

**ARTICLE 15
GENERAL PROVISIONS**

SECTION 15.00 CONFLICTING REGULATIONS

Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance imposes more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.

SECTION 15.01 SCOPE

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

SECTION 15.02 BUILDING REGULATIONS

1. Unlawful Building

In case any building, or part thereof, is used, erected, occupied or altered contrary to law or the provisions of this Ordinance, such building shall be deemed an unlawful structure and a nuisance and may be required to be vacated, torn down or abated by any legal means, and shall not be used or occupied until it has been made to conform to the provisions of this Ordinance. Public expenditures toward abating such nuisance shall become a lien upon the land.

2. Temporary Building, Travel Trailer or Motor Home

No temporary building shall be erected unless a building permit has been issued for a permanent building or a new use of land on the same site. An approved temporary building shall be removed from the site before issuance of a certificate of occupancy.

3. Building Occupancy

No basement shall be used or occupied as a dwelling unit at any time, nor shall a dwelling be erected in a commercial or industrial district, except for the sleeping quarters of a watchman or caretaker, or as the homestead of a resident manager.

4. Frontage on a Public Street

No building shall be erected on a lot unless said lot fronts its full width, as required by Article 14, upon a street or road that has been dedicated to the public, or as otherwise provided by this Ordinance. Mobile home parks, multi-family developments, commercial shopping centers, office parks, or site condominium developments need not front each such structure within the development upon publicly dedicated streets or roads provided that adequate interior vehicular circulation and access can be assured in a site plan submitted for approval to the Township.

5. Division of Platted or Un-platted Land for Building Sites

The division and consolidation of unplatted land for building sites shall be subject to the regulations of the Land Division Act, Public Act 288 of 1967, as amended and the Clyde Township Land Division Ordinance. No zoning lot shall hereafter be divided into two or more zoning lots and no portion of any zoning lot shall be sold, unless all zoning lots resulting from each division or sale conform with all of the regulations of the zoning district in which the property is located except as provided in Section 14.01 V of this ordinance.

6. One Lot, One Building

In all districts, only one (1) principal building shall be placed on a single lot of record.

SECTION 15.03 LOT AREA

Any lot existing and of record at the time this Ordinance became effective may be used for any principal use, other than conditional uses for which special lot area requirements are specified in this Ordinance, permitted in the district in which such lot is located whether or not such lot complies with the lot area requirements of this Ordinance except as provided in Article 22 “Nonconforming Uses.” Such use may be made provided that all requirements prescribed in this Ordinance are complied with.

SECTION 15.04 GRADING STANDARDS

1. Slope Requirements

Buildings and structures shall be constructed at an elevation which establishes a sloping grade away from the building or structure to cause surface water to drain away from the walls of the building to a natural or designated drainage course. A minimum five percent (5%) slope away from all sides of a building or structure shall be provided for a distance of ten (10) feet.

The established grade for a house or structure constructed within 100 feet of the front property line (corner lots to have two property lines) shall be a minimum one (1) foot above the crown of the road adjacent to the subject property unless natural drainage is available. If natural drainage is available, and is to be used in lieu of the one (1) foot grade requirement, it must be shown on the proposed grading plan and approved by the Township.

2. Runoff Onto Adjacent Properties

New grades shall not be established that would cause an increase in the drainage of surface water onto adjacent properties, except through an establish drainage course or easement for that purpose.

3. Review, Inspection and Approval Procedures

Site grading shall be reviewed by the Township Building Official or Township Engineer prior to the issuance of a building permit. In the event that a grading plan is submitted in conjunction with an application for site plan approval, the Planning Commission shall review the grading plan as a part of the site plan review procedure. The Building Official shall issue a building permit after the determination has been made that the requirements of this section and other applicable ordinances have been met.

SECTION 15.05 STRUCTURE COMPLETION

All structures shall be completed within one (1) year of the issuance date of the building permit for such structure, unless an extension for not more than one (1) additional year is granted for good cause by the Building Inspector. When a part of the building is ready for occupancy, a temporary occupancy permit may be issued, provided that the premises complies with health and fire standards required under this Ordinance, or any other ordinance, regulation, or statute.

SECTION 15.06 DETACHED ACCESSORY BUILDINGS

The intent of this section is to regulate the size, appearance, and placement of accessory structures in a manner that preserves Clyde's rural character, while allowing landowners to make reasonable use of their property.

1. General Provisions for Accessory Buildings in all districts:
 - A. No accessory building shall be permitted unless a permit for the principal building has been issued.
 - B. Accessory buildings, which are structurally attached to a principal building, shall conform with all regulations of this Ordinance applicable to the principal building.
 - C. Once a building permit has been issued for a principal building, one (1) accessory structure of not more than 200 square feet in floor area may be built on a lot without the obtainment of a building permit, so long as the structure meets all other requirements of this Ordinance including the provisions of Article 15.06 and other applicable ordinances governing said buildings. A building permit must be obtained for all other accessory structures, regardless of size.
 - D. The requirements of Section 15.06 shall not apply to farm buildings to the extent exempted by State law, Public Act 93 of 1981, the Michigan Right to Farm Act; provided, however, a building accessory to a residence shall not be used for the storage of farming equipment or machinery used in a farming operation. Additionally, an accessory building permitted per the Right to Farm Act exemption shall be used exclusively for farming operations and shall not be used for the storage of non-farming items. A person claiming the Right to Farm exemption for the use, erection or placement of a farm building shall provide reasonable documentation, such as Farm Number, receipts for seed, fertilizer, crops sold, and a Schedule F- Federal Income Tax Form, to the Building Inspector sufficient to demonstrate the farming operation.
 - E. Accessory building in any district shall only be used for permitted uses or activities customarily incidental to the permitted principal use(s) in the district.
 - F. Except as provided by Section 15.06.2, accessory building floor area and height shall be governed by the lot coverage height provisions of Article 14, Section 14.00.
 - G. Accessory buildings shall be located in a side or rear (back) yard except for the following:
 - (1) Residential/Agricultural accessory buildings are subject to the placement provisions of 15.06.2
 - (2) In accordance with the provisions of Section 19.08 of this Ordinance, accessory Buildings for lots having lake or river frontage shall be permitted in the setback between the abutting road right of way and the principal building provided the front setback as required by Article 14.00 of this Ordinance is met.

(3) In non-residential districts, the approving body may waive the requirement of this subsection if it is found that the placement of the accessory building in the front yard is reasonable and customary for the principal proposed use.

H. In any case where a building or accessory building in a C-1, C-2, or LM District is erected or placed within two hundred (200) feet of the front lot line of any parcel of land fronting upon any public street, the front walls of said building or accessory building within said distance of two hundred (200) feet shall not be constructed of tarred paper, tin, corrugated iron, or any form of pressed board or felt or similar material within the limits herein specified. Occupants of such premises shall not be permitted to place open stock, scrap, or junk piles within said two hundred (200) feet unless the same shall be obscured from view from the street by the existence of a building, solid wall, earth berm, or evergreen screen sufficient to properly obscure the same view from the street and such open storage is explicitly permitted in that district.

I. No detached accessory building shall be located closer than ten (10) feet from any main building nor shall it be closer than ten (10) feet from any rear or side lot line. For the purposes of this section, a rear or side yard that is contiguous to any road or right-of-way shall be subject to the setback requirements as if it were a front yard.

2. Accessory Buildings in Residential and Agricultural Districts

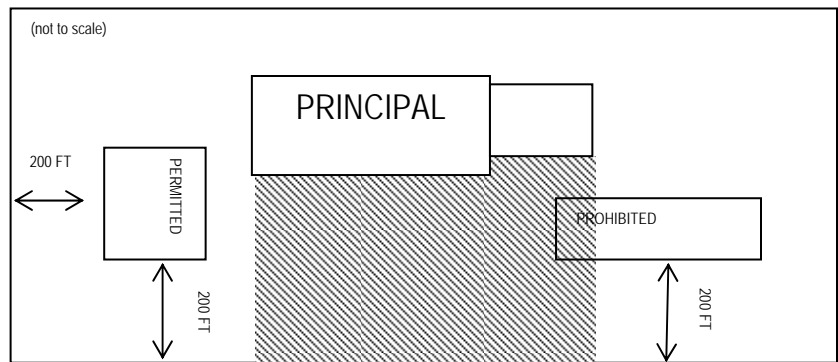
In addition to the requirements of Section 15.06.1 above, the following regulations shall apply to accessory buildings in residential and agricultural districts:

A. Detached residential accessory buildings shall not be located in the front yard of the principal residence except as provided below.

B. The Planning Commission shall require site plan review for any request to locate a detached accessory building in the front yard. The applicant must submit a complete application and fee together with a scaled drawing showing the property dimensions, setbacks, buildings and structures, and any other pertinent information. The Planning Commission shall consider the following in making its review and determination:

(1) The accessory building must be set back at least two hundred (200) feet from the front lot line.

(2) Accessory buildings shall not be located in or protrude into the space in front of the principal structure (see diagram).



- (3) The accessory building shall not block the view toward the road for neighboring residences. In addition the accessory building must be behind any neighboring residence within three hundred (300) feet of said building.

In reviewing such request, the Planning Commission may require such additional information as it deems reasonably necessary to make a determination upon the application.

- C. Accessory structures located in front yards shall not have doors intended for vehicles facing a public road. Accessory structures in side yards may have doors for vehicles facing a public road if the accessory structure’s front façade is set behind the principal structure’s front façade by at least five (5) feet.
- D. Roof pitch shall be governed by building size. In no case shall the roof pitch be less than 4/12 (4 inches vertical for each 12 inches horizontal).
- E. The residential accessory building shall have a finished, residential character.
- F. The size and number of detached accessory buildings in the Residential and Agricultural districts are subject to the following:

Lot Size	Maximum Total Floor Area of all Accessory Buildings based on percentage of total Lot Area in Square Feet. ^{1,2}	Maximum Sidewall Height as measured from the top of the lowest finished floor.	Total Number of Accessory Buildings Permitted ²
1.0 Acre or less	3%	9 feet ³	2
1.01-2.0 Acres	2%	10 feet ³	2
2.01 Acres-4.0 Acres	2%	14 feet	3
4.01 Acres- 6.0 Acres	No maximum ⁴	16 feet	3
6.01 Acres or more	No maximum ⁴	16 feet	1 building per each 2 full acres.

¹One acre is equal to 43,560 square feet. The formula for determining maximum allowable floor area is Lot Size in acres x 43,560 x % allowed.

² Any accessory structure 200 square feet in floor area or less shall be included in the Total Floor Area and Total Number of Accessory Buildings permitted.

³The maximum overall height to the peak of the roof shall be twenty five (25) feet.

⁴If the proposed building is over 3,500 square feet in size, site plan review is required by the Planning Commission in accordance with the provisions of subsection G below.

- G. Structures over 3,500 square feet in floor area shall require site plan review and approval by the Planning Commission. The applicant must submit a complete application and fee together with a scaled drawing showing the property dimensions, set-backs, buildings and structures, and any other pertinent information. The Planning Commission shall consider the following in making its review and determination.

- (1) Accessory Building site proportional to main dwelling.

- (2) Accessory Building in harmony with surrounding buildings and structures and does not adversely impact the environmental, physical, or rural character of Clyde Township.
- (3) Placement of the accessory building on property.
- (4) Proposed use of accessory building, present and future.

In reviewing the request, the Planning Commission may require such additional information as it deems reasonably necessary to make a determination upon the application.

SECTION 15.07 OFF-STREET PARKING REQUIREMENTS

There shall be provided in all districts at the time of erection or enlargement of any main building or change of use of any principal building or structure, automobile off-street parking space with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of occupancy, as hereinafter prescribed.

1. Off-street parking spaces may be located within a non-required side yard or rear yard within the rear yard setback unless otherwise provided in this Ordinance. Off-street parking shall not be permitted within a front yard or a required side yard setback except as provided in Section 14.01 (c).
2. Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant provided no major street or thoroughfare must be crossed between the main building and off-street parking lot to gain access.
3. Nothing in this section shall be construed to prevent collective provisions of off-street Parking facilities, for two (2) or more buildings or uses. Such facilities shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with the table below.
4. Two (2) or more buildings or uses may share off-street parking facilities provided that the proposed uses shall either operate during different hours of the day or night, or shall have peak hour parking demands that do not coincide. The required number of parking spaces for the uses calculated individually may be reduced by up to thirty percent (30%) if the following is provided: 1) A signed agreement by the property owners to verify that the peak usage will occur at different periods of the day and 2) A shared parking study by a parking expert with experience in shared parking studies. A legally sufficient written agreement assuring the joint usage of said common parking for the combination of used or buildings shall be properly drawn and executed by the parties concerned, approved as to form and execution by the Planning Commission and Township Attorney, and filed with and made part of the application for building permit.
5. Required residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve.
6. Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities meeting the standards of this section are provided elsewhere. Off-street parking existing at the effective date of this Ordinance, in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building to new use.

7. The use of required parking areas for storage of merchandise, refuse storage stations / dumpsters, storage or display of motor vehicles including trucks, use of semi-trailers for storage purposes, or the repair or maintenance of vehicles is expressly prohibited.
8. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use, that the Planning Commission considers as similar in type.
9. When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded, and fractions over one-half shall require one parking space.
10. For the purpose of computing the number of parking spaces required, the definitions of useable floor area and gross leasable floor area in Article 2, Definitions, Section 2.02, 57 and 58 shall govern.
11. Where the number of spaces required is based on the number of employees, calculations shall be based upon the maximum number of employees likely to be on the premises during the peak shift.
12. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:

USE	MINIMUM REQUIRED NUMBER OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS
RESIDENTIAL		
Single and Two Family Dwellings	2	Dwelling Unit
Multiple Family Dwellings and Mobile Home Communities	2	Dwelling unit plus 1/5 of a space per bedroom for guest parking. Plus One (1) for each employee of the facility.
Housing for the Elderly	1	Per each unit plus one (1) per employee. If units revert to general occupancy then two (2) spaces per unit shall be provided
USE		
MINIMUM REQUIRED NUMBER OF PARKING SPACES		
PER EACH UNIT OF MEASURE AS FOLLOWS		
Convalescent Homes and Nursing Homes	1	Per each four (4) beds plus one (1) per employee
Hospitals, Urgent Care Centers, Health Care Clinic or Center	1	Per two and seven tenths (2.7) beds

INSTITUTIONAL		
Religious Facilities	1	Per three (3) seats or six (6) feet of pews based on maximum seating capacity in the main place of assembly, or one (1) for each three (3) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, whichever is greater
Elementary and Junior High Schools	1	Per each teacher, employee or administrator in addition to the requirements of the auditorium.
Senior High Schools	1	Per each teacher, employee or administrator and one (1) for each ten (10) students, in addition to the requirements of the auditorium.
Libraries and Museums	1	Per three hundred (300) square feet of gross floor area
Private Clubs or Lodge Halls	1	Per three (3) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes
Theatres and auditoriums	1	Per three and four tenths, (3.4) seats plus one (1) for each two (2) employees
Stadiums, sports arenas, or similar place of outdoor assembly	1	Per three (3) seats or six (6) feet of benches plus one (1) for each employee
Private golf-clubs, swimming pool clubs, tennis clubs, or other similar uses	1	Per each four(4) member families or individuals plus spaces required for each accessory use, such as restaurant or bar

USE	MINIMUM REQUIRED NUMBER OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS
BUSINESS AND COMMERCIAL		
Business or professional offices, except as indicated in the following item	1	Per two hundred twenty two (222) square feet of leasable floor area
Professional offices of doctors, dentists, or similar professions	1	Per every one hundred sixty five (165) square feet of gross leasable area.
Banks (without drive-through service) and post offices	1	Per one hundred fifty (150) square feet of gross leasable area.
Dance halls, lodge halls, Exhibition halls, pool and billard halls, assembly halls without fixed seats,	1	Per each two (2) persons allowed within the maximum occupancy load as established by local, county or state fire, or building or health codes
Bowling alleys	5	Per bowling lane, plus accessory uses, such as restaurant or bar
Miniature or "Par 3" golf courses	3	Per each one (1) hole and one (1) for each employee
Fast food	1	Per sixty (60) square feet of gross floor area
Establishment for sale and consumption on the premises of beverages, food or refreshments, <i>not</i> including alcohol	1	Per one hundred (100) square feet of gross floor area
Establishment for sale and consumption on the premises of beverages, food or refreshments, including alcohol	1	Per seventy (70) square feet of gross floor area
Mortuary establishments, Funeral homes	1	Per fifty (50) square feet of floor space in the slumber rooms, parlors or individual funeral service rooms

USE	MINIMUM REQUIRED NUMBER OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS
Planned commercial or Shopping centers	5.2	Per each one thousand (1,000) square feet of leasable floor area
Retail stores except as Otherwise specified herein	5.2	Per one thousand (1,000) square feet of leasable floor area
Open air businesses	1	Per five hundred (500) square feet of lot area for retail sales or rental uses; or every two (2) participant spaces for outdoor amusement land uses
Roadside stands	4	Per one hundred (100) square feet of sales area, but not less than 4 spaces
Beauty Salons or barber Shops	3	Per each of the first two (2) beauty or barber chairs and one and one-half (1 ½) spaces for each additional chair.
Hardware stores	1	Per one hundred fifty (150) square feet of usable floor space, plus one (1) space for each person working on the premises
Furniture and appliance, household equipment, repair shops, showrooms of plumber, decorator, electrician or similar trades, clothing and shoe repair and other service related uses.	1	Per each eight hundred (800) square feet of usable floor area. (For that floor area used in processing, one (1) additional space shall be provided for each two (2) persons employed therein).
Coin operated Laundromats, Dry cleaning establishments and pick-up laundries	1	Per each two (2) washing, drying, and dry cleaning machines
Automobile Filling Station/convenience store	1	fueling space per nozzle; plus one (1) parking space per two hundred (200) square feet of gross floor area.

USE	MINIMUM REQUIRED NUMBER OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS
Automobile Service Station	2	Per each lubrication stall, rack or pit; plus one (1) for each gasoline pump; plus one (1) for each vehicle used as part of the equipment of the service station
Automobile Repair Garage	1	Per each 500 square feet of floor area, plus one (1) space for each employee, plus one (1) for each vehicle used in the business and kept on the premises.
Motor vehicle sales and Service establishments	1	Per each two hundred (200) square feet of usable floor space of sales room, plus five (5) for each one (1) auto service stall in the service room
Oil Change Facility	2.0	Per service bay
Automobile car wash(self service operation)	1	Per car wash establishment for employee parking plus five (5) per wash bay. (See stacking space standards, 15.07.12 (A))
Automobile car wash (Automatic)	1	Per each one (1) employee plus stacking lane spaces as indicated in the drive-through (See stacking space standards, 15.07.12 (A))
Printing and Publishing Establishments	1	Per employee plus one (1) per 500 square feet of public area
Nursery schools, day Nurseries, child / adult day care centers, family day care homes, group day care homes	1	Per employee plus drop off/waiting area spaces in an amount equivalent to 1 space per each 6 children/adults served
Lumberyard	1	Per 400 square feet commercial display plus one (1) per 1,000 square feet warehouse plus one (1) per company vehicle
Motels, hotels, bed and breakfasts, or other commercial lodging establishments	1	Per guest bedroom plus one (1) for each employee, plus spaces required for restaurants and other accessory uses

USE	MINIMUM REQUIRED NUMBER OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS
Photography studio	1	Per 400 square feet
Marina	1	Per berth plus one (1) per 500 square feet of dry boat storage or one (1) per two (2) boats stored in a rack system plus one (1) per employee working on the largest shift
Nursery /Greenhouse	1	Per 300 square feet interior area plus one (1) per 2,000 square feet outdoor sales
Racquet sports Club	3	Per court plus one (1) per employee working the largest shift plus additional spaces for accessory uses such as eating establishments.
Health Club	1	Per 200 square feet or one (1) per two member families, whichever is greater
Manufacturing or research Establishments and related Accessory offices	5	Plus one (1) for every one and one half (1½) employees based on maximum occupancy. Space on site shall also be provided for all construction workers during periods of plant construction plus one (1) space shall be provided for each company vehicle.
Self-storage	4	Per 1,000 square feet of office plus one (1) per employee working the largest shift.
Industrial or Research uses and related accessory offices	5	Plus one (1) for every one and one-half (1 ½) employees.
Warehouses and wholesale Establishments and related Accessory offices	5	Plus one (1) for every one (1) employee, or one (1) for every seventeen hundred (1,700) square feet of usable floor area, whichever is greater

A. Drive Through Standards. Any lane, route, or path in which vehicles are directed expressly for the purposes of receiving or dispensing persons, goods, or services without the driver leaving the vehicle (hereinafter referred to as a drive-through lane) shall comply with the following requirements:

- (1) Drive-through lanes shall be separate from the circulation routes and lanes necessary for ingress to and egress from internal maneuvering lanes.
- (2) Drive-through lanes shall not utilize any space that is necessary for adequate access to parking spaces from internal maneuvering lanes.
- (3) Drive-through lanes shall have a minimum centerline radius of twenty-five (25) feet.
- (4) Drive-through lanes shall be striped, marked, or otherwise distinctly delineated.
- (5) Each stacking space in the drive-through lane shall be nine (9) feet wide by twenty (20) feet long.
- (6) No vehicle shall be permitted to wait or stand within a dedicated right of way.
- (7) Drive-through lanes shall have a minimum stacking space in accordance with the following standards:

Use Served by Drive-Through Lane ¹	Minimum Stacking Requirements (per lane) ²
Fast food restaurant with indoor seating	Eight (8) vehicles inclusive of the vehicle at the window.
Fast food restaurant <u>without</u> indoor seating	Ten (10) vehicles inclusive of the vehicle at the window.
Financial Institution	Six (6) vehicles inclusive of the vehicle at the window.
ATM Machine	Four (4) vehicles inclusive of the vehicle at the ATM Machine.
Car Wash (Automatic)	Five (5) times the maximum capacity of the auto wash. Maximum capacity of the auto wash shall mean the greatest number of automobiles possible undergoing some phase of washing at the same time, which shall be determined by dividing the length in feet of each wash line by twenty (20).
Self-service automobile car wash establishments	(4) spaces in advance of each washing stall. A drying lane fifty (50) feet long shall also be provided within the boundary limits of the property at the exit of each washing stall in order to prevent undue water from collecting on public streets and thereby creating a traffic hazard.

Dry Cleaners	Four (4) vehicles inclusive of the vehicle at the window.
Convenience Market and Pharmacy	Three (3) vehicles inclusive of the vehicle at the window.
Oil Change Facility	Four (4) vehicles inclusive of the vehicle in the bay.

¹ For a use not listed above, the Planning Commission shall make a determination of minimum required vehicle stacking at the time of site plan review, based upon analysis by the Township Planner or Township Traffic Engineering consultant.

² One off-street waiting space is defined as an area nine (9) feet wide by twenty (20) feet long.

B. Parking for the Physically Handicapped. Each parking lot that services a building entrance, except single or two-family residential or temporary structures, shall have a number of level parking spaces for the physically handicapped as set forth in the following table, and identified by above grade signs as reserved for physically handicapped persons.

TOTAL SPACES IN PARKING LOT	REQUIRED NUMBER OF ACCESSIBLE SPACES
UP TO 25	1
26 TO 50	2
51 TO 75	3
76 TO 100	4
101 TO 150	5
151 TO 200	6
201 TO 300	7
301 TO 400	8
401 TO 500	9
501 TO 1,000	2% OF TOTAL
OVER 1,000	20 PLUS 1 FOR EACH 100 OVER 1,000

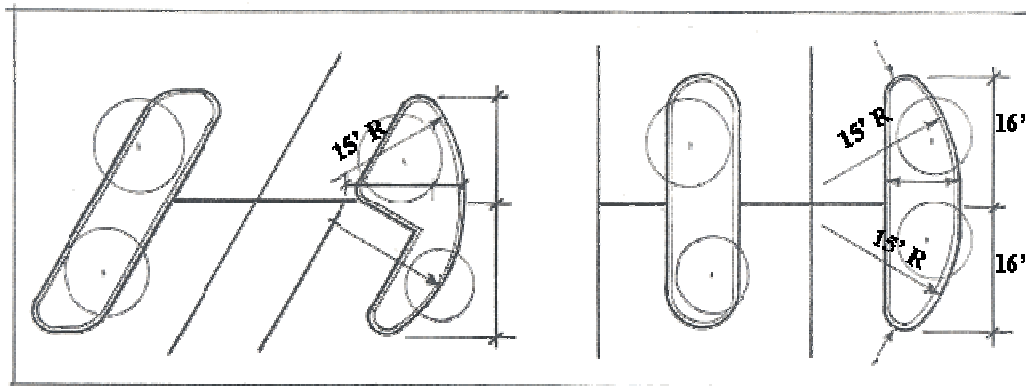
- (1) Parking spaces for the physically handicapped shall be a minimum of eight (8) feet wide with and adjacent access aisle of five (5) feet on the passenger's side. Handicapped parking spaces must meet all other applicable requirements as to size as set forth in this section.
- (2) One out of every eight reserved stalls shall be designated as "Van Accessible", with no less than one "Van Accessible" stall provided for each lot. Each "Van Accessible" stall shall have an adjacent access aisle with a minimum width of eight (8) feet. This eight (8) foot stall may be located between and shared among two adjacent stalls. Van accessible sites designed for parallel parking with extra exit space for a rear equipped vehicle are permissible as well.

SECTION 15.08 OFF-STREET PARKING SPACE LAYOUT, STANDARDS, CONSTRUCTION AND MAINTENANCE

Whenever the off-street parking requirements in Section 15.07 above require the building of an off-street parking facility, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:

1. No parking lot shall be constructed unless and until a permit is issued by the Building Inspector. Applications for a permit shall be submitted to the Building Inspector in such form as may be determined by the Building Inspector and shall be accompanied with two (2) sets of site plans for the development and construction of the parking lot showing that the provisions of this Section will be fully complied with.
2. All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited.
3. No parking stall located adjacent to a parking lot entrance from a street (public or private) shall be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer.
4. No land that is located in a residential district shall be used for a driveway, walkway, or for access purposes to any land that is located in a nonresidential district. Each entrance and exit to and from any off-street parking lot located in an area zoned for other than single-family residential use shall be at least twenty-five (25) feet distant from adjacent property located in any single-family residential district.
5. All maneuvering lane widths shall permit one-way traffic movement, except that the 90 degree pattern may permit two-way movement.
6. The entire parking area, including parking spaces and maneuvering lanes, required under this Section shall be provided with asphaltic or concrete surfacing in accordance with specifications approved by the Township Building Official. Each individual parking space shall be so delineated by a painted stripe. Said painted stripes shall be maintained in such manner that demarcation of noted parking space is clearly visible at all times.
7. In order to delineate on-site circulation, improve sight distance at the intersection of parking aisles, ring roads, and private roads, protect the vehicle at the end of a parking bay, and define the geometry of internal intersections, end islands (landscaped with raised concrete curb) shall be required at the end of all parking bays that abut traffic circulation aisles in off-street parking lots. In areas where internal traffic circulation is forecast to be low or where the raised islands would not be appropriate, the Planning Commission may waive the requirement for an end island or may require painted islands only. The end islands shall generally be at least eight (8) feet wide, have an outside radius of 15 feet, and be constructed two (2) feet shorter than the adjacent parking stall as follows:

PARKING LOT ISLAND DETAIL



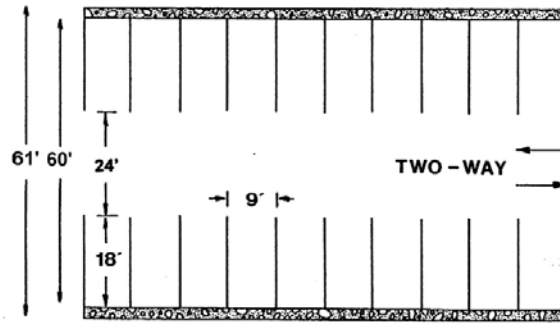
8. Parking lot landscaping and screening shall be in accordance with the standards and requirements of Section 15.10.8.
9. Where more than four (4) parking spaces are required, the entire parking area, including parking spaces and maneuvering lanes, required under this Section shall be provided with asphaltic or concrete surfacing in accordance with specifications approved by the Township Building Inspector.
10. Off-street parking areas and maneuvering lanes shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.
11. All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed only onto the parking area in accordance with the requirements of Section 15.13 of this Ordinance.
12. Except for those serving single and two-family dwellings, all parking lots shall be provided with wheel stops positioned so that no part of parked vehicles will extend beyond the property line or into required landscaped areas.
13. No building or structure shall be permitted on an off-street parking lot, except for an attendant shelter, which shall be not more than fifty (50) square feet and not more than 15 feet in height. No parking lot shall have more than one (1) attendant shelter building. All shelter buildings shall conform to setback requirements for structures in the district in which it is located.
14. Plans for the layout of off-street parking facilities shall be in accord with the following minimum requirements:

Parking Pattern	Maneuvering Lane Width*	Parking Space Width	Parking Space Length	Total Width of One Tier of Spaces Plus Maneuvering Lane	Total Width of Two Tiers of Spaces Plus Maneuvering Lane
0° (parallel)	24ft.	8 ft.	25 ft.	32 ft.	40 ft.
30° to 53°	14 ft.	9 ft.	18 ft.	32 ft.	50 ft.
54° to 74°	16 ft.	9 ft.	18 ft.	36 ft.	56 ft.
75° to 90°	24 ft.	9 ft.	18 ft.	42 ft.	60 ft.

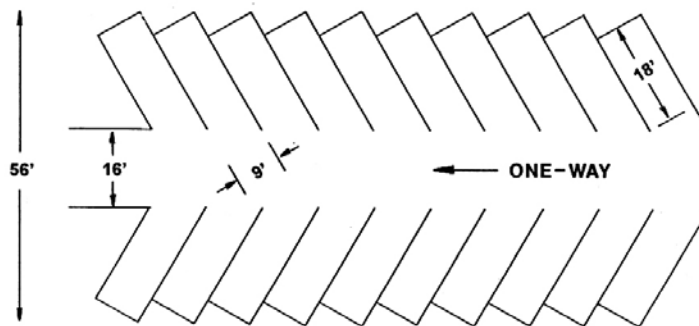
Dimensions are measured from face of curb to face of curb. When no parking spaces are present adjacent to a maneuvering lane, the lane width may be reduced to 22 feet, plus curb and gutter (if curbed) unless the *Planning Commission finds that the 24 foot width is warranted for the proposed use.*

See Parking Lot Layout Illustration on the next page.

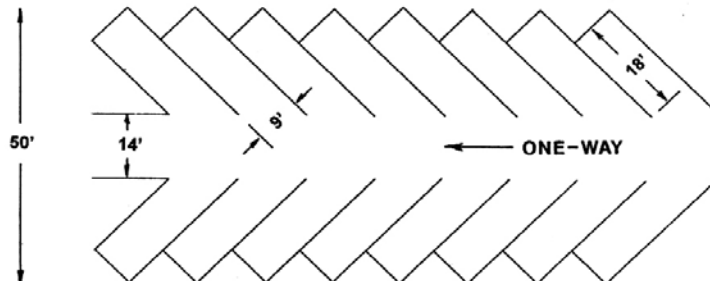
PARKING LAYOUT ILLUSTRATION



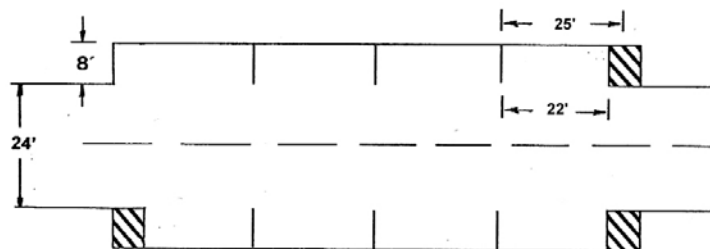
90 DEGREE



60 DEGREE



45 DEGREE



PARALLEL

SECTION 15.09 OFF-STREET LOADING AND UNLOADING

On the same premises with every, structure, or part thereof, involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading, and unloading in order to avoid undue interference with a public use of dedicated rights-of-way and off-street parking areas. Such space shall be provided as follows:

1. Loading spaces shall be provided by district as required by Section 14.01C.
2. Required loading spaces shall be located to the rear of the building being served and screened from view from adjoining uses and roadways.
3. Required spaces shall be laid out in the dimension of at least ten by fifty (10 x 50) feet, or five hundred (500) square feet in area, with a vertical clearance of at least fifteen (15) feet in height.
4. Loading dock approaches shall be provided with a pavement having an asphaltic or Portland cement binder so as to provide a permanent, durable and dustless surface.
5. Required loading space shall not be counted or used for required parking.
6. The storage of merchandise, sale of motor vehicles, storage of inoperable vehicles or repair of vehicles is prohibited in required loading spaces.
7. The minimum amount of loading spaces shall be determined in accordance with the schedule which follows:

<u>Gross Floor Area</u>	<u>Number of Spaces Required</u>
0 – 1,400	None
1,401 – 20,000	One (1) space
20,001 – 99,999	One (1) space plus one (1) space for each 20,000-square feet in excess of 20,001-square feet.
100,000 and over	Five (5) spaces, plus 1 space for each 50,000 square feet in excess of 100,000 square feet.

The Planning Commission may modify these requirements upon making the determination that another standard would be more appropriate because of the number or type of deliveries experienced by a particular business or use.

8. The location of the loading dock shall be subject to Planning Commission review. The Township, in making its review, shall find that any such use shall:

- A. Not have a disruptive effect on the safe and efficient flow of pedestrian and vehicular traffic within the site.
- B. Be aesthetically and effectively screened from view from adjoining properties and from a street, in accordance with the provisions of Section 15.10.5 (A).

The Township, to aid in its review, may require submittal of building elevations and cross-section plans showing grade elevations with respect to the location of loading, unloading, and trash receptacles, the corresponding elevations of adjoining properties and streets and the means by which these facilities will be effectively screened from view.

SECTION 15.10 LANDSCAPING AND SCREENING

Landscaping, greenbelts, and screening are necessary for the protection and enhancement of the environment and for the continued vitality of all land uses in the Township. Landscaping and green belts are capable of enhancing the visual environment, preserving natural features, improving property values, and alleviating the impact of noise, traffic, and visual disruption related to intensive uses. Screening is important to protect less-intensive uses from the noise, light, traffic, litter and other impacts of intensive nonresidential uses. The purpose of this section is to set minimum standards for the protection and enhancement of the environment through requirements for the design and use of landscaping, greenbelts, and screening. Nothing herein shall preclude a developer and the Township from agreeing to more extensive landscaping. Screening and landscaping in all zoning districts, where required, shall adhere to the following minimum standards.

1. The requirements set forth in this section shall apply to all uses, lots, sites, and parcels which are developed or expanded following the effective date of this Ordinance, except for agriculture, single-family detached, and two-family dwellings. No site plan shall be approved unless said site plan shows landscaping consistent with the provisions of this Section. Furthermore, where landscaping is required, a building permit shall not be issued until the required landscape plan is submitted and approved. In cases where the use of an existing building changes or an existing building is changed or otherwise altered or reoccupied, all of the standards set forth herein shall be met.
2. Basic Landscape Design Requirements and Considerations

Whenever a landscape plan is required under the provisions of this Ordinance a detailed planting plan of said improvements shall be submitted and approved with the site plan prior to the issuance of a building permit. Unless waived by the Planning Commission, or the administrative staff reviewing the plan, the plan shall be prepared by a landscape architect, registered in the State of Michigan, and shall indicate, to scale, the location, spacing, starting size and description of each type of plant material utilized in the plan together with all other landscape design improvements and a maintenance plan for the landscape improvements. The plan shall also include existing and proposed topographic conditions contour intervals not to exceed one (1) foot typical cross-sections of walls, berms, or other vertical improvements, drainage plans and structures, typical planting and staking details, and a summary schedule of the respective quantities of each improvement.

The Township shall consider design plans and materials in relation to their fulfillment of the basic landscape and/or screening functions required herein. Conformance with design requirements will also be considered in terms of innovative designs, which accomplish the spirit and intent of landscape requirements with some deviation from more precise design requirements established by this Section.

3. General Provisions

In all zoning districts the following minimum standards apply:

- A. All required landscaping shall be continuously maintained in a healthy, growing condition for the life of the development.
- B. All required landscaped areas shall be covered with grass or other living, natural ground cover. The Planning Commission may permit wood chips, cypress mulch, stone or equivalent materials in partial substitution for the natural ground cover requirement where warranted. Plastic or other non-organic materials are prohibited.
- C. All required landscape areas in excess of 200 square feet shall be irrigated to assist in maintaining a healthy condition for all landscape plantings and lawn areas. All site plans shall note installation of required irrigation.
- D. All required landscape plantings shall be guaranteed for a period of two (2) years and those which are diseased or dead must be replaced in conformance with the approved landscape plan. The diseased or dead plantings must be replaced with plantings of the same size as those, which were removed. A performance bond must be posted for the two years during which the guarantee is in effect in accordance with the provisions set forth in Section 17.07.
- E. All required landscape areas and screen walls which abut vehicular drives, parking or other use areas shall be separated from the vehicular use area with a 6" minimum curb of concrete construction.
- F. The Planning Commission may permit the reduction or modification of required landscaping when, based on the review of a landscape plan and other relevant information, the proposed adjustment meets the intent and purpose of this Section. The Planning Commission shall consider the following in making a determination that a modification of the landscape requirements is appropriate:
 - (1) Topography or other unique features of the site are such that strict application of the landscape regulations would result in a less effective screen than an alternative landscape design.
 - (2) The reduction of required landscaping is necessary in order to maintain views of lakes, wetlands, and other natural features, which the Planning Commission seeks to preserve.

- (3) Parking, vehicular circulation or land use are such that required landscaping would not enhance the site or result in the desired screening effect.
 - (4) The public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of the Ordinance.
- G. The Planning Commission may require an increase in required landscaping where such an increase is deemed necessary by the Commission to accomplish the spirit and intent of the ordinance.
 - H. Trees shall not be planted closer than four (4) feet to any property line.
 - I. Staggering plantings into two or more rows and grouping the plantings together in order to create visual appeal and variety in the landscaping is encouraged.
 - J. The total landscaped area shall be the basis for determining the required number of trees or shrubs, irrespective of the portion, which is devoted to patios, terraces, sidewalks or other site features.
 - K. Large shade or evergreen trees shall not be located within public water, sewer, or storm drainage easements. Shrubs and small ornamental trees may be allowed.
4. Screening and Landscaping Standards

The table below provides the standards for various types of screening and landscaping required in this ordinance:

Type of Screening	Height	Width	Planting Requirements
Extensive Land Form Buffer (A-1)	6 foot berm with a 2 foot crown and maximum 3:1 slope	38 feet	1 large deciduous, 1 evergreen tree and 4 shrubs for every 15 linear feet, planted in two offset rows
Land Form Buffer (A-2)	3 foot berm with a 2 foot crown and maximum 3:1 slope	20 feet	1 large deciduous, 1 evergreen tree and 8 shrubs for every 30 linear feet
Buffer Strip (B)	5 foot visual barrier	20 feet	1 large deciduous or evergreen tree and 4 shrubs for every 15 linear feet
Screen Wall ² (C)	6 foot (8 foot for LM district)	8 inches of brick, decorative concrete or decorative block	5 foot greenbelt adjacent to screen wall for its entire length

Type of Screening	Height	Width	Planting Requirements
Obscuring Fence (D)	6 feet to 8 feet in height, depending on district. Refer to standard of Section 15.11 Fences, Walls, and other Protective Barriers	NA	NA
Greenbelt ¹ (E)	N/A	20 feet	1 large deciduous or evergreen tree and 8 shrubs for every 30 linear feet

- ¹ Greenbelts required adjacent to road rights-of-way may be substituted in part with a masonry screen wall, 30 inches in height, at the discretion of the Planning Commission. A 5-foot greenbelt adjacent to the screen wall must be provided.
- ² Screen walls shall comply with Section 15.12 that relates to visibility, and Section 15.11 Fences, Walls and Other Protective Barriers.

5. Required Minimum Screening and Landscaping

A. The following Table specifies the minimum required screening and landscaping between a subject parcel and adjacent properties:

Required Screening and / or Landscaping

Zoning or Use of Subject Parcel	ZONING OF ADJACENT PARCEL				
	AG, RSF R-1, R-2	MF, MHP	C-1, C-2,	LM & GSO	Adjacent Road ROW
RM-1, RM-2 ,MHP	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	E
C-1, C-2	A-2 or B & D or C	A-2 or B & D or C	None	A-2 or B & D or C	E
LM & GSO	A-1 or A-2 & C	A-1 or A-2 & C	A-2 & C	None	A-1
Public and Quasi- Public Buildings; Schools	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	A-2 or B & D or C	E
Outdoor Storage	A-1 or A-2 & D or C			E	A-1
Circulation Drives, Parking Lots, Delivery/Service Door Areas	A-2 or B & D or C	A-2 or B & D or C	E	E (10)	E

KEY: A-1) Extensive Land Form Buffer
 A-2) Land Form Buffer
 B) Buffer Strip
 C) Screen Wall
 D) Obscuring Fence
 E) Greenbelt

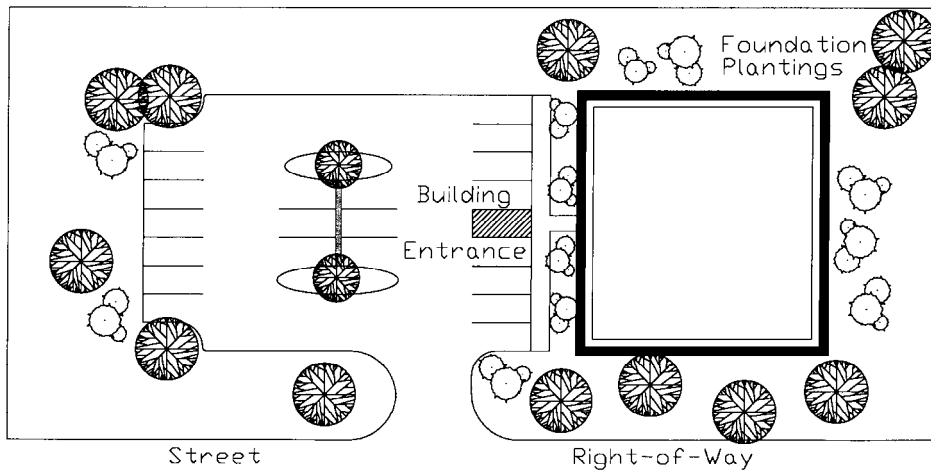
B. Where the table above provides for alternative methods for screening and/or landscaping, the Planning Commission shall have the authority to approve the particular method selected.

C. The Planning Commission may permit a combination of a required land form buffer, buffer strip, screen wall, or greenbelt upon finding, based on review of a landscape plan, that the combined landscaping and/or screening will achieve the same effect as otherwise required.

- D. The Planning Commission may permit a reduction of screening between single-family residential and non-residential or multiple-family districts or uses when separated by a road right-of-way.
- E. The Planning Commission may modify the screening requirements where, in unusual circumstances, no good purpose would be served by compliance with the requirements.

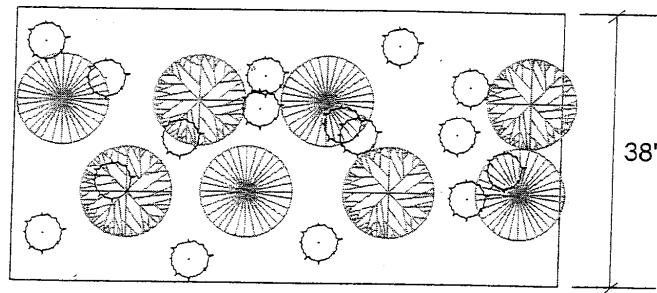
6. Interior Landscaping Requirements

For every new development that requires site plan review, except site condominiums as regulated in Section 17.08, interior landscaping areas shall be provided, equal to at least ten (10) percent of the total lot area. These landscaped areas shall be grouped near all building entrances, building foundations, pedestrian walkways, and service areas, and may also be placed adjacent to fences, walls, or rights of way. These planting areas shall be so located as to breakup an otherwise continuous abutment of building facade with sidewalks and/or parking areas. All interior landscaping shall provide one (1) large deciduous, small ornamental deciduous, or evergreen tree and four (4) shrubs for every four hundred (400) square feet of required interior landscaping area.

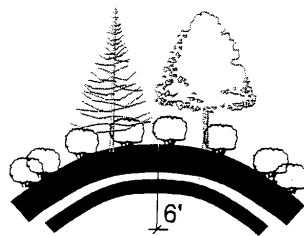
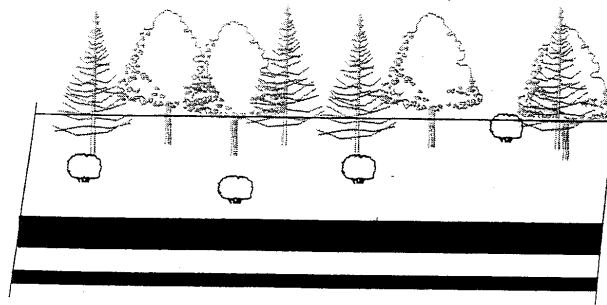


Required Interior Landscaping

A-1 EXTENSIVE LAND FORM BUFFER

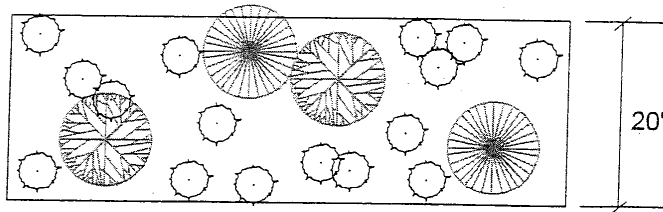


2 Trees & 4 Shrubs per 15 Linear Feet Planted in 2 Offset Rows

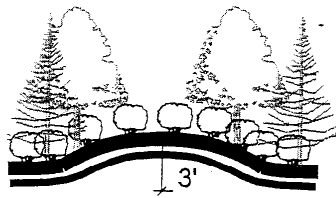
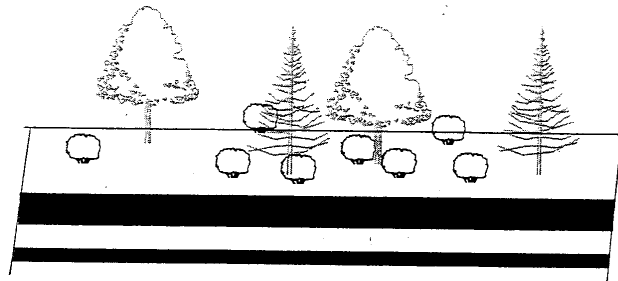


Cross Section View
2' Crown, Max 3:1 Slope

A-2 LAND FORM BUFFER

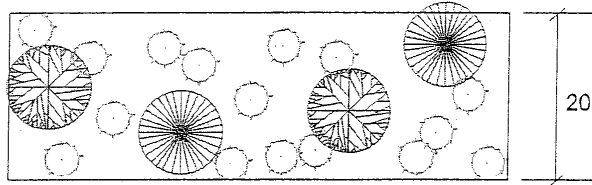


2 Trees & 8 Shrubs per 30 Linear

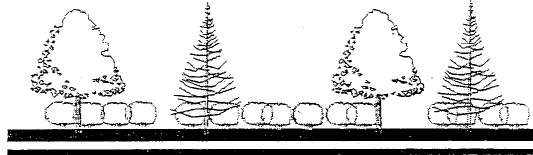


Cross Section View
2' Crown, Max 3:1 Slope

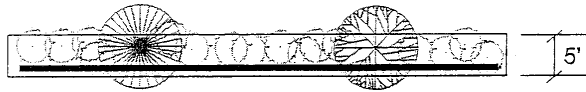
B - BUFFER STRIP



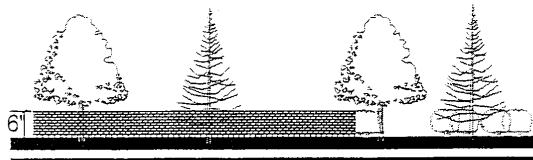
5 Foot High Visual Barrier of
1 Tree (Deciduous or Evergreen) &
4 Shrubs per 15 Linear Feet



C - SCREEN WALL

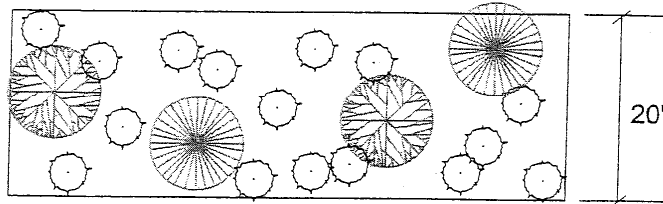


Greenbelt Adjacent to Wall
1 Tree & 8 Shrubs per 30 Linear Feet

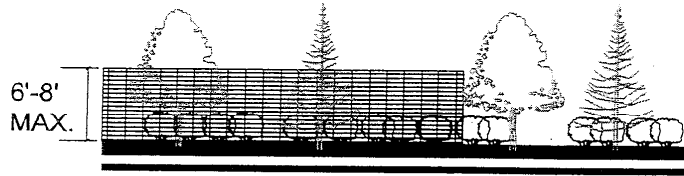


8 Foot High Wall in I-2 District

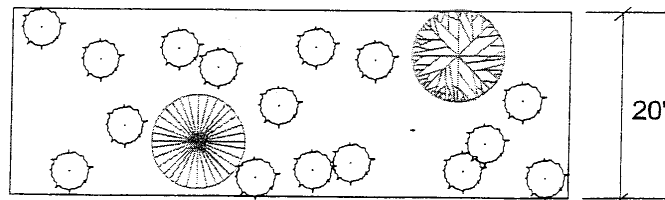
D - OBSCURING FENCE



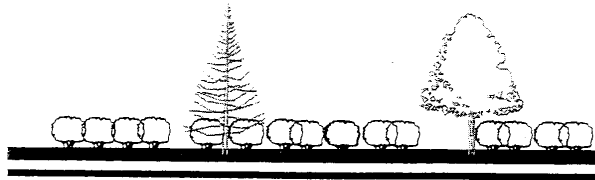
Buffer Strip adjacent to Obscuring Fence
1 Tree & 4 Shrubs per 15 Linear Feet



E - GREENBELT



1 Tree & 8 Shrubs per 30 Linear Feet



7. Residential Entranceway Landscaping Requirements

All residential developments in all residential zoning districts shall provide landscaping at all entrances off of the major street. The residential landscaping standard also applies to simple parcel divisions with a new public or private road. The landscaping must meet the following guidelines:

- A. Every entrance to a residential development, whether a private drive, private road, or public street, shall be landscaped. High quality existing vegetation shall be maintained whenever possible.
- B. The entire area of the entranceway shall be landscaped excluding only the actual driveway or street, sidewalks, and any required open drainage ways.
- C. The first 150 lineal feet of entrance drive or street shall be landscaped according to the following schedule:
 - (1) For every 300 square feet of area, excluding the paved area of the street or drive and sidewalks there shall be provided one ornamental tree, or one evergreen tree, or one shade tree, and three shrubs.
 - (2) The remaining area shall be planted in turf, annual and/or perennial flowers, ornamental grasses, and the like.
 - (3) Not more than 50% of the landscaped area may be covered by wood chips, mulch, or similar natural landscape materials, or by pavers or paving bricks.
 - (4) All trees and shrubs shall maintain required corner clearances and sight distances at intersections and pedestrian crosswalks.
 - (5) Boulevard islands shall be at least 10 feet wide and shall be landscaped in the same manner described in 1-4 above, and shall be irrigated if a community well or public water supply is available.

8. Parking Lot Landscaping

In addition to interior landscaping required in subsection D above, within every parking area containing ten (10) or more spaces there shall be parking lot landscaping in accordance with this Subsection. These landscaping areas shall be located so as to better define parking spaces and drives. Landscaping on the perimeter of the parking lot does not satisfy the parking lot landscaping requirement. Island locations shall also be considered in a manner that will assist in controlling traffic movements. The requirements, for trees and islands, may be modified when it is found that through careful coordination of parking lot landscaping with peripheral and building plantings an unnecessary duplication of plantings would be created. In addition, consideration shall be given to situations when an excess number of small islands would be created that would only serve to disrupt reasonable traffic patterns and maintenance activities. All required parking lot landscaping shall conform with the following:

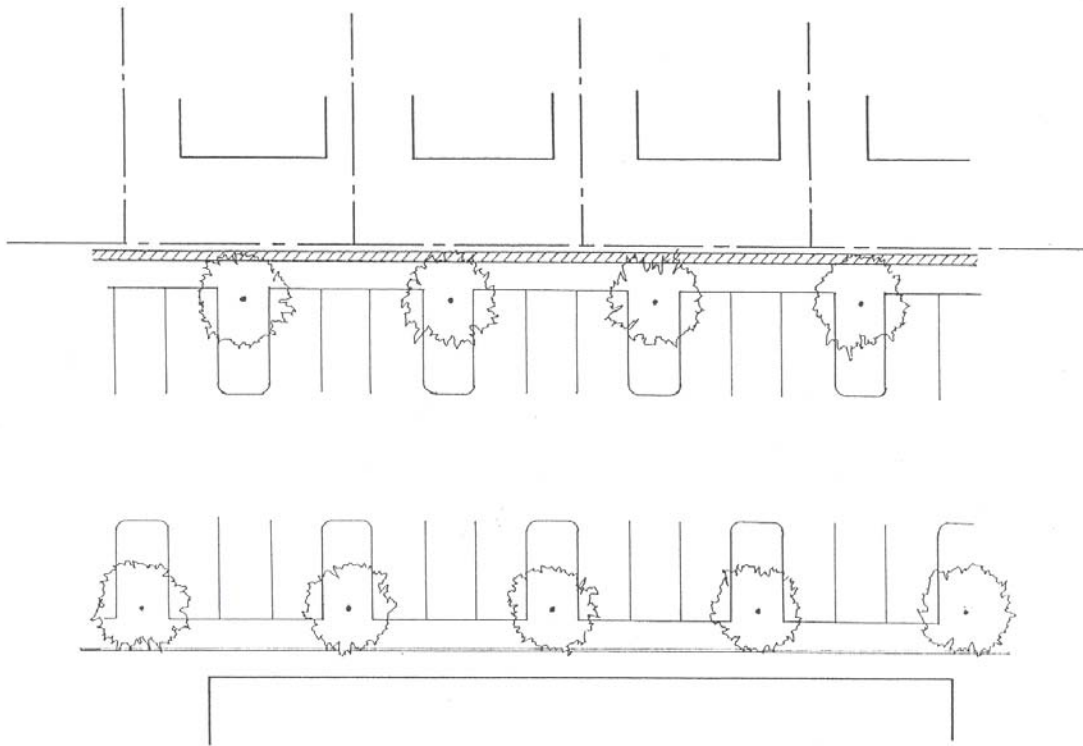
- A. Any off-street parking areas containing ten (10) or more parking spaces shall have parking lot landscaping according to the following schedule:

USE	SQUARE FEET OF REQUIRED PARKING LOT LANDSCAPING PER PARKING SPACE
Commercial / Office	20 sq. ft. per space
Residential (Multiple)	15 sq. ft. per space
Industrial	10 sq. ft. per space

- B. All required parking lot landscaping shall be designed to conform with the following requirements, subject to Planning Commission Approval:

- (1) One (1) large deciduous or small deciduous ornamental tree and 2 shrubs shall be required for every one hundred (100) square feet of required parking lot landscaping area.
- (2) Parking lot landscaping areas shall be curbed with 6" concrete curbing. Planting islands containing trees shall not be less than fifty (50) square feet in area and not have any dimension across the island of less than five (5) feet.

PARKING LOT LANDSCAPING



9. Minimum Plant Size

All required plant materials shall have the following minimum sizes at the time of installation:

Large deciduous canopy tree:	2 ½" caliper
Small deciduous ornamental tree:	1 ½" caliper
Evergreen tree:	7 feet
Shrubs:	24" height or spread

10. Suggested Deciduous Trees

Maples(Amur, Sugar, Norway)	Sweetgum	European Hornbeam
Sycamore	Border Privet	Lindens
Hackberry	Serviceberry	Hawthorns
Honey Locust	Beech	Buckhorn
Beauty Bush	Euonymus	Ginkgo (male only)
Snowdrift Crabapple	Smoke Tree	Eastern Ninebark
Dwarf Callery Pear	Hedge Maple	Cottoneaster
London Plane Tree	Bayberry	Birch

11. Suggested Evergreen Trees

Scotch Pine	Serbian Spruce	Douglas Fir
Austrian Pine	Colorado Green Spruce	Green Spruce
Eastern White Pine	Juniper	Hemlock

**Certain evergreen species such as the Eastern White Pine are not appropriate for installation near roadways. Adequate setback is recommended for plant survival.*

12. Suggested Shrubs

Beauty Bush	Sweetgum	Dense Yew
Eastern Arborvitae	Border Privet	Boxwood
Cranberry Bush	Hicks Yew	Viburnum
Spirea	Rhododendron	Burning Bush
Mugo Pine	Compact Junipers	Alpine Current
Red Twig Dogwood	Honeysuckle	Euonymous
Ninebark	Rose of Sharon	Hazelnut
Mock Orange	Lilac	Forsythia

13. Plant Materials Not Suggested

Box Elder	Elm (American)	Poplar
Soft Maples (Red/Silver)	Tree of Heaven	Willow
Cottonwood	Mulberry	Horse Chestnut (nut bearing)
Ginko (female)	Black Locust	Honey Locust (with thorns)
Catalpa	Ash (Green, White & Black)	

14. Preservation of Existing Plant Material

- A. Site plans shall show all existing trees which are located in the portions of the site that will be built upon or otherwise altered, and are five (5) inches or greater in caliper d.b.h.
- B. Trees shall be labeled "To Be Removed" or "To be Saved" on the site plan. If existing plant material is labeled "To Be Saved" on the site plan, protective measures should be implemented, such as the placement of fencing or stakes at the dripline around each tree. No vehicle or construction equipment shall be parked or stored within the dripline of any tree or other plant material intended to be saved.
- C. In the event that healthy plant materials which are intended to meet the requirements of the Ordinance are cut down, damaged or destroyed during construction, said plant material shall be replaced with the same species as the damaged or removed tree. The replacement(s) must be made in accordance with the following schedule, unless otherwise approved by the Planning Commission based on consideration of the site and building configuration, available planting space and similar considerations:

Caliper Measured 12 Inches Above Grade (d.b.h)

Damaged Tree	Replacement Tree	Replacement Ratio
Less than 6"	2 ½" – 3"	1 for 1
More than 6'	2 ½"-3"	1 tree for each 6" in Caliper or fraction thereof of the damaged tree.

15. Installation and Maintenance of Plant Materials

- A. Required landscaping and screening shall be installed within six (6) months from the date of completion of the building or improvement. A final Certificate of Occupancy shall be withheld until all required landscaping and screening has been installed and approved. A temporary certificate of Occupancy may be issued in the interim.
- B. All landscaped areas, except as otherwise provided, shall be provided with a readily available and acceptable water supply.
- C. Tree stakes, guy wires and tree wrap are to be removed after one year.
- D. Landscaped areas and plant materials shall be kept free from refuse and debris. Plant materials, including lawns, shall be maintained in a healthy growing condition, neat and orderly in appearance. If any plant materials required by this Ordinance dies or becomes diseased, they shall be replaced within thirty (30) days of written notice from the Township or within an extended time period as specified in said notice.

16. Trash Receptacles

All areas used for the storage of trash and other waste products shall be completely screened from view. The following standards shall apply to all dumpsters and trash storage enclosures:

- A. Any such area shall be limited to normal refuse which is collected on a regular basis and shall be maintained in a neat, orderly, and sanitary condition.
- B. Enclosure shall be constructed of the same decorative masonry materials as the buildings to which they are accessory. Brickform concrete or stained, decorative CMU block may be permitted where the principal building is not masonry, however, plain CMU block shall not be allowed
- C. Dumpster enclosures shall be at least six (6) feet but not more than eight (8) feet high and shall obscure all wastes and/or containers within. An obscuring wood gate on a steel frame shall be installed which forms a complete visual barrier the same height as that of the other three sides.
- D. In no instance shall any such refuse be visible above the required enclosure.

- E. Any such storage area shall be located in a rear yard and or be so located and arranged as to minimize its visibility from adjacent streets and uses. In no instance shall any such area be located in a required front yard.
 - F. All dumpsters shall be located on a six (6) inch concrete pad that extends ten (10) feet in front of the gate, with six (6) inch concrete-filled steel bollards to protect the rear wall and gates.
17. Transformer and Mechanical Equipment Screening
- A. All ground mounted transformers, climate control, and similar equipment shall be screened from view from any street or adjacent property by a wall constructed of the same decorative exterior materials as the building and not less than the height of the equipment to be screened. As an alternative, the equipment may be screened by landscaping approved by the Planning Commission.
 - B. All rooftop climate control equipment, transformer units, and similar equipment shall be screened. The materials used to screen the equipment shall be compatible in color and type with exterior finish materials of the building. All rooftop equipment shall conform to the maximum height regulations of this Ordinance.

SECTION 15.11 FENCES, WALLS AND OTHER PROTECTIVE BARRIERS

To ensure the safety of residents of Clyde Township and to retain the rural character of Clyde Township. All fences walls and other protective barriers (referred to in this Section as fences) shall conform to the following regulations:

1. The erection, construction, or any alteration of any fence, or wall, or other type of protective barrier shall conform to the requirements of the zoning district wherein they are located, and to the requirements of Article 15.
2. All fences hereafter erected shall be for purposes of enclosure or of an ornamental nature only. Barbed wire, spikes, nails or any other sharp point or instrument of any kind on top or on the sides of any fence, or electric current or charge in said fences is prohibited, except as provided below.
 - A. Barbed wire cradles may be placed on top of fences enclosing public utility buildings as deemed necessary in the interest of public safety.
 - B. Barbed wire or other sharp pointed material or electrical current may be used in the construction of fences in the RA or RSF districts so long as such fence is used exclusively to contain livestock kept or maintained for farming or personal use.
3. For purposes of enclosure, non-obscuring fences in the RA District and fences for agricultural uses or the containment of livestock in the RA or RSF districts may be located on all property or road right-of-way lines of a parcel of land providing such fences are maintained in a good condition and do not result in an unreasonable hazard to persons who

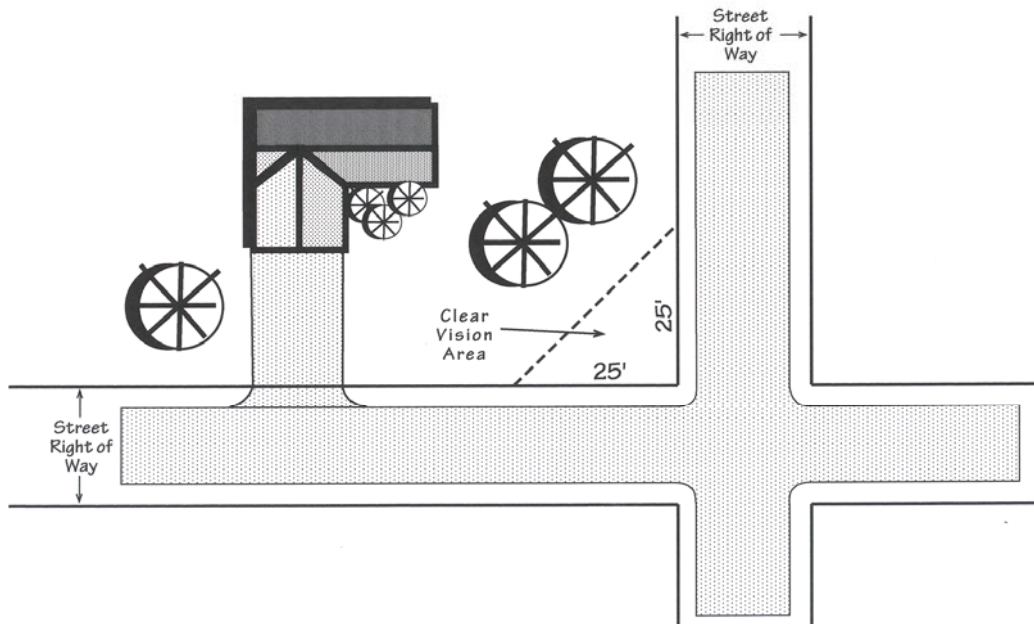
- might come near them. Non-obscuring fences for agricultural purposes shall not exceed six (6) feet in height.
4. No fence shall hereafter be erected along the line dividing lots or parcels of land or located within any required side or rear yard in excess of six (6) feet in height above the grade of the surrounding land except as required by Section 15.10.4.
 5. Residential fences are not permitted to extend toward the front of the lot nearer than the front of the house or the required minimum front yard whichever is greater except as follows:
 - A. Non-obscuring fences, may extend into the front yard provided that they shall not exceed four (4) feet in height. No solid or other obscuring fence shall be located in the front yard.
 - B. Non-obscuring fences such ornamental fencing, split rail and other open fences which meet the requirements of subsection A above shall be installed in a manner that does not interfere with driver or pedestrian visibility to or from a driveway or road.
 - C. Limited entranceway structures including, but not limited to walls, columns, and gates marking entrances to single-family subdivision or multiple-housing projects may be permitted and may be located in a required yard provided that they are in compliance with Section 15.14 and provided that such entranceway structures shall comply with all codes of the Township.
 6. Obscuring and ornamental fences shall have the finished or decorative side facing toward all abutting or neighboring properties.
 7. No fence, wall, plant material, or growing crop shall be erected, established, or maintained that interferes with visibility within the clear vision area at the intersection of any two streets or other public ways as described in Section 15.12.
 8. Fences which enclose public parks, playgrounds, or public landscaped areas, situated within recorded plats shall not exceed eight (8) feet in height, measured from the surface of the ground, and shall not obstruct vision to an extent greater than twenty-five (25) percent of the total fence surface.
 9. Fences shall not be constructed on top of berms.
 10. Swimming pools shall be fenced as follows:
 - A. In-Ground Swimming Pools- The minimum height of all parts of the fence or wall, including gates shall be not less than four (4) feet in height, and not more than six (6) feet in height measured from grade.
 - B. Above Ground Swimming Pools- Above ground swimming pools shall either be enclosed in the same manner as required for in-ground swimming pools above, or alternatively be secured with an integral fence attached to the top rail of the swimming pool or latched with a hinged up ladder.

- C. All openings in any required fence or building shall be equipped with a self-closing, self-latching gate or door which shall be securely locked with a tamper-proof lock when the pool is not in use.
- D. This Section does not apply to ponds, whether used for swimming or not.

SECTION 15.12 VISIBILITY AND CORNER CLEARANCE

In all districts no fence, wall, shrubbery, sign or other obstruction to vision above a height of thirty (30) inches from the established street grades shall be permitted within the triangular area formed by the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection.

Visibility at Intersections and Corner Clearance



SECTION 15.13 EXTERIOR LIGHTING

Outdoor lighting shall be designed to minimize glare, reduce spill-over onto adjacent properties, and provide appropriate levels of illumination, but shall not result in excessive nighttime illumination. The following conditions shall apply to outdoor lighting in all districts:

1. Light levels shall meet the minimum need for safety, security and illumination of a specific use, as determined by the Planning Commission or the Building Official / Zoning Administrator.
2. To control glare, light fixtures shall have a cut-off angle of less than ninety (90) degrees to confine the light to the intended ground areas such as lawns or parking lots. Decorative pedestrian fixtures or residential fixtures of 100 watts or less are not required to be full-cut-off. Pedestrian fixtures shall not use clear globes.
3. Light fixtures shall be located at least five (5) feet from any property line and shall be directed and shielded to cast light away from adjacent properties and streets. No light source shall produce glare at the property line five (5) feet above grade, and the maximum illumination levels at any property line shall not exceed one foot-candle.
4. All lighting used for the external illumination of buildings, so as to feature said buildings, shall be placed and shielded so as not to interfere with the vision of persons on adjacent highways or neighboring property. Glare control shall be accomplished primarily through the proper selection and application of lighting equipment. Only after those means have been exhausted shall landscaping, fencing and similar screening methods be considered as acceptable means of glare reduction.
5. Illumination of signs or any other outdoor features shall not be of a flashing, moving, or intermittent type. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use.
6. Lamps with true color rendition, such as incandescent and metal halide lamps, are the standard. The use of mercury vapor and high-pressure sodium lamps may be approved by the Township Board upon a recommendation of the Planning Commission. The Planning Commission may recommend the use of high-pressure sodium lighting at the intersections of driveways with public streets when the average illumination level on the ground does not exceed six (6) foot-candles.
7. Maximum permitted fixture height:

A. Parking lot luminaries shall not exceed the following mounted height limits:

Distance from lot line	Within 25 feet	26-60 feet	Over 60 feet
Maximum Height	16 feet	20 feet	25 feet

B. Unshielded pedestrian fixtures shall not exceed ten (10) feet.

- C. All other light fixtures shall not be mounted in excess of the maximum height limitation of the district in which they are located.
8. The intensity of outdoor lighting in all use districts shall be limited to the following maximum amounts:

**Foot Candle Limits for Various Land Uses
Maximum Average for Entire Site¹**

Land Uses ⁴				
Illumination of:	Agricultural / Residential / Recreation Uses	Office and Commercial Uses	Industrial Uses- Light Manufacturing, Extractive, Research Uses	Gas Station Convenience Store
General	0.5	0.5	0.5	0.5
Driveway	1.0	1.0	1.0	1.0
Parking	1.0	1.0	1.0	1.0 ²
Walks	1.0	1.0	1.0	1.0
Protective	1.0	1.5	1.0	1.0
Building	0.5	3.0	5.0	5.0
Loading Areas	N/A	1.0	1.0	1.0
Canopy ³	N/A	15	N/A	15

- Notes:
- ¹The Planning Commission may modify these requirements where they determine it is necessary to protect nearby residences or driver visibility on adjacent roads.
 - ²Includes areas that are away from the gasoline pump island, used for parking or vehicle storage.
 - ³Light fixtures mounted on canopies shall be installed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and / or shielded by the fixture or the edge of the canopy.
 - ⁴The Planning Commission may require special conditions for properties adjacent to residential uses and districts.

SECTION 15.14 RESIDENTIAL ENTRANCEWAY STRUCTURES

In all Residential Districts, structures including but not limited to walls, columns, and security gates marking entrances to single family subdivisions or multiple family developments may be permitted provided that such entranceway structures shall comply with Section 15.12 Corner Clearance and all codes of the Township, and shall be approved by the Building Inspector and a permit issued.

SECTION 15.15 OPEN PARKING AND STORAGE IN ALL DISTRICTS EXCEPT WHERE PERMITTED

The regulations set forth in this section are intended to prevent the storage or accumulation of unusable, inoperable, or unsightly motor vehicles, machinery, or building materials that could be hazardous to the safety of children, encourage the propagation of rats or rodents. Or detract from the orderly appearance of the Township

1. Motor Vehicle Parking and Storage

No motor vehicle shall be kept, parked or stored in any district zoned for residential use, unless the vehicle is in operating condition and properly licensed for actual use, or is kept inside a building. However, these provisions shall not apply to any motor vehicle ordinarily used but temporarily out of running condition. If a motor vehicle is being kept for actual use, but is temporarily unlicensed, the Building Inspector may grant the owner a period of up to three (3) months to procure a license.

2. Machinery and Building Materials Storage

Unusable, rusty, or inoperable machinery, equipment, or parts of machines not suited for use upon the premises, or old and/or used building materials shall not be kept or stored outside of a building. However, building materials intended to be used to improve the premises may be stored outside if piled off the ground so as not to become a suitable environment for rats or rodents. The temporary storage of building materials to be used for the purpose of new construction shall also be permitted. In no case shall usable or unusable machinery, building materials, or other items be stored on a permanent basis in a truck trailer or other type of trailer, with or without its wheels. Building materials for the improvement of the premises or for new construction may be stored as authorized herein only for work or construction authorized under a current building permit.

SECTION 15.16 RECREATIONAL VEHICLE STORAGE

1. The open parking or storage of trailers, boats, motor homes or similar vehicles not owned by a resident of the Township on lands not specifically designated for such parking and storage shall not be permitted.
2. Residents of the Township may store their own RV, trailer, boats, and similar vehicles on their own property for an indefinite period of time, provided the vehicles are in operable condition and are not stored within any required front setback area. *Adopted Jan 27, 2013)

SECTION 15.17 SIGNS

The intent and purpose of this Section is to regulate signs of all types in all zoning districts of Clyde Township. The preservation of the existing rural character of the Township requires the regulation of signs and other visual outdoor advertising in order to prohibit signs which are out of scale and to prevent the excessive accumulation of signs which can cause visual clutter inconsistent with the prevailing rural residential character. The purpose of this Section is to permit signs and outdoor advertising which: will not endanger public health or safety; obstruct vision necessary for traffic and pedestrian safety; will preserve scenic and natural beauty of designated areas; will create a more attractive business and economic climate; will not confuse or mislead traffic.

1. Sign types referred to in this section are based upon the definitions provided in Article 2, Section 2.02 subsection 130.
2. The area of a sign shall be computed as including the entire area within a regular geometric form or combination of such forms comprising all the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing copy or display material shall not be included in computation of sign area. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back-to back, parallel to one another, and less than twenty-four (24) inches apart, the area of the sign shall be the area of one (1) face.
3. All freestanding ground mounted signs shall demonstrate compliance with the visibility and corner clearance requirements of Section 15.12.
4. **SIGNS PERMITTED IN THE RA, RESIDENTIAL AGRICULTURE DISTRICT.**
 - A. One unlighted sign not to exceed six (6) square feet in area announcing a home occupation or professional service
 - B. Two incidental signs advertising the type of farm products grown on the farmstead premises are permitted. Signs shall not exceed twelve (12) square feet in area and shall be located off the public right of way, and positioned so not to interfere with the full view of traffic.
 - C. One sign identifying a park, school, church, and public building, residential development or other authorized use, or a lawful non-conforming use. Signs shall not exceed thirty-five (35) square feet and be placed no closer to the street right of way line than ten feet.
5. **SIGNS PERMITTED IN THE RSF, R-1, R-2, MF, MHP RESIDENTIAL DISTRICTS**
 - A. One unlighted sign not to exceed six (6) square feet in area announcing a home occupation or professional service. One unlighted sign not to exceed six (6) square feet in area announcing a boarding house or tourist home.
 - B. One sign identifying a multiple-family building, subdivision or development, not having commercial connotations. Sign shall not exceed thirty-five (35) square feet in

area and be placed no closer to any street right of way line than one-third (1/3) the minimum authorized front yard depth. Sign shall be no higher than eight (8) feet.

- C. Two signs identifying a park, school, church, public building, other authorized use, or a lawful non-conforming use. Signs shall not exceed thirty-five (35) square feet and be placed no closer to the street right of way line than one-third (1/3) the minimum authorized front yard depth.

6. **SIGNS PERMITTED IN THE C-1, C-2, COMMERCIAL DISTRICTS AND THE LM, LIMITED MANUFACTURING DISTRICT.**

- A. Signs shall be limited to one (1) flat wall sign per building. In the case of a multi-tenant building, one (1) wall sign shall be permitted per tenant. The total surface area of signs per building shall not exceed ten percent of the wall surface area facing the front lot line or one hundred (100) square feet, whichever is less. In addition, one (1) freestanding sign established in accordance with Section 15.16(6)(c) shall be permitted per development site. Flat wall sign may not project above the roof or parapet line and may not project more than fifteen (15) inches beyond the face of the wall of the building. Wall signs shall be attached and be parallel to the wall of the building. Maximum size for any one (1) wall sign is fifty (50) square feet. Graphics or figures painted upon a wall may be permitted with an elevation drawing approval of the Planning Commission.
- B. Projecting Signs. Projecting signs may not project above the roof or parapet line and may not project more than three (3) feet from the building front. All projecting signs must be perpendicular to the building face and must be double sided with the maximum sign area limited to twelve (12) square feet. Minimum clearance above walkways shall be nine (9) feet and eighteen (18) feet above driveways.
- C. Ground Signs. Where a building does not cover the full area of the property, ground signs shall be placed at least ten feet from the right of way line. Maximum area shall be fifty (50) square feet. Said sign shall not be located closer to adjacent properties than a distance equal to its height. The maximum height for such signs shall be five (5) feet plus one (1) foot for each three (3) feet of setback from right of way with maximum height not to exceed fifteen (15) feet.

7. **SIGNS PERMITTED IN ALL DISTRICTS**

- A. Highway signs erected by the U.S. Government, State of Michigan, St, Clair County, or Clyde Township.
- B. Real Estate signs not exceeding six (6) square feet in area on any lot advertising the sale or lease of the lot or building. Signs shall not be placed in the public right of way, and shall be removed within thirty (30) calendar days after being sold or leased.
- C. Governmental use signs erected by governmental agencies to designate hours of activity or conditions of use for parks, parking lots, recreational areas, other public space, or for governmental buildings.

- D. Directional signs in conjunction with drives or off-street parking areas, provided any such does not exceed four (4) square feet in area, is limited to traffic control functions, and does not obstruct traffic vision.
- E. Historic signs designating sites recognized by the State Historical Commission as Centennial Farms or Historical Landmarks.
- F. Placards posted to control or prohibit hunting and/or trespassing within the Township.
- G. Essential service signs denoting utility lines, railroad lines, hazards, and precautions.
- H. Memorial signs or tablets which are either (1) cut into the face of a masonry surface; or (2) constructed of bronze or other noncombustible material when located flat on the face of a building.
- I. Temporary signs advertising commercial rummage sales, garage sales, or other services. Signs shall be removed within four (4) days.
- J. Temporary signs promoting political parties or candidates shall be removed four (4) days after the completion of election activities.
- K. One temporary sign advertising the sale of parcels in a recorded subdivision or development. Sign shall not exceed thirty-five (35) square feet in area and be placed no closer to any street right of way than one third (1/3) the minimum authorized front yard depth. Sign shall be no higher than eight (8) feet. Signs shall be removed within thirty (30) days after all property is sold or leased.
- L. Signs used for holidays, public demonstrations or promotion of civic welfare or charitable purposes when authorized by the Planning Commission. The Planning Commission will consider the following standards in granting approval:
 - (1) The size, character, and nature of the display or sign.
 - (2) The duration or time period which the display or sign will be utilized.
 - (3) The purpose(s) for which the sign display is to be erected.
 - (4) The arrangements made for the removal of the sign or display, within ten (10) days after the termination of its usefulness.
 - (5) The effect of the proposed sign or display impact for lots which are both adjoining and in the surrounding neighborhood of the proposed sign or display.
 - (6) The sign or display shall not constitute a traffic hazard.
- M. Construction signs showing names of building contractors, professional firms, and lending institutions on site under construction not to exceed a total of thirty-five (35) square feet in area per project. The sign shall be confined to the site of the

construction, construction shed, or trailer and shall be removed within fifteen (15) days of the beginning of the intended use of the project.

8. PROHIBITED SIGNS

- A. Signs which incorporate in any manner or are illuminated by any flashing or moving lights.
- B. Any business sign or sign structure now or hereafter existing, which no longer advertises a bona fide business conducted or a product sold.
- C. Any sign structure or frame no longer containing a sign.
- D. Any sign which is structurally or electrically unsafe.
- E. Signs and structures which obstruct vision of traffic.
- F. All portable signs.

9. NONCONFORMING SIGNS. See Section 22.03

10. NON-ACCESSORY (BILLBOARD SIGNS)

- A. Non-accessory signs are permitted in the C-1 and C-2 Commercial Districts and the LM, Manufacturing District.
- B. A non-accessory sign shall not be erected or maintained in an area measured from the nearest edge of the right of way of an interstate highway, freeway, or primary highway and extending three thousand (3,000) feet perpendicularly and then along a line parallel to the right of way line, where the facing of the sign is visible from said highway, freeway, or primary highway, except as regulated by State P.A. 106 of 1972, the Highway Advertising Act, as amended.
- C. Non-accessory signs not subject to the provisions of P.A. 106 of 1972, as amended, shall be regulated as follows:
 - (1) Shall be located a minimum of two hundred (200) feet from adjacent residentially zoned property.
 - (2) Shall be located a minimum of one thousand (1,000) feet from other freestanding signs or billboards.
 - (3) Shall have the same setbacks as other principal structures in the zone in which they are situated.
 - (4) Shall not exceed thirty-five (35) square feet in area.
 - (5) Shall not exceed fifteen (15) feet in height.
 - (6) Shall be ground signs. No sign shall be erected on the roof of any building, nor have any one sign above another.

11. GENERAL CONDITIONS

Except as otherwise provided, the following conditions shall apply in all districts:

- D. Prior to the placement, erection, or structural alteration of a sign, a sign permit shall be secured from the Building Inspector. A scale drawing of the outside dimensions of the sign or the total area encompassed by a line around all lettering or symbols shall be presented to the Building Inspector so that he or she may ensure that the provisions of this Ordinance are met. The sign will be securely attached to the building or supporting structure and will not present a hazard. For freestanding signs, a site development plan of the intended location of the sign and a scale drawing of the total sign structure shall also be presented to the Building Inspector.
- E. No sign shall be illuminated in such a manner so as to constitute a public nuisance. Lighting for all externally illuminated signs in Commercial or Limited Manufacturing districts shall also conform to all restrictions of Section 15.15 of this ordinance; lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure and shall be fully shielded.
- F. No sign, except those allowed and maintained by the Township, County, State, or federal governments, shall be located in, project into, or overhang a public right of way or dedicated public easement; however, projection, canopy and awning signs may be permitted subject to the following requirements:
 - (1) Such approval shall only be granted by the Planning Commission.
 - (2) Any such structure shall not extend closer than twenty-four (24) inches to any vehicular parking space or moving vehicle lane.
 - (3) Any such structure shall not conflict with necessary sight distances for proper vehicular and pedestrian movements.
 - (4) Any such structure shall not conflict with necessary sight distances for proper vehicular and pedestrian movements.
 - (5) The height, location, materials, construction, and signage involved in any such structure shall specifically be subject to review and approval by the Planning Commission.
 - (6) The structure shall be maintained in such a manner as to continue its original appearance and provide proper safety to the persons and property it may affect.

(This page was omitted from ZO Book) re-inserted 9/22/10

SECTION 15.18 KEEPING OF PETS AND LIVESTOCK

The keeping of pets and livestock on residentially zoned property is considered a permitted residential accessory use only, subject to the following.

1. For the purposes of this ordinance animals shall be classified as follows:
 - a. Class I Animal: Domesticated household pets weighing less than 150 pounds.
 - b. Class II Animal: An animal which is normally part of the livestock maintained on a farm including:
 - 1) Bovine and like animals such as the cow.
 - 2) Equine and like animals, such as the horse, alpaca and llama.
 - 3) Swine and like animals, such as the pig and hog.
 - 4) Ovis (ovine) and like animals, such as the sheep and goat.
 - 5) Poultry and like animals, weighing less than nine (9) pounds are exempt from pasture requirements.
2. Animals shall be housed and cared for in accordance with generally accepted good farming practices.
3. The keeping of not more than three (3) Class I Animals shall be permitted within the R-1, R-2, MF, MHP, RA and RSF Districts; provided, however, that any litter of Class I animals which causes the aforesaid limit of three (3) to be exceeded shall not constitute a violation of this provision for a period of four (4) months after birth; and provided further, however, that no more than two (2) such litters shall be allowed to remain on said premises within any consecutive 12-month period.
4. The keeping of two Class II Animals shall be permitted in the RA and RSF Districts upon a land area of five acres or more provided that such use shall be for the private personal use of the owner or lessee of such land, his family and friends, and shall not constitute a commercial occupation nor a public stable.
 - a. No barns, pens or corrals shall be located closer than fifty (50) feet from all property lines or less than one hundred fifty (150) feet from all street right-of-way lines; provided further that the minimum side yard setback shall be reduced one (1) foot for each additional foot that the barn, pen or corral is set back from the existing right-of-way over one hundred fifty (150) feet; provided further that the side yard setback shall not be reduced below a minimum of fifty (50) feet. In addition to the specific requirements herein, accessory buildings must comply with the provisions of Section 15.06 Accessory Buildings.
 - a. Offspring born on parcels where Class II animals are presently kept may be kept on said parcel for two (2) years even though such additional Class II animals may increase the number of Class II animals on such parcel beyond the one (1) Class II animals per acre limitation, but in no case shall there be more than one (1) Class II animals and one (1) offspring per acre.

1. A minimum pasture area of one (1) acre will be provided for one (1) Class II animal. Each additional animal will require one (1) acre.
 2. Pasture fences can be located on property line.
 3. No animals within fifty (50) feet of dwelling.
- c. All areas for stockpiling manure or similar wastes shall be screened from view, and shall not be located closer than one hundred (100) feet to any property line. No such wastes shall be allowed to become a nuisance to neighboring properties nor be stockpiled for periods in excess of 120 days. Proper management of animal manure shall include removal from the site or spreading and incorporating into the soil.
5. The number of Class I and Class II animals on RA parcels containing more than 10 acres is not limited except that the regulations applicable to accessory buildings and proper care and management shall apply.

SECTION 15.19 SINGLE FAMILY DWELLING STANDARDS

All single-family dwellings, whether site-built or factory-built (manufactured dwelling) shall comply with the following:

1. The minimum floor area requirements of the zoning district in which the dwelling is located shall be met.

<u>District</u>	<u>Minimum Floor Area</u>
R-1 & R-2	980 Square feet
R-A & RSF	1,200 Square feet

2. A minimum width across all front, side and rear elevations of twenty (20) feet shall be provided for at least 75 percent of the length of the dwelling unit and comply in all respects with the current construction standards of the State of Michigan and Clyde Township.
3. The unit shall be firmly attached to a permanent foundation constructed on the site in accordance with the current construction standards of the State of Michigan and Clyde Township, and shall have a wall of the same perimeter dimensions as the dwelling and construction of such materials and type as required in the applicable building code for single-family dwelling. In the event that 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 Manufactured Housing Commission and shall have a perimeter wall as required above.
4. In the event that a dwelling is a manufactured home, as defined herein, it shall be installed with the wheels removed. Additionally, no dwelling shall have an exposed towing mechanism, undercarriage or chassis.
5. The dwelling shall be connected to a public sewer and water supply or to such private facilities approved by the local health department.

6. The dwelling shall contain a storage capability area in a basement located under the dwelling, in an attic area, in the closet area, or in a separate building of standard construction similar to or of better quality than the principal dwelling. Such storage area shall be equal to at least 10% of the square footage of the dwelling but not less than one hundred (100) square feet.
7. The dwelling shall be aesthetically compatible in design and appearance with other residences in the vicinity, with a minimum roof pitch of 4/12 and 8" (gable end) and a minimum of 12" soffit overhang. Dwellings shall have not less than two exterior doors with the second one being in either the rear or side of the dwelling.
8. The dwelling shall contain no additions or rooms or other areas which do not match the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
9. The dwelling shall comply with all pertinent building and fire codes. In the case of a mobile home, all construction and plumbing, electrical apparatus and installation within and connected to said mobile home shall be 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.
10. 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.
11. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the current construction standards of the State of Michigan and Clyde Township. 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 Township, then such federal or state standard or regulations shall apply.
12. Exterior of house has to be completed within 1 year in accordance with Section 15.05 of the Zoning Ordinance.
13. The final grade established in accordance with the provisions of Section 15.04 Grading Standards.
14. In residential zones, after twenty-five (25) percent of the lots and frontage on the side of the street on any block where the proposed improvement is contemplated have been improved by the erection of the residences thereon, if one-half or more of the residences built in any such block are of a certain type and style, and remainder of the residences built in any such block and to be constructed, altered, relocated, or repaired in such block shall be of a substantially similar type and style so that new or altered buildings will be in harmony with the character of the neighborhood. Nothing herein shall prevent the upgrading of any residential block by installing an exterior finish having fire or weather resistance, which is greater than the minimum herein required, or by constructing in such block a residence having floor area

greater than the average area of residences in such block provided, however, such type and style shall be such as not to diminish property values in the block.

SECTION 15.20 PERFORMANCE STANDARDS

Except for agricultural operations using generally recognized, good farming techniques, and residential uses and purposes no use otherwise allowed shall be permitted within any district which does not conform to the following minimum requirements and standards of use, occupancy and operation:

1. **Smoke.**
It shall be unlawful for any person, firm or corporation to permit the emission of any smoke from any source whatever to an opacity greater than twenty (20) percent, such measurement being taken as the average over a period of six minutes, as measured by the U.S. EPA method #9.

2. **Dust, Dirt and Fly Ash.**
No person, firm or corporation shall operate or cause to be operated, maintained or cause to be maintained, any process for any purpose, or furnace or combustion device for the burning of coal or other natural or synthetic fuels, without maintaining and operating, while using said process or furnace or combustion device, recognized and approved equipment, means, method, device or contrivance to reduce the quantity of gasborne or airborne solids or fumes emitted into the open air, which is operated in conjunction with said process, furnace, or combustion device so that the quantity of gasborne or airborne solids shall not exceed 0.20 grains per cubic foot of the carrying medium at a temperature of 500 degrees Fahrenheit.

Method of Measurement: For the purpose of determining the adequacy of such devices these conditions are to be conformed to when the percentage of excess air in the stack does not exceed fifty (50) percent at full load. The foregoing requirement shall be measured by the A.S.M.E. Test Code for dust separating apparatus. All other forms of dust, dirt, and fly ash shall be completely eliminated insofar as escape or emission into the open air is concerned. The Building Inspector or Official may require such additional data as is deemed necessary to show that adequate and approved provisions for the prevention and elimination of dust, dirt and fly ash have been made.

3. **Open Storage.**
The open storage of any industrial or commercial equipment, vehicles, and all materials, including wastes, except new vehicles for sale and/or display, shall be screened from public view, from a public street and from adjoining properties by an obscuring wall or fence not less than the height of the equipment, vehicles, or materials to be stored. Whenever such open storage is adjacent to any residential zone, the required obscuring wall or fence shall be at least six (6) feet in height. In no instance shall any open storage of equipment, vehicles and/or materials be permitted within a required front yard in any zoning district.

4. **Glare and Radioactive Materials.**
Glare from any process (such as or similar to arc welding, or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such a manner as not to be seen from any point beyond the property line, and as not to create a public nuisance or hazard along lot lines.

Radioactive materials and wastes, and including electro-magnetic radiation such as x-ray machine operation, shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, when measured at the property line.

5. Fire and Explosive Hazards.
The storage and handling of flammable liquids, liquefied petroleum, gases, and explosives shall comply with the State Rules and Regulations as established by Public Act No. 207 of 1941, as amended.
6. Noise.
No operation or activity shall cause or create noise that becomes a nuisance to adjacent uses and/or that exceeds the sound levels prescribed below, using an A weighted decibel scale, db(A), when measured at the lot line of any adjoining use, based upon the following maximum allowable levels for each use district:

Zoning of Adjoining Land Use	Maximum Allowable Noise Level [measured in dbA]	
	6 am to 9 pm	9 pm to 6 am
OS,AG, RSF, R-1, R-2, MF, MHP	70	55
C-1, C-2	70	65
LM, GSO	80	70

7. Odors.
Odorous matter released from any commercial or industrial use or district shall not exceed the odor threshold concentration beyond the property lines when measured either at ground level or habitable elevation.
8. Wastes.
No wastes shall be discharged in the public sewer system which is dangerous to the public health and safety. The following standards shall apply at the point, wastes are discharged into the public sewer.
 - A. Acidity or alkalinity shall be neutralized within an average PH range of between 5-1/2 to 7-1/2 as a daily average on the volumetric basis, with a temporary variation of PH 4,50 to 10.0.
 - B. Wastes shall contain no cyanides. Wastes shall contain no chlorinate solvents in excess of 1 p.p.m.; no fluorides shall be in excess of 10 p.p.m.; and shall contain no more than 5 p.p.m. of hydrogen sulphide and shall contain not more than 10 of sulphur dioxide and nitrates; and shall contain not more than 25 p.p.m. of chromates.
 - C. Wastes shall not contain any insoluble substance in excess of 10,000 p.p.m. or exceed a daily average of 500 p.p.m, or fail to pass a number eight standard sieve or have a dimension greater than inch.
 - D. Wastes shall not have chlorine demand greater than 15 p.p.m.
 - E. Wastes shall not contain phenols in excess of .05 p.p.m.

F. Wastes shall not contain any grease or oil or any oily substance in excess of 100 p.p.m. or exceed a daily average of 25 p.p.m.

9. Waste and Rubbish Dumping.

No garbage, sewage, filth, refuse, waste, trash, debris, or rubbish, including cans, bottles, waste paper, cartons, boxes, and crates, or other offensive or obnoxious matter shall be piled, placed, stored, or dumped on any land within the Township until the operator has obtained a landfill permit from the Michigan Department of Natural Resources and Township Board approval pursuant to Ordinance # 63 Landfills. All uses in every zoning district shall place waste materials in an appropriate covered container and properly dispose of same at least once each month in accordance with State Law and Township ordinance. Nothing contained herein shall prevent the use of fertilizers, manures, and similar materials for the improvement of land utilized for agricultural purposes in accordance with the Generally Accepted Agricultural and Management Practices for manure management published as part of the Michigan Right to Farm Act P.A. 93 of 1981.

SECTION 15.21 TRAFFIC IMPACT STUDIES

Clyde Township recognizes the direct correlation between land use decisions and traffic operations. Traffic impact studies assist in coordinating land use and transportation planning by forecasting the potential generation of new vehicular traffic; evaluating proposed access plans and identifying driveway-related road improvements at the site plan review stage; and identifying off-site road improvements needed to accommodate future traffic patterns. The intent of this section is to establish warrants for determining when traffic impact studies should be done, as well as minimum standards for the conduct and reporting of such studies.

1. Required Study by Type:

Traffic impact studies generally consist of three types, a Rezoning Traffic Study (RTS), Traffic Impact Assessment (TIA), or Traffic Impact Statement (TIS). The content of each study type is broadly described below, along with the warranting conditions.

- A. **Rezoning Traffic Study.** An RTS describes relevant existing traffic conditions and compares the potential trip generation of a site's use under existing and proposed zoning classifications. An RTS is required for any proposed change to the zoning map that is either (1) inconsistent with the Township's Master Plan, or (2) involves other than residential down-zoning.
- B. **Traffic Impact Assessment.** A TIA describes existing and likely future traffic conditions both with and without a site developed in specific proposed manner. The evaluation of traffic impacts is limited to overall trip generation and the operation of the proposed site access drive(s). A TIA is required if the proposed use(s) would generate (1) 500-749 driveway trips per day or (2) 50-99 peak-hour, peak-direction driveway trips.
- C. **Traffic Impact Statement.** A TIS is similar to a TIA but includes off-site intersections and other critical road features more impacted due to a proposed use's greater amount of trip generation. It may also be appropriate to evaluate impacts at an off-site location due to ongoing congestion or safety problems, or because a road redesign is pending and should account for potential land use changes in the area. A TIS is required if the proposed use(s) would generate (1) 750 or more driveway trips per day or (2) 100 or more peak-hour, peak-direction driveway trips.
- D. **Determination of Need.** The Township's Traffic Engineering Consultant will certify the type of traffic impact study required (if any), by signing a Determination of Need form completed by the Applicant or Applicant's traffic consultant. The form to be used for this purpose will be approved by the Township Board and may be obtained from the office of the Township Clerk.

2. Preparation and Submittal:

All traffic impact studies must be planned and conducted in close cooperation with Township staff and/or designated Township consultants.

- A. Qualifications of Preparer and Reviewer. The person responsible for preparing a traffic impact study shall (1) have at least three years of recent experience preparing such studies, where that work has comprised a major portion of the Preparer's professional experience; (2) be an Associate (or higher) member of the Institute of Transportation Engineers; and (3) be a registered Professional Engineer (P.E.) in Michigan, certified Professional Traffic Operations Engineer (PTOE), and/or certified community planner (AICP or PCP). The person designated by the Township to review a submitted study shall have the same qualifications.
 - B. Approval of Scope. Using a form approved by the Township Board, the Preparer shall complete and submit to the Traffic Engineering Consultant a Traffic Impact Study Worksheet. This worksheet will (1) detail the trip generation forecast used to determine the need for the study; (2) identify candidate off-site intersections (if any) based, in part, on projected site traffic constituting 5% or more of existing traffic; (3) propose specific growth rates and other developments to be considered in forecasting future background traffic (if any); (4) describe the method to be used in distributing site-generated traffic; and (5) confirm an awareness of other study methodology requirements. The Preparer should verify that the completed worksheet is satisfactory prior to continuing work on the study. Studies submitted without such verification will be not be reviewed in detail or approved.
 - C. Submittal of Report. Unless waived by the Planning Commission, traffic impact studies must be submitted to the Township at least 30 days prior to the associated rezoning or development proposal appearing on the agenda for a public meeting. This lead time is needed to ensure the distribution of the report to the Reviewer; study review and the preparation of review comments; and the distribution of the review comments to appropriate Township officials. The Planning Commission will inform the Applicant when the traffic impact study has been approved, at which time the Applicant or Applicant's traffic consultant shall also submit the approved study to the Road Commission of St. Clair County and/or Michigan Department of Transportation (MDOT), as appropriate (based on agency jurisdiction over the road(s) abutting the subject site). If revisions or additions to the initial report are required, they shall be made and approved before the report is accepted by the Township and forwarded to the responsible road agency(ies).
3. Traffic Impact Study Contents:

All studies should be consistent with the state of the practice, as outlined in such publications as *Evaluating Traffic Impact Studies – A Recommended Practice for Michigan Communities (ETIS)*, sponsored by MDOT, et al.). Required content by study type is indicated in the table below. The composition of individual content items is detailed in paragraphs A through N.

CONTENT REQUIREMENTS BY TRAFFIC STUDY TYPE			
CONTENT ITEM	Required for		
	Rezoning Traffic Study	Traffic Impact Assessment	Traffic Impact Statement
Describe Requested Rezoning or Proposed Use(s)	x	x	x
Describe Site, Surroundings, and Study Area	x	x	x
Obtain and Evaluate Current Traffic Data: Daily Traffic Volumes (latest available) Hourly Traffic Volumes (generally new counts) Other Data if Indicated in Letter to Applicant	x	x x x	x x x
Describe Anticipated Future Changes to Area Land Uses and Roads	x	x	x
Forecast Future Background Traffic Volumes		x	x
Forecast Driveway Trip Generation in Manner Recommended by Institute of Transportation Engineers	x	x	x
Discount Driveway Trips as Appropriate	x	x	x
Forecast and Compare Trip Generation by Uses Permitted within Existing and Proposed Zoning Districts	x		
Develop Reasonable Trip Distribution Model(s)		x	x
Assign Generated Trips and Forecast Future Total Traffic		x	x
Determine Minimum Warranted Access Improvements		x	x
Evaluate Peak-Hour Traffic Impacts		x	x
Identify and Evaluate Any Needed Capacity Mitigation		x	x
Recommend Road Improvements At Access Point(s) (including Driveway Lanes) At Off-Site Intersection(s) (as required)		x	x x

- A. Describe Requested Rezoning or Proposed Use(s). When rezoning is requested, the study shall identify a range of feasible permitted uses under existing zoning as well as a range of feasible permitted uses under the proposed new zoning; justify the use sizes assumed within each range; and ensure that the sized uses represent a reasonably robust range of potential trip generation. When a site plan or plat is proposed as opposed to a rezoning, the study shall include (where feasible) the conceptual site plan or plat assumed as the basis for the study, along with the anticipated phasing and build-out year(s) for the development.
- B. Describe Site, Surroundings, and Study Area. At a minimum, existing abutting land use(s) and roadway conditions shall be described. If off-site intersections have been identified and approved via the TIS Worksheet (Sec. 15.21.3.b), the study area inferred by those intersection locations shall be similarly described. Special attention should be paid to features potentially affecting the required provision of safe and efficient site access, such as road alignment and sight distance limitations; speed limits; surface type; lane configuration and traffic control devices; existing or approved intersections and driveways within 300 ft of the proposed site access points (on both sides of abutting road(s)); and compliance or non-compliance with established access-management standards.
- C. Obtain and Evaluate Current Traffic Data. For all three traffic study types, the Preparer shall obtain the latest available daily traffic counts for area roads, and determine (where possible) the proportion of traffic within the AM and PM peak hours (the K-factor). For Impact Assessments and Impact Statements, new peak-period manual counts shall be made at all selected off-site intersections, including those opposite proposed site access points, unless waived by the Traffic Engineering Consultant. Any new counts shall be made on a Tuesday, Wednesday, or Thursday of a non-holiday week unless the nature of the proposed use requires otherwise (such as Saturday for a major shopping center). To the extent feasible, counts should be made during average or higher-than-average volume conditions. In rare situations, seasonal adjustments may be permitted to ensure that an adequately representative volume condition is addressed. The locations, days, and time periods selected for the manual volume counts will be predetermined and documented on the TIS Worksheet. If any special counts (e.g., of trucks, gaps, speeds, crashes, etc.) are proposed or required, such will be indicated in a separate letter.
- D. Describe Anticipated Future Changes to Area Land Uses and Roads. All traffic studies shall document pending changes, other than the proposed site development, that might influence future traffic conditions. These changes should include but not necessarily be limited to (1) other developments that could increase traffic at the selected off-site intersections by 5% or more, and (2) planned road improvements in the study area, with those actually approved and funded clearly distinguished from other improvements merely discussed or recommended.
- E. Forecast Future Background Traffic Volumes. To provide an appropriate basis for expressing the traffic impacts of a proposed development, current traffic volumes shall always be projected to the earliest subsequent year in which it would be reasonable to expect full occupancy of the development. This creates a so-called background traffic scenario, wherein recent traffic trends have continued or new expected trends have

evolved, but the subject site hypothetically remains undeveloped. The TIS Worksheet must be used to predetermine and document the general growth rate and specific background developments to be considered in established the background traffic scenario.

- F. Forecast Driveway Trip Generation in Manner Recommended by Institute of Transportation Engineers. Unless waived by the Traffic Engineering Consultant, forecasts of driveway trip generation must be based on data and methodology found in the latest editions of the following two ITE publications: Trip Generation (rate data) and Trip Generation Handbook – An ITE Recommended Practice (methodology and pass-by percentages; hereafter referred to as the Handbook). The Handbook’s recommended procedure for choosing between Trip Generation’s average rates and regression equations should be followed, with the exception that no regression with a correlation coefficient (R^2) of less than 0.75 shall be used, regardless of sample size. Regardless of which statistical approach is taken (average rates or equations), it is critical that (1) the size of the development under analysis be within the range of ITE’s sample data (especially important when the illustrated regression equation is non-linear); (2) the line representing the weighted average rate or regression equation lie within the cluster of data points near the size of the development site; and (3) a regression equation with a non-zero intercept not be applied for small developments (to avoid illogical results). The Preparer should contact the Traffic Engineering Consultant if questions arise regarding the best forecasting method or what to do when ITE data appear unsuitable.
- G. Discount Driveway Trips as Appropriate. For some land uses, such as those involving shopping or dining, it may be appropriate to reduce (1) the above-predicted number of trips at site access points, due to transit usage or so-called “internal or downtown capture” (i.e., walking trips), or (2) the number of new driveway trips assumed to pass through off-site intersections, due to “pass-by or diverted” traffic (drivers already using area roads en route to primary destinations elsewhere). Driveway trips less pass-by and diverted trips are known as “new” or “primary” trips. The percentages of total driveway trips assumed in each of the above categories (if any) will be predetermined and documented via the TIS Worksheet. To be conservative, the pass-by percentages recommended in ETIS should be used as applicable; in no cases shall percentages larger than the averages found in the handbook be used.
- H. Forecast and Compare Trip Generation by Uses Permitted within Existing and Proposed Zoning Districts. This item is to be completed only for Rezoning Traffic Studies. Where site development under existing zoning could involve more than a single density or development size, at least two uses representing a range of potential trip generation must be identified and evaluated. For the proposed new zoning, at least one assumed development must be forecasted to generate a quantity of trips near the higher end of what might be generated by all feasible uses permitted under that new zoning (the use envisioned by the rezoning Applicant may or may not meet this requirement). The report must explain in some detail the planning and traffic engineering bases of the assumed development scenarios. The trip generation comparison must address the total number of driveway trips generated by the site, and if applicable, the number of new (or primary) trips passing through all off-site intersections (if less than total driveway trips).

- I. Develop Reasonable Trip Distribution Model(s). The method(s) used to distribute site-generated traffic among specific movements at the site drives and various off-site intersections evaluated should be explained in some detail. For instance, it is insufficient to simply state that the trip distribution modeling is “based on existing traffic patterns”; the superficial application of this concept may result in all trips being modeled as if they were pass-by trips. Generally, new (primary) trips should be modeled separately from pass-by trips, since the former return to their origin (by definition), as opposed to exiting in the direction they were traveling prior to entering. Refer to the Handbook chapter entitled “Pass-by, Primary, and Diverted Linked Trips” for more explanation. Finally, the traffic impact study should illustrate the assumed trip percentages throughout the study area (including at site drives, to facilitate a reasonableness review).
- J. Assign Site-Generated Trips and Forecast Future Total Traffic. Assign the total site-generated peak-hour trips forecasted in items 3f and 3g according to the model(s) developed in item 3i. Add the resulting site traffic to the future background traffic (forecasted in item 3e) to forecast future total peak-hour traffic. The future daily traffic on the abutting road(s) must also be forecasted for the site’s anticipated build-out year, generally by dividing the projected future total peak-hour traffic volume by a K-factor (either the value(s) determined in item 3c, or by value(s) based on professional experience and judgment). Any deviation from this approach must be approved in advance by the Traffic Engineering Consultant.
- K. Determine Minimum Warranted Access Improvements. Prior to evaluating future levels of service at site access points and off-site intersections (as applicable), the safety-based need for left- and right-turn lanes at the proposed access points must be determined. Warrants published by the Michigan Department of Transportation shall be evaluated and used as the basis for road improvement recommendations, on multi-lane as well as two-lane roads. The evaluation of these warrants will examine both peak-hour and daily volumes at site build-out, as applicable.
- L. Evaluate Peak-Hour Traffic Impacts. The study must evaluate peak-hour levels of service at all off-site intersections under current, future background, and future total (background-plus-site) traffic conditions, as well as at all site access points under future total traffic conditions. Unless waived by the Traffic Engineering Consultant, all locations and hours counted (per item 3c) must be evaluated using methodology consistent with latest edition of the Highway Capacity Manual, published by the Transportation Research Board. Capacity analyses must evaluate future background and future total traffic without as well as with any recommended mitigation, unless funding of timely mitigation is assured or this requirement is waived by the Traffic Engineering Consultant. Finally, the study must (1) indicate the peak-hour factors used in the capacity analyses; (2) summarize in the body of the report (at a minimum) the level of service for any movements rated E or F as well as the level of service by intersection approach (as applicable); and (3) comment on the average delay per vehicle for any intersections, approaches, or movements rated F.
- M. Identify and Evaluate Any Needed Capacity Mitigation. Unless waived by the Traffic Engineering Consultant, the traffic impact study must determine what (if anything) would have to be done to ensure a future background and/or future total level of service of at

least D overall at every signalized intersection evaluated. A reasonable effort should also be made to identify mitigation for any approaches or movements expected to experience a level of service of E or F, whether at signalized or unsignalized intersections (including driveway approaches to major roads). Level of service analyses must be done and fully documented for all identified capacity mitigation.

N. Recommend Appropriate Access Design and Off-Site Road Improvements. Based on the study's findings and conclusions, the final report shall recommend, at a minimum: (1) an appropriate lane configuration at each proposed access point, including turn lane lengths based on storage and/or deceleration requirements; (2) specific clear-vision triangles commensurate with prevailing standards and speeds; and (3) needed capacity mitigation at the off-site intersections evaluated. Off-site mitigation to accommodate new traffic generated by the proposed development shall be clearly distinguished from the mitigation needed to accommodate future background traffic growth unrelated to the development.

4. Possible Waiver of Study Requirement:

The requirement for submittal of a traffic impact study may be waived by the Planning Commission in certain cases where recent studies of a similar nature have been completed and no further benefit would be achieved by completing an additional study. Requests to waive traffic study requirements will be evaluated on a case-by-case basis.