

CHARTER TOWNSHIP OF GARFIELD
VIRTUAL PLANNING COMMISSION MEETING

Wednesday, February 24, 2021 at 7:00 pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684
Ph: (231) 941-1620

The Wednesday, February 24, 2021, Planning Commission meeting at 7:00 pm will be held virtually due to the revised MDHHS Michigan Emergency Order and the Open Meetings Act amendment extending the remote attendance provision to March 31, 2021. To provide input on any business that will come before the Commission or to contact the Commissioner(s), please send an email to the Township Planning Director, John Sych, at jsych@garfield-twp.com.

You are invited to join the Planning Commission meeting on February 24, 2021 at 7:00 pm. Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81764296869>

Or iPhone one-tap :

US: +13017158592,,81764296869# or +13126266799,,81764296869#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 817 6429 6869

International numbers available: <https://us02web.zoom.us/j/81764296869>

Procedure for public comment if joining the webinar by phone: If you wish to make a comment during the Public Comment portion of the meeting, dial *9 to raise your hand. Public comment will be conducted following the guidelines below.

A G E N D A

ORDER OF BUSINESS

Call meeting to order

Pledge of Allegiance-

Roll call of Board Members

1. Public Comment

Public Comment Guidelines:

Any person shall be permitted to address a meeting of The Planning Commission, which is required to be open to the public under the provision of the Michigan Open Meetings Act, as amended. (MCLA 15.261, et.seq.) Public Comment shall be carried out in accordance with the following Commission Rules and Procedures: a.) any person wishing to address the Commission is requested to state his or her name and address. b.) No person shall be allowed to speak more than once on the same matter, excluding time needed to answer Commissioner's questions. Where constrained by available time the Chairperson may limit the amount of time each person will be allowed to speak to (3) minutes. 1.) The Chairperson may at his or her own discretion, extend the amount of time any person is allowed to speak. 2.) Whenever a Group wishes to address a Committee, the Chairperson may require that the Group designate a spokesperson; the Chairperson shall control the amount of time the spokesperson shall be allowed to speak when constrained by available time. Note: If you are here for a Public Hearing, please hold your comments until that Public Hearing time.

2. **Review and approval of the Agenda – Conflict of Interest**
3. **Minutes** – February 10, 2021
4. **Correspondence**
5. **Reports**
 - a. Township Board
 - b. Planning Commissioners
 - c. Staff Report
6. **Unfinished Business**
 - a. PD-2021-26 – 2021 Priorities and Master Plan Implementation – Revised
 - b. PD-2021-27 – Zoning Ordinance Use Chart – Article 2 and Article 3 Discussion #2
7. **New Business**
8. **Public Comment**
9. **Other Business**
10. **Items for Next Agenda – March 10, 2021**
 - a. BATA/TCHC Transit-Oriented Mixed-Use Development PUD – Update
 - b. Burger King Cherryland SPR
 - c. Chick-fil-A SUP – Introduction
 - d. Prince of Peace Lutheran Church SUP – Introduction
11. **Adjournment**

**Joe Robertson, Secretary
Garfield Township Planning Commission
3848 Veterans Drive
Traverse City, MI 49684**

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922-4412.

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
February 10, 2021**

Call Meeting to Order: Chair Racine called the February 10, 2021 Planning Commission meeting to order at 7:00pm on the ZOOM platform.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Commission Members:

Present: **Joe McManus** (Garfield Township, Grand Traverse County, MI), **Molly Agostinelli** (Garfield Township, Grand Traverse County, MI), **Pat Cline** (Long Lake Township, Grand Traverse County, MI) **Joe Robertson** (Garfield Township, Grand Traverse County, MI), **Robert Fudge** (Garfield Township, Grand Traverse County, MI), **Chris DeGood**, (Garfield Township, Grand Traverse County, MI) , and **John Racine** (Garfield Township, Grand Traverse County, MI)

Staff Present: Planning Director John Sych and Deputy Planning Director Steve Hannon

1. Public Comment (7:02)

None

2. Review and Approval of the Agenda – Conflict of Interest (7:06)

Fudge declared a conflict with New Business Item 6A – the BATA application.

Agostinelli moved and DeGood seconded to approve the agenda as presented.

Yeas: Agostinelli, DeGood, Cline, Fudge, Robertson, McManus, Racine

Nays: None

3. Minutes (7:07)

a. January 27, 2021

Cline moved and McManus seconded to adopt the minutes of January 27, 2021 as amended noting two typos: in item 6a it should read C-P PUD signs and 6b should note that the Planning Department Report was PD-2021-12.

Yeas: Cline, McManus, Fudge, DeGood, Robertson, Agostinelli, Racine

Nays: None

4. Correspondence (7:09)

None

5. Reports (7:10)**Township Board Report**

Agostinelli had no report.

Planning Commissioners

No Reports

Staff Report

Sych reported that the Planning Department will be sending out the new Township Ethics Policy and an acknowledgement form that needs to be signed and returned to the township.

6. Unfinished Business**a. PD-2021-23 BATA/TCHC Transit-Oriented Mixed Use Development PUD – Public Hearing (7:11)**

The proposed PUD would be located at the corner of LaFranier Road and Hammond road and would take up 53.2 acres of a 77.1 acre site. The property is zoned A- Agricultural and is master planned for High Density Residential. The application is a joint application from the Bay Area Transportation Authority (BATA) and the Traverse City Housing Commission (TCHC). It proposes a PUD for a transit oriented, mixed use development which would include multi-residential units, single family residential lots, a bus garage, a bus maintenance facility, an administration and dispatch building, a transfer station, a bathroom facility, a childcare center and a café. Preliminary approval may be given by the Township Board, and then the proposed project would come before the Planning Commission for final approval. The Township Board will hold another public hearing before any final approvals are given. Planner Sych said that the project can be recommended to the Township Board if all standards were in place.

Doug Luciani from Cunningham-Limp of Traverse City stated that he was looking forward to hearing from the public and their collective goal was to keep the project moving forward. He added that BATA needed a central location to place its transfer station and then gave a history of the project to date. The purchase of the property hinges on the approval of the PUD. Doug Mansfield, with Mansfield Land Use Consultants, and Jason Lipa, from Cunningham-Limp, gave a detailed overview of the project. Mansfield said that a non-vehicular pathway would be installed and that there would be two accesses to the site - one for busses and one for the residential portion of the PUD. Access to the proposed church site to the north has been addressed and the main drive from LaFranier will align with the Ridges 45 entrance to the west. The applicant is asking for the multi-family building height of three stories or 40 feet as allowed in the high-density residential zoning district. Mansfield is aware that a traffic

study is outstanding, along with a wetlands delineation and PUD percentage uses.

Racine opened at the Public Hearing at 7:46pm

Dixie Roethlisberger of Bluff Road, said she is the trustee of the property and is happy about the plan. The project benefits the entire community.

James Schmuckal of S. Airport Road commented that the location makes perfect sense for this project.

Scott Knowlton of Manistee commented that he is a developer of the Ridge45 Apartments located across LaFranier, and it appears that the BATA project is laid out well and does not look like anything would be incompatible to the use on his property.

Racine closed the Public Hearing at 7:58pm.

Commissioners commented on the proposed project and asked about the timeline and were told that the developers have three years from the grant authorization to have the money spent and the project built.

Commissioners brought up concerns with parking in the apartment area and the retail area and were told that residents would receive a sticker for their vehicle and that the lots were patrolled. Commissioners asked if there could be other layouts on the property to make more parking and Tony Lentych from the TCHC commented that fewer buildings could be built if it was an issue. Kelly Dunham, Director of BATA, commented that 20-30 spaces were reserved for a park and ride use and would be shared with the retail café use. Twelve (12) parking spaces are needed for the café based on its square footage. A list of uses for the remaining small retail space was discussed and developers said that there would be multiple uses in the building. Any differing uses would need to be brought back to the Planning Commission for an amendment. Pet policies and wetland uses were discussed. Mansfield said that the wetlands would be placed in a conservation easement. Amenities in the PUD were discussed and the addition of a playground, benches, a pergola, a gazebo, walking trails and a dog park were noted. Commissioners asked for clarity on the residential portion of PUD and the transportation portion of the facilities. Mansfield said that the utility infrastructure would be built first, then the residential housing would be built. The timing of the housing vs. the transportation portion was discussed.

DeGood moved and Robertson seconded THAT application PUD 2020-02 BE TABLED to allow the applicant to address the outstanding items as identified in PD Report 2021-23 and by the Planning Commission.

Yeas: DeGood, Robertson, Cline, McManus, Agostinelli, Racine

Nays: None

Abstentions: Fudge

b. PD-2021-22 – Ligon Bed and Breakfast – SUP Findings of Fact (9:30)

This application requests approval of a Special Use Permit for use of an existing single-family home at 5885 Hainey Lane as a Bed and Breakfast Establishment. This use is permitted via Special Use Permit in the A- Agricultural zoning district. The property is a working farm at this time and has an attached suite which measures 20'X20' would be suitable for a nightly rental. 10 parking spaces exist on the property. Commissioners reviewed the Findings of Fact for the SUP application.

McManus moved and Agostinelli seconded THAT the Findings of Fact for application SUP-2020-03, as presented in Planning Department Report 2021-22 and being made a part of this motion, BE ADOPTED.

Yeas: McManus, Agostinelli, Cline, Fudge, DeGood, Robertson, Racine

Nays: None

Cline moved and Fudge seconded THAT application SUP-2020-03, for a Special Use Permit for a Bed and Breakfast establishment at 5885 Hainey Lane, submitted by Matthew and Rebecca Ligon, BE APPROVED, subject to the following conditions:

- 1. Access to the site for the bed and breakfast establishment shall be limited to the Hainey Lane access, and no access shall be permitted for the bed and breakfast establishment directly from Cedar Run Road.*
- 2. All final reviews from agencies with jurisdiction shall be provided prior to any Land Use Permits being issued.*
- 3. The applicant shall record promptly the amended Report and Decision Order (RDO) and any amendment to such order with the Grand Traverse County Register of Deeds in the chain of title for each parcel or portion thereof to which the RDO pertains. A copy of each recorded document shall be filed with the township within thirty (30) days of final approval by the Township or approval shall be considered to have expired.*

Yeas: Cline, Fudge, Robertson, DeGood, McManus, Agostinelli, Racine

Nays: None

c. PD-2021-24 -2021 Priorities and Master Plan Implementation (9:36)

Staff revised the Priorities and Master Plan Implementation matrix to add unfinished priorities and potential future projects from 2020 have incorporated into the 2021 Priorities list. A timeline has been assigned to each priority. Revision of height standards was discussed and Staff will discuss height standards with the building department. Commissioners agreed that they were comfortable with the priorities list for 2021.

7. **New Business**

None

8. **Public Comment (9:45)**

James Schmuckal commented that the BATA project looks interesting and he is very familiar with the piece of land that they chose.

Tony P. of Carriage Hill subdivision said that the BATA/TCHC project looked like a good project.

9. **Other Business (9:47)**

None

10. **Items for Next Agenda – February 24, 2021 (9:48)**

- a. Zoning Ordinance Use Chart – Article 2 and Article 3 Discussion
Continued

Hannon described what will be tackled at the next meeting.

11. **Adjournment**

Fudge moved and Agostinelli seconded to adjourn the meeting at 9:52

Yeas: Fudge, Agostinelli, Robertson, McManus, DeGood, Cline, Racine

Nays: None

Joe Robertson, Secretary
Garfield Township Planning
Commission
3848 Veterans Drive
Traverse City, MI 49684

Right to Farm Act can preempt local regulation authority, but not all local regulations

Brad Neumann, Michigan State University Extension - November 19, 2019

Updated from an original article written by Kurt H. Schindler.

Many statutes and laws result in limiting local government's ability to adopt and enforce regulations. Most are straightforward, but the Right to Farm Act preemption is confusing, changing and only preempts local regulation of certain things.



Right to Farm Act can preempt local regulation authority, but not all local regulations. Photo credit: Kurt Schindler / MSU Extension

There are many laws that preempt local zoning authority - they basically say that local government cannot regulate that particular topic. Most are straightforward. For example, Michigan State Police communication towers do not need a local zoning permit and are not subject to local government regulation. However, one - the Right to Farm Act (RTFA) (MCL 286.471 et seq.) - is not so simple or straightforward.

With the Right to Farm Act, there are some things about agriculture that can be regulated, other things that cannot, some that cannot but are delegated back to the local government, disagreement over some aspects of all this, plus some issue over what is and is not agriculture.

As a result, Michigan State University Extension educators that focus in land use (planning and zoning) receive many questions on this aspect of the Right to Farm Act from zoning officials, farmers, people wanting to keep farm animals and more.

Here is the basic thought process for trying to figure out local authority preemption:

First, does the land use fall under the Right to Farm Act (RTFA), that is, is it a farm or agriculture? Start by asking these questions:

1. Is it a “farm operation?” (defined in the act: MCL 286.472(b))
2. Is it producing “farm products?” (defined in the act: MCL 286.472(c))
3. Is it commercial?

If the answer is “yes” to each of these above (it does not matter intent, or that it might be a “hobby farm” if it meets the criteria of farm operation, farm product, commercial) then it applies under the RTFA. The definitions of those terms are very broad and all inclusive. For example “commercial” can be as little as selling one egg in a year -there is no minimum threshold for “commercial.” (Charter Township of Shelby v Papesch, 267 Mich. App. 92, 704 N.W.2d 92 (2005))

A fourth question may also apply:

1. Does the operation follow Generally Accepted Agricultural and Management Practices (GAAMPs)?

If the answer is “yes” to each of the four, above, then the land use or activity applies under the RTFA. However, a farmer does not have to follow GAAMPs. That is the farmer’s choice. As a result some attorneys advise against local government treating farmer “A” that follows GAAMPs different than next-door farmer “B” that chooses not to. The concern becomes lack of equal treatment in administering zoning. Those attorneys advise giving a “pass” to question four, or always answering it as “yes.” Other attorneys do not share this concern. A local government should consult its attorney, who is presumably experienced in municipal (planning and zoning) law as to how to handle this.

This first step determines if the land use falls under the RTFA. If it does not (if one or more of the questions was answered “no”), then the RTFA does not apply, and local regulations do apply. If all three (or four) questions were answered “yes” then RTFA does apply, and certain local regulations are preempted.

Second, is to determine what specific local regulations are preempted and what local regulations can still be enforced. If the topic of the regulation is already covered in the RTFA or in any of the published GAAMPs, then local government cannot regulate it. If the topic is not in the RTFA and not in any of the GAAMPs, then local regulation can still apply.

There is no easy way to review what topics are covered in GAAMPs. The RTFA is easier. Topics in the RTFA, and thus off limits for local regulation are:

- Anything about a farmer’s liability in a public or private nuisance lawsuit. (MCL 286.473)
- Anything about enforcement or investigation process for complaints involving agriculture. (MCL 286.474)
- The conversion from one or more farm operation activities to other farm operation activities. (MCL 286.472(b)(ix))

The Michigan Attorney General issued [Opinion 7302](#) on March 28, 2018 concluding that a local government ordinance cannot regulate any of the following things due to the RTFA’s [Section 4\(6\)](#):

1. Limit the number of livestock per acre,
2. Require a site plan be submitted to and approved by the local zoning administrator,
3. Limit manure application to fields in which the farmer owns or holds a 7-year lease,
4. Specify manure application methods, and

5. Require a comprehensive nutrient management plan to be submitted to and approved by the local unit of government.

There are other subjects that are preempted from local regulation in addition to what is listed above - these were just the ones the Attorney General was asked about. The opinion reads “There is no question regarding legislative intent [in the RTFA]—local ordinances seeking to regulate those activities are preempted.” The opinion also reads:

“Although the Right to Farm Act’s preemption language is broad, it is “only those ordinances, regulations, and resolutions by local units of government that either purport to extend or revise or that conflict with the [Right to Farm Act] or the GAAMPs [that] are improper.” Scholma v Ottawa County Road Commission, 303 Mich App 12, 25-27 (2013) at 23.

However, GAAMPs cover a much larger range of topics and an effort is made to keep GAAMPs up-to-date with the most current science-based best practices for farm operations. It is normal, each year, for advisory committees to the Michigan Commission of Agriculture and Rural Development to review and update each GAAMP. Usually in January or February of each year, the Commission is adopting updated versions of the GAAMPs. Thus, local zoning authorities should expect revisions and changes to GAAMPs each year. Bookmarking the webpage where current GAAMPs are made available and regularly checking that webpage is wise.



Using this decision tree may help organize the thought process of review to determine what regulations are preempted or not: What sorts of local regulations are preempted by the Right to Farm Act (RFTA).

A further complication is some GAAMPs delegate regulation authority back to the local unit of government (but this too can change from year to year). Examples of this include:

- Municipalities with a population of 100,000 or more in which a zoning ordinance has been enacted to allow for agriculture (and that designates existing agricultural operations as nonconforming uses).
- Category 4 sites for livestock operations (in the *GAAMP for Site Selection and Odor Control for New and Expanding Livestock Facilities*)
- Vehicle access and egress, building setbacks, parking (but not the surface of the parking lot), signs for Farm Markets (in the *GAAMP for Farm Markets*)
- A whole list of activities that are beyond the scope of GAAMPs and may be regulated by other governmental bodies, including but limited to: beer breweries, bonfires, camping, carnival rides, concerts, corn mazes, distilleries, fishing pond, haunted barns/trails, mud runs, play-scapes, riding stables, and winery/hard cider associated with Farm Markets (in the *GAAMP for Farm Markets*)

There is a legal question as to if, through a GAAMP, the Michigan Commission of Agriculture and Rural Development has the authority to delegate local authority to regulate in face of statutory preemption of any local ordinance, regulation or resolution that extends or revises in any manner the provisions of the RTFA or GAAMPs. A local government should consult their attorney, who is presumably experienced in municipal (planning and zoning) law as to how to handle this.

Because some GAAMPs address the location of farms, there is an unsettled legal question whether a zoning ordinance can even restrict agriculture to certain zoning districts. The reason is that some courts have concluded that commercial agricultural operations are able to establish in any local zoning district based on the RTFA and its preemption of local regulation of agricultural activities (see MCL 286.474(6), *Papadelis v City of Troy* (Court of Appeals; Unpublished, September 2006) and *Village of Rothbury v Double JJ Resort Ranch* (Court of Appeals; Unpublished)). At the same time, other court cases suggest the legislature never intended the RTFA to be used “...as a sword...” to thwart the enforcement of local ordinances (see *Sena Scholma Trust v Ottawa County Road Commission* (Court of Appeals; Published)). A local government should consult their attorney, who is presumably experienced in municipal (planning and zoning) law for information on how to handle this.

What is clear, however, is that a local government cannot choose which type of farm operation is permitted in a zoning district. If agriculture is allowed, then all types of farming need to be allowed. This is because the ability to convert from one farm

operation activity to other farm operation activities is specifically included in the RTFA (MCL 286.472(b)(ix)). (But in category 4 sites, there is the local government authority to regulate livestock aspects of a farm operation based on the Site Selection GAAMP.)

These and many other issues have been previously litigated in courts. It may help further to know what those court cases are. See [Selected Zoning Court Cases Concerning the Michigan Right to Farm Act](#). What is safe to say is this area of law is a moving target, and keeping current will be an ongoing task. [MSU Extension educators that focus in land use \(planning and zoning\)](#) will continue fielding questions on this topic.

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		Charter Township of Garfield	
		Planning Department Report No. 2021-26	
Prepared:	February 17, 2021	Pages:	1
Meeting:	February 24, 2021 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	2021 Priorities and Master Plan Implementation - Revised		

In follow-up to discussion at the Regular meeting on February 10, attached is a revised 2021 Priorities and Master Plan Implementation matrix. Sign Ordinance Review and Update was moved from Potential Future Projects to 2021 Priorities while Religious Land Use and Institutionalized Persons Act (RLUIPA) Zoning Review was moved from 2022 Priorities to 2023 Priorities.

ACTION REQUESTED:

This 2021 priorities list is for information only. No formal action is requested at this time.

Attachments:

1. 2021 Priorities and Master Plan Implementation Matrix

Garfield Township Planning Commission

2021 - 2023 Priorities

At the beginning of each year, the Garfield Township Planning Commission updates its annual work priorities.

Priority Projects		Timeline
Housing Review and Discussion	A comprehensive conversation about housing and what may be appropriate actions for the Township. This may include allowing different housing types including “missing middle” housing, accessory dwelling units, shipping container homes, and tiny homes; reviewing the existing residential land use regulations in the Zoning Ordinance; and other actions. Housing North, a regional housing advocacy group, has created the Housing Ready Communities checklist which may be a helpful resource in this discussion.	2021
Preparation of a Capital Improvement Program (CIP)	A CIP is intended to help determine the priority capital investments over a six-year period. According to the Michigan Planning Enabling Act, a township is required to prepare and adopt a CIP if it owns and operates a water supply or sewage disposal system, although any township may prepare and adopt a CIP. The CIP may cover utilities such as water or sewer systems, public buildings, parks, trails, sidewalks, or any other capital expenses of the Township. Preparing and adopting a CIP will also fulfill a best practice of the RRC program. Staff anticipates beginning the CIP discussions in late spring or early summer in anticipation of the Township Board beginning their 2022 budget process.	2021
Preparation of a Public Participation Plan	Staff anticipates creating a Public Participation Plan in the second half of 2021. This document will be an important tool for identifying key stakeholders of the Township, determining the most effective ways for the Township to communicate with stakeholders, and tracking and conveying the outcomes of community engagement efforts. Completing the Public Participation Plan in 2021 will prepare the Township for any upcoming public engagement efforts, including the Master Plan and Parks and Recreation Plan which will need to be updated in the next few years.	2021
Zoning Ordinance - Wetlands	Review of regulations on development near wetlands, including process for reviewing and certifying wetland delineations and potentially requiring a wetland review escrow.	2021
Zoning Ordinance – Use Chart	Finish the proposed related amendments which would include establishing a use chart in Article 3, updating definitions in Article 2, and refining supplemental use standards in Article 7.	2021

Priority Projects		Timeline
Planning Commission Training	The Planning Commission By-Laws describe the requirements for annual training and organizations which may provide such training. Staff recommends one of the 2021 priority projects be to formalize the process for Planning Commissioner training including identifying key topics, providing opportunities through the study sessions or other dedicated time, clarifying requirements, and establishing a method to track training activity. Formalizing this process also fulfills a best practice of the RRC program.	2021
Sign Ordinance Review and Update	Update sign regulations in accordance with the Reed v. Town of Gilbert Supreme Court decision and review sign regulations for consistency and clarity	2021
Community Engagement	In anticipation of an upcoming update of the Township Master Plan, public engagement will be conducted township wide, including a new mail survey. The survey will update the previous mail survey conducted in 2015. Other activities may also be considered to open houses, focus group discussions, etc.	2022
Zoning Ordinance - Multi-Family Lot Width Requirements	Consider uniform lot width requirements in R-3 district instead of current sliding scale based on total number of units.	2022
Review/Update of Township Master Plan	Conduct five-year review of Master Plan as required by the Michigan Planning Enabling Act and consider update of the Plan.	2023
Religious Land Use and Institutionalized Persons Act (RLUIPA) Zoning Review	Review zoning ordinance for compliance with Religious Land Use and Institutionalized Persons Act (2000), a federal law which prohibits placing undue burden on religious institutions. Potential considerations may be defining “place of worship” separately from the other institutional uses, reviewing which districts allow places of worship, and establishing regulations for accessory uses that often coincide with places of worship.	2023

Potential Future Projects	
Form-Based Code Elements	Consider including elements of form-based code in the ordinance to encourage flexibility in land uses and a high quality of design
Maintaining Agricultural Land	Consider additional protections for Township agricultural land and regulations for agricultural tourism activities
Availability of Industrial Land	Review amount of land in Township that is currently zoned for industrial and amount of industrial land currently used for non-industrial purposes
Reuse of Malls and Large Retail Spaces	Study potential methods for encouraging redevelopment and reuse of malls and large retail spaces, and consider changes to the C-P zoning district
Coal Tar Sealants	Study any potential environmental impacts of coal tar sealants and consider regulation or prohibition as feasible and warranted

Garfield Township Planning Commission

Master Plan Implementation Matrix

About the Implementation Matrix:

This matrix is used by the Garfield Township Planning Commission to assist in implementing the Garfield Township Master Plan. The current Master Plan was originally adopted by the Garfield Township Board of Trustees on September 25, 2018. This matrix is updated on an annual basis. Below is the implementation matrix for 2021 which includes the following information:

- Priority for 2021: These are high priority projects to be studied or completed in 2021.
- Future Priority: The projects are to be studied or completed later.
- Ongoing: These items represent ongoing tasks.
- Complete: These items have been completed.

Priority Levels:

Priority for 2021	Future Priority
Ongoing	Complete

Abbreviations:

TB	Garfield Township Board of Trustees
PC	Garfield Township Planning Commission
PRC	Garfield Township Parks and Recreation Commission
GTCRC	Grand Traverse County Road Commission
BATA	Bay Area Transportation Authority
TCAPS	Traverse City Area Public Schools
TART	Traverse Area Recreation and Transportation Trails
GTRLC	Grand Traverse Regional Land Conservancy
GTCD	Grand Traverse Conservation District

Category	Goal	Objective	Actions	Timeline	Responsible Parties
Housing – Diversity (p. 18)	Diversity in the rental market is also important in terms of unit size. In particular, there is a known shortage of single-bedroom or loft-style units, leading to a drain on income as renters are forced to choose a larger, more expensive option.	The Township should encourage development which includes a mix of housing options. The market does seem to be naturally adjusting to meet this demand, as indicated by projects such as the Arbors Apartments constructing 24 loft/garage choices in place of standard carport buildings (see illustration right).	Housing discussion on several issues including: <ul style="list-style-type: none"> • Which housing types are allowed • Availability of land for housing / future land use map • New housing types / “Missing Middle” • Housing incentives 	2021	Staff; PC; Housing North (partner)
Housing – Accessibility (p. 19)	It is increasingly important to consider an adequate accessible housing supply. Accessible housing options will allow aging or disabled individuals to remain in their home.	Consider incentives such as density bonuses to encourage the development community to include accessible housing.	Use the Housing Ready Checklist as a guide		
Housing – Affordability (p. 20)	Continue to lead the region in supporting affordable housing.	Many of the Township’s residential developments are subsidized to allow lower rents, primarily through the Michigan State Housing Development Authority (MSHDA), but also through the Township Board’s approval of Payment In Lieu Of Taxes (PILOT).			
Housing Condition (p. 20)		The Township has adopted a property maintenance code which requires routine inspections for multifamily rental units on an annual basis. Additionally, tenants of any rental unit may report poor conditions and request an inspection. Appropriate actions may be taken by the Building Official to require that deficiencies or safety issues be addressed, up to and including declaring the residence uninhabitable.	Ongoing	Ongoing	Building Official

Category	Goal	Objective	Actions	Timeline	Responsible Parties
Housing – Location (p. 20)	Locating new housing developments proximate to these resources can reduce the overall costs of housing and transportation while helping to create more efficient use of infrastructure in existing urban areas.	Target appropriate areas and incentivize their development or redevelopment through density bonuses.	Housing discussion on several issues including: <ul style="list-style-type: none"> • Which housing types are allowed • Availability of land for housing / future land use map • New housing types / “Missing Middle” • Housing incentives Use the Housing Ready Checklist as a guide	2021	Staff; PC; Housing North (partner)
Roadways & Transportation Planning (p.22)	Build a basis of support for potential remedies to overburdened roadways.	Work with local road agencies to develop access management plans, to consider signal improvements, or to consider roadway reconfigurations.	South Airport Road access management	2022	Staff; PC; GTCRC (partner)
		Support the development of alternative transportation to reduce demand on area roadways.	Implement Township Non-Motorized Plan	Ongoing	Staff; PC; TB
		Require detailed traffic impact analysis in development review and consider the impact of additional traffic in the legislative review process.	Ongoing	Ongoing	Staff; PC; TB
Alternative Transportation (p. 22-23)	Improve public transportation opportunities within densely populated and highly frequented locations.	Collaborate with BATA when new developments, roadway improvements, and route planning are underway.	Ongoing	Ongoing	Staff; BATA (partner)
		Consider zoning ordinance requirements for the provision of facilities such as bus stops and shelters.	Evaluate as a potential future priority	2024	Staff; PC; TB


Category	Goal	Objective	Actions	Timeline	Responsible Parties
	Improve non-motorized opportunities throughout the Township.	Using a combination of public funds, grants, and zoning ordinance requirements, implement the Township's non-motorized plan.	Create a Capital Improvements Program	2021	Staff; PC; TB
Utilities (p. 24)	Direct development to areas which are served by adequate facilities.	Identify areas with existing utilities which can support higher density and mixed uses.	Review the designated high-development areas on future land use map.	2023	Staff; PC; TB
	Ensure storm water controls are considerate of environmentally sensitive areas.	Incentivize or require Best Management Practices such as low-impact design.	Consider including low impact design standards in Zoning Ordinance.	2023	Staff; PC; TB
Natural Resources (p. 26)	Protect, enhance, and showcase the natural environment.	Implement the Green Infrastructure Plan.	Create a Capital Improvements Program	2021	Staff; PC; TB
		Make environmentally conscious decisions in review of development applications or zoning policy considerations.	Ongoing	Ongoing	Staff; PC; TB
		Continue to work with area environmental groups to improve the health of the environment.	Ongoing	Ongoing	Staff; PC; other partners (GTRLC, GTCD, Watershed Center, etc.)
		Consider establishing a comprehensive natural resources overlay zoning district similar to what has been established in neighboring communities.	Evaluate as a potential future priority	2024	Staff; PC; TB
		Protect streams, wetlands, and water bodies from direct or indirect stormwater runoff or other encroachments.	Ongoing	Ongoing	Staff; PC; TB

Category	Goal	Objective	Actions	Timeline	Responsible Parties
Invasive Species (p. 30)	Attempt to limit the spread of invasive species and reduce the impact of invasive species already present in the area.	Require the incorporation of a majority of native plantings in commercial landscaping.	Review the landscaping standards currently in Section 530.F	2023	Staff; PC; TB

Category	Implementation Statement	Actions	Timeline	Responsible Parties
Housing	Continue to implement zoning incentives such as density bonuses to encourage the development community to include particular housing types in high demand in the Township, such as single-bedroom apartment units and accessible housing options for seniors and individuals with disabilities.	Housing discussion on several issues including: <ul style="list-style-type: none"> • Which housing types are allowed • Availability of land for housing / future land use map • New housing types / “Missing Middle” • Housing incentives 	2021	Staff; PC; Housing North (partner)
	Continue to use the Township’s Zoning Ordinance to encourage a wide variety of housing types and densities, as well as the mixing of residential uses with commercial and light industrial uses where compatible.			
	Continue to incorporate subsidized units in developments via state and federally administered programs.	Use the Housing Ready Checklist as a guide		
Transportation and Community Services	Continue to encourage optimal traffic flow on major corridors within the Township by taking Level of Service (LOS) and traffic counts into account in the development approval process, working with road agencies to develop access management plans, and considering signal improvements or roadway reconfigurations.	South Airport Road access management	2022	Staff; PC; GTCRC (partner)
	More specifically, consider developing a GIS-based tool which visualizes traffic counts or LOS for use in development review.	Prioritize as staff time allows	2023	Staff
	Continue to support the development of non-motorized and other alternative transportation options to reduce demand on area roadways, improve community connectivity, and promote public health, among many other benefits. More specifically:			

Category	Implementation Statement	Actions	Timeline	Responsible Parties
	<ul style="list-style-type: none"> Continue to actively seek grant funding from various sources and to collaborate with regional and local partners to maintain, enhance, and extend the Township's trail network. 	Create a Capital Improvements Program	2021	Staff; PC; TB
	<ul style="list-style-type: none"> Collaborate with BATA to provide public transit options along fixed routes between densely populated areas and popular locations. 	Future discussions with BATA	2024	Staff; BATA (partner)
	<ul style="list-style-type: none"> Continue the development of a GIS-based trail maintenance prioritization tool which facilitates easy identification of trail segments most in need of resources. 	Prioritize as staff time allows	2023	Staff
	<ul style="list-style-type: none"> Consider zoning ordinance requirements which require bus stops or shelters to be included in developments. 	Evaluate as a potential future priority	2024	Staff; PC
	<ul style="list-style-type: none"> Continue to advance the Township's complete streets initiative through requiring the provision of non-motorized infrastructure in Special Use Permit (SUP) and PUD reviews, as well as through opportunities with the Safe Routes to School program, for example, and other resource providers. 	Ongoing	Ongoing	Staff; PC; TB; other partners (TCAPS, TART, etc.)
Natural Resources and Parks and Recreational Opportunities	Continue to work closely with area environmental groups and other interested organizations to support environmental preservation and restoration efforts within the Township.	Ongoing	Ongoing	Staff; PC; other partners (GTRLC, GTCD, Watershed Center, etc.)
	Continue to update the Township's natural resources inventory and associated GIS-based maps to provide context in development review and zoning policy considerations for the preservation of natural features within the Township.	Prioritize as staff time allows	2022	Staff
	Continue implementation of the Township's Green Infrastructure Plan and consider updates to that plan to reflect natural resource management best practices and changing circumstances.	Create a Capital Improvements Program	2021	Staff; PC; TB
	Consider drafting and adopting a septic system inspection ordinance to protect the quality of the Township's water features.	Re-evaluate as potential priority	2024	Staff; PC; TB

Category	Implementation Statement	Actions	Timeline	Responsible Parties
	Continue efforts to acquire additional property for parklands via grants, conservation easements, and open space preservation requirements in development approvals.	Create a Capital Improvements Program	2021	Staff; PC; TB
	Continue update of Five-Year Parks and Recreation Plan and draw upon public input to identify and prioritize improvements to Township parks.	Design Plan for Grand Traverse Commons Natural Area	2021	Staff; PRC; Park Design Consultant; advisory group
Managing Future Growth	Continue to encourage and incentivize new and infill development close to the core area of the Township in close proximity to amenities in an effort to slow outward growth.	Ongoing	Ongoing	Staff; PC
	Research the possible creation of specific redevelopment districts.	Explore the possibility for a CIA / TIF district	2022	Staff; PC; TB
	Focusing on the major corridors identified in this Master Plan, create subarea plans to provide greater detail with regard to desired development in each subarea.	Barlow Garfield Neighborhood Plan	2019-2020	Complete
		Any potential future neighborhood plans	2022-2023	Staff; PC; TB
	Use this Master Plan together with the Township's Zoning Plan to guide the analysis and review of proposed map and text amendments to the Township's Zoning Ordinance, site plans, and new or amended master plans of adjoining jurisdictions.	Ongoing	Ongoing	Staff; PC; TB

		Charter Township of Garfield	
		Planning Department Report No. 2021-27	
Prepared:	February 17, 2021	Pages:	1
Meeting:	February 24, 2021 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Use Chart Project – Article 2 and Article 3 Discussion #2		

OVERVIEW:

The Planning Commission has been studying several proposed amendments to the Zoning Ordinance with the intention of developing a Use Chart. A Use Chart would summarize all the uses permitted by right, by special conditions, and by special use permit in each district. Additionally, this project revealed items in the Zoning Ordinance to update in conjunction with the Use Chart to remove inconsistencies, streamline language, and make the Use Chart function better.

The Planning Commission study session for February is intended to cover the following discussion topics:

- **Article 2: Definitions** – The attached Article 2 reflects all proposed changes including feedback from the Planning Commission and Staff research. Staff has provided comments on all proposed changes and has highlighted changes the Planning Commission has asked specifically to review at this meeting, including Staff-driven changes and others on which Commissioners had questions.
- **Article 3: District Regulations** – The attached parts of Article 3 show a side-by-side comparison of the current and proposed list of uses in each district. The proposed changes are designed so that all uses in the current list correspond to the uses in the proposed list. Changes in the names of uses reflect proposed new definitions in Article 2. In general, this project does not anticipate changes to use permissions (e.g., by right, by special conditions, or by special use permit) except as needed based on related definitions being consolidated or similar situations.
- **Use Chart** – The attached use chart is a summary, including proposed changes, of the list of uses, zoning districts, and use permissions. Planning Commissioners should consider using this chart to help guide discussion as these proposed changes are refined.

ACTION REQUESTED:

No formal action is requested at this time, as this item is for discussion only. Future steps of this project include discussion on changes to Article 7: Supplemental Use Regulations that would be necessary because of the changes in Article 2 and Article 3.

Attachments:

1. Article 2: Definitions – including all proposed changes and staff comments
2. Article 3: District Regulations – side-by-side comparison of current and proposed list of uses
3. Proposed Use Chart

ARTICLE 2 DEFINITIONS

Commented [SH1]: This entire article will need to be proofread considering all the changes that have been proposed.

SECTION 200 RULES APPLYING TO THE TEXT

For the purposes of this Ordinance, certain rules of construction apply to the text as follows:

Commented [SH2]: Changes in this section incorporate feedback from the Planning Commission.

(1) Words used in the present tense include the future tense; and the singular includes the plural, unless the context clearly indicates the contrary.

~~(2) The word "person" includes a corporation or firm as well as an individual.~~

~~(3) The word "building" includes the word "structure".~~

~~(4) The word "lot" includes the word "plot", "tract", "unit" or "parcel".~~

(5) The term "shall" is always mandatory and not discretionary; the word "may" is permissive.

(6) The words "used or occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

(7) Any word or term not interpreted or defined by this Article shall be used with a meaning of common or standard utilization.

SECTION 201 GENERAL DEFINITIONS

For the purposes of this Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

Accessory Buildings: ~~See "Building, Accessory" A subordinate building or structure on the same lot with a principal or main building, or the part of the main building occupied by or devoted exclusively to an accessory use.~~

Commented [SH3]: Definition relocated to "Building, Accessory" to be located next to other building definitions.

Accessory Use: A use customarily incidental and subordinate to the principal use or building located on the same lot as the principal use or building, and where such accessory use is at no point more than fifty percent (50%) of the total activity on the site.

Commented [SH4]: Staff proposes adding this language to have a measurable standard for what constitutes an accessory use.

Addition: A completely new structure or new component to an existing structure.

Adequate Public Facility: A public facility or system of facilities that has sufficient available capacity to service the physical area and designated intensity and use of development at adopted specified levels of service.

Administrative decision/Decision: A decision on a development approval application rendered by an administrative official that does not require legislative, administrative, or quasi-judicial discretion and unless specifically stated is not subject to a public hearing.

Adult Foster Care, Family Home: A state licensed private residence with the approved capacity to receive ~~at least 3 but not more than 6 or fewer~~ adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks.

Adult Foster Care, Small Group Home: A state licensed [adult foster care](#) facility with the approved capacity to receive ~~at least 3 but not more than 12 or fewer~~ adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks.

Adult Foster Care, Large Group Home: A state licensed [adult foster care](#) facility with the approved capacity to receive at least 13 but not more than 20 adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks.

Adult Foster Care Facility: A state licensed facility which provides supervised personal care to unrelated, non-transient, adult individuals, not specified elsewhere in this Ordinance and including [an adult foster care congregate facility with the approved capacity to receive more than 20 adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks](#), nursing homes, convalescent homes, homes for the aged, or any similar care facility.

Agricultural Operation: ~~A farm or farm operation as defined by this Ordinance~~ See “Farm Operation.”

Airport or Airfield: [A facility regulated by the Federal Aviation Administration \(FAA\) and designed for the takeoff and landing of aircraft and any other associated activities.](#)

Airport Critical Zone: The ~~critical zone includes the~~ clear zone approach-departure clearance surface and the transitional surface.

Airport Inner Horizontal Surface Area: The ~~inner horizontal surface area is that~~ area surrounding the airport for a distance of three miles, excluding the clear zone surface, transitional surface and airport approach-departure clearance surface.

Airport Outer Horizontal Surface: The ~~outer horizontal surface is the~~ airport hazard area less the critical zone area beyond a three mile distance of the Inner Horizontal Surface area to the outer boundary of the Airport Overlay Zone District.

Airport Overlay Zone District: The Airport Overlay Zone District is the airport hazard area consisting of all of the lands within Garfield Township lying beneath the approach, transitional, 149 foot horizontal conical and 500 foot horizontal surface; said land being located within a circle having a radius extending horizontally (6.32 miles) from the established center of the useable landing area of the airport.

Alley: Any dedicated public or private way, other than a street or a joint driveway, which functions primarily as a service corridor and which provides only a secondary means of access to abutting property and is not intended for general traffic circulation.

Alteration: Any modification, additions, or change in construction or type of occupancy, any change or rearrangement in the structural parts of a building; any enlargement of a building, whether by extending a side or by increasing in height; or the moving from one location to another.

Amendment: Any change to the districts of the zoning map (rezoning) or text of this ordinance, master plan, sub area plan, or similar adopted plans or development approval.

Commented [SH5]: The adult foster care family home, small group home, large group home, and adult foster care facility definitions include language from the Adult Foster Care Facility Licensing Act (Act 218 of 1979).

In this case, a family home is a private residence whereas small group home and large group homes are not private residences. See the language from the Act:

[http://www.legislature.mi.gov/\(S\(w0by5kbjrt4pl41b03xtztf\)\)/documents/mcl/pdf/mcl-Act-218-of-1979.pdf](http://www.legislature.mi.gov/(S(w0by5kbjrt4pl41b03xtztf))/documents/mcl/pdf/mcl-Act-218-of-1979.pdf)

Commented [SH6]: Proposed move to “Farm Operation” to align with the Michigan Right to Farm Act (Act 93 of 1981).

Commented [SH7]: New definition added for use that did not have a definition. Language includes feedback from Planning Commission.

Commented [SH8]: Staff contacted the MDOT Aeronautics office regarding airport zoning definitions but did not receive a response. Since no substantive changes were proposed, these definitions may be ideally revisited later.

Apartment: A room or suite of rooms, including bath and kitchen facilities, located in an accessory structure or in a two-family or multiple-family dwelling intended or designed for use as a non-transient residence by a single family.

Appeal: An appeal to the Zoning Board of Appeals or designated body where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Ordinance.

Approval Authority: Any Board, Commission, or administrative official tasked with rendering a final decision on an application.

Assisted Living Facility: See “Adult Foster Care Facility”

Auditorium or Assembly Hall: An indoor space for large group events or meetings, including theaters.

Automobile Dealership: See “Vehicle Dealership, with Outdoor Sales” and “Vehicle Dealership, without Outdoor Sales”

Automobile showroom/Showroom: An indoor space used for the display and sale of automobiles. This type of use is typically associated with internet sales where no outdoor display or sale is permitted or as an accessory use to a vehicle dealership. See “Vehicle Dealership, without Outdoor Sales”

Bed and Breakfast: A private residence that offers sleeping accommodations to transient tenants, is the innkeeper’s residence in which the innkeeper resides while renting the rooms to transient tenants and serves breakfast at no extra cost to its transient tenants. ~~A Bed and Breakfast Establishment shall not be a home occupation.~~

Berm: A mound of earth rising to an elevation above the ground of a parcel, which contributes to an opaque screening.

Best Management Practices: ~~An~~ effective integration of storm-water management systems, with appropriate combinations of landscape conservation, enhancement, structural controls, impervious cover, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices that provide an optimum way to convey, store, and release run-off, in order to reduce peak discharge, remove pollutants, and enhance the environment. Best management practices may include any practices adopted by the Township, or other local, State, and Federal agencies.

~~**Billboard – Highway Advertising Sign:** An off premises sign owned by a person, corporation, or other legal entity that engages in the business of utilizing and/or selling the space on that sign for advertising.~~

Board of Appeals: Garfield Township Zoning Board of Appeals.

Boarding Residence: An owner-occupied residence where non-related individuals are provided with room and board on a ~~permanent~~ long-term basis.

Boardman River Valley Environment Area: Includes those areas of the Township which because of elevation, soil, vegetation type and water table are directly influenced by any fluctuations, course changes or flooding of the river including:

Commented [SH9]: Reference the correct name of the related definition.

Commented [SH10]: New definition added for use that did not have a definition. Language includes feedback from Planning Commission.

Commented [SH11]: Staff proposes consolidating language regarding automobile sales, dealerships, and showrooms under the two proposed “Vehicle Dealership” definitions. See those two proposed definitions for further information.

Commented [SH12]: Remove last sentence to avoid confusion. If any language needs to be included, it should be more like: “Home Occupation” shall be considered a separate definition.”

Commented [SH13]: Instead of identifying a specific department, Staff suggests the proposed language to accommodate any local, State, or Federal agency.

Commented [SH14]: Moved to put all sign definitions together in the Definitions.

Commented [SH15]: Language changed after Planning Commission discussion, and definition for “Long-term” added.

1. lands below 600.0 feet above sea level, lying between the south city limits of Traverse City and the east-west half section line of Sections 22 and 23.
2. lands below 620.0 feet above sea level lying between the east-west half Section line of Sections 22 and 23 and Cass Rd, and
3. lands below 640.0 feet above sea level lying between Cass Rd and the south Township boundary.

Boat Livery: A boat livery is hereby defined and declared to be any structure, site or tract of land utilized for the storage, servicing or rental of boats ~~and for~~ which may include the sale of hunting and/or fishing tackle, equipment, boats, etc.

Commented [SH16]: Planning Commission feedback: clarify language.

Bond: Any form of a surety bond in an amount and form satisfactory to the reviewing authority. Bonds may require review and approval by the Garfield Township attorney whenever a bond is required by these regulations.

Brew Pub: A facility as defined by the State of Michigan Liquor Control Code (Act 58 of 1998, MCL 436.1101 et seq.)

Buffer Yard: A greenbelt area that is long and parallel to a property line within which no structures, driveways, parking, signs, or other such uses may be located unless specifically permitted by this Ordinance. A yard area occupied by plant materials, fences, or other landscape devices designed to effectively mitigate to a substantial degree the negative impact which occurs between conflicting land uses and major thoroughfares.

Building: Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents, awnings and vehicles situated on private property and used for purposes of a building, whether ~~or not~~ mounted on wheels or not.

Building, Accessory: A subordinate building or structure on the same lot with a principal or main building, or the part of the main building occupied by or devoted exclusively to an accessory use.

Commented [SH17]: Definition relocated from "Accessory Building" to be located next to other building definitions.

Building Area: The buildable area of a lot or designated building envelope and other areas of a project site which have not been designated as permanent open space, areas to be used for project infrastructure, or other site improvements, etc.

Building Elevation: The entire view of any building or other structure from any one of four sides showing features, such as construction materials, design, height, dimensions, windows, doors, other architectural features, and the relationship of grade to floor level.

Building Footprint: The horizontal area measured within the outside of the exterior walls of the ground floor of the main structure.

Building, Height of: The vertical distance measured from the mean elevation of the finished grade line of the ground about the front of the building to the highest point of the roof or parapet for flat roofs; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.

Building Line: That portion of a site defined by the minimum front, side, and rear yard setbacks within which no building or structure may be located.

Building, Principal: A building in which is conducted the main or principal use of the lot on which it is located.

~~Building Supply/Equipment Store: An establishment where construction products and materials are sold.~~

Commented [SH18]: Discussed with Planning Commission. Include this use in the "Retail" definitions.

Buildings, Semi-Detached: See "Dwelling, ~~two~~Two-family Family (duplexDuplex)"

~~Bus shelterShelter: A roofed structure with at least three walls located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the protection and convenience of bus passengers.~~

Business College or Trade School: An educational institution generally focusing on instruction in vocational education, including skilled trades and manufacturing, and allowing for hands-on and direct learning opportunities.

Commented [SH19]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Business Service Establishment: See "Service Establishment, Business"

Commented [SH20]: Cross-reference: put all "Service Establishment" definitions together.

Caliper: A tree's trunk or stem diameter in inches, measured according to the standards of the American Standard for Nursery Stock by diameter tape at four and one half (4 1/2) feet above the ground. ~~On multi-stem trees, the largest diameter stem shall be measured.~~

Commented [SH21]: Staff research after Planning Commission discussion: reference the American Standard for Nursery Stock.

~~Campground or Travel Trailer Park: Means anyAny parcel or tract of land under the control of any person wherein sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for five (5) or more recreational units, including travel trailers and recreational vehicles.~~

Commented [SH22]: Discussed with Planning Commission. Include Travel Trailer Park in the definition of Campground.

~~Canopy tree, smallTree, Small: A deciduous tree with a mature height of no more than 30 feet at maturity.~~

~~Canopy tree, mediumTree, Medium: A deciduous tree with a mature height of more than 30 feet and less than 40 feet at maturity.~~

~~Canopy tree, largeTree, Large: A deciduous tree with a mature height of more than 40 feet at maturity.~~

~~Carport: Space-A covered space for the housing or storage of motor vehicles and enclosed on not more than two sides by walls.~~

Commented [SH23]: Indicate that a carport is a covered space, per feedback from Planning Commission.

Car Wash: A facility designed to allow for users to clean their vehicles through either self-service or automatic options.

Commented [SH24]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Car Wash, Principal Use: A car wash on its own lot and which is not connected to another use such as a gasoline service station.

Commented [SH25]: New definition added for use that did not have a definition. Staff suggests "Principal Use" rather than "Freestanding."

Catering Establishment: A commercial kitchen facility where food is cooked and prepared for people to consume at a different site.

Commented [SH26]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Cemetery: Any site containing at least one burial, marked or previously marked, dedicated to and used or intended to be used for the permanent interment of the human dead, including perpetual care and nonperpetual care cemeteries.

Cellar: A story having more than one-half (½) of its height below the average finished level of the adjoining ground. A cellar shall not be counted as a story for the purpose of height measurement in stories.

Child Care Center: A facility, other than a private residence, receiving one (1) or more preschool or school age children for care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. Child care center or day care center includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. Child care center or day care center does not include any of the following:

1. A Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization where children are in attendance for not more than 3 hours per day for an indefinite period, or not more than 8 hours per day for a period not to exceed 4 weeks during a 12-month period.
2. A facility operated by a religious organization where children are cared for not more than 3 hours while persons responsible for the children are attending religious services

Child Care, Family Home (<7): A private home in which one (1) but not more than six (6) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption.

Child Care, Small Group Home (7-12): A private home in which more than seven (7) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption.

Clinic: ~~See “Medical Office, Clinic” and “Medical Office, Surgical Center”. An establishment where human patients who are not lodged overnight are admitted for examination and treatment by physicians, dentists, or similar professions.~~

Commented [SH27]: Staff research after Planning Commission discussion: see the proposed “Medical Office” definitions for a suggested way to describe these two uses.

Cluster zoning~~Zoning~~: A zoning technique where the maximum number of dwelling units on a site is determined by density levels instead of minimum lot size.

Commercial District Housing Development: ~~A residential development in a commercial district which includes elements that contribute to the function of the development as a cohesive site, such as design elements and common open space, or where a livable space is incorporated into an approved commercial business or office such as an upper floor apartment.~~

Commented [SH28]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Comprehensive Development Plan: ~~A plan for a large development site, such as a shopping center in the C-P district or a community park in the P-R district, which describes the development patterns, features, phases, and connectivity of all facets of the development. See Master Plan.~~

Commented [SH29]: Staff researched how this term was used in the Zoning Ordinance. Master Plan is a separate term.

Common Elements: ~~Portion~~Any portions of the condominium project other than the condominium units.

Common Elements, General: ~~General common elements means and includes elements~~Any element of the condominium project owned in common by all co-owners and intended for common use or necessary to the existence, upkeep, and safety of the project.

Common Elements, Limited: ~~Limited common elements means and includes those~~Any common elements, ~~which are~~ reserved in the master deed of a condominium project, for the exclusive use of less than all of the co-owners.

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

Condominium Act: Public Act 59 of the Public Acts of 1978, as amended.

Condominium documentsDocument: The master deed and any other instrument referred to in the master deed or bylaws which affects the rights and obligations of a co-owner in the condominium.

Condominium, Expandable: A condominium project to which additional land may be added pursuant to express provision in the condominium documents and in accordance with the condominium documents and the condominium regulations of the Zoning Ordinance and the Condominium Act.

Condominium Project: A plan or project consisting of not less than two (2) condominium units established in conformance with the Condominium Act.

Condominium, Site: See "Site Condominium".

Condominium Subdivision Plan: Site, survey and utility plans, floor plans and sections as appropriately showing the existing and proposed structures and improvements including the location thereof on the land. The Condominium Subdivision Plan shall show the size, location, area, vertical boundaries, and volume for each unit comprised of enclosed air space. A number shall be assigned to each condominium unit. The Condominium Subdivision shall include the nature, location, and appropriate size of common elements.

Condominium Unit: That portion of the Condominium Project designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.

Contiguous Lot: ~~Lots are contiguous when at least one boundary line of one lot touches a boundary line or lines of another lot.~~See "Lot, Contiguous"

Contractor's Establishment: A facility from which a service provider operates a business, including vehicle storage, material storage, office functions, and light manufacturing of products to be sold and used off-site (e.g. signage, lighting, etc.).

Commented [SH30]: Per Planning Commission feedback, remove any beginning language that simply repeats the definition name.

Commented [SH31]: Staff research after Planning Commission feedback – name as "Contiguous Lot" to distinguish from how "contiguous" is used in different contexts throughout the Ordinance, and cross-reference to "Lot, Contiguous."

Courtyard: A multipurpose space, open and unobstructed to the sky, located at or above grade level on a lot, and bounded on three or more sides by the walls of a building.

Cul-de-sac: A ~~local~~ street with only one outlet that terminates in a vehicular turnaround, having an appropriate terminal for the safe and convenient reversal of traffic movement.

Data Center and Computer Operations and Data Centers: A facility used to house computer systems and association components, such as telecommunications and storage systems.

Commented [SH32]: Rename to match how this is used elsewhere in the Zoning Ordinance.

Density: The number of dwelling units residing upon, or to be developed upon, a net acre of land. In the case of a PUD or similar multi-use development where various land uses are being proposed, densities shall be reviewed as an overall density and by individual use density within a lot area.

~~Diameter~~: See Diameter Breast Height

Commented [SH33]: Remove "Diameter" and "Diameter Breast Height" – the Zoning Ordinance uses "Caliper" for measuring landscape materials.

~~Diameter Breast Height (d.b.h.)~~: A tree's trunk or stem diameter in inches measured by diameter tape at four and one half (4 1/2) feet above the ground. On multi stem trees, the largest diameter stem shall be measured.

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

Drive-In Business: A business establishment that by design, physical facilities, service or by packaging procedure, encourages or allows customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles on the site of the establishment. For the purposes of this Ordinance, a drive-in theater shall be considered under the definition of "Outdoor Entertainment Center, Major."

Commented [SH34]: Staff suggested language to clarify that "drive-in theater" is considered under the definition of "Outdoor Entertainment Center, Major."

Drive-In Restaurant: A business establishment or portion hereof where food and/or beverages are sold in a form ready for consumption outside the confines of the building, often in a motor vehicle on the site of the establishment.

Drive-Through Business: A business establishment which by design, physical facilities, service or by packaging procedures, encourages or allows customers to receive services or obtain goods while remaining in their motor vehicles for use off the site of the establishment.

Drive-Through Restaurant: A business establishment or portion thereof where food and/or beverages are sold in a form ready for consumption outside the confines of the building, off the site of the establishment.

Driveway: A means of access for vehicles from a right-of-way to private property.

Driveway, Joint: A driveway, defined herein, providing access to two or more separate parcels used or intended to be used for commercial or industrial purposes.

Drip Line, Tree: An imaginary vertical line extending downward from the outermost tips of the tree branches to the ground.

~~Dry Cleaning Operation (Central Plant)~~: A facility for the cleaning of garments, fabrics, draperies, etc. with any of various chemicals rather than water, with only accessory or no direct retail customer contact.

Commented [SH35]: Proposed language, after Planning Commission discussion, to clarify definition of an industrial Dry-Cleaning Plant.

~~**Dry Cleaning Operation (Retail):** A facility for the cleaning of garments, fabrics, draperies, etc. with any of various chemicals rather than water, which may include direct retail customer contact.~~

Commented [SH36]: Remove and cover under "Service Establishment, Personal" for dry cleaning pickup only.

~~**Dwelling:** Any building or structure or part thereof occupied as the home, residence or sleeping place of one or more persons including an attached garage which contains one (1) or more dwelling units. For the purposes of this Ordinance, "Mobile Home" and "Recreational Unit" are each defined separately, but except mobile homes and trailer coaches, whether or not mounted on wheels.~~

Commented [SH37]: Incorporating feedback from Planning Commission, clarify that "Mobile Home" and "Recreational Unit" are defined separately.

Dwelling, Single-Family: A dwelling unit designed for exclusive occupancy by a single family that is not attached to any other dwelling by any means and is surrounded by open area or yards.

Dwelling, Multiple-Family: A dwelling or group of dwellings on one lot used or designed to contain separate living units for three (3) or more families, including triplex units, apartment houses, cooperatives, garden apartments and condominiums.

Dwelling, Two-Family (duplex/Duplex): A building containing two single family dwelling units totally separated from each other by an un-pierced, above ground, wall or floor and occupied exclusively by two (2) families living independently of each other.

Dwelling Unit: A building or portion thereof designed exclusively for residential occupancy by one (1) family, and having cooking facilities.

~~**Earth change/Change:** Excavating, clearing, grading, re-grading, landfilling, berming, or diking of land.~~

Commented [SH38]: Remove "clearing" from this definition based on Planning Commission feedback.

Easement: Authorization by a property owner for another to use the owner's property for a specified purpose.

~~**Environmental impact assessment/Impact Assessment:** A process to examine the adverse on- and off-site environmental impacts to the ecosystem by a development project.~~

Essential Service Facility, Major: Any essential service facility as defined herein that is not a routine or minor essential service facility.

~~**Essential Service Facility, Minor:** An essential service facility as defined herein which is not typically regarded as imposing on, or detrimental to, neighboring property; including, but not limited to:~~

Commented [SH39]: Incorporating feedback from the Planning Commission, simplify language in item 1 and clarify that "Wireless Communication Facility" and "Wind Energy Conversion System" are defined separately.

- ~~1. Underground utility facilities such as water mains, sewer mains and lift stations, electrical, gas, cable television and broadband distribution lines and associated structures, transformers, switches, and utility boxes that are designed to serve primarily Garfield Township.~~
2. Overhead pole-mounted electrical, telephone, cable television and broadband distribution lines and transformers, switches, utility boxes and other equipment associated with the services provided the height above grade of such facilities does not exceed the height restriction of the district.

~~For the purposes of this Ordinance, both "Wireless communication-Communication tower-Facility" and "Wind energy-Energy conversion-Conversion system-System" are defined separately-is not considered an essential service.~~

Existing Buildings: A building existing or for which the foundations are in place or upon which there has

been substantial work done prior to the effective date of this Ordinance or any amendment thereto.

Existing Use: A legal use of premises or buildings or structures actually in operation, openly, visibly and notoriously prior to the effective date of the Ordinance or any amendment thereto.

Exterior storefront/Storefront: A building wall and entryway which provides direct public access to a tenant's retail space from outside of the overall structure.

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

Family Day Care Home: See "Child Care, Family Home"

Farm: The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products, as described in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended.

Commented [S40]: Staff research – add language to refer to the Michigan Right to Farm Act.

Farm Animals: Any animal raised or kept as part of a farm operation, including but not limited to:

- Livestock, including such as beef and dairy cattle, goats, hogs, horses, sheep, and other fur-bearing animals
- Poultry, sheep, and other fur-bearing animals or fish.

Commented [S41]: Planning Commission feedback – reorganize for clarity.

Farm Employees House: A dwelling for farm employees associated with the principal use of the property as an agricultural operation.

Commented [S42]: Planning Commission feedback – add definition and new name for a use that did not have a definition.

Farm Equipment: Mechanical equipment commonly used for farming operations including planting, cultivation, spraying, harvesting and storage operations, HOWEVER, excluding heavy earth-moving or construction equipment used for short term construction purposes.

Farm Market/Roadside: A farm market operated as a part of a farming business farm operation, selling farm products produced on and off the proprietor's farm, not including roadside stands.

Commented [S43]: Staff research – "Roadside Stand" is included as a separate definition. Staff suggests removing "Farm Produce Market" from C-H (cover this under "Outdoor Sales" and/or "Retail" or similar) and limiting "Farm Market" to the AG district.

Farm Operation: The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, as further described in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, including but not limited to:

1. Marketing produce at roadside stands or farm markets.
2. The generation of noise, odors, dust, fumes, and other associated conditions.
3. The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of vehicles, machinery, equipment, and farm products and associated inputs necessary for farm

Commented [S44]: Staff research – rename from "Agricultural Operation" and refer to and use language from the Michigan Right to Farm Act.

operations on the roadway as authorized by the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

4. Field preparation and ground and aerial seeding and spraying.
5. The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides.
6. Use of alternative pest management techniques.
7. The fencing, feeding, watering, sheltering, transportation, treatment, use, handling, and care of farm animals.
8. The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.
9. The conversion from a farm operation activity to other farm operation activities.
10. The employment and use of labor.

Farm Products: Those plants and animals useful to man and including, but not limited to: forages and sod crops, grains, and feed crops, dairy and dairy products, poultry and poultry products; livestock, including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products; or any other product which incorporates the use of food, feed, fiber or fur.

~~**Feeder Lot:** An area used for the concentrated feeding of large numbers of marketable meat producing animals carried on as a commercial operation rather than as part of a normal farming operation.~~

Commented [S45]: Removed after discussion – not sure where this would be allowed, not mentioned anywhere except in passing in a different AG use. The Michigan Right to Farm Act would likely cover feeder lots in AG.

Fencing: The enclosure of an area by a structure of lumber, masonry, wire, or other material designed and marketed for constructing such an enclosure.

~~**Festival Banner Flag:** Any banner or flag, as defined in this Ordinance, that meets the definition of a community sign.~~

Commented [S46]: Moved to put all sign definitions together in the Definitions.

~~**Financial Institutions:** Any federal or state- regulated business such as a bank, credit union, or savings and loan company which is designed to provide direct service to members of the public, or investment company. For purposes of this Ordinance, an investment broker or investment company is included in the "Office" definition.~~

Commented [S47]: Planning Commission feedback – clarify language and that "Office" is a separate definition and investment broker and investment company is included with "Office."

~~**Financial Institution, with Drive-Through:** Any financial institution located on a site with one or more drive-through lanes for servicing customers.~~

Commented [S48]: Planning Commission discussion – add these definitions based on how Financial Institutions with drive-through and without drive-through are treated differently.

Financial Institution, without Drive-Through: Any financial institution located on a site without any drive-through service lanes.

Flag: Any fabric or other flexible material attached to or designed to be flown from a flagpole, light pole, or similar permanent device.

~~**Flag Lot:** A lot with two distinct parts:~~

Commented [S49]: Planning Commission feedback – rename to "Lot, Flag" and come up with a more appropriate descriptive definition.

- ~~1. The flag, which is located behind another lot; and~~
- ~~2. The pole, which connects the flag to the street; and provides the only street frontage for the lot.~~

~~**Flood Plain:** That The land area subject to inundation by a river and/or stream and its tributaries based on a reasonable flood expectancy as determined by flood history; the overflow of water resulting from a 100-year flood, which is a flood with a one percent (1%) chance of occurring in any given year. Unless~~

Commented [S50]: Staff research after PC discussion – include language from EGLE definition of floodplain.

~~otherwise documented by detailed hydrological studies, the flood plain shall be designated by the Township Engineer.~~

Food Truck: A kitchen in a licensed and operable motor vehicle or trailer and with a temporary location on a site involving the preparation and sale of food to be consumed either on or off the premises, but not within the motor vehicle and/or trailer.

Commented [S51]: New definition added for use that did not have a definition. Language discussed with Planning Commission. Note that Food Trucks are not currently permitted (we do have some definitions of things that are not permitted e.g., vacation rentals).

~~Freestanding Sign: The vertical plane surface of a sign where the message is displayed or illustrated, irrespective of the size of the associated message.~~

Commented [S52]: Moved to put all sign definitions together in the Definitions.

Full cut-off (Lighting Fixture): A fixture that allows no light emission above a horizontal plane through the fixture.

Game or Hunting Preserve, Commercial: A site which allows for-profit hunting operations.

Commented [S53]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Garage, Private: An accessory building or an accessory portion of a principal building designed or used solely for the storage of noncommercial motor vehicles owned and used by the occupants of the building to which it is accessory.

Gasoline Service Station: Any area of land, including any structures thereon, that is used or designed for the supply of gasoline, oil, or other fuel for the propulsion of vehicles. Permitted accessory uses may include any area or structure used or designed for polishing, greasing, washing, cleaning, or servicing such motor vehicles.

Glare: The sensation produced within the visual field by luminance that is sufficiently greater than the luminance to which the eyes are adapted, causing annoyance, discomfort or loss in visual performance and visibility.

Golf Course or Country Club: An outdoor recreation facility designed for enjoyment of golf, but not including stand-alone golf-driving ranges and miniature golf courses.

Commented [S54]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

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

Greenbelt: A strip of land of definite width and location reserved for the planting of shrubs or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.

Greenhouse, Residential: An accessory building or structure to the principal residential use constructed chiefly of glass, glasslike or translucent material, which is devoted to the protection or cultivation of flowers, trees, shrubbery, or other vegetation and kept for personal enjoyment.

Greenhouse, Commercial: An accessory use to an approved commercial nursery or agricultural use of the property constructed chiefly of glass, glasslike or translucent material, which is devoted to the protection or cultivation of flowers, trees, shrubbery or other vegetation and kept for personal enjoyment or subsequent sale. (See ~~nursery~~Nursery, ~~retail~~Retail)

Ground Cover: Low-growing, woody shrubs, deciduous or evergreen plants, perennial plants and/or vines, turf, shredded bark, wood chips or other similar mulch and landscaping stone.

Hazardous Substances And and Polluting Material: ~~Shall mean~~ Any substance or material in which the use, treatment, storage, and/or disposal of such material is regulated by State or Federal law, based on the capability of such material to pose a risk to the health, safety, and welfare of the community and the environment by virtue of being toxic, hazardous, flammable, combustible, poisonous, radioactive, corrosive, or otherwise harmful. This definition shall include, but is not limited to, any substance or material which is designated as a hazardous chemical, flammable or combustible liquid, critical material, polluting material, hazardous waste product, hazardous substance, hazardous material, or other similar material by any local, State, or Federal agency. ~~hazardous chemicals as defined by the Michigan Department of Public Health and the Michigan Department of Labor; flammable and combustible liquids as defined by the Michigan State Police Fire Marshal Division; critical materials, polluting materials, and hazardous waste as defined by the Michigan Department of Natural Resources; hazardous substances as defined by the U.S. Environmental Protection Agency; and hazardous materials as defined by the U.S. Department of Transportation.~~

Commented [S55]: Staff research – rather than referring to individual agencies by name, use the language describing hazardous materials from some of these agencies and use the blanket “any local, State, or Federal agency” to cover all possibilities.

Health service/Service: See “Medical Office, Clinic,” “Medical Office, Surgical Center,” and “Hospital”

Commented [S56]: Staff research after Planning Commission discussion: see the proposed “Medical Office” definitions for a suggested way to describe the two Medical Office uses.

High-Tech Research: See “Research and Design Facility” ~~A facility for basic and applied learning, scientific experimentation and analysis, product design, technology development, consulting, and business development.~~

Commented [S57]: Merge into “Research and Design Facility” for consistent usage in the Zoning Ordinance.

Highway: See “Road, Highway” ~~A street, defined herein, which is under the jurisdiction of the Michigan Department of Transportation. Highways may also be classified as freeways and interstates.~~

Commented [S58]: This will be adopted after public hearing at the Township Board (March 9).

Home Industry: A value added activity carried out ~~on a farm~~ as part of a farm operation located on the same property for the sale of goods in a farm market, such as ~~small scales~~ small-scale canning operation for fruits or vegetables. For the purposes of this ~~ordinance~~ Ordinance, commercial processing is not a home industry.

Commented [S59]: Staff research to clarify that a home industry is an activity that is tied to a “farm operation” on the same site.

Home Occupation: Any ~~non-intrusive~~ non-intrusive activity of professional character carried out as an accessory use for gain by the owner or resident of the home and conducted in the residents dwelling unit. The owner or resident shall reside in the home, which is clearly for living purposes. For purposes of this Ordinance, “Bed and Breakfast” is defined separately.

Hospital: An institution which provides medical, surgical, emergency, and other health services to the public. For purposes of this Ordinance, “Medical Office, Clinic” and “Medical Office, Surgical Center” are each defined separately.

Commented [S60]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Hotel or Motel: A facility, building or group of buildings offering transient lodging accommodations to the ~~general~~ public and which may include additional facilities and services such as restaurants, meeting rooms, entertainment, personal services and recreational facilities.

Intermittent Visual Obstruction: A screen having unobstructed openings interrupting visual contact and creating spatial separation.

Illumination: Light directed at a working surface or into a space to be illuminated.

Incinerator: Facilities designed for the burning of solid waste.

Commented [S61]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Indoor Entertainment Center: A commercial public amusement facility conducted entirely within a

building, and including archery and firearms range, bowling alleys, billiard halls, laser tag, roller skating, golf range, and including their ancillary support services.

~~**Industrial, Research, or Business Parks:** A tract of land, greater than five (5) acres in size, which has been planned and developed for multiple uses allowed within the MUIBD Mixed Use Industrial Business District of the Zoning Ordinance. See "Research and Design Facility"~~

Commented [S62]: Merge into "Research and Design Facility" for consistent usage in the Zoning Ordinance.

~~**Interconnected WECS:** A WECS which is electrically connected to the local electrical power utility system and could feed power back into the local electrical power utility system.~~

Commented [S63]: Move to put all "Wind Energy Conversion Systems" definitions together.

Interior Parking Lot Landscaping: Landscaping within a polygon having the least area, which can be drawn about a parking area or lot, exclusive of its access drives.

~~**Institutional Use or Structure:** Institutional land uses are generally defined as Any land use or structures which serves the community's social, educational, and cultural needs, including but not necessarily limited to schools, libraries, places of worship, and governmental facilities, but not including health services.~~

Commented [S64]: Clarify name for consistency.

Junk Yard: Any establishment or premise where worn out or discarded material is bought, kept, sold and/or stored; any premise upon which two (2) or more unlicensed used motor vehicles which cannot be operated under their own power are kept or stored for a period of fifteen (15) days or more shall be deemed to be a "junk yard" within the meaning of this Ordinance.

~~**Keeping of Chickens, Personal:** Any raising or keeping of chickens on residential property and not including the raising or keeping of chickens as part of a farm operation.~~

Commented [S65]: New definitions included for any "Keeping of" animals that did not have definitions. Language discussed with Planning Commission. "Keeping of Livestock, Personal" and "Keeping of Small Animals, Personal" are not currently listed nor anticipated to be listed as uses.

Keeping of Farm Animals: Any raising and keeping of farm animals as part of a farm operation.

~~**Keeping of Horses, Personal:** Any non-commercial keeping of horses for the personal use of the residents on a property, not including the raising or keeping of horses as part of a farm operation.~~

~~**Kennel:** Any lot or premises used for the sale, boarding, or breeding of on which dogs, cats, or other household pets are kept for any commercial purposes, including but not limited to sale, boarding, breeding, and training. Kennel shall also mean the keeping of five (5) or more dogs, cats or other household pets over the age of six (6) months.~~

Commented [S66]: Planning Commission feedback – clarify language and remove language saying that any keeping of 5 or more pets meets this definition.

~~**Laboratory:** See "Research and Design Facility" A room or building equipped for scientific testing, experimentation, research, or drug and chemical production. For the purposes of this ordinance, a laboratory as accessory to a principal use shall be considered according to the review guidelines for that use. A Laboratory as a Principal Use shall be considered as High Tech Research.~~

Commented [S67]: Merge into "Research and Design Facility" for consistent usage in the Zoning Ordinance.

Lake - Stream: A natural or artificial lake, pond or impoundment, a river, stream or creek, which may or may not be serving as a drain, or any other body of water which has definite banks, a bed and visible evidence of a continued flow or continued occurrence of water. For reference purposes, the general location of existing lakes or streams are graphically depicted on the Garfield Township Hydrology Map.

~~**Lakes:** Boardman Lake and, Silver Lake, Sabin Pond and Keystone Pond.~~

Commented [S68]: Remove Sabin Pond and Keystone Pond since they no longer exist.

Landscaping: Some combination of planted trees, vines, ground covers, flowers, or turf. In addition, the

combination or design may include rock ground cover, earth mounds, and such structural features as fountains, pools, art works, screens, walls, fences, or benches.

Launching Ramp, Private: A space or structure from which a boat may be launched for use and benefit of the patrons of the waterfront marina or boat yard wherein said boats are berthed or docked.

Light Shield: An opaque box or other device, which eliminates or greatly diminishes glare.

Light Source: A light bulb or other source within a ~~luminaries~~ luminary.

Live-work Work unitUnit: ~~A A-building in which offices, studios, or other commercial uses are located on the first floor and a dwelling unit is located above the first floor. dwelling unit which is an accessory use to a primary office, studio, or other similar commercial use, designed as an integral part of the building where the primary commercial use is at the ground floor entrance to the building, and where the occupant is either an owner or an employee of the office, studio, or other commercial use.~~

Commented [S69]: Staff research – add language from Section 616 to clarify what is a “Live-Work Unit.” Section 616 can be eliminated if this language is moved here and the use is by right in the I-G, I-L, and C-O districts.

Livestock Auction Yard: A site where livestock animals are sold at auction.

Commented [S70]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Long-Term: In relation to the occupancy of a building or dwelling unit, any period of thirty (30) or more consecutive days.

Commented [S71]: Planning Commission feedback – identify what is considered “long-term” and “short-term” occupancy (or rental, etc.) of a building or dwelling unit.

Lot: ~~The~~ A parcel of land defined by property lines or right-of-way lines, on which a principal use and its accessories are located or intended to be located together with any open spaces required by this Ordinance. A unit of land within a site condominium, which gives the owner exclusive rights to a building envelope where a building is placed and rights to the yard areas surrounding the building.

Lot, Contiguous: Any lots where at least one boundary line of one lot touches a boundary line or lines of another lot and without any right-of-way, common open space, or similar area between such lots.

Commented [SH72]: Staff research with Planning Commission feedback – clarify what is a contiguous lot.

Lot, Corner: A lot, which has at least two (2) contiguous sides abutting upon ~~a street~~ two (2) or more streets at their intersection or two parts of the same street forming an interior angle of less than 135 degrees for their full length.

Commented [S73]: Staff research with Planning Commission feedback – clarify what is a corner lot.

Lot Coverage: The ~~part of~~ percent of the lot, occupied by a building, including accessory buildings.

Lot, Depth of: The mean distances from the street line of the lot to its opposite rear line, measured in the general direction of the sidelines of the lot.

Lot, Flag: A lot that have does not the minimum width requirement of the zoning district in which it is located at the street frontage, where a narrow and unbuildable strip of land connects the buildable portion of the lot to a street or shared driveway.

Commented [S74]: Move from “Flag Lot” and clarify what is a flag lot.

Lot, Front of: The lot line, which is the front street line of the principal street or right-of-way providing access to the lot.

Lot, Interior: A lot other than a corner lot.

Lot, Line: The lines bounding a lot as hereby described.

Lot Line, (Zero): A condition requiring no (0) setback from a lot line as required for row housing, triplex and duplex structures, and other similar dwellings that are attached and situated on individual parcels for ownership purposes.

Lot of Record: A lot which is part of a subdivision, the map of which has been recorded in the office of the Register of Deeds in Grand Traverse County, or had been approved as a preliminary or final plat by the Township Board prior to the date of this Ordinance. Also, a lot described by metes and bounds, the deed or other conveyance to which has been recorded in the Office of the Register of Deeds in Grand Traverse County prior to the date of this Ordinance.

Lot, Width of: The width measured along the front lot line or street line or at the setback line of a curvilinear road or cul-de-sac.

Low Impact Design: A stormwater management practice intended to mimic a site's pre-development hydrology by using techniques which allow storm water runoff to infiltrate, filter, evaporate, and be retained close to its source in lieu of discharging to traditional large retention basins or storm sewers. Low Impact Design may be accomplished via an engineered system of bio-retention areas, rain gardens, wetlands, grass swales, permeable pavement, and similar methods. [Low Impact Design standards may include standards adopted by the Township or other local, State, and Federal agencies.](#)

Commented [S75]: Rather than referring to individual agencies by name, use the blanket "other local, State, and Federal agencies" to cover all possibilities.

Lumber Processing and Sawmill: A facility which receives and processes raw or partially finished lumber into a more finished form and including their accessory uses.

Commented [S76]: Clarify name for consistency.

Luminaire: An outdoor lighting fixture.

Major Thoroughfare: ~~See "Road, Major Thoroughfare" A public street, the principal use or function of which is to provide an arterial route for through traffic, with its secondary use or function being the provision of access to abutting property, and which has been classified as such in the Master Plan.~~

Commented [S77]: This will be adopted after public hearing at the Township Board (March 9).

Manufacturing: The act of processing, assembling, or fabricating raw or unfinished materials into a more complete or finished product.

Manufacturing, -(Light): The act of processing, assembling, or fabricating raw or unfinished materials into a more complete or finished product, and which ~~may be perceived to~~ have a relatively limited to moderate potential for adverse effect on surrounding properties and the environment, including noise, vibration, pollution, odor, and aesthetics.

Manufacturing, -(Heavy): The act of processing, assembling, or fabricating raw or unfinished materials into a more complete or finished product, and which ~~may be perceived to~~ have a greater potential for adverse effect on surrounding properties and the environment, including noise, vibration, pollution, odor, and aesthetics.

Manufactured Home: See "Mobile Home".

Marina: A commercial boat basin or dock with facilities for berthing and servicing all types of watercraft, ~~as well as~~ [and which may include](#) providing supplies, provisions, service and fueling facilities.

Commented [S78]: Planning Commission feedback: clarify language.

Master Deed: The condominium document recording the condominium project to which is attached as exhibits and incorporated by reference, the approved by-laws for the project and the approved

condominium subdivision plan for the project.

Master Plan: A statement of policy by the Township Planning Commission relative to the agreed-upon desirable physical pattern of future community development, consisting of a series of maps, charts, and written material that represents a sound conception of how the community should grow in order to bring about the very best community living conditions.

Mechanical Amusement Arcades: Any place, premises or that area occupied by or under the control of the operator of mechanical amusement devices, room or establishment in which a substantial and significant portion of the business is devoted to the operation of mechanical amusement devices, or in which more than five (5) mechanical amusement devices are located and available for operation. For the purposes of this Ordinance, a mechanical amusement arcade shall not include the following.

1. -Mechanical amusement devices located in bars, taverns, cocktail lounges, and restaurants which ~~are~~ are properly licensed by the State of Michigan when the devices are located ~~so as~~ to be an integral part of the operation and available only to tavern and restaurant patrons.
2. Mechanical amusement devices located in motels or hotels when the devices are generally available only to registered guests.
3. Vending machines dispensing food, drink, tobacco, toys, or written material, which material can be utilized away from the premises where the machine is located and does not require further participation by inserting the item or paying the price at the location of the machine.
4. Mechanical amusement devices located on property used solely for a residential purpose or a private club, and which device is not available for use by the general public, shall be exempt from this definition.

Mechanical Amusement Device: Any machine which upon the insertion of a coin, slug, token, plate or disk, or upon payment of a price, may be operated by the public generally for use as a game, entertainment or amusement, including but not limited to games registering a score, electronic video games, mechanical and/or electronic devices such as marble machines, pinball machines, mechanical grab machines, shuffle board game machines, pool tables, billiard tables, and all game operations or transactions similar thereto, whether operated by hand, electric power, or combination thereof. For the purposes of this Ordinance, a mechanical amusement device shall not include the following:

1. Juke box or other similar device, which plays only music for money.
2. Full-size bowling lane or alley.
3. Movie Theater seating more than ten (10) persons.

Medical Clinic: See [“Medical Office, Clinic”](#) and [“Medical Office, Surgical Center”](#).

Medical Marihuana: Marihuana as defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq. grown, used, or transferred for “medical use” as defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq.

Commented [S79]: Staff research after Planning Commission discussion: see the proposed “Medical Office” definitions for a suggested way to describe these two uses.

Medical Marihuana Collective: means (a) any commercial use of property for the purpose of sale of medical marihuana for money or other consideration to registered qualifying patients or registered primary caregivers, or (b) any commercial business, commercial establishment or commercial structure that provides or rents space to multiple caregivers for storage and/or sale of Medical Marihuana. Medical Marihuana Collective includes uses commonly referred to as Medical Marihuana Dispensaries, Compassion Centers, Provisioning Centers and Medical Marihuana Cooperatives. The sale of Medical Marihuana where any other commodity, product or service is also available shall be considered a Medical Marihuana Collective.

Medical Marihuana Cultivation: A use where Medical Marihuana is grown by a primary caregiver or a qualifying patient as permitted by the Michigan Medical Marihuana Act, MCL 333.26421 et seq.

Medical Marihuana Cultivation Facility: A use where Medical Marihuana Cultivation, as defined by this ordinance, is being conducted on a lot, but shall not include a Medical Marihuana Collective.

Medical Marihuana Residential Cultivation: Medical Marihuana Cultivation undertaken by a primary caregiver, or a qualifying patient that has not specified a primary caregiver to cultivate marihuana for the qualifying patient, at the primary caregiver's or qualifying patient's primary place of residence.

Medical Office, Clinic: [An establishment where human patients are admitted to be examined and treated by physicians, dentists, or other health care professionals and where no patients are lodged overnight.](#)
[See Clinic.](#)

Commented [S80]: Staff research – this use would describe a doctor's or dentist's office where there is no overnight lodging.

Medical Office, Surgical Center: [An establishment where human patients are for surgical procedures to be performed by physicians, dentists, or other health care professionals, with continuous medical services during surgical procedures and until the patient has recovered from the obvious effects of anesthetic and at all other times with medical services available whenever a patient is in the facility, and which may also include the incidental overnight lodging of patients as an accessory use.](#)

Commented [S81]: Staff research – this use would describe a surgical center where there may be incidental overnight lodging related to recovery from surgery.

Metal Plating, Buffering, and Polishing: [Any of the various industrial processes involved in improving metal products.](#)

Commented [S82]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Micro Brewer: A person as defined and licensed by Michigan Liquor Control Code (Act 58 of 1998, MCL 436.1101 et seq.)

Microbrewery: A facility or facilities owned or controlled by a licensed Micro Brewer.

Mobile Home: A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure. Mobile home does not include a recreational [vehicle unit](#).

Mobile Home Commission Act: means Act 96 of 1987, as amended.

Mobile Home Park: A parcel or tract of land under the control of a person upon which 3 or more mobile homes are located on a continual, nonrecreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.

Mobile Home Subdivision: A subdivision approved under Act 288 of the Public Acts of 1967, as amended, which by deed restrictions has been designated solely for occupancy by mobile homes.

Mortuary or Funeral Home: A building used for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith prior to burial or cremation.

~~Nadir: The vertical position directly under a light source.~~

Commented [S83]: Staff research – remove definition that is not used anywhere else in the Zoning Ordinance.

~~Nonconforming Sign: A sign or sign structure or portion thereof lawfully existing at the time this code became effective, which does not now conform.~~

Commented [S84]: Moved to put all sign definitions together in the Definitions.

Nonconforming Use: A building, structure, or use of land existing at the time of enactment of this Ordinance, and which does not conform to the regulations of the District or zone in which it is situated.

Non-Use Variance: A dimensional variance to standards such as yard requirements, building height, lot coverage, living space dimensions and similar requirements. These variances are granted based on a showing of a practical difficulty.

Normal Stream or ~~River Bank~~Riverbank: The bank or steep slope, which confines waters of a stream or river during normal periods of flow.

Nursery, Retail: The growing, cultivation, storage, and sale of garden plants, flowers, trees, shrubs, and fertilizers in an indoor setting, including limited outdoor storage & sales areas when approved by the Planning Commission. (See also ~~greenhouse~~Greenhouse, ~~commercial~~Commercial).

N.V.G.D.: National Vertical Geodetic Datum.

~~Office: A room, set of rooms, or a building where the business operations of a professional, commercial, medical, institutional, investment broker or investment company, or industrial, or other similar organization or otherwise professional person is conducted, but excluding financial institutions. For the purposes of this ordinance, "Financial Institution" is defined separately, and the term "officeOffice" shall include both principal and accessory units.~~

Commented [S85]: Planning Commission feedback – clarify language and that investment broker and investment company are included as part of "Office" and "Financial Institution" falls under its own definition.

~~Off-premise sign: See Billboard.~~ Off-Site Parking: A parking lot or structure that primarily serves the parking needs of another site.

Commented [S86]: Moved to put all sign definitions together in the Definitions.

Commented [S87]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Official zoning-Zoning mapMap: The map of all zoning districts and overlay districts, including but not limited to Airport overlays, that is on file with the Garfield Township clerk, and the Planning Department.

~~On-Premise Sign: A sign which contains a message identifying a business, profession, product(s), or services conducted or available on the property upon which such sign is located.~~

Commented [S88]: Moved to put all sign definitions together in the Definitions.

Open Space: A typically vegetative area designed, depending upon the particular situation, for environmental, scenic, or recreational enjoyment, but not including supplemental setback areas, parking areas, drainage basins, community septic systems, or areas within individual lots. Open space shall be consolidated and contiguous to the greatest extent reasonably possible ~~so as~~ to provide usable park-like areas.

Commented [S89]: Planning Commission feedback – clarify that area used for a community septic system does not count as open space.

Open Space Preservation: A development option intended to encourage and promote clustered development patterns in a manner that protects developable areas containing natural features and open space, in accordance with Section 506, Open Space Preservation, of the Michigan Zoning Enabling Act.

Commented [S90]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Outdoor Display: A designated outdoor area for the purpose of displaying items for sale associated with the primary use of the property.

Commented [S91]: Staff and Planning Commission discussion – add definition for this to distinguish between similar concepts (outdoor storage, outdoor sales, and outdoor display).

Outdoor Entertainment Center, Major: A commercial public amusement facility conducted outside of an enclosed building and anticipated to have major impacts on surrounding properties including drive-in theaters, racetracks, driving ranges, and similar facilities.

Outdoor Entertainment Center, Minor: A commercial public amusement facility conducted outside of an enclosed building and anticipated to have minimal impacts on surrounding properties such as miniature golf courses, trampolines, or similar public amusements.

Outdoor Sales, Major: A primary land use where large items such as automobiles, trailers, boats, riding lawn mowers, tractors, off-road vehicles, other large, motorized equipment, and other similar items are sold outside of a completely enclosed building. For purposes of this Ordinance, “Sale of Prefabricated Structures” is defined separately.

Commented [S92]: Staff and Planning Commission discussion – add definition for these to distinguish between similar concepts (outdoor storage, outdoor sales, and outdoor display) and distinguish “Sale of Prefabricated Structures” as a separate definition. Also, Staff included some additional, descriptive examples of items which are typically used outdoors.

Outdoor Sales, Minor: A primary land use where items such as plant material not grown on site, lawn furniture, playground equipment, garden supplies, and similar items are sold outside of a completely enclosed building.

Outdoor Sales, Temporary: An accessory event to an established business and intended to provide the business owner with the ability to sell inventory or goods outdoors on the property for a limited time. This type of sale is typically referred to as a tent sale and does not include transient sales or mobile food sales. Common events may include sidewalk sales, Christmas tree sales lots, revival tents, or other quasi-civic activities.

Commented [S93]: Moved from “Temporary Outdoor Sales” to put all outdoor sales uses together.

Outdoor Storage: The location of any goods, wares, merchandise, commodities, junk, debris, or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours.

Outdoor Storage, Accessory Use: Any outdoor storage that is accessory to a principal use, including the storage of a travel trailer, camper, or other recreational vehicle on a residential site.

Commented [S94]: Staff and Planning Commission discussion – add these two definitions under “Outdoor Storage” based on how they are treated differently in the Zoning Ordinance.

Outdoor Storage, Primary Use: Any outdoor storage that is the primary use of the parcel.

Overlay Zoning District: A district that is superimposed over one or more zoning districts or parts of districts and which imposes specified requirements in addition to those applicable in the underlying base zoning district.

Park, Mini: A small park or public space, generally less than one (1) acre in size, providing recreational opportunities for the non-exclusive use of residents of the surrounding neighborhood generally within a quarter mile of the site. Mini parks may include, but are not limited to, amenities such as small playgrounds, small open fields, gazebos, and benches.

Commented [S95]: Staff and Planning Commission discussion – the proposed four Park definitions would cover different sizes and scales of parks.

Park, Neighborhood: A park or public space, generally between one (1) and ten (10) acres in size, which provides active and passive recreation opportunities for the non-exclusive use of residents generally within a half mile of the site. Neighborhood parks may include, but are not limited to, amenities such as playgrounds, open fields, picnic tables, small pavilions, gazebos, and benches.

Commented [S96]: Planning Commission feedback – PC asked about the DNR Boat Launch. This is in an R-1 district. The size of the Boat Launch would make it a “Park, Neighborhood” which is proposed to be allowed in R-1.

Park, Community – Low Intensity: A park or public space, generally greater than ten (10) acres in size, which provides recreation opportunities for the entire community, and which are intended primarily for natural area preservation, passive recreation, or low intensity active recreation uses. These community parks may include, but are not limited to, amenities such as playgrounds, fields, picnic tables, gazebos, benches, or other similar uses and small structures.

Commented [S97]: Planning Commission feedback – The PC asked Staff to look at creating a “Park, Community – Moderate Intensity” to see if this definition could be useful and what it might entail. Also, pavilions, dog parks, and disc golf courses were relocated from “Low Intensity” to “High Intensity” based on PC feedback.

Park, Community – High Intensity: A park or public space, generally greater than ten (10) acres in size, which provides recreation opportunities for the entire community. These parks may include some high intensity active recreation uses such as banquet or event centers, lodges, amphitheaters, athletic fields, pavilions, dog parks, disc golf courses, and other similar uses and structures.

Passenger Terminal: A facility such as a bus station allowing for people to access mass transit or other modes of transportation from a common node.

Commented [S98]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

~~Pattern Book: A visual presentation of the architectural styles of buildings, including the height of cornice lines, roof profiles, finish materials, windows, and ornamentation as it relates to the project and that is adopted as part of the record of an approval.~~

Commented [S99]: Staff research – remove definition that is not used anywhere else in the Zoning Ordinance.

Person: Any natural person, corporation, partnership, joint venture, association (including homeowners’ or neighborhood associations), trust, or any other entity recognized by law.

~~Personal Service Establishment: Establishments primarily engaged in providing services involving the care of a person or their goods such as beauty shops, barber shops, laundry facility, jewelry repair shops, and shoe repair. See “Service Establishment, Personal”.~~

Commented [S100]: Moved to put all “Service Establishment” definitions together.

~~Personal Energy Conversion System: The combination of structures, mechanical equipment, and associated controllers which convert solar or wind energy into usable electricity for use within a personal residence.~~

Commented [S101]: Renamed “Wind Energy Conversion System, Personal.” Moved to put all “Wind Energy Conversion System” definitions together.

Pet Grooming Establishment: A facility offering the grooming of pets as a service, but where no pet sales or boarding takes place on the site.

Commented [S102]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Pet Shop: A building for the purchase of dogs, cats, birds, fish, and other small animals as pets and for pet care supplies, and where no boarding or grooming takes place on the site.

Commented [S103]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

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

Commented [S104]: Planning Commission feedback – Add common abbreviation used for PUD.

Point of Light Source: A lighting source, direct, reflected, or refracted, which produces glare.

~~Pool: Any structure designed and constructed for the purpose of swimming or bathing that contains water over 24 inches deep and has over 100 square feet of surface area. See “Swimming Pool”~~

Commented [S105]: Rename to match how the term is used in the Ordinance.

Practical Difficulty: A situation whereby a property owner, through no fault of their own, cannot establish a “minimum practical” legal use of a legal lot or parcel, meeting all the dimensional standards of the zoning district within which the lot is located. Situations occurring due to the owners desire to establish a use greater than the “minimum practical” standard or to enhance economic gain greater than associated with a “minimum practical” standard or created by an owner subsequent to the adoption date of this Ordinance is not a practical difficulty.

Principal Use: The primary or main use of land or structures, as distinguished from a secondary or accessory use.

Printing or Publishing Enterprise: Any business involving industrial production activities in printing, publishing, newspaper or print media production, photographic reproduction, blueprinting, and related trades and arts.

Processing Operation: Any variety of operations not otherwise identified within this Ordinance which result in material being made more useable in some form. For the purposes of the Zoning Ordinance, the term “processing” includes but is not necessarily limited to the physical manipulation of chemicals, food, liquids, metals, plastics, and textiles.

Professional Showroom: A facility intended to showcase examples of work in interior decorating, design, architecture, and similar fields without including retail operations at the facility.

Professional Studio: Performing arts, including sculpture, photo, music, painting, drama, dance, and similar pursuits.

Property Owner: An owner of any of the following:

- (i) ~~(i)~~ a metes and bounds described parcel(s);
- (ii) ~~(ii)~~ a lot(s) in a platted subdivision, duly established under the provisions of the Land Division Act (MCL 560.101, et seq.)
- (iii) ~~(iii)~~ a condominium unit(s) in a condominium project duly established under the provisions of the Condominium Act (MCL 559.101, et seq.), or
- (iv) ~~(iv)~~ the holder of a lessee’s interest in any one of the foregoing which exceeds three (3) years in duration. In the event an owner’s interest as defined in (i), (ii) or (iii) above is subject to a lease term ~~in excess of~~ exceeding three (3) years as provided in (iv) above, the holder of such lessee’s interest shall ~~be deemed to be an~~ have the same rights and duties of the property owner for purposes of this section (which shall supersede and replace the owner/lessor’s interest for purposes of this section).

Protected Root Zone: An area surrounding the tree by 1 ½ feet in radius for every inch of the tree caliper.

Public Service Utility or Installation: See “Essential Service Facility”.

Recreational Facility: An entity which receives a fee, whether by membership or daily passes, in return for the provision of some active recreational activity including but not limited to: gymnastic facilities, indoor soccer, bike & skate parks, racquet clubs, tennis and pickle ball courts, physical fitness facilities, swimming pools, athletic fields, yoga, spinning, martial arts, and other similar activities related to personal or team athletics, exercise, fitness and including their ancillary support services.

Recreational Field Complex: A facility with one or more outdoor athletic fields and which may include

Commented [S106]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Commented [S107]: Clarify name to match proposed usage in the Ordinance.

Commented [S108]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Commented [S109]: Staff and Planning Commission discussion – PC asked why subsection (iv) is here and if it is legally accurate. The PC asked Staff to look at other communities to see how they define “Property Owner.” Staff did not find a definition of “Property Owner” this extensive in another Ordinance. The proposed language change would clarify what seems to be the intent, which would be that the holder of a long-term lease (e.g., the lease itself is long-term such as a 99-year lease) has the same rights and duties of the property owner for purposes of this section, regardless of whether they are considered an “owner” in a legal sense.

ancillary uses such as parking lots, fencing, lighting, restrooms, playgrounds, or weather shelters.

Recreational Unit: A tent, or vehicular-type structure, primarily designed as temporary living quarters for recreational camping or travel use, which either has its own mode of power or is mounted on or drawn by another vehicle which is self-powered. A tent means a collapsible shelter of canvas or other fabric stretched and sustained by poles or ropes and used for camping outdoors. Recreational unit shall include travel trailer, camping trailers, motor home, truck camper, slide-in-camper, and chassis-mount camper, camping cabins, watercrafts, snowmobiles, special terrain vehicles, and utility trailers.

Commented [S110]: Planning Commission feedback – additional references to ropes for shelter support and camping cabins as another permitted type of recreational unit.

Recycling Facility: A facility designed for conducting a recycling operation.

Commented [S111]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Recycling Operation: The recovery and processing of ~~waste~~ recyclable materials for ~~use in new products~~ reuse.

Commented [S112]: Planning Commission feedback – add language to clarify what is a recycling operation.

Rehabilitation Center: A facility offering substance abuse treatment and rehabilitation services.

Commented [S113]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Research and Design Facility: Any facility, including a laboratory, used for scientific research, product design, testing, technology development, analysis, experimentation, consulting, business development, basic and applied learning, or other similar use, but not including manufacturing or processing. A room or building equipped for scientific testing, experimentation, research, or drug and chemical production. For the purposes of this ordinance, a ~~laboratory~~ research and design facility as which is accessory to a principal use shall be ~~considered~~ reviewed according to ~~the the review guidelines standards~~ for the principal at use. ~~A Laboratory as a Principal Use shall be considered as High Tech Research.~~

Commented [SH114]: Merge several definitions into “Research and Design Facility” for consistent usage throughout the Ordinance.

Restaurant: An establishment where food and drinks are prepared, served, and consumed, mostly within the principal building. ~~Restaurants may includesuch as~~ lunch counters, ~~outdoor dining areas,~~ dairy ~~bars~~ bars, bars, taverns, night clubs, coffee shops, and other similar establishments.

Commented [SH115]: Based on recent conversations, the Planning Commission may want to consider breaking this out into a couple of different definitions. Bars, taverns, and night clubs may have more impacts than other types of restaurants, for example.

Restaurant, with Drive-Through: Any restaurant that includes a drive-in or drive-through as a part of its service or building design.

Commented [SH116]: Identify restaurants with drive-through and without drive-through based on how each are treated in the Ordinance.

Restaurant, without Drive-Through: Any restaurant that does not include a drive-in or drive-through as a part of its service or building design.

Retail Fabricator: A shop or establishment which fabricates merchandise primarily for retail sale, where the retail activity occupies 50% or more of the overall floor space.

Commented [SH117]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

~~**Retail Food Establishment:** Establishments that supply groceries, fruits, vegetables, meats, dairy products, baked goods, confections or similar commodities for consumption off the premises. Foodstuffs may be prepared or manufactured on the premises as an accessory activity of the sale of the product is limited to the local retail store.~~ **Retail, Industrial Accessory:** Retail activity that is accessory to a primary industrial use, where such retail activity occupies 15% or less of the overall floor space.

Commented [SH118]: Remove and include as part of the other retail definitions.

Commented [SH119]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Retail, Industrial Primary: Retail activity that is a primary use on a site in an industrial district. Such retail activity generally has characteristics that are different from retail in a commercial district or that would result in greater site impacts, including bulky or high-value items, outdoor display or outdoor storage, a large indoor storage area or warehouse, and low traffic volumes, including but not limited to building supply and equipment stores, equipment sales and service businesses, furniture stores, and automobile dealerships.

Commented [SH120]: New definition added for use that did not have a definition. Language discussed with Planning Commission. This is included based on the way retail is treated in the industrial districts.

Retail, Low Volume: The sale or rental of goods or merchandise, including the rendering of services incidental to the sale of such goods, taking place in a building of less than five thousand (5,000) square feet. Low volume retail primarily serves residents of the surrounding neighborhood.

Commented [SH121]: The low-volume, medium-volume, and high-volume retail definitions capture the impacts of different retail uses. This language resulted from discussions between the Planning Commission and Staff.

Retail, Medium Volume: The sale or rental of goods or merchandise, including the rendering of services incidental to the sale of such goods, taking place in a building of between five thousand (5,000) square feet and fifty thousand (50,000) square feet. Medium volume retail primarily serves residents of several nearby neighborhoods or the entire community.

Retail, High Volume: The sale or rental of goods or merchandise, including the rendering of services incidental to the sale of such goods, taking place in a building of greater than fifty thousand (50,000) square feet. High volume retail primarily serves the entire community and other nearby communities across the region.

~~Retailer, Low Volume: An establishment or establishments engaging in the sale or rental of goods or merchandise, including the rendering of services incidental to the sale of such goods, which may be anticipated to generate less than 50 vehicular trips per day.~~

Commented [SH122]: Remove old definitions of low-volume and high-volume retail and replace with the language described above.

~~Retailer, High Volume: An establishment or establishments engaging in the sale or rental of goods or merchandise, including the rendering of services incidental to the sale of such goods, which may be anticipated to generate greater than 50 vehicular trips per day. High Volume store retailers are not envisioned as appropriate within the MUIBD.~~

Right-of-Way: A street, alley or other thoroughfare or easement for passage of persons or vehicles, but not including a driveway or joint driveway.

Road: See “Street.”

Road, Arterial: Any road designated as an “Other Principal Arterial” or “Minor Arterial” on the National Functional Classification (NFC) system as defined by the Michigan Department of Transportation (MDOT).

Commented [SH123]: The updated road definitions will be adopted after the public hearing at the Township Board (March 9).

The following roads are Arterial Roads: Barlow; Cass; Garfield; Hammond; Keystone; LaFranier; N. Long Lake; N. Silver Lake; W. Silver Lake; W. South Airport

Road, Collector: Any road designated as a “Major Collector” or “Minor Collector” on the National Functional Classification (NFC) system as defined by the Michigan Department of Transportation (MDOT).

~~Road Frontage: See lot width.~~

Road, Highway: Any road designated as an “Interstate” or “Other Freeway” on the National Functional Classification (NFC) system as defined by the Michigan Department of Transportation (MDOT).

~~Road, Primary: The following roads are Primary Roads: Barnes; Birmley; Cedar Run; E. Silver Lake; Hartman; Park; Silver Pines; Rennie School; Townline; Zimmerman;~~

Road, Local: Any road designated as “Local” on the National Functional Classification (NFC) system as defined by the Michigan Department of Transportation (MDOT), including public and private roads. ~~Any road not considered a State Highway, Arterial Road or Primary Road~~

Road, Major Thoroughfare: Any road designated as either an arterial road or a collector road.

Road, Primary: See "Road, Collector"

Road, Private: See "Street, Private"

Road, Public: See "Street, Public"

Road Frontage: See "Lot Width"

Roadside Stand: A structure for the display of agricultural products ~~produced on the premises,~~ with no space for customers within the structure itself.

Sale of Prefabricated Structures: A business where prefabricated structures such as mobile home units or prefabricated storage sheds are displayed and sold.

Commented [SH124]: New definition added for use that did not have a definition. Staff proposes renaming this from "Sale of Mobile Homes" which is currently an SUP in the C-G district.

Sand or Gravel Pit, Quarry: Land where sand or gravel is extracted from the ground as a key natural resource, which may include processing.

Commented [SH125]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Screening: The enclosure of an area by a visual barrier, which may include a landscape buffer, fencing or other materials.

~~Second Hand Store/Pawn Shop: Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, and recreational equipment. This definition does not include secondhand motor vehicles, parts or accessories.~~

Commented [SH126]: Remove and include as part of the other retail definitions.

Sequential Messaging: A succession of interrelated sign messages, presented on one or more sign faces, which, when read collectively, provide a completed message, statement thought, or idea.

Service Establishment, Business: Establishments primarily engaged in providing services for businesses including photocopying, equipment rental, and other similar services.

Commented [SH127]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Service Establishment, Personal: Establishments primarily engaged in providing services involving the care of a person or their goods such as beauty shops, barber shops, laundry facility, jewelry repair shops, dry cleaning establishment (pickup only), and shoe repair, excluding the processing of physical materials.

Commented [SH128]: Move from "Personal Service Establishment" to put all service establishment definitions together.

Setback: The minimum required distance between the property line and the closest point of any structure whether attached or detached.

Setback, Front: The minimum required distance between the closest point of any structure and the front property line. The front property line is determined by the location of the principal street or right-of-way providing access to a lot, except that the Zoning Administrator may determine the front yard to be on the street front that is in line with the prevailing pattern of front yards on the street in order to be consistent with the established development pattern of the street.

Setback, Rear: The minimum required distance between the closest point of any structure and the rear property line, generally considered as the opposite side of the lot from the front property line.

Setback, Side: The minimum required distance between the closest point of any structure and any property line not considered a front or rear lot line.

Shopping Center, General: A group of ~~ten (10) or more~~ retail establishments, ~~regardless greater than ten thousand (10,000) square feet in floor area of square footage, or one (1) or more retail establishments of fifty thousand (50,000) square feet or more in floor area,~~ planned and constructed on a unified site, ~~at least five (5) acres in size (consisting of one or more parcels)~~ as an integrated unit for shopping and other business activity.

Commented [SH129]: Staff and Planning Commission discussion – refine and clarify this definition and allow for “Shopping Center, Local” to be defined separately.

Shopping Center, Local: A group of retail establishments with a maximum square footage of ten thousand (10,000) square feet in floor area, planned and constructed on a unified site as an integrated unit for shopping and other business activity.

Commented [SH130]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Short-Term: In relation to the occupancy of a building or dwelling unit, any period of less than thirty (30) consecutive days.

Commented [SH131]: Planning Commission feedback – identify what is considered “long-term” and “short-term” occupancy (or rental, etc.) of a building or dwelling unit.

Signs: Any words, lettering, parts of letters, figures, fixtures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or combinations thereof, by which communication is made or presented to identify or call attention to an individual, a firm, an association, a profession, a business, a commodity, or a product which are legible from any public roadway or private road, street, highway or other public way.

Sign Area: The entire ~~advertising~~ area of a sign measured by a rectangle or square enclosing the extreme height and width limits of the sign face and sign structure, regardless of the shape of the sign face or sign structure ~~around the outer most portion of the sign face.~~

Commented [SH132]: Planning Commission feedback – clarify how the area of a sign is measured. Also relocate within Ordinance based on alphabetical order.

Sign, Banner: ~~Means a~~ sign other than a flag, with or without characters, letters, illustrations or ornamentation applied to cloth, flexible plastic, canvas, fabric or other similar light material that can be easily folded or rolled, but not including paper or cardboard, that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

Sign, Billboard – Highway Advertising: An off-premises sign owned by a person, corporation, or other legal entity that engages in the business of utilizing and/or selling the space on that sign for advertising.

Commented [SH133]: Moved to put all sign definitions together in the Definitions.

Sign, Changeable Copy: Any part of a sign that is changeable either manually or electronically, including changeable message boards, digital static messages or images that change physical position or light intensity, by any movement or rotation or that gives the illusion of movement or rotation.

Commented [SH134]: Moved to put in correct spot in alphabetical order.

Signs, Community: Temporary, on or off premises signs, generally made of woven material or durable synthetic materials primarily attached to or hung from poles or on buildings. These signs are solely of a decorative, festive and/or informative nature announcing activities, promotions, or events with seasonal or traditional themes having broad community interest, and which are sponsored or supported by a legally constituted nonprofit organization.

Signs, Directional: An on-premise sign which solely directs visitors or customers to a particular land use or all or part of a development.

~~Sign Area: The entire advertising area of a sign measured by a rectangle around the outer most portion of the sign face.~~

~~Sign, Changeable Copy: Any part of a sign that is changeable either manually or electronically, including changeable message boards, digital static messages or images that change physical position or light intensity, by any movement or rotation or that gives the illusion of movement or rotation.~~

Sign Face: The one vertical plane surface of a sign where the message is displayed or illustrated, irrespective of the size of the associated message.

Sign, Festival Banner Flag: Any banner or flag, as defined in this Ordinance, that meets the definition of a community sign.

Sign, Freestanding: The vertical plane surface of a sign where the message is displayed or illustrated, irrespective of the size of the associated message.

Sign, Nonconforming: A sign or sign structure or portion thereof lawfully existing at the time this Ordinance became effective, which does not now conform.

Sign, Off-Premise: See “Sign, Billboard – Highway Advertising”

Sign, On-Premise: A sign which contains a message identifying a business, profession, product(s), or services conducted or available on the property upon which such sign is located.

Sign, Project Development: A sign placed on the premises of a subdivision or other real estate development to indicate the proposed start of the development project and to provide additional information about the project during the construction period. Project development signs are not to exceed forty (40) square feet on each side of a two (2) sided sign.

Sign, Real Estate Development: A sign placed on the premises of a subdivision or other real estate development to indicate the proposed start of the development project or to inform the public that property within the development is available.

Sign, Roof: A sign erected and constructed wholly on the roof of a building and supported by the roof structure. A roof signs height shall not exceed the midpoint of the roof. A sign located on a buildings flat roof parapet is not considered a roof sign.

Sign Structure: Any supports, uprights or internal framework or bracing of a sign excluding walls which are part of a building, landscape wall, or similar structure.

Sign, Wall: The area of a wall which is used to graphically communicate a message or announcement.

Site Area: The total area within the property lines excluding the street right-of-way.

Site Condominiums: Any parcel of land, which may be divided as a condominium under Public Act 59 of the Public Acts of 1978, as amended, into two or more parts, including building sites or lots, for the purpose of being occupied by either separate or attached structures for the purpose of being dedicated to some common use. This definition shall be deemed not exclusive and the definition of site condominium shall include any other decision which may be statutorily or judicially required, or which may be

Commented [SH135]: All of these were moved to put all sign definitions together in the Definitions.

appropriate by common usage.

Site Condominium Lot: A measured portion of a parcel or tract of land which is described and fixed as a unit within a Condominium Project.

Site Condominium Subdivision: A Condominium Project divided into site condominium lots.

Small Warehousing Establishment: A structure, series of structures, or series of interior units with totally enclosed storage, and generally intended to be sold or leased on an individual basis for self-storage purposes.

Solar Collector Surface: Any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface does not include frames, supports, and mounting hardware.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.

Solar Energy System: A system (including solar collectors and ancillary equipment) either affixed to a permanent principal or accessory building or functioning as a freestanding structure, that collects, stores, and distributes solar energy for heating or cooling, generating electricity, or heating water. Solar energy systems include, but are not limited to, photovoltaic (PV) power systems and solar thermal systems. Solar energy systems shall not be considered essential services. Solar energy systems do not include a panel or panel array less than 10 square feet.

Solar Energy System, Accessory: A solar energy system that meets the following:

1. The system is an accessory use of the property.
2. The system is primarily used for generating electricity for on-site use.

Solar Energy System, Primary: A solar energy system that meets the following:

1. The system is the primary use of the property.
2. The system is primarily used for generating electricity for sale and distribution off-site.

Solar Equipment, Ancillary: Any accessory part or device of a solar energy system that does not require direct access to sunlight, such as but not limited to batteries, electric meters, converters, or water heater tanks.

Stormwater Containment, Non-Agricultural: [Stormwater containment systems on split-zoned properties to support non-agricultural uses.](#)

Commented [SH136]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Story, Height of: The vertical distance from the top surface of one floor to the top surface of the next above. The height of the ~~top most~~topmost story is the distance from the top surface of the floor to the top surface of the ceiling ~~joints~~joists.

Street: A publicly or privately owned right-of-way, easement, or general common area (in the case of a site condominium subdivision) that provides direct vehicular access to abutting properties.

Street, Minor: A public street or way, the principal use or function of which is to give access to the abutting properties.

Street, Private: A street, defined herein, which is to be privately owned and maintained and has not been accepted for jurisdiction and maintenance by the City of Traverse City, ~~the Grand Traverse~~ County, the State of Michigan or the federal government but which meets the requirements of this Ordinance or has been approved as a private road by the Township under this Ordinance or any prior ordinance.

Street, Public: A street, defined herein, which has been dedicated to and accepted for jurisdiction and maintenance by the City of Traverse City, ~~the Grand Traverse~~ County, the State of Michigan, or the federal government.

Structure: ~~A structure is any~~Any production or piece of material artificially built up and composed of parts joined together in some definite manner, any construction, including decks, dwellings, garages, buildings, mobile homes, signs and sign boards, towers, poles, antennae, landfills, walls, weirs, jetties, pipes or other like objects, but not including fences.

Survival Wind Speed: The maximum wind speed, as designated by the Wind Energy Conversion System manufacturer, at which a Wind Energy Conversion System, in unattended operation (not necessarily producing power) is designed to survive without damage to any structural component or loss of the ability to function normally.

Commented [SH137]: Spell out Wind Energy Conversion System.

Swimming Pool: Any structure designed and constructed for the purpose of swimming or bathing that contains water over 24 inches deep and has over 100 square feet of surface area.

Commented [SH138]: Relocate from "Pool" to match how the term is used in the Ordinance.

Swimming Pool, Private: A recreational swimming pool which is an accessory use to a private residential dwelling and/or a private residential development.

Commented [SH139]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Temporary Infrastructure: A non-permanent site element substituted to meet a site development need until construction is complete, and existing for less than 365 calendar days.

~~Temporary Outdoor Sales: A temporary outdoor sales event is an accessory event to the established business and intended to provide the business owner with the ability to sell inventory or goods outdoors on the property for a limited time. This type of sale is typically referred to as a tent sale and does not include transient sales or mobile food sales. Common events may include sidewalk sales, Christmas tree sales lots, revival tents, or other quasi civic activities.~~

Commented [SH140]: Move to "Outdoor Sales, Temporary" to put all the outdoor sales definitions together.

Temporary Outdoor Sales: See "Outdoor Sales, Temporary"

Temporary School Facilities~~Facility~~: A portable classrooms used to support students of public ~~and or~~ private elementary ~~and or~~ secondary schools on a temporary basis.

Commented [SH141]: Planning Commission feedback – clarify language.

Tower Height:

Commented [SH142]: Spell out Wind Energy Conversion System.

1. Horizontal Axis Wind Turbine Rotors: The distance between the ground and the highest point of the Wind Energy Conversion System, as measured from the ground, plus the length by which the rotor blade on a horizontally mounted Wind Energy Conversion System exceeds the structure, which support the rotor and the blades.
2. Vertical Axis Wind Turbine: The distance between the ground and the highest point of the Wind Energy Conversion System.

Township Board: ~~Garfield Charter Township of Garfield~~ Board of Trustees.

Commented [SH143]: Planning Commission feedback – clarify language.

Transportation Dispatch Center: A facility designed for the operations of a transportation service entity and to house vehicles such as taxicabs in between servicing their customers.

Commented [SH144]: Planning Commission feedback – expand this definition to include multiple types of transportation.

Travel Trailer: ~~Refer to See “Recreational Unit as defined herein”.~~

Travel Trailer Park: ~~Refer to See “Campground or Travel Trailer Park as defined herein”.~~

Trip endEnd: Means the total of all motor vehicle trips entering plus all motor vehicle trips leaving a designated land use or building over a given period of time.

Truck or Rail Freight Terminal: An industrial facility designed to receive freight at the end of a truck or rail trip and facilitate the transfer of freight between modes of transportation.

Commented [SH145]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

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

Vacation Home Rental: A commercial use of a residential dwelling where the dwelling is rented or sold for any term less than thirty (30) consecutive days.

Commented [SH146]: Planning Commission asked to verify if 30 days is the correct time frame. Staff did not find any information that would necessitate changing this time frame.

Vehicle Dealership, with Outdoor Sales: A business which offers for sale cars, boats, trailers, off-road vehicles, recreational vehicles, personal trailers, truck tractors, tractor trailers, farming equipment, ~~mobile homes~~, or other motorized equipment, and which – ~~A Vehicle Dealership~~ may include both indoor and outdoor sales.

Commented [SH147]: Staff research – the Zoning Ordinance uses “Automobile Dealership” and “Automotive Dealership,” but the term “Vehicle Dealership” was already defined. Staff proposes using this term and differentiating between dealership with outdoor sales and without outdoor sales.

Vehicle Dealership, without Outdoor Sales: A business which offers for sale cars, boats, trailers, off-road vehicles, recreational vehicles, personal trailers, truck tractors, tractor trailers, farming equipment, or other motorized equipment, and which includes only indoor sales where the vehicles are displayed. This type of use is typically associated with walk-in or internet sales.

Commented [SH148]: Staff research – move from “Automobile Showroom” to put all vehicle dealership definitions together.

Vehicle Service Center, Major: A business which offers servicing of vehicles with impacts which are more significant than a minor vehicle service center, such as a mechanic, body shop, major repair and/or rebuilding of vehicles, or similar. Vehicles serviced may include automobiles, trailers, boats, and other motorized vehicles.

Commented [SH149]: Staff research and Planning Commission discussion – the current Zoning Ordinance has a few different explanations for vehicle service and repair (in C-G, C-H, and industrial districts). These two definitions propose a way to identify major and minor vehicle service and allows for consistency in usage within the Ordinance.

Vehicle Service Center, Minor: A business which offers servicing of vehicles with limited impacts on surrounding uses, such as oil changes, tire sales and service, general maintenance, or similar. Vehicles serviced may include automobiles, trailers, boats, and other motorized vehicles.

Veterinary Hospital: A place-building where animals are given medical care, and but with no long-term boarding facilities. Any boarding of animals is limited to short-short-term recovery care associated with the hospital use.

Commented [SH150]: Staff research and Planning Commission feedback – clarify language and that “Kennel” describes a facility with long-term boarding of animals.

- For a facility which includes long-term boarding of animals, see “Kennel”

View Corridor: Areas, usually linear or triangular, which are prevented from obscuring the view of or from particular points, via height limitations, or other development restrictions.

~~Warehouse: A structure for the storage and/or distribution of goods or material.~~ Warehouse or Distribution Center: A structure for storage and/or distribution of goods or material, including storage facilities for sand, gravel, stone, and contractor's equipment.

Commented [SH151]: Staff research and Planning Commission discussion – add language regarding storage for sand, gravel, stone, and contractor's equipment to allow for consistency in usage within the Zoning Ordinance.

Warehouse or Distribution Center, Hazardous Materials: A structure for storage and/or distribution of hazardous substances such as fuels, chemicals, hazardous waste, or other flammable or toxic substances.

Commented [SH152]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

~~Water Mark: The highest normal water level of the major lakes within the Township as determined by the Township Engineer based on water level history and/or impoundment control.~~

Commented [SH153]: Planning Commission feedback – simplify and clarify language.

Water Mark, Ordinary High: A line between upland and bottomland, which persists through successive changes in water levels, below which the present action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation, as defined in Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act (Act 451) of 1994, as amended.

Commented [SH154]: Staff research and Planning Commission feedback – add reference to State Act.

Water Mark, Boardman Lake: 590.0 feet above sea level.

Water Mark, Silver Lake: 862.0 feet above sea level.

Waterfront Stairway and Landing: Small structures on the waterfront of the property which provide points of access from the land to the water.

Commented [SH155]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

~~WECS: Shall be the approved form of abbreviation of "WIND ENERGY CONVERSION SYSTEM"; WECS shall mean a combination of:~~

Commented [SH156]: Spell out Wind Energy Conversion System and move to be in alphabetical order.

- ~~1. A surface area, either variable or fixed, for utilizing the wind for electrical power, and~~
- ~~2. A shaft, gearing, belt or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity producing device; and~~
- ~~3. The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy; and~~
- ~~4. The tower, pylon, or other structure upon which any, all, or some combination of the above are mounted.~~

Wholesaler: A business which includes the warehousing and storage of bulk quantities of goods and the sale of goods directly to businesses. Some wholesalers may also have a portion of their operation which involves retail and the sale of goods directly to consumers, where such retail activity occupies 15% or less of the overall floor space.

Commented [SH157]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Wind Energy Conversion System: Also abbreviated as WECS, a Wind Energy Conversion System shall mean a combination of:

Commented [SH158]: Spell out Wind Energy Conversion System and move to be in alphabetical order.

1. A surface area, either variable or fixed, for utilizing the wind for electrical power, and
2. A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity producing device; and

3. The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy; and

4. The tower, pylon, or other structure upon which any, all, or some combination of the above are mounted.

Wind Energy Conversion System, Interconnected: A wind energy conversion system which is electrically connected to the local electrical power utility system and could feed power back into the local electrical power utility system.

Wind Energy Conversion System, Personal: The combination of structures, mechanical equipment, and associated controllers which convert wind energy into usable electricity for use at a personal residence.

Wireless Communication Collocation: To place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound. "Collocation" has a corresponding meaning.

Wireless Communications Equipment: A set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.

Wireless Communication Facility: All facilities, equipment, and other structures used in the provision of wireless communications services.

Wireless Communications Support Structure: A structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

Wireless Communication Equipment Compound: An area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.

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

Yard, Front: A yard, extending across the front of the lot between the side lot lines and measured between the front line of the lot and the building line.

Yard, Rear: An open space on the lot with a principal use, unoccupied, except as herein permitted, extending the full width of the lot and situated between the rear line of the lot and the rear building line projected to the side lines of the lot.

Yard, Side: An open and unoccupied space, unless otherwise provided herein, on the lot with a principal use, situated between the building line and the side line of the lot and extending from the front yard to the rear yard. Any yard not a front yard or rear yard shall be deemed a side yard.

Zoning Permit: A type of permit required for any change in use of land or structure in accordance with

Commented [SH159]: Spell out Wind Energy Conversion System and move so that these related definitions are together in the Ordinance.

Commented [SH160]: Spell out Wind Energy Conversion System and move so that these related definitions are together in the Ordinance.

Commented [SH161]: New definition added for use that did not have a definition. Language discussed with Planning Commission.

Table 3-4 Use Chart

Use Name	R-1	R-2	R-3	R-R	R-M	C-L	C-O	C-G	C-H	C-P	I-G	I-L	A	P-R	Conditions
Adult Foster Care, Family Home	SC	SC	SC	SC	R								SC		§ 707
Adult Foster Care, Small Group Home	SUP	SUP	SUP	SUP									SUP		§ 708
Adult Foster Care, Large Group Home			SUP			R	R	R	R				SUP		§ 709
Adult Foster Care Facility			SUP			SUP	SUP	SC	SUP						§ 710
Airport or Airfield													SUP		
Auditorium or Assembly Hall								R	R	R					
Bed and Breakfast			SUP	SUP									SUP		§ 713
Boarding Residence			SUP												§ 714
Business College or Trade School								R			SC	SC			
Campground or Travel Trailer Park									SUP				SUP	SUP	§ 716
Car Wash								SC			SUP	SUP			§ 717
Car Wash, Principal Use								SUP							§ 717
Catering Establishment											R	R			
Cemetery	R	R	R	R									R		
Child Care, Family Home (<7)	SC	SC	SC	SC	R								SC		§ 718
Child Care, Small Group Home (7-12)	SC	SC	SC	SC									SC		§ 719
Child Care Center			SUP		SUP	SUP	SUP	SC	SUP						§ 720
Commercial District Housing Development						SC		SUP	SUP	R					§ 725
Contractor's Establishment											R	R			
Data Center and Computer Operations											R	R			
Drive-In Business								SUP	R	R					§ 730
Drive-Through Business								SUP	R	R					§ 730
Dry Cleaning Plant											SC	SC			
Dwelling, Single Family	R	R	R	R									R		
Dwelling, Two-Family		R	R												
Dwelling, Multiple Family			SUP												
Essential Service Facility, Major	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	§ 737
Essential Service Facility, Minor	R	R	R	R	R	R	R	R	R	R	R	R	R	R	§ 737
Farm Employees House													SC		
Farm Market													R		§ 741
Farm Operation													R		
Financial Institution, with Drive-Through						SUP	SUP	SC	R	R					§ 730
Financial Institution, without Drive-Through						R	R	R	R	R					

Use Name	R-1	R-2	R-3	R-R	R-M	C-L	C-O	C-G	C-H	C-P	I-G	I-L	A	P-R	Conditions
Game or Hunting Preserve, Commercial													SUP		
Gasoline Service Station						SUP		SC	SC		SUP	SUP			§ 748
Golf Course or Country Club	SC	SC	SC	SC									SUP		§ 749
Greenhouse, Commercial													SUP		
Home Industry													R		
Home Occupation	R	R	R	R									R		§ 612
Hospital								R	R	R					
Hotel or Motel								SC	SC	R					§ 750
Incinerator												SUP	SUP		
Indoor Entertainment Center								R	SC	R	R	R			§ 751
Institutional Uses and Structures	SUP	SUP	SUP	SUP		SUP	SUP	SC	SUP		SUP	SUP	SUP		§ 752
Junk Yard												SUP			§ 753
Keeping of Chickens, Personal	SC	SC	SC	SC											§ 754
Keeping of Farm Animals													R		
Keeping of Horses, Personal				SC									SC		§ 754
Kennel								R			R		SUP		§ 755
Live-Work Unit							R			R	R	R			
Livestock Auction Yard													SUP		
Lumber Processing and Sawmill											R	R	SUP		§ 756
Manufacturing, Heavy												R			
Manufacturing, Light											R	R			
Marina						R		R							
Mechanical Amusement Arcade								R	R		SUP				
Medical Marihuana Cultivation Facility											SC	SC			§ 757
Medical Marihuana Residential Cultivation	SC	SC	SC	SC									SC		§ 758
Medical Office, Clinic						R	R	R	R	R					
Medical Office, Surgical Center							R	R	R	R					
Metal Plating, Buffering, and Polishing												SUP			
Mobile Home					R										
Mobile Home Subdivision					SC										§ 759
Mortuary or Funeral Home			SC			SUP		SC			SUP				§ 760
Office						R	R	R	R	R	SUP				
Off-Site Parking						R	SC	R			SUP	SUP			
Open Space Preservation	SC	SC	SC	SC											§ 428
Outdoor Entertainment Center, Major												SUP	SUP		§ 761
Outdoor Entertainment Center, Minor								R							

Use Name	R-1	R-2	R-3	R-R	R-M	C-L	C-O	C-G	C-H	C-P	I-G	I-L	A	P-R	Conditions
Outdoor Sales, Major								SC	SC		SUP				§ 762
Outdoor Sales, Minor								SC	SC						§ 762
Outdoor Sales, Temporary						SC		SC	SC						§ 762
Outdoor Storage, Accessory Use	SC	SC	SC	SC											§ 613.A (4)
Outdoor Storage, Primary Use											SC	SC			§ 763
Park, Mini	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Park, Neighborhood	R	R	R	R							R	R	R	R	
Park, Community - Low Intensity														R	
Park, Community - High Intensity														SUP	
Passenger Terminal								R	R		R	R			§ 764
Pet Grooming Establishment							R	R			R		R		
Pet Shop						SC		SC		R	SUP				§ 765
Printing or Publishing Enterprise											R	R			
Processing Operation											SUP	SUP			
Professional Showroom							R								
Professional Studio							R	R		R	SUP				
Recreational Facility								R	SC	R	R	R			§ 766
Recreational Field Complex	SC	SC	SC	SC									SUP		§ 767
Recycling Facility												SUP			
Rehabilitation Center							R								
Research and Design Facility							R				SC	SC			
Restaurant, with Drive-Through								SUP	R	R					§ 768; § 730
Restaurant, without Drive-Through						SC		R	R	R					§ 768
Retail Fabricator								SUP							§ 769
Retail, Industrial Accessory											R	R			§ 611
Retail, Industrial Primary											SUP				§ 770
Retail, Low Volume						R		R	R	R					
Retail, Medium Volume								R	R	R					
Retail, High Volume								SUP	R	R					
Roadside Stand													R		
Sale of Prefabricated Structures								SUP							
Sand or Gravel Pit, Quarry												SUP	SUP		§ 771
Service Establishment, Business						SC		R	R	R					§ 772
Service Establishment, Personal						R	R	R	R	R					
Sexually Oriented Businesses								SC							§ 640
Shopping Center, General								SUP							
Shopping Center, Local						SUP		SC							

Use Name	R-1	R-2	R-3	R-R	R-M	C-L	C-O	C-G	C-H	C-P	I-G	I-L	A	P-R	Conditions
Small Warehousing Establishment											R	R			
Solar Energy System, Accessory	R	R	R	R	R	R	R	R	R	R	R	R	R	R	§ 773
Solar Energy System, Primary	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	§ 773
Stormwater Containment, Non-Agricultural													SC		§ 774
Swimming Pool, Private	SC	SC	SC	SC											§ 776
Transportation Dispatch Center											R	R			
Truck or Rail Freight Terminal											SUP	SUP			
Vehicle Dealership, with Outdoor Sales								SC	SC		SUP				§ 762
Vehicle Dealership, without Outdoor Sales								R	SC		SC				
Vehicle Service Center, Major								R	R		R	R			
Vehicle Service Center, Minor								R	R		SUP	SUP			
Veterinary Hospital						SC	SC	SC	R		R		SUP		
Warehouse or Distribution Center											R	R			
Warehouse or Distribution Center, Hazardous Materials												SUP			§ 777
Waterfront Stairways and Landings	SC	SC	SC	SC											§ 778
Wholesaler								SC			R	R			§ 779
Wind Energy Conversion System						SUP		SUP			SUP	SUP	SUP		§ 780
Wind Energy Conversion System, Personal	SC	SC	SC	SC	SC								SC		§ 781
Wireless Communication Facilities								SUP	SUP		SUP	SUP	SUP		§ 792

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SECTION 313 R-1 (ONE FAMILY RESIDENTIAL)

PURPOSE – The R-1 (One Family Residential) districts provide areas for low to medium density one family residential dwelling units. The districts include areas of existing one family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township with less intensive development moving outward towards the more rural and remote areas of the township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.

A. USES PERMITTED BY RIGHT:

- (1) Cemeteries
- (2) Dwelling, Single Family
- (3) Home Occupations
- (4) Publicly Owned and Operated Parks

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home (<7) – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Courses – § 749
- (5) Keeping of chickens – § 717
- (6) Medical Marihuana Residential Cultivation – § 758
- (7) Open Space Preservation – § 428
- (8) Personal Wind Energy Conversion Systems – § 770
- (9) Recreation Field Complex – § 772
- (10) Private Swimming Pools – § 773
- (11) Storage of travel trailer, camper, or other recreational vehicle – § 613.A.4
- (12) Waterfront Stairways – § 779

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home (7-12)
- (2) Institutional Uses – § 753

D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

SECTION 313 R-1 (ONE FAMILY RESIDENTIAL)

PURPOSE – The R-1 (One Family Residential) districts provide areas for low to medium density one family residential dwelling units. The districts include areas of existing one family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township with less intensive development moving outward towards the more rural and remote areas of the township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.

A. USES PERMITTED BY RIGHT:

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Essential Service Facility, Minor – § 737
- (4) Home Occupation
- (5) Park, Mini
- (6) Park, Neighborhood
- (7) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Course or Country Club – § 749
- (5) Keeping of Chickens, Personal – § 754
- (6) Medical Marihuana Residential Cultivation – § 758
- (7) Open Space Preservation – § 428
- (8) Outdoor Storage, Accessory Use – § 613.A (4)
- (9) Recreational Field Complex – § 767
- (10) Swimming Pool, Private – § 776
- (11) Waterfront Stairways and Landings – § 778
- (12) Wind Energy Conversion System, Personal – § 781

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Essential Service Facility, Major – § 737
- (3) Institutional Uses and Structures – § 752
- (4) Solar Energy System, Primary – § 773

D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

SECTION 314 R-2 (ONE AND TWO FAMILY RESIDENTIAL)

PURPOSE – The R-2 (One and Two Family Residential) districts provide areas for medium density one- and two-family residential dwelling units in and near to the developed core areas of the township. The districts include areas of existing one- and two-family developments as well as areas within which such development appears likely and desirable. The R-2 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks. They provide a range of housing choices and promote a sense of community, urban vitality, and the efficient provision of infrastructure.

A. USES PERMITTED BY RIGHT:

- (1) All uses permitted by right in the R-1 District
- (2) Dwelling, Two-Family

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) All uses permitted by special condition in the R-1 District, subject to all standards and conditions specified therefore.

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) All uses permitted by Special Use Permit in the R-1 District, subject to all standards and conditions specified therefore.
- (2) Institutional Uses – § 753

D. ADDITIONAL STANDARDS:

- (1) All additional standards identified in the R-1 District shall apply.

SECTION 314 R-2 (ONE AND TWO FAMILY RESIDENTIAL)

PURPOSE – The R-2 (One and Two Family Residential) districts provide areas for medium density one- and two-family residential dwelling units in and near to the developed core areas of the township. The districts include areas of existing one- and two-family developments as well as areas within which such development appears likely and desirable. The R-2 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks. They provide a range of housing choices and promote a sense of community, urban vitality, and the efficient provision of infrastructure.

A. USES PERMITTED BY RIGHT:

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Dwelling, Two-Family
- (4) Essential Service Facility, Minor – § 737
- (5) Home Occupation
- (6) Park, Mini
- (7) Park, Neighborhood
- (8) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Course or Country Club – § 749
- (5) Keeping of Chickens, Personal – § 754
- (6) Medical Marihuana Residential Cultivation – § 758
- (7) Open Space Preservation – § 428
- (8) Outdoor Storage, Accessory Use – § 613.A (4)
- (9) Recreational Field Complex – § 767
- (10) Swimming Pool, Private – § 776
- (11) Waterfront Stairways and Landings – § 778
- (12) Wind Energy Conversion System, Personal – § 781

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Essential Service Facility, Major – § 737
- (3) Institutional Uses and Structures – § 752
- (4) Solar Energy System, Primary – § 773

D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

SECTION 315 R-3 (MULTIPLE FAMILY RESIDENTIAL)

PURPOSE – The R-3 (Multiple Family Residential) districts provide areas for medium to high density one and two family residential dwelling units mixed with a variety of multiple family residential dwelling types, including apartments and group housing, where adequate public facilities and services exist with capacity to serve such development. The districts are composed mainly of areas containing an existing mix of these dwelling types as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township. The R-3 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks that will promote a sense of community, urban vitality and the efficient provision of infrastructure. R-3 district regulations are designed to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and natural land areas.

A. USES PERMITTED BY RIGHT:

- (1) All uses permitted by right in the R-1 District
- (2) Dwelling, Two Family

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) All uses permitted by special condition in the R-1 District, subject to all standards and conditions specified therefore
- (2) Mortuary or Funeral Home – § 764

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) All uses permitted by Special Use Permit in the R-1 District, subject to all standards and conditions specified therefore.
- (2) Adult Care Facility (21+) – § 710
- (3) Adult Foster Care, Large Group home (13-20) – § 709
- (4) Bed and Breakfast – § 714
- (5) Child Care Center – § 720
- (6) Multiple Family Dwellings
- (7) Boarding Residences – § 716
- (8) Institutional Uses – § 753

D. ADDITIONAL STANDARDS:

- (1) All additional standards identified in the R-1 District shall apply.
- (2) Uses permitted by Special Use Permit in the R-3 District shall provide a minimum of 300-square feet of open space per dwelling unit. Required open space shall be consolidated and contiguous to the greatest extent reasonably possible so as to provide usable park-like areas. Structures shall be adjoined by open space areas on at least one side.

SECTION 315 R-3 (MULTIPLE FAMILY RESIDENTIAL)

PURPOSE – The R-3 (Multiple Family Residential) districts provide areas for medium to high density one and two family residential dwelling units mixed with a variety of multiple family residential dwelling types, including apartments and group housing, where adequate public facilities and services exist with capacity to serve such development. The districts are composed mainly of areas containing an existing mix of these dwelling types as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township. The R-3 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks that will promote a sense of community, urban vitality and the efficient provision of infrastructure. R-3 district regulations are designed to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development to preserve environmentally sensitive and natural land areas.

A. USES PERMITTED BY RIGHT:

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Dwelling, Two Family
- (4) Essential Service Facility, Minor – § 737
- (5) Home Occupation
- (6) Park, Mini
- (7) Park, Neighborhood
- (8) Solar Energy System, Accessory – § 773

- (9) Outdoor Storage, Accessory Use – § 613.A (4)
- (10) Recreational Field Complex – § 767
- (11) Swimming Pool, Private – § 776
- (12) Waterfront Stairways and Landings – § 778
- (13) Wind Energy Conversion System, Personal – § 781

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Course or Country Club – § 749
- (5) Keeping of Chickens, Personal – § 754
- (6) Medical Marijuana Residential Cultivation – § 758
- (7) Mortuary or Funeral Home – § 760
- (8) Open Space Preservation – § 428

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Adult Foster Care, Large Group Home – § 709
- (3) Adult Foster Care Facility – § 710
- (4) Bed and Breakfast – § 713
- (5) Boarding Residence – § 714
- (6) Child Care Center – § 720
- (7) Dwelling, Multiple Family
- (8) Essential Service Facility, Major – § 737
- (9) Institutional Uses and Structures – § 752
- (10) Solar Energy System, Primary – § 773

D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.
- (3) Uses permitted by Special Use Permit in the R-3 District shall provide a minimum of 300-square feet of open space per dwelling unit. Required open space shall be consolidated and contiguous to the greatest extent reasonably possible to provide usable park-like areas. Structures shall be adjoined by open space areas on at least one side.

SECTION 316 R-R (RURAL RESIDENTIAL)

PURPOSE – The R-R (Rural Residential) districts provide areas for predominantly low density one family residential dwelling units that will harmonize with the natural resource capabilities of the Township. The districts are intended to be semi-rural in character and include areas of the Township where: (1) public water and sewer facilities are not now available and are likely to remain without services indefinitely; and (2) natural resources and environmental conditions, such as hillsides, scenic areas, wetlands and shorelands, tend to make more intensive types of urbanized development destructive to environmental values.

A. USES PERMITTED BY RIGHT:

- (1) All uses permitted by right in the R-1 District

B. USES PERMITTED BY SPECIAL CONDITIONS

- (1) All uses permitted by special condition in the R-1 District, subject to all standards and conditions specified therefore.
- (2) Keeping of horses for the personal use of residents of the property – § 752

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) All uses permitted by Special Use Permit in the R-1 District, subject to all standards and conditions specified therefore.
- (2) Bed and Breakfast – § 714
- (3) Institutional Uses – § 753

D. ADDITIONAL STANDARDS:

- (1) All additional standards identified in the R-1 District shall apply.

SECTION 316 R-R (RURAL RESIDENTIAL)

PURPOSE – The R-R (Rural Residential) districts provide areas for predominantly low density one family residential dwelling units that will harmonize with the natural resource capabilities of the Township. The districts are intended to be semi-rural in character and include areas of the Township where: (1) public water and sewer facilities are not now available and are likely to remain without services indefinitely; and (2) natural resources and environmental conditions, such as hillsides, scenic areas, wetlands and shorelands, tend to make more intensive types of urbanized development destructive to environmental values.

A. USES PERMITTED BY RIGHT:

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Essential Service Facility, Minor – § 737
- (4) Home Occupation
- (5) Park, Mini
- (6) Park, Neighborhood
- (7) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL CONDITIONS

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Course or Country Club – § 749
- (5) Keeping of Chickens, Personal – § 754
- (6) Keeping of Horses, Personal – § 754
- (7) Medical Marihuana Residential Cultivation – § 758
- (8) Open Space Preservation – § 428
- (9) Outdoor Storage, Accessory Use – § 613.A (4)
- (10) Recreational Field Complex – § 767
- (11) Swimming Pool, Private – § 776
- (12) Waterfront Stairways and Landings – § 778
- (13) Wind Energy Conversion System, Personal – § 781

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Bed and Breakfast – § 713
- (3) Essential Service Facility, Major – § 737
- (4) Institutional Uses and Structures – § 752
- (5) Solar Energy System, Primary – § 773

D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

SECTION 317 R-M (MOBILE HOME RESIDENTIAL)

PURPOSE – The R-M (Mobile Home Residential) districts provide areas for mobile home subdivisions and mobile home parks. The districts include areas of existing developments as well as areas proposed and approved for such development. They are intended to encourage medium to high density mobile home subdivisions and mobile home park developments where adequate public facilities and services exist with capacity to serve such development. The R-M districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses facilities that will support and promote a sense of community.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Family Home
- (2) Child Care, Family Home
- (3) Mobile Home

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Mobile Home Park Development or Subdivision – § 760
- (2) Personal Wind Energy Conversion Systems – § 770

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Child Care Center – § 720

D. ADDITIONAL STANDARDS:

(Reserved)

SECTION 317 R-M (MOBILE HOME RESIDENTIAL)

PURPOSE – The R-M (Mobile Home Residential) districts provide areas for mobile home subdivisions and mobile home parks. The districts include areas of existing developments as well as areas proposed and approved for such development. They are intended to encourage medium to high density mobile home subdivisions and mobile home park developments where adequate public facilities and services exist with capacity to serve such development. The R-M districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses facilities that will support and promote a sense of community.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Essential Service Facility, Minor – § 737
- (4) Mobile Home
- (5) Park, Mini
- (6) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Mobile Home Subdivision – § 759
- (2) Wind Energy Conversion System, Personal – § 781

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Child Care Center – § 720
- (2) Essential Service Facility, Major – § 737
- (3) Solar Energy System, Primary – § 773

D. ADDITIONAL STANDARDS:

(Reserved)

SECTION 318 C-L LOCAL COMMERCIAL

PURPOSE – The C-L (Local Commercial) districts provide nodal areas for convenient, day-to-day retail shopping and service facilities, servicing persons in the adjacent residential areas and designed in scale with surrounding residential uses. The districts include areas of existing commercial use as well as areas proposed and approved for such development. Due to their local service nature, C-L districts are likely to be stand alone, or small collective sites located so as to have a minimum impact upon the surrounding residential areas. C-L district regulations are designed to protect abutting and surrounding residential areas by requiring certain minimum yard and area standards which are compatible to those called for in the residential districts. These districts are also intended to reduce automobile trips by permitting a limited group of commercial uses to be located in close proximity to residential areas.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home (13-20)
- (2) Clinics
- (3) Financial Institutions not including drive-through facilities
- (4) Marina
- (5) Off-Street Parking Lots
- (6) Offices
- (7) Personal Service Establishments
- (8) Retail, Convenience
- (9) Retail, Food Establishment
- (10) Video Rental and Sales Establishment

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Dry Cleaning Establishment provided that only nonflammable and odorless cleaning fluid and solvent are used
- (2) Dwellings, Commercial, provided such units are designed as an integral part of the commercial development – § 615
- (3) Restaurant, provided that such establishments shall not include a drive-in or drive-through
- (4) Temporary Outdoor Sales – § 766
- (5) Veterinary Hospital, provided the use is carried on within a fully enclosed building and contains no boarding facilities
- (6) Pet Shops provided they are completely enclosed and insulated from noise
- (7) Printing, publishing, photographic reproduction, and related trades & art uses not to exceed 2,400 square feet of gross building area

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Care Facility (21+) – § 710
- (2) Business uses including complexes located on sites greater than one (1) acre and local shopping centers having a maximum of 10,000 gross square feet
- (3) Child Care Center – § 720
- (4) Institutional Uses and Structures – § 753
- (5) Financial Institutions, Drive-Through, having a maximum of two (2) drive-through service lanes
- (6) Gasoline Service Station - Convenience Store provided that the area of the C-L Zoning District, within which the use is located, is not less than four (4) acres – § 748.
- (7) Mortuaries and Funeral Homes – § 764
- (8) WECS – § 780

SECTION 318 C-L LOCAL COMMERCIAL

PURPOSE – The C-L (Local Commercial) districts provide nodal areas for convenient, day-to-day retail shopping and service facilities, servicing persons in the adjacent residential areas and designed in scale with surrounding residential uses. The districts include areas of existing commercial use as well as areas proposed and approved for such development. Due to their local service nature, C-L districts are likely to be stand alone, or small collective sites located to minimize impact upon the surrounding residential areas. C-L district regulations are designed to protect abutting and surrounding residential areas by requiring certain minimum yard and area standards which are compatible to those called for in the residential districts. These districts are also intended to reduce automobile trips by permitting a limited group of commercial uses to be located near residential areas.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Essential Service Facility, Minor – § 737
- (3) Financial Institution, without Drive-Through
- (4) Marina
- (5) Medical Office, Clinic
- (6) Off-Site Parking
- (7) Office
- (8) Park, Mini
- (9) Retail, Low Volume
- (10) Service Establishment, Personal
- (11) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Commercial District Housing Development – § 725
- (2) Outdoor Sales, Temporary – § 762
- (3) Pet Shop – § 765
- (4) Restaurant, without Drive-Through – § 768
- (5) Service Establishment, Business – § 772
- (6) Veterinary Hospital

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care Facility – § 710
- (2) Child Care Center – § 720
- (3) Essential Service Facility, Major – § 737
- (4) Financial Institution, with Drive-Through – § 730
- (5) Gasoline Service Station – § 748
- (6) Institutional Uses and Structures – § 752
- (7) Mortuary or Funeral Home – § 760
- (8) Shopping Center, Local
- (9) Solar Energy System, Primary – § 773
- (10) Wind Energy Conversion System – § 780

SECTION 319 C-O OFFICE COMMERCIAL

PURPOSE – C-O (Office Commercial) districts provide areas for service-oriented enterprises and institutions having relatively low traffic generation. The districts include areas of existing office developments as well as areas within which such development appears likely and desirable. They are intended to facilitate the support and expansion of local business, while serving as a buffer between residential areas and more intensive commercial areas. The C-O districts are primarily restricted to office and ancillary uses that do not have peak weeknight or weekend usage so as to provide an orderly transition and buffers between uses.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home (13-20)
- (2) Clinics
- (3) Financial Institutions not including drive-through facilities
- (4) Interior Decorating Shops provided no retail sales take place on the property
- (5) Laboratories
- (6) Offices
- (7) Personal Service Establishments
- (8) Pet Grooming Establishment
- (9) Professional Studios
- (10) Rehabilitation Centers

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Dwellings, Commercial, provided such units are designed as an integral part of the commercial development – § 616
- (2) Off-Street Parking facilities, accessory to a permitted use in an adjacent commercial district
- (3) Veterinary Hospitals, provided it is in a fully enclosed building and contains no boarding facilities

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Care Facility (21+) – § 710
- (2) Institutional Uses and Structures – § 753
- (3) Child Care Center – § 720
- (4) Financial Institutions, drive-through, having a maximum of two (2) drive-through service lanes

SECTION 319 C-O OFFICE COMMERCIAL

PURPOSE – C-O (Office Commercial) districts provide areas for service-oriented enterprises and institutions having relatively low traffic generation. The districts include areas of existing office developments as well as areas within which such development appears likely and desirable. They are intended to facilitate the support and expansion of local business, while serving as a buffer between residential areas and more intensive commercial areas. The C-O districts are primarily restricted to office and ancillary uses that do not have peak weeknight or weekend usage to provide an orderly transition and buffers between uses.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Essential Service Facility, Minor – § 737
- (3) Financial Institution, without Drive-Through
- (4) Live-Work Unit
- (5) Medical Office, Clinic
- (6) Medical Office, Surgical Center
- (7) Office
- (8) Park, Mini
- (9) Pet Grooming Establishment
- (10) Professional Showroom
- (11) Professional Studio
- (12) Rehabilitation Center
- (13) Research and Design Facility
- (14) Service Establishment, Personal
- (15) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Off-Site Parking
- (2) Veterinary Hospital

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care Facility – § 710
- (2) Child Care Center – § 720
- (3) Essential Service Facility, Major – § 737
- (4) Financial Institution, with Drive-Through – § 730
- (5) Institutional Uses and Structures – § 752
- (6) Solar Energy System, Primary – § 773

SECTION 320 C-G GENERAL COMMERCIAL

PURPOSE – The C-G (General Commercial) districts provide areas for a broad range of commercial activities and services designed to cater to the needs of a large consumer base. The districts include areas of existing commercial developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive commercial development in and near the core areas of the township. The C-G districts are designed to support diversification of the economic base in a manner compatible in use, character, and size to the site and the surrounding areas.

A. USES PERMITTED BY RIGHT:

- | | |
|--|--|
| (1) All uses permitted by right in the C-L District | (13) Mortuaries |
| (2) Animal Kennels (Indoor/outdoor permitted) | (14) Personal and Business Services |
| (3) Automobile Dealerships, including outdoor sales lots | (15) Pet Grooming Establishment |
| (4) Bar, Tavern, Night Club | (16) Printing, publishing, photographic reproduction, blueprinting and related trades and arts |
| (5) Building Supply and Equipment Stores | (17) Professional Studios |
| (6) Bus Passenger Terminals and Stations | (18) Recreational Facility |
| (7) Business Colleges and Trade Schools | (19) Restaurants without drive thru |
| (8) Hospitals | (20) Retail Establishments |
| (9) Indoor Entertainment Center | (21) Service and repair of motor vehicles, trailers, and boats |
| (10) Mechanical amusement arcades | (22) Theaters |
| (11) Merchandise Service Shop | |
| (12) Miniature golf, trampoline, or similar public amusement | |

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) All uses permitted by special use permit in the C-L District, subject to all standards and conditions specified therefore unless the use is specifically listed under § 320 (C).
- (2) Automobile Laundries – § 712
- (3) Hotels and Motels under the following conditions:
 - (a) Minimum Floor Area: Each guest unit shall contain not less than two hundred fifty (250) square feet of floor area.
 - (b) Minimum Lot Area: 800 square feet of lot area per guest unit, with a minimum one (1) acre lot and one hundred fifty (150) feet of road frontage:
 - (c) Maximum Lot Coverage: All buildings, including accessory buildings, shall not occupy more than twenty-five percent (25%) of the net area within property lines of land developed at any one time.
 - (d) Minimum Yard Dimensions: All buildings shall be set back no less than one hundred (100) feet from any street line, and no less than forty (40) feet from any side or rear property line.
 - (e) Site Screening: The site may be enclosed by an open structure wood or wire fences along any yard line but shall not exceed six (6) feet in height. Shrubs and/or trees may be used to screen alone or in combination with structural screens. No screening shall in any way impair safe vertical or horizontal sight distance for any moving vehicle. Screening at least four (4) feet high shall be erected to prevent headlight glare from shining on adjacent residential or agricultural property. No screening shall be closer than seventy-five (75) feet to any street line, except for headlight screening which shall not be closer than thirty (30) feet.
 - (f) Swimming pools and other outdoor recreational uses, PROVIDED, such facilities are an accessory use to a permitted use within the district and are located on the same site as the principal use to which

they are accessory.

- (g) Accessory uses, such as meeting rooms, tavern, bar or similar uses, PROVIDED, such accessory use shall be carried on within the same building as the principal use. A caretaker's or proprietor's residence shall be permitted as an accessory use only when the principal use is a motel, motor-hotel, or other transient tourist facility.
- (4) Open air business uses such as retail sales of plant material not grown on site, sales of lawn furniture, playground equipment and garden supplies provided non-plant materials are screened from public view.
- (5) Outdoor Sales of new and used automobiles, trailers, boats – § 765
- (6) Pet shops, veterinary hospitals, provided all birds and animals are kept entirely within an enclosed building at all times and contains no boarding facilities.
- (7) Second Hand Stores provided that the use is conducted wholly within an enclosed building and involves no outdoor storage or sales
- (8) Sexually Oriented Businesses – § 640
- (9) Wholesale activities provided they are supplemental to retail sales and account for no more than forty percent (40%) of all merchant sales
- (10) Temporary Outdoor Sales – § 766

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Drive-In Business or Drive-Through Business not otherwise identified above
- (2) Free Standing Automobiles Laundries on lots of less than one hundred fifty (150) feet in width
- (3) Retail Fabricators, shops and establishments which fabricate merchandise primarily for retail sale, provided that such shop or establishment shall not employ more than ten (10) persons in the fabrication process in a twenty-four (24) hour period, and provided further that sixty percent (60%) of sales on the premises are retail
- (4) Sale of Mobile Homes
- (5) Second Hand Stores involving outdoor storage or sales – § 776
- (6) Shopping Center
- (7) WECS – § 780
- (8) Wireless Communication Facilities – § 792
- (9) Planned Unit Development – § 426
- (10) Commercial District Housing Developments – § 725

SECTION 320 C-G GENERAL COMMERCIAL

PURPOSE – The C-G (General Commercial) districts provide areas for a broad range of commercial activities and services designed to cater to the needs of a large consumer base. The districts include areas of existing commercial developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive commercial development in and near the core areas of the township. The C-G districts are designed to support diversification of the economic base that is compatible in use, character, and size to the site and the surrounding areas. The C-G districts generally allow for the same uses as the C-L Local Commercial districts as well as permitting several additional uses.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Auditorium or Assembly Hall
- (3) Business College or Trade School
- (4) Essential Service Facility, Minor – § 737
- (5) Financial Institution, without Drive-Through
- (6) Hospital
- (7) Indoor Entertainment Center – § 751
- (8) Kennel – § 755
- (9) Marina
- (10) Mechanical Amusement Arcade
- (11) Medical Office, Clinic
- (12) Medical Office, Surgical Center
- (13) Off-Site Parking
- (14) Office
- (15) Outdoor Entertainment Center, Minor
- (16) Park, Mini
- (17) Passenger Terminal – § 764
- (18) Pet Grooming Establishment
- (19) Professional Studio
- (20) Recreational Facility – § 766
- (21) Restaurant, without Drive-Through – § 768
- (22) Retail, Low Volume
- (23) Retail, Medium Volume
- (24) Service Establishment, Business – § 772
- (25) Service Establishment, Personal
- (26) Solar Energy System, Accessory – § 773
- (27) Vehicle Dealership, without Outdoor Sales
- (28) Vehicle Service Center, Major
- (29) Vehicle Service Center, Minor

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care Facility – § 710
- (2) Car Wash – § 717
- (3) Child Care Center – § 720
- (4) Financial Institution, with Drive-Through – § 730

- (5) Gasoline Service Station – § 748
- (6) Hotel or Motel – § 750
- (7) Institutional Uses and Structures – § 752
- (8) Mortuary or Funeral Home – § 760
- (9) Outdoor Sales, Major – § 762
- (10) Outdoor Sales, Minor – § 762
- (11) Outdoor Sales, Temporary – § 762
- (12) Pet Shop – § 765
- (13) Sexually Oriented Businesses – § 640
- (14) Shopping Center, Local
- (15) Vehicle Dealership, with Outdoor Sales – § 762
- (16) Veterinary Hospital
- (17) Wholesaler – § 779

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Car Wash, Principal Use – § 717
- (2) Commercial District Housing Development – § 725
- (3) Drive-In Business – § 730
- (4) Drive-Through Business – § 730
- (5) Essential Service Facility, Major – § 737
- (6) Restaurant, with Drive-Through – § 768 & § 730
- (7) Retail Fabricator – § 769
- (8) Retail, High Volume
- (9) Sale of Prefabricated Structures
- (10) Shopping Center, General
- (11) Solar Energy System, Primary – § 773
- (12) Wind Energy Conversion System – § 780
- (13) Wireless Communication Facilities – § 792

SECTION 321 C-H HIGHWAY COMMERCIAL

PURPOSE – The C-H (Highway Commercial) districts provide areas for retail business and service activities that generate a considerable amount of traffic and may be appropriately developed on an arterial or major collector road. The districts include areas of existing commercial development as well as areas within which such development appears likely and desirable. They are intended to encourage appropriate automobile-oriented development on and near the arterial and major collector streets of the Township. The C-H district regulations are designed to minimize the undesirable effects of commercial strip development, avoid undue congestion on major highways and at major intersections, and to encourage cross-access and shared access between commercial properties via service drives.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home (13-20)
- (2) Clinics
- (3) Drive-in or Drive-Through Uses, excluding drive-in theaters
- (4) Farm Produce Market
- (5) Financial Institutions
- (6) Mechanical Amusement Arcades
- (7) Offices
- (8) Passenger terminals
- (9) Personal and business services excluding processing of physical materials
- (10) Public Buildings
- (11) Restaurants
- (12) Retail Establishments not including Second Hand Stores
- (13) Service and repair of motor vehicles, trailers, and boats
- (14) Veterinary Hospital
- (15) Video Rental and Sales Establishment

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Gasoline Service Stations – § 748
 - (a) Automobile and truck and trailer repair and sale of automotive accessories shall be permitted only as an accessory use to an automobile or truck service station and shall be conducted entirely within a wholly enclosed building.
- (2) Hotels and Motels subject to the conditions specified in § 320.B (5) of this article
- (3) Indoor Entertainment Center when located at least one hundred (100) feet from an adjacent residential district
- (4) Automotive Dealerships, including outdoor sales lots – § 765
- (5) Recreational Facilities provided that the facility shall be accessed from a major thoroughfare as classified in the master plan
- (6) Temporary Outdoor Sales – §766

C. USES PERMITTED BY SPECIAL USE PERMIT

- (1) Adult Care Facility (21+)
- (2) Institutional Uses and Structures – § 753
- (3) Child Care Center – § 720
- (4) Travel Trailer Parks
- (5) Wireless Communication Facilities – § 792
- (6) Commercial District Housing Developments – § 725

D. SITE DEVELOPMENT REQUIREMENTS

(1) General

Applications for development within the C-H district shall be reviewed by the Planning Commission for compliance with Article 4, § 424 - Site Plans and Article 5 – Development Standards.

(2) External Access

All site plan proposals submitted under the requirements of the Highway Commercial District shall provide for the proper handling of traffic on the highway, frontage road, or street giving access to the district. No access by motor vehicles other than stated herein shall be permitted to a minor or residential street. All points of entrance or exit for motor vehicles shall be no closer than fifty (50) feet from the intersection of the right-of-way lines of two streets. When a Highway Commercial District is located adjoining or within one-half (½) mile of an existing or proposed state or interstate limited access highway interchange, the Planning Commission shall determine that an acceptable traffic safety relationship exists between the owner's or lessee's site plan and the design of the state or interstate facility. The proposed site development within the Highway Commercial District shall not be so located and designed so that unsafe traffic congestion results on the interchange facilities of the limited access highway.

(3) Transition Strips

A fifty (50) foot wide strip of land shall be provided on any side of a C-H District which abuts a residential or agricultural zone. This strip shall serve as a transition between the subject use and the adjacent property uses, both existing and future. No part of this transition strip shall be used for any of the site functions except that thirty (30) feet thereof may be used for parking area. The transition strip shall be occupied by plant materials or structural fences or walls, used separately or in combination. The plans and specifications for site development shall include the proposed arrangement for such plantings and structures.

(4) Service Roads

In order to achieve a well-planned center, the Planning Commission may require access to the business facilities from an interior service road at least twenty-four (24) feet wide which shall be established in order to provide the major means of access to the planned commercial area. The site plan layout shall be such that access to commercial center parking lots shall be from the interior road and not from the major thoroughfare. In those instances where the Planning Commission finds that an extensive number of ingress or egress points may occur with relation to major thoroughfares, they may require roads twenty-four (24) feet width paralleling said thoroughfare and, in addition, may require the development of parking so that contiguous lots on abutting properties will allow traffic circulation from one property to another without re-entering the public thoroughfare.

SECTION 321 C-H HIGHWAY COMMERCIAL

PURPOSE – The C-H (Highway Commercial) districts provide areas for retail business and service activities that generate a considerable amount of traffic and may be appropriately developed on an arterial or major collector road. The districts include areas of existing commercial development as well as areas within which such development appears likely and desirable. They are intended to encourage appropriate automobile-oriented development on and near the arterial and major collector streets of the Township. The C-H district regulations are designed to minimize the undesirable effects of commercial strip development, avoid undue congestion on major highways and at major intersections, and to encourage cross-access and shared access between commercial properties via service drives.

A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Auditorium or Assembly Hall
- (3) Drive-In Business – § 730
- (4) Drive-Through Business – § 730
- (5) Essential Service Facility, Minor – § 737
- (6) Financial Institution, with Drive-Through – § 730
- (7) Financial Institution, without Drive-Through
- (8) Hospital
- (9) Mechanical Amusement Arcade
- (10) Medical Office, Clinic
- (11) Medical Office, Surgical Center
- (12) Office
- (13) Park, Mini
- (14) Passenger Terminal – § 764
- (15) Restaurant, with Drive-Through – § 768 & § 730
- (16) Restaurant, without Drive-Through – § 768
- (17) Retail, Low Volume
- (18) Retail, Medium Volume
- (19) Retail, High Volume
- (20) Service Establishment, Business – § 772
- (21) Service Establishment, Personal
- (22) Solar Energy System, Accessory – § 773
- (23) Vehicle Service Center, Major
- (24) Vehicle Service Center, Minor
- (25) Veterinary Hospital

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Gasoline Service Stations – § 748
- (2) Hotel or Motel – § 750
- (3) Indoor Entertainment Center – § 751
- (4) Outdoor Sales, Major – § 762
- (5) Outdoor Sales, Minor – § 762
- (6) Outdoor Sales, Temporary – § 762
- (7) Recreational Facility – § 766
- (8) Vehicle Dealership, with Outdoor Sales – § 762
- (9) Vehicle Dealership, without Outdoor Sales

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care Facility – § 710
- (2) Campground or Travel Trailer Park – § 716
- (3) Child Care Center – § 720
- (4) Commercial District Housing Development – § 725
- (5) Essential Service Facility, Major – § 737
- (6) Institutional Uses and Structures – § 752
- (7) Solar Energy System, Primary – § 773
- (8) Wireless Communication Facilities – § 792

SECTION 322 C-P PLANNED SHOPPING CENTER

PURPOSE – It is the intent of the C-P (Planned Shopping) Districts to recognize the various areas of our community that have been developed in a grouped retail setting with department store anchors and expansive parking areas. These planned centers are typically located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. This section recognizes the transition from antiquated development patterns and encourages multi-use, multi-story, infill development of the parking areas to create a more pedestrian-friendly, mixed-use area. Multi-story structures are encouraged.

A. USES PERMITTED BY RIGHT:

- (1) Auditorium, assembly, and indoor entertainment center.
- (2) Bakery, Coffee Shop
- (3) Bar, Tavern, night club
- (4) Clinics
- (5) Commercial District Housing Developments – § 725
- (6) Department Stores
- (7) Financial Institutions
- (8) Grocery Stores
- (9) Hardware Stores
- (10) Hotels – § 320.B (5)
- (11) Live work units
- (12) Offices
- (13) Personal and Business services
- (14) Pet Shops provided they are completely enclosed and insulated from noise
- (15) Professional Studios
- (16) Recreation Facility
- (17) Restaurants and outdoor seating provided the area is delineated by a curb or similar barrier.
- (18) Retail Establishment not including second hand stores.

B. DIMENSIONAL STANDARDS:

Minimum Lot Area: 15,000 sf

Minimum Lot Width: 60 ft

Maximum Building Height:

- In Stories: 4
- In Feet: 50 ft

Maximum Yard Setbacks (B)(C)(D):

- **Front:** 10 ft (30 ft)

- **Minimum Yard Setback (C)(D):**

Each Side: 10 ft (30 ft)

Rear: 30 ft

Notes to Dimensional Standards:

- (A) Any structure proposed over 25 feet in height shall file a 7460-1 form with the FAA. If at any time the FAA restricts a structure to a lesser height than the district maximum, the FAA restriction shall prevail and made a condition of any approval.
- (B) Setbacks shall be measured from the furthest protruding point of structure.
- (C) A fifty (50) foot wide vegetative strip of land shall be provided on any side of a C-P District which abuts a residential or agricultural zone.
- (D) For lots at the periphery of the Shopping Center that do not abut a residential or agricultural zone, refer to setback distances in parentheses.

SECTION 322 C-P PLANNED SHOPPING CENTER

PURPOSE – It is the intent of the C-P (Planned Shopping) Districts to recognize the various areas of our community that have been developed in a grouped retail setting with department store anchors and expansive parking areas. These planned centers are typically located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. This section recognizes the transition from antiquated development patterns and encourages multi-use, multi-story, infill development of the parking areas to create a more pedestrian-friendly, mixed-use area. Multi-story structures are encouraged.

A. USES PERMITTED BY RIGHT:

- (1) Auditorium or Assembly Hall
- (2) Commercial District Housing Development – § 725
- (3) Drive-In Business – § 730
- (4) Drive-Through Business – § 730
- (5) Essential Service Facility, Minor – § 737
- (6) Financial Institution, with Drive-Through – § 730
- (7) Financial Institution, without Drive-Through
- (8) Hospital
- (9) Hotel or Motel – § 750
- (10) Indoor Entertainment Center – § 751
- (11) Live-Work Unit
- (12) Medical Office, Clinic
- (13) Medical Office, Surgical Center
- (14) Office
- (15) Park, Mini
- (16) Pet Shop – § 765
- (17) Professional Studio
- (18) Recreational Facility – § 766
- (19) Restaurant, with Drive-Through – § 768 & § 730
- (20) Restaurant, without Drive-Through – § 768
- (21) Retail, Low Volume
- (22) Retail, Medium Volume
- (23) Retail, High Volume
- (24) Service Establishment, Business – § 772
- (25) Service Establishment, Personal
- (26) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Essential Service Facility, Major – § 737
- (2) Solar Energy System, Primary – § 773

SECTION 323 I-G GENERAL MIXED-USE INDUSTRIAL BUSINESS

PURPOSE – The intent of the General Mixed Use Industrial Business (I-G) District is to remain primarily industrial in nature while allowing a limited number of non-industrial uses that are envisioned as accessory or complimentary to existing and future industrial uses of the districts. Non-industrial uses of property within these districts are subject to industrial impacts from adjacent parcels including, but not limited to, noise, dust, and vibrations.

A. USES PERMITTED BY RIGHT:

- (1) Accessory Uses, including retail sales of products warehoused or produced on the premises
- (2) Animal Kennels (indoor/outdoor)
- (3) Auto Service, including:
 - (a) Mechanics
 - (b) Body Shops
 - (c) Detailing
 - (d) Tire Sales and Service
- (4) Catering Establishment
- (5) Contractor's Establishment
- (6) Data Centers and Computer Operations
- (7) Indoor Entertainment Center
- (8) Manufacturing (Light)
- (9) Passenger Terminal
- (10) Pet Grooming Establishment
- (11) Photographic reproduction, blueprinting, or related trades and arts
- (12) Printing and publishing (i.e. newspaper)
- (13) Public Utility Structures
- (15) Public Areas, Public Parks, and Public and Private Conservation Areas
- (16) Recreational Facility
- (17) Sawmill and Lumber Processing (indoor)
- (18) Taxi Terminal and Dispatch Center
- (19) Veterinary Hospitals
- (20) Warehouses, including but not limited to:
 - (a) Storage facilities for sand, gravel, stone, and contractor's equipment
 - (b) Small warehousing establishments, with totally enclosed storage
 - (c) Wholesale Operations
 - (d) Distribution Centers

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Automobile showroom (indoor sales and display only)
- (2) Central Dry Cleaning Plant provided there is no retail customer contact
- (3) Limited Residential – § 616
- (4) Medical Marijuana Cultivation Facility – § 757
- (5) Outdoor storage as principal use provided that the use is within a fenced and properly screened area
- (6) Research and Design, provided there is no use of materials having high toxicity, radioactivity, or explosive properties, including but not limited to:
 - (a) Engineering
 - (b) High Tech Research
 - (c) Trade or Industrial Schools
 - (d) Business Colleges
 - (e) Industrial, Research, or Business Park
- (7) Accessory automobile sales related to principal mechanic and body shop uses, provided that no additional signage for the sale of the vehicles is permitted and that no more than three vehicles are permitted to be displayed for sale at any point.

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Auto Service, including:
 - (a) Automobile Laundries – § 712
 - (b) Gasoline Service Stations – § 748
 - (c) Oil Change Facilities
- (2) Institutional Uses and Structures – § 753
- (3) Limited Residential – § 616
- (4) Mortuary – § 764
- (5) Mechanical Amusement Arcades
- (6) Offices
- (7) Parking Facility (i.e. ramp; accessory to principal use)
- (8) Processing Operations not otherwise identified in § 323(A) or (B)
- (9) Professional Studios
- (10) Retail, including:
 - (a) Building Supply/Equipment Store
 - (b) Equipment Sales and Service – § 740
 - (c) Furniture Store
 - (d) Low-Volume Retail
 - (e) Pet Shop
 - (f) Retail Dry Cleaning Operation (including direct retail customer pickup)
 - (g) Automobile Dealerships
- (11) Truck or Rail Freight Terminal
- (12) WECS – § 780
- (13) Wireless Communication Facilities – § 792

SECTION 323 I-G GENERAL MIXED-USE INDUSTRIAL BUSINESS

PURPOSE – The intent of the General Mixed Use Industrial Business (I-G) District is to remain primarily industrial in nature while allowing a limited number of non-industrial uses that are envisioned as accessory or complimentary to existing and future industrial uses of the districts. Non-industrial uses of property within these districts are subject to industrial impacts from adjacent parcels including, but not limited to, noise, dust, and vibrations.

A. USES PERMITTED BY RIGHT:

- (1) Catering Establishment
- (2) Contractor's Establishment
- (3) Data Center and Computer Operations
- (4) Essential Service Facility, Minor – § 737
- (5) Indoor Entertainment Center – § 751
- (6) Kennel – § 755
- (7) Live-Work Unit
- (8) Lumber Processing and Sawmill – § 756
- (9) Manufacturing, Light
- (10) Park, Mini
- (11) Park, Neighborhood
- (12) Passenger Terminal – § 764
- (13) Pet Grooming Establishment
- (14) Printing or Publishing Enterprise
- (13) Recreational Facility – § 766
- (14) Retail, Industrial Accessory – § 611
- (15) Small Warehousing Establishment
- (16) Solar Energy System, Accessory – § 773
- (17) Transportation Dispatch Center
- (18) Vehicle Service Center, Major
- (19) Veterinary Hospital
- (20) Warehouse or Distribution Center
- (21) Wholesaler – § 779

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Business College or Trade School
- (2) Dry Cleaning Plant
- (3) Medical Marijuana Cultivation Facility – § 757
- (4) Outdoor Storage, Primary Use – § 763
- (5) Research and Design Facility
- (6) Vehicle Dealership, without Outdoor Sales

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Car Wash – § 717
- (2) Essential Service Facility, Major – § 737
- (3) Gasoline Service Stations – § 748
- (4) Institutional Uses and Structures – § 752
- (5) Mechanical Amusement Arcades
- (6) Mortuary or Funeral Home – § 760
- (7) Office
- (8) Off-Site Parking
- (9) Outdoor Sales, Major – § 762
- (10) Pet Shop – § 765
- (11) Processing Operation
- (12) Professional Studio
- (13) Retail, Industrial Primary – § 770
- (14) Solar Energy System, Primary – § 773
- (15) Truck or Rail Freight Terminal
- (16) Vehicle Dealership, with Outdoor Sales – § 762
- (17) Vehicle Service Center, Minor
- (18) Wind Energy Conversion System – § 780
- (19) Wireless Communication Facilities – § 792

SECTION 324 I-L LIMITED MIXED-USE INDUSTRIAL BUSINESS

PURPOSE – The intent of the Limited Mixed Use Industrial Business (I-L) District is to remain highly industrial in nature while allowing a limited number of non-industrial uses that are envisioned as accessory or complimentary to existing and future industrial uses of the districts. Non-industrial uses of property within these districts are subject to industrial impacts from adjacent parcels including, but not limited to, noise, dust, and vibrations. The Planning Commission will attempt to limit these adverse impacts when considering development applications.

A. USES PERMITTED BY RIGHT:

- (1) Accessory Uses, including retail sales of products warehoused or produced on the premises
- (2) Auto Service, including:
 - (a) Mechanics
 - (b) Body Shops
 - (c) Detailing
 - (d) Tire Sales and Service
- (3) Catering Establishment
- (4) Contractor’s Establishment
- (5) Data Centers and Computer Operations
- (6) Indoor Entertainment Center
- (7) Manufacturing (Light and Heavy)
- (8) Photographic reproduction, blueprinting, or related trades and arts
- (9) Passenger Terminal
- (10) Printing and Publishing Establishment (i.e. newspaper)
- (12) Public Utility Structures
- (13) Public Areas, Public Parks, and Public and Private Conservation Areas
- (14) Recreational Facility
- (15) Sawmill and Lumber Processing
- (16) Taxi Terminal and Dispatch Center
- (17) Warehouses, including but not limited to:
 - (a) Small warehousing establishments, with totally enclosed storage
 - (b) Wholesale Operations
 - (c) Distribution Centers

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Central Dry Cleaning Plant provided there is no retail customer contact
- (2) Medical Marihuana Cultivation Facility – § 757
- (3) Outdoor storage as principal use provided that the use is within a fenced and properly screened area
- (4) Research and Design, provided there is no use of materials having high toxicity, radioactivity, or explosive properties, including but not limited to:
 - (a) Engineering
 - (b) High Tech Research
 - (c) Trade or Industrial Schools
 - (d) Business Colleges
 - (e) Industrial, Research, or Business Park
- (5) Limited Residential – § 616

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Auto Service, including:
 - (a) Automobile Laundries – § 712
 - (b) Gasoline Service Stations – § 748
 - (c) Oil Change Facilities
- (2) Drive in theaters, race tracks, driving ranges – § 736
- (3) Fuel/Chemical/Hazardous Waste Storage as Principal Use – § 744
- (4) Incinerators
- (5) Institutional Uses and Structures – § 753
- (6) Junk Yards – § 754
- (7) Metal Plating, Buffering, and Polishing
- (8) Parking Facility (i.e. ramp; accessory to principal use)
- (9) Processing Operations not otherwise identified in § 324(A) or (B)
- (10) Recycling Facility
- (11) Sand and Gravel Pits – § 774
- (12) Truck or Rail Freight Terminal
- (13) WECS – § 780
- (14) Wireless Communication Facility – § 792

D. ADDITIONAL STANDARDS:

The Provisions of § 323.F Additional Standards shall apply.

SECTION 324 I-L LIMITED MIXED-USE INDUSTRIAL BUSINESS

PURPOSE – The intent of the Limited Mixed Use Industrial Business (I-L) District is to remain highly industrial in nature while allowing a limited number of non-industrial uses that are envisioned as accessory or complimentary to existing and future industrial uses of the districts. Non-industrial uses of property within these districts are subject to industrial impacts from adjacent parcels including, but not limited to, noise, dust, and vibrations. The Planning Commission will attempt to limit these adverse impacts when considering development applications.

A. USES PERMITTED BY RIGHT:

- (1) Catering Establishment
- (2) Contractor’s Establishment
- (3) Data Center and Computer Operations
- (4) Essential Service Facility, Minor – § 737
- (5) Indoor Entertainment Center – § 751
- (6) Live-Work Unit
- (7) Lumber Processing and Sawmill – § 756
- (8) Manufacturing, Heavy
- (9) Manufacturing, Light
- (10) Park, Mini
- (11) Park, Neighborhood
- (12) Passenger Terminal – § 764
- (13) Printing or Publishing Enterprise
- (14) Recreational Facility – § 766
- (15) Retail, Industrial Accessory – § 611
- (16) Small Warehousing Establishment
- (17) Solar Energy System, Accessory – § 773
- (18) Transportation Dispatch Center
- (19) Vehicle Service Center, Major
- (20) Warehouse or Distribution Center
- (21) Wholesaler – § 779

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Business College or Trade School
- (2) Dry Cleaning Plant
- (3) Medical Marihuana Cultivation Facility – § 757
- (4) Outdoor Storage, Primary Use – § 763
- (5) Research and Design Facility

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Car Wash – § 717
- (2) Essential Service Facility, Major – § 737
- (3) Gasoline Service Station – § 748
- (4) Incinerator
- (5) Institutional Uses and Structures – § 752
- (6) Junk Yard – § 753
- (7) Metal Plating, Buffering, and Polishing
- (8) Off-Site Parking
- (9) Outdoor Entertainment Center, Major – § 761
- (10) Processing Operation
- (11) Recycling Facility
- (12) Sand or Gravel Pit, Quarry – § 771
- (13) Solar Energy System, Primary – § 773
- (14) Truck or Rail Freight Terminal
- (15) Vehicle Service Center, Minor
- (16) Warehouse or Distribution Center, Hazardous Materials – § 777
- (17) Wind Energy Conversion System – § 780
- (18) Wireless Communication Facility – § 792

SECTION 325 A: AGRICULTURAL

PURPOSE – The A (Agricultural) districts provide areas for agricultural operations and low intensity land uses. These districts are composed primarily of unsubdivided lands that are vacant or are in agricultural use with some dwellings and accessory uses. The A districts are suitable for large tracts of open space, agricultural areas, woodlands, and fields. They are designed to promote the protection of the existing natural environment and to preserve, enhance and stabilize the essential characteristics and economical value of these areas as agricultural lands. The A districts may be used to encourage development in and near the core areas of the township by limiting the development densities of parcels less suited for intensive development. The A districts may also be used to protect natural resources and environmentally sensitive areas by preserving these areas for low intensity land uses.

A. USES PERMITTED BY RIGHT:

- (1) Agricultural Operations
- (2) Cemeteries
- (3) Dwelling, Single Family
- (4) Home Industry
- (5) Home Occupations
- (6) Pet Grooming Establishment
- (7) Roadside Stands
- (8) Publicly Owned and Operated Parks
- (9) Raising and keeping small animals such as poultry, rabbits, and goats
- (10) Raising and keeping livestock, such as cattle, hogs, horses, ponies, sheep and similar livestock upon a lot having an area not less than ten (10) acres, except feeder lots

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home (<7) – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Farm Market – § 741
- (5) Keeping of horses – § 752
- (6) Medical Marihuana Residential Cultivation – § 758
- (7) Stormwater containment on split-zoned properties to support non-agricultural uses provided Low Impact Development standards are used to the satisfaction of the Planning Commission and Township Engineer
- (8) Tenant house for full-time farm employees associated with the principal use of the property as an agricultural operation
- (9) Personal Energy Conversion System – § 770

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home (7-12)
- (2) Adult Foster Care, Large Group Home (13-20)
- (3) Airports and Airfields
- (4) Bed & Breakfast – § 714
- (5) Campgrounds
- (6) Drive-In Theaters – § 736
- (7) Game or Hunting Preserves operated for profit
- (8) Golf Courses and Country Clubs, not including stand-alone golf-driving ranges and miniature golf courses – § 749
- (9) Greenhouses and nurseries selling at retail on the premises
- (10) Incinerators
- (11) Institutional Uses and Structures – § 753
- (12) Kennels – § 756
- (13) Livestock Auction Yards
- (14) Essential Service Facilities – § 737
- (15) Raising of Fur Bearing Animals for profit
- (16) Recreational Field Complex – § 772
- (17) Sand or Gravel Pits, Quarries – § 774
- (18) Sawmills
- (19) Veterinary hospitals
- (20) Wireless Communication Facilities – § 792
- (21) Wind Energy Conversion System (WECS) – § 780

SECTION 325 A: AGRICULTURAL

PURPOSE – The A (Agricultural) districts provide areas for agricultural operations and low intensity land uses. These districts are composed primarily of unsubdivided lands that are vacant or are in agricultural use with some dwellings and accessory uses. The A districts are suitable for large tracts of open space, agricultural areas, woodlands, and fields. They are designed to promote the protection of the existing natural environment and to preserve, enhance and stabilize the essential characteristics and economical value of these areas as agricultural lands. The A districts may be used to encourage development in and near the core areas of the township by limiting the development densities of parcels less suited for intensive development. The A districts may also be used to protect natural resources and environmentally sensitive areas by preserving these areas for low intensity land uses.

A. USES PERMITTED BY RIGHT:

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Essential Service Facility, Minor – § 737
- (4) Farm Market – § 741
- (5) Farm Operation
- (6) Home Industry
- (7) Home Occupation
- (8) Keeping of Farm Animals
- (9) Park, Mini
- (10) Park, Neighborhood
- (11) Pet Grooming Establishment
- (12) Roadside Stand
- (13) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Farm Employees House
- (5) Keeping of Horses, Personal – § 754
- (6) Medical Marihuana Residential Cultivation – § 758
- (7) Stormwater Containment, Non-Agricultural – § 774
- (8) Wind Energy Conversion System, Personal – § 781

C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Adult Foster Care, Large Group Home – § 709
- (3) Airport or Airfield
- (4) Bed and Breakfast – § 713
- (5) Campground or Travel Trailer Park – § 716
- (6) Essential Service Facility, Major – § 737
- (7) Game or Hunting Preserve, Commercial
- (8) Golf Course or Country Club – § 749
- (9) Greenhouse, Commercial
- (10) Incinerator
- (11) Institutional Uses and Structures – § 752
- (12) Kennel – § 755
- (13) Livestock Auction Yard
- (14) Lumber Processing and Sawmill – § 756
- (15) Outdoor Entertainment Center, Major – § 761
- (16) Recreational Field Complex – § 767
- (17) Sand or Gravel Pit, Quarry – § 771
- (18) Solar Energy System, Primary – § 773
- (19) Veterinary Hospital
- (20) Wind Energy Conversion System – § 780
- (21) Wireless Communication Facilities – § 792

SECTION 330 P-R PARK AND RECREATION DISTRICT

PURPOSE AND FINDINGS. The P-R (Park and Recreation) districts provide areas for passive and active recreational facilities which are owned or operated by a municipality or other governmental entity.

A. USES PERMITTED BY RIGHT:

- (1) Athletic Fields
- (2) Children's Play Area
- (3) Dog Park
- (4) Disc Golf Course
- (5) Fire Pit
- (6) Fitness / Exercise Station
- (7) Non-motorized paths such as nature trails, walking, hiking, running, cross-country skiing, or mountain biking trails
- (8) Publicly Owned and Operated Parks
- (9) Restrooms
- (10) Sculpture
- (11) Sledding hill (non-assisted)
- (12) Trailheads / Parking Areas
- (13) Picnic pavilions or other such structures
- (14) Warming Huts

B. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Amphitheatre
- (2) Banquet Center
- (3) Campground
- (4) Challenge Course / Ropes Course
- (5) Climbing Wall (Indoor or Outdoor)
- (6) Daycare facility to accommodate the children of park users
- (7) Guest Services Building for services such as food/beverage, rentals, repair, retail sales, seating, seasonal lockers, etc
- (8) Ice Rink
- (9) Lift or tow-accessed downhill ski terrain, tubing hills, sledding hills, or mountain bike runs
- (10) Lodge
- (11) Nature Center
- (12) Outdoor Lighting
- (13) Summer camps for Kids
- (14) Yoga Retreat
- (15) Zip Line Course

C. COMPREHENSIVE PARK PLAN

A Comprehensive Park Plan is not required but is encouraged to allow for efficient park development. The purpose of a Comprehensive Park Plan is to provide for the establishment of a development plan specific to the park or recreation area, including uses that are identified by Special Use Permit above and approved following the standards of §423, Special Use Permits, of this Ordinance.

SECTION 330 P-R PARK AND RECREATION DISTRICT

PURPOSE AND FINDINGS. The P-R (Park and Recreation) districts provide areas for passive and active recreational facilities which are owned or operated by a municipality or other governmental entity.

A. USES PERMITTED BY RIGHT:

- (1) Essential Service Facility, Minor – § 737
- (2) Park, Mini
- (3) Park, Neighborhood
- (4) Park, Community – Low Intensity
- (5) Solar Energy System, Accessory – § 773

B. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Campground or Travel Trailer Park – § 716
- (2) Essential Service Facility, Major – § 737
- (3) Park, Community – High Intensity
- (4) Solar Energy System, Primary – § 773

C. COMPREHENSIVE PARK PLAN

A Comprehensive Park Plan is not required but is encouraged to allow for efficient park development. The purpose of a Comprehensive Park Plan is to provide for the establishment of a development plan specific to the park or recreation area, including uses that are identified by Special Use Permit above and approved following the standards of §423, Special Use Permits, of this Ordinance.