mining from other properties, the following provisions shall apply:

1. Sufficient setback shall be provided from all property lines and public right-of-ways to assure safety and adequate lateral distance for adjacent public and private property. Areas subject to mining shall not be permitted closer than one hundred (100) feet from boundary lines of the property unless excavation is being conducted on the adjoining property and the adjoining property owner consents, in writing, thereto on a document recorded with the Register of Deeds and further providing that all setback provisions contained in this ordinance are complied with as applied to other properties. In addition, no such excavation business shall be permitted closer than

- five hundred (500) feet to any properties used for residential purposes or within five hundred (500) feet of any residential district.
2. Area subjected to mining shall not be permitted within one hundred fifty (150) feet of adjoining public right-of-way where a parcel has potential for eventual agricultural or residential use; or, to one hundred (100) feet if a reclamation plan shows the proposed use of the property shows a reasonable use for the land other than agricultural or residential. Mining may be allowed up to the public right-of-way where land adjoining said right-of-way is above the grade level of said right-of-way.
 3. The permanent processing plant and its accessory structures shall not be located closer than two hundred fifty (250) from the boundary lines and public right-of-way, or no less than five hundred (500) feet from residential districts, and shall (where practicable) be as close to the center of the subject property as possible.
 4. The Caledonia Township Planning Commission may require the applicant to construct and/or improve a road to accommodate the truck travel necessitated by the operations as a condition of such operations and for the purpose of routing traffic around residential areas and preventing damage to existing roads which are not "all-weather" roads.

All pit banks shall be graded in accordance with the approved reclamation plan with slopes no greater than three (3) feet horizontal to one (1) foot vertical.

D. Fencing

The following standards for fencing shall apply to entrances to property, pits, cell units, pond area, extraction areas, or other slopes as determined by the Caledonia Township Planning Commission to be a potential safety hazard. The Caledonia Township Planning Commission shall, in establishing the requirements for fencing, also take into account the scope of the proposed excavation and the population density of the surrounding area.

Said fence shall be located not less than ten (10) feet from the top edge of any slope or from the water's edge of a pond. Where surface mining is authorized to proceed in stages, only the area excavated plus the area of the stage currently being excavated need be fenced. Fences shall be at least five and one-half (5 ½) feet in height and constructed of woven wire fabric on metal posts. The bottom strand of the woven wire mesh shall be two inches from the ground and the small mesh openings of the woven wire fabric near the ground. Gates, the same height as the fence, shall be installed at all points of vehicular or pedestrian ingress and shall be kept locked when not in regular use.

E. Screening

- A. Screening shall be provided along all setback lines (within 40-150 feet from property lines or right-of-ways) of the site. Such barriers shall consist of one or more of the following:
 - a. Earth berms constructed to a height of ten (10) feet above the mean elevation in the centerline of the adjacent public highway of ten (10) feet above the general level of the terrain along property lines, as the case may be. Such berms shall have slopes that are not in excess of one (1) foot vertical to three (3) feet horizontal and shall be planted with grass and trees or shrubs.

- b. Plantings of evergreen trees not more than ten (10) feet apart or shrubbery not more than five (5) feet apart, in three (3) staggered rows parallel to the boundaries of the property which shall be at least two (2) year transplants at the time of the planting and which grown to not less than ten (10) feet in height and sufficiently spaced to provide effective sight barriers when ten (10) feet in height. Trees which die prematurely must be replaced.
- c. Earth berms planted with grass and evergreen trees or shrubbery as specified in (b) above, provided that the total height of the berm and the trees or the shrubbery at maturity will be at least ten (10) feet above the general level of the terrain along property lines or the mean elevation of the center line of the adjacent public highway, as the case may be.
- B. The ten (10) foot requirements for screening by means of a berm and/or plantings may be reduced by the Zoning Board of Appeals to not less than six (6) feet if the particular site and terrain, with screening of a reduced height, will afford adequate screening.
- C. Interior roads, parking lots, haul road loading and unloading areas shall be treated so as to limit the nuisance caused by wind-blown dust or dust from traffic. In case of nearby residential areas along any hard surfaced public haul route, preventive measures will be taken to avoid dirt tracks left by trucks or other mobile equipment leaving the site.
- D. Nuisance Abatement: Air pollution, noise and vibrations shall be minimized from any effect upon adjacent properties by adequate soundproofed equipment and buildings designed to accomplish such minimization and by the proper use of berms, walls, and natural planting screens.
- E. Lake Development: In the event the owner/operator desires to develop said land into residential or recreational property with the excavation as a lake therein, he/she may make application, therefore, as a part of this Special Use Permit, provided said permit grades the borders of the excavation to a pitch of not more than one (1) foot drop to each four (4) feet of surface from the top of the bank to the high water mark, with a pitch from the high water mark into the water to a depth of eight (8) feet below the low water stage, with a drop of not more than one (1) foot to each eight (8) feet of surface.

F. Hours of Operation

The hours are set by the Caledonia Township Planning Commission after consideration of the surrounding land uses and the particular traffic patterns on public haul routes in the area. The maximum range of hours is Monday through Saturday from 7:00 a.m. to 6:30 p.m. and shall be prohibited on legal holidays and Sundays. The Zoning/Building Inspector may provide temporary exemptions from hours of operation for an operator who must repair equipment or for public emergencies.

G. Reclamation During Operation and Following Termination or Abandonment: - Progressive Reclamation:

- 1. All cell units shall be reclaimed as they are worked out to the extent that they shall be reasonably natural and inconspicuous and shall be reasonably lacking in hazard. All slopes and banks shall be graded to angles which do not exceed those found in the natural topography of surrounding areas, except that in no instance shall slopes exceed three (3) foot horizontal to one (1) foot vertical. All top soil shall be stockpiled on the premises and promptly redistributed on abandoned areas or where extraction operations have been substantially discontinued for any period in excess of one

- year. Such areas shall then be seeded and planted with at least temporary protection the first year and by the second year permanent seeding to lessen erosion and encourage proper growth within one year of termination of all activity.
2. Seeding shall be accomplished according to Soil Conservation Service Technical Guide IV G, Standards and Specifications for Vegetative Protection of Developing Areas with Permanent Seeding. Progressive reclamation shall lead to the final surface land form portrayed in the reclamation plan and/or the approved Soil Erosion Control Permit.
 3. An operator shall remove all worthless debris and rubbish from the plant site and mining area within one (1) year of the date of termination of operations or abandonment of the property.
 4. A mining area shall be reclaimed by an operator pursuant to provisions of this ordinance and the reclamation plan within two (2) years after abandonment to within the time set forth in the operator's reclamation plan approved by the Caledonia Township Planning Commission. A reclamation plan shall be considered approved with the approval of the Special Use Permit as specified in Section 7.1.4, Review and Approval of this ordinance.
 5. Upon written request of an operator, the Caledonia Township Planning Commission may grant an extension of the reclamation period (see G-2 immediately above) if necessary to accomplish acceptable reclamation.
 6. Equipment Removal: Unless plant structures, buildings, stockpiles, and equipment are included as approved elements of the reclamation plan, upon cessation of mining operations, the operating company, within a reasonable period of time not to exceed twenty-four (24) months thereafter shall remove all plant structures, buildings, stockpiles, and equipment from the area included in the Special Use Permit.
 7. Final Land form and Use of Reclaimed Land. Purpose: To show that the final land form portrayed in the drawings has a viable land use compatible with land use trends of the surrounding area. The base map for this element should be the final land form map upon which shall be shown by overlays or separate drawings and notes one or more developed schemes for land use or uses, each demonstrating that developed areas are accessible by roads and that physical attributes of the final land form are compatible with the proposed use or uses.
 8. Final Land form Map
 - a. Site mapping scales shall be no more than 1" = 100'.
 - b. Include a contour interval of ten (10) feet for a map scale of one (1) inch to one hundred (100) feet.
 - c. Show location of any proposed roads within the reclaimed area and their connection to present public or private roads beyond.
 - d. Show location of any proposed roads within the reclaimed area and their connection to present public or private roads beyond.
 - e. Show location of any proposed works-of-man within the reclaimed area (dams, buildings, etc.).
 - f. Show location of all buildings within three hundred (300) feet of the project site.
 - g. Show areas where vegetation is to be established, and indicate types of vegetative cover.
 - h. Describe any degree of flexibility considered to be needed in execution of the plan.
 - i. Zoning of surrounding property.

H. Notice of Abandonment Evidence of Continuing Use

When activities on or use of the area subjected to mining, or any portion thereof, have ceased for more than one (1) year, as shown by examination of the premises or other means, the Caledonia Township Planning Commission shall give the operator written notice of their intention to prove the area subjected to mining or portion thereof is abandoned. Within thirty (30) days following receipt of the notice, the operator shall have an opportunity to submit evidence that the use of the area subjected to mining or portion thereof is continuing. If the Caledonia Township Planning Commission proves that the operator intends to abandon the use and by some act, or omission to act, has manifested a voluntary decision to abandon the use, the Caledonia Township Planning Commission may find an abandonment of the use.

I. Financial Guarantees

Before issuance of a permit, there shall be filed by the applicant a surety bond at \$4,000 per acre executed by a reputable surety company authorized to do business in the State of Michigan, or an irrevocable bank letter of credit or cash bond running to the Caledonia Township Board, conditioned upon the prompt compliance with all provisions of this section and the requirements of the Township, County and State. The amount of the bond may be reduced at a rate equal to the ratio of work completed on the required improvements as work progresses. The term "improvements" should not be construed to mean the project itself, but rather those features associated with the project, which are deemed necessary to protect the health, safety, and welfare of Caledonia Township's resources and future users or inhabitants of the proposed project.

J. Conditions and Safeguards

The Caledonia Township Planning Commission may impose such additional conditions and safeguards deemed necessary for the public health, safety, or general welfare; for the protection of individual property rights, and for insuring the intent and purpose of this ordinance. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted.

K. Additional Conditions

Following the public hearing, the Caledonia Township Planning Commission shall grant or deny the application and set forth its reasons for its decision. Such decision shall be based upon the criteria set forth within the ordinance and shall be based, in addition, on a consideration of the following:

1. The most advantageous use of the land as determined by the Caledonia Township Planning Commission resources and property.
2. Conservation of natural resources and environmental factors, and the general appropriate trend and character of development in the subject area.
3. The protection and preservation of the general health, safety, and welfare of the township.
4. The scarcity or value of minerals sought to be mined as compared with the effect upon the adjacent community of the proposed operation.
5. In making any decision, the Planning Commission shall have the right and authority to impose such additional conditions and safeguards as it deems necessary for the

protection of the health, safety, and general welfare of the neighborhood and of the adjoining residence and property owners.

L. Issuance of a Special Use Permit

Permits for surface mining shall be issued to the operator. When an operator disposes of his interest in surface mining area prior to final reclamation by sale, lease, assignment, termination of lease, or otherwise, the Caledonia Township Planning Commission may release the operator from the duties imposed upon him by this ordinance, as to the operations, but only if the successor, operator or owner assumes the obligations of the former operator with reference to the reclamation activities. At that time the Special Use Permit may be transferred.

M. Permit Inspections

Surface mining operations authorized by Special Use Permits shall be inspected with reasonable frequency to determine compliance with this ordinance and permits issued pursuant to this ordinance.

N. Violations

Violations shall be enforced pursuant to Article 3 of this ordinance.

O. Modification of the General Site Plan

The general site plan may be modified at any time by mutual consent of the operator and the Caledonia Township Planning Commission to adjust to changed conditions, technology, or to correct an oversight. The Caledonia Township Planning Commission shall solicit comment from the Township Board on any modifications.

P. Existing Surface Mining Areas and Mining Operations

All commercial excavations, mining operations, gravel processing operations or quarrying operations existing on the effective date of this ordinance shall be subject to the regulations within with regard to future operations. Future operations shall be considered a new operation and shall require a Special Use Permit.

Section 15.22 - Junk Yards

Junk Yards shall be permitted by Special Use Permit in the M-1 and M-2 zoning districts subject to the following standards.

- A. All uses shall be established and maintained in accordance with all applicable State laws.
- B. The site shall be a minimum of ten (10) acres in size.
- C. An enclosed solid fence, wall or earthen berm at least eight (8) feet in height shall be provided around the periphery of the site to screen said site from surrounding property. Such fence, wall or berm shall be of sound construction, painted or otherwise finished neatly and inconspicuously. Such fence, wall or berm shall be of permanent finish or construction.
- D. All activities shall be confined within the enclosed area. There shall be no stacking of material above the height of the fence or wall, except that movable equipment used on

the site may exceed the wall or fence height. No equipment, material, signs, or lighting shall be used or stored outside the enclosed area.

- E. All enclosed areas shall be setback at least one hundred (100) feet from any front street and at least two hundred (200) feet from any side or property line adjacent to agricultural or residential zoning district. Such front yard setback shall be planted with trees, grass and shrubs to minimize the appearance of the installation. The spacing and type of plant materials shall follow the standards set forth in Article 11, Landscape Standards of this ordinance.
- F. No open burning shall be permitted and all industrial processes involving the use of equipment for cutting, compressing, or packaging shall be conducted within a completely enclosed building.
- G. The enclosed area shall be no closer than 500 feet to any public buildings, church, hospital, sanitarium, convalescent home, day nursery or school.

Section 15.23 - Sewage Treatment and Disposal Installations

Sewage Treatment and Disposal Installations shall be permitted by Special Use Permit in the M-1 and M-2 zoning districts subject to the following standards.

15.23.1. Sewage Treatment and Disposal Installations

- A. All uses shall be established and maintained in accordance with all applicable State laws and local and Township ordinances.
- B. Any use shall comply with all provisions applicable to the districts.
- C. All operations shall be completely enclosed by a wire link fence not less than six (6) feet high.
- D. All operations areas and structures shall be setback at least one hundred (100) feet from any front street or and at least two hundred (200) feet from any side or property line adjacent to agricultural or residential zoning district. Such front yard setback shall be planted with trees, grass and shrubs to minimize the appearance of the installation. The spacing and type of plant materials shall follow the standards set forth in Article 11, Landscape Standards of this ordinance.

Section 15.24 - Drive-in theaters, and Race Tracks

Drive-in theaters and race tracks are permitted by special use permit in the B-2 zoning district provided:

- A. This section provides for the use of certain lands for drive-in theater and similar entertainment uses. It regulates their location and development in such a way that detrimental impacts to surrounding lands and their uses will be minimal and insures that such use will not result in any threat to the public health, safety, and welfare.
- B. All sites shall be located on a hard surfaced road or highway and ingress or egress shall be from the thoroughfare. Local traffic movement shall be accommodated within the site so that entering and exiting vehicles will make normal and uncomplicated movements into or out of the thoroughfare.
- C. All points of entrance or exit shall be located no closer than two hundred (200) feet from the intersection of any two streets or highways
- D. All vehicles shall have clear vision approaching a public street within one hundred (100) feet: of the street for a sight distance of five hundred (500) feet in either direction along the street.
- E. Acceleration and deceleration lanes shall be provided where physically possible; at points of ingress and egress.

- F. Whenever any use permitted in this subsection abuts a property which is in the residential, business, or agricultural district, a landscaped buffer strip of at least one hundred (100) feet in width shall be provided between such use and the adjoining district in accordance with the requirements of Article 11 Landscape Standards of this ordinance.
- G. A minimum front yard of one hundred (100) feet shall separate all uses, operations and structures permitted herein, including fences, fronting any public street or highway used for access or highway used for access or exit purposes, which shall be landscaped in accordance with the requirements of Article 11 Landscape Standards and as approved the Caledonia Township Planning Commission.
- H. Race tracks and drive-in theaters shall be enclosed the entire periphery with an obscuring screen fence at least eight (5) feet in height. Fences shall be of a permanent finish and construction, painted or otherwise, finished neatly, attractively, and inconspicuously.
- I. Drive-in theaters shall have ticket gates as follows:
 - 1. One ticket gate for three hundred (300) car capacity theaters.
 - 2. Two ticket gates for six hundred (600) car capacity theaters.
 - 3. Three ticket gates for eight hundred (600) car capacity theaters.
 - 4. Four ticket gates for one thousand (1,000) car capacity theaters. Vehicle standing space shall be provided between the ticket gates and the street or highway right-of-way line equal to at least thirty (30) percent of the vehicular capacity of the theater.
- J. Drive-in theater picture screens shall not face any public street and shall be so located as to be out of view from any major thoroughfare. Drive-in theater picture screens shall not exceed 70 feet in height above the existing ground elevation.

Section 15.25 - Public Service Installations (all districts)

Public Service Installations are permitted by special use permit in the A-1, A-2, R-1B, R-1C, R-1D, RM-1, R-T, O-1, B-1, B-2, and M-1 zoning district provided:

- A. Public Service Installations, including public utility transformer stations and gas regulator stations
- B. No more than thirty (30) percent of the lot area may be covered by buildings.
- C. All buildings shall be harmonious in appearance with the surrounding residential area by suitable plant material and shall be fenced as approved by the Caledonia Township Planning Commission pursuant to Article 11, Landscape Standards of this ordinance.
- D. Where mechanical equipment is located in the open, it shall be screened from the surrounding residential area by suitable plant material and shall be fenced as approved by the Caledonia Township Planning Commission pursuant to Article Landscape Standards of the ordinance.

Section 15.26 - Public Buildings

Public buildings are permitted By Right in the O-1, B-1, B-2, and M-1 zoning districts and by special use permit in the A-1, A-2, R-1B, R-1C, R-1D, RM-1 and R-T Zoning districts provided:

- A. Not more than thirty (30) percent of the lot area may be covered by buildings.
- B. All buildings shall be harmonious in appearance with the surrounding residential area by suitable plant material and shall be fenced as approved by the Caledonia Township Planning Commission pursuant to Article 11, Landscape Standards of this ordinance.

Section 15.27 - Religious Institutions

Religious Institutions are permitted by special use permit in the A-1, A-2, R-1B, R-1C, R-1D, RM-1, R-T, O-1, B-1 and B-2 zoning district provided:

- A. Religious institutions may be permitted in the A-1, A-2, R-1A, R-1B, R-1C and R-1D districts with the acquisition of a Special Use Permit.
- B. The proposed site shall be at least one (1) acre in size plus one-half (½) acre per one hundred (100) seats in the main auditorium.
- C. The proposed site shall be so located as to have at least one (1) property line on a public road.
- D. No building shall be closer than fifty (50) feet to any property or street line. No building shall be erected to a height greater than that permitted in the district in which it is located unless the building is set back an additional one (1) foot for each foot of additional height above the district height limitation.

Section 15.28 - Educational and Social Institutions

Educational and Social Institutions are permitted by special use permit in the A-1, A-2, R-1B, R-1C, R-1D, RM-1, R-T, O-1, B-1 and B-2 zoning district provided:

- A. The proposed site shall be at least two (2) acres in area.
- B. No building shall be closer than fifty (50) feet to any property or street line. No building shall be erected to a height greater than that permitted in the district in which it is located unless the building is set back an additional foot for each foot of height above the district height limitations.
- C. No more than twenty-five (25) percent of the gross area shall be covered by buildings.
- D. All buildings shall be of an appearance that shall be harmonious and unified as a group and shall blend appropriately with the surrounding area.
- E. All signs shall be in compliance with the provisions of the Caledonia Township Sign Ordinance.
- F. Off-street Parking shall be in compliance with the provisions of Article 10. No parking shall be allowed in the minimum front yard and the parking area shall be screened from surrounding residential areas by a wall or fence, in combination with suitable plant materials, as specified in Article 11 and Article 12 of this ordinance.

Section 15.29 - Institutions for Human Care

Institutions for Human Care are permitted by right in the A-1, A-2, R-1B, R-1C, R-1D, and RM-1 zoning districts and by special use permit in the O-1, B-1 and B-2 zoning district provided:

- A. A Special Use Permit shall not be issued for the occupancy of a structure or parcel of land, or for the erection, reconstruction, or alteration of a structure unless there is compliance with the following provisions:
 - 1. The proposed site shall be at least ten (10) acres in area.
 - 2. The proposed site shall have at least one (1) property line abutting a public street. All ingress and egress to off-street parking shall be directly from said street or highway.
 - 3. All two story structures shall be at least one hundred (100) feet from all boundary or street lines. Buildings of less than two stories shall be no closer than fifty (50) feet to any property or street line. For buildings above two stories, the building shall be set back an additional one foot for each foot of height above two stories.
 - 4. No more than twenty-five (25) percent of the gross site shall be covered by buildings.
 - 5. Ambulance and delivery areas shall be obscured from view from a residential or agricultural district by a solid wall six (6) feet in height. Access to and from the delivery and ambulance area shall be directly from a road or street.

Section 15.30 - Institutions for the Mentally and Physically Handicapped, Drug, or Alcoholic Patients, Camps, or Correctional Institutions

Institutions for the Mentally and Physically Handicapped, Drug, or Alcoholic Patients, Camps, or Correctional Institutions are permitted by Special Use Permit in the B-3 zoning districts provided:

- A. The proposed site shall be at least five (5) acres in area.
- B. The proposed site shall have at least one (1) side abutting a public street. All ingress and egress to the off-street parking area shall be directly from the public street.
- C. All two story structures shall be at least one hundred (100) feet from all boundary lines or street lines. Buildings less than two stories shall be no closer than fifty (50) feet to any property or street line. For buildings above two stories, the building shall be set back an additional one (1) foot for each foot of additional height above two stories.
- D. No more than twenty-five (25) percent of the gross site shall be occupied by buildings.
- E. Ambulance and delivery areas shall be obscured from residential view by a solid masonry wall six (6) feet in height. Access to and from the delivery and ambulance area shall be directly from a major thoroughfare.

Section 15.31 - Special Open Space Uses

Special Open Space Uses are permitted by Special Use Permit in the A-1, A-2 and B-3 zoning districts provided:

- A. Special open space uses such as public beaches, bathhouses, private resorts, recreational camps, and other open space uses operated for profit.
- B. The proposed site shall be at least two (2) acres in area.
- C. The proposed site shall have at least one side abutting a public street. All ingress and egress to the site shall be directly from said street or highway.
- D. All buildings and structures shall be set back at least two hundred (200) feet from any property or street line. The setbacks shall be landscaped in accordance with the requirements of Article 11 Landscape Standards and as approved the Caledonia Township Planning Commission.

Section 15.32 - Golf Courses and Country Clubs

Golf Courses and Country Clubs are permitted by Special Use Permit in the A-1, A-2, R-1A, R-1B, R-1C, R-1D and RM-1 zoning districts provided:

- A. Golf courses and country clubs other than golf driving ranges and miniature golf courses, subject to the following conditions:
 1. The site area shall be fifty (50) acres or more and shall be so designed as to provide all ingress and egress directly onto or from a public road or street.
 2. All principle or accessory buildings and parking areas shall be not less than two hundred (200) feet from any property line of abutting residentially zoned lands.
 3. Whenever a swimming pool is to be provided, said pool shall be located at least one hundred (100) feet from abutting residentially zoned property lines and shall be provided with a protective fence six (6) feet in height, and entry shall be by means of a controlled gate.

Section 15.33 - Automobile Service Stations

Automobile Service Stations are permitted by Special Use Permit in the B-1, B-2, B-3 and M-1 zoning districts provided:

- A. Generally, automobile service stations will be located adjacent to public streets or roads.
- B. The minimum site size shall be 15,000 square feet and in addition the following:

1. Gasoline service stations shall have five hundred (500) square feet of site area for each additional pump ever four, and one thousand (1,000) square feet of site area for each additional service bay over two.
 2. The minimum site width shall be one hundred fifty (150) feet.
- C. Building Setbacks: The service station building or buildings, gasoline pump accessory structures or islands shall be set back no less than fifty (50) feet from all street or highway right-of-way lines and shall not be located closer than twenty-five (25) feet to any property line abutting a residential district. Hydraulic hoists, pits and lubrication, greasing, automobile washing, and repair equipment shall be entirely enclosed within a building.
- D. Access Drives: There shall be no more than two (2) access driveway approaches for any gasoline service station each of which, however, shall not exceed thirty (30) feet in width at the property line.
- E. If the service station site fronts on two or more streets, the driveways shall be located as far from the street intersection as practical, but no less than fifty feet.
- F. No driveway or curb cut for a driveway shall be located within ten feet of an adjoining property line as extended to the curb or pavement, or within twenty feet of any exterior lot line as extended.
- G. Any two driveways providing access to a major thoroughfare shall be separated by an island with a minimum distance of twenty feet in width along the curb or edge of the pavement.
- H. The entire service area shall be paved with a permanent surface of concrete or asphalt.
- I. A landscaped buffer strip shall be provided in accordance with the provisions of Article 11, Landscape Standards.
- J. All equipment, including hydraulic hoists, pits, and oil lubrication, greasing and automobile washing, repairing equipment and body repair shall be entirely enclosed within a building. Any such portion of a building containing washing areas shall consist of a solid masonry wall or equivalent, in conformance with the State Construction Code, with no openings other than those required for access. There shall be no outdoor storage of merchandise such as tires, lubricants, and other accessory equipment, except that outdoor trash storage may be provided in a properly screened container.
- K. All activities, except those required to be performed at the fuel pump, shall be carried on inside a building. All vehicles, upon which work is performed, shall be located entirely within a building.
- L. There shall be no above-ground tanks for the storage of gasoline, liquefied petroleum gas, oil, or other inflammable liquids or gas.
- M. In the event that a vehicle station has not been used as a vehicle service station for a period of more than one (1) year, as shown by examination of the premises or other means, the Caledonia Township Planning Commission shall give the operator written notice of their intention to prove the service station to be abandoned. Within thirty (30) days following receipt of the notice, the owner or operator shall have an opportunity to submit evidence that the use is continuing. If the Planning Commission proves that the owner and/or operator intends to abandon the use and by some act, or omission to act, has manifested a voluntary decision to abandon the use, the Planning Commission may find an abandonment of the use.
- N. In the event that a vehicle service station has been abandoned, all underground gasoline storage tanks shall be removed from the premises. Upon a finding by the Board of Appeals that practical difficulties or unnecessary hardship precludes removal of gasoline storage tanks in the ground as in the case of structures above or subgrade structures near the tank, the Caledonia Township Zoning Administrator, may upon application to him in writing authorize that in lieu of removal of the tanks, the applicant may be

permitted to fill the tank or tanks with sand, liquid concrete or ether noncombustible solid material approved by the Zoning Administrator.

Section 15.34 - Commercial Garages

Commercial Garages are permitted by Special Use Permit in the B-1, B-2 and M-1 zoning districts provided:

- A. Intent: This section provides standards for commercial garages. Generally, commercial garages shall be located near high volume arterial highways.
- B. Site Development Standards: commercial garages shall comply with the following site development standards:
 1. The minimum site size shall be 15,000 square feet and in addition the following:
 2. Commercial garages shall have one thousand (1,000) square feet of site area for each additional service bay over two. There shall also be three hundred (300) square feet of additional site area for each space intended for storage of inoperable vehicles.
 3. The minimum site width shall be one hundred fifty (150) feet.
- C. Building Setbacks: The buildings, gasoline pump accessory structures or islands shall be set back no less than fifty (50) feet from all street or highway right-of-way lines and shall not be located closer than twenty-five (25) feet to any property line abutting a residential district. Hydraulic hoists, pits and lubrication, greasing, automobile washing, and repair equipment shall be entirely enclosed within a building.
 1. No driveway or curb cut for a driveway shall be located within ten feet of an adjoining property line as extended to the curb or pavement, or within twenty feet of any exterior lot line as extended.
 2. Any two driveways providing access to a major thoroughfare shall be separated by an island with a minimum distance of twenty feet in width along the curb or edge of the pavement.
 3. The entire service area shall be paved with a permanent surface of concrete or asphalt.
 4. A landscaped buffer strip shall be provided in accordance with the provisions of Article Landscape Standards
 5. All equipment, including hydraulic hoists, pits, and oil lubrication, greasing and automobile washing, repairing equipment and body repair shall be entirely enclosed within a building. Any such portion of a building containing auto body shop or washing areas shall consist of a solid masonry wall or equivalent, in conformance with the State Construction Code, with no openings other than those required for access. There shall be no outdoor storage of merchandise such as tires, lubricants, and other accessory equipment, except that outdoor trash storage may be provided in a properly screened container
 6. All vehicles, upon which work is performed, shall be located entirely within a building.
 7. There shall be no above-ground tanks for the storage of gasoline, liquefied petroleum gas, oil, or other inflammable liquids or gas.

Section 15.35 - Automatic and self-service car wash establishments

Automatic and self-service car wash establishments are permitted by Special Use Permit in the B-2 zoning district provided:

- A. Intent: This section provides standards for Automatic and self-service car wash establishments. Generally, Automatic and self-service car wash establishments shall be located near high volume arterial highways.

- B. Site Development Standards: Automatic and self-service car wash establishments shall comply with the following site development standards:
 1. The minimum site size shall be 15,000 square feet and in addition the following:
 2. The minimum site width shall be one hundred fifty (150) feet.
- C. Building Setbacks: The buildings, vacuum accessory structures or islands shall be set back no less than fifty (50) feet from all street or highway right-of-way lines and shall not be located closer than twenty-five (25) feet to any property line abutting a residential district. Automobile washing equipment shall be enclosed within a building.
 1. No driveway or curb cut for a driveway shall be located within ten feet of an adjoining property line as extended to the curb or pavement, or within twenty feet of any exterior lot line as extended.
 2. Any two driveways providing access to a major thoroughfare shall be separated by an island with a minimum distance of twenty feet in width along the curb or edge of the pavement.
 3. The entire service area shall be paved with a permanent surface of concrete or asphalt.
 4. A landscaped buffer strip shall be provided in accordance with the provisions of Article Landscape Standards
- D. There shall be no outdoor storage of merchandise such as tires, lubricants, and other accessory equipment, except that outdoor trash storage may be provided container

Section 15.36 - Planned Neighborhood Convenience Shopping Centers

Planned Neighborhood Convenience Shopping Centers are permitted by Special Use Permit in the B-1 and B-2 zoning districts provided:

- A. Intent and Purpose: It is the intent of this section to provide for the establishment in residential districts, planned neighborhood convenience shopping centers which can effectively serve day-to-day shopping with a minimum disruption of the residential character of the area in which they are located. Consolidation of convenience shopping facilities into planned shopping centers is encouraged in order to avoid strip commercial development, lessen traffic conflict, and improve the safety and convenience of customers. Consolidation is also encouraged in order to economically provide for the appropriate landscape buffers needed to protect property values in the adjacent areas.
- B. Permitted Uses: The following land and/or structure use may be permitted under the provisions of this section.
 1. All-uses permitted by right or by special conditions in the 0-1 and B-1 districts.
- C. Site Location Standards: The Caledonia Township Planning Commission shall only issue Special Use Permits for neighborhood convenience shopping centers which comply with the following site location standards.
 1. In accordance with the adopted township land use plan, including any sub-area plans.
 2. Neighborhood convenience shopping centers shall only be located where they can be served by existing or programmed essential public service facilities such as public water, public sanitary sewer, and adequate storm drainage facilities.
- D. Site Development Standards
 1. Minimum site size - two (2) acres
 2. Maximum site size - forty (40) acres
 3. Minimum frontage on a public road - 200 feet
 4. Minimum setback requirements - Front--75 feet, Side--50 feet, Rear--60 feet
 5. From any existing or proposed right-of-way -- 75 feet
 6. Maximum frontage depth ratio -- 1-to-3g.
 7. Maximum lot coverage -- 40 percent

8. Maximum height -- 35 feet

Section 15.37 - Planned Shopping Center or Regional Mall

Planned Shopping Centers or Regional Malls are permitted by Special Use Permit in the B-2 zoning district provided:

- A. Intent and Purpose: The standards for this district are intended to promote safe and convenient access to shopping and business facilities and to avoid or minimize undue traffic congestion or other adverse effects upon property within adjacent districts.
- B. Final plans of the entire shopping center, including a time schedule for completion of construction.
- C. Uses Permitted: The following uses shall be permitted:
 - 1. All uses permitted by "right" under "special conditions" or by "Special Use Permit" in the B-2, General Business, districts.
 - 2. Auditorium, assembly and indoor entertainment facilities.
- D. Site Development Requirements: The following types of structures and activities as they pertain to the planned shopping center shall be incorporated by reference as permitted uses in addition to the uses provided in the 0-1 and B-1 districts by right or special conditions.
- E. Types of Structures/Activities: All permitted activities and uses shall be conducted entirely within a permanent building, except for such outside activities which by the nature of the specified use are required and associated to the indoor activities of the permitted uses and except:
 - 1. The parking of customers and employees automobiles.
 - 2. The loading and unloading of commercial delivery vehicles at a location which shall not interfere with the pedestrian walkways or customer parking facilities.
 - 3. Recreational facilities incidental to the center's principle operations, of a nature normally conducted out-of-doors, provided there may be no admission charge.
 - 4. Gasoline service stations, provided that they shall be in compliance with the provisions of Section 15.34 of this article
- F. Parking Areas: All automobile parking areas and interior circulation for motor vehicles shall be designed in accordance with the following:
 - 1. Notwithstanding the parking space requirements contained in Article 10, there shall be provided four (4) square feet of parking area of the aggregate of all building space devoted to retail sales and/or services. For the purposes of this section, parking areas shall be deemed to include only actual parking spaces and necessary appurtenant drives and vehicular access on the shopping center property.
 - 2. Any individual parking space in the center shall be accessible by clearly defined walks from the shopping area. Such walkways shall not intersect a vehicular way more than once.
 - 3. Pedestrian travel from an establishment in the center to any other establishment shall be possible without crossing a vehicular way.
 - 4. Automobile, pedestrian and truck traffic shall be separated to the fullest possible extent.
 - 5. Automobile circulation design shall provide for access to parking areas in such a way that there shall be no backing up of traffic into any external street under conditions of anticipated maximum center destined traffic.
 - 6. All areas accessible to vehicles or pedestrians shall be illuminated.
- G. External Access: Access to the shopping center shall be provided by at least one (1) direct access from a major thoroughfare. The owners and traffic surveys to prove that all access points to an external thoroughfare or thoroughfares shall be fully capable of

absorbing the maximum hourly traffic anticipated to be generated by the center without undue interference to other traffic on the thoroughfare.

- H. Structure Location: No structure (with the exception of permitted signs, fences, walls, water towers, and light standards) shall be located closer to any property line of the center the distance equal to twice its height.
- I. Transition Strips: All planned shopping center districts when located in or adjacent to an agricultural or residential district, or when adjacent to a school, hospital or other public institution shall include as in integral part of the site development a strip of land fifty (50) feet in width on all sides of the site abutting on a State or Federal highway which shall be set back one hundred fifty (150) feet from the road right-of-way. No part of such land may be used for any shopping center function, but shall be occupied by plant material, shrubs, or structural fences and walls used separately or in combination. The plans and specifications for a shopping center development shall include the proposed arrangement of such plantings and structures.
- J. The minimum lot area shall be five (5) acres provided that it abuts on a major thoroughfare.

Section 15.38 - Motel, Motor-Hotel and Transient Lodging Facilities, except Tent or Camp Sites

Motels and Hotels are permitted by Right in the B-1 and B-2 zoning districts and by Special Use Permit in the M-1 zoning district provided:

- A. The maximum lot coverage of all buildings, including accessory buildings, shall not exceed more than twenty-five (25) percent of the area within the boundary lines of land developed at any one time.
- B. Minimum yard dimension: All buildings shall observe a setback of not less than seventy-five (75) feet from any road right-of-way and not less than forty (40) feet from any side or rear property line.
- C. The maximum building height shall not exceed two (2) stories or twenty-eight (28) feet.
- D. Swimming pools and other outdoor recreational uses which are accessory to the main use and provided swimming pools are securely enclosed by a fence at least six (6) feet in height.
- E. Accessory uses such as meeting rooms, taverns, bars or similar uses provided such shall be conducted within the same building as the principle use. A caretaker's or proprietor's residence shall be permitted as an accessory use only when the principle use is a motel, motor-hotel, hotel, or other transient tourist facility.
- F. Required lot areas, width and yards: Where an owner or lessee proposes an integrated site development of a unified group of buildings, the Planning Commission may approve proposed lot area, widths, or yards to be modified up to 25% of the requirement of the district wherein the proposal is located if the planning commission finds that such modification:
 - 1. Conforms to the basic district intent.
 - 2. Conforms to the parking requirements herein.
 - 3. Will not inhibit orderly development of adjacent zoning districts.
 - 4. Is consistent with the general health, safety, and welfare.
- G. Motor Vehicle Access
- H. Site Plans: All site plan proposals submitted for this district shall provide for the proper handling of traffic on the highway, road frontage, or street giving access to the district. No access by motor vehicles other than stated herein shall be permitted to a minor or residential street. All points of entrance or exit shall be no closer than fifty (50) feet from the intersection of the right-of-way lines of two streets.

Section 15.39 - Campgrounds

Campgrounds are permitted by Special Use Permit in the A-1 zoning district provided:

- A. Minimum campground size shall be ten (10) acres. The overall density of the campground shall not exceed 15 camping sites per acre. The campground shall provide direct vehicular access to public roads where the requirement of direct access is reasonable, the direct access will not decrease pedestrian or vehicular traffic safety, and the access route minimizes any adverse impact on the site or surrounding natural resources compared to either reasonable route alternatives. Each campground shall be provided with at least one public telephone.
- B. Each campground shall have an area designated for travel trailers, camping trailers, motor homes, truck campers or tents as defined in Act 368 of 1978, Part 125, of the State of Michigan. Also, each campground shall have a separate area designated for tent camping only. Each site designated for travel trailers, camping trailers, motor homes, and truck campers shall be provided with individual electrical outlets. All sites shall have a picnic table and a designated place for fires. Only one tent, travel trailer, camping trailer, motor home, or truck camper shall occupy any site.
- C. Public stations, housed in all weather structures, containing adequate water outlets, flush toilets, waste containers, electricity and shower facilities shall be provided uniformly throughout the campground at a ratio of not less than one such station per 20 sites.
- D. Each campground containing more than 60 sites shall provide a masonry building containing machine laundry (wash and dry) facilities.
- E. No commercial enterprises shall be permitted to operate on the campground, except that a convenience goods shopping building for the use of the occupants is allowed providing it is clearly incidental to the needs of the occupants while residing in the campground. Not more than two (2) gas pumps will be allowed. There shall be no highway advertising of these services.
- F. Occupant parking space for two (2) vehicles shall be provided on each site, except tent sites may have parking space for only one vehicle which may be remote from the tent sites provided it is connected by a trail or path. Also, each campground shall provide an additional dust controlled parking area for site occupants and guest parking which is separate from any parking available at the sites. Parking spaces equal in number to 50% of the sites shall be provided in this area, each parking space shall be at least 180 square feet in area.
- G. Each site shall contain a minimum of 1500 square feet, except that the minimum size for sites specifically designated for tents shall be at least 2500 square feet. Each site shall be set back from any right-of-way or property line at least 100 feet.
- H. A common use area shall be provided on each campground at a ratio of not less than 1000 square feet of such area for each site. This common area shall be developed by seeding, landscaping, picnic tables, barbecue stands and passive recreation equipment (i.e. swings, slides, playground equipment, horseshoe pits, shuffleboard courts, and the like) for the general use of the occupants of the entire campground. This area shall be at least 50 feet from any road or area used by motor vehicles.
- I. Each site used by travel trailers, camping trailers, motor homes or truck campers shall have direct access to a dust controlled roadway of at least 20 feet in width for two-lane traffic or 12 feet in width for one-way traffic. Parking shall not be allowed on any roadway. Sites specifically designated for and only used for tent camping need not have direct vehicular access to any street or road, but shall be provided with adequately cleared and marked pedestrian pathway access. Motor vehicles shall not be allowed on any portion of the campground other than designated streets, roads, or parking areas.

- J. Any lighting shall be directed away from camping sites and surrounding residential areas, no arc lights or high intensity lighting shall be used. All electrical lines, telephone lines and gas lines shall be installed underground.
- K. The campground shall be kept in a neat and orderly manner. A covered trash and garbage receptacle shall be provided for each five (5) camp sites. The campground shall be kept free of litter, trash, and debris.
- L. The campground shall post regulations that all radios or other noise making equipment shall be turned off or reduced in volume between 10:00 p.m. and 7:00 am so as not to be audible at other sites or adjoining residential areas. Dogs and other pets shall be kept on leashes not more than ten (10) feet in length.
- M. All sanitary facilities shall be designed and constructed in strict conformance to all applicable Shiawassee County Health Regulations and the State Campground Regulations promulgated by the Michigan Department of Public Health.
- N. The development of the entire campground is subject to all applicable requirements of the Michigan Department of Natural Resources.
- O. Any swimming pool or beach area shall comply with the Michigan law, including the regulations promulgated under Act #171 of 1979, as amended, and Act #230 of 1966, as amended.
- P. No mobile home or trailer coaches designed for permanent habitation shall be allowed. No vehicle or tent shall be used for habitation for longer than thirty (30) days in any one year.
- Q. Fences, screening, or greenbelts may be required by the Caledonia Township Planning Commission subject to the following standards:
 - 1. The requirement is reasonably necessary to protect the general welfare, value, or development of adjacent properties or districts which may be developed or to fulfill the intent of this ordinance.
 - 2. The requirements are reasonably necessary for the purposes of subsections 3, 8, and 9 above to screen or fence common areas, roads, buildings, or use intensive recreation areas of campgrounds.
- R. The campground shall be seasonal, and shall not be open year round.
- S. The Planning Commission may approve the location of common use areas, roadways, streets, and buildings for the purpose of subsections 3, 8, and 9 above and to minimize any adverse impact on the site or surrounding natural resources.

Section 15.40 - Kennels for Dogs

Kennels for Dogs are permitted by Special Use Permit in the A-1, A-2, B-2 and B-3 zoning districts and by right in the M-1 district subject to the following:

- A. All dog kennels shall be operated in conformance with all applicable township, and State regulations. Permits being no longer than one (1) year.
- B. For dog kennels, the minimum lot size shall be two (2) acres for the first four (4) dogs. An additional one-third (1/3) acre required for each additional dog.
- C. Buildings wherein dogs are kept, dog runs, and/or exercise areas shall not be located nearer than one hundred (100) feet to any adjacent occupied dwelling or any adjacent building used by the public, and shall not be located in any required front, rear, or side yard setback area.

(TA 11-1 Amended 11/21/11)

Section 15.41 - Stables for Horses

Stables for Horses are permitted by right in the A-1, A-2 and B-3 zoning districts provided:

- A. For breeding, rearing, and housing horses, mules, and similar domestic animals, the minimum lot size shall be ten (10) acres, except that up to two (2) saddle horses or ponies may be housed and reared on lots of two (2) acres or more.
- B. A building used as a stable shall not be located nearer than sixty (60) feet (18.29 m) to any property line and not nearer than one hundred (100) feet (30.48 m) to any dwelling on adjacent property.
- C. Animals shall be confined in a suitably fenced area or paddock to preclude their approaching nearer than sixty (60) feet (18.29 m) to any dwelling on adjacent premises.
- D. The facility shall be so constructed and maintained that odor, dust, noise, or drainage shall not constitute a nuisance or hazard to adjoining premises.

Section 15.42 - Residential Enclaves in the A-1 District

This special use provides for an area of residential development in the A-1, agricultural, areas where exceptional conditions exist favorable to rural residential development. The purpose is to recognize large tracts on non-arable land within an otherwise prime agricultural land area where large lot residential settlement would not be intrusive to the industrial agricultural area.

15.42.1. Requirements

The enclave shall be qualified for separation into a special use area under all of the following conditions:

- A. The affected area shall be non-arable and found unsuited for crop production because of soil conditions.
- B. The affected area is less than twenty (20) acres and more than five (5) acres in area and isolated by roads non-arable lands, steep lands, or wetlands.
- C. The enclave would not be susceptible to the normal agricultural practices that could eventually be considered a nuisance by non-farm residents.
- D. The area has frontage along a public road.
- E. No parcel shall have an area of less than two (2) acres.

15.42.2. Uses Permitted

The following uses shall be permitted:

- A. Single-family dwellings,
- B. Home Occupations, as provided for in Section 9.5.3a.
- C. Customary accessory uses as provided for in Article 12. of this ordinance.
- D. Customary Agricultural Operations: Including general farming, truck farming, fruit orchards nurseries, greenhouses, and usual farm buildings, but subject to the following restrictions:
 1. No storage of manure, odorous or dust producing materials, or use shall be permitted within one hundred (100) feet of any adjoining lot line.
 2. A minimum of two (2) acres shall be provided for one (1) horse kept within a private stable and one (1) additional horse may be kept for each twenty thousand (20,000) square feet by which the lot exceeds two (2) acres, and such area shall be fenced and confined from all adjoining premises and roadways, except when being ridden.
 3. No farm building shall be located closer than one hundred (100) feet to any lot line.
 4. Customary household pets may be kept on a noncommercial basis when properly housed and fenced, except when a kennel license has been granted household pets may not exceed four (4) in number for any one residence, and shall at all times be housed or fenced within an enclosure which will not permit them to run at large outside the confines of the owner's property. No other animals shall be kept on

residential land unless same are farm income producing and situated on a farm of not less than twenty (20) acres.

- E. No products shall be publicly displayed or offered for sale from the roadside.
- F. Site Development Requirements: Lot Size.
- G. Two (2) acres minimum.
- H. The minimum roadside width shall be two hundred (200) feet.
- I. Yard requirements: Front yard -- 60 feet, Rear yard -- 100 feet, Side yard -- 40 feet least side total of two to 100 feet

Section 15.43 - Bed and Breakfast Operations

Bed and Breakfast operations are permitted as a subordinate use to single-family dwelling by Special Use Permit in the A-1, A-2, R-1, R-1B, R-1C, R-1D, R-M1 and B-3 zoning districts, subject to the following provisions:

- A. Requirement: Must be under a special land-use permit and meeting the following conditions:
 1. To be operated in its entirety within the principle dwelling and not within any garage or accessory building located upon the premises, except for incidental storage in use of a residential type garage.
 2. Is only conducted by the persons occupying the premises.
 3. Has no exterior evidence, other than a permitted sign, to indicate that the same is being utilized for any purpose other than that of a dwelling.
 4. Not involve alteration or construction not customarily found in dwellings.
 5. Is clearly incidental and subordinate to the principle use of the premises for residential purposes.
 6. Does not constitute an annoyance or nuisance to adjoining residents by reason of noise, smoke, odor, electrical disturbance night lighting, or the creation of unreasonable traffic to the premises.
 7. Does not use more than twenty-five (25) percent of the total actual floor area of the dwelling.
 8. A smoke detector to be placed inside each sleeping room designated for Bed and Breakfast.

Section 15.44 - Temporary Asphalt Plants

The purpose of this is to permit temporary asphalt plants under a special land-use permit.

A temporary asphalt plant and any accessory structures shall not be located closer than two hundred fifty (250) feet from the boundary lines and public right-of-way, or no less than five hundred (500) feet from residential districts, and shall (where practicable) be as close to the center of the subject property as possible.

The plant shall comply with the performance standards established in Section 12.13 of this ordinance.

Section 15.45 - Temporary Outdoor Assembly

Temporary Outdoor Assembly shall be permitted in A-1, A-2, B-2, M-1 and M-2 Districts. The purpose of this is to permit temporary outdoor assembly under a special land-use permit.

Section 15.46 - Agricultural Home Business

Agricultural home business is conducted either from within the dwelling and/or from accessory buildings located within five hundred (500) linear feet of the dwelling unit occupied by the family conducting the home business.

15.46.1. Regulations and Conditions

- A. No more than two (2) employees other than the resident occupants of the dwelling.
- B. The business shall be conducted in a fully enclosed building.
- C. Outdoor storage of materials shall be completely fenced to obstruct view to a height equal to the elevation of the tallest material to be stored.
- D. Adequate off-street parking shall be provided in accordance with Article 10 of this Ordinance.
- E. No external alteration of the dwelling shall be made to accommodate the home business.
- F. Home business shall at all times comply with all other applicable laws and ordinances.
- G. Signs shall be permitted in accordance with the Caledonia Township Sign Ordinance.

15.46.2. Prohibited Agricultural Home Business

- A. Automobile salvage yard.
- B. Used vehicle sales.
- C. Secondhand store or salvage yard.
- D. Other activities which are specifically provided for elsewhere in this Ordinance.

Section 15.47 - Adult Uses

Because some uses are recognized as having a deleterious effect upon adjacent residential areas, causing blight, and an increase in crime when concentrated in a confined area, it is considered necessary and in the best interest of the orderly and better development of the community to prohibit the overcrowding of such uses into a particular location and require, instead, their disbursal throughout the commercial and industrial zones of the township to thereby minimize their adverse impact on any specific neighborhood. Adult uses are allowed by Special Use Permit in the B-2 district subject to the following conditions:

15.47.1. Regulations and Conditions

In order to prevent undesirable concentration of such business, adult entertainment businesses shall not be located within 2,000 feet of another such business, nor within 1000 feet of any residentially-zoned district (including churches, playgrounds, colleges, schools, convalescent homes, nursery/day-care facilities, and educational institutions), as measured along a line forming the shortest distance between and portion of the respective properties of the existing and proposed adult entertainment business and activities and between such businesses and the adjoining residentially-zoned district.

The Township Planning Commission (where any of the foregoing regulated uses are special exception uses) and the Township Zoning Board of Appeals (where the foregoing regulated uses are "permissible uses") may waive the foregoing spacing requirements if it finds the following conditions exist:

- A. The proposed use will not be contrary to the public interests or injurious to nearby properties in proposed location and the spirit and intent of the purpose of the spacing regulations will still be observed.

- B. The proposed use will not enhance or promote a deleterious effect upon adjacent areas through causing or encouraging blight, a chilling effect upon other businesses and occupants, and disruption in neighborhood development.
- C. The establishment of the additional regulated use in the area will not be contrary to any program of neighborhood conservation or interfere with any program or urban renewal.
- D. Where all other applicable regulations with the Township Zoning Ordinance or other pertinent township Ordinances will be observed.

Section 15.48 - Day care homes, group (7-12 persons)

Group day care homes are permitted by special use permit in the A-1, A-2 R1-A, R1-B, R1-C, R1-D, R-M1, and R-T zoning district provided:

- A. The facility is licensed by the State of Michigan as a group day care home.
- B. Fencing is provided around any outdoor play areas.
- C. The building retains the appearance of a single family residence.
- D. The use does not exceed sixteen (16) hours of operation in a twenty four (24) hour period.
- E. The use is no closer than one thousand five hundred (1,500) feet to another licensed group day care home.

Per Section 16(f) of the Township Zoning Act, these are the only standards that may be imposed.

Section 15.49 - Adult foster care large group homes (13- 20 persons)

Adult foster care large group homes with thirteen (13) to twenty (20) adults are permitted by right in the R1-D zoning district and by special use permit in the R1-D zoning district provided:

- A. The facility will meet the residential density requirements for the zoning district it is located in based on one dwelling unit per six household members.
- B. The facility shall maintain a valid state license to operate as an adult foster care small or large group home

Section 15.50 - Adult foster care small group homes (7- 12 persons)

Adult foster care small group homes with seven (7) to twelve (12) adults are permitted by right in the A-1, A-2, R-1A, R-1B, R-1C. R-T zoning districts and by special use permit in the R-1D and R-M1 zoning districts provided:

- A. The facility will meet the residential density requirements for the zoning district it is located in based on one dwelling unit per six household members.
- B. The facility shall maintain a valid state license to operate as an adult foster care small or large group home.

Section 15.51 - Two-family dwellings

Two family dwellings are permitted by special use permit in the A-2, R-1A, R-1B, R-1C and B-3 zoning districts provided:

- A. The lot width and lot area are a minimum of twice the width and area required for a single-family residence in that zoning district.

Section 15.52 - Child Care Center

Child care centers are permitted by right in the B-1 and B-2 zoning districts and by special use permit in the R-1D, R-M1 and O-1 zoning districts provided:

- A. The center shall provide and maintain an outdoor play area with a minimum of one thousand (1,000) square feet, plus an additional one hundred (100) square feet for each child cared for over the age of ten (10). This play area shall not be in the front yard and must be fenced or otherwise enclosed on all sides and screened from adjacent properties with landscaping.
- B. An on-site drive shall be provided for drop offs/pick ups. This drive shall be arranged to allow maneuvers without affecting traffic flow on the public street.

Section 15.53 - Drive-in and drive-thru establishments

Drive-in and drive-thru establishments are permitted by special use permit in the OS, B-1 and B-2 zoning districts provided:

- A. The minimum width of that portion of the lot fronting on a county primary road or state highway shall be one hundred (100) feet.
- B. The minimum separation of entrance and exit drives shall be sixty (60) feet unless they are combined into one drive.
- C. On corner lots, driveways shall be a minimum of sixty (60) feet from the intersection of the right-of-way lines.

Section 15.54 - Storage facilities

Storage facilities (excluding outdoor storage) are permitted by right in the B-2 and M-1 zoning districts; storage facilities (with outdoor storage) are permitted by special use permit in the B-2 and M-1 zoning districts provided:

- A. Minimum parcel area for the entire development is four (4) acres.
- B. Access to the facility shall be from a county primary road.
- C. All outdoor storage areas shall be appropriately screened from surrounding property, as determined by the Planning Commission.
- D. Maximum building height shall be nineteen (19) feet.
- E. Side and rear setbacks shall be a minimum of twenty (20) feet when adjacent to a residential zoning district. The setback shall include any fencing surrounding the storage areas. The setback area shall be landscaped with trees, shrubbery and lawn to create a visual barrier between the facility and the adjacent residential lots.
- F. Parking for the storage leasing office and a caretakers residence shall be as outlined under this Ordinance's parking regulations. A ten (10) foot wide parking strip shall be required in front of each row of storage units and a twelve (12) foot wide travel lane provided between buildings (see Figure 11-1).

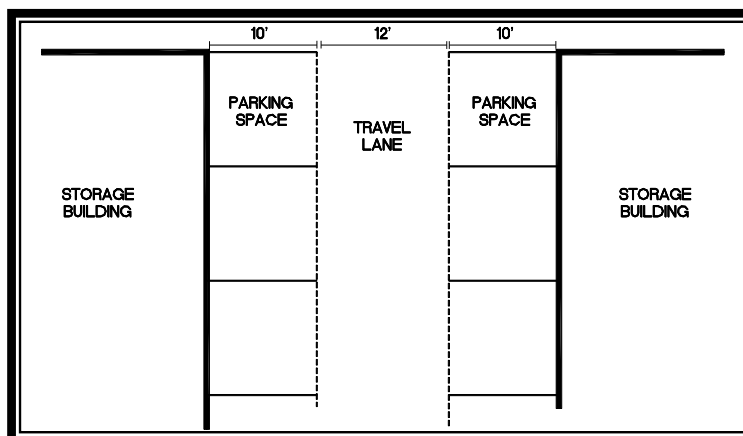


Figure 11-1Ponds

Ponds shall be permitted as accessory structures in the A-1 and A-2 districts subject to the following standards.

- A. The pond shall be a minimum distance of twenty-five feet (25') from any property line or right-of-way.
- B. There shall be a minimum of twenty-five feet (25') between the outside edge of the pond and any building.
- C. Slopes of the excavation shall not exceed a ratio of one foot (1') of vertical to one four (4') feet of horizontal, to a depth below water of six feet (6').
- D. All areas disturbed during construction shall be seeded with grasses and maintained in good condition to prevent erosion
- E. Slopes shall be planted or secured with rip rap to reduce erosion.
- F. The Township Zoning Administrator may require the installation of a fence no less than four feet (4') in height to protect the health, safety, and welfare of the property owners and/or tenants, neighboring uses, and Township residents.
- G. The applicant shall demonstrate that water can be continuously maintained in the pond once it is constructed.
- H. Evidence shall be presented at the time of application that the Shiawassee County Drain Commissioner and Michigan Department of Environmental Quality have granted the necessary permits and/or approvals to the applicant for the construction of the pond or have released the applicant from any obligation thereto.
- I. The applicant shall post notice of the pond on the property.

Section 15.56 - Christmas Tree Sales

Christmas Tree Sales shall be permitted as a use permitted by right accessory structures in the A-1, A-2, B-1, B-2 and B-3 districts subject to the following standards.

- A. The applicant shall provide room for a minimum of four off-street parking spaces.
- B. The sales area meets the setbacks required in the zoning district.
- C. The activity is limited to the period between Thanksgiving and New Years.

Section 15.57 - Auto Reclamation and Sales Facility

Auto Reclamation and Sales Facility are permitted in the M-1 and M-2 zoning district provided:

- A. The site shall not be less than 2 acre

- B. The area set aside for storage of vehicles shall be properly screened from public view. Not more than thirty (30) vehicles that can be stored on site at any one time.
- C. All liquids from the salvagable vehicles shall be properly drained from the vehicles and stored in a manner to protect the groundwater from an accidental spill.

Section 15.58 - Customary Household Pets

Household pets are defined as excluding horses, ponies, and customary farm income producing animals, but shall include any domesticated cat, dog or any animal that is kept as a pet as for hunting purposes. Except when a Special Use Permit is approved by the Planning Commission, and when a kennel license has been granted by the Shiawassee County Animal Control Department, household pets may not exceed four (4) in number for any one residence, and shall at times be housed or fenced within an enclosure that will not permit said pets to run at large outside the confines of the owner's property lines.

Section 15.59 - Parking Commercial Vehicles over 1 ½ Ton on a Residential Parcel

Parking commercial vehicles on a residential parcel is permitted by Special Use Permit in the A-1 or A-2 zoning districts provided:

- A. The applicant demonstrates that there is no feasible alternative such as parking on secured commercial or industrial property within 5 miles of the site.
- B. The applicant complies with the weight limitations imposed by the Shiawassee County Road Commission for roads in the vicinity of the applicant.
- C. The driveway shall be approved by the Shiawassee County Road Commission.

(TA 09-2 Amended 12/21/09)

Section 15.60 - Temporary Outdoor Sales

Temporary outdoor sales are permitted by right in the B-1, B-2 and B-3 zoning districts provided:

- A. All temporary structures must be anchored so they will not blow over in a strong wind and must meet the setback requirements of the zoning ordinance for structures.
- B. The sales area must be delineated from parking area by temporary fencing or similar structures.

Adequate provisions shall be made for disposal of trash and to prevent blowing of material

(TA 09-3 Amended 1/26/10)

ARTICLE 16 - FENCES AND HEDGES

(TA 08-2 Adopted 7-28-08)

Section 16.1 - Intent and Purpose

The fence and hedge regulations as set forth herein are intended to regulate the size, location, character, height, material and any other pertinent physical features of fences within Caledonia Township

The purpose of this ordinance is to regulate such fences and hedges so as to protect health, safety and public welfare; reduce visual congestion along thoroughfares and reflect the community standards for aesthetics and design quality within residential, commercial, industrial and agricultural zones.

Section 16.2 - General Provisions

No person or establishment shall erect, alter, place, repair or replace any fence without first obtaining a fence permit, unless otherwise expressly exempted elsewhere within the provisions of this ordinance.

Section 16.3 - General Permit Procedures

The following procedures shall govern the application for, and issuance of, all fence permits under this article.

16.3.1. Applications

All applications for fences of any kind shall be submitted to the Zoning Administrator in the form of a zoning permit application in accordance with Section 3.7.2 of the zoning ordinance.

16.3.2. Fees

Each application for a zoning permit shall be accompanied by the applicable fees, to be collected by the Zoning Administrator.

16.3.3. Requirements

The zoning application for a fence shall meet the requirements of Section 3.7.2(4) with the addition of the following information, the location of all structures and drives on the property, the location of all structures within 100' of the property such as houses or accessory structures on adjacent property, and a manufacturers detail of the proposed fence showing height, material and transparency. The applicant may need to provide additional information if determined necessary by the Zoning Administrator. The Zoning administrator may also waive those requirements that may not be applicable to the specific request.

Section 16.4 - Permit to Construct or Modify a Fence

Fences as permitted shall be erected, installed or created only in accordance with a duly issued and valid signed building permit from the building inspector. Such permits shall be issued only in accordance with the following requirements and procedures.

Permit for new fence or fence modification: An application for construction, creation or installation of a new fence or for alteration/modification of an existing fence shall be accompanied by a detailed drawing to show the dimension, design, structure, material and location of the proposed fence.

Section 16.5 - Temporary Fencing

Temporary fences which temporarily restrict access for the purposes of, including but not limited to, construction, tax-reverted property, hazard mitigation, demolition or any other purpose shall be permitted without a permit for a period of 90 days. The erection of a temporary fence shall be recorded with the Zoning Administrator for the purposes of recording the erection and removal date of the temporary fence. Should a temporary fence exceed its 90 day life period, the property owner or designated applicant shall apply for a fence permit following the procedures in Section 1.03 and 1.04 of this ordinance.

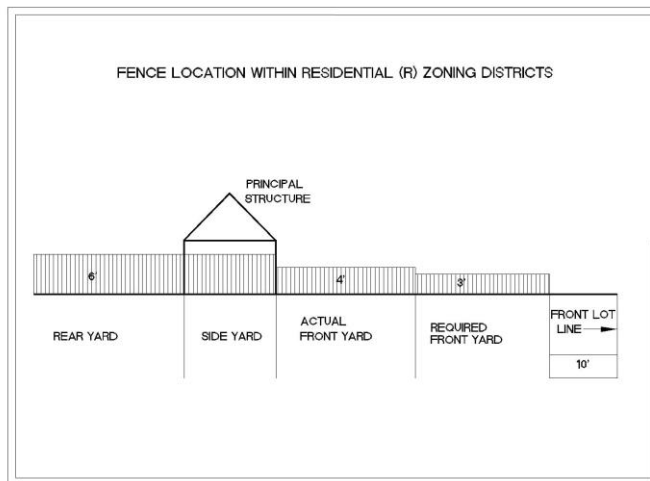
Section 16.6 - Fences and hedges within Residential (R) Districts

It is the intent of this section to regulate fences within the R-1A, R-1B, R-1C, R-1D, R-M1 and R-T districts

16.6.1. Fence and Hedge Location and Height Requirements

Fences on all zoning lots in all residential districts which enclose property and/or are within a side or rear yard shall not exceed six (6) feet in height, measured vertically from the surface of the ground. Fences located between the required and actual front yard shall not exceed four (4) feet in height, measured vertically from the surface of the ground. Fences may extend into the required front yard however, shall not be any closer to the front lot line than ten (10) feet and may not be greater than three (3) feet in height.

FIGURE 1



16.6.2. Clear Vision

All fences and hedges shall comply with clear vision requirements of Section 12.6 of this ordinance.

16.6.3. Prohibited Materials

Fences or walls shall not contain barbed wire, electric current or charge of electricity (other than buried/invisible animal training fences), glass, spikes or other sharp protruding objects except in the case of parcels with a SUP for the keeping of horses as a Customary Agricultural Operation under Section 15.9 of this ordinance. In that case the Planning Commission may allow the use of barb wire as part of the fence. Further, plastic or vinyl webbing within chain links fences is prohibited. Fences or walls may contain an electric current only on parcels of 5 acres or greater within the A-1 and A-2 zoning districts.

(TA 14-3 Amended 2/25/15)

16.6.4. Good Side Out

All fences shall have the finish side facing outward, away from the property on which the fence is located.

16.6.5. Public Safety

The Zoning Administrator may require the removal, reconstruction or repair of any fence, hedge, wall or screen deemed not in good condition or unsafe to public safety and welfare.

Section 16.7 - Fence Maintenance

All fences shall be maintained in a good condition, in an upright position and shall not constitute an unreasonable hazard or nuisance. Any fence which is not maintained, as determined by the township's Building Inspector, shall be removed or replaced (any required fence shall be replaced).

Section 16.8 - Nonconforming Fences

Refer to Section 13.5-13.5.3 of the zoning ordinance.

Section 16.9 - Violations

Any of the following shall be a violation of this article and shall be subject to the enforcement remedies and penalties provided by the zoning ordinance and by state law:

1. Install, create, erect or maintain any fence in a way that is inconsistent with any plan or permit governing such fence or the lot on which the fence is located;
2. Install, create, erect or maintain any fence requiring a permit without such permit;
3. To fail to remove any fence that is installed, created, erected or maintained in violation of this article;
4. To continue any such violation. Each day of a continued violation, the Zoning Administrator shall consider as a separate violation when applying the penalty portions of the zoning ordinance.

Section 16.10 - Variances and Appeals

All variances and appeals as related to this article shall be heard by the Caledonia Township Zoning Board of Appeals as provided for in Article Four (4) in the zoning ordinance.

ARTICLE 17 - RESERVED

ARTICLE 18 - SEVERABILITY CLAUSE

This ordinance and the various articles, sections and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, clause or word is adjudged unconstitutional or invalid for any reason, by any court, such invalidity shall not affect the remaining portions or applications of this ordinance which can be given effect without the invalid portion or application, provided such remaining portions are not determined by the court to be inoperable.

ARTICLE 19 - CONFLICTING PROVISIONS REPEALED

The text of the 1991 Caledonia Township Rural Zoning Ordinance, enacted by Caledonia Township, Shiawassee County, Michigan on July 3, 1991, and all text amendments and text revisions thereto, known as the Caledonia Township Zoning Ordinance, all other Ordinances and parts or Ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

Where a provision of this Ordinance conflicts with a provision of another Ordinance, the strictest provision shall prevail.

ARTICLE 20 - SAVINGS CLAUSE

Section 20.1 - Purpose

This Ordinance shall not impair or affect any act done, offense committed or right accruing, accrued, or acquired; or liability, penalty, forfeiture or punishment incurred prior to the time this Ordinance takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if this Ordinance had not been adopted. Such proceedings may be consummated under and according to the Ordinance in force at the time such proceedings are or were commenced, All prosecution, or other actions, pending at the effective date of this Ordinance and all prosecution, or other proceedings, instituted after the effective date of this Ordinance, or offenses or acts committed prior to the effective date of this Ordinance, may be continued or instituted under and in accordance with the provisions of the Ordinance in force at the time of such offense.

ARTICLE 21 - VALIDITY, REPEAL OF PRIOR ORDINANCE, VESTED RIGHT, ENACTMENT AND EFFECTIVE DATE

Section 21.1 - Validity

This Ordinance and the various articles, sections, paragraphs, and clauses thereof, are hereby declared to be severable. If any article, section, paragraph, or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby.

Section 21.2 - Repeal of prior ordinance

The Zoning Ordinance adopted by the Township of Caledonia on June 4, 1991, and all amendments thereto, are hereby repealed. The repeal of the above ordinance and its amendments does not affect or impair any act done, offense committed or right occurring, accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.

Section 21.3 - Vested right

Nothing in this ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and they are hereby declared to be subject to subsequent amendment, change or modifications as may be necessary to the preservation or protection of public health, safety and welfare.

Section 21.4 - Enactment and effective date

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Caledonia, Shiawassee County, Michigan at a meeting thereof, duly called and held on the ___ day of _____, 2004, and is ordered to be given publication in the manner prescribed by law. This Ordinance shall become effective seven (7) days after final enactment and publication.

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